



STAFF REPORT

TO: Special Magistrate for
the Town of Belleair

FROM: Calvin, Giordano & Associates, Inc.
Zain Husain, Senior Planner

SUBJECT: Variance Request: Proposed patio to encroach 13
feet into the rear setback.

ADDRESS: 7 Eastwood Lane, Belleair, Florida 33756
Parcel No. 29-29-15-07164-000-0040

MEETING DATE: May 27, 2026

Property Owner

Robert Ford
7 Eastwood Lane
Belleair, FL, 33756

Representative

Ronnie Busby
3890 Harbor Heights Dr.
Largo, FL 33774

Legal Description

BELLEAIR WOODS LOT 4 AND A 5FT X 85FT TRIANGLE ON N'LY LOT LINE OF LOT
3

Current Use

Single Family Residence

Building Code Services
Civil Engineering / Roadway
& Highway Design
Coastal Engineering
Code Enforcement
Construction Engineering &
Inspection (CEI)
Construction Services
Data Technologies &
Development
Electrical Engineering
Engineering
Environmental Services
Facilities Management
Grant Management &
Writing
Geographic Information
Systems (GIS)
Governmental Services
Indoor Air Quality (IAQ)
Landscape Architecture
Planning
Project Management
Redevelopment &
Urban Design
Surveying & Mapping
Transportation & Mobility
Transportation Planning
Water / Utilities Engineering
Website Development

311 Park Place Blvd.
Suite 630
Clearwater, FL 33759
Tel: 727-394-3825

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General Information:

The applicant is requesting a variance to the Land Development Code of Ordinances, Section 74-84 to have the single-family home encroach into the rear setback.

Section 74-84 (Schedule of Dimensional Regulations) establishes the following setbacks for the R-1 zoning district:

Front: 25 feet.

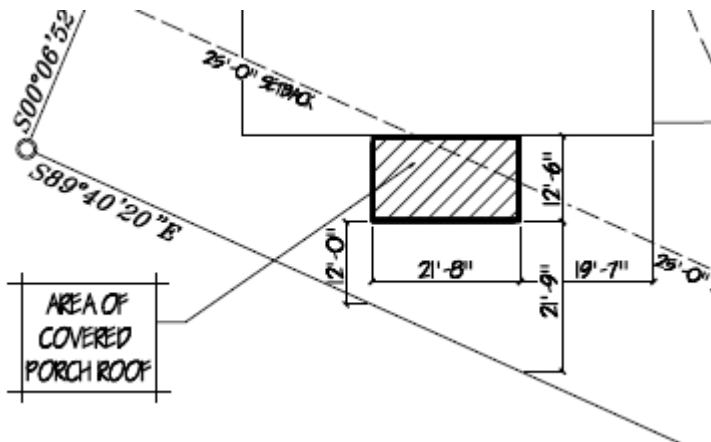
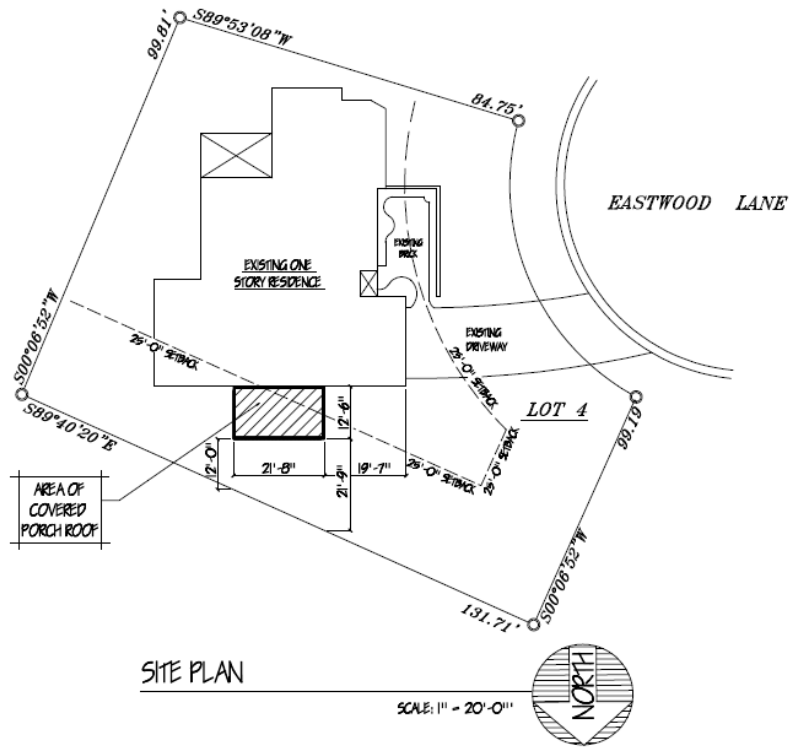
Side: 7.5 feet.

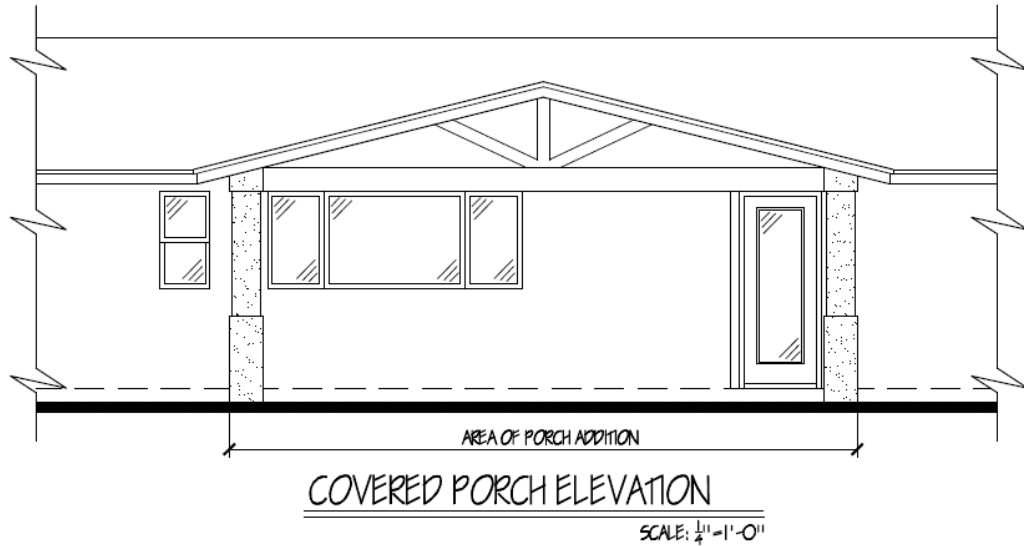
Rear: 25 feet or 20 percent of lot depth, whichever is less.

The lot is 11,757 square feet (0.26 acres). The subject property is zoned R-1 (Single Family Residential). The existing building area is 3,259 square feet. The applicant is proposing the construction of 352 square foot covered patio. The total approximate height from grade to peak of the gables will be 15', lining up with the existing home. The home is currently non-conforming and is 24'-6"



from the rear property line. The applicant is proposing a 21'-8" wide and 12'-6" long patio. The patio will be 12' from the rear property line. The Code requirement is 25 feet.





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 lot is at the end of a cul-de-sac. The lot is 11,757 square feet (0.26 acres). The lot is peculiarly shaped as it has 2 rears. With the addition of the covered patio, the lot will still be under the maximum impervious surface ratio, at 39%.

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

The lot and house configuration gives challenges to the applicant to build a covered porch. The applicant needs to apply for a variance to have this proposed addition to their home.



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

The house is currently non-conforming in the rear as it is 24'-6" from the property line instead of the required 25'. The addition of the covered porch would make this home more non-conforming.

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

The requested variance is 21'-8" wide and 12'-6" long patio. The patio will be 12' from the rear property line. The patio will encroach 13' into the required rear setback.

- (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.**

Granting the variance would impact the adjacent property as the covered patio would only be 12' away from the property line. This would not be in harmony with the general intent and purpose of the Town's Land Development Code.

- (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 rear yard setback variance would not result in any land uses that are not currently permitted in the R-1 (Single Family Residential) zoning district in which the subject property is located.

RECOMMENDATION

Based on our review of the above criteria, we recommend **denial** of the requested 13' encroachment of the covered patio into the rear of the property. The patio would be 12' away from the property line and not the required 25' rear yard setback standard of the R1 zoning district of Section 74-84 of the Land Development Code.

