



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

APPEAL
STAFF REPORT
DEVELOPMENT REVIEW COMMISSION - VARIANCE REQUEST
PUBLIC HEARING

According to Planning & Development Services Department records, **Commission member 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 **scheduled on Tuesday, September 22, 2020 at 2:00 P.M.**, by means of communications media technology pursuant to Executive Order 20-193 issued by the Governor on August 7, 2020, and Executive Order 2020-30 issued by the Mayor on July 8, 2020. Authorization for a virtual meeting has been extended through October 1st by Governor's executive order. The City's Planning and Development Services Department requests that you visit the City website at www.stpete.org/meetings and/or contact the case planner for up-to-date information pertaining to this case.

CASE NO.: 20-54000021 PLAT SHEET: H-14

APPEAL: Appeal of a streamline approval of a variance to Land Development Regulation section 16.40.120.6.3.A.D., to allow an electronic messaging center to be installed within an existing freestanding monument sign in a CRT-1 zoning district.

APPELLANT: Christopher Puccio
1650 22nd Avenue North
Saint Petersburg, Florida 33713

OWNER: Florida Holdings Group, LLC
P.O. Box 388
Pinellas Park, Florida 33780

AGENT: Stephen Burch
709 South Harbor City Boulevard, Suite 540
Melbourne, Florida 32901

ADDRESS: 2200 16th Street North

PARCEL ID NO.: 12-31-16-98730-000-0070

LEGAL DESCRIPTION: On File

ZONING: Corridor Residential Traditional (CRT-1)

Structure	Required	Requested	Variance	Magnitude
Electronic Messaging Center (EMC)				
EMC	200 ft of frontage, 2.0 acres	320 ft of frontage, .52 acres	1.48 acres	74%

BACKGROUND: The subject property is located on the northwest corner of 16th Street and 22nd Avenue North. The property is zoned CRT-1 (Community Residential Traditional), which allows for development of townhomes, condominiums, apartment buildings and mixed-use buildings that are appropriately scaled to the context of the corridor and to facilitate conversion of remaining single-family homes to offices or limited retail uses. The property is home to a Bayfront Health Medical Group’s Primary Care facility. The site has 107 feet of frontage along 22nd Ave N and 213 feet of frontage on 16th St N. This property was approved for the subject double-sided monument sign on September 13th, 2019. This sign is located on the corner of 16th Street and 22nd Avenue North. Both roadways are considered major streets on the Future Major Streets map within the Comprehensive Plan. The monument sign is 6.5-feet tall and 7-feet wide. The copy area included with this sign is 13 square feet. Currently, there is a placeholder included with the sign, where the applicants hope to insert an electronic messaging center.

In neighborhood and corridor residential districts, digital or electronic message center signs are only allowed for nonresidential uses on properties with a minimum of 200 feet of street frontage and a minimum of 2.0 acres of land area. Thus, the subject property is 1.48 acres too small in area to be considered for an electronic messaging center sign by right.

The applicants have not specified the size of the EMC that they would place into the existing monument sign. Per 16.40.120.6.3.C. the maximum area of the EMC that can be approved is 13 square feet, which is the same area of the existing copy within the monument sign.

CONSISTENCY REVIEW COMMENTS: The Planning & 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.*

This request is regarding an existing monument sign at the corner of 16th Street and 22nd Avenue North. The copy area of this sign is 13 square feet. This property within the CRT-1 zoning district is allowed one freestanding sign with up to 48 square feet in copy area per sign face. If the maximum sign area is requested for the proposed EMC, the sign would have 26 square feet of copy area.

- 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.*

This application concerns the addition of an electronic messaging center (EMC) into an existing, legal monument sign. The site is zoned Corridor Residential Traditional (CRT-1) and must have 2.0 acres of area to install an EMC, thus the site is 1.48 acres, or 74%, too small in area to do this by right.

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

This criterion is not applicable. This request is not related to a preservation district.

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

This criterion is not applicable. This request does is not related to historic resources.

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

This criterion is not applicable. The request does not concern significant vegetation.

- 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 intersection of 16th Street and 22nd Avenue North is a commercial corridor with medical offices at each intersection. Each office has a monument sign. The proposed electronic messaging center sign will be the first of its kind within the existing monument signs. There is a mix of residential and commercial properties along both 16th Street and 22nd Avenue North in each direction. The size of the sign will not alter the existing character of the neighborhood because the size of the sign is allowed within the district at this property by right. The new type of sign is not expected to alter the existing character of the neighborhood. The maximum area of the new EMC will be 13 square feet. There are also design requirements within the code that dictate allowable brightness, dwell time, and prohibit the display of any animated, flashing or moving images displayed on the sign.

- 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. This request does not relate to public facilities.

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

The need for changeable copy on the existing sign is not the result of actions by the applicant. The applicants have indicated that the intent of the electronic messaging center is to advertise seasonal health services provided by Bayfront Health that are a benefit to the community. These signs include flu shots and other vaccines that may become available, wait times to be seen, etc. The alternatives to an EMC are changeable marquee signs or temporary signs. A marquee sign could be inserted into the existing monument sign, but this type of sign is less visible to the public. Per current code, a temporary sign can be displayed on the subject property up to four times per 365-day period with a maximum duration of one month per permit. A marquee or EMC will allow Bayfront Health to change their message as needed.

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

Owing to the special conditions, a literal enforcement of this chapter would not result in an unnecessary hardship. The alternatives stated within the answer to question 2 would allow the applicants to achieve their goal of informing the public of their seasonal services.

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 strict application of this chapter would still allow the applicants with reasonable use of their land and structures.

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 to allow an EMC within the existing monument sign, where the alternative is to not have an EMC.

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

The granting of this variance is in harmony with the general purpose and intent of this chapter and the Comprehensive Plan. A 13 square foot EMC would help to inform the public of services that are provided at the subject property that have a public health benefit.

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 should not be injurious to neighboring properties or otherwise detrimental to the public welfare. The monument sign cannot and will not directly face a residential use and is regulated by this Chapter to maintain a standard of brightness and safety for pedestrians and drivers.

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

The reasons set forth in the application do justify the granting of this variance as the intent of the variance will constitute a public good.

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 or structure was considered as grounds for the support of this variance.

PUBLIC COMMENTS: The subject property is not within the boundaries of a neighborhood association. The streamline approval of this application has been appealed by a citizen that owns property within 300-feet of the subject property. Staff has not been contacted by any other members of the public concerning this application.

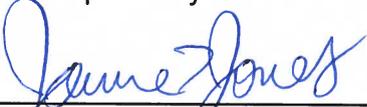
STAFF RECOMMENDATION: Based on a review of the application according to the stringent evaluation criteria contained within the City Code, the Planning and Development Services Department Staff recommends **APPROVAL** of the requested variance.

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. The plans and elevations submitted for permitting should substantially resemble the plans and elevations submitted with this application.
2. The proposed electronic messaging center shall be placed within the existing monument sign and have a maximum area equal to or lesser than that of the existing static copy.
3. This variance approval shall be valid through September 22nd, 2023. 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, site plan, elevation drawings, photographs, applicant's narrative

Report Prepared By:



Jaime Jones, AICP, Planner II
Development Review Services Division
Planning & Development Services Department

9/15/2020

Date

Report Approved By:



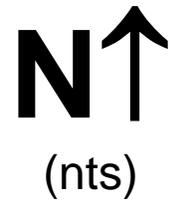
Jennifer Bryla, ACIP, Zoning Official (POD)
Development Review Services Division
Planning & Development Services Department

9.15.2020

Date



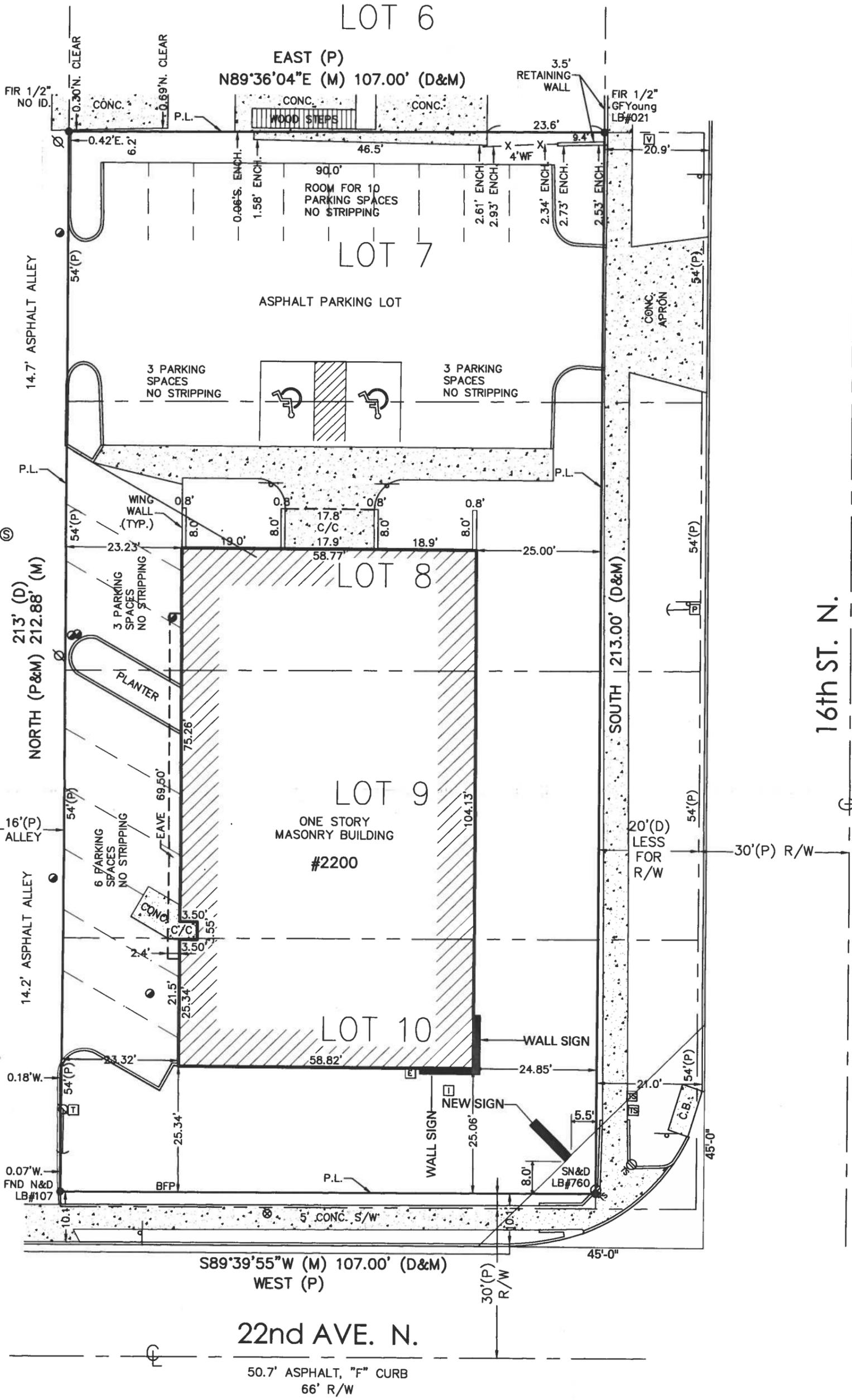
Project Location Map
City of St. Petersburg, Florida
Planning and Development Services
Department
Case No.: 20-54000021
Address: 2200 16th Street North



12-08 00504

LOT 31

LOT 11



NORTH BASIS:
PLAT
SCALE: 1" = 20'

JOHN C. BRENDLA AND ASSOCIATES, INC.
Consulting Engineers and Land Surveyors



4015 82nd Avenue North
Pinellas Park, Florida 33781
Telephone (727) 576-7516

ALTA/ACSM SURVEY

16th St N
2100 2200



Bayfront Health
Medical Group
PRIMARY CARE

Bayfront Health
Primary Care

727-893-8800
NOV 15 2018





Bayfront Health
Medical Group
PRIMARY CARE

Bayfront Health
Primary Care
727-893-6201
NOW OPEN

Application Narrative: 2200 16th Street North

This is a request for a variance to allow an electronic sign to be added to an already existing free-standing sign. As shown in detail below, this request meets all the variance criteria and still conforms with the spirit and intent of the ordinance at issue. As such, Bayfront Health Medical Group Primary Care (“Bayfront”) respectfully requests that this variance be granted.

Bayfront and the Services it Provides

Bayfront provides primary care to residents in and around St. Petersburg. Access and utilization of primary care services is one of the most important part of a person’s overall health. Access to primary care has been shown to cause “improved health status.”¹ Further, “access to primary care [will] appropriately shift care away from more intensive and expensive care provided in urgent care, emergency departments, specialty departments, and inpatient settings.”²

Florida ranks towards the bottom of the pack with regards to primary care access, with only 86.8 primary care physicians per 100,000 people.³ Given the age of the Florida population, this is a serious problem facing Florida. Bayfront provides this much needed care, and also provides care beyond the traditional scope of primary care medicine, with a special interest in personal wellness, particularly in the areas of nutrition, supplementation, fitness and weight loss, disease prevention, geriatrics and skin care.

In addition to the reasons detailed below, the granting of this variance will help inform and remind the public of needed primary care services that, if taken advantage of, will keep the population healthier and reduce the strain on already overburdened hospitals and emergency departments. For example, one intended use of the electronic sign is to remind people to receive flu shots. If this sign helps persuade even a small percentage of the people that see it to get their flu shot, the impact on the health of the general population (and the reduce in strain on the already overburdened emergency rooms) would be exponential.

Bayfront is a proud to be a member of the St. Petersburg community. As shown below, this variance will not cause any harm to any nearby property owners and will only improve the quality of the neighborhood and its population.

Property and Ordinance at Issue

The ordinance at issue provides:

In neighborhood and *corridor residential districts*, digital or electronic message center signs shall only be allowed for nonresidential uses on properties with a minimum of 200 feet of street frontage and a *minimum of 2.0 acres of land area*.

¹https://publichealth.gwu.edu/departments/healthpolicy/DHP_Publications/pub_uploads/dhpPublication_3BBD241A-5056-9D20-3DC72347BA069B17.pdf

² <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5765488/>

³ <https://www.aamc.org/system/files/2019-12/state-physician-Florida-2019%5B1%5D.pdf>

16.40.120.6.3, Ordinances of the City of St. Petersburg (*emphasis added*).

The property at issue is located at 2200 16th Street North on a major intersection. The property is approximately .5 acres and has approximately 300 feet of street frontage. Additionally, the property is located in a corridor residential district (specifically CRT-1). A screenshot from the property appraiser's website is below to provide context as to the location and surrounding properties.



The Variance Being Requested

While the property has sufficient street frontage, because it is located in a corridor residential district and because it is less than two acres, Bayfront is requesting a variance to allow an electronic sign to be added to an existing free-standing sign. Below is a picture showing the existing sign in the Southeast corner of the property. The electronic sign would be placed where the “Now Open” portion is. A drawing and survey showing the proposed “finished” sign and its location on the property are included with this application.



The Variance Request Meets the Specified Criteria and the Spirit of the Original Ordinance

The ordinance only places an exception to electronic signs in “neighborhood and corridor residential districts.” If this were a general commercial district, there would be no need for a variance. This exception contained in the ordinance is there to prevent residential properties from having lights shining through their windows all night long. As shown in detail below, this electronic sign will not disturb any residences and should only be visible from other commercial properties. As such, this request complies with the spirit of the ordinance and should be granted.

The application also specifies six criteria that must also be addressed. These criteria are addressed below.

- 1. What is unique about the size, shape, topography, or location of the subject property? How do these unique characteristics justify the requested variance?*

What is unique about this property is that, while it is located in a corridor residential district, the location of the sign is set in such a way that it should only be visible to other businesses. The sign will be placed diagonally so it can be seen by motorists on both 16th Street and 22nd Avenue. Attached to this application is a presentation showing how the nearby residential properties will not be affected by this change.

Further, the sign will be located right beside a busy, four-way intersection with existing traffic lights facing all directions. Any light emitted from the sign would be dwarfed in comparison to the light emitted from the traffic lights and the traffic itself.

- 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.*

None that Bayfront is aware of.

- 3. How is the requested variance not the result of actions of the applicant?*

Applicant has taken no actions that would cause the need for this variance. This variance is being requested to heighten awareness of health care issues to the general population while also promoting Bayfront’s ability to provide them.

- 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?*

Bayfront already meets the street frontage requirements. It is only short on the acreage requirement. Bayfront has arranged the sign such that it will only affect other commercial properties and will have little to no impact on nearby residential properties.

Further, the sign has the ability to automatically dim. If the commission believes it is necessary, Bayfront is agreeable to automatically dimming the electronic sign from 8:00 p.m. to 6:00 a.m. to further eliminate any potential impact this may have on neighboring properties.

As described above, this sign will enhance the character of the neighborhood by promoting access to primary care services which, if utilized, will increase the general population's health and reduce the strain on otherwise overburdened hospitals and emergency rooms.

5. *What other alternatives have been considered that do not require a variance? Why are these alternatives unacceptable?*

Bayfront already has an existing, non-electronic sign. However, it cannot easily or professionally be changed to address topical health care issues (e.g., flu shots during flu season).

6. *In what ways will granting the requested variance enhance the character of the neighborhood?*

See above and the answer to question 4.



SIGN VARIANCE

Application No. 20-54000021

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 1st floor of the Municipal Services Building, One 4th Street North.

GENERAL INFORMATION	
NAME of APPLICANT (Property Owner): Florida Holdings Group, LLC	
Street Address: P.O. Box 388	
City, State, Zip: Pinellas Park, Florida 33780-0388	
Telephone No:	Email Address:
NAME of AGENT or REPRESENTATIVE: Stephen Burch	
Street Address: 709 S. Harbor City Blvd., Ste. 540	
City, State, Zip: Melbourne, Florida 32901	
Telephone No: 321-676-5555	Email Address: stephen@smithlawtlh.com
PROPERTY INFORMATION:	
Street Address or General Location: 2200 16th Street N., St. Petersburg, Florida	
Parcel ID#(s): 12-31-16-98730-000-0070	
DESCRIPTION OF REQUEST: A variance to allow an electronic sign on the property.	
PRE-APPLICATION DATE: 1/29/2020	PLANNER:

FEE SCHEDULE

The fee for a sign variance application: \$500.00
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: _____

Date: _____

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

Typed Name of Signatory: _____



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: Florida Holdings Group, LLC

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

Property Address: 2200 16th Street N., St. Petersburg, Florida

Parcel ID NO.: 12-31-16-98730-000-0070

Request: A variance to allow an electronic sign on the property.

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): Stephen Burch, Geoffrey Smith

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): _____ Date: _____

Sworn to and subscribed on this date: _____

Identification or personally known: _____

Notary Signature: _____ Date: _____
Commission Expiration (Stamp or date): _____



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	
Street Address: 2200 16th Street N.	Case No.:
Detailed Description of Project and Request:	
See attached Application Narrative.	
1. What is unique about the size, shape, topography, or location of the subject property? How do these unique characteristics justify the requested variance?	
See attached Application Narrative.	
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.	
See attached Application Narrative.	
3. How is the requested variance not the result of actions of the applicant?	
See attached Application Narrative.	
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?	
See attached Application Narrative.	
5. What other alternatives have been considered that do not require a variance? Why are these alternatives unacceptable?	
See attached Application Narrative.	



SIGN VARIANCE

Applicant Narrative (Page 2)

APPLICANT NARRATIVE (Continued)	
6. In what ways will granting the requested variance enhance the character of the neighborhood?	
See attached Application Narrative.	

SITE DATA		
MAXIMUM AREA, FREE-STANDING SIGNS:		
Square feet of <i>proposed</i> free-standing signs	<u>n/a</u>	Sq. Ft.
Square feet of <i>existing</i> free-standing signs	<u>45.5</u>	Sq. Ft.
Square feet of all <i>existing</i> and <i>proposed</i> free-standing signs	<u>45.5</u>	Sq. Ft.
Maximum square feet allowed by City Code	<u>48.0</u>	Sq. Ft.
Variance	<u>0.0</u>	Sq. Ft.
MAXIMUM AREA, WALL AND WINDOW SIGNS:		
Square feet of proposed wall and window signs	<u>n/a</u>	Sq. Ft.
Square feet of existing wall and window signs	<u>n/a</u>	Sq. Ft.
Square feet of all existing and proposed wall and window signs	<u>n/a</u>	Sq. Ft.
Maximum square feet allowed by City Code	<u>n/a</u>	Sq. Ft.
Variance	<u>n/a</u>	Sq. Ft.
MAXIMUM HEIGHT:		
Height of proposed sign (measured from) grade to bottom of sign	<u>n/a</u>	Sq. Ft.
Height of proposed sign (measured from) grade to highest point	<u>n/a</u>	Sq. Ft.
Maximum sign height allowed by City Code	<u>n/a</u>	Sq. Ft.
Variance	<u>n/a</u>	Sq. Ft.
NUMBER OF SIGNS:		
	Existing	Proposed
Total number of all <i>existing</i> and <i>proposed</i> free-standing signs	<u>1</u>	<u>1</u>
Total number of all <i>existing</i> and <i>proposed</i> wall and window signs	<u>3</u>	<u>3</u>
Maximum number of signs allowed by City Code	<u>5</u>	
Variance	<u>n/a</u>	<u>n/a</u>
LIGHTING:		
Will the sign be illuminated?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, will the sign be lit internally or externally?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Will the sign have lights in motion or animation?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No