



Calvin, Giordano & Associates, Inc.
A **SAFEbuilt** COMPANY

MEMORANDUM

TO: Special Magistrate for
the Town of Belleair

FROM: Calvin, Giordano & Associates, Inc. *Y.N.S.*
Luis N. Serna, AICP. Planning Director, Tampa Bay
Christopher Bernabe, Planner. Clearwater

SUBJECT: Variance Request – 103 Manatee Rd
Parcel No. 29-29-15-03384-000-0060

DATE: October 30, 2025

Meeting Date: December 3, 2025

Property Owners/Applicants: George Greco, Trustee of the 103 Manatee Trust

This request is for a variance from the minimum side setback requirement of Section 74-84 of the Land Development Code. The subject property is zoned RE (Residential Estate).

Section 74-84 (Schedule of Dimensional Regulations) establishes the following setbacks for the RE zoning district:

Front: 25 feet.

Side: 7.5 feet.

Rear: 25 feet or 20 percent of lot depth, whichever is less.

The applicant is proposing the construction of a 245 square foot addition to the existing garage 7' 2-7/8" from the side property line, requiring a 3-1/8" variance to the side setback standard of the RE zoning district. The existing structure, built in 1955, and was constructed so that it is not exactly parallel to the side property line. It was built at a 0.32-degree angle to the property line, causing the existing structure to encroach into the setback by 2-1/4" at the northwest corner of the building.

The addition to the garage is proposed to be located along the existing building line (it will not extend beyond the existing side face of the structure). However, due to the slight angle of 0.32 degrees, the proposed addition will encroach

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slightly further into the western side setback, increasing the existing encroachment of 2- $\frac{1}{4}$ " to 3- $\frac{1}{8}$ ". Please refer to the applicant's survey for additional details regarding the proposed locations of the addition to the garage. The applicants have noted in the variance application that the existing house was constructed on the property prior to the current setback standards.

Review Criteria [Section 66-253(b)(1)(a)] and Findings

Before granting any variance the town commission or special magistrate shall determine that:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure, or buildings involved.**

The existing house on this property was constructed in 1955, before the adoption of setback standards for the Town of Bellair. It currently has 2- $\frac{1}{4}$ " encroachment into the western side setback caused by the 0.32-degree angle at which it was constructed from the property line.

- (2) The special conditions and circumstances do not result from actions of the applicant.**

The location and layout of the house on the property are not the result of actions by the current owners and applicants who purchased the property in 2025.

- (3) Literal interpretation of the provisions of the Code would work unnecessary and undue hardship on the applicant.**

The literal application of the side setback would prevent the applicant from constructing parallel to the existing building line which would result in a non-standard building design potentially preventing an addition that would be in keeping with the character of the neighborhood.

- (4) The variance, if granted, is the minimum variance that will make possible the reasonable use of the land, structure, or building.**



The requested 3-1/8" variance is a 3.5 percent variance to the required setback and is the minimum necessary to accommodate the proposed addition to the existing garage along the existing side building line.

- (5) **A grant of variance will be in harmony with the general intent and purpose of the Code, and that such variance will not be injurious to the zoning district involved or otherwise detrimental to the public interest.**

The proposed addition to the garage does not move the building line further into the western side setback, but rather builds along the existing building line. Granting of the variance would have minimal impacts on surrounding properties and would be in harmony with the general intent and purpose of the Town's Land Development Code to foster and preserve public health, safety, comfort, and welfare.

- (6) **A grant of variance will not result in any land use not specifically provided for the schedule of district regulations (Section 74-84) of the Code) for the zoning district in which the property is located.**

The proposed side yard setback variance would not result in any land uses that are not currently permitted in the RE (Residential Estate) zoning district in which the subject property is located.

RECOMMENDATION

Based on our review of the above criteria, we recommend **approval** of the requested 3-1/8" variance from the 7.5-foot rear setback standard of the RE zoning district of Section 74-84 of the Land Development Code, subject to the following condition:

The development permitted by this variance will be generally consistent with the site plan submitted with this variance application.



Site Aerial

