

TOWN OF REDINGTON BEACH, FLORIDA
VARIANCE APPLICATION

APR 13 2022

(Please type or print clearly)

Property Owner(s)

Name <i>Nari + Shirley Persad</i>		Email <i>shirleyp7373@gmail.com</i>	
Address <i>16007 5th St. E.</i>			
City <i>Redington Beach</i>		State <i>FL</i>	Zip <i>33708</i>
Phone <i>(727) 521-7938</i>	Fax		Cellular <i>(727) 439-9075</i>

Applicant

Name <i>same as above</i>		Email	
Address			
City		State	Zip
Phone	Fax		Cellular

Agent (if applicable)

Name <i>n/a</i>		Email	
Address			
City		State	Zip
Phone	Fax		Cellular

General Information

Property Location or Address <i>16007 5th St. E. Redington Beach, FL 33708</i>	
Legal Description (attach additional sheet if necessary) <i>Redington Beach Homes 6th Add Blk 2, Lot 36</i>	
Tax Parcel Number <i>04-31-15-73962-002-0360</i>	Zoning District

Requested Action:

Describe request and applicable code section:

Section 6-208(d)(3) - variance to add a covered balcony in the rear setback - 8ft.
Section 6-65(b) - Variance to add stairs + platform in the side setback - 4.5ft. Platform to hold the existing A/C and future generator

Required LDC Regulation(s): (list all that apply)

Section 6-208(d)(3)
Section 6-65(b)

TOWN OF REDINGTON BEACH

VARIANCE APPLICATION

APR 13 2022

1. What special conditions or circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other similarly situated lands, structures or buildings in the same district?

The house was built in 1955. The house sits at approximately 7'6" from the side property line. The north corner of the house sits at 25' from the rear setback.

The setback rules, at the time the house was built, could not have contemplated the technical advancements associated with flood mitigation solutions available today.

Please see attached Schedule A (rear setback) and Schedule B (side setback) for more details.

2. What literal interpretation of the provisions of the applicable code would deprive the Applicant(s) of rights commonly enjoyed by other similarly situated properties in the same district under the terms of the applicable code?

The current ordinance does not permit permanent installations of any kind, located above grade to be in the setback area.

3. What special conditions or circumstances entitles the Applicant to a variance that are NOT self-created by the Applicant or an action taken with the Applicant's prior knowledge or approval.

Tropical Storm ETA caused significant damage throughout the house such that elevating the house was the most viable solution available for the Applicants to (i) avoid a repeat occurrence, and (ii) mitigate the extremely high impending flood insurance premiums that result from being charged the actuarial fair premium under the Biggert-Waters Act.

Please see attached Schedule A (rear setback) and Schedule B (side setback) for more details.

4. Explain how the granting of the variance will not confer on the Applicant any special privilege that is denied by the applicable code to other similarly situated lands, structures, or buildings in the same district.

The variances being sought have already been granted to other homeowners. Please see attached Schedule A (rear setback) and Schedule B (side setback) for more details.

5. Explain how the variance requested is the minimum variance necessary to permit the reasonable use of the lands, structures, or buildings, will be in harmony with the general purpose and intent of the applicable code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

The immediate neighbors at 16009 Sth Street East, potentially most affected by the variances, have no objection to the rear and side setback variances. Note: The house at 16009 Sth Street East is currently elevated 14' and thus, the variance would not impede their view of the waterway.

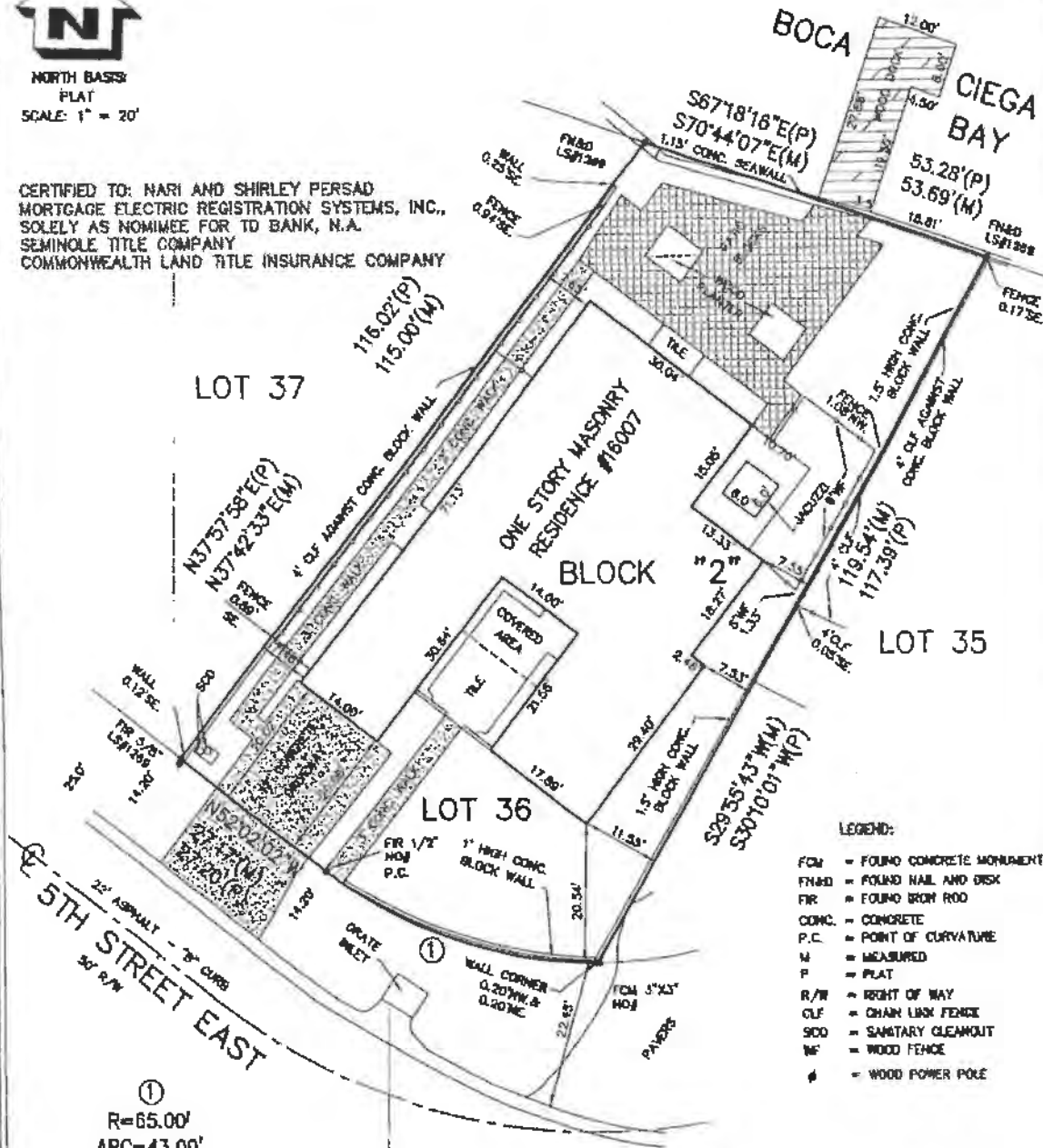
Please see attached Schedule A (rear setback) and Schedule B (side setback) for more details.

Also, attached are the following supporting information:

- Survey
- Arial view of property (from Google maps)
- Architectural Site Plan for the variances
- Signatures from neighbors confirming they have no objections to the variances



CERTIFIED TO: HARI AND SHIRLEY PERSAD
MORTGAGE ELECTRIC REGISTRATION SYSTEMS, INC.,
SOLELY AS NOMINEE FOR TO BANK, N.A.
SEMINOLE TITLE COMPANY
COMMONWEALTH LAND TITLE INSURANCE COMPANY



A BOUNDARY SURVEY OF

LOT 36, BLOCK 2, ACCORDING TO THE PLAT OF
SIXTH ADDITION TO REDINGTON BEACH HOMES
AS RECORDED IN PLAT BOOK 31, PAGES 29&30
OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA

BOUNDARY SURVEY W/ IMPROVEMENTS - 4/30/1993
UPDATED - 2/8/2010

Flood Zone: AE (EL.11')
COMMUNITY PANEL #125140 1210300183 G,
REVISED 9/3/03

Base of Bearings:
NELY R/W LINE OF 5TH STREET EAST
BEING N52°02'02"W PER PLAT

NOTE: This survey is made for the exclusive
use of the current owners of the property
and also those who purchase, mortgage or
guarantee the title thereto within one (1)
year from date hereof.

1002-11.CRO
FIELD BOOK

548 PAGE 2

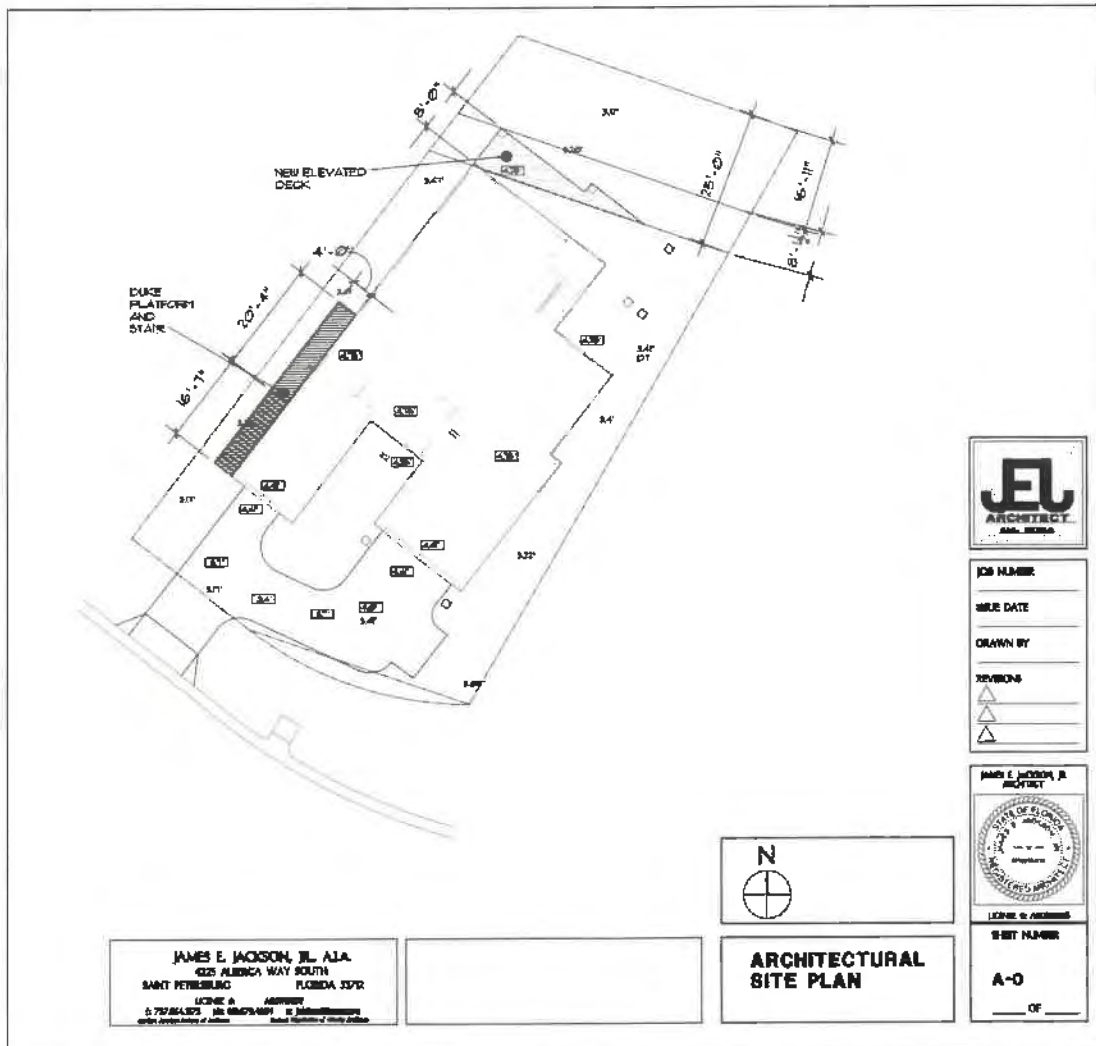
This Survey was prepared with the benefit of a title search commitment
#3018593 written by Seminole Title Company, dated 1/15/2010 at 8:00 am

NOTE: Survey not valid without the signature and the orig-
inal raised seal of a Florida Licensed Surveyor and Mapper.

I hereby certify that the survey represented herein meets the
requirements of Chapter 6017-8, Florida Administrative Code.

JOHN C. BRENDLA
Florida Surveyor's Registration No. 1269
Certificate of Authorization No. LB 760

Prepared by:
JOHN C. BRENDLA & ASSOCIATES, INC.
CONSULTING ENGINEERS AND LAND SURVEYORS
4015 62nd Avenue North
Pinellas Park, Florida 33781
phone (727) 576-7546 ~ fax (727) 577-9932



April , 2022

To Whom It May Concern:

I am / We are the homeowner(s) and neighbor(s) to the property owned by Nari & Shirley Persad at 16007 5th St E, Redington Beach, FL 33708.

Nari & Shirley Persad are my neighbors and provided me the design plans for the proposed stairs and platform along the side of the house as well as the proposed covered deck in the backyard of their residence.

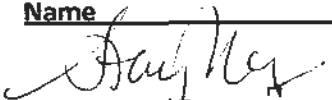
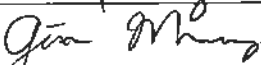
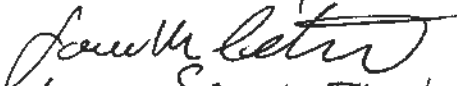
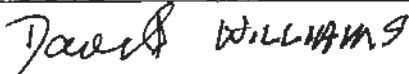
Nari & Shirley Persad asked me/us to provide this letter in advance of you contacting me/us for approval.

I / We do not object to the building of

1. the stairs and platform along the side of the house
2. the covered deck in the backyard.

* Immediate neighbors.

Sincerely,

Name	Address	Phone No.
 STACY RODGERS	16010 5th St E.	214-587-5197
*  Jim Murray	16005 5th St E.	727-482-4196
 LOUIS SEBASTIAN	16014 5th St E	813 480 3098
 DAVID WILLIAMS	16013 5th St E.	314-691-6100
 FREDERICK LEE	16003 5th St E	727-716-0211
* See attached Margaret + James Bassett	16009 5th St E	407-325-4992
See attached Jason Aspinwall	16012 5th St E	407-697-7759
 Michelle + Jeff DeBrabander	16008 5th St E	248-939-0987
Andy Levine	16011 5th St E	727-546-5680

April ,2022

To Whom It May Concern:

I am / We are the homeowner(s) and neighbor(s) to the property owned by Nari & Shirley Persad at 16007 5th St E, Redington Beach, FL 33708.

Nari & Shirley Persad are my neighbors and provided me the design plans for the proposed stairs and platform along the side of the house as well as the proposed covered deck in the backyard of their residence.

Nari & Shirley Persad asked me to provide this letter in advance of you contacting me/us for approval.

I do not object to the building of

1. the stairs and platform along the side of the house
2. the covered deck in the backyard.

Sincerely,


Name(s): Margaret + James Bassett
Address: 16009 5th Street East, Redington Beach, FL 33708
Phone No.: 407-325-4992

April ,2022

To Whom It May Concern:

I am / We are the homeowner(s) and neighbor(s) to the property owned by Nari & Shirley Persad at 16007 5th St E, Redington Beach, FL 33708.

Nari & Shirley Persad are my neighbors and provided me the design plans for the proposed stairs and platform along the side of the house as well as the proposed covered deck in the backyard of their residence.

Nari & Shirley Persad asked me to provide this letter in advance of you contacting me/us for approval.

I do not object to the building of

1. the stairs and platform along the side of the house
2. the covered deck in the backyard.

Sincerely,

Name(s): Jason Aspinwall

Address: 16012 5th Street East, Redington Beach, FL 33708

Phone No.: 407-697-7759

Schedule A

Rear Setback Variance

1. What special conditions or circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other similarly situated lands, structures or buildings in the same district?

Due to the shape and location of the house on the land, the north corner of the house sits at the 25' rear setback.

2. What literal interpretation of the provisions of the applicable code would deprive the Applicant(s) of rights commonly enjoyed by other similarly situated properties in the same district under the terms of the applicable code?

The current ordinance does not permit all permanent installations of any kind, located above grade to be in the rear setback area.

3. What special conditions or circumstances entitles the Applicant to a variance that are NOT self-created by the Applicant or an action taken with the Applicant's prior knowledge or approval.

Tropical Storm ETA caused significant damage to the house such that elevating the house (14') was the most viable solution for the Applicants to (i) avoid a repeat occurrence, and (ii) mitigate the extremely high impending flood insurance premiums that result from being charged the actuarial fair premium under the Biggert-Waters Act.

Once the house is elevated, the Applicants would like to add a covered balcony to the raised level of the house to maintain the Applicants' current standard of outdoor living, which involves being able to entertain / sit outside from the main living area.

The covered balcony would provide shade from the sun as the Applicants receive sun in the rear side of the house for the majority of the day. The Applicants do not have any large trees to help with the shading of the sun.

Please see the architectural plan submitted for more details.

4. Explain how the granting of the variance will not confer on the Applicant any special privilege that is denied by the applicable code to other similarly situated lands, structures or buildings in the same district.

There are some homes with structures within the rear setback area where variances have already been approved. A list of these homes is shown after item 5 of this document.

Granting this variance will enable the applicants the same outdoor living opportunity afforded to others in the same county.

Waterfront properties in Florida are unequivocally associated with elements of outdoor living.

5. Explain how the variance requested is the minimum variance necessary to permit the reasonable use of the lands, structures, or buildings, will be in harmony with the general purpose and intent of the applicable code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

This proposal is for a covered balcony (maximum 8' into the setback area) that does not negatively impact open space. The backyard is open enough to accommodate the structure.

The proposed elevated covered balcony does not impede the affected neighbors' views of the water.

Attached are signed letters from various neighbors who have confirmed they do not oppose the variance application. The immediate neighbors at 16009 5th Street East have the greatest potential to be affected by

the variance and they have no objection to the rear setback variance. The house at 16009 5th Street East is currently elevated 14' and the variance would not impede their view of the waterway.

LIST OF HOUSES WHERE REAR SETBACK VARIANCE APPLICATIONS HAVE BEEN APPROVED

<u>Address</u>	<u>Setback</u>	<u>Purpose</u>
104 161 ST Ave, Redington Beach	13'	Installed screened pool enclosure
411 161 ST Ave, Redington Beach	13'	Installed screen enclosure
164 th Ave., Friendship Park	25'	Installed pergola
16213 Redington Dr., Redington Beach	12.5'	Construction of a pergola

View from left side of backyard (Neighbors at 16009 5th Street East would be most affected by the variance application)



View from right side of backyard



View from the end of applicants' dock



Schedule B

Side Setback Variance

1. What special conditions or circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other similarly situated lands, structures or buildings in the same district?

The house was built in 1955 and has a side setback of 7'6".

The setback rules, at the time the house was built, could not have contemplated the technical advancements associated with flood mitigation solutions that are available today.

When the house is elevated, the Applicants would like to keep the electric meter in the existing location. The electric meter is currently located 20'3" from the front of the house.

The house will be elevated 14 ft, and the electric meter will require a platform with steps.

In the immediate vicinity of the electric meter, are the solar panel controls, the tankless water heater, and an egress door. In addition, the Applicants intend to install a natural gas-powered generator.

2. What literal interpretation of the provisions of the applicable code would deprive the Applicant(s) of rights commonly enjoyed by other similarly situated properties in the same district under the terms of the applicable code?

The current ordinance does not permit all permanent installations of any kind, located above grade to be in the side setback area.

3. What special conditions or circumstances entitles the Applicant to a variance that are NOT self-created by the Applicant or an action taken with the Applicant's prior knowledge or approval.

The 1955 house is currently built out to the 7'6" side setback and does not leave adequate room when considering the ancillary effect of current flood mitigation solutions.

When Tropical Storm ETA hit Redington Beach on Nov 11, 2020, the entire house was flooded. As a result, the Applicants decided to elevate the house (14') to (i) avoid a repeat occurrence, and (ii) mitigate the extremely high impending flood insurance premiums that result from being charged the actuarial fair premium under the Biggert-Waters Act. Once the house is elevated, the solar panel controls, tankless water heater, electric meter and egress door will remain in its current location on the outside wall. The Applicants would also like to place the existing air conditioner and a future natural gas-powered generator on the platform. The stairs and platform requested will be required to ensure the utilities and their instruments are safely accessed and serviced. Servicing of the tankless water heater and generator is particularly important as they are natural gas powered. Please see the architectural plan submitted for more details.

4. Explain how the granting of the variance will not confer on the Applicant any special privilege that is denied by the applicable code to other similarly situated lands, structures or buildings in the same district.

Similar requests have already been granted to other owners in Redington Beach. See the list of houses where side setback variances have been approved – located after item 5 of this document.

The only privilege, this variance grants the Applicants, is reasonable access so that the utilities necessary for the home can be safely accessed and serviced. The current code could not have contemplated the technical advancements associated with flood mitigation solutions and therefore, did not intend to create unsafe situations for servicing utilities.

5. Explain how the variance requested is the minimum variance necessary to permit the reasonable use of the lands, structures or buildings, will be in harmony with the general purpose and intent of the applicable code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

The placement of the stairs and platform will be 4.5' in the side setback area and will not affect the line of sight of any neighbors. The location will ensure that the utilities are safely accessed for servicing. Also, it will be far more esthetically pleasing than having the various utilities on separate elevated platforms (air conditioner and future natural gas-powered generator).

Signatures from neighbors confirming they have no objections to the variance have been submitted with the variance application, including the immediate neighbor that is potentially most affected at 16009 5th St E.

LIST OF HOUSES WHERE SIDE SETBACK VARIANCE APPLICATIONS HAVE BEEN APPROVED

<u>Address</u>	<u>Setback</u>	<u>Purpose</u>
16365 Redington Dr.	?	Generator
16101 Gulf Blvd	3.33'	Stairs to electric meter [Town Planner testified and clarified that the application met the criteria for a hardship]
15557 Gulf Blvd	3'	Pool pump
16008 5 th St E	4.5'	Platform & steps for an electric meter
15531 Redington Dr.	4'	Generator
15713 Gulf Blvd	4.5'	Pool equipment [Building Official Bruce Cooper testified that since pool equipment is similar in nature to mechanical equipment or generators, there would not be any real concern based on his interpretations of the Code.]
16120 4 th St E	3'	Generator

Side of house from the front



Side of house



Guidelines for installing a generator

STEP 1: CHOOSE A LOCATION

- A home consultation will help you pick a location for the generator.

The location should meet these Guidelines:

- Stable, well-drained area that will not flood
- Room around the generator for the technician and maintenance personnel.
- Keep in mind homeowners association and community restrictions when choosing a site.

Approximate Clearances to keep in mind:

- 18 inches (1.5 feet) from the house
- 60 inches (5 feet) from doors, windows, and fresh air intakes
- 36 inches (3 feet) in front of the generator for servicing room

The closer the site is to a natural gas line and the electric meter, the more you will save on installation costs

TOWN OF REDINGTON BEACH, FLORIDA

VARIANCE APPLICATION

AFFIDAVIT

I (we), the undersigned, certify ownership of the property within this application, that said ownership has been fully divulged, whether such ownership by contingent or absolute, and that the name of all parties to an existing contract for sale or any options are filed with this application.

I (we) certify that _____ is/are duly designated as the agent(s) for the owner, that the agent(s) is (are) authorized to provide subject matter on the application contained herein, whether verbal or written, and appear at any public hearing(s) involving this petition. Further, it is understood that this application must be complete and accurate and the appropriate fee paid prior to processing.

Date: Apr 13 /22

Title Holder: Nari Persad

Date: Apr 13 /22

Title Holder: Shirley Persad

Date: _____

Title Holder: Shirley Persad

Date: _____

Title Holder: _____

STATE OF FLORIDA)

COUNTY OF PINELLAS)

The foregoing instrument was acknowledged before me by ✓ physical presence or _____ online notarization this 13th day of April, A.D. 2022, by Shirley Persad who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

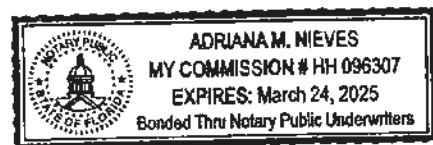
NOTARY PRINTED NAME:

Adriana M Nieves

NOTARY SIGNATURE:

Adriana M Nieves

NOTARY STAMP



TOWN OF REDINGTON BEACH, FLORIDA

Variance Application

The following must be furnished with this application: [Incomplete applications will not be accepted]

- ☐ Completed original application
- ☐ Variance Application fee (\$250.00 NO CREDIT CARDS):
- ☐ Written description of hardship
- ☐ Other supporting information, as necessary

Board of Adjustment Review Standards

The Board of Adjustment shall grant no variance unless all of the following standards are met and are proven by competent substantial evidence:

- (1) The requested variance will not be contrary to the public interest;
- (2) The need for the requested variance arises where, owing to special conditions, a literal enforcement of the provisions of the code would result in unnecessary and undue hardship;
- (3) Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other similarly situated lands, structures, or buildings in the same district;
- (4) A literal interpretation of the provisions of the applicable code would deprive the applicant of rights commonly enjoyed by other similarly situated properties in the same district under the terms of applicable code;
- (5) The applicant has not made a second petition or application for the same request for a period of 120 days from the date of the order on a previous petition or application; and
- (6) The conditions or special circumstances peculiar to the property have not been self-created nor are the result from an action by the applicant or with prior knowledge or approval of the applicant. Further, no variance may be granted arising from illegal construction of a structure or an illegal use of the premises which would have otherwise required a permit to be issued and which construction was commenced illegally. Under such conditions, the property owner shall have no legal right to apply for a variance and the Board will have no legal right to grant such a variance.

Section 6-290(g): Any variance granted under the provisions of this code shall expire within sixty (60) days from the date of the executed order granting the variance unless a building permit for construction or alteration has been issued in accordance with the plans and conditions upon which the variance was granted.



Town of Redington Beach
105 164th Avenue
Redington Beach, FL 33708
Phone: 727-391-3875
Fax: 727-397-6911

Email address: info@townofredingtonbeach.com

**NOTICE OF PUBLIC HEARING
VARIANCE APPLICATION**

Property located at 16007 5th St E., REDINGTON BEACH HOMES 6TH ADD BLK 2, LOT 36, as recorded in the Pinellas County Official Records, is requesting the Board of Adjustment approve a variance request to install a covered balcony which will encroach into the rear setback area 8 feet. Applicant also requests a variance to install a staircase and platform to hold existing HVAC equipment and a future generator which will encroach into the side setback area 4.5 feet. Section 6-65(b) of the Town's Code of Ordinances states **"All permanent installations of any kind, located above grade, in building setback areas (front, side and rear) are prohibited except for air conditioning condensing units, pool water pumping, filtering and heating equipment, water softeners, power generation systems, and similar mechanical equipment, and fuel tanks required for same."**

As a property owner within 150' of the subject property, you are invited to register your opinion at a Public Hearing to be held **May 19, 2022** at 6:30pm in the Town Hall Assembly Room located at 105 164th Avenue, Redington Beach, FL 33708 or you may respond by letter to the Deputy Clerk stating your reasons for your opinion. This letter should be mailed or emailed to the Town Hall at the above address. It is imperative that the Board of Adjustment members know the reasons for your approval or disapproval so that they can give your comments the proper consideration.

Any person wishing to appeal any decision of the Board of Adjustment with respect to any matter considered at this meeting will need a record of the proceedings, and for such purposes, may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which an appeal is to be based.

Adriana Nieves
Deputy Town Clerk, CMC, CFM

Date of Notice: April 19, 2022



MIKE TWITTY, MAI, CFA
Pinellas County Property Appraiser
www.pcpao.org mike@pcpao.org

Run Date: 19 Apr 2022

Subject Parcel: 04-31-15-73962-002-0360

Radius: 150 feet

Parcel Count: 15

Note: Parcels with protected address status are not included in this report.

Total pages: 2

Public information is furnished by the Property Appraiser's Office and must be accepted by the recipient with the understanding that the information received was developed and collected for the purpose of developing a Property Value Roll per Florida Statute. The Pinellas County Property Appraiser's Office makes no warranties, expressed or implied, concerning the accuracy, completeness, reliability or suitability of this information for any other particular use. The Pinellas County Property Appraiser's Office assumes no liability whatsoever associated with the use or misuse of such information.

COUNTY COURTHOUSE
315 Court Street - 2nd Floor
Clearwater, FL 33756

PHONE: (727) 464-3207

NORTH COUNTY
29269 US Highway 19 N
Clearwater, FL 33761

FAX: (727) 464-3448

MID COUNTY
13025 Starkey Road
Largo, FL 33773

TTY/TDD: (727) 464-3370

SOUTH COUNTY
2500 34th Street N - 2nd Floor
St. Petersburg, FL 33713

MAIL: PO Box 1957, Clearwater, FL 33757

SEBASTIAN, LOUIS M
SEBASTIAN, CARMELLA M
16014 5TH ST E
REDINGTON BEACH FL 33708-1639

SMITH, DANIEL A IV
5547 MASTERS BLVD
ORLANDO FL 32819-4021

MURRAY, JAMES PAUL
16005 5TH ST E
REDINGTON BEACH FL 33708-1638

LINN FAMILY REVOCABLE TRUST
LINN, KATHRYN E TRE
11205 ROX WAY
OXFORD FL 34484-3498

NAVARRO, JOHN J
11501 47TH AVE N
ST PETERSBURG FL 33708-2705

DEBRABANDER, MICHELLE M TRE
DEBRABANDER, MICHELLE M LIV TRUST
16008 5TH ST E
REDINGTON BEACH FL 33708-1639

DUNCAN, WILLIAM F
DUNCAN, PHYLLIS M
16016 5TH ST E
REDINGTON BEACH FL 33708-1639

WILLIAMS, DAVID A
WILLIAMS, SHELLEY T
16013 5TH ST E
REDINGTON BEACH FL 33708-1638

ASPINWALL, JASON ARNOLD
ASPINWALL, MARIA CARMEN
1104 OSCELOT TRL
WINTER SPRINGS FL 32708-4410

BASSETT, JAMES S JR
BASSETT, MARGARET B
1110 GREENWOOD ST
ORLANDO FL 32801-4014

BOCA06BAY LLC
1501 E MCMILLAN ST
CINCINNATI OH 45206-2107

WILSON, BRUMMITTE D
503 161ST AVE
REDINGTON BEACH FL 33708-1658

LEE, FREDERICK S TRE
LEE, FREDERICK S LEE LUCY D LEE LIV TRUST
16003 5TH ST E
REDINGTON BEACH FL 33708-1638

RODGERS, STACY L
RODGERS, GREGORY T
16010 5TH ST E
REDINGTON BEACH FL 33708-1639

LEVINE, ANDREW P
16011 5TH ST E
REDINGTON BEACH FL 33708-1638