



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

**DEVELOPMENT REVIEW COMMISSION  
STAFF REPORT**

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**VACATION OF RIGHT-OF-WAY  
PUBLIC HEARING**

According to Planning & Development Services Department records, **no Commission member** resides or has a place of business within 2,000 feet of the subject property. All other possible conflicts should be declared upon the announcement of the item.

**REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & DEVELOPMENT SERVICES DEPARTMENT**, for Public Hearing and Executive Action on **December 4, 2019 at 2:00 P.M.** at the Sunshine Center (Auditorium), 330 5<sup>th</sup> Street North, St. Petersburg, Florida.

CASE NO.: 19-33000007 PLAT SHEET: G-2

REQUEST: Approval of a Vacation of two 16-foot alleys adjacent to Lots 59 to 66, Central Land and Title Co Replat, located between Central Avenue and 1<sup>st</sup> Avenue North, between Seaboard Coast Line Railroad and 15<sup>th</sup> Street North.

OWNERS: Fergs Sports Bar & Grill, Inc.  
7937 9<sup>th</sup> Avenue South  
Saint Petersburg, Florida 33707

Booker Creek Venture, Inc.  
3443 1<sup>st</sup> Avenue North  
Saint Petersburg, Florida 33713

Midtown Real Estate 1 FLP  
PO Box 429  
Saint Petersburg, Florida 33731

AGENT: Lawrence Powers  
P.O. Box 48026  
Saint Petersburg, Florida 33743

ADDRESSES AND  
PARCEL ID NOS.: 1450 1<sup>st</sup> Avenue North; 24/31/16/14544/000/0590  
25 15<sup>th</sup> Street North; 24/31/16/14544/000/0600  
1431 Central Avenue; 24/31/16/14544/000/0610  
1421 Central Avenue; 24/31/16/14544/000/0630  
1415 Central Avenue; 24/31/16/14544/000/0650

LEGAL DESCRIPTION: On File

ZONING: Downtown Center (DC-1)

**DISCUSSION AND RECOMMENDATION:**

**Request.** The request is to vacate two 16-foot alleys located within the area bounded by 1<sup>st</sup> Avenue North (north), Central Avenue (south), 15<sup>th</sup> Street North (west), and the Seaboard Coast Line Railroad (east). The applicants' goal is to vacate these rights-of-way in order to consolidate the property for redevelopment.

The area of the rights-of-way proposed for vacation are depicted on the attached maps (Attachments A and B) and Sketch and Legal Description (Attachment C). A survey of the property is also included for reference (Attachment D).

**Analysis.** Staff's review of a vacation application is guided by:

- A. The City's Land Development Regulations (LDR's);
- B. The City's Comprehensive Plan; and
- C. Any adopted neighborhood or special area plans.

Applicants bear the burden of demonstrating compliance with the applicable criteria for vacation of public right-of-way. In this case, the material submitted by the applicant (Attachment E) **does** provide background or analysis supporting a conclusion that vacating the subject rights-of-way would be consistent with the criteria in the City Code, the Comprehensive Plan, or any applicable special area plan.

**A. Land Development Regulations**

Section 16.40.140.2.1E of the LDR's contains the criteria for reviewing proposed vacations. The criteria are provided below in italics, followed by itemized findings by Staff.

1. *Easements for public utilities including stormwater drainage and pedestrian easements may be retained or required to be dedicated as requested by the various departments or utility companies.*

The application was routed to City Departments and Private Utility Providers. Duke Energy, Bright House, Frontier Communications, and Wide Open West (WOW!) all indicated that they have facilities within the subject property requested for vacation. A condition of approval has been added at the end of this report recommending that an easement be provided over the private facilities, which the applicant has depicted, on the proposed Booker Creek Central Preliminary Plat (Attachment F).

2. *The vacation shall not cause a substantial detrimental effect upon or substantially impair or deny access to any lot of record as shown from the testimony and evidence at the public hearing.*

Approval of the vacation will not deny access to any lot of record. All of the lots of record abutting the alleys requested for vacation are also abutting publicly accessible rights-of-way.

3. *The vacation shall not adversely impact the existing roadway network, such as to create dead-end rights-of-way, substantially alter utilized travel patterns, or undermine the integrity of historic plats of designated historic landmarks or neighborhoods.*

The vacation of the alleys will not create any dead-ends as the proposal is to vacate all alleys within the subject block. Travel patterns will remain unaffected as only the alley that runs directly north/south is accessible by vehicular traffic and that alley effectively terminates into the parking lot for 1421 Central Ave.

4. *The easement is not needed for the purpose for which the City has a legal interest and, for rights-of-way, there is no present or future need for the right-of-way for public vehicular or pedestrian access, or for public utility corridors.*

The Engineering Department's Memorandum dated July 22, 2019 (Attachment G) identifies the alley to be vacated as the only access to and along the west side of Booker Creek that can be utilized for maintaining the watercourse and providing the ingress and egress of equipment. Engineering has requested a minimum of 15-feet of upland at the top of each bank be reserved as easements for the purposes of maintaining Booker Creek and the embankments. A condition of approval is included at the end of this report that requires the easements to be provided when replatting.

The City may have a future need for the right-of-way for public pedestrian access as a part of the Booker Creek Trail for bicycle and pedestrian use that is included in the St. Petersburg Complete Streets Implementation Plan as identified by the City's Transportation Department in their Memorandum dated July 23, 2019 (Attachment I). The City is currently in a dispute to acquire the Seaboard Coast Line Railroad property, owned by CSX Transportation Inc., abutting the subject properties to the east for the planned bicycle and pedestrian trail that follows Booker Creek. Transportation cited concerns over the uncertainty about the future use of the Seaboard Coast Line Railroad property and in their July 23, 2019 Memorandum recommended that the City continue to preserve the alley for a potential trail or sidewalk connection from Central Avenue to 1<sup>st</sup> Avenue North. Transportation Department's Memorandum dated November 18, 2019 (Attachment J) identifies easements depicted at the top of each bank on the attached plat as being suitable alternate locations for the Booker Creek Trail to traverse and recommended that those easements be 20-feet in width. In a follow-up email from Transportation received November 20, 2019 (Attachment K) they identify the eastern side of the creek as a higher priority for a 20-foot wide bicycle and pedestrian easement, as it is closer to the alignment of the proposed Booker Creek Trail. As a result, Staff is recommending a condition of approval that an easement located on the eastern side of the creek be provided that is 20-feet in width reserved for the future use of the Booker Creek Trail for bicycles and pedestrians, as identified within the St. Petersburg Complete Streets Implementation Plan, should the dispute for the Seaboard Coast Line Railroad property not be ruled in favor of the City.

The private utility companies that have facilities in the rights-of-way to be vacated will be protected through the dedication of an easement over their facilities that will be provided when the property is replatted, this is included as a condition of approval at the end of this report.

5. *The POD, Development Review Commission, and City Council shall also consider any other factors affecting the public health, safety, or welfare.*

The planned Booker Creek Trail for bicycle and pedestrian use is a factor for public health as providing recreational facilities increases multi-modal transportation options which can improve community health and reduce greenhouse gases. A recommended condition of approval has been included that reserves the easement located along the top of the bank on the eastern side of Booker Creek for use as a part of the Booker Creek Trail.

#### B. Comprehensive Plan

Transportation Element Objective T3 states, *"The City shall develop and maintain a multi-modal transportation system that increases mobility for bicyclists, pedestrians and transit users as well as motorists and users of aviation and rail facilities, and that promotes development patterns that reduce vehicle miles traveled and greenhouse gas emissions."*

The Transportation Department has identified a proposed trail traversing the area, see Attachment I. The proposed trail would connect the South St. Petersburg area to northern parts of the City, as well as central Pinellas County, by utilizing the Seaboard Coast Line Railroad corridor. However, should the City not be successful in obtaining the rights to the Seaboard Coast Line Railroad corridor then an alternative route located along the top of the bank on the eastern side of Booker Creek and existing roadways could also serve the purpose of linking the southern and northern parts of the City and County with a bicycle and pedestrian trail.

Future Land Use Element Policy LU18.2 states, *"The efficiency of the existing one-way system should be preserved. Direct access to First Avenues North and South from abutting lots should be kept to a minimum. Nearby east-west alleys should not be vacated if additional curb cuts into First Avenues North and South might result."*

The requested rights-of-way to be vacated provides direct access to First Avenue North. While there are no existing curb cuts on First Avenue North from the existing alley approval of the vacation will prevent future curb cuts from the alley to First Avenue North. Staff has included a condition of approval at the end of this report that future development shall provide access from 15<sup>th</sup> Street North, which is a local street, rather than 1<sup>st</sup> Avenue North.

Transportation Element Policy T2.4 states, *"The City should preserve the historical grid street pattern, including alleys, and shall not vacate public right-of-way until it is determined that the right-of-way is not required for present or future public use."*

As stated above, the City may have a future public use for the rights-of-way requested to be vacated for public access as a part of the Booker Creek Trail for bicycle and pedestrian use that is included in the St. Petersburg Complete Streets Implementation Plan as identified by the City's Transportation Department. A condition of approval to provide a public access easement along the top of the bank on the eastern side of Booker Creek mitigates the identified future public use for the rights-of-way requested to be vacated.

Coastal Management Element Policy CM7.3 states, *“Development of waterfront locations shall give preference to uses which service and provide access to the public.”*

The vacation of the public rights-of-way includes conditions of approval that the applicant shall provide easements located at the top of the bank on both sides of Booker Creek. Staff has included a condition of approval that the applicant, its successor, or assigns, will be required to obtain approval from Engineering for any improvements made within the easements and that such improvements shall allow for public access within the easements.

Coastal Management Element Policy CM7.5 states, *“The City shall require the retention of public right-of-way adjacent to waterfront in the platting and replatting of land unless comparable waterfront access is provided.”*

The requested vacation of public rights-of-way will require replatting of the vacated alleys and abutting properties. A condition of approval has been included that, as a part of that replatting process, comparable waterfront access will be provided in the form of publicly accessible easements located along the top of each bank.

### C. Adopted Neighborhood or Special Area Plans

The subject rights-of-way are not within the boundaries of any neighborhood associations; however, they are located within the boundaries of a business district, the EDGE District. The EDGE District Master Plan includes a "Water's EDGE Park" along Booker Creek, see Attachment I. The plan includes a park, located primarily on privately owned property, with the Booker Creek Trail shown directly to the east. The plan is largely similar to proposed Booker Creek Central plat in that it depicts both Booker Creek and the abutting upland property as being preserved from development. Due to the fact that the plan is located on privately owned land the Development Review Services Staff is not basing a recommendation of approval or denial on this factor.

**Comments from Agencies and the Public.** Staff did not receive any calls or correspondence from the public regarding the requested vacation of rights-of-way.

The request to vacate the alleys was routed to City Departments and Private Utility Providers for comments. The Engineering Department's Memorandum dated July 22, 2019 (Attachment G) stated that upon replat there shall be dedicated a Public Stormwater Easement or Drainage Right-of-way conforming to the lines of Booker Creek with additional width adequate for the purposes of maintaining the creek, including a minimum width of 15-feet at the top of each bank for maintenance purposes. The applicant revised their proposed Booker Creek Central Preliminary Plat (Attachment F) to comply with Engineering's comments by including the requested easements. Engineering reviewed the revised plat and provided additional comments within their Memorandum dated November 18, 2019 (Attachment H) which the applicant will be required to address through the replat process.

The Transportation and Parking Management Department initially recommended preservation of the alley in their Memorandum dated July 23, 2019 (Attachment I) as they indicate that it cannot be stated definitively that there is no future need for the rights-of-way for public use. Transportation identifies Booker Creek as a feature in the EDGE District's proposed Water's EDGE Park, which was approved by City Council in 2017, and the Complete Streets Implementation Plan, approved by City Council in 2019, includes a proposed trail through the abutting Seaboard Coast Line Railroad property to the east. Upon review of the revised Booker

Creek Central Preliminary Plat Transportation provided a Memorandum, dated November 18, 2019 (Attachment J), recognizing the applicant's dedicated 15-foot upland easements running along the top of both creek banks as an improvement. Transportation, in their email dated November 20, 2019 (Attachment K), identified the eastern side of the creek as being closer to the alignment of the proposed Booker Creek Trail and a higher priority for a 20-foot bicycle/pedestrian easement. Based on Transportation's request, Staff has included a condition of approval that a 20-foot wide easement located on the top of the eastern bank of Booker Creek be reserved for the future use of the Booker Creek Trail for bicycles and pedestrians, as identified within the St. Petersburg Complete Streets Implementation Plan, should the City's litigation for the property (Parcel I.D. 24-31-16-00000-130-0100) abutting the subject property to the east not be ruled in favor of the City.

Objections were received from Private Utility Providers, as indicated above. The applicant is aware that facilities exist and will be providing a utility easement through the replatting process, which is shown on the attached Booker Creek Central Preliminary Plat.

**RECOMMENDATION.** Staff recommends **APPROVAL** of the proposed vacation of rights-of-way. If the DRC is inclined to support the vacation, Staff recommends the following special conditions of approval:

1. Prior to the recording of the vacation ordinance the vacated rights-of-way, along with the abutting properties, shall be replatted.
2. Prior to recording the vacation ordinance, the applicant(s) shall address the location of public and private utilities and services by providing private or public utility easements as requested, relocating City and private utilities at the applicant's expense or obtain letters of no objection from utility providers. In either case a written letter of no objection from the utility providers is required stating that the easement is sufficient for their interest, that the facilities have been relocated, or that there is no conflict.
3. Prior to recording the vacation ordinance, the applicant(s) shall, per City Code Section 16.40.140.4.4, as a part of the replat process provide a 15-foot wide Public Access Easement at no greater than 1:12 slope located at the top of each bank, that shall be reviewed and approved by the City's Engineering Department.
4. Record by instrument, after platting has occurred, a 20-foot wide Public Access Easement located at the top of the bank on the eastern side of Booker Creek that shall be reserved for the future use of the Booker Creek Trail for bicycles and pedestrians, as identified within the St. Petersburg Complete Streets Implementation Plan, should the City's litigation for the property (Parcel I.D. 24-31-16-00000-130-0100) abutting the subject property to the east not be ruled in favor of the City.
5. Primary vehicular access for any future development shall be provided from 15<sup>th</sup> Street North, which is a local street, rather than 1<sup>st</sup> Avenue North and Central Ave, which are major streets. Other than the existing curb cut on Central Ave, there shall be no future curb cuts permitted along either 1<sup>st</sup> Avenue North or Central Avenue and those existing curb cuts shall be removed upon future development.
6. As required City Code Section 16.70.050.1.1.F, approval of right-of-way vacations requiring replat shall lapse unless a final plat based thereon is recorded in the public

records within 24 months from the date of such approval or unless an extension of time is granted by the Development Review Commission or, if appealed, City Council prior to the expiration thereof. Each extension shall be for a period of time not to exceed one (1) year.

**REPORT PREPARED BY:**



11/21/19

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Scot Bolyard, AICP, Deputy Zoning Official  
Development Review Services Division  
Planning & Development Services Department

DATE

**REPORT APPROVED BY:**



11.21.19

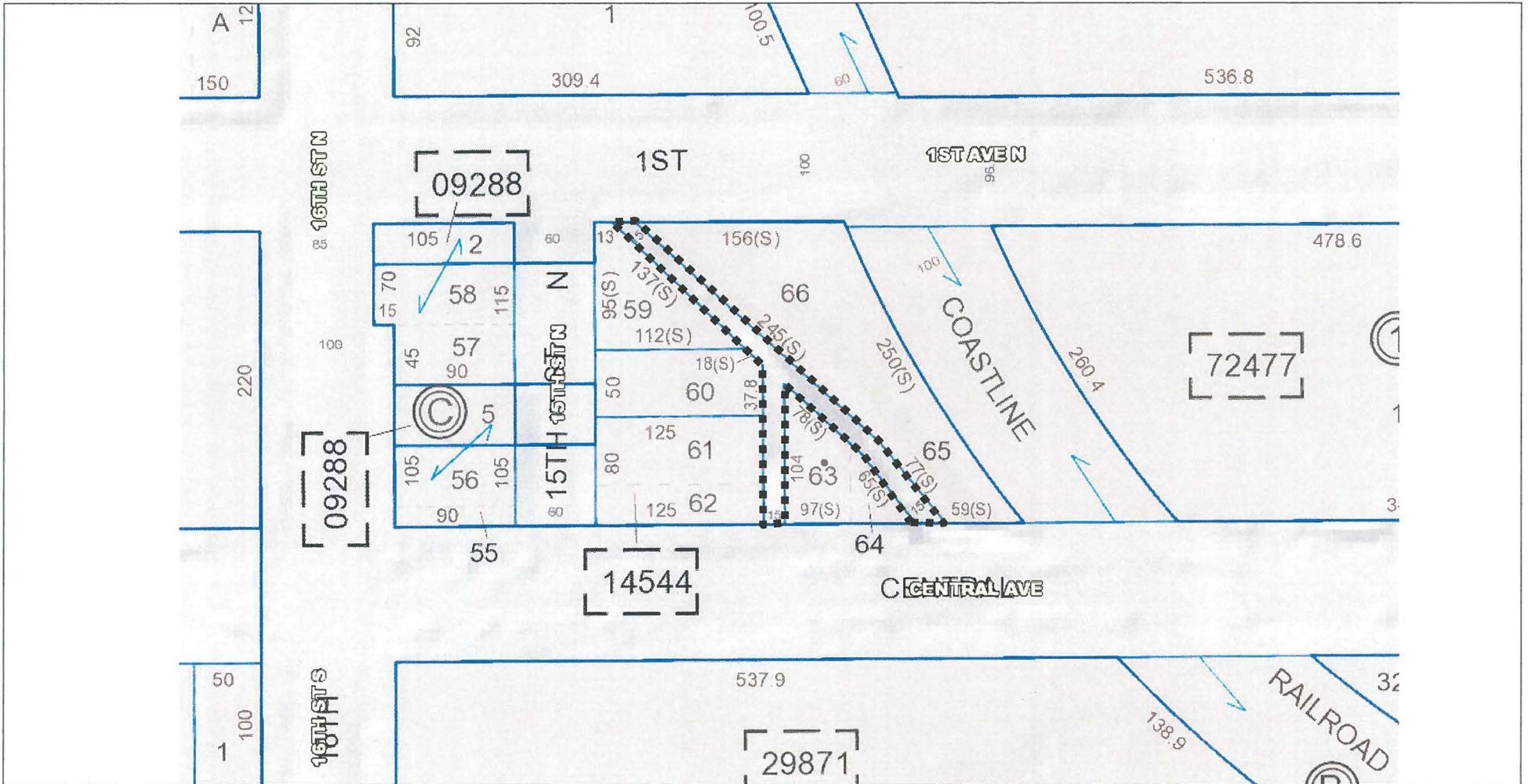
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Jennifer Bryla, AICP, Zoning Official (POD)  
Development Review Services Division  
Planning and Development Services Department

DATE

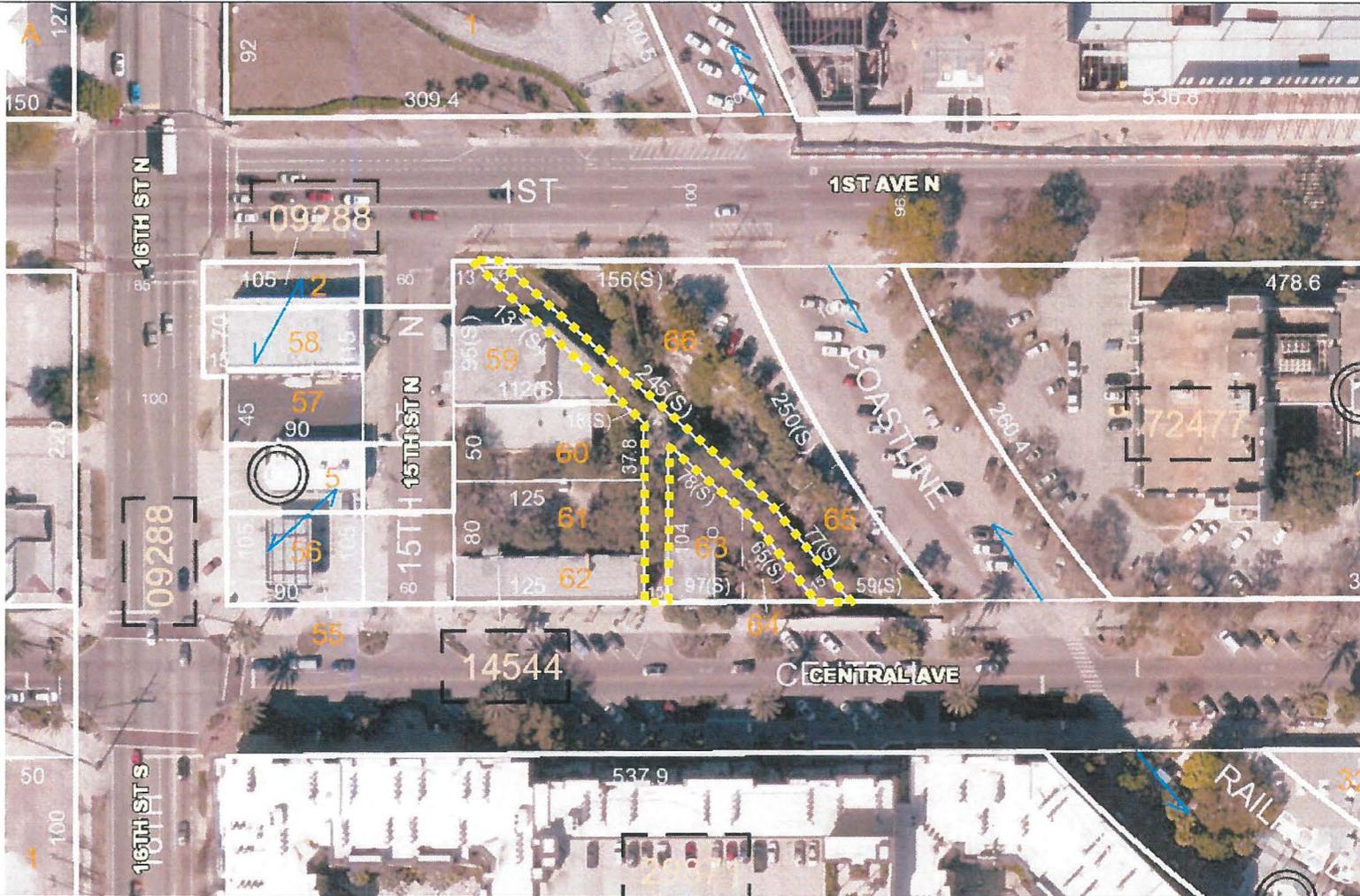
**Attachments:**

- A. Project Location Map
- B. Aerial Map
- C. Sketch and Legal Description
- D. Survey
- E. Applicant's Narrative
- F. Booker Creek Central Preliminary Plat
- G. Engineering Department Memorandum dated July 22, 2019
- H. Engineering Department Memorandum dated November 18, 2019
- I. Transportation and Parking Management Department Memorandum dated July 23, 2019
- J. Transportation and Parking Management Department Memorandum dated November 18, 2019
- K. Correspondence from Tom Whalen, Planner III, Transportation and Parking Management Department, dated November 20, 2019.



Project Location Map  
 City of St. Petersburg, Florida  
 Planning and Development Services  
 Department  
 Case No.: 19-33000007  
 Address: 1450 1<sup>st</sup> Avenue North, 25 15<sup>th</sup> Street  
 North, 1415, 1421, and 1431 Central Avenue





Aerial Map  
 City of St. Petersburg, Florida  
 Planning and Development Services  
 Department  
 Case No.: 19-33000007  
 Address: 1450 1<sup>st</sup> Avenue North, 25 15<sup>th</sup> Street  
 North, 1415, 1421, and 1431 Central Avenue



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LAWRENCE E. POWERS

# SKETCH & LEGAL DESCRIPTION

TYPE OF SURVEY: SPECIFIC PURPOSE  
SKETCH & LEGAL DESCRIPTION (NOT A SURVEY)

PREPARED FOR: COATS SCHMIDT, P.A.

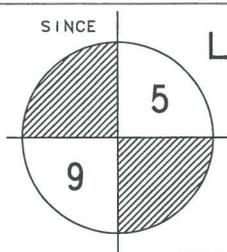
PROJECT #: 1421C

DATE DRAWN: FEB. 13, 2019  
DATE SIGNED: FEB. 13, 2019

## PROPOSED ALLEY VACATION:

A 16 FOOT ALLEY AS PER MAP OR PLAT OF CENTRAL LAND AND TITLE CO. REPLAT AS RECORDED IN PLAT BOOK 4 AT PAGES 15 AND 16 OF THE PUBLIC RECORDS OF PINELLAS COUNTY FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AS A POINT OF REFERENCE COMMENCE AT THE SOUTHWESTERLY CORNER OF POLICE COMPLEX REPLAT AS PER MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 65 PAGE 40 OF THE PUBLIC RECORDS OF PINELLAS COUNTY FLORIDA; THENCE S89°54'19"W ALONG THE NORTHERLY RIGHT OF WAY LINE OF CENTRAL AVENUE A 100 FOOT RIGHT PER MAP OR PLAT OF SAID CENTRAL LAND AND TITLE CO. REPLAT, 126.78 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF SEABOARD COAST RAILROAD, A 100 FOOT RIGHT-OF-WAY AS SHOWN ON SAID MAP OR PLAT OF POLICE COMPLEX REPLAT; THENCE CONTINUE S89°54'19"W ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID CENTRAL AVENUE, 75.96 FEET TO THE SOUTHWESTERLY CORNER OF LOT 65 OF SAID CENTRAL LAND AND TITLE CO. REPLAT AND THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED LANDS: THENCE CONTINUE S89°54'19"W ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID CENTRAL AVENUE, 16.70 FEET TO THE SOUTHEASTERLY CORNER OF LOT 64 OF SAID CENTRAL LAND AND TITLE CO. REPLAT; THENCE N16°47'34"W ALONG THE EASTERLY LINE OF SAID LOT 64, 54.51 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 64; THENCE N47°33'31"W ALONG THE NORTHERLY LINE OF SAID LOT 64 AND THE NORTHERLY LINE OF LOT 63 OF SAID CENTRAL LAND AND TITLE CO. REPLAT, 76.60 FEET TO THE NORTHWESTERLY CORNER OF SAID LOT 63; THENCE S00°09'15"E, ALONG THE WESTERLY LINE OF SAID LOT 63, 104.00 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 63; THENCE S89°54'19"W ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID CENTRAL AVENUE, 16.00 FEET TO THE SOUTHEASTERLY CORNER OF LOT 62 OF SAID CENTRAL LAND AND TITLE CO. REPLAT; THENCE N00°09'15"W ALONG THE EASTERLY LINE OF SAID LOT 62 AND THE EASTERLY LINE OF LOTS 61 AND 60 OF SAID CENTRAL LAND AND TITLE CO. REPLAT, 118.30 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID 16' ALLEY; THENCE N48°20'12"W ALONG THE NORTHEASTERLY LINE OF SAID LOT 60 AND THE NORTHEASTERLY LINE OF LOT 59 OF SAID CENTRAL LAND AND TITLE CO. REPLAT, 152.69 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF 1ST AVENUE NORTH (A 100 FOOT RIGHT-OF-WAY) AS HISTORICALLY MONUMENTED AND OCCUPIED; THENCE N89°56'15"E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF SAID 1ST AVENUE NORTH, 24.04 FEET; THENCE S48°20'12"E, ALONG THE SOUTHWESTERLY LINE OF LOT 66 OF SAID CENTRAL LAND AND TITLE CO. REPLAT, 156.33 FEET; THENCE CONTINUE ALONG THE SOUTHWESTERLY LINE OF SAID LOT 66, S47°33'31"E, 81.11 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 66 ALSO KNOWN AS THE NORTHWESTERLY CORNER OF SAID LOT 65; THENCE S16°47'34"E ALONG THE WESTERLY LINE OF SAID LOT 65, 63.71 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 65 AND THE POINT OF BEGINNING. SAID ALLEY CONTAINS 6,629.82 SQUARE FEET MORE OR LESS.



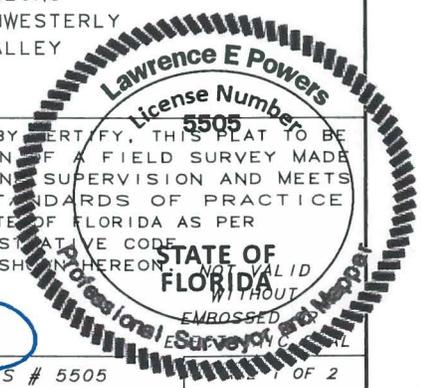
**LAWRENCE E. POWERS**

P. O. BOX 48026  
ST. PETERSBURG, FL 33743-8026  
P: 727-537-9895  
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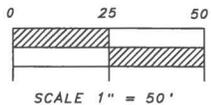
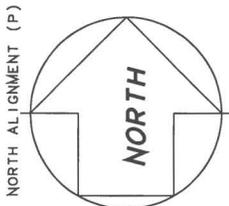
4996 MIRAMAR DR # 6207 ST PETERSBURG FL 33708

I THE UNDERSIGNED HEREBY CERTIFY, THIS PLAT TO BE A TRUE REPRESENTATION OF A FIELD SURVEY MADE UNDER MY DIRECTION AND SUPERVISION AND MEETS OR EXCEEDS THE STANDARDS OF PRACTICE FOR SURVEYS IN THE STATE OF FLORIDA AS PER 5J-17, FLORIDA ADMINISTRATIVE CODE SUBJECT TO ALL NOTES SHOWN HEREON.

LAWRENCE E. POWERS LS # 5505

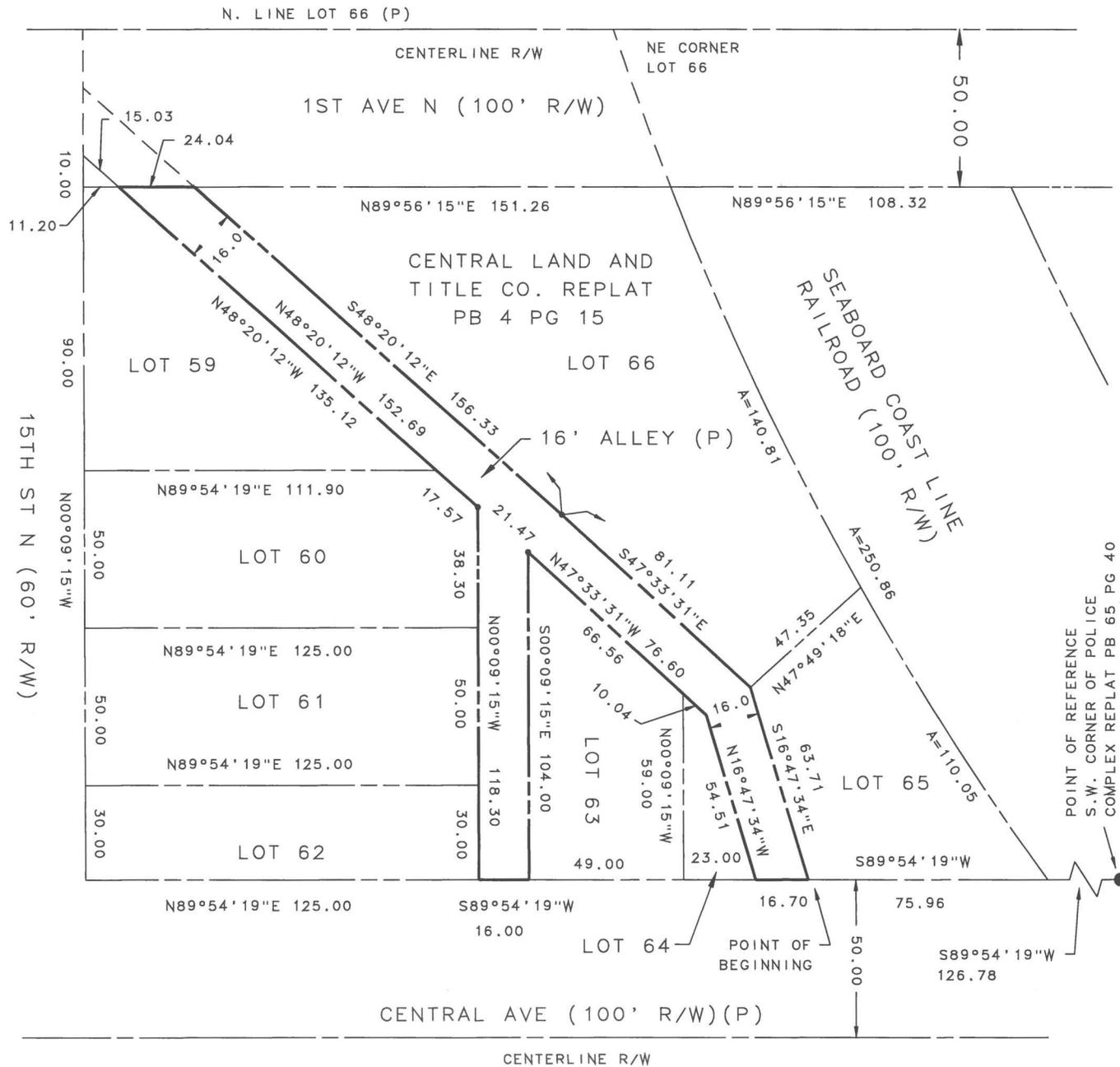


# SKETCH & LEGAL DESCRIPTION



### LOT CURVE DATA

DELTA	RADIUS	CHORD BRG	CHORD	ARC
006°16'19"	1005.37	N32°36'27"W	110.00	110.05
008°01'29"	1005.37	N25°27'33"W	140.69	140.81
014°17'48"	1005.37	N28°35'43"W	250.21	250.86



SKETCH & LEGAL DESCRIPTION  
 PREPARED BY: LAWRENCE E. POWERS LS # 5505  
 PO BOX 48026, ST PETERSBURG, FL 33743  
 P: 727-537-9895 E: SURVEYINGSTPETE@GMAIL.COM

DATE: FEB. 13, 2019 PROJECT #: 1421C



Lawrence E . Powers PSM  
Florida LS 5505  
P.O. Box 48026  
St Petersburg, FL 33743-8026  
SurveyingStPete.COM  
[surveyingstpete@gmail.com](mailto:surveyingstpete@gmail.com)  
727-537-9895

RE: BOOKER CREEK CENTRAL (Alley Vacation Narrative)

Kathryn A. Younkin, AICP, LEED AP BD+C  
Subdivision Coordinator  
City of St. Petersburg, Planning and Development Services  
1 Fourth Street North, St. Petersburg, FL 33701  
727-892-5958 / Fax: 727-892-5557  
[Kathryn.Younkin@stpete.org](mailto:Kathryn.Younkin@stpete.org)

June 10, 2019

1. The need for easements for public utilities including stormwater drainage and pedestrian easements to be retained or required to be dedicated as requested by the various departments or utility companies. Reply: we see no need for easements for public utilities since subject alleys currently have no visible utilities within them.
2. Whether the vacation would cause a substantial detrimental effect upon or substantially impair or deny access to any lot of record. Reply: The vacation of the currently platted alleys have no effect on ingress/egress to any lot.
3. Whether the vacation would adversely impact the existing roadway network, such as creating dead-end rights-of-way, substantially alter utilized travel patterns, or undermine the integrity of historic plats of designated historic landmarks or districts. Reply: There would be no impact on any existing roadway network or utilized travel patterns or the integrity of historic plats of designated historic landmarks or districts.
4. Whether the easement is needed for the purpose for which the City has a legal interest and, for rights-of-way, whether there is a present or future need for the right-of-way for public vehicular or pedestrian access, or for public utility corridors. Reply: These alley's have not been used for any purpose by the city or the public in their entire existence over 100 years.
5. The POD, Development Review Commission, and City Council may also consider any other factors affecting the public health, safety, or welfare. Reply: We see no reason that the city would need to retain these alleys.



Lawrence E. Powers LS 5505  
JUNE 10, 2019



Lawrence E Powers  
Digitally signed  
by Lawrence  
Powers  
Date: 2019.06.10  
11:52:44 -04'00'



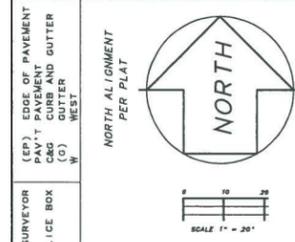
# BOOKER CREEK CENTRAL

CITY OF ST. PETERSBURG, FLORIDA

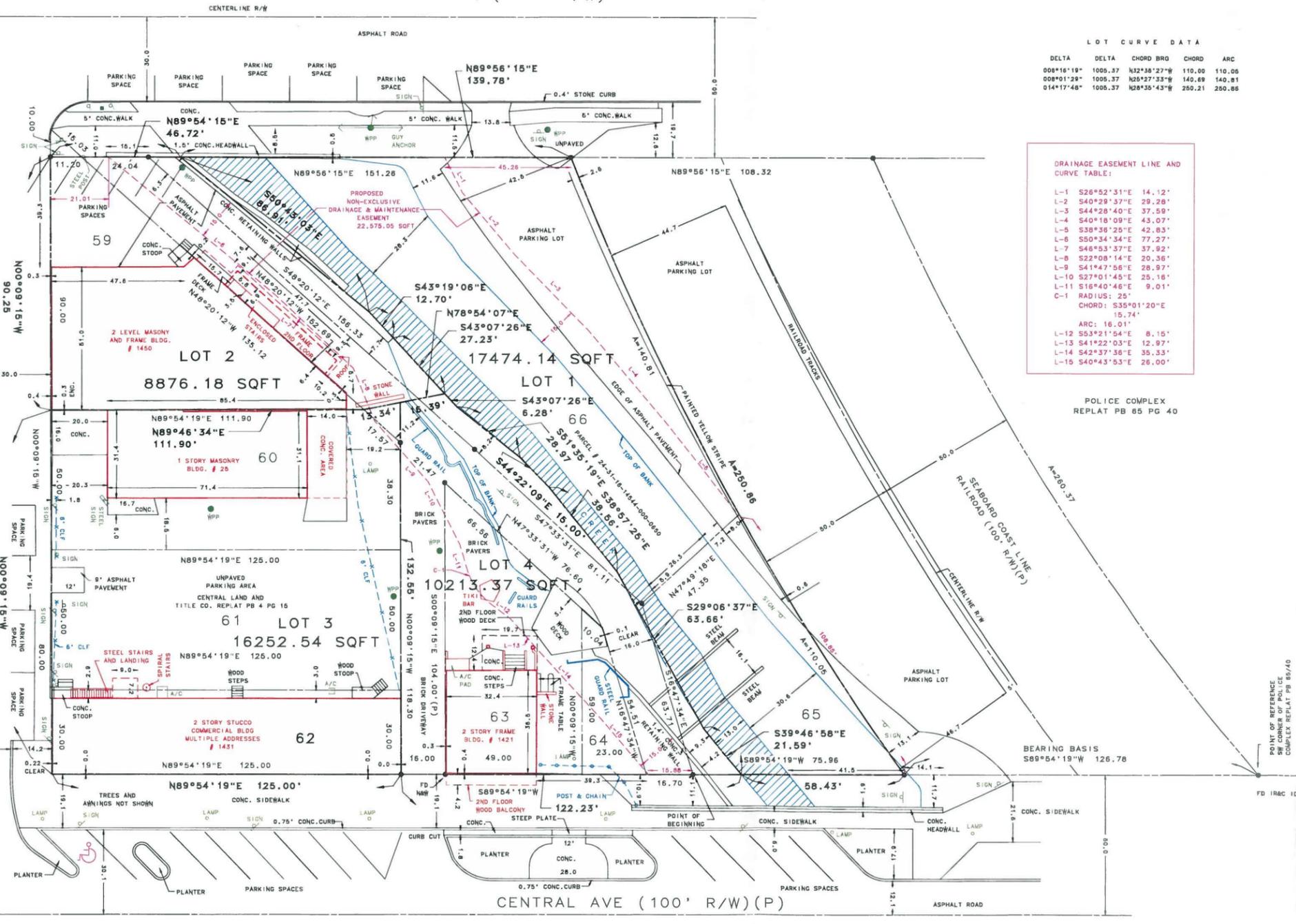
A REPLAT OF LOTS 59, 60, 61, 62, 63, 64, 65 AND 66 OF CENTRAL LAND & TITLE CO'S REPLAT AS PER MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 4 AT PAGE 15 OF THE PUBLIC RECORDS OF PINELLAS COUNTY FLORIDA.

## PRELIMINARY PLAT ST PETERSBURG FLORIDA

ST. PETERSBURG  
PINELLAS COUNTY, FL



- LEGEND:**
- (FM) FIELD MEASURES
  - (RW) RIGHT-OF-WAY
  - (P) PLAT
  - (ND) NON-RADIAL LINE
  - (IP) IRON PIPE
  - (CA) CONCRETE MONUMENT
  - (E) ELECTRIC LINE
  - (R) RADIAL TO CURVE
  - (4, 03) DENOTES ELEVATION
  - (S) SEWER LINE
  - (F) FIN. FL. FINISHED FLOOR ELEV.
  - (S) SANITARY
  - (F) FIRE HYDRANT
  - (E) ENCROACHMENT
  - (W) WATER VALVE
  - (W) WATER METER
  - (C) CHAIN LINK FENCE
  - (S) SECONDARY SYMBOL
  - (M) REGISTERED LAND SURVEYOR
  - (S) SOUTHERN BELL
  - (S) SPLICE BOX
  - (C) CURB
  - (G) GUTTER
  - (W) WEST
  - (EP) EDGE OF PAVEMENT
  - (S) SOUTHERN BELL
  - (S) SPLICE BOX
  - (C) CURB
  - (G) GUTTER
  - (W) WEST



**LOT CURVE DATA**

DELTA	DELTA	CHORD BRG	CHORD	ARC
008°16'19"	1005.37	N32°38'27"W	116.00	116.00
008°01'29"	1005.37	N26°27'33"W	140.69	140.69
014°17'48"	1005.37	N28°35'43"W	250.21	250.65

**DRAINAGE EASEMENT LINE AND CURVE TABLE:**

L-1	S28°52'31"E	14.12'
L-2	S40°29'37"E	29.28'
L-3	S44°26'40"E	37.59'
L-4	S40°18'09"E	43.07'
L-5	S38°38'25"E	42.83'
L-6	S50°34'34"E	77.27'
L-7	S48°53'37"E	37.92'
L-8	S22°08'14"E	20.35'
L-9	S41°47'56"E	28.37'
L-10	S27°01'45"E	25.16'
L-11	S18°40'46"E	9.01'
C-1	RADIUS: 25'	
	CHORD: S35°01'20"E	15.74'
	ARC: 16.01'	
L-12	S53°21'54"E	8.15'
L-13	S41°22'03"E	12.97'
L-14	S42°37'36"E	35.33'
L-15	S40°43'53"E	26.00'

**GENERAL NOTES:**  
 ADDITIONS OR DELETIONS TO THIS SURVEY MAP OR REPORT OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY.  
 RE-USE OF THIS SURVEY FOR PURPOSES OTHER THAN WHICH IT WAS INTENDED WITHOUT WRITTEN CONSENT FROM THE ENTITY IN WHICH IT WAS PREPARED FOR, WILL BE AT THE RE-USERS SOLE RISK AND WITHOUT LIABILITY TO THE SIGNING SURVEYOR OR ITS FIRM.  
 NOTHING HEREIN SHALL BE CONSTRUED TO GIVE ANY RIGHTS OR BENEFITS TO ANY ENTITY OTHER THAN THOSE WHOM THE SURVEY WAS PREPARED FOR.  
 THIS MAP CONSIST OF 1 SHEET. WHEN MULTIPLE SHEETS COMPOSE THE PLAT OR MAP OF SURVEY NO SINGLE SHEET SHALL BE CONSIDERED FULL AND COMPLETE WITHOUT THE OTHERS.  
 LANDS SHOWN HEREON WERE NOT ABSTRACTED BY THIS SURVEYOR FOR EASEMENTS AND/OR RIGHTS OF WAY OF RECORD.  
 THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED HEREON. THE CERTIFICATION SHOWN HEREON DOES NOT EXTEND TO ANY UNNAMED PARTY.  
 THIS IS AN ABOVE GROUND SURVEY AND LOCATIONS ARE LIMITED TO VISIBLE IMPROVEMENTS ONLY. NO IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN. THERE MAY BE ADDITIONAL ABOVE GROUND AND/OR UNDERGROUND UTILITIES / IMPROVEMENTS NOT SHOWN ON THIS SURVEY.  
 THIS SURVEY DOES NOT REFLECT NOR DETERMINE OWNERSHIP.  
 NO ABSTRACT OF TITLE, TITLE COMMITMENT, NOR RESULTS OF TITLE SEARCHES WERE FURNISHED TO THIS SURVEYOR. THERE MAY EXIST OTHER DOCUMENTS OF RECORD THAT WOULD AFFECT THIS PARCEL.  
 MEASUREMENTS SHOWN HEREON ARE IN U.S. SURVEY FEET AND DECIMALS THEREOF.  
 THE EXISTING MONUMENTATION AS SHOWN HEREON HAS BEEN HELD TO DEFINE THE PLAT AND RECORD BOUNDARY TITLE DESCRIPTIONS. SAID MONUMENTATION HAS BEEN DETERMINED TO BE THE BEST ACCEPTABLE EVIDENCE OF THE RECORDING INTENT OF THOSE AREAS INVOLVED. SAID EXISTING MONUMENTATION MAY OR MAY NOT HARMONIZE WITH STANDARD SECTIONALIZED LANDS LINES. OTHER RECORD PLAT BOUNDARIES OR LIMITS AND OTHER FEE TITLE DESCRIPTIONS ADJACENT TO THE AREA SHOWN HEREON.

**PROPOSED ALLEY VACATION:**  
 A 18 FOOT ALLEY AS PER MAP OR PLAT OF CENTRAL LAND AND TITLE CO. REPLAT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 AS A POINT OF REFERENCE COMMENCE AT THE SOUTHWESTERLY CORNER OF POLICE COMPLEX REPLAT AS PER MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 66 PAGE 40 OF THE PUBLIC RECORDS OF PINELLAS COUNTY FLORIDA; THENCE CONTINUE S89°54'19"W ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF CENTRAL AVENUE A 100 FOOT RIGHT PER MAP OR PLAT OF SAID CENTRAL LAND AND TITLE CO. REPLAT, 126.78 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF SEABOARD COAST RAILROAD, A 100 FOOT RIGHT-OF-WAY AS SHOWN ON SAID MAP OR PLAT OF POLICE COMPLEX REPLAT; THENCE CONTINUE S89°54'19"W ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID CENTRAL AVENUE, 75.96 FEET TO THE SOUTHWESTERLY CORNER OF LOT 65 OF SAID CENTRAL LAND AND TITLE CO. REPLAT; THENCE N16°47'34"W ALONG THE EASTERLY LINE OF SAID LOT 64, 64.51 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 64; THENCE N47°33'31"W ALONG THE NORTHERLY LINE OF SAID LOT 64 AND THE NORTHERLY LINE OF LOT 65 OF SAID CENTRAL LAND AND TITLE CO. REPLAT, 76.60 FEET TO THE WESTERLY CORNER OF SAID LOT 63; THENCE S00°09'16"E, ALONG THE WESTERLY LINE OF SAID LOT 63, 104.00 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 63; THENCE S89°54'19"W ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID CENTRAL AVENUE, 16.00 FEET TO THE SOUTHEASTERLY CORNER OF LOT 62 OF SAID CENTRAL LAND AND TITLE CO. REPLAT; THENCE N00°09'15"W ALONG THE EASTERLY LINE OF SAID LOT 62 AND THE EASTERLY LINE OF LOTS 61 AND 60 OF SAID CENTRAL LAND AND TITLE CO. REPLAT, 118.30 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID 18' ALLEY; THENCE N48°20'12"W ALONG THE NORTHEASTERLY LINE OF SAID LOT 60 AND THE NORTHEASTERLY LINE OF LOT 59 OF SAID CENTRAL LAND AND TITLE CO. REPLAT, 152.69 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF 1ST AVENUE NORTH (A 100 FOOT RIGHT-OF-WAY) AS HISTORICALLY MONUMENTED AND OCCUPIED; THENCE N89°56'15"E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF SAID 1ST AVENUE NORTH, 24.04 FEET; THENCE S48°20'12"E, ALONG THE SOUTHWESTERLY LINE OF LOT 66 OF SAID CENTRAL LAND AND TITLE CO. REPLAT, 156.35 FEET; THENCE CONTINUE ALONG THE SOUTHWESTERLY LINE OF SAID LOT 65, S47°33'31"E, 81.11 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 66 ALSO KNOWN AS THE NORTHWESTERLY CORNER OF SAID LOT 65; THENCE S18°47'34"E ALONG THE WESTERLY LINE OF SAID LOT 65, 63.71 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 65 AND THE POINT OF BEGINNING. SAID ALLEY CONTAINS 6,629.82 SQUARE FEET MORE OR LESS.

**GENERAL NOTES:** NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT-OF-WAYS AND OR OWNERSHIP WERE FURNISHED THIS SURVEYOR, EXCEPT AS SHOWN. THERE MAY BE ADDITIONAL RESTRICTIONS AND/OR OTHER MATTERS THAT ARE NOT SHOWN ON THIS PLAT OF SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN. THE TERM CERTIFIED AS USED ON THIS PLAT, IS UNDERSTOOD TO BE THE PROFESSIONAL OPINION OF THIS SURVEYOR AND FIRM WHICH IS FORMULATED ON HIS BEST KNOWLEDGE, INFORMATION AND BELIEF, AND AS SUCH, IT DOES NOT CONSTITUTE A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED. THE SURVEY DEPICTED HERE IS NOT COVERED BY A PROFESSIONAL LIABILITY POLICY.

PREPARED BY:  
**LAWRENCE E. POWERS**  
 PROFESSIONAL LAND SURVEYORS  
 P.O. BOX 48026 ST. PETERSBURG, FL 33743 P: 727-537-9988  
 4986 MIRAMAR DR # 5207 ST. PETERSBURG, FL 33708  
 EMAIL: SURVEYING@STPETE.COM WEBSITE: WWW.SURVEYINGSTPETE.COM

I THE UNDERSIGNED HEREBY CERTIFY, THAT THE ABOVE PLAT IS A TRUE REPRESENTATION OF A FIELD SURVEY MADE BY ME OR UNDER MY DIRECTION AND SUPERVISION AND THAT THE SAME DOES NOT EXCEED THE STANDARDS OF PRACTICE FOR RECORD SURVEYS IN THE STATE OF FLORIDA AS PER 65-17.001, FLORIDA ADMINISTRATIVE CODE, SUBJECT TO ALL NOTES SHOWN HEREON.

*Lawrence E. Powers*  
 LAWRENCE E. POWERS LS # 5505  
 FEB 19, 2019

TYPE OF SURVEY: PRELIMINARY PLAT  
 PREPARED FOR: COATS SCHMIDT, P.A.  
 THIS PLAT IS HEREBY CERTIFIED

CREW CHIEF:	DRAWN BY:	CHECKED BY:	FIELD BOOK:	FILED IN:
LEP	LEP CADD	LEP	PAGE: LOOSE LEAF	CENTRAL LAND

PROJECT NUMBER:	ELEVATIONS SHOWN HEREON ARE BASED ON:
1421C/ORG	
FIELD SURVEYED:	REVISIONS:
JUNE 3, 2019	REVISED OCT. 14, 2019 TO ADD DRAINAGE EASEMENT
DRAWING SCALE:	SHEET 1 OF 1
1" = 20'	
ORDERED BY:	SHEET 2 OF 2
COATS SCHMIDT	

MEMORANDUM  
CITY OF ST. PETERSBURG  
ENGINEERING DEPARTMENT

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**TO:** Iris Winn, Administrative Clerk, Development Services  
Jennifer Bryla, Zoning Official, Development Review Services

**FROM:** Nancy Davis, Engineering Plan Review Supervisor

**DATE:** July 22, 2019

**SUBJECT:** Vacation

**FILE:** 19-33000007

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**LOCATION AND PIN:** 1421 Central Avenue  
24/31/16/14544/000/0630

**ATLAS:** G-2 **Zoning:** Downtown Center (DC-1)

**REQUEST:** Approval of the vacation of two 16-foot alleys adjacent to lots 59 to 66, Central Land and Title Co Replat, located between Central Avenue and 1<sup>st</sup> Avenue North, between Seaboard Coast Line Railroad and 15<sup>th</sup> Street North.

**COMMENTS:** The Engineering Department has the following comments regarding this vacation request:

ECID has concern that the existing alleys to be vacated provide the only access to and along the west side of Booker Creek. Since the property will be replatted as a condition of this vacation request, per the requirements for preliminary plat submittal contained in City Code 16.70.050.1.7, the applicant must provide a current survey of the land and all surface features including the creek. On this survey the applicant must show the top of the creek banks and the toe of the creek bank slopes and all other existing structures, surface features, utilities, etc.

Upon replat and per City Land Development Code Section 16.40.140.4.4, when a subdivision is traversed by a drainage way, channel, stream, or other watercourse, there shall be dedicated a **Public Stormwater Easement or Drainage Right-of-way** conforming substantially to the lines of such watercourses and such additional width as will be adequate for the purpose of maintaining the watercourses and providing the ingress and egress of equipment for this purpose. The width of necessary dedication shall be top of bank to top of bank with a minimum of 15-feet upland of each top of bank for maintenance purposes. The areas dedicated upland of the top of the banks shall be maintained at a level flat slope of nor more than 1:12.

Until a survey is provided it will not be possible to determine the impacts of meeting the above criteria.

NED/MJR/

pc: Kelly Donnelly  
Correspondence File

MEMORANDUM  
CITY OF ST. PETERSBURG  
ENGINEERING ANC CAPITAL IMPROVEMENTS DEPARTMENT (ECID)

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**TO:** Iris Winn, Administrative Clerk, Development Services  
Jennifer Bryla, Zoning Official, Development Review Services  
Scot Bolyard, Deputy Zoning Official, Planning & Development Services

**FROM:** Nancy Davis, Engineering Plan Review Supervisor

**DATE:** November 18, 2019

**SUBJECT:** Vacation

**FILE:** 19-33000007 R1

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**LOCATION AND PIN:** 1421 Central Avenue  
24/31/16/14544/000/0630

**ATLAS:** G-2 **Zoning:** Downtown Center (DC-1)

**REQUEST:** Approval of the vacation of two 16-foot alleys adjacent to lots 59 to 66, Central Land and Title Co Replat, located between Central Avenue and 1<sup>st</sup> Avenue North, between Seaboard Coast Line Railroad and 15<sup>th</sup> Street North.

**COMMENTS:** The City Engineering and Capital Improvements Department (ECID) has the following comments regarding the resubmittal of this vacation request which now also includes a Preliminary and Final Plat showing proposed easement dedications along Booker Creek.

1. The dedication language shown on page 1 of the final plat references “9<sup>th</sup> Terrace South Subdivision”. Please review to correct the subdivision name when the preliminary and final plat are submitted for City approval.

2. ECID recommends that the Public Drainage and Maintenance Easement be dedicated as an **exclusive** easement rather than a non-exclusive easement (as currently shown on the proposed preliminary and final plat). If the applicant wishes to pursue the dedication of the non-exclusive easement, then ECID recommends that an easement instrument be prepared by City REPM (rather than dedication of the easement by plat) to assure that the easement language allows the city to retain sufficient rights to utilize and regulate the easement area for the purpose of public drainage and maintenance.

As clarification, many existing private surface features shown (on the preliminary plat) encroaching into the area of the proposed Public Drainage and Maintenance Easement will impact the City’s ability to use the 15-foot easement area to be dedicated at the top of the creek banks for its intended purpose of drivable maintenance access along the creek (i.e. stone wall, guard rails, Tiki Bar, wood deck, large rocks, boulders, steep slopes and landscaping, etc.). Google maps also reveals that large boulders have been placed on the creek banks which could someday slide down the bank and possibly block creek flow. The City must retain sufficient rights to require removal of private encroachments into or above the easement and to regulate the installation of proposed private encroachments into the easement as necessary to maintain access for maintenance of this major drainage facility to prevent flooding and to protect water quality.

3. A 15-foot wide Public Access Easement which is drivable for public maintenance equipment must

be extended from the southwest corner of the proposed Public Drainage and Maintenance Easement extending to Central Avenue. Similarly, a 15-foot wide Public Access Easement which is drivable for public maintenance equipment must be extended from the northwest corner of the proposed Public Drainage and Maintenance Easement extending to 15<sup>th</sup> Street North. These easements are necessary since the existing creek headwalls block access to the end of the proposed easement from the paved public right of ways.

4. Upon redevelopment, the applicant will be required to provide a minimum 15-foot wide continuous drivable path stabilized for heavy equipment, along the top of each creek bank within the plat boundary. The path shall be cleared of above grade surface encroachments and graded at a maximum slope of 1:12 with sufficient stabilization or pavement to support heavy maintenance equipment. The path on each side of the creek shall extend to a paved public right of way.

5. If it is the developer's intent to construct a building or structure over Booker Creek, then an easement agreement must be reached to require the property owner to accept the responsible for on-going routine maintenance of the portion of Booker Creek which traverses this plat as necessary to maintain unimpeded creek conveyance through this property. Routine maintenance shall include but not be limited to 1) maintenance of the cross-sectional area of the creek below the 100-year elevation, 2) removal of accumulated debris and sediments, 3) maintenance of ventilation & lighting systems, 4) maintenance of a crane rail system, and 5) maintenance of retaining walls. The easement must establish the right for public drainage flows to continue through the site while establishing no liability or obligations for the City. The property owner would assume sole responsible for maintenance of the drainage system within the property limits, and for all liability resulting from any blockage or failure of the drainage system which occurs within the property limits. Public maintenance access for emergency purposes and routine inspection must be provided to maintain public access to reach Booker Creek for routine City inspection and emergency public maintenance purposes. All public access easement areas for emergency purposes must be provided with vertical and horizontal clearances sufficient for heavy equipment access and operation. Creek bank stabilization would be the responsibility of the developer prior to building construction.

NED/MJR/

pc: Kelly Donnelly  
Correspondence File



## CITY OF ST. PETERSBURG

### Transportation and Parking Management Department

#### MEMORANDUM

TO: Scot Bolyard, Deputy Zoning Official, Planning and Development Services Department

FROM: Tom Whalen, Planner III, Transportation and Parking Management Department

DATE: July 23, 2019

SUBJECT: Approval of a vacation of two 16-foot alleys adjacent to lots 59 to 66, Central Land and Title Co Replat, located between Central Avenue and 1<sup>st</sup> Avenue North, between Seaboard Coast Line Railroad and 15<sup>th</sup> Street North.

CASE: 19-33000007

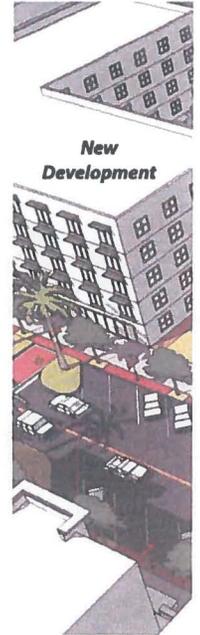
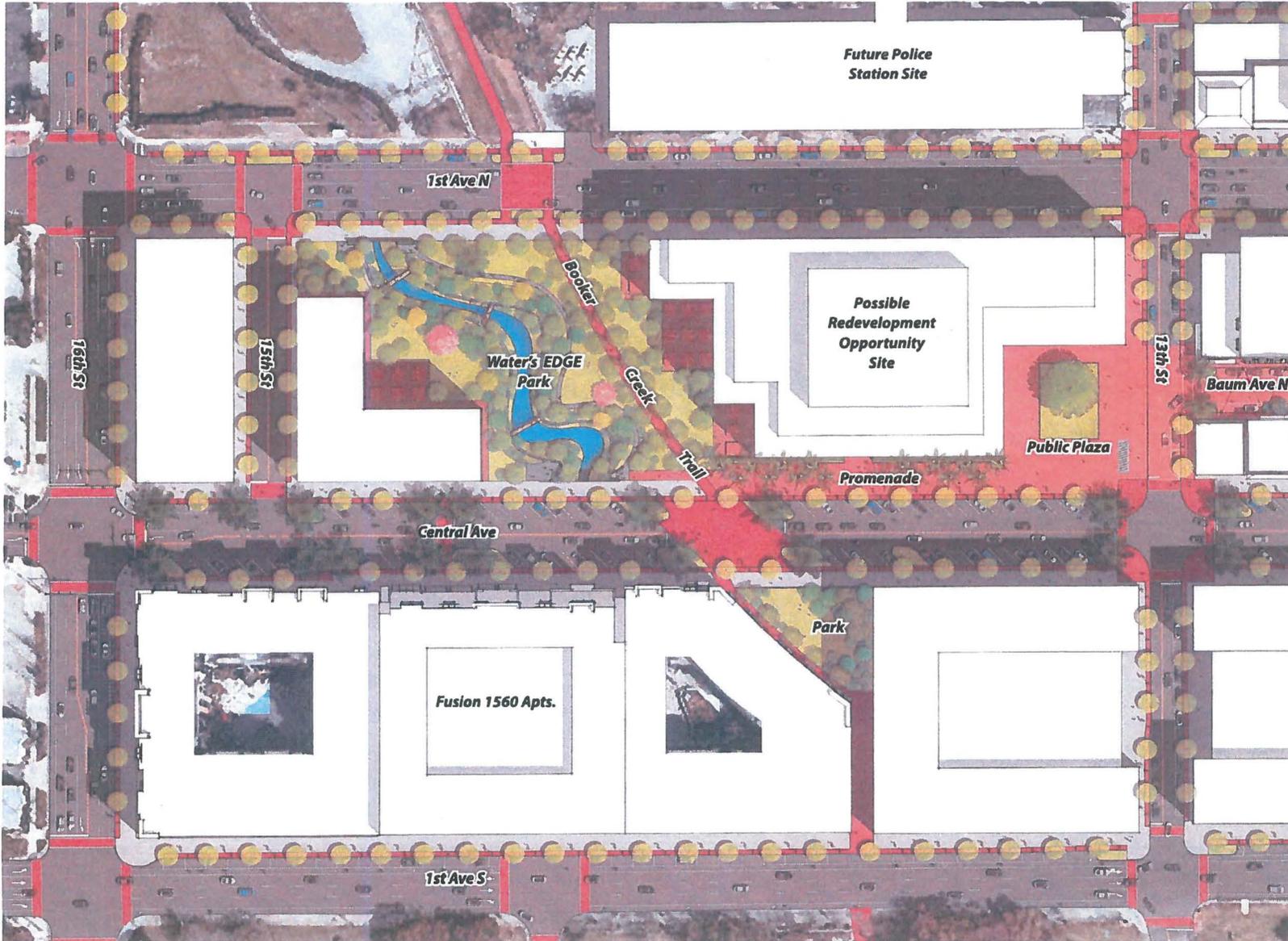
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The St. Petersburg Transportation and Parking Management Department has reviewed the proposed vacation of two 16-foot alleys located between Central Avenue and 1<sup>st</sup> Avenue North and between Seaboard Coast Line Railroad and 15<sup>th</sup> Street North. The Transportation Department does not support the applicant's request, for the reasons give below.

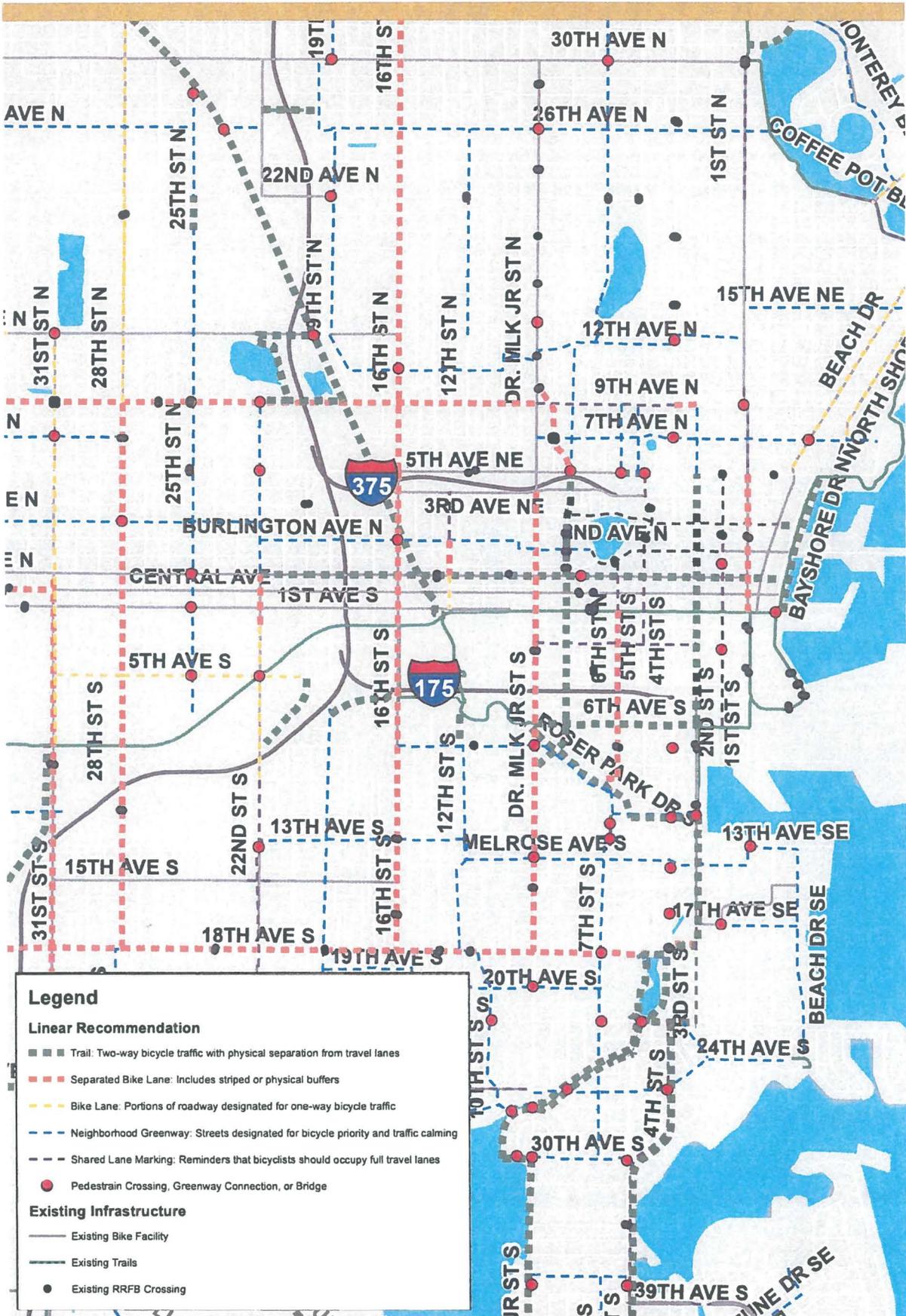
The applicant does not describe the purpose of the proposed vacations in their application. In a letter dated June 10, 2019 from Lawrence Powers to Kathryn Younkin, the alley vacation narrative is provided to address the matters of consideration in Section 16.40.140.2.1.E of the City Code. Paragraph 4 in this Section states "Whether the easement is needed for the purpose for which the City has a legal interest and, for rights-of-way, whether there is a present or future need for the right-of-way for public vehicular or pedestrian access, or for public utility corridors." The applicants response to this requirement is as follows: "These alley's have not been used for any purpose by the city or the public in their entire existence over 100 years." We believe that it cannot be stated definitively that there is no future need for the right-of-way for public vehicular or pedestrian access. The diagonal alley is located along the western side of Booker Creek. Booker Creek is a feature in several master plans. Booker Creek is located in a proposed Water's EDGE Park in the EDGE District Improvement Plan, which was approved by the St. Petersburg City Council on February 2, 2017. The park is shown to the west of the proposed Booker Creek Trail in the attached illustration. The St. Petersburg Complete Streets Implementation Plan was approved by City Council on May 2, 2019. The Complete Streets Implementation Plan also includes a proposed trail traversing this area (attached). With the uncertainty about the use of the land east of Booker Creek for the proposed trail, we recommend that the City continue to preserve the alley for a potential trail or sidewalk connection from Central Avenue to 1<sup>st</sup> Avenue North.

Section 16.40.140.4 includes design requirements for improvements associated with platting section. Under paragraph 2, regarding watercourses, it is stated that "Where a subdivision is traversed by a drainage way, channel, stream, or other watercourse, there shall be dedicated a stormwater easement or drainage right-of-way conforming substantially to the lines of such watercourses and such additional width as will be adequate for the purpose of maintaining the watercourses and providing the ingress and egress of equipment for this purpose. Parallel streets or parkways may be required." Under paragraph 3, it is stated that the "The easement shall either abut or be connected to a public street by a 20-foot wide right-of-way or easement for access. No private facility may be constructed within the easement without a written permit from the City." The diagonal alley is 16 feet wide, so we question the usefulness of a vacated alley to the applicant. If you have any questions about the Transportation and Parking Management Department's review of this case, please call me at 893-7883.

# Booker Creek Improvements

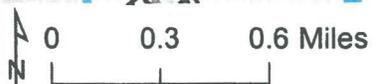


# Bicycle Network & Crossings - Downtown



Kimley»Horn

ST. PETERSBURG Complete Streets  
IMPLEMENTATION PLAN





## CITY OF ST. PETERSBURG

### Transportation and Parking Management Department

#### MEMORANDUM

TO: Scot Bolyard, Deputy Zoning Official, Planning and Development Services Department

FROM: Tom Whalen, Planner III, Transportation and Parking Management Department

DATE: November 18, 2019

SUBJECT: Approval of a vacation of two 16-foot alleys adjacent to lots 59 to 66, Central Land and Title Co Replat, located between Central Avenue and 1<sup>st</sup> Avenue North, between Seaboard Coast Line Railroad and 15<sup>th</sup> Street North.

CASE: 19-33000007

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The St. Petersburg Transportation and Parking Management Department has reviewed the revised plat related to the proposed vacations of two 16-foot alleys located between Central Avenue and 1<sup>st</sup> Avenue North and between Seaboard Coast Line Railroad and 15<sup>th</sup> Street North. In the revised plat, the applicant has agreed to provide a non-exclusive drainage and maintenance easement along Booker Creek in accordance with the Engineering and Capital Improvements Department's memorandum dated July 22, 2019. The easement includes 15-foot upland of each top bank for maintenance purposes, per the Engineering Department's recommendation.

The Transportation Department believes that the applicant's revised plat is an improvement over the previous plan to vacate the alleys, but the easements need to be wider to accommodate pedestrian and bicycle travel. In our review dated July 23, 2019, we noted that Booker Creek is located in a proposed Water's EDGE Park in the EDGE District Improvement Plan, which was approved by the St. Petersburg City Council on February 2, 2017. We also noted that City Council approved the Complete Streets Implementation Plan on May 2, 2019, which includes a proposed trail traversing this area. Since it is not known which side of Booker Creek will be the most suitable location for a trail facility, we recommend that the applicant provide 20-foot upland of each top bank for an easement that will serve drainage and maintenance purposes as well as pedestrian and bicycle travel. Twenty feet is needed to accommodate a 12-foot trail and a 4-foot recovery area on each side of the trail. If you have any questions about the Transportation and Parking Management Department's review of this case, please call me at 893-7883.

## Scot K. Bolyard

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**From:** Thomas M Whalen  
**Sent:** Wednesday, November 20, 2019 1:36 PM  
**To:** Scot K. Bolyard; Jennifer C. Bryla  
**Subject:** Case No. 19-33000007

Jenny, Scot:

The Transportation Department met to review potential bicycle/pedestrian easements on the eastern and western sides of Booker Creek. We believe that the higher priority for a 20-foot bicycle/pedestrian easement is on the eastern side of the creek, which is closer to the alignment of the proposed Booker Creek Trail in the EDGE District Improvement Plan. A 15-foot bicycle/pedestrian easement on the western side of the creek is sufficient to accommodate a sidewalk or pedestrian path, as identified in EDGE District Improvement Plan. Fifteen feet is already needed for the drainage and maintenance easement that was identified by the Engineering Department.

Tom Whalen, AICP CTP, ENV SP  
Planner III  
City of St. Petersburg  
727-893-7883



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

DEVELOPMENT REVIEW COMMISSION  
STAFF REPORT

VACATION OF RIGHT-OF-WAY  
PUBLIC HEARING

According to Planning & Development Department records, **no Commission member** resides or has a place of business within 2,000 feet of the subject property. All other possible conflicts should be declared upon the announcement of the item.

**REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & DEVELOPMENT SERVICES DEPARTMENT**, for Public Hearing and Executive Action on **December 4, 2019 at 2:00 P.M.** at the Sunshine Center (Auditorium), located at 330 5<sup>th</sup> Street North, St. Petersburg, Florida.

CASE NO.: 19-33000017 PLAT SHEET: F-8

REQUEST: Approval of vacations of two (2) 5-foot wide unimproved walkways located between 540 12<sup>th</sup> Avenue North and 600 12<sup>th</sup> Avenue North and between 551 Kirkwood Terrace North and 603 Kirkwood Terrace North.

OWNERS:

John F. Shettle, III  
600 12<sup>th</sup> Avenue North  
Saint Petersburg, Florida 33701

Joseph M. Pritt, JR  
551 Kirkwood Terrace North  
Saint Petersburg, Florida 33701

Alice Emerich Sweet  
603 Kirkwood Terrace North  
Saint Petersburg, Florida 33701

AGENT: John F. Shettle, III and Jennifer Neuman  
600 12<sup>th</sup> Avenue North  
Saint Petersburg, Florida 33701

ADDRESSES AND  
PARCEL ID NOS.: 551 Kirkwood Terrace North; 18-31-17-25218-000-0070  
603 Kirkwood Terrace North; 18-31-17-25218-000-0080  
600 12<sup>th</sup> Avenue North; 18-31-17-25218-000-0310  
540 12<sup>th</sup> Avenue North; 18-31-17-25218-000-0320

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Traditional Single-Family (NT-2)

## **DISCUSSION AND RECOMMENDATION:**

**Request.** The request is to vacate two (2) 5-foot-wide unimproved public walkways (rights-of-way) between 12<sup>th</sup> Avenue North and Kirkwood Terrace North, just west of 4<sup>th</sup> Avenue North, not including the alley. The walkways are adjoined by the four properties referenced above, and all properties are in the Edgewood Subdivision of 1912, on which the walkways appear (see Attachment A).

The areas proposed for vacation are depicted on the attached maps (see Attachments B and C) and the Sketch and Legal Descriptions (Attachments D and E). The northern walkway between 12<sup>th</sup> Avenue North and the alley is 110 feet long (550 square feet), and the southern walkway between the alley and Kirkwood Terrace North is 105 feet long (525 square feet).

The Project Narrative submitted by the applicant, (see Attachment F), cites a lack of use and safety concerns as reasons for vacating the walkway easements. Safety concerns include the idea that particularly the northern alley, which is not currently enclosed, presents an unlighted place for people to hide. The Applicant's goal for the walkways is to incorporate the land into the respective adjoining lots and to enclose it with fencing to the extent feasible.

The walkways were inspected by City Staff prior to preparation of this Staff Report. Observations include no evidence of use of the northern walkway as a past or present walkway. This segment is unlighted and does not look like a public walkway because there landscaping at its northern terminus and two wooden utility poles at its southern terminus. The southern walkway appears similarly unused as a walkway; it in fact is fenced off, presumably by the owner of 551 Kirkwood Terrace North, and cannot currently be used as a walkway. It is also unlighted. The walkways are separated by a perpendicular sand alley. See photos in Attachment G.

**Analysis.** Staff's review of a vacation application is guided by:

- A. The City's Land Development Regulations (LDR's);
- B. The City's Comprehensive Plan; and
- C. Any adopted neighborhood or special area plans.

The Applicants bear the burden of demonstrating compliance with the applicable criteria for vacation of public rights-of-way. In this case, the material submitted by the applicant does provide background or analysis supporting a conclusion that vacating the subject rights-of-way would be consistent with the criteria in the City Code, the Comprehensive Plan, or any applicable special area plan.

### **A. Land Development Regulations**

Section 16.40.140.2.1.E of the LDR sets forth the criteria for the review of proposed vacations. The criteria are provided below in italics, followed by itemized findings by Staff.

#### ***1. The need for easements for public utilities including stormwater drainage and pedestrian easements to be retained or required to be dedicated as requested by the various departments or utility companies.***

The application was routed to City Departments and Private Utility Providers. No City Department objects to the application. In their November 6, 2019 review letter, the Engineering Department did request as a condition of approval that it be clarified that the alley will remain as-is (see Memorandum in Attachment H). The Transportation Department has no initial comments, however

reserves their right to comment if there are public objections to the application. There are no City-owned assets in the walkways.

In the northern walkway, TECO owns a retired gas line. TECO is looking into whether they currently have an easement in the area. They will require continued access to their asset. In the southern walkway, Frontier Communications owns underground cable and Duke Energy owns overhead wires. Both companies are currently working with the applicants to establish easements for their assets in this area.

Bright House Networks, WOW! and CenturyLink have not responded to requests for comment. In order to preserve the use of any utilities within the walkways, a Condition of Approval has been added requiring an easement to these utilities should any be identified within the area of vacation.

**2. *Whether the vacation would cause a substantial detrimental effect upon or substantially impair or deny access to any lot of record.***

The areas to be vacated are unimproved pedestrian walkways. Primary access to the surrounding properties will continue to be via public streets, the alley and improved sidewalks. The vacation will not deny access to any lot of record.

**3. *Whether the vacation would adversely impact the existing roadway network, such as creating dead-end rights-of-way, substantially alter utilized travel patterns, or undermine the integrity of historic plats of designated historic landmarks or districts.***

The walkway vacations will not impact the existing roadway network or create dead-end rights-of-way, substantially alter utilized travel patterns, or undermine the integrity of historic plats of designated historic landmarks or neighborhoods. The lots are not located in designated historic neighborhoods. The northern walkway appears to be unused and never improved, and the southern walkway is currently unusable because it is fenced. Unless public testimony is provided to the contrary, it appears that the walkways have never been incorporated into the neighborhood's circulation patterns.

**4. *Whether the easement is needed for the purpose for which the City has a legal interest and, for rights-of-way, whether there is a present or future need for the right-of-way for public vehicular or pedestrian access, or for public utility corridors.***

No City Department or current planning document has identified the two walkways as needed for present or future public vehicular or pedestrian access.

All utility companies with facilities within the rights-of-way require easements for maintenance and access to their assets if the walkways are vacated.

**5. *The POD, Development Review Commission, and City Council may also consider any other factors affecting the public health, safety, or welfare.***

No other factors have been raised for consideration.

**B. Comprehensive Plan**

The City's current Comprehensive Plan contains Goals, Objectives and Policies related to land use and transportation. Those applicable to the subject application have been identified below in italics.

Commentary regarding whether the application advances the Goals, Objectives and Policies, or hinders achievement of same is provided after.

1. Goals, Objectives and Policies from the Land Use Element applicable to the subject application include:

*Land Use Element Goals:*

1. *Protect the public health, safety and general welfare; and*
2. *Protect and enhance the fabric and character of neighborhoods.*

Response to LU Goals 1 and 2: The application would advance these goals by converting areas which are currently unsupervised and potential safety issues into residential yard areas.

2. Goals, Objectives and Policies from the Transportation Element applicable to the subject application include:

*Obj. T15: The City shall encourage and increase bicycle and pedestrian travel throughout the City of St. Petersburg for commuting to work and school as well as for recreation.*

*Policy T15.8 The City shall facilitate the expansion of sidewalks in St. Petersburg in locations where they are most needed. These include locations along principal and minor arterials, collectors and neighborhood collectors where gaps exist between existing sidewalks or between an existing sidewalk and a major destination point such as a park, shopping center, major employer or school. Sidewalks needed to close these gaps on City roads shall be constructed through the implementation of the Capital Improvement Program/Capital Improvements Element.*

Response to TE Policy T15.8: The subject unimproved walkways are not priority sidewalk infill areas for the City. They appear to never have been improved since their platting in 1923 and are currently not planned to be improved. Improvement of the northern walkway would require relocation of two utility poles to provide the required ADA accessible route, and improvement of the southern walkway would require tree removal and repair of a heaved sidewalk to create an ADA accessible route. It is likely that the alley, which is currently sand, would also have to be improved between the walkways to make the crossing accessible.

*Obj. T2: The City shall protect existing and future transportation corridors from encroachment.*

*Policy T2.4 The City should preserve the historical grid street pattern, including alleys, and shall not vacate public right-of-way until it is determined that the right-of-way is not required for present or future public use.*

Response to TE Policy T2.4: Approval of the application would not impair the intent and purpose of this policy because the unimproved walkways are not planned for future use or improvement.

### **C. Adopted Neighborhood or Special Area Plans**

The Historic Uptown Neighborhood Plan Update (2012) is the only Neighborhood or Special Area Plan which covers the general area in which the walkways are located. This plan does not identify the walkways for use or improvement; there is no acknowledgment of the walkways at all. Therefore, the application does not impair or conflict with the intent and purpose of that plan.

**Comments from Agencies and the Public.** As of November 19, 2019, City Staff received two (2) phone calls from the public regarding this application. The first was from neighbor Mr. James Gomborone who resides at 645 12<sup>th</sup> Avenue South, which is north and west of the walkways. Mr. Gomborone requested clarification as to the location of the walkways and said that he had used the walkways on occasion in the past to travel from his house to the businesses on 4<sup>th</sup> Street South. He did not object to the application and indicated that he may attend the hearing on the matter. The second call was from Mr. Aaron Taylor, a relative and representative of the property owner at 540 12<sup>th</sup> Avenue South, whose property adjoins the northern walkway. He had questions about the vacation process and had no objections to the application.

The proposal is supported by the Downtown Resident's Civic Association (DRCA) and received "No Comment" from the Historic Uptown Neighborhood Association (HUNA) (see Attachment I). As of November 19, 2019, City Staff has received no comments from the Crescent Lake Neighborhood Association, the Council of Neighborhood Associations (CONA) or the Federation of Inner-City Community Organizations (FICO).

**RECOMMENDATION.** Staff recommends **APPROVAL** of the proposed walkway vacations, and the following conditions of approval:

1. It shall be understood by all parties that the alley between 12<sup>th</sup> Avenue North and Kirkwood Terrace North is not to be vacated.
2. Any relocation of existing utilities shall be at the expense of the Applicants.
3. The applicant shall be responsible for all plans, permits, work inspections and costs associated with the vacation(s).
4. As required by City Code Section 16.70.050.1.1.F, approval of right-of-way vacations shall lapse and become void unless the vacation ordinance is recorded by the City Clerk in the public records within 24 months from the date of such approval or unless an extension of time is granted by the Development Review Commission or, if appealed, City Council prior to the expiration thereof. Each extension shall be for a period of time not to exceed one (1) year.
5. Prior to recording the vacation ordinance, the Applicants shall provide to Development Review Staff, a letter of no objection from Bright House Networks, CenturyLink, WOW! and TECO. If these entities do have facilities in the rights-of-way, the Applicants shall either relocate the facilities or provide an easement acceptable to the respective utilities.

**REPORT PREPARED BY:**

  
Cheryl Bergailo, AICP, LEED Green Assoc., Planner II  
Development Review Services Division  
Planning & Development Services Department

11/21/19  
DATE

**REPORT APPROVED BY:**

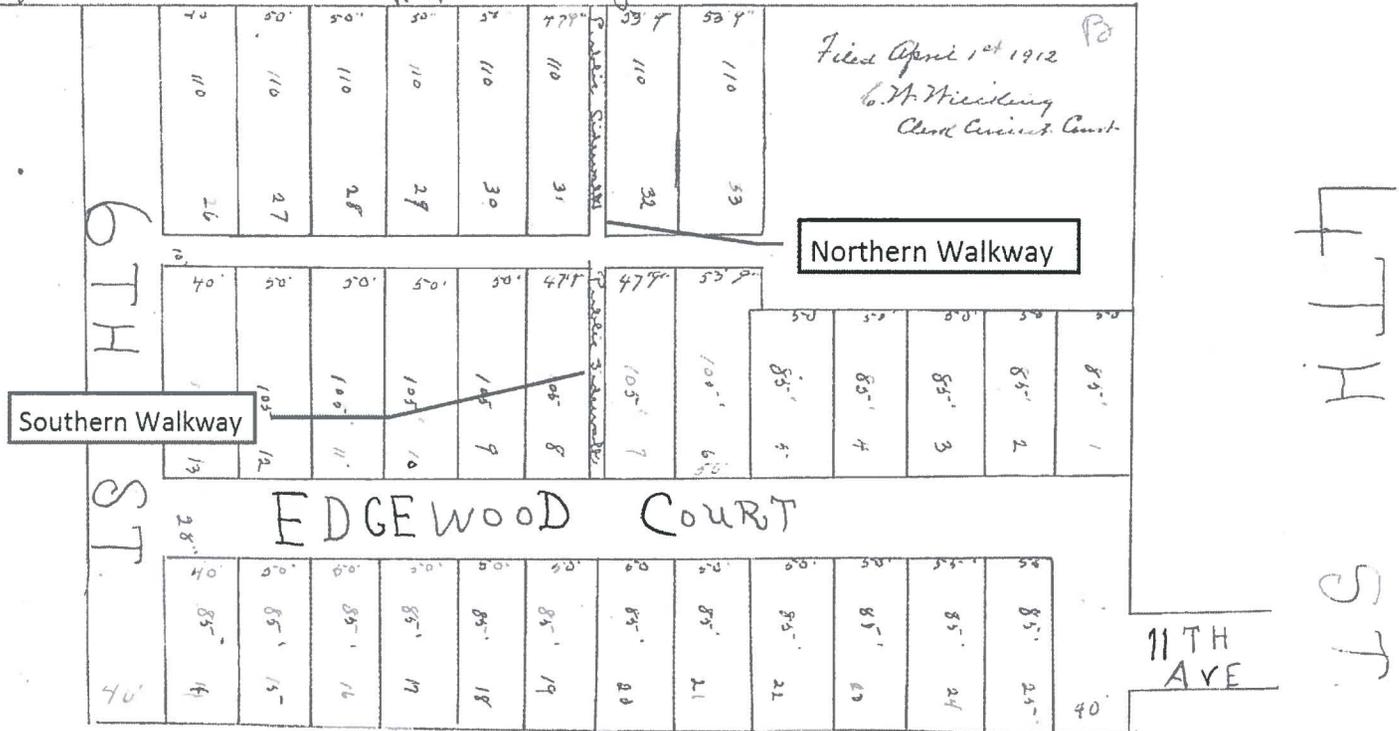
  
Jennifer Bryla, AICP, Zoning Official (POD)  
Development Review Services Division  
Planning and Development Services Department

11.21.19  
DATE

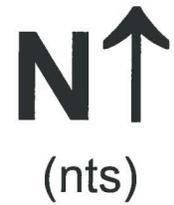
Attachments: A – Edgewood Court Plat, B – Parcel Map, C – Aerial Map, D – Legal Description and Sketch of Northern Walkway, E – Legal Description and Sketch of Southern Walkway, F – Photos, G - Vacation Application with Applicant's Narrative, H - Engineering Memorandum dated November 6, 2019, I – Public Participation Reports from HUNA and DRCA.

# ATTACHMENT A

Edgewood Subdivision being a re-subdivision of Lots 34 to 41 inclusive of the Revised Map of the 10th Subdivision, being a subdivision of a tract beginning at center of Section 18, run thence South 532 feet thence West 1602 feet to a ditch, thence in a wath easterly direction long center of said ditch to a point, 1420 feet West of initial point thence East to point of beginning, and lots 17, 16, 15, and 14, feet off West side of Lot 14 of 10th Subd. dividing being a subdivision of S  $\frac{1}{2}$ , of W  $\frac{1}{2}$ , of W  $\frac{1}{2}$ , of N  $\frac{1}{4}$ , of S W  $\frac{1}{4}$ , of T. 18 T. 31 S. R. 17 E and a re-subdivision of a tract 132 feet north of S.W. corner of W  $\frac{1}{2}$ , of W  $\frac{1}{2}$ , of S W  $\frac{1}{4}$ , and run North 198 feet, thence East 660 feet thence South 198 feet and thence West 660 feet in Section 18, Township 31, South Range 17 East.



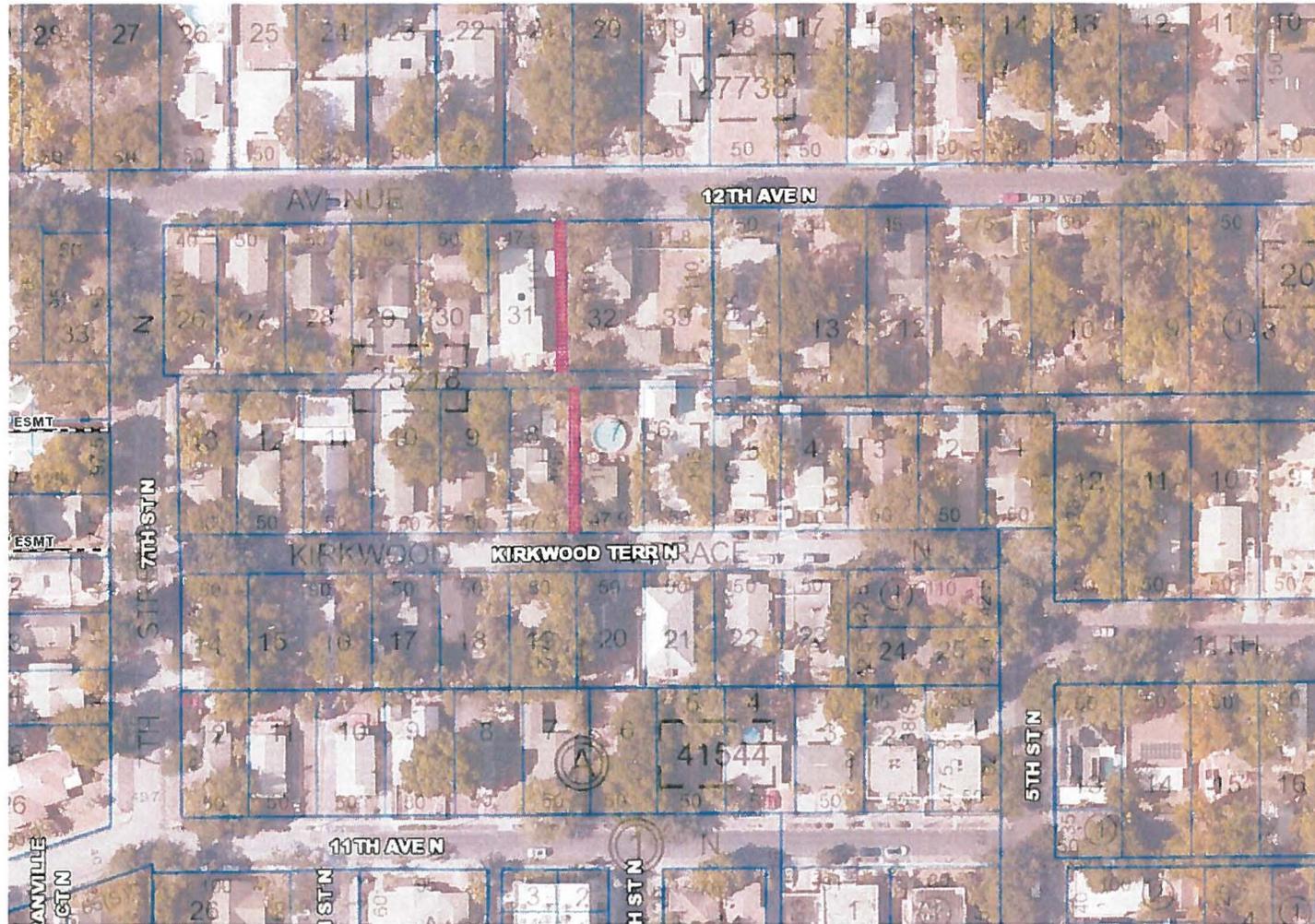
Attachment A - Subdivision Map  
 City of St. Petersburg, Florida  
 Planning and Development Services Department  
 Case No.: 19-33000017  
 Addresses: 551 and 603 Kirkwood Terrace North, and  
 540 and 600 12<sup>th</sup> Avenue North



# ATTACHMENT B



# ATTACHMENT C



Attachment C - Aerial Location Map  
City of St. Petersburg, Florida  
Planning and Development Services  
Department

Case No.: 19-33000017

Addresses: 551 and 603 Kirkwood Terrace North, and  
540 and 600 12<sup>th</sup> Avenue North

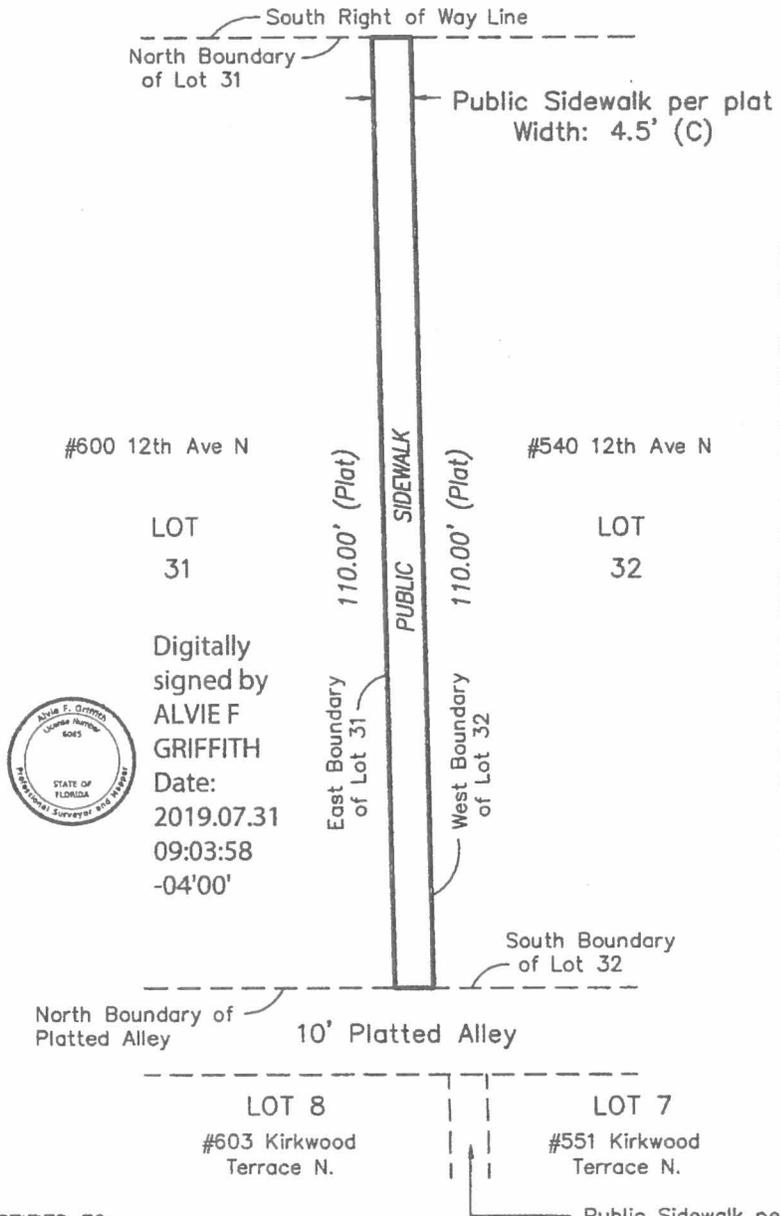


# ATTACHMENT D

# ATTACHMENT D

SECTION 18, TOWNSHIP 31 SOUTH, RANGE 17 EAST      PINELLAS COUNTY, FLORIDA

## 12th AVENUE N.



**DESCRIPTION: Public Sidewalk  
(between Lot 31 and Lot 32)**

BOUNDED ON THE NORTH BY THE SOUTH RIGHT OF WAY LINE OF 12th AVENUE N. (ALSO BEING THE EASTERLY PROJECTION OF THE NORTH BOUNDARY OF LOT 31, EDGEWOOD COURT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 18, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA); BOUNDED ON THE EAST BY THE WEST BOUNDARY OF LOT 32 OF STATED EDGEWOOD COURT; BOUNDED ON THE SOUTH BY THE NORTH BOUNDARY OF A PLATTED 10-FOOT WIDE ALLEY (ALSO BEING THE WESTERLY PROJECTION OF THE SOUTH BOUNDARY OF STATED LOT 32); AND BOUNDED ON THE WEST BY THE EAST BOUNDARY OF STATED LOT 31.

**(Contains 495 square feet,  
more or less)**

THIS ITEM HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY ALVIE F. GRIFFITH USING A DIGITAL SIGNATURE AND DATE. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.



Digitally signed by  
**ALVIE F. GRIFFITH**  
Date:  
2019.07.31  
09:03:58  
-04'00'

CERTIFIED TO:  
• Modern Tampa Bay Homes

**SURVEYOR'S NOTES:**

- 1.) This is Not a Boundary Survey.
- 2.) This Legal & Sketch is not valid without the signature and the original raised seal (or digital seal) of Florida Registered Surveyor and Mapper.

**LEGEND**

(C) = CALCULATED DATA DERIVED FROM THE PLAT OF RECORD

ALVIE F. GRIFFITH  
Florida Registration No. LS 6005  
Licensed Business No. 8106

Date Signed: \_\_\_\_\_

SCALE: 1" = 20'  
DRAWN BY: PC  
Job No. 16-0823 (31)  
12Th Ave SW - Lot 31

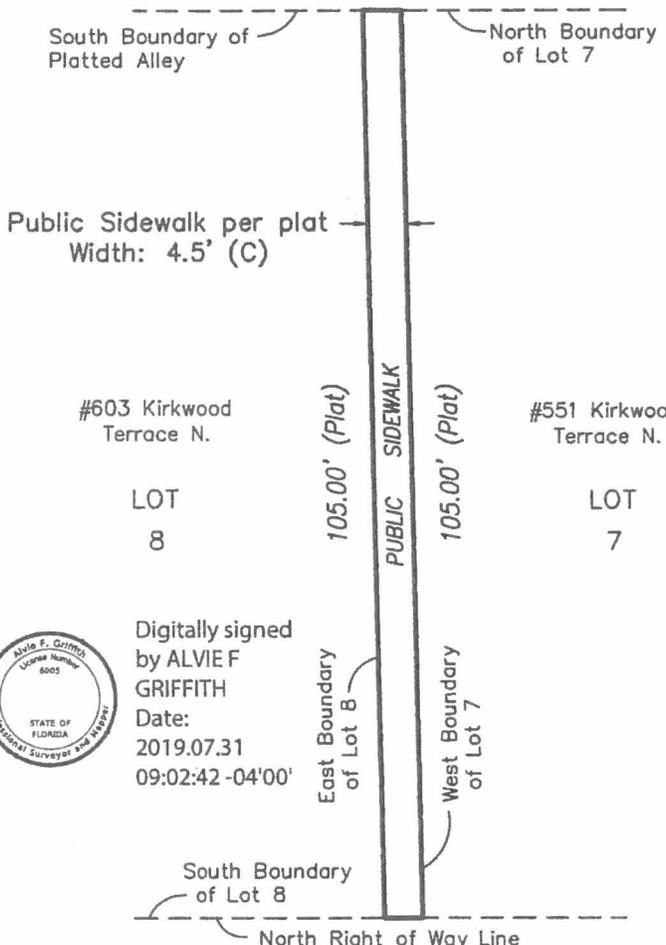
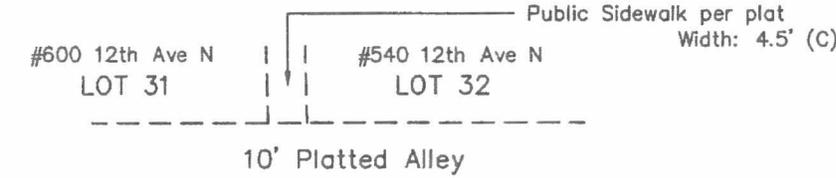
**PUBLIC SIDEWALK BETWEEN  
LOTS 31 AND 32  
LEGAL & SKETCH**

**Robertson & Associates Surveying, Inc.**  
Licensed Business No. 8106  
123 Flagship Drive Lutz, FL 33549  
Tampa, Florida 33606 PH. (813) 388-2484

# ATTACHMENT E

# ATTACHMENT E

SECTION 18, TOWNSHIP 31 SOUTH, RANGE 17 EAST PINELLAS COUNTY, FLORIDA



**DESCRIPTION: Public Sidewalk (between Lot 7 and Lot 8)**

BOUNDED ON THE SOUTH BY THE NORTH RIGHT OF WAY LINE OF KIRKWOOD TERRACE N. (ALSO BEING THE EASTERLY PROJECTION OF THE SOUTH BOUNDARY OF LOT 8, EDGEWOOD COURT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 18, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA); BOUNDED ON THE WEST BY THE EAST BOUNDARY OF STATED LOT 8; BOUNDED ON THE NORTH BY THE SOUTH BOUNDARY OF A PLATTED 10-FOOT WIDE ALLEY (ALSO BEING THE WESTERLY PROJECTION OF THE NORTH BOUNDARY OF STATED LOT 7 OF STATED EDGEWOOD COURT); AND BOUNDED ON THE EAST BY THE WEST BOUNDARY OF STATED LOT 7.

(Contains 472.5 square feet, more or less)

THIS ITEM HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY ALVIE F. GRIFFITH USING A DIGITAL SIGNATURE AND DATE. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.



Digitally signed by ALVIE F. GRIFFITH  
Date: 2019.07.31 09:02:42 -04'00'

**KIRKWOOD TERRACE N.**  
(Edgewood Court per plat)

CERTIFIED TO:  
• Modern Tampa Bay Homes

- SURVEYOR'S NOTES:**
- 1.) This is Not a Boundary Survey.
  - 2.) This Legal & Sketch is not valid without the signature and the original raised seal (or digital seal) of Florida Registered Surveyor and Mapper.

**LEGEND**

(C) = CALCULATED DATA DERIVED FROM THE PLAT OF RECORD

Date Signed: \_\_\_\_\_  
ALVIE F. GRIFFITH  
Florida Registration No. LS 6005  
Licensed Business No. 8106

SCALE: 1" = 20'  
DRAWN BY: PC  
Job No. 16-0823 (8)  
12Th Ave SW - Lot 8

**PUBLIC SIDEWALK BETWEEN  
LOTS 7 AND 8  
LEGAL & SKETCH**

**Robertson & Associates Surveying, Inc.**  
Licensed Business No. 8106  
123 Flagship Drive Lutz, FL 33549  
Tampa, Florida 33606 PH. (813) 388-2484

# ATTACHMENT F

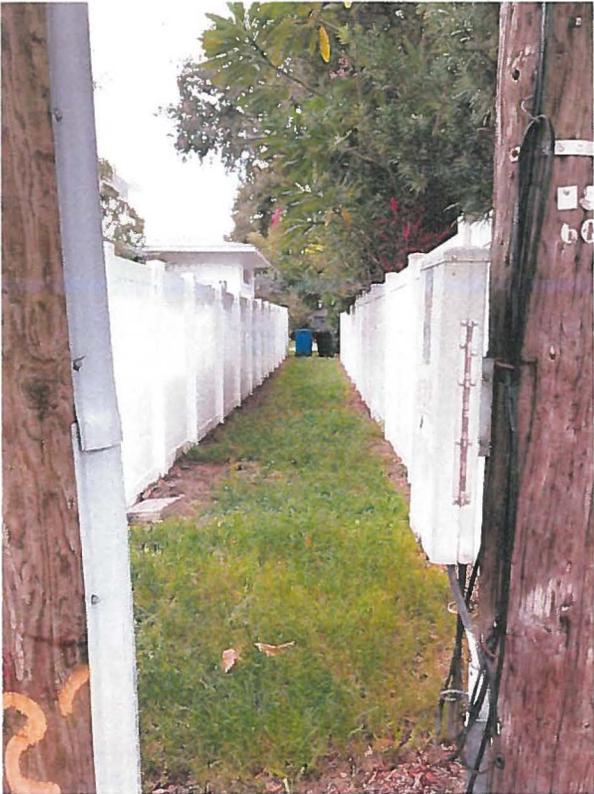
# ATTACHMENT F—PHOTOS



View to Northern Walkway from 12th Ave. N.



View to Northern Walkway from 600 12th Ave. N.

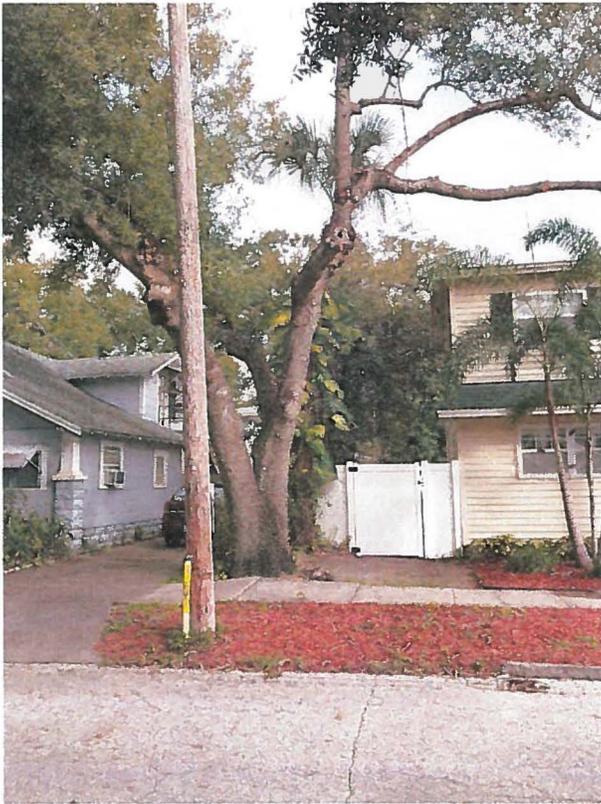


View to Northern Walkway from alley.

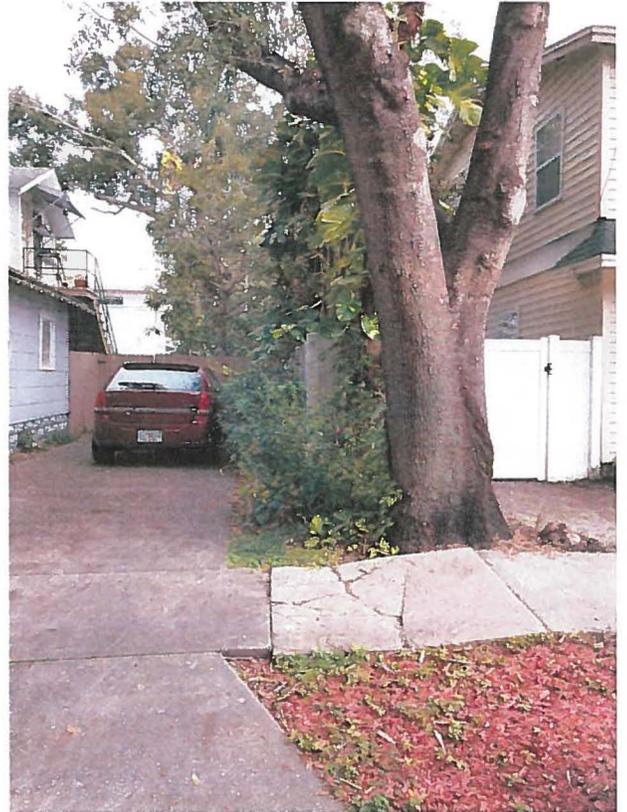


Another view to Northern Walkway from alley.

## ATTACHMENT F—PHOTOS (Pg. 2)



View to Southern Walkway from Kirkwood Terr. N.



Another view to Southern Walkway from Kirkwood Terr. N.



View to Southern Walkway from alley.

# ATTACHMENT G

ATTACHMENT G



SUBDIVISION DECISION

Application

19-33000017

Application No. Vacation of Walkway under City Code Section 16

All applications are to be filled out completely and correctly. The application shall be submitted to the City of St. Petersburg's Development Review Services Division, located on the 1<sup>st</sup> floor of the Municipal Services Building, One 4<sup>th</sup> Street North.

Application Type:

Per: 16.40.140 &  
16.70.050

- Lot Line Adjustment
- Lot Split
- Lot Refacing
- Street Name Change
- Street Closing

- Vacating – Street Right-of-Way
- Vacating – Alley Right-of-Way
- Vacating – Walkway Right-of-Way
- Vacating – Easement
- Vacating – Air Rights

GENERAL INFORMATION	
<b>NAME of APPLICANT (Property Owner):</b>	John F. Shettle III
Street Address:	600 12th Ave N
City, State, Zip:	Saint Petersburg, FL 33701
Telephone No: (443)-858-2091	Email Address: josh.shettle@gmail.com
<b>NAME of AGENT or REPRESENTATIVE:</b>	
Street Address:	
City, State, Zip:	
Telephone No:	Email Address: josh.shettle@gmail.com
<b>PROPERTY INFORMATION:</b>	
Street Address or General Location:	600 12th Ave N ; 551 Kirkwood Ter. N.; 603 Kirkwood Ter. N.
Parcel ID#(s):	18-31-17-25218-000-0310 ; 18-31-17-25218-000-0070 ; 18-31-17-25218-000-0080
<b>DESCRIPTION OF REQUEST:</b> Vacation of Walkway Right of Way	
<b>PRE-APPLICATION DATE:</b>	<b>PLANNER:</b>

FEE SCHEDULE

Lot Line & Lot Split Adjustment Administrative Review	\$200.00	Vacating Streets & Alleys	\$1,000.00
Lot Line & Lot Split Adjustment Commission Review	\$300.00	Vacating Walkway	\$400.00
Lot Refacing Administrative Review	\$300.00	Vacating Easements	\$500.00
Lot Refacing Commission Review	\$500.00	Vacating Air Rights	\$1,000.00
Variance with any of the above	\$350.00	Street Name Change	\$1,000.00
		Street Closing	\$1,000.00

Cash, credit, and checks made payable to the "City of St. Petersburg"

AUTHORIZATION

City Staff and the designated Commission may visit the subject property during review of the requested variance. Any Code violations on the property that are noted during the inspections will be referred to the City's Codes Compliance Assistance Department.

The applicant, by filing this application, agrees he or she will comply with the decision(s) regarding this application and conform to all conditions of approval. The applicant's signature affirms that all information contained within this application has been completed, and that the applicant understands that processing this application may involve substantial time and expense. Filing an application does not guarantee approval, and denial or withdrawal of an application does not result in remittance of the application fee.

**NOTE: IT IS INCUMBENT UPON THE APPLICANT TO SUBMIT CORRECT INFORMATION. ANY MISLEADING, DECEPTIVE, INCOMPLETE, OR INCORRECT INFORMATION MAY INVALIDATE YOUR APPROVAL.**

Signature of Owner/Agent:   
\*Affidavit to Authorize Agent required, if signed by Agent.

Date: 10/9/2019

Typed name of Signatory: John F. Shettle III

**NARRATIVE**

To: City of St. Petersburg

From: John "Josh" F. Shettle III

Date: October 9, 2019

Re: Narrative in Support of Request for Vacation of Walkway Located Between 600 12<sup>th</sup> Ave. N., 540 12<sup>th</sup> Ave. N., 603 Kirkwood Terrace N. and 551 Kirkwood Terrace N.

---

To whom it may concern:

This Narrative supports the attached application for vacation of the referenced walkway and is submitted on behalf of myself and wife, Jennifer Neubauer, as owners of the home at 600 12<sup>th</sup> Avenue N., and as authorized agent on behalf of my neighbors Lisa Sweet, owner of 603 Kirkwood Terrace N., and Joseph Pritt, owner of 551 Kirkwood Terrace N. (collectively "Applicants").

**I. Location and Description of the Walkway**

The walkway at issue runs between Applicants' three properties and a fourth property, 540 12<sup>th</sup> Avenue N (the "Walkway"). For a detailed description of the Walkway, please see the attached "graphic" and legal description prepared by a licensed surveyor.

Applicants' properties constitute approximately 75% of the lineal frontage of the walkway at issue (the total frontage is 430 feet, of which Applicants' properties front 320 feet).

As you will note from the pictures attached to this application, the Walkway is presently a thin (circa 4.5 feet wide), unused grass strip of land between 600 12<sup>th</sup> Avenue N. and 540 12<sup>th</sup> Avenue N. and is enclosed between the yards of 603 Kirkwood Terrace N. and 551 Kirkwood Terrace N. Ms. Sweet and Mr. Pritt, who have both lived in the neighborhood for over 8 years, have confirmed that the Walkway has not been utilized for pedestrian traffic during their time in the neighborhood.

**II. Basis for Applicants' Request for Vacation of the Walkway**

The City Code sets forth 5 factors that the POD, Development Review Commission and/or City Council shall consider in reviewing an application for vacation of a walkway. See City Code at Section 16.40.140.2.1.E. For the reasons discussed below, each of these 5 factors supports vacation of the Walkway.

**1. The need for pedestrian easements.**

There is no need for a public pedestrian easement in the vicinity of the Walkway, because there are paved sidewalks that provide convenient, safe and well-lit pedestrian access to both the four properties fronting the Walkway as well as the neighboring properties. Specifically, the two streets that are theoretically connected by the Walkway – 12<sup>th</sup> Avenue N. and Kirkwood Terrace N. – are already connected by separate paved sidewalks. Thus, the Walkway does not satisfy a need for pedestrian easements in the neighborhood.

**2. Whether the vacation would cause a substantial detrimental effect upon or substantially impair or deny access to any lot of record.**

The four properties that front the Walkway have pedestrian and vehicular access via a sidewalk, street and alleyway. Specifically, 600 12<sup>th</sup> Avenue N. and 540 12<sup>th</sup> Avenue N. have access to the street and sidewalk at 12<sup>th</sup> Avenue N. and a 10-foot wide platted alleyway running parallel between 12<sup>th</sup> Avenue N. and Kirkwood Terrace N. Likewise, 603 Kirkwood Terrace N. and 551 Kirkwood Terrace N. have access to the street and sidewalk at Kirkwood Terrace N. as well as the alleyway. The properties in the vicinity of the Walkway have similar pedestrian and vehicular access points and do not require or use the Walkway for access. Thus, vacation of the Walkway will not cause any detrimental effect upon or impair access to any lot of record.

**3. Whether the vacation would adversely impact the existing roadway network, such as creating dead-end rights-of-way, substantially alter utilized travel patterns, or undermine the integrity of historic plats of designated historic landmarks or districts.**

Vacation of the Walkway will not adversely impact any existing pedestrian or roadway network because the Walkway is a presently un-utilized strip of grass that runs only the half block between 12<sup>th</sup> Avenue N. and Kirkwood Terrace N. Further, 12<sup>th</sup> Avenue N. is already connected to Kirkwood Terrace via sidewalks at both 7<sup>th</sup> St. N. and 4<sup>th</sup> St. N. There are currently no travel patterns utilizing the Walkway. Thus, vacation of the Walkway will not adversely impact any existing pedestrian or roadway network.

**4. Whether the easement is needed for the purpose for which the City has a legal interest and, for rights-of-way, whether there is a present or future need for the right-of-way for public vehicular or pedestrian access, or for public utility corridors.**

There is neither a present (the Walkway is unused) nor future (as stated above, access is amply provided via paved sidewalks) need for the Walkway for pedestrian or vehicular access or use as a public utility corridor. Further, we are unaware of any purpose for which the City has a legal interest in the Walkway. Thus, vacation of the Walkway will not frustrate any present or future need for pedestrian or vehicular access or for public utility corridors.

**5. The POD, Development Review Commission, and City Council may also consider any other factors affecting the public health, safety, or welfare.**

Applicants and their families feel this factor weighs particularly heavily in favor of vacation of the Walkway, as the continued presence of the Walkway presents a safety hazard. The Walkway is only circa 4.5 feet wide, is not independently lighted, and is bounded on either side by tall fencing. As a result, the Walkway is an attractive hideout / waiting ground for potential robbers, burglars or predators. It also presents a well-hidden area for loitering, particularly overnight, and other illegal activities such as drug use. These dangers are of particular concern to the Shettles of 600 12<sup>th</sup> Avenue N. and the Pritts of 551 Kirkwood Terrace N as they have young children, and to the lone resident of 603 Kirkwood Terrace N., who is an elderly female. Thus, vacation of the Walkway will further public safety and welfare for both the adjacent residents and the neighborhood at large.

### III. Conclusion

For the reasons stated above, we respectfully request the City of St. Petersburg vacate the Walkway. We very much appreciate your time in consideration of this matter, and look forward to participating in the application process. Should you have any questions, please do not hesitate to reach out using my contact information provided in the signature below.

Sincerely,



John F. Shettle III  
On behalf of Applicants  
600 12<sup>th</sup> Avenue N.  
St. Petersburg, FL 33701  
Email: [josh.shettle@gmail.com](mailto:josh.shettle@gmail.com)  
Phone: (443) 858-2091

# ATTACHMENT H

# ATTACHMENT H

MEMORANDUM  
CITY OF ST. PETERSBURG  
ENGINEERING & CAPITAL IMPROVEMENTS DEPARTMENT (ECID)

---

**TO:** Iris Winn, Administrative Clerk, Development Services  
Jennifer Bryla, Zoning Official, Development Review Services  
Cheryl Bergailo, Development Services

**FROM:** Nancy Davis, Engineering Plan Review Supervisor

**DATE:** November 6, 2019

**SUBJECT:** Walkway Vacations

**FILE:** 19-33000017

---

**LOCATION AND PIN:** 551 Kirkwood Terrace North; 18/31/17/25218/000/0070  
603 Kirkwood Terrace North; 18/31/17/25218/000/0080  
600 12<sup>th</sup> Avenue North; 18/31/17/25218/000/0310  
540 12<sup>th</sup> Avenue North; 18/31/17/25218/000/0320

**ATLAS:** F-8                      **Zoning:** Neighborhood Traditional Single-Family (NT-2)

**REQUEST:** Approval of vacations of two (2) 5-foot wide walkways located between 540 12<sup>th</sup> Avenue North and 600 12<sup>th</sup> Avenue North and between 551 Kirkwood Terrace North and 603 Kirkwood Terrace North.

**COMMENTS:** The Engineering & Capital Improvements Department (ECID) has no objection to vacation request provided the following comments are included as conditions of the approval:

1. As clarification, the alley right-of-way at the rear of the referenced lots is to remain as dedicated right of way.

NED/MJR/meh

pc: Kelly Donnelly  
Correspondence File

# ATTACHMENT I

ATTACHMENT I



# PUBLIC PARTICIPATION REPORT

Application No. \_\_\_\_\_

In accordance with LDR Section 16.70.040.1.F.2, "It is the policy of the City to encourage applicants to meet with residents of the surrounding neighborhoods prior to filing an application for a permit requiring review and public hearing. The applicant, at his option, may elect to include neighborhood mediation as a preparatory step in the development process. Participation in the public participation process prior to required public hearings will be considered by the decision-making official when considering the need, or request, for a continuance of an application. It is not the intent of this section to require neighborhood meetings, but to encourage meetings prior to the submission of applications for approval and documentation of efforts which have been made to address any potential concerns prior to the formal application process."

APPLICANT REPORT	
Street Address: 600 12th Ave N (607 Highland Terr N. + 551 Highland Terr N)	
1. Details of techniques the applicant used to involve the public	
(a) Dates and locations of all meetings where citizens were invited to discuss the applicant's proposal	
(b) Content, dates mailed, and number of mailings, including letters, meeting notices, newsletters, and other publications	
(c) Where residents, property owners, and interested parties receiving notices, newsletters, or other written materials are located	
2. Summary of concerns, issues, and problems expressed during the process	
3. Signature or affidavit of compliance - President or vice-president of any neighborhood associations	
Check one: <input checked="" type="checkbox"/> Proposal supported	
<input type="checkbox"/> Do not support the Proposal	
<input type="checkbox"/> Unable to comment on the Proposal at this time	
<input type="checkbox"/> Other comment(s):	
Association Name: DRCA	President or Vice-President Signature: <i>Daniel Hoehen</i>
If the president or vice-president of the neighborhood association are unavailable or refuse to sign such certification, a statement as to the efforts to contact them and (in the event of unavailability or unwillingness to sign) why they were unable or unwilling to sign the certification.	



# PUBLIC PARTICIPATION REPORT

Application No. \_\_\_\_\_

In accordance with LDR Section 16.70.040.1.F.2. "It is the policy of the City to encourage applicants to meet with residents of the surrounding neighborhoods prior to filing an application for a permit requiring review and public hearing. The applicant, at his option, may elect to include neighborhood mediation as a preparatory step in the development process. Participation in the public participation process prior to required public hearings will be considered by the decision-making official when considering the need, or request, for a continuance of an application. It is not the intent of this section to require neighborhood meetings, but to encourage meetings prior to the submission of applications for approval and documentation of efforts which have been made to address any potential concerns prior to the formal application process."

APPLICANT REPORT	
Street Address: <u>600 12th Ave N. (607 Kirkwood Terr N. &amp; 551 Kirkwood Terr N)</u>	
1. Details of techniques the applicant used to involve the public	
(a) Dates and locations of all meetings where citizens were invited to discuss the applicant's proposal	
(b) Content, dates mailed, and number of mailings, including letters, meeting notices, newsletters, and other publications	
(c) Where residents, property owners, and interested parties receiving notices, newsletters, or other written materials are located	
2. Summary of concerns, issues, and problems expressed during the process	
3. Signature or affidavit of compliance - President or vice-president of any neighborhood associations	
Check one: <input type="checkbox"/> Proposal supported	
<input type="checkbox"/> Do not support the Proposal	
<input type="checkbox"/> Unable to comment on the Proposal at this time	
<input checked="" type="checkbox"/> Other comment(s): <u>NO comment</u>	
Association Name <u>HUNA</u>	President or Vice-President Signature <u>[Signature]</u>
If the president or vice-president of the neighborhood association are unavailable or refuse to sign such certification, a statement as to the efforts to contact them and (in the event of unavailability or unwillingness to sign) why they were unable or unwilling to sign the certification.	



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

**DEVELOPMENT REVIEW COMMISSION  
STAFF REPORT**

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**VACATION OF RIGHT-OF-WAY  
PUBLIC HEARING**

According to Planning & Development Services Department records, **no Commission member** resides or has a place of business within 2,000 feet of the subject property. All other possible conflicts should be declared upon the announcement of the item.

**REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & DEVELOPMENT SERVICES DEPARTMENT**, for Public Hearing and Executive Action on **Wednesday, December 4, 2019 at 2:00 P.M.** at the Sunshine Center (Auditorium), 330 5<sup>th</sup> Street North, St. Petersburg, Florida.

CASE NO.: 19-33000018 PLAT SHEET: E-7

REQUEST: Approval of partial vacations of the North 15-foot right-of-way on 14<sup>th</sup> Avenue South between 2<sup>nd</sup> Street South and 3<sup>rd</sup> Street South with the West 15-foot right-of-way on 2<sup>nd</sup> Street South between 14<sup>th</sup> Avenue South and the North right-of-way line of 13<sup>th</sup> Avenue South.

OWNER: Bayboro Partners, LTD  
P.O. Box 607  
Winter Park, Florida 32790

AGENT: Nelson Flint  
263 13<sup>th</sup> Avenue South, Suite 369  
Saint Petersburg, Florida 33701

ADDRESSES AND  
PARCEL ID NOS.: 1301 3<sup>rd</sup> Street South; 30-31-17-03312-001-0010  
1316 3<sup>rd</sup> Street South; 30-31-17-03312-001-0020

LEGAL DESCRIPTION: On File

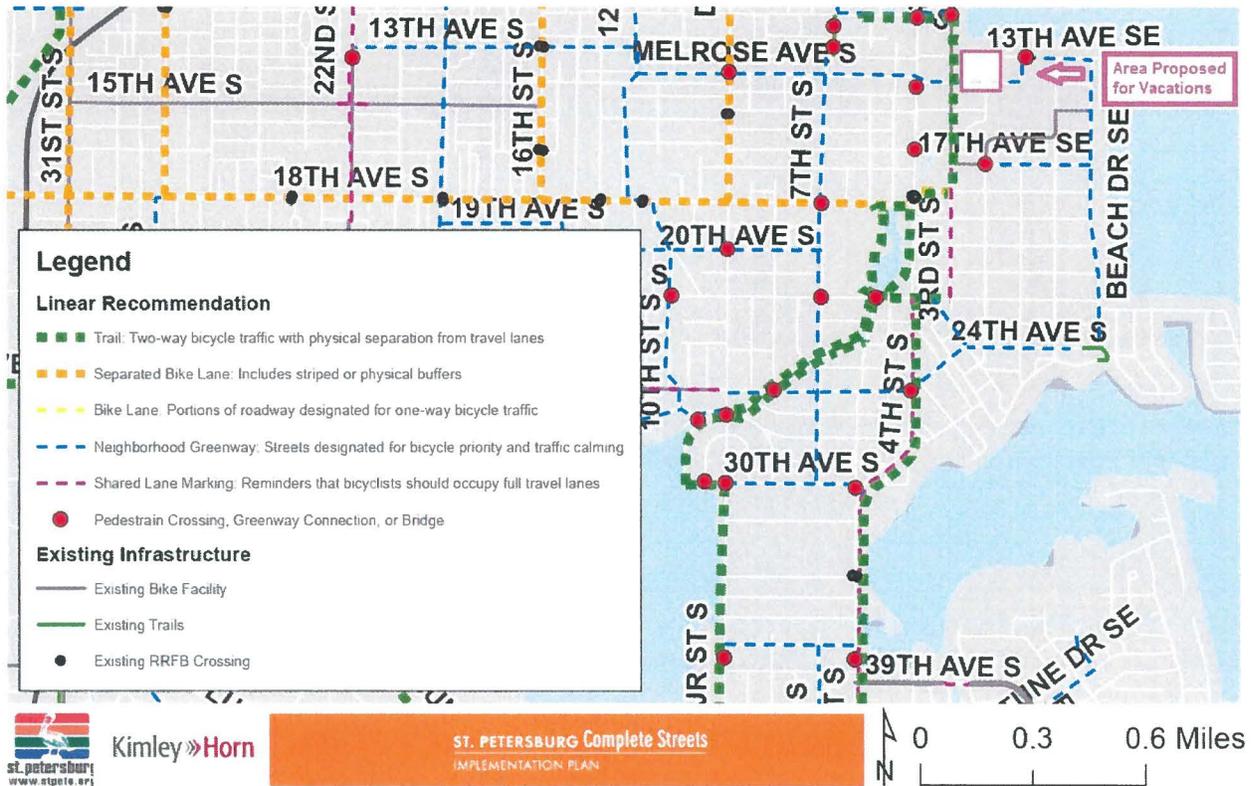
ZONING: Institutional Center (IC)

**DISCUSSION AND RECOMMENDATION:**

**Request.** The request is to vacate portions of right-of-way on the north side of 14<sup>th</sup> Avenue South between 2<sup>nd</sup> Street South and 3<sup>rd</sup> Street South and the west side of 2<sup>nd</sup> Street South between 14<sup>th</sup> Avenue South and the northern right-of-way line of 13<sup>th</sup> Avenue South.

The area of right-of-way proposed for vacation is depicted on the attached map (Attachment "A") and sketch & description (Attachment "B"). The applicant's goal is to improve the vacated portions of right-of-way. The existing rights-of-way along 14<sup>th</sup> Avenue South and 2<sup>nd</sup> Street South are 80-foot wide. These streets are considered "local streets" in the Land Development Regulations which require a minimum 50-foot of width. If approved, the 15-foot wide vacations will result in 65-foot wide rights-of-way which would allow the neighboring properties to pursue vacations of similar scope if they wish to in the future.

The subject right-of-way is within the boundaries of the Downtown Residents Civic Association and is within the Innovation District. The 2019 Complete Streets Implementation Plan identifies the subject right-of-way along 14<sup>th</sup> Avenue South as a Neighborhood Greenway.



**Analysis.** Staff's review of a vacation application is guided by:

- A. The City's Land Development Regulations (LDR's);
- B. The City's Comprehensive Plan; and
- C. Any adopted neighborhood or special area plans.

Applicants bear the burden of demonstrating compliance with the applicable criteria for vacation of public right-of-way. In this case, the material submitted by the applicant (Attachment "C") **does not** provide background or analysis supporting a conclusion that vacating the subject right-of-way would be consistent with the criteria in the City Code, the Comprehensive Plan, or any applicable special area plan.

Staff shared this information with the applicant prior to formulating this report. The applicant elected to proceed with the request with the understanding that Staff would recommend denial.

#### A. Land Development Regulations

Section 16.40.140.2.1E of the LDR's contains the criteria for reviewing proposed vacations. The criteria are provided below in italics, followed by itemized findings by Staff.

1. *Easements for public utilities including stormwater drainage and pedestrian easements may be retained or required to be dedicated as requested by the various departments or utility companies.*

This application was routed to applicable City Departments and private utility providers. The City Transportation Department cannot support the request for vacation of portions of the rights-of-way (Attachment "D"). Two City Departments, Engineering & Water Resources require easements for public utilities (Attachments "E" & "F"). City Surveying provided a memorandum that would need to be addressed prior to City Council review (Attachment "G").

Private provider Frontier Communications requires a recordable non-exclusive easement due to facilities that are in the proposed vacations (Attachment "H").

Other private providers Bright House Networks, TECO/Peoples Gas, WOW!, Duke Energy, and CenturyLink have not responded to the request.

Cooperation with City Departments and private providers including Frontier Communications, CenturyLink, Bright House Networks, TECO/Peoples Gas, WOW!, and Duke Energy will be needed moving forward if the vacations are ultimately approved by City Council.

2. *The vacation shall not cause a substantial detrimental effect upon or substantially impair or deny access to any lot of record as shown from the testimony and evidence at the public hearing.*

This application will not deny access to any lot of record.

- 
3. *The vacation shall not adversely impact the existing roadway network, such as to create dead-end rights-of-way, substantially alter utilized travel patterns, or undermine the integrity of historic plats of designated historic landmarks or neighborhoods.*

The vacation of the subject area should not adversely impact the existing roadway network, substantially alter utilized travel patterns, nor undermine the integrity of historic plats. If ultimately approved, the resulting subject rights-of-way will still exceed the minimum required width as required per Code.

4. *The easement is not needed for the purpose for which the City has a legal interest and, for rights-of-way, there is no present or future need for the right-of-way for public vehicular or pedestrian access, or for public utility corridors.*

The City Transportation Department has identified the right-of-way along 14<sup>th</sup> Avenue South as a neighborhood greenway in the St. Petersburg Complete Streets Implementation Plan. A neighborhood greenway is a street designated for bicycle priority and traffic calming. The Complete Streets Implementation Plan states that sidewalk modifications should be considered for all linear projects. Installation of sidewalks could address the central reason for this vacation request: deter motorists from parking or driving on the right-of-way adjacent to the subject property.

5. *The POD, Development Review Commission, and City Council shall also consider any other factors affecting the public health, safety, or welfare.*

No other factors have been raised for consideration.

#### B. Comprehensive Plan

*Transportation Element Objective T2: The City shall protect existing and future transportation corridors from encroachment.*

*Transportation Element Policy T2.3: To promote efficient use of land resources and minimize adverse impacts on the City's urban fabric, right-of-way widths for new roadways shall be the minimum needed to accommodate the proposed roadway and sidewalks, bicycle lanes, trails or utilities.*

The proposed vacations reduce the subject rights-of-way widths reducing the opportunity to install future pedestrian, bicycle-friendly, or other multimodal transportation facilities. The proposed request does not support this Comprehensive Plan objective.

#### C. Adopted Neighborhood or Special Area Plans

The subject easements are within the boundaries of the Downtown Residents Civic Association. There are no neighborhood or special area plans which affect vacation of rights-of-way in this area of the City.

**Comments from Agencies and the Public**

The City Transportation Department cannot support the request for vacation of portions of the rights-of-way (see attached memorandum). Two City Departments, Engineering & Water Resources, require easements for public utilities (see attached memorandums). City Surveying produced a memorandum that would need to be addressed prior to City Council review (see attached memorandum).

Private provider Frontier Communications requires a recordable non-exclusive easement due to facilities that are in the proposed vacations. CenturyLink has facilities in the area.

Other private providers Bright House Networks, TECO/Peoples Gas, WOW!, Duke Energy, and CenturyLink have not responded to the request.

The Downtown Residents Civic Association was notified and is supportive of the request.

Cooperation with City Departments and private providers including Frontier Communications, CenturyLink, Bright House Networks, TECO/Peoples Gas, WOW!, and Duke Energy will be needed moving forward if the vacations are ultimately approved by City Council.

**RECOMMENDATION.** Staff recommends **DENIAL** of the proposed partial vacations of rights-of-way. If the DRC is inclined to support the vacation, Staff recommends the following special conditions of approval:

1. Prior to recording of the vacation ordinance, the Applicant shall comply with the conditions of the Engineering Memorandum dated November 7, 2019 (Attachment "E").
2. Prior to recording the vacation ordinance, the Applicant shall comply with the conditions required of the Water Resources Department Memorandum dated November 7, 2019 (Attachment "F").
3. Prior to recording of the vacation ordinance, the Applicant shall comply with the conditions of the Surveying Memorandum dated November 14, 2019 (Attachment "G").
4. Prior to recording the vacation ordinance, the Applicant shall either provide an easement acceptable to Frontier Communications (Attachment "H") or provide a letter of no objection from Frontier Communications. Regardless, a letter of no objection or a letter of understanding from Frontier Communications is required.
5. Prior to recording the vacation ordinance, the Applicant shall either provide an easement acceptable to CenturyLink or provide a letter of no objection from CenturyLink. Regardless, a letter of no objection or a letter of understanding from CenturyLink is required.
6. Prior to recording the vacation ordinance, the Applicant shall either provide an easement acceptable to Bright House Networks or provide a letter of no objection from Bright House Networks. Regardless, a letter of no objection or a letter of understanding from Bright House Networks is required.

7. Prior to recording the vacation ordinance, the Applicant shall either provide an easement acceptable to TECO/Peoples Gas or provide a letter of no objection from TECO/Peoples Gas. Regardless, a letter of no objection or a letter of understanding from TECO/Peoples Gas is required.
8. Prior to recording the vacation ordinance, the Applicant shall either provide an easement acceptable to WOW! or provide a letter of no objection from WOW!. Regardless, a letter of no objection or a letter of understanding from WOW! is required.
9. Prior to recording the vacation ordinance, the Applicant shall either provide an easement acceptable to Duke Energy or provide a letter of no objection from Duke Energy. Regardless, a letter of no objection or a letter of understanding from Duke Energy is required.
10. As required City Code Section 16.70.050.1.1 F, approval of right-of-way vacations shall lapse and become void unless the vacation ordinance is recorded by the City Clerk in the public records within 24 months from the date of such approval or unless an extension of time is granted by the commission designated in the Decisions and Appeals Table or, if appealed, by the City Council prior to the expiration thereof. Each extension shall be for a period of time not to exceed one year. The vacation ordinance shall be recorded after any conditions precedent have been compiled with.

**REPORT PREPARED BY:**



Michael Larimore, Planner I  
Development Review Services Division  
Planning & Development Services Department

11/20/2019

DATE

**REPORT APPROVED BY:**



Jennifer Bryla, AICP, Zoning Official (POD)  
Development Review Services Division  
Planning & Development Services Department

11-20-19

DATE

Attachments: A – Location Map; B – Sketch & Description; C – Application; D – Transportation Memorandum dated November 8<sup>th</sup>, 2019; E – Engineering Memorandum dated November 8<sup>th</sup>, 2019; F – Water Resources Memorandum dated November 7<sup>th</sup>, 2019; G – Surveying Memorandum dated November 14<sup>th</sup>, 2019; H – Frontier Communications Letter dated October 24<sup>th</sup>, 2019

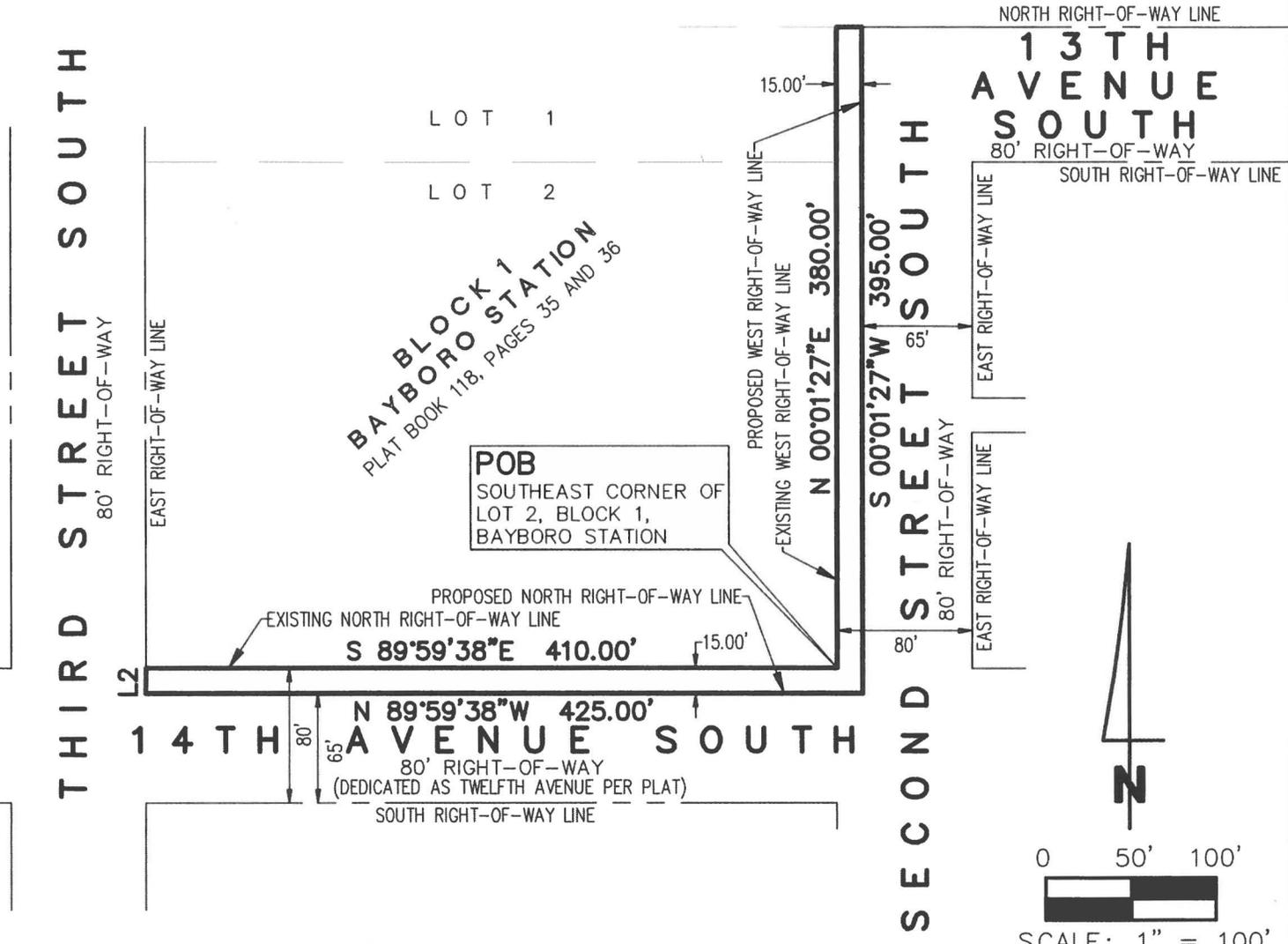


Project Location Map  
City of St. Petersburg, Florida  
Planning and Development Services  
Department  
Case No.: 19-33000018  
Addresses: 263 13<sup>th</sup> Avenue South



**LEGEND**

- BNDY = BOUNDARY
- COR = CORNER
- OR = OFFICIAL RECORDS BOOK
- PB = PLAT BOOK
- PG = PAGE
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- R/W = RIGHT-OF-WAY
- SR = STATE ROAD
- US = UNITED STATES



LINE TABLE		
LINE	BEARING	LENGTH
L1	S 89°59'30"E	15.00'
L2	N 00°01'27"E	15.00'

NOT A SURVEY

SHEET 1 OF 2

ITEM	DATE	BY	QC
SKETCH & DESCRIPTION	10/04/19	RED	DHR

H: \JN\2351\DWG\2351SD.DWG

**PROPOSED RIGHT-OF-WAY  
 VACATION  
 EXHIBIT "A"**

**POLARIS ASSOCIATES INC.**  
 PROFESSIONAL SURVEYING LB 6113  
 2165 SUNNYDALE BOULEVARD, SUITE D  
 CLEARWATER, FLORIDA 33765  
 (727) 461-6113

**DESCRIPTION**

THAT PORTION OF SECTION 30, TOWNSHIP 31 SOUTH, RANGE 17 EAST, PINELLAS COUNTY, FLORIDA, LYING WITHIN THE EXISTING RIGHT-OF-WAYS OF 14TH AVENUE SOUTH (PREVIOUSLY DEDICATED AS TWELFTH AVENUE) AND SECOND STREET SOUTH, BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 2, BLOCK 1, BAYBORO STATION AS RECORDED IN PLAT BOOK 118, PAGES 35 & 36 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, AT THE INTERSECTION OF THE EXISTING NORTH RIGHT-OF-WAY LINE OF 14TH AVENUE SOUTH (80' RIGHT-OF-WAY) AND THE EXISTING WEST RIGHT-OF-WAY LINE OF SECOND STREET SOUTH (80' RIGHT-OF-WAY); THENCE ALONG THE EXISTING WEST RIGHT-OF-WAY LINE OF SECOND STREET SOUTH AND THE EAST LINE OF SAID LOTS 1 & 2, N.00°01'27"E., 380.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF 13TH AVENUE SOUTH; THENCE ALONG SAID NORTH RIGHT-OF-WAY, S.89°59'30"E., 15.00 FEET; THENCE LEAVING SAID LINE, S.00°01'27"W., 395.00 FEET; THENCE N.89°59'38"W., 425.00 FEET TO THE EXTENSION OF THE EAST RIGHT-OF-WAY LINE OF THIRD STREET SOUTH; THENCE ALONG SAID EXTENSION, N.00°01'27"E., 15.00 FEET TO THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF THIRD STREET SOUTH AND THE EXISTING NORTH RIGHT-OF-WAY LINE OF 14TH AVENUE SOUTH; THENCE ALONG THE EXISTING NORTH RIGHT-OF-WAY LINE OF 14TH AVENUE SOUTH AND THE SOUTH LINE OF SAID LOT 2, S.89°59'38"E., 410.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 12,075 SQUARE FEET OR 0.277 ACRES, MORE OR LESS

**NOTES**

1. BEARINGS ARE BASED ON THE NORTH RIGHT-OF-WAY LINE 14TH AVENUE SOUTH, SAID LINE BEING ASSUMED AS S89°59'38"E.
2. LEGAL DESCRIPTION WAS PREPARED BY POLARIS ASSOCIATES, INC.
3. RE-USE OF THIS SKETCH FOR PURPOSES OTHER THAN WHICH IT WAS INTENDED, WITHOUT WRITTEN VERIFICATION, WILL BE AT THE RE-USERS SOLE RISK AND WITHOUT LIABILITY TO THE SURVEYOR. NOTHING HEREIN SHALL BE CONSTRUED TO GIVE ANY RIGHTS OR BENEFITS TO ANYONE OTHER THAN THOSE CERTIFIED TO.
4. THIS SKETCH IS NOT INTENDED TO SHOW THE LOCATION OR EXISTENCE OF ANY JURISDICTIONAL, HAZARDOUS OR ENVIRONMENTALLY SENSITIVE AREAS.
5. THIS SKETCH WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND MAY BE SUBJECT TO EASEMENTS, RESTRICTIONS, RIGHTS-OF-WAY AND OTHER MATTERS OF RECORD.

**CERTIFICATION**

I HEREBY CERTIFY THAT THE SKETCH REPRESENTED HEREON MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

  
 DAN H. RIZZUTO  
 PROFESSIONAL LAND SURVEYOR  
 LS 5227, STATE OF FLORIDA

**NOT A SURVEY**

SHEET 2 OF 2

ITEM	DATE	BY	QC	<p><b>PROPOSED RIGHT-OF-WAY                  VACATION                  EXHIBIT "A"</b></p>  <p><b>POLARIS ASSOCIATES INC.</b>                  PROFESSIONAL SURVEYING LB 6113                  2165 SUNNYDALE BOULEVARD, SUITE D                  CLEARWATER, FLORIDA 33765                  (727) 461-6113</p>
SKETCH & DESCRIPTION	10/04/19	RED	DHR	
H: \JN\2351\DWG\2351SD.DWG				

**RECEIVED**

OCT 07 2019

DEVELOPMENT REVIEW  
SERVICES**SUBDIVISION DECISION  
Application**Application No. 19-33000018

All applications are to be filled out completely and correctly. The application shall be submitted to the City of St. Petersburg's Development Review Services Division, located on the 1<sup>st</sup> floor of the Municipal Services Building, One 4<sup>th</sup> Street North.

**Application Type:**Per: 16.40.140 &  
16.70.050

- Lot Line Adjustment  
 Lot Split  
 Lot Refacing  
 Street Name Change  
 Street Closing

- Vacating – Street Right-of-Way  
 Vacating – Alley Right-of-Way  
 Vacating – Walkway Right-of-Way  
 Vacating – Easement  
 Vacating – Air Rights

GENERAL INFORMATION	
NAME of APPLICANT (Property Owner): <u>BAYBORO PARTNERS, LTD.</u>	
Street Address: <u>263 13<sup>TH</sup> AVE. S. STE. 369</u>	
City, State, Zip: <u>ST. PETERSBURG, FL 33701</u>	
Telephone No: <u>727-424-5577</u> Email Address: <u>nelson@strongprop.com</u>	
NAME of AGENT or REPRESENTATIVE: <u>NELSON FLINT</u>	
Street Address: <u>263 13<sup>TH</sup> AVE. S. STE 369</u>	
City, State, Zip: <u>ST. PETERSBURG, FL 33701</u>	
Telephone No: <u>727-424-5577</u> Email Address: <u>nelson@strongprop.com</u>	
PROPERTY INFORMATION: <u>BAYBORO STATION (OFFICE BUILDING)</u>	
Street Address or General Location: <u>263 13<sup>TH</sup> AVE. S. ST. PETERSBURG, FL</u>	
Parcel ID#(s): <u>30-31-17-03312-001-0020 (SOUTH OF 263 13<sup>TH</sup> AVE. S.)</u>	
DESCRIPTION OF REQUEST: <u>VACATION OF STREET RIGHT-OF-WAY (PARTIAL)</u>	
PRE-APPLICATION DATE: <u>9/5/19</u> PLANNER: <u>MICHAEL LARIMORE</u>	

**FEE SCHEDULE**

Lot Line & Lot Split Adjustment Administrative Review	\$200.00	Vacating Streets & Alleys	\$1,000.00
Lot Line & Lot Split Adjustment Commission Review	\$300.00	Vacating Walkway	\$400.00
Lot Refacing Administrative Review	\$300.00	Vacating Easements	\$500.00
Lot Refacing Commission Review	\$500.00	Vacating Air Rights	\$1,000.00
Variance with any of the above	\$350.00	Street Name Change	\$1,000.00
		Street Closing	\$1,000.00

Cash, credit, and checks made payable to the "City of St. Petersburg"

**AUTHORIZATION**

City Staff and the designated Commission may visit the subject property during review of the requested variance. Any Code violations on the property that are noted during the inspections will be referred to the City's Codes Compliance Assistance Department.

The applicant, by filing this application, agrees he or she will comply with the decision(s) regarding this application and conform to all conditions of approval. The applicant's signature affirms that all information contained within this application has been completed, and that the applicant understands that processing this application may involve substantial time and expense. Filing an application does not guarantee approval, and denial or withdrawal of an application does not result in remittance of the application fee.

NOTE: IT IS INCUMBENT UPON THE APPLICANT TO SUBMIT CORRECT INFORMATION. ANY MISLEADING, DECEPTIVE, INCOMPLETE, OR INCORRECT INFORMATION MAY INVALIDATE YOUR APPROVAL.

Signature of Owner/Agent: Nelson Flint - AGENTDate: 10/1/19

\*Affidavit to Authorize Agent required, if signed by Agent.

Typed name of Signatory: NELSON FLINT - AGENT



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

DEVELOPMENT REVIEW COMMISSION  
AFFIDAVIT TO AUTHORIZE AGENT

I am (we are) the owner(s) and record title holder(s) of the property noted herein

Property Owner's Name: BAYBOLD PARTNERS, LTD.

This property constitutes the property for which the following request is made

Property Address: 263 13TH AVE. S.

Parcel ID Number: 30-31-17-03312-001-0020

Request: PARTIAL VACATION OF STREET RIGHT-OF-WAY  
SOUTH OF 263 13TH AVE. S.

The undersigned has(have) appointed and does(do) appoint the following agent(s) to execute any application(s) or other documentation necessary to effectuate such application(s)

Agent's Name(s): [Signature]

This affidavit has been executed to induce the City of St. Petersburg, Florida, to consider and act on the above described property.

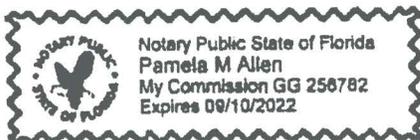
I (we), the undersigned authority, hereby certify that the foregoing is true and correct.

Signature (owner): [Signature] DAVID C. STRONG  
Printed Name

Sworn to and subscribed on this date

Identification or personally known: personally

Notary Signature: (Print): Pamela M. Allen Date: 10/1/19  
Commission Expiration (Stamp or date):



**BAYBORO PARTNERS, LTD.**

**REQUEST FOR VACATION OF STREET RIGHT OF WAY**

Bayboro Partners, Ltd., is the owner of the Bayboro Station Office Building located at 263 13<sup>th</sup> Ave. S., St. Petersburg, FL 33701. This building was built in the early 1920's as the power plant for the City of St. Petersburg. The power plant was decommissioned in the mid-1970's and the building sat vacant until the mid-1990's when Echelon Corporation (a subsidiary of Florida Power Corp. at the time) renovated the building into the Class A office space that it is today. Bayboro Station is a three (3) story building consisting of approximately 81,000 square feet of office space (some offices with a view of the Tampa Bay). We also have approximately three (3) acres of paved, surface parking adjacent to the Building.

Bayboro Partners purchased Bayboro Station from Echelon Corporation in 2000 at a time when Bayboro Station was home to executive offices for Florida Power Corporation (formerly Progress Energy and now Duke Energy). Bayboro Station is now home to NOAA Fisheries (Southeast Regional Office) as well as USFSP-OPEN, Tampa Bay Estuary Program, and MercuryZ. NOAA-NMF is a Federal Government Agency under the Department of Commerce.

Since our purchase of Bayboro Station in 2000, we have maintained the property and the Building in impeccable condition.

The building is bordered by 3<sup>rd</sup> Street S. to our west, 14<sup>th</sup> Ave. S. to our south, 2<sup>nd</sup> Street S. to our east, and Tampa Bay to our north. At the time Bayboro Station was converted from a decommissioned power plant to a Class A office Building (mid 1990's), 13<sup>th</sup> Ave. S. was vacated between 2<sup>nd</sup> Street S. and 3<sup>rd</sup> Street S. to allow our parking lot to be adjacent to the Building. There is an 80' Right of Way on the three sides of the property adjacent to these public streets. We have approximately 300 parking space for the tenants and visitors to our building (more than enough to handle any parking load we have ever experienced). The entire +/-4 ac. property, including the parking area, is landscaped and attractively fenced. We have always maintained the appearance of this Right-of-Way in a professional manner. From the inception of our ownership (but getting worse recently), we have dealt with cars and trucks not associated with our tenants, parking on or driving over the Right-of-Way resulting in property damage (ruts and tire tracks in grass and landscaping and damage to our underground irrigation system). We have consulted with Code Enforcement and even had to involve St. Petersburg Police Department on at least one occasion. As you can see by the photos attached (taken from an incident that occurred on August 16, 2019), this problem persists today.

We believe that a vacation of a portion of the 80' Right-of-Way (on the Second Street N. and the 14<sup>th</sup> Ave. S. sides of the property) would go a long way towards solving this problem. Specifically, at a minimum, it would enable us to install landscaping, fencing, and other means to prevent parking and traffic in this area and deter unauthorized traffic.

Please note that we believe a vacation of a portion of the Right-of-Way should pose no issues for the City because 2<sup>nd</sup> Street S. is not a thru-street (it terminates at a line parallel to the formerly vacated 13<sup>th</sup> Ave. S. to the north and just below 15<sup>th</sup> Ave. S at Salt Creek to the south). Also, 14<sup>th</sup> Ave. S. is also not a thru street. (It terminates at 1<sup>st</sup> Street S., just a block east of our property). See map attached.

We respectfully request and propose that the City maintain a Right-of-Way necessary to maintain these roads and vacate as much of the remaining area (between the curb-line of the roads and our fence) as possible. Obviously, we would agree to grant any required easements for utilities, etc.

Thank you for your consideration of this matter.



# NEIGHBORHOOD WORKSHEET

Applicants are strongly encouraged to obtain signatures in support of the proposal(s) from owners of property adjacent to or otherwise affected by a particular request.

*THERE ARE NO PROPERTIES ADJACENT TO THIS REQUEST.*

## NEIGHBORHOOD WORKSHEET

Street Address: *263 13<sup>TH</sup> AVE. S.* Case No.:  
Description of Request: *PARTIAL VACATION OF STREET RIGHT-OF-WAY SOUTH OF 263<sup>TH</sup> AVE. S.*

The undersigned adjacent property owners understand the nature of the applicant's request and do not object (attach additional sheets if necessary):

1. Affected Property Address:  
Owner Name (print): *N/A*  
Owner Signature:

2. Affected Property Address:  
Owner Name (print):  
Owner Signature:

3. Affected Property Address:  
Owner Name (print):  
Owner Signature:

4. Affected Property Address:  
Owner Name (print):  
Owner Signature:

5. Affected Property Address:  
Owner Name (print):  
Owner Signature:

6. Affected Property Address:  
Owner Name (print):  
Owner Signature:

7. Affected Property Address:  
Owner Name (print):  
Owner Signature:

8. Affected Property Address:  
Owner Name (print):  
Owner Signature:



# PUBLIC PARTICIPATION REPORT

Application No. \_\_\_\_\_

In accordance with LDR Section 16.70.040.1.F.2. "It is the policy of the City to encourage applicants to meet with residents of the surrounding neighborhoods prior to filing an application for a permit requiring review and public hearing. The applicant, at his option, may elect to include neighborhood mediation as a preparatory step in the development process. Participation in the public participation process prior to required public hearings will be considered by the decision-making official when considering the need, or request, for a continuance of an application. It is not the intent of this section to require neighborhood meetings, but to encourage meetings prior to the submission of applications for approval and documentation of efforts which have been made to address any potential concerns prior to the formal application process."

## APPLICANT REPORT

Street Address: **263 13TH AVE, S, ST. PETERSBURG, FL 33701**

1. Details of techniques the applicant used to involve the public

(a) Dates and locations of all meetings where citizens were invited to discuss the applicant's proposal

(b) Content, dates mailed, and number of mailings, including letters, meeting notices, newsletters, and other publications

**E-MAIL TO DAN HOEKENGA, PRESIDENT, DOWNTOWN RESIDENTS CIVIC ASSOCIATION WITH ATTACHMENTS. ATTACHMENTS INCLUDE, (FAVORABLE RESPONSE ATTACHED)**

(c) Where residents, property owners, and interested parties receiving notices, newsletters, or other written materials are located

2. Summary of concerns, issues, and problems expressed during the process

3. Signature or affidavit of compliance - President or vice-president of any neighborhood associations

Check one:  Proposal supported

Do not support the Proposal

Unable to comment on the Proposal at this time

Other comment(s): **Email attached (please review)**

Association Name

President or Vice-President Signature

If the president or vice-president of the neighborhood association are unavailable or refuse to sign such certification, a statement as to the efforts to contact them and (in the event of unavailability or unwillingness to sign) why they were unable or unwilling to sign the certification.

**nelson@strongprop.com**

---

**From:** nelson@strongprop.com  
**Sent:** Tuesday, October 1, 2019 9:38 AM  
**To:** 'dajahoek@umich.edu'  
**Cc:** 'Michael W. Larimore'; 'Scot K. Bolyard'; David Strong (inbox@strongmgmt.com)  
**Subject:** FW: Right of Way Vacation Request-Bayboro Station  
**Attachments:** Narative-ROW Vacation Request.pdf; Survey-Highlighted.pdf; Map.pdf; Pre-Ap Meeting Notes.pdf

Dan:

My names is Nelson Flint and I am the Property Manager and designated representative for Bayboro Station (Office Building) located at 263 13<sup>th</sup> Ave. S., St. Petersburg, FL 33701.

Attached you will find a narrative and other documents related to our request for vacation of part of the Right-of-Way adjacent to our property. During our Pre-Application meeting with Michael Larimore and Scot Bolyard with the City of St. Pete, we were advised of the requirement to provide notification to you as President of the Downtown Residents Civic Association of our intent to make Application for this vacation. Please let this email and attachments serve as notification of our intent to make formal Application for this vacation.

Should you have any questions or require any additional information please contact me at your convenience.

Nelson Flint  
Bayboro Station  
Cell 727-424-5577

**From:** Michael W. Larimore <Michael.Larimore@stpete.org>  
**Sent:** Tuesday, October 1, 2019 8:31 AM  
**To:** nelson@strongprop.com  
**Cc:** Scot K. Bolyard <Scot.Bolyard@stpete.org>; Iris L. Winn <Iris.Winn@stpete.org>  
**Subject:** RE: Right of Way Vacation Request-Bayboro Station

Mr. Flint,

Proof of notification to Mr. Hoekenga is needed at time of submittal. This can be in the form of a printed email you have sent to Mr. Hoekenga.

Let me know if you have any other questions.

Mike Larimore  
Planner I  
City of St. Petersburg  
[Michael.Larimore@stpete.org](mailto:Michael.Larimore@stpete.org)

Please note all emails are subject to public records laws.

**From:** [nelson@strongprop.com](mailto:nelson@strongprop.com) <[nelson@strongprop.com](mailto:nelson@strongprop.com)>  
**Sent:** Monday, September 30, 2019 12:58 PM

To: Michael W. Larimore <[Michael.Larimore@stpete.org](mailto:Michael.Larimore@stpete.org)>  
Cc: Scot K. Bolyard <[Scot.Bolyard@stpete.org](mailto:Scot.Bolyard@stpete.org)>; Iris L. Winn <[Iris.Winn@stpete.org](mailto:Iris.Winn@stpete.org)>  
Subject: RE: Right of Way Vacation Request-Bayboro Station

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

RE: Application for ROW Vacation-30-31-17-03312-001-0020

Mike:

I am in the process of preparing our Application for (partial) Vacation of Right-of-Way for Bayboro Station located at 263 13<sup>th</sup> Ave. S. In your Pre-Application Meeting Notes, you referenced Dan Hoekenga, President of the Downtown Residents Civic Association. Am I supposed to contact Dan prior to submitting our Application or will Dan be contacted as part of the review and consideration process?

We intend to submit on or before the October 7, 2019 Pre-Application Deadline.

Nelson Flint  
Bayboro Station

From: Michael W. Larimore <[Michael.Larimore@stpete.org](mailto:Michael.Larimore@stpete.org)>  
Sent: Friday, August 16, 2019 10:40 AM  
To: [nelson@strongprop.com](mailto:nelson@strongprop.com)  
Cc: Scot K. Bolyard <[Scot.Bolyard@stpete.org](mailto:Scot.Bolyard@stpete.org)>; Iris L. Winn <[Iris.Winn@stpete.org](mailto:Iris.Winn@stpete.org)>  
Subject: RE: Right of Way Vacation Request-Bayboro Station

Mr. Flint,

I do recall the conversation we had.

You would want to schedule a pre-app meeting with us before you submit the application as it is a required item for the eventual application to be considered complete. You can schedule one by emailing the Administrative Clerk, Iris Winn (cc'd on this email) so she can coordinate a meeting time.

We will want at least conceptual drawings for the pre-app meeting, so we can discuss the purpose and intent of the project. More formal drawings would be required at time of application submittal if you wish to move forward after the pre-app meeting.

Let me know if you have any questions, I look forward to working with you!

Mike Larimore  
Planner I  
City of St. Petersburg  
[Michael.Larimore@stpete.org](mailto:Michael.Larimore@stpete.org)

Please note all emails are subject to public records laws.

From: [nelson@strongprop.com](mailto:nelson@strongprop.com) <[nelson@strongprop.com](mailto:nelson@strongprop.com)>  
Sent: Friday, August 16, 2019 10:24 AM  
To: Michael W. Larimore <[Michael.Larimore@stpete.org](mailto:Michael.Larimore@stpete.org)>  
Subject: Right of Way Vacation Request-Bayboro Station

Michael:

You may recall that we met a couple of weeks ago to discuss the possibility of a partial vacation of some of the right-of-way on the 2<sup>nd</sup> Street and 14<sup>th</sup> Ave. S. sides of Bayboro Station. For reference, Bayboro Station is located at 263 13<sup>th</sup> Ave. S. and is also known as the NOAA Building.

You gave me a copy of the Application forms and explained the process. I have a couple of questions:

1. I assume we submit the completed Application *prior to* the Pre-Application Meeting. Is this correct?
2. How do we go about scheduling the Pre-App Meeting?
3. Do we need engineering or conceptual drawings for this meeting?

Thank you for your assistance in this matter.

Nelson Flint  
Bayboro Station



Virus-free. [www.avast.com](http://www.avast.com)

[Your Sunshine City](#)

Bayboro Partners  
Limited  
C/O  
Strong Properties  
263 13th Avenue South  
Suite 369  
St. Petersburg, FL 33701  
727.592.1887

Bayboro Station  
263 13th Ave S  
St. Petersburg, FL 33701



AS-BUILT FLOOR PLAN & 360 VR PHOTOGRAPHY

 American Building  
Calculations

4710 Land O Lakes Blvd  
Suite 17-118  
Land O Lakes, FL 34639  
813-600-5472  
www.abcalc.biz

**nelson@strongprop.com**

---

**From:** Daniel Hoekenga <danieljhoekenga@gmail.com>  
**Sent:** Tuesday, October 1, 2019 10:16 AM  
**To:** nelson@strongprop.com; michaelarimore@stpete.org  
**Subject:** vacation of right of way

If the information provided is accurate then I agree that the thr right of way should be vacated.

**nelson@strongprop.com**

---

**From:** nelson@strongprop.com  
**Sent:** Tuesday, October 1, 2019 10:23 AM  
**To:** 'Daniel Hoekenga'; 'michaellarimore@stpete.org'  
**Cc:** David Strong (inbox@strongmgmt.com)  
**Subject:** RE: vacation of right of way

Dan:

Thank you for your prompt and favorable reply.  
I believe the information to be accurate.  
We will proceed with our Application accordingly.

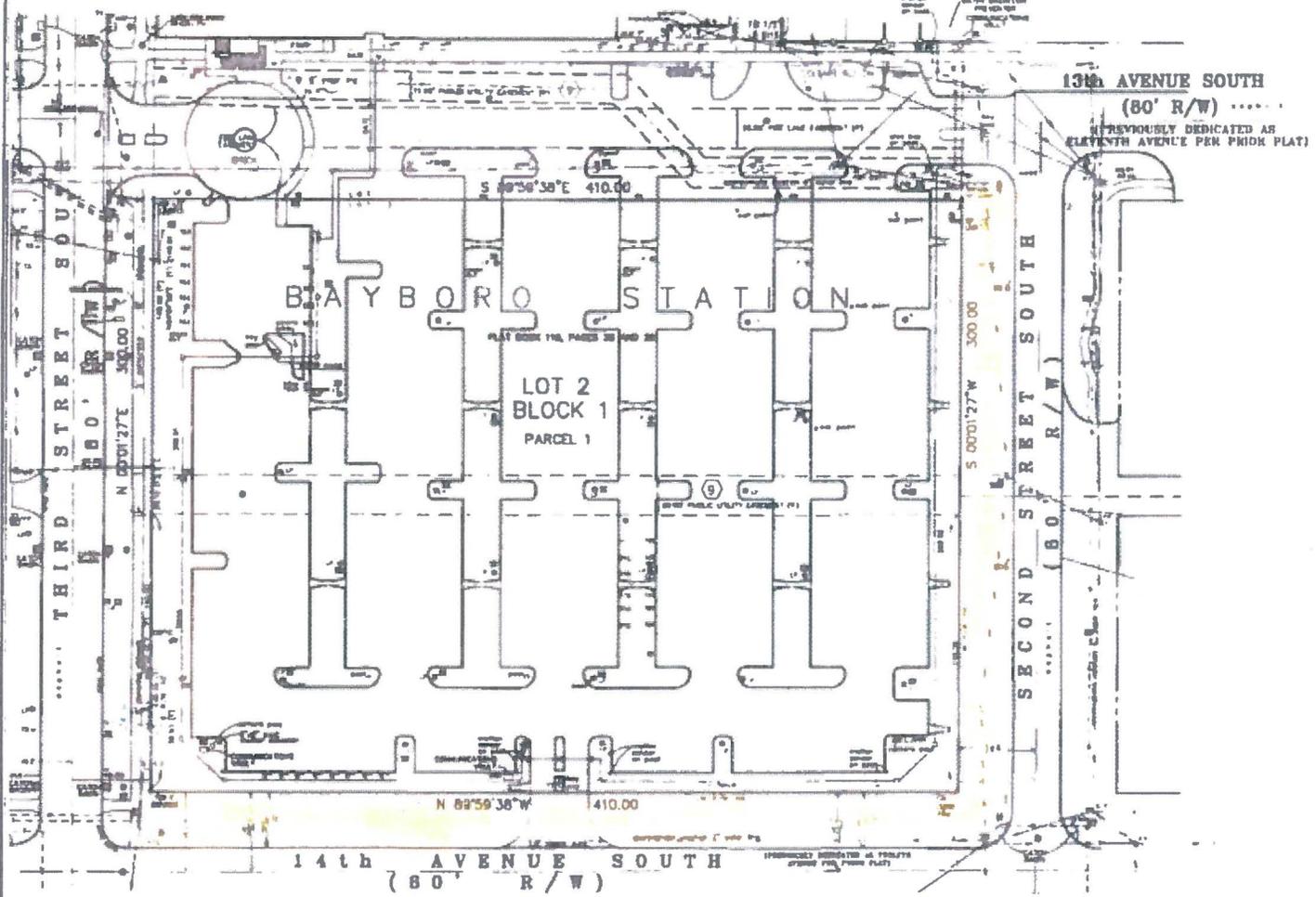
Nelson Flint  
Bayboro Station

**From:** Daniel Hoekenga <danieljhoekenga@gmail.com>  
**Sent:** Tuesday, October 1, 2019 10:16 AM  
**To:** nelson@strongprop.com; michaellarimore@stpete.org  
**Subject:** vacation of right of way

If the information provided is accurate then I agree that the thr right of way should be vacated.



LOT 1  
BLOCK 1



**ZONING NOTE**

A zoning map shall be prepared by the Planning Commission and adopted by the Board of Commissioners. The zoning map shall show the boundaries of the various zoning districts and the character of the zoning regulations which shall apply to each district. The zoning regulations shall be so framed as to conform to the public health, safety and general welfare of the community and shall not be inconsistent with the State Constitution and the laws of the State.

DATE	REVISION	BY

NO.	DESCRIPTION



▼ 263 13th Ave S, Saint Peter X Q

Show search results for 263 13t...

02

13TH AVE S

13TH

BAYBORD  
STATION  
OFFICE  
BUILDING



BAYBORD  
STATION  
PARKING  
AREA

4TH ST S

14TH AVE S

14TH AVE. S.

14TH

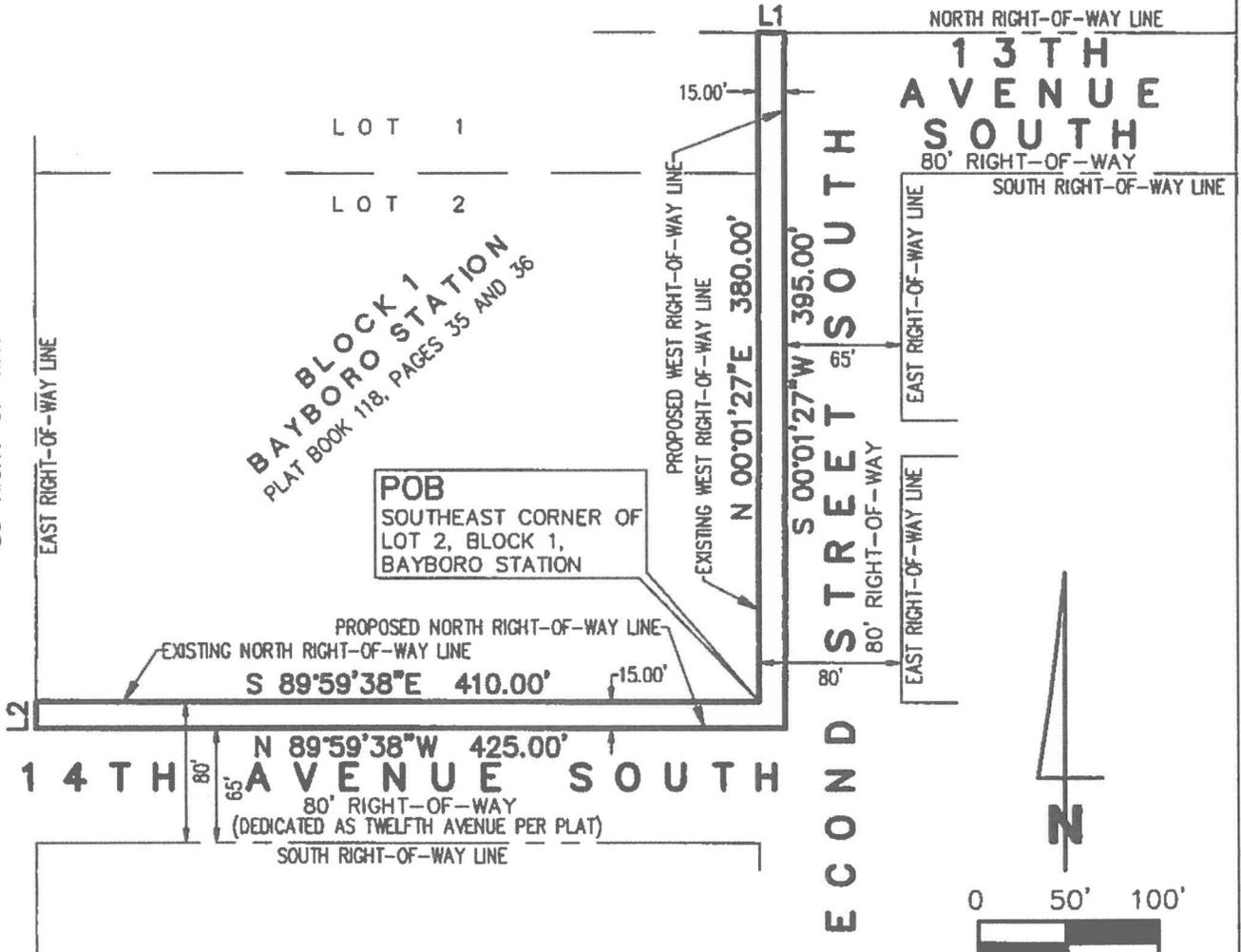
3RD ST S

2ND ST S

**LEGEND**

- BNDY = BOUNDARY
- COR = CORNER
- OR = OFFICIAL RECORDS BOOK
- PB = PLAT BOOK
- PG = PAGE
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- R/W = RIGHT-OF-WAY
- SR = STATE ROAD
- US = UNITED STATES

THIRD STREET SOUTH  
80' RIGHT-OF-WAY



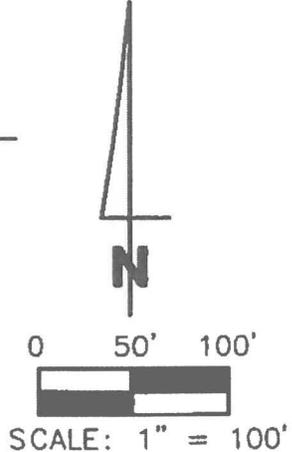
**BAYBORO STATION**  
 PLAT BOOK 118, PAGES 35 AND 36

**POB**  
 SOUTHEAST CORNER OF  
 LOT 2, BLOCK 1,  
 BAYBORO STATION

**13TH AVENUE SOUTH**  
 80' RIGHT-OF-WAY

**14TH AVENUE SOUTH**  
 80' RIGHT-OF-WAY  
 (DEDICATED AS TWELFTH AVENUE PER PLAT)

SECOND STREET SOUTH  
80' RIGHT-OF-WAY



LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°59'30"E	15.00'
L2	N00°01'27"E	15.00'

NOT A SURVEY

SHEET 1 OF 2

ITEM	DATE	BY	QC	PROPOSED RIGHT-OF-WAY VACATION EXHIBIT "A"	 <b>POLARIS</b> ASSOCIATES INC. PROFESSIONAL SURVEYING LB 6113 2165 SUNNYDALE BOULEVARD, SUITE D CLEARWATER, FLORIDA 33765 (727) 461-6113
SKETCH & DESCRIPTION	10/04/19	RED	DHR		
H: \JN\2351\DWG\2351SD.DWG					

**DESCRIPTION**

THAT PORTION OF SECTION 30, TOWNSHIP 31 SOUTH, RANGE 17 EAST, PINELLAS COUNTY, FLORIDA, LYING WITHIN THE EXISTING RIGHT-OF-WAYS OF 14TH AVENUE SOUTH (PREVIOUSLY DEDICATED AS TWELFTH AVENUE) AND SECOND STREET SOUTH, BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 2, BLOCK 1, BAYBORO STATION AS RECORDED IN PLAT BOOK 118, PAGES 35 & 36 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, AT THE INTERSECTION OF THE EXISTING NORTH RIGHT-OF-WAY LINE OF 14TH AVENUE SOUTH (80' RIGHT-OF-WAY) AND THE EXISTING WEST RIGHT-OF-WAY LINE OF SECOND STREET SOUTH (80' RIGHT-OF-WAY); THENCE ALONG THE EXISTING WEST RIGHT-OF-WAY LINE OF SECOND STREET SOUTH AND THE EAST LINE OF SAID LOTS 1 & 2, N.00°01'27"E., 380.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF 13TH AVENUE SOUTH; THENCE ALONG SAID NORTH RIGHT-OF-WAY, S.89°59'30"E., 15.00 FEET; THENCE LEAVING SAID LINE, S.00°01'27"W., 395.00 FEET; THENCE N.89°59'38"W., 425.00 FEET TO THE EXTENSION OF THE EAST RIGHT-OF-WAY LINE OF THIRD STREET SOUTH; THENCE ALONG SAID EXTENSION, N.00°01'27"E., 15.00 FEET TO THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF THIRD STREET SOUTH AND THE EXISTING NORTH RIGHT-OF-WAY LINE OF 14TH AVENUE SOUTH; THENCE ALONG THE EXISTING NORTH RIGHT-OF-WAY LINE OF 14TH STREET SOUTH AND THE SOUTH LINE OF SAID LOT 2, S.89°59'38"E., 410.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 12,075 SQUARE FEET OR 0.277 ACRES, MORE OR LESS

**NOTES**

1. BEARINGS ARE BASED ON THE NORTH RIGHT-OF-WAY LINE 14TH AVENUE SOUTH, SAID LINE BEING ASSUMED AS S89°59'38"E.
2. LEGAL DESCRIPTION WAS PREPARED BY POLARIS ASSOCIATES, INC.
3. RE-USE OF THIS SKETCH FOR PURPOSES OTHER THAN WHICH IT WAS INTENDED, WITHOUT WRITTEN VERIFICATION, WILL BE AT THE RE-USERS SOLE RISK AND WITHOUT LIABILITY TO THE SURVEYOR. NOTHING HEREIN SHALL BE CONSTRUED TO GIVE ANY RIGHTS OR BENEFITS TO ANYONE OTHER THAN THOSE CERTIFIED TO.
4. THIS SKETCH IS NOT INTENDED TO SHOW THE LOCATION OR EXISTENCE OF ANY JURISDICTIONAL, HAZARDOUS OR ENVIRONMENTALLY SENSITIVE AREAS.
5. THIS SKETCH WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND MAY BE SUBJECT TO EASEMENTS, RESTRICTIONS, RIGHTS-OF-WAY AND OTHER MATTERS OF RECORD.

**CERTIFICATION**

I HEREBY CERTIFY THAT THE SKETCH REPRESENTED HEREON MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

  
 DAN H. RIZZUTO  
 PROFESSIONAL LAND SURVEYOR  
 LS 5227, STATE OF FLORIDA

NOT A SURVEY

SHEET 2 OF 2

ITEM	DATE	BY	QC	PROPOSED RIGHT-OF-WAY VACATION EXHIBIT "A"	 <b>POLARIS ASSOCIATES INC.</b> PROFESSIONAL SURVEYING LB 6113 2165 SUNNYDALE BOULEVARD, SUITE D CLEARWATER, FLORIDA 33765 (727) 461-6113
SKETCH & DESCRIPTION	10/04/19	RED	DHR		
H:\JN\2351\DWG\2351SD.DWG					



**CITY OF ST. PETERSBURG**

**Transportation and Parking Management Department**

**MEMORANDUM**



**TO:** Michael Larimore, Planner I, Planning and Development Services Department

**FROM:** Tom Whalen, Planner III, Transportation and Parking Management Department

**DATE:** November 8, 2019

**SUBJECT:** Approval of partial vacations of the North 15-foot right-of-way on 14<sup>th</sup> Avenue South between 2<sup>nd</sup> Street South and 3<sup>rd</sup> Street South with the West 15-foot right-of-way on 2<sup>nd</sup> Street South between 14<sup>th</sup> Avenue South and the North right-of-way line of 13<sup>th</sup> Avenue South.

**CASE:** 19-33000018

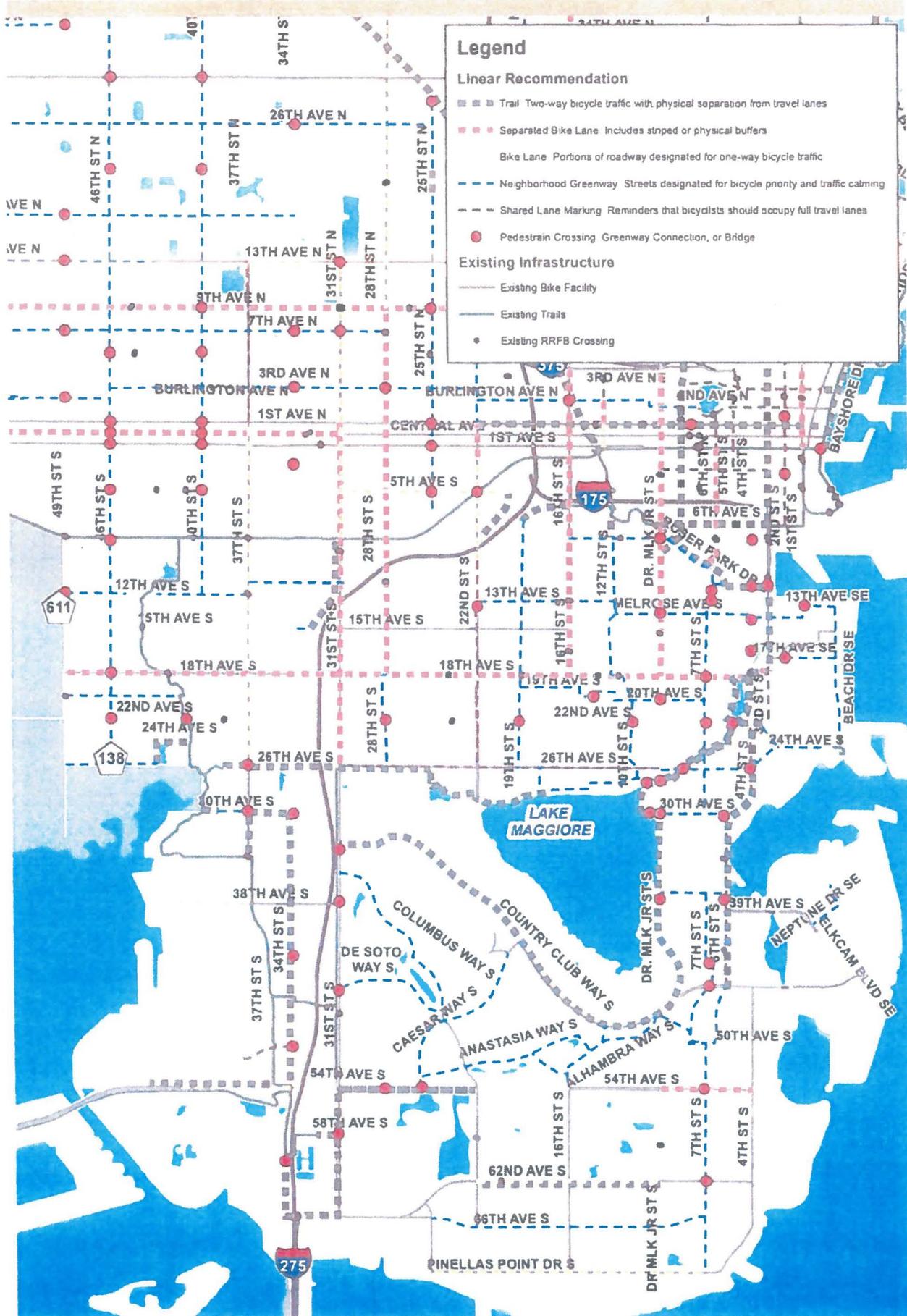
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The St. Petersburg Transportation and Parking Management Department has reviewed the proposed partial vacations of the northern 15 feet of right-of-way on 14<sup>th</sup> Avenue South between 2<sup>nd</sup> Street South and 3<sup>rd</sup> Street South with the western 15 feet of right-of-way on 2<sup>nd</sup> Street South between 14<sup>th</sup> Avenue South and the northern right-of-way line of 13<sup>th</sup> Avenue South. The Transportation and Parking Management Department does not support the applicant's request. We believe that the right-of-way should be preserved for pedestrian access and there are alternative means for addressing the issues of motorists parking on or driving over the right-of-way adjacent to their property.

The matters of consideration for reviewing proposed public right-of-way vacations are provided in Section 16.40.140.2.1 of the City Code. Paragraph 4 in this Section states "Whether the easement is needed for the purpose for which the City has a legal interest and, for rights-of-way, whether there is a present or future need for the right-of-way for public vehicular or pedestrian access, or for public utility corridors." Fourteenth Avenue South in this vicinity is designated as a neighborhood greenway in the St. Petersburg Complete Streets Implementation Plan. A map of recommended linear facilities for bicyclists and pedestrian crossings in southern St. Petersburg is attached. A neighborhood greenway is a street designated for bicycle priority and traffic calming. It is stated in the Complete Streets Implementation Plan that sidewalk modifications should be considered for all linear projects. A neighborhood greenway is also proposed for 1<sup>st</sup> Street South between 13<sup>th</sup> Avenue South and 14<sup>th</sup> Avenue South and a bicycle/pedestrian bridge is proposed to connect 13<sup>th</sup> Avenue South and 13<sup>th</sup> Avenue Southeast over Salt Creek. This proposed bridge is included in the Downtown Waterfront Master Plan. There is a network of existing sidewalks to the south and west of the subject property. The provision of sidewalks along southern and eastern sides of the subject property would fill a large gap in the sidewalk network.

Regarding motorists parking on or driving over the right-of-way adjacent to the subject property, the installation of sidewalks would help deter these activities. The Transportation and Parking Management Department can also work with the applicant to examine the possibility of installing signage along the western side of 2<sup>nd</sup> Street and northern side of 14<sup>th</sup> Avenue South adjacent to their property. If you have any questions about the Transportation and Parking Management Department's review of this case, please call me at 893-7883.

# Bicycle Network & Crossings - South



Kimley »Horn

ST. PETERSBURG Complete Streets

IMPLEMENTATION PLAN



## Attachment E.

MEMORANDUM  
CITY OF ST. PETERSBURG  
ENGINEERING & CAPITAL IMPROVEMENTS DEPARTMENT (ECID)

---

**TO:** Iris Winn, Administrative Clerk, Development Services  
Jennifer Bryla, Zoning Official, Development Review Services  
Michael Larimore, Development Services

**FROM:** Nancy Davis, Engineering Plan Review Supervisor

**DATE:** November 7, 2019

**SUBJECT:** Right of Way Vacations

**FILE:** 19-33000018



---

**LOCATION AND PIN:** 263 13<sup>th</sup> Avenue South  
30/31/17/03312/001/0010  
30/31/17/03312/001/0020

**ATLAS:** E-7                      **Zoning:** Institutional Center (IC)

**REQUEST:** Approval of partial vacations of the North 15-foot right-of-way on 14<sup>th</sup> Avenue South between 2<sup>nd</sup> Street South and 3<sup>rd</sup> Street South with the West 15-foot right-of-way on 2<sup>nd</sup> Street South between 14<sup>th</sup> Avenue South and the North right-of-way line of 13<sup>th</sup> Avenue South.

**COMMENTS:** The Engineering & Capital Improvements Department (ECID) has no objection to vacation request provided the following are included as conditions of the approval:

1. ECID has no objection to the requested vacation of the western 15-feet of 2<sup>nd</sup> Street Right of way. This would reduce the overall width of the right of way to 65-feet which still meets right of way width requirements of City Code 16.40.140.4.1(6). City utility maps indicate no existing public infrastructure within the western parkway of 2<sup>nd</sup> Street North within this partial right of way vacation. There remains adequate space within the remaining  $\pm$  13-feet of parkway for future sidewalk construction.

2. ECID has no objection to the requested vacation of the northern 15-feet of the right of way of 14<sup>th</sup> Avenue South provided that the entire vacated portion of the right-of-way of 14<sup>th</sup> Avenue South is retained as a **Public Utility Easement**. City utility maps indicate the existence of a 2" public water main and an 18" public storm sewer within the northern parkway of 14<sup>th</sup> Avenue North.

Since the exact location of the public utilities is not known, if the applicant does not wish to retain the vacated portion of the right of way of 14<sup>th</sup> Avenue North as **Public Utility Easement**, they may opt to field locate the existing utilities and show them on a survey drawn to a standard Engineering scale which could then be evaluated by City ECID to determine exact easement requirements or possibly even determine that the vacated area does not need to be retained as public easement.

NED/MJR/meh

pc: Kelly Donnelly  
Correspondence File

Attachment F.

**MEMORANDUM  
CITY OF ST. PETERSBURG**  
Water Resources Department



**TO:** Jennifer Bryla, Zoning Official

**FROM:** Kirsten Corcoran, Engineering Clerk, Water Resources

**DATE:** November 7, 2019

**SUBJECT:** Approval of partial vacations of the North 15-foot right-of-way on 14<sup>th</sup> Avenue South between 2<sup>nd</sup> Street South and 3<sup>rd</sup> Street South with the West 15-foot right-of-way on 2<sup>nd</sup> Street South between 14<sup>th</sup> Avenue South and the North right-of-way line of 13<sup>th</sup> Avenue South.

**PLAT:** E-7

**CASE:** 19-33000018

**LOCATION:** 263 13<sup>th</sup> Avenue South

**REMARKS:** Water Resources has no objection to the above referenced subject provide that the entire ROW-vacation limits must be protected with recorded Utility & Access Easement back to City. The legal sketch legal description of new easement shall also show the existing utility easement over the 6" water main infrastructure, for public-recording of the entirety of easement rights to City.

Project file



MEMORANDUM

CITY OF ST. PETERSBURG, FLORIDA

ENGINEERING AND CAPITAL IMPROVEMENTS DEPARTMENT

TO: Michael Larimore, Planner I  
FROM: Timothy R. Collins, Survey Projects Coordinator  
DATE: November 14, 2019  
SUBJECT: 19-33000018\_Vacation of Right-of-Way\_263 13<sup>th</sup> Ave S



---

Please remove the word “proposed” and “existing” from the document. Once recorded, those terms may cause confusion later. Also, add the official record book and page of the document that dedicated right-of-way for 14<sup>th</sup> Avenue South and 2<sup>nd</sup> Street South.

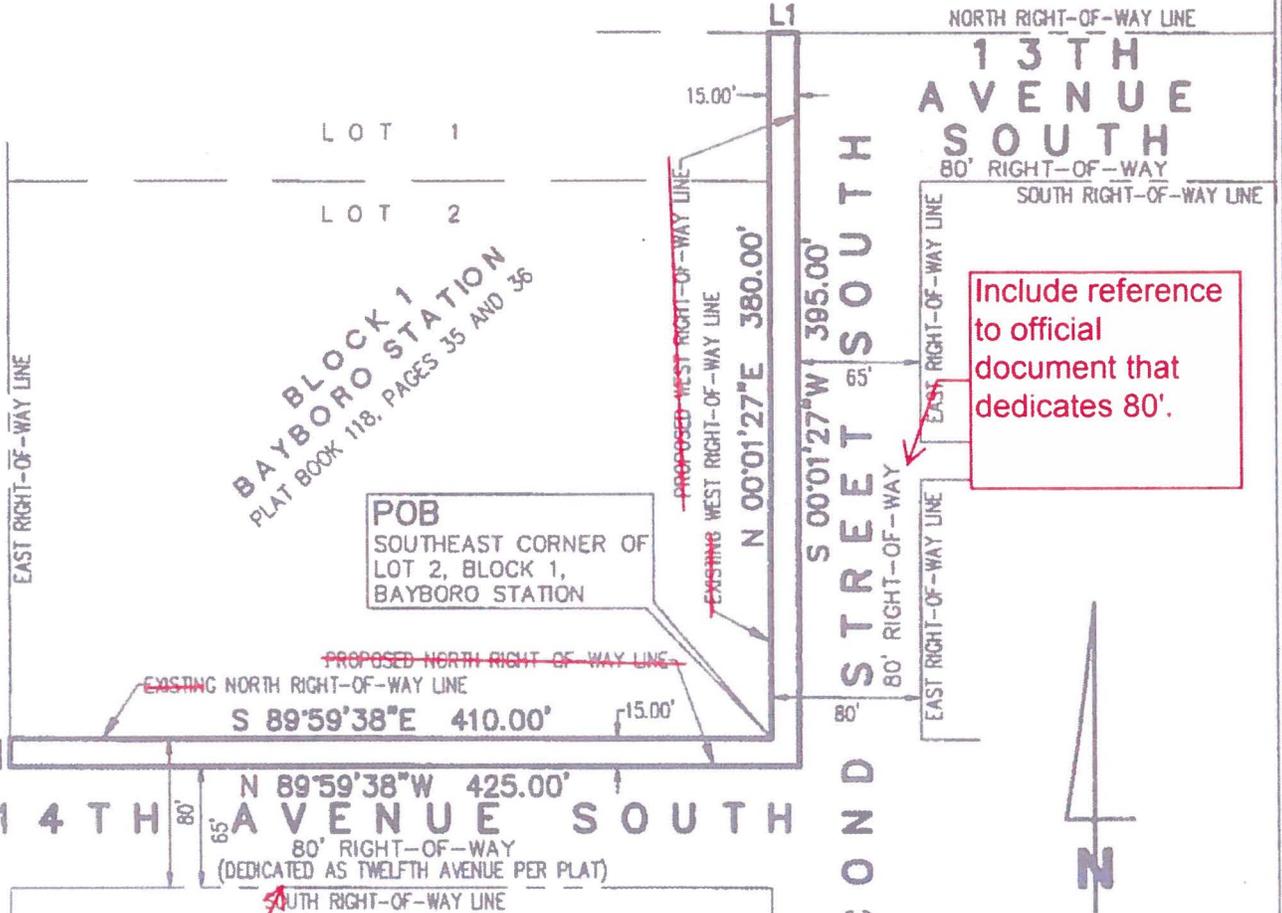
Let me know if you have any questions. Thank you!

Timothy R. Collins, PSM  
Survey Projects Coordinator  
City of St. Petersburg  
727.892.5346  
Timothy.Collins@stpete.org

**LEGEND**

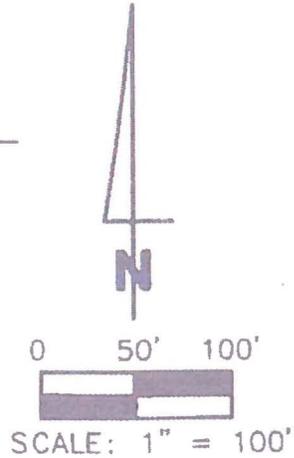
- BNDY = BOUNDARY
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- POC = POINT OF COMMENCEMENT
- R/W = RIGHT-OF-WAY
- SR = STATE ROAD
- US = UNITED STATES

THIRD STREET SOUTH  
80' RIGHT-OF-WAY



Include reference to official document that dedicates 80'.

Dedicated per Plat Book 118, Page 35?



LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°59'30"E	15.00'
L2	N00°01'27"E	15.00'

NOT A SURVEY

SHEET 1 OF 2

ITEM	DATE	BY	QC
SKETCH & DESCRIPTION	10/04/19	RED	DHR
H: \JN\2351\DWG\2351SD.DWG			

**PROPOSED RIGHT-OF-WAY  
 VACATION  
 EXHIBIT "A"**

**POLARIS** ASSOCIATES INC.  
 PROFESSIONAL SURVEYING LB 6113  
 2165 SUNNYDALE BOULEVARD, SUITE D  
 CLEARWATER, FLORIDA 33765  
 (727) 461-6113

**DESCRIPTION**

THAT PORTION OF SECTION 30, TOWNSHIP 31 SOUTH, RANGE 17 EAST, PINELLAS COUNTY, FLORIDA, LYING WITHIN THE EXISTING RIGHT-OF-WAYS OF 14TH AVENUE SOUTH (PREVIOUSLY DEDICATED AS TWELFTH AVENUE) AND SECOND STREET SOUTH, BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 2, BLOCK 1, BAYBORO STATION AS RECORDED IN PLAT BOOK 118, PAGES 35 & 36 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, AT THE INTERSECTION OF THE EXISTING NORTH RIGHT-OF-WAY LINE OF 14TH AVENUE SOUTH (80' RIGHT-OF-WAY) AND THE EXISTING WEST RIGHT-OF-WAY LINE OF SECOND STREET SOUTH (80' RIGHT-OF-WAY); THENCE ALONG THE EXISTING WEST RIGHT-OF-WAY LINE OF SECOND STREET SOUTH AND THE EAST LINE OF SAID LOTS 1 & 2, N.00°01'27"E., 380.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF 13TH AVENUE SOUTH; THENCE ALONG SAID NORTH RIGHT-OF-WAY, S.89°59'30"E., 15.00 FEET; THENCE LEAVING SAID LINE, S.00°01'27"W., 395.00 FEET; THENCE N.89°59'38"W., 425.00 FEET TO THE EXTENSION OF THE EAST RIGHT-OF-WAY LINE OF THIRD STREET SOUTH; THENCE ALONG SAID EXTENSION, N.00°01'27"E., 15.00 FEET TO THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF THIRD STREET SOUTH AND THE EXISTING NORTH RIGHT-OF-WAY LINE OF 14TH AVENUE SOUTH; THENCE ALONG THE EXISTING NORTH RIGHT-OF-WAY LINE OF 14TH STREET SOUTH AND THE SOUTH LINE OF SAID LOT 2, S.89°59'38"E., 410.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 12,075 SQUARE FEET OR 0.277 ACRES, MORE OR LESS

**NOTES**

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2. LEGAL DESCRIPTION WAS PREPARED BY POLARIS ASSOCIATES, INC.
3. RE-USE OF THIS SKETCH FOR PURPOSES OTHER THAN WHICH IT WAS INTENDED, WITHOUT WRITTEN VERIFICATION, WILL BE AT THE RE-USERS SOLE RISK AND WITHOUT LIABILITY TO THE SURVEYOR. NOTHING HEREIN SHALL BE CONSTRUED TO GIVE ANY RIGHTS OR BENEFITS TO ANYONE OTHER THAN THOSE CERTIFIED TO.
4. THIS SKETCH IS NOT INTENDED TO SHOW THE LOCATION OR EXISTENCE OF ANY JURISDICTIONAL, HAZARDOUS OR ENVIRONMENTALLY SENSITIVE AREAS.
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**CERTIFICATION**

I HEREBY CERTIFY THAT THE SKETCH REPRESENTED HEREON MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

  
 DAN H. RIZZUTO  
 PROFESSIONAL LAND SURVEYOR  
 LS 5227, STATE OF FLORIDA

NOT A SURVEY

SHEET 2 OF 2

ITEM	DATE	BY	QC	PROPOSED RIGHT-OF-WAY VACATION EXHIBIT "A"	 <b>POLARIS ASSOCIATES INC.</b> PROFESSIONAL SURVEYING LB 6113 2165 SUNNYDALE BOULEVARD, SUITE D CLEARWATER, FLORIDA 33765 (727) 461-6113
SKETCH & DESCRIPTION	10/04/19	RED	DHR		
H:\JN\2351\DWG\2351SD.DWG					

Attachment H.



Frontier Communications  
3712 W Walnut St.  
Tampa, FL USA 33607  
Office: (727) 462-1760  
Fax: (727) 562-1175  
Mobile: (941) 266-9218  
Email: [stephen.waidley@ftr.com](mailto:stephen.waidley@ftr.com)

10/23/2019

Attn: Michael Larimore  
Planner I, Development Review Services  
Planning & Development Services Department  
City of St. Petersburg  
P.O. Box 2842, St. Petersburg, FL 33731

RE: 19-33000018 – Partial Vacation of the North 15' Right-of-Way of 14<sup>th</sup> Ave S – 263 13<sup>th</sup> Ave S

Dear Mr. Larimore,

- Our records do not indicate that there are Frontier Communications facilities in the area of the Plat request as per the attachment provided.
- Frontier Communications has no objection to the above referenced request as per the attachment.
- Frontier Communications has facilities within the proposed vacate area. A recordable non-exclusive Easement in favor of Frontier will be required for Frontier Communications facilities to remain in the proposed vacated R.O.W.
- Frontier Communications has facilities in the area, which may be in conflict with your proposed construction plans. Please contact Sunshine 811 by dialing 811, 2 full business days prior to the start of your work to have these facilities located for you. Please take all necessary precautions to protect and avoid damage of these facilities during your construction.
- Frontier Communications has facilities in the area, which may be in conflict with your proposed construction plans. Please send a set of construction plans and references to the Frontier Communications Engineering Department in regards to the above project.
- Frontier Communications has facilities in the area of your proposed construction. Prepayment is required to markup a set of construction plans in order to confirm and accurately depict Frontier Communications facilities. There will also be a reimbursement of all costs required for relocation/adjustments of Frontier Communications facilities needed to accommodate the proposed construction project.

Please call me if you have any questions or need any additional information at (941) 266-9218.

Sincerely,

*Stephen Waidley*

Stephen Waidley  
Frontier Communications  
Regional Rights of Way & Municipal Affairs Manager



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

DEVELOPMENT REVIEW COMMISSION  
STAFF REPORT

VACATION OF RIGHT-OF-WAY  
PUBLIC HEARING

According to Planning & Development Department records, **no Commission member** resides or has a place of business within 2,000 feet of the subject property. All other possible conflicts should be declared upon the announcement of the item.

**REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & DEVELOPMENT SERVICES DEPARTMENT**, for Public Hearing and Executive Action on **December 4, 2019 at 2:00 P.M.** at the Sunshine Center (Auditorium), located at 330 5<sup>th</sup> Street North, St. Petersburg, Florida.

CASE NO.: 19-33000019 PLAT SHEET: F-46

REQUEST: Approval of a vacation of a 16-foot wide alley lying between Lot 9, 9-15, and Block 12 of the El Centro Subdivision, recorded in Plat Book 14, Page 37.

OWNER: BDG Lamplight Village, LLC  
6654 78<sup>th</sup> Avenue North  
Pinellas Park, Florida 33781

AGENT: Carlos and Christian Yepes  
6654 78<sup>th</sup> Avenue North  
Pinellas Park, Florida 33781

ADDRESSES AND PARCEL ID NOS.: 8624 4<sup>th</sup> Street North; 19-30-17-25434-012-0100  
420 87<sup>th</sup> Avenue North; 19-30-17-25434-012-0010

LEGAL DESCRIPTION: On File

ZONING: Corridor Commercial Suburban (CCS-1)  
Neighborhood Suburban Mobile Home (NMH)

**DISCUSSION AND RECOMMENDATION:**

**Request.** The request is to vacate a 16-foot-wide alley between Lots 9 and 10-15 in Block 12 of the El Centro Subdivision, recorded in Plat Book 14, Page 37. The alley is located between 87<sup>th</sup> Avenue North and 86<sup>th</sup> Terrace North, west of 4<sup>th</sup> Street N. The alley is adjoined by the two properties referenced above, both which are owned by the Applicant.

The area proposed for vacation is depicted on the attached maps (see Attachments A and B) and the "16' Alley Description Sketch" (Attachment C). It is 127 feet long by 16 feet wide (2,032 square feet). See photos of the area in Attachment D.

The purpose of the vacation is to effectuate a commercial site plan for the property to include Lots 10-15, the alley, and approximately 200 feet of land to the west of the alley.

- Analysis.** Staff's review of a vacation application is guided by:
- A. The City's Land Development Regulations (LDR's);
  - B. The City's Comprehensive Plan; and
  - C. Any adopted neighborhood or special area plans.

The Applicants bear the burden of demonstrating compliance with the applicable criteria for vacation of public rights-of-way. In this case, the material submitted by the applicant does provide background or analysis supporting a conclusion that vacating the subject rights-of-way would be consistent with the criteria in the City Code, the Comprehensive Plan, or any applicable special area plan.

#### **A. Land Development Regulations**

Section 16.40.140.2.1.E of the LDR sets forth the criteria for the review of proposed vacations. The criteria are provided below in italics, followed by itemized findings by Staff.

***1. The need for easements for public utilities including stormwater drainage and pedestrian easements to be retained or required to be dedicated as requested by the various departments or utility companies.***

The application was routed to City Departments and private utility providers. Engineering and Water Resources object to the application unless a suitable easement is obtained by the Applicant for the City's 42" diameter storm sewer pipe. No other City Department has objected to the application.

In terms of private utility providers, Duke Energy objects unless a suitable easement is provided for their overhead assets. (See all "Objection" Memoranda in Attachment E). Frontier Communications and WOW! had no comment.

Bright House Networks, TECO and CenturyLink have not responded to requests for comment. In order to preserve the use of any utilities within the walkways, a Condition of Approval has been added requiring an easement to these utilities should any be identified within the area of vacation.

***2. Whether the vacation would cause a substantial detrimental effect upon or substantially impair or deny access to any lot of record.***

If the alley is vacated, primary access to the surrounding properties will continue to be via public streets. The vacation will not deny access to any lot of record.

***3. Whether the vacation would adversely impact the existing roadway network, such as creating dead-end rights-of-way, substantially alter utilized travel patterns, or undermine the integrity of historic plats of designated historic landmarks or districts.***

The vacation will not impact the existing roadway network or create dead-end rights-of-way, substantially alter utilized travel patterns, or undermine the integrity of historic plats of designated

historic landmarks or neighborhoods. The lots are not located in a designated historic neighborhood. If the alley is vacated, 87<sup>th</sup> Avenue North will continue to function as it currently does.

In terms of 86<sup>th</sup> Terrace North, per the Applicant's proposed site plan which is the subject of a separate Special Exception application, and which plan is appended hereto as Attachment F solely for reference purposes, this street will effectively be extended eastward to 4<sup>th</sup> Street North through an area that is currently unimproved, which will ensure it is not a dead end street. A recommended condition of approval for the vacation is the approval and construction of the connection to 4<sup>th</sup> Street North.

**4. *Whether the easement is needed for the purpose for which the City has a legal interest and, for rights-of-way, whether there is a present or future need for the right-of-way for public vehicular or pedestrian access, or for public utility corridors.***

No City Department or current planning document has identified the alley as necessary for present or future public vehicular or pedestrian access.

All utility companies with facilities within the right-of-way will require easements for maintenance and access to their assets if the alley is vacated.

**5. *The POD, Development Review Commission, and City Council may also consider any other factors affecting the public health, safety, or welfare.***

No other factors have been raised for consideration.

**B. Comprehensive Plan**

The City's current Comprehensive Plan contains Goals, Objectives and Policies related to land use and transportation. Those applicable to the subject application have been identified below in italics. Commentary regarding whether the application advances the Goals, Objectives and Policies, or hinders achievement of same is provided after.

1. Goals, Objectives and Policies from the Land Use Element applicable to the subject application include:

*Land Use Element Goals:*

- *(1) Protect the public health, safety and general welfare;*
- *(2) Protect and enhance the fabric and character of neighborhoods;*
- *(4) Assure that services and facilities are provided at the adopted level of service concurrent with existing and future demand; and*
- *(5) Attain the highest level of economic well-being possible for the city and its citizens.*

Response to LU Goals 1, 2, 4 and 5: The application, in accordance with recommended conditions of approval, would not impair the foregoing goals of the Land Use Element. Because vacation of the alley is associated with a commercial development project, the application would advance economic development goal #5 by providing space for a parking area which will support new commercial space.

2. Goals, Objectives and Policies from the Transportation Element applicable to the subject application include:

---

*Obj. T2: The City shall protect existing and future transportation corridors from encroachment.*

*Policy T2.4 The City should preserve the historical grid street pattern, including alleys, and shall not vacate public right-of-way until it is determined that the right-of-way is not required for present or future public use.*

Response to TE Policy T2.4: Approval of the application would not impair the intent and purpose of this policy provided that an improved vehicular connection is made to 4<sup>th</sup> Street North.

**C. Adopted Neighborhood or Special Area Plans**

There are no adopted Neighborhood or Special Area Plans for this area.

**Comments from Agencies and the Public.** City Staff has received no comments from the public, including the Riviera Bay Civic Association, CONA or FICO as of 11/15/19.

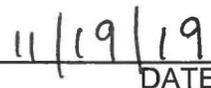
**RECOMMENDATION.** Staff recommends **APPROVAL** of the proposed walkway vacations, and the following conditions of approval:

1. Approval and construction of the connection to 4<sup>th</sup> Street North is required.
2. Letters of No Objection from Engineering and Water Resources are required.
3. Any relocation of existing utilities shall be at the expense of the applicant.
4. The applicant shall be responsible for all plans, permits, work inspections and costs associated with the vacation(s).
5. As required by City Code Section 16.70.050.1.1.F, approval of right-of-way vacations shall lapse and become void unless the vacation ordinance is recorded by the City Clerk in the public records within 24 months from the date of such approval or unless an extension of time is granted by the Development Review Commission or, if appealed, City Council prior to the expiration thereof. Each extension shall be for a period of time not to exceed one (1) year.
6. Prior to recording the vacation ordinance, the Applicants shall provide a letter of no objection from Bright House Networks, TECO and CenturyLink. If these entities do have facilities in the rights-of-way, the Applicants shall either relocate the facilities or provide an easement acceptable to the respective utilities.

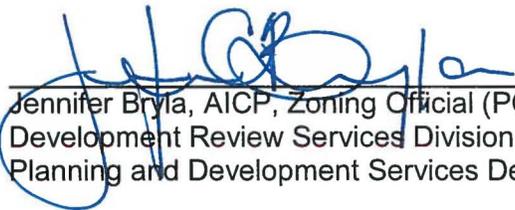
**REPORT PREPARED BY:**



Cheryl Bergailo, AICP, LEED Green Assoc., Planner II  
Development Review Services Division  
Planning & Development Services Department

  
DATE

**REPORT APPROVED BY:**

  
\_\_\_\_\_  
Jennifer Bryia, AICP, Zoning Official (POD)  
Development Review Services Division  
Planning and Development Services Department

11.19.19  
\_\_\_\_\_  
DATE

Attachments: A – Parcel Map, B – Aerial Map, C – 16' Alley Description Sketch, D – Photos, E-  
Objection Memoranda, F – Special Exception Reference Drawing.

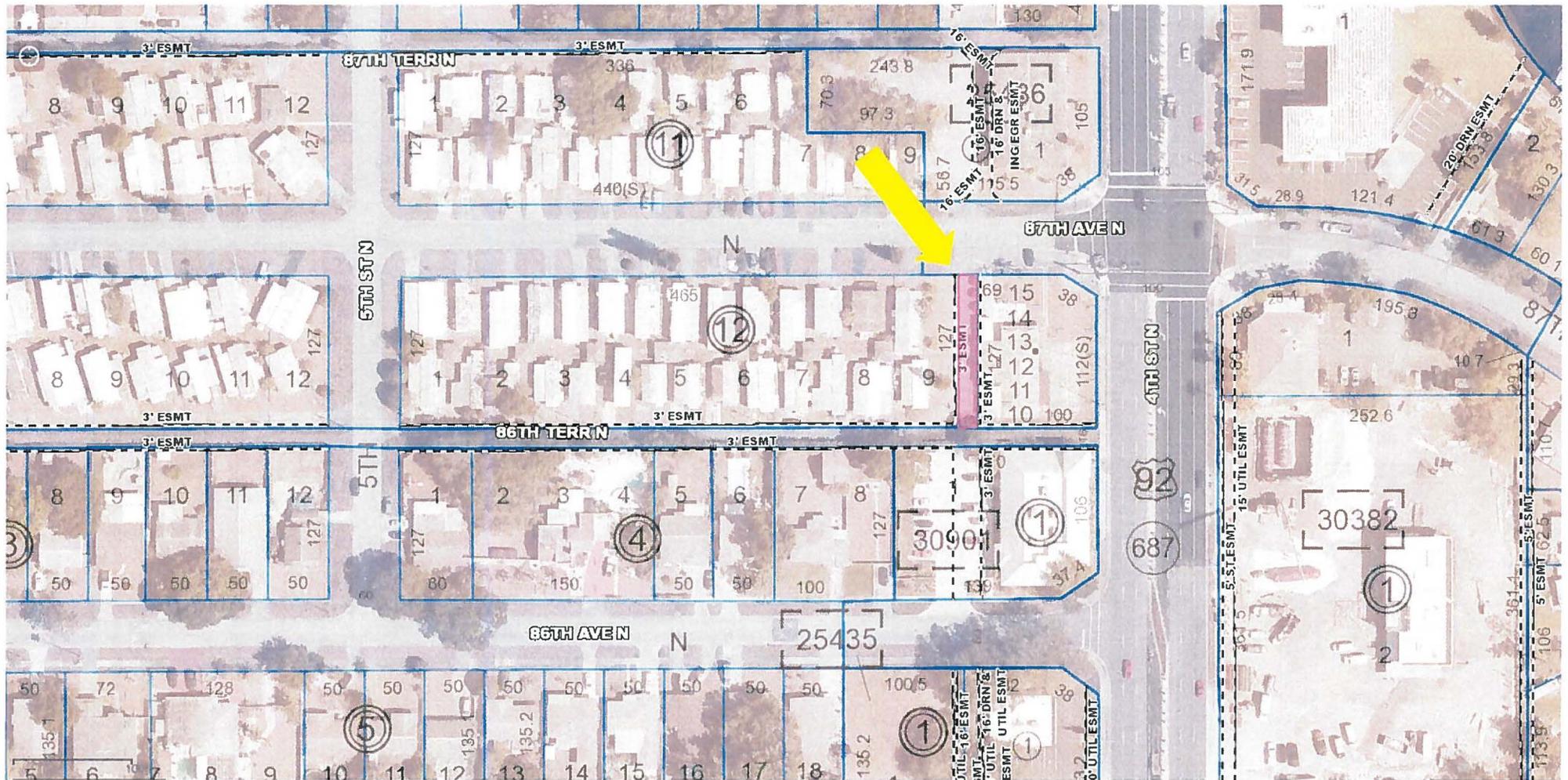
# ATTACHMENT A



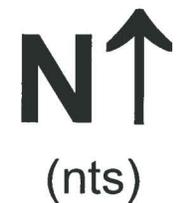
Attachment A – Parcel Location Map  
 City of St. Petersburg, Florida  
 Planning and Development Department  
 Case No.: 19-33000019  
 Address: 8624 4<sup>th</sup> Street North and 420 87<sup>th</sup>  
 Avenue North



# ATTACHMENT B



Attachment B - Aerial Location Map  
 City of St. Petersburg, Florida  
 Planning and Development Department  
 Case No.: 19-33000019  
 Address: 8624 4<sup>th</sup> Street North and 420 87<sup>th</sup>  
 Avenue North

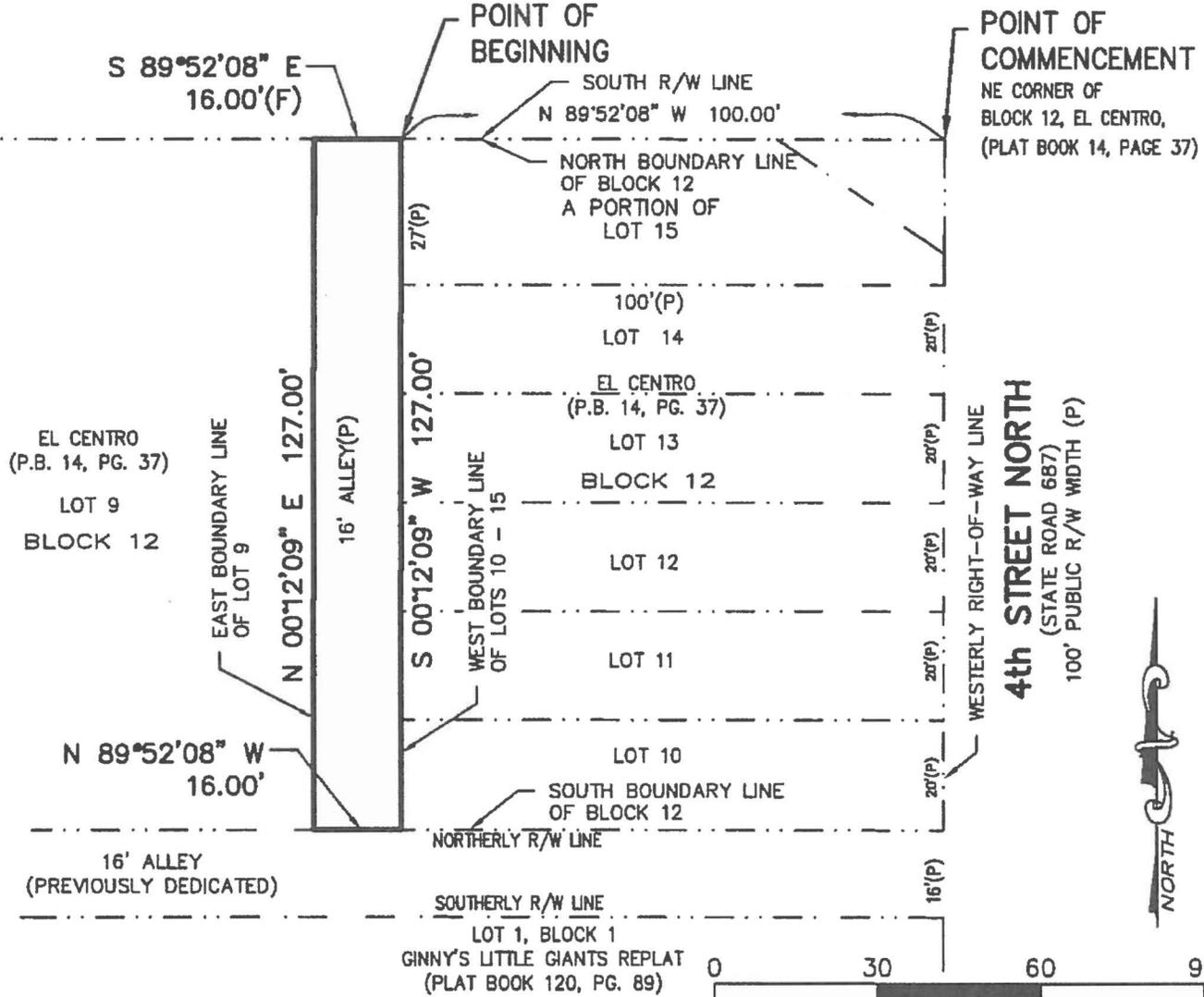


# ATTACHMENT C

ATTACHMENT C

**SPECIFIC PURPOSE SURVEY** EXHIBIT "A"  
**16' ALLEY DESCRIPTION SKETCH**  
 (NOT A BOUNDARY SURVEY)

**87th AVENUE NORTH**  
 60' PUBLIC R/W



SHEET 1 OF 2  
 SEE SHEET 2 OF 2 FOR  
 LEGAL DESCRIPTION

**AMERICAN SURVEYING INC.**  
 L.B. #7168  
 4847 NORTH FLORIDA AVENUE  
 TAMPA, FLORIDA 33603  
 PH. (818)884-0108 • FAX (818)884-0108

SECTION TOWNSHIP RANGE COUNTY, STATE  
 19 30S 17E PINELLAS COUNTY, FLORIDA

**SURVEYOR'S CERTIFICATE**  
 I HEREBY CERTIFY THAT THIS SURVEY WAS MADE IN COMPLIANCE WITH THE STANDARDS OF PRACTICE FOR LAND SURVEYS IN FLORIDA AS SET FORTH IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO FLORIDA STATUTE CHAPTER 472.027.

**Jeffrey L Kohler**  
Digitally signed by Jeffrey L Kohler  
 DN: cn=Jeffrey L Kohler, o=American Surveying Inc., ou=ASIS, email=jkohler@american-surveying.com, c=US

PREPARED FOR:  
**BELLEAIR DEVELOPMENT**

PROJECT NO.	DATE	CO.	DWN.	LCN	APRVD.	CHK
07003317-19	10/11/19	N/A	JK			
07003317-19	10/14/19		JK		JK	

JEFFREY LAYNE KOHLER - PROFESSIONAL SURVEYOR AND MAPPER #4201 10/14/2019  
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER OR ITS ELECTRONIC EQUIVALENT

# SPECIFIC PURPOSE SURVEY

## 16' ALLEY DESCRIPTION SKETCH

(NOT A BOUNDARY SURVEY)

**LEGAL DESCRIPTION:**

THAT CERTAIN 16 FOOT ALLEY LYING IN BLOCK 12, BETWEEN LOT 9 AND LOTS 10, 11, 12, 13, 14 AND 15 OF EL CENTRO, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 14, PAGE 37 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID BLOCK 12; THENCE ALONG THE NORTH BOUNDARY LINE OF SAID BLOCK 12, ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF EIGHTY-SEVENTH AVENUE NORTH, N89°52'08"W, A DISTANCE OF 100.00 FEET FOR A POINT OF BEGINNING; THENCE DEPARTING SAID LINES, S00°12'09"W, ALONG THE WEST BOUNDARY LINE OF LOTS 10 THROUGH 15, INCLUSIVE, SAID BLOCK 12, A DISTANCE OF 127.00 FEET TO A POINT ON THE SOUTH BOUNDARY LINE OF SAID BLOCK 12; THENCE ALONG THE SOUTH BOUNDARY LINE OF SAID BLOCK 12, N89°52'08"W, A DISTANCE OF 16.00 FEET TO A POINT ON THE EAST BOUNDARY LINE OF LOT 9, SAID BLOCK 12; THENCE ALONG SAID EAST BOUNDARY LINE OF LOT 9, N00°12'09"E, A DISTANCE OF 127.00 FEET TO A POINT ON THE NORTH BOUNDARY LINE OF SAID BLOCK 12; THENCE ALONG SAID NORTH BOUNDARY LINE, S89°52'08"E, 16.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.047 ACRES (2,030 SQUARE FEET), MORE OR LESS.

SHEET 2 OF 2  
SEE SHEET 1 OF 2  
FOR SKETCH

SECTION	TOWNSHIP	RANGE	COUNTY, STATE
19	30S	17E	PINELLAS COUNTY, FLORIDA



AMERICAN SURVEYING INC.

L.B. #7168

4847 NORTH FLORIDA AVENUE  
TAMPA, FLORIDA 33603

PH. (813)834-0103 • FAX (813)834-0108

PREPARED FOR:

BELLEAIR DEVELOPMENT

PROJECT NO.:	DESCRIPTION	DATE	DWN.	APPRD.	CHK
07003317-19	REVISED PER COMMENTS	10/14/19	JK		JK

# ATTACHMENT D

## ATTACHMENT D—PHOTOS



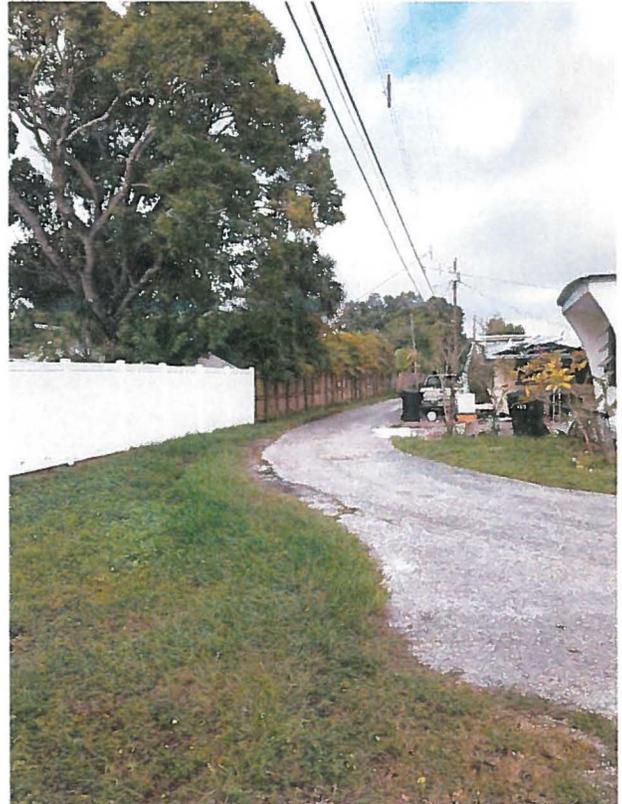
View to Alley from 87th Avenue North.



View from Alley across 87th Avenue North.



View from Alley, looking southward.



View from Alley, westward along 86th Terrace North.

# ATTACHMENT E

# ATTACHMENT E

MEMORANDUM  
CITY OF ST. PETERSBURG  
ENGINEERING & CAPITAL IMPROVEMENTS DEPARTMENT (ECID)

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**TO:** Iris Winn, Administrative Clerk, Development Services  
Jennifer Bryla, Zoning Official, Development Review Services  
Cheryl Bergailo, Development Services

**FROM:** Nancy Davis, Engineering Plan Review Supervisor

**DATE:** November 6, 2019

**SUBJECT:** Easement Vacations

**FILE:** 19-33000019

---

**LOCATION AND PIN:** 8624 4<sup>th</sup> St N; 19/30/17/25434/012/0100  
420 87<sup>th</sup> Ave N; 19/30/17/25434/012/0010

**ATLAS: E-54**                      **Zoning:** CCS-1 – Corridor Commercial Suburban (east side) and  
NMH - Neighborhood Suburban Mobile Home (west side)

**REQUEST:** Approve vacation of 16' Alley in Block 12, between Lots 9-15 of El Centro, Recorded in Plat Book 14, Page 37

**COMMENTS:** The Engineering & Capital Improvements Department (ECID) has no objection to vacation request provided the following comments are included as conditions of the approval:

1. The alley contains a 42" diameter public storm sewer pipe which is approximately 5' in depth. The applicant is required to dedicate a **30' wide Public Drainage and Utility Easement** in place of the vacated alley right-of-way. The existing storm sewer pipe must be field located by a surveyor and the easement must be centered over the actual pipe location. The necessary easement width is based on the size and depth of the existing pipe.
2. No building or other structure shall be erected and no trees or shrubbery shall be planted on any easement other than fences, trees, shrubbery and hedges of a type approved by the City. All costs involving repairing of hard surfaces, removal and replacement of fences, walls, trees, shrubbery, hedges or any other private encroachments into public easements shall be the responsibility of the property owner. A Minor Easement Permit approval per City Code Article VII shall be required prior to any future proposed encroachment into public easements. Minor Easement Permits are issued by the City's ECID.
3. Vacation of the north/south paved alley segment creates an east/west paved alley with no paved outlet to the east. The east/west alley is not currently paved between the north/south alley to be vacated and 4<sup>th</sup> Street North. Since no redevelopment plans have yet been approved for this property, ECID recommends that Zoning should consider the need to require the applicant to pave the eastern ±170-feet of the east/west alley to extend the pavement with connection to 4<sup>th</sup> Street North. This way the east/west alley will be paved all the way from 5<sup>th</sup> Street to 4<sup>th</sup> Street. Alley construction shall be in conformance with current City ECID standards and specifications and shall require the issuance of a City right of way permit. The cost of alley design, permitting and construction shall be by and at the sole expense of the developer. It is noted that 4<sup>th</sup> Street is an FDOT controlled right of way so separate permitting through FDOT will be required for the alley approach.

4. A work permit issued by the Engineering Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement. All work within right of way or public utility easement shall be in compliance with current City Engineering Standards and Specifications and shall be installed at the applicant's expense in accordance with the standards, specifications, and policies adopted by the City.

NED/MJR/meh

pc: Kelly Donnelly  
Correspondence File

**MEMORANDUM**  
**CITY OF ST. PETERSBURG**  
Water Resources Department

**TO:** Jennifer Bryla, Zoning Official

**FROM:** Kirsten Corcoran, Engineering Clerk, Water Resources

**DATE:** October 17, 2019

**SUBJECT:** Approve vacation of 16' Alley in Block 12, between Lots 9-15 of El Centro, Recorded in Plat Book 14, Page 37

**PLAT:** F-46

**CASE:** 19-33000019

**LOCATION:** 8624 4<sup>th</sup> St N 19-30-17-25434-012-0100  
420 87<sup>th</sup> Ave N 19-30-17-25434-012-0010

**REMARKS:** Water Resources has no objection to the above referenced subject provided that the same is retained as an easement for existing stormwater infrastructure.

Project file

2401 25th St. N.  
St. Petersburg, FL 33713  
SP-15  
Jonathan.Kasper@duke-energy.com  
☎: 727-893-9262



October 29, 2019

Cheryl Bergailo  
Planner II, Planning & Development Services  
City of St. Petersburg  
One Fourth Street North, St. Petersburg, FL 33701

**RE: *Approval of Alley Vacation***  
***Section 19, Township 30 South, Range 17 East, Pinellas County, Florida***  
***Case #: 19-33000019***  
***Address: 8624 4th St N & 420 87th Ave N***  
***Parcel ID: 19-30-17-25434-012-0010 and 19-30-17-25434-012-0100***

Dear Ms. Bergailo:

Please be advised that **DUKE ENERGY FLORIDA, LLC., d/b/a DUKE ENERGY *Distribution Department* and *Transmission Department*** have “**OBJECTIONS**” to the approval of the 16’ alley Right-of-Way vacation, as shown on enclosed Exhibit A.

This is due to Overhead facilities in the area. No Objection letter would be provided upon the **removal/relocation of existing facilities OR granting of a Duke Energy easement** over the described property. Removal or relocation will need to be handled by a Duke Energy Engineer.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

***Jonathan Kasper***

Jonathan Kasper  
Research Specialist-Land Services  
Duke Energy Florida



# SPECIFIC PURPOSE SURVEY

## 16' ALLEY DESCRIPTION SKETCH

(NOT A BOUNDARY SURVEY)

**LEGAL DESCRIPTION:**

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CONTAINING 0.047 ACRES (2,030 SQUARE FEET), MORE OR LESS.

SHEET 2 OF 2  
SEE SHEET 1 OF 2  
FOR SKETCH



**AMERICAN SURVEYING INC.**  
L.B. #7168  
4847 NORTH FLORIDA AVENUE  
TAMPA, FLORIDA 33603  
PH. (813)234-0103 • FAX (813)234-0108

SECTION	TOWNSHIP	RANGE	COUNTY, STATE
19	30S	17E	PINELLAS COUNTY, FLORIDA

PREPARED FOR:

BELLEAIR DEVELOPMENT

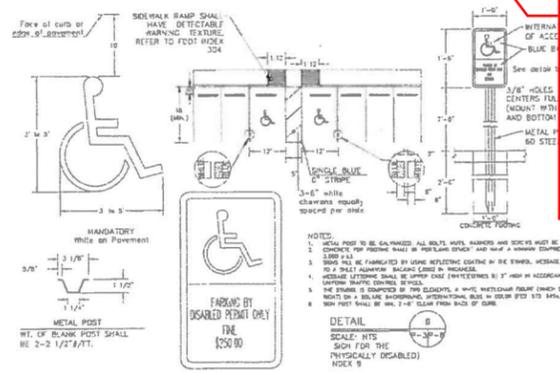
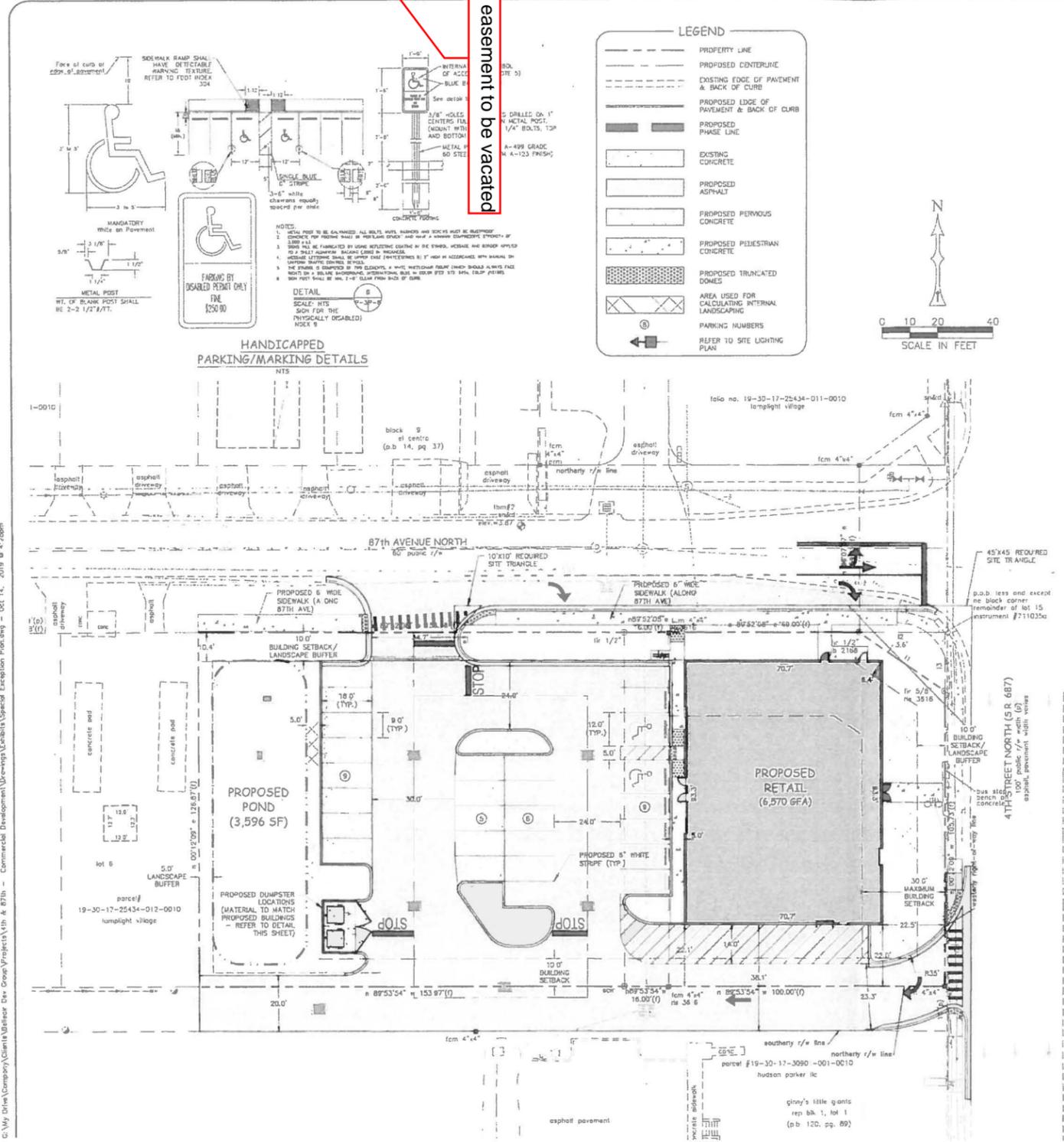
PROJECT NO.: 07003317-19SL2	DATE: 10/11/19	CC.: N/A	DWN.: LCN	APRVD.: JK
PROJECT NO.: 07003317-19	DESCRIPTION: REVISED PER COMMENTS	DATE: 10/14/19	DWN.: JK	APRVD.: JK

# ATTACHMENT F

ATTACHMENT F

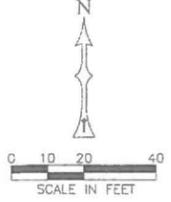


Location of easement to be vacated



**LEGEND**

- PROPERTY LINE
- PROPOSED CENTERLINE
- EXISTING EDGE OF PAVEMENT & BACK OF CURB
- PROPOSED EDGE OF PAVEMENT & BACK OF CURB
- PROPOSED PHASE LINE
- EXISTING CONCRETE
- PROPOSED ASPHALT
- PROPOSED PERVIOUS CONCRETE
- PROPOSED PEDESTRIAN CONCRETE
- PROPOSED TRUNCATED DOMES
- AREA USED FOR CALCULATING INTERNAL LANDSCAPING
- PARKING NUMBERS
- REFER TO SITE LIGHTING PLAN



**SITE DATA (BOTH LOTS)**

PARCEL ID NUMBERS: 19-30-17-25434-012-0190 & 19-30-17-25434-012-0010

EXISTING ZONING: CCS-1 & RMH

EXISTING LAND USE: MOBILE HOME PARK

FUTURE LAND USE: PR-MU & RM

EXISTING FLOOD ZONE: 'AE' - PANEL # 12103C 0207 G DATED: 9/3/03

DEVELOPMENT TYPE: COMMERCIAL

BUILDING USE: RETAIL/RESTAURANT

**PARKING CALCULATIONS**

REQUIRED RETAIL PARKING (1 SPACE PER 200 SF): 33 SPACES (8,570 / 200)

TOTAL PROVIDED PARKING: 29 SPACES

**PROPOSED IMPERVIOUS SURFACE**

BUILDINGS: 6,570 SF

\*PEDESTRIAN CONCRETE: 855 SF

\*ASPHALT PAVEMENT (VIA): 13,107 SF

TOTAL: 20,572 SF = 0.478 AC (00%)

POND AREA: 3,596 SF = 0.083 AC (0%)

OPEN SPACE: 9,281 SF = 0.213 AC (20%)

TOTAL AREA: 33,908 SF = 0.778 AC (±)

F.A.R.: 6,570 SF/33,908 SF = 0.19

INTERNAL GREEN SPACE: 2,870 SF/13,107 SF X 100 = 21.9%

\*NOT INCLUDING IMPERVIOUS AREAS INSIDE THE RIGHT-OF-WAY

OWNER: BDG LAMPLIGHT VILLAGE, LLC  
6654 78TH AVENUE NORTH  
PINELLAS PARK, FL 33781  
727-536-8686

APPLICANT: SAME AS OWNER

SURVEYOR: AMERICAN SURVEYING, INC.  
4847 NORTH FLORIDA AVE.  
TAMPA, FL 33603  
813-234-0103

**SITE DATA (LOT 1)**

PARCEL ID NUMBERS: 19-30-17-25434-012-0100

EXISTING ZONING: CCS-1

EXISTING LAND USE: MOBILE HOME PARK

FUTURE LAND USE: PR-MU

EXISTING FLOOD ZONE: 'AE' - PANEL # 12103C 0207 G DATED: 9/3/03

DEVELOPMENT TYPE: COMMERCIAL

BUILDING USE: AUTO PARTS

**PARKING CALCULATIONS**

REQUIRED RETAIL PARKING (1 SPACE PER 200 SF): 33 SPACES (8,570 / 200)

PROVIDED PARKING: 9 SPACES

**PROPOSED IMPERVIOUS SURFACE**

BUILDINGS: 6,570 SF

\*CONCRETE: 788 SF

\*PROPOSED PAVEMENT (VIA): 3,603 SF

TOTAL: 10,961 SF = 0.252 AC (76%)

OPEN SPACE: 3,418 SF = 0.078 AC (24%)

TOTAL AREA: 14,379 SF = 0.330 AC (±)

F.A.R.: 6,570 SF/14,379 SF = 0.46

INTERNAL GREEN SPACE: 1,285 SF/5,803 SF X 100 = 39.7%

\*NOT INCLUDING IMPERVIOUS AREAS INSIDE THE RIGHT-OF-WAY

OWNER: BDG LAMPLIGHT VILLAGE, LLC  
6654 78TH AVENUE NORTH  
PINELLAS PARK, FL 33781  
727-536-8686

APPLICANT: SAME AS OWNER

SURVEYOR: AMERICAN SURVEYING, INC.  
4847 NORTH FLORIDA AVE.  
TAMPA, FL 33603  
813-234-0103

**SITE DATA (LOT 2)**

PARCEL ID NUMBERS: 19-30-17-25434-012-0010

EXISTING ZONING: RMH

EXISTING LAND USE: MOBILE HOME PARK

FUTURE LAND USE: RM

EXISTING FLOOD ZONE: 'AE' - PANEL # 12103C 0207 G DATED: 9/3/03

DEVELOPMENT TYPE: PARKING LOT

**PARKING CALCULATIONS**

PROVIDED PARKING: 20 SPACES

**PROPOSED IMPERVIOUS SURFACE**

\*CONCRETE: 87 SF

\*VEHICLE USE CONCRETE: 344 SF

\*PROPOSED PAVEMENT (VIA): 2,504 SF

TOTAL: 9,915 SF = 0.228 AC (0%)

PERVIOUS PAVEMENT (VIA): 2,084 SF = 0.048 AC (0%)

POND AREA: 3,596 SF = 0.083 AC (00%)

OPEN SPACE: 5,863 SF = 0.135 AC (18%)

TOTAL AREA: 19,529 SF = 0.448 AC (±)

INTERNAL GREEN SPACE: 1,585 SF/9,504 SF X 100 = 16.7%

\*NOT INCLUDING IMPERVIOUS AREAS INSIDE THE RIGHT-OF-WAY

OWNER: BDG LAMPLIGHT VILLAGE, LLC  
6654 78TH AVENUE NORTH  
PINELLAS PARK, FL 33781  
727-536-8686

APPLICANT: SAME AS OWNER

SURVEYOR: AMERICAN SURVEYING, INC.  
4847 NORTH FLORIDA AVE.  
TAMPA, FL 33603  
813-234-0103

**REVISIONS**

NO.	DATE	DESCRIPTION

P.O. BOX 2995  
LAND O'LANES, FL 34639  
(813) 536-2539  
COMMERCIAL DEVELOPMENT @ LAMPLIGHT VILLAGE, LLC  
AUTHORIZATION NUMBER: 28759

**NATIVE engineering,pllc**

COMMERCIAL DEVELOPMENT @ LAMPLIGHT VILLAGE  
FOR  
BDG LAMPLIGHT VILLAGE, LLC  
6654 78TH AVENUE NORTH  
PINELLAS PARK, FL 33781

**SPECIAL EXCEPTION SITE PLAN**

SHEET NUMBER  
**SE**  
5-T-R

CONTRACTOR SHALL CALL SUNSHINE STATE ONE CALL OF FLORIDA, INC. AT LEAST 48 HOURS PRIOR TO EXCAVATION  
1-800-432-4770

Joshua S. Brudien  
State of Florida, Professional Engineer,  
License No. 60020

IF THIS PLAN HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY THE ENGINEER, A PHYSICAL SEAL OR SIGNATURE THEREON IS NOT REQUIRED. COPIES OF THIS DOCUMENT ARE NOT CONSIDERED VALID UNLESS SIGNED AND SEALED.

C:\My Drive\Company\Client\Bldg\Dev Group\Projects\14th & 87th - Commercial Development\19-mapp\14th&87th\Special Exception Plan.dwg - Oct 14, 2019 @ 4:28pm



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

**DEVELOPMENT REVIEW COMMISSION  
STAFF REPORT**

---

**SPECIAL EXCEPTION  
PUBLIC HEARING**

According to Planning & Development Services Department records, **no Commission member** resides or has a place of business within 2,000 feet of the subject property. All other possible conflicts should be declared upon the announcement of the item.

**REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & DEVELOPMENT SERVICES DEPARTMENT**, for Public Hearing and Executive Action on **December 4, 2019 at 2:00 P.M.** at the Sunshine Center (Auditorium) 330 5<sup>th</sup> Street North, St. Petersburg, Florida.

CASE NO.: 19-32000019 PLAT SHEET: F-46

REQUEST: Approval of a Special Exception and related Site Plan to construct an accessory surface parking lot on a residential zoned lot adjacent to an existing commercial zoned property. Properties are zoned CCS-1 and NMH. The applicant is requesting a variance to the setbacks.

OWNER: BDG Lamplight Village, LLC  
6654 78<sup>th</sup> Avenue North  
Pinellas Park, Florida 33781

AGENT: Carlos and Christian Yepes  
6654 78<sup>th</sup> Avenue North  
Pinellas Park, Florida 33781

ADDRESSES AND  
PARCEL ID NOS.: 8624 4<sup>th</sup> Street North; 19-30-17-25434-012-0100  
420 87<sup>th</sup> Avenue North; 19-30-17-25434-012-0010

LEGAL DESCRIPTION: On File

ZONING: Corridor Commercial Suburban (CCS-1)  
Neighborhood Suburban Mobile Home (NMH)

**SITE AREA TOTAL:** 33,908 square feet or 0.78 acres

**GROSS FLOOR AREA:**  
Existing: 8,500 square feet 0.60 F.A.R.  
Proposed: 6,570 square feet 0.46 F.A.R.  
Permitted: 7,908 square feet 0.55 F.A.R.

**BUILDING COVERAGE:**  
Existing: 8,500 square feet 25% of Site MOL  
Proposed: 6,570 square feet 19% of Site MOL  
Permitted: N/A square feet

**IMPERVIOUS SURFACE:**  
Existing: 18,220 square feet 54% of Site MOL  
Proposed: 20,532 square feet 61% of Site MOL  
Permitted: 24,916 square feet 73% of Site MOL

**OPEN GREEN SPACE:**  
Existing: 15,688 square feet 46% of Site MOL  
Proposed: 5,610 square feet 17% of Site MOL

**PAVING COVERAGE:**  
Existing: 9,720 square feet 29% of Site MOL  
Proposed: 13,962 square feet 41% of Site MOL

**PARKING:**  
Existing: 0;  
Proposed: 30; including 2 handicapped spaces\*  
Required: 33; including 2 handicapped spaces

\*Three parking spaces will be located off-site.

**BUILDING HEIGHT:**  
Existing: 15 feet  
Proposed: 23 feet  
Permitted: 36 feet

**APPLICATION REVIEW:**

- I. **PROCEDURAL REQUIREMENTS:** The applicant has met and complied with the procedural requirements of Section 16-.10.020.1 of the Municipal Code for a surface parking on a residential zoned lot which is a Special Exception use within the Neighborhood Suburban Mobile Home (NMH) Zoning District.
- II. **DISCUSSION AND RECOMMENDATIONS:**

**The Request:**  
The applicant seeks approval of a Special Exception and related site plan to construct a surface parking that will serve a commercial development on a residential zoned lot. The applicant is also requesting a variance to the building setbacks at the northeast corner of the subject

property. The subject property is located at the southwest corner of 4<sup>th</sup> Street North and 87<sup>th</sup> Avenue North.

The applicant owns the subject property. The subject property is currently developed with a club house building and multiple mobile homes in the Lamplight Village. A 16-foot wide north-south alley separates the club house building from the mobile homes. The applicant has submitted a separate application to vacate the 16-foot wide north-south alley.

**Current Proposal:**

The applicant proposes to demolish the existing club house building and mobile homes and construct a new 6,570 square foot commercial building. The proposed building is located along 4<sup>th</sup> Street North with surface parking located behind the proposed building. Vehicular access will be from the existing east-west alley that is located south of the subject property and from 87<sup>th</sup> Avenue North. Pedestrian access to the site will be from 4<sup>th</sup> Street North and 87<sup>th</sup> Avenue North. Two dumpsters will be located at the rear of the property on the NMH zoned portion of the property which is not permitted by Code. The applicant will be required to relocate the dumpster to the commercial zoned portion of the property. A total of 30-parking spaces will be provided on-site, but based on the size of the proposed building, City Code requires 33-parking spaces. The applicant will be securing three (3) off-site parking spaces from a commercial property, that is owned by the applicant, on the north side of 87<sup>th</sup> Avenue North. The applicant will be utilizing these three (3) parking spaces to meet the parking requirements for the subject property. The applicant will be required to prepare and record a unity of title securing the use of these three (3) parking spaces in perpetuity.

The proposed buildings will be a traditional style of architecture. The buildings will have traditional design elements, including: the use of pilasters, a decorative cornice, change in the roof line, drip edge along the base of the building and large storefront windows.

**Special Exception:**

The proposed parking lot on the NMH zoned lot is a Special Exception use requiring the DRC's review and approval, subject to the applicable criteria, which focus on the potential for adverse impacts such as noise, light, traffic circulation, traffic congestion and compatibility. The City's Transportation Planner has reviewed the proposal and determined that the existing road network and proposed traffic circulation plan is adequate to support the proposed use. The applicant owns the property to the north and west of the subject property. Commercial zoned property is located to the east and a commercial building with a Special Exception parking lot and a single-family residence are located south of the subject property. Staff has suggested several special conditions of approval for the DRC's consideration. The special conditions are intended to help the applicant understand and abide by the applicable standards in the City's Land Development Regulations for these types of uses. If the request is approved consistent with the suggested special conditions, Staff does not anticipate a significant impact to the surrounding area.

**VARIANCE:**

**Building setbacks adjacent to a street**

<b>Required:</b>	<b>10-feet</b>
<b>Proposed:</b>	<b>3.6-feet</b>
<b>Variance:</b>	<b>6.4-feet</b>

The building setbacks adjacent to a street in the Commercial Corridor Suburban-1 (CCS-1) zoning district is 10-feet. The proposed building setback at the northeast corner of the subject property is proposed at 3.6-feet. The reduction in the building setback will allow the applicant to redevelop the property as proposed. The subject property has a corner clip at the northeast corner of the subject property. If there was no corner clip at the northeast corner of the subject property, the proposed building would meet the required setbacks. Further, if the applicant provided the 10-foot building setback it would result in the building being pushed back further from the street which is not the intent of the City Code. The City Code requires that buildings be placed close to the street to encourage walkability and to help create an attractive streetscape. The reduction to the building setback will not be visually noticeable due to the existing green space in the right-of-way; should not create any adverse impact and will reinforce the intent of the City Code.

**Public Comments:**

No comments or concerns were expressed to staff at the time this report was prepared.

**III. RECOMMENDATION:**

**A. Staff recommends APPROVAL of the following:**

1. The variance to building setback; and
2. The Special Exception and related site plan subject to the Special Conditions of Approval.

**B. SPECIAL CONDITIONS OF APPROVAL:**

1. The applicant shall be responsible for restricting vehicular use of the portion of the parking lot zoned NMH between the hours of 10:00 p.m. and 7:00 a.m. The parking spaces shall be blocked-off by method of signage or mechanisms such as bollards and chains. The method to block the parking spaces shall be noted on the site plan submitted for permitting and shall be subject to review and approval by the Fire Department.
2. The applicant shall be responsible for ensuring that the NMH portion of the parking lot is not utilized for any sales or service activities, long term parking, storage of dumpsters, heavy vehicles or similar equipment.
3. The proposed dumpster compound at the rear of the subject property shall be relocated to the commercial zoned portion of the subject property.
4. When the principal use is not open for business, the parking lot shall not be used for parking.
5. A a Unity of Title shall be record with the Circuit Court of Pinellas County securing the continued availability of the three off-site parking spaces that are required to serve the proposed building as long as those parking spaces are required by Code.
6. A six (6)-foot high fence or wall that is architectural compatible with the buildings shall be installed along the west side of the residentially zoned lot.
7. Evergreen trees shall be installed around the exterior perimeter of the parking lot.
8. Exterior lighting shall comply with Section 16.40.070.
9. Bicycle parking shall comply with Section 16.40.090.4.1.

- 10. Plans shall be revised as necessary to comply with comments provided by the City's Engineering Department, comments are provided in the attached memorandum dated November 14, 2019.**

**C. STANDARD CONDITIONS OF APPROVAL**

*(All or Part of the following standard conditions of approval may apply to the subject application. Application of the conditions is subject to the scope of the subject project and at the discretion of the Zoning Official. Applicants who have questions regarding the application of these conditions are advised to contact the Zoning Official.)*

**ALL SITE PLAN MODIFICATIONS REQUIRED BY THE DRC SHALL BE REFLECTED ON A FINAL SITE PLAN TO BE SUBMITTED TO THE PLANNING & DEVELOPMENT SERVICES DEPARTMENT BY THE APPLICANT FOR APPROVAL PRIOR TO THE ISSUANCE OF PERMITS.**

**Building Code Requirements:**

1. The applicant shall contact the City's Construction Services and Permitting Division and Fire Department to identify all applicable Building Code and Health/Safety Code issues associated with this proposed project.
2. All requirements associated with the Americans with Disabilities Act (ADA) shall be satisfied.

**Zoning/Planning Requirements:**

1. The applicant shall submit a notice of construction to Albert Whitted Field if the crane height exceeds 190 feet. The applicant shall also provide a Notice of Construction to the Federal Aviation Administration (FAA), if required by Federal and City codes.
2. All site visibility triangle requirements shall be met (Chapter 16, Article 16.40, Section 16.40.160).
3. No building or other obstruction (including eaves) shall be erected and no trees or shrubbery shall be planted on any easement other than fences, trees, shrubbery, and hedges of a type approved by the City.
4. The location and size of the trash container(s) shall be designated, screened, and approved by the Manager of Commercial Collections, City Sanitation. A solid wood fence or masonry wall shall be installed around the perimeter of the dumpster pad.

**Engineering Requirements:**

1. The site shall be in compliance with all applicable drainage regulations (including regional and state permits) and the conditions as may be noted herein. The applicant shall submit drainage calculations and grading plans (including street crown elevations), which conform with the quantity and the water quality requirements of the Municipal Code (Chapter 16, Article 16.40, Section 16.40.030), to the City's Engineering Department for approval. Please note that the entire site upon which redevelopment occurs shall meet the water quality controls and treatment required for development sites. Stormwater runoff release and retention shall be calculated using the rational formula and a 10-year, one-hour design storm.

2. All other applicable governmental permits (state, federal, county, city, etc.) must be obtained before commencement of construction. A copy of other required governmental permits shall be provided to the City Engineering & Capital Improvements Department prior to requesting a Certificate of Occupancy. Issuance of a development permit by the City does not in any way create any rights on the part of the applicant to obtain a permit from a governmental agency and does not create any liability on the part of the City of St. Petersburg for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by other governmental agencies or undertakes actions that result in a violation of state or federal law.
3. A work permit issued by the Engineering Department shall be obtained prior to commencement of construction within dedicated rights-of-way or easements.
4. The applicant shall submit a completed Storm Water Management Utility Data Form to the City's Engineering Department for review and approval prior to the approval of any permits.
5. Curb-cut ramps for the physically handicapped shall be provided in sidewalks at all corners where sidewalks meet a street or driveway.

**Landscaping Requirements:**

1. The applicant shall submit a revised landscape plan, which complies with the plan approved by the DRC and includes any modifications as required by the DRC. The DRC grants the Planning & Development Services Department discretion to modify the approved landscape plan where necessary due to unforeseen circumstances (e.g. stormwater requirements, utility conflicts, conflicts with existing trees, etc.), provided the intent of the applicable ordinance(s) is/are maintained. Landscaping plans shall be in accordance with Chapter 16, Article 16.40, Section 16.40.060 of the City Code entitled "Landscaping and Irrigation."
2. Any plans for tree removal and permitting shall be submitted to the Development Services Division for approval.
3. All existing and newly planted trees and shrubs shall be mulched with three (3) inches of organic matter within a two (2) foot radius around the trunk of the tree.
4. The applicant shall install an automatic underground irrigation system in all landscaped areas. Drip irrigation may be permitted as specified within Chapter 16, Article 16.40, Section 16.40.060.2.2.
5. Concrete curbing, wheelstops, or other types of physical barriers shall be provided around/within all vehicular use areas to protect landscaped areas.
6. Any healthy existing oak trees over two (2) inches in diameter shall be preserved or relocated if feasible.
7. Any trees to be preserved shall be protected during construction in accordance with Chapter 16, Article 16.40.060.5 and Section 16.40.060.2.1.3 of City Code.

**IV. CONSIDERATIONS BY THE DEVELOPMENT REVIEW COMMISSION FOR REVIEW (Pursuant to Chapter 16, Section 16.70.040.1.4 (D)):**

- A. The use is consistent with the Comprehensive Plan.

- B. The property for which a Site Plan Review is requested shall have valid land use and zoning for the proposed use prior to site plan approval;
- C. Ingress and egress to the property and proposed structures with particular emphasis on automotive and pedestrian safety, separation of automotive and bicycle traffic and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe and emergency. Access management standards on State and County roads shall be based on the latest access management standards of FDOT or Pinellas County, respectively;
- D. Location and relationship of off-street parking, bicycle parking, and off-street loading facilities to driveways and internal traffic patterns within the proposed development with particular reference to automotive, bicycle, and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping;
- E. Traffic impact report describing how this project will impact the adjacent streets and intersections. A detailed traffic report may be required to determine the project impact on the level of service of adjacent streets and intersections. Transportation system management techniques may be required where necessary to offset the traffic impacts;
- F. Drainage of the property with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the use of on-site retention systems. The Commission may grant approval, of a drainage plan as required by city ordinance, County ordinance, or SWFWMD;
- G. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with adjacent properties;
- H. Orientation and location of buildings, recreational facilities and open space in relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the building with adjacent development and surrounding landscape;
- I. Compatibility of the use with the existing natural environment of the site, historic and archaeological sites, and with properties in the neighborhood as outlined in the City's Comprehensive Plan;
- J. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on property values in the neighborhood;
- K. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on living or working conditions in the neighborhood;
- L. Sufficiency of setbacks, screens, buffers and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the proposed development and to control adverse effects of noise, lights, dust, fumes and other nuisances;
- M. Land area is sufficient, appropriate and adequate for the use and reasonably anticipated operations and expansion thereof;
- N. Landscaping and preservation of natural manmade features of the site including trees, wetlands, and other vegetation;

- O. Sensitivity of the development to on-site and adjacent (within two-hundred (200) feet) historic or archaeological resources related to scale, mass, building materials, and other impacts;
  - 1. The site is **not within** an Archaeological Sensitivity Area (Chapter 16, Article 16.30, Section 16.30.070).
  - 2. The property is **within** a flood hazard area (Chapter 16, Article 16.40, Section 16.40.050).
- P. Availability of hurricane evacuation facilities for developments located in the hurricane vulnerability zones;
- Q. Meets adopted levels of service and the requirements for a Certificate of Concurrence by complying with the adopted levels of service for:
  - a. Water.
  - b. Sewer (Under normal operating conditions).
  - c. Sanitation.
  - d. Parks and recreation.
  - e. Drainage.

The land use of the subject property is: **Planned Redevelopment Mixed-use and Residential Medium**

The land uses of the surrounding properties are:

- North: **Planned Redevelopment Mixed-use and Residential Medium**
- South: **Planned Redevelopment Mixed-use and Residential Medium**
- East: **Planned Redevelopment Mixed-use**
- West: **Residential Medium**

REPORT PREPARED BY:

  
\_\_\_\_\_  
Corey Malyszka, AICP, Urban Design and Development Coordinator  
Planning and Development Services Department  
Development Review Services Division

11-25-19  
\_\_\_\_\_  
DATE

REPORT APPROVED BY:

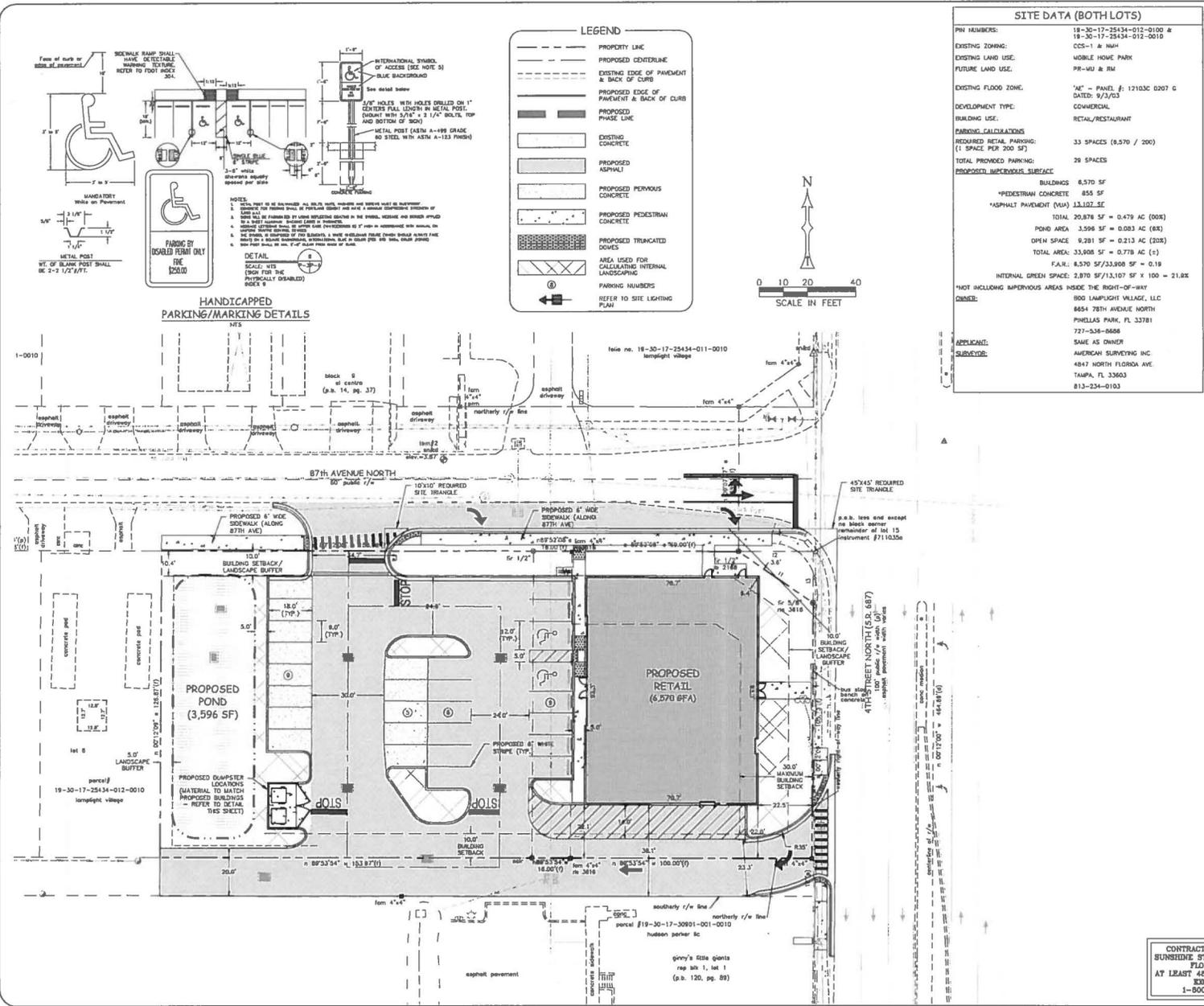
  
\_\_\_\_\_  
Jennifer Bryla, AICP, Zoning Official (POD)  
Planning and Development Services Department  
Development Review Services Division

11-20-19  
\_\_\_\_\_  
DATE



Project Location Map  
City of St. Petersburg, Florida  
Planning and Development Services  
Department  
Case No.: 19-32000019  
Address: 8624 4<sup>th</sup> Street North and 420 87<sup>th</sup>  
Avenue North





SITE DATA (BOTH LOTS)	
PARCEL ID NUMBERS:	18-30-17-25434-012-0100 & 18-30-17-25434-012-0010
EXISTING ZONING:	CCS-1 & RM
EXISTING LAND USE:	MOBILE HOME PARK
FUTURE LAND USE:	PR-UH & RM
EXISTING FLOOD ZONE:	"M" - PANEL # 12103C 0207 G DATED: 8/2/03
DEVELOPMENT TYPE:	COMMERCIAL
BUILDING USE:	RETAIL/RESTAURANT
PARKING CALCULATIONS:	
REQUIRED RETAIL PARKING:	33 SPACES (6,570 / 200)
(1 SPACE PER 200 SF)	
TOTAL PROVIDED PARKING:	29 SPACES
PROPOSED IMPERVIOUS SURFACE:	
BUILDINGS:	6,570 SF
*CONCRETE:	798 SF
*PROPOSED PAVEMENT (MVA):	3,603 SF
TOTAL:	20,878 SF = 0.479 AC (008)
POND AREA:	3,596 SF = 0.083 AC (083)
OPEN SPACE:	6,281 SF = 0.213 AC (203)
TOTAL AREA:	33,905 SF = 0.778 AC (7)
F.A.R.:	6,570 SF / 33,905 SF = 0.19
INTERNAL GREEN SPACE:	2,870 SF / 11,107 SF X 100 = 21.8%
*NOT INCLUDING IMPERVIOUS AREAS INSIDE THE RIGHT-OF-WAY	
OWNER:	800 LAMPLIGHT VILLAGE, LLC 854 78TH AVENUE NORTH PINELLAS PARK, FL 33781 727-536-8686 SAVE AS OWNER AMERICAN SURVEYING, INC. 4847 NORTH FLORIDA AVE. TAMPA, FL 33603 813-234-0103
ARCHITECT:	
SURVEYOR:	

SITE DATA (LOT 1)	
PARCEL ID NUMBERS:	18-30-17-25434-012-0100
EXISTING ZONING:	CCS-1
EXISTING LAND USE:	MOBILE HOME PARK
FUTURE LAND USE:	PR-UH
EXISTING FLOOD ZONE:	"M" - PANEL # 12103C 0207 G DATED: 8/2/03
DEVELOPMENT TYPE:	COMMERCIAL
BUILDING USE:	AUTO PARTS
PARKING CALCULATIONS:	
REQUIRED RETAIL PARKING:	33 SPACES (6,570 / 200)
(1 SPACE PER 200 SF)	
TOTAL PROVIDED PARKING:	9 SPACES
PROPOSED IMPERVIOUS SURFACE:	
BUILDINGS:	6,570 SF
*CONCRETE:	798 SF
*PROPOSED PAVEMENT (MVA):	3,603 SF
TOTAL:	10,961 SF = 0.252 AC (78X)
OPEN SPACE:	3,418 SF = 0.078 AC (24X)
TOTAL AREA:	14,379 SF = 0.330 AC (3)
F.A.R.:	6,570 SF / 14,379 SF = 0.46
INTERNAL GREEN SPACE:	1,285 SF / 3,603 SF X 100 = 35.7%
*NOT INCLUDING IMPERVIOUS AREAS INSIDE THE RIGHT-OF-WAY	
OWNER:	800 LAMPLIGHT VILLAGE, LLC 854 78TH AVENUE NORTH PINELLAS PARK, FL 33781 727-536-8686 SAVE AS OWNER AMERICAN SURVEYING, INC. 4847 NORTH FLORIDA AVE. TAMPA, FL 33603 813-234-0103
ARCHITECT:	
SURVEYOR:	

SITE DATA (LOT 2)	
PARCEL ID NUMBERS:	18-30-17-25434-012-0100
EXISTING ZONING:	NMH
EXISTING LAND USE:	MOBILE HOME PARK
FUTURE LAND USE:	RM
EXISTING FLOOD ZONE:	"M" - PANEL # 12103C 0207 G DATED: 8/2/03
DEVELOPMENT TYPE:	PARKING LOT
PARKING CALCULATIONS:	
REQUIRED PARKING:	20 SPACES
PROPOSED IMPERVIOUS SURFACE:	
*CONCRETE:	87 SF
*VEHICLE USE CONCRETE:	34 SF
*PROPOSED PAVEMENT (MVA):	9,204 SF
TOTAL:	9,815 SF = 0.228 AC (0X)
PERVIOUS PAVEMENT (MVA):	2,084 SF = 0.048 AC (0X)
POND AREA:	3,596 SF = 0.083 AC (008)
OPEN SPACE:	5,883 SF = 0.135 AC (18X)
TOTAL AREA:	10,292 SF = 0.448 AC (4)
INTERNAL GREEN SPACE:	1,585 SF / 9,204 SF X 100 = 16.7%
*NOT INCLUDING IMPERVIOUS AREAS INSIDE THE RIGHT-OF-WAY	
OWNER:	800 LAMPLIGHT VILLAGE, LLC 854 78TH AVENUE NORTH PINELLAS PARK, FL 33781 727-536-8686 SAVE AS OWNER AMERICAN SURVEYING, INC. 4847 NORTH FLORIDA AVE. TAMPA, FL 33603 813-234-0103
ARCHITECT:	
SURVEYOR:	

CONTRACTOR SHALL CALL SUNSHINE STATE ONE CALL OF FLORIDA, INC AT LEAST 48 HOURS PRIOR TO EXCAVATION 1-800-432-4770

Josiah S. Bradley  
State of Florida, Professional Engineer,  
License No. 66070

IF THIS PLAN IS NOT FULLY COMPLIANT WITH ALL APPLICABLE CODES AND REGULATIONS, THE ENGINEER'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT AS SHOWN ON THIS PLAN. THE ENGINEER DOES NOT WARRANT THAT THE PROJECT WILL BE COMPLETED ON TIME OR WITHIN BUDGET.

REVISIONS

NO.	DATE	DESCRIPTION

P.O. BOX 2995  
LAND O LAKES, FL 34639  
(813) 536-2539  
CERTIFICATE OF  
AUTHORIZATION NUMBER: 26759

**NATIVE**  
engineering,plc

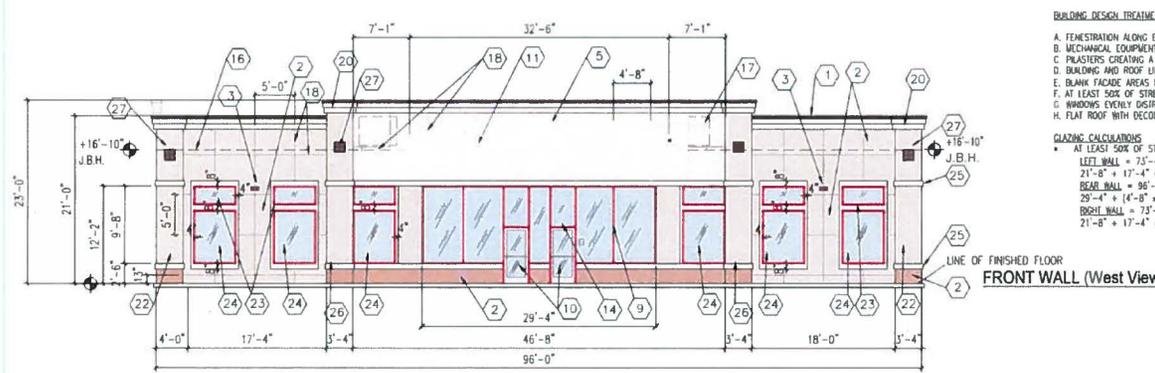
COMMERCIAL DEVELOPMENT @ LAMPLIGHT VILLAGE  
FOR  
BDG LAMPLIGHT VILLAGE, LLC  
6654 78TH AVENUE NORTH  
PINELLAS PARK, FL 33781

SPECIAL  
EXCEPTION  
SITE PLAN

SHEET NUMBER  
**SE**

S-T-9  
19-30-17

16. C:\P\ARCH\2007



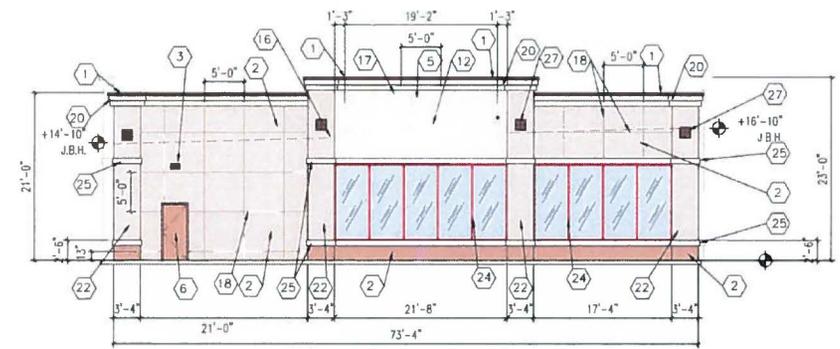
**BUILDING DESIGN TREATMENTS PROVIDED:**

- A. FENESTRATION ALONG EACH WALL
- B. MECHANICAL EQUIPMENT SCREENED BY ROOF PARAPETS
- C. PLASTERERS CREATING A BAY SYSTEM TO DIVIDE THE BUILDING INTO A MAXIMUM RATIO OF 3:1
- D. BUILDING AND ROOF LINE OFFSETS
- E. BLANK FACADE AREAS NO GREATER THAN 24'-0" WIDE
- F. AT LEAST 50% OF STREET FACING FACADES CONSIST OF WINDOWS AND DOOR OPENINGS
- G. WINDOWS EVENLY DISTRIBUTED IN CONSISTENT PATTERNS
- H. FLAT ROOF WITH DECORATIVE PARAPETS

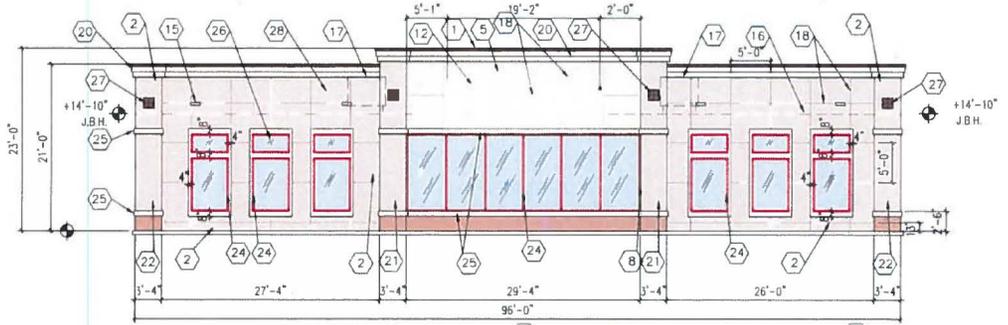
**GLAZING CALCULATIONS**

- AT LEAST 50% OF STREET LEVEL FRONTAGES SHALL BE TRANSPARENT:
- LEFT WALL = 73'-4" L, 50% REQUIRED = 36'-8"
- 21'-8" + 17'-4" = 39'-0" PROVIDED (53%)
- REAR WALL = 96'-0" L, 50% REQUIRED = 48'-0"
- 29'-4" + 4'-0" + 6 SETS WINDOWS = 28'-0" = 57'-4" PROVIDED (60%)
- RIGHT WALL = 73'-4" L, 50% REQUIRED = 36'-8"
- 21'-8" + 17'-4" = 39'-0" PROVIDED (53%)

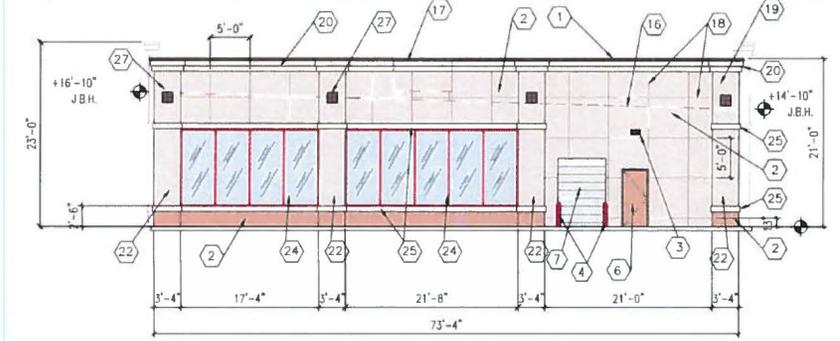
**FRONT WALL (West View)**



**LEFT SIDE WALL (North View)  
FACES 87TH AVENUE**



**REAR WALL (East View)  
FACES 4TH STREET**

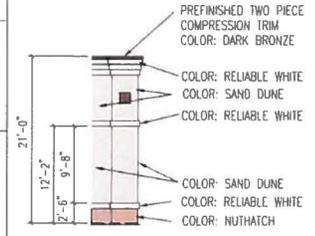


**RIGHT SIDE WALL (South View)**

- 1 PREFINISHED TWO PIECE COMPRESSION TRIM  
COLOR: DARK BRONZE
- 2 SMOOTH FACE CONCRETE MASONRY UNITS W/ STUCCO FINISH  
-SEE PAINT DETAIL SCHEME THIS SHEET
- 3 WALL MOUNTED LIGHT FIXTURE
- 4 PIPE GUARD WITH ARCHITECTURAL RED SLEEVE
- 5 MFG. EXTERIOR INSULATED FINISH SYSTEM  
COLOR: RELIABLE WHITE
- 6 PAINT MAH DOOR COLOR: NUTHATCH  
PAINT METAL FRAMES COLOR: NUTHATCH
- 7 DO NOT PAINT OVERHEAD DOOR - PAINT ANGLES NUTHATCH
- 8 EXPANSION JOINT
- 9 ALUMINUM STOREFRONT - RED KYNAR FINISH WITH  
TINTED GLASS WINDOWS
- 10 GLASS AND ALUMINUM DOORS - CLEAR ANODIZED FINISH
- 11 FRONT WALL SIGN - 36" HIGH CHANNEL LETTERS W/ STRIPES
- 12 SIDE WALL SIGN - 36" HIGH CHANNEL LETTERS
- 13 TOILET WALL VENTS PAINT TO MATCH WALL
- 14 STORE ADDRESS - 6" WHITE REFLECTIVE NUMBERS
- 15 12"W x 4"H ROOF DRAIN OVERFLOW OPENING
- 16 BOND BEAM AT ROOF LINE
- 17 HVAC UNITS SCREENED BEHIND PARAPET WALL
- 18 1" WIDE SCORED JOINT (TYP)
- 19 N/A
- 20 DECORATIVE FOAM CORNICE COLOR: RELIABLE WHITE  
SMOOTH FACE CMU PLASTER W/ STUCCO FINISH (16"  
PROJECTION)
- 21 SMOOTH FACE CMU PLASTER W/ STUCCO FINISH (8"  
PROJECTION)
- 22 ALUMINUM STOREFRONT - RED KYNAR FINISH  
TINTED CLERESTORY GLASS WINDOWS
- 23 ALUMINUM STOREFRONT - RED KYNAR FINISH WITH  
TINTED OPAQUE GLASS FAUX WINDOWS
- 24 8" HIGH x 2" DEPTH FOAM BOARD TRIM WITH E.F.S.
- 25 ALUMINUM STOREFRONT - RED KYNAR FINISH  
TINTED CLERESTORY GLASS FAUX WINDOWS
- 27 (4) 8" x 8" GLAZED CERAMIC TILE RECESSED 1/2"  
COLOR: DARK BRONZE

**2 ELEVATION KEYNOTES**

**COLORS**  
SHERWIN WILLIAMS "RELIABLE WHITE" - SW 6091  
SHERWIN WILLIAMS "SAND DUNE" - SW 6086  
SHERWIN WILLIAMS "NUTHATCH" - SW 6088



- GENERAL NOTES:**
1. REFER TO SECTION D9900 OF THE SPECIFICATIONS FOR PAINT AND EXTERIOR COATINGS. ALL COLORS ARE BY SHERWIN-WILLIAMS PAINT COMPANY.
  2. PAINT RESTROOM WALL VENTS TO MATCH THE ADJACENT WALL COLOR.
  3. SEALANT AT EXPANSION JOINTS TO MATCH ADJACENT WALL COLOR.
  4. ALL MASONRY JOINTS TO BE CONCAVE TOOLED.

**4 GENERAL NOTES**

- SIGNAGE NOTES:**
1. AUTOZONE'S SIGN VENDOR WILL FURNISH AND INSTALL ALL SIGNS UNLESS SPECIFICALLY NOTED ON THE DRAWINGS OTHERWISE. WALL SIGNS TO BE INSTALLED ON SURFACES THAT ARE FURNISHED AND PREPARED BY GENERAL CONTRACTOR.
  2. SIGN INSTALLER SHALL OBTAIN SIGN PERMITS AND INSTALL ALL FREESTANDING SIGNS AND THEIR FOUNDATIONS UNLESS NOTED OTHERWISE. GENERAL CONTRACTOR SHALL INSURE SIGN LOCATION IS TO GRADE AND SHALL MARK WHERE SIGN IS TO BE LOCATED.
  3. GENERAL CONTRACTOR IS RESPONSIBLE FOR INSTALLATION OF PRIMARY ELECTRICAL AND FINAL ELECTRICAL HOOK-UP. SEE "SN" SHEETS FOR ADDITIONAL INFORMATION.
  4. SEE SHEET E3 FOR LOCATIONS OF J-BOXES TERMINATING EACH WALL SIGN CIRCUIT.

**5 SIGNAGE NOTES - BUILDING**

**3 EXTERIOR WALL COLOR SCHEME**



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

## STAFF REPORT

### DEVELOPMENT REVIEW COMMISSION - VARIANCE REQUEST PUBLIC HEARING

For **Public Hearing** and **Executive Action** on **Wednesday, December 4, 2019** beginning at 2:00 P.M., at the Sunshine Center (Auditorium), 330 5<sup>th</sup> Street North, St. Petersburg, Florida.

According to Planning & Development Services Department records, **no Commission member** resides or has a place of business within 2,000 feet of the subject property. All other possible conflicts should be declared upon the announcement of the item.

CASE NO.: 19-54000066 PLAT SHEET: E-8

REQUEST: Approval of an after-the-fact variance to the NT-3 zoning district required minimum lot width from 60-feet required to 50-feet and lot area from 7,620 sq. ft. required to 6,500 sq. ft. for two (2) non-conforming lots in common ownership.

OWNER: Main Real Estate Holdings, LLC  
 1875 Brightwaters Boulevard Northeast  
 Saint Petersburg, Florida 33704

AGENT: Harvey A. Ford, Esq.  
 100 Second Avenue South  
 Saint Petersburg, Florida 33701

ADDRESSES AND PARCEL ID NOS.: 224 13<sup>th</sup> Avenue North; 18-31-17-43560-005-0160  
 13<sup>th</sup> Avenue North; 18-31-17-43560-005-0170

LEGAL DESCRIPTION: On File

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

Structure	Required	Requested	Variance	Magnitude
Lot Area	7,620 sq. ft.	6,500 sq. ft	1,120 sq. ft.	14.6%
Lot Width	60-feet	50-feet	10-feet	16%

**BACKGROUND:** This application requests after-the-fact variances to the minimum lot width and lot area requirements for two non-conforming lots in common ownership. The subject properties are zoned NT-3 (Neighborhood Traditional Single Family) and were developed as one parcel with one single-family residence, one frame cottage, and a frame two-story garage apartment. Section 16.20.010. requires NT-3 zoned properties to maintain a minimum lot width of 60-feet and a minimum lot area of 7,620 square feet. The subject lots, Lots 16 and 17 of Jackson's 1912 Subdivision, each measure 50-feet in width and approximate 6,500 square feet in lot area. The subject property consists of two platted lots, which were initially developed in the 1920s as one large parcel in the Historic Old Northeast Neighborhood.

On April 1, 2015, the two lots which were combined under common ownership and received the approval of a Redevelopment Plan (15-51000001). The approved redevelopment plan would have allowed the three dwelling units to be demolished and reconstructed into two single-family homes on each lot. The third grandfathered unit was permitted to be converted into an Accessory Dwelling Unit on Lot 17. According to City demolition records, the property has remained vacant since May of 2015.

Restrictions were in place from 1973 through 2003, which limited the development of non-conforming lots, if the lots were in common ownership. The code changed in 2003 to allow development on any platted lot of record. On September 17, 2015, City Council amended the non-conforming lot regulations, thereby eliminating the right to build on these substandard lots without first obtaining a variance. According to records obtained from the Pinellas County Property Appraisers Office (see attached), at the request of the applicant in January of 2016, the larger developed parcel (see attached property card records), which was composed of the two platted lots, was subdivided in February of 2016 without the approval of variances. The latent separation was in preparation for new single-family construction on what were considered buildable lots at the time of Redevelopment Plan approval.

Due to failure to comply with the conditions of the Redevelopment Plan, the Redevelopment Plan approval expired on April 1, 2018. The applicant is seeking approval of the requested variances to create two buildable lots from two platted lots for new single-family construction. The proposed new single-family construction will be modified from the original Redevelopment Plan approval to eliminate any previously recognized Accessory Dwelling Units. The applicant proposes to construct two detached Accessory Living Spaces behind each home in a manner consistent with the pre-dominating pattern of the block face. City staff has determined the request is consistent with the underlying plat pattern, the non-conforming lot size pattern of the neighborhood, and the Variance criteria.

**CONSISTENCY REVIEW COMMENTS:** The Planning and Development Services Department staff reviewed this application in the context of the following criteria excerpted from the City Code and found that the requested variance is **consistent** with these standards. Per City Code Section 16.70.040.1.6 Variances, Generally, the DRC's decision shall be guided by the following factors:

1. *Special conditions exist which are peculiar to the land, building, or other structures for which the variance is sought and which do not apply generally to lands, buildings, or other structures in the same district. Special conditions to be considered shall include, but not be limited to, the following circumstances:*

- a. *Redevelopment. If the site involves the redevelopment or utilization of an existing developed or partially developed site.*

The subject lots have been vacant since May of 2015.

- b. *Substandard Lot(s). If the site involves the utilization of an existing legal nonconforming lot(s) which is smaller in width, length or area from the minimum lot requirements of the district.*

Lots 16 and 17 are two fully platted lots of record in the 1912 Jackson's Subdivision. The two lots as platted, each measure 50-feet in width and approximate 6,500 square feet in lot area. The subject lots are substandard to the NT-3 zoning district required minimum lot width of 60-feet and minimum lot area of 7,620 square feet.

- c. *Preservation district. If the site contains a designated preservation district.*

This criterion is not applicable as the property is not located in a preservation district.

- d. *Historic Resources. If the site contains historical significance.*

This criterion is not applicable. All previously existing structures and site improvements have been demolished and removed.

- e. *Significant vegetation or natural features. If the site contains significant vegetation or other natural features.*

The site has seven (7) Queen Palm trees, two (2) Sabal Palm trees, two (2) Carrotwood trees, one (1) Chinaberry tree, a large Podocarps hedge and one large Laurel Oak tree located on Lot 17. The application does not propose the removal of any existing vegetation, however an evaluation of trees on the site with the City Forester indicated the Laurel Oak is experiencing signs of slight decline. A tree removal permit could be approved for the Laurel Oak in consideration of new single-family development, provided the Laurel Oak is replaced with a code equivalent shade tree.

- f. *Neighborhood Character. If the proposed project promotes the established historic or traditional development pattern of a block face, including setbacks, building height, and other dimensional requirements.*

The subject lots are located in the Historic Old Northeast Neighborhood and are a part of the 1912 Jackson's Subdivision. As established by the plat, lots within the subdivision ranged between 45-feet and 55-feet in lot width (see attached subdivision plat map). Of the eight lots along the block's face, 62% of the lots are in their platted non-conforming lot sizes. Seven of the eight lots along the block face range from 50-feet to 53-feet in lot width and between 4,505 square feet and 6,500 square feet in lot area. Further analysis

of a nine-block study area indicated that lots within the study had a 71% degree of non-conformity with lot width and a 74.5% degree of non-conformity with lot area.

- g. Public Facilities. If the proposed project involves the development of public parks, public facilities, schools, public utilities or hospitals.*

This criterion is not applicable as there are no public facilities proposed or affected by this request.

- 2. The special conditions existing are not the result of the actions of the applicant;*

This application is the result of applicant action. Before the September 17, 2015 adoption of Ordinance 194-H, requiring City action to approve the development non-conforming lots in common ownership, the subject lots would have been buildable without City action. Application 15-51000001 was approved on April 1, 2015, to allow the redevelopment of three grandfathered dwelling units on separate lots. According to information from the Pinellas County Property Appraisers Office, the lots were separated by request in February 2016.

- 3. Owing to the special conditions, a literal enforcement of this Chapter would result in unnecessary hardship;*

Literal enforcement of this chapter would allow the applicant to construct one larger home on one large parcel, rather than two single family homes with detached accessory living spaces on two separate parcels.

- 4. Strict application of the provisions of this chapter would provide the applicant with no means for reasonable use of the land, buildings, or other structures;*

Literal enforcement of the provisions of this chapter would not deprive the applicant of the reasonable use of the property. The applicant, if denied this request, may still construct one single-family home with a detached accessory living space in compliance with the applicable Land Development Regulations.

- 5. The variance requested is the minimum variance that will make possible the reasonable use of the land, building, or other structure;*

As proposed, the request would make reasonable use of two platted lots for two single-family homes in a manner consistent with the intended platted development pattern of the neighborhood. A neighborhood pattern analysis of the subject block and the eight abutting blocks indicates 71% of the lots within the study were deficient in lot width and, 74% were deficient in lot area.

- 6. The granting of the variance will be in harmony with the general purpose and intent of this chapter;*

The request is consistent with the aims of the Comprehensive Plan and the Land Development Regulations in promoting revitalization and redevelopment. The Land Development Regulations for Neighborhood Traditional districts states: "Lots in traditional neighborhoods are narrow compared to lots in suburban neighborhoods. Traditional lot

widths typically range between 45 and 60 feet. Widths in excess of 60 feet exist in certain areas, but are relatively rare". The Future Land Use designation in the area is Residential Urban – (RU), with a density maximum of 7.5 units per acre.

7. *The granting of the variance will not be injurious to neighboring properties or otherwise detrimental to the public welfare; and,*

The granting of these variances will not be injurious to neighboring properties or detrimental to public welfare, since there are properties on the subject block which were developed in a manner similar to the proposed. Of the properties which front 13th Avenue North between First Street North and Fourth Street North, only three of the thirty-one lots possess lot width or lot area deficiencies equal to or more substandard than those requested. Each of those three parcels previously described have been developed with single-family homes.

8. *The reasons set forth in the application justify the granting of a variance;*

The reasons set within this application do justify the granting to the variances requested.

9. *No nonconforming use of neighboring lands, buildings, or other structures, legal or illegal, in the same district, and no permitted use of lands, buildings, or other structures in adjacent districts shall be considered as grounds for issuance of a variance permitting similar uses.*

No non-conforming uses of neighboring lands, buildings, or other structures were not considered as grounds for issuance of the variances requested.

**PUBLIC COMMENTS:** The subject property is within the boundaries of the Downtown Residents Civic Neighborhood Association and the Historic Old Northeast Neighborhood Association. No comments have been received by the Downtown Residents Civic Neighborhood Association. Suggestions related to the future single-family construction were provided from the Historic Old Northeast Neighborhood Association (see attached) in response to this application. One email was received requesting setback information and clarification of the request. At the time of this staff report's publication, this application received no noted objections.

**STAFF RECOMMENDATION:** Based on a review of the application according to the stringent evaluation criteria contained within the City Code, the Planning and Development Services Department Staff recommends **APPROVAL** of the requested variance.

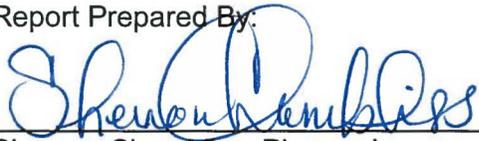
**CONDITIONS OF APPROVAL:** If the variance is approved consistent with the site plan submitted with this application, the Planning and Development Services Department Staff recommends that the approval shall be subject to the following:

1. In accordance with Section 16.10.020.2, plans provided for future permitting shall under no condition feature Accessory Dwelling Units.
2. Future development of the subject lots shall comply with the applicable development standards of the NT-3 zoning district, Land Development Regulations and Building and Life Safety codes at the time of permitting.
3. Maximum impervious surface on the site must not exceed 65%, all plans submitted for permitting on this site must show the extent of all improvements on site and the Impervious Surface Ratio.

4. The maximum Floor Area permitted shall not exceed .6 of the properties lot area. The maximum Building Coverage permitted shall not exceed .55 of the properties lot area. Plans provided for future permitting shall provide categorical square footage breakdowns to demonstrate compliance at the time of permitting.
5. Future development of the subject lots shall comply with the applicable development standards of the NT-3 zoning district, Land Development Regulations and Building and Life Safety codes at the time of permitting.
6. This variance approval shall be valid through December 4, 2022. Substantial construction shall commence prior to this expiration date. A request for extension must be filed in writing prior to the expiration date.
7. Approval of this variance does not grant or imply other variances from the City Code or other applicable regulations.

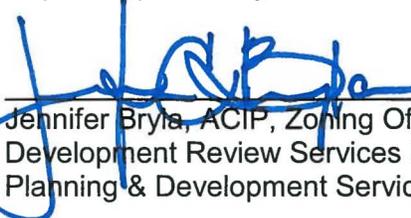
ATTACHMENTS: Plat map, aerial map, site plan/floor plan, elevation drawings, property card, building permit history, Redevelopment Plan 15-51000001, applicant's narrative, Neighborhood Participation Report, Email of Inquiry

Report Prepared By:

  
Shervon Chambliss, Planner I  
Development Review Services Division  
Planning & Development Services Department

  
Date

Report Approved By:

  
Jennifer Bryia, ACIP, Zoning Official (POD)  
Development Review Services Division  
Planning & Development Services Department

  
Date

JCB/SAC:iw

**FORD & FORD, P.A.**

Attorneys at Law  
100 Second Avenue South, Suite 900  
St. Petersburg, Florida 33701  
(727) 894-2907  
[www.fordpa.com](http://www.fordpa.com)

**Harvey A. Ford**  
[harvey.ford@fordpa.com](mailto:harvey.ford@fordpa.com)

October 8, 2019

VIA EMAIL

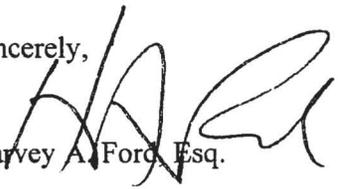
**Shervon Chambliss**  
City of St. Petersburg – Planning and Zoning Department

**RE: Variance Application #19-54000066**  
**224 and 226 13<sup>th</sup> Avenue North, St. Petersburg, FL**

Dear Shervon:

Thanks for your call. I enclose a revised floor plan for “Residence A” reflecting a handwritten deletion of the garage apartment “Kitchen”. The intent is for it to be the same Wet Bar as is shown for “Residence B”. Applicant acknowledges that the prior 2015 approval for a “Kitchen” has expired. Applicant will attempt to have the drawings updated by the architect, but in the interest of time as to the upcoming hearing, the enclosed floor plan evidences his commitment as noted.

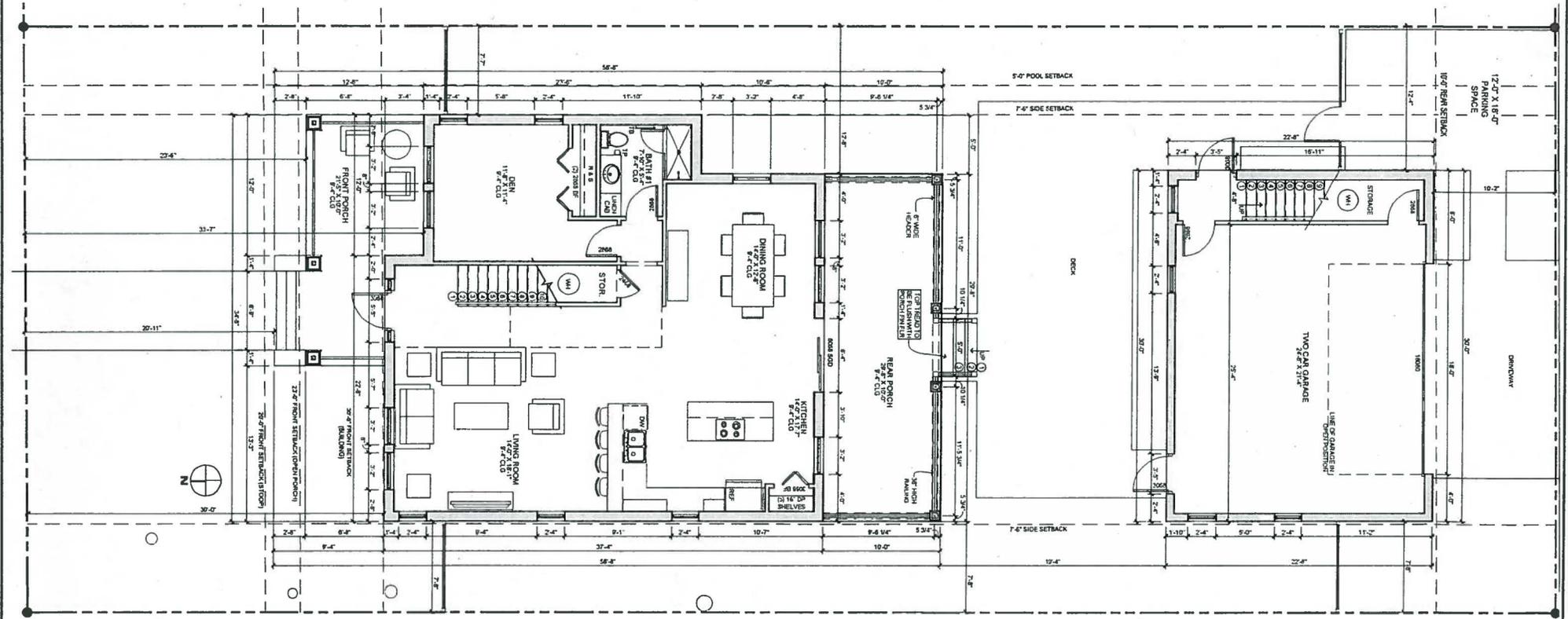
Please call with any questions. Thank you.

Sincerely,  
  
Harvey A. Ford, Esq.

HAF/ck

Encls.

SQUARE FOOTAGE:	
AREA	PROPOSED
FIRST FLOOR LIVING	1189
SECOND FLOOR LIVING	1049
TOTAL LIVING	2238
FIRST FLOOR GARAGE LIVING	106
SECOND FLOOR GARAGE LIVING	601
TOTAL GARAGE LIVING	707
FRONT PORCH	183
GARAGE	574
COVERED LANAI	000
TOTAL SQ FT	3702



1 FIRST FLOOR PLAN  
1/8" = 1'-0"

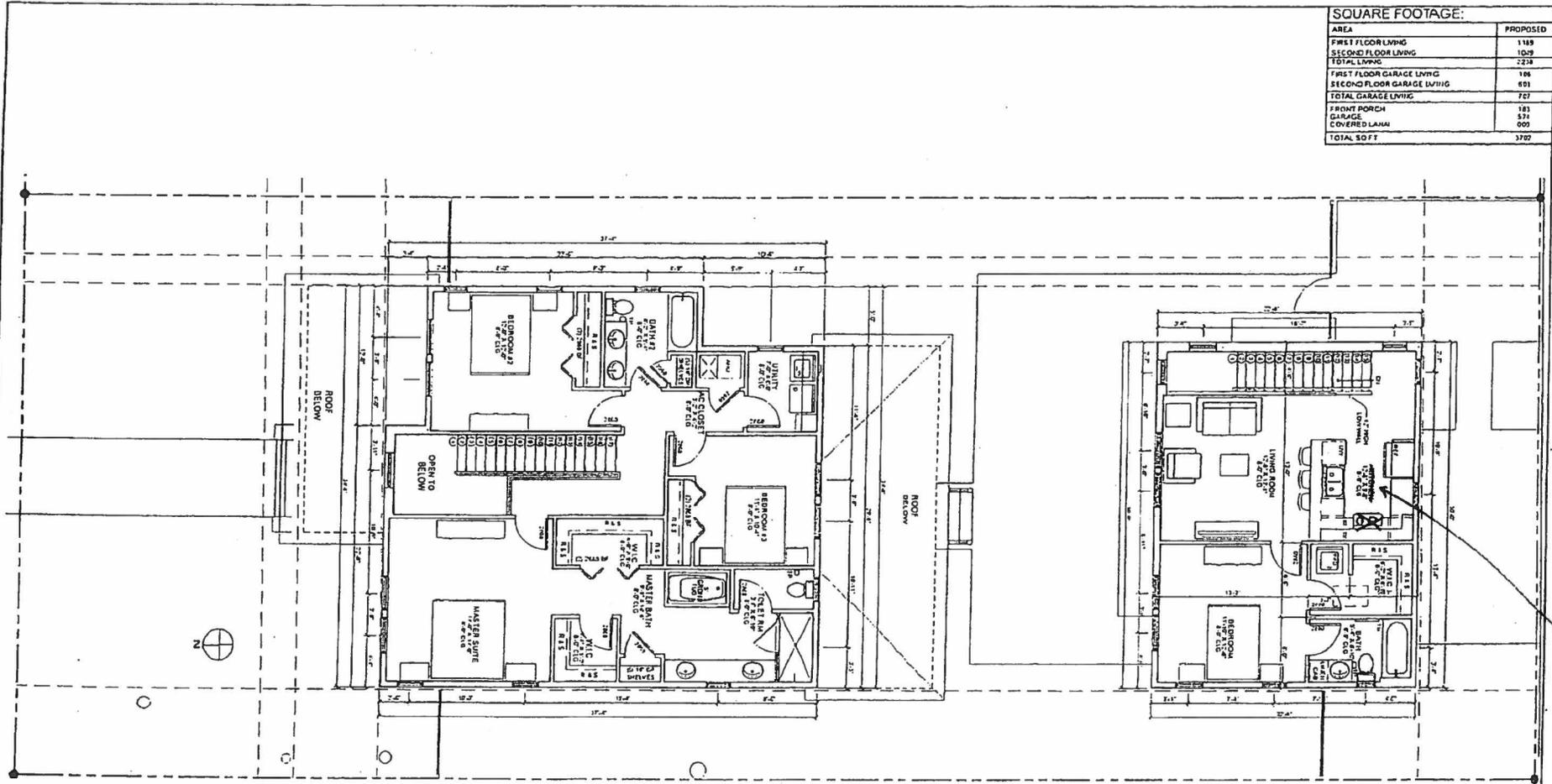
No.	Issue Description	Date
01	REDEVELOPMENT SUBMITTAL	2/9/15
02	INTERNAL REVISIONS	3/05/15
03	REVISIONS	03/16/15

**MAIN RESIDENCE A**  
226 13TH AVE. MORTH, SAINT PETERSBURG, FL 33701  
PREPARED FOR:  
**TIMOTHY MAIN**  
PROJECT #14275

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design styles  
architecture  
1761 E. GARDNER DRIVE  
TAMPA, FLORIDA 33605  
TEL: 813-944-1111  
WWW.DSAINC.COM

SQUARE FOOTAGE:	
AREA	PROPOSED
FIRST FLOOR LIVING	1189
SECOND FLOOR LIVING	1049
TOTAL LIVING	2238
FIRST FLOOR GARAGE LIVING	106
SECOND FLOOR GARAGE LIVING	193
TOTAL GARAGE LIVING	300
FRONT PORCH	181
GARAGE	571
COVERED LAUN	600
TOTAL SQ FT	3787



1 SECOND FLOOR PLAN  
1/8" = 1'-0"

Wet Bar only. *MM*

No.	Issue Description	Date
01	REDEVELOPMENT SUBMITTAL	2/9/15
02	INTERNAL REVISIONS	3/05/15
03	REVISIONS	03/16/15

MAIN RESIDENCE A  
226 13TH AVE. NORTH, SAINT PETERSBURG, FL 33701  
PREPARED FOR  
TIMOTHY MAIN  
PROJECT #14275

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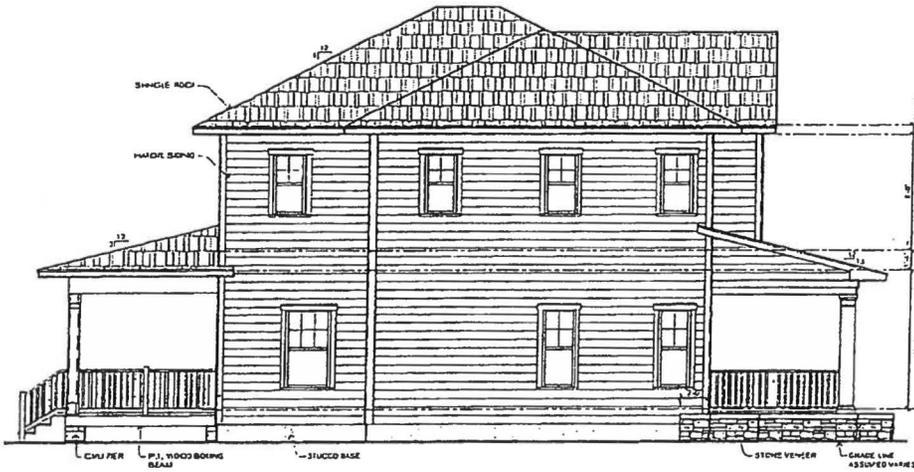
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138 S. Calumet St.  
St. Petersburg, FL 33708  
781.426.1111



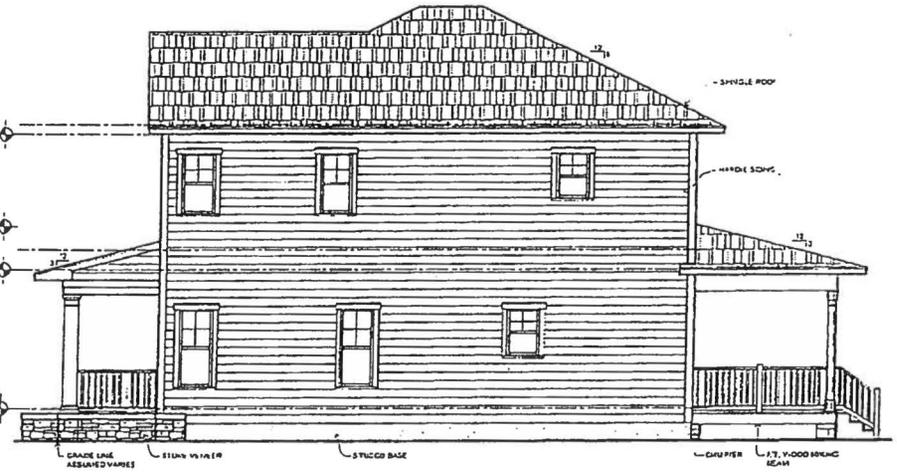
1 FRONT ELEVATION  
1/8" = 1'-0"



2 REAR ELEVATION  
1/8" = 1'-0"



3 LEFT ELEVATION  
1/8" = 1'-0"



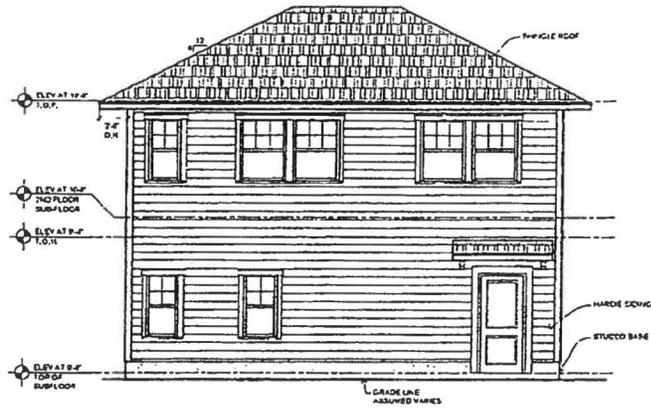
4 RIGHT ELEVATION  
1/8" = 1'-0"

No.	Issue Description	Date
01	REDEVELOPMENT SUBMITTAL	2/9/15
02	INTERNAL REVISIONS	3/05/15
03	REVISIONS	03/16/15

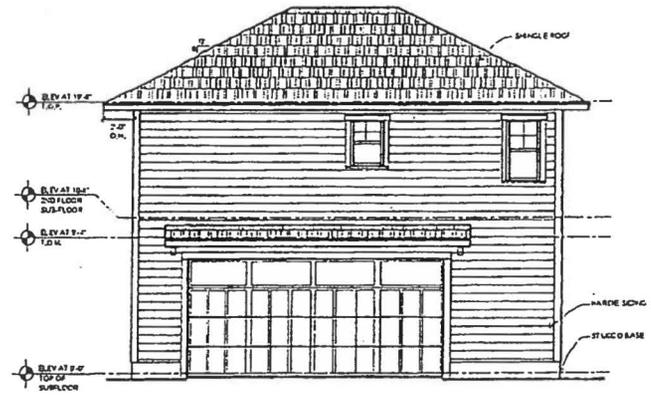
MAIN RESIDENCE A  
26 13TH AVE. MORTH, SAINT PETERSBURG, FL 33701  
PREPARED FOR:  
TIMOTHY MAIN  
PROJECT #14275

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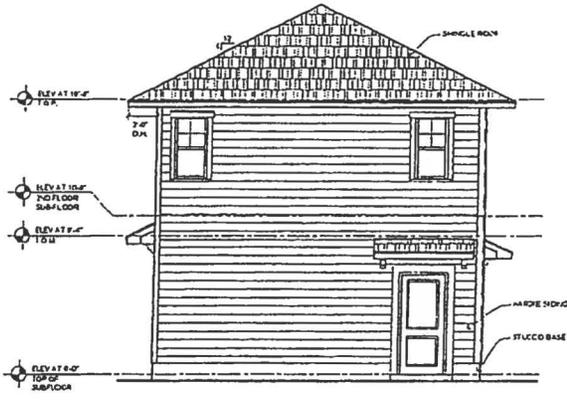




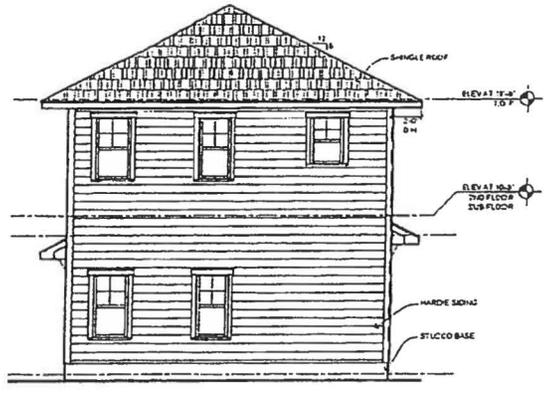
1 FRONT GARAGE ELEVATION  
1/8" = 1'-0"



2 REAR GARAGE ELEVATION  
1/8" = 1'-0"



3 LEFT GARAGE ELEVATION  
1/8" = 1'-0"



4 RIGHT GARAGE ELEVATION  
1/8" = 1'-0"

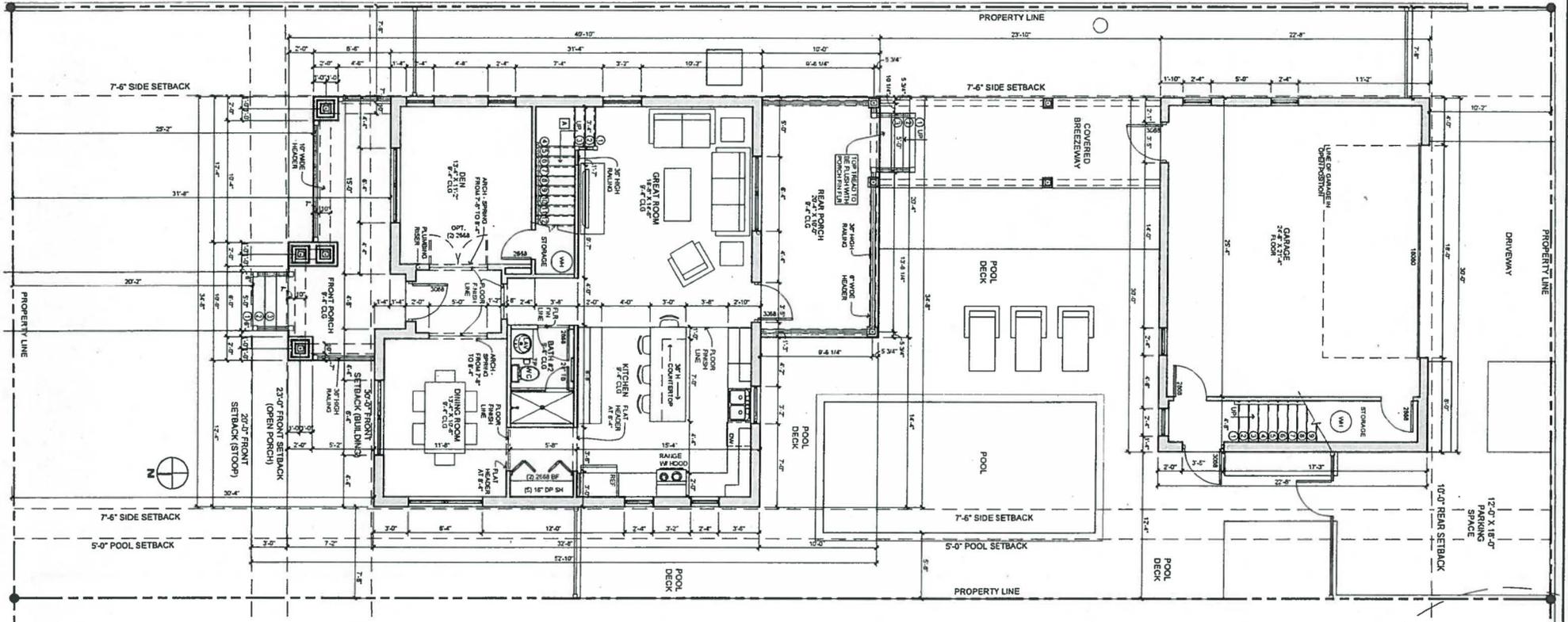
No.	Issue Description	Date
01	REDEVELOPMENT SUBMITTAL	2/9/15
02	INTERNAL REVISIONS	3/05/15
03	REVISIONS	03/16/15
-	-	-

MAIN RESIDENCE A  
226 13TH AVE. MORTH, SAINT PETERSBURG, FL 33701  
PREPARED FOR:  
TIMOTHY MAIN  
PROJECT #14275

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design styles  
architecture  
1516 E. COLLEEN DR.  
SUITE 200, PALM BEACH  
FL 33408  
407.855.1111

SQUARE FOOTAGE:	
AREA	PROPOSED
FIRST FLOOR LIVING	1100
SECOND FLOOR LIVING	1058
TOTAL LIVING	2158
FIRST FLOOR GARAGE LIVING	106
SECOND FLOOR GARAGE LIVING	601
TOTAL GARAGE LIVING	707
FRONT PORCH	186
GARAGE	574
COVERED LAMAJ	203
COVERED BREEZEWAY	183
TOTAL SQ FT	3991



1 FIRST FLOOR PLAN  
1/8" = 1'-0"

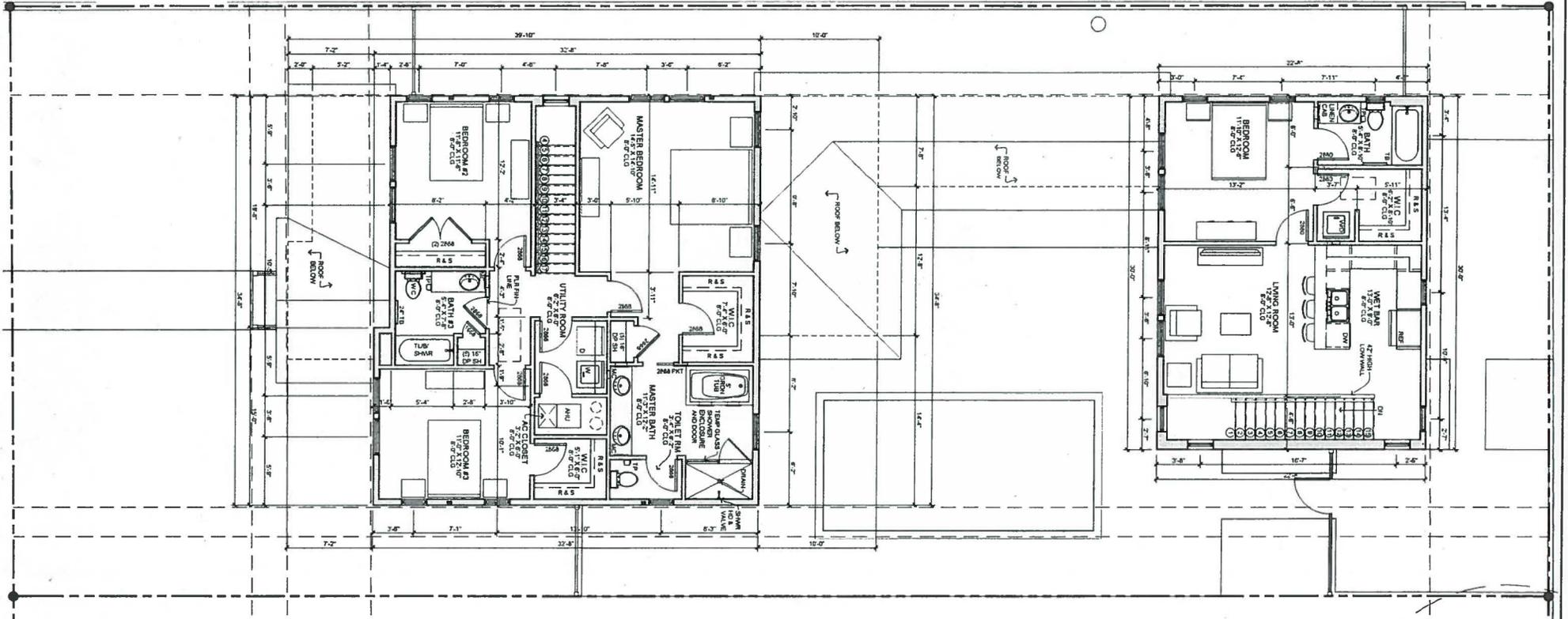
No.	Issue Description	Date
01	REDEVELOPMENT SUBMITTAL	2/9/15
02	INTERNAL REVISIONS	3/5/15
03	REVISIONS	3/16/15

**MAIN RESIDENCE B**  
224 13TH AVE. NORTH, SAINT PETERSBURG, FL 33701  
PREPARED FOR  
TIMOTHY MAIN  
PROJECT #14276

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TAMPA, FLORIDA 33605  
781.855.1111  
www.designstyles.com

SQUARE FOOTAGE:	
AREA	PROPOSED
FIRST FLOOR LIVING	1100
SECOND FLOOR LIVING	1056
TOTAL LIVING	2156
FIRST FLOOR GARAGE LIVING	106
SECOND FLOOR GARAGE LIVING	601
TOTAL GARAGE LIVING	707
FRONT PORCH	188
GARAGE	574
COVERED LANAI	203
COVERED BREEZEWAY	183
TOTAL SQ FT	3991



1 SECOND FLOOR PLAN  
1/8" = 1'-0"

No.	Issue Description	Date
01	REDEVELOPMENT SUBMITTAL	2/9/15
02	INTERNAL REVISIONS	3/5/15
03	REVISIONS	3/16/15
-	-	-

**MAIN RESIDENCE B**  
224 13TH AVE. NORTH, SAINT PETERSBURG, FL 33701  
PREPARED FOR:  
TIMOTHY MAIN  
PROJECT #14276

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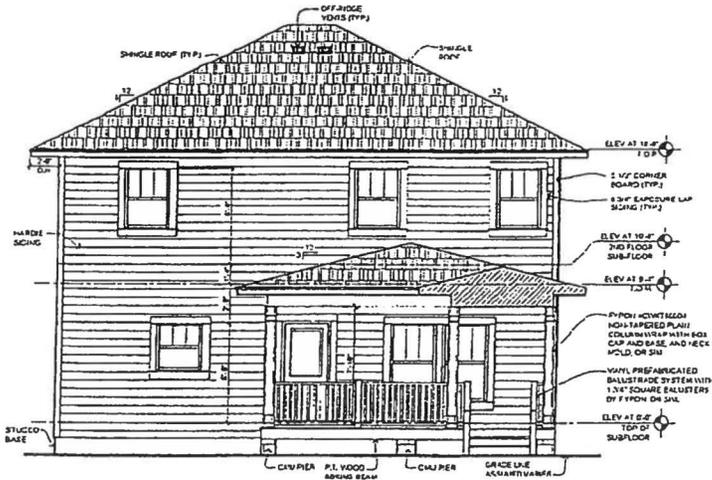




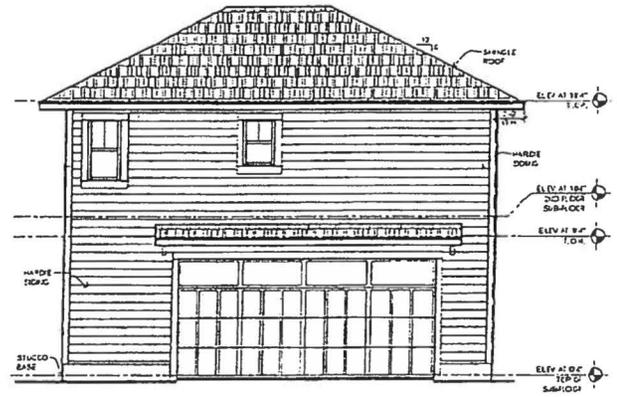
1 FRONT ELEVATION  
1/8" = 1'-0"



3 FRONT GARAGE ELEVATION  
1/8" = 1'-0"



2 REAR ELEVATION  
1/8" = 1'-0"



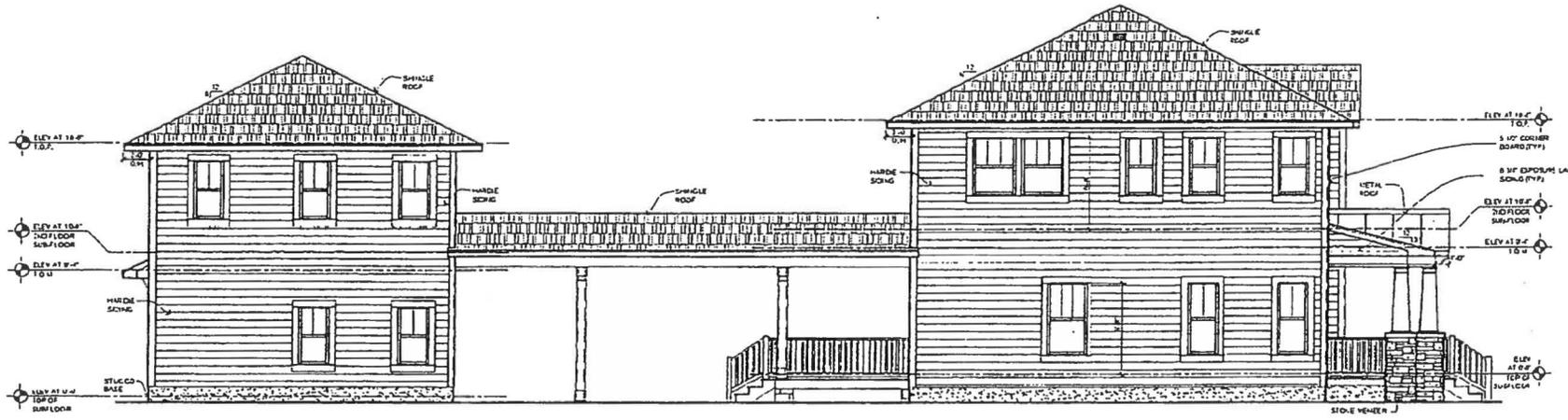
4 REAR GARAGE ELEVATION  
1/8" = 1'-0"

No.	Issue Description	Date
01	REDEVELOPMENT SUBMITTAL	2/9/15
02	INTERNAL REVISIONS	3/5/15
03	REVISIONS	3/16/15

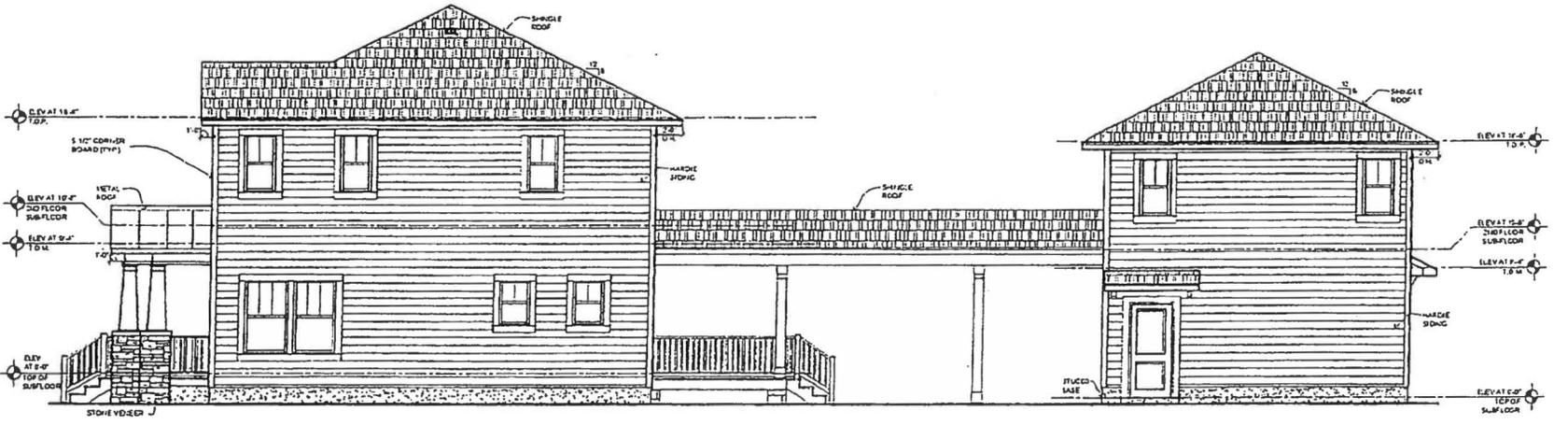
MAIN RESIDENCE B  
224 13TH AVE. NORTH, SAINT PETERSBURG, FL 33701  
PREPARED FOR  
TIMOTHY MAIN  
PROJECT #14276

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1 LEFT ELEVATION  
1/8" = 1'-0"



2 RIGHT ELEVATION  
1/8" = 1'-0"

No.	Issue Description	Date
01	REDEVELOPMENT SUBMITTAL	2/9/15
02	INTERNAL REVISIONS	3/5/15
03	REVISIONS	3/16/15

MAIN RESIDENCE B  
224 13TH AVE. NORTH, SAINT PETERSBURG, FL 33701  
PREPARED FOR:  
TIMOTHY MAIN  
PROJECT #14276

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design styles  
architecture  
1151 CALHOUN ST., N.  
SAINT PETERSBURG, FL 33705  
781.381.1111

Card #2  
SUBDIVISION

JACKSON'S

LOT 16 & 17

BLOCK E

BUILDING RM-10	18-31-17 ELECTRICAL E-8	18-31-17 PLUMBING EB RH
<p>Location: 226 - 224 - 13th Ave. No. #54254A-E - 10/5/59 - \$1000 Owner F. A. Sampson - Repair roof of existing residence (Type VI) (224 - 13th Ave. No.) Federal Roofing &amp; Siding, Contractor. #95471A-R4 - 8/5/64 - \$700 Owner F. A. Sampson - Erect porch addition on side of existing garage apartment (8' x 12') (Type VI) Beauty Built, Contractor(224) C&amp;D Letter 4-1-69 Garage</p>	<p>#9362G - 9/2/64 - Sampson - Hudson - 3p 3ws 60A 1-meter (Relocate service) (M.H.) (224) E731C - 12/18/70 - Ruby Wilborn Electr. Contractors - 1-cooking meter <del>#E5385H-1-27-82-Carl Olson Reisler Ele-Pool</del> <del>#E5435H-2-2-82-Carl Olson Reisler Ele-Pool(224 13th A/N)</del></p>	<p>#P7737A 4/26/72 Jack Wilborne C.L.Perry. 1 Lav, 1 Shower, 1 Water Closet. (224 13th Ave. No.) #P1807E- 2/29/84- Carol Olson Nationwide Power Corp- 1-solar wtr heater- panel on roof (Type)(GL/tram) (224- 13 Ave No) #P1807E 1/9/85- Olson Carl</p>
<p>#10219-R4- 4/25/72 - \$600 Owner Jack B. &amp; Ruby C. Wilborn - Install bathroom in garage - install one partition (wood) - By owner. (224) #81561-RM12/15- 1/20/82- \$8,300 Owner Carl Olson- Install one piece fiberglass swimming pool 13 x 33 and deck - (Type IV) Phoenix Pools Inc, Contracto (224- 13 Ave No) (over)</p>	<p>INSTALLATION</p>	<p>GAS</p>
<p>SIGNS</p>	<p>SEWER</p>	<p>SEPTIC TANK</p>

BUILDING

#B-5-04987 - 4-12-85-\$5300.00

Owner: Carl G. Olson -- general remodeling & updating elec, plumbing & insulation, relocate lower bath eliminate upstairs kitchen. relocate lower kitchen, remove outside stairs, build new stairs inside.

George R Larrison, Contractor.



BUILDING PERMITS

#20465 (\$700) 2/23/26

E.G.Acheson

1-st frame garage

\*\*\*\*\*

#29030 (\$200) 5/13/32

John Furlong

Int.Alt. by Chas.E.Lund & Assts.

\*\*\*\*\*

#53476: II/16/44. \$400.00

Dr.Frank Meyer.Repair tile roof.

S.L.Boyett,Contr.

#66187 - 12/1/47 - \$1000

Owner Mr. Elliott - Interior

alterations and repairs; install

bath room & necessary plumbing;

extend side porch. H. H. Griffith,

Contractor (Type D)

B of A - 7/8/55 - Granted

to install items to convert

laundry room to sleeping room

(#26)

#15510A-E - 7/11/55 - \$500

Owner Mrs. Fritzi Sampson - In-

stall bath in room attached to

garage apartment (Type VI)

#33155A-E - 8/22/57 - \$500

Owner Mrs. Fritzi Sampson - Erect

addition to residence for shower

(43" x 48")(Type VI) M. P. Carter,

Contractor (224 - 13th Ave. N.)

ELECTRICAL PERMITS

#4701G - 2/25/64 - Sampson

Marks Elec. - 3ws 30amp 2-meters

1-w.h. (224 - 13th Ave. No.)

INSTALLATION

#3030 - 12/15/55 - Lanisdowne

Villa - J.C.Pressly - Steel

fire escape

#3467 - 1/19/56 - Sampson

City Fuel Oil - 35,000 BTU

Coleman oil heater



### Global Location Inquiry - Building Permit Applications

Property address: 224 13TH AVE N

Parcel Identification Nbr

18/31/17/43560/005/0160/

Application					Tenant	
Year	Number	Type	Status	Date	Number	Name
15	04001159	DOTH	CL	4/20/15		
14	10000468	DOTH	CL	10/09/14		
14	10000467	DSFR	CL	10/09/14		
10	11000866	ELEC	AB	11/29/10		
09	03000405	ROOF	CL	3/16/09		
07	04000455	BALT	CL	4/11/07		
06	02000819	ELEC	EX	2/17/06		
05	11000325	ROOF	CL	11/07/05		
98	06001265	MECH	AP	6/26/98		
94	12084060	OLD	CP	12/08/94		
94	11294010	OLD	CP	11/29/94		

✓ OK

✗ Exit

↩ Cancel

Display location L...

RECEIVED

JAN 25 2016

PAM DUBOV  
PROPERTY APPRAISER  
CLEARWATER

**Ford & Ford, P.A.**

Attorneys at Law  
Signature Place, Suite 302  
147 Second Avenue South  
St. Petersburg, Florida 33701  
Telephone (727) 894-2907  
Facsimile (727) 894-2908

Harvey A. Ford  
[harvey@fordlawfirm.net](mailto:harvey@fordlawfirm.net)

January 22, 2016

**Pinellas County Property Appraiser**

P. O. Box 1957  
Clearwater, FL 33757-1957

**RE: 224 13<sup>th</sup> Avenue N., St. Petersburg, FL 33701**  
**Parcel #18-31-17-43569-005-0160**

43560

Dear Sir or Madam:

I enclose for your handling, a Parcel Split / Separation Request Form in connection with the referenced property.

Please call with any questions. Thank you.

Sincerely,



Brenda DeBon, Paralegal

HAF/bd  
Enclosure

Pinellas County Property Appraiser  
PO Box 1957  
Clearwater, FL 33757-1957  
Phone: 727-464-3282  
Fax: 727-464-3448

**PARCEL SPLIT / SEPARATION REQUEST FORM**

Step 1

43560

18/31/17/43560/005/0160

224 13th Ave N, St. Petersburg FL 33701



This parcel has changed from 2 lots (lots 16 and 17), but had one house on it under the same ID #. The house has been removed and we are building 2 houses on the 2 lots. We need separate parcel ID #s.

Step 2

**All Split / Separation requests require the following:**

- All current and delinquent taxes due must be paid.
- Owner must complete, sign, and date this form.
- Submission of legal descriptions and/or survey(s) for each parcel as they would appear after split/separation.

*Notification*

The Property Appraiser reserves the right to investigate and inspect the premises to confirm its status. Once the requested information has been provided to our office it will be subject to review. Owner acknowledges condition of split/separation and includes it with split/separation request. Meeting the above conditions does not imply approval of split/separation.

**Effect on tax status:** If the parcel is currently receiving a homestead exemption, the exemption will only remain on the parcel that includes the homestead residence. The new folio will not receive the benefit of the Amendment 10 assessment "Cap" and the taxes will be based on the full market value. If recombined at a later date, the full market value of the added parcel will be added to the value of the homestead parcel above the Save-Our-Homes Cap.

Step 3

  
Main Real Estate Holdings, LLC by Tim Main, Manager

1-15-16  
727-894-2907

Lot 16, Block E of JACKSON SUBDIVISION, according to the Plat thereof as [REDACTED]  
recorded in Plat Book 1, Page(s) 5 of the Public Records of Pinellas County, Florida. [REDACTED]

Existing Address: 224 13<sup>th</sup> Ave N, St. Pete, FL 33701

Existing Parcel ID #: 18/31/176/43560/005/0160

43560

Lot 17, Block E of JACKSON SUBDIVISION, according to the Plat thereof as [REDACTED]  
recorded in Plat Book 1, Page(s) 5 of the Public Records of Pinellas County, Florida. [REDACTED]

Proposed Address: 226 13<sup>th</sup> Ave N, St. Pete, FL 33701

Proposed Parcel ID #: 18/31/176/43560/005/0170

43560







**CITY OF ST. PETERSBURG, FLORIDA**  
**PLANNING & ECONOMIC DEVELOPMENT DEPT.**  
**DEVELOPMENT REVIEW SERVICES DIVISION**

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**STAFF REPORT**  
**DEVELOPMENT REVIEW COMMISSION**  
**REDEVELOPMENT REQUEST**  
**PUBLIC HEARING**

For **Public Hearing** and **Executive Action** on **April 1, 2015**, beginning at 2:00 P.M., Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida

According to Planning & Economic Development Department records, David Punzak resides or has a place of business within 2,000 feet of the subject property. All other possible conflicts should be declared upon the announcement of the item.

<b>CASE NO.:</b>	15-51000001	<b>PLAT NO.:</b>	E-8
<b>REQUEST:</b>	Redevelopment of two (2) platted lots for two (2) single-family residences and one (1) accessory dwelling unit.		
<b>APPLICANT:</b>	Main Real Estate Holdings, LLC 1875 Brightwaters Blvd NE St. Petersburg, FL 33704		
<b>AGENT:</b>	Andy Dohmen 1708 East Columbus Drive Tampa, FL 33605		
<b>ADDRESS:</b>	224 13 <sup>th</sup> Avenue North		
<b>PARCEL ID NO.:</b>	18-31-17-43560-005-0160		
<b>LEGAL DESCRIPTION:</b>	Lots 16 & 17, Block E of Jackson Subdivision		
<b>ZONING:</b>	NT-3 (Neighborhood Traditional)		
<b>SITE AREA TOTAL:</b>	12,970 square feet or .30 acres		

**GROSS FLOOR AREA:**

	<b>Square Feet</b>	<b>F.A.R.</b>
Existing	2,267	.43
Proposed (House A – Lot 17)	3,260	.50*
Proposed (House B – Lot 16)	3,137	.47*
Total site	6,397	.49*
Permitted	6,485	.50*

\* Not including the first 300 square feet of garage area

**DENSITY:**

	<b>Dwelling Units</b>	<b>Units Per Acre</b>
Existing	3	10
Proposed (House A – Lot 17)	2	7
Proposed (House B – Lot 16)	1	3
Total site	3	10*
Permitted	2	7

\* Redevelopment of a portion of the grandfathered density is the subject of this application.

**APPLICATION REVIEW:**

**I. PROCEDURAL REQUIREMENTS:**

The applicant has met and complied with the procedural requirements of Section 16.70.040.1.15 regarding the redevelopment of Grandfathered Uses.

**II. DISCUSSION AND RECOMMENDATIONS:**

**Background:** Three (3) dwelling units were legally constructed on the site. The present zoning district allows two (2) dwelling units, one on each platted lot. One (1) unit is now considered abandoned for failure to maintain business tax certificates. The applicant has also applied for reinstatement of one (1) dwelling, which must be approved before the grandfathered unit can be redeveloped (see Staff Report for Case #15-5200004). The Code provides for redevelopment of grandfathered uses, subject to the Commission's approval of a redevelopment plan.

**The Request:** The applicant seeks approval of a site plan to use one of the grandfathered dwelling units to redevelop the property with two (2) single-family dwellings and one (1) accessory dwelling unit. One single-family dwelling is proposed on Lot 16 (the easternmost lot); one-single family dwelling and one accessory dwelling unit is proposed on Lot 17 (the westernmost lot). The proposed plan requires no variances.

**Current Proposal:**

The proposed plan proposes demolition of the existing single-family dwelling and two accessory dwelling units. Two single-family dwellings and one accessory dwelling unit are proposed. The

two single-family structures are oriented toward the front roadway. Both structures include a covered entry porch. A total of six parking spaces will be provided, three on each lot. Detached, double-bay garages which are oriented towards the alley are proposed for both properties. A driveway is also provided which will provide for an additional space on each lot.

**Redevelopment Criterion:**

Pursuant to Code Section 16.70.040.1.15, an application for redevelopment must be reviewed for compliance with certain criterion. An analysis follows, based on the City Code criterion to be considered by the Commission.

1. **Building Type.** *Structures shall be required to match the predominate building type in the block face across the street.*

A majority of structures on the opposite side of the street from the subject property are two-story single-family homes.

2. **Building Setbacks.** *Structures shall be required to match the predominate building setbacks in the block face across the street.*

The placement of the structure within the redevelopment plan meets or exceeds the predominant setback of the structures in the block face across the street. The proposed development meets minimum setback requirements as specified in Section 16.20.010.6 of the Land Development Regulations. See attached site plan.

3. **Building Scale.** *Structures shall be required to match the predominate building type, setbacks and scale in the block face across the street.*

The context on the block face is mixed. There are a number of one-story single-family residences on the same side of the block face as the subject property, however a majority of structures on the opposite side of 13th Avenue North are two-story structures. The proposed two-story structures meet the height requirements of the zoning district; see attached elevations.

4. **Site Development.** *Structures shall be required to match the predominate development pattern in the block face across the street. If alley access exists on the proposed site, garages and parking areas shall be designed for alley use.*

The predominant development pattern in the block face across the street consists of principal structures oriented to the front roadway with garages and parking areas accessed from the rear alley. The proposed redevelopment plan is consistent with this development pattern.

5. **Building Mass.** *Building Mass shall be regulated by building setbacks and floor area ratio (FAR). The maximum FAR shall be existing FAR of the property prior to redevelopment or 0.50 FAR, whichever is greater.*

The proposed development has an overall F.A.R. of .49, per calculations provided by the applicant's architect, attached to Staff Report.

6. **Building Height.** *Residential structures for a project less than a city block shall comply with the following building height and roof design requirements: i. The maximum height shall not exceed 24 feet to the eave line and 36 feet to the peak of the roof for primary*

---

*structures, ii. The maximum height shall not exceed 20 feet to the eave line and 32 feet to the peak of the roof for secondary or accessory structures, iii. The maximum slope of any roof angle shall not exceed 12/12. iv. Dormers shall not exceed 50-percent of any roof surface.*

The proposed structure is compliant to the applicable building height regulations. Roof slopes are appropriate.

- 7. Development Across Multiple Lots.** *Structures shall be separated by zoning district setbacks, however, if not separated by zoning district setbacks, there shall be a break in the building and roof planes at each original lot line which shall be equal to or greater than the combined side yard setbacks that would be required for each lot.*

Structures are to be separated by applicable setback requirements of the zoning district.

- 8. Single Corner Lots.** *Structures on single corner lots shall be oriented so that the front entrance of the structure faces the legal front yard.*

This criterion is not applicable – the subject property is not a corner lot.

- 9. Traditional Grid Roadway Network.** *For projects equal to or greater than a city block, extensions of the traditional grid roadway network which 1) abut the perimeter of the project area and 2) would be logically extended through the project area shall be required. Compliance with applicable subdivision and public improvement regulations shall be required.*

This criterion is not applicable.

- 10. Non-Traditional Grid Roadway Network.** *For projects equal to or greater than a city block, roadway and pedestrian networks shall meet the following requirements: i. There should be at least two (2) points of entry into the project, ii. Sidewalk connections shall be made to surrounding streets, homes and businesses, iii. Streets shall be stubbed to property lines to allow for roadway extensions into abutting properties which may be developed or are anticipated to be redeveloped in the future.*

This criterion is not applicable.

- 11. Density and Intensity.** *For mobile home park redevelopment, the maximum number of dwelling units shall be equal to the number of legal mobile home spaces(lots) within the park prior to redevelopment, or 140-percent of the maximum density of the future land use designation assigned to the property, whichever is less.*

This criterion is not applicable.

**PUBLIC COMMENTS:**

To Staff's knowledge, the applicant had at least two meetings with the Historic Old Northeast Neighborhood Association to discuss the proposed redevelopment. One neighboring property owner visited the Zoning counter to review the proposed plans and had no objection.

**STAFF RECOMMENDATION:**

Based on a review of the redevelopment application according to the stringent evaluation criteria contained within the City Code, the Development Services Department Staff recommends **APPROVAL** of the requested variance and redevelopment plan, subject to conditions.

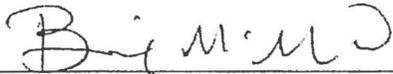
**CONDITIONS OF COMMISSION ACTION:**

If the application is approved consistent with the site plan and elevations submitted with this application, the Planning and Economic Development Department Staff recommends that the approval shall be subject to the following conditions:

1. The applicant shall submit building plans by April 1, 2018. The plans submitted for permitting shall substantially resemble the plans submitted as a part of this application. Significant modifications to the plans shall require a new application and public hearing.
2. The plans submitted for permitting shall include all necessary information to demonstrate compliance with the landscaping and irrigation requirements pursuant to Section 16.40.060.2.13 of the City Code.
3. Lot 17 shall be allowed one (1) accessory dwelling unit, pursuant to Reinstatement Case #15-52000004.

Report Prepared By:

Report Approved By:



---

BRITTANY MCMULLEN  
Planner II  
Development Review Services Division  
Planning & Economic Development Dept.



---

ELIZABETH ABERNETHY, AICP  
Zoning Official  
Development Review Services Division  
Planning & Economic Development Dept.

Attachments: plat map, aerial, project narrative, F.A.R. calculations, site plan, floor plans, elevation plans.



City of St. Petersburg, Florida  
 Planning and Economic Development Department  
 Development Review Commission (DRC)  
 Case No.: 15-51000001  
 Address: 224 13<sup>th</sup> Avenue North





City of St. Petersburg, Florida  
Planning and Economic Development Department  
Development Review Commission (DRC)  
Case No.: 15-51000001  
Address: 224 13<sup>th</sup> Avenue North





**City of St. Petersburg**

Post Office Box 2842  
St. Petersburg, Florida 33731-2842  
St. Pete-TV Channels: 15 • 615 • 20  
Telephone: 727-893-7171

April 6, 2015

Main Real Estate Holdings, LLC  
1875 Brightwaters Blvd NE  
St. Petersburg, FL 33704

Re: DRC Case: #15-52000004  
Address: 224 13<sup>th</sup> Avenue North  
Parcel ID No.: 18-31-17-43650-0050-0160  
Request: Approval of Reinstatement of one (1) unit to allow redevelopment for two (2) single-family residences and one (1) accessory dwelling unit.

Dear Main Real Estate Holdings, LLC:

The Development Review Commission (DRC) at its meeting of April 1, 2015, **APPROVED** by a vote of 7-0 the above-referenced request subject to the conditions in the Staff Report and conditions as specified in the Vote Record. While a copy of the Staff Report and Vote Record are enclosed, the special conditions are as follows:

1. The applicant shall submit building plans by April 1, 2018. The plans submitted for permitting shall substantially resemble the plans submitted as a part of the related Redevelopment Plan application (Case #15-51000001).
2. The applicant shall contact the City's Business Tax Division and obtain all necessary business Tax Certificates following issuance of the Certificate of Occupancy.
3. Failure to comply with the Commission's action by the applicant or any new property owner will result in the loss of reinstatement of the abandoned units. The Commission's action is applicable to the property, regardless of ownership. When the property is sold, the new property owner must also meet the conditions of reinstatement or eliminate the abandoned dwelling units.

Please submit a copy of this letter with any building permit application.

If there are any questions, please contact our office (727) 892-5498.

Sincerely,

Elizabeth Abernethy, AICP  
Zoning Official

ec: Andy Dohmen

EA:pc  
Enc.



# VARIANCE

Application No. 19-54000066

All applications are to be filled out completely and correctly. The application shall be submitted to the City of St. Petersburg's Development Review Services Division, located on the 1<sup>st</sup> floor of the Municipal Services Building, One Fourth Street North.

GENERAL INFORMATION	
<b>NAME of APPLICANT (Property Owner):</b> Main Real Estate Holdings, LLC	
Street Address: 1875 Brightwaters Boulevard NE	
City, State, Zip: St. Petersburg, FL 33704	
Telephone No: 727-894-2907	Email Address: jets1875@gmail.com
<b>NAME of AGENT or REPRESENTATIVE:</b> Harvey A. Ford, Esq.	
Street Address: 100 Second Ave South, Suite 900	
City, State, Zip: St. Petersburg, FL 33701 (727)894-2907	
Telephone No:	Email Address: harvey.ford@fordpa.com
<b>PROPERTY INFORMATION:</b>	
Street Address or General Location: 224 and 226 13th Ave N, St. Petersburg, FL 33701	
Parcel ID#(s): 18-31-17-43560-005-0160 and 18-31-17-43560-005-0170	
<b>DESCRIPTION OF REQUEST:</b> Variances as to lot size and width	
<b>PRE-APPLICATION DATE:</b> August 2, 2019 <b>PLANNER:</b> Jennifer Bryla and Scot Bolyard	

FEE SCHEDULE			
1 & 2 Unit, Residential - 1 <sup>st</sup> Variance	\$350.00	Each Additional Variance	\$100.00
3 or more Units & Non-Residential - 1 <sup>st</sup> Variance	\$350.00	After-the-Fact	\$500.00
		Docks	\$400.00
		Flood Elevation	\$300.00
Cash, credit, checks made payable to "City of St. Petersburg"			

## AUTHORIZATION

City Staff and the designated Commission may visit the subject property during review of the requested variance. Any Code violations on the property that are noted during the inspections will be referred to the City's Codes Compliance Assistance Department.

The applicant, by filing this application, agrees he or she will comply with the decision(s) regarding this application and conform to all conditions of approval. The applicant's signature affirms that all information contained within this application has been completed, and that the applicant understands that processing this application may involve substantial time and expense. Filing an application does not guarantee approval, and denial or withdrawal of an application does not result in remittance of the application fee.

**NOTE: IT IS INCUMBENT UPON THE APPLICANT TO SUBMIT CORRECT INFORMATION. ANY MISLEADING, DECEPTIVE, INCOMPLETE, OR INCORRECT INFORMATION MAY INVALIDATE YOUR APPROVAL.**

Signature of Owner / Agent\*:  Date: August 20, 2019  
 \*Affidavit to Authorize Agent required, if signed by Agent.  
 Typed Name of Signatory: Harvey A. Ford, Esq.



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

DEVELOPMENT REVIEW COMMISSION  
AFFIDAVIT TO AUTHORIZE AGENT

I am (we are) the owner(s) and record title holder(s) of the property noted herein

Property Owner's Name: Main Real Estate Holdings, LLC

This property constitutes the property for which the following request is made

Property Address: 224 and 226 13<sup>th</sup> Av N, St. Pete 33701

Parcel ID No.: 18-31-17-43560-005-0160 AND 18-31-17-43560-005-0170

Request: Variations for both lots as to lot size and width.

The undersigned has(have) appointed and does(do) appoint the following agent(s) to execute any application(s) or other documentation necessary to effectuate such application(s)

Agent's Name(s): Harvey A. Ford, esq.

This affidavit has been executed to induce the City of St. Petersburg, Florida, to consider and act on the above described property.

I (we), the undersigned authority, hereby certify that the foregoing is true and correct.

Signature (owner): [Signature] Timothy L. Main, as Manager of  
Printed Name Main Real Estate Holdings, LLC

Sworn to and subscribed on this date

Identification or personally known: Timothy L. Main

Notary Signature: [Signature] Date: 8-02-19  
Commission Expiration (Stamp or date):

7/1/22

CAROLYN J WALLACE  
Notary Public, State of Michigan  
County Of Benzie

My Commission Expires 07-01-2022  
Acting in the County of Benzie

City of St. Petersburg - One 4<sup>th</sup> Street North - PO Box 2842 - St. Petersburg, FL 33731-2842 - (727) 893-7471  
[www.stpete.org/ldr](http://www.stpete.org/ldr)





## Shervon A. Chambliss

---

**From:** Harvey Ford <harvey.ford@fordpa.com>  
**Sent:** Tuesday, October 01, 2019 4:25 PM  
**To:** marionlee50@aol.com  
**Cc:** Shervon A. Chambliss  
**Subject:** St. Petersburg Downtown Residents Civic Association, Inc.; 224 and 226 13th Ave N, St. Pete, FL  
**Attachments:** Variance App.pdf

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr Lee,

We spoke a few months ago re 2 single family homes that my client is planning to build at 224 and 226 13<sup>th</sup> Av N. I believe you mentioned that you are no longer the President, but I do not have the current president's name. I described my client's plans, but you confirmed to me that this project is not within the boundaries of your Association and that the Assn would, therefore, not comment on the plans. We subsequently filed an Application for some variances and the City has asked that I email this fact to you.

I have attached the Application to this email. The Application is a Public Record at the City.

I have already advised the City of the Association's posture on this, but they wanted me to send you an email nonetheless.

Thank you for your time and please forward to the new President if appropriate. No response is required.

**Harvey A. Ford | Attorney at Law**  
**Ford & Ford, P.A.**  
100 Second Avenue South, Suite 900  
St. Petersburg, Florida 33701  
(727) 894-2907 ext. 233  
[www.fordpa.com](http://www.fordpa.com)

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## Scot K. Bolyard

---

**From:** Harvey Ford <harvey.ford@fordpa.com>  
**Sent:** Monday, September 09, 2019 11:38 AM  
**To:** Michael W. Larimore; Scot K. Bolyard  
**Subject:** FW: 13th Ave Houses

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mike,

This is the response we received from HONNA (Robin Reed). We have not agreed or disagreed re their FAR recommendations, but we know we need 0.8 and 1.0 FAR bonuses and we will be adding those to the plans as soon the architect gets to it.

Thanks

Harvey A. Ford | Attorney at Law  
Ford & Ford, P.A.  
(727) 894-2907 ext. 233  
[www.fordpa.com](http://www.fordpa.com)

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**From:** Robin Reed <rlreed@tampabay.rr.com>  
**Sent:** Wednesday, August 28, 2019 9:52 AM  
**To:** Harvey Ford <harvey.ford@fordpa.com>  
**Cc:** 'Natalie DeVicente' <natalie@southernrootsrealty.com>; 'Doug Gillespie' <dgillespie602@gmail.com>; 'Charleen McGrath' <treasurer@honna.org>; 'Kim Wolfe' <kimbyflies@yahoo.com>; 'Robin Reed' <rlreed@tampabay.rr.com>  
**Subject:** 13th Ave Houses

Good morning Harvey,

The committee, which includes an architect, would like to offer the following suggestions for meeting the FAR, adding authenticity to the proposed houses, and filling in gaps in the neighborhood's tree canopy.

1. Using the .8 bonus for three-dimensional muntins in the windows of both houses
2. Using shingles rather than tin for the porch roofs of both houses. It is historically a more appropriate material and adds continuity of materials to both projects.
3. Planting four large oak trees in the parkway in front of the two houses. There is a bonus for planting an oak in the front yard, but we believe the city would find the 2 for 1 proposal sufficient to meet the bonus criteria. We would heartily support that.

Thank you,  
Robin



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## Shervon A. Chambliss

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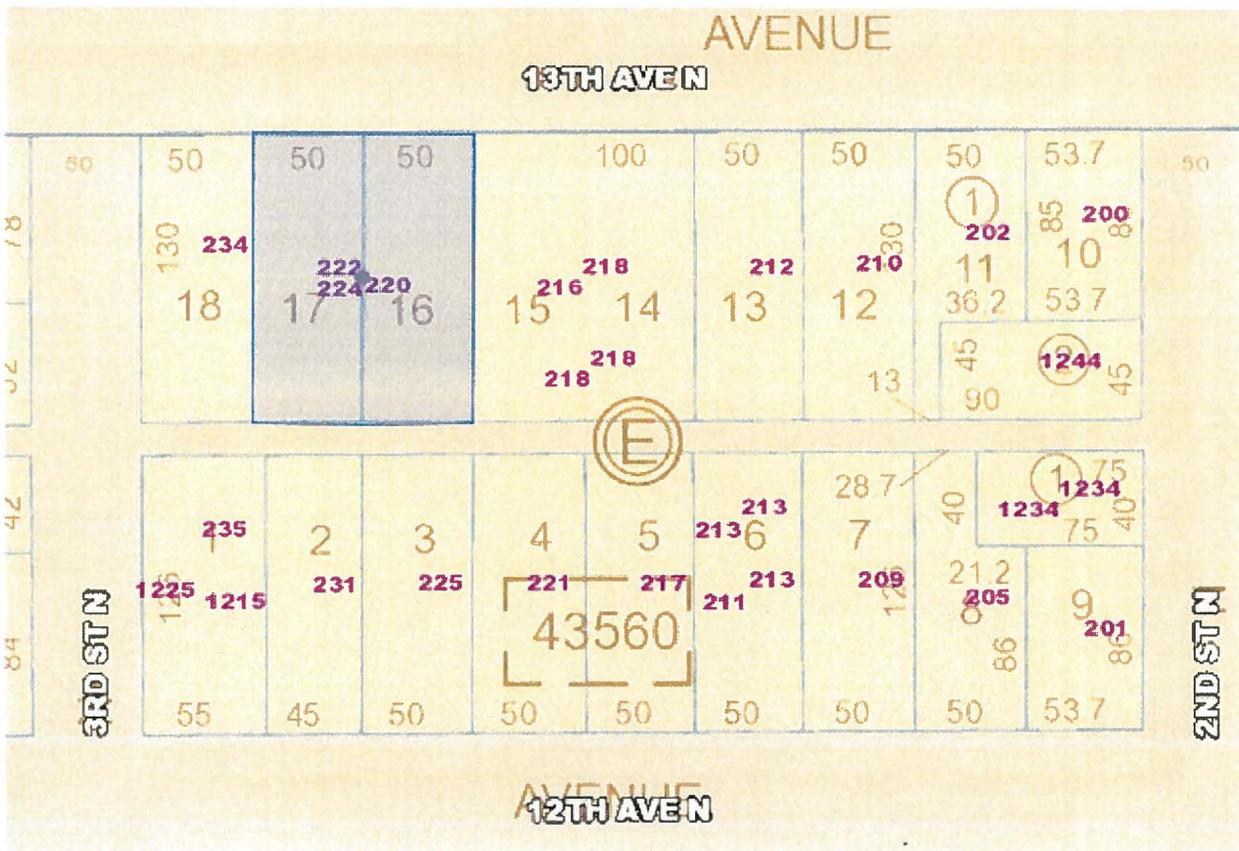
**From:** Shervon A. Chambliss  
**Sent:** Thursday, November 14, 2019 4:49 PM  
**To:** Laura Smith  
**Subject:** RE: Public Hearing case 19-54000066  
**Attachments:** 15-51000001 Application.pdf; 15-51000001 Approval Letter.pdf; 15-51000001 Staff Report.pdf; 15-51000001 Voting Record.pdf; 15-51000001 Plans.pdf

Good Day,

Would you be able to tell me what is being done to mitigate the parking situation if they are increasing the density? They have taken away much of the guest parking along the street in that area. This increase in density would seem to me to exacerbate the guest parking problem. The application does not propose to increase density beyond what is currently permitted for properties zoned (NT-3). All previously recognized grandfathered density has been lost for failure to act on a previously approved Redevelopment Plan (15-51000001), which has expired. Currently the NT-3 zoning district allows one principal single family dwelling. All applicable parking standards for single-family residential development will be required at the time of permitting. This application requests no variances to the on-site single-family parking requirement at this time.

Also, what are the plans for what is to be built?

The subject properties previously received the approval of a Redevelopment Plan to demolish and rebuild three dwelling units. Since the property owner demolished the three units prior to acting on the previously approved Redevelopment Plan, the grandfathered density was lost. The applicant proposes to construct two single-family homes with detached accessory living spaces on two separate lots. The requested variances would be to make each lot buildable. The each lot would revert back to their original lot size of 50-feet wide, with lot areas of approximately 6,500 square feet (see map illustration below).



(Attached what are the setbacks from my property? Thanks for any information that you can provide. Your property is zoned NT-3 (Neighborhood Traditional Single Family) also. A weblink for the district regulations is provided below in this email. The setbacks vary based on the height of a structure in relation to its proximity to a property line.

16.20.010 - NT: NEIGHBORHOOD TRADITIONAL SINGLE-FAMILY (NT-1, NT-2, NT-3 & NT-4)

Hope this helps!

Regards,

Shervon Chambliss, Planner I  
 Planning and Development Services  
 City of St. Petersburg  
 1 Fourth St N, St. Petersburg, FL 33701  
 727-893-4238

**From:** Laura Smith <laurasmith2020@gmail.com>  
**Sent:** Wednesday, November 13, 2019 8:31 AM  
**To:** Shervon A. Chambliss <shervon.chambliss@stpete.org>  
**Subject:** Public Hearing case 19-54000066

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Shervon,

I hope that your week is going well.

I am contacting you about the above referenced case.

I own the property next door at 234 13th Ave N.

Would you be able to tell me what is being done to mitigate the parking situation if they are increasing the density?

They have taken away much of the guest parking along the street in that area. This increase in density would seem to me to exacerbate the guest parking problem.

Also, what are the plans for what is to be built? what are the setbacks from my property? Thanks for any information that you can provide.

Best Regards,

Laura

## Shervon A. Chambliss

---

**From:** Shane P. Largent  
**Sent:** Wednesday, November 20, 2019 11:10 AM  
**To:** Shervon A. Chambliss  
**Subject:** 224 13th Ave NE

Hello Shervon,

I visited the vacant subject property. The large tree located towards the rear of the site is a Laurel Oak. The subject Laurel Oak is in significant decline with cavities, basal flashing, visible hollowing and failed branches. Tree preservation efforts won't be necessary going forward. I also noted a few trees located along the east and west side property lines. These trees appear to be Chinaberry trees which are an invasive species and are not Code protected.

I hope this helps. Thanks.

-Shane

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

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## **STAFF REPORT**

### **DEVELOPMENT REVIEW COMMISSION - VARIANCE REQUEST PUBLIC HEARING**

For **Public Hearing** and **Executive Action** on **Wednesday, December 4, 2019** beginning at 2:00 P.M., at the Sunshine Center (Auditorium), 330 5<sup>th</sup> Street North, St. Petersburg, Florida.

According to Planning & Development Services Department records, **no Commission member** resides or has a place of business within 2,000 feet of the subject property. All other possible conflicts should be declared upon the announcement of the item.

CASE NO.: 19-54000071 PLAT SHEET: O-31

REQUEST: Approval of an after-the-fact sign variance in a CCS-1 zoning district from 64 square-feet allowed to 300.36 square-feet proposed and from 20-feet tall allowed to 32-feet tall proposed to allow an existing oversized and over height freestanding sign to remain.

OWNER: Isla Del Sol Shoppers Village, LLC  
2605 Enterprise Road East, Suite 230  
Clearwater, Florida 33759

AGENT: Christopher Wicks, II  
Global Sign & Awning  
182 Kapp Drive  
Clearwater, Florida 33765

ADDRESS: 5901 Sun Boulevard

PARCEL ID NO.: 08-32-16-05647-001-0202

LEGAL DESCRIPTION: On File

ZONING: Corridor Commercial Suburban (CCS-1)

Structure	Required	Requested	Variance	Magnitude
<b>Accessory Living Area and Attached Garage</b>				
<b>Sign Height</b>	<b>20-feet</b>	<b>32-feet</b>	<b>12-feet</b>	<b>160%</b>
<b>Sign Area</b>	<b>64 sq. ft.</b>	<b>300.36 sq. ft.</b>	<b>236.36 sq. ft.</b>	<b>369%</b>

**BACKGROUND:** The Isla Del Sol Shopper’s village is the only shopping center in the Isla Del Sol area. The shopping center abuts the Isla Del Sol Yacht and Country Club to the West, a portion of the Country Club’s golf course to the East, and Pinellas Bayway to the South. Isla Del Sol is then occupied by several multi-family developments. The multi-family developments are zoned Neighborhood Suburban Multi-family (NSM-1). The golf course is zoned Neighborhood Suburban Estate (NSE). The Isla Del Sol Shopper’s Village and Isla Del Sol Yacht and Country Club are zoned Corridor Commercial Suburban (CCS-1). On October 3<sup>rd</sup>, 1979, the Environmental Development Committee approved this shopping center for retail use (SE-474). Since that time, some of the space was converted to restaurant space. The latest Site Plan Review related to this property was approved in 1991 to allow a veterinary office use within the shopping center with a variance to parking. Included, as a condition of approval to this Site Plan Review, was the requirement that all signs be in accordance with the Sign Ordinance in the City Code. See the attached Site Plan Review (SPR-811) for more information.

This after-the-fact sign variance is in response to the owner of the Isla Del Sol shopping plaza demolishing one of their two freestanding signs and replacing it with a new one that could not be approved by today’s code. The sign that was replaced was constructed in 1997. According to building permit records, that sign had a 36-foot front yard setback and a 300-foot separation between itself and another freestanding sign along that frontage. This sign was a two-sided, double pole sign, which was 22-feet in overall height and had two sign cabinets. The top sign cabinet was 57.75 square feet, the bottom sign cabinet was 49.5 square feet, resulting in a total of 107.25 square feet of sign area previously existing on that structure. The building permit for this sign is attached at the end of this report. On the same parcel and in the same yard, Regions Bank was approved for a 93.4 square foot freestanding pole sign with one cabinet on May 8<sup>th</sup>, 2007. The building permit for this sign is also attached at the end of this report.

A Code’s Compliance case was opened on March 19<sup>th</sup>, 2019 on the new sign while it was still under construction. The old sign had fallen into disrepair, and according to the applicant, the steel within the structure was no longer structurally safe. Per section 16.40.120.9 on nonconforming signs, “Except as provided in [the] sign code, a sign shall not be erected, raised, moved, placed, reconstructed, extended, enlarged, or altered, unless in conformity with [the] sign code. Nonconforming signs may be maintained or repaired. However, if a nonconforming sign is relocated or replaced, repaired or structurally altered by more than 25 percent of the replacement cost of the existing sign, the sign shall be made to conform to [the] sign code.” Furthermore, per section 16.60.030.4, should a nonconforming structure be damaged by any means to an extent of more than 75 percent of its current replacement value, it shall not be reconstructed or repaired except in conformity with the provisions of the Land Development Regulations. Thus, the old sign would have lost its grandfathered status. The property would then need to conform to the requirements of the sign code. Current sign allowances are as followed:

**16.40.120.5.5 - Freestanding signs—Requirements for placement, area, and height.**

Zoning District	# Allowed	Maximum Sign Area	Max Height
Corridor Commercial Suburban (CCS)	One if sign greater than eight ft. tall; Two if all signs are eight ft. in height or less if property has minimum of 100 ft. of frontage	One square foot per linear foot up to a maximum of 64 sq. ft. per sign face	20 ft.

**CONSISTENCY REVIEW COMMENTS:** The Planning and Development Services Department staff reviewed this application in the context of the following criteria excerpted from the City Code and found that the requested variance is **inconsistent** with these standards. Per City Code Section 16.70.040.1.6 Variances, Generally, the DRC’s decision shall be guided by the following factors:

1. *Special conditions exist which are peculiar to the land, building, or other structures for which the variance is sought and which do not apply generally to lands, buildings, or other structures in the same district. Special conditions to be considered shall include, but not be limited to, the following circumstances:*
  - a. *Redevelopment. If the site involves the redevelopment or utilization of an existing developed or partially developed site.*

The sign that was replaced without a permit was nonconforming in height and sign area by today’s code. The overall height of that sign was 21-feet, which is 1-foot taller than what would be allowed today. The sign was also 107.25 square feet, which is 43.25 square feet larger than what could be allowed today. Additionally, the parcel contains two freestanding signs in one yard. By today’s code, both signs would need to be 8-feet tall or less to be within the same yard.

- b. *Substandard Lot(s). If the site involves the utilization of an existing legal nonconforming lot(s) which is smaller in width, length or area from the minimum lot requirements of the district.*

The lot exceeds the standard dimensions to be buildable by today’s code.

- c. *Preservation district. If the site contains a designated preservation district.*

The site is not in a preservation district.

- d. *Historic Resources. If the site contains historical significance.*

There are no historic resources involved with this case.

- e. *Significant vegetation or natural features. If the site contains significant vegetation or other natural features.*

There are no significant vegetative or natural resources involved with this case.

- f. *Neighborhood Character. If the proposed project promotes the established historic or traditional development pattern of a block face, including setbacks, building height, and other dimensional requirements.*

The proposed sign does not promote the character of the neighborhood. Generally, the area is residential in character with only this one commercial shopping center nearby. This shopping center is not competing with nearby businesses for visibility.

- g. *Public Facilities. If the proposed project involves the development of public parks, public facilities, schools, public utilities or hospitals.*

This case does not involve public facilities.

2. *The special conditions existing are not the result of the actions of the applicant;*

The need for this after-the-fact variance is the result of actions taken by the applicant. The applicant did not apply for a permit before demolishing the previous sign and erecting the current one. If a permit was pulled, the applicant would have been told that this sign is much larger and taller than what could be permitted on the site.

3. *Owing to the special conditions, a literal enforcement of this Chapter would result in unnecessary hardship;*

There are no special conditions existing on this site that would result in unnecessary hardship for the applicant. The shopping center is located close enough to the street such that the tenant wall signs on the building can be seen from the road. There is no significant vegetation blocking the visibility of the freestanding signs or building signs existing on the property.

4. *Strict application of the provisions of this chapter would provide the applicant with no means for reasonable use of the land, buildings, or other structures;*

The applicant would retain all reasonable use of the property if a strict application of this code was applied. The allowable building and freestanding signage possible on the site is similar to other such properties with the same zoning designation.

5. *The variance requested is the minimum variance that will make possible the reasonable use of the land, building, or other structure;*

The requested sign variance is excessive by today's standards. The requested sign area amounts to 369% of what is allowed by today's code for sign area and 160% of what is allowed for sign height by today's code.

6. *The granting of the variance will be in harmony with the general purpose and intent of this chapter;*

This request is not consistent with the intent of the Land Development Regulations. As stated in section 16.60.030, the "regulations permit nonconformities to continue until they are removed by economic or other forces. These regulations do not encourage the survival of nonconformities and do not allow nonconformities to be enlarged upon, expanded, or extended. Existing nonconformities shall not be used to justify the addition of new uses or structures prohibited in the district." Thus, because the sign had fallen into disrepair, it should not have been replaced by a larger sign as it was.

7. *The granting of the variance will not be injurious to neighboring properties or otherwise detrimental to the public welfare; and,*

The granting of this variance would allow the existing sign to remain, though it was not constructed with permit approval. This sign is excessively large, which may be considered a distraction to drivers. It also may be harmful as it stands out against the aesthetic of the area and City.

8. *The reasons set forth in the application justify the granting of a variance;*

The reasons set forth in the application do not justify the granting of this variance. The applicant states that the size of the sign is necessary to provide enough signage for all tenants within the strip within one sign. The application also states that the alternative is to erect additional freestanding signs along Pinellas Bayway. It would not be allowed by current code to erect any additional freestanding signs.

The existing sign allows each tenant more than 8 square feet of sign area. The strip center will need to work within the allowable sign area and height to prioritize sign area for their tenants.

9. *No nonconforming use of neighboring lands, buildings, or other structures, legal or illegal, in the same district, and no permitted use of lands, buildings, or other structures in adjacent districts shall be considered as grounds for issuance of a variance permitting similar uses.*

No nonconforming use was considered as grounds for the issuance for this variance.

**PUBLIC COMMENTS:** The subject property is within the boundaries of the Isla Del Sol Neighborhood Association. The applicant mailed a certified letter notifying the president of the association that this variance is being requested. Staff has had no response from the neighborhood association. Staff has been contacted by two residents of the Isla Del Sol district. The first resident reached out through email and phone to voice concerns about the size and height of the old and new sign. This resident is informed as to the height and size allowable by code and insists that the subject sign be altered to conform. The referenced emails have been attached at the end of this report. The second resident reached out via telephone to explain their feeling that the current sign is an improvement compared to the old dilapidated sign and causing him to believe that the applicants should not have to tear it down.

**STAFF RECOMMENDATION:** Based on a review of the application according to the stringent evaluation criteria contained within the City Code, the Planning and Development Services Department Staff recommends **DENIAL** of the requested variance.

**CONDITIONS OF APPROVAL:** If the variance is approved consistent with the site plan submitted with this application, the Planning and Development Services Department Staff recommends that the approval shall be subject to the following:

1. An as-built survey shall be provided for the property prior to issuance of any permits. The survey shall show the setbacks of the subject freestanding sign to the front property line, the distance to the roadway, and the distance to the existing pole sign at Regions bank. If the sign does not meet the required 10-foot setback to the front property line, a new variance will be required.

2. The plans and elevations submitted for permitting should substantially resemble the plans and elevations submitted with this application.
3. This variance approval shall be valid through December 4th, 2022. Substantial construction shall commence prior to this expiration date. A request for extension must be filed in writing prior to the expiration date.
4. Approval of this variance does not grant or imply other variances from the City Code or other applicable regulations.

ATTACHMENTS: Aerial map, site plan, elevation drawings, photographs, applicant's narrative, building permit history, Site Plan Review SPR-811, codes compliance, public comment email

Report Prepared By:



Jaime Jones, AICP, Planner I  
Development Review Services Division  
Planning and Development Services Department

11/19/19  
Date

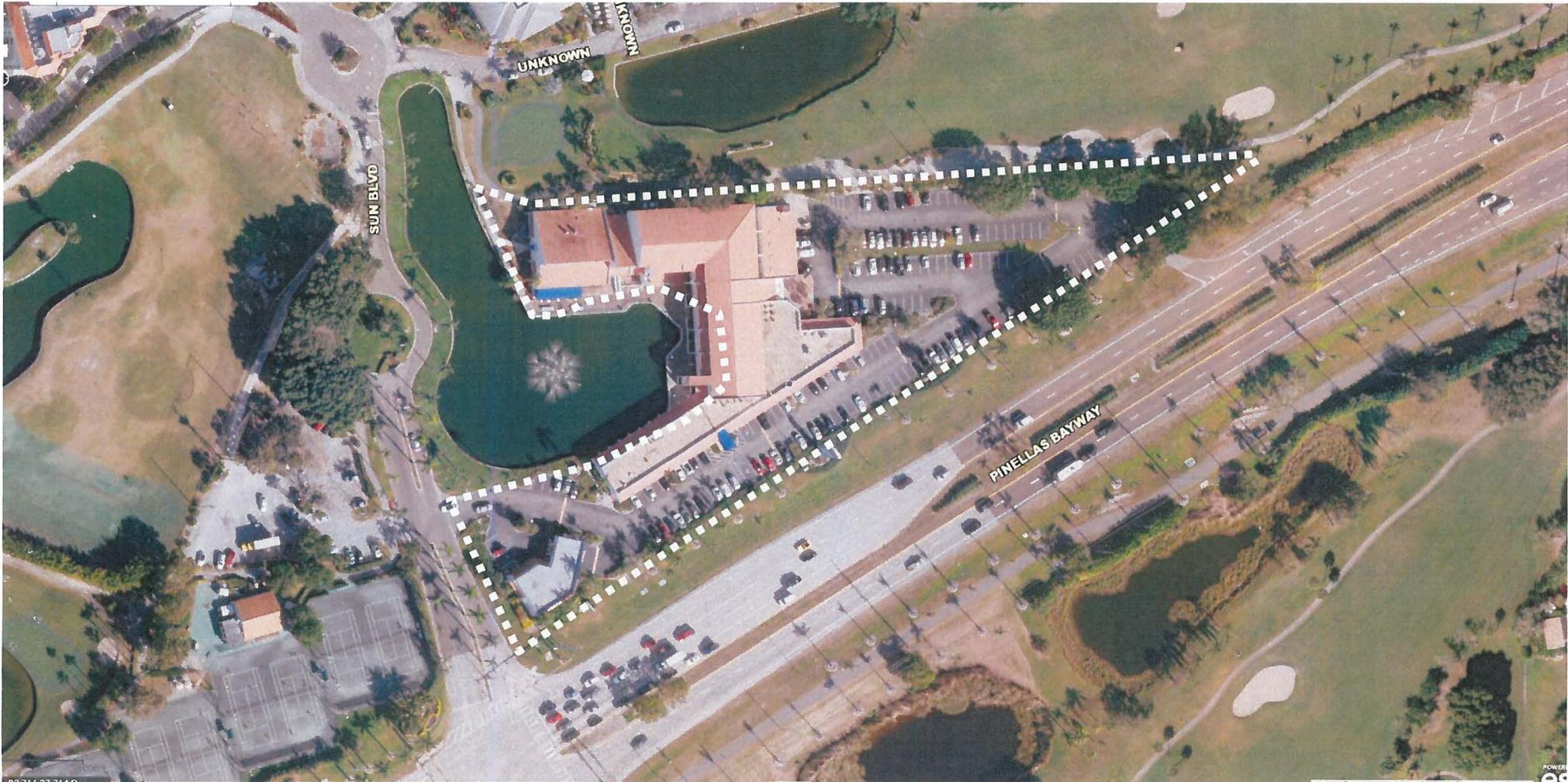
Report Approved By:



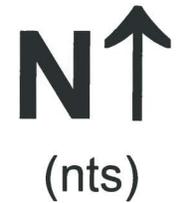
Jennifer Bryla, ACIP, Zoning Official (POD)  
Development Review Services Division  
Planning and Development Services Department

11.19.19  
Date

JCB/JTJ:iw



Project Location Map  
City of St. Petersburg, Florida  
Planning and Development Services  
Department  
Case No.: 19-54000071  
Address: 5901 Sun Boulevard



Sign Location

PARCEL NO. 832516094970010001  
SUNSHINE & COMPANY, INC.  
1000 W. 10TH ST.  
DENVER, CO. 80202

LOT 2

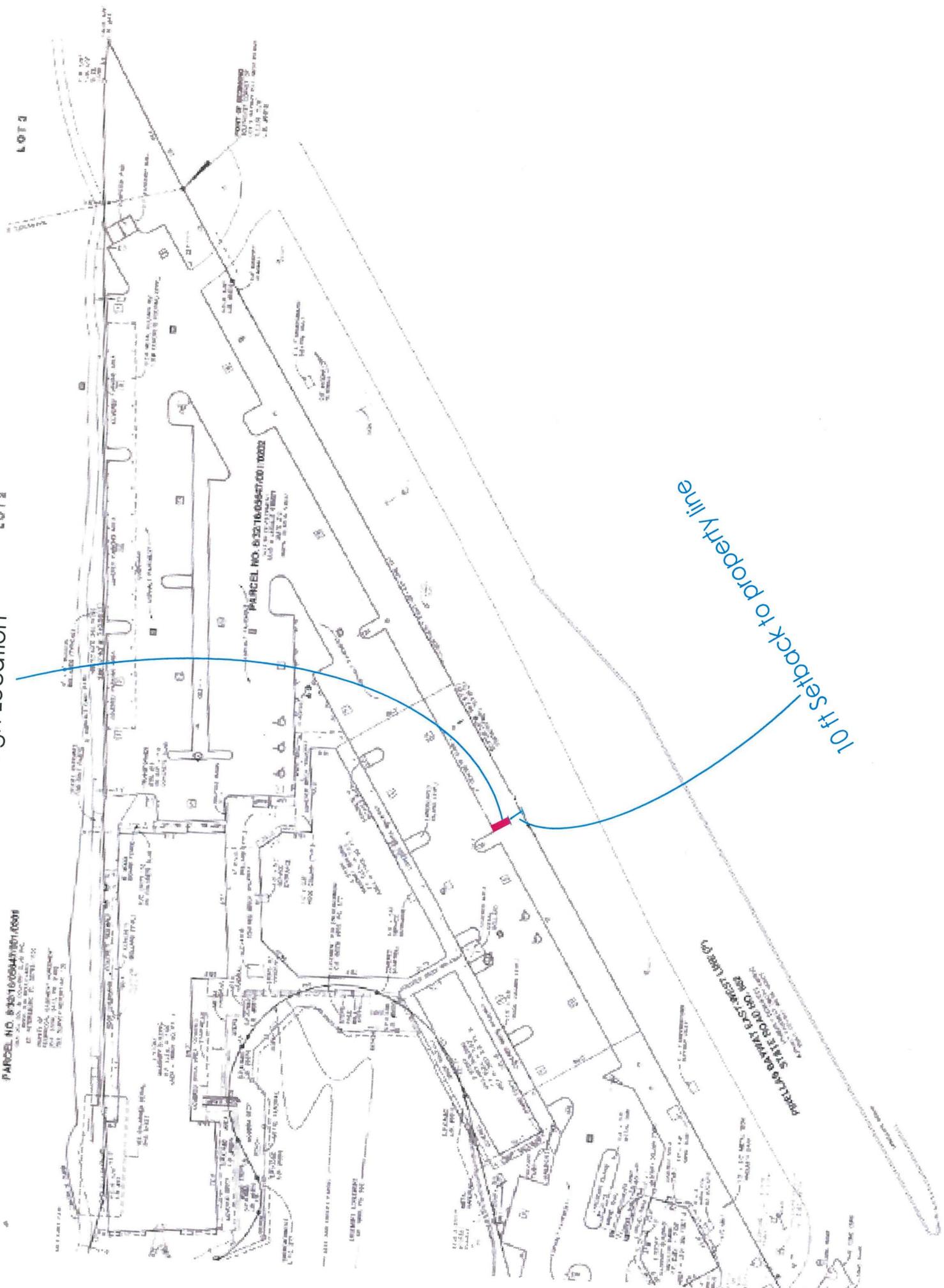
LOT 3

PARCEL NO. 832516094970010002  
SUNSHINE & COMPANY, INC.  
1000 W. 10TH ST.  
DENVER, CO. 80202

CITY OF DENVER  
COUNTY OF DENVER  
1110 ALBERTA ST. DENVER CO. 80202  
C.E. JENSEN

10 ft Setback to property line

60' SETBACK TO PROPERTY LINE  
SUNSHINE & COMPANY, INC.  
1000 W. 10TH ST.  
DENVER, CO. 80202



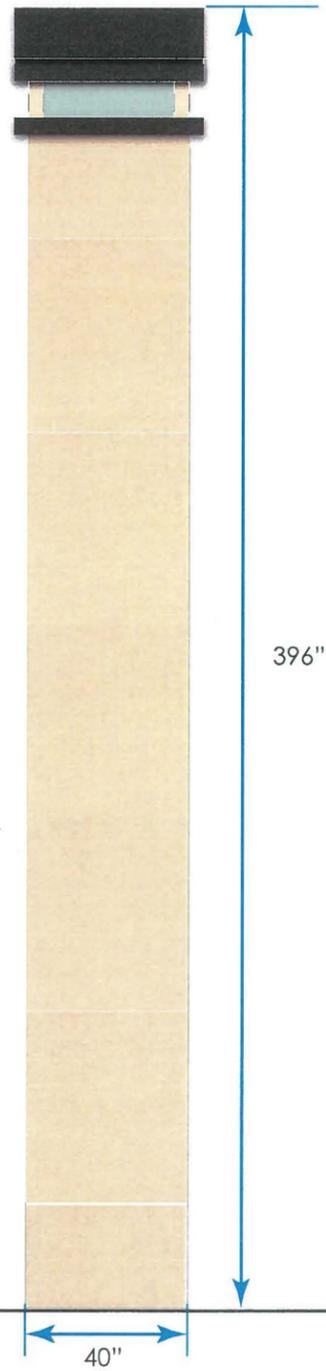
# Exterior Sign

Sign to be fabricated using the following materials:

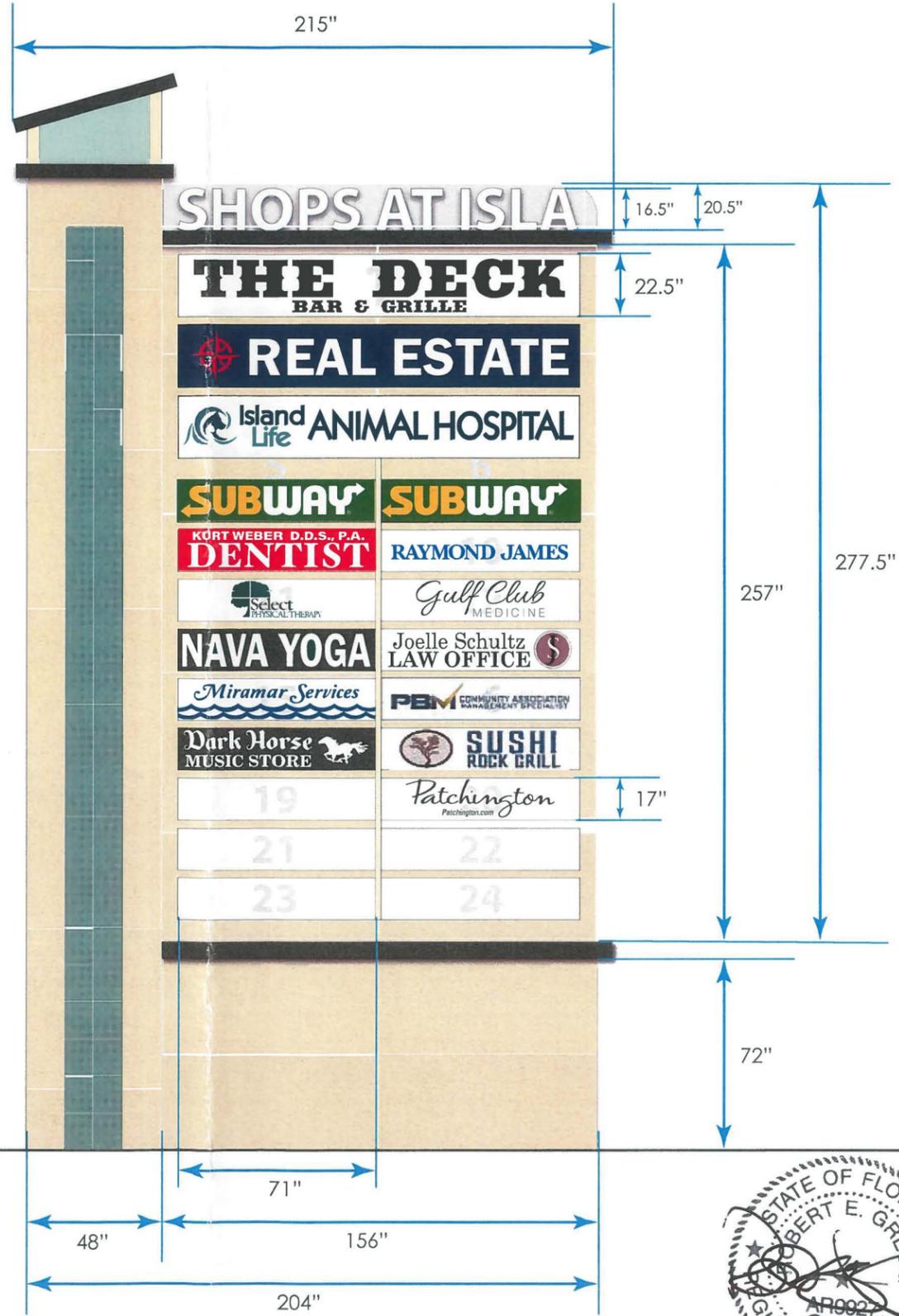
- Frame = Aluminum angle
- Sink = Aluminum
- Illumination = White LEDS (120v)
- Mounting = Steel Poles
- Paint colors:
  - Base = SW - Antler Velvet -9111
  - Trim = Black
  - Revel = SW - Distance - 6243

Sign Area = 156" w x 277.5" h  
Used SF = 300.63 SF

**SIDE**

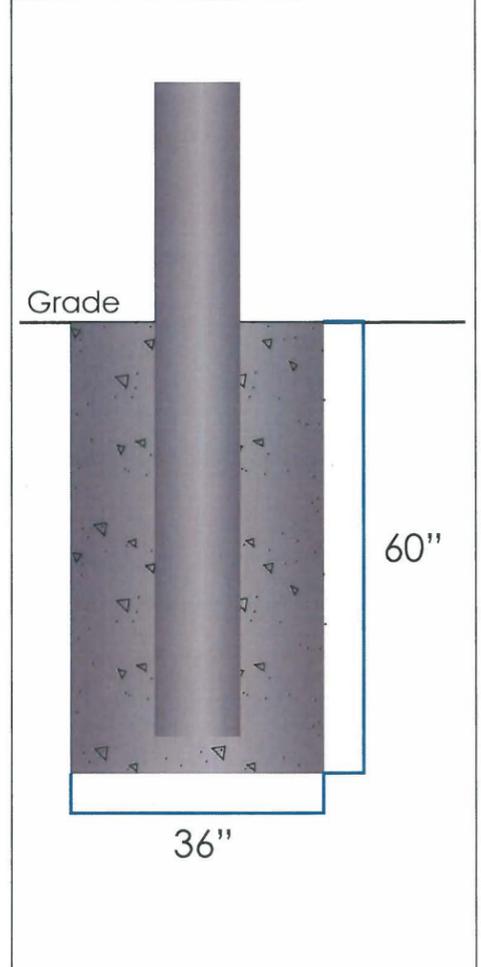


**FRONT**



**PROJECT INFO CENTER** Date: \_\_\_\_\_  
 Phone: 727.724.4169  
 Email: Chris@GlobalSignLight.com  
 Address: 1182 Kapp Dr.  
 Clearwater Fl, 33765  
**GLOBAL SIGN & AWNING** Web: www.GlobalSignLight.com  
 Customer: Retail Property Management, INC.  
 Project: Pylon Sign  
 Completion Date: \_\_\_\_\_  
 Installation Address: 5901 Sun Blvd  
 St. Petersburg, FL 33715

**FOOTING DETAIL**



ALL WIND LOADS MEET 2014 5TH EDITION FLORIDA BUILDING CODE  
 "This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and / or other applicable local codes. This includes proper grounding and bonding of the sign"

**UL Listed** SUITABLE FOR WET LOCATIONS  
 This sign is to be installed in accordance with the requirements of Article 600 of the National electrical code and or other applicable local codes

ALL DESIGNS ARE PROPERTY OF GLOBAL GRAPHIC DESIGN III LLC. DESIGNS MAY NOT BE COPIED OR ALTERED WITHOUT WRITTEN APPROVAL. \*BY SIGNING THE APPROVAL YOU ARE AGREEING THAT ALL COLORS, SIZES AND SPELLING ARE ACCURATE AND ARE AGREEING TO PAY ALL COST ASSOCIATED WITH LISTED PROJECT

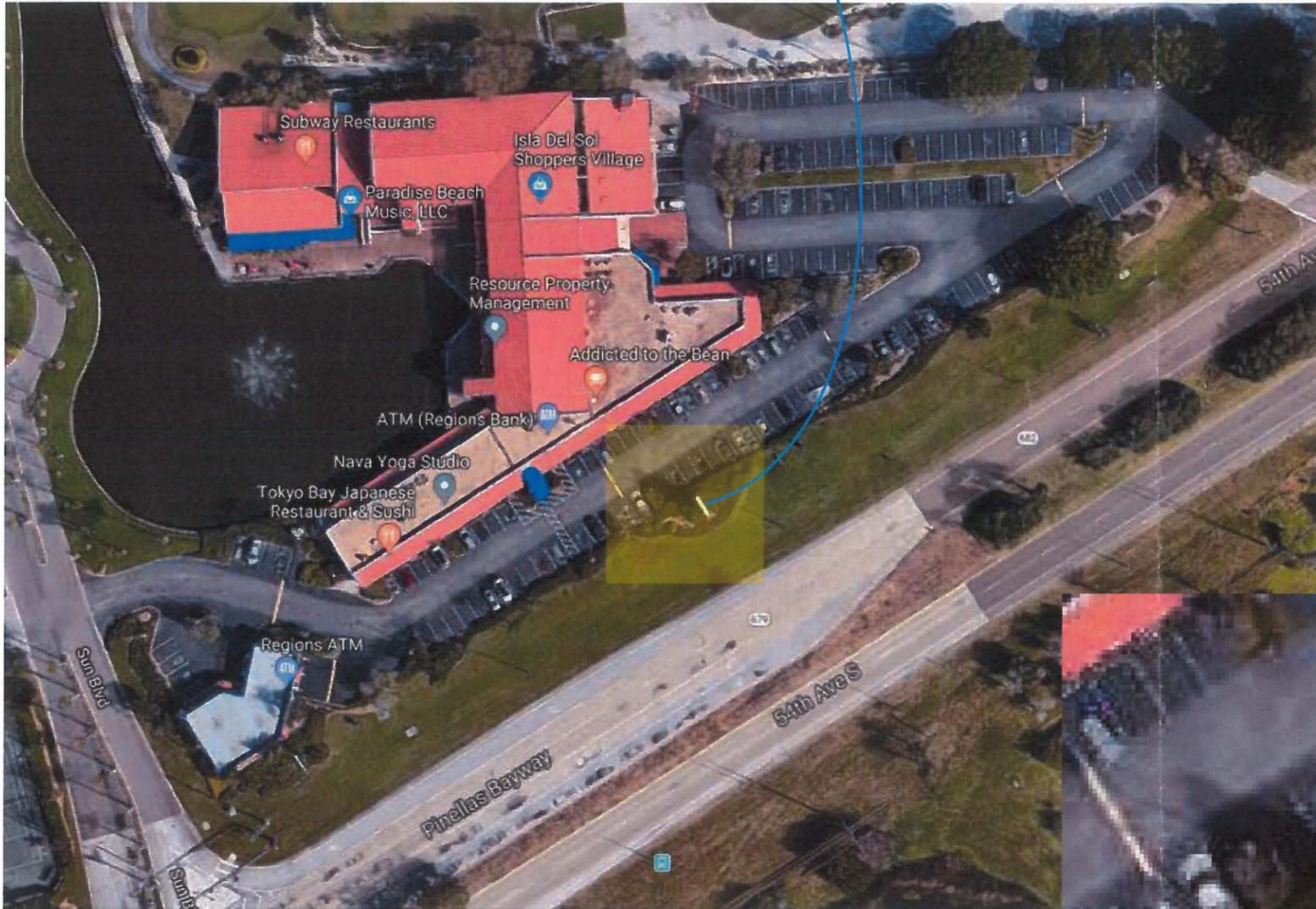
\_\_\_\_\_  
 Date  
 \_\_\_\_\_  
 Customer Signature\*

SIGNS CONFORM TO THE REQUIREMENTS 5TH EDITION (2014) FLORIDA BUILDING CODE SECTION 1609 AND ASCE 7 10 ULTIMATE DESIGN WIND SPEED V(ULT) = 150 MPH EXPOSURE CATEGORY = C RISK CATEGORY = I

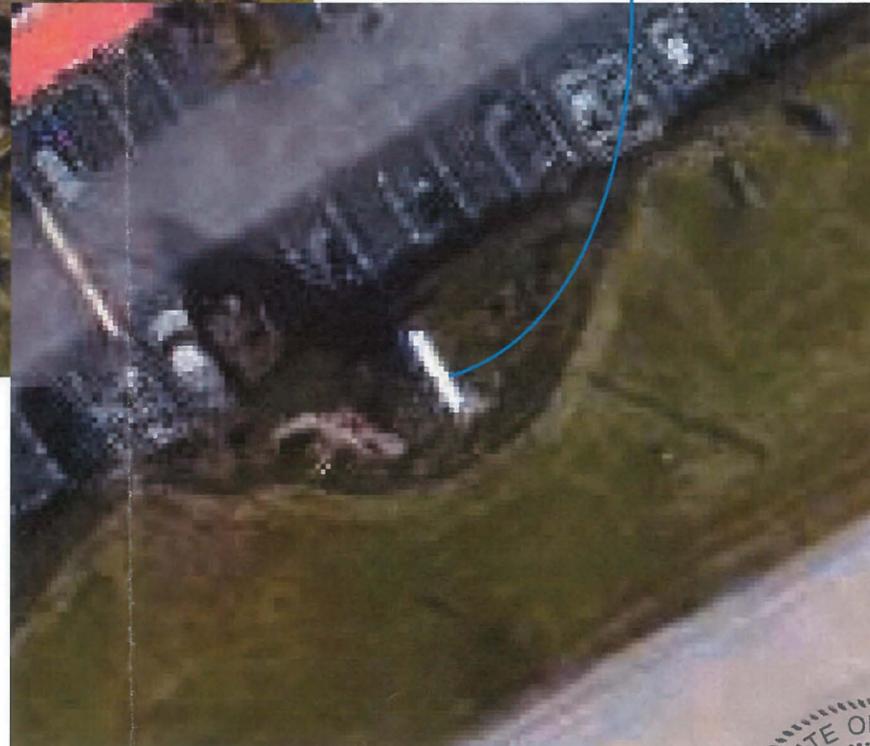


Site Plan

Sign Location

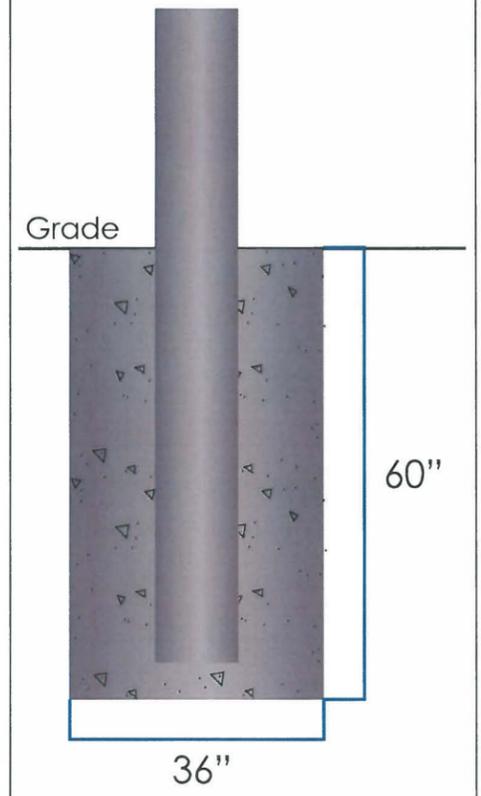


Sign Location



PROJECT INFO CENTER	Date:
	Phone: 727.724.4169
	Email: Chris@GlobalSignLight.com
	Address: 1182 Kapp Dr.
	Clearwater Fl, 33765
	Web: www.GlobalSignLight.com
Customer: Retail Property Management, INC.	
Project: Pylon Sign	
Completion Date:	
Installation Address: 5901 Sun Blvd	
St. Petersburg, Fl 33715	
CUSTOMER CONTACT INFO	
Contact Name: David McComas	
Contact Phone: 727-410-2800	
Contact Email: dmccomas@europeanequities.com	

FOOTING DETAIL



ALL WIND LOADS MEET 2014 5TH EDITION FLORIDA BUILDING CODE

"This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and / or other applicable local codes. This includes proper grounding and bonding of the sign"

 SUITABLE FOR WET LOCATIONS  
This sign is to be installed in accordance with the requirements of Article 600 of the National electrical code and or other applicable local codes

ALL DESIGNS ARE PROPERTY OF GLOBAL GRAPHIC DESIGN III LLC. DESIGNS MAY NOT BE COPIED OR ALTERED WITHOUT WRITTEN APPROVAL. \*BY SIGNING THE APPROVAL YOU ARE AGREEING THAT ALL COLORS, SIZES AND SPELLING ARE ACCURATE AND ARE AGREEING TO PAY ALL COST ASSOCIATED WITH LISTED PROJECT

\_\_\_\_ Date  
\_\_\_\_ Customer Signature\*



JOBS AT ISLA

REAL ESTATE

SUBWAY

DENTIST

NAVA YOGA

Dark Horse MUSIC STORE

Schulz TERRICK

M Club

KYTO BAY



# SIGN VARIANCE

## Applicant Narrative (Page 1)

All applications for a sign variance must provide justification for the requested variance(s) based on the criteria set forth by the City Code. It is recommended that the following responses be typed. Illegible handwritten responses will not be accepted. Responses may be provided as a separate letter, addressing each of the six criteria.

**ALL OF THE FOLLOWING CRITERIA MUST BE ANSWERED.**

APPLICANT NARRATIVE	
<b>Street Address:</b> 5901 Sun Blvd , St Petersburg	<b>Case No.:</b>
<b>Detailed Description of Project and Request:</b>	
Erection of new illuminated freestanding sign to replace damaged freestanding sign.	
1. What is unique about the size, shape, topography, or location of the subject property? How do these unique characteristics justify the requested variance?	
The Shops at Isla is the largest and only shopping plaza on Isla Del Sol. There are currently 30 tenants and current additions to be added. Due to the larger number of tenants we will need the additional square footage to be able to provide enough signage for all of the tenants.	
2. Are there other properties in the immediate neighborhood that have already been developed or utilized in a similar way? If so, please provide addresses and a description of the specific signs or structures being referenced.	
The closest reference is 5001 34th st, (Publix). They have two large signs at the listed address. To help keep the clean appearance of Isla Del Sol we would prefer not to litter the roadway with multiple freestanding signs.	
3. How is the requested variance not the result of actions of the applicant?	
We began this project as a refurbish job. Once we began the project we discovered that the current steel was unsafe and could not be reused. Therefore we replaced the steel and the sign with a smaller and lower sign than the original.	
4. How is the requested variance the minimum necessary to make reasonable use of the property? In what ways will granting the requested variance enhance the character of the neighborhood?	
By approving this request it will allow each tenant a sign panel of 17" x 71". This will allow the residents of Isla Del Sol to identify local shops in turn supporting the local economy. This approval will also allow for a previously unsafe and outdated sign to be replaced with a new quality sign.	
5. What other alternatives have been considered that do not require a variance? Why are these alternatives unacceptable?	
By using the standard sign code we would be placing multiple freestanding signs along the roadway. This variance would allow for one clean sign instead.	

Continued on Page 5



**st.petersburg**  
www.stpete.org

# SIGN VARIANCE

*Applicant Narrative (Page 2)*

APPLICANT NARRATIVE (Continued)	
6. In what ways will granting the requested variance enhance the character of the neighborhood?	
The neighborhood would have a new, safe and clean sign as opposed to an old unsafe sign for years to come.	

SITE DATA			
<b>MAXIMUM AREA, FREE-STANDING SIGNS:</b>			
Square feet of <i>proposed</i> free-standing signs	300.63	Sq. Ft.	
Square feet of <i>existing</i> free-standing signs	250	Sq. Ft.	
Square feet of all <i>existing</i> and <i>proposed</i> free-standing signs	550.63	Sq. Ft.	
Maximum square feet allowed by City Code	64	Sq. Ft.	
<b>Variance</b>	236.63	Sq. Ft.	
<b>MAXIMUM AREA, WALL AND WINDOW SIGNS:</b>			
Square feet of proposed wall and window signs		Sq. Ft.	
Square feet of existing wall and window signs		Sq. Ft.	
Square feet of all existing and proposed wall and window signs		Sq. Ft.	
Maximum square feet allowed by City Code		Sq. Ft.	
<b>Variance</b>		Sq. Ft.	
<b>MAXIMUM HEIGHT:</b>			
Height of proposed sign (measured from) grade to bottom of sign		Sq. Ft.	
Height of proposed sign (measured from) grade to highest point	32	Sq. Ft.	
Maximum sign height allowed by City Code	20	Sq. Ft.	
<b>Variance</b>	12	Sq. Ft.	
<b>NUMBER OF SIGNS:</b>			
Total number of all <i>existing</i> and <i>proposed</i> free-standing signs	Existing	Proposed	
Total number of all <i>existing</i> and <i>proposed</i> wall and window signs	1	1	
Maximum number of signs allowed by City Code	2	1	
<b>Variance</b>			
<b>LIGHTING:</b>			
Will the sign be illuminated?	Yes	No	
If yes, will the sign be lit internally or externally?	Yes	No	
Will the sign have lights in motion or animation?	Yes	No	



# PUBLIC PARTICIPATION REPORT

Application No. \_\_\_\_\_

In accordance with LDR Section 16.70.040.1.F.2. "It is the policy of the City to encourage applicants to meet with residents of the surrounding neighborhoods prior to filing an application for a permit requiring review and public hearing. The applicant, at his option, may elect to include neighborhood mediation as a preparatory step in the development process. Participation in the public participation process prior to required public hearings will be considered by the decision-making official when considering the need, or request, for a continuance of an application. It is not the intent of this section to require neighborhood meetings, but to encourage meetings prior to the submission of applications for approval and documentation of efforts which have been made to address any potential concerns prior to the formal application process."

APPLICANT REPORT	
<b>Street Address:</b>	
1. Details of techniques the applicant used to involve the public	
(a) Dates and locations of all meetings where citizens were invited to discuss the applicant's proposal	
WE HAVE NOT DONE THIS	
(b) Content, dates mailed, and number of mailings, including letters, meeting notices, newsletters, and other publications	
Letter of intent mailed to NA President Paul Gibbs certified mail on 9-12-19	
(c) Where residents, property owners, and interested parties receiving notices, newsletters, or other written materials are located	
Paul Gibbs	
2. Summary of concerns, issues, and problems expressed during the process	
NA	
3. Signature or affidavit of compliance - President or vice-president of any neighborhood associations	
Association Name	President or Vice-President Signature
If the president or vice-president of the neighborhood association are unavailable or refuse to sign such certification, a statement as to the efforts to contact them and (in the event of unavailability or unwillingness to sign) why they were unable or unwilling to sign the certification.	

P: 727.724.4169  
A : 1182 Kapp Dr, Clearwater, FL 33765  
STATE LICENSE NO: ET111000978



8-29-19

Paul Gibbs  
5155 Isla Key Blvd  
St Petersburg, Fl, 33715

Dear Paul,

We are sending you this letter to inform you that Global Sign & Awning Company is requesting variances to the sign code to allow the existing sign at 5901 Sun Blvd to remain. The request includes a variance to the maximum height for a freestanding sign from 20 feet allowed to 33 feet proposed, and a variance to sign area from 64 square feet allowed to 300 square feet proposed.

Please, let the City of St Petersburg and myself know of your support or objection to the granting of these variances.

You can reach me at [mike@globalsigncompany.com](mailto:mike@globalsigncompany.com); and Jaime Jones, Planner with the City of St Pete at [jjones@stpete.org](mailto:jjones@stpete.org). "

Sincerely

Michael Lopez  
Permitting  
Global Sign & Awning

7019 1120 0001 1035 3505

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> ®.	
SAINT PETERSBURG, FL 33715	
OFFICIAL USE	
Certified Mail Fee	\$3.50
Extra Services & Fees (check box, add fee as appropriate)	\$2.80
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$6.30
Sent To	
Street and Apt. No., or PO Box No.	
City, State, ZIP+4®	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for instructions	

0145  
SEP 12 2019  
Postmark Here  
09/12/2019

# Previously Existing Freestanding Signs

Prepared 11/18/19, 9:17:13  
Program HTDFTAL  
User ID JTJONES

Application Inquiry-(BPN200I001)  
Screen detail for Program: BP BPN200I, Miscellaneous inform  
Application 97-12000103

Page 1

## Property Information

Address: 5901 SUN BLVD  
SAINT PETERSBURG, FL 337151166  
Location ID: 120787  
Owner name: ISLA DEL SOL SHOPPERS VILLAGE  
Parcel Identification Nbr: 08/32/16/05647/001/0202/  
Old account number:  
Zoning: NA NOT APPLICABLE  
Subdivision: ISLA DEL SOL OWNERS ASSN

## Application Information

Application status: APPROVED FOR PERMIT  
Status Date: 1/06/1998  
Application type: SIGN  
Application date: 12/02/1997  
Valuation: 6000  
Square footage: 0  
Public building: NO  
Reviewed by: BLC BARRY L CRITOPH  
Pin number: 7377  
Entered by:  
Electronic enabled: NO

## Contractor Information

Contractor Name: U S SIGN & MILL INC  
Contractor Number: 6044  
Type: GENERAL CONTRACTOR  
Status: INACTIVE

Contractor Requirements	Doc Number	Exp Date
PCCLB CERTIFICATE/REGISTRATION	CGC015877	9/30/1999
STATE CERTIFICATE/REGISTRATION	NO INSURANCE	2/25/1999
OUT OF COUNTY		2/25/1999
CITY OCCUPATIONAL		2/25/1999
SPECIALTY INSURANCE		2/25/1999

## Outstanding Inspections

Type	Insp ID	Schedule Date	Confirmation Number	Permit Description	Pmt Seq	Min	Max
No outstanding inspections exist							

## Work Description

Code	Description	Quantity
AND	AND	1
EXIST	EXISTING	1
FSDBLE	SIGN-FREE STAND DOUB POLE	1
ILLUM	SIGN - ILLUMINATED	1
INST	INSTALL	1
NEW	NEW	1
REMOVE	REMOVE	1
SIGN	SIGN	1

(Continued)  
 VISIBI VISIBILITY TRIANGLE REQD 20

CO Information

Str/seq	CO Issue Date	Status	Description	Date	Print flag	Permit display	Inspection display	CO display
Code	Freeform information							
ELEC	WIRE SIGN CIRCUIT-1			6/09/1998	Y	Y	Y	
SIGN	5901 SUN BLVD - AMSOUTH BANK - REMOVE			1/02/1997	Y	Y	Y	Y
SIGN	EXISTING FREE STANDING SIGN AND INSTALL			1/02/1997	Y	Y	Y	Y
SIGN	NEW ILLUMINATED DOUBLE POLE, DOUBLE FACE			1/02/1997	Y	Y	Y	Y
SIGN	FREE STANDING SIGN 86' WEST OF PREVIOUS			1/02/1997	Y	Y	Y	Y
SIGN	SIGN AS PER ENGINEERED PLAN AND APPROVED			1/02/1997	Y	Y	Y	Y
SIGN	SITE PLAN - SIGN SHALLBE LOCATED 300'			1/02/1997	Y	Y	Y	Y
SIGN	AWAY FROM EXISTING SHOPPING CENTER SIGN			1/02/1997	Y	Y	Y	Y
SIGN	LOCATED TO THE EAST OF PROPOSED SIGN - -			1/02/1997	Y	Y	Y	Y
SIGN	36' FRONT YARD SETBACK - 134' WEST SIDE			1/02/1997	Y	Y	Y	Y
SIGN	YARD SETBACK - 20' X 20' VISIBILITY TRIA			1/02/1997	Y	Y	Y	Y
SIGN	NGLE REQUIRED AT CORNER - 10' X 10' VIS			1/02/1997	Y	Y	Y	Y
SIGN	IBILITY TRIANGLE REQUIRED AT DRIVEWAY -			1/02/1997	Y	Y	Y	Y
SIGN	SIGN DESCRIPTION: 22' O.A.H. - 7'7" CLE			1/02/1997	Y	Y	Y	Y
SIGN	ARANCE FROM BOTTOM OF SIGN CAN TO GROUND			1/02/1997	Y	Y	Y	Y
SIGN	- TOP CAN: 7' X 8'3" "AMSOUTH BANK" LO			1/02/1997	Y	Y	Y	Y
SIGN	WER CAN: 6' X 8'3" "ATM ATM WITH 4 LINE			1/02/1997	Y	Y	Y	Y
SIGN	S OF CHANGEABLE MESSAGE" - ADDITIONAL EL			1/02/1997	Y	Y	Y	Y
SIGN	EETRICAL PERMIT REQUIRED - OLD SIGN SHAL			1/02/1997	Y	Y	Y	Y
SIGN	L BE REMOVED PRIOR TO INSTALLATION OF NE			1/02/1997	Y	Y	Y	Y
SIGN	W SIGN - RMR			1/02/1997	Y	Y	Y	Y
SIGN	OTHER SETBACKS-VISTRI: 20 X 20 AT CORNER			1/02/1997	Y	Y	Y	Y
SIGN	10 X 10 AT DRIVEWAY			1/02/1997	Y	Y	Y	Y

# Regions Bank Pole Sign

Prepared 11/18/19, 9:38:02  
Program HTDFTAL  
User ID JTJONES

Application Inquiry-(BPN200I001)  
Screen detail for Program: BP BPN200I, Miscellaneous inform  
Application 07-05000335

Page 1

## Property Information

Address: 5901 SUN BLVD  
SAINT PETERSBURG, FL 337151166  
Location ID: 120787  
Owner name: ISLA DEL SOL SHOPPERS VILLAGE  
Parcel Identification Nbr: 08/32/16/05647/001/0202/  
Old account number:  
Zoning: NA NOT APPLICABLE  
Subdivision: ISLA DEL SOL OWNERS ASSN

## Application Information

Application status: CLOSED  
Status Date: 12/01/2007  
Application type: SIGN  
Application date: 5/08/2007  
Tenant name/number: REGIONS  
Valuation: 2200  
Square footage: 0  
Public building: NO  
Reviewed by: PAL PAMELA A LEE  
Pin number: 649370  
Entered by: G1STRAIT  
Electronic enabled: NO

## Contractor Information

Contractor Name: UA SIGN SERVICE & INSTALLATION  
Contractor Number: 7868  
Type: SIGN (ELECTRICAL) CO  
Status: INACTIVE

Contractor Requirements	Doc Number	Exp Date
PCCLB CERTIFICATE/REGISTRATION	IES0000110	9/30/2008
STATE CERTIFICATE/REGISTRATION	ES-0000110	8/31/2008
OUT OF COUNTY		8/31/2008
CITY OCCUPATIONAL		8/31/2008
SPECIALTY INSURANCE		8/31/2008

## Outstanding Inspections

Type	Insp ID	Schedule Date	Confirmation Number	Permit Description	Pmt Seq	Min	Max
No outstanding inspections exist							

## Work Description

Code	Description	Quantity
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## CO Information

Str/seq	CO Issue Date	Status	Description
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Code Freeform information Date Print flag Permit display Inspection display CO display

Code	Freeform information	Date	Print flag	Permit display	Inspection display	CO display
	(Continued)					
BNOT	PERMIT & PLANS SHALL BE POSTED ON JOB	5/08/2007	Y	Y		
BNOT	SITE TO AVOID RED TAG FEES AT TIME OF	5/08/2007	Y	Y		
BNOT	INSPECTION - ALL REQUIRED INSPECTIONS	5/08/2007	Y	Y		
BNOT	SHALL BE REQUESTED & COMPLETED TO AVOID	5/08/2007	Y	Y		
BNOT	PERMIT FROM BEING VOIDED. PERMIT NUMBER,	5/08/2007	Y	Y		
BNOT	CONTRACTOR NAME & LISTING LABEL REQUIRED	5/08/2007	Y	Y		
BNOT	ON ALL SIGNS PRIOR TO FINAL INSPECTIONS.	5/08/2007	Y	Y		
BNOT	SIGN SHALL MEET ALL NEC AND LISTING	5/08/2007	Y	Y		
BNOT	REQUIREMENTS -RMR	5/08/2007	Y	Y		
BNOT	SIGN INSTALLATION & LOCATION SHALL NOT	5/08/2007	Y	Y	Y	
BNOT	DAMAGE, CAUSE DAMAGE TO OR BE IN	5/08/2007	Y	Y	Y	
BNOT	CONFLICT WITH THE REQUIRED AND APPROVED	5/08/2007	Y	Y	Y	
BNOT	LANDSCAPING AND LANDSCAPE PLAN.	5/08/2007	Y	Y	Y	
COMM	LOGGED IN PLANS GAVE TO PAM LEE.	5/08/2007				
COMM	05/08/2007 02:53 PM G1STRAIT -----	5/08/2007				
SIGN	INSTALL ONE INSTALLATION ONE SINGLE	5/22/2007	Y	Y	Y	
SIGN	POLE IDENTIFICATION DOUBLE SIDED	5/22/2007	Y	Y	Y	
SIGN	ILLUMINATED 13'-2 1/4" X 21'-0" IN OVER	5/22/2007	Y	Y	Y	
SIGN	ALL HEIGHT. THE PAN FACES ON THE SOUTH	5/22/2007	Y	Y	Y	
SIGN	SIDE OF THE PROPERTY ON THE NORTH SIDE	5/22/2007	Y	Y	Y	
SIGN	OF THE PINELLAS BAYWAY WITH COPY OF A	5/22/2007	Y	Y	Y	
SIGN	"LOGO" OVER "REGIONS". THE SIGN TOP	5/22/2007	Y	Y	Y	
SIGN	13'-2 1/4" X 7'-1", FLOURESCENT LAMPS,	5/22/2007	Y	Y	Y	
SIGN	BALLASTS, ELECTRICAL WIRING RACEWAYS,	5/22/2007	Y	Y	Y	
SIGN	DICONNECTS, EXTERIOR SKIN MOUNTING,	5/22/2007	Y	Y	Y	
SIGN	TRIM CAPS, END CLADING ALUMINUM, PAN	5/22/2007	Y	Y	Y	
SIGN	LAMINATED TRANSLUCENT 3M-3630-5517 DARK	5/22/2007	Y	Y	Y	
SIGN	GREEN VINYL AND 3M-3830-20 WHITE VINYL	5/22/2007	Y	Y	Y	
SIGN	BACKGROUND APPLIED SECOND COLOR WITH	5/22/2007	Y	Y	Y	
SIGN	THE LOGO 3 GREEN COLORS AND "REGIONS"	5/22/2007	Y	Y	Y	
SIGN	IN GREEN VINYL. LOCATED ON THE 52'-26"	5/22/2007	Y	Y	Y	
SIGN	LINEAR FEET OF FRONTAGE.	5/22/2007	Y	Y	Y	

## Jaime T. Jones

---

**From:** Jennifer C. Bryla  
**Sent:** Tuesday, May 28, 2019 10:26 AM  
**To:** Donald L. Tyre; Karen E. Freggens  
**Cc:** Joe Waugh; Jaime T. Jones  
**Subject:** RE: Shopper's Village - Signs (18-00006232)

Thanks Don.

Jennifer C. Bryla, AICP  
**Zoning Official**  
Development Review Manager  
City of St. Petersburg, FL  
Planning and Development Services Department  
O: 727.892.5344 E: [Jennifer.Bryla@stpete.org](mailto:Jennifer.Bryla@stpete.org)

**From:** Donald L. Tyre  
**Sent:** Tuesday, May 28, 2019 10:23 AM  
**To:** Jennifer C. Bryla <[Jennifer.Bryla@stpete.org](mailto:Jennifer.Bryla@stpete.org)>; Karen E. Freggens <[karen.freggens@stpete.org](mailto:karen.freggens@stpete.org)>  
**Cc:** Joe Waugh <[Joe.Waugh@stpete.org](mailto:Joe.Waugh@stpete.org)>; Jaime T. Jones <[Jaime.Jones@stpete.org](mailto:Jaime.Jones@stpete.org)>  
**Subject:** RE: Shopper's Village - Signs (18-00006232)

I will ask Karen to put a Zoning hold on the after the fact sign permit. Code Enforcement can move ahead with the codes case if the contractor does not submit revised plans to modify the sign so it will comply with the Zoning regulations.

Donald Tyre  
Building Official  
City of St. Petersburg  
Planning and Development Services  
727-893-4153  
[Donald.tyre@stpete.org](mailto:Donald.tyre@stpete.org)

**From:** Jennifer C. Bryla  
**Sent:** Tuesday, May 28, 2019 8:20 AM  
**To:** Donald L. Tyre <[Donald.Tyre@stpete.org](mailto:Donald.Tyre@stpete.org)>  
**Subject:** FW: Shopper's Village - Signs (18-00006232)

Don,

Good Morning. The sign discussed below is a zoning violation and should not be approved. Can you please follow-up?

Jennifer C. Bryla, AICP  
**Zoning Official**  
Development Review Manager  
City of St. Petersburg, FL  
Planning and Development Services Department  
O: 727.892.5344 E: [Jennifer.Bryla@stpete.org](mailto:Jennifer.Bryla@stpete.org)

**From:** Jaime T. Jones  
**Sent:** Tuesday, May 28, 2019 8:14 AM  
**To:** Jennifer C. Bryla <[Jennifer.Bryla@stpete.org](mailto:Jennifer.Bryla@stpete.org)>  
**Subject:** RE: Shopper's Village - Signs (18-00006232)

Yes, it looks like it has been approved by Building. I don't plan to approve this sign at all. I have now rejected it twice. My rejection comment is copied below.

"Comments  
April 25, 2019 10:57:06 AM jtjones.

Proposed sign is 32 ft in OAH with 341 sqft of sign area.

The maximum size of any freestanding sign in Corridor Commercial Suburban zoning districts is 64 sqft. The maximum height is 20 ft.

This is an after-the-fact application for a freestanding sign. Will need to remove this sign."

Jaime T. Jones  
Planner I  
City of St. Petersburg, Planning and Development Services  
1 Fourth Street North, St. Petersburg, FL 33701  
727-892-5096 / Fax: 727-892-5557  
[JTJones@stpete.org](mailto:JTJones@stpete.org)

**From:** Jennifer C. Bryla  
**Sent:** Sunday, May 26, 2019 10:56 AM  
**To:** Jaime T. Jones <[Jaime.Jones@stpete.org](mailto:Jaime.Jones@stpete.org)>  
**Subject:** Fwd: Shopper's Village - Signs (18-00006232)

Will you look into this please?

Best,  
jenni  
Sent from my iphone  
😊 Have a wonderful day!

Begin forwarded message:

**From:** "Travis Jarman \ (Bayway Isles\)" <[cona.mail@bayway.org](mailto:cona.mail@bayway.org)>  
**Date:** May 25, 2019 at 3:11:31 PM EDT  
**To:** "'Jennifer C. Bryla'" <[Jennifer.Bryla@stpete.org](mailto:Jennifer.Bryla@stpete.org)>, "'James A. Corbett'" <[James.Corbett@stpete.org](mailto:James.Corbett@stpete.org)>  
**Cc:** "'Robert M Gerdes'" <[Robert.Gerdes@stpete.org](mailto:Robert.Gerdes@stpete.org)>, "'Joe Waugh'" <[Joe.Waugh@stpete.org](mailto:Joe.Waugh@stpete.org)>  
**Subject:** RE: Shopper's Village - Signs (18-00006232)

Jenni – Regarding this permit -- I see that the Building Department has approved a sign plan that doesn't meet the Zoning requirements for height and size. That seems strange, but maybe that is how your process works.

Does Zoning then “Step In” and reject the plan because it is oversized for the district?

Travis

## Plan Tracking Action Comments

Parcel ID:  
08/32/16/05647/001/0202/  
Address:  
5901 SUN BLVD  
Application Date:  
04/04/19  
Owner:  
ISLA DEL SOL SHOPPERS VILLAGE  
Application #:  
19 - 4000351  
Application Type:  
SIGN  
Agency Description:  
BUILDING  
Action Description:  
**PLAN REVIEW APPROVED**

Contains Plan Action Comment Detail for the selected action.

### Comment

May 24, 2019 11:22:47 AM amphilli.

CONSTRUCT II-B, INTERNALLY ILLUMINATED, 32'Hx17"Wx40"DEEP,

MONUMENT SIGN W/ 36"DIA x 60"DEEP PER ENG DWGs BY ROBERT

GREGG FL AR #9927. \*'SHOPS AT ISLA' | GRAPHIC INSERTS FOR

BUSINESSES\*

ELEC: CONNECT TO EXST

**From:** Travis Jarman (Bayway Isles) [<mailto:cona.mail@bayway.org>]

**Sent:** Tuesday, April 09, 2019 10:26 AM

**To:** 'Jennifer C. Bryla'; 'James A. Corbett'

**Cc:** 'Robert M Gerdes'; 'Joe Waugh'

**Subject:** RE: Shopper's Village - Signs (18-00006232)

A permit is now in process for this sign. It will be interesting to see how they plan to handle the zoning requirements for height and size.

Parcel ID:  
08/32/16/05647/001/0202/  
Address:

5901 SUN BLVD  
Application Date:  
04/04/19  
Owner:  
ISLA DEL SOL SHOPPERS VILLAGE  
Application #:  
19 - 4000351  
Application Type:  
SIGN  
Valuation:  
\$35,200  
Square Footage:  
000000000  
Tenant Name:  
Application Status:  
IN PROCESS  
Tenant Unit Number:  
General Contractor:  
GLOBAL GRAPHIC DESIGN III LLC

---

**From:** Travis Jarman (Bayway Isles) [<mailto:cona.mail@bayway.org>]  
**Sent:** Tuesday, March 19, 2019 2:53 PM  
**To:** 'Jennifer C. Bryla'; 'James A. Corbett'  
**Cc:** 'Robert M Gerdes'; 'Joe Waugh'  
**Subject:** RE: Shopper's Village - Signs (18-00006232)

Thanks Jenni – Did they pull a permit? I couldn't find a current one in the system for the parcel 08/32/16/05647/001/0202/

Travis

---

**From:** Jennifer C. Bryla [<mailto:Jennifer.Bryla@stpete.org>]  
**Sent:** Tuesday, March 19, 2019 2:42 PM  
**To:** Travis Jarman (Bayway Isles); James A. Corbett  
**Cc:** Robert M Gerdes; Joe Waugh  
**Subject:** RE: Shopper's Village - Signs (18-00006232)

We are going out to measure for compliance with code and permit.

Jennifer C. Bryla, AICP  
**Zoning Official**  
Development Review Manager  
City of St. Petersburg, FL  
Planning and Development Services Department  
O: 727.892.5344 E: [Jennifer.Bryla@stpete.org](mailto:Jennifer.Bryla@stpete.org)

---

**From:** Travis Jarman (Bayway Isles) <[cona.mail@bayway.org](mailto:cona.mail@bayway.org)>  
**Sent:** Tuesday, March 19, 2019 2:28 PM  
**To:** James A. Corbett <[james.corbett@stpete.org](mailto:james.corbett@stpete.org)>  
**Cc:** Robert M Gerdes <[robert.gerdes@stpete.org](mailto:robert.gerdes@stpete.org)>; Joe Waugh <[Joe.Waugh@stpete.org](mailto:Joe.Waugh@stpete.org)>; Jennifer C. Bryla <[Jennifer.Bryla@stpete.org](mailto:Jennifer.Bryla@stpete.org)>  
**Subject:** RE: Shopper's Village - Signs (18-00006232)

Joe and James – Following up –

Do you know if Bonnie Green has had a chance to review this case for compliance with the permit requirement and the sign code?

Travis

---

**From:** Travis Jarman (Bayway Isles) [<mailto:cona.mail@bayway.org>]  
**Sent:** Friday, March 15, 2019 2:47 PM  
**To:** 'James A. Corbett'  
**Cc:** 'Robert M Gerdes'; 'Joe Waugh'; Jennifer C. Bryla  
**Subject:** RE: Shopper's Village - Signs (18-00006232)

A picture of the new sign, still under construction, is attached for your viewing pleasure. The new sign appears to be a couple of feet taller than top of the old sign posts.

In addition to the issues of permitting and height, I wonder if the size and tenant panels are conforming as required in our code.

Joe and James – I haven't heard back from Bonnie, do you know if she has had a chance to review the case status?

---

**16.40.120.8. - Corridor commercial suburban districts.**

The following types of signs shall be permitted within the corridor commercial suburban zoning districts:

Corridor Commercial Suburban Districts (CCS) (All uses, except subdivision entrances and single-family, duplex and multifamily residential uses)		
Freestanding signs	Permitted number of signs	One for signs greater than eight ft. tall. Two if all freestanding signs are eight ft. in height or less; and with a minimum of 100 ft. of frontage.

	Maximum sign area	One square foot per linear front foot up to a maximum of 64 sq. ft.
	Maximum height	20 ft.

**16.40.120.16. - Design requirements.**

All signs except temporary signs and off-premises signs shall be subject to the design requirements below:

1. *Freestanding signs.* Signs shall be designed to complement the architectural design of the building, utilizing the same materials, colors, finishes, and details. In addition to color, freestanding signs shall incorporate at least one additional element (such as, but not necessarily limited to, building material or architectural feature) to reflect the architectural design of the building.

2. *Freestanding monument signs.* All signs of ten feet in height or less shall be designed as monument signs. The materials, finishes and colors of the base shall match the architectural design of the building. In lieu of a monument base, any combination of landscaping of sufficient density and maturity at the time of planting may be used to achieve the same opacity as would have been achieved with the monument base.

3. *Tenant panels in freestanding signs.* All tenant panels in freestanding signs, including those added to existing sign structures, shall be constructed of the same materials and illuminated by the same method. Panels added to existing signs shall match the existing panels with respect to their color, materials, and illumination.

---

**From:** Travis Jarman (Bayway Isles) [<mailto:cona.mail@bayway.org>]

**Sent:** Thursday, March 14, 2019 1:29 PM

**To:** 'James A. Corbett'

**Cc:** 'Robert M Gerdes'; 'Joe Waugh'; Jennifer C. Bryla

**Subject:** RE: Shopper's Village - Signs (18-00006232)

James et al –

There is a crane on the subject property installing a new sign (it appears it may be on the old, over height posts). I do not see a sign permit on file for the parcel: # 08/32/16/05647/001/0202/

I've left a voice mail for Bonnie Green asking her to check the property, but Jenni may want to have someone from permitting / building check into this as well. It would be unfortunate if they install a new sign without a permit, especially if they do so without bringing the height into compliance.

Best regards,  
Travis

**From:** Travis Jarman (Bayway Isles) [<mailto:cona.mail@bayway.org>]  
**Sent:** Tuesday, February 12, 2019 10:20 AM  
**To:** 'James A. Corbett'  
**Cc:** 'Robert M Gerdes'; 'Joe Waugh'  
**Subject:** RE: Shopper's Village - Signs (18-00006232)

Thanks – We will be watching and will let you know if we see work on the sign.

---

**From:** James A. Corbett [<mailto:James.Corbett@stpete.org>]  
**Sent:** Monday, February 11, 2019 3:28 PM  
**To:** Travis Jarman (Bayway Isles)  
**Cc:** Robert M Gerdes; Joe Waugh  
**Subject:** RE: Shopper's Village - Signs (18-00006232)

Good afternoon Travis,

Joe reached out to the sign contractor (Global Sign & Awnings) who confirmed the sign in over 30 feet tall. Contractor stated it was their intention to replace the sign utilizing the existing posts. Joe informed contractor there may be issue with the sign being non-conforming. Joe also advised Zoning Official, Jennifer Bryla that a sign permit is likely forthcoming and made her aware of the height and condition of the sign. We will continue to monitor the status.

James A. Corbett  
Director  
Codes Compliance Assistance  
P.O. Box 2842  
St. Petersburg, Florida 33731-2842  
727.892.5390  
[James.Corbett@StPete.org](mailto:James.Corbett@StPete.org)

*Please note all emails are subject to public records law.*

**From:** Travis Jarman (Bayway Isles) [<mailto:cona.mail@bayway.org>]  
**Sent:** Friday, February 08, 2019 1:20 PM  
**To:** Joe Waugh <[Joe.Waugh@stpete.org](mailto:Joe.Waugh@stpete.org)>; James A. Corbett <[James.Corbett@stpete.org](mailto:James.Corbett@stpete.org)>  
**Cc:** Robert M Gerdes <[Robert.Gerdes@stpete.org](mailto:Robert.Gerdes@stpete.org)>  
**Subject:** RE: Shopper's Village - Signs (18-00006232)

Hi Joe and James –

Rob suggested I send you the attached photo of the bare sign structure at the subject property. All the panels have been removed, it is not clear if they are replacing the entire sign or just planning on rebuilding on the existing structure. In either case I don't see any current sign permits in the building permit system.

Do we have a way to measure the height of the existing poles? The height limit for this zoning is 20 feet.

Travis

P.S. – Also see the second attachment for a monument sign located along the Pinellas Bayway in front of the subject property – I did not find a permit for it, either.

**From:** Robert M Gerdes [<mailto:Robert.Gerdes@stpete.org>]  
**Sent:** Saturday, February 02, 2019 9:21 AM  
**To:** Travis Jarman (Bayway Isles)  
**Subject:** RE: Shopper's Village - Signs

Travis:

I will check with Liz to determine if this is looked at through the permitting and inspection process. In Codes, we acted upon a number of non-conforming signs when the business was abandoned. However, the issues below should be handled by Construction Services and Permitting, except for the panel issue which would be Codes if there is no permit associated.

Rob Gerdes  
Neighborhood Affairs Administrator  
P.O. Box 2842  
St. Petersburg, Florida 33731-2842  
727.893.7876  
[robert.gerdes@stpete.org](mailto:robert.gerdes@stpete.org)

Any written or e-mail material received or generated by the City staff becomes public record and state law requires the record be made available for inspection by any citizen who requests it. This means it is impossible to provide anonymity to anyone who writes to the City via e-mail or letter containing any personal information.

**From:** Travis Jarman (Bayway Isles) <[cona.mail@bayway.org](mailto:cona.mail@bayway.org)>  
**Sent:** Thursday, January 31, 2019 5:21 PM  
**To:** Robert M Gerdes <[Robert.Gerdes@stpete.org](mailto:Robert.Gerdes@stpete.org)>  
**Subject:** RE: Shopper's Village - Signs

FYI, it was reported that some blank panels were being installed today at this sign, however they may be of a different material / color than the existing panels, which would be a violation of 16.40.120.16.

Secondly, I understand from listening to the sign company representative at the Special Magistrate CEB hearings that the existing sign is “really deteriorated” and their plan is to “refurbish and rebuild” the sign using the existing structure. The site and buildings are also being extensively improved – there are more than a dozen open permits.

That brings into view the ordinance requirement in 16.40.120.3.5. that the sign be made conforming, which I’m not sure it is.

Does Codes have a process for insuring that the requirements of the below sections are met, or is this another case where there is a disconnect from the zoning/building process?

Travis

---

Ref:

**16.40.120.16. - Design requirements.**

All signs except temporary signs and off-premises signs shall be subject to the design requirements below:

3. Tenant panels in freestanding signs. All tenant panels in freestanding signs, including those added to existing sign structures, shall be constructed of the same materials and illuminated by the same method. Panels added to existing signs shall match the existing panels with respect to their color, materials, and illumination.

**16.40.120.3.5. - Nonconforming signs.**

A. Except as provided in this sign code, a sign shall not be erected, raised, moved, placed, reconstructed, extended, enlarged, or altered, unless in conformity with this sign code.

B. Nonconforming signs may be maintained or repaired. However, if a nonconforming sign is relocated or replaced, repaired or structurally altered by more than 25 percent of the replacement cost of the existing sign, the sign shall be made to conform to this sign code.

C. A building or site which is improved or redeveloped at a cost in excess of 50 percent of the assessed value of the existing building or site shall require any nonconforming sign which is located on or is part of such building or site to conform to this sign code.

(Code 1992, § 16.40.120.3.5; Ord. No. 52-H, § 2, 11-1-2012)

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**From:** Travis Jarman (Bayway Isles) [<mailto:cona.mail@bayway.org>]

**Sent:** Tuesday, January 29, 2019 1:07 PM

**To:** Rob Gerdes ([robert.gerdes@stpete.org](mailto:robert.gerdes@stpete.org))

**Subject:** Shopper's Village - Signs

Hi Rob – We seem to be having trouble getting this property owner’s attention.

Is it time to proceed to foreclosure, or is there another option you would recommend?

Travis

---

Case Number :18-00006232

Address :5901 SUN BLVD

Below is a display of all the narrative which has been entered for this case.

This table displays a list of case narrative comments.

<b>Case Narrative</b>	<b>Case Narrative Date</b>
March 12, 2018 12:05:18 PM brgreen.	03/12/2018
Missing face from main sign.	03/12/2018

Showing 1 to 2 of 2 entries

This table displays a list of violation comments.

<b>Violation Comments</b>	<b>Violation Comments Date</b>
SIGNS - DAMAGED - ACTIVE	
Missing and/or damaged business face sign at front of	12/18/2018
property.	12/18/2018

Showing 1 to 3 of 3 entries

This table displays a list of inspection comments.

<b>Inspection Comments</b>	<b>Inspection Comments Date</b>
001 - INITIAL INSPECTION	
Results status - INSPECTION COMPLETED	
March 12, 2018 12:06:17 PM brgreen.	03/12/2018
Missing and/or damaged business face sign at front of	03/12/2018
property.	03/12/2018
002 - REINSPECTION	
Results status - INSPECTION COMPLETED	
April 3, 2018 8:22:29 AM brgreen.	04/03/2018
Spoke with property manager regarding sign and waiting for	04/03/2018
ins. co. Should be fixed within the next 20-30 days.	04/03/2018
003 - REINSPECTION	
Results status - INSPECTION COMPLETED	
May 3, 2018 10:14:09 AM brgreen.	05/03/2018
Violation has not been corrected.	05/03/2018

This table displays a list of inspection comments.

Inspection Comments	Inspection Comments Date
004 - REINSPECTION	
Results status - INSPECTION COMPLETED	
July 13, 2018 2:45:48 PM brgreen.	07/13/2018
Violation remains.	07/13/2018
005 - REINSPECTION	
Results status - INSPECTION COMPLETED	
July 20, 2018 7:42:14 AM brgreen.	07/20/2018
Violation remains.	07/20/2018
006 - REINSPECTION	
Results status - INSPECTION COMPLETED	
August 13, 2018 9:51:03 AM brgreen.	08/13/2018
Violation remains.	08/13/2018
007 - REINSPECTION	
Results status - INSPECTION COMPLETED	
September 13, 2018 9:14:57 AM brgreen.	09/14/2018
Violation remains.	09/14/2018
008 - REINSPECTION	
Results status - INSPECTION COMPLETED	
December 18, 2018 10:11:29 AM brgreen.	12/18/2018
Violation remains.	12/18/2018

This table displays a list of inspection comments.

Inspection Comments	Inspection Comments Date
009 - REINSPECTION	
Results status - INSPECTION COMPLETED	
January 18, 2019 9:05:22 AM brgreen.	01/18/2019
Violation remains.	01/18/2019

Showing 1 to 38 of 38 entries

This table displays a list of other action comments.

Other Action Comments	Other Action Comments Date
001 - MISCELLANEOUS INFORMATION	
April 3, 2018 7:22:30 AM brgreen.	04/03/2018
Received request via email on 3/30/18 for an extension. Gave	04/03/2018
30 day extension. Will set up for an RI.	04/03/2018
002 - RECORD CHECK	
May 3, 2018 10:17:14 AM brgreen.	05/03/2018
Property appraiser:	05/03/2018
ISLA DEL SOL SHOPPERS VILLAGE LLC	05/03/2018
18167 US HWY 19 N STE 600	05/03/2018
CLEARWATER FL 33764-6575	05/03/2018
	05/03/2018
SUNBIZ:	05/03/2018

This table displays a list of other action comments.

Other Action Comments	Other Action Comments Date
MATTHEWS, LYNN	05/03/2018
18167 US HIGHWAY 19 N	05/03/2018
SUITE 600	05/03/2018
CLEARWATER, FL 33764	05/03/2018
003 - TELEPHONE CONVERSATION	
June 20, 2018 11:22:59 AM brgreen.	06/20/2018
Received message from RA Stefanie 459-3624/Returned call.	06/20/2018
004 - RETURN RECEIPT REC'D / CEB NOH	
RETURN RECEIPT RECEIVED FOR THE CODE ENFORCEMENT BOARD	07/02/2018
NOTICE OF HEARING ADDRESSED TO: ISLA DEL SOL SHOPPERS VILL	07/02/2018
SIGNED BY:GOLDSTEINE	07/02/2018
DATED: 6/18/18	07/02/2018
JULY AGENDA ITEM #24	07/02/2018
July 2, 2018 11:58:39 AM ltgreene6/18/18	07/02/2018
005 - POSTING	
July 13, 2018 2:48:01 PM brgreen.	07/13/2018
POSTED NOTICE AT PROPERTY.	07/13/2018
006 - RECORD CHECK	
July 18, 2018 3:43:14 PM brgreen.	07/18/2018
Property appraiser:	07/18/2018

This table displays a list of other action comments.

Other Action Comments	Other Action Comments Date
ISLA DEL SOL SHOPPERS VILLAGE LLC	07/18/2018
18167 US HWY 19 N STE 600	07/18/2018
CLEARWATER FL 33764-6575	07/18/2018
Book/page#	07/18/2018
18247/2236	07/18/2018
	07/18/2018
Record check:	07/18/2018
No LIENS No LIS PENDENS	07/18/2018
No permit on record	07/18/2018
007 - CODES ENFORCEMENT MEETING	
COMPLIANCE DATE 08/19/2018. FINE \$100.00/DAY.	07/26/2018
*****	07/26/2018
OWNER/REP DID NOT ATTEND HEARING. BOARD GAVE 25 DAYS.	07/26/2018
009 - CEB ORDER MAILED	
010 - POSTING	
August 13, 2018 9:52:13 AM brgreen.	08/13/2018
Finding of facts posted at property.	08/13/2018
011 - TELEPHONE CONVERSATION	
August 23, 2018 2:43:49 PM brgreen.	08/23/2018

This table displays a list of other action comments.

<b>Other Action Comments</b>	<b>Other Action Comments Date</b>
Received a message from Stephine Callahan 631-3325 she is	08/23/2018
new to the Co. regrading case still open/Returned call left	08/23/2018
message.	08/23/2018
012 - RETURN RECEIPT REC'D/CEB ORDER	
RETURN RECEIPT RECEIVED FOR THE ORDER OF THE BOARD ADDRESSED	08/24/2018
TO: ISLA DEL SOL SHOPPERS VILL	08/24/2018
SIGNED BY: GDD STEIN	08/24/2018
DATED: 08/01/2018	08/24/2018
JULY AGENDA ITEM #24	08/24/2018
August 24, 2018 3:32:34 PM ltgreene.	08/24/2018
013 - RECORD CHECK	
September 20, 2018 7:20:41 AM brgreen.	09/20/2018
ISLA DEL SOL SHOPPERS VILLAGE LLC	09/20/2018
18167 US HWY 19 N STE 600	09/20/2018
CLEARWATER FL 33764-6575	09/20/2018
BOOK 18247/PAGE 2236	09/20/2018
	09/20/2018
SUNBIZ:	09/20/2018
MATTHEWS, LYNN	09/20/2018

This table displays a list of other action comments.

Other Action Comments	Other Action Comments Date
18167 US HIGHWAY 19 N	09/20/2018
SUITE 600	09/20/2018
CLEARWATER, FL 33764	09/20/2018
September 20, 2018 7:23:14 AM brgreen.	09/20/2018
	09/20/2018
No active permit on file.	09/20/2018
No lis pendens.	09/20/2018
014 - MISCELLANEOUS INFORMATION	
September 27, 2018 6:58:41 AM brgreen.	09/27/2018
Hearing gave 45 days to correct sign face. Sign guy - Chris	09/27/2018
727-724-4169 <a href="mailto:chris@golbalsigncompany.com">chris@golbalsigncompany.com</a>	09/27/2018
015 - SEP LIEN CERT. MEETING	
OWNER/REPRESENTATIVE PRESENT. WAS HAND-DELIVERED A COPY OF	10/02/2018
THE CONSENT AGENDA NOTICE OF ORDER AT HEARING.	10/02/2018
016 - CODES ENFORCEMENT MEETING	
LIEN EXTENDED BY SM 45 DAYS 09/26/2018 HEARING.	10/02/2018
018 - TELEPHONE CONVERSATION	
December 18, 2018 10:14:32 AM brgreen.	12/18/2018
Left message for Sign guy - Chris 727-724-4169	12/18/2018

This table displays a list of other action comments.

Other Action Comments	Other Action Comments Date
<a href="mailto:chris@golbalsigncompany.com">chris@golbalsigncompany.com</a>	12/18/2018
019 - RECORD CHECK	
December 18, 2018 10:15:59 AM brgreen.	12/18/2018
ISLA DEL SOL SHOPPERS VILLAGE LLC	12/18/2018
18167 US HWY 19 N STE 600	12/18/2018
CLEARWATER FL 33764-6575	12/18/2018
	12/18/2018
SUNBIZ:	12/18/2018
MATTHEWS, LYNN	12/18/2018
18167 US HIGHWAY 19 N	12/18/2018
SUITE 600	12/18/2018
CLEARWATER, FL 33764	12/18/2018
	12/18/2018
Record check:	12/18/2018
No updates	12/18/2018
No Lis Pendens	12/18/2018
020 - DEC LIEN CERT. MEETING	
NO REPRESENTATION AT SPECIAL MAGISTRATE HEARING.	12/21/2018
021 - CODES ENFORCEMENT MEETING	
LIEN CERTIFIED FOR \$12,200.00 12/19/2018 HEARING.	12/21/2018

This table displays a list of other action comments.

<b>Other Action Comments</b>	<b>Other Action Comments Date</b>
022 - CODES ENFORCEMENT MEETING	
CERTIFIED LIENS TOTAL \$12,200.00. POTENTIAL LIENS NOT	12/21/2018
CERTIFIED \$3,500.00 (12/20/2018-01/23/2019).	12/21/2018
023 - LIEN & NOTICE OF ORDER MAILED	
024 - TELEPHONE CONVERSATION	
January 2, 2019 11:29:50 AM brgreen.	01/02/2019
Received message from Russ 657-5517 that he didn't know	01/02/2019
there was a sign issue and that the RA doesn't work for	01/02/2019
company anyone/ Returned call left message.	01/02/2019
025 - RTRN RCPT REC'D/LIEN ORD & CNO	
RETURN RECEIPT RECEIVED FOR THE ORDER OF THE BOARD ADDRESSED	01/09/2019
TO: ISLA DEL SOL SHOPPERS VILL	01/09/2019
SIGNED BY: GOLDSTEIN	01/09/2019
DATED: 12/28/2018	01/09/2019
DECEMBER AGENDA ITEM #27	01/09/2019
January 9, 2019 3:40:56 PM Itgreene.	01/09/2019
026 - POSTING	
January 18, 2019 9:01:06 AM brgreen.	01/18/2019
Posted notice of order at property.	01/18/2019

This table displays a list of other action comments.

<b>Other Action Comments</b>	<b>Other Action Comments Date</b>
027 - RECORD CHECK	
January 18, 2019 9:06:16 AM brgreen.	01/18/2019
ISLA DEL SOL SHOPPERS VILLAGE LLC	01/18/2019
18167 US HWY 19 N STE 600	01/18/2019
CLEARWATER FL 33764-6575	01/18/2019
	01/18/2019
SUNBIZ:	01/18/2019
MATTHEWS, LYNN	01/18/2019
18167 US HIGHWAY 19 N	01/18/2019
SUITE 600	01/18/2019
CLEARWATER, FL 33764	01/18/2019
	01/18/2019
Public Records:	01/18/2019
No updates	01/18/2019
028 - MISCELLANEOUS INFORMATION	
January 18, 2019 9:09:56 AM brgreen.	01/18/2019
Lien amount is at 12,200.00	01/18/2019

Showing 1 to 147 of 147 entries

This table displays a list of legal comments.

Legal Description	Legal Description Date
BAYWAY ISLE-WEST ISLAND	
BLK 1, PT LOTS 2&3	
(SHOPPING VILLAGE) DESC AS	
BEG AT N R/W OF PINELLAS	

Showing 1 to 4 of 4 entries

Your Sunshine City

**Property Information**

Address: 5901 SUN BLVD  
 SAINT PETERSBURG, FL 337151166  
 Location ID: 120787  
 Parcel Identification Nbr: 08/32/16/05647/001/0202/  
 Old account number:  
 Zoning: NA NOT APPLICABLE  
 Subdivision: ISLA DEL SOL OWNERS ASSN

**Case General Information**

Case status: AC ACTIVE  
 Status date: 3/19/2019  
 Case type: PROP PROPERTY MAINTENANCE  
 Tenant name/number: RE: Sign  
 Reported date: 3/19/2019  
 Origination: CC CITIZEN COMPLAINT  
 Default inspector: RTH TUCKER HODGES 892-5158  
 Credit balance: .00  
 Disposition: Public  
 Pin number: 490230

**Owner Information**

Owner name: ISLA DEL SOL SHOPPERS VILLAGE  
 Address: C/O: MATTHEWS, LYNN  
 18167 US HWY 19 N STE 600  
 CLEARWATER, FL 337646575  
 City:  
 Phone: 0  
 Notice: Y  
 Flip: N

**Violations**

Type	Status	Location	Quantity	Date Established	Date Resolved
SIGNS - PERMIT REQUIRED	AC		1	3/19/2019	

**Case Data**

Description	Data
TYPE USE	STRIP STORE
PLAT SHEET	O-31
OFFICIAL RECORDS BOOK/PA	18247/2236
CEB AGENDA ITEM NUMBER	50
CEB ORDER DAYS	25
CEB ORDER FINE AMOUNT/DA	100.00
CEB ORDER COMPLIANCE DAT	08/18/2019
CEB ORDER MAILED DATE	07/30/2019
SPEC MAGISTRATE SCHED DA	10/23/2019
SPEC MAGISTRATE AGENDA N	C176
SPEC MAG LAST CERT LIEN	2,800.00
SPEC MAG TOTAL CERT LIEN	3,800.00
SPEC MAG ORDER MAILED DA	10/01/2019
CEB MEETING DATE	07/24/2019

(Continued)  
 SPEC MAGISTRATE MEETING 10/23/2019

**Active Inspections**

Type	Insp ID	Schedule Date
REINSPECTION	RTH	12/11/2019

Type	Text	Date
Case narrative		
	March 19, 2019 4:58:48 PM jlwaugh.	3/19/2019
	Complaint of new sign being installed without a permit that is oversized for the zoning district.	3/19/2019
Violation comments		
SIGNS - PERMIT REQUIRED -		
	After the fact permit required for installation of new sign for plaza. Unpermitted sign as currently constructed is oversized for zoning district.	5/29/2019
Inspection comments		
001 - INITIAL INSPECTION		
Results status	INSPECTI	
	March 19, 2019 4:59:27 PM jlwaugh.	3/19/2019
	Member of zoning department verified new sign installation which is not in compliance with sign code regulations.	3/19/2019
002 - REINSPECTION		
Results status	INSPECTI	
	April 19, 2019 11:24:08 AM brgreen.	4/19/2019
	Permit is in process. Will set RI to make sure permit is active with final.	4/19/2019
003 - REINSPECTION		
Results status	INSPECTI	
	May 9, 2019 1:41:23 PM brgreen.	5/09/2019
	Permit #19-04000351 is still in process. Will monitor.	5/09/2019
004 - REINSPECTION		
Results status	INSPECTI	
	May 29, 2019 12:02:13 PM brgreen.	5/29/2019
	No active permit on file for main business sign replacement. Permit #19-04000351 is still showing in process.	5/29/2019
005 - REINSPECTION		
Results status	INSPECTI	
	July 9, 2019 3:12:24 PM rthodges.	7/09/2019
	At time of inspection, violation remains.	7/09/2019
006 - REINSPECTION		
Results status	INSPECTI	
	August 16, 2019 1:14:46 PM erhirvel.	8/16/2019
	Noted sign, no permit displayed.	8/16/2019
007 - REINSPECTION		
Results status	INSPECTI	
	August 21, 2019 1:56:12 PM erhirvel.	8/21/2019
	Sign present and complete.	8/21/2019
008 - REINSPECTION		
Results status	INSPECTI	



Type	Text	Date
	(Continued)	
005 - POSTING	July 9, 2019 3:13:25 PM rthodges. CEB notice posted at the property.	7/09/2019 7/09/2019
006 - CODES ENFORCEMENT MEE	COMPLIANCE DATE 08/18/2019. FINE \$100.00/DAY. ***** OWNER/REP ACCEPTED RECOMMENDATION. BOARD GAVE 25 DAYS.	7/25/2019 7/25/2019 7/25/2019
008 - CEB ORDER MAILED		
009 - RETURN RECEIPT REC'D/	RETURN RECEIPT RECEIVED FOR THE ORDER OF THE BOARD ADDRESSED TO: ISLA DEL SOL SHOPPERS VILL C/O: LYNN MATTHEWS SIGNED BY: BRIAN LAYTON DATED: 8/6/19 JULY AGENDA ITEM # 50 August 15, 2019 2:09:58 PM ltgreene.	8/15/2019 8/15/2019 8/15/2019 8/15/2019 8/15/2019 8/15/2019
010 - POSTING	August 16, 2019 1:15:31 PM erhirvel. Posted M9 at violation address.	8/16/2019 8/16/2019
011 - RECORD CHECK	August 21, 2019 1:58:50 PM erhirvel. No permit for sign and no variance application on file.	8/21/2019 8/21/2019
012 - AUG LIEN CERT. MEETIN	NO REPRESENTATION AT SPECIAL MAGISTRATE HEARING.	9/03/2019
013 - CODES ENFORCEMENT MEE	LIEN CERTIFIED FOR \$1,000.00 08/28/2019 HEARING.	9/03/2019
015 - LIEN & NOTICE OF ORDE		
016 - POSTING	September 18, 2019 9:05:53 AM rthodges. Property posted.	9/18/2019 9/18/2019
017 - SEP LIEN CERT. MEETIN	NO REPRESENTATION AT SPECIAL MAGISTRATE HEARING.	9/27/2019
018 - CODES ENFORCEMENT MEE	LIEN CERTIFIED FOR \$2,800.00 09/25/2019 HEARING.	9/27/2019
019 - CODES ENFORCEMENT MEE	CERTIFIED LIENS TOTAL \$3,800.00. POTENTIAL LIENS NOT CERTIFIED \$2,800.00 (09/26/2019-10/23/2019).	9/27/2019 9/27/2019
020 - LIEN & NOTICE OF ORDE		
021 - RTRN RCPT REC'D/LIEN	RETURN RECEIPT RECEIVED FOR THE LIEN AND CONSENT NOTICE OF ORDER ADDRESSED TO: ISLA DEL SOL SHOPPERS VILLAGE SIGNED BY: C. ALICEA DATED:9/16/19 AUGUST AGENDA ITEM # C119 October 3, 2019 10:46:36 AM ltgreene.	10/03/2019 10/03/2019 10/03/2019 10/03/2019 10/03/2019
022 - POSTING	October 10, 2019 7:41:37 AM rthodges.	10/10/2019

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Type	Text	Date
	(Continued)	
023 - RTRN RCPT REC'D/LIEN	Posted sign with SM notice.	10/10/2019
	RETURN RECEIPT RECEIVED FOR THE LIEN AND CONSENT NOTICE OF ORDER ADDRESSED TO: ISLA DEL SOL SHOPPERS VILL C/O: LYNN MATTHEWS SIGNED BY: CAT ALICAA DATED: 10/8/19 SEPTEMBER AGENDA ITEM #118 October 15, 2019 3:27:06 PM ltgreene.	10/15/2019 10/15/2019 10/15/2019 10/15/2019 10/15/2019 10/15/2019 10/15/2019
024 - CASE REMOVED FROM CEB	October 23, 2019 1:11:07 PM rthodges. Case out for city process, awaiting December variance hearing.	10/23/2019 10/23/2019 10/23/2019
Land Management information Legal description	BAYWAY ISLE-WEST ISLAND BLK 1, PT LOTS 2&3 (SHOPPING VILLAGE) DESC AS BEG AT N R/W OF PINELLAS	
Lien information		

According to Planning Department records, no member resides or has a place of business within 2,000 feet of the subject property. All other possible conflicts should be declared upon the announcement of the item.

REPORT TO THE ENVIRONMENTAL DEVELOPMENT COMMISSION FROM ZONING AND SUBDIVISIONS, DEPARTMENT OF PLANNING, for Public Hearing and Executive Action on September 18, 1991, at 2:00 P.M., in City Council Chambers, Municipal Building, 175 Fifth Street North, St. Petersburg, Florida.

**STAFF REPORT:**

**SPR- 811 (O-31)**

**September 13, 1991  
Item No. 1**

**APPLICANT:**

Isla Del Sol Association  
5901 Sun Boulevard  
St. Petersburg, FL 33715

**REPRESENTATIVE:**

Mark E. Miller and Sue Murphy/Rudnick and Wolfe  
101 E. Kennedy Boulevard, Suite 2000  
Tampa, FL 33602

**LOCATION:**

Isla Del Sol Shopper's Village, along the north side of the Pinellas Bayway at the northeast corner of the intersection with Sun Boulevard.

**LEGAL DESCRIPTION:**

An easterly portion of the Bayway Isles West Island, Block 1, Lot 2

**REQUEST:**

Approval of a site plan to permit a veterinary office use to be located within an existing shopping center with a variance to not require a separate lot for the veterinary use.

**SITE DATA:**

Proposed Use:

CG  
Veterinary Office

Site Area (entire center):

164,526 sq. ft.      3.8 Acres

**MAXIMUM LOT DEVELOPMENT:**

Floor Area Ratio Permitted:	57,584 sq. ft.	.35 F.A.R.
Proposed Gross Floor Area:	44,950 sq. ft.	.27 F.A.R.
Existing Gross Floor Area:	44,950 sq. ft.	.27 F.A.R.
Proposed Vet Office:	1,172 sq. ft.	.01 F.A.R.

**MAXIMUM PERMITTED BLDG. COVERAGE:**

Proposed:	34,453 sq. ft.	21 % of Site
Existing:	34,453 sq. ft.	21 % of Site

**IMPERVIOUS SURFACE:**

Proposed:	128,158 sq. ft.	78 % of Site
Existing:	128,158 sq. ft.	78 % of Site

**OPEN GREEN SPACE:**

Proposed:	36,368 sq. ft.	22 % of Site
Existing:	36,368 sq. ft.	22 % of Site

**PAVING COVERAGE:**

Proposed Paving Coverage:	69,025 sq. ft.	42 % of Site
Existing Paving Coverage:	69,025 sq. ft.	42 % of Site

**DENSITY:**

Proposed Employees: 50 Center; 2 Vet Office  
Existing Employees: 50 Center

**AUTOMOBILE PARKING SPACES:**

Required: 237; 7 HC (1/200 sf ret. & 1/150 sf rest.) \*  
Proposed: 188; 4 HC  
Existing: 188; 4 HC

**BICYCLE PARKING SPACES:**

Required: 4 (2%)  
Proposed: 9 (5%)  
Existing: 9 (5%)

**BUILDING HEIGHT:**

Permitted: 35 ft.  
Proposed: 33 ft.  
Existing: 33 ft.

\* On 10/3/79 the EDC approved this Center for retail use (SE-474) with 225 spaces, 9 of which were permitted to be in greenspace parking (216 total paved spaces required). Since that time some of the space was converted to restaurant space, thereby requiring more parking. On September 4, 1991, the EDC granted a 49 space parking variance request, thereby permitting 188 total parking spaces.

**SPECIAL EXCEPTION/SITE PLAN REVIEW:**

I. **PROCEDURAL REQUIREMENTS:** The applicant has met and complied with the procedural requirements of the Zoning Code Sections 64.23 and 64.253 (17) for veterinary offices.

II. **DISCUSSION AND RECOMMENDATION:**

On September 4, 1991, this application was heard by the EDC. A parking variance was approved, and the site plan was deferred to September 18th in order to give time for the Shoppers Village Center to discuss the proposed veterinary use with the Isla's Condo Association, and to determine if the EDC can act on a variance to permit the use on other than a separate lot. This center was previously considered as a Special Exception use due to the total footage being over 20,000 sq. ft.; However, the new adopted thresholds now consider uses over 50,000 sq. ft. as a Special Exception. Therefore, this application now requires only Site Plan and variance approval. Further, it should be noted that the veterinary use was, and remains, a permitted use in this zone, and the EDC does have the authority to grant a variance to the separate lot requirement.

Presently, the applicant is requesting approval of a Site Plan modification to permit a veterinary office use within an existing shopping center with a variance to the requirement of a separate lot for the veterinary use.

The Shoppers Village Center at Isla Del Sol was first approved by the EDC on October 3, 1979 (see aerial attached). The Ordinances does permit veterinary office uses as a permitted use but requires them " to be on a separate lot within a sound-proofed, air-conditioned building. "

Shoppers Village Center is seeking tenants for existing vacancies within the building. Since they have had inquiries from area vets, they are requesting a variance to this condition in order to have greater flexibility in marketing their facilities to potential retail tenants. The m.o.l. 1172 sq. ft. veterinary office will be in an enclosed, air-conditioned

end unit of the building (see diagrams and photos attached), and will not have any boarding facilities excepting permitted short term stays for the purpose of medical treatment. Staff notes that the EDC approved a like variance to permit a veterinary use within Maximo Plaza Shopping Center on December 7, 1983 under similar conditions (SE-773). Therefore, Staff recommends **APPROVAL** of the variance request to not require a separate lot for the veterinary use as any potential detrimental effects are very minimal as the proposed use is located near the end of the complex, as the center is surrounded by a golf course which offers spacious buffering, and as the nearest residential use is m.o.l. 400 linear feet away.

Staff recommends **APPROVAL** of the Site Plan modification with a variance, subject to the following :

**Item #1:** ALL SITE PLAN MODIFICATIONS AS REQUIRED BY THE E.D.C. IN APPROVING THIS APPLICATION SHALL BE INDICATED ON THE FINAL PLAN AND SHALL BE SUBMITTED TO THE PLANNING DEPARTMENT BY THE APPLICANT FOR APPROVAL PRIOR TO THE ISSUANCE OF PERMITS.

RESPONSES TO RELEVANT CONSIDERATIONS BY THE E.D.C. FOR REVIEW:

- a) Minimum Traffic Engineering Standards have been met.  
Ingress and Egress is adequate.

Traffic Engineering has reviewed the Site Plan and has no objections to the request.

There shall be adequate screening of parking areas.

- c) There is negligible traffic impact by the proposal.

- d) City Engineering has reviewed the site plan and has no objections to the request.

The proposal will not increase storm water runoff.

**Item #2:** A work permit issued by the Engineering Department shall be obtained prior to commencement of any proposed construction within dedicated rights-of-ways or easements.

**Item #3:** Sign plans that may be proposed shall be in accordance with the Sign Ordinance in the City Code. The applicant shall submit sign plans to Housing and Construction Services for necessary permits. Signs, if illuminated, shall be directed away from residential areas.

- f) The building orientation is in harmony with the character of the site, the surrounding/adjacent buildings, and the natural environment.

- g) The Comprehensive Land Use Plan designates the property: retail/office service

Surrounding land use are as follows:

North: Retail/Office Service & Boca Ciega Bay

South: Medium Density Residential

East: Retail/Office Service

West: Retail/Office Service

The proposed use does not negatively effect the surrounding neighborhood uses, as there is more than adequate buffering and as the nearest residence is hundreds of feet away from the site.

The use is consistent with the Comprehensive Plan.

- h) There would be no substantial detrimental effects of the proposed use on the surrounding neighborhood or surrounding property values.
- i) There would be no substantial detrimental effects of the proposed use on the working conditions of the neighborhood.

Staff has received no formal written or oral objections to the proposal. However, there was one objection announced from the Isla Condo Association at the September 4, 1991 EDC meeting, who objected to potential noise from the facility.

- j) **Item #4:** Required yards shall be unoccupied and shall be unobstructed by any portion of any structure, (excepting specified ancillary mechanical equipment) from the ground level upward (eaves may project two and one-half feet into a required yard but not over a dedicated easement). Compliance with this requirement shall be clearly indicated on the site plan.

**Item #5:** No building or other obstruction (including eaves) shall be erected, and no trees or shrubbery shall be planted, on any easement other than fences, trees, shrubbery and hedges of a type approved by the City.

**Item #6:** Curb-cut ramps for the physically handicapped shall be provided in sidewalks at all corners where sidewalks meet a street or driveway. As six handicapped parking spaces are required for 188 parking spaces, the applicant shall designate and sign two additional spaces so as to have six total.

- k) Land area seems sufficient, appropriate and adequate for the use.
- l) General amenities included in this proposal: the site is well landscaped and maintained.

**Item #7:** All existing landscape materials, as reflected on the submitted landscape plan, shall be in a healthy condition. The previously required berming around the parking perimeters shall be maintained, and replaced if necessary. Additional minor plantings may be required along the south and west parking perimeters to meet current code standards (to be worked out with Staff). Any existing plant materials that is unhealthy or damaged shall be replaced on a 1:1 basis, to be reviewed and approved by Staff.

**Item #8:** Plans for tree removal shall be submitted to the City's Urban Forester, Planning Department, for approval. Landscaping plans shall be in accordance with the following Ordinances :

Section 64.09, Subsection 16: Landscaping requirements for Yards abutting public streets.

Chapter 31 1/2: The Landscaping for Vehicular Use Areas Ordinance; and,

Chapter 31 1/2, Section 10 (h): Water conservation in connection with new developments.

**Item #9:** No trees shall be removed without City permits.

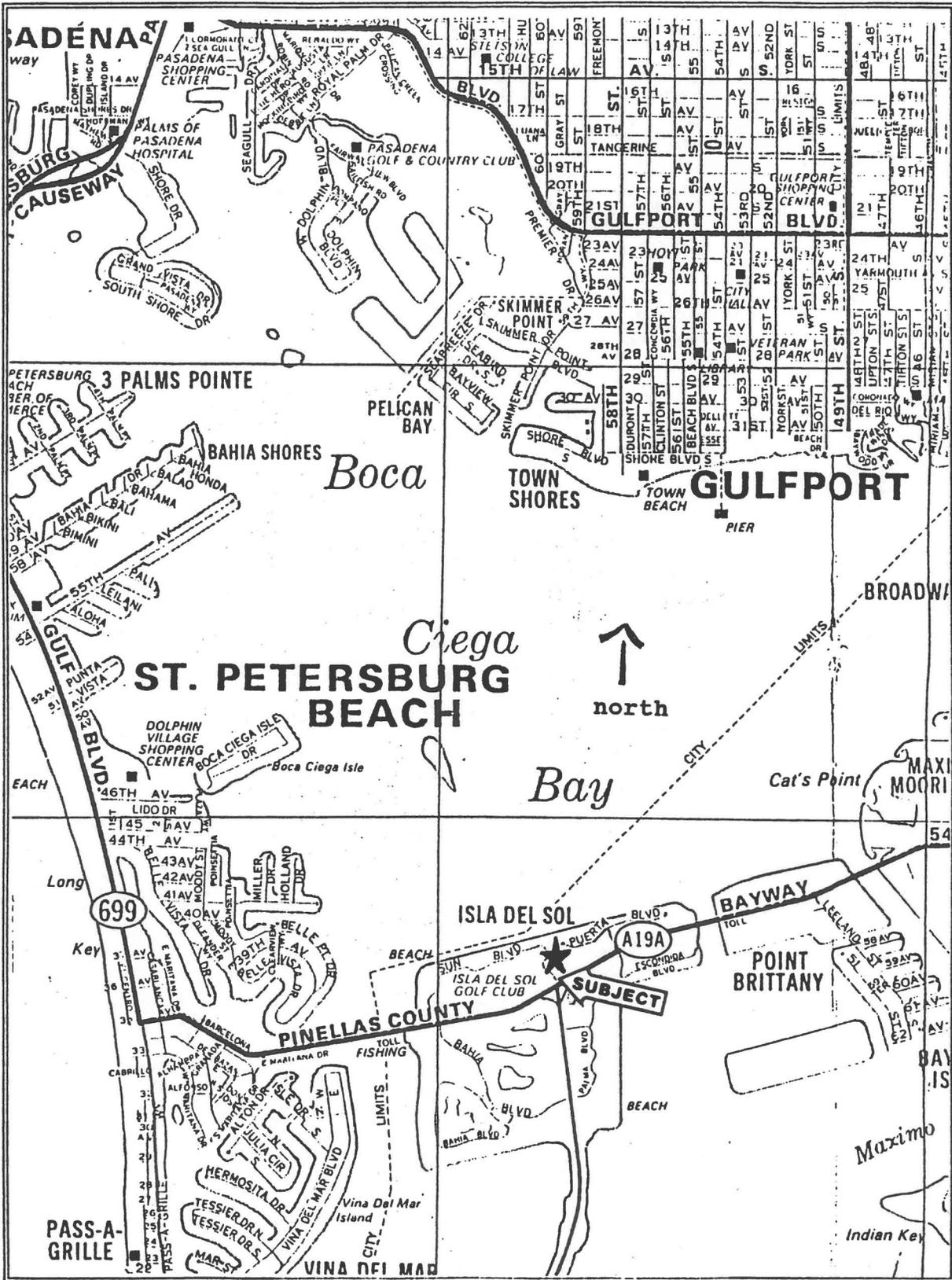
- Item #10:** All newly planted trees shall be mulched with a minimum of 3 inches of organic matter within a 2 foot radius around the trunk.
- Item #11:** An automated sprinkler system shall be provided in all landscaped areas. Drip irrigation can be permitted as specified within Chapter 31 1/2.
- Item #12:** Some form of physical barrier, shall be provided around the vehicular use area in order to protect landscaped areas.
- Item #13:** Natural or man-made features to be preserved : Existing vegetation, and berming of parking areas, as reflected on the landscape plan, shall be preserved, maintained, and replaced if necessary.
- Item #14:** Any trees being preserved, as indicated on the site plan in the landscaped areas, shall be protected during any construction or landscaping work in accordance with Chapter 29, Section 12 of the City Code. The Urban Forester shall inspect and approve all tree protection barricades prior to any permits being issued.

- n) There are no Historic or Archaeological resources on the site or within 200 feet.
- o) The site is within a flood hazard zone.  
The site is not within an airport velocity zone.
- p) The proposal meets the adopted levels of service.  
All services are adequate.

- Item #15:** The location and size of the trash container(s) needs to be designated, shall be adequately screened, and shall be subject to the approval of the Manager of Commercial Collections, City Sanitation. A solid wood fence or masonry wall, and a minimum 18-24 inch dense hedge, planted two feet on-center, shall be planted around the perimeters of the dumpster pad.

The adjacent roadways meet the adopted levels of service.

There is adequate separation and control of pedestrian, bicycle and vehicular traffic.



**Neighborhood Map**

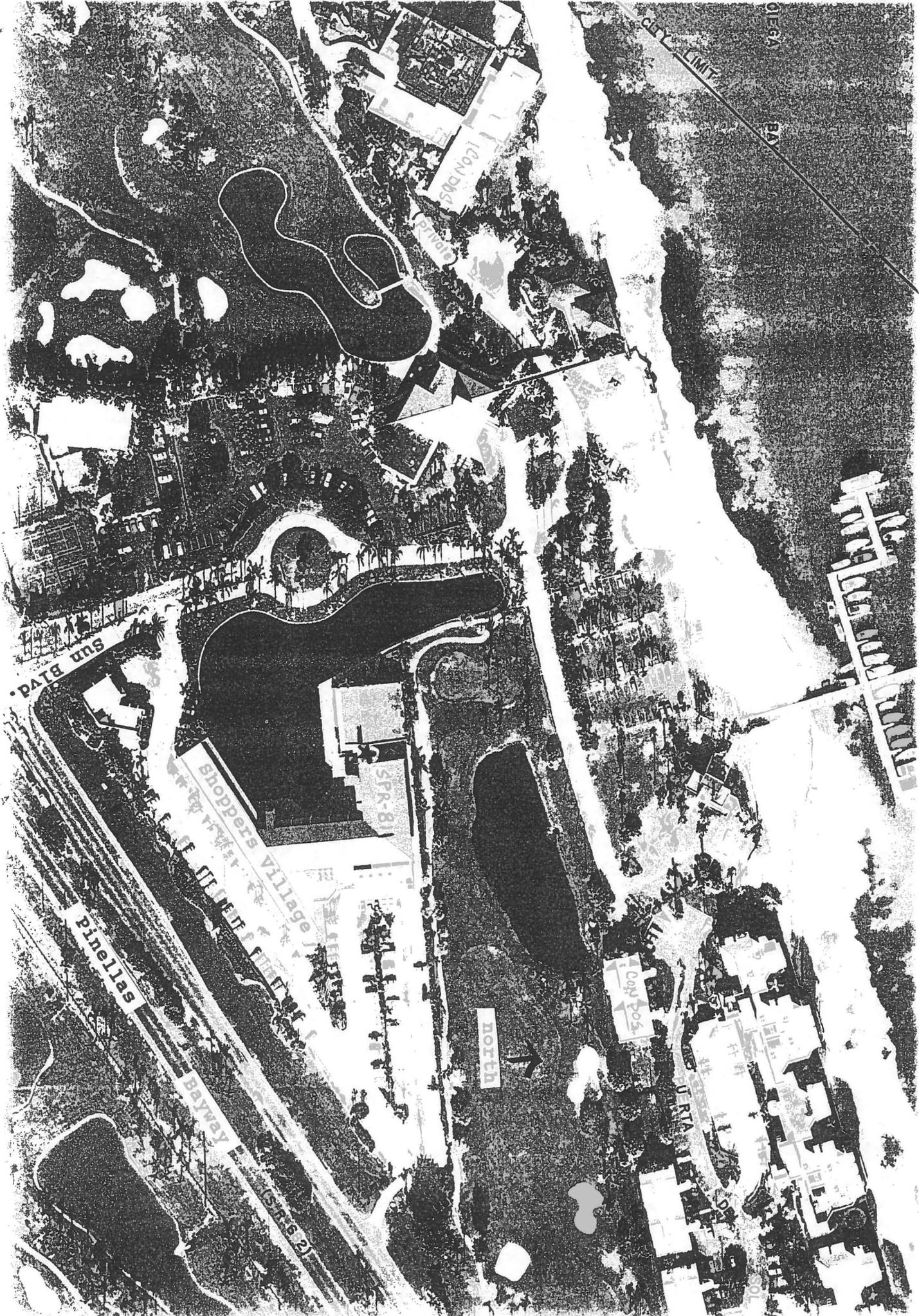
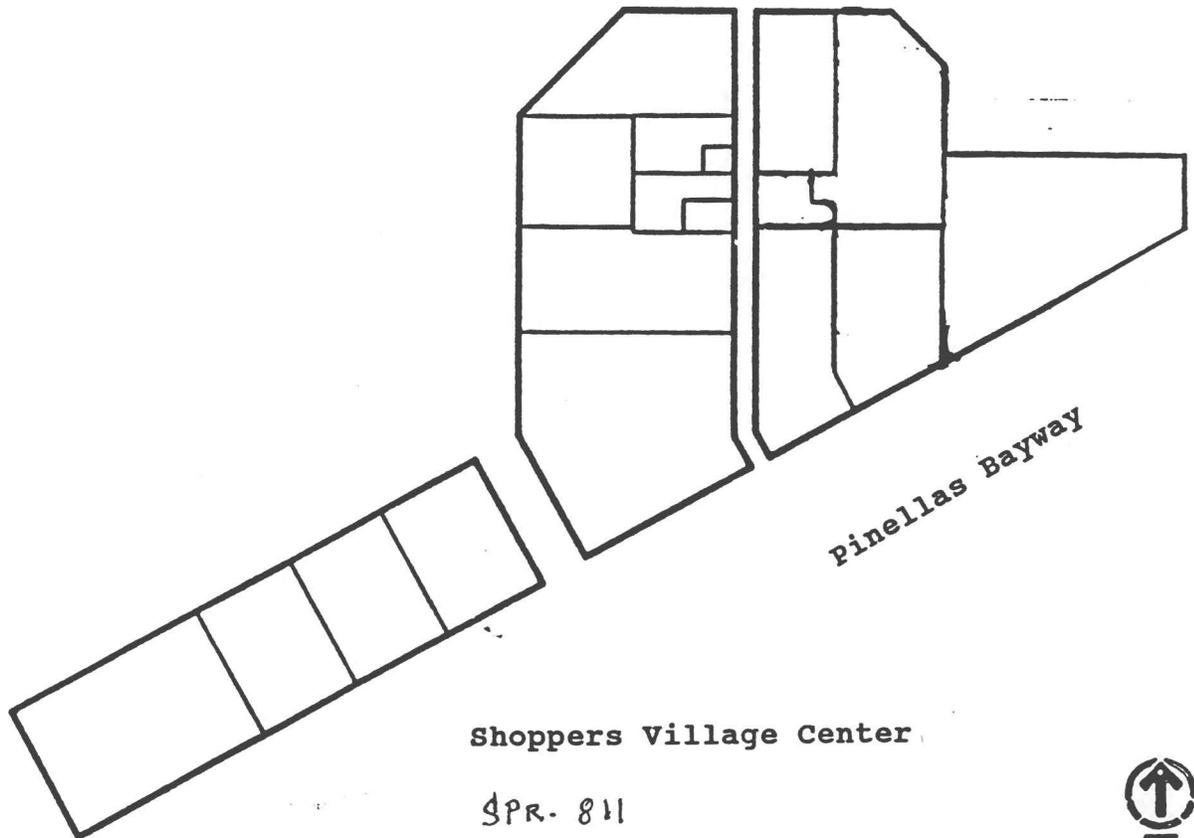
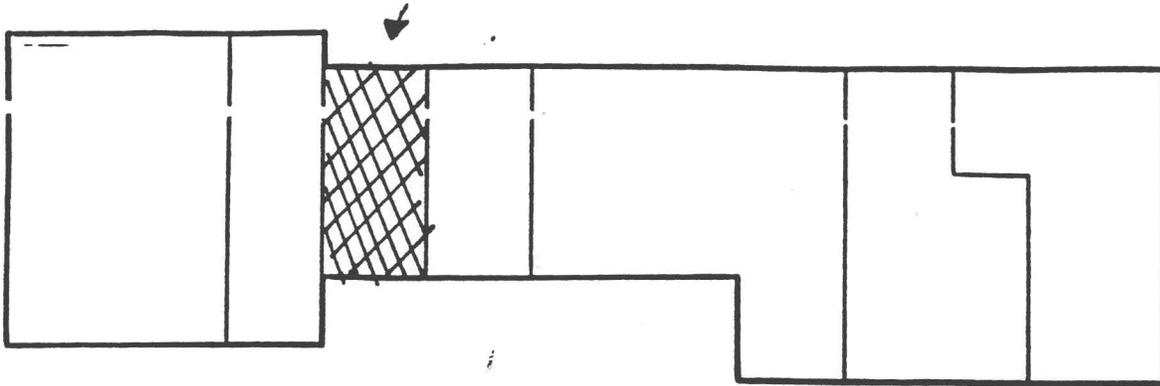




EXHIBIT "A"

Proposed site of 1,172 sq. ft. Veterinarian Office



1. THIS EXHIBIT IS DIAGRAMMATIC. SIZES AND DIMENSIONS ARE APPROXIMATE AND SUBJECT TO REVISION.
2. MERCHANT SHALL BE HELD RESPONSIBLE FOR FIELD VERIFICATION OF ALL INFORMATION CONTAINED WITHIN THIS EXHIBIT AS IT PERTAINS TO THEIR PREMISES.

TENANT:	Dr. Michael P. Adams
TOTAL S.F.:	1,172
SPACE NO.:	101

ISLA DEL SOL SHOPPERS VILLAGE

Parking Usage

	Car Count Week of 8/6/91	% Occup.	Car Count Week of 8/13/91	% Occup.
Tuesday @ 2:00 p.m.	56	30	49	26
Thursday @ 7:00 p.m.	19	10	23	12
Saturday @ 1:00 p.m.	50	26	43	23



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

**DEVELOPMENT REVIEW COMMISSION  
STAFF REPORT**

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**SITE PLAN REVIEW  
PUBLIC HEARING**

According to Planning & Development Services Department records, **Commission members Calvin Samuel, Tim Clemmons, and Jessica Ehrlich** resides or has a place of business within 2,000 feet of the subject property. All other possible conflicts should be declared upon the announcement of the item.

**REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & DEVELOPMENT SERVICES DEPARTMENT**, for Public Hearing and Executive Action on **December 4, 2019 at 2:00 P.M.** at the Sunshine Center (Auditorium), 330 5<sup>th</sup> Street North, St. Petersburg, Florida.

CASE NO.: 19-31000011 PLAT SHEET: F-2

REQUEST: Approval of a Site Plan to construct a 45-story building with 300 dwelling units, a 20-story building with a 225-room hotel, 15,000 sq. ft. of meeting space, 20,000 sq. ft. of office space, and 25,000 sq. ft. of commercial space. The applicant is requesting floor area ratio bonuses and approval of additional building height.

OWNER: Cats Red Apple St Pete, LLC  
800 3<sup>rd</sup> Avenue, Floor 5  
New York, New York 10022

AGENT: R. Donald Mastry, Trenam Law  
200 Central Avenue, Suite 1600  
Saint Petersburg, Florida 33701

ADDRESS: 400 Central Avenue

PARCEL ID NO.: 19-31-17-68610-001-0010

LEGAL DESCRIPTION: On File

ZONING: Downtown Center, Core (DC-C)

**SITE AREA TOTAL:** 99,121 square feet or 2.27 acres

**GROSS FLOOR AREA:**

Existing:	0 square feet	
Proposed:	1,280,840 square feet	8.0 F.A.R.
Permitted:	1,280,910 square feet	8.0 F.A.R.

**BUILDING COVERAGE:**

Existing:	0 square feet	
Proposed:	65,201 square feet	65% of Site MOL
Permitted:	94,164 square feet	95% of Site MOL

**IMPERVIOUS SURFACE:**

Existing:	9,984 square feet	10% of Site MOL
Proposed:	93,373 square feet	94% of Site MOL
Permitted:	N/A	

**OPEN GREEN SPACE:**

Existing:	89,362 square feet	90% of Site MOL
Proposed:	5,747 square feet	6% of Site MOL

**PAVING COVERAGE:**

Existing:	9,984 square feet	10% of Site MOL
Proposed:	28,172 square feet	28% of Site MOL

**PARKING:**

Existing:	0;
Proposed:	842; including 17 handicapped spaces
Required	444; including 9 handicapped spaces

**BUILDING HEIGHT:**

Existing:	0 feet
Proposed:	515 feet
Permitted:	regulated by F.A.A.

**APPLICATION REVIEW:**

**I. PROCEDURAL REQUIREMENTS:** The applicant has met and complied with the procedural requirements of Section 16.10.020.1 of the Municipal Code for a mixed-use development which is a permitted use within the DC-C Zoning District.

**II. DISCUSSION AND RECOMMENDATIONS:**

**The Request:**

The applicant seeks approval of a Site Plan to construct a 45-story building with 300 dwelling units, a 20-story building with a 225-room hotel, 15,000 sq. ft. of meeting space, 20,000 sq. ft. of office space, and 25,000 sq. ft. of commercial space. The applicant is requesting floor area ratio bonuses and approval of additional building height. The subject property is located in the block bound by Central Avenue, 4<sup>th</sup> Street South, 1<sup>st</sup> Avenue South and 5<sup>th</sup> Street South.

**History:**

The subject property is currently vacant. In 2016, a four-story parking garage, a 6-story building and a 11-story building that were located on the subject property were demolished. On August 4, 2016, City Council approved the vacation of a 20-foot wide east-west alley that divided the subject property. A public utility easement was retained and will need to be vacated prior to vertical construction.

**Current Proposal:**

The proposed project is a mixed-use development consisting of two towers and a parking deck. The applicant proposes to construct the entire project at the same time. The base of the proposed project will occupy a majority of the subject property. A pedestrian plaza will be located at the southeast corner of the subject property. The plaza will be integrated into the abutting public sidewalks along 4<sup>th</sup> Street South and the 1<sup>st</sup> Avenue South. A residential vehicular drop-off area will be west of the pedestrian plaza. The drop-off will be designed with hardscape features that integrate with the materials used for the pedestrian plaza to minimize the appearance of a vehicle drop-off area. Landscaping will be used to help define the space and to separate pedestrian conflicts with vehicles. The hotel vehicular drop-off area is at the southwest corner of the subject property. The drop-off area will be located in the building. Vehicular access for the hotel parking garage and drop-off area will be from 1<sup>st</sup> Avenue South and 5<sup>th</sup> Street South. Vehicular access for the residential parking garage entrance and drop-off area will be from 1<sup>st</sup> Avenue South. Curb cuts along Central Avenue are not permitted. Pedestrian access to the hotel will be from Central Avenue, 5<sup>th</sup> Street South and the hotel vehicular drop-off area. Pedestrian access to the residential tower will be from the residential vehicular drop-off area along 1<sup>st</sup> Avenue South. Pedestrian access to the commercial space will be from Central Avenue and the pedestrian plaza along 4<sup>th</sup> Street South and 1<sup>st</sup> Avenue South. Pedestrian access to the office space will be from Central Avenue.

The base of the building will consist of six floors. The first floor of the building, starting at the west side of the project, will include the hotel lobby with a restaurant, bar, lounge, back of house facilities, drop-off area and ingress/egress into the hotel parking garage. A loading area will be in the middle of the first floor serving the entire project. Commercial space will extend along the frontage of Central Avenue. An office lobby, residential lobby, back-of-house facilities, drop-off area and an ingress/egress to the residential parking garage will be along the east side of the first floor. The second through sixth floor of the building will be devoted towards parking, office space and residential units. The residential tower, located on the eastern side of the subject property, will sit on top of the six-story base and will be oriented at an angle to the subject property's property lines. The hotel tower will be sited on the western side of the subject property.

The proposed architectural style of the project will be modern. The ground floor of the building will have large glass storefront windows along Central Avenue, 4<sup>th</sup> Street South and 5<sup>th</sup> Street South. The hotel drop-off area will be shielded from the R-O-W with an architectural screen. The parking garage will have horizontal lines that will curve into the façade of the hotel tower. The garage will be screened from view by decorative perforated metal panels. Both towers will be skinned in glass and be articulated with vertical and horizontal lines. The residential tower will be ringed with balconies. Both towers will have a crown element.

**Building Height**

The height of the proposed residential tower will be 515 feet above grade. There is not a maximum building height in the DC-C zoning district. For buildings that exceed a height of 450

feet above grade require approval by the Development Review Commission (DRC). Staff has reviewed the proposed building height and finds that it complies with all site plan review criteria. The subject property is located in the DC-C zoning district. This district allows the highest intensities and building heights than anywhere else in the City. The height that is being requested by applicant is also required to be approved by the F.A.A. City Code requires a decorative crown and encourages decorative up lighting and crown lighting for any project receiving additional building height through a public hearing process.

**FLOOR AREA RATIO BONUSES:**

The base Floor Area Ratio (FAR) within the DC-C district is 4.0. The applicant is requesting a bonus of 4.0 FAR for a total FAR of 8.0, which can only be granted by staff upon demonstration that the project qualifies for the bonuses.

**1. 3.5 FAR – Use transfer of development rights from a locally designated landmark or landmark site.**

The applicant is seeking to utilize this bonus to achieve a FAR bonus of 3.5. To qualify for the bonus, the applicant will be required to purchase 346,854 square feet of transfer of development rights (TDRs) from a locally designated landmark or landmark site with available TDRs. Currently, there are five landmarks that the applicant can purchase TDRs from. The holder of the TDRs will be required to obtain approval from the City's Urban Planning and Historic Preservation Division to transfer any rights to the applicant.

**2. 0.5 FAR – Make structured parking not visible from streets (not alleys) with an architecturally compatible design above the base to create an attractive and architectural screen to structured parking.**

The applicant is seeking to utilize this bonus to achieve a FAR bonus of 0.5. To qualify for the bonus, the applicant will be required to screen the parking garage from all abutting streets with an architecturally compatible design. The applicant is proposing to install decorative perforated metals panels that will create a design that will screen and minimize the appearance of the parking garage. The final design will require staff approval. A condition of approval has been added to the report to address this issue.

**Public Comments:**

No comments were received by staff at the time this report was prepared. Notice has been sent in accordance with Section 16.70.010.4.

**III. RECOMMENDATION:**

**A. Staff recommends the following:**

- 1. APPROVAL of additional building height.**
- 2. APPROVAL of the floor area ratio bonuses.**
- 3. APPROVAL of the site plan, subject to the conditions in the staff report.**

**B. SPECIAL CONDITIONS OF APPROVAL:**

- 1. Approval of the site plan is subject to approval by the Community Redevelopment Agency.**
- 2. The applicant should install a historic plaque on the building or in the abutting right-of-way that details the history of the existing buildings. The applicant should coordinate design of the plaque with City staff.**

3. The existing clock located at the northwest corner of the subject property shall be preserved and incorporated into the new project.
4. The applicant shall purchase 346,854 square feet of Historic Transfer of Development Rights from an approved transfer site(s) as required to receive the F.A.R. bonus. Applicant shall complete the transfer of Historic Transfer of Development Rights prior to the release of building permits.
5. The structured parking shall provide for an architecturally compatible design above the base as required to receive the F.A.R. bonus. The final design shall be subject to approval by staff.
6. The applicant shall install a decorative crown to receive the additional building height. The final design shall be subject to approval by staff.
7. The applicant shall be required to install Plaza Parkway Streetscape Program improvements around the entire site, including the installation of new sidewalks, decorative pavers, corner neckouts, street lights and furnishings. Sidewalks shall extend from the building face to the edge of curb, except for those areas with approved plantings. Improvements shall be approved by both the City's Development Services and Engineering Departments.
8. Any modifications to the travel lane, parking spaces and landscape islands surrounding the subject property shall be subject to approval by the City.
9. Concrete driveways shall be continuous through all driveway approaches and truncated domes shall be installed.
10. Building materials at the street level shall include materials such as metal, stone, brick, precast masonry, glass, stucco or other similar hard surface material. The use of dryvit, EIFS, or other artificial material shall not be permitted.
11. The plans submitted for permitting shall comply with the Storefront Conservation Corridor Overlay as required by Section 16.30.095.
12. Bicycle parking shall be provided as required by Section 16.40.090.
13. Exterior lighting shall comply with Section 16.40.070.
14. Mechanical equipment shall be screened from the abutting rights-of-way and installed on site.
15. Construction of piers and/or caissons shall be by auger method unless geotechnical data supports a finding that such a method is impractical or impossible.
16. A Construction Action Plan (CAP) shall be submitted to Zoning Official for review and approval prior to the issuance of building permits.
17. The site plan shall be modified as necessary to comply with the comments in the Transportation Department's email dated October 14 2019.
18. The site plan shall be modified as necessary to comply with the comments in the Engineering Department's Memorandum dated October 11, 2019.
19. This approval shall be valid through November 6, 2024. Substantial construction shall commence prior to this expiration date, unless an extension has been approved by the POD. A request for extension must be filed in writing prior to the expiration date.

### **C. STANDARD CONDITIONS OF APPROVAL**

*(All or Part of the following standard conditions of approval may apply to the subject application. Application of the conditions is subject to the scope of the subject project and at the discretion of the Zoning Official. Applicants who have questions regarding the application of these conditions are advised to contact the Zoning Official.)*

**ALL SITE PLAN MODIFICATIONS REQUIRED BY THE DRC SHALL BE REFLECTED ON A FINAL SITE PLAN TO BE SUBMITTED TO THE PLANNING & DEVELOPMENT SERVICES DEPARTMENT BY THE APPLICANT FOR APPROVAL PRIOR TO THE ISSUANCE OF PERMITS.**

#### **Building Code Requirements:**

1. The applicant shall contact the City's Construction Services and Permitting Division and Fire Department to identify all applicable Building Code and Health/Safety Code issues associated with this proposed project.
2. All requirements associated with the Americans with Disabilities Act (ADA) shall be satisfied.

#### **Zoning/Planning Requirements:**

1. The applicant shall submit a notice of construction to Albert Whitted Field if the crane height exceeds 190 feet. The applicant shall also provide a Notice of Construction to the Federal Aviation Administration (FAA), if required by Federal and City codes.
2. All site visibility triangle requirements shall be met (Chapter 16, Article 16.40, Section 16.40.160).
3. No building or other obstruction (including eaves) shall be erected and no trees or shrubbery shall be planted on any easement other than fences, trees, shrubbery, and hedges of a type approved by the City.
4. The location and size of the trash container(s) shall be designated, screened, and approved by the Manager of Commercial Collections, City Sanitation. A solid wood fence or masonry wall shall be installed around the perimeter of the dumpster pad.

#### **Engineering Requirements:**

1. The site shall be in compliance with all applicable drainage regulations (including regional and state permits) and the conditions as may be noted herein. The applicant shall submit drainage calculations and grading plans (including street crown elevations), which conform with the quantity and the water quality requirements of the Municipal Code (Chapter 16, Article 16.40, Section 16.40.030), to the City's Engineering Department for approval. Please note that the entire site upon which redevelopment occurs shall meet the water quality controls and treatment required for development sites. Stormwater runoff release and retention shall be calculated using the rational formula and a 10-year, one-hour design storm.

2. All other applicable governmental permits (state, federal, county, city, etc.) must be obtained before commencement of construction. A copy of other required governmental permits shall be provided to the City Engineering & Capital Improvements Department prior to requesting a Certificate of Occupancy. Issuance of a development permit by the City does not in any way create any rights on the part of the applicant to obtain a permit from a governmental agency and does not create any liability on the part of the City of St. Petersburg for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by other governmental agencies or undertakes actions that result in a violation of state or federal law.
3. A work permit issued by the Engineering Department shall be obtained prior to commencement of construction within dedicated rights-of-way or easements.
4. The applicant shall submit a completed Storm Water Management Utility Data Form to the City's Engineering Department for review and approval prior to the approval of any permits.
5. Curb-cut ramps for the physically handicapped shall be provided in sidewalks at all corners where sidewalks meet a street or driveway.

**Landscaping Requirements:**

1. The applicant shall submit a revised landscape plan, which complies with the plan approved by the DRC and includes any modifications as required by the DRC. The DRC grants the Planning & Development Services Department discretion to modify the approved landscape plan where necessary due to unforeseen circumstances (e.g. stormwater requirements, utility conflicts, conflicts with existing trees, etc.), provided the intent of the applicable ordinance(s) is/are maintained. Landscaping plans shall be in accordance with Chapter 16, Article 16.40, Section 16.40.060 of the City Code entitled "Landscaping and Irrigation."
2. Any plans for tree removal and permitting shall be submitted to the Development Services Division for approval.
3. All existing and newly planted trees and shrubs shall be mulched with three (3) inches of organic matter within a two (2) foot radius around the trunk of the tree.
4. The applicant shall install an automatic underground irrigation system in all landscaped areas. Drip irrigation may be permitted as specified within Chapter 16, Article 16.40, Section 16.40.060.2.2.
5. Concrete curbing, wheelstops, or other types of physical barriers shall be provided around/within all vehicular use areas to protect landscaped areas.
6. Any healthy existing oak trees over two (2) inches in diameter shall be preserved or relocated if feasible.
7. Any trees to be preserved shall be protected during construction in accordance with Chapter 16, Article 16.40.060.5 and Section 16.40.060.2.1.3 of City Code.

**IV. CONSIDERATIONS BY THE DEVELOPMENT REVIEW COMMISSION FOR REVIEW (Pursuant to Chapter 16, Section 16.70.040.1.4 (D)):**

- A. The use is consistent with the Comprehensive Plan.

- B. The property for which a Site Plan Review is requested shall have valid land use and zoning for the proposed use prior to site plan approval;
- C. Ingress and egress to the property and proposed structures with particular emphasis on automotive and pedestrian safety, separation of automotive and bicycle traffic and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe and emergency. Access management standards on State and County roads shall be based on the latest access management standards of FDOT or Pinellas County, respectively;
- D. Location and relationship of off-street parking, bicycle parking, and off-street loading facilities to driveways and internal traffic patterns within the proposed development with particular reference to automotive, bicycle, and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping;
- E. Traffic impact report describing how this project will impact the adjacent streets and intersections. A detailed traffic report may be required to determine the project impact on the level of service of adjacent streets and intersections. Transportation system management techniques may be required where necessary to offset the traffic impacts;
- F. Drainage of the property with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the use of on-site retention systems. The Commission may grant approval, of a drainage plan as required by city ordinance, County ordinance, or SWFWMD;
- G. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with adjacent properties;
- H. Orientation and location of buildings, recreational facilities and open space in relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the building with adjacent development and surrounding landscape;
- I. Compatibility of the use with the existing natural environment of the site, historic and archaeological sites, and with properties in the neighborhood as outlined in the City's Comprehensive Plan;
- J. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on property values in the neighborhood;
- K. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on living or working conditions in the neighborhood;
- L. Sufficiency of setbacks, screens, buffers and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the proposed development and to control adverse effects of noise, lights, dust, fumes and other nuisances;
- M. Land area is sufficient, appropriate and adequate for the use and reasonably anticipated operations and expansion thereof;

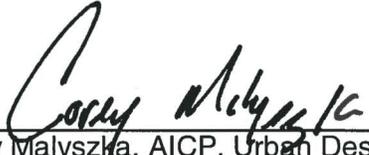
- N. Landscaping and preservation of natural manmade features of the site including trees, wetlands, and other vegetation;
- O. Sensitivity of the development to on-site and adjacent (within two-hundred (200) feet) historic or archaeological resources related to scale, mass, building materials, and other impacts;
  - 1. The site is **within** an Archaeological Sensitivity Area (Chapter 16, Article 16.30, Section 16.30.070).
  - 2. The property is **not within** a flood hazard area (Chapter 16, Article 16.40, Section 16.40.050).
- P. Availability of hurricane evacuation facilities for developments located in the hurricane vulnerability zones;
- Q. Meets adopted levels of service and the requirements for a Certificate of Concurrence by complying with the adopted levels of service for:
  - a. Water.
  - b. Sewer (Under normal operating conditions).
  - c. Sanitation.
  - d. Parks and recreation.
  - e. Drainage.

The land use of the subject property is: **Central Business District**

The land uses of the surrounding properties are:

- North: **Central Business District**
- South: **Central Business District**
- East: **Central Business District**
- West: **Central Business District**

REPORT PREPARED BY:

  
\_\_\_\_\_  
Corey Malyszka, AICP, Urban Design and Development Coordinator      10.29.19  
Development Review Services Division      DATE  
Planning and Development Services Department

REPORT APPROVED BY:

  
\_\_\_\_\_  
Jennifer Bryla, AICP, Zoning Official (POD)      10.29.19  
Development Review Services Division      DATE  
Planning and Development Services Department



Project Location Map  
City of St. Petersburg, Florida  
Planning and Development Services  
Department  
Case No.: 19-31000011  
Address: 400 Central Avenue









515'0"  
 Top of Bulkhead  
 490'6"  
 Residential Roof  
 44 floors

225'6"  
 Top of Bulkhead  
 195'6"  
 Hotel Roof  
 16 floors

75'-0"  
 Podium Roof  
 6 floors

0'-0"  
 Avg. Grade

4TH STREET NORTH 'A'

5TH STREET SOUTH 'B'

**CATS RED APPLE ST PETE LLC**

**ARQUITECTONICA**

PROJECT: 400 CENTRAL AVE

DRAWING NO: A-201

DRAWING: NORTH ELEVATION



SCALE: 1"=80'  
 DATE: 2019-10-01

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**CATS RED APPLE ST PETE LLC**

**ARQUITECTONICA**

PROJECT  
400 CENTRAL AVE

DRAWING NO:  
A-202

DRAWING  
SOUTH ELEVATION



SCALE: 1"=80'  
DATE: 2019-10-01

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**CATS RED APPLE ST PETE LLC**

PROJECT  
400 CENTRAL AVE

DRAWING NO:  
A-203

DRAWING:  
EAST ELEVATION



SCALE: 1"=80'  
DATE: 2019-10-01

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CATS RED APPLE ST PETE LLC

PROJECT:  
400 CENTRAL AVE

DRAWING NO:  
A-204

DRAWING:  
WEST ELEVATION



SCALE: 1"=80'  
DATE: 2019-10-01

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CATS RED APPLE ST PETE LLC

PROJECT  
400 CENTRAL AVE

DATE/TITLE  
IMG-1

VIEW  
AERIAL VIEW FACING SOUTH

DATE: 2019-09-13

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CATS RED APPLE ST PETE LLC

PROJECT  
400 CENTRAL AVE

DRAWING  
IMG-2

VIEW ALONG CENTRAL AVE

DATE: 2019-09-13

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QUANTUM SPACE STUDIO



CATS RED APPLE ST PETE LLC

PROJECT  
400 CENTRAL AVE

DRAWING NO  
IMG-3

DRAWING  
VIEW OF BASE AT NORTHEAST CORNER

DATE: 2019-09-13

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## NARRATIVE IN SUPPORT OF SITE PLAN APPLICATION

Cats Red Apple St. Pete, LLC (“Developer”) is the owner of 400 Central Ave., St. Petersburg, Florida (the “Property”). The Property is zoned DC-C which permits multifamily dwellings, retail, hotel and office uses by right.

The Developer is requesting bonus approval, public hearing, solely due to the project’s height. The project is otherwise eligible for the bonus approval, streamline process.

### Project

Featuring luxury condominiums, a full-service hotel, Class A office space, and ground floor retail space, the project will serve as an iconic centerpiece between St. Petersburg’s bayfront to the east and arts districts to the west, becoming an anchor for the core of downtown St. Petersburg.

400 Central Avenue will feature:

- A 45 story, luxury condominium tower with approximately 300 one- to four-bedroom residences with exquisitely designed interior finishes, wrap-around balconies and magnificent water views. The residential tower’s first-class amenities will include an expansive landscaped sundeck (with a pool, outdoor kitchen, dining space and dog park), a fitness center, spa and lounge. The orientation of the residential tower will allow for spectacular views of both Tampa Bay and the Gulf of Mexico.
- An approximately 225 room, luxury, full-service hotel with over 15,000 sq. ft. of elegantly appointed banquet / meeting space and a rooftop pool with casual dining area.
- Over 25,000 sq. ft. of retail / stores / restaurants along Central Avenue and 4th Street North.
- Approximately 20,000 sf of first class office space with dedicated entrance off of Central Avenue.
- Over 800 parking spaces.

Designed by the world-renowned, Florida based, architectural firm Arquitectonica, the buildings will be an elegant, iconic and exciting addition to the St. Petersburg skyline where people can live, visit, work, and play.

### Height

The maximum height permitted by streamline approval is 450 ft.; heights above 450 ft. require public hearing approval. The maximum height of the project is 515 ft.

The DC-C district “is the most intensive district in the City’s schedule of regulations” and “allows the highest densities, intensities and building height”. Sec. 16.20.120.3.1 of the City’s Code. The Developer’s requested height is consistent with the City’s desire to direct and

encourage the most intense development in the City's core. Further, while the proposed height exceeds the streamline approval height, it does so by only 14%, and is not materially different from other existing and approved projects in the DC districts.

FAR

The streamline maximum FAR in the DC-C district is 8.0 FAR. The Developer proposes to utilize the exemptions and bonuses set forth in the attached table to achieve an 8.0 FAR.

**FAR SUMMARY:**

**Site Area (SF) :** 99,121

**Summary**

<b>Area</b>	<b>Square Footage</b>	<b>Note</b>
<i>Development Area Available:</i>		
Base FAR (8.0)	792,968	Bonus Approval Streamline
Parking Deductible	318,670	
Office FAR Deductible	20,590	0.25 FAR (MAX 24,780 SF)
Hotel FAR Deductible	148,682	1.5 FAR
<b>Total Development Area Available</b>	<b>1,280,910</b>	
<i>Proposed Constructed Area (GSF):</i>		
Residential	719,690	
Parking	318,670	
Hotel	198,550	
Retail	23,340	
Office	20,590	
<b>Total Area to be Built</b>	<b>1,280,840</b>	

**FAR BREAKDOWN:**

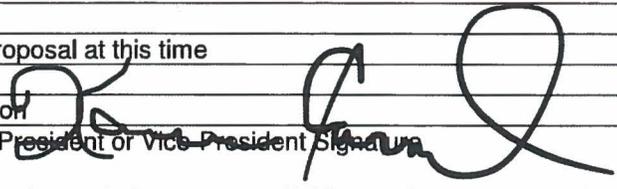
<b>Area</b>	<b>Square Footage</b>	<b>Note</b>
Total	1,280,840	
Parking	318,670	Deduct Full Area
Office Uses on Exterior of Parking		
Garage	20,590	0.25 FAR (MAX 24,780 SF)
Hotel Uses above ground floor	148,682	Deduct 1.5 FAR
<b>Calculated FAR SF</b>	<b>792,899</b>	
<b>Calculated FAR</b>	<b>8.00</b>	
<b>Base FAR SF</b>	<b>396,484</b>	
<b>Base FAR</b>	<b>4.00</b>	
<b>Bonuses Needed FAR SF</b>	<b>396,415</b>	
<b>Bonuses Needed FAR</b>	<b>4.00</b>	
<hr/>		
Parking Screen above base	49,561	0.5 FAR
Historic TDRs	346,854	3.0 FAR
<b>Total Bonus</b>	<b>396,415</b>	<b>4.0 FAR</b>



# PUBLIC PARTICIPATION REPORT

Application No. \_\_\_\_\_

In accordance with LDR Section 16.70.040.1.F, "It is the policy of the City to encourage applicants to meet with residents of the surrounding neighborhoods prior to filing an application for a permit requiring review and public hearing. The applicant, at his option, may elect to include neighborhood mediation as a preparatory step in the development process. Participation in the public participation process prior to required public hearings will be considered by the decision-making official when considering the need, or request, for a continuance of an application. It is not the intent of this section to require neighborhood meetings, but to encourage meetings prior to the submission of applications for approval and documentation of efforts which have been made to address any potential concerns prior to the formal application process.

APPLICANT REPORT	
<b>Street Address:</b> 400 Central Ave.	
1. Details of techniques the applicant used to involve the public	
(a) Dates and locations of all meetings where citizens were invited to discuss the applicant's proposal	
On August 9, 2019, from 11am-12pm at Trenam Law, 200 Central Ave., Suite 1600, St. Petersburg, the owner's representatives, its architect and attorney met with the association's representatives (John Waechter, Karen Carmichael, Steve Phillips, Dan Harvey Jr. and Andrew Davis) to discuss and present the project, site plan and elevations. The association was advised that some minor changes could be made to the plans prior to filing and that it would be provided with the final versions. The final plans were sent by email and reflect no substantive changes other than reducing the height of the hotel and minor changes to its elevations.	
(b) Content, dates mailed, and number of mailings, including letters, meeting notices, newsletters, and other publications	
N/A	
(c) Where residents, property owners, and interested parties receiving notices, newsletters, or other written materials are located	
N/A	
2. Summary of concerns, issues, and problems expressed during the process	
None.	
3. Signature or affidavit of compliance - President or vice-president of any neighborhood associations	
Check one: <input type="checkbox"/> Proposal supported	
<input type="checkbox"/> Do not support the Proposal	
<input type="checkbox"/> Unable to comment on the Proposal at this time	
<input type="checkbox"/> Other comment(s):	
St. Petersburg Downtown Neighborhood Association	
Association Name	
President or Vice-President Signature	
If the president or vice-president of the neighborhood association are unavailable or refuse to sign such certification, a statement as to the efforts to contact them and (in the event of unavailability or unwillingness to sign) why they were unable or unwilling to sign the certification.	



## NEIGHBORHOOD WORKSHEET

Applicants are strongly encouraged to obtain signatures in support of the proposal(s) from owners of property adjacent to or otherwise affected by a particular request.

NEIGHBORHOOD WORKSHEET	
<b>Street Address:</b> 400 Central Avenue St. Petersburg, FL	<b>Case No.:</b>
<b>Description of Request:</b> Site Plan Approval for a new mixed-use building containing residential condominiums, hotel, office space and retail	
The undersigned adjacent property owners understand the nature of the applicant's request and do not object (attach additional sheets if necessary):	
1. Affected Property Address:	501 CENTRAL AVENUE, ST. PETERSBURG, FL 33701
Owner Name (print):	FLORIDA CRAFTART, INC. KATIE DEITS, CEO
Owner Signature:	<i>Katie Deits</i>
2. Affected Property Address:	REGIONS - 510 CENTRAL AVE. ST. PETERSBURG, FL 33701
Owner Name (print):	JAMES W. DONATELLI
Owner Signature:	<i>J W Donatelli</i>
3. Affected Property Address:	
Owner Name (print):	
Owner Signature:	
4. Affected Property Address:	
Owner Name (print):	
Owner Signature:	
5. Affected Property Address:	
Owner Name (print):	
Owner Signature:	
6. Affected Property Address:	
Owner Name (print):	
Owner Signature:	
7. Affected Property Address:	
Owner Name (print):	
Owner Signature:	
8. Affected Property Address:	
Owner Name (print):	
Owner Signature:	



# NEIGHBORHOOD WORKSHEET

Applicants are strongly encouraged to obtain signatures in support of the proposal(s) from owners of property adjacent to or otherwise affected by a particular request.

NEIGHBORHOOD WORKSHEET	
<b>Street Address:</b> 400 Central Avenue St. Petersburg, FL	<b>Case No.:</b>
<b>Description of Request:</b> Site Plan Approval for a new mixed-use building containing residential condominiums, hotel, office space and retail	
The undersigned adjacent property owners understand the nature of the applicant's request and do not object (attach additional sheets if necessary):	
1. Affected Property Address: 433 Central Avenue St. Petersburg, FL Owner Name (print): Tricera 433 Central Property owner LLC - Ben Mandell Owner Signature: <i>Ben Mandell</i>	
2. Affected Property Address: 654 Central Avenue St. Petersburg, FL Owner Name (print): GSFT 654 Central LLC - Ben Mandell Owner Signature: <i>Ben Mandell</i>	
3. Affected Property Address: 658-670 Central Avenue St. Petersburg, FL Owner Name (print): GSFT 658-670 Central LLC - Ben Mandell Owner Signature: <i>Ben Mandell</i>	
4. Affected Property Address: Owner Name (print): Owner Signature:	
5. Affected Property Address: Owner Name (print): Owner Signature:	
6. Affected Property Address: Owner Name (print): Owner Signature:	
7. Affected Property Address: Owner Name (print): Owner Signature:	
8. Affected Property Address: Owner Name (print): Owner Signature:	

MEMORANDUM  
CITY OF ST. PETERSBURG  
ENGINEERING AND CAPITAL IMPROVEMENTS DEPARTMENT

---

**TO:** Iris Winn, Administrative Clerk, Development Services Department  
Jennifer Bryla, Planning & Development Services Zoning Official, Development Services  
Corey Malyszka, Zoning, Development Services Department

**FROM:** Nancy Davis, Engineering Plan Review Supervisor

**DATE:** October 11, 2019

**SUBJECT:** Site Plan Review

**FILE:** 19-31000011

---

**LOCATION** 400 Central Avenue; 19/31/17/68610/001/0010

**ATLAS:** F-2    **ZONING:** Downtown Center (DC-C)  
**PROJECT:** 400 Central Ave  
**REQUEST:** Approval of a Site Plan to construct a 45-story building with 300 dwelling units, a 20-story building with a 225-room hotel, 15,000 sq. ft. of meeting space, 20,000 sq. ft. of office space, and 25,000 sq. ft. of commercial space. The applicant is requesting floor area ratio bonuses and approval of additional building height.

The Engineering and Capital Improvements Department has no objection to the proposed site plan provided that the following special conditions and standard comments are added as conditions of approval:

**SPECIAL CONDITIONS OF APPROVAL:**

1. The public sanitary sewer main located within the vacated east/west alley must be relocated to the right-of-way of 5<sup>th</sup> Street South to the sewer within 1<sup>st</sup> Avenue South.
2. The wastewater reclamation plant and pipe system capacity will be verified prior to development permit issuance. Any necessary sanitary sewer pipe system upgrades or extensions (resulting from proposed new service or significant increase in projected flow) as required to provide connection to a public main of adequate capacity and condition, shall be performed by and at the sole expense of the applicant. Proposed design flows (ADF) must be provided by the Engineer of Record on the City's Wastewater Tracking Form (available upon request from the City Engineering department, phone 727-893-7238). If an increase in flow of over 3000 gpd is proposed, the ADF information will be forwarded for a system analysis of public main sizes 10 inches and larger proposed to be used for connection. The project engineer of record must provide and include with the project plan submittal 1) a completed Wastewater Tracking form, and 2) a capacity analysis of public mains less than 10 inches in size which are proposed to be used for connection. If the condition or capacity of the existing public main is found insufficient, the main must be upgraded to the nearest downstream manhole of adequate capacity and condition, by and at the sole expense of the developer.

The extent or need for system improvements cannot be determined until proposed design flows and sanitary sewer connection plan are provided to the City for system analysis of main sizes 10" and larger. Connection charges are applicable and any necessary system upgrades or extensions shall meet current City Engineering Standards and Specifications and shall be performed by and at the sole expense of the developer.

3. Public sidewalks are required by City of St. Petersburg Municipal Code Section 16.40.140.4.2 unless specifically limited by the DRC approval conditions. Within the DC zoning district, a 10' wide sidewalk is required in the rights-of-way around the entire project. The sidewalk design shall meet the following requirements;

- At point restrictions such as landscaping required in the public right of way, the 10-foot wide sidewalk may be reduced to 8-feet, however not continuously. Landscaping placed in the right of way must meet FDOT roadside offset criteria (clear zone). The specific sidewalk and landscaping layout must be reviewed and approved by the required City departments at the time of construction permit application submittal. The proposed landscaping plans do not match the landscaping as shown on the building elevations plans and site renderings.
- Existing sidewalks and new sidewalks will require curb cut ramps for physically handicapped and truncated dome tactile surfaces (of contrasting color to the adjacent sidewalk, colonial red color preferred) at all corners or intersections with roadways that are not at sidewalk grade and at each side of proposed and existing driveways per current City and ADA requirements. Concrete sidewalks must be continuous through all driveway approaches. All existing public sidewalks must be restored or reconstructed as necessary to be brought up to good and safe ADA compliant condition prior to Certificate of Occupancy.

4. All existing redundant (abandoned) driveway approaches or drop curbing which exist within the public right-of-way around the perimeter of the project redevelopment shall be removed as part of the project. Pavement surfaces associated with these approaches shall be completely removed from within the right-of-way and any existing drop curbing shall be removed and replaced with a raised curb to match existing curb type.

5. Per City Council Resolution existing roadway granite curbing and road brick in the public right of way shall be preserved (not removed). Throughout the City of St. Petersburg, existing granite curb within the right of way MUST remain granite and cannot be replaced with concrete curb. Only radius granite curb may be restored with concrete curb. Granite curb may be adjusted and reset per City Engineering Standard Detail S20-50.

6. Per land development code 16.40.140.4.6 (9), habitable floor elevations for commercial projects must be set per building code requirements to at least two feet above the FEMA elevation. The construction site upon the lot shall be a minimum of one foot above the average grade crown of the road, which crown elevation shall be as set by the engineering director.

\*It is noted that meeting required building floor elevations often necessitates elevating existing public sidewalks. Please note that transitions to adjacent public sidewalks shall be smooth, consistent, and ADA compliant with maximum cross slope of 2% and maximum longitudinal slope of 5%. Ramps may only be used at driveways and intersections, not mid-block in the main sidewalk path. Due to minimal parkway width and 10-foot sidewalk width requirements adjacent to this site, transitions to elevated building floors will likely

need to occur within the private property boundary. This should be considered with the design of the building and locations of the building thresholds.

7. The scope of this project will trigger compliance with the Drainage and Surface Water Management Regulations as found in City Code Section 16.40.030. Submit drainage calculations which conform to the water quantity and the water quality requirements of City Code Section 16.40.030. Please note the volume of runoff to be treated shall include all off-site and on-site areas draining to and co-mingling with the runoff from that portion of the site which is redeveloped. Stormwater systems which discharge directly or indirectly into impaired waters must provide net improvement for the pollutants that contribute to the water body's impairment. Stormwater runoff release and retention shall be calculated using the Rational formula and a 10-year 1-hour design storm.

\*The owner's engineer of record is responsible to verify that existing public storm sewer infrastructure has sufficient capacity or will have sufficient capacity prior to issuance of a certificate of occupancy, to convey the drainage flow after considering the current and proposed infrastructure demand. Drainage system analysis is required.

8. Site stormwater attenuation and treatment system discharges shall be piped to connect directly to a public underground stormwater conveyance system when a conveyance system is reasonably available. When a public stormwater conveyance system is not reasonably available for connection, a bubbler type overflow discharge may be considered; however, since the overflow to the surface of the right of way creates a point discharge which no longer mimics existing site discharge conditions, a more conservative drainage design which provides attenuation of the City's 10 year 1 hour design storm using a pre-development coefficient of runoff equal to 0.20 for entire site is required AND in no case shall an overflow discharge exceed 1 cfs during the City's 10 year 1 hour design storm. For a bubbler type overflow discharge to be approved, the Engineer of Record must provide adequate topographical information (every 50-feet) to verify a positive overland flow path to a public stormwater conveyance system. All bubbler type overflow structures shall be designed with an open bottom or other means to allow percolation of any standing water into the soil between storm events, shall be positioned to eliminate any flow of discharge over a public sidewalk, shall be located to avoid discharges over landscaped areas, shall not cause erosion to private property or to the public right of way, and shall not cause a public nuisance. Bubbler type overflow structures placed within the public right of way shall be traffic rated and will require prior approval of a Minor Easement Permit to clarify private ownership and maintenance responsibility.

9. Parking garage entrances/exits shall meet requirements as mandated by the City of St. Petersburg Land Development Code Section 16.40.090.3.5. Garage security gates with controlled access must be designed to meet the minimum vehicle stacking requirements. Any proposed card access readers shall be located within private property boundaries. An automatic traffic warning system shall be installed at the garage exit which activates a flashing warning light of exiting vehicles visible to vehicles or pedestrians traveling in the alley right-of-way. The final plan must include adequate signage, warning lights and wiring as required for public safety.40.090.3.5(g) without encroachment into the public alley.

10. Any proposed incidental architectural encroachments into the public right of way shall meet the requirements of City Code Chapter 25, Article VII. Any building projections or balconies which extend over the public right of way must meet the specific requirements of City Code 25-275; any building foundation encroachments into the public right of way shall meet the specific requirements of City Code 25-274.

11. A minor easement permit approval issued by the City Engineering and Capital Improvements department

must be obtained for all proposed private encroachments into the public right of way per the requirements of City Code chapter 25, Article VII prior to Engineering departmental site plan approval.

12. The project Engineer will be required to develop a site-specific Maintenance of Traffic plan in compliance with FDOT “Uniform Traffic Control Devices for Streets and Highways” and “Roadways and Traffic Design Standards for City approval prior to initiating construction. The plan shall provide for pedestrian and vehicular safety during the construction process and shall minimize the use of the public right of way for construction purposes. Approval of proposed roadway travel lane closures is discouraged and will be at the discretion of the City’s Engineering director pending receipt of adequate justification. The Maintenance of Traffic plan shall be prepared in compliance with City Engineering’s “Maintenance of Traffic Plan Requirements”, available upon request from the City Engineering & Capital Improvements department.

Note that contractor introduction letters must be sent to all surrounding businesses, associations, and property owners prior to implementing any Maintenance of Traffic plan. As a minimum, the letter must give a description of the project, provide a list of all right of way impacts (parking impacts, travel lane impacts, sidewalk closures and temporary pedestrian paths, etc.), a schedule for each phase of the MOT implementation, and what to expect with regard to noise, delivery trucks, concrete trucks & pumps, as well as contact information for the on-site contractors representative with 24 hour availability who is responsible for addressing any and all concerns of impacted citizens. The contractor must personally visit each operating business around the construction site and make direct contact with any active business association or neighborhood association and personally introduce themselves to the business owners and association presidents. The contractor must also meet with any association representatives and property owners periodically to address any concerns that may develop as the project proceeds. The contractor is required to provide a copy of the letter and summary of when and who was contacted prior to implementing any City approved MOT plan.

13. Use of on-street public parking spaces for construction purposes must receive prior approval from the City’s Transportation and Parking Management division. Refer to the City’s “Parking Meter Removal & Space Rental Policy During Construction” procedure, available upon request from the City Transportation and Parking Management department.

14. Redevelopment within this site shall be coordinated as may be necessary to facilitate any City Capital Improvement projects in the vicinity of this site which occur during the time of construction.

15. Please assure that the developer’s design professional(s) coordinate with Duke Energy prior to proceeding with further development of this site plan to assure that the design has provided adequate space for any Duke Energy equipment which may be required to be placed within the private property boundary to accommodate the building power needs. Early coordination is necessary to avoid additional expense and project delays which may occur if plans must be changed later in the building/site design stage as necessary to accommodate power equipment on-site and not within the public right of way. If you have not already done so, please initiate contact with [Jeff.Baker3@duke-energy.com](mailto:Jeff.Baker3@duke-energy.com).

16. A work permit issued by the Engineering Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement. All work within right of way or public utility easement shall be in compliance with current City Engineering Standards and Specifications and shall be installed at the applicant's expense in accordance with the standards, specifications, and policies adopted by the City.

**STANDARD COMMENTS:** Water service is available to the site. The applicant's Engineer shall coordinate potable water and /or fire service requirements through the City's Water Resources department. Recent fire flow test data shall be utilized by the site Engineer of Record for design of fire protection system(s) for this development. Any necessary system upgrades or extensions shall be performed at the expense of the developer.

Water and fire services and/or necessary backflow prevention devices shall be installed below ground in vaults per City Ordinance 1009-g (unless determined to be a high hazard application by the City's Water Resources department or a variance is granted by the City Water Resources department). Note that the City's Water Resources Department will require an exclusive easement for any meter or backflow device placed within private property boundaries. City forces shall install all public water service meters, backflow prevention devices, and/or fire services at the expense of the developer. Contact the City's Water Resources department, Kelly Donnelly, at 727-892-5614 or [kelly.donnelly@stpete.org](mailto:kelly.donnelly@stpete.org). All portions of a private fire suppression system shall remain within the private property boundaries and shall not be located within the public right of way (i.e. post indicator valves, fire department connections, etc.).

Plan and profile showing all paving, drainage, sanitary sewers, and water mains (seawalls if applicable) to be provided to the Engineering Department for review and coordination by the applicant's engineer for all construction proposed or contemplated within dedicated right of way or easement.

Redevelopment within this site shall be coordinated as may be necessary to facilitate any City Capital Improvement projects in the vicinity of this site which occur during the time of construction.

Development plans shall include a grading plan to be submitted to the Engineering Department including street crown elevations. Lots shall be graded in such a manner that all surface drainage shall be in compliance with the City's stormwater management requirements. A grading plan showing the building site and proposed surface drainage shall be submitted to the engineering director.

Development plans shall include a copy of a Southwest Florida Water Management District Management of Surface Water Permit or Letter of Exemption or evidence of Engineer's Self Certification to FDEP.

It is the developer's responsibility to file a CGP Notice of Intent (NOI) (DEP form 62- 21.300(4)(b)) to the NPDES Stormwater Notices Center to obtain permit coverage if applicable.

Submit a completed Stormwater Management Utility Data Form to the City Engineering Department.

The applicant will be required to submit to the Engineering Department copies of all permits from other regulatory agencies including but not limited to FDOT, FDEP, SWFWMD and Pinellas County, as required for this project. Plans specifications are subject to approval by the Florida state board of Health.

NED/MJR/meh  
pc: Kelly Donnelly  
Correspondence File

## Corey D. Malyszka

---

**From:** Thomas M Whalen  
**Sent:** Monday, October 14, 2019 10:51 AM  
**To:** Corey D. Malyszka  
**Cc:** Michael J. Frederick; Kyle Simpson  
**Subject:** Case No. 19-31000011 - Site Plan to Construct a 45-Story Building - 400 Central Avenue

Corey,

The Transportation and Parking Management Department has reviewed the proposed site plan for 45-story, mixed-use development at 400 Central Avenue. We recommend that the applicant provide a bulb out at the corner of Central Avenue and 4<sup>th</sup> Street. There is an existing stop for the Central Avenue Trolley at this location. The trolley could stop at the bulb out, much like it does on the other side of 4<sup>th</sup> Street for westbound service.

We contacted PSTA staff to review our proposal. They are okay with the buses not being able to pull into the curb. As part of the bulb out, they recommend that an ADA land pad that is 5' by 8' be included to allow buses to deploy an ADA ramp for riders with disabilities.

Tom Whalen, AICP CTP, ENV SP  
Planner III  
City of St. Petersburg  
727-893-7883

DRC CASE NO. 19-3100011

ADDITIONAL CORRESPONDENCE AS OF NOVEMBER 26, 2019

DECEMBER 4, 2019 - DRC MEETING

## Iris L. Winn

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**From:** kingwg@tampabay.rr.com  
**Sent:** Tuesday, November 26, 2019 9:22 PM  
**To:** Iris L. Winn  
**Subject:** Letter of Opposition: 400 Central Ave DRC Case # 19-31000011

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Winn

Formal letter of opposition to proposed site plan for 400 Central Ave Project

Please include with packet for Dec 4 DRC Meeting

Please confirm receipt

Thank you

Bill King  
[kingwg@tampabay.rr.com](mailto:kingwg@tampabay.rr.com)  
tel 727-365-2868

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MEMO

November 26, 2019

TO:  
Ms. Melissa Rutland – **Chair**  
City of St. Petersburg Development Review Commission

FROM:  
William G. King, Jr  
1300 49<sup>th</sup> Ave NE  
St. Petersburg, FL 33703  
[kingwg@tampabay.rr.com](mailto:kingwg@tampabay.rr.com)

Reference: Case # 19-31000011, 400 Central Ave Project, Big Apple Group

Ms. Rutland and DRC Members

**This memo will serve as formal opposition of record to the proposed 400 Central Project.**

I am a long term resident of St. Petersburg and I work in the BBT building at 360 Central Ave ; next door to the proposed project.

The proposal for a 45 story hotel/residences , in my opinion, is excessive and not in keeping with the skyline and other development in the downtown / Central Ave business district. Such a large structure will for forever (negatively) change

the character of the central downtown area plus generate a huge impact on parking and vehicular congestion in an area with very limited infrastructure.

I would strongly recommend that the DRC **deny** the project as proposed; and seek an alternative, scaled back, “right sized” plan from the Big Apple Group that is consistent and more in keeping with the character of the area.

Thank you for your consideration in this matter.

Sincerely  
William G. King, Jr.



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

**DEVELOPMENT REVIEW COMMISSION  
STAFF REPORT**

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**APPEAL OF A STREAMLINE APPROVAL  
FOR SITE PLAN APPROVAL**

According to Planning & Development Services Department records, **Commission members Calvin Samuel and Tim Clemmons** resides or has a place of business within 2,000 feet of the subject property. All other possible conflicts should be declared upon the announcement of the item.

**REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & DEVELOPMENT SERVICES DEPARTMENT, for Public Hearing and Executive Action on Wednesday, December 4, 2019 at 2:00 P.M. at the Sunshine Center (Auditorium), 330 5<sup>th</sup> Street North, St. Petersburg, Florida.**

**CASE NO.: 19-31000012 PLAT SHEET: F-4**

**APPEAL:** Appeal of a streamline approval of a Site Plan to construct a 7-story building with 126-dwelling units in the DC-2 zoning district. The applicant is requesting floor area ratio bonuses and a variance to maintain a 5-foot wide sidewalk.

**APPELLANTS:**

- Jarryd Lungert and Matt Clear  
343 8<sup>th</sup> Street North  
Saint Petersburg, Florida 33701
- Jeremy and Kate Lund  
759 Calla Terrace  
Saint Petersburg, Florida 33701
- Larkin Accinelli  
755 Calla Terrace North  
Saint Petersburg, Florida 33701
- Daron Tarolton  
757 Calla Terrace North  
Saint Petersburg, Florida 33701
- Peter Belmont  
Preserve the 'Burg  
P.O. Box 838  
Saint Petersburg, Florida 33731

Debi Mazor and Peggy Green  
841 4<sup>th</sup> Avenue North  
Saint Petersburg, Florida 33701

David and Violeta Sanders  
841 4<sup>th</sup> Avenue North  
Saint Petersburg, Florida 33701

**OWNER:** 770 4th Ave N Land Trust  
405 6<sup>th</sup> Street South, Suite 102  
Saint Petersburg, Florida 33701

**AGENT:** Istvan Peteranecz  
Behar Peteranecz Architects  
2430 Terminal Drive  
Saint Petersburg, Florida 33712

**ADDRESS:** 770 4<sup>th</sup> Avenue North

**PARCEL ID NO.:** 19-31-17-41650-000-0010

**LEGAL DESCRIPTON:** On File

**ZONING:** Downtown Center (DC-2)

**SITE AREA TOTAL:** 30,890 square feet or 0.71 acres

**GROSS FLOOR AREA:**

Existing:	11,723 square feet	0.38 F.A.R.
Proposed:	115,263 square feet	3.73 F.A.R.
Permitted:	154,450 square feet	5.0 F.A.R.

**BUILDING COVERAGE:**

Existing:	11,723 square feet	38% of Site MOL
Proposed:	27,131 square feet	88% of Site MOL
Permitted:	29,345 square feet	95% of Site MOL

**IMPERVIOUS SURFACE:**

Existing:	24,443 square feet	79% of Site MOL
Proposed:	28,161 square feet	91% of Site MOL
Permitted:	N/A	

**OPEN GREEN SPACE:**

Existing:	6,447 square feet	21% of Site MOL
Proposed:	2,729 square feet	9% of Site MOL

**PAVING COVERAGE:**

Existing:	12,720 square feet	41% of Site MOL
Proposed:	1,030 square feet	3% of Site MOL

**PARKING:**

Existing:	25
Proposed:	116; including 5 handicapped spaces
Required	75; including 4 handicapped spaces

**BUILDING HEIGHT:**

Existing:	30 feet
Proposed:	81 feet
Permitted:	125 feet

**APPLICATION REVIEW:**

**I. PROCEDURAL REQUIREMENTS:** The applicant has met and complied with the procedural requirements of Section 16.10.020.1 of the Municipal Code for a multi-family development which is a permitted use within the DC-2 Zoning District.

**II. DISCUSSION AND RECOMMENDATIONS:**

**The Request:**

The applicant seeks approval of a Site Plan to construct a 7-story building with 126-dwelling units in the DC-2 zoning district. The applicant is requesting floor area ratio bonuses and a variance to maintain a 5-foot wide sidewalk. The subject property is located on the south side of 4<sup>th</sup> Avenue North between Moffett Court North and 8<sup>th</sup> Street North.

**Current Proposal:**

Staff determined that the request was consistent with review criteria and initiated a streamline approval of the application in accordance with Section 16.20.120.4 approval process in DC districts. The subject application was scheduled to be approved by staff on October 10, 2019, if no appeal was submitted.

**Appeal:**

On October 10, 2019, the City Clerk received two appeals. The first appeal was from Jarryd Lunger with three additional appellants listed on the appeal ("Lunger" appeal). The second appeal was from Preserve the 'Burg represented by Peter Belmont with two additional appellants listed on the appeal ("PTB" appeal). The first appeal listed two items for grounds for the appeal and the second appeal listed one item for grounds for the appeal, see attached Appeal tab. The two appeals are being processed as a unified appeal case.

**Analysis:**

The proposed project will consist of a 7-story residential building which will occupy the majority of the subject property. The ground floor of the building will consist of a lobby, mechanical room, dumpster room, loading room and vehicular parking. The second floor will include a lobby, storage room, mechanical room and vehicular parking. The third floor will have residential units and an outdoor terrace with pool. The fourth through sixth floors will have residential units. The seventh floor will have an indoor and outdoor amenity space and residential units.

Vehicular ingress and egress to the parking garage will be from a Moffett Court North. The dumpster and loading areas will also be accessed from Moffett Court North. Pedestrian access to the building will be from the public sidewalk along 8<sup>th</sup> Street North

The proposed architectural style of the building will be contemporary. The first two floors of the building will be clad in a different material than the upper floors, helping to define the base of the building. The base of the building includes the lobby and parking garage. The applicant has carried the fenestration pattern from the upper floors down to the base of the building to articulate the façade and screen the parking. The base of the building is also articulated with a 2-story glass lobby. The upper portion of the building will include large windows, and balconies that are both inset and cantilevered from the building.

**FLOOR AREA RATIO BONUSES:**

The base Floor Area Ratio (FAR) within the DC-2 district is 3.0. The applicant is requesting a bonus of 0.8 FAR for a total FAR of 3.8, which can be granted administratively upon demonstration that the project qualifies for the bonuses.

The applicant is requesting approval of the following bonus:

- 1. 0.8 FAR – Use transfer of development rights from a locally designated landmark or landmark site.**

The applicant is seeking to utilize this bonus to achieve a FAR bonus of 0.8. To qualify for the bonus, the applicant will be required to purchase 24,712 square feet of transfer of development rights (TDRs) from a locally designated landmark or landmark site with available TDRs. Currently, there are five landmarks that the applicant can purchase TDRs from. The holder of the TDRs will be required to obtain approval from the City’s Urban Planning and Historic Preservation Division to transfer any rights to the applicant.

**VARIANCE:**

**Sidewalk width**

<b>Required:</b>	<b>10 feet</b>
<b>Proposed:</b>	<b>5 feet</b>
<b>Variance:</b>	<b>5 feet</b>

The code requires 10-foot wide sidewalks in the downtown zoning districts. The r-o-w width along Moffett Court North is 20-foot wide. There are currently 5-foot-wide sidewalks along both sides of Moffett Court North. The street has a 10-foot wide travel lane and is designated one-way. To widen the sidewalk would require decreasing the width of the travel lane. The existing sidewalk is adequate to accommodate the existing pedestrian traffic that occurs along Moffett Court North. The public sidewalks along 8<sup>th</sup> Street North and 4<sup>th</sup> Avenue North will be widened to 10-feet.

**The Appeal:**

The standard of review for the appeal is *de novo*, which means that Development Review Commission (DRC) may hear new evidence and may substitute its judgment for that of Staff. DRC may decide to retain, eliminate, or further amend any of the conditions of approval, as amended. Adding new conditions of approval is also permissible. The burden of proof for all appeals is on the Appellant.

The Lunger appeals listed two items and the PTB appeal raises one item for grounds for the appeal. Staff’s analysis and response to these issues is addressed in this report.

The relevant legal criteria for this appeal of a Site Plan approval are found in Chapter 16, Section 16.70.040.1.4.D. are noted below. It is the responsibility of the Development Review Commission (DRC) to evaluate and weight these criteria in making their determination.

*D. Standards for review. In addition to the standards of review for a zoning and planning decision generally, a decision rendered under this section shall be guided by the following factors:*

- 1. The use is consistent with the Comprehensive Plan;*
- 2. The property for which a site plan review is requested shall have valid land use and zoning for the proposed use prior to the public hearing;*
- 3. Ingress and egress to the property and proposed structures with particular emphasis on automotive and pedestrian safety, separation of automotive and bicycle traffic and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe and emergency. Access management standards on State and county roads shall be based on the latest access management standards of FDOT or the county, respectively;*
- 4. Location and relationship of off-street parking, bicycle parking, and off-street loading facilities to driveways and internal traffic patterns within the proposed development with particular reference to automotive, bicycle, and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping;*
- 5. Traffic impact report describing how this project will impact the adjacent streets and intersections. A detailed traffic report may be required to determine the project impact on the level of service of adjacent streets and intersections. Transportation system management techniques may be required where necessary to offset the traffic impacts;*
- 6. Drainage of the property with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the use of on-site retention systems. The Commission may grant approval of a drainage plan as required City ordinance, county ordinance, or SWFWMD;*
- 7. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with adjacent properties;*
- 8. Orientation and location of buildings, recreational facilities and open space in relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the building with adjacent development and surrounding landscape;*
- 9. Compatibility of the use with the existing natural environment of the site, historic and archaeological sites, and with properties in the neighborhood as outlined in the City's Comprehensive Plan;*
- 10. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on property values in the neighborhood;*
- 11. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on living or working conditions in the neighborhood;*
- 12. Sufficiency of setbacks, screens, buffers and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the proposed development and to control adverse effects of noise, lights, dust, fumes and other nuisances;*
- 13. Land area is sufficient, appropriate and adequate for the use and reasonably anticipated operations and expansion thereof;*
- 14. Landscaping and preservation of natural manmade features of the site including trees, wetlands, and other vegetation;*
- 15. Sensitivity of the development to on-site and or adjacent (within 200 feet) historic or archaeological resources related to scale, mass, building materials, and other impacts;*
- 16. Availability of hurricane evacuation facilities for developments located in the hurricane vulnerability zones;*
- 17. Meets adopted levels of service and the requirements for a certificate of concurrency by complying with the adopted levels of service for: a. Water. b. Sewer. c. Sanitation. d. Parks and recreation. e. Drainage*

**STAFF ANALYSIS:** Staff has reviewed the arguments set forth in the appeal letters. Staff recommends that the DRC deny both appeals and uphold the Staff's decision based on the

following analysis. Appellants' issues are outlined below in bold, followed by Staff analysis and response.

**Appeal #1 (Lunger)**

**Issue #1: A traffic study was not complete that would evaluate potential impacts the development would have on the surrounding area.**

Staff's response:

The submittal documents required by Code for a site plan application do not include a traffic study. Site plan applications are routinely routed by staff to multiple city departments for initial review, including the Engineering, Transportation and Parking Management and Water Resources Departments. City departments may provide comments and/or conditions of approval or request additional information or studies if deemed necessary. Correspondence for the proposed project are attached to the report under the Staff Correspondence tab.

The City's Transportation and Parking Management Department did not require a traffic study due to the low number of projected new peak hour vehicular trips. In addition to the low number of projected trips, Moffett Court North is sufficient to accommodate the entering and exiting trips. The major streets, 8<sup>th</sup> Street North and 4<sup>th</sup> Avenue North, have excess roadway capacity and can accommodate the new development. The number of parking spaces provided by the applicant greatly exceeds the number of spaces required by Code and is sufficient to meet peak parking demands. The Pinellas Suncoast Transit Authority (PSTA) has several routes within walking distance of the proposed development.

**Appeal #1 (Lunger)**

**Issue #2: Character of the neighborhood will be changed, and many historic homes impacted. The sidewalk variance will impact those living on Calla Terrace and Moffett Court North and the developer should include the neighbors in designing the project.**

**Appeal #2 (PTB)**

**The proposed development is inconsistent with the City Code and Comprehensive Plan and is not subject to staff approval as the proposed project is inconsistent with the site plan review criteria. The project site includes two historic resources, one of which retains its historic integrity.**

**Staff erred in finding the proposed development consistent with the City Code's compatibility criteria contained within Section 16.70.040.1.4 (D), including that the proposed development is compatibility with the neighborhood and sensitive to adjacent historic resources.**

Staff's response:

The existing sidewalks along Moffett Court North will not be impacted by this development. The applicant is requesting a variance to maintain the existing five-foot wide public sidewalk along the west side of Moffett Court North.

The character of the neighborhood is defined by a mixture of architectural styles, housing types, building heights, sizes and age. The City's Comprehensive Plan recommends that downtown surface parking lots be redeveloped with urban styled buildings, allow a mixture of high intensity mixed-uses to facility compact urban development and to promote infill and redevelopment in areas of the City that have available infrastructure. The appellants for appeal #1 live in the

townhomes directly south of the subject property. These townhomes were complete in 2018 and are three-stories with a fourth-floor roof deck. The developer of these townhomes demolished multiple contributing structures that were built in 1930's. Located on the west side of 8<sup>th</sup> Street North, The Portland, 300 8<sup>th</sup> Street North, is 12-stories and was built in 2011, and City Place, 298 8<sup>th</sup> Street North, is five-stories and was built in 2010. Structure to the north and east of the subject property consist of one and two-story single and multi-family buildings built in the 1910's and 1920's. The appellants for appeal #2 live in a six-story condominium at 841 4<sup>th</sup> Avenue North, that was built in 1950's. The condominium is located next to two-story structures that were built in the 1920's and across the street from the single and multi-family structures built in the 1920's and the two-story Women's Shelter, built in 2016, that was approved by the DRC.

The City of St. Petersburg recognizes historic preservation through listing in the *National Register of Historic Places* and local landmark designation and listing in the *St. Petersburg Register of Historic Places*. Only properties with a local landmark designation or those located within a local historic district are regulated through the formal Certificate of Appropriateness ("COA") process. The COA process mandates a detailed review by City staff and the Community Planning and Preservation Commission.

In this instance, the subject property is located within the Downtown St. Petersburg National Register District, but more importantly, it is **not** located within a designated local historic district. Consequently, the proposed development plan is not subject to the same level of scrutiny mandated for properties located within a designated local historic district *meaning* the height criterion normally applied through the COA process is not applicable here. The applicant is proposing a building that complies with the minimum building setback and maximum building height requirements prescribed by the zoning category. Separate from the considerations pertaining to designated local historic districts and the requirement for a COA, there is a site plan requirement that this proposed development should consider, "*Sensitivity of the development to on-site and or adjacent (within 200 feet) historic or archaeological resources related to scale, mass, building materials, and other impacts.*" The dynamic nature of downtown centers means they are constantly evolving through change in land use composition and the characteristics of physical development. These changes may be influenced by a number of factors, including market demands and emerging technologies and construction techniques.

The application was routed to the City's Urban Planning and Historic Preservation Division staff for review. Staff's analysis determined the project to be **consistent** with City Code Section 16.70.040.1.4.D, criterion number 14, "Sensitivity of the development to on-site and or adjacent (within 200 feet) historic or archaeological resources related to scale, mass, building materials and other impact." Within 200 feet of the subject property are 21 contributing structures, but there are no locally designated structures. The two existing structures on the subject are considered contributing. However, the building at 770 4<sup>th</sup> Avenue North lacks historic integrity due to substantial modifications and both buildings suffer from a diminished setting due to the demolition and redevelopment of buildings on the subject block and immediately to the west and south. A memorandum dated October 25, 2019, from the City's Planning and Historic Preservation Division is attached to this report under the Staff Correspondence tab.

City staff encourages but does not require applicants to reach out to affected properties. The applicant is required to provide public notice to property owners within 200-feet of the subject property, minus right-of-way. The applicant is also required to provide notice to any affected neighborhood associations prior to submitting the application to the City. The required notice was provided by the applicant.

**Summary:**

Staff found that the application complied with the applicable provisions of the Land Development Regulations (LDR's) and initiated the Streamline approval process. Staff recommends that the two appeals be denied, and that the decision of Staff be upheld, thereby approving the project.

**Public Comments:**

No additional comments or concerns were expressed to Staff at the time this report was prepared.

**III. RECOMMENDATION:**

**A. Staff recommends the following:**

- 1. APPROVAL of a variance to the sidewalk width.**
- 2. APPROVAL of the floor area ratio bonuses.**
- 3. APPROVAL of the site plan, subject to the conditions in the staff report.**

**B. SPECIAL CONDITIONS OF APPROVAL:**

- 1. Final approval and release of a demolition permit shall be conditioned on the submission of a complete set of construction drawings for new construction. The submission shall first be determined complete by the Building Official or person officially designated for making such determinations. While not an official COA, historic preservation staff will review the demolition and building permit for new construction to confirm compliance with the above conditions.**
- 2. Prior to demolition, the property owner [applicant or successors] shall carefully remove two (2) historic wood window sets, include the frame and historic glass, and make the window sets available for salvage or donation. City of St. Petersburg's historic preservation staff will help facilitate vendor connections, if needed.**
- 3. The buildings elevations shall be revised as follows:**
  - a. Openings in the garage shall have a consistent fenestration pattern with the building. The openings shall include decorative screening or mesh.**
  - b. The roll-up doors on the east side of the building shall match the architectural style of the building and be painted to match the building.**
  - c. The northwest and northeast corners of the first and second floors of the building shall include windows/glazing that are consistent with the windows/glazing of the upper floors of the building.**
  - d. The final building elevations shall be approved by staff.**
- 4. City Staff shall approval the transfer of Historic Transfer of Development Rights prior to the release of building permits.**
- 5. Any modifications to the travel lane, parking spaces and landscape islands surrounding the subject property shall be subject to approval by the City.**
- 6. Landscaping shall be installed in the public right-of-way as required by Section 16.40.060.**
- 7. The final streetscape and hardscape plan for the abutting streets shall be approved by Staff.**
- 8. Concrete driveways shall be continuous through all driveway approaches and truncated domes shall be installed.**

9. The City's Urban Planning and Historic Preservation Division shall review the plans submitted for permitting to ensure that the proposed building is sensitive in terms of scale, mass and building materials with the adjacent historic resource.
10. Building materials at the street level shall include materials such as metal, stone, brick, precast masonry, glass, stucco or other similar hard surface material. The use of dryvit, EIFS, or other artificial material shall not be permitted.
11. Bicycle parking shall be provided as required by Section 16.40.090.
12. Exterior lighting shall comply with Section 16.40.070.
13. Mechanical equipment shall be screened from the abutting rights-of-way.
14. Construction of piers and/or caissons shall be by auger method unless geotechnical data supports a finding that such a method is impractical or impossible.
15. A Construction Action Plan (CAP) shall be submitted to Zoning Official for review and approval prior to the issuance of building permits.
16. The site plan shall be modified as necessary to comply with the comments in the Engineering Department's Memorandum dated October 10, 2019.

#### **C. STANDARD CONDITIONS OF APPROVAL**

*(All or Part of the following standard conditions of approval may apply to the subject application. Application of the conditions is subject to the scope of the subject project and at the discretion of the Zoning Official. Applicants who have questions regarding the application of these conditions are advised to contact the Zoning Official.)*

**ALL SITE PLAN MODIFICATIONS REQUIRED BY THE DRC SHALL BE REFLECTED ON A FINAL SITE PLAN TO BE SUBMITTED TO THE PLANNING & DEVELOPMENT SERVICES DEPARTMENT BY THE APPLICANT FOR APPROVAL PRIOR TO THE ISSUANCE OF PERMITS.**

##### **Building Code Requirements:**

1. The applicant shall contact the City's Construction Services and Permitting Division and Fire Department to identify all applicable Building Code and Health/Safety Code issues associated with this proposed project.
2. All requirements associated with the Americans with Disabilities Act (ADA) shall be satisfied.

##### **Zoning/Planning Requirements:**

1. The applicant shall submit a notice of construction to Albert Whitted Field if the crane height exceeds 190 feet. The applicant shall also provide a Notice of Construction to the Federal Aviation Administration (FAA), if required by Federal and City codes.
2. All site visibility triangle requirements shall be met (Chapter 16, Article 16.40, Section 16.40.160).

3. No building or other obstruction (including eaves) shall be erected and no trees or shrubbery shall be planted on any easement other than fences, trees, shrubbery, and hedges of a type approved by the City.
4. The location and size of the trash container(s) shall be designated, screened, and approved by the Manager of Commercial Collections, City Sanitation. A solid wood fence or masonry wall shall be installed around the perimeter of the dumpster pad.

**Engineering Requirements:**

1. The site shall be in compliance with all applicable drainage regulations (including regional and state permits) and the conditions as may be noted herein. The applicant shall submit drainage calculations and grading plans (including street crown elevations), which conform with the quantity and the water quality requirements of the Municipal Code (Chapter 16, Article 16.40, Section 16.40.030), to the City's Engineering Department for approval. Please note that the entire site upon which redevelopment occurs shall meet the water quality controls and treatment required for development sites. Stormwater runoff release and retention shall be calculated using the rational formula and a 10-year, one-hour design storm.
2. All other applicable governmental permits (state, federal, county, city, etc.) must be obtained before commencement of construction. A copy of other required governmental permits shall be provided to the City Engineering & Capital Improvements Department prior to requesting a Certificate of Occupancy. Issuance of a development permit by the City does not in any way create any rights on the part of the applicant to obtain a permit from a governmental agency and does not create any liability on the part of the City of St. Petersburg for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by other governmental agencies or undertakes actions that result in a violation of state or federal law.
3. A work permit issued by the Engineering Department shall be obtained prior to commencement of construction within dedicated rights-of-way or easements.
4. The applicant shall submit a completed Storm Water Management Utility Data Form to the City's Engineering Department for review and approval prior to the approval of any permits.
5. Curb-cut ramps for the physically handicapped shall be provided in sidewalks at all corners where sidewalks meet a street or driveway.

**Landscaping Requirements:**

1. The applicant shall submit a revised landscape plan, which complies with the plan approved by the DRC and includes any modifications as required by the DRC. The DRC grants the Planning & Development Services Department discretion to modify the approved landscape plan where necessary due to unforeseen circumstances (e.g. stormwater requirements, utility conflicts, conflicts with existing trees, etc.), provided the intent of the applicable ordinance(s) is/are maintained. Landscaping plans shall be in accordance with Chapter 16, Article 16.40, Section 16.40.060 of the City Code entitled "Landscaping and Irrigation."

2. Any plans for tree removal and permitting shall be submitted to the Development Services Division for approval.
3. All existing and newly planted trees and shrubs shall be mulched with three (3) inches of organic matter within a two (2) foot radius around the trunk of the tree.
4. The applicant shall install an automatic underground irrigation system in all landscaped areas. Drip irrigation may be permitted as specified within Chapter 16, Article 16.40, Section 16.40.060.2.2.
5. Concrete curbing, wheelstops, or other types of physical barriers shall be provided around/within all vehicular use areas to protect landscaped areas.
6. Any healthy existing oak trees over two (2) inches in diameter shall be preserved or relocated if feasible.
7. Any trees to be preserved shall be protected during construction in accordance with Chapter 16, Article 16.40.060.5 and Section 16.40.060.2.1.3 of City Code.

**IV. CONSIDERATIONS BY THE DEVELOPMENT REVIEW COMMISSION FOR REVIEW (Pursuant to Chapter 16, Section 16.70.040.1.4 (D)):**

- A. The use is consistent with the Comprehensive Plan.
- B. The property for which a Site Plan Review is requested shall have valid land use and zoning for the proposed use prior to site plan approval;
- C. Ingress and egress to the property and proposed structures with particular emphasis on automotive and pedestrian safety, separation of automotive and bicycle traffic and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe and emergency. Access management standards on State and County roads shall be based on the latest access management standards of FDOT or Pinellas County, respectively;
- D. Location and relationship of off-street parking, bicycle parking, and off-street loading facilities to driveways and internal traffic patterns within the proposed development with particular reference to automotive, bicycle, and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping;
- E. Traffic impact report describing how this project will impact the adjacent streets and intersections. A detailed traffic report may be required to determine the project impact on the level of service of adjacent streets and intersections. Transportation system management techniques may be required where necessary to offset the traffic impacts;
- F. Drainage of the property with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the use of on-site retention systems. The Commission may grant approval, of a drainage plan as required by city ordinance, County ordinance, or SWFWMD;
- G. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with adjacent properties;
- H. Orientation and location of buildings, recreational facilities and open space in relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the building with adjacent development and surrounding landscape;

- I. Compatibility of the use with the existing natural environment of the site, historic and archaeological sites, and with properties in the neighborhood as outlined in the City's Comprehensive Plan;
- J. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on property values in the neighborhood;
- K. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on living or working conditions in the neighborhood;
- L. Sufficiency of setbacks, screens, buffers and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the proposed development and to control adverse effects of noise, lights, dust, fumes and other nuisances;
- M. Land area is sufficient, appropriate and adequate for the use and reasonably anticipated operations and expansion thereof;
- N. Landscaping and preservation of natural manmade features of the site including trees, wetlands, and other vegetation;
- O. Sensitivity of the development to on-site and adjacent (within two-hundred (200) feet) historic or archaeological resources related to scale, mass, building materials, and other impacts;
  - 1. The site is **not within** an Archaeological Sensitivity Area (Chapter 16, Article 16.30, Section 16.30.070).
  - 2. The property is **not within** a flood hazard area (Chapter 16, Article 16.40, Section 16.40.050).
- P. Availability of hurricane evacuation facilities for developments located in the hurricane vulnerability zones;
- Q. Meets adopted levels of service and the requirements for a Certificate of Concurrence by complying with the adopted levels of service for:
  - a. Water.
  - b. Sewer (Under normal operating conditions).
  - c. Sanitation.
  - d. Parks and recreation.
  - e. Drainage.

The land use of the subject property is: **Central Business District**

The land uses of the surrounding properties are:

North: **Central Business District**  
South: **Central Business District**  
East: **Central Business District**  
West: **Central Business District**

REPORT PREPARED BY:

*Corey Malyszka*

*11.25.19*

---

Corey Malyszka, AICP, Urban Design and Development Coordinator  
Development Review Services Division  
Planning and Development Services Department

DATE

REPORT APPROVED BY:

*Jennifer Bryla*

*11.25.19*

---

Jennifer Bryla, AICP, Zoning Official (POD)  
Development Review Services Division  
Planning and Development Services Department

DATE



Project Location Map  
City of St. Petersburg, Florida  
Planning and Development Services  
Department  
Case No.: 19-3100012  
Address: 770 4<sup>th</sup> Street North





**BeharPeteranec**  
ARCHITECTURE INTERIORS  
400 UNIVERSITY BLVD. SUITE 400  
TALLahassee, FL 32309  
(772) 766-3300 | ARCHITECTURE@BP.COM | WWW.BP.COM

BEHAVIORAL DESIGN & INTERIOR DESIGN  
ARCHITECTURE & INTERIORS  
LANDSCAPE ARCHITECTURE

BEHAVIORAL DESIGN & INTERIOR DESIGN  
ARCHITECTURE & INTERIORS  
LANDSCAPE ARCHITECTURE

**770 4th Ave. N.**  
770 4TH AVE. N.  
ST. PETERSBURG, FL 33701

ISSUED DRAWING LOG:

DATE	DESCRIPTION	BY	REVISION
11-19-20	DESIGN UPDATE		

PROJECT NO: 18.44

ISSUE DATE: 09-09-2019

DRAWING TITLE:

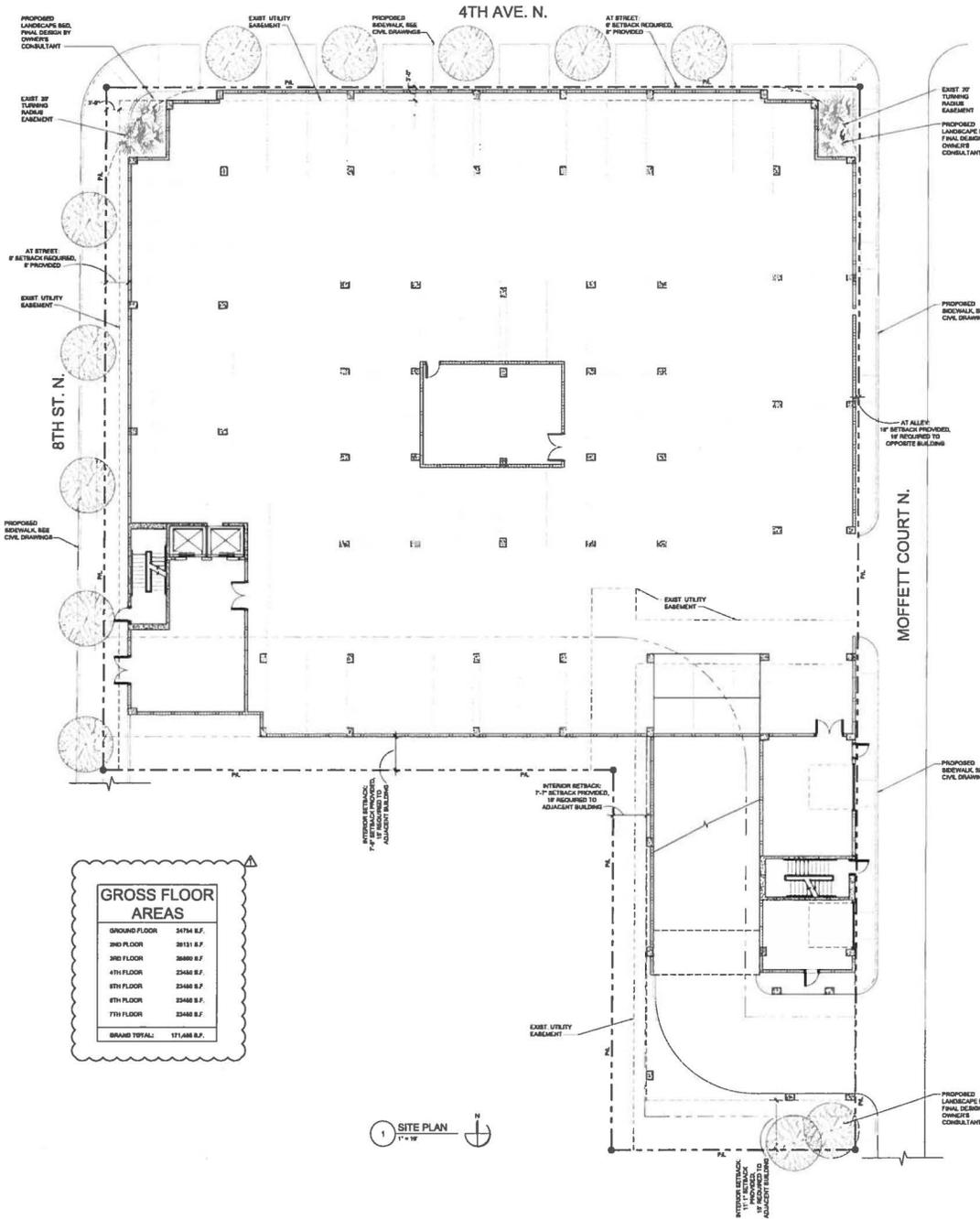
ARCHITECTURAL  
SITE PLAN

SHEET NUMBER:

A-050

EDITION:

SITE APPLICATION



GROSS FLOOR AREAS	
GROUND FLOOR	24794 S.F.
2ND FLOOR	26171 S.F.
3RD FLOOR	36060 S.F.
4TH FLOOR	23460 S.F.
5TH FLOOR	23460 S.F.
6TH FLOOR	23460 S.F.
7TH FLOOR	23460 S.F.
<b>BRAND TOTAL:</b>	<b>171,666 S.F.</b>

### SITE PLAN LEGEND

PERMISSIBLE AREA / PROPOSED LANDSCAPE BED OR YARD REFER TO LANDSCAPE CONSULTANT'S DRAWINGS FOR FINAL LANDSCAPE AND OPENING COVER DESIGN.

PL PROPERTY LINE

### SITE PLAN GENERAL NOTES

- REFER TO CIVIL ENGINEER'S DRAWINGS FOR FINAL APPROVED SITE DESIGN, INCLUDING UTILITY TIE-IN, GRADING AND DRAINAGE, ETC.
- LANDSCAPE / HANDSCAPE DESIGN IS INDICATED FOR REFERENCE ONLY. FINAL DESIGN SHALL BE PER OWNER'S LANDSCAPE ARCHITECT OR CIVIL ENGINEER.
- SITE CHARACTERISTICS AND INFORMATION DEPICTED HEREIN ARE TAKEN FROM OWNER PROVIDED SURVEY CREATED BY DAVID C. HANNEK, PROFESSIONAL LAND SURVEYOR, JOB # 18000008, CONDUCTED ON 9-15-18.

### SITE DATA / DEVELOPMENT GUIDELINES

**PANEL NUMBER:**  
18-011-1800-000-0010  
18-011-17-1800-000-0001

**ZONING DISTRICT:**  
DOWNTOWN CENTER DC-2

**ZONING OVERLAY:**  
RITOWN ACTIVITY CENTER

**LAND USE:**  
RESIDENTIAL - 3 STORY

**PROPOSED:** MULTIFAMILY RESIDENTIAL (10+ UNITS)

**FLOOD ZONE:**  
PER OWNER PROVIDED SURVEY

**AREA OF PROPERTY:**  
30,860 PER OWNER PROVIDED SURVEY

**BUILDING COVERAGE OF TOTAL SITE (1ST FLOOR S.F. OF BUILDING)**

EXISTING:	11,700 S.F.	37.9% OF SITE
PROPOSED:	37,131 S.F.	97.8% OF SITE
PERMITTED:	37,348 S.F.	98% OF SITE

**IMPROVED SURFACE COVERAGE (TOTAL S.F. TOTAL OF ALL PAVES, BUILDING FOOTPRINT AND OTHER HARD SURFACED AREAS)**

EXISTING:	24,448 S.F.	79% OF SITE
PROPOSED:	35,181 S.F.	91% OF SITE
PERMITTED:	1,548 S.F.	5% OF SITE

**OPEN SPACE**

EXISTING:	847 S.F.	3% OF SITE
PROPOSED:	1,511 S.F.	5% OF SITE
REQUIRED:	1,548 S.F.	5% OF SITE

**PETROWOOD AREA THAT DOES NOT COUNT AS OPEN SPACE**

EXISTING:	1,888 S.F.	6% OF SITE
REQUIRED:	1,548 S.F.	5% OF SITE

**DENSITY**

EXISTING: N/A  
PROPOSED: N/A  
PERMITTED: N/A, REFER TO FAR

**FLOOR AREA RATIO (FAR) / MAXIMUM YIELD DENSITY / INTENSITY (FAR) PER INTOWN REDEVELOPMENT PLAN (ST. PETERSBURG CODE OF ORDINANCES CH. 16, SECTION 16.30.107)**

L1 AREA:	3118 S.F.	DOCS STANDARD FAR = 3.0
L2 AREA:	3614 S.F.	3.0 ON MONS. - TRANSFER OF DEVELOPMENT RIGHTS, HISTORIC
L3 AREA:	23800 S.F.	3.0 ON MONS. - TRANSFER OF DEVELOPMENT RIGHTS, HISTORIC
L4 AREA:	23800 S.F.	REMAINING CREDS TO BE TOP, HISTORIC OR PUBLIC ART OR SUPPORTING WORKSPACE HOUSING.
L5 AREA:	23800 S.F.	
L7 AREA:	16238 S.F.	
<b>TOTAL:</b>	<b>116,382 S.F.</b>	<b>PROPOSED FAR = 116,382 S.F. / 30,860 S.F. = 3.75</b>

**SETBACKS**

ALONG STREETS, EXC. USING ALLYVIE: (ST. PETERSBURG CODE OF ORDINANCES CH. 16, SECTION 16.30.107)  
5-10' TALL: IF SETBACK REQUIRED ABOVE 50' TALL, IF SETBACK REQUIRED \* FOR BUILDINGS THAT DO NOT EXCEED 75' IN HEIGHT, THE 10' SETBACK ABOVE 50' IS NOT REQUIRED.

**DISTANCE BETWEEN BUILDINGS:** (ST. PETERSBURG CODE OF ORDINANCES CH. 16, SECTION 16.30.107)  
BLANK WALL TO BLANK WALL UP TO 80' IF DISTANCE REQUIRED  
BLANK OR WINDOW WALL TO WINDOW WALL UP TO 50' TALL, 10' DISTANCE REQUIRED  
ALL CONDITIONS BY 10' OR MORE IF DISTANCE REQUIRED

**BUILDING HEIGHTS** (ST. PETERSBURG CODE OF ORDINANCES CH. 16, SECTION 16.30.107)

PERMITTED:  
BASE HEIGHT: 100'  
STREAMLINE HEIGHT: 130' TO 150'  
PUBLIC HEADING: 200'  
PROPOSED BUILDING HEIGHT: 4 - 36'-0"

**PARKING COUNTS**

EXISTING: 4 - 28 SPACES ON GRADE  
PROPOSED: 118 SPACES TOTAL (8 GRADE LEVEL, 110 SPACES (8 GRADE LEVEL, 2 - 88 SPACES (2 ADA) REQUIRED) 18 SPACES (8 ADA) SPACES PER RESIDENTIAL UNIT OVER 750 S.F., 8 SPACES PER RESIDENTIAL UNIT UNDER 750 S.F.)

**VARIANCES, NON-RES. AND EXCEPTIONS REQUESTED:**

- AN EXEMPTION TO THE MAXIMUM ALLOWABLE FAR FROM 3.0 BY FIRST TO 4.0-3.75
- A REDUCTION IN THE 10' MINIMUM EXEMPTION WIDTH ALONG SUBJECT PROPERTY'S EAST BOUNDARY LINE (MOFFETT CT) TO 10 TO 0'
- VACATION OF THE FOLLOWING EASEMENTS AS PER SEPARATE APPLICATION:  
- 20' UTILITY EASEMENT ALONG SUBJECT PROPERTY'S NORTH BOUNDARY LINE  
- BOTH 10' UTILITY EASEMENTS (SECTION 2) AT THE SUBJECT PROPERTY'S INTERIOR AND CONTIGUOUS TO THE PROPERTY'S EASTERN AND SOUTHERN EXTENTS





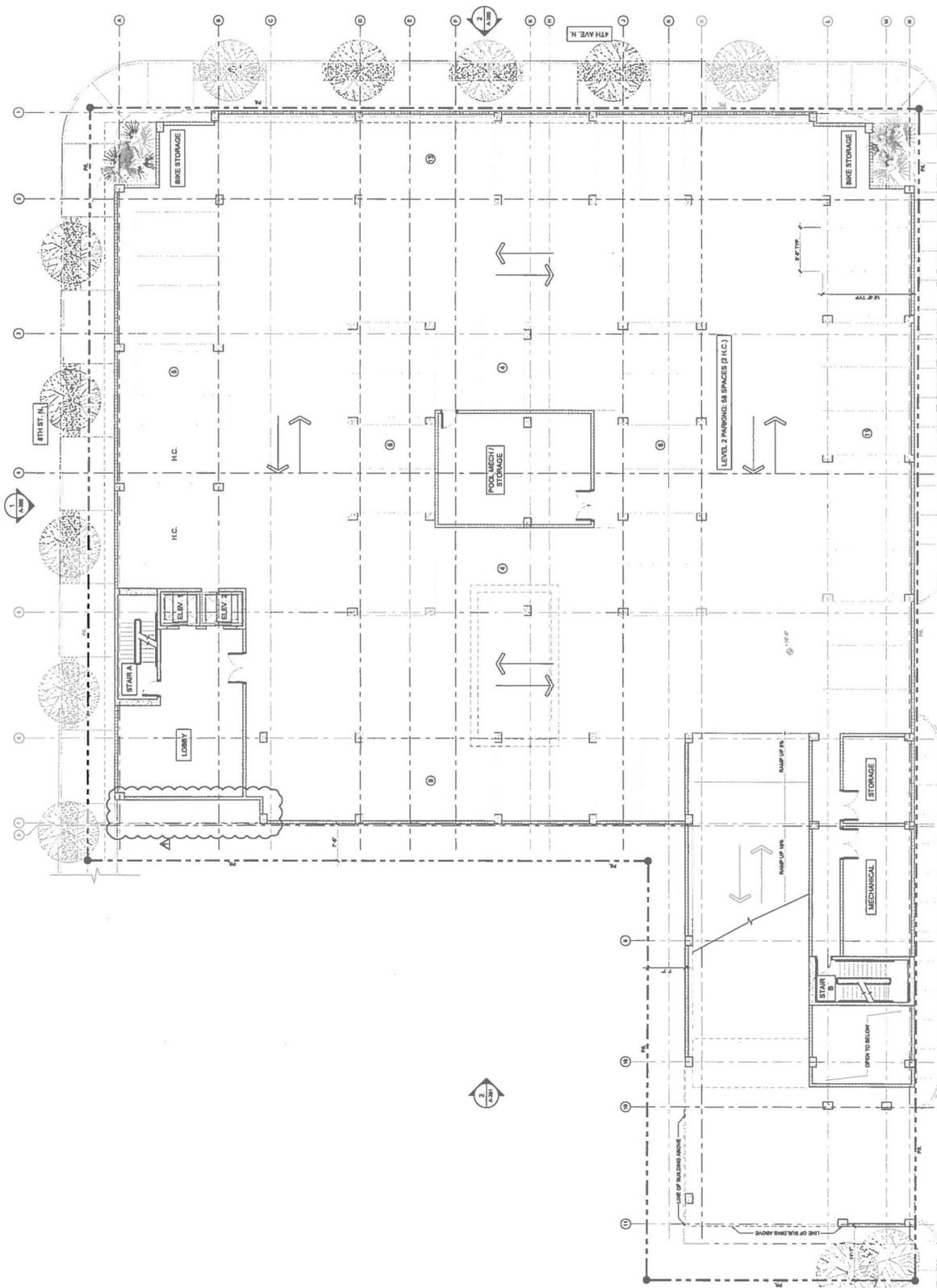
BeharPetranecz  
ARCHITECTURE INTERIORS  
2420 TERMAK DRIVE SOUTH | ST. PETERSBURG, FLORIDA 33713  
(772) 860-6200 | ARCHITECTURE@BHP.COM | A42001714 8/20/2017

ST. PETERSBURG, FLORIDA  
770 4TH AVE. N.  
2ND FLOOR

ST. PETERSBURG, FLORIDA  
770 4TH AVE. N.  
2ND FLOOR

770 4th Ave. N.  
ST. PETERSBURG, FL. 33701

PROJECT NO.	18.44
DRAWING DATE	09-09-2019
DRAWING TITLE	2ND FLOOR PLAN
PROJECT NUMBER	A-102
SHEET NUMBER	
SHEET APPLICATION	



IMPFETT COURT 'N

1 2ND FLOOR PLAN  
1/8" = 1'-0"







BeharPeteramecz  
 ARCHITECTURE INTERIORS  
 2720 TERESA DRIVE SOUTH | ST. PETERSBURG, FLORIDA 33713  
 (772) 808-3300 | ARCHITECTURE@BHP.COM | 432007794 | 828001974

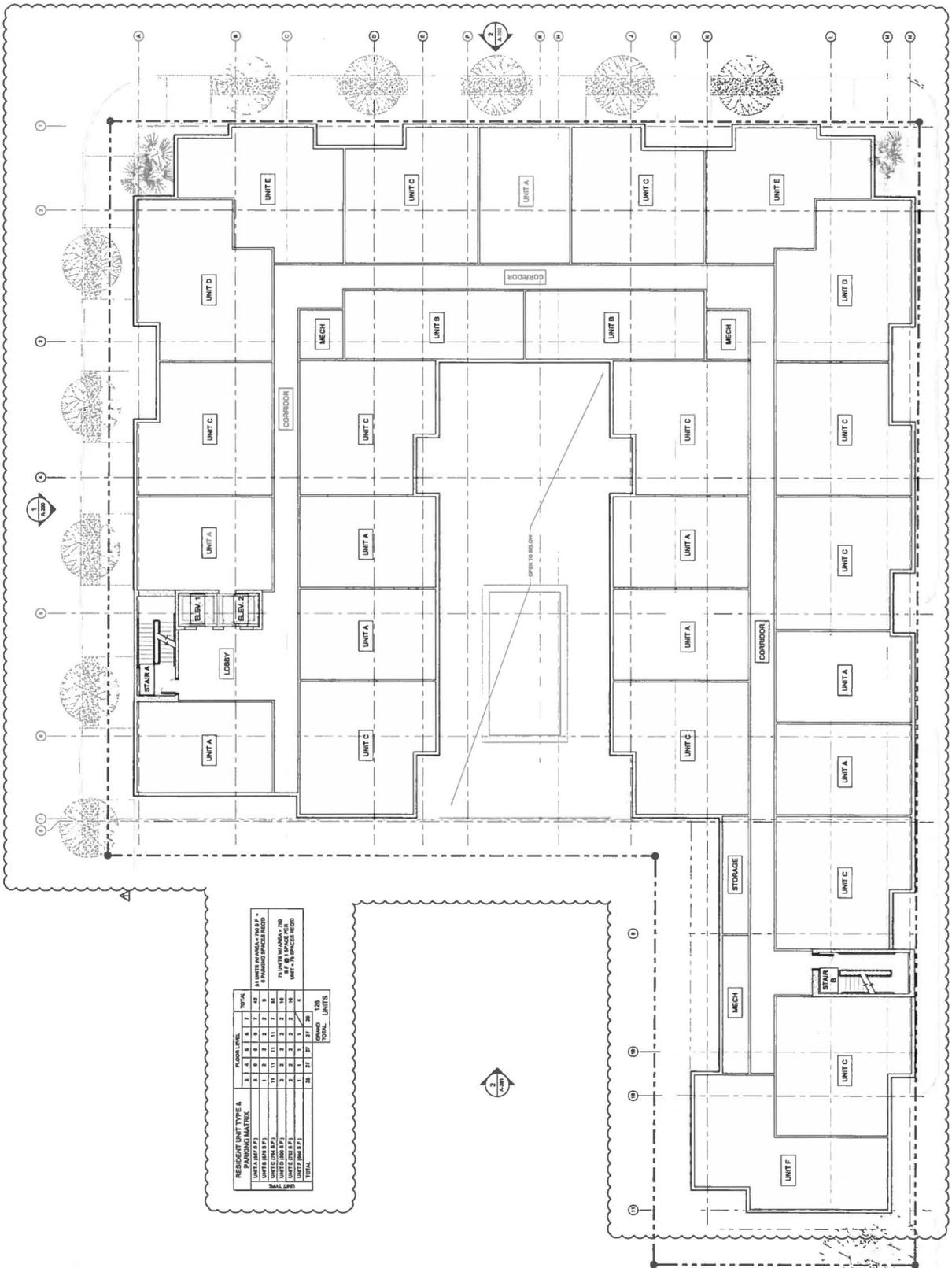
ST. PETERSBURG, FLORIDA 33713  
 (772) 808-3300 | ARCHITECTURE@BHP.COM | 432007794 | 828001974

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770 4th Ave. N.  
 ST. PETERSBURG, FL 33701

770 4TH AVE. N.  
 ST. PETERSBURG, FL 33701

PROJECT NO. 18-66  
 ISSUE DATE: 09-09-2019  
 DRAWING TITLE: 4TH - 6TH FLOOR PLAN  
 SHEET NUMBER: A-104  
 EDITION: SITE APPLICATION



RESERVED UNIT SPACE & PARALLEL WALLS

UNIT	1	2	3	4	5	6	7	TOTAL
UNIT A (SHP 4.1)	8	8	8	8	8	8	8	48
UNIT B (SHP 4.1)	1	1	1	1	1	1	1	6
UNIT C (SHP 4.1)	3	3	3	3	3	3	3	18
UNIT D (SHP 4.1)	3	3	3	3	3	3	3	18
UNIT E (SHP 4.1)	3	3	3	3	3	3	3	18
UNIT F (SHP 4.1)	1	1	1	1	1	1	1	6
TOTAL	18	18	18	18	18	18	18	108

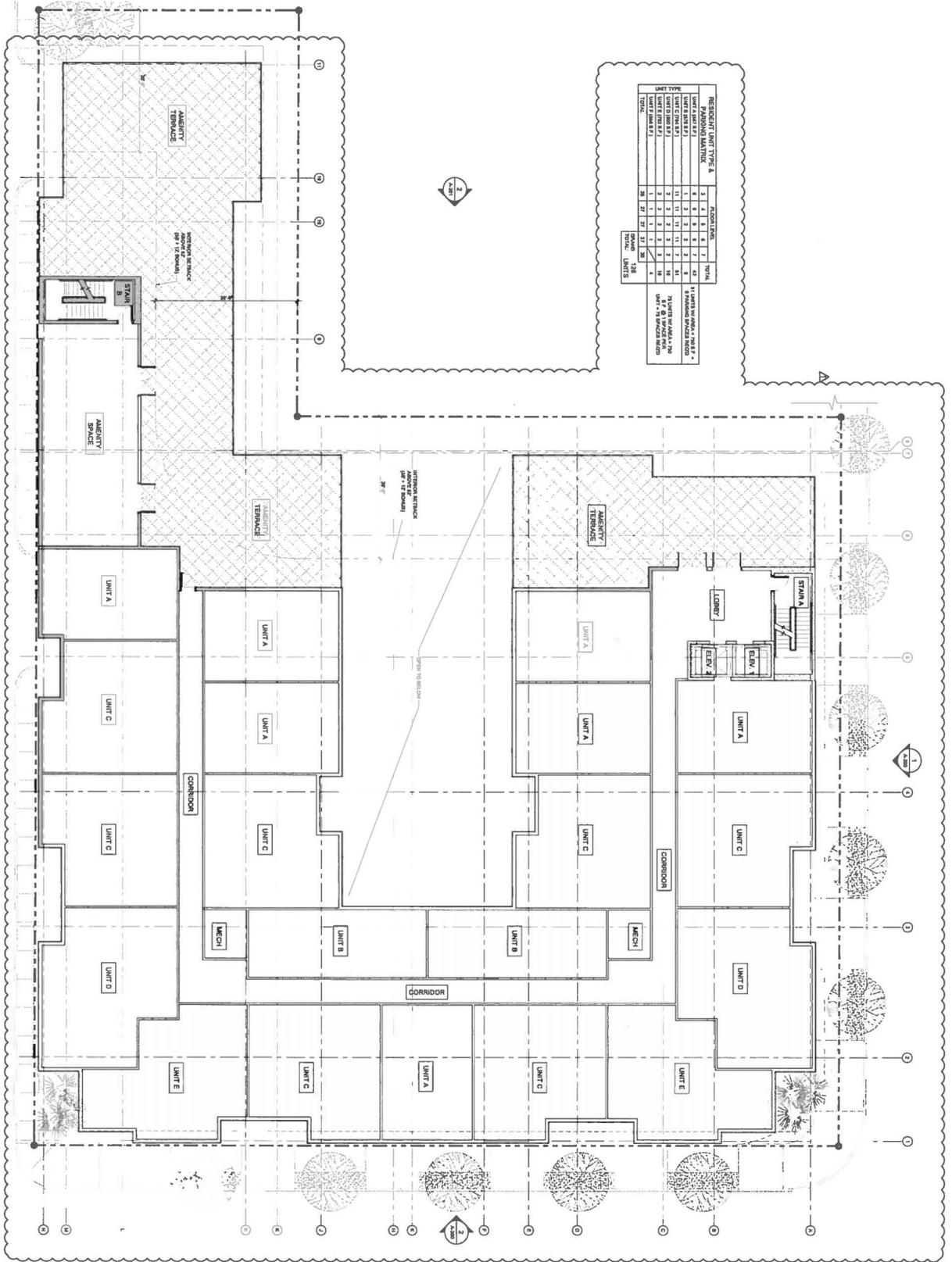
RESERVED UNIT SPACE & PARALLEL WALLS

UNIT	1	2	3	4	5	6	7	TOTAL
UNIT A (SHP 4.1)	8	8	8	8	8	8	8	48
UNIT B (SHP 4.1)	1	1	1	1	1	1	1	6
UNIT C (SHP 4.1)	3	3	3	3	3	3	3	18
UNIT D (SHP 4.1)	3	3	3	3	3	3	3	18
UNIT E (SHP 4.1)	3	3	3	3	3	3	3	18
UNIT F (SHP 4.1)	1	1	1	1	1	1	1	6
TOTAL	18	18	18	18	18	18	18	108

RESERVED UNIT SPACE & PARALLEL WALLS

UNIT	1	2	3	4	5	6	7	TOTAL
UNIT A (SHP 4.1)	8	8	8	8	8	8	8	48
UNIT B (SHP 4.1)	1	1	1	1	1	1	1	6
UNIT C (SHP 4.1)	3	3	3	3	3	3	3	18
UNIT D (SHP 4.1)	3	3	3	3	3	3	3	18
UNIT E (SHP 4.1)	3	3	3	3	3	3	3	18
UNIT F (SHP 4.1)	1	1	1	1	1	1	1	6
TOTAL	18	18	18	18	18	18	18	108

1 4TH - 6TH FLOOR PLAN  
 1/8" = 1'-0"



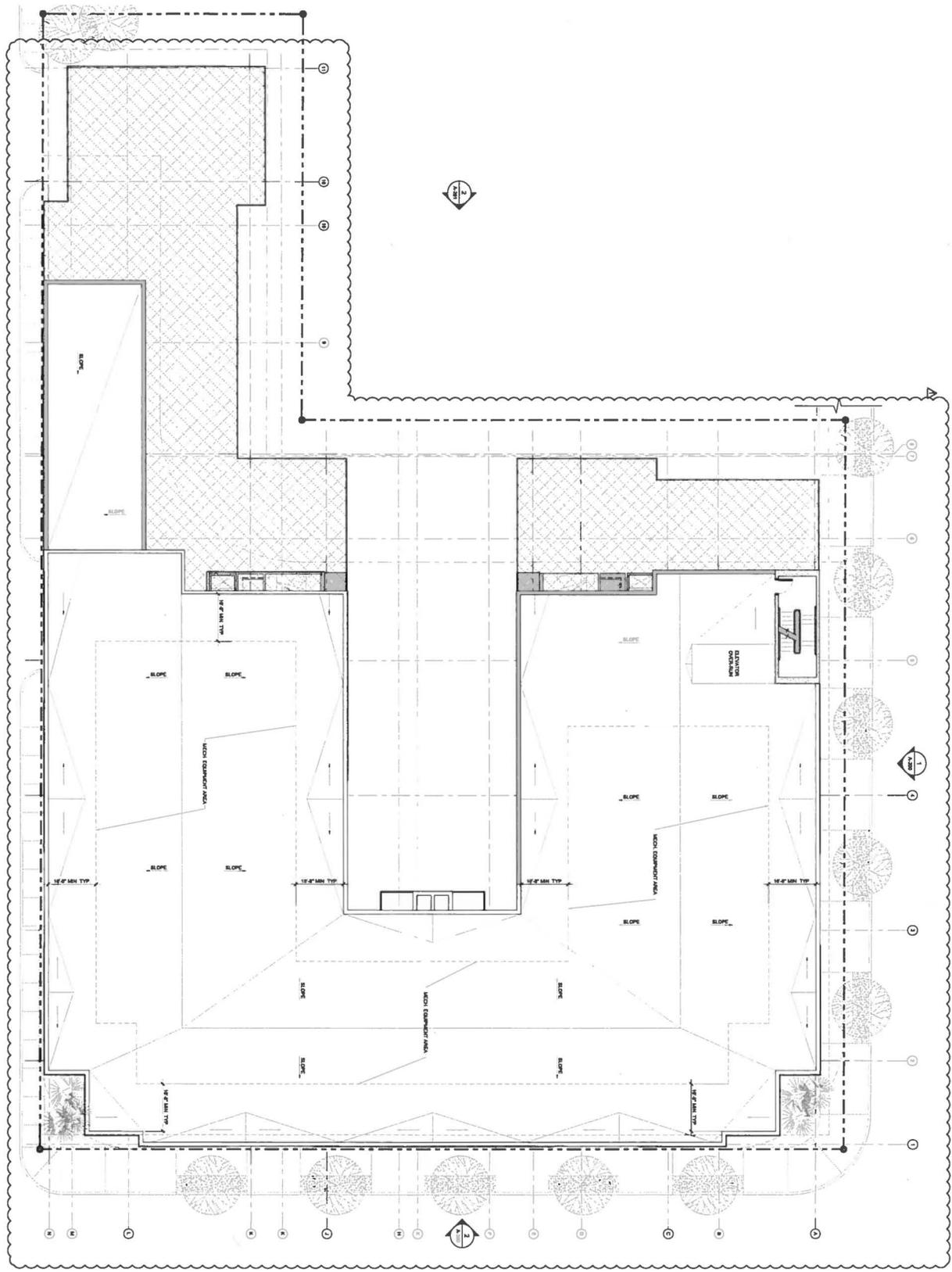
RESERVED UNIT TYPES & PARQUET MATTER		RESERVATION	
UNIT TYPE	QUANTITY	RESERVED	TOTAL
UNIT 1 (1000 SF)	1	1	1
UNIT 2 (1000 SF)	1	1	1
UNIT 3 (1000 SF)	1	1	1
UNIT 4 (1000 SF)	1	1	1
UNIT 5 (1000 SF)	1	1	1
UNIT 6 (1000 SF)	1	1	1
UNIT 7 (1000 SF)	1	1	1
UNIT 8 (1000 SF)	1	1	1
UNIT 9 (1000 SF)	1	1	1
UNIT 10 (1000 SF)	1	1	1
UNIT 11 (1000 SF)	1	1	1
UNIT 12 (1000 SF)	1	1	1
UNIT 13 (1000 SF)	1	1	1
UNIT 14 (1000 SF)	1	1	1
UNIT 15 (1000 SF)	1	1	1
UNIT 16 (1000 SF)	1	1	1
UNIT 17 (1000 SF)	1	1	1
UNIT 18 (1000 SF)	1	1	1
UNIT 19 (1000 SF)	1	1	1
UNIT 20 (1000 SF)	1	1	1
UNIT 21 (1000 SF)	1	1	1
UNIT 22 (1000 SF)	1	1	1
UNIT 23 (1000 SF)	1	1	1
UNIT 24 (1000 SF)	1	1	1
UNIT 25 (1000 SF)	1	1	1
UNIT 26 (1000 SF)	1	1	1
UNIT 27 (1000 SF)	1	1	1
UNIT 28 (1000 SF)	1	1	1
UNIT 29 (1000 SF)	1	1	1
UNIT 30 (1000 SF)	1	1	1
UNIT 31 (1000 SF)	1	1	1
UNIT 32 (1000 SF)	1	1	1
UNIT 33 (1000 SF)	1	1	1
UNIT 34 (1000 SF)	1	1	1
UNIT 35 (1000 SF)	1	1	1
UNIT 36 (1000 SF)	1	1	1
UNIT 37 (1000 SF)	1	1	1
UNIT 38 (1000 SF)	1	1	1
UNIT 39 (1000 SF)	1	1	1
UNIT 40 (1000 SF)	1	1	1
UNIT 41 (1000 SF)	1	1	1
UNIT 42 (1000 SF)	1	1	1
UNIT 43 (1000 SF)	1	1	1
UNIT 44 (1000 SF)	1	1	1
UNIT 45 (1000 SF)	1	1	1
UNIT 46 (1000 SF)	1	1	1
UNIT 47 (1000 SF)	1	1	1
UNIT 48 (1000 SF)	1	1	1
UNIT 49 (1000 SF)	1	1	1
UNIT 50 (1000 SF)	1	1	1
UNIT 51 (1000 SF)	1	1	1
UNIT 52 (1000 SF)	1	1	1
UNIT 53 (1000 SF)	1	1	1
UNIT 54 (1000 SF)	1	1	1
UNIT 55 (1000 SF)	1	1	1
UNIT 56 (1000 SF)	1	1	1
UNIT 57 (1000 SF)	1	1	1
UNIT 58 (1000 SF)	1	1	1
UNIT 59 (1000 SF)	1	1	1
UNIT 60 (1000 SF)	1	1	1
UNIT 61 (1000 SF)	1	1	1
UNIT 62 (1000 SF)	1	1	1
UNIT 63 (1000 SF)	1	1	1
UNIT 64 (1000 SF)	1	1	1
UNIT 65 (1000 SF)	1	1	1
UNIT 66 (1000 SF)	1	1	1
UNIT 67 (1000 SF)	1	1	1
UNIT 68 (1000 SF)	1	1	1
UNIT 69 (1000 SF)	1	1	1
UNIT 70 (1000 SF)	1	1	1
UNIT 71 (1000 SF)	1	1	1
UNIT 72 (1000 SF)	1	1	1
UNIT 73 (1000 SF)	1	1	1
UNIT 74 (1000 SF)	1	1	1
UNIT 75 (1000 SF)	1	1	1
UNIT 76 (1000 SF)	1	1	1
UNIT 77 (1000 SF)	1	1	1
UNIT 78 (1000 SF)	1	1	1
UNIT 79 (1000 SF)	1	1	1
UNIT 80 (1000 SF)	1	1	1
UNIT 81 (1000 SF)	1	1	1
UNIT 82 (1000 SF)	1	1	1
UNIT 83 (1000 SF)	1	1	1
UNIT 84 (1000 SF)	1	1	1
UNIT 85 (1000 SF)	1	1	1
UNIT 86 (1000 SF)	1	1	1
UNIT 87 (1000 SF)	1	1	1
UNIT 88 (1000 SF)	1	1	1
UNIT 89 (1000 SF)	1	1	1
UNIT 90 (1000 SF)	1	1	1
UNIT 91 (1000 SF)	1	1	1
UNIT 92 (1000 SF)	1	1	1
UNIT 93 (1000 SF)	1	1	1
UNIT 94 (1000 SF)	1	1	1
UNIT 95 (1000 SF)	1	1	1
UNIT 96 (1000 SF)	1	1	1
UNIT 97 (1000 SF)	1	1	1
UNIT 98 (1000 SF)	1	1	1
UNIT 99 (1000 SF)	1	1	1
UNIT 100 (1000 SF)	1	1	1

1. 7TH FLOOR PLAN

PROJECT NO. 18-64  
 SHEET NO. A-105  
 DRAWING TITLE: 7TH FLOOR PLAN  
 DATE: 09-09-2019  
 ARCHITECT: BEHAR PETERANECZ ARCHITECTURE INTERIORS  
 2430 TERMINAL DRIVE, SOUTH | ST. PETERSBURG, FLORIDA 33712  
 (772) 860-4300 | ARCHITECTURE@BP.COM | AAC2601764 R55601974

**770 4th Ave. N.**  
 770 4TH AVE. N.  
 ST. PETERSBURG, FL 33701

**BeharPeteranecz**  
 ARCHITECTURE INTERIORS  
 2430 TERMINAL DRIVE, SOUTH | ST. PETERSBURG, FLORIDA 33712  
 (772) 860-4300 | ARCHITECTURE@BP.COM | AAC2601764 R55601974



1/8" = 1'-0" ROOF PLAN

**770 4th Ave. N.**  
 770 4TH AVE. N.  
 ST. PETERSBURG, FL 33701

PROJECT NO: 18-84  
 SHEET DATE: 09-09-2019  
 DRAWING TITLE: ROOF PLAN  
 SHEET NUMBER: A-150  
 ARCHITECT: BEHAR PETERANECZ ARCHITECTURE INTERIORS  
 2430 TERMINAL DRIVE SOUTH | ST. PETERSBURG, FLORIDA 33712  
 (727) 808-6300 | ARCHITECTURE@BP.COM | AA2601704 826801074

**BeharPeteranecz**  
 ARCHITECTURE | INTERIORS  
 2430 TERMINAL DRIVE SOUTH | ST. PETERSBURG, FLORIDA 33712  
 (727) 808-6300 | ARCHITECTURE@BP.COM | AA2601704 826801074









1 WEST VIEW FROM 8TH ST N



2 CORNER OF 8TH ST N & 4TH AVEN N

BEHAR PETERANECZ ARCHITECTURE INTERIORS

**BeharPeteranecz**  
**ARCHITECTURE INTERIORS**  
 2438 TERMINAL DRIVE SOUTH | ST. PETERSBURG, FLORIDA 33712  
 (772) 804-6300 | ARCHITECTURE@BPI.COM | AA26001754 B2601074



**770 4th Ave. N.**  
 770 4TH AVE. N.  
 ST. PETERSBURG, FL 33701

DATE	DESCRIPTION
09-09-2019	CONCEPTUAL VIEWS

PROJECT NO: 18-04  
 ISSUE DATE: 09-09-2019  
 DRAWING TITLE: CONCEPTUAL VIEWS

A-202

REVISION: SITE APPLICATION



## **Project Narrative – Revised**

770 4th Avenue North and 340 Moffett Court North, Residential Multi-family Building

Revised November 13, 2019

This application was originally submitted and streamlined by staff for approval. The streamline approval for the November cycle was appealed by Preserve the Burg and by the residents of four of the adjacent townhouses, and now is scheduled for a Public Hearing before the Development Review Commission.

The proposed project consists of the redevelopment of two parcels of land totaling approximately 30,894 square feet or .71 acres of site area located at 770 4th Avenue North and 340 Moffett Court North. The request is for a bonus to Floor Area Ratio (FAR) from the 3.0 FAR allowed by right to 4.0 FAR using specific bonuses outlined below. The applicant is also requesting a variance to the sidewalk width along Moffett Court North, to retain the existing 5-foot sidewalk width on this street, which is dedicated as a 20-foot right-of-way. The applicant is requesting approval of the 1.0 FAR bonus and to the 5-foot sidewalk variance along Moffett Court North.

The site is zoned Downtown Center (DC-2) a zoning category that allows some of the most intense residential development in the City. The site is bounded by 4th Avenue North to the north, 8th Street North to the west, multi-family residential development to the south, and Moffett Court North to the east. These portions of 4th Avenue North and 8th Street North are both considered Major Streets in the St. Petersburg Comprehensive Plan.

The site includes a 3-foot wide east/west and north south utility easement along 8th Street and 4th Avenue North, and a 10-foot wide north/south and east/west utility easement in the southern portion of Lot 1, an easement vacation application is in process. There are also two 25-foot street corner radius easements on the north side of the site which are to remain. The project is designed to be consistent with the goals of the Land Development Regulations for the DC-2 zoning district. The site includes an existing commercial two-story building erected in 1952 on Lot 1 and a 1924 single-family home on the southern parcel. Lot 1 is heavily paved and has existing green space along the northern side of the property. The existing buildings are proposed to be demolished, and the site cleared for new development.

The proposed building is a multi-family residential building with a current total of 126 units in a 7-story U-shaped residential building with parking within the building envelope. The site has 5.5% open space with the main entry for pedestrians on 8th Avenue North, and with open space on the two northern corners of the property and along Moffett Court. Vehicular traffic entry and exit occurs on Moffett Court North, as site access is not permitted on 4th Avenue North or 8th Street North. A loading zone is proposed on Moffett Court North. Trash receptacles are in an enclosed space on the east side of the site and will be rolled out for curbside collection by sanitation vehicles.

Level 1 has an entry lobby, building services, mechanical areas, storage, vehicular and open bicycle parking, loading, and refuse/recycling collection. Level 2 includes mechanical areas, storage, and vehicular and both open and enclosed bicycle parking. Levels 3 through 7 include residential units, Level 3 also has a terrace, pool and lobby opening to the pool area. Level 7 also has an open rooftop amenity area. The building is served by two elevators and two stairs.

The proposed building height is 80.8-feet which is below the 125 feet maximum base height allowable under Base approval. The building setbacks are not required to step back above 50-feet as there is an exception from buildings which are not over 75-feet in overall height. The building is not considered to be over 75-feet in regard, as a 12' allowable height encroachment is allowed if over 50% of the ground floor is parking, therefore the step back requirement does not apply.

The project team was advised by the Zoning department that a traffic report would not be required for this application, as there is no transportation concurrency requirement. At a meeting with City staff, the City's Transportation Department indicated that the number of peak hour trips had been analyzed and that they did not anticipate a problem with the 25 am peak hour trips and the 23 pm peak hour trips. A traffic impact report has not been included with this application as per the list of required submittals for Site Plan Review.

The project site is in the St. Petersburg Downtown Neighborhood Association area. The project team contacted the association on September 9, 2019 and shared the project plans. A neighborhood meeting has not been held for this project.

On October 23, 2019 the applicant's representatives met with Preserve the Burg to discuss their concerns. The representatives of the other appellants were unable to attend the meeting. In response to concerns expressed at that meeting a portion of the building was pulled back from the adjacent townhomes.

## **Historic Context**

The proposed building is not located within a local historic district. The properties located at 770 4th Avenue North and 340 Moffett Court North are considered contributing resources to the Downtown National Register Historic District. The design team studied the historic structures in the area and reviewed the List of Potentially Eligible Properties published by the City of St Petersburg's Urban Planning and Historic Preservation Division for relevant properties on adjoining lots. There are no individually eligible properties on the subject lot or adjoining lots.

The structure located at 770 4th Avenue North has been altered greatly over time with numerous additions and has lost its integrity.

The single-family residential structure at 340 Moffett Court North was built in 1924 and maintains its integrity. This house at 340 Moffett Court North is isolated on the north and east and only adjacent to one historic structure. The historic homes on the east side of Moffett Court are very intact within their block.

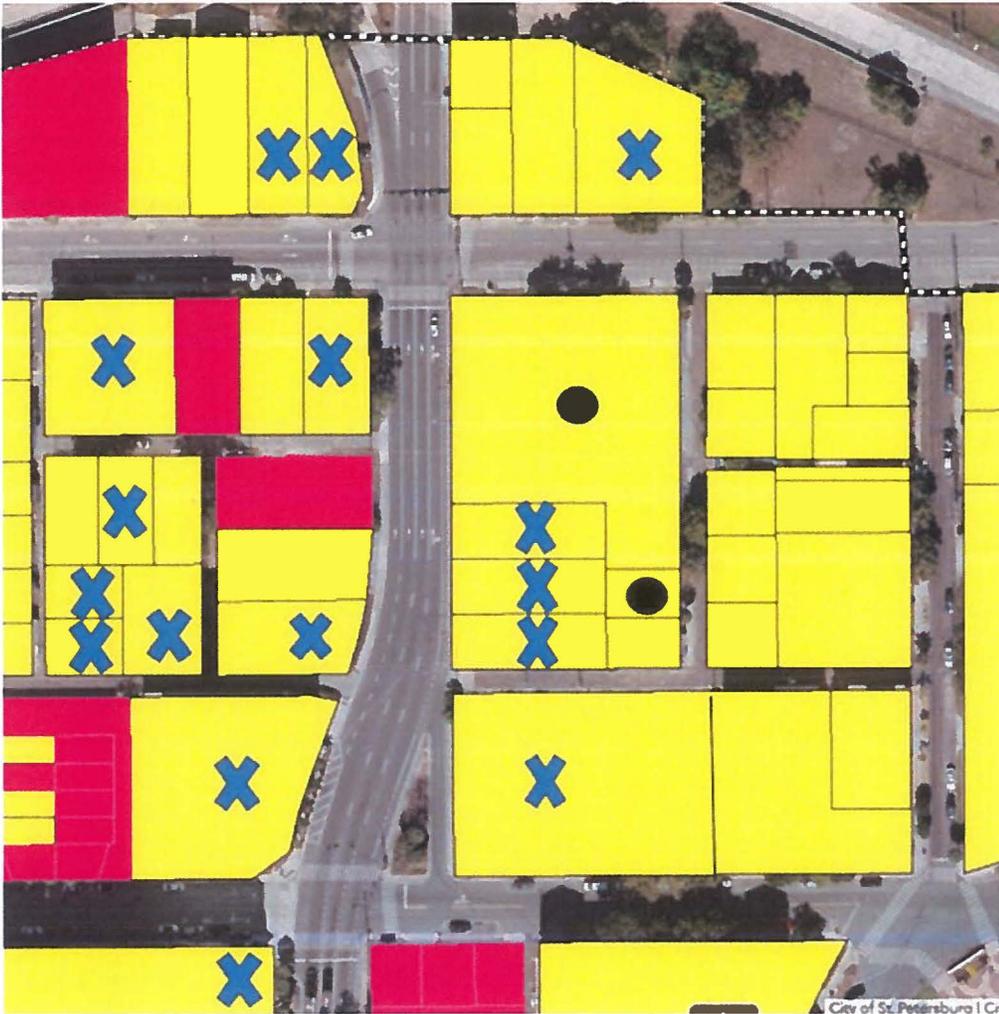
In looking at the block surrounding 340 Moffett Court North, to the north is the building at 770 4th Avenue North, which is a greatly altered building, surrounded by asphalt parking lots. The structure to the south is a multifamily building, built in 1925, and not typical of the single-family homes on the other side of the block. The lots to the south and west have recently been redeveloped with ten new townhouses. This block has been greatly altered over time and has no historic integrity remaining.

The City's Comprehensive Plan notes that there are conflicts between downtown development goals and objectives and the goals and objectives of the City's preservation program. The downtown is slated by the City for the most intensive development in the City. The Comprehensive plan also notes that the City shall put in place procedures protect and preserve the City's historic resources, the City shall incorporate policies into the Land Development Regulations which discourage the demolition of historic resources which are listed, or eligible for listing, in the National Register of Historic Places or the St. Petersburg Register of Historic Place. The structures at 440 7th Avenue North and 340 Moffett Court North are not listed, or eligible for listing, or in the National Register of Historic Places or the St. Petersburg Register of Historic Places.

An analysis of the City's GIS Maps showing contributing and non-contributing structures to the National Register Historic District, shows that many of the contributing structures surrounding the project site have been lost since the study in 2004, directly affecting the area's ability to remain contributing to the National Register district.

Yellow – Contributing Structure to National Register District  
Magenta – Non-Contributing Structure to National Register District

- Project Site
- ✕ Demolished Since National Register Study 2004



### Building Envelope

The project complies with all setback and height requirements. The building is designed in a modern architectural style. The primary exterior building cladding materials include cement plaster, fiber cement panel, and aluminum framed storefronts and windows. The parking levels will be screened using with an opening pattern following the glazing above and inset with welded grids for climbing vines. Metal railings are proposed for unit balconies and a parapet wall at the amenities level.

## Vehicle and Bicycle Parking

All vehicle parking for the building occurs inside the parking structure. On September 5, 2019 the City Council passed Ordinance 375-H which allows units equal to or less than 750 square feet to have zero (0) parking spaces per unit and units over 750 square feet to have one parking space in DC zoning, this Ordinance became effective on September 12, 2019. The parking garage provides 116 spaces on 2 levels which exceeds the minimum number of required spaces under the new Ordinance. Self-parking is proposed on both levels. Parking meets ADA requirements. The parking provided does not exceed double the amount required in the downtown district.

Units	Total Units	Parking Spaces Required / Unit	Total Parking Spaces Required	Parking Spaces Provided
Equal to or less than 750 square feet	51	0	0	
More than 750 square feet	75	1	75	
Totals	126		75	116

Short-term bicycle parking for eight bicycles are designed near the front entry as not to obstruct pedestrian flow on the sidewalks. Additional bicycle parking is also provided on grade and level two for residential users. Long-term bicycle parking at one per unit is proposed in open areas of the garage on level 1 and 2, in an enclosed space on level 2 and within each residential unit.

## Landscaping and Exterior Conditions

Landscaping is proposed on 4th Avenue North and 8th Street North street fronts as well as within the north open space and east open space at the southern end of the site facing Moffett Court North. In follow up to a meeting with City staff, the revised drawings submitted with this revised narrative show the landscaping located along the street edges, to buffer the sidewalks from the traffic. Perimeter landscaping is proposed along property lines adjoining private property.

## Bonuses Requested

The building design aims to maximize the FAR under the bonus approval procedure. The maximum intensity allowable for buildings in the DC-2 zoning district is 3.0 through the Base approval process, up to 5.0 through the Streamline approval process and up to 7.0 through the Public Hearing process. The building as currently designed in schematic design has a FAR of 3.75. Following is the anticipated FAR bonus requested to reach a maximum requested FAR of 4.0.

- Use of **Transfer of Development Rights** from a locally designated landmark or landmark site up to 0.8 FAR.
- Any remaining credits required will be:
  - Up to 0.2 FAR for **providing public art**.

The developer of the property has agreed to donate the house located at 340 Moffett Court North to anyone who would be willing to move the house to another site. The developer does not intend to relocate and restore the house for bonus FAR.

## Variance Narrative

The variance requested is to the requirement for 10-foot sidewalks on all streets in the DC-2 zoning district as outlined in Section 16.40.140.4.2. This site has streets on three sides of the project site. The applicant is proposing to provide the required 10-foot sidewalks along 8th Street North and along 4th Avenue North. The request is for a variance to a 5-foot sidewalk on Moffett Court North, which is on the east side of the project. Moffett Court North is a substandard platted street with only 20-feet of right-of-way width. The brick-paved street has existing sidewalks on both sides, approximately 5-feet in width. Both 8th Street North and 4th Avenue North are designated as arterial streets on the future Major Streets map and are appropriate for 10-foot sidewalks, due to the high volume of vehicular traffic and pedestrian use.

The special conditions of the site include that Moffett Court North was dedicated as a 20-foot right-of-way when originally platted. The redevelopment of the site will provide the sidewalks as required on the arterial rights-of-way on major streets 8th Street North and 4th Avenue North. With a 20-foot right-of-way width on Moffett Court, it is inappropriate to the scale of the street to provide a ten-foot sidewalk. Most pedestrians would likely be on the other primary street faces, as these connect in both directions, while Moffett Court does not continue to the north or south, and so primarily serves the existing residents of the seven residential buildings on the block. Primary pedestrian access for the new building is on 8th Street North. Retaining the character of the 20-foot street right-of-way of Moffett Court would be in keeping with the nature of the existing historic buildings located on the east side of the Court.

Responses to Standards for variance review in Section 16.70.040.1.6:

1. Special conditions exist which are peculiar to the land, building, or other structures for which the variance is sought, and which do not apply generally to lands, buildings, or other structures in the same district. Special conditions to be considered shall include, but not be limited to, the following circumstances:

a. *Redevelopment.* If the site involves the redevelopment or utilization of an existing developed or partially developed site;

**This site is an existing developed site, though the existing buildings will be removed for redevelopment.**

b. *Substandard lot.* If the site involves the utilization of an existing legal nonconforming lot which is smaller in width, length or area from the minimum lot requirements of the district;

**This criterion is not applicable to this project as there is no minimum lot size in the DC-2 zoning district.**

c. *Preservation district.* If the site contains a designated preservation district;

**This criterion is not applicable to this project as this is not a designated preservation district.**

d. *Historic resources.* If the site contains historical significance;

**The site has two structures which are considered contributing to the National Register District and are not intended to remain. This is not a locally designated historic district, and the buildings while contributing are not considered eligible for individual listing.**

e. *Significant vegetation or natural features.* If the site contains significant vegetation or other natural features;  
**This criterion is not applicable to this project, as both of these lost have been previously developed and significant vegetation does not remain.**

f. *Neighborhood character.* If the proposed project promotes the established historic or traditional development pattern of a block face, including setbacks, building height, and other dimensional requirements;

**Retaining the character of the 20-foot street right-of-way of Moffett Court would be in keeping with the scale and nature of the existing buildings located on the east side of the Court. The 20-foot street right-of-way was dedicated by the original plat and helps to enforce the character of the existing 1920s era buildings on the east side of the street.**

g. *Public facilities.* If the proposed project involves the development of public parks, public facilities, schools, public utilities or hospitals;

**This criterion is not applicable to this project.**

2. The special conditions existing are not the result of the actions of the applicant;  
**The 20-foot street right-of-way was dedicated on the original plat of the area and is not a result of the actions of the applicant.**
3. Owing to the special conditions, a literal enforcement of this chapter would result in unnecessary hardship;  
**If the variance was not granted, the applicant would lose use of the eastern 5-feet of the site.**
4. Strict application of the provisions of this chapter would provide the applicant with no means for reasonable use of the land, buildings, or other structures;  
**The applicant would still have use of the land, though have reduced development potential.**
5. The variance requested is the minimum variance that will make possible the reasonable use of the land, building, or other structure;  
**The variance requested is the minimum variance that will maintain the existing scale and proportions of the Court. The variance requested is to maintain an existing condition where the sidewalk is now 5-feet.**
6. The granting of the variance will be in harmony with the general purpose and intent of this chapter;  
**The granting of the variance would be in keeping with the purpose and intent of the chapter, to recognize unique situations, such as this substandard street right-of-way.**
7. The granting of the variance will not be injurious to neighboring properties or otherwise detrimental to the public welfare; and  
**The granting of the variance would not be injurious to the neighboring properties, as the request is to retain the existing condition.**
8. The reasons set forth in the application justify the granting of a variance;  
**The reasons set forth in this application do justify the granting of the variance, recognizing the substandard right-of-way and existing sidewalk width.**
9. No nonconforming use of neighboring lands, buildings, or other structures, legal or illegal, in the same district, and no permitted use of lands, buildings, or other structures in adjacent districts shall be considered as grounds for issuance of a variance permitting similar uses.  
**Non-conforming uses are not being considered or requested in this application.**

**End of Narrative**

**STAFF CORRESPONDENCE TAB**

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**19-31000012**



To: Jennifer Bryla, Zoning Official, Development Review Services Division  
From: Derek S. Kilborn, Manager, Urban Planning and Historic Preservation Division  
Date: October 25, 2019  
Subject: Application Case No. 19-31000012  
770 4<sup>th</sup> Avenue North, St. Petersburg, Florida 33701

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Pursuant to City Code Section 16.70.040.1.4.D, a Site Plan Review (“SPR”) decision shall be guided by more than 16 factors, described alternatively as criterion. Criterion No. 14 states:

**“Sensitivity of the development to on-site and adjacent (within 200 feet) historic or archaeological resources related to scale, mass, building materials, and other impacts.”**

The purpose of this memorandum is to provide a detailed response relating to historic preservation and any impacts that may extend from this development proposal.

### **Introduction**

The City of St. Petersburg values historic preservation through the Historic Preservation Element of the St. Petersburg Comprehensive Plan and the St. Petersburg City Code, Chapter 16, Section 16.30.070 titled, “Historic and Archaeological Preservation Overlay.”

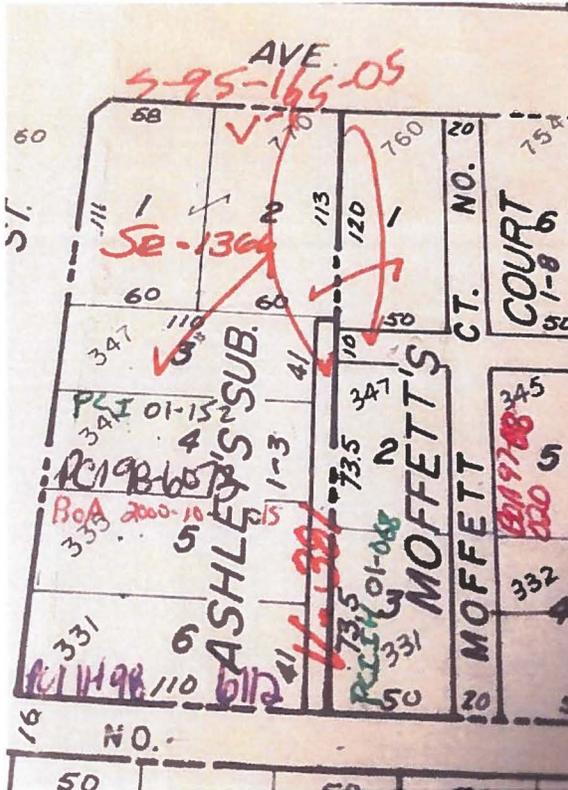
Historic preservation is recognized through listing in the National Register of Historic Places (“NRHP”) and local landmark designation and listing in the St. Petersburg Register of Historic Places (“SPHP”). In addition to listing in the National and St. Petersburg Register of Historic Places, select historic properties may also be listed as potentially eligible for local landmark designation (“PEL”) *meaning* they have been identified as potentially eligible for local landmark designation but have not been formally processed and approved for listing in the St. Petersburg Register of Historic Places.

Photos

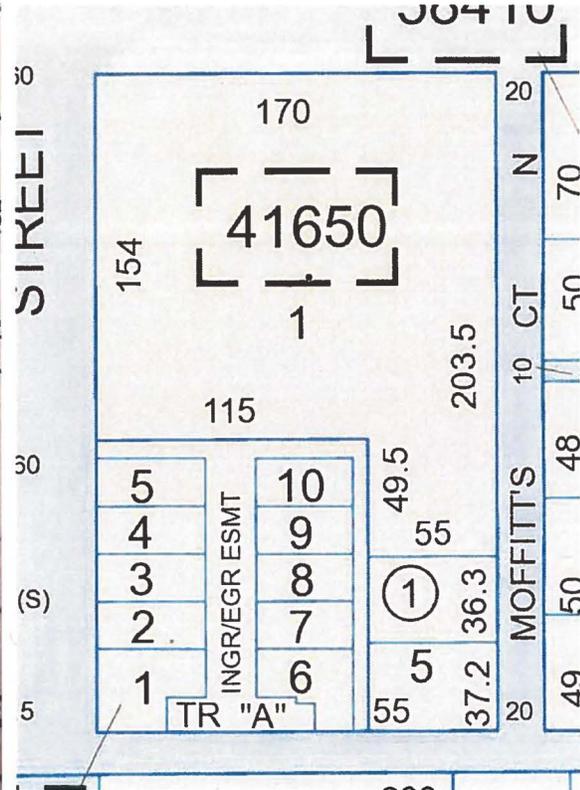


**Property Information**

Address	Parcel ID	Current Use
770 4 <sup>th</sup> Ave. No.	19-31-17-41650-000-0010	Retail, CC's Bridal Boutique
340 Moffett Ct. No.	19-31-17-41650-000-0051	Private Residence



Historic subdivision plat (with case notes)



Current plat map, including new townhouses to the southwest

The subject property was historically subdivided with several platted lots and a public right-of-way, now existing as one (1) distinct parcel at 770 4<sup>th</sup> Avenue North and one (1) platted lot at 340 Moffett Court North.

**National Register of Historic Places**

Address	Parcel ID	Built	FMSF	DTSP-NR
770 4 <sup>th</sup> Ave. No.	19-31-17-41650-000-0010	1926	PII0353	Contributing
340 Moffett Ct. No.	19-31-17-21006-000-0010	1916	PII0391	Contributing

1. FMSF = Florida Master Site File (formerly Historic Structure Form), see Attachment B  
 2. DTSP-NR = Downtown St. Petersburg National Register District

The Downtown St. Petersburg National Register District (“District”) was established in 2004 and includes a diverse collection of buildings constructed between 1888 and 1954. At the time of listing, the subject property included two (2) contributing buildings to the District. City staff has reviewed the building at 770 4<sup>th</sup> Avenue North and determined that the diminished historic integrity of the building comprises its status as a contributing resource to the National Register District. The single-family house at 340 Moffett Court North retains much of its individual historic integrity but is likewise comprised by its diminished setting, which now includes newly constructed townhouses immediately to the west and a large surface parking lot to the north.

Within 200-linear feet of the subject property, there are, *according to the original National Register listing*, 31 contributing properties and two (2) non-contributing properties. The number of contributing properties is somewhat inaccurate however, as six (6) are currently vacant lots and an additional four (4) have been redeveloped with new construction.

**St. Petersburg Register of Historic Places**

The subject property does not include any local landmarks nor is it located within a local historic district. Within 200-linear feet of the subject property, there are no local landmarks; however, the St. Petersburg High School is located approximately 225-feet to the east.

**Potentially Eligible List (“PEL”)**

The identification and listing of property as *potentially eligible* means that, based on a preliminary assessment, the subject property likely qualifies for designation as a local landmark. It does not mean that a listed property is, or will shortly become, a designated local landmark. The process for becoming a designated local landmark is very specific, includes at least two (2) public hearings, the participation of the property owner, and approval of an ordinance by the City Council.

The original PEL was first conceived in 2005 at the request of then-Mayor Rick Baker. Following a public meeting with the then-named Historic Preservation Commission on December 6, 2005, the PEL was approved by the Mayor and formally established on January 3, 2006.

The subject site does not include any properties listed in the 2006 PEL. In 2001, *Historic Structure* forms were completed for the subject site by Pan-American Consultants, Inc., a private firm specializing in historic property assessment. (These forms are identified by their FMSF number, for e.g. PI10406, and attached.) Each form includes a section titled “Surveyor’s Evaluation of Site” and answers several questions including: 1) Potentially eligible for local designation; 2) Individually eligible for National Register; and 3) Potential contributor to National Register District.

Address	FMSF	Potent. Eligibility Local Design.	Individually Eligible for NR	Potential Contributing NR
770 4 <sup>th</sup> Ave. No.	PI10391	Ineligible	Ineligible	Contributor
340 Moffett Ct. No.	PI10353	Ineligible	Ineligible	Contributor

## **Current Site Plan Proposal**

- **Overall Building Height.** Zoning for the subject property allows up to 200-feet in maximum building height. According to the applicant's submission, the proposed building height is approximately 80-feet to the parapet, less than 50-percent of the maximum allowed. Compared to adjacent historic buildings, the proposed overall building height is taller than the modest 1- and 2-story buildings located to the east and north, but mitigated by the Moffett Court North and 4<sup>th</sup> Avenue North rights-of-way. The 2-story building at 324 Moffett Court North, immediately adjoining the south boundary of the subject property, will be most impacted by the variation in building height. The proposed building height at this location is approximately 70-feet.

## **Conclusions**

This proposal will result in the *demolition* of two (2) contributing resources to the Downtown St. Petersburg National Register District; however, one (1) building lacks historic integrity due to substantial modifications over the years and both buildings suffer from a diminished setting due to the demolition and redevelopment of buildings on the subject block and immediately to the west and south.

## **Recommended Conditions of Approval**

If the SPR 19-3100012 is approved, historic preservation staff recommends the following conditions of approval:

### **1. Brick and Granite Curbing.**

A small section of brick, located along Moffett Court, is protected by City ordinance and shall remain the property of the City of St. Petersburg.

- a. Brick and granite curbing shall be neatly stacked, palletized, and delivered to the City's general maintenance yard located at 1635 - 3<sup>rd</sup> Avenue North.
- b. Prior to removal of brick and granite curbing, contact Robert "Bob" Taylor, 727-892-5077, Stormwater, Pavement, & Traffic Operations, to arrange a site visit. The purpose of the site visit is to verify quantities of materials to be removed and to arrange a time when the City will accept the materials delivery and provide written verification of quantities of materials delivered to the City by the contractor.
- c. The applicant shall provide Staff with written confirmation that the materials have been delivered prior to issuance of a Certificate of Occupancy.



2. **Salvage Historic Wood Windows.**

Prior to demolition, the property owner [applicant or successors] shall carefully remove two (2) historic wood window sets, include the frame and historic glass, and make the window sets available for salvage or donation. City of St. Petersburg's historic preservation staff will help facilitate vendor connections, if needed.



The two (2) windows that are the subject of this requirement are highlighted in the above photo using a yellow border.



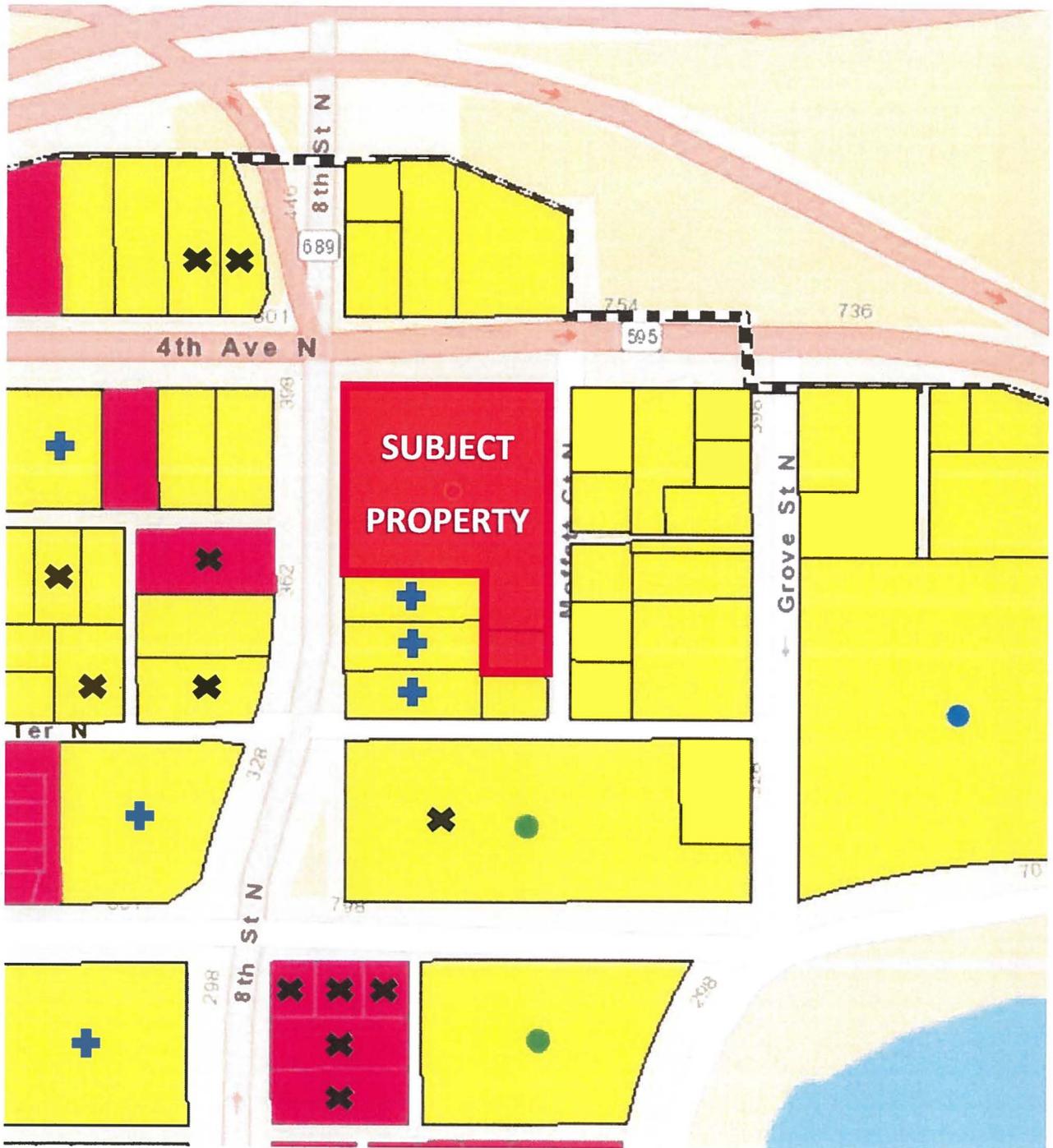
3. **Demolition and Building Permit(s).**

Final approval and release of a demolition permit shall be conditioned on the submission of a complete set of construction drawings for new construction. The submission shall first be determined complete by the Building Official or person officially designated for making such determinations. While not an official COA, historic preservation staff will review the demolition and building permit for new construction to confirm compliance with the above conditions.

**National Register Map**

**Local Landmark Map**

**Potentially Eligible List Map**



- Yellow = Contributing Property
- Pink = Non-Contributing Property
- Blue Dot = Local Landmark
- Green Dot = Potentially Eligible List
- Black "X" = Vacant Lot / Surface Parking Lot
- Blue "+" = New Construction

**Florida Master Site Files**

## HISTORICAL STRUCTURE FORM

Site #8: PI10353

First site form recorded for this site? Original documentation, site not recorded at FSF

Identifying code (field date): 199904

Recorder #: \*\* blank \*\*

Field Date: 04/27/1999

Form Date: 02/18/2001

Site name(s): 770 4TH AVENUE NORTH

[Other name(s)]: \*\* blank \*\*

Mult. list #: \*\* blank \*\*

Survey names: ST. PETERSBURG PRESERVATION INC. SURVEY

Survey #: \*\* blank \*\*

National register category: Building(s)

### LOCATION & IDENTIFICATION

Street Number/Direction/Name/Type/Suffix Direction: 770/\*\*/4TH/Avenue/North

Cross streets nearest/between: CORNER OF 8TH ST AND MOFFETT CT N

City/town: ST. PETERSBURG

In current city limits? Definitely within the limits of city

County: PINELLAS

Tax parcel #: 19/31/17/41650/000/0010

Subdivision name: HUGHES-PEARSON REPLAT

Block: \*\* blank \*\*

Lot no.: 1

Ownership type: Private-corporate-for profit

Name of pubtract (e.g., park): \*\* blank \*\*

Route to (or vicinity of): SOUTHWEST CORNER OF 4TH AV AND 8TH ST N

### MAPPING

USGS map name/year of publication or revision: ST. PETERSBURG/1956

Township/Range/Section/Qtr: 31 South/17 East/19/\*\*

Irregular section: \*\* blank \*\*

Landgrant: \*\* blank \*\*

UTM Zone/Easting/Northing: 17/337940/3073320

Plat or other map (map's name, location): \*\* blank \*\*

### DESCRIPTION

Style: Mediterranean Revival: ca. 1880-1940

[Other style]: \*\* blank \*\*

Exterior plan: L-shaped

[Other exterior plan]: \*\* blank \*\*

No. stories: 2

Structural system(s): Wood frame; Concrete block

[Other structural system(s)]: \*\* blank \*\*

Foundation types: Piers; Slab

[Other foundation type]: \*\* blank \*\*

Foundation materials: Concrete block

[Other foundation materials]: \*\* blank \*\*

Exterior fabrics: Wood siding; Stucco

[Other exterior fabrics] \*\* blank \*\*

Roof types: Hip

[Other roof types]: \*\* blank \*\*

Roof materials: Composition shingles  
[Other roof materials]: \*\* blank \*\*  
Roof secondary structures (dormers etc): \*\* blank \*\*  
[Other roof secondary structures]: \*\* blank \*\*  
Chimney no.: 1  
Chimney materials: Concrete  
[Other chimney materials]: STUCCO  
Chimney locations: E END ORIGINAL STRUCTURE  
Windows (types, materials, etc.): DHS 1/1 (WOOD), SHS 2/2, 1/1 (AL), ARCH TOP FIXED (AL), GA-TOP FIXED 5/5 (AL)  
Main entrance (stylistic details): DOUBLE FRENCH DOORS, DHS 1/1 (WOOD) SIDELIGHTS  
# of open porches: 1  
# of closed porches: \*\* blank \*\*  
# of incised porches: \*\* blank \*\*  
Porch locations: N, ENTRY N, ARCADE, 6 BAYS  
Porch roof types: HIP WITH SHCO  
Exterior ornament: \*\* blank \*\*  
Interior plan: \*\* blank \*\*  
[Other interior plan]: \*\* blank \*\*  
Condition: Good  
Narrative description: \*\* blank \*\*  
Commercial surroundings (proportion): No/few cultural resources show quality (<10%)  
Residential surroundings (proportion): All/nearly all cult. resources show quality (>90%)  
Institutional surroundings (proportion): No/few cultural resources show quality (<10%)  
Undeveloped surroundings (proportion): No/few cultural resources show quality (<10%)  
Ancillary features (no., outbldings, etc.): \*\* blank \*\*  
Artifacts or other remains: \*\* blank \*\*  
FMSF Archaeological form completed? No: Archaeological Form not done

## HISTORY

Construction year (e.g. C1933, 1936+, 1936-): 1926  
Architect (last name first): \*\* blank \*\*  
Builder (last name first): \*\* blank \*\*  
Change status/year changed/date noted/nature: Attached room(s) added after original constr. date/C1935/\*\*/BLOCK EXTENSION AND ARCADE; Altered not according to the Secretary's standards/C1935/\*\*/1970S STUDIO NE CORNER  
Original, intermediate, present uses/year started/year ended: Commercial unspecified\*\*/\*\*/\*\*; Commercial unspecified\*\*/\*\*/\*\*  
[Other uses]: \*\* blank \*\*  
Ownership history (esp. original owners): \*\* blank \*\*

## RESEARCH METHODS

Research methods: Florida Site File search for this property; Windshield\*\*; Local tax records only; Occupant or owner interviewed  
[Other research methods]: \*\* blank \*\*

## SURVEYOR'S EVALUATION OF SITE

Potentially elig. for local designation? Ineligible for a local register of important sites  
Local register eligible for: \*\* blank \*\*  
Individually elig. for Nat. Register? Ineligible for NR, considered independently  
Potential contributor to NR district? Potential contributor, National Register district  
Area(s) of historical significance: \*\* blank \*\*  
[Other historical associations]: \*\* blank \*\*  
Explanation of evaluation: POTENTIAL CONTRIBUTOR TO DISTRICT BECAUSE OF TIME PERIOD OF CONSTRUCTION IN THE NEIGHBORHOOD.

DOCUMENTATION (PHOTOS, PLANS, ARTIFACTS)

Repositories: Collection/Housed/ACC#/Describe \*\* blank \*\*

RECORDER

Recorder name (last name first): PANAMERICAN CONSULTANTS, INC.

Recorder address and phone: 1207 N. HIMES, SUITE 5, TAMPA, FL 33607

Recorder affiliation: \*\* blank \*\*

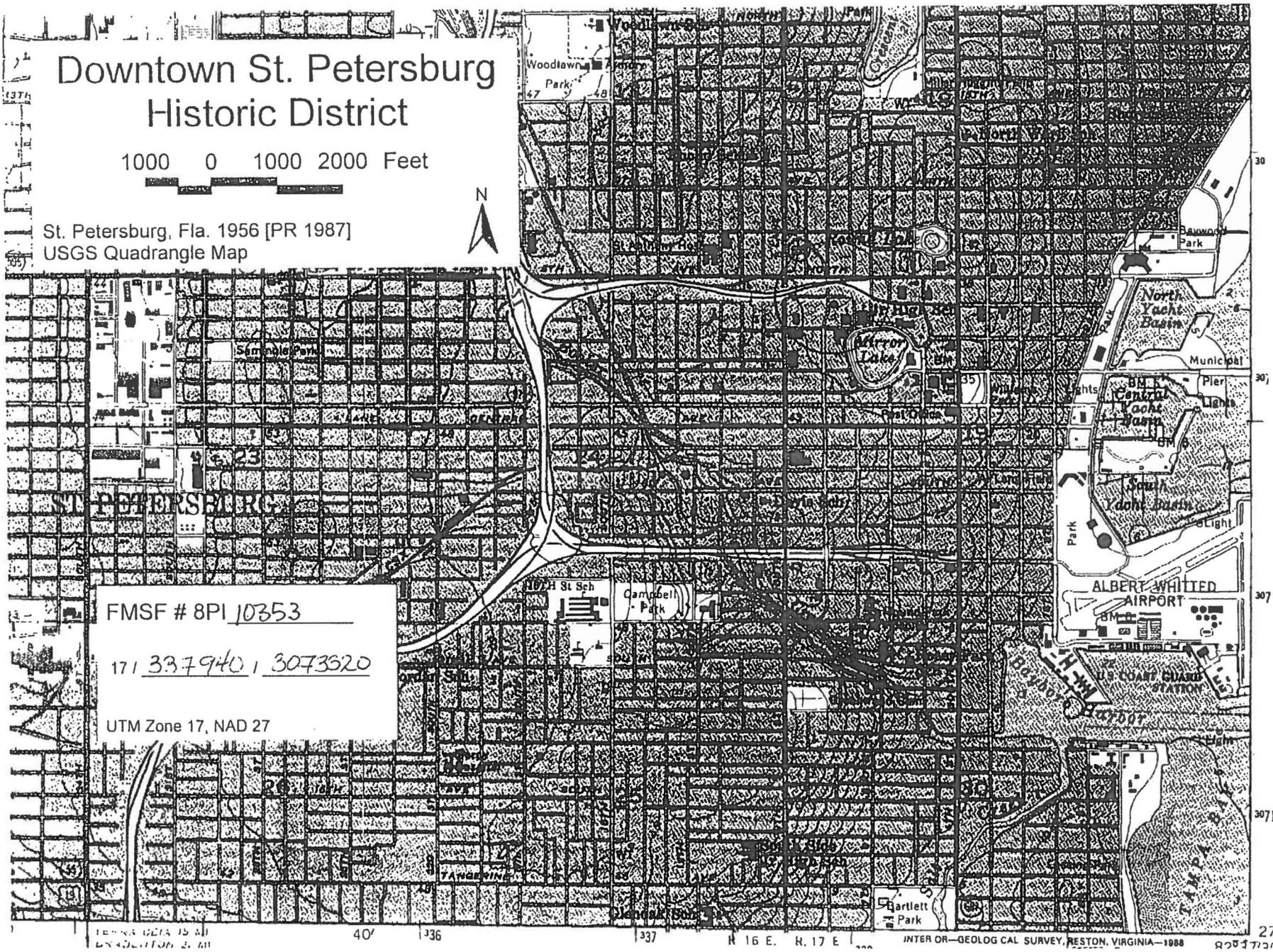
[Other affiliation]: \*\* blank \*\*

Is text-only supplement file attached? \*\* blank \*\*

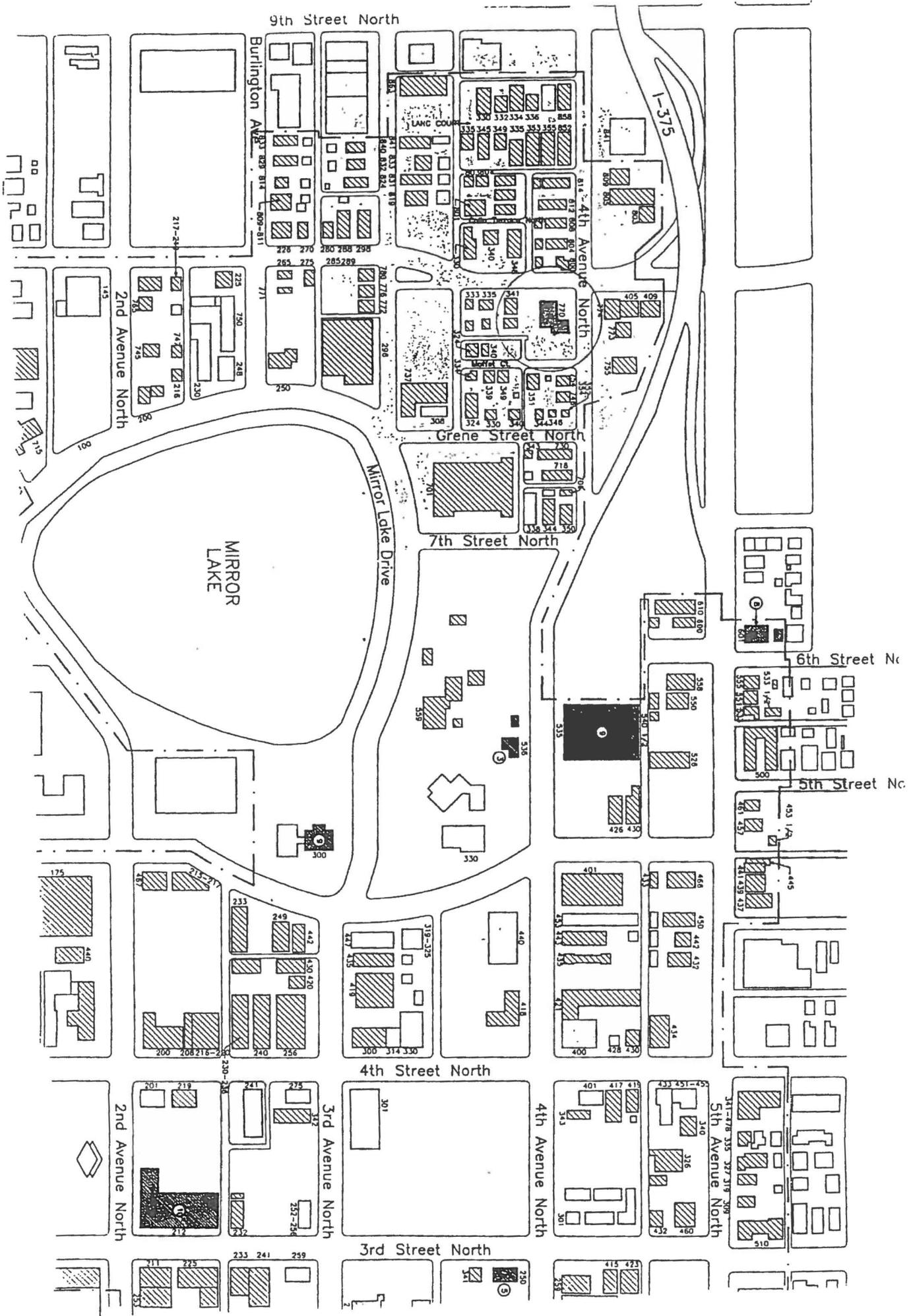
# Downtown St. Petersburg Historic District

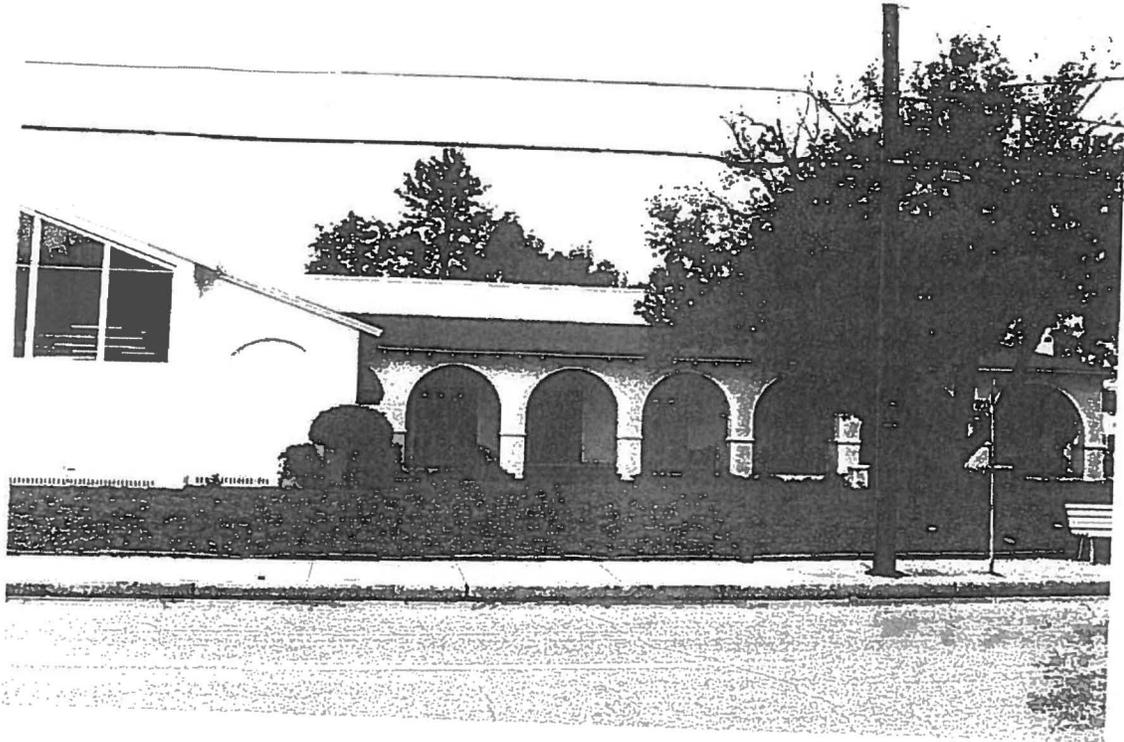
1000 0 1000 2000 Feet

St. Petersburg, Fla. 1956 [PR 1987]  
USGS Quadrangle Map



FMSF # 8PI 10353  
171 337940 1 3073620  
UTM Zone 17, NAD 27





## HISTORICAL STRUCTURE FORM

Site #8: PI10391

First site form recorded for this site? Original documentation, site not recorded at FSF

Identifying code (field date): 199904

Recorder #: \*\* blank \*\*

Field Date: 04/29/1999

Form Date: 02/20/2001

Site name(s): 340 MOFFETT COURT NORTH

[Other name(s)]: \*\* blank \*\*

Mult. list #: \*\* blank \*\*

Survey names: ST. PETERSBURG PRESERVATION INC. SURVEY

Survey #: \*\* blank \*\*

National register category: Building(s)

### LOCATION & IDENTIFICATION

Street Number/Direction/Name/Type/Suffix Direction: 340/\*\*/MOFFETT/Court/North

Cross streets nearest/between: CORNER OF 8TH STREET AND 4TH AVE N

City/town: ST. PETERSBURG

In current city limits? Definitely within the limits of city

County: PINELLAS

Tax parcel #: 19/31/17/41650/000/0050

Subdivision name: HUGHES PEARSON REPLAT

Block: \*\* blank \*\*

Lot no.: 5

Ownership type: Private-individual

Name of pubtract (e.g., park): \*\* blank \*\*

Route to (or vicinity of): EAST ON 4TH AV N. CROSS INTERSECTION WITH 8TH S, TURN S ON MOFFETT CT, W SIDE OF ST

### MAPPING

USGS map name/year of publication or revision: ST. PETERSBURG/1956

Township/Range/Section/Qtr: 31 South/17 East/19/\*\*

Irregular section: \*\* blank \*\*

Landgrant: \*\* blank \*\*

UTM Zone/Easting/Northing: 17/337970/3073290

Plat or other map (map's name, location): \*\* blank \*\*

### DESCRIPTION

Style: Bungalow: ca. 1905-1930

[Other style]: \*\* blank \*\*

Exterior plan: Rectangular

[Other exterior plan]: \*\* blank \*\*

No. stories: 1.5

Structural system(s): Wood frame

[Other structural system(s)]: \*\* blank \*\*

Foundation types: Continuous

[Other foundation type]: \*\* blank \*\*

Foundation materials: Brick

[Other foundation materials]: \*\* blank \*\*

Exterior fabrics: Asbestos, shingles or siding; Wood siding

[Other exterior fabrics] \*\* blank \*\*

Roof types: Gable

[Other roof types]: \*\* blank \*\*

Roof materials: Composition shingles

[Other roof materials]: \*\* blank \*\*

Roof secondary structures (dormers etc): Gable dormer

[Other roof secondary structures]: N & S WITH SHCO

Chimney no.: 1

Chimney materials: Brick

[Other chimney materials]: \*\* blank \*\*

Chimney locations: SOUTH

Windows (types, materials, etc.): SHS 8/1 (WOOD), SHS 4/1 (WOOD), DOUBLE SHS 4/1 (WOOD)

Main entrance (stylistic details): PANELLED DOOR WITH 3 LIGHTS

# of open porches: 1

# of closed porches: \*\* blank \*\*

# of incised porches: \*\* blank \*\*

Porch locations: NE CORNER 4 X 4 POSTS

Porch roof types: GABLED ROOF WITH SHCO

Exterior ornament: \*\* blank \*\*

Interior plan: \*\* blank \*\*

[Other interior plan]: \*\* blank \*\*

Condition: Fair

Narrative description: DUE TO SOME DETERIORATION AND ALTERATION TO THE ORIGINAL STRUCTURE

Commercial surroundings (proportion): No/few cultural resources show quality (<10%)

Residential surroundings (proportion): Most cultural resources show quality (>50%-<90%)

Institutional surroundings (proportion): Some cultural resources show quality (>10%-<50%)

Undeveloped surroundings (proportion): No/few cultural resources show quality (<10%)

Ancillary features (no., outbldings, etc.): \*\* blank \*\*

Artifacts or other remains: \*\* blank \*\*

FMSF Archaeological form completed? No: Archaeological Form not done

## HISTORY

Construction year (e.g. C1933, 1936+, 1936-): 1916

Architect (last name first): \*\* blank \*\*

Builder (last name first): \*\* blank \*\*

Change status/year changed/date noted/nature: Altered not according to the Secretary's standards/C1990/\*\*/ORIGINAL PORCH COLUMNS REMOVED

Original, intermediate, present uses/year started/year ended: Residence--private/\*\*/\*\*; Residence--private/\*\*/\*\*

[Other uses]: \*\* blank \*\*

Ownership history (esp. original owners): \*\* blank \*\*

## RESEARCH METHODS

Research methods: Florida Site File search for this property; Windshield\*\*

[Other research methods]: \*\* blank \*\*

## SURVEYOR'S EVALUATION OF SITE

Potentially elig. for local designation? Ineligible for a local register of important sites

Local register eligible for: \*\* blank \*\*

Individually elig. for Nat. Register? Ineligible for NR, considered independently

Potential contributor to NR district? Potential contributor, National Register district

Area(s) of historical significance: \*\* blank \*\*

[Other historical associations]: \*\* blank \*\*

Explanation of evaluation: POTENTIAL CONTRIBUTOR TO DISTRICT BECAUSE OF TIME PERIOD OF CONSTRUCTION IN THE NEIGHBORHOOD.

## DOCUMENTATION (PHOTOS, PLANS, ARTIFACTS)

Repositories: Collection/Housed/ACC#/Describe \*\* blank \*\*

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Recorder affiliation: \*\* blank \*\*

[Other affiliation]: \*\* blank \*\*

Is text-only supplement file attached? \*\* blank \*\*

# Downtown St. Petersburg Historic District

1000 0 1000 2000 Feet



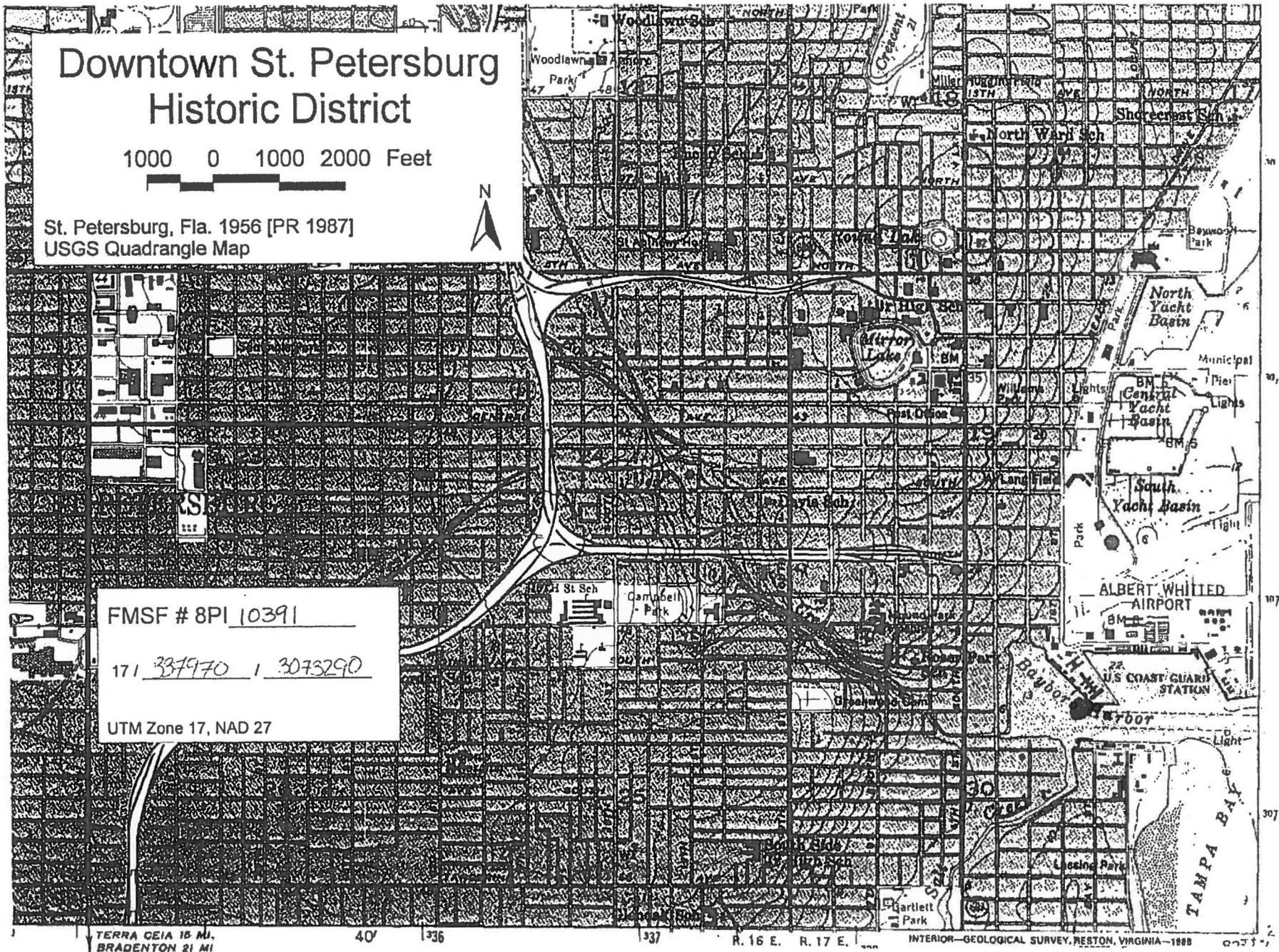
St. Petersburg, Fla. 1956 [PR 1987]  
USGS Quadrangle Map



FMSF # 8PI 10391

171 337970 | 3073290

UTM Zone 17, NAD 27



TERRA CEIA 15 MI.  
BRADENTON 21 MI

40'

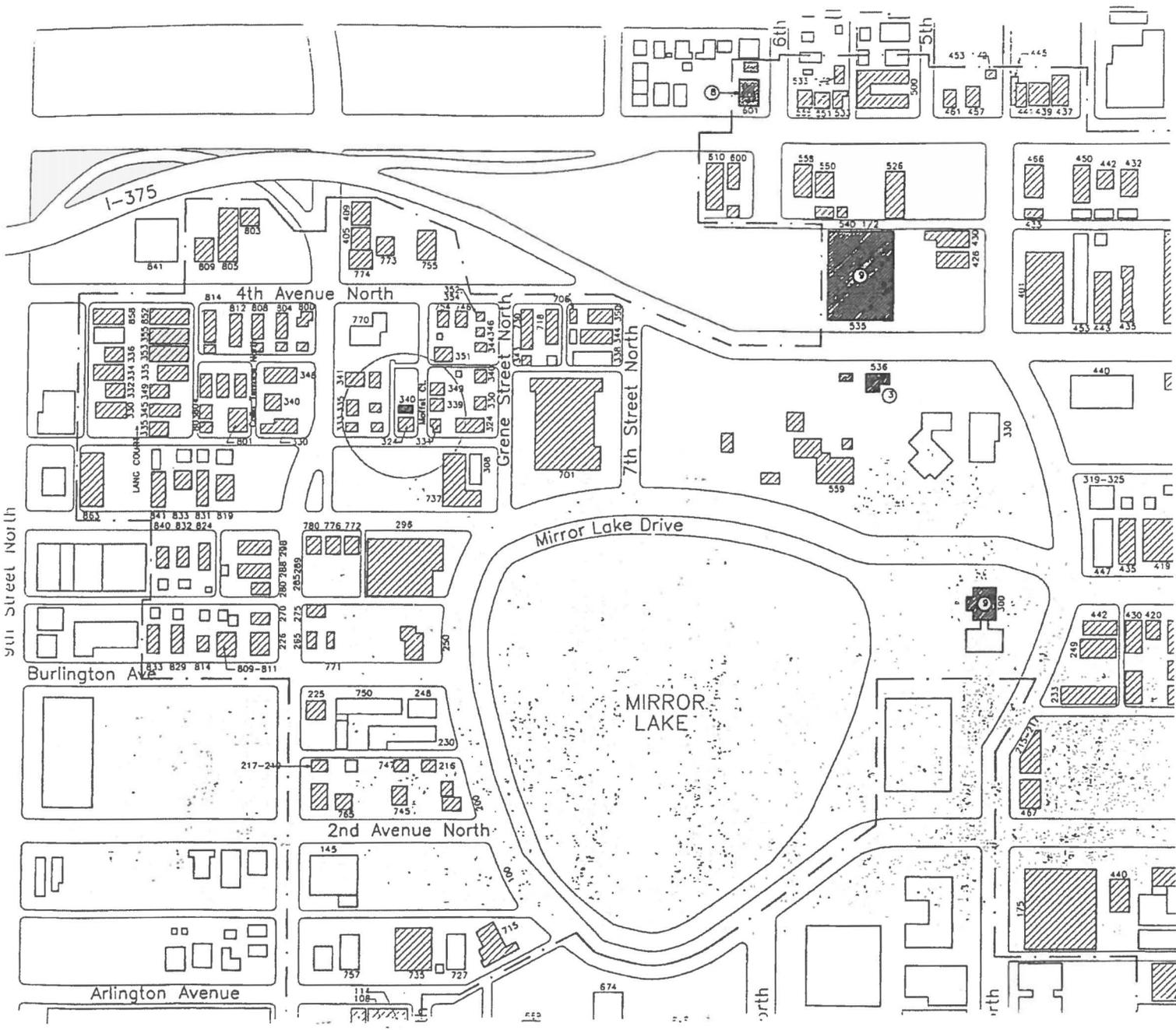
336

337

R. 16 E. R. 17 E.

INTERIOR—GEOLOGICAL SURVEY, RESTON, VIRGINIA—1988

0211



1-375

4th Avenue North

5th Street North

Burlington Avenue

2nd Avenue North

Arlington Avenue

Mirror Lake Drive

MIRROR LAKE

6th

5th

Greene Street North

7th Street North

North

North

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809 805

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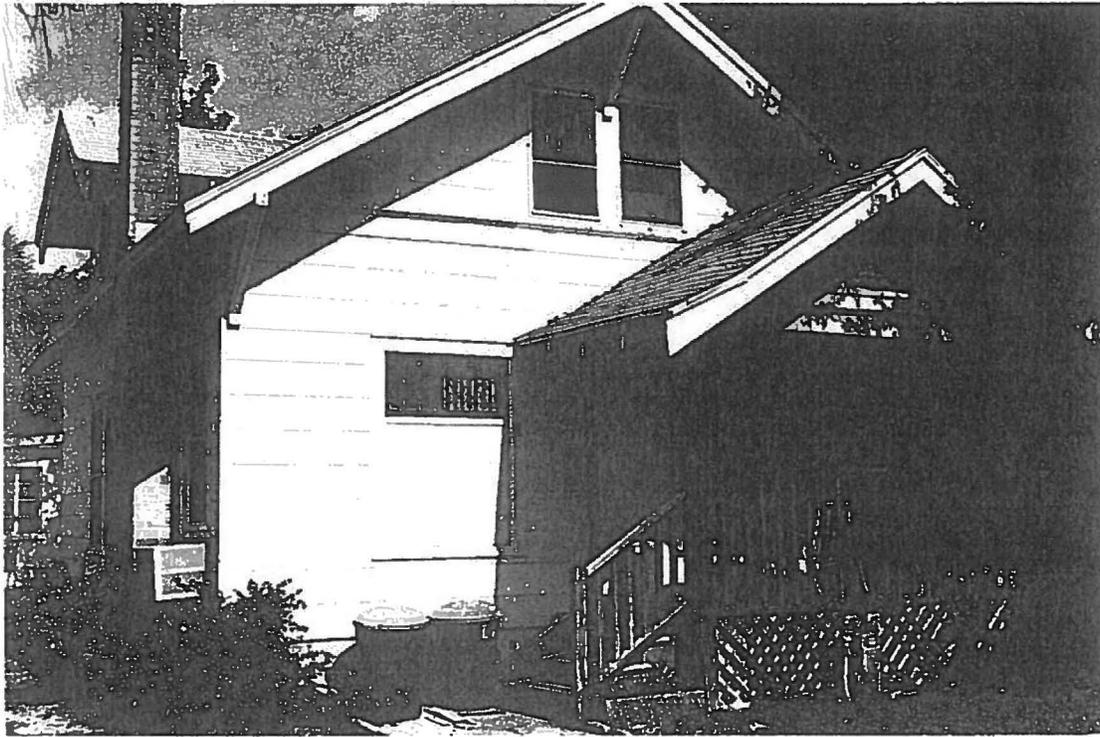
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#2047 - 4/17/52 - \$500

Owner J. A. Wordell - Move  
two room frame residence from  
Lot 2, Moffett's Ct., 350  
Moffett's Court to Out of City.  
(16' x 26') John M. Swope, Contr.

#28921-RC(1) 11/4/74 - \$760

Owner Rn & Blunsh Sha -Re-  
roof residence - hex shingles  
165# shingles over one roof

Type VI) W F Earp Roofing, Contr  
(340)

#R602868-CBD-2-1/13/86-\$700

Owner Mrs Tenniev-roof-roll roof  
ing strip(Type VI) By owner (334)

#20-10/8/56-Nunnery

Alcorn Elec.-3ws 100amp 1 meter  
1-1 hp air cond.



## CITY OF ST. PETERSBURG

### Transportation and Parking Management Department

#### MEMORANDUM

TO: Corey Malyszka, Urban Design and Development Coordinator, Planning and Development Services

FROM: Tom Whalen, Planner III, Transportation and Parking Management Department

DATE: November 22, 2019

SUBJECT: Approval of a Site Plan to construct a 7-story building with 126-dwelling units in the DC-2 zoning district. The applicant is requesting floor area ratio bonuses and a variance to maintain a 5-foot wide sidewalk.

CASE: 19-31000012

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The Transportation and Parking Management Department has reviewed the transportation-related statements in the appeals form submitted for the proposed residential development project located at 770 4<sup>th</sup> Avenue North. It was stated that a traffic study was not completed. It was also stated that there will be parking shortages. The Transportation Department has studied these concerns and believes that the traffic impact from the proposed development will be minimal. The number of parking spaces provided by the applicant exceeds the number required by City Code by a significant amount and is sufficient to meet the projected peak parking demand.

Based on data in the Institute of Transportation Engineers' "Trip Generation Manual (10<sup>th</sup> Edition)," the proposed development is projected to generate 25 vehicular trips in the a.m. peak hour, with 22 trips leaving the site and 3 trips entering the site. The proposed development is projected to generate 23 vehicular trips in the p.m. peak hour, with 7 trips leaving the site and 16 trips entering the site. Consequently, the proposed development will generate one trip approximately every two minutes on average in the a.m. and p.m. peak hours. These trip generation estimates do not include a trip reduction for existing developments, so we are essentially analyzing this development as a new development built on vacant land.

Residents will enter and leave the site at one driveway on Moffett Court North. Moffett Court North is a one-way, northbound alley. Travel portion of the alley is sufficient in width to accommodate the entering and exiting trips. There is space in the parking garage for motorists to queue after entering the garage. The adjacent major streets, 8<sup>th</sup> Street and 4<sup>th</sup> Avenue North, have excess roadway capacity and can accommodate the trips generated by the new development.

Based on data in the Institute of Transportation Engineers' "Parking Generation Manual (5<sup>th</sup> Edition)," the proposed development will have a projected peak parking demand of 116 vehicles. The total number of units is 126. The applicant was only required to provide 75 spaces, due to the fact that 51 units are equal to or less than 750 square feet. The applicant is providing 116 spaces. The number of parking spaces that will be provided is sufficient to accommodate the projected peak demand.

The Pinellas Suncoast Transit Authority provides several routes within walking distance from the site that have frequent service, which will serve residents that do not own a motor vehicle or have a motor vehicle but choose to utilize these routes for some of their trips. These routes include Route 9 (8<sup>th</sup> and 9<sup>th</sup> Streets), Route 4 (4<sup>th</sup> Street), Route 18 (1<sup>st</sup> Avenue North and 1<sup>st</sup> Avenue South) and the Central Avenue Trolley. If you have any questions about this memorandum, please call me at (727) 893-7883.

MEMORANDUM  
CITY OF ST. PETERSBURG  
ENGINEERING AND CAPITAL IMPROVEMENTS DEPARTMENT

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**TO:** Iris Winn, Administrative Clerk, Development Services Department  
Jennifer Bryla, Planning & Development Services Zoning Official, Development Services  
Adriana Puentes Shaw, Zoning, Development Services Department

**FROM:** Nancy Davis, Engineering Plan Review Supervisor

**DATE:** October 10, 2019

**SUBJECT:** Site Plan Review

**FILE:** 19-31000012

---

**LOCATION** 770 4<sup>th</sup> Avenue North; 19/31/17/41650/000/0010

**ATLAS:** F-4    **ZONING:** Downtown Center (DC-2)  
**PROJECT:** 770 Apartments  
**REQUEST:** Approval of a Site Plan to construct a 7-story building with 126-dwelling units in the DC-2 zoning district. The applicant is requesting floor area ratio bonuses and a variance to maintain a 5-foot wide sidewalk.

The Engineering and Capital Improvements Department has no objection to the proposed site plan provided that the following special conditions and standard comments are added as conditions of approval:

**SPECIAL CONDITIONS OF APPROVAL:**

1. The portion of the public sanitary sewer main which extends into this site plan within easement must be relocated to the right of way. All service laterals connected to the main between public manholes F4-230, F4-225, and F4-285 must be evaluated to determine if still active and relocated to the new sewer main in the right of way with the intent being to abandon this entire main. The specific conditions for the relocation of the existing sewer service laterals will be evaluated as the new sanitary sewer collection plan and profile is developed and submitted to the City for review.
2. The civil site plans included in the review set indicate installation of a new 8" sanitary sewer installed within Moffett Court North which extends to the south with connection to the 8" VCP sanitary sewer collection main in Calla Court North. This proposed sanitary sewer connection plan will be reviewed in detail by the City once complete plan and profile are submitted with pipe capacity analysis, and after the condition of the public sanitary sewer used for connection is reviewed by the City. Preliminary comments are as follow:
  - a. If the sanitary sewer connection is made to the south, then it will be necessary to upgrade the existing 8" VCP in Calla Terrace to minimum 10" PVC, all the way to the 10" main in Grove Street. Final sizing of the pipe will be evaluated once flow & capacity information is provided by the Engineer of

Record and reviewed by the City.

- b. The City's Water Resources department has indicated that the preferred point of connection for the new main servicing this property is to the north, to the 15" east/west main existing within 4<sup>th</sup> Avenue North because it will improve flow-efficiency by getting into the trunk main earlier and faster (instead of routing along Moffit Court, then Calla Court, then Grove Street just to get back to the same 15" sanitary sewer in 4<sup>th</sup> Avenue North). Final sizing of the pipe will be evaluated once flow & capacity information is provided by the Engineer of Record and reviewed by the City.

3. The wastewater reclamation plant and pipe system capacity will be verified prior to development permit issuance. Any necessary sanitary sewer pipe system upgrades or extensions (resulting from proposed new service or significant increase in projected flow) as required to provide connection to a public main of adequate capacity and condition, shall be performed by and at the sole expense of the applicant. Proposed design flows (ADF) must be provided by the Engineer of Record on the City's Wastewater Tracking Form (available upon request from the City Engineering department, phone 727-893-7238). If an increase in flow of over 3000 gpd is proposed, the ADF information will be forwarded for a system analysis of public main sizes 10 inches and larger proposed to be used for connection. The project engineer of record must provide and include with the project plan submittal 1) a completed Wastewater Tracking form, and 2) a capacity analysis of public mains less than 10 inches in size which are proposed to be used for connection. If the condition or capacity of the existing public main is found insufficient, the main must be upgraded to the nearest downstream manhole of adequate capacity and condition, by and at the sole expense of the developer. The extent or need for system improvements cannot be determined until proposed design flows and sanitary sewer connection plan are provided to the City for system analysis of main sizes 10" and larger. Connection charges are applicable and any necessary system upgrades or extensions shall meet current City Engineering Standards and Specifications and shall be performed by and at the sole expense of the developer.

4. Public sidewalks are required by City of St. Petersburg Municipal Code Section 16.40.140.4.2 unless specifically limited by the DRC approval conditions. Within the DC zoning district, a 10' wide sidewalk is required in the southern parkway of 4<sup>th</sup> Avenue North and the eastern parkway of 8<sup>th</sup> Street North. Though this application requests a variance to the 10-foot wide sidewalk along Moffett Court North, ECID would question if the 10-foot wide sidewalk is required along Moffett Court since it is a named 20-foot wide alley.

- a. The civil site plan and architectural plans included in the review set do not clearly show the required 10-foot wide sidewalks along 4<sup>th</sup> Avenue North and 8<sup>th</sup> Street North. It is also noted that the architectural renderings show landscaping in the right of way adjacent to the building frontage. It appears there may be insufficient right of way for providing the 10-foot wide sidewalk.
- b. Since this project fronts on 8<sup>th</sup> Street North and 4<sup>th</sup> Avenue North, which are both minor arterial roadways, for public safety Engineering recommends that compliance with the 10-foot sidewalk width requirements of the City Code be required and that the applicant be required to dedicate additional sidewalk easement as necessary to construct the 10-foot wide public sidewalk.
  - o At point restrictions such as landscaping required in the public right of way, the 10-foot wide sidewalk may be reduced to 8-feet, however not continuously. Landscaping placed in the right of way must meet FDOT roadside offset criteria (clear zone). The specific sidewalk and landscaping layout must be reviewed and approved by the required City departments at the time of construction permit application submittal. The proposed landscaping plans do not match the landscaping as shown on the building elevations plans and site renderings.

- Existing sidewalks and new sidewalks will require curb cut ramps for physically handicapped and truncated dome tactile surfaces (of contrasting color to the adjacent sidewalk, colonial red color preferred) at all corners or intersections with roadways that are not at sidewalk grade and at each side of proposed and existing driveways per current City and ADA requirements. Concrete sidewalks must be continuous through all driveway approaches. All existing public sidewalks must be restored or reconstructed as necessary to be brought up to good and safe ADA compliant condition prior to Certificate of Occupancy.

4. All existing redundant (abandoned) driveway approaches or drop curbing which exist within the public right-of-way around the perimeter of the project redevelopment shall be removed as part of the project. Pavement surfaces associated with these approaches shall be completely removed from within the right-of-way and any existing drop curbing shall be removed and replaced with a raised curb to match existing curb type.

5. Per City Council Resolution existing roadway granite curbing and road brick in the public right of way shall be preserved (not removed). Throughout the City of St. Petersburg, existing granite curb within the right of way MUST remain granite and cannot be replaced with concrete curb. Only radius granite curb may be restored with concrete curb. Granite curb may be adjusted and reset per City Engineering Standard Detail S20-50.

6. Per land development code 16.40.140.4.6 (9), habitable floor elevations for commercial projects must be set per building code requirements to at least two feet above the FEMA elevation. The construction site upon the lot shall be a minimum of one foot above the average grade crown of the road, which crown elevation shall be as set by the engineering director.

\*It is noted that meeting required building floor elevations often necessitates elevating existing public sidewalks. Please note that transitions to adjacent public sidewalks shall be smooth, consistent, and ADA compliant with maximum cross slope of 2% and maximum longitudinal slope of 5%. Ramps may only be used at driveways and intersections, not mid-block in the main sidewalk path. Due to minimal parkway width and 10-foot sidewalk width requirements adjacent to this site, transitions to elevated building floors will likely need to occur within the private property boundary. This should be considered with the design of the building and locations of the building thresholds.

Adequate swales shall be provided on the lot in any case where filling obstructs the natural ground flow. In no case shall the elevation of the portion of the site where the building is located be less than an elevation of 103 feet according to City datum.

7. The scope of this project will trigger compliance with the Drainage and Surface Water Management Regulations as found in City Code Section 16.40.030. Submit drainage calculations which conform to the water quantity and the water quality requirements of City Code Section 16.40.030. Please note the volume of runoff to be treated shall include all off-site and on-site areas draining to and co-mingling with the runoff from that portion of the site which is redeveloped. Stormwater systems which discharge directly or indirectly into impaired waters must provide net improvement for the pollutants that contribute to the water body's impairment. Stormwater runoff release and retention shall be calculated using the Rational formula and a 10-year 1-hour design storm.

\*The owner's engineer of record is responsible to verify that existing public storm sewer infrastructure has sufficient capacity or will have sufficient capacity prior to issuance of a certificate of occupancy, to convey the

drainage flow after considering the current and proposed infrastructure demand. Drainage system analysis is required.

8. Site stormwater attenuation and treatment system discharges shall be piped to connect directly to a public underground stormwater conveyance system when a conveyance system is reasonably available. When a public stormwater conveyance system is not reasonably available for connection, a bubbler type overflow discharge may be considered; however, since the overflow to the surface of the right of way creates a point discharge which no longer mimics existing site discharge conditions, a more conservative drainage design which provides attenuation of the City's 10 year 1 hour design storm using a pre-development coefficient of runoff equal to 0.20 for entire site is required AND in no case shall an overflow discharge exceed 1 cfs during the City's 10 year 1 hour design storm. For a bubbler type overflow discharge to be approved, the Engineer of Record must provide adequate topographical information (every 50-feet) to verify a positive overland flow path to a public stormwater conveyance system. All bubbler type overflow structures shall be designed with an open bottom or other means to allow percolation of any standing water into the soil between storm events, shall be positioned to eliminate any flow of discharge over a public sidewalk, shall be located to avoid discharges over landscaped areas, shall not cause erosion to private property or to the public right of way, and shall not cause a public nuisance. Bubbler type overflow structures placed within the public right of way shall be traffic rated and will require prior approval of a Minor Easement Permit to clarify private ownership and maintenance responsibility.

9. Parking garage entrances/exits shall meet requirements as mandated by the City of St. Petersburg Land Development Code Section 16.40.090.3.5. Garage security gates with controlled access must be designed to meet the minimum vehicle stacking requirements. Any proposed card access readers shall be located within private property boundaries. An automatic traffic warning system shall be installed at the garage exit which activates a flashing warning light of exiting vehicles visible to vehicles or pedestrians traveling in the alley right-of-way. The final plan must include adequate signage, warning lights and wiring as required for public safety.40.090.3.5(g) without encroachment into the public alley.

10. Any proposed incidental architectural encroachments into the public right of way shall meet the requirements of City Code Chapter 25, Article VII. Any building projections or balconies which extend over the public right of way must meet the specific requirements of City Code 25-275; any building foundation encroachments into the public right of way shall meet the specific requirements of City Code 25-274.

11. A minor easement permit approval issued by the City Engineering and Capital Improvements department must be obtained for all proposed private encroachments into the public right of way per the requirements of City Code chapter 25, Article VII prior to Engineering departmental site plan approval.

12. The project Engineer will be required to develop a site-specific Maintenance of Traffic plan in compliance with FDOT "Uniform Traffic Control Devices for Streets and Highways" and "Roadways and Traffic Design Standards for City approval prior to initiating construction. The plan shall provide for pedestrian and vehicular safety during the construction process and shall minimize the use of the public right of way for construction purposes. Approval of proposed roadway travel lane closures is discouraged and will be at the discretion of the City's Engineering director pending receipt of adequate justification. The Maintenance of Traffic plan shall be prepared in compliance with City Engineering's "Maintenance of Traffic Plan Requirements", available upon request from the City Engineering & Capital Improvements department.

Note that contractor introduction letters must be sent to all surrounding businesses, associations, and property owners prior to implementing any Maintenance of Traffic plan. As a minimum, the letter must give a

description of the project, provide a list of all right of way impacts (parking impacts, travel lane impacts, sidewalk closures and temporary pedestrian paths, etc.), a schedule for each phase of the MOT implementation, and what to expect with regard to noise, delivery trucks, concrete trucks & pumps, as well as contact information for the on-site contractors representative with 24 hour availability who is responsible for addressing any and all concerns of impacted citizens. The contractor must personally visit each operating business around the construction site and make direct contact with any active business association or neighborhood association and personally introduce themselves to the business owners and association presidents. The contractor must also meet with any association representatives and property owners periodically to address any concerns that may develop as the project proceeds. The contractor is required to provide a copy of the letter and summary of when and who was contacted prior to implementing any City approved MOT plan.

13. Use of on-street public parking spaces for construction purposes must receive prior approval from the City's Transportation and Parking Management division. Refer to the City's "Parking Meter Removal & Space Rental Policy During Construction" procedure, available upon request from the City Transportation and Parking Management department.

14. Redevelopment within this site shall be coordinated as may be necessary to facilitate any City Capital Improvement projects in the vicinity of this site which occur during the time of construction.

15. A work permit issued by the Engineering Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement. All work within right of way or public utility easement shall be in compliance with current City Engineering Standards and Specifications and shall be installed at the applicant's expense in accordance with the standards, specifications, and policies adopted by the City.

**STANDARD COMMENTS:** Water service is available to the site. The applicant's Engineer shall coordinate potable water and /or fire service requirements through the City's Water Resources department. Recent fire flow test data shall be utilized by the site Engineer of Record for design of fire protection system(s) for this development. Any necessary system upgrades or extensions shall be performed at the expense of the developer.

Water and fire services and/or necessary backflow prevention devices shall be installed below ground in vaults per City Ordinance 1009-g (unless determined to be a high hazard application by the City's Water Resources department or a variance is granted by the City Water Resources department). Note that the City's Water Resources Department will require an exclusive easement for any meter or backflow device placed within private property boundaries. City forces shall install all public water service meters, backflow prevention devices, and/or fire services at the expense of the developer. Contact the City's Water Resources department, Kelly Donnelly, at 727-892-5614 or [kelly.donnelly@stpete.org](mailto:kelly.donnelly@stpete.org). All portions of a private fire suppression system shall remain within the private property boundaries and shall not be located within the public right of way (i.e. post indicator valves, fire department connections, etc.).

Plan and profile showing all paving, drainage, sanitary sewers, and water mains (seawalls if applicable) to be provided to the Engineering Department for review and coordination by the applicant's engineer for all construction proposed or contemplated within dedicated right of way or easement.

Redevelopment within this site shall be coordinated as may be necessary to facilitate any City Capital Improvement projects in the vicinity of this site which occur during the time of construction.

Development plans shall include a grading plan to be submitted to the Engineering Department including street crown elevations. Lots shall be graded in such a manner that all surface drainage shall be in compliance with the City's stormwater management requirements. A grading plan showing the building site and proposed surface drainage shall be submitted to the engineering director.

Development plans shall include a copy of a Southwest Florida Water Management District Management of Surface Water Permit or Letter of Exemption or evidence of Engineer's Self Certification to FDEP.

It is the developer's responsibility to file a CGP Notice of Intent (NOI) (DEP form 62- 21.300(4)(b)) to the NPDES Stormwater Notices Center to obtain permit coverage if applicable.

Submit a completed Stormwater Management Utility Data Form to the City Engineering Department.

The applicant will be required to submit to the Engineering Department copies of all permits from other regulatory agencies including but not limited to FDOT, FDEP, SWFWMD and Pinellas County, as required for this project. Plans specifications are subject to approval by the Florida state board of Health.

NED/MJR/meh  
pc: Kelly Donnelly  
Correspondence File

**MEMORANDUM**  
**CITY OF ST. PETERSBURG**  
Water Resources Department

**TO:** Jennifer Bryla, Zoning Official

**FROM:** Kirsten Corcoran, Engineering Clerk, Water Resources

**DATE:** October 8, 2019

**SUBJECT:** Approval of a Site Plan to construct a 7-story building with 126-dwelling units in the DC-2 zoning district. The applicant is requesting floor area ratio bonuses and a variance to maintain a 5-foot wide sidewalk.

**PLAT:** F-4

**CASE:** 19-31000012

**LOCATION:** 770 4<sup>th</sup> Avenue North

**REMARKS:** Water Resources has no objection to the above referenced subject with the exception of the re-routing of the sanitary sewer, due to capacity and flow efficiency concerns with the current site plan. Water Resources will require a new manhole in the alley (as proposed in current site plan) and the existing 8" main from the east to be connected. Approximately 150' of 12" sanitary sewer main will be required to be installed along the alley going north to a new manhole connected to the 15" sanitary sewer on 4<sup>th</sup> Ave N.

Project file

**APPEAL TAB**

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**19-31000012**



st.petersburg  
www.stpete.org

PLANNING & DEVELOPMENT SERVICES DEPARTMENT  
APPEALS FORM

Appeal From:  Person Officially Designated (POD)  Development Review Commission  
 Community Planning and Preservation Commission

Appeal to:  Development Review Commission  Community Planning and Preservation Commission  City Council

Contact Information:

Name JAMES LUNGER - REPRESENTATIVE  
Street Address 343 8TH ST. N.  
City ST ZIP Code ST. PETERSBURG FL 33701  
Telephone (330) 429 0548  
E-Mail Address JDLUNGER@GMAIL.COM  
Signature [Handwritten Signature]

Date

10/10/2019  
10:30 A.M.

Date of Hearing

Date of Decision 11/06/2019

Case No.

Case No. 19-31000012

Case Address

Case Address 770 4TH AVE. N.

Submittal Requirements

1. Narrative describing grounds for appeal.

SEE ATTACHED



### **Information on Procedures for Hearing**

- 1) Staff, appellant, applicant, and registered opponent (registered opponent ONLY allowable if timely registered and appellant is the applicant/owner) will have a total of ten (10) minutes each to present their case.
- 2) The cross-examination phase allows each participant five (5) minutes to ask questions of any individual or party that presented testimony in the presentation phase or public hearing. All questions shall be directed to the Chair who will direct the question to the appropriate person.
- 3) The rebuttal/closing statements phase allows each participant five (5) minutes to rebut prior arguments and make closing statements.
- 4) The Commission Chair will then close the proceedings and go into Executive Session and make a decision. The Commission members may ask questions at any time during the Quasi-Judicial process.

**Return form to the Office of City Clerk,  
Temporarily located at the Mirror Lake Library:  
280 5<sup>th</sup> Street North, St. Petersburg, FL 33701  
[cathy.davis@stpete.org](mailto:cathy.davis@stpete.org), (727) 893-7447  
\*Fee to Appeal Person Officially Designated: \$250.00  
\*Fee for all other Appeals: \$300.00**

**\*Note: Appellant is also responsible for required public notice and any associated post office mailing fees.**

October 10, 2019



Jarryd Lunger  
343 8th St N  
St. Petersburg, FL 33701

To Whom It May Concern,

The household of 343 8th St N would like to formally express concern and appeal the development project for 770 4th Ave N on the following grounds:

1.) A traffic study was not completed and will greatly impact those living in the neighborhood in addition to the residents who will reside at this structure. Parking shortages will extend to the greater mirror lake neighborhood and we believe a formal study is necessary prior to construction of this project to determine the anticipated impact of this development.

2.) The character of the neighborhood will be greatly changed and many historic homes impacted. The plans were not clear and with the requested side walk variance, a significant impact will be felt by those of us living along Moffett and Calla Terrace in addition to new residents renting from 770 4th Ave. N. We wish the developer to include neighboring community members in the discussion, design, and execution of this project.

Sincerely,

Jarryd Lunger & Matthew Clear 343 8th St N

---

October 10, 2019

Jarryd Lunger  
343 8th St N  
St. Petersburg, FL 33701



To Whom It May Concern,

The households of 343 8th St N. 753, 755, and 759 Calla Terrace would like to formally express concern and appeal the development project for 770 4th Ave N on the following grounds:

1.) A traffic study was not completed and will greatly impact those living in the neighborhood in addition to the residents who will reside at this structure. Parking shortages will extend to the greater mirror lake neighborhood and we believe a formal study is necessary prior to construction of this project to determine the anticipated impact of this development.

2.) The character of the neighborhood will be greatly changed and many historic homes impacted. The plans were not clear and with the requested side walk variance, a significant impact will be felt by those of us living along Moffett and Calla Terrace in addition to new residents renting from 770 4th Ave. N. We wish the developer to include neighboring community members in the discussion, design, and execution of this project.

Sincerely,

Jarryd Lunger & Matt Clear 343 8th St N

Jeremy and Kate Lund 759 Calla Terrace

Larkin Accinelli 755 Calla Terrace

Daron Tarolton 757 Calla Terrace



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**PLANNING & DEVELOPMENT SERVICES DEPARTMENT  
APPEALS FORM**

Appeal From:  Person Officially Designated (POD)  Development Review  
Commission  Community Planning and Preservation Commission

Appeal to:  Development Review Commission  Community Planning and  
Preservation Commission  City Council

**Contact Information:**

Name *see attached Peter Belmont + others*  
Street Address *PO Box 838*  
City ST ZIP Code *St Petersburg 33741*  
Telephone  
E-Mail Address  
Signature *[Handwritten Signature]* Date

**Date of Hearing**

Date of Decision	
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**Case No.**

Case No.	
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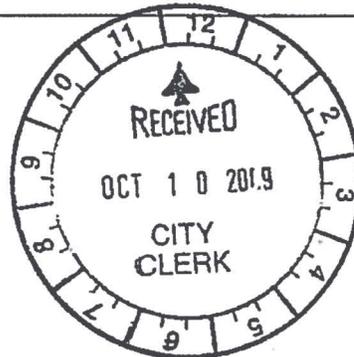
**Case Address**

Case Address	
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**Submittal Requirements**

- 1. Narrative describing grounds for appeal.

*see attached*





October 10, 2019

City Clerk  
175 5th Street North  
St. Petersburg, FL 33701

RE: Appeal of staff decision - Case # 19-3100012  
Approval of a site plan to construct a residential building at 770 4<sup>th</sup>  
Avenue North and 340 Moffett Court North

Clerk:

Preserve the 'Burg ("PTB"), Debi Mazor, Peggy Green, David Sanders and Violeta Sanders hereby appeal the staff decision to approve a site plan/development application, case #19-3100012, for a residential building and associated uses/structures to be located at 770 4<sup>th</sup> Ave. N. and at 340 Moffett Court N. The address of PTB is P.O. Box 838, St. Petersburg, FL, 33731 and the address of Debi Mazor and Peggy Green is 841 4<sup>th</sup> Ave. N., St. Petersburg, FL 33701, and the address of David and Violeta Sanders is 841 4<sup>th</sup> Ave. N., St. Petersburg, FL 33701.

Staff has issued a notice of intent to approve the application. A summary of the basis of this appeal is the proposed development is inconsistent with the city code and the city's comprehensive plan and is not subject to staff approval as the proposed project is inconsistent with the site plan review criteria. The project site includes two historic resources, one of which the application identifies as a resource that retains its historic integrity.

More particularly, PTB contends the staff erred in finding the proposed development to be consistent with the city code's compatibility criteria contained within sec. 16.70.040.1.4(D), including that the proposed development is compatible with the neighborhood and sensitive to adjacent historic resources.

PETER B. BELMONT  
Preserve the 'Burg  
P.O. Box 838  
St. Petersburg, FL 33731  
[info@preservetheburg.org](mailto:info@preservetheburg.org)

DEBI MAZOR  
PEGGY GREEN  
841 4<sup>TH</sup> Ave. N.  
St. Petersburg, FL 33701  
[debi.mazor@mac.com](mailto:debi.mazor@mac.com)

DAVID SANDERS  
VIOLETA SANDERS  
841 4<sup>th</sup> Ave. N.  
St. Petersburg, FL 33701  
[dave@sandersandbailes.com](mailto:dave@sandersandbailes.com)



WWW.PRESERVETHEBURG.ORG • 727.824.7802  
P.O. BOX 838 ST. PETERSBURG, FL 33731

DRC CASE NO. 19-31000012

ADDITIONAL CORRESPONDENCE AS OF NOVEMBER 27, 2019

DECEMBER 4, 2019 – DRC MEETING

## Corey D. Malyszka

---

**From:** Carol Kline <carolkline1948@gmail.com>  
**Sent:** Tuesday, November 26, 2019 1:58 PM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Subject:** 770 4th Avenue North

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Corey and Derek,

The city code requires developments exceeding certain size thresholds to assess neighborhood compatibility. This project exceeds the size threshold.

This project is not sensitive to historic resources.

The city granted streamline review to this project, despite the project's failure to address impacts to adjacent historic resources. This effectively bypasses the discussion as to how to make the project more sensitive to historic structures.

Please stand firm on the city's code. Please keep St Petersburg "Special". Please say no to development that fails to be sensitive to historic resources. Please say "NO" to streamlined development approval for projects demolishing historic resources.

Thank you,  
Carol Kline & Burt Kline  
1012 N Shore Dr NE  
St Petersburg, FL

## Corey D. Malyszka

---

**From:** Mandy Minor <mandy.minor@gmail.com>  
**Sent:** Tuesday, November 26, 2019 2:09 PM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Subject:** 770 4th Avenue North - just, no

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear City Council Members,

It is important for this developer, like other developers who would demolish historic resources, to assess impacts to historic resources and find ways to minimize the loss of such resources. I urge you to say YES to a Historic Resource Review and YES to keeping St. Petersburg special. So much of our specialness, in the form of historic buildings - specifically downtown - have already been lost to new development. This can never be undone, and people don't come to St. Pete to see another pop-n-fresh apartment building.

Please say "No" to development that fails to be sensitive to historic resources. And please, for the benefit of all residents and visitors present and future, do not issue more streamlined development approvals for projects demolishing historic resources. Thank you!

Regards,  
Mandy Minor

## Corey D. Malyszka

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**From:** phyllis scheidt <phylscheidt@hotmail.com>  
**Sent:** Tuesday, November 26, 2019 2:14 PM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Subject:** 770 4th Av N. Say Yes to a Historical Resource Review.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

So cities like New Orleans and Savannah would not be as special if they had torn their older homes and buildings down. Are we working hard to destroy what makes St Pete Special? Thank you. Phyllis Scheidt.

Sent from my iPhone

## Corey D. Malyszka

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**From:** lance@lanceolsonassociates.com  
**Sent:** Tuesday, November 26, 2019 2:50 PM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Subject:** 770 4th Ave N

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I support the Preserve The 'Burg appeal of streamlined review and development approval for 770 4<sup>th</sup> Ave N because it demolishes viable historic resources including commercial property listed on the Federal NPS National Register of Historic Places.

Our history makes St. Pete unique. Permanently eliminating our historic resources for a building that exceeds the size thresholds set by the people requires, at the very least, a fully public hearing prior to approval. Such efforts benefit the developers as well as the public by providing an opportunity of improved design and increased neighborhood compatibility.

No more streamlined development approval for projects demolishing historic resources.

Our City's Department of Planning and Development Services is exceptional at conducting transparent, inclusive public process. Such transparency should be the priority, not developer convenience.

Sincerely – Lance Olson, 2526 4<sup>th</sup> Ave. N., St. Pete 33713, 727.289.1731, [Lance@lanceolsonassociates.com](mailto:Lance@lanceolsonassociates.com)

## Corey D. Malyszka

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**From:** Andrea Veloso <andrea305@gmail.com>  
**Sent:** Tuesday, November 26, 2019 1:38 PM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Subject:** 770 4th Avenue North - NO MORE STREAMLINED DEVELOPMENT APPROVAL FOR PROJECTS DEMOLISHING HISTORIC RESOURCES

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello all.

Once again I've come to request your assistance in preserving the charm and historic character that make St Pete such a unique and beautiful city!

The project at 770 4th Avenue North not only wants to demolish beautiful historic buildings but it also does not match the beautiful architecture of surrounding historical buildings and it looks like an eye sore next to them.

Please say YES to a Historic Resource Review and YES to keeping St. Petersburg special!

Please say NO to developments that fail to be sensitive to historic resources and do not let them go through streamlined development approval so they can by-pass important codes and rules put in place to keep St Pete special.

Thanks,

Andrea Veloso, a concerned St Petersburg resident

## Corey D. Malyszka

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**From:** Anita Lerosse <chailerosse@gmail.com>  
**Sent:** Tuesday, November 26, 2019 1:30 PM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Subject:** "770 4th Avenue North"

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please stop tearing down what makes Saint Petersburg Saint Petersburg historical buildings need to stay

Greedy developers and city officials are pretty much approving any plan that comes across their desk with ugly shotty build condos when we don't have the sewer system to supported any type of parking but now you're asking citizens to pay an arm and a leg for if I wanted to live in Orlando i would live in Orlando

You are making everything a homogenized box of crap and losing all of what brings people to Saint Petersburg outside of the beaches is the history the architect the local small businesses at this rate they'll be no where to park to even shop the small businesses. They'll be nowhere to live for the people who brought the city back when the market crashed

You have seem to forgotten that a few years back when you kicked everybody out of Central Avenue to put up condos in the market tanked on you that the people that were there to bring this city back with the artist, the local restaurants, the residence of Saint Pete. Not out of town or's that are buying million dollar condos

You have seem to of forgotten the small fact that without these people you would not be here you would not be in airplane magazines you would not be recommended as vacation spots

We don't have the infrastructure (traffic, sewers, parking, bridges, roads, ) to support any more of these projects enough is enough

Anita Lerosse  
St Pete 33707

Sent from my iPhone

## Corey D. Malyszka

---

**From:** SANDRA GUNDELFINGER <sandi.53mahoney@gmail.com>  
**Sent:** Tuesday, November 26, 2019 1:05 PM  
**To:** Corey D. Malyszka  
**Subject:** Keeping Saint Petersburg quaint

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I understand progress is inevitable. I respected it and welcome it. I am 66 years young and have seen many changes. But sometime we have to step back and be careful not to move the history from the location. Rethink what you are about to consider. Bungalow and arts and craft homes are of Great value to our historic history. Thank you  
Sandi Gundelfinger

## Corey D. Malyszka

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**From:** kmh30309 <kmh30309@gmail.com>  
**Sent:** Tuesday, November 26, 2019 12:45 PM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Subject:** Re 770 4th Ave N

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**NO MORE STREAMLINED DEVELOPMENT APPROVAL FOR PROJECTS DEMOLISHING HISTORIC RESOURCES.**

## Corey D. Malyszka

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**From:** Dr. Ed Carlson <acegang1@aol.com>  
**Sent:** Tuesday, November 26, 2019 12:46 PM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Cc:** info@preservetheburg.org  
**Subject:** 770 4th Avenue North

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

## 770 4th Avenue North

1. Important for this developer, and other developers, who would demolish historic resources, to assess impacts to historic resources and find ways to minimize the loss of such resources.
2. Be YES to a Historic Resource Review and
3. YES to keeping St. Petersburg special.
4. BE NO to development that fails to be sensitive to historic resources.
5. **"NO MORE STREAMLINED DEVELOPMENT APPROVAL FOR PROJECTS DEMOLISHING HISTORIC RESOURCES."**

Best of ALL,

***Dr. Ed***

Jungle Terrace Civic Association, Inc.  
West Neighborhoods United, Inc.

## Corey D. Malyszka

---

**From:** Rebecca Davis <rebecca@rebeccadavispr.com>  
**Sent:** Tuesday, November 26, 2019 12:50 PM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Subject:** 770 4th Avenue North

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear St. Pete City Leadership,

PLEASE, can we stop the wholesale destruction of historic properties for yet more market rate condos and apartments that are of dubious worth to anyone but the developers? Please make sure those who would demolish historic resources find ways to minimize the loss of such resources.

Please say YES to a Historic Resource Review and YES to keeping St. Petersburg special! Please say NO to development that fails to be sensitive to historic resources.

### **NO MORE STREAMLINED DEVELOPMENT APPROVAL FOR PROJECTS DEMOLISHING HISTORIC RESOURCES!**

I didn't move to St. Petersburg for cookie cutter condo developments. I moved here because this city is preciously different from the rest of the state because of the arts, the history, the culture, the newspaper, and the community that cares about these things. Please do not allow greediness of developers to usurp those values.

It is one thing if we are looking at affordable housing stock, but that is not what this is. If there is a need, let's find other ways to fill it. There is tremendous blight in midtown that can benefit from this kind of building, but please, leave the historic properties alone.

As I drive by the charming Holiday Motel everyday as it is destroyed for another needless strip mall, I am reminded that we have already lost far too much.

Many thanks,

Rebecca Davis  
Rebecca Davis Public Relations  
12 East 97<sup>th</sup> St, NYC 10029  
763 23<sup>rd</sup> Ave N, St Petersburg 33704  
347-432-8832  
[rebecca@rebeccadavispr.com](mailto:rebecca@rebeccadavispr.com)  
[www.rebeccadavispr.com](http://www.rebeccadavispr.com)

## Corey D. Malyszka

---

**From:** Wendy Hayward <haydesign2@gmail.com>  
**Sent:** Tuesday, November 26, 2019 12:27 PM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Subject:** 770 4th Avenue North

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**Hello,**

**I'm emailing to voice my opinion: NO MORE STREAMLINED DEVELOPMENT APPROVAL FOR PROJECTS DEMOLISHING HISTORIC RESOURCES.**

This project is *not* sensitive to historic resources as the site's two existing buildings will both be demolished. One is the circa 1916 bungalow pictured above and the other a National Register listed historic funeral parlor building, today known as "CC's Bridal Boutique".

Projects that meet the considerations of the compatibility assessment, including those related to historic resources, are entitled to "streamline" review, saving the developer time & money. Streamlined projects are approved by city staff without public hearing.

The City granted streamline review to this project, despite the project's failure to address impacts to adjacent historic resources. This effectively bypasses any discussion as to how to make the project more sensitive to historic resources.

Preserve the 'Burg filed an appeal of the streamline approval, asking the city to stand firm on its code, which I support.

Thanks for your time,  
Regards,

Wendy Hayward  
Member of Preserve The Burg  
2098 Seminole Blvd  
Largo, FL 22778

## Corey D. Malyszka

---

**From:** Beverly Banov Brown,M.S. <coachhq@gmail.com>  
**Sent:** Tuesday, November 26, 2019 12:28 PM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Subject:** Retaining the character and charm of St.Petersburg

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please be aware that ecologically, architecturally and morally our City has been raped.  
Your responsibility is to STOP this abhorrent process from taking down even one more building,house or old apartment.  
Do what your heart knows is right rather than expedient.  
Beverly Brown

## Corey D. Malyszka

---

**From:** Jim McGourin <jmcgourin@tampabay.rr.com>  
**Sent:** Tuesday, November 26, 2019 12:34 PM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org; info@preservetheburg.org; McGourin James P.  
**Cc:** McGourin Christine  
**Subject:** 770 4th Ave N

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please stop rolling over to developers. Our city's past and future is at stake. There are now so many new condo bldgs that when the economy tightens, as it surely will, our city will be a ghost town. Folks can't pay mortgages, go into foreclosure, properties fall into disrepair.

Isn't there a standard maximum density law in St. PETE?

Thanks

Jim McGourin  
820 36th Ave. N.

**Iris L. Winn**

---

**From:** roger@journeydeep.com  
**Sent:** Tuesday, November 26, 2019 4:59 PM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Subject:** Streamlined Development limitations: 770 4th Ave N

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Friends,

I just want to add my voice to others who are asking that Streamlined Development Approval not be available when vetting projects that will destroy historic buildings, e.g., the 770 4<sup>th</sup> Avenue North project now being considered.

As we encourage new development in St. Pete, which I favor, I want to make sure that we do it with projects that are appropriately sized, and wherever possible preserve the unique character of our dear city and community.

Thank you for what you do to further these objectives.

All the best,

Roger Telschow  
1645 Beach Dr SE  
St. Petersburg FL 33701  
301-509-9371

**Iris L. Winn**

---

**From:** Dayna Wood <dayna.d.wood@gmail.com>  
**Sent:** Tuesday, November 26, 2019 5:20 PM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Subject:** 770 4th Avenue North

**CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Dear City of St Pete,

One of the reasons we moved to this beloved city 8 years ago is because of its historic charm. Therefore, I feel it is my responsibility to share with the city some of my concerns.

It is important for developers, like the one wanting to build at 770 4th Ave N, who want to demolish historic resources to assess the impact and find ways to minimize the loss.

Please vote YES to a Historic Resource Review for this property.

Please vote NO to development that fails to be sensitive to historic resources.

No more streamlined development approval for projects demolishing historic resources!

Please help keep "St Pete special"!

Respectfully,

Dayna

**Iris L. Winn**

---

**From:** tragicallychicchick <tragicallychicchick@yahoo.com>  
**Sent:** Tuesday, November 26, 2019 6:45 PM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Subject:** 770 4th Ave. North property

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern:

Once again, historic buildings in St. Pete are being threatened by a DRB and CC that don't seem to see the value in keeping St. Pete unique.

The developers of a new complex that will have 2 historic buildings demolished were granted a streamline review when they should have gone through the regular process to assess the impact of the historic resources in question. This is NOT ACCEPTABLE!

PTB is asking for an appeal regarding this matter and I am asking you to follow the city code and grant the appeal to assess these properties.

The community doesn't want to lose anymore historic buildings to another generic, ugly complex! Please do the right thing! Do not let this streamlined stand and give the community the chance to make their views known!

Thank you,  
Denise Deja

Sent via the Samsung Galaxy S9+, an AT&T 5G Evolution capable smartphone

**Iris L. Winn**

---

**From:** Nina Berkheiser <yournonprofitadvisor@gmail.com>  
**Sent:** Tuesday, November 26, 2019 6:47 PM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Subject:** 770 4th Ave. N.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Evening!

The proposed apartment development at this site will demolish 2 historic buildings, one of which is on the National Register. I find it hard to believe that approval for this project was streamlined without an Historic Resource Review. If a property on the National Register doesn't qualify for an Historic Review then what does?

I'm writing to urge you to reconsider and hold an Historic Resource Review for this project. St Petersburg needs to pay special attention to any development that fails to be sensitive to historic resources - we can not replace our historic places once they are gone. Lastly I would urge you to cease streamlined development approval for ALL projects that impact historic resources - all of these types of projects warrant a review prior to approval.

Happy Thanksgiving!

Warm regards,

***Nina***

Nina P. Berkheiser, CFRE  
Your Nonprofit Advisor, Inc.  
O 727-822-2484 C 727-365-8062  
[YourNonprofitAdvisor@gmail.com](mailto:YourNonprofitAdvisor@gmail.com)

**Iris L. Winn**

---

**From:** Sandy Wilson <1natashadarling@gmail.com>  
**Sent:** Tuesday, November 26, 2019 7:18 PM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Subject:** "770 4th Avenue North"

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Plans for this site are outrageous. This development does not fit the neighborhood. It takes away yet another historic structure. I strongly encourage you to ' say YES to a Historic Resource Review and YES to keeping St. Petersburg ' Respectfully,  
Sandra Wilson

**Iris L. Winn**

---

**From:** Zoe Wilkinson <zoew2342@gmail.com>  
**Sent:** Tuesday, November 26, 2019 8:07 PM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Subject:** 770 4th Ave N

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear City Planning

I think we should achieve full occupancy for all of the apartments currently under construction before we build a single new structure in or around Downtown/ONE/Historic Uptown/Edge District/Kenwood.

And to tear down a historic structure to erect another box building is a travesty. Please initiate a historic resource review for this project. ASAP.

Zoe Wilkinson  
10th Ave NE

**Iris L. Winn**

---

**From:** Aleshia Pringle <apringlern@gmail.com>  
**Sent:** Tuesday, November 26, 2019 9:06 PM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Subject:** Please preserve CCs Boutique!

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good evening,

I receive many emails from the City of St. Petersburg reporting community events, political news, advocacy, ways to raise our children as locals within our great city and community as a parent, co-president of our neighborhood association, nurse at our local nonprofit hospital and resident of St Petersburg.

I am very saddened to read of the possibility that CCs boutique and the neighboring bungalow may be demolished for another large industrial building, taking a piece of St Petersburg history away from our community. I have a 4 year old daughter and if we allow the demolition of CCs boutique, we will demolish the opportunity to one day take my little girl to get her future wedding dress where I purchased mine 10 years ago.

Please advocate for our historic homes and small businesses whom are staples of our community and residents before we lose all that we stand for as local St Petersburgians.

Thank you,  
Aleshia Pringle

--  
**Aleshia J. Pringle, RN**  
**[apringlern@gmail.com](mailto:apringlern@gmail.com)**

**Iris L. Winn**

---

**From:** Maria Herrera <turner2058@gmail.com>  
**Sent:** Tuesday, November 26, 2019 9:39 PM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Subject:** 770 4th Avenue North

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To who may concern:

Please we need to keep some Pete Special. We need procedure where we can preserve our story. We do not want more demolition when a home can be restore.

Maria Herrera

**Iris L. Winn**

---

**From:** Lynn <lynnjclay@aol.com>  
**Sent:** Tuesday, November 26, 2019 10:48 PM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Subject:** Project at 770-4th Ave.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**"NO MORE STREAMLINED DEVELOPMENT APPROVAL FOR PROJECTS DEMOLISHING HISTORIC RESOURCES.**  
Sent from my iPhone

**Iris L. Winn**

---

**From:** Lynn <lynnjclay@aol.com>  
**Sent:** Tuesday, November 26, 2019 10:56 PM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Subject:** 770-4th Ave

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**DEVELOPMENT APPROVAL FOR DEVELOPMENT APPROVAL FOR PROJECTS PROJECTS**

Sent from my iPhone

**Iris L. Winn**

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**From:** Lynn <lynnjclay@aol.com>  
**Sent:** Tuesday, November 26, 2019 10:58 PM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Subject:** 770 -4th Ave

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sent from my iPhone

**Iris L. Winn**

---

**From:** Lynn <lynnjclay@aol.com>  
**Sent:** Tuesday, November 26, 2019 11:00 PM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Subject:** 770-4th Ave Project

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**"NO MORE STREAMLINED DEVELOPMENT APPROVAL FOR PROJECTS DEMOLISHING HISTORIC RESOURCES."**  
Sent from my iPhone

**Iris L. Winn**

---

**From:** Susan Pomeroy <susanp474@gmail.com>  
**Sent:** Tuesday, November 26, 2019 11:44 PM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Subject:** 770 4th ave north

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

## **Keep St. Pete Special!!! Stop this insane over development of our city!! We do not want to end up another "Tampa"**

### **Here's the Issue**

1. City code requires developments exceeding certain size thresholds to assess neighborhood compatibility. This project exceeds the size threshold.
2. Part of the compatibility assessment is addressing how the project will be sensitive to on-site and adjacent historic resources. This project is *not* sensitive to historic resources as the site's two existing buildings will both be demolished. One is the circa 1916 bungalow pictured above and the other a National Register listed historic funeral parlor building, today known as "CC's Bridal Boutique".
3. Projects that meet the considerations of the compatibility assessment, including those related to historic resources, are entitled to "streamline" review, saving the developer time & money. Streamlined projects are approved by city staff without public hearing.
4. The City granted streamline review to this project, despite the project's failure to address impacts to adjacent historic resources. This effectively bypasses any discussion as to how to make the project more sensitive to historic resources.
5. Preserve the 'Burg filed an appeal of the streamline approval, asking the city to stand firm on its code.

**Iris L. Winn**

---

**From:** arthur m. finegold <arthurf\_us@yahoo.com>  
**Sent:** Wednesday, November 27, 2019 1:22 AM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Subject:** 770 4th ave n

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

No streamlining on this one. Evaluation needed.

**Iris L. Winn**

---

**From:** EJM gmail <ericajoylindquist@gmail.com>  
**Sent:** Wednesday, November 27, 2019 5:20 AM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Subject:** 770 4th Avenue North

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**Iris L. Winn**

---

**From:** John Huls <johnhuls55@gmail.com>  
**Sent:** Wednesday, November 27, 2019 6:16 AM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Subject:** Please Stop the over development

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I have lived here all of my adult life. The charm of St. Pete is slowly tuning into massive condo projects that are eclipsing the very sunny Florida vibe that brought us all here. People aren't moving to St. Pete for the huge unaffordable condos! It is the beach, culture, and charm of the our beloved burg.

**NO MORE STREAMLINED DEVELOPMENTS!** To demolish historic resources is criminal. I was born in New Orleans and we lived in the French Quarter. Our home was over Three hundred years old. It could not be demolished. It was law. The French Quarter is alive and thriving because of concerned citizens like myself. My mother was one of those citizens in New Orleans, and I am one here in my home of St. Petersburg.

I hope my voice is understood and heard.

John Huls

4145 Second Avenue North  
St. Petersburg Florida 33713

**Iris L. Winn**

---

**From:** Carol Hess <chess1563@yahoo.com>  
**Sent:** Wednesday, November 27, 2019 6:50 AM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Subject:** 770 4th Ave N

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please no more streamlined developer projects destroying historic areas! St. Petersburg needs to keep its special qualities. How many more apartment or condo projects can the city residents truly support?  
Carol Hess

Sent from my iPad

## Iris L. Winn

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**From:** flonoc2004 <flonoc2004@yahoo.com>  
**Sent:** Wednesday, November 27, 2019 8:04 AM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Subject:** 770 4th ave. np

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sadly, our leaders cannot be relied upon to do the Historically Right Thing re: preservation of what makes St Petersburg unique! Reuse, Repurpose, Perseve what is exquisitely what people Love to Remember and Return to revisit in the Sunshine City. It has been proven to cost less, as well as be less annoying, polluting{ air and noise}, to disrupt as little as possible when constructing new project.

WHY must we go to Europe to see glorious Old structures?? We have our own here to protect and save for future residents and visitors to AWE over!

Please STOP streamlined development approval for any project demolishing historic resources.

Please DEMAND there be a Historic Resource Review to consider what can be accomplished working TOGETHER with the city council and the developers to Perseve the 'Burg historically.

Sent from my T-Mobile 4G LTE Device

**Iris L. Winn**

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**From:** Kerry Rams <kerryrams@gmail.com>  
**Sent:** Wednesday, November 27, 2019 12:39 PM  
**To:** Corey D. Malyszka; Derek Kilborn; info@stpete.org  
**Subject:** 770 4th Avenue North

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please stop the developers.

Sent from my iPhone



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

**DEVELOPMENT REVIEW COMMISSION  
STAFF REPORT**

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**DEVELOPMENT REVIEW SERVICES  
APPEAL OF PROPERTY CARD INTERPRETATION  
PUBLIC HEARING**

According to Planning & Development Services Department records, **no Commission member** resides or has a place of business within 2,000 feet of the subject property. All other possible conflicts should be declared upon the announcement of the item.

**REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & DEVELOPMENT SERVICES DEPARTMENT**, for Public Hearing and Executive Action on **Wednesday, December 4, 2019 at 2:00 P.M.** at the Sunshine Center (Auditorium), 330 5<sup>th</sup> Street North, St. Petersburg, Florida.

CASE NO.: 19-53000003 PLAT SHEET: M-4

APPEAL: Appeal of a Property Card Interpretation (PCI), which found that two (2) units were legally constructed in a NT-2 neighborhood.

APPELLANT: Jeff Hall  
Lisa Hall Realty, Inc.  
P.O. Box 16141  
Clearwater, Florida 33766

OWNER: Wai Leung  
340 47<sup>th</sup> Street North  
Saint Petersburg, Florida 33714

AGENT: Jack Delcamp  
Oldham & Delcamp, LLC  
4970 Park Boulevard North  
Pinellas Park, Florida 33781

ADDRESS: 340 47<sup>th</sup> Street North

PARCEL ID NO.: 21-31-16-63090-005-0080

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Traditional Single-Family (NT-2)

## **INTRODUCTION:**

The property is zoned NT-2, which allows one single-family home on the subject property and one accessory dwelling unit in compliance with the land development regulations. The City will recognize more than one (1) dwelling unit on the property if the units were legally constructed. The subject property is located at 340 47<sup>th</sup> Street North, in the Central Oak Park neighborhood, see Exhibit 1, Aerial Location Map.

A Property Card Interpretation (PCI) was completed for the above-referenced property on August 13, 2019 which determined that one (1) principal single-family dwelling unit and one (1) accessory dwelling unit (located on the 2<sup>nd</sup> floor of the two-story garage) were legally constructed on the property. A request for reconsideration was submitted on August 19, 2019 and staff found that the evidence was not sufficient to change the determination. An appeal to this determination was filed with the City Clerk on August 30, 2019. The case was originally scheduled to be heard on November 6<sup>th</sup>, and the appellant requested a continuance. Exhibits 2-4 include the PCI letter, the PCI Reconsideration, and the Appeal application.

## **DISCUSSION:**

Permit History. In reviewing a property to determine the legal number of dwelling units, the City relies primarily on permitting documents and business license records. Dwelling units must have proper permits through the City of St. Petersburg to ensure compliance with Land Development Regulations and Building and Life Safety Codes. A copy of the available property card image is attached as Exhibit 5. The permitting history is as follows:

The permit history on the property card covers 1950-1986. The property card shows the following permits related to the garage structure:

1. A building permit for a seven room and bath residence with a two car garage with three room and a bath over the garage was constructed in March of 1950 with two ranges and two water heaters, with a plumbing permit for two baths on 03/28/50;
2. An electrical permit on 7/7/59 for 2 meters and 1 furnace and on 7/9/59 a new furnace was installed and a 100 gal hot water heater;
3. A business license was issued in 9/16/03 for two dwelling units. A business license was continually renewed for what was called the Oakridge Inn, for the two structures from 2004 to 2011. No other business tax receipt has been acquired for the property.

Kitchen Range A permit for a kitchen range connection is used as the primary factor in determining whether a dwelling unit was legally constructed. There is a permit for two ranges in 1950, associated with the main house and the unit over the garage. There are no other permits for any additional kitchens.

Plumbing Permits A plumbing permit in 1950 for two baths is associated with the permit for the main house and the two-story garage. There are no other plumbing permits associated with an additional kitchen.

Previous Zoning Regulations. Zoning regulations were adopted on 02/21/45, Ordinance 990-A, Article 2, Section 1.1.(B), which stated that *“a garage apartment shall be an accessory or subordinate building, not a part of or attached to the principal building, containing living facilities for not more than one family, which living facilities shall not occupy more than fifty per cent (50%) of the total floor area of said garage apartment.”* This limitation would have restricted the ability to convert the first floor to a second unit. The historic zoning maps from 1955 and a Property Card notation from 1950 show that the zoning designation for the subject parcel was R-2 prior to 1977 and then RS-75, neither of these zoning districts allow boarding houses as legal uses.

At no time after 02/21/45 was it legal under the zoning regulations to convert the first floor of the two-story garage to a second apartment. This finding further supports that there are only two legal dwelling units on the property. The permit history on the property card covers 1950-1959 and at no time was a permit for a third dwelling unit issued.

In conclusion, there is no evidence that a permit was issued for a third kitchen in any other location on the property. Without "cooking facilities", no other area can be considered to be a legal dwelling unit.

The definition of a Dwelling Unit and Accessory Dwelling unit is as follows: Section 16.90.020.3 Definitions: *Dwelling unit* means living space for a family with cooking, bathroom and sleeping facilities; and Section 16.10.020.1. – Definition. Accessory Dwelling Unit "An independently functioning dwelling unit which is an accessory use to the principal dwelling unit on the same lot and which has a separate kitchen. These uses are sometimes referred to as "garage apartments," "granny flats," or "carriage houses." Therefore, without a second kitchen, there is only one legally permitted dwelling unit in the garage, for a total of two units on the lot.

Property Appraiser Records The Pinellas County Property Appraiser records indicate that the single-family residence was constructed in 1951. The Property Appraiser is currently assessing the property for three dwelling units, for tax purposes. The Property Appraiser does not verify that the number of units were legally established before assessing a value of the structure. Paying County property taxes for an illegally-established unit does not override the requirements and limitations of the City's zoning regulations.

Code Enforcement The property has received code violations repeatedly for illegal units as is evidenced by Exhibit 6. Exhibit 7 shows the notes by the code officer for an illegal units violation on 11/15/16.

Property Inspection/Evidence of Existing Improvements: Staff did not enter the structure, Staff has however had the opportunity to take photos of the exterior of the property where you can clearly see six mailboxes and an enclosed garage. See Exhibits 8 and 9.

**FINDINGS:** The property card contains permit history from 1950 to 1959 and permit record history from 1986 to present. This record constitutes the complete property card for the subject parcel. The property card demonstrates that a second dwelling unit was constructed. There are no permits on the property card or in the City building records subsequent to the property card indicating that an additional unit was legally established in the garage. If there is an additional kitchen, there is no evidence that there were permits issued for the kitchen. Given these considerations, Staff finds that there is sufficient evidence to uphold the finding that two (2) dwelling units were legally established on this site.

**Appeal:** The standard for review for an appeal is *de novo*, which means that the DRC may hear new evidence and may substitute its judgement for that of Staff. DRC may decide to retain, eliminate, or further amend any of the conditions. The burden of proof for all appeals is on the Appellant.

If the PCI is upheld, the owner must obtain permits to eliminate all but the two of the on-site units, including any illegal kitchen ranges.

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**PUBLIC COMMENTS:** Staff received calls from five individuals of the surrounding neighborhood indicating their dislike for this increased density in their residential neighborhood. Staff also received two emails regarding the appeal, one of which is included in your packet.

**STAFF RECOMMENDATION:** The Development Review Services Staff recommends that the Development Review Commission **UPHOLD** the determination that two (2) dwelling units were legally constructed on the site, contrary to the appellant's assertion that three (3) units were legally established.

Report Prepared By:

  
Jennifer Bryla, AICP  
Zoning Official

11.26.19  
Date

List of Exhibits:

- Exhibit 1: Aerial Location Map
- Exhibit 2: PCI Case #19-41000011 and response
- Exhibit 3: PCI Reconsideration response letter dated August 19, 2019
- Exhibit 4: Appeal Application dated August 30, 2019
- Exhibit 5: Property Card
- Exhibit 6: Code Violations
- Exhibit 7: Code officer violation notes from 11/15/16
- Exhibit 8: Exterior photograph facing west
- Exhibit 9: Exterior photograph facing south
- Exhibit 10: Email from Mr. Baker, a neighbor

# Exhibit 1



Project Location Map  
City of St. Petersburg, Florida  
Planning and Development Services  
Department  
Case No. 19-53000003  
Address: 340 47<sup>th</sup> Street N





**Lisa Hall Realty, Inc**

Service You Deserve, People You Can Trust

July 9, 2019

City of St. Petersburg  
Planning and Development  
P.O. Box 2842  
St. Petersburg, FL. 33731

Re: Property Card Interpretation Submittal  
340 47<sup>th</sup> St. N.  
St. Petersburg, FL 33713

To Whom It May Concern:

Our firm was hired by Wai Leung to manage the property located at *340 47<sup>th</sup> St. N., St. Petersburg, FL 33713*. Enclosed is the affidavit to authorize agent stating that we are acting on her behalf.

Per the City of St. Petersburg, Planning and Zoning Department request, we are submitting the enclosed property card interpretation (PCI) submittal regarding the subject property.

Kindly accept this letter for consideration as a narrative of the timeline of events because of the unusual circumstances.

The current owner, Wai Leung, purchased the property located at 340 47<sup>th</sup> St. N., St. Petersburg, FL 33713 on December 14, 2018. At the time of the purchase, the seller occupied one unit and rented four other units in the building making a total of 5 units.

We received a zoning violation notice dated 1/29/2019 that this dwelling was zoned for a maximum of 3 units. Consequently, it's current configuration was considered a misuse of the property.

*Continued on page 2  
1 of 2*

**Lisa Hall Realty, Inc.**  
**P.O. Box 16141, Clearwater, FL 33766**  
**2460 Laurelwood Drive, Suite C, Clearwater, FL 33763**

Upon receiving the violation, we put a plan in place to cure the situation and bring it to current zoning code. To date, our firm has complied with everything that has been asked and required by the City of St. Petersburg in order to remedy the situation and turn the dwelling back into 3 units.

Our first step was to contact and hire an Architect, Ron Zawistowski with Innovative Design Studios. Ron prepared and submitted drawings of a plan to alter the interior of the dwelling back into a 3 units and bringing everything to current code. Following this, it was noted that the zoning department requested a property card interpretation (PCI).

According to the checklist on the PCI, among other things it is requesting that we supply the following:

- \*an original floor plan for each dwelling to scale with dimensions
- \*an original scaled, site plan of the entire property

Unfortunately, we do not possess and were never provided with these items. In addition, it is my understanding that the City of St. Petersburg don't have any of these items as well due to the age of the building (built in 1951).

Also note that the alterations recommended by the Architect are for the interior only, nothing on the outside of the home. In reviewing the recommended alterations supplied by the Architect, the required work to make this property a 3 unit dwelling is minimal and can be completed with little effort.

Please advise on how to proceed at this time given the fact that we are unable to supply the items on the list from the PCI.

We look forward to your reply so we can remedy this situation as soon as possible for all involved parties.

Sincerely,

Jeffrey Hall  
Licensed Real Estate Agent  
Property Manager  
Lisa Hall Realty, Inc.  
Mobile: 727-744-3610



# PROPERTY CARD INTERPRETATION (PCI) NARRATIVE and CHECKLIST

ALL OF THE FOLLOWING CRITERIA MUST BE ANSWERED.

APPLICANT NARRATIVE	
<p>A property Card Interpretation will research the grandfathered status of land use types at the subject property and may determine how many legal dwelling units may exist on the subject property.</p>	
1.	What is the current use of the property? Tri Plex
2.	How many dwelling units exist at the property? 1
3.	How many rooming units exist at the property? 3
4.	Does the owner occupy the property as his or her permanent residence? no
5.	When was the last time the property was owner-occupied? MONTH <del>08</del> YEAR 18 .
6.	Are the dwelling units or rooming units currently occupied? yes
a.	If yes, how many units are currently occupied? 3
b.	If yes, where are the units located within the structure(s)? Yes
7.	On what date did you purchase the property? 13/14/18
CHECKLIST	
<input type="checkbox"/>	Completed PCI application form;
<input type="checkbox"/>	Application fee;
<input type="checkbox"/>	Affidavit to authorize agent, if agent signs;
<input type="checkbox"/>	A floor plan for each dwelling nit or rooming unit drawn to scale with dimensions;
<input type="checkbox"/>	Scaled, site plan of the entire property;
<input type="checkbox"/>	Dimensions of the lot;
<input type="checkbox"/>	Dimensions and locations of all buildings and other structures;
<input type="checkbox"/>	Parking spaces;
<input type="checkbox"/>	Ingress / egress points.

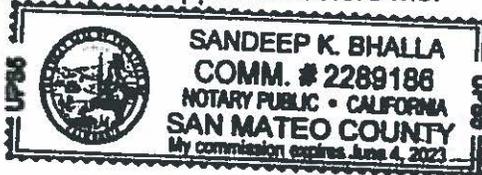
Notice: A request for reconsideration must be filed within 15-days following delivery of the PCI to the property owner. An appeal must be filed by the property owner within 10-days following delivery of the subsequent reconsideration. Appeals are heard before the Development Review Commission. If the PCI indicates abandoned grandfathered dwelling units, then the property owner may apply for reinstatement.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of San Mateo

Subscribed and sworn to (or affirmed) before me on this 2nd  
day of July, 2019, by Wai Man Leung

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



(Seal)

Signature

*Sandeep K. Bhalla*

*See attached to: - Affidavit To  
authorize Agent.*



# PROPERTY CARD INTERPRETATION (PCI)

**RECEIVED**  
JUL 10 2019  
DEVELOPMENT REVIEW SERVICES

Application No. 19-41000011

A Property Card Interpretation (PCI) will identify lawful uses of property. All applications are to be filled out completely and correctly. Applications are submitted to the City of St. Petersburg's Development Review Services Division, located on the 1<sup>st</sup> floor of the Municipal Services Building, One Fourth Street North.

GENERAL INFORMATION	
<b>NAME of APPLICANT (Property Owner):</b> Wai Leung	
Street Address:2765 Glauser Dr	
City, State, Zip:San Jose, CA 95133	
Telephone No:(408) 890-9839	Email Address:wman13@gmail.com
<b>NAME of AGENT or REPRESENTATIVE:</b> Jeff Hall	
Street Address:2460 Lurelwood Dra	
City, State, Zip:Clearwater, FL 33763	
Telephone No:727-744-3610	Email Address:Jeff@lisahallrealty.com
<b>PROPERTY INFORMATION:</b>	
Street Address or General Location:340 47th St. N, St. Petersburg, FL 33713	
Parcel ID#(s):21-31-16-63090-005-0080	
Legal Description (may be attached):	Oak Ridge BLK 3 Lot 8 & 9

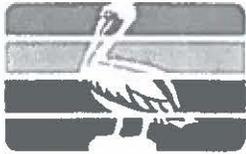
## FEE SCHEDULE

The fee for a property card interpretation application: \$60.00 (1<sup>st</sup> hour of research, plus \$50.00 per hour thereafter)  
Cash, credit, checks made payable to "City of St. Petersburg"

## AUTHORIZATION

As owner of the subject property, I understand that a property card interpretation may have serious implications addressing the legality of my property. If my opinion differs from that of the PCI, I also understand that I have 15-days upon receipt of the PCI to request reconsideration, and 10-days upon receipt of the subsequent reconsideration to submit an appeal of the decision, which will be heard before the Development Review Commission. If the PCI indicates abandoned grandfathered dwelling units, then I may apply for reinstatement.

Signature of Owner / Agent\*: Wai Man Leung Date: 7-2-2019  
\*Affidavit to Authorize Agent required, if signed by Agent. UPDATED 09-30-16



**st.petersburg**  
**www.stpete.org**

# AFFIDAVIT TO AUTHORIZE AGENT

I am (we are) the owner(s) and record title holder(s) of the property noted herein

Property Owner's Name: Wai Leung

This property constitutes the property for which the following request is made

Property Address: 340 47th St N, St.petersburg, Fl. 33714

Parcel ID No.: 21-31-16-63090-005-0080

Request: \_\_\_\_\_

The undersigned has(have) appointed and does(do) appoint the following agent(s) to execute any application(s) or other documentation necessary to effectuate such application(s)

Agent's Name(s): Jeffrey Hall

This affidavit has been executed to induce the City of St. Petersburg, Florida, to consider and act on the above-described property.

I(we), the undersigned authority, hereby certify that the foregoing is true and correct.

Signature (owner): Wai Man [Signature]

Wai Leung  
Printed Name

Sworn to and subscribed on this date

Identification or personally known: \_\_\_\_\_

Notary Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Commission Expiration (Stamp or date):

*see attached sus 7/2/19*

As owner of the subject property, I understand that a property card interpretation (PCI) may have serious implications addressing the legality of my property. If my opinion differs from that of the PCI, I also understand that I have 15-days upon receipt of the PCI to request reconsideration, and 10-days upon receipt of the subsequent reconsideration to submit an appeal of the decision, which will be heard before the Development Review Commission. If the PCI indicates abandoned grandfathered dwelling units, then I may apply for reinstatement.

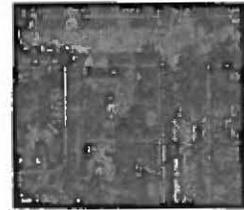
# BOUNDARY SURVEY

Date Of Field Work - 11/11/16    Drawn By - J.R.H.    Check # - 100017822

## 340 47TH STREET NORTH, ST. PETERSBURG, FL 33713

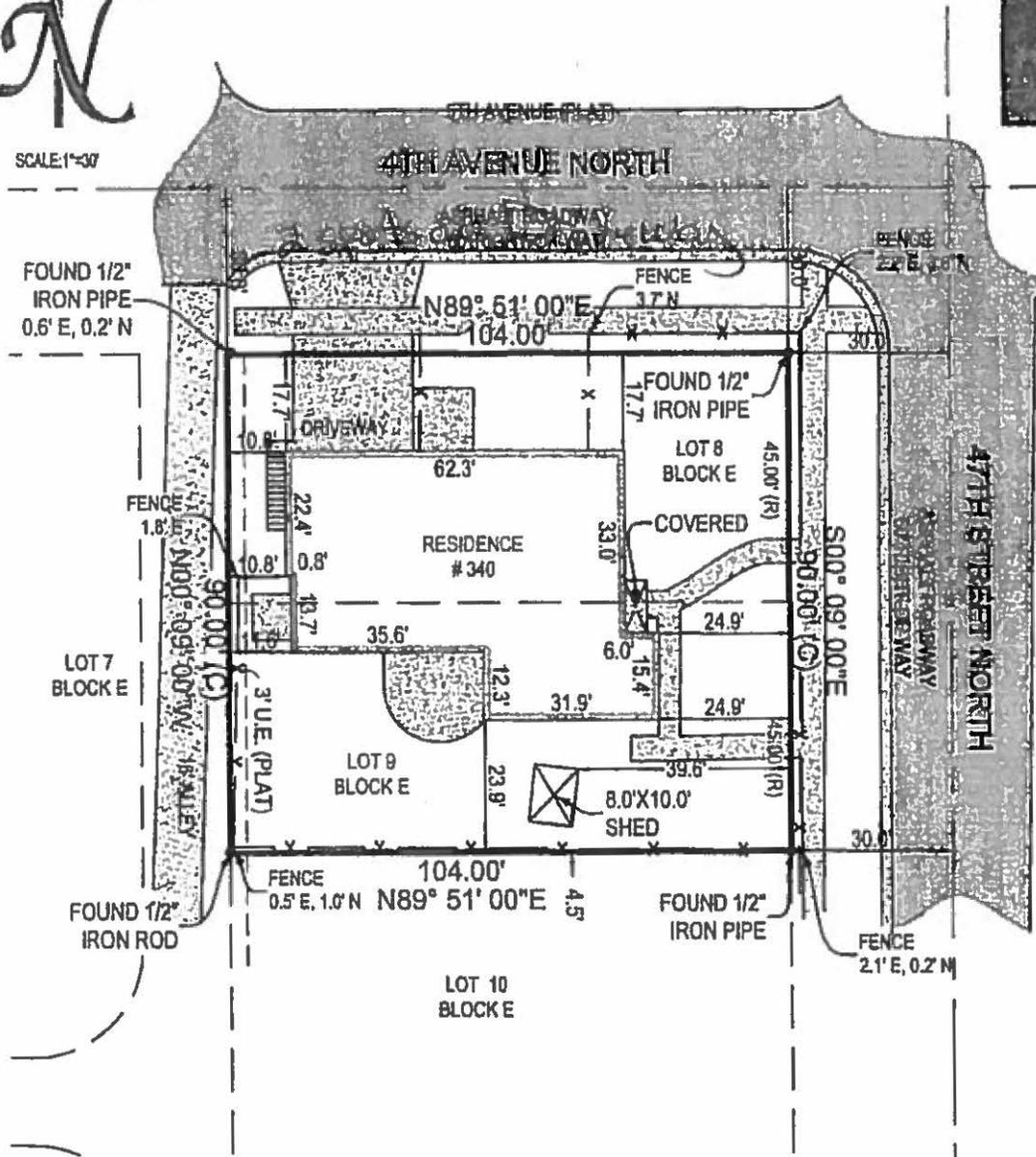


SCALE: 1"=30'



AERIAL PHOTOGRAPH  
(NOT TO SCALE)

FOUND 1/2" IRON PIPE  
0.6' E, 0.2' N



- ALL ANGLES AND DISTANCES SHOWN HEREON ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED

SHEET 1 OF 2 (SKETCH OF SURVEY) - SEE SHEET 2 OF 2 FOR FULL DESCRIPTION AND OTHER SURVEY RELATED DATA. SURVEY IS NOT COMPLETE WITHOUT ALL SHEETS.

# NEXGEN

SURVEYING, LLC.

PHONE: 561.508.6272  
FAX: 561.508.6309  
LB 8111

5601 CORPORATE WAY, SUITE 103 WEST PALM BEACH, FL 33407  
NexgenSurveying.com





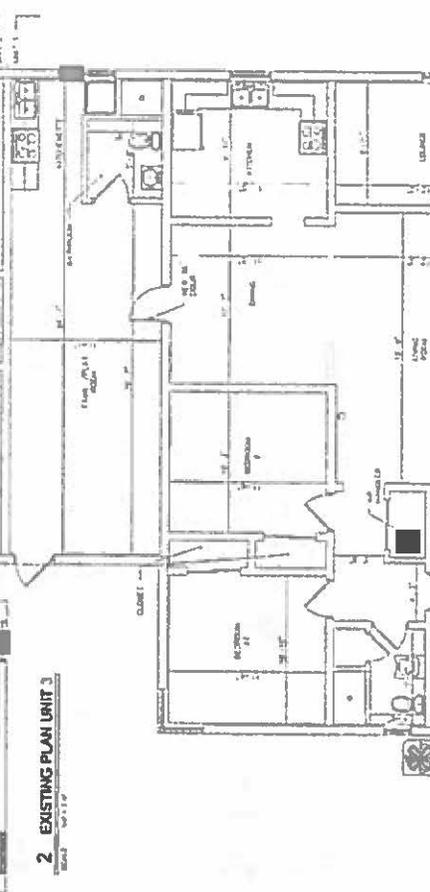
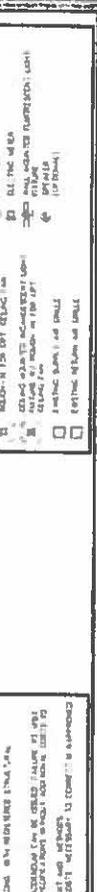
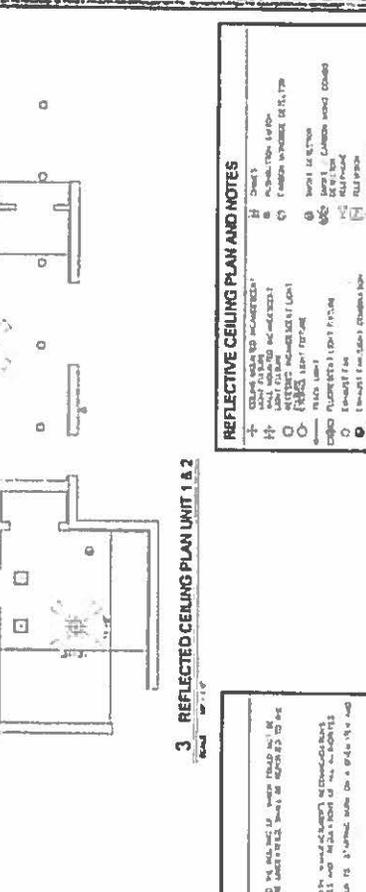
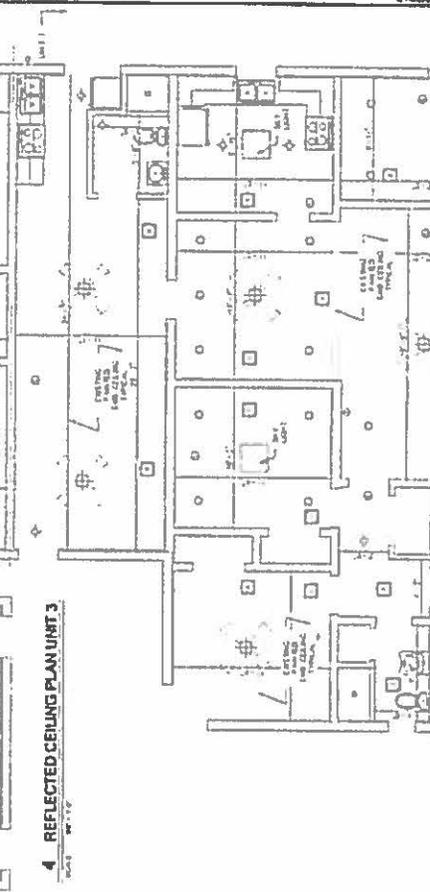
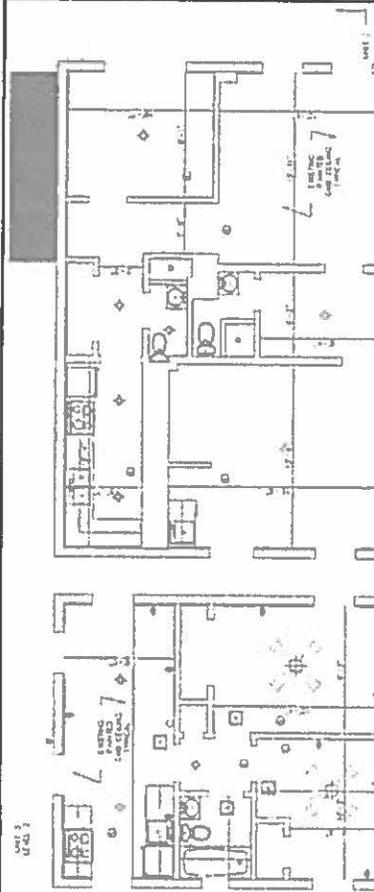
NO.	DATE	DESCRIPTION

LEUNG RESIDENCE  
SPACE RECONFIGURATION  
REVISIONS CONTROL SHEET  
PROPOSED FLOOR & CEILING PLAN



**Innovative**  
DESIGN STUDIOS INC.  
11111 UNIVERSITY AVENUE, SUITE 100  
SAN FRANCISCO, CA 94133  
TEL: 415.774.8888  
WWW.INNOVATIVEDESIGNSTUDIOS.COM

PROJECT NO.	
DATE	
SCALE	



1 EXISTING PLAN UNIT 1  
SCALE: 1/8" = 1'-0"

2 EXISTING PLAN UNIT 2  
SCALE: 1/8" = 1'-0"

3 REFLECTED CEILING PLAN UNIT 1 & 2  
SCALE: 1/8" = 1'-0"

4 REFLECTED CEILING PLAN UNIT 3  
SCALE: 1/8" = 1'-0"

1 PROPOSED PLAN UNIT 1 & 2  
SCALE: 1/8" = 1'-0"

2 PROPOSED PLAN UNIT 1 & 2  
SCALE: 1/8" = 1'-0"

3 REFLECTED CEILING PLAN UNIT 1 & 2  
SCALE: 1/8" = 1'-0"

4 REFLECTED CEILING PLAN UNIT 1 & 2  
SCALE: 1/8" = 1'-0"

**RENOVATION NOTES**

1. ALL EXISTING CEILING SHALL BE REMOVED AND NEW CEILING SHALL BE INSTALLED AS SHOWN ON THESE PLANS.
2. ALL EXISTING LIGHT FIXTURES SHALL BE REMOVED AND NEW LIGHT FIXTURES SHALL BE INSTALLED AS SHOWN ON THESE PLANS.
3. ALL EXISTING ELECTRICAL PANELS SHALL BE REMOVED AND NEW ELECTRICAL PANELS SHALL BE INSTALLED AS SHOWN ON THESE PLANS.
4. ALL EXISTING MECHANICAL EQUIPMENT SHALL BE REMOVED AND NEW MECHANICAL EQUIPMENT SHALL BE INSTALLED AS SHOWN ON THESE PLANS.
5. ALL EXISTING PLUMBING SHALL BE REMOVED AND NEW PLUMBING SHALL BE INSTALLED AS SHOWN ON THESE PLANS.
6. ALL EXISTING HVAC SHALL BE REMOVED AND NEW HVAC SHALL BE INSTALLED AS SHOWN ON THESE PLANS.
7. ALL EXISTING FLOORING SHALL BE REMOVED AND NEW FLOORING SHALL BE INSTALLED AS SHOWN ON THESE PLANS.
8. ALL EXISTING WALLS SHALL BE REMOVED AND NEW WALLS SHALL BE INSTALLED AS SHOWN ON THESE PLANS.
9. ALL EXISTING DOORS SHALL BE REMOVED AND NEW DOORS SHALL BE INSTALLED AS SHOWN ON THESE PLANS.
10. ALL EXISTING WINDOWS SHALL BE REMOVED AND NEW WINDOWS SHALL BE INSTALLED AS SHOWN ON THESE PLANS.
11. ALL EXISTING STAIRS SHALL BE REMOVED AND NEW STAIRS SHALL BE INSTALLED AS SHOWN ON THESE PLANS.
12. ALL EXISTING ELEVATORS SHALL BE REMOVED AND NEW ELEVATORS SHALL BE INSTALLED AS SHOWN ON THESE PLANS.
13. ALL EXISTING CORES SHALL BE REMOVED AND NEW CORES SHALL BE INSTALLED AS SHOWN ON THESE PLANS.
14. ALL EXISTING ROOFS SHALL BE REMOVED AND NEW ROOFS SHALL BE INSTALLED AS SHOWN ON THESE PLANS.
15. ALL EXISTING FOUNDATIONS SHALL BE REMOVED AND NEW FOUNDATIONS SHALL BE INSTALLED AS SHOWN ON THESE PLANS.

**REFLECTIVE CEILING PLAN AND NOTES**

- 1. REFLECTIVE CEILING PLAN SHALL BE INSTALLED AS SHOWN ON THESE PLANS.
- 2. REFLECTIVE CEILING PLAN SHALL BE INSTALLED AS SHOWN ON THESE PLANS.
- 3. REFLECTIVE CEILING PLAN SHALL BE INSTALLED AS SHOWN ON THESE PLANS.
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- 13. REFLECTIVE CEILING PLAN SHALL BE INSTALLED AS SHOWN ON THESE PLANS.
- 14. REFLECTIVE CEILING PLAN SHALL BE INSTALLED AS SHOWN ON THESE PLANS.
- 15. REFLECTIVE CEILING PLAN SHALL BE INSTALLED AS SHOWN ON THESE PLANS.





**st.petersburg**  
**www.stpete.org**

August 13, 2019

LEUNG, WAI MAN  
2765 GLAUSER DR  
SAN JOSE, CA, 95133-1408

**RE: PROPERTY CARD INTERPRETATION: 19-4100011**  
Property Generally Located At: 340 47TH ST N  
Legally Described As: 21/31/16/63090/005/0080/

Dear LEUNG, WAI MAN,

A Property Card Interpretation letter has been completed for the above-referenced property. The following findings have been made:

#### **LEGAL NUMBER OF DWELLING UNITS**

1. The property is zoned NT-2 (Neighborhood Traditional Single Family), which allows one single-family home on the subject property and one accessory dwelling unit in compliance with the land development regulations. The City will recognize more than one (1) dwelling unit on the property if the units were legally constructed.
2. According to the City's property card records, a seven-room residence with a two-car garage was permitted in 1950. Records indicate three rooms and one bathroom was permitted above the garage.
3. Property card records recognize the rooming unit above the garage as 340 1/2 47<sup>th</sup> Street North in 1970. Records additionally indicate the property received a business certificate of occupancy in 1980 for two-house guests' bedrooms.
4. A business tax license was procured for the subject property, which maintained an active status and payment for two dwelling units between 2004 and 2012.
5. No building permits have been approved to add or remove additional dwelling units.
6. Accordingly, the interpretation can be made that **two (2) dwelling units were legally constructed on the property.**

#### **LEGAL STATUS OF DWELLING UNITS**

1. When there are more units on the property than permitted by the current zoning, the additional units are considered grandfathered dwelling units. In this case, there are no grandfathered units.
2. For the subject property, there has not been an active business tax certificate for the rental of two (2) units on the property for more than two (2) years.
3. Therefore, there are **no grandfathered dwelling units, as the NT-2 zoning district allows one single family residence and accessory dwelling in accordance with the current Land Development Regulations.**
4. Although, there are no grandfathered dwelling units which are subject to abandonment, due to the failure of the property to maintain an active business tax license for a period of two (2) or more years and no active application of a homestead exemption; a Certificate of Use is required prior to the acquisition of a business tax license.



P.O. Box 2842  
St. Petersburg, FL 33731-2842  
T: 727-893-7111

**Appeal**

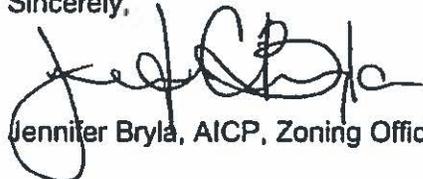
If you have evidence that the findings of this interpretation are incorrect, you may submit a reconsideration request within 15 days of the receipt of this letter. An appeal must be filed within 10 days following delivery of the subsequent reconsideration. Appeals are heard before the Development Review Commission. An appeal is a statement on your part that you do not believe that the findings of this determination are correct and that you have evidence to refute the finding. For a reconsideration or appeal, you must submit a cover letter and whatever evidence is referenced in your letter.

The 30-day deadline does not apply to applications for reinstatement. However, since you have a code violation on your property, filing of an application for an appeal in a timely manner is important and requires your immediate attention.

This determination is effective as of the date of this letter and is subject to change upon any future amendment to the Land Development Regulations. Future development on the subject parcel shall be subject to all applicable codes at time of permitting; including, but not limited to, Land Development Regulations and Building and Life Safety Codes.

If you have questions about the appeal, reinstatement application, or the Development Review Commission, please feel free to contact the Clerk at (727) 892-5498.

Sincerely,



Jennifer Bryla, AICP, Zoning Official

cc: Jeff Hall (AG)  
2460 Lurelwood Dra  
Clearwater, FL 33763

Scot Bolyard, AICP, Deputy Zoning Official  
Joseph Waugh, Codes Compliance Operations Manager

Exhibit 3



**Lisa Hall Realty, Inc**

Service You Deserve, People You Can Trust

August 19, 2019

Ms. Jennifer C. Bryla  
Mr. Joe Waugh  
City of St. Petersburg, FL  
Planning and Development Services Department

RE: **Letter of Appeal**  
for 340 47<sup>th</sup> St. N, Saint Petersburg, FL 33713

Dear Ms. Bryla and Mr. Waugh,

Good afternoon. This letter is being submitted to respectfully to appeal a decision regarding the above referenced property, as we have applied on behalf of the owner, Wai Leung.

We believe this decision needs to be reconsidered due to the following:

- Pinellas County Property Appraiser has this property listed as 3 separate Units. (supporting documents attached)
- The property has 3 electric meters, which have been on the property for over 30 years

The architectural drawing were preliminarily approved, and our architect submitted the appropriate responses and floorplan designs to the city accordingly. All of which are enclosed/attached. What's most important to mention, is the owner, whom we represent, Wai Leung, just purchased this property less than a year ago when it was being used as a five-unit rental. Prior to that, this dwelling was a three-unit property for over thirty years. It was decided the property should return to be a three-unit property to add to the overall appeal, functionality, and property value it would contribute to the area. With this property always having a minimum of three units, we believe the third unit should have been grandfathered in, as there is a considerable amount of square footage and minimal occupancy in each.

We are kindly asking that this matter be reconsidered and that we may be given the opportunity to have a meeting with you to present all of our supporting documentation. Possibly there are other options to be explored. It is our desire to work together with you to have a favorable outcome for everyone involved.

Please let us know if you might take a moment to meet with us and thank you in advance for your consideration.

Sincerely yours,

Jeff Hall -Realtor/Property Manager

727-744-3610

jeff@lisahallrealty.com

cc: Wia Leung

*Lisa Hall Realty, Inc.*  
*P.O. Box 16141, Clearwater, FL 33766*  
*2292 Primrose Lane, Suite 1706, Clearwater, FL 33763*

**340 47th St N, St Petersburg, FL 33713-7232, Pinellas County**

**Owner Information**

Owner:	Leung Ai M	Mailing ZIP + 4:	1408
Owner (Alternate Format):	AI M Leung	Mailing Carrier Route:	C012
Mailing Address:	2765 Glauser Dr	Owner Vesting:	Single
Mailing City & State:	San Jose, CA	Owner Occupied:	No
Mailing ZIP:	95133		

**Location Information**

Neighborhood:	North Central Neighborhood Association	Property Carrier Route:	C007
Neighborhood Code:	20400-20400	Census Tract:	221.00
Subdivision:	Oak Ridge	Census Block:	00
Township:	31	Census Block Group:	5
Range:	16	School District Name:	Pinellas County SD
Section:	21	Map 1:	259
Block:	E	Map 2:	J28
Lot:	8	Flood Zone Code:	X
Property ZIP:	33713	Flood Zone Date:	09/03/2003
Property ZIP 4:	7232	Flood Zone Panel:	12103C0214G

**Tax Information**

Folio/Strap/PID (1):	21-31-16-63090-005-0080	% Improved:	54%
Folio/Strap/PID (2):	31-16-21-63090-005-0080	Tax Area:	SP
Folio/Strap/PID (3):	213116630900050080	Total Taxable Value:	\$221,443
Account Number:	R232714	Plat Book-Page:	5-91
Legal Description:	OAK RIDGE BLK E, LOTS 8 AND 9		

**Assessment & Tax**

Assessment Year	2018	2017	2016
Just Value - Total	\$224,497	\$203,716	\$183,011
Just Value - Land	\$102,325	\$85,104	
Just Value - Improved	\$122,172	\$118,612	
Assessed Value - Total	\$221,443	\$203,716	\$183,011
Assessed Value - Land		\$85,104	
Assessed Value - Improved		\$118,612	
YOY Assessed Change (\$)	\$17,727	\$20,705	
YOY Assessed Change (%)	8.7%	11.31%	

Tax Year	Total Tax	Change (\$)	Change (%)
2016	\$4,085		
2017	\$4,449	\$364	8.9%
2018	\$4,829	\$381	8.55%

**Characteristics**

County Use Description:	Duplex-0820	Bath Fixtures:	12
State Use Description:	Multi-Fam 1-9 Units-08	Cooling Type:	Central
Land Use - CoreLogic:	Multi Family 10 Units Less	Heat Type:	Central
Style:	Square Design	Porch:	Enclosed Porch
Building Type:	4-Plex	Patio Type:	Deck/Patio
Year Built:	1951	Roof Material:	Composition Shingle
Effective Year Built:	1983	Roof Shape:	Gable/Hip
Living Square Feet:	Tax: 2,637 MLS: 1,000	Construction:	Masonry
Total Building Sq Ft:	3,237	Interior Wall:	Drywall
Heated Sq Ft:	2,637	Exterior:	Concrete Block
Ground Level Sq Ft:	2,087	Floor Cover:	Carpet/Tile/Wood
2nd Floor Area:	650	Foundation:	Cont. Footing
Stories:	2	Lot Sq Ft:	9,361
Total Units:	3	Lot Acres:	0.2149
Bedrooms:	MLS: 4	Lot Frontage:	90
Total Baths:	Tax: 4 MLS: 1	Lot Depth:	104



PLANNING & DEVELOPMENT SERVICES DEPARTMENT  
APPEALS FORM

Appeal From:  Person Officially Designated (POD)  Development Review Commission  Community Planning and Preservation Commission

Appeal to:  Development Review Commission  Community Planning and Preservation Commission  City Council

Contact Information:

Name: Jeffrey Hall  
Street Address: 2460 Laurelwood Dr.  
City ST ZIP Code: Clearwater, FL 33763  
Telephone: 222-744-3610  
E-Mail Address: jeff@lisa-hall-realty.com  
Signature: [Handwritten Signature] Date: 8/30/19

Date of Hearing

Date of Decision

Case No.

Case No.

Case Address

Case Address: 340 47th St. W, St. Petersburg, FL 33713

Submittal Requirements

- 1. Narrative describing grounds for appeal.

See Attached



### **Information on Procedures for Hearing**

- 1) Staff, appellant, applicant, and registered opponent (registered opponent ONLY allowable if timely registered and appellant is the applicant/owner) will have a total of ten (10) minutes each to present their case.
- 2) The cross-examination phase allows each participant five (5) minutes to ask questions of any individual or party that presented testimony in the presentation phase or public hearing. All questions shall be directed to the Chair who will direct the question to the appropriate person.
- 3) The rebuttal/closing statements phase allows each participant five (5) minutes to rebut prior arguments and make closing statements.
- 4) The Commission Chair will then close the proceedings and go into Executive Session and make a decision. The Commission members may ask questions at any time during the Quasi-Judicial process.

Return form to the Office of City Clerk,  
Temporarily located at the Mirror Lake Library:  
280 5<sup>th</sup> Street North, St. Petersburg, FL 33701  
[cathy.davis@stpete.org](mailto:cathy.davis@stpete.org), (727) 893-7447  
\*Fee to Appeal Person Officially Designated: \$250.00  
\*Fee for all other Appeals: \$300.00

**\*Note: Appellant is also responsible for required public notice and any associated post office mailing fees.**



# AFFIDAVIT TO AUTHORIZE AGENT

I am (we are) the owner(s) and record title holder(s) of the property noted herein

Property Owner's Name: Wai Leung

This property constitutes the property for which the following request is made

Property Address: 340 47th St N, St.petersburg, Fl. 33714

Parcel ID No.: 21-31-16-63090-005-0080

Request: \_\_\_\_\_

The undersigned has(have) appointed and does(do) appoint the following agent(s) to execute any application(s) or other documentation necessary to effectuate such application(s)

Agent's Name(s): Jeffrey Hall

This affidavit has been executed to induce the City of St. Petersburg, Florida, to consider and act on the above-described property.

I(we), the undersigned authority, hereby certify that the foregoing is true and correct.

Signature (owner): Wai Man Leung Wai Leung  
Printed Name

Sworn to and subscribed on this date

Identification or personally known: \_\_\_\_\_

Notary Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Commission Expiration (Stamp or date):

*see attached sus 7/2/19*

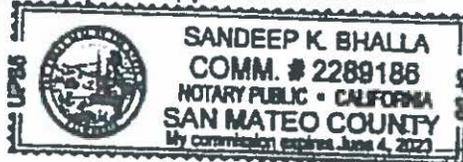
As owner of the subject property, I understand that a property card interpretation (PCI) may have serious implications addressing the legality of my property. If my opinion differs from that of the PCI, I also understand that I have 15-days upon receipt of the PCI to request reconsideration, and 10-days upon receipt of the subsequent reconsideration to submit an appeal of the decision, which will be heard before the Development Review Commission. If the PCI indicates abandoned grandfathered dwelling units, then I may apply for reinstatement.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of San Mateo

Subscribed and sworn to (or affirmed) before me on this 2nd  
day of July, 2019, by Wai Man Leung

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



(Seal)

Signature Sandeep K. Bhalla

See attached to: - Affidavit To  
authorize Agent.

# Exhibit 5

SUBDIVISION	OAK RIDGE	LOT	8 & 9	BLOCK	E
<p><i>Rs-75</i> BUILDING <i>Box 17</i></p> <p>Location: 340-47th Street No. #78725-D - 3/1/50 - \$14000            Owner Philip Dipolo - Seven room and bath residence with B/W and two car garage with three room and bath over (31' 4" x 78')(Type C)            #39886A-D - 5/19/58 - \$200 - Owner Mrs. S. Wallden - Erect 48" fence, rear yard - Reeves Fences, Contractor</p>	<p>ELECTRICAL</p> <p>#9957B - 7/5/50 - P. Dipolo Hobbs - 21c 20sw 35p 3ws 4-meters 2-ranges 2-w.heaters            #427C - 7/7/59 - A. B. Chewey J.C.Pressly Elec. 3ws 95 amps #2 2-meters 1-furnace 1-3hp air cond 1-Fractional hp fan            #E5817-B 6/11/70 - Fla. Power Mitchell - Combing Meters (340 1/2-47th St. No.) #E5817-B 6/11/70 - Fla. Power - Mitchell INSTALLATION (over)</p>	<p>21-31-16 PLUMBING <i>M 4</i></p> <p>#11320 - 3/28/50 - Dipolo C.Wiebel - 2-closets 2-ewh 2-lavatories 2-sinks 2-baths 1-washer            #12636 - 7/11/50 - P. Dipolo Wiebel - c-1-shower</p>			
<p><i>8/4/86</i> PERMIT # <i>P609248</i></p> <p>ISSUED <i>Quiet - up leafy by Handyman Serv</i></p>	<p>#8787A-7/9/59-A. B. Cheney J.C.Pressly S 1338 - Exist. Duct System - 3-T Armstrong A/C Coil on 84,000 BTU Armstrong Furn./htr.rm. 3-HP Armstrong Cond./rear yard - Vitroliner - 100 gal. tank on stand</p>	<p>GAS</p>			
<p>BUS 40-340-47 St. No. 9-0063            Harry E. Clark            ISSUED <i>3-10-89</i>  <i>House guests 2 bdms.</i></p>	<p>SEWER</p> <p>#14764E - 4/24/58 - Stanley Walden Blauvelt Plbg. - \$5.00 tap</p>	<p>SEPTIC TANK</p> <p>#6435 - 10/11/50 - Dipolo A.S.T.W. - 3 tanks</p>			
<p>SIGNS</p>					

**340 47<sup>th</sup> St. N Code Violations****Exhibit 6**

Number	Status	Date	Insp	Description
19 00023029	CASE CLOSED	8/28/19	NW	PROPERTY MAINTENANCE
19 00001934	ACTIVE	1/24/19	NW	ZONING VIOLATIONS
16 00025879	CASE CLOSED	11/15/16	MW	ILLEGAL UNITS
16 00025353	CASE CLOSED	11/08/16	MW	CIVIL CITATION - JTD
16 00023108	CASE CLOSED	10/12/16	MW	ZONING VIOLATIONS
16 00009285	CASE CLOSED	5/18/16	MW	ILLEGAL UNITS
16 00008903	CASE CLOSED	5/13/16	MW	CIVIL CITATION - YARD PARKING
16 00008902	CASE CLOSED	5/13/16	MW	CIVIL CITATION - DOM. EQ
16 00008659	CASE CLOSED	5/11/16	MW	PROPERTY MAINTENANCE
16 00003640	CASE CLOSED	3/01/16	MW	ZONING VIOLATIONS
16 00003639	CASE CLOSED	3/01/16	ME	CIVIL CITATION
16 00003536	CASE CLOSED	2/29/16	ME	CIVIL CITATION
15 00027848	CASE CLOSED	11/20/15	ME	PROPERTY MAINTENANCE
15 00027846	CASE CLOSED	11/20/15	ME	CIVIL CITATION
15 00026786	CASE CLOSED	11/09/15	ME	CIVIL CITATION
15 00025288	CASE CLOSED	10/29/15	ME	CIVIL CITATION
13 00023457	CASE CLOSED	11/13/13	LP	SECURING STRUCTURES
13 00022198	CASE CLOSED	10/23/13	JM	PROPERTY MAINTENANCE
13 00015926	CASE CLOSED	8/07/13	LP	SECURING STRUCTURES
13 00015242	CASE CLOSED	8/01/13	LP	VACANT AND BOARDED STRUCTURES
13 00008625	CASE CLOSED	5/23/13	ME	FORECLOSURE REGISTRY CASE
12 00020819	CASE CLOSED	10/29/12	MFP	DEMO/CITY/REHAB BY OWNER
12 00020505	CASE CLOSED	10/23/12	LP	SECURING STRUCTURES
05 00010040	CASE CLOSED	5/17/05	MW	INOPERATIVE MOTOR VEHICLE
02 00007022	CASE CLOSED	4/16/02	TMH	INOPERATIVE MOTOR VEHICLE
98 00021848	VOIDED	9/01/98	SF	APPROVED PARKING
98 00021171	INVALID COMP	9/03/98	SF	APPROVED PARKING

98 00012347	VOIDED	5/18/98	SF	NONE
96 00020900	CASE CLOSED	7/30/96	LP	PERMIT(S)
95 00014567	CASE CLOSED	5/09/95	OSS	RCC - INSPECTION REPORT
94 00020068	CASE CLOSED	10/31/94	OSS	RCC - CODE VIOLATION NOT FOUND
93 00022750	CASE CLOSED	11/10/93	ET	OVERGROWTH

Exhibit 7

Property Information

Address: 340 47TH ST N  
SAINT PETERSBURG, FL 337137232  
Location ID: 79439  
Parcel Identification Nbr: 21/31/16/63090/005/0080/  
Old account number: 52102850  
Zoning:  
Subdivision: CENTRAL OAK PARK NBRHD ASSN

Case General Information

Case status: CL CASE CLOSED  
Status date: 1/19/2017  
Case type: ILLU ILLEGAL UNITS  
Reported date: 11/15/2016  
Origination: SC SEE CLICK FIX  
Default inspector: MW MONIQUE WADLEY 892-5538  
Credit balance: .00  
Disposition: Public  
Pin number: 890416

Owner Information

Owner name: BAJAJ, NEERAJ  
Address: 340 47TH ST N  
City: SAINT PETERSBURG, FL 337137232  
Phone: 0  
Notice: Y  
Flip:

Violations

Type	Status	Location	Quantity	Date Established	Date Resolved
No violations exist					

Case Data

Description	Data
TYPE USE	DUPLEX-TRIPLEX
PLAT SHEET	M-4
OFFICIAL RECORDS BOOK/PA	18884/1113
CEB AGENDA ITEM NUMBER	
CEB ORDER DAYS	
CEB ORDER FINE AMOUNT/DA	
CEB ORDER COMPLIANCE DAT	
CEB ORDER MAILED DATE	
SPEC MAGISTRATE SCHED DA	
SPEC MAGISTRATE AGENDA N	
SPEC MAG LAST CERT LIEN	
SPEC MAG TOTAL CERT LIEN	
SPEC MAG ORDER MAILED DA	
CEB MEETING DATE	
SPEC MAGISTRATE MEETING	

Active Inspections

(Continued)

Type	Insp ID	Schedule Date
No scheduled inspections exist		

Type	Text	Date
Case narrative	SCF# 3044815-The owner of this house is renting out rooms to multiple unrelated people. He's basically running a boarding house, which this neighborhood is not zoned for. This complaint was initially made over a month ago. There is now a for sale sign in front of the house but nothing else has changed	11/15/2016 11/15/2016 11/15/2016 11/15/2016 11/15/2016 11/15/2016 11/15/2016
Violation comments	November 15, 2016 4:05:09 PM knsmith.	11/15/2016
Inspection comments		
001 - INITIAL INSPECTION	Results status INSPECTI	
	November 16, 2016 10:01:00 AM mmwadley. OWNER RESIDES IN FRONT MAIN HOUSE. THE GARAGE APT IS NOW VACANT AS TENANT MOVED. OWNER CAN RENT GARAGE APT. WILL MONITOR.	11/16/2016 11/16/2016 11/16/2016 11/16/2016
002 - REINSPECTION	Results status INSPECTI	
	December 15, 2016 10:33:32 AM mmwadley. NO ACTIVITY. IS ABLE TO RENT GARAGE APT.	12/15/2016 12/15/2016
003 - REINSPECTION	Results status INSPECTI	
	January 19, 2017 8:23:01 AM mmwadley. NO ILLEGAL UNITS OBSERVED. MAIN STRUCTURE AND GARAGE APT. OWNER RESIDES IN MAIN HOUSE. WILL CLOSE UNTIL FURTHER NOTICE.	1/19/2017 1/19/2017 1/19/2017 1/19/2017
Board meeting comments		
Other action comments		
Land Management information		
Legal description	OAK RIDGE BLK E, LOTS 8 AND 9	
Lien information		



Exhibit 8



Exhibit 9.

## Jennifer C. Bryla

---

**From:** phillip baker <phillip.baker@mac.com>  
**Sent:** Friday, November 22, 2019 1:35 PM  
**To:** Jennifer C. Bryla  
**Subject:** Re: DRC case 19-53000003

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you for your reply...POD now makes sense. If you would, please consider the following for the record:

Being a homeowner within a block of this property, I am in support of the determination that there are only two legal units. Having 5+ units is very inappropriate for this parcel. Questionable building practices dividing the home and insufficient parking should be considered carefully. With the conversion of the garage, parking has been reduced to 2 spaces. Street parking is very overcrowded on that block. While the quality of the tenants has improved recently, there are simply too many people and cars for what should be a single family home with one carriage house apartment.

Respectfully,  
Phillip Baker  
440 47th St N

On Nov 22, 2019, at 1:06 PM, Jennifer C. Bryla <[Jennifer.Bryla@stpete.org](mailto:Jennifer.Bryla@stpete.org)> wrote:

Mr. Baker,

Thank you for contacting me. I have spoken with several along the street. POD is Person Officially Designated to interpret the code. That would be me for chapter 16, land development code. The appellants are contesting a determination that I made that said they have only two legal units on that property. Let me know if you would like to enter any comments into the record.

Jennifer C. Bryla, AICP  
**Zoning Official**  
Development Review Manager  
City of St. Petersburg, FL  
Planning and Development Services Department  
O: 727.892.5344 E: [Jennifer.Bryla@stpete.org](mailto:Jennifer.Bryla@stpete.org)

**From:** phillip baker <phillip.baker@mac.com>  
**Sent:** Friday, November 22, 2019 12:02 PM  
**To:** Jennifer C. Bryla <[Jennifer.Bryla@stpete.org](mailto:Jennifer.Bryla@stpete.org)>  
**Subject:** DRC case 19-53000003

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Jennifer,

I (and several of my neighbors) received a letter regarding a property at 340 47th St N. The notice only mentions a "POD determination". (I googled POD and it said that meant Payable on Death....I'm sure it means something else here, right?) If you can please, would you be able to explain what this case is about, or direct me to where I may get some more info? This has long been a problem property for our neighborhood and my neighbors and I are very interested in what this case may be about.

Also, I will be unable to attend the meeting. If we email you or send something to the DRC, will our opinions be included in the decision making? Thank you so much for any guidance you may be able to provide.

Best regards,  
Phillip Baker

<image001.jpg>

**Phillip Baker**

Central Oak Park Neighborhood Assn, Inc.  
PO Box 12702  
St Petersburg FL 33733  
404-218-6331

[Your Sunshine City](#)