



**CITY OF ST. PETERSBURG
PLANNING & DEVELOPMENT SERVICES DEPT.
DEVELOPMENT REVIEW SERVICES DIVISION
DEVELOPMENT REVIEW COMMISSION**

ACTION TAKEN - MINUTES

**Council Chambers, City Hall
175 – 5th Street North
St. Petersburg, Florida 33701**

**February 6, 2019
Wednesday
2:40 p.m.**

Commission Members:

Matt Walker, Chair - P
Richard Doyle, Vice Chair - P
Joe Griner, III - P
Charles Flynt - P
Calvin Samuel - P
Melissa Rutland – P
Darren Stowe – P

Alternates:

1. Freddy Cuevas – P
2. John Barie – P
3. Martha MacReynolds – P

A = Absent

P = Present

City Staff Present:

Elizabeth Abernethy, AICP, Director of Planning & Development Services
Jennifer Bryla, AICP, Zoning Official
Kathryn Younkin, Subdivision Coordinator
Corey Malyszka, Urban Design & Development Coordinator
Adriana Puentes Shaw, Planner I
Michael Dema, Assistant City Attorney
Christina Boussias, Assistant City Attorney
Iris Winn, Administrative Clerk

- A. OPENING REMARKS OF CHAIR**
- B. ROLL CALL**
- C. PLEDGE OF ALLEGIANCE**
- D. SWEARING IN OF WITNESSES**
- E. APPROVAL OF MINUTES OF January 9, 2019**, as presented
Minutes approved as presented by a unanimous vote of the Commission.
- F. PUBLIC COMMENTS** – No speakers were present
- G. PUBLIC HEARING DEFERRALS**
 1. **Case No. 18-53000001 – 1151 79th Street South – Appeal – Deferred to April 3, 2019, at the Request of the Appellant.**
 2. **Case No. 18-54000103 – 6995 17th Way North – Deferred to March 6, 2019, at the Request of the Applicant.**
 3. **Case No. 18-54000104 – 1993 Massachusetts Avenue Northeast – Deferred to March 6, 2019, at the Request of the Applicant.**
- H. PUBLIC HEARING AGENDA**
 1. **Case No. 18-33000012 – 5034 28th Avenue North****QUASI-JUDICIAL**
 2. **Case No. 18-54000085 – 309 15th Avenue North**
 3. **Case No. 18-32000005 – 309 15th Avenue North, 1507 and 1511 4th Street North**
 4. **Case No. 18-54000105 – 6329 Dr. ML King Jr. Street North**
- I. ADJOURNMENT at 5:10 p.m.**
- J. LDR WORKSHOP – Noise Ordinance Amendments**

AGENDA ITEM #H-1 CASE NO. 18-3300012 M-16

REQUEST: Approval of a vacation of an 11.5-foot by 130-foot portion of 28th Avenue North adjacent to the North Lot Line of the parcel located at 5034 28th Avenue North.

OWNER: Shayegan 28th Avenue Property Trust
Sharokh and Dawna Shayegan
2299 65th Place North
Saint Petersburg, Florida 33702

ADDRESS: 5034 28th Avenue North

PARCEL ID NO.: 09-31-16-86113-001-0010

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Suburban Single-Family-1 (NS-1)

PRESENTATIONS: Kathryn Younkin made a presentation based on the Staff Report. Dawna Shayegan and Sharokh Shayegan made a presentation on their own behalf.

PUBLIC HEARING: Sholeh Shayegan spoke in favor of the application.

MOTION #1: To amend Special Condition no. 4, to delete the last sentence, "This landscaping will be in lieu of decorative columns required under City Code Section 16.40.040.3."

VOTE: Yes – Flynt, Griner, Rutland, Samuel, Walker, Doyle, Stowe.
No – None.

MOTION #2: Approval of a vacation of a 10-foot wide by 105-foot long portion of 28th Avenue, beginning at the eastern edge of the property, adjacent to the North Lot Line of the parcel located at 5034 28th Avenue North, subject to the amended conditions in the Staff Report

VOTE: Yes – Flynt, Griner, Rutland, Samuel, Walker, Doyle, Stowe.
No – None.

**ACTION TAKEN ON
18-3300012:** Approval of a vacation of a 10-foot wide by 105-foot long portion of 28th Avenue, beginning at the eastern edge of the property, adjacent to the North Lot Line of the parcel located at 5034 28th Avenue North, subject to the amended conditions in the Staff Report; **APPROVED 7-0.**

AGENDA ITEM #H-2**CASE NO. 18-5400085****E-10**

REQUEST: Approval of a variance to the required minimum lot width from 60-feet to 50-feet and to the required minimum lot area from 7,620-square feet to 6,400 square feet for two (2) platted lots in common ownership in order to create two (2) buildable lots.

OWNER: Greg and Ioana Stoici
714 Monterey Boulevard, Northeast
St. Petersburg, Florida 33704

AGENT: Felix Fudge
650 16th Street North
Saint Petersburg, Florida 33705

ADDRESS: 309 15th Avenue North

PARCEL ID NO.: 18-31-17-10368-000-0400

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Traditional Single-Family-3 (NT-3)

PRESENTATIONS: Adriana Puentes Shaw made a presentation based on the Staff Report.

PUBLIC HEARING: No speakers were present.

MOTION: Approval of a variance to the required minimum lot width from 60-feet to 50-feet and to the required minimum lot area from 7,620-square feet to 6,400 square feet for two (2) platted lots in common ownership in order to create two (2) buildable lots, subject to the conditions in the Staff Report.

VOTE: Yes – Flynt, Griner, Rutland, Samuel, Walker, Doyle, Stowe.
No – None.

**ACTION TAKEN ON
18-5400085:** Approval of a variance to the required minimum lot width from 60-feet to 50-feet and to the required minimum lot area from 7,620-square feet to 6,400 square feet for two (2) platted lots in common ownership in order to create two (2) buildable lots, subject to the conditions in the Staff Report; **APPROVED 7-0.**

AGENDA ITEM #H-3**CASE NO. 18-3200005****E-10**

REQUEST: Approval of a Special Exception and related Site Plan to construct a surface parking lot on a residential-zoned property.

OWNER: Greg and Ioana Stoici
714 Monterey Boulevard Northeast
Saint Petersburg, Florida 33704

AGENT: Felix Fudge
650 16th Street North
Saint Petersburg, Florida 33705

ADDRESSES AND PARCEL ID NOS.: 309 15th Avenue North; 18-31-17-10368-000-0400
1507 4th Street North; 18-31-17-68580-000-0051
1511 4th Street North; 18-31-17-68580-000-0050

LEGAL DESCRIPTION: On File

ZONING: Corridor Commercial Traditional-1 (CCT-1)
Neighborhood Traditional Single-Family-3 (NT-3)

PRESENTATIONS: Corey Malyszka made a presentation based on the Staff Report.

PUBLIC HEARING: No speakers were present.

MOTION: Approval of a Special Exception and related Site Plan to construct a surface parking lot on a residential-zoned property, subject to the special conditions in the Staff Report.

VOTE: Yes – Flynt, Griner, Rutland, Samuel, Walker, Doyle, Stowe.
No – None.

ACTION TAKEN ON 18-3200005: Approval of a Special Exception and related Site Plan to construct a surface parking lot on a residential-zoned property, subject to the special conditions in the Staff Report; **APPROVED 7-0.**

AGENDA ITEM #H-4	CASE NO. 18-54000105	F-7
REQUEST:	Approval of a design variance to allow parking spaces between the principle building and the primary street, and a variance to the maximum building setbacks to allow construction of a 1,700 square-foot restaurant with a drive-thru.	
OWNER:	Northside Church of Christ 6329 Dr. ML King Jr. Street North Saint Petersburg, Florida 33702	
AGENT:	Todd Pressman 334 East Lake Road, Unit #102 Palm Harbor, Florida 34685	
ADDRESS:	6329 Dr. ML King Jr. Street North	
PARCEL ID NO.:	31-30-17-61430-001-0010	
LEGAL DESCRIPTION:	On File	
ZONING:	Corridor Commercial Suburban-1 (CCS-1)	
PRESENTATIONS:	Corey Malyszka made a presentation based on the Staff Report. Todd Pressman spoke on behalf of the applicant. Joseph Oliveri spoke on behalf of the applicant.	
PUBLIC HEARING:	Matt Pryor spoke in favor of the application. Paul Pryor spoke in favor of the application. Tom Burkot did not speak, but indicated he was in favor of the application. Ronald Fairchild spoke in favor of the application. Molly Burgess spoke in favor of the application. Pat Ledford spoke in favor of the application. David Ponte did not speak, but indicated he was in favor of the application. Dan Lavender spoke in favor of the application. Richard Lightkep spoke in favor of the application. Robert Haddock spoke in favor of the application. Linda Haddock spoke in favor of the application. Kadie Richmond spoke in favor of the application.	
MOTION #1:	Approval of a design variance to allow parking spaces between the principle building and the primary street for a restaurant with a drive-thru, subject to the conditions in the Staff Report.	
VOTE:	Yes – Flynt, Griner. No – Rutland, Samuel, Walker, Doyle, Stowe.	
MOTION #2:	Approval of a variance to the maximum building setbacks to allow construction of a 1,700 square-foot restaurant with a drive-thru, subject to the conditions in the Staff Report.	
VOTE:	Yes – Griner, Rutland, Samuel, Walker, Doyle, Stowe, No – Flynt.	

ACTION TAKEN ON

18-54000105 – Motion #1: Motion to approve a design variance to allow parking spaces between the principle building and the primary street for a restaurant with a drive-thru, **failed** by a vote of **2-5**, thereby **DENYING** the variance for parking spaces between the principle building and the primary street.

ACTION TAKEN ON

18-54000105 – Motion #2: Motion to approve a variance to the maximum building setbacks to allow construction of a 1,700 square-foot restaurant with a drive-thru, subject the special conditions in the Staff Report; **APPROVED 6-1.**

AGENDA ITEM #1 ADJOURNMENT at 5:10 p.m.

AGENDA ITEM #J LDR – Noise Ordinance Amendments

City File: LDR 2019-02 LDR Workshop: Noise Ordinance Amendments

PRESENTATION: Elizabeth Abernethy made a presentation to the Commission.