



**City of Pinellas Park**  
**Community Redevelopment Agency**  
**Agenda**

Tuesday, December 11, 2018

5:30 PM

City Council Workshop Room

**CHAIRPERSON: MR. RICK BUTLER**

**VICE CHAIRPERSON: MS. PATRICIA JOHNSON**

**I. ROLL CALL**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**AT THIS TIME STAFF MEMBERS AND CITIZENS WILL BE SWORN IN IF THERE ARE ITEMS THAT ARE QUASI-JUDICIAL**

**II. APPROVAL OF MINUTES**

Approval of Regular Community Redevelopment Agency Minutes of October 23, 2018, as on file in the City Clerk's office.

**III. PUBLIC HEARINGS**

**P1 CONSIDERATION OF A REQUEST FOR A VARIANCE TO REDUCE THE REQUIRED NUMBER OF PARKING SPACES AND A REQUEST FOR A WAIVER OF LANDSCAPING REQUIREMENTS FOR A PARCEL GENERALLY LOCATED ON PARK BOULEVARD BETWEEN 64TH STREET AND 64TH WAY IN THE B-1 GENERAL COMMERCIAL ZONING DISTRICT - (BOA 2018-33/MS 2019-10, Tuan Pham)**

**PUBLIC HEARING FIRST AND FINAL READING (QUASI- JUDICIAL)**

**(Speaker - Erica Lindquist, Planning & Development Review Manager)**

NOTE: The applicant has requested a variance to reduce the required number of parking spaces from 20 to 16, a waiver of the landscaping buffer requirement on the east side of the property, and a waiver of interior vehicular use area landscaping requirements.

ACTION: (Approve - Deny) BOA 2018-33 / MS 2019-10, a variance for a reduction in the number of parking spaces from 20 to 16 with a waiver to the landscaping buffer on the east side of the property and a waiver to interior vehicular use area landscaping. Public hearing first and final reading - quasi-judicial.

**Department:** Community Development

**Reference Material:** [Staff Report, Zoning Map, Site Plan, Application- BOA 2018-33, MS 2019-10](#)

**IV. REGULAR AGENDA**

**R1 PINELLAS PARK CRA PLAN UPDATE, EXTENSION & EXPANSION STATUS REPORT**

NOTE: John Jones of S&ME, Inc. will be present to provide an update.

Department: Community Development

**V. NEW BUSINESS**

**VI. GENERAL BUSINESS**

Next regular scheduled meeting is January 22, 2019.

**VII. ADJOURNMENT**

PLEASE NOTE that if a person decides to appeal any decision made by City Council with respect to any matter considered at the above-cited meeting, the person will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City maintains a digital recording of all public hearings. In the event that you wish to appeal a decision, the digital recording may or may not adequately insure a verbatim record of the proceedings; therefore, you may wish to provide a court reporter at your own expense (Section 286.0105, Florida Statutes).

FOR THE HEARING IMPAIRED — An interpreter for the hearing impaired will be made available upon requests made at least 72 hours in advance.



# City of Pinellas Park

## Staff Report

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**File #:** 18-697, **Version:** 1

**Agenda Date:** 12/11/2018

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**CONSIDERATION OF A REQUEST FOR A VARIANCE TO REDUCE THE REQUIRED NUMBER OF PARKING SPACES AND A REQUEST FOR A WAIVER OF LANDSCAPING REQUIREMENTS FOR A PARCEL GENERALLY LOCATED ON PARK BOULEVARD BETWEEN 64<sup>TH</sup> STREET AND 64<sup>TH</sup> WAY IN THE B-1 GENERAL COMMERCIAL ZONING DISTRICT - (BOA 2018-33/MS 2019-10, Tuan Pham)**

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=====PLANNING AND DEVELOPMENT SERVICES DIVISION=====

STAFF REPORT

CASE NUMBER: BOA 2018-33 / MS 2019-10

OWNER: Tuan Pham

HEARING DATE: CRA December 11, 2018

AGENT: Lan-Anh Nguyen

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**I. GENERAL INFORMATION**

A. Request:

Consideration of a request for a variance to reduce the required number of parking spaces from 20 to 16, a waiver of the landscaping buffer requirement on the east side of the property, and a waiver of interior vehicular use area (VUA) landscaping requirements for a property in the B-1 General Commercial Zoning District.

B. Proposed use: Grocery Store

C. Location: 0 Park Boulevard (between 64<sup>th</sup> Street and 64<sup>th</sup> Way)  
Pinellas Park, FL 33781  
29-30-16-71082-076-0070

D. Site Area: 18,000 square feet (MOL)

E. Land Use Plan Designation: CRD (Community Redevelopment District)

Zoning Classification: B-1 (General Commercial)

F. Public Notification: November 26, 2018

G. Legal Advertising: November 26, 2018

H. Legal Description:

PINELLAS PARK 1ST ADD BLK 76, LOTS 7 & 8 & S 1/2 OF VAC ALLEY TO N TOGETHER  
WITH W 14FT(S) OF LOT 5 & S 1/2 OF VAC ALLEY ADJ ON N IN BLK 74 OF PINELLAS  
PARK SUB

## II. SITE AND VICINITY CHARACTERISTICS

### A. Development History:

The subject property was platted in 1911 as part of the First Addition to Pinellas Park Subdivision as recorded into Pinellas County Official Records Book 6, page 57.

### B. Site Characteristics:

The subject parcel is an undeveloped lot located on Park Boulevard between 64<sup>th</sup> Street and 64<sup>th</sup> Way, to the east of 6447 Park Boulevard.

### C. Vicinity Characteristics:

Surrounding properties vary in size, shape, and zoning district, as indicated on the table below.

AREA	LAND USE PLAN MAP	ZONING	EXISTING CONDITIONS
NORTH	CRD	R-6	Single Family Residence
SOUTH	CRD	B-1	Used Car Dealership
EAST	CRD	B-1	Fast Food Restaurant (Checkers)
WEST	CRD	B-1	Commercial Development (Offices/Restaurant)

### D. Essential Services Summary:

Planning & Development Services Director:	Objection/Comments
<i>The property has encroachments to the west and east and the proposed structure is too large for the lot.</i>	

Community Redevelopment Agency Coordinator:	No objection
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Building Development Director:	No objection
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Neighborhood Services Division:	No objection
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Life Safety Management:	No objection
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Police Department Crime Prevention Officer:	No objection
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PPWMD Executive Director:	No objection
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#### Public Works Divisions

Public Works Administrator:	No objection
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Engineering Services Director:	No objection
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Utilities Director:	No objection
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Transportation/Stormwater Director:	No objection
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FDOT

No objection/Comment

*Be advised that as new development or redevelopment occurs along Park Boulevard, the applicant/owner is reminded that both zoning applications and site development plan approvals by the local government do not guarantee acceptance of external project driveway location(s) on state roads such as Park Boulevard. The applicant is advised that permits for access to state roads are required, and approval is not guaranteed. Pre-application meetings for access to the state highway system may be made through the Pinellas Permits Coordinator.*

Community Development Administrator:

Reviewed



*If the applicant reduced the size of the proposed structure, minimum parking and landscaping requirements could be met.*

E. Applicable Code Sections:

SECTION. 18-1520.4. - DIMENSIONAL AND AREA REGULATIONS, B-1 ZONING DISTRICT

(A) MINIMUM LOT REQUIREMENTS.

1. Lot Area: Fifteen thousand (15,000) square feet.
2. Lot Width: One hundred (100) feet.
3. Lot Depth: One hundred fifty (150) feet.
4. Lots of record not meeting the lot area, width, or depth requirements of this section and having been of record prior to September 26, 1963 may be used for a permitted or conditional use provided that all other dimensional regulations will apply.

Analysis: The lot is 18,000 square feet and meets dimensional and area requirements.

SECTION 18-1532.6. - SPECIFICATIONS AND STANDARDS FOR PARKING LOT DEVELOPMENT

- (C) PARKING SPACE DIMENSIONS. Unless otherwise specified herein, each off-street parking space shall have a minimum net area of one-hundred sixty-two (162) square feet, and minimum dimensions of nine (9) feet by eighteen (18) feet exclusive of access drives or aisles that provide access thereto, without requiring another automobile to be moved or otherwise requiring access over or through any other parking space, except as provided herein for valet parking and/or funeral homes/chapels.

Analysis: Parking space dimensions have been met for the 16 spaces on the proposed site plan.

SECTION 18-1532.9. - MINIMUM OFF-STREET PARKING SPACE REQUIREMENTS

(B) COMMERCIAL/BUSINESS USES.

7. Grocery Store (free standing): One (1) per two hundred (200) SF of GFA.

Analysis: 20 parking spaces are required, 16 spaces are proposed. A variance for number of parking spaces is requested.

#### SECTION 18-1533.15. - REQUIRED STREETSCAPE BUFFERS

- (C) COMMERCIAL, OFFICE, INDUSTRIAL, MIXED USES, AND ALL OTHER NONRESIDENTIAL USES.
1. A total landscaped area equal to at least six square feet for each linear foot of lot frontage shall be required.
  2. Such areas shall contain one tree for each 40 linear feet of lot frontage or fraction thereof and a continuous hedge. For lots located within the Community Redevelopment Area, this requirement shall be one tree for each 35 linear feet of lot frontage or fraction thereof.

Analysis: The streetscape buffer requirement must be met.

#### SECTION 18-1533.16. - REQUIRED PERIMETER LANDSCAPE BUFFERS

Per Table 18-1533-3, on the east and west sides of the property, which abut B-1 Zoning Districts, a landscaping buffer three foot minimum width, five foot average width, with a continuous hedge is required. This buffer shall be between the Vehicular Use Area (VUA) and the lot line. The minimum tree requirement is one tree per 50 feet. Four trees are required.

On the north side of the property, which abuts an R-6 Zoning District, an eight foot wide landscape buffer with a continuous hedge is required, along with a 6' high wall or fence. This buffer shall be parallel to and abutting the entire rear lot line. The minimum tree requirement is one tree per 35 feet. Three trees are required.

Analysis: A waiver is requested for the east side landscaping buffer. The north and west side landscaping requirements must be met.

#### SECTION 18-1533.17. - INTERIOR VUA LANDSCAPING

- (B) REQUIRED AMOUNT OF LANDSCAPED AREA. An area or combination of areas equal to ten (10) percent of the vehicular use area shall be devoted to interior landscaping for lots located within the Community Redevelopment Area. In no case shall less than one (1) tree for each two hundred (200) square feet or fraction thereof of such required landscaping be provided.

Analysis: A waiver is requested for interior VUA landscaping.

### **III. ANALYSIS OF VARIANCE CRITERIA**

Section 18-1537.2 VARIANCES. A variance from the terms of this ordinance shall not be granted by the Board of Adjustment / Community Redevelopment Agency unless and until a written application for a variance is submitted demonstrating:

- A. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, buildings, or structures in the same district.



Analysis: This is a conforming lot with a dedicated drainage easement / retention pond on the east side of the property. This drainage easement / retention pond reduces the area available for parking.

- B. That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance.

Analysis: The drainage easement/retention pond on the east side of the property diminishes the buildable area.

- C. That the special conditions and circumstances do not result from the actions of the applicant.

Analysis: The dedicated drainage easement on the east side of the property is not a result of actions of the applicant. However, the applicant could reduce the size of the proposed building, which would allow them to meet minimum requirements for parking and landscaping.

- D. That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.

Analysis: This is a conforming parcel located in the B-1 General Commercial Zoning District, however, it is bordered on the east side by a dedicated drainage easement / retention pond. This is unique to this size parcel in this area.

- E. The Board of Adjustment / Community Redevelopment Agency shall further make a finding that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.

Analysis: The applicant is proposing new infill development using available vacant land. The variance requested is the minimum variance required to develop the proposed 4,000 square foot store and the parking area. If the applicant decreased the size of the proposed building, minimum requirements could be met.

- F. The Board of Adjustment / Community Redevelopment Agency shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this ordinance, will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Analysis: This is an undeveloped infill lot located between two commercial properties. A grocery store would be consistent with other development along Park Boulevard. There is a residential neighborhood immediately north of the property. The applicant has therefore proposed the parking area and loading zone be located on the south side of the building.

#### **IV. ANALYSIS OF LANDSCAPING WAIVER CRITERIA**

##### **Sec. 18-1533.22. - WAIVERS.**

- (A) In any case where the strict application of the requirements of this Section present an undue hardship, the City Council, or the Community Redevelopment Agency (for lots

located within the Community Redevelopment Area) may waive one or more of the requirements imposed under this Section.

Analysis: The applicant is requesting a waiver of the Interior VUA landscaping requirement, which requires a minimum of ten percent of the interior of the parking area to be devoted to landscaping, including one tree per each 200 square feet. The applicant is also requesting a waiver of perimeter landscaping buffer requirement on the east side of the property, which requires a buffer three foot minimum width, five foot average width, with a continuous hedge and one tree per each 50 linear feet.

(B) In determining whether any requirements of this Section should be waived, the City Council or Community Redevelopment Agency, as applicable, shall consider the following criteria:

1. Purpose of Requirement. Whether the purpose of the requirement is otherwise fully achieved, or more important purposes of this Ordinance, the Comprehensive Plan, or the Community Redevelopment Plan will be served thereby, or the requirement serves no valid public purpose in the particular case;

Analysis: The applicant is requesting a waiver of the Interior VUA Landscaping requirement and a waiver of the perimeter landscaping buffer requirement on the east side of the property. Landscaping would be installed per Code on the north, west, and south sides of the property.

2. Public Interest, Adjacent Property. Whether the waiver will create an adverse impact on the public interest or on the adjacent property, and whether all necessary alternative measures shall be taken by the applicant to prevent any such impact;

Analysis: The requested landscaping waivers should not create an adverse impact on the public interest or on the adjacent property. On the east side of the subject property where the buffer waiver is requested, there is a drainage easement / retention pond and the adjacent business (Checkers) has trees along its property line.

3. Property Size Configuration, Natural Feature. Whether the size, configuration, and/or natural features of the property involved present a hardship on the development of the property;

Analysis: There is a dedicated drainage easement / retention pond on the east side of the property. This drainage easement / retention pond reduces the area available for landscaping and trees.

4. Surrounding Property. The size, character, configuration, zoning, natural features of and use of the surrounding property;

Analysis: The properties to the west, east, and south of the subject property are commercial and are also zoned B-1. There is a residential neighborhood immediately north of the property, which is zoned R-6 and requires a more intense landscaping buffer.

5. Hardship. Whether the need for the waiver is the result of a self-imposed hardship.

Analysis: There is a dedicated drainage easement / retention pond on the east side of the property, which reduces the area available for landscaping and trees. The number of spaces in the parking

area would have to be further reduced if the interior VUA landscaping requirement is enforced. However, if the applicant decreased the size of the proposed building, minimum requirements could be met.

- (C) The City Council, or Community Redevelopment Agency, as applicable, may approve, approve with conditions, or deny the waiver based on the standards set forth above. The granting of any waiver may be subject to appropriate conditions and safeguards in conformity with this Section, and may include a requirement that the developer install additional buffering in order to reduce or eliminate the adverse impact of the proposed use upon the adjacent uses and to the neighborhood.

The type of conditions that may be applied to waivers of Section 18-1533.21, "Alternative Landscape Requirements for Lots Located in the Community Redevelopment Area", include, but are not limited to providing for some amount of landscape upgrading, which may include tree(s) in architectural planters, installation of trellises, installation of hanging baskets with living plants, or a combination of these.

Where the City Council, or Community Redevelopment Agency, as appropriate, approves or approves with conditions a waiver of Landcaping requirements pursuant to this Section, a cash payment shall be deposited into the Tree Bank account equal to the cost of materials (plants, soil amendments, ground anchors etc.) and installation (labor) that would be borne by the developer/contractor for establishing the buffer requested to be waived. In this case, the developer shall provide to the Zoning Division a schedule of the itemized cost of materials and labor required to install the buffer that is the subject of the requested waiver. Said schedule shall be signed and sealed by a professional engineer, architect, landscape architect or certified/licensed arborist.

Violation of such conditions and safeguards, when made a part of the terms under which the waiver is approved, shall be deemed a violation of this Article.

- (D) EXPIRATION. Approval of a waiver as required by this Section shall expire and be void one (1) year after the date of such approval unless (i) a valid building permit(s) for construction is then in effect, or (ii) occupancy has not been lawfully established on the site. Additionally, the applicant must complete all landscape conditions as required by the City Council or Community Redevelopment Agency within one (1) year of the date of approval or prior to the issuance of a final certificate of occupancy, whichever occurs first.

## **V. ANALYSIS OF CRA PLAN CRITERIA**

The subject property is located in the MXD-2 (Mixed Use) District of the Community Redevelopment Area (CRA). The following Objectives and Policies of the CRA Plan are relevant to the proposed development.

Objective: Organize a development pattern that allows a mixture of uses.

Policies: The LDC shall provide for mixed use development. Existing strip commercial use shall be encouraged to redevelop with a mixture of uses including high density residential and office uses.

Analysis: The proposed development follows the existing strip commercial use pattern and does not encourage a mixture of uses.

Objective: Emphasize and reinforce the concept of "Park" through public and private landscaping.

Policies: The City shall establish a common streetscape theme for the major roadways and activity centers within the Downtown. New developments shall provide public open space which contributes to the pedestrian environment and enhances the overall character of the Downtown.

Analysis: The proposed development would not meet minimum landscaping requirements, nor would it contribute to a pedestrian friendly environment.

Objective: Establish a setting for various types of retail.

Policies: Retailers shall be encouraged to relocate businesses to the activity centers away from the strip shopping areas.

Analysis: The proposed development would add to the strip shopping area.

## VI. MOTION

After a review of case number BOA 2018-33, the variance criteria established in Section 18-1537 of the Land Development Code, the landscaping waiver criteria in Section 18-1533.22, and the corresponding analyses in the staff report, I move to (Approve/Deny) the variance with a waiver to landscaping requirements subject to the following conditions:

1. The variance is for a reduction in the number of parking spaces from 20 to 16 only.
2. The landscaping waiver applies only to the buffer on the east side of the property and the interior vehicular use area landscaping.
3. The property owner must deposit a payment into the City's Tree Bank account equal to the materials and installation cost of the required landscaping to be waived.



Parcel # 29-30-16-71082-076-0070

Legend

- Centerlines
- Zoning Borders
- General Commercial - B-1
  - Heavy Commercial - CH
  - Commercial Neighborhood - CN
  - Commercial Planned Unit Development - CI
  - Farm - F
  - General Office - GO
  - Heavy Industrial - IH
  - Industrial Planned Unit Development - IPUC
  - Light Industrial - M-1
  - Residential / Office / Retail - ROR
  - Mixed Use Development - MXD
  - Mixed Unit Development - MXD-2
  - Open Space - O/S
  - Public - P
  - Preservation - PRES.
  - Single Family Residential - R-1
  - Single Family Residential - R-2
  - Single Family Residential - R-3
  - Duplex Residential - R-4
  - Multifamily Residential - R-5
  - Multifamily Residential/Commercial - R-6
  - Single Family Residential Estate - R-E
  - Residential Planned Unit Development - RP
  - Rural Residential - RR
  - Mobile Home Subdivision - T-1
  - Mobile Home Park - T-2
  - Town Center - TC
- Zoning Overlay District
- Commercial Planned Unit Development - CI
  - Industrial Planned Unit Development - IPUC
  - Residential Planned Unit Development - RP
- Parcel Lines



188.1 0 94.04 188.1 Feet

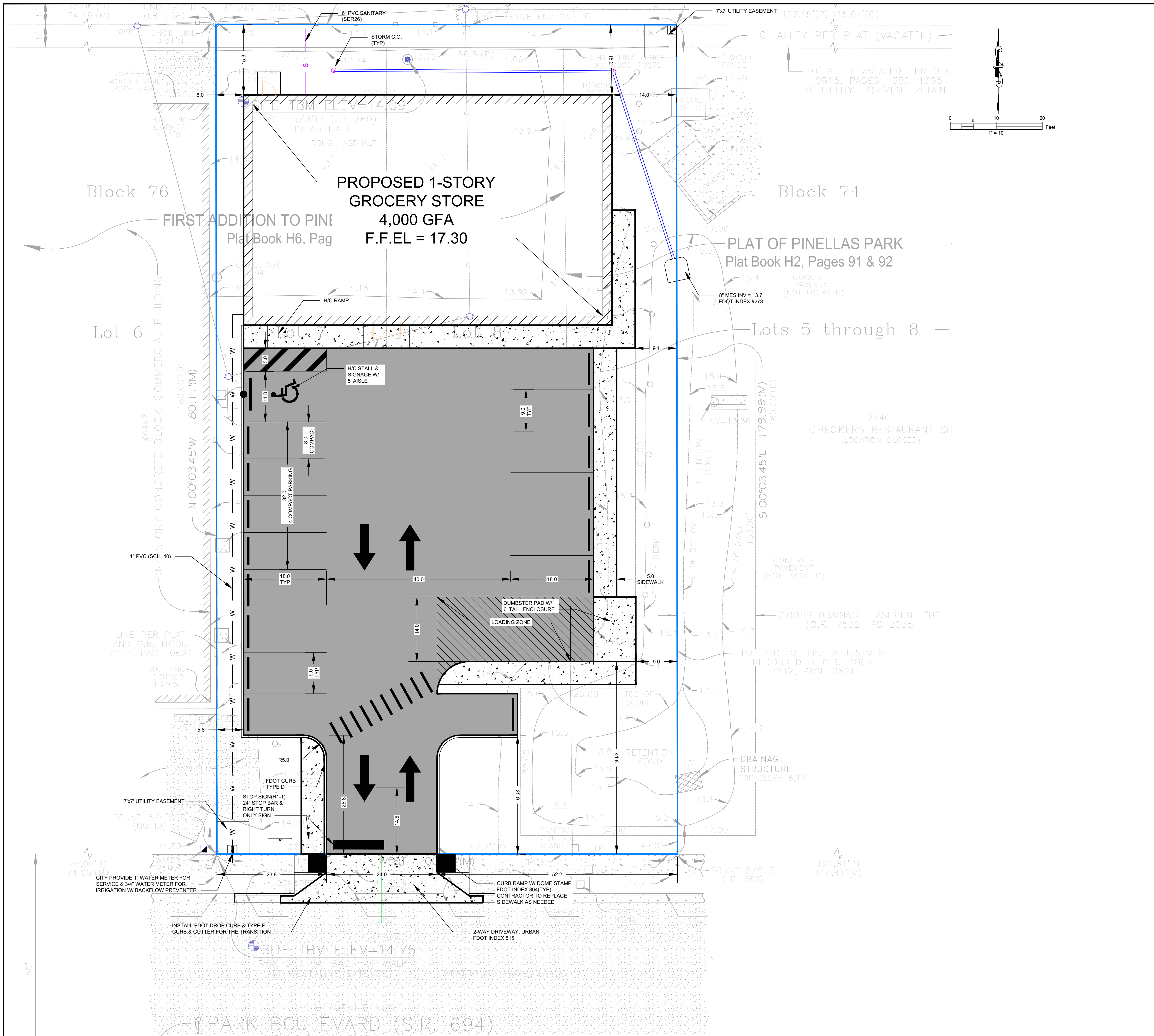
1:2,257

Notes:



WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere





### SITE CONDITION

#### PROJECT DATA

FOLIO ID	29-30-16-71082-076-0070
Total Site Area	± 0.41 AC (18,000 SF)
Existing Condition	Vacant
Existing Impervious Area	± 4,100 SF
Existing Building Area	± 0 SF
Existing Green Area	± 13,900 SF

#### FEMA INFO

FLOOD ZONE	X
BASE FLOOD ELEVATION	N/A
TOPO DATUM	N/A
FEMA PANEL NO.	12103C0203H
BASIN NAME	N/A
FLOODPLAIN MITIGATION	N/A

#### ZONING REQUIREMENT

	REQUIRED	PROPOSED
Zoning	B-1	Grocery Store
Lot Requirement		
1. Lot Area	15,000 SF	18,005 SF
2. Lot Width	100 FT	100 FT
3. Lot Depth	150 FT	179 FT
4. Lot Coverage	75%	67%
Parking Requirement		
1. Interior Green Space	540 SF (8% VUA)	570 SF
2. Parking Spaces	20 (1 HC)	16 (1 HC) for Var
2.a. Retail Grocery	4,000 SF x 1 / 200 SF	= 20
3. Min. Stacking Area	25 FT	25.8 FT
Building Requirement		
1. Floor / Area Ratio	.45	.22
2. Building Coverage	.45	.22
3. Building Height	50 FT	20 FT
Setback Requirement		
1. Front - South (Park Blvd)	20 FT	114 FT
2. Side - East & West	5 FT	13 FT (E) - 6 FT (W)
3. Rear - North	15 FT	15 FT

#### GENERAL NOTES

- ALL CONSTRUCTION SHALL COMPLY WITH VARIOUS GOVERNMENTAL AGENCY(IES) STANDARDS FOR DESIGN AND CONSTRUCTION SPECIFICATIONS, LATEST EDITION.
- ALL ON-SITE WATER AND SEWER FACILITIES SHALL BE OWNED AND MAINTAINED BY THE OWNER.
- ALL PROPOSED SIGNS MUST BE APPLIED FOR, APPROVED, AND PERMITTED ON AN INDIVIDUAL BASIS APART FROM ANY ULTIMATELY-APPROVED SITE PLAN. APPROVED OF THIS SITE PLAN DOES NOT CONSTITUTE APPROVAL OF ANY SIGNAGE.
- HANDICAP PARKING SPACES WILL BE PROPERLY SIGNED AND STRIPED IN ACCORDANCE WITH FLORIDA STATUTE 316, THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES AND FDOT STANDARDS.
- ALL ON-SITE PARKING SPACES WILL BE STRIPED AND SIGNED IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES. PARKING SPACES, DIRECTIONAL ARROWS AND STOP BARS SHALL BE STRIPED IN WHITE PAINT. IT SHALL BE THE OWNER/DEVELOPERS RESPONSIBILITY TO PROPERLY SIGN AND STRIPE THE SITE IN ACCORDANCE WITH APPLICABLE STANDARDS.
- THE OWNER/DEVELOPER ACKNOWLEDGES THAT THIS APPROVAL DOES NOT INCLUDE ANY WORK IN CITY & FDOT RIGHT-OF-WAY. ALL RIGHT OF WAY WORK SHALL BE A FUNCTION OF AN APPROVED OF CITY & FDOT ROW USE PERMIT.
- ALL CLEAR-SITE AREAS SHALL BE KEPT FREE OF ANY SIGNAGE, PLANTINGS, TREES, ETC. IN EXCESS OF THREE-AND-A-HALF (3-1/2) FEET IN HEIGHT. NO IRRIGATION SYSTEM OR LANDSCAPING SHALL BE INSTALLED IN ANY RIGHT-OF-WAY AREA WITHOUT ISSUANCE OF APPROPRIATE RIGHT-OF-WAY USE PERMIT.
- ALL STRUCTURES, INCLUDING BUFFER WALLS, RETAINING WALLS, SIGNAGE, ETC. REQUIRE SEPARATE BUILDING PERMITS.
- ELEVATIONS SHOWN HEREON REFER TO NAVD.
- LOCATIONS, ELEVATIONS, AND DIMENSIONS OF EXISTING UTILITIES, STRUCTURES AND OTHER FEATURES ARE SHOWN ACCORDING TO THE BEST INFORMATION AVAILABLE AT TIME OF PREPARATION OF THESE PLANS. THE CONTRACTOR SHALL VERIFY THE LOCATIONS, ELEVATIONS, AND DIMENSIONS OF ALL EXISTING UTILITIES, STRUCTURES AND OTHER FEATURES AFFECTING THIS WORK PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL CHECK PLANS FOR CONFLICTS AND DISCREPANCIES PRIOR TO CONSTRUCTION & SHALL NOTIFY THE ENGINEER OF ANY CONFLICT BEFORE PERFORMING ANY WORK IN THE AFFECTED AREA.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO BECOME FAMILIAR WITH THE PERMIT AND INSPECTION REQUIREMENTS SPECIFIED BY THE VARIOUS GOVERNMENTAL AGENCIES AND THE ENGINEER. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION AND SCHEDULE INSPECTION ACCORDING TO AGENCY INSTRUCTIONS. THE CONTRACTOR SHALL NOTIFY THE APPROPRIATE PUBLIC AGENCY(IES) PRIOR TO COMMENCING WORK WITHIN THEIR JURISDICTION(S).
- IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ESTABLISH IN THE FIELD RIGHT-OF-WAY LINES, BENCHMARKS, COORDINATES, CENTER LINES AND STATIONING AS REQUIRED FOR CONSTRUCTION.
- THE CONTRACTOR SHALL PROVIDE M.O.T. AS PER FDOT STANDARD INDEX NOS. 600
- THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY DAMAGE TO EXISTING FACILITIES, ABOVE OR BELOW GROUND, THAT MAY OCCUR AS A RESULT OF THE WORK PERFORMED BY THE CONTRACTOR.
- ALL WORKMANSHIP AND MATERIALS USED IN THE CONSTRUCTION OF THIS PROJECT SHALL CONFORM TO FDOT'S "STANDARD SPECIFICATIONS FOR ROADWORK AND BRIDGE CONSTRUCTION", AND STANDARDS OF VARIOUS AGENCIES, UNLESS OTHERWISE INDICATED.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR FURNISHING ALL FIELD AND ACTUAL INFORMATION TO THE ENGINEER FOR THE PREPARATION OF RECORD DRAWINGS. A MARK-UP "IN RED" SET OF PLANS SHALL BE AVAILABLE AT ALL TIME AT THE CONSTRUCTION SITE. FINAL FIELD CONDITIONS SHALL BE SURVEYED BY A LICENSE SURVEYOR. A CERTIFIED AS-BUILT SURVEYS SHALL BE FURNISHED TO THE ENGINEER AFTER THE FINAL INSPECTION.

#### PROPOSED LEGEND

- FLOW DIRECTION
- DIRECTION OF FLOW IN CULVERT
- CONCRETE
- ASPHALT

KN DESIGN & CONSTRUCTION  
1720 44th Terrace N  
Tampa, FL 33609  
Phone: (727) 657-8337  
Email: khang.nguyen@knengineering.com

**CIVIL ENGINEER**

Activity

Designed by: KN

Drawn by: KN

Checked by: LA

Approved by: LA

Scale:

Start Date: APR 2018

Job No. N/A

File:

Revision - Description

No.

Date

PARK BLVD  
LAND DEVELOPMENT  
PINELLAS PARK, FL 33781

Sheet No.



*City of Pinellas Park, Florida*  
**APPLICATION FOR BOARD OF ADJUSTMENT**

**FOR OFFICE USE ONLY**

CASE # BOA 2018-33 BOA MEETING: ~~10/23/18~~ CRA MEETING: 10/23/18  
PLAT SHEET: A-4 RELATED CASES: \_\_\_\_\_ DATE RECEIVED: 9/16/18  
ZONING DISTRICT: B-1 LAND USE DESIGNATION: CRD RECEIPT NUMBER: 243177

**REQUEST AND PROPERTY INFORMATION**

REQUEST: To reduce the number of required parking from 20 to 16 spaces.

Parcel # 29-30-16-71082-076-0070  
GENERAL LOCATION OF PROPERTY OR ADDRESS: 6543 Park Boulevard., Pinellas Park, FL 33781  
(0 Park Blvd - property does not yet have an address)

PROPERTY SIZE (Acreage / Square Feet): 0.41 acre/ 18,800 square feet

CURRENT USE, NUMBER AND TYPE OF BUILDINGS: Vacant land

PARCEL NUMBER(S): 29-30-16-71082-076-0070

LEGAL DESCRIPTION: LOT \_\_\_\_\_, BLOCK \_\_\_\_\_, SUBDIVISION \_\_\_\_\_

OR METES AND BOUNDS DESCRIPTION (attach if lengthy):

PINELLAS PARK 1ST ADD BLK 76, LOTS 7 & 8 & S 1/2 OF VAC ALLEY TO N TOGETHER WITH W 14FT(S)  
OF LOT 5 & S 1/2 OF VAC ALLEY ADJ ON N IN BLK 74 OF PINELLAS PARK SUB

**OWNER/APPLICANT INFORMATION - PLEASE PRINT CLEARLY**

PROPERTY OWNER: Tuan Pham PHONE: ( 727 ) 437-9413

ADDRESS/CITY/ZIP: 16020 49th St. N, Clearwater, FL 33762 ATTN: \_\_\_\_\_

(PLEASE PROVIDE CONTACT NAME)

AUTHORIZED AGENT: Lan-Anh Nguyen PHONE: ( 727 ) 688-5632

ADDRESS/CITY/ZIP: 4801 48th Ave. N, St. Petersburg, FL 33714

OTHER REPRESENTATIVE: \_\_\_\_\_ PHONE: ( \_\_\_\_\_ ) \_\_\_\_\_

ADDRESS/CITY/ZIP: \_\_\_\_\_

THE APPLICANT BELIEVES THAT BOARD OF ADJUSTMENT SHOULD GRANT THIS REQUEST BECAUSE:

The design has called for 16 parking spaces for the proposed building.

The proposed site plan has taken all requirements into consideration and with the efforts trying to meet the standard codes as much as possible, this option is the best option for the site.

VARIANCE: A variance from the terms of the Zoning Code shall not be granted until the applicant can justify the need for a variance by providing responses to the following criteria:

1. Describe the special conditions and circumstances that exist which are peculiar to the land, structure or building involved and are not applicable to other lands, buildings or structures in the same Zoning District.

Although this is a new design, different alternatives were weighted to come to this design which does not compromise the safety of the public while meeting most of the standard requirements. Similar to many existing building along Park Blvd., parking requirement is a challenge to be in compliance with, and requesting a variance is the option that they can take.

2. Why would the literal interpretation of the provisions of the Zoning Code deprive you of rights commonly enjoyed by other properties in the same Zoning District under terms of the Code?

With the zoning of the property being Commercial, the owner's intent when purchased the property is to build the grocery store, which is allowed by the Codes. The proposed design is the best option that meets the intention. It would be a loss if it can not be granted due to a minor short coming of the Codes.

3. Explain how the special conditions or circumstances of this case do not result from actions of the applicant.

This is a brand new proposal of building and site plan. However, there are so many other requirements need to be met, and there is the owner's need to make the venture worthwhile. We believe the proposed request is the best option.

4. Will granting the variance requested confer on the applicant any special privilege that is denied by the Zoning Code to other lands, structures or buildings in the same Zoning District.

Granting the variance request will not confer on the applicant any special privilege that the Zoning Code would deny to other lands, structure or building in the same Zoning District. In fact, it will be consistent with other properties in the vicinity of the property.



5. Will this be the minimum variance that will make possible the reasonable use of the land, building or structure if granted?

Yes, this will be the minimum variance that makes possible the reasonable use of the property if granted.

6. How will the granting of the variance be in harmony with the general purpose and intent of the Zoning Code, not be injurious to the neighborhood, or be detrimental to the public welfare?

With the proposed use of the property being one of the allowable uses of the Zoning Code, it appears to be in harmony with the general purpose and intent of the Zoning Code.

**AFFIDAVIT OF OWNERSHIP**

STATE OF FLORIDA - COUNTY OF PINELLAS:

NAME OF ALL PROPERTY OWNERS, being first duly sworn, depose(s) and say(s):

Tommy Pham

1. That (I am/we are) the owner(s) and record title holder(s) of the following described property, to wit:

ADDRESS OR GENERAL LOCATION:

Parcel No.: 29-30-16-71082-076-0070 Address: 6435 Park Blvd.

LEGAL DESCRIPTION OF PROPERTY. Type legal directly on this sheet. If too lengthy, type on separate sheet titled "Exhibit A" and attach:  
PINELLAS PARK 1ST ADD BLK 76, LOTS 7 & 8 & S 1/2 OF VAC ALLEY TO N TOGETHER WITH W 14FT(S)  
OF LOT 5 & S 1/2 OF VAC ALLEY ADJ ON N IN BLK 74 OF PINELLAS PARK SUB

2. That this property constitutes the property for which an application is being made to the City of Pinellas Park, Florida (NATURE OF REQUEST):

Allow for less number of parking spaces than required.

3. That the undersigned (has/have) appointed and (does/do) appoint Lan-Anh Nguyen as (his/their) agent(s) to execute any petitions or other documents necessary to affect such application.

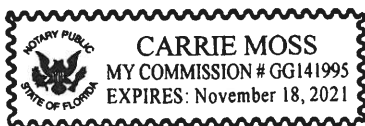
4. That this affidavit has been executed to induce the City of Pinellas Park, Florida, to consider and act on the above described property; to include City representatives to enter upon property to make inspections as are necessary to visualize site conditions and/or determine compatibility.

*Tommy Pham*

SIGNED (PROPERTY OWNER)

SIGNED (PROPERTY OWNER)

STATE OF FLORIDA  
COUNTY OF PINELLAS



(SEAL ABOVE)

The foregoing instrument was acknowledged before me this September 28, 2018  
(Date)

By Tommy Quochan Pham  
(Name of person acknowledging and title of position)

who is personally known to me or who has produced FLORIDA DRIVERS LICENSE  
(Type of identification)

as identification and who did (did not) take an oath.

Carrie Moss Notary Public, Commission No. GG141995

CARRIE MOSS Name of Notary typed, printed or stamped)



# City of Pinellas Park

## Staff Report

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**File #:** 18-669, **Version:** 1

**Agenda Date:** 12/11/2018

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### **PINELLAS PARK CRA PLAN UPDATE, EXTENSION & EXPANSION STATUS REPORT**

NOTE: John Jones of S&ME, Inc. will be present to provide an update.

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