



Legislation Details (With Text)

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File created: 5/6/2021 **In control:** Planning & Zoning Board
On agenda: 5/10/2021 **Final action:** 5/10/2021
Title: Variance Request - 628 Pineland Ave

Sponsors:

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Attachments: 1. 628 Pineland REVISED, 2. 628 Pineland Map.pdf, 3. 628 Compact Card.pdf, 4. NTA - 628 Pineland, 5. Original Variance App 628 Pineland

Date	Ver.	Action By	Action	Result
5/10/2021	1	Planning & Zoning Board	adopted	Pass

Summary

To: Planning and Zoning Board

From: Town Staff

Date: 5/6/2021

Subject:

Variance Request - 628 Pineland Ave

Summary:

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 17' feet, resulting in an 8' foot front yard setback. As a result of Pinellas County's Mehlenbacher Rd project, there will be 49' feet from the back of curb to the garage. Revised site plan is included in application materials.

The proposed Mehlenbacher Road project by Pinellas County will reorient the intersection in front of this home to make Pineland intersect with Mehlenbacher at a 90 degree angle. As a result, the curb line created by the reorientation will bulb out by an estimated 25 additional feet from the property line. The creation of this curb line is also proposed to eliminate the southerly drive entrance, essentially reducing the utility of the circular drive. The changes proposed by the applicant would adequately address the burdens placed on the site by the removal of the southerly drive aisle.

It would appear that proposed single car placement on the north side would not be feasible due to placement of utilities and a very large oak tree, which the code would seek to preserve.

The staff report previously indicated that there was an existing garage, which there was not, the single car garage was converted to finished, conditioned floor space in 2004 and had been used as such since then. The 2021 remodel removed the additional exterior entry door among other interior improvements.

Previous Commission Action: N/A

Background/Problem Discussion: ORIGINAL REQUEST: 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. Site plan is included in application materials.

The board continued the item to May 10th to allow applicant time to submit revisions to plan. The Town Commission continued the item at their April 20th meeting to allow time for Planning and Zoning Board recommendation.

Expenditure Challenges N/A

Financial Implications: N/A

Recommendation: Where the original application sought relief for safety reasons, the unique changes to ingress and egress of the property combined with the placement of the home, in addition to safety concerns, create a situation that the board may find creates an undue hardship. The applicant did evaluate several options proposed and ultimately did choose to amend their application by locating the proposed structure further to the north on the lot. The proposed site layout provided by the applicant is significantly similar to layouts of other homes on Pineland. Due to the additional greenspace added to the southwest portions of the right of way, visually the encroachment into the front yard setback would not be injurious to the block or the zoning district. In addition, Representatives from the Town and Pinellas County agree that this placement would provide the least amount of conflict with proposed roadway improvements and would avoid further delay the Mehlenbacher road project. Staff recommends the approval as proposed, but would add that the board may want to consider maintenance of a vegetative buffer as a condition of approval.

Proposed Motion Move to approve/deny the variance request for 628 Pineland Ave.