



**TOWN OF BELLEAIR
BUILDING DEPARTMENT
901 Ponce de Leon Blvd.
Belleair, Florida 33756-1096
Phone: (727) 588-3769 ext. 215
Fax: (727) 588-3768**

MEMORANDUM

DATE: February 19, 2021
TO: Mayor and Commissioners
FROM: J.P. Murphy, Town Manager
SUBJECT: Request for Variance –
Parcel No. 28-29-15-06732-041-0280

Property Owner: Melissa Hoglund
628 Pineland Ave
Belleair, Florida 33756

The following information is regarding the above referenced variance request.

- I. Existing conditions of land and structure(s):
 - A. Zoning designations: R-1 Single Family Residential
 - B. Original Construction date:
 - 1957
 - C. Structural and other improvements to date:
 - 2021-Interior renovation
 - D. Existing Easements: None shown on plans

II. Proposed request:

The applicant is requesting a variance, which would allow for the construction of a proposed garage addition. The addition would encroach into the required minimum 25 foot front yard setback by approximately 20 feet 2 inches, resulting in 4 foot 8 inch front yard setback. Please see site plan.



TOWN OF BELLEAIR

901 Ponce de Leon Blvd.
Belleair, Florida 33756-1096
Phone: (727) 588-3769 ext. 215
Fax: (727) 588-3768

RECEIVED
BELLAIR BLDG. DEPT.
FEB 19 2021

TIME REC. _____

DATE 2/18/2021

To the Town Commission of the Town of Belleair, Florida

1. The undersigned, Melissa Hoglund, owner of Lot 28 and 29 Block 41, Subdivision Belleair Estates, property Commission of the Town of Belleair for a variance on the above-described property.
2. The property is presently zoned residential.
3. The present land use on the property is residential.
4. The decision involves Article II Section 74-113 of the Belleair Land Development Code.
5. The Commissions power arises under Article V, Section 66.253 of the Belleair Land Development Code.
6. The Relief prayed by the applicant is: ability to construct new garage within building setbacks. existing driveway to be reoriented for safety reasons.
7. The Justification for the request is (requests for the variances must demonstrate the practical difficulty or unnecessary hardship which justifies the variance): unsafe condition with proximity of driveway to intersection of Pineland and Mehlenbacher. layout will create home in-line with overall character of the neighborhood. shape of lot creates unnecessary hardship for new structure.
8. Attached is a non-refundable fee to defray expenses incurred by the Town of Belleair in processing this application. (** Note: All costs incurred by the Town of Belleair, above and beyond the variance application fee, will be the responsibility of the applicant regardless of approval or denial of the request**)
9. I am aware that this request will be voided should I or my representative fail to appear at the public hearings scheduled to consider this request.
10. I am aware that any variance that may be granted will automatically expire twelve months after approval by the Town Commission unless a building permit id produced from the Town with respect to the improvements contemplated by this application for variance within said twelve month period unless the construction of said improvements is promptly commenced pursuant to the building permit and diligently pursued to completion thereafter.

FEE: \$300.00

Paid: _____

Melissa Hoglund
 Owner
628 Pineland Avenue
 Address
407.493.3469
 Telephone Number



BELLEAIR BUILDING DEPARTMENT
901 PONCE DE LEON BLVD.
BELLEAIR, FL 33756
(727) 588-3775
WWW.TOWNOFBELLAIR.COM/BUILDING

VARIANCE APPLICATION CHECK-OFF SHEET

Application shall be fully completed and must include the following information

Owner's Name: Melissa Hoglund
Owner's Mailing Address: 628 Pineland Avenue
Property Address: 628 Pineland Avenue
Phone Number: 407.493.3469
Representative's Name (if any): none
Representative's Address (if any): NA
Representative's Phone Number (if any): NA
Date of Original Construction: 1957
Impervious Cover: proposed addition of 484 sq ft
Flood Zone and Elevation: X

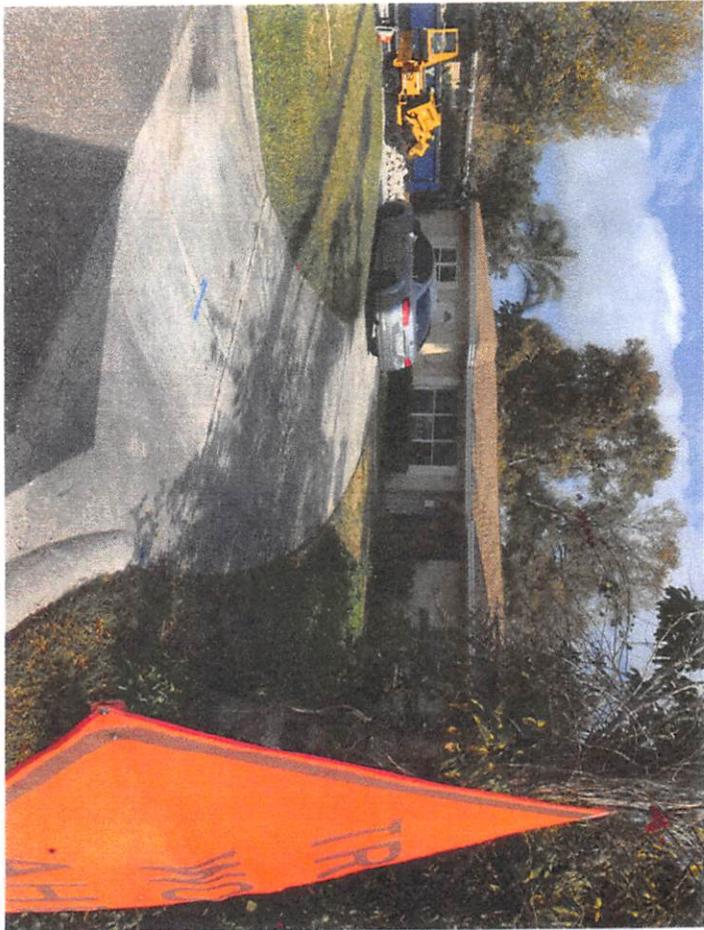
REQUIRED INFORMATION - PROVIDE (10) COPIES EACH

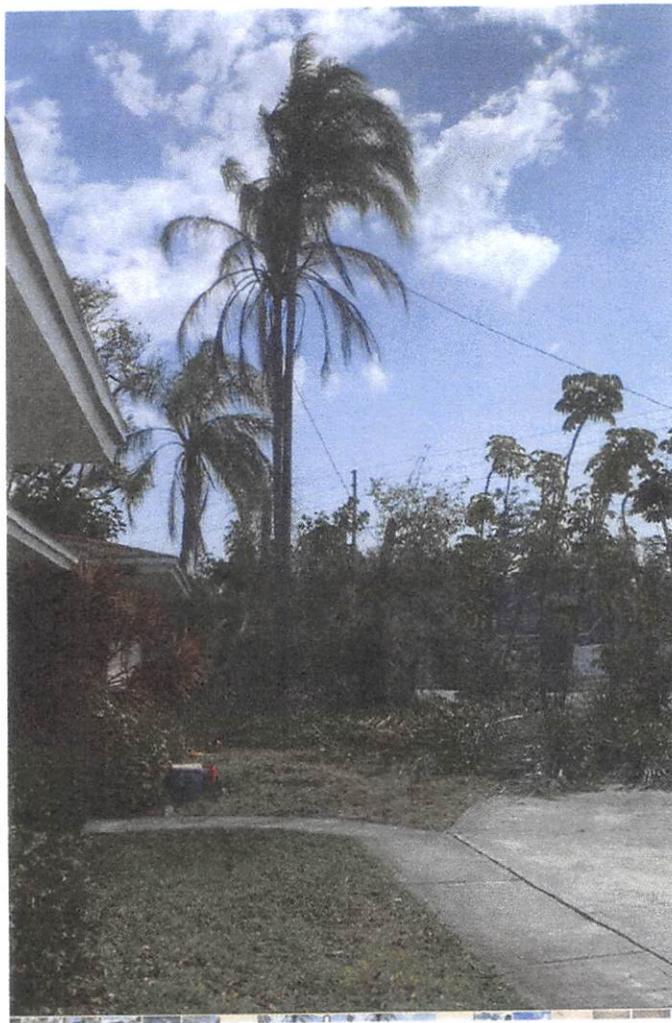
- Plans/Specs/Product Brochure
Photos of the area (straight/right angle/left angle)
Survey with setbacks shown
Site plan with setbacks shown

TOWN REVIEW

ZONING PUB.WK FIRE BULD. MRG.
Date Sent:
Date Returned:







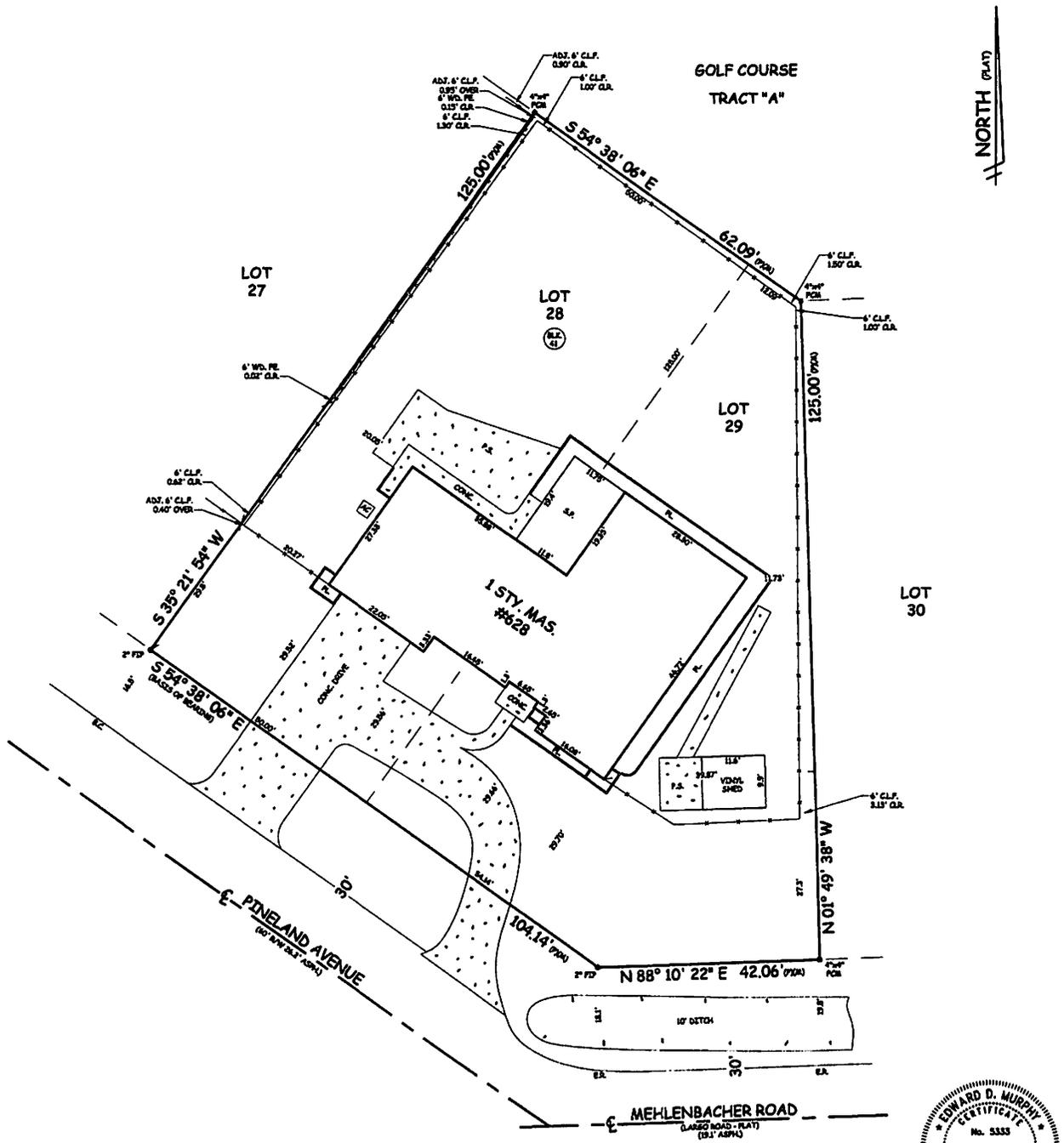
JOB NO.: 202173
 DRAWN BY: MRB
 CHECKED BY: EDM
 DATE OF FIELD WORK: 1/08/2021

MURPHY'S LAND SURVEYING, INC.
 PROFESSIONAL LAND SURVEYORS
 5760 11TH AVENUE NORTH
 ST. PETERSBURG, FLORIDA 33710
 WWW.MURPHYSLANDSURVEYING.COM

L.B. #7410
 PH. (727) 347-8740
 FAX (727) 344-4840

CERTIFIED TO: Melissa Hoglund
 PNC Bank, N.A.
 Fidelity National Title of Florida, Inc.
 Fidelity National Title Insurance Company

SCALE: 1" = 20' Survey not valid for more than one (1) year from date of field work. SEC. 28 TWP. 29 S. RGE. 15 E.



A BOUNDARY SURVEY OF: Lots 28 and 29, Block 41, BELLEAIR ESTATES, as recorded in Plat Book 18, Pages 52 - 57 of the Public Records of Pinellas County, Florida.

According to the maps prepared by the U.S. Department of Homeland Security, this property appears to be located in Flood zone: X Comm. Panel No.: 125088 0116 H Map Date: 5/17/05 Base Flood Elev.: NA

FOR THE EXCLUSIVE USE OF THE PERSON PARTY(ES), I HEREBY CERTIFY TO ITS ACCURACY (EXCEPT SUCH BASEMENTS, IF ANY, THAT MAY BE LOCATED BELOW THE SURFACE OF THE LANDS, OR ON THE SURFACE OF THE LANDS AND NOT VISIBLE, AND THAT THE SURVEY REPRESENTED HEREON MEETS THE MINIMUM REQUIREMENTS OF CHAPTER 81-71, FLORIDA ADMINISTRATIVE CODE TO THE BEST OF MY KNOWLEDGE AND BELIEF. UNDERGROUND FOUNDATIONS AND/OR APPURTENANCES, IF ANY, ARE NOT SHOWN AND OTHER RESTRICTIONS AFFECTING THIS PROPERTY MAY BE SET IN THE PUBLIC RECORDS OF THIS COUNTY. THIS SURVEY HAS BEEN DONE WITHOUT THE BENEFIT OF REVIEWING A CURRENT TITLE SEARCH. SURVEY NOT VALID FOR MORE THAN ONE YEAR FROM DATE OF FIELD WORK AND NOT VALID UNLESS EMBOSSED WITH SURVEYOR'S SEAL, BEARINGS SHOWN ARE BASED ON PLAT, UNLESS OTHERWISE NOTED.

Edward D. Murphy
 EDWARD D. MURPHY REG. P.L.S. # 5555

LEGEND: F.I.P. - FOUND IRON PIPE F.C.M. - FOUND CONCRETE MONUMENT F.I.R. - FOUND IRON ROD S.I.R. - SET IRON ROD 1/2" LB #7410 P.C.C. - POINT OF CURVATURE P.C.C. - POINT OF COMPOUND CURVATURE F.M.F.L. - FINISHED FLOOR ELEVATION P.M.M. - PERMANENT REFERENCE MONUMENT N.A.V.D. - NORTH AMERICAN VERTICAL DATUM OF 1989	P.D. - POUND NAIL AND DISK P.O.L. - POINT ON LINE P.C. - POINT OF CURVATURE P.T. - POINT OF TANGENCY P.I. - POINT OF INTERSECTION C.C.M. - CHAIN LINK FENCE C.L.F. - CHAIN LINK FENCE A.A.F. - ADJACENT FENCE ADL - ADJACENT	R. - RADIUS A. - ARC C. - CHORD D. - DELTA R.W. - RIGHT OF WAY S. - SEWER M.S. - MASONRY P.M. - FRAME G.I. - GRATE INLET C.B. - CATCH BASIN F.H. - FIRE HYDRANT	M.B. - METAL SHED A.L. - ALLIUM W.H. - WATER HEATER P.S. - PATIO STONE C.P. - CARPORT P.L. - PLANTER B.C. - BACK OF CURB S.P. - EDGE OF PAVEMENT E.R. - EDGE OF ROAD E.O.W. - EDGE OF WATER T.O.B. - TOP OF BANK	W.W. - WIND WALL G. - CENTERLINE R.W. - RIGHT OF WAY P. - PLAT C.C. - CALCULATION D. - DEED M. - MEASURED N. - NORTH S. - SOUTH E. - EAST W. - WEST	ESMT. - EASEMENT B.M. - BENCHMARK C.C. - CONCRETE C.L.R. - CLEAR C.C. - COLLUM W.D. - WOOD B.L.K. - BLOCK S.W. - SEAWALL A.S.P. - ASPHALT U.T.L. - UTILITY D.R. - DRAINAGE	O.H. - OVERHEAD GAR. - GARAGE C.W. - COVERED WOOD C.P.S. - COVERED PATIO STONE C.C. - COVERED CONCRETE A.C. - AIR CONDITIONER S.P. - SCREENED PORCH O.P. - OVERHEAD POWER LINES T.T. - OVERHEAD TELEPHONE LINES P.P. - POWER POLE L.P. - LIGHT POLE
---	--	---	--	---	--	--

TRACT "A"

LOT 27

LOT 28
BLK. 41

LOT 29

25' setback (typ)

proposed 22'x22' garage

1 STY MAS. #628

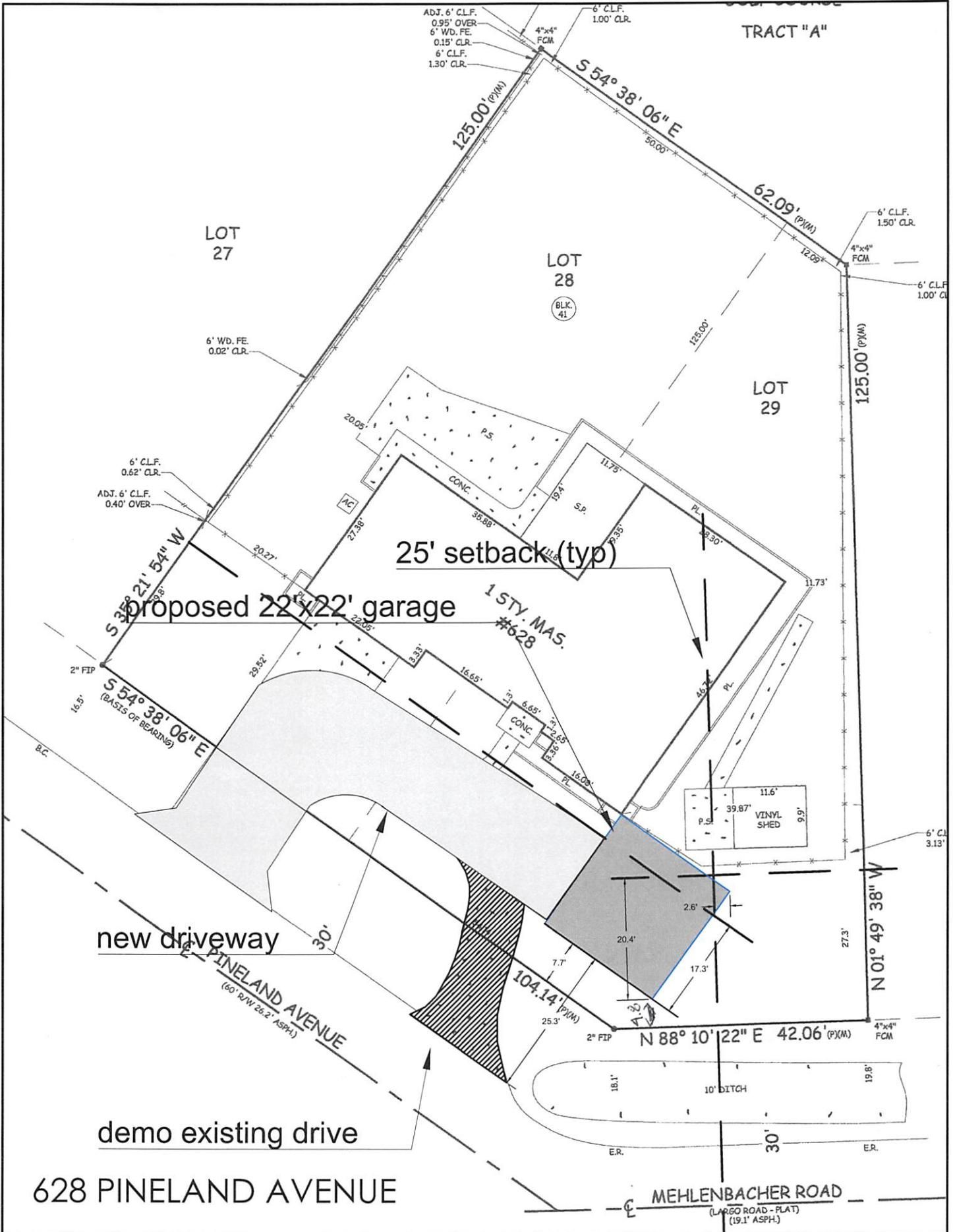
VINYL SHED

new driveway

demo existing drive

628 PINELAND AVENUE

MEHLENBACHER ROAD





February 19, 2021

Mr. Greg Lauda, Town Of Belleair

Mr. Lauda,

We have lived in this beautiful Town of Belleair since 1998. We absolutely love this Mayberry RFD community, it's government, it's residence, etc. It is always nice to see the town grow and proud that people moving into Belleair are putting money into enhancing their homes and the area.

Melissa Hoglund recently purchased the home at 628 Pineland Avenue, next door to ours at 624. She is already putting a lot of effort and money into making this a beautiful home. If you have not driven by, she is gutting the house, and starting all over. One of the first things she did, was clean up the overgrown yard. This property has been a rental since 2004. We have had nightmare tenants; and the owner did not care what the outside looked like, nor the tenants behavior. It has never looked like a property that belonged in Belleair. These initial improvements are genuine and well founded in Belleair principles.

I was approached by Melissa not long after she began renovations on the house. She asked if we would mind her moving the garage to the opposite end. I thought it was a brilliant idea. Her plans are to landscape and make the corner much safer.

The entire street of Pineland has been to several meetings to complain about the hazards of that corner. Traffic coming off Mehlenbacher onto Pineland does not slow down, and has nearly run us over many times. I believe allowing a garage on that end of the house would certainly be a huge Plus for her safety.

We are absolutely thrilled at the thought of Melissa doing anything to improve the house. Please grant the necessary permission to Ms Hoglund to keep "Belleair Beautiful".

Phillip Wyllie & Irene Rue Wyllie

Dear Mr. Lauda,

My name is Scott Wallace and I am the homeowner and resident of 632 Mehlenbacher Rd. I am writing on behalf of the Hoglund's at 628 Pineland in regards to their desire to add a garage to their property.

In the few weeks the Hoglund's have owned the property, they have made drastic improvements. They have cleared out plants in front and on the side of the property to help the views, and started to redo the interior. They are also working with me to extend our neighboring fence line and plant a more desirable beam that would be visible off Mehlenbacher. I have no doubts that everything they envision will help the property values and the visuals of our corner of Bellair! Adding a garage should not only help the Hoglund's but also all the properties around them. Thank you for your time!

Peace and blessings,

Scott Wallace

To whom it may concern

I understand that Melissa Hoglund who bought the property located at 628 Pineland, would like to build a garage on her property. Considering what the property used to look like I can only think this would be an improvement & should NOT be a problem with anyone.

Sincerely

Sharon Johnston

634 Mehlenbacher Road

Belleair, FL



Report Date: 4/8/2021

Planning & Zoning Hearing Date: April 13th 2021

Tentative Commission Hearing Date: April 21st, 2021

Parcel ID: 28/29/15/06732/041/0280

Parcel Address: 628 Pineland Ave

Applicant/Owner Name: Melissa Hoglund

Applicant Address: 628 Pineland Ave

Phone Number: 407-493-3469

Existing Conditions of Land and Structures

Current zoning: R-1

Improvements to date: Interior remodel in 2021

Easements: None shown on survey.

Proposed Request

Overview: The applicant is requesting a variance which would allow for a for the construction of a proposed garage addition. The addition would encroach into the required minimum 25-foot front yard setback by approximately 20 feet 2 inches, resulting in a 4-foot 8-inch front yard setback. Please see site plan

Staff Analysis

In order to approve a variance, the Commission is required to make six findings per Section 66-253 of the Town of Belleair Code of Ordinances. The findings are listed below along with the reasons staff finds the criteria are or are not met in this case.

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

Staff Finding: The applicant is requesting a variance to reduce the front setback from 25 feet to less than 4.6-foot setback. The applicant is suggesting that there is an unsafe condition of the existing driveway in relation to the intersection of Pineland Ave. and Mehlenbacher Rd. The

applicant is showing the same location of the existing driveway but just widening the drive and eliminating the circular part of the driveway. The existing driveway provides a safer situation where a car exiting the existing garage can back up into part of the circular drive and then provide for forward motion to exit property. The proposed layout by the applicant will force the vehicles to back out onto the street which is not safer.

Regardless of the driveway, staff needs to find special conditions or circumstance that are peculiar to the land, structure, or building. There are no special conditions that would warrant a variance to the front yard setback. This lot is considered a corner lot and the zoning regulations require a 25-foot front yard setback on all front yards.

The applicant also stated in part, "layout will create home in-line with overall character of the neighborhood". If you look at the aerial provided by staff, you will see that this proposed addition will not be in line with the homes on either Pineland Ave. or Mehlenbacher Rd. In fact, this proposed addition would be so out of character with the surrounding homes on both streets. Front yard setbacks are to provide a uniform visual open corridor along the street.

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

Staff Finding: There are not special conditions or circumstances.

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

Staff Finding: The applicant has alternatives with the driveway without building a garage addition in the front yard setback. If the applicant is needing a larger garage, the existing garage can be widened and added to the front and/or rear.

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

Staff Finding: The request is not reasonable use of the land when the applicant has alternatives with the driveway or existing garage.

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

Staff Finding: Granting of the variance would not be in harmony with the general intent and purpose of the code and would be otherwise a detriment to the public interest. Again, the general intent of requiring front yard setbacks is to provide a visual open corridor along the street.



6. *A grant of variance will not result in any land use not specifically provided for in the schedule of district regulations for the zoning district in which the property is located.*

Staff Finding: Garages are allowed as an accessory structure or use for single family homes.

Staff Recommendation

Since the applicant has not provided any information to meet the criteria as set forth in Section 66-253, staff recommends denial.

Proposed Motions and Conditions

Proposed Motion: Move to deny the variance for 628 Pineland.

Proposed Conditions: None

Staff Report prepared by Bruce Cooper, Building Official. *Bruce Cooper*