



**TECHNICAL REVIEW COMMITTEE MEETING
CITY OF ST. PETE BEACH**

**Notice of Public Meeting
Technical Review Committee**

Community Development Department TRC Room
155 Corey Avenue, City Hall, St. Pete Beach, FL 33706

Wednesday, August 9, 2023
10:00 AM

Regular Meeting Agenda

This is an informal meeting between City staff and the applicant(s). The public is invited to attend, however no public comment shall be permitted.

Discussion Items

1. Conditional Use Permit #23034 (Revised): 2007 Pass-a-Grille Way

Applicant requests a conditional use permit to allow for: 1) an outdoor eating and drinking area with outdoor music; and, 2) allow an outdoor "Class A" dock deck that was erroneously permitted without a conditional use permit to remain, pursuant to LDC Sec. 15.4.(m)&(n). This application has been revised from the May 17, 2023 TRC meeting submittal to add request 2), and revise details of the request for request 1).

Next Meeting: September 6, 2023

TECHNICAL REVIEW COMMITTEE MEETING CITY OF ST. PETE BEACH

Agenda Report

Action Request:

Strategic Objective:

Date: August 9, 2023

Prepared By: Brandon Berry, Planner II

Through: Jennifer McMahon, Chief Operating Officer

Summary of Issue: Applicant requests a conditional use permit to allow for 1) an outdoor eating and drinking area with outdoor music, and 2) allow an outdoor "Class A" dock deck that was erroneously permitted without a conditional use permit to remain, pursuant to LDC Sec. 15.4.(m)&(n). This application has been revised from the May 17, 2023 meeting to add request 2) and revise details of the request for request 1).

Funding:

Attachments:

1. Case 23034 - Revised Application
2. Case 23034 - Supplemental Documents
3. Case 23034 - Survey
4. Case 23034 - Site Plan
5. Case 23034 - Prior Staff Report
6. Case 23034 - Permit 2201094 Files



INFORMATION ON THE CONDITIONAL USE

What is a Conditional Use? A conditional use is a use that has operational, physical and other characteristics that may be different from those of the predominant permitted uses in a zoning district, but which is a use that compliments or may otherwise be compatible with the intended overall development within a district, provided the specified standards are met.

How do I apply for a Conditional Use? An applicant for conditional use must submit the following documents to the Community Development Department:

- A complete and signed application. Incomplete applications will not be processed and will be returned. As such, all applicants are **STRONGLY ENCOURAGED** to meet with Community Development staff prior to submission deadlines to discuss plan submissions and the review process. Appointments can be made by calling 727.363.9266.
- A completed and signed agent authorization form if someone else will be representing the property owner at the public hearing.
- An accurate, legible, and appropriately scaled survey of the property including all existing and proposed improvements. The survey shall have been performed not more than one (1) year prior to the date of application and not less than two (2) 11"x17" copies of the survey are required for submittal.
- Scaled drawings depicting the request. The drawings can be sized from 8.5"x11" to a maximum of 24"x36" in size. These drawings are necessary to assist staff and the BOA or City Commission in the review of the request. Seven (7) copies of the drawings must be submitted if larger than 11"x17". Two (2) are acceptable for 11"x17" or under.
- Cash or check made payable to the City of St. Pete Beach for the amount of the application plus mailing fees. The application fee is \$500. The mailing fee can be calculated for you when you turn in your application, or you can calculate it yourself by searching for your property on the Pinellas County Property Appraiser's office website (www.pcpao.org), clicking on radius search at the top of the page, typing in 500 feet for the radius, and multiplying the number of properties times 0.68. For example, if 40 properties are within 500 feet of you, then the mailing fee would be \$27.20.
- A completed Annual Lobbyist Registration if not already on file for the year in which the application will be filed or heard.
- A completed Sign Posting Affidavit.
- Staff may request additional information, if necessary.

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Can I ask for Variance with my Conditional Use application? It is not uncommon for projects that require conditional use approval to also seek variance approvals. The City Commission is authorized to hear both types of request at the same time. Accordingly, variance requests may be included as part of the Conditional Use request. An additional application form is included in this packet for this purpose.

Who decides if the Conditional Use should be granted? The City Commission is authorized to hear and make final determinations on all conditional use requests. Conditional use applications may also include variance requests as part of a conditional use application. In those cases, the City Commission also makes the final determination.

What is the City Commission and when do they meet? The City Commission is the elected body of officials who have overall responsibility for establishing policies and procedures for the operations of the City of St. Pete Beach. The Commission meetings are normally held two times a month on the second and fourth Tuesday at 6:00pm, in the City Commission Chambers at 155 Corey Avenue (City Hall).

What do I do after my Conditional Use is granted? You will receive a notice from the City immediately following your hearing. This notice is called a Development Order (DO) and it will summarize the results of the hearing including the decision to deny, approve, or approve with conditions. If approved, the owner/applicant will have one (1) year from the date the development order is signed to obtain a building permit for the proposed work. The permit must remain active during the life of the project. If a permit is not obtained within a year or if a permit does not remain active, the conditional use will expire.

What happens if my approved Conditional Use is appealed? Although rare, sometimes a neighbor or other affected party will appeal the Commission decision to the Circuit Court. Any such appeal must be taken within 30-days from the date of the decision. Should this occur, the City is normally removed from the appeal process and has no control over the timeframe or decision of the Court. The one-year timeframe for permit issuance noted above would begin from the Court's final decision date provided the applicant has properly advised the City of said appeal.

What can I do if my Conditional Use is not granted? You may correct your plans to meet current code requirements or you may file an appeal to the Pinellas County Circuit Court with 30-days of the final decision.

How are my application fees used? The application fee is primarily used to cover staff review costs. A conditional use application will typically involve reviews from multiple City agencies and may include County, State, or even Federal reviews depending on the nature of the request. All conditional use applications are required to be properly advertised and require notification to adjacent property owners. The mailing fees are used offset the cost incurred in meeting these requirements including the preparation of a legal ad and mailing costs associated to adjacent property owner notice. The City shall re-advertise a request, at no expense to the applicant, if a scheduled application is not heard due to an error by the City (i.e. lack of a quorum). Otherwise, the applicant will be responsible for any additional costs incurred as a result of his or her own (in)action.

CONDITIONAL USE APPLICATION

Applicants must acknowledge understanding of the following. Initial each of the statements below. If you do not understand any of these, staff will explain them to you.

- C.C. I understand that the City will not accept or process an incomplete application.
- C.C. I understand that a non-conforming use or structure in a particular zoning district does not, in any way, provide justification for the granting of a conditional use. Furthermore, the existence of a permitted use or structure in adjacent districts does not constitute grounds for a conditional use.
- C.C. On all conditional uses, a majority vote is required. Action on this application by the City Commission may be continued to a later meeting.
- C.C. I understand that if a conditional use is approved by the City Commission, the applicant is required to obtain the appropriate building permits within 1 year from the date of the decision. If no permit is obtained within 1 year, the approval from the City Commission becomes voided.
- C.C. I understand that any person aggrieved by the final decision has the right to file a petition in the Pinellas County Circuit Court within 30 calendar days after the decision. Permits for construction may be granted prior to the expiration of this 30-day period, but an appeal will be grounds for revocation of the permit.
- C.C. I understand that I, as the applicant, or my authorized representative must be present at all scheduled public meetings on the application.

After acknowledgement of these conditions, complete the application form on the following pages


Signature of Applicant

7-21-23
Date



CONDITIONAL USE APPLICATION

Case Number: 23034 (Amended)

PROPERTY OWNER: Charles and Helen Collom

APPLICANT/AGENT (Attach agent authorization form)

Name: Charles and Helen Collom

Name: Tim Weber and Kyle Bass

Address: 2381 E. Vina Del Mar Blvd.

Address: 5453 Central Ave.

City: St. Pete Beach State: FL

City: St. Petersburg State: FL

Zip: 33706 Telephone: 727-418-1314

Zip: 33710 Telephone: 727-828-9919

Email: jrcmoo@aol.com

Email: kyle.bass@webercrabb.com

SUBJECT PROPERTY:

Address: 2007 Pass-A-Grille Way

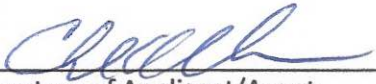
Current Name of Business: Red, White & Brooze

Parcel ID: 18-32-16-68634-000-0026

Name of Project: Outdoor music and deck/dock

DETAILS OF THE REQUEST, INCLUDING APPLICABLE CODE SECTIONS AND ANY ASSOCIATED CASES (Add additional sheets if necessary):

Red, White & Booze wishes to allow the preformance of live outdoor music on the outdoor uncovered deck area in
accordance with Section 15.4. Additionally, Red, White & Booze is seeking a conditional use permit for its deck ares that
was previously approved by the City administratively. Decks/docks are a permitted conditional use per Section 15.4


Signature of Applicant/Agent

7-21-23
Date

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In order for an application for a conditional use to be approved or approved with conditions, the City Commission must make a positive finding with regard to each of the provisions below, pursuant to Division 4 of the City's Land Development (LDC). The applicant has the burden of proof demonstrating that the application for the conditional use complies with each of the requirements. Please explain in detail how your case meets these requirements (attach additional sheets if necessary):

1. LDC Sec 4.4(a)(1) Whether the conditional use is consistent with the goals, objectives, and policies of the Comprehensive Plan and any adopted special area plan.

The performance of live music is consistent with the comprehensive plan in the CG-1 Commercial District in Pass-A-Grille. Our neighboring restaurant/bar to the south (The Wharf) also provides this amenity to their guests and has for many years. Regarding the deck, the request for a CUP is consistent with Goal 1 of Section VI-Coastal & Conservation. The deck areas have already been installed pursuant to the City's approval and adhere to the construction standards established/required by the City. Further, it allows the owner to fully utilize the waterfront parcel.

2. LDC Sec 4.4(a)(2)a-d Whether the proposed use will be compatible with the character of the existing area, including existing structures and structures under construction, existing public facilities and public facilities under construction, and residential commercial and/or service facilities available within the existing area. More specifically:

- a. Whether the overall appearance and function of the area will be significantly affected. consideration shall be given to the existence of other uses in the area, based on the number, size, and location of the uses and the intensity and scale of the proposed and existing uses in the area;
Performance of live outdoor music will not effect the appearance of the area.

The decks were constructed per the approval of the City and have not had any significant effect on the surrounding or submerged lands. As detailed by the attached plans, the decks were attached to already existing docks.

- b. Whether the application will preserve any city, state, or federally designated historic, scenic, archaeological, or cultural resources (check with Community Development to determine historic resource status);
Any historic/cultural resource will be unaffected by the application for live music in the area, and is not applicable to the decks.

- c. Whether the application will be compatible with adjacent development, if any, based on characteristics such as size, building style and scale, or whether such incompatibilities are mitigated through such means as screening, landscaping, setbacks, and other design features;

No structural changes will be necessary and live performance is compatible with existing features being used in the District. The decks are compatible with the adjacent developments in terms of size, style, and scale. Specifically, The Wharf, located to the south of Red, White & Booze,

- d. Whether the application will have significant adverse impacts on the livability and usability of nearby land due to noise, dust, fumes, smoke, glare from lights, late-night operations, odors, vehicular traffic, truck and other delivery trips, the amount, location, and nature of any outside activities, potential for increased litter, or privacy and safety issues;

Live music performances will fall under the community guidelines regarding noise and hours of operation. It is our intent to act responsibly and as a good neighbor to the surrounding commercial and private, residential community. The deck areas have already been installed and have not significantly impacted the surrounding areas.

3. Whether the transportation system is capable of adequately supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, access to arterials, transit availability, on-street parking impacts, if any, site access requirements, neighborhood impacts, and pedestrian safety (a traffic study may be required);

The live music proposal will have a null effect on transportation and parking, and the deck areas do not have an effect of parking.

4. Whether the minimum off-street parking area required and the amount of space needed for the loading and unloading of trucks, if applicable, will be provided and will function properly and safely (please provide current and proposed number of parking and loading spaces);

All activities regarding live music will be strictly contained within the private parking and outdoor dining areas at Red, White & Booze. The deck areas require no additional parking or loading/unloading space.

5. Whether generally, the public health, safety and welfare will be preserved, and any reasonable conditions necessary for such preservation have been made;

All health and safety guidelines will be adhered to regarding the public and restaurant staff, as they relate to both the live music and the deck/dock.

6. Whether the applicant has demonstrated the financial and technical capacity to complete any improvements and mitigation necessitated by the development as proposed and has made adequate legal provision to guarantee the provision of such improvements and mitigation; and,

No financial needs will be required to execute live music performance. Any secondary necessities arising from hosting these events will be handled adequately by ownership.

The deck areas have already been built, pursuant to the City's approval, and applicant has already expensed the necessary funds to have the deck areas installed.

7. The proposed use complies with all additional standards imposed on it by the particular provision of these regulations authorizing such use and by all other applicable requirements of the regulations of the City of St. Pete Beach.

The proposed use is not a deviation from the current use complies with all additional standards of the City.

Sec. 4.12 of the Land Development Code additionally requires conditional use applications within the community redevelopment district to be evaluated upon the extent to which the applicant can demonstrate that the following issues are addressed in a manner consistent with the policies established in the community redevelopment plan for the district and that no unreasonable or disproportionately negative impacts are imposed upon adjacent or nearby properties:

1. Utility infrastructure, including sanitary sewer, reclaimed water, potable water, electric and natural gas services, and data transmission and telecommunication services.
2. Transportation infrastructure, including ingress and egress from public right-of-way, traffic control devices and signalization, internal vehicle circulation of the site, design and function of parking areas, loading and unloading areas, pedestrian transit infrastructure and amenities, and public sidewalks and roadways.
3. Hydrological features and storm water management infrastructure.
4. Aesthetic and architectural features of the development, including site layout, physical dimensions of structures such as height and massing, design and appearance of building facades, exterior building materials, advertising and directional signage and the provision and maintenance of Gulf and Bay views and vistas.
5. Site landscaping, open space provision and impervious surface limitations.

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6. Operational and functional requirements of facilities, including hours of operation, provision of required services or amenities, lighting requirements, noise abatement requirements, residency limitations and facilities maintenance.
7. Fire suppression and facility security.
8. Emergency management and hurricane evacuation provisions.
9. For temporary lodging uses taller than 50 feet in height or a density greater than 30 units per acre, the following additional issues shall be considered:
 - a. The amount of separation provided between the proposed temporary lodging use and any existing buildings on adjoining properties and resulting impact on sunlight and views; and
 - b. The proximity of any adjacent residential building to the Florida Coastal Construction Control Line and the degree to which the proposed temporary lodging use and/or any accessory use or structure maintains an open view of the waterfront from neighboring properties.

Technical Review Committee Deadlines

The TRC generally meets the 1st and 3rd Wednesday of each month at 10:00am in the Community Development Department conference room. The following applications must be reviewed by the TRC:

- (1) Site Plans
- (2) Subdivisions
- (3) Conditional Uses
- (4) Amendments to the Zoning Map
- (5) Amendments to the Future Land Use Map
- (6) Variances on property being used for other than single-family detached residential purpose
- (7) Vacations of Streets, Plats or other property
- (8) Temporary Uses
- (9) All other applications assigned by the City Manager

Meeting Month	Application Deadline	Meeting Date
	30 days prior to meeting date	At 10:00am in the TRC room
	Wednesday	Wednesday
January	12/5/2022	1/4/2023
	12/19/2022	1/18/2023
February	1/2/2023	2/1/2023
	1/18/2022	2/15/2023
March	1/30/2023	3/1/2023
	2/13/2023	3/15/2023
April	3/6/2023	4/5/2023
	3/20/2023	4/19/2023
May	4/3/2023	5/3/2023
	4/17/2023	5/17/2023
June	5/8/2023	6/7/2023
	5/22/2023	6/21/2023
July	6/5/2023	7/5/2023
	6/16/2023	7/19/2023
August	7/3/2023	8/2/2023
	7/17/2023	8/16/2023
September	8/7/2023	9/6/2023
	8/21/2023	9/20/2023
October	9/1/2023	10/4/2023
	9/18/2023	10/18/2023
November	10/2/2022	11/1/2022
	10/16/2023	11/15/2023
December	11/6/2023	12/6/2023
	11/20/2023	12/20/2023

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Owner's Authorization for Agent

I/WE Charles and Helen Collom
(print name of property owner)

hereby authorize Timothy Weber and Kyle Bass
(print name of agent)

to represent me/us in an application for Conditional Use Application (Amended)
(type of application: variance, conditional use, zoning, etc.)


Signature of Owner


Signature of Owner

Charles Collom
Print Name of Owner

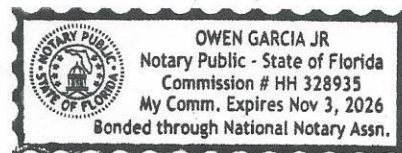
Helen Collom
Print Name of Owner

The forgoing instrument was acknowledged before me this 20 day of July 2023 by Charles and Helen Collom
FLDL who is personally known _____ or produced
as identification.


(Notary Signature)

07/20/2023
(Date)

My Commission Expires Nov 3 2026



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PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, Charles and Helen Collom, agrees to post the sign(s) in a conspicuous place, at the principal access to the property, in full view of the public, and not more than five (5) feet from the nearest street right of way or easement a minimum of seven (7) days in advance of the Public Hearing and remain in place until the requested action has been heard and decided. Multiple sign postings shall not be more than three hundred (300) feet apart. If the subject parcel(s) abut more than one (1) street, notices shall be posted along each street. When the subject parcel(s) does not front a public road, the sign shall be posted at the point on a public road by which the property is, or can be, reached.

The sign shall be maintained in good readable condition by the applicant. If the said sign is destroyed, lost, or becomes unreadable, the applicant or applicant's representative shall obtain a replacement sign. Any sign posted in accordance with these requirements shall be removed from the property and disposed of by the applicant or applicant's agent not later than 24 hours following the final decision.

Applicant/Agent (must fill out agent authorization form):

Name(print): Charles and Helen Collom

Address: 2381 E. Vina Del Mar Blvd., St. Pete Beach, FL 33706

[Signature]
Signature

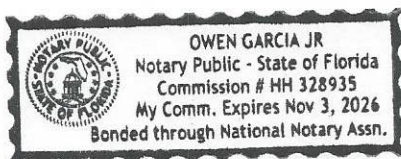
7-20-23
Date

STATE OF FLORIDA)
) SS:
PINELLAS COUNTY)

The foregoing instrument was acknowledged before me this 20 day of July 20 23 by Charles and Helen Collom, who appeared before me, and is personally known to me, or has produced FLDL as identification, and did take an oath.

My commission expires: Nov 3 2026

NOTARY: [Signature]
Print Name: Owen Garcia Jr
Notary Public, State of Florida
(Notarial Seal)



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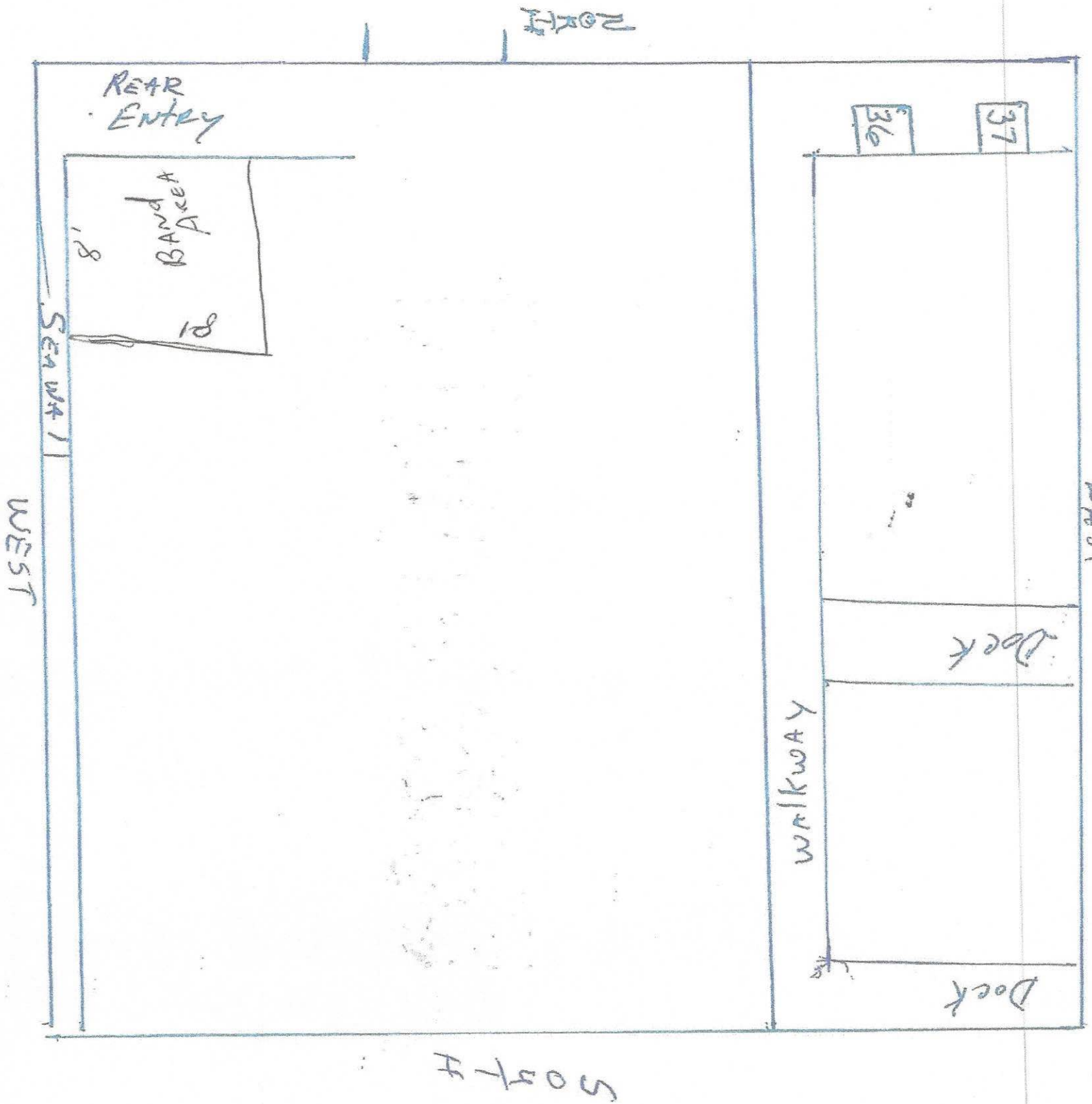
DEAR APPLICANT:

PLEASE COMPLETE THE ATTACHED AFFIDAVIT WHEN PUBLIC HEARING DATES HAVE BEEN DETERMINED FOR YOUR APPLICATION. PRESENT THE COMPLETED NOTARIZED AFFIDAVIT TO COMMUNITY DEVELOPMENT AND YOU WILL BE GIVEN THE SIGN(S) TO POST ON THE SUBJECT PROPERTY.

It is your responsibility to post the sign(s) in a conspicuous place, at the principal access to the property, in full view of the public, and not more than five (5) feet from the nearest street right of way or easement a minimum of seven (7) days in advance of the public hearing. The sign(s) must remain in place until the requested action has been heard and decided by the City Commission, Planning Board, Board of Adjustment, Historic Preservation Board or withdrawn. Multiple sign postings cannot be more than three hundred (300) feet apart. If the subject parcel(s) abut more than one (1) street, notices shall be posted along each street. When the subject parcel(s) does not front a public road, the sign shall be posted at the point on a public road by which the property is, or can be, reached.

You must maintain the sign(s) in good readable condition. If the said sign is destroyed, lost, or becomes unreadable, you or your representative shall obtain a replacement sign. Any sign posted in accordance with these requirements shall be removed from the property and disposed of by the applicant or applicant's representative not later than 24 hours following the final decision by the City Commission, Planning Board, or Board of Adjustment, Historic Preservation Board.

A Notary Public is available in City Hall; 155 Corey Avenue.



Comments have not been shared, but may be shared at the meeting.

Planning & Zoning:

- 1) A current survey is required prior to scheduling for City Commission review. Please provide a sealed copy and a copy showing the sketch of the band area.
 - 2) Please provide product specifications for any permanent amplification equipment installed at the site to support the music area, and indicate the orientation of speakers on the site plan.
 - 3) What are your intended hours of operation for the music area?
 - 4) Staff request that the test sound reading take place prior to City Commission review.
 - 5) How many bands, and what total capacity, do you anticipate needing within the music area?
 - 6) The area for the entertainers/band appears to be set up under an existing pop-up canopy. Is there something more permanent proposed for shelter from the elements and sound?
-

Planning & Zoning:

- 1). Submitted
- 2). There is no permanent amplification equipment installed at the site. Each artist/musician prefers to bring/supply their own equipment that they know and trust to be safe with their instruments.
- 3). Intended hours for operation of music coincide with that allowed by the code:
7 days a week 11am -10pm
Unless there is a special occasion extending hours to 11pm
- 4). Sound testing took place 5/6/2023 complainant refused to let our manager on his property to confirm readings and we still have not been given a copy of the report as requested.
- 5). Musicians can vary from a solo musician to a band.
- 6). Previously discussed a more permanent shelter from elements and sound but St. Pete city informed us the county would not approve a roof over the area.

Instruments used by the musicians can be:

Percussion

Keyboard

Guitar

String Instruments

Electric

From: Brandon Berry bberry@stpetebeach.org
Subject: Additional responses for conditional use permit request
Date: Jun 8, 2023 at 7:01:11 AM
To: Charles Collom jrcmoo@icloud.com
Cc: Jennifer McMahon rddirector@stpetebeach.org

Charles,

There is one additional question I would appreciate getting your response to for the application:

(6) For eating and drinking establishments providing for outdoor music, the following shall be provided:

- | | | |
|---|---|--|
| a. The product specifications of any permanent speakers, amplifiers and other support equipment to be installed outdoors. Already answered | b. An explanation of the hours of operation of the outdoor dining and/or drinking area, including any special provisions or intentions for live music. Already answered | The code requires receiving decibel levels for residential to not exceed 65 dBA at any time. Staff are likely to propose |
| c. A description of how music will be regulated in accordance with the City's noise ordinance as found in Chapter 46 , Article IV of the Code of Ordinances. please let us know. You will of course have a chance to respond to staff recommendations at the hearing as well. | installing sound limiters on the equipment, requiring consistent equipment to be installed, and limiting residential receiving decibels to a lesser maximum than what is provided in the code. However, if you feel you have an alternative method of regulating the music, | |

Brandon Berry
Senior Planner
City of St. Pete Beach

727-363-9229

bberry@stpetebeach.org

www.stpetebeach.org

155 Corey Avenue, St. Pete
Beach FL 33706

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CHARLES



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Starred

Drafts 490

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Contacts

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Subscriptions

Travel

Folders Hide

+ New Folder

Saved Mail 167

2381 Cabinets 1

2381 Electric

2381 Pici 1

2381 plumbing

2520 bluff sale 2

4877 folks 8

Apple Mail To Do

Archive

BABY B2 2

bobacroat 3

boggus 4

cand k wedding 29

CATALOGS 15

CHARITIES

Charlescollom 1

COLLLOM BOU... 2

CWSKKS Home 12

dan hyde 1

From Claude 2

Re: RWB Music

Aol/Old Mail ☆



Brandon Berry <bberry@stpete.org>

To: COLLOM



Mon, May 29 at 5:03 PM ☆

Charles,

What instruments do your artists typically play? Do you have or anticipate having any artists that play drums or other percussive instruments?

Get [Outlook for iOS](#)

From: COLLOM <jrcmoo@aol.com>
Sent: Monday, May 22, 2023 11:32:04 AM
To: Brandon Berry <bberry@stpetebeach.org>
Subject: Re: RWB Music

CAUTION: This message has originated from **Outside of the Organization**. Do **Not Click** on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe

Yes already did and will drop off in bit.
Charles Collom

Sent from my iPad

On May 22, 2023, at 8:50 AM, Brandon Berry
<bberry@stpetebeach.org> wrote:

Would you mind highlighting the survey showing the band area,
including dimensions, when you have the chance?

Thank you,
Brandon

From: jrcmoo@aol.com <jrcmoo@aol.com>
Sent: Sunday, May 21, 2023 11:01 AM
To: Brandon Berry <bberry@stpetebeach.org>
Subject: RWB Music

CAUTION: This message has originated from **Outside of the Organization**. Do **Not Click** on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe

Brandon,



Brandon Berry Q

bberry@stpetebeach.org
+ Add to contacts

Big save on Temu

Temu

Garden

GREETING CARDS

Hickmans 6

Hotels

intellius 1

janes 51

JCS CCS 3

JCS@POWBA... 11

Marjorie N Dan 23

mARRIOTT

medearis 10

medscape

MKLEE 1

nascar

national geographic

nave

New FolderMed... 4

newspapers

Notes

npr

ONYX 6

RLS AES 4

SavedIMs

shopping ! 23

signals 1

Spambox

STORM WARNI... 1

SVWARSKI EAGLE

tcollom 25

Unwanted

Please see attached amended planning and zoning response to question 3.

We don't wish to be restricted with the previous times we gave you, as situations change.

Sincerely

Charles Collom

RWB

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All government correspondence is subject to the public records laws.

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RE: Wednesday morning

From: Jennifer McMahon (rddirector@stpetebeach.org)

To: jrcmoo@aol.com

Cc: matthew@dickmanlawfirm.org; andrew@dickmanlawfirm.org; bberry@stpetebeach.org

Date: Wednesday, April 26, 2023, 03:40 PM EDT

Charles,

Our legal team did not agree with the grandfathered status. If you want your attorney to call the city attorney, they can discuss further.

Until then, whether on the dock old or new, NO AMPLIFIED MUSIC.

I appreciate your cooperation on this.

Jennifer

From: COLLOM <jrcmoo@aol.com>

Sent: Wednesday, April 26, 2023 3:06 PM

To: Jennifer McMahon <rddirector@stpetebeach.org>

Subject: Re: Wednesday morning

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Jennifer,

With reference to your contingency's regarding live music. We are not playing in the new area to which we have applied for the conditional use permit. We are however playing on the old dock which has been having live music without any issues before we purchased the restaurant, to which documentation has been submitted to validate this.

The old dock area is grandfathered in. The musicians can not play without their equipment. We are fully aware of the sound ordinance and we will comply.

I am not sure why now I am being pursued over this matter, this is having a negative effect on my business.

Thanks

Charles Collom

RWB

Sent from my iPad

On Apr 26, 2023, at 1:56 PM, Jennifer McMahon <rddirector@stpetebeach.org> wrote:

Hi Charles,

Until the Conditional Use Permit is issued you may play music but not amplified. No speakers, amp etc. Decimals may not go over 65 (until 10p) or 55 after 10pm.

I still want to meet with the commissioner and neighbors. Let me know a day next week that works with you.

Jennifer

From: jrcmoo@aol.com <jrcmoo@aol.com>

Sent: Tuesday, April 25, 2023 12:58 PM

To: Jennifer McMahon <rddirector@stpetebeach.org>

Subject: Re: Wednesday morning

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Jennifer,

We were expecting to meet to get this issue resolved. We talked to our attorney this morning and was just getting ready to notify you that our attorney would have been attending the meeting.

My attorney has the following questions:

1. Why were we shut down?

2. I was previously advised by Brandon Barry we were grandfathered and have proof from before December, 2020. If we showed the proof of being grandfathered, why were the police threatening to throw us in jail?

Our Attorney advised us to be cooperative and accordingly, we have filed a Conditional Use Application solely for the use of letting us play music on the new deck. If that is not granted, we will continue to play at the same location previously used in November, 2020

We need to be able to commence music on Wednesday 26th on the grandfathered part of the dock, until conditional use permit is processed.

Thank you

Charles Collom

Red, White & Booze

-----Original Message-----

From: Jennifer McMahon <rddirector@stpetebeach.org>

To: COLLOM <jrcmoo@aol.com>

Sent: Tue, Apr 25, 2023 12:40 pm

Subject: RE: Wednesday morning

Hi Charles,

Change of plans and they are not able to meet tomorrow. I will send you another email when they let me know another time.

Sorry for the change.

Jennifer

From: COLLOM <jrcmoo@aol.com>

Sent: Monday, April 24, 2023 4:24 PM

To: Jennifer McMahon <rddirector@stpetebeach.org>

Subject: Re: Wednesday morning

CAUTION: This message has originated from **Outside of the Organization**. Do Not Click on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe

Yes 11am works thanks.

Charles Collo

Sent from my iPad

On Apr 24, 2023, at 12:53 PM, Jennifer McMahon <rddirector@stpetebeach.org> wrote:

Commissioner Marone and you neighbor are available to meet Wednesday morning with you all if you would like.

Let me know if you are available.

Anytime before noon.

Thanks,

Jennifer

The city of St. Pete Beach uses SeeClickFix for residents to submit issues to the city. To report an issue, please [click here](#).

All government correspondence is subject to the public records laws.

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meeting

From: Jennifer McMahon (rddirector@stpetebeach.org)

To: jrcmoo@aol.com

Date: Monday, May 1, 2023, 11:00 AM EDT

Hi Charles,

Are you able to meet this week with the commissioner and some residents?

Jennifer

The city of St. Pete Beach uses SeeClickFix for residents to submit issues to the city. To report an issue, please [click here](#).

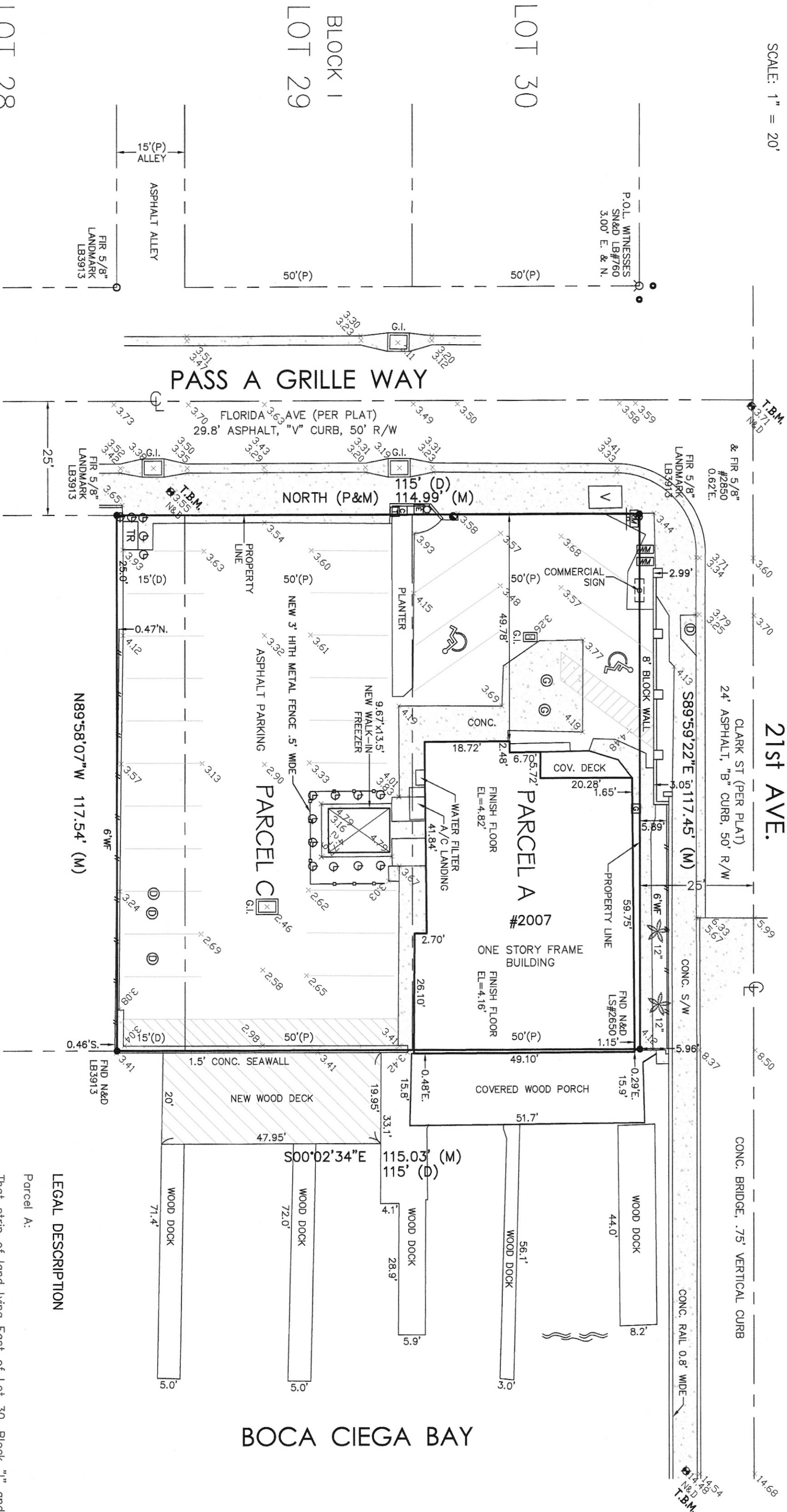
All government correspondence is subject to the public records laws.

SECTION 18, TOWNSHIP 32S, RANGE 16E

CERTIFIED TO: COLLOM PROPERTIES LLC



NORTH BASIS:
ASSUMED
SCALE: 1" = 20'



- LEGEND:
- FND = FOUND
 - N&D = NAIL & DISK
 - SR = SET ROD
 - SR = SET ROD
 - OHW = OVERHEAD WIRE
 - (C) = CALCULATED
 - (D) = DEED MEASUREMENT
 - (M) = FIELD MEASUREMENT
 - (P) = PLAT
 - CONC = CONCRETE
 - R/W = RIGHT OF WAY
 - P.O.L. = POINT ON LINE
 - SN&D = SET NAIL AND DISK
 - S/W = SIDEWALK
 - TRM = TRIM
 - C/C = COVERED CONCRETE
 - WF = WOOD FENCE
 - GL = GRATE INLET
 - WF = WATER FLOW PREVENTER AND WATER METER
 - = CLEANOUT
 - = CABLE T.V.
 - = POWER METER
 - = TELEPHONE BOX
 - = TRANSFORMER
 - = POWER METER
 - = GAS METER
 - = VALVE
 - = ROLLARD
 - = LAMP
 - = FIRE HYDRANT
 - = RAFTIC SIGN
 - = POWER POLE
 - = SANITARY MANHOLE
 - = STORM MANHOLE
 - = GREASE MANHOLE
 - = GREASE MANHOLE
 - = CABAGE PALM TREE
 - = SPOT ELEVATION

LEGAL DESCRIPTION

Parcel A:
That strip of land lying East of Lot 30, Block "1" and lying between the North and South lines of said Lot 30, as extended East to the water and lying between the East line of Florida Avenue and the water, all as shown on the **REVISED MAP OF PHILLIPS DIVISION OF PASS-A-GRIFFE CITY**, according to the Map or Plat thereof, as recorded in Plat Book 3, Page 38, being the same property shown on the Map of Phillips Division of Pass-a-Grille City, according to the Plat thereof, as recorded in Plat Book 4, Page 26, Public Records of Pinellas County, Florida.

Parcel C:

That certain unnumbered parcel or tract of land, designated Water Lot, lying between Pass-a-Grille Way and the waters of Boca Ciega Bay, and across Pass-a-Grille Way, opposite Lot 29 of Block "1", and opposite all the alley abutting said Lot 29, in Plat Book 4, Page 26, Pinellas County, Florida Public Records: said parcel being 65 feet, more or less, in width and lying between the bayward extensions of the North lines of Lot 28, Block "1" and the North line of Lot 29, Block "1", if said lines were extended Eastward.

Flood Zone
AE (EL. 10')
COMMUNITY PANEL #25149 1210300278 H,
EFFECTIVE 8/24/21
Basis of Bearings:
WEST BOUNDARY OF WATER LOTS
ASSUMED NORTH
Benchmark:
COUNTY #298 Y 135 P.C.
EL. = 4.053 N.A.V.D., ADJUSTED TO
EL. = 3.332 N.A.V.D. M.S.L. = 0.00'

NOTE: This survey is made for the exclusive use of the current owners of the property and does not purport to represent or guarantee the title thereto within one (1) year from date hereof.

NOTE: This survey was prepared without the benefit of a title search and is not intended to represent or guarantee the title thereto within one (1) year from date hereof. Survey not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper.

C E R T I F I C A T I O N

I hereby certify that the survey represented hereon meets the requirements of Chapter 51-17, Florida Administrative Code.

JOHN C. BRENDLA
Florida Surveyor's Registration No. 4601
Certificate of Authorization No. 760

JOHN C. BRENDLA AND ASSOCIATES, INC.
Professional Land Surveyors and Mappers

JCB

4015 82nd Avenue North
Pinellas Park, Florida 33781
Telephone (727) 576-7546
Facsimile (727) 577-9932
LB 760

BOUNDARY SURVEY
WITH TOPOGRAPHY AND
IMPROVEMENTS

R E V I S I O N S

No.	D E S C R I P T I O N	DATE
1.	UPDATE DECK AREA	5/16/2023

FB: 976 PC: 64,65,69

Job Number: 2209-21
Survey date: 10/5/22

DWN: JM
CHK: JOB

CITY COMMISSION MEETING CITY OF ST. PETE BEACH

Agenda Report

Action Request: Motion to continue Resolution 2023-08 to July 11, 2023 at 6:00 p.m. or as soon thereafter as same can be heard in these Chambers.

Strategic Objective: N/A

Date: June 27, 2023

Prepared By: Brandon Berry, Planner II

Through: Jennifer McMahon, Chief Operating Officer

Summary of Issue: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, APPROVING A CONDITIONAL USE PERMIT, PURSUANT TO SECTION 15.4 OF THE LAND DEVELOPMENT CODE, FOR THE ESTABLISHMENT OF AN AREA FOR THE PLAYING OF AMPLIFIED MUSIC AT 2007 PASS-A-GRILLE WAY.

Funding: N/A

Attachments:

1. Resolution 2023-08 - Red White & Booze Restaurant
2. CUP 23034 Staff Report
3. CUP 23034 Application
4. Amended Response - Hours of Operation
5. CUP 23034 Site Plan
6. 2007 Pass-a-Grille Way Survey
7. Noise Surveys - 5/27/23 & 6/4/23
8. Sheriff noise complaints - May 10 through June 12, 2023
9. CUP 23034 - Unified TRC Comments
10. Resident Letter #1
11. Resident Letter #2
12. Resident Letter #3

RESOLUTION 2023-08

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, APPROVING A CONDITIONAL USE PERMIT, PURSUANT TO SECTION 15.4 OF THE LAND DEVELOPMENT CODE, FOR THE ESTABLISHMENT OF AN AREA FOR THE PLAYING OF AMPLIFIED MUSIC AT 2007 PASS-A-GRILLE WAY; INCORPORATING THE CONDITIONS OUTLINED HEREIN; AND PROVIDING FOR CORRECTION OF SCRIVENER'S ERROR AND AN EFFECTIVE DATE.

WHEREAS, Section 4.7 of the City of St. Pete Beach's Land Development Code requires the City Commission to adopt conditional use permits by resolution.

WHEREAS, Section 15.4 of the City of St. Pete Beach's Land Development Code provides for outdoor amplified music in dining and drinking areas as a conditional use in the CG-1 Commercial District zoning district.

WHEREAS, on May 5, 2023, Charles and Helen Collom made complete an application (CUP #23034) to establish an outdoor area for amplified music on a dining deck at 2007 Pass-a-Grille Way, known presently as Red White & Booze restaurant, which has a zoning of CG-1.

WHEREAS, on May 17, 2023, staff held a Technical Review Committee meeting to discuss the request and clarify applicant responses.

WHEREAS, the City Commission has the authority to approve none, some, or all of the requested conditional use and companion variances.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, THAT:

SECTION 1. Recitals. The above recitals ("Whereas" clauses) are true and correct and adopted hereby as findings, purpose and intent of the City Commission.

SECTION 2. The City Commission hereby approves the requested conditional use permit application number #23034 submitted by Charles (owner) and Helen Collom, incorporated herein by reference, and with the list of conditions enumerated in Exhibit "A" incorporated herein.

SECTION 3. Scrivener's Error. The City Attorney may correct scrivener's errors found in this Resolution by filing a corrected copy of this Resolution with the City Clerk.

SECTION 4. Effective Date. This resolution shall take effect immediately upon adoption.

PASSED AND APPROVED BY THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, THIS _____ DAY OF _____, 2023.

CITY COMMISSION, CITY OF ST. PETE
BEACH, FLORIDA.

Adrian Petrila, Mayor

ATTEST:

Amber LaRowe, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Andrew Dickman, City Attorney

EXHIBIT “A”**Conditions**

1. The owner shall install and maintain a permanent set of outdoor amplification equipment, including but not limited to speaker(s) and amplifier(s), for use by all artists playing within the permitted area. All music shall come from said onsite equipment and no outside amplification equipment may be brought in. Directional speakers shall be oriented toward the subject property and away from residential areas to the north and east. No bass is permitted. The owner shall provide a list of existing or newly-installed equipment and specification sheets, including a site plan, for staff review prior to installation and operation of the area.
2. Permitted hours for the playing of amplified music are as follows:

Wednesday – Friday:	5–10 PM
Saturday:	12–4 PM & 5–10 PM
Sunday:	11 AM–3 PM & 4–10 PM

Amplified music shall not be played from any equipment installed along, or piped to, any outdoor area of the property outside of the hours listed above.

3. Amplified music shall not exceed the following decibels at any hour in which amplified music is permitted:

The property line of any receiving residential property: 55 dBA

Ten feet from any speaker installed along the waterfront of 2007 Pass-a-Grille Way: 75 dBA

The standards above are in addition to those specified in the Code of Ordinances. The owner shall demonstrate that sound limiters have been installed on equipment to maintain the levels specified above prior to operation of the music area.

4. Bands shall be limited to the tented area as shown on the site plan. Instruments shall be limited to non-percussive instruments unless otherwise approved by the city manager. Under no circumstances shall the playing of acoustic drum sets or percussive instruments that repetitively produce similar impulsive sounds be permitted without amendment of this conditional use permit by the City Commission.
5. The tent placed over the outdoor music area shall be no larger than 10 x 10 feet in size. Upon issuance of a tropical storm or hurricane warning, the tent covering the musician area shall be removed and safely stored indoors. The tent shall be inspected by the building and fire officials, if necessary, to determine compliance with the building and fire codes.
6. Any violation of the above-stated conditions will allow the City Commission to rescind or modify the Conditional Use Permit.
7. The City Commission may review the Conditional Use Permit periodically to determine whether the order is in compliance with the terms and conditions herein.



**PLANNING DIVISION
CONDITIONAL USE APPLICATION
STAFF REPORT TO THE
CITY OF ST. PETE BEACH CITY COMMISSION**

CASE NO.: 23034 **HEARING DATE:** June 27, 2023

OWNER/APPLICANTS: Charles & Helen Collom

PREPARED BY: Brandon Berry, Planner

This application is a request for a Conditional Use Permit:

REQUEST:	Request to establish an area to play amplified music on an existing outdoor dining and drinking deck at 2007 Pass-a-Grille Way (LDC Sec. 15.4.(n)).
LOCATION:	2007 Pass-a-Grille Way; Parcel ID # 18-32-16-68634-000-0020.
ACREAGE:	Approximately 0.3 acres (13,300 sq. ft.)
EXISTING LAND USE	CG-1 Commercial District on the Zoning Map and CG Commercial General on the Future Land Use Map
SURROUNDING FUTURE LAND DESIGNATIONS:	North – 21 st Ave & RLM – Residential Low Medium South – CG Commercial General East – Water & RU Residential Urban West – Pass-a-Grille Way & ROR Residential/Office/Retail
SURROUNDING ZONING MAP DESIGNATIONS:	North – 21 st Ave & RLM-2/PAG – Residential District in the Pass-a-Grille Overlay District South – CG-1 Commercial District East – Water & RU-1 Residential District West – Pass-a-Grille Way & ROR/PAG – Residential/Office/Retail in the Pass-a-Grille Overlay District
SURROUNDING EXISTING USES:	North – Single-family residence South – Restaurant East – Single-family residential West – Convenience store & strip center (coffee shop & former restaurant)

BACKGROUND

The owner submitted the subject request on May 5, 2023 to allow live music on an existing outdoor seating deck, located at the seawall at the southern end of the dock area. The construction of the deck was permitted in May 2022, following the property owner's purchase of the property and existing restaurant building in April 2022. The owner has applied to make other improvements to the property since purchase, including new signage, installation of a new walk-in cooler and generator in the parking area south of the restaurant, and installation of roof condenser units. The owner also has a pending variance case (#23018) to install an eight-foot fence along the southern property line which extends into a waterfront yard, which is scheduled to be heard on June 28, 2023.

CODE ENFORCEMENT DATA

As of June 8, 2023 this property has been the recipient of two documented local code enforcement complaints related to noise and music since the current owner's purchase, one filed in November

2022 and a second filed in April 2023. The original complaint is closed and the second related to the playing of music in an outdoor restaurant seating area, which approval of this permit would resolve. The property has also been the recipient of fourteen complaints to the Pinellas County Sheriff's Office as of June 12th for noise, as follows:

May 10th: One call (8:54 PM)

May 19th: Five calls from two numbers (7:24, 7:31, 7:55, 8:13, 9:36 PM)

May 20th: One call (7:31 PM)

May 25th: One call (9:18 PM)

May 27th: Two calls (7:38, 8:57 PM)

June 2nd: One call (8:13 PM)

June 4th: Two calls (2:11, 2:40 PM)

June 10th: One call (6:43 PM)

It should be noted that all complaints were received during dates the owner's restaurant advertised live music at the property through social media. However, the final complaint received on May 19th, and the complaint received on May 25th, were outside of the hours the restaurant advertised for live music. None of the dates resulted in the issuance of a citation, but sheriffs' reports were filed on May 19th (SO23-160945) and June 10th (SO23-187710). In the former instance, the owner chose to turn down the music.

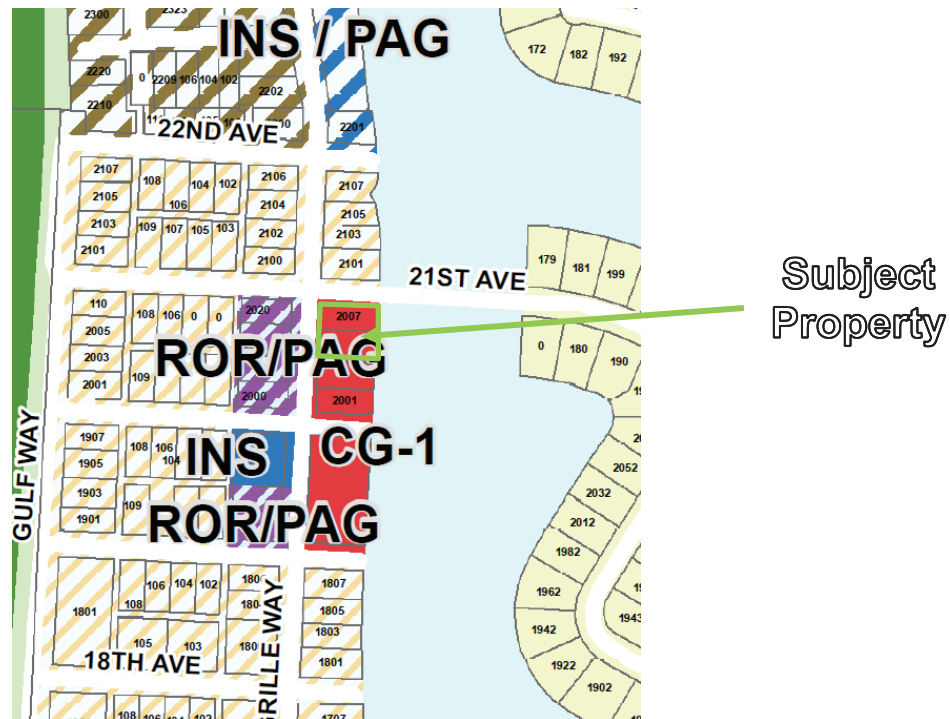
Sound level readings are taken from calibrated equipment that provides an average reading over a selected time period. Readings are taken with a sound source present, and then with the sound source removed, herein called an ambient reading. As decibels are logarithmic units, the addition of two sources producing equal decibels will result in a sound level three decibels higher than either source individually. For instance, adding together two 55 dBA sources will produce a sound level of 58 dBA, and adding together two 70 dBA sources will produce a sound level of 73 dBA. Accordingly, the noise from a source reading must be more than three decibels higher than the ambient reading in order for the test to be considered a valid difference under the parameters set for the readings.

Three noise readings were taken on May 27th as the property hosted a musician. The first measured 81.2 dBA from the Vina Del Mar Bridge immediately adjacent the property. The music was turned down and retested, resulting in an adjusted noise source of 65.2 dBA, approximately 0.2 decibels higher than permitted by code for receiving areas outside of the property at the time of day the reading was taken (6 PM). These two readings found an ambient sound level of 66 and 62.6 dBA respectively. A later reading by the sheriff's office at 7 PM resulted in an adjusted reading of 58.9 dBA.

A final reading was taken on June 4th around 3:30 PM from a resident's property located approximately 450 feet southeast of the subject property. The adjusted sound level was calculated at 58.5 dBA, with 55.5 dBA calculated as the ambient noise level.

Regarding additional code enforcement violations, the property has been the recipient of a complaint related to unpermitted signage in April 2023, which has been resolved through the removal of the signage, and the installation of outdoor lights also in April 2023, which has been resolved by a determination that the lights comply with local code requirements.

ZONING MAP



AERIAL MAP





While the subject request requires City Commission approval, the area is already established and contains a temporary tent of approximately 9x9 feet over the northwestern area of the seating deck. The owner has routinely hosted musicians at the property over the past months. There have been other occasions in which music was played for the purpose of conducting sound readings.

Wednesday – Friday: 5–10 PM
Saturday: 12–4 PM & 5–10 PM
Sunday: 11 AM–3 PM & 4–10 PM

From aerial measurements, the musician area is proposed to be approximately 125 feet from the northern residential property at 2101 Pass-a-Grille Way, and 275 feet from the closest Vina-Del Mar residential property at 170 21st Ave.

The city establishes a 65 decibel (dBA) limitation for residential single-family receiving properties and public space between 7 AM and 10 PM, and 55 dBA outside those hours. Commercial receiving properties have a 65 dBA maximum receiving limit at all hours of the day. For reference, according to Yale Environmental Health and Safety, a household refrigerator hum is approximately 55 dBA, while a normal conversation at standard distance is approximately 65 dBA [1].

According to the Centers for Disease Control and Prevention, sustained noise at 80 decibels can potentially cause damage to hearing if experienced for two hours or more [2]. While this parameter is substantially higher than permitted to be sustained anywhere in the city, the Environmental Protection Agency indicated in the 1970s that sustained dBA over 55 decibels (adjusted) is a basis for outdoor annoyance in residential areas [3], while a range of 53-62 dBA is referenced as being potentially perceived as annoying in a newer source [4]. Sources indicate that the typical walls of a residential building provide between 20 and 28 decibels of attenuation compared with an outdoor noise reading, which would limit a daytime receiving dBA inside a typical residential home experiencing its maximum outdoor decibel level of 65 dBA to 40-45 dBA, or approximately the sound of light rain [5][6].

According to the inverse square law, provided no other intervening amplification or attenuation, the intensity of sound dissipates by 6 decibels for each doubling of distance from the sound source. For instance, if a sound is measured at 65 decibels at 50 feet from a source, it will measure 59 decibels at 100 feet, 53 decibels at 200 feet, and 47 decibels at 400 feet.

Pursuant to Land Development Code Sec. 29.5.(3), this request does not increase density or intensity at the property and is considered exempt from concurrency requirements.

Land Development Code Sec. 4.4 – Standards for review.

When considering an application for approval of a conditional use, the City Commission review shall consider the following standards:

- (1) Whether the conditional use is consistent with the goals, objectives, and policies of the Comprehensive Plan, any adopted special area plan and these regulations;**

The conditional use request is consistent with the Comprehensive Plan in the following ways:

FUTURE LAND USE ELEMENT:

Future Land Use Policies - Green Practices, Residential Character and Introduction to Land Use Categories

GOAL 2:

The City shall ensure that the residential character of the City of St. Pete Beach is maintained and protected while:

- Maximizing the potential for economic benefit resulting from the tourist trade and the enjoyment of natural and man-made resources by residents and visitors alike.

- Minimizing the threat to health, safety, and welfare posed by hazards, nuisances, incompatible land uses, and environmental degradation.
- Maintaining the community's recreation, open space and beaches.

Objective 2.4

Consistent with this comprehensive plan, as amended, the City of St. Pete Beach shall enhance and protect the City's character through the encouragement of redevelopment which ensures an orderly and aesthetic mixture of land uses.

Policy 2.4.1

The City shall, through administration of the LDC, encourage the redevelopment or rehabilitation of existing non-residential areas and uses.

Staff finds that conditions are required to ensure that the request is not contrary to the following objective and policy:

FUTURE LAND USE ELEMENT:

Future Land Use Policies - Green Practices, Residential Character and Introduction to Land Use Categories

GOAL 2

Objective 2.1

The integrity and quality of life throughout the City, including existing residential neighborhoods, as well as core commercial and resort areas, will be maintained through the enforcement of the land development regulations and shall be encouraged to be improved, and for those properties experiencing blighting conditions such as deterioration, degradation, and distress shall be encouraged to redevelop through the use of land development regulations and other incentives, in accordance with the Future Land Use Element.

Policy 2.1.5

Through the enforcement of the land development regulations, existing residential areas shall be protected from the encroachment of incompatible uses; likewise, other land use areas shall be protected from the encroachment of incompatible residential uses.

(2) Whether the proposed use will be compatible with the character of the existing area, including existing structures and structures under construction, existing public facilities and public facilities under construction, and residential, commercial and/or service facilities available within the existing area. More specifically:

- a. Whether the overall appearance and function of the area will be significantly affected. Consideration shall be given to the existence of**

other uses in the area, based on the number, size, and location of the uses and the intensity and scale of the proposed and existing uses in the area; *Staff finds the overall appearance and function of the area will not be significantly affected. The property has hosted occasional musicians on its covered patio since at least late 2020. This request is to establish the musician area on the new outdoor deck, which does not have a solid roof or other barriers to attenuate sound as were in place under the covered patio. While outdoor seating areas are permitted in the subject zoning district and are not under consideration in the subject scope, the musician area complements new seating areas established for the restaurant under the current ownership.*

- b. **Whether the application will preserve any city, state or federally designated historic, scenic, archaeological, or cultural resources;** *There are no known historic, archaeological or cultural resources in the area. The property's waterfront has historically been used by guests for mooring and viewsheds, and that intent is not changing under this application. The deck cover is temporary and permanent roofs are not permitted over the water in the subject zoning district. While no work is proposed to establish this area, should the owner pursue seating deck expansion in the future, they are put on notice that should any resources be discovered during the work proposed, the City shall be informed.*
- c. **Whether the application will be compatible with adjacent development, if any, based on characteristics such as size, building style and scale; or whether such incompatibilities are mitigated through such means as screening, landscaping, setbacks, and other design features.** *Staff finds the application to be compatible with adjacent development. The new deck area extends approximately forty-three feet into the water less than The Wharf restaurant building to the immediate south, and the tent is approximately fifty-three feet shorter than the adjacent restaurant building. Due to the depth of the existing patio at the northern end of the subject property, the tented musician area is generally masked from view from the Vina Del Mar Bridge.*
- d. **Whether the application will have significant adverse impacts on the livability and usability of nearby land due to noise, dust, fumes, smoke, glare from lights, late-night operations, odors, vehicular traffic, truck and other delivery trips, the amount, location, and nature of any outside activities, potential for increased litter, or privacy and safety issues.** *Staff finds that there is no expected additional impact from dust, fumes, smoke, glare, odors, traffic, or litter. Staff has concerns regarding the potential sustained noise increases resulting from the use, particularly in later hours of the day, and recommend conditions to mitigate irritation to nearby residential receiving properties. The intent of proposed conditions are to inhibit the potential for raucous noise from the property over the 34 hours in which the owner proposes a musician be eligible to play each week, and to promote health and the general*

welfare. Staff proposes these conditions in recognition that consistent playing of amplified music with bass or other amplification of such a consistent or impulsive decibel level to be considered raucous could potentially represent a nuisance to the surrounding community.

- (3) Whether the transportation system is capable of adequately supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, access to arterials, transit availability, on-street parking impacts, if any, site access requirements, neighborhood impacts, and pedestrian safety; This proposal is not anticipated to create any new impacts on the road system or cause any conflicts with site access.**
- (4) Whether the minimum off-street parking area required and the amount of space needed for the loading and unloading of trucks, if applicable, will be provided and will function properly and safely; This proposal is not anticipated to affect on-site parking areas.**
- (5) Whether generally, the public health, safety and welfare will be preserved, and any reasonable conditions necessary for such preservation have been made; Staff propose conditions related to orientation and maintenance of amplification and speakers, limited hours of operation during weekdays, maximum sound levels, instrument limitations, and maximum artist limitations to mitigate potential impacts on surrounding properties.**
- (6) Whether the applicant has demonstrated the financial and technical capacity to complete any improvements and mitigation necessitated by the development as proposed and has made adequate legal provision to guarantee the provision such improvements and mitigation; There are no site improvements anticipated to implement this request.**
- (7) Whether the proposed use complies with all additional standards imposed on it by the particular provision of these regulations authorizing such use and by all other applicable requirements of the regulations of the City of St. Pete Beach. The request is governed under the city's noise ordinance outside of any additional conditions placed on the request under this scope.**

The following three additional criteria are evaluated when an outdoor dining and drinking area with amplified music is proposed to be established:

- (8) The product specifications of any permanent speakers, amplifiers and other support equipment to be installed outdoors.**
The owner states that all visiting musicians currently bring their own speakers and amplification equipment. Staff are requesting, as a condition of approval, that the owner install permanent equipment with a sound limiter to ensure that standards for decibels can be consistently adhered with.

(9) An explanation of the hours of operation of the outdoor dining and/or drinking area, including any special provisions or intentions for live music.

The owner has requested specific hours of approval for live music. Amplified and recorded music are treated the same and both require a conditional use permit. Staff are recommending that hours for live music be limited to those requested by the owner as of their most recent submittal.

(10) A description of how music will be regulated in accordance with the City's noise ordinance as found in Chapter 46, Article IV of the Code of Ordinances.

The owner is not proposing to offer live music outside of the hours at which 65 dBA is the allowable receiving decibel level at any property. Staff are recommending the owner be required to adhere with the hours proposed, and are requesting an additional ten decibel level reduction in maximum receiving level at residential properties, to ensure reasonable quiet enjoyment of nearby residential properties.

STAFF RECOMMENDATION

It has been determined that the reviewing body (City of St. Pete Beach City Commission) is empowered under the LDC to grant a conditional use permit for application 23034. Granting this request will not adversely affect the public interest, and would be generally compatible with adjacent properties and other properties in the district provided the conditions as proposed by staff are adhered to. As such, staff recommends approval of the Conditional Use to establish outdoor music at the existing outdoor dining area. Should the City Commission grant the Conditional Use, the application should be subject to the following conditions:

1. The owner shall install and maintain a permanent set of outdoor amplification equipment, including but not limited to speaker(s) and amplifier(s), for use by all artists playing within the permitted area. All music shall come from said onsite equipment and no outside amplification equipment may be brought in. Directional speakers shall be oriented toward the subject property and away from residential areas to the north and east. No bass is permitted. The owner shall provide a list of existing or newly-installed equipment and specification sheets, including a site plan, for staff review prior to installation and operation of the area.

2. Permitted hours for the playing of amplified music are as follows:

Wednesday – Friday:	5–10 PM
Saturday:	12–4 PM & 5–10 PM
Sunday:	11 AM–3 PM & 4–10 PM

Amplified music shall not be played from any equipment installed along, or piped to, any outdoor area of the property outside of the hours listed above.

3. Amplified music shall not exceed the following decibels at any hour in which amplified music is permitted:

The property line of any receiving residential property: 55 dBA

Ten feet from any speaker installed along the waterfront of 2007 Pass-a-Grille Way: 75 dBA

The standards above are in addition to those specified in the Code of Ordinances. The owner shall demonstrate that sound limiters have been installed on equipment to maintain the levels specified above prior to operation of the music area.

4. Bands shall be limited to the tented area as shown on the site plan. Instruments shall be limited to non-percussive instruments unless otherwise approved by the city manager. Under no circumstances shall the playing of acoustic drum sets or percussive instruments that repetitively produce similar impulsive sounds be permitted without amendment of this conditional use permit by the City Commission.
5. The tent placed over the outdoor music area shall be no larger than 10 x 10 feet in size. Upon issuance of a tropical storm or hurricane warning, the tent covering the musician area shall be removed and safely stored indoors. The tent shall be inspected by the building and fire officials, if necessary, to determine compliance with the building and fire codes.
6. Any violation of the above-stated conditions will allow the City Commission to rescind or modify the Conditional Use Permit.
7. The City Commission may review the Conditional Use Permit periodically to determine whether the order is in compliance with the terms and conditions herein.



CONDITIONAL USE APPLICATION

23034

Case Number: _____

PROPERTY OWNER: _____ APPLICANT/AGENT (Attach agent authorization form)

Name: CHARLES & HELEN COLLUM Name: _____

Address: 2381 E. VINA DELMAR BLVD Address: _____

City: St. Pete Beach State: FL City: _____ State: _____

Zip: 33706 Telephone: 727-418-1314 Zip: _____ Telephone: _____

Email: Jrcmoo@aol.com Email: _____

SUBJECT PROPERTY:

Address: 2007 PASS-A-GRILL WAY Current Name of Business: RED, WHITE + BOOZE

Parcel ID: 18-32-16-68634-000-0020 Name of Project: LIVE MUSIC

DETAILS OF THE REQUEST, INCLUDING APPLICABLE CODE SECTIONS AND ANY ASSOCIATED CASES (Add additional sheets if necessary):

RED, WHITE + BOOZE WISHES TO ALLOW THE PERFORMANCE OF LIVE MUSIC ON THE
OUTDOOR UNCOVERED DECK AREA IN ACCORDANCE WITH SEC 15.4(N).

Hollom
Signature of Applicant/Agent

4-14-23
Date

CITY OF ST. PETE BEACH, Community Development Department
155 Corey Avenue, St. Pete. Beach, Florida 33706, 727-367-2735 www.stpetebeach.org

CONDITIONAL USE APPLICATION

Applicants must acknowledge understanding of the following. Initial each of the statements below. If you do not understand any of these, staff will explain them to you.

HE I understand that the City will not accept or process an incomplete application.

HE I understand that a non-conforming use or structure in a particular zoning district does not, in any way, provide justification for the granting of a conditional use. Furthermore, the existence of a permitted use or structure in adjacent districts does not constitute grounds for a conditional use.

HE On all conditional uses, a majority vote is required. Action on this application by the City Commission may be continued to a later meeting.

HE I understand that if a conditional use is approved by the City Commission, the applicant is required to obtain the appropriate building permits within 1 year from the date of the decision. If no permit is obtained within 1 year, the approval from the City Commission becomes voided.

HE I understand that any person aggrieved by the final decision has the right to file a petition in the Pinellas County Circuit Court within 30 calendar days after the decision. Permits for construction may be granted prior to the expiration of this 30-day period, but an appeal will be grounds for revocation of the permit.

HE I understand that I, as the applicant, or my authorized representative must be present at all scheduled public meetings on the application.

After acknowledgement of these conditions, complete the application form on the following pages

H. Colson 4/14/23
Signature of Applicant Date

CITY OF ST. PETE BEACH, Community Development Department
155 Corey Avenue, St. Pete. Beach, Florida 33706, 727-367-2735 www.stpetebeach.org

In order for an application for a conditional use to be approved or approved with conditions, the City Commission must make a positive finding with regard to each of the provisions below, pursuant to Division 4 of the City's Land Development (LDC). The applicant has the burden of proof demonstrating that the application for the conditional use complies with each of the requirements. Please explain in detail how your case meets these requirements (attach additional sheets if necessary):

1. LDC Sec 4.4(a)(1) Whether the conditional use is consistent with the goals, objectives, and policies of the Comprehensive Plan and any adopted special area plan.

THE PERFORMANCE OF LIVE MUSIC IS CONSISTENT WITH THE COMPREHENSIVE PLAN IN THE CG-1 COMMERCIAL DISTRICT IN PASS-A-GRAVE, OUR NEIGHBORING RESTAURANT/BAR DIRECTLY TO THE SOUTH ALSO PROVIDES THIS AMENITY TO THEIR GUESTS AND HAS FOR MANY YEARS.

2. LDC Sec 4.4(a)(2)a-d Whether the proposed use will be compatible with the character of the existing area, including existing structures and structures under construction, existing public facilities and public facilities under construction, and residential commercial and/or service facilities available within the existing area. More specifically:

- a. Whether the overall appearance and function of the area will be significantly affected. consideration shall be given to the existence of other uses in the area, based on the number, size, and location of the uses and the intensity and scale of the proposed and existing uses in the area;

PERFORMANCE OF LIVE OUTDOOR MUSIC WILL NOT AFFECT THE APPEARANCE OF THE AREA.

- b. Whether the application will preserve any city, state, or federally designated historic, scenic, archaeological, or cultural resources (check with Community Development to determine historic resource status);

ANY HISTORIC/CULTURAL RESOURCE WILL BE UNAFFECTED BY THE APPLICATION FOR LIVE MUSIC IN THE AREA.

CITY OF ST. PETE BEACH, Community Development Department
155 Corey Avenue, St. Pete. Beach, Florida 33706, 727-367-2735 www.stpetebeach.org

- c. Whether the application will be compatible with adjacent development, if any, based on characteristics such as size, building style and scale, or whether such incompatibilities are mitigated through such means as screening, landscaping, setbacks, and other design features;

NO STRUCTURAL CHANGES WILL BE NECESSARY AND LIVE PERFORMANCE IS COMPATIBLE WITH EXISTING FEATURES BEING USED IN THE DISTRICT.

- d. Whether the application will have significant adverse impacts on the livability and usability of nearby land due to noise, dust, fumes, smoke, glare from lights, late-night operations, odors, vehicular traffic, truck and other delivery trips, the amount, location, and nature of any outside activities, potential for increased litter, or privacy and safety issues;

LIVE MUSIC PERFORMANCES WILL FALL UNDER THE COMMUNITY GUIDELINES REGARDING NOISE AND HOURS OF OPERATION. IT IS OUR INTENT TO ACT RESPONSIBLY AND AS A GOOD NEIGHBOR TO THE SURROUNDING COMMERCIAL AND PRIVATE RESIDENTIAL COMMUNITY.

3. Whether the transportation system is capable of adequately supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, access to arterials, transit availability, on-street parking impacts, if any, site access requirements, neighborhood impacts, and pedestrian safety (a traffic study may be required);

THE PROPOSAL WILL HAVE A NULL EFFECT ON TRANSPORTATION AND PARKING.

4. Whether the minimum off-street parking area required and the amount of space needed for the loading and unloading of trucks, if applicable, will be provided and will function properly and safely (please provide current and proposed number of parking and loading spaces);

ALL ACTIVITIES REGARDING LIVE MUSIC WILL BE STRICTLY CONTAINED WITHIN THE PRIVATE PARKING AND OUTDOOR DINING AREAS AT RED, WHITE + BOOZE.

CITY OF ST. PETE BEACH, Community Development Department
155 Corey Avenue, St. Pete. Beach, Florida 33706, 727-367-2735 www.stpetebeach.org

5. Whether generally, the public health, safety and welfare will be preserved, and any reasonable conditions necessary for such preservation have been made;

ALL HEALTH AND SAFETY GUIDELINES WILL BE ADHERED TO REGARDING THE PUBLIC AND RESTAURANT STAFF.

6. Whether the applicant has demonstrated the financial and technical capacity to complete any improvements and mitigation necessitated by the development as proposed and has made adequate legal provision to guarantee the provision of such improvements and mitigation; and,

NO FINANCIAL NEEDS WILL BE REQUIRED TO EXECUTE LIVE MUSIC PERFORMANCE. ANY SECONDARY NECESSITIES ARISING FROM HOSTING THESE EVENTS WILL BE HANDLED ADEQUATELY BY OWNERSHIP.

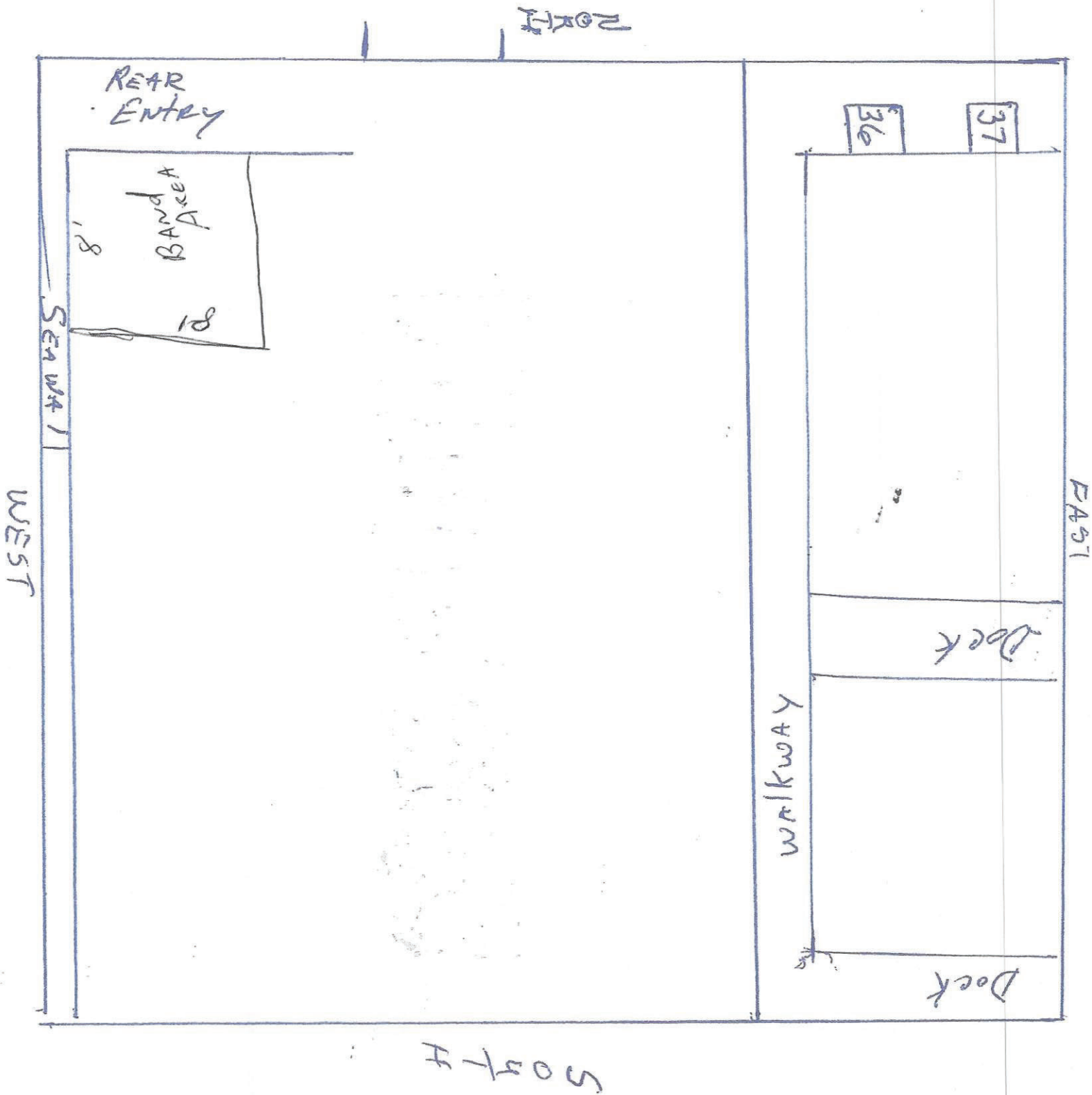
7. The proposed use complies with all additional standards imposed on it by the particular provision of these regulations authorizing such use and by all other applicable requirements of the regulations of the City of St. Pete Beach.

THE PROPOSAL WILL COMPLY WITH ANY OTHER STANDARDS, GUIDELINES OR REGULATIONS REQUIRED TO HOLD SUCH EVENTS.

Sec. 4.12 of the Land Development Code additionally requires conditional use applications within the community redevelopment district to be evaluated upon the extent to which the applicant can demonstrate that the following issues are addressed in a manner consistent with the policies established in the community redevelopment plan for the district and that no unreasonable or disproportionately negative impacts are imposed upon adjacent or nearby properties:

1. Utility infrastructure, including sanitary sewer, reclaimed water, potable water, electric and natural gas services, and data transmission and telecommunication services.
2. Transportation infrastructure, including ingress and egress from public right-of-way, traffic control devices and signalization, internal vehicle circulation of the site, design and function of parking areas, loading and unloading areas, pedestrian transit infrastructure and amenities, and public sidewalks and roadways.
3. Hydrological features and storm water management infrastructure.
4. Aesthetic and architectural features of the development, including site layout, physical dimensions of structures such as height and massing, design and appearance of building facades, exterior building materials, advertising and directional signage and the provision and maintenance of Gulf and Bay views and vistas.
5. Site landscaping, open space provision and impervious surface limitations.

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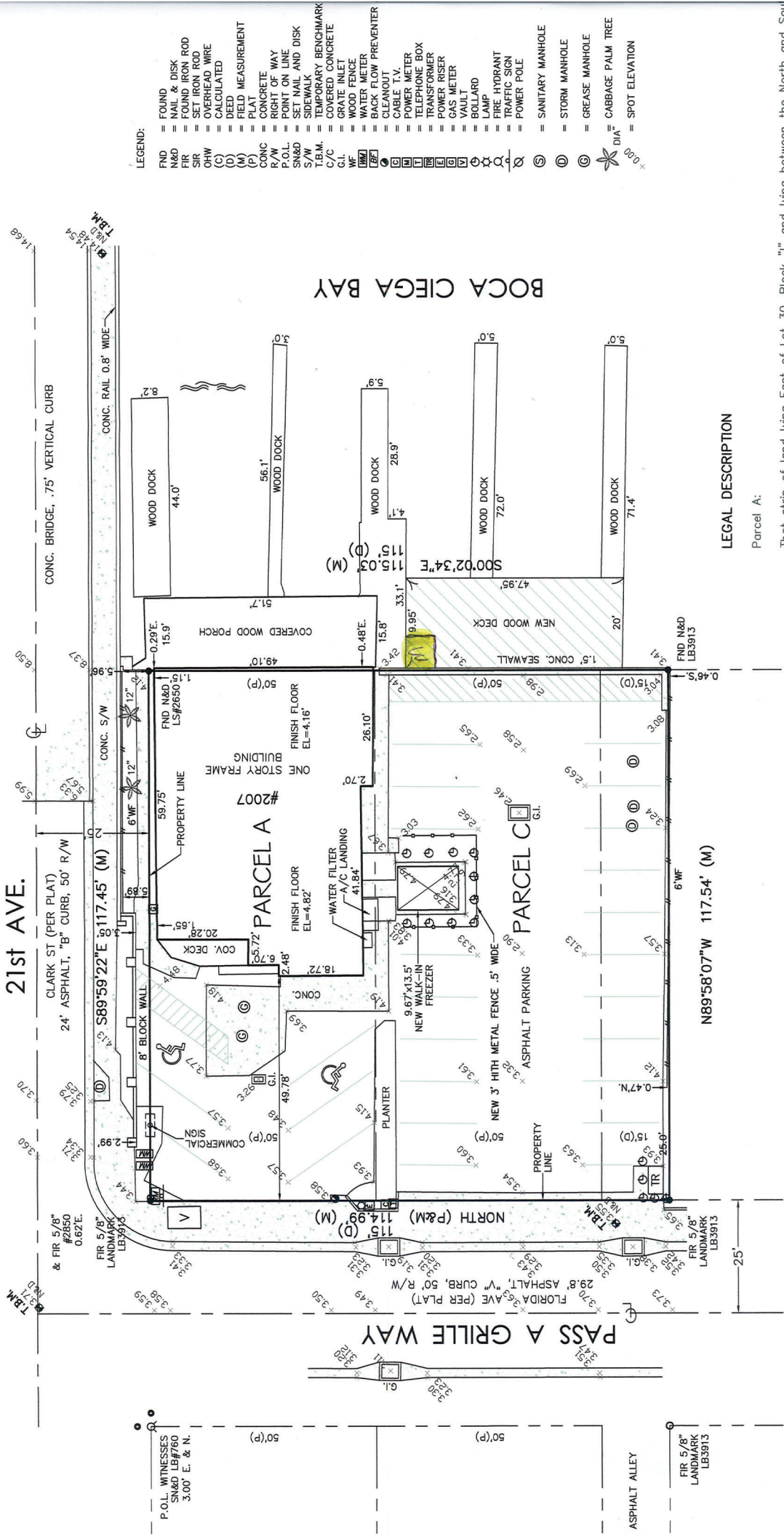
Comments have not been shared, but may be shared at the meeting.

Planning & Zoning:

- 1) A current survey is required prior to scheduling for City Commission review. Please provide a sealed copy and a copy showing the sketch of the band area.
- 2) Please provide product specifications for any permanent amplification equipment installed at the site to support the music area, and indicate the orientation of speakers on the site plan.
- 3) What are your intended hours of operation for the music area?
- 4) Staff request that the test sound reading take place prior to City Commission review.
- 5) How many bands, and what total capacity, do you anticipate needing within the music area?
- 6) The area for the entertainers/band appears to be set up under an existing pop-up canopy. Is there something more permanent proposed for shelter from the elements and sound?

3) We wish to amend the hours of operation for the music area from 9pm to 10pm to finish as a back up should any situation arise.

WED - FRIDAY	5pm - 10pm
SATURDAY	12pm - 4pm 5pm - 10pm
Sunday	11am - 3pm 4pm - 10pm .



- LEGEND:
- FOUND
 - N&D
 - FIR
 - SET IRON ROD
 - OVERHEAD WIRE
 - OHV
 - (C)
 - (D)
 - (M)
 - (P)
 - CONC
 - R/W
 - RIGHT OF WAY
 - POINT ON LINE
 - SN&D
 - SET NAIL AND DISK
 - SIDWALK
 - T.B.M.
 - C/C
 - COVERED CONCRETE
 - GRATE INLET
 - WATER METER
 - BACK FLOW PREVENTER
 - CLEANOUT
 - CABLE T.V.
 - POWER METER
 - TELEPHONE BOX
 - TRANSFORMER
 - POWER RISER
 - GAS METER
 - VAULT
 - BOLLARD
 - LAMP
 - FIRE HYDRANT
 - TRAFFIC SIGN
 - POWER POLE
 - SANITARY MANHOLE
 - STORM MANHOLE
 - GREASE MANHOLE
 - CABBAGE PALM TREE
 - SPOT ELEVATION

LEGAL DESCRIPTION

Parcel A:

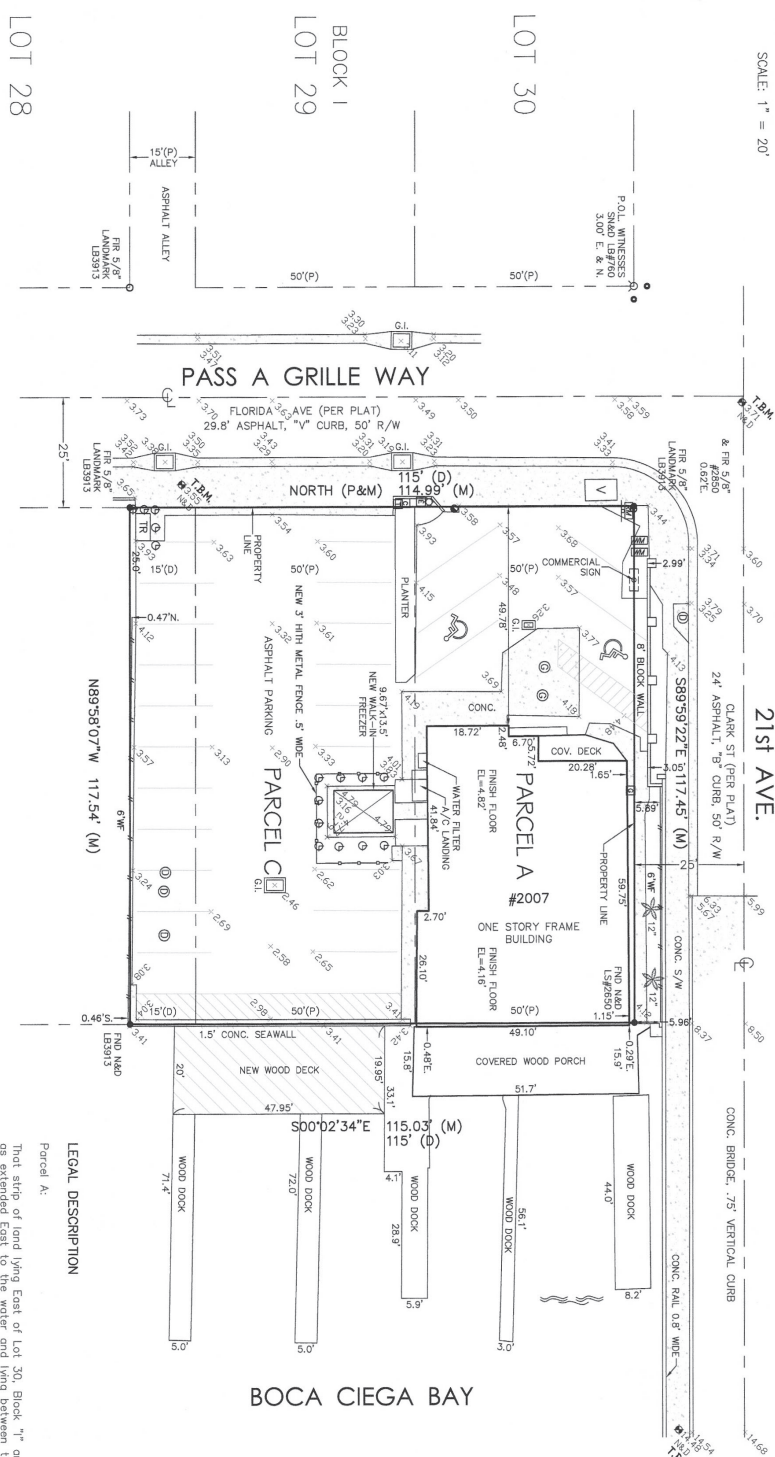
That strip of land lying East of Lot 30, Block "1" and lying between the North and South ... as extended East to the water and lying between the East line of Florida Avenue and ... on the **REVISED MAP OF PHILLIPS DIVISION OF PASS-A-GRIFFE CITY**, according to the ... recorded in Plat Book 3, Page 38, being the same property shown on the Map ... Pass-a-Grille City, according to the Plat thereof, as recorded in Plat Book 4, Page ... Pinellas County, Florida.

Parcel C:

That certain unnumbered parcel or tract of land, designated Water Lot ... lying between ... waters of Boca Ciega Bay, and across Pass-a-Grille Way, opposite Lot ... Block ...

NORTH BASIS:
ASSUMED
SCALE: 1" = 20'

CERTIFIED TO: COLLOM PROPERTIES LLC



LE GRAND:	FOUND
PAID	NAIL & DISK
MAID	SET IRON ROD
SIR	OVERHEAD WIRE
OWM	DIED
(0)	FIELD MEASUREMENT
(1)	CONCRETE
(2)	RIGHT OF WAY
R/W	POINT ON LINE
STAND	SET IRON ROD
S/W	SIDEWALK & DISK
TEMP	TEMPERARY BENCHMARK
CL	GRAVE MARKER
WE	WOOD FENCE
WATER	WATER METER
PRENTER	PREFRINTER AND WATER METERS
CLEANTY	CLEANTY
CABLE TV	CABLE TV
TELEPHONE BOX	TELEPHONE BOX
GAS METER	GAS METER
WALT	WALT
DAMP	DAMP
FIRE HYDRANT	FIRE HYDRANT
TOBACCO SIGN	TOBACCO SIGN
POWER POLE	POWER POLE
SANITARY MANHOLE	SANITARY MANHOLE
STORM MANHOLE	STORM MANHOLE
ORANGE MANHOLE	ORANGE MANHOLE
CABINAGE PALM TREE	CABINAGE PALM TREE
SPOT ELEVATION	SPOT ELEVATION

LOT 28

Flood Zone
AE (EL 10')
COMMUNITY PANEL #125149 12103C0278 H
EFFECTIVE 8/24/21
Basis of Bearings:
WEST BOUNDARY OF WATER LOTS
ASSUMED NORTH
Benchmark:
COUNTY #288 Y 135 P.C.
E.L. = 4.053' N.G.V.D. ADJUSTED
E.L. = 3.332' N.A.V.D. M.S.L. = 0.00'

CERTIFICATION

I hereby certify that the survey represented hereon meets the requirements of Chapter 5J-17, Florida Administrative Code.

JOHN O. BRENDLA
Florida Surveyor's Registration No. 460
Certificate of Authorization No. 760

JOHN C. BRENDLA AND ASSOCIATES, INC.
Professional Land Surveyors and Mappers

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

NOTE: This survey was prepared without the benefit of a title search and is subject to all assessments, rights-of-way and other matters of record. Survey not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper.

BE

4015 82nd Avenue North
Pinellas Park, Florida 33781
Telephone (727) 576-7546
Facsimile (727) 577-9932

LB 76C

BOUNDARY SURVEY WITH TOPOGRAPHY AND IMPROVEMENTS

REVISIONS

No.	DESCRIPTION	DATE
1.	UPDATE DECK AREA	5/16/2023

FB: 976 PG: 64,65,69

Job Number: 2209-21
Survey date: 10/5/22

DWN: JM
CHK: JOB

NOISE SURVEY FORM

Date: 5/27/23
Location: 2007 Pass-A-Grille Way
Project: Music at Red, White and Booze

Equipment: Meter: Quest 3M Sound Level Serial #: BBM0100006

Calibrator: QC 10 Serial #: OIG120047

Performed by: P. Jumar Assistant: _____

	Start	Finish
Calibration:	<u>114.0</u>	<u>114.0</u>
Time of Day:	<u>5:50 PM</u>	<u>6:07 PM</u>
Sky:	<u>Clear</u>	<u>Clear</u>
Wind:	<u>Slight</u>	<u>Slight</u>
Noise Source:	<u>Musician at RWR</u>	

Noise Source dB Level: 81.2
Ambient Noise dB Level: 66.0
Difference to Adjust: 15.2
Adjusted Noise Source dB Level: 81.2

<u>Difference between</u>	<u>Subtract from</u>
Source & Ambient	Source dB Level
0 to 3dB.....	Invalid Test
4 to 5dB.....	2dB
6 to 9dB.....	1dB
10dB or more.....	0dB

Remarks: _____

Signature:  Title: C.E.M

NOISE SURVEY FORM

Date: 5/27/23
Location: 2007 Pass-A-Grille Way
Project: Music at Red, White and Booze

Equipment: Meter: Quest 3M Sound Level Serial #: BBM0100006
Calibrator: QC 10 Serial #: OIG120047

Performed by: P. Dewar Assistant: _____

	Start	Finish
Calibration:	<u>114.0</u>	<u>114.0</u>
Time of Day:	<u>6:17pm</u>	<u>6:25pm</u>
Sky:	<u>Clear</u>	<u>Clear</u>
Wind:	<u>Slight</u>	<u>Slight</u>
Noise Source:	_____	_____

Noise Source dB Level:	<u>67.2</u>
Ambient Noise dB Level:	<u>62.6</u>
Difference to Adjust:	<u>4.6</u>
Adjusted Noise Source dB Level:	<u>65.2</u>

<u>Difference between</u>	<u>Subtract from</u>
Source & Ambient	Source dB Level
0 to 3dB.....	Invalid Test
4 to 5dB.....	2dB
6 to 9dB	1dB
10dB or more.....	0dB

Remarks: Spoke to Charles and reading is being taken at a level
that he has agreed to set the volume

Signature:  Title: C. E. N.

NOISE SURVEY FORM

Date: 5/27/23
Location: 2007 Pass-a-Gsille Way (RWB)
Project: _____

Equipment: Meter: Quest 3M Sound Level

Serial #: BBM0100006

Calibrator: QC 10

Serial #: OIG120047

Performed by: Dep. T. Stanton

Assistant: Sgt. A. Clark

	Start	Finish
Calibration:	<u>114.0 DB</u>	<u>114.0 DB</u>
Time of Day:	<u>19:09</u>	<u>20:04</u>
Sky:	<u>Clear</u>	<u>Clear</u>
Wind:	<u>N/A</u>	<u>N/A</u>
Noise Source:	<u>Amplified Music from RWB</u>	

Noise Source dB Level: 58.9 DB Leq
Ambient Noise dB Level: _____
Difference to Adjust: _____
Adjusted Noise Source dB Level: _____

<u>Difference between</u>	<u>Subtract from</u>
Source & Ambient	Source dB Level
0 to 3dB.....	Invalid Test
4 to 5dB.....	2dB
6 to 9dB.....	1dB
10dB or more.....	0dB

Remarks: _____

Signature: [Signature] Title: Deputy

NOISE SURVEY FORM

Date: 6-4-23

Location: 2023 W Vima Del Mar

Project: Rec, White & Booz

Equipment: Meter: Quest 3M Sound Level

Serial #: BBM0100006

Calibrator: QC 10

Serial #: OIG120047

Performed by: S. Riven

Assistant: _____

①

	Start	Finish
Calibration:	<u>114.0</u>	<u>114.2</u>
Time of Day:	<u>3:33 pm</u>	<u>4:45</u>
Sky:	<u>Partly cloudy</u>	<u>Partly cloudy</u>
Wind:	<u>moderate</u>	<u>Moderate</u>
Noise Source:	<u>Music from dock</u>	

Noise Source dB Level:	<u>60.5</u>
Ambient Noise dB Level:	<u>55.5</u>
Difference to Adjust:	<u>5.0</u>
Adjusted Noise Source dB Level:	<u>58.5</u>

Difference between

Subtract from

Source & Ambient

Source dB Level

0 to 3dB..... Invalid Test

4 to 5dB..... 2dB

6 to 9dB 1dB

10dB or more..... 0dB

Remarks: Music playin Low

Signature: ASR

Title: Code officer

Brandon Berry

From: Stanton, Travis <tstanton@pcsonet.com>
Sent: Saturday, June 10, 2023 7:38 PM
To: Brandon Berry
Cc: Clark, Alan
Subject: FW: Meter readings - RWB

CAUTION: This message has originated from **Outside of the Organization**. **Do Not Click** on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe

Brandon,
Today (6/10) at 18:43 we received another noise complaint. There was no violation. Sgt. Clark is documenting the report under SO23-187710.

Deputy Travis Stanton

Pinellas County Sheriff's Office
Community Policing Unit
10750 Ulmerton Road
Largo, Florida 33779
Telephone: 727-582-6200



"Leading The Way For A Safer Pinellas"

From: Stanton, Travis
Sent: Thursday, June 8, 2023 11:56 AM
To: 'Brandon Berry' <bberry@stpetebeach.org>
Subject: RE: Meter readings - RWB

Yes we have on two additional dates:

06/02 – 20:13

06/04 – 14:11, 14:40

No new violations were issued and no new informational or criminal reports were documented.

Deputy Travis Stanton

Pinellas County Sheriff's Office
Community Policing Unit
10750 Ulmerton Road
Largo, Florida 33779
Telephone: 727-582-6200

Brandon Berry

From: Stanton, Travis <tstanton@pcsonet.com>
Sent: Thursday, June 1, 2023 9:54 AM
To: Brandon Berry; Jennifer McMahon
Cc: Peyt Dewar
Subject: RE: Meter readings - RWB

CAUTION: This message has originated from **Outside of the Organization**. **Do Not Click** on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe

I ran a search in our report writing database; ACISS and do not see any recent noise ordinance violations. However, here are the noise / sound related calls with times listed in 24 hour format for May 2023 at 2007 Pass-a-Grille Way (RWB):

05/10 - 20:54

05/19 - 19:24, 19:31, 19:55, 20:13, 21:36, (5 total calls received from 2 separate callers) no ordinance violation issued because the music was turned down. Patrol deputies documented this under a report SO23-160945

5/20 - 19:31

05/25 - 21:18

05/27 - 17:38, 18:57

Deputy Travis Stanton

Pinellas County Sheriff's Office
Community Policing Unit
10750 Ulmerton Road
Largo, Florida 33779
Telephone: 727-582-6200



"Leading The Way For A Safer Pinellas"

From: Brandon Berry <bberry@stpetebeach.org>
Sent: Tuesday, May 30, 2023 9:35 AM
To: Stanton, Travis <tstanton@pcsonet.com>; Jennifer McMahon <rddirector@stpetebeach.org>
Cc: Peyt Dewar <pdewar@stpetebeach.org>
Subject: RE: Meter readings - RWB



MEMORANDUM

To: Charles Collom

From: Brandon Berry, Planner
Community Development Department
City of St. Pete Beach - (727) 363-9229

Date: May 16, 2023

Re: Case #23034: Applicant requests a conditional use permit to establish an outdoor seating area that will include live and amplified music (LDC Sec. 15.4(n))

The City's Technical Review Committee will meet on May 17, 2023 at 10:00 AM to discuss the following comments regarding the application. Additional comments may be shared at the meeting.

Public Works:

No comments.

Building:

Comments have not been shared, but may be shared at the meeting.

Code Enforcement:

Comments have not been shared, but may be shared at the meeting.

Recreation:

Comments have not been shared, but may be shared at the meeting.

Fire:

During permitting, please provide square footage of deck and occupant load calculations, railing detail and fire extinguisher placement.

Transportation:

Comments have not been shared, but may be shared at the meeting.

Planning & Zoning:

- 1) A current survey is required prior to scheduling for City Commission review. Please provide a sealed copy and a copy showing the sketch of the band area.
- 2) Please provide product specifications for any permanent amplification equipment installed at the site to support the music area, and indicate the orientation of speakers on the site plan.
- 3) What are your intended hours of operation for the music area?
- 4) Staff request that the test sound reading take place prior to City Commission review.
- 5) How many bands, and what total capacity, do you anticipate needing within the music area?
- 6) The area for the entertainers/band appears to be set up under an existing pop-up canopy. Is there something more permanent proposed for shelter from the elements and sound?

Brandon Berry

From: Peyt Dewar
Sent: Monday, June 5, 2023 5:19 PM
To: Brandon Berry
Cc: Michelle Gonzalez; Jennifer McMahon
Subject: FW: Red White Booze Code Enforcement Permission

Fyi.

From: Danielle T <danielletrz@gmail.com>
Sent: Monday, June 5, 2023 4:54 PM
To: Peyt Dewar <pdewar@stpetebeach.org>; Steven Rivera <srivera@stpetebeach.org>; Mom 4:12pm <marytrz@hotmail.com>; Richard Trzcinski <Richard@primericagroupone.com>; rjhysell@tampabay.rr.com
Subject: Red White Booze Code Enforcement Permission

CAUTION: This message has originated from **Outside of the Organization**. **Do Not Click** on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe

Hey Peyt and Steven,

My name is Danielle Trzcinski and I am writing on behalf of my family Mary and Richard Trzcinski (ccd here) at 2013 Pass a Grille Way. We have been directly and adversely impacted by the music coming from Red White and Booze. It gets so loud we can often hear it INSIDE our home which has negatively impacted our quality of life.

I am writing this email to give permission to code enforcement to come to our property's seawall at 2013 Pass a Grille Way to take decibel readings from Red White and Booze's music from now til June 27th.

I have unlocked the left gate so you can enter the back of the property on the northern side of the house walkway and through the white gate if we are not home. But as a courtesy (and so we'll know you are not a stranger trespassing), please give a heads up when you will be doing readings at our property by calling or texting me before at **813-598-1887**.

Thank you so much and please let me know if you have any questions!

Sincerely,

Danielle
813-598-1887

Brandon Berry

From: Mickey Parsons <mickey@mickeyparsons.com>
Sent: Tuesday, June 13, 2023 9:51 AM
To: Brandon Berry; Chris Marone
Subject: Case 23034

CAUTION: This message has originated from Outside of the Organization. Do Not Click on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe

Hello Commissioner and Brandon — thanks for the notice on case 23034 about music permit for red/white/booze [Formerly Sea Critters Cafe]—

We own the home directly behind the Fire and Rescue Station and would support music allowed until 8 PM nightly - perhaps til 10 PM on holidays like Independence Day, NYE, etc... but any later would disrupt our home life and neighbors with young children, as well as those of us that work a traditional 8 AM - 6 PM schedule.

I hope to attend the 27th meeting, but wanted to also document my thoughts via email. Thanks for your representation!

Many thanks,
Mickey
Mickey Parsons, Michael Prince
102 20th AVE, SPB

An Imperfect Mobile message from Dr. Mickey Parsons, 727-222-0514

Brandon Berry

From: Julie Haura <julie.haura@gmail.com>
Sent: Monday, June 19, 2023 4:11 PM
To: Brandon Berry
Subject: Comments for Permit Regarding Amplified Music at "Red, White, and Booze" Restaurant

CAUTION: This message has originated from **Outside of the Organization**. Do Not Click on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe

Dear City of St. Pete Beach Planning Department

I hope this email finds you well. I am writing to express my concerns regarding the recent permit filed by the restaurant "Red, White, and Booze" to establish an area for playing amplified music on their existing outdoor dining and drinking deck. As a resident living approximately 500 feet away from the restaurant, I have experienced firsthand the negative impact of their current music practices, and I strongly disagree with granting them a permit to continue with amplified music.

While I appreciate live music and the vibrant atmosphere it can bring, the music played at "Red, White, and Booze" has consistently exceeded reasonable sound levels and disrupted the peace of nearby residents. It is not an exaggeration to say that the noise has become a constant source of disturbance in our everyday lives. The live musicians perform almost every weeknight and throughout the day and night on weekends and holidays, all with the aid of amplifiers.

Even when I retreat to the interior of my house, with hurricane-rated impact resistant Anderson doors and windows securely shut, the music remains clearly audible. In order to escape the noise, I have resorted to seeking refuge in my remote bedroom and using fans to create background noise, which is far from an ideal situation. Despite not possessing a decibel meter, I can confidently state that the music is excessively loud and disruptive.

It is essential to consider the proximity of the restaurant to residential areas. Surrounding the establishment are numerous residences whose inhabitants should not be subjected to such prolonged disruption for a significant portion of their day and night. On a positive note, I recently experienced one evening where no music was playing, and I was able to enjoy the serenity of my back porch, listening to the soothing sounds of the wind and waves rather than the intrusive noise from the restaurant.

I kindly request that the City of St. Pete Beach reevaluates the situation and refrains from granting the permit for amplified music at "Red, White, and Booze." Instead, I implore the authorities to enforce a more reasonable non-amplified sound volume and restrict the frequency at which any music, even if not amplified, can be played. By implementing these measures, the city can strike a fair balance between supporting local businesses and preserving the quality of life for nearby residents.

I appreciate your attention to this matter and thank you for considering the concerns of the affected residents. It is my hope that the city and county will take appropriate actions to address this issue and ensure a peaceful coexistence between the restaurant and the surrounding community.

Thank you for your time and consideration.

Sincerely,
Julie Haura
2072 W Vina Del Mar Blvd



City of St. Pete Beach, Florida
APPLICATION FOR CONSTRUCTION (FLOOD ZONE)

727-367-2735

PERMIT NUMBER: _____

SECTION 1: GENERAL PROVISIONS (APPLICANT TO READ AND SIGN):

- A. The permit may be revoked if any false statements are made herein.
- B. If revoked, all work must cease until permit is re-issued.
- C. Development shall not be used or occupied until a Certificate of Occupancy is issued, if applicable.
- D. The permit will expire if no work is commenced within six months of issuance.
- E. No work of any kind may start until a permit is issued.
- F. Applicant is hereby informed that other permits may be required to fulfill local, state and federal regulatory requirements.
- G. Applicant hereby gives consent to the Local Administrator or his/her representative to make reasonable inspections required to verify compliance.
- H. THE APPLICANT CERTIFIES THAT ALL STATEMENTS HEREIN AND ANY ATTACHMENTS TO THIS APPLICATION ARE TO THE BEST OF MY KNOWLEDGE TRUE AND ACCURATE.

Approved by:
Hetty C. Harmon
6-1-22

The Permittee shall repair and or restore any damage or injury to the right-of-way or to any other City property and shall repair the same promptly (within 7 days of notification to the Permittee), restoring it to a condition at least equal to that which existed immediately prior to the infliction of such damage or injury.

WARNING TO PROPERTY OWNERS: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOU PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT. A NOTICE OF COMMENCEMENT MUST BE RECORDED BEFORE ANY WORK ON A PROPERTY THAT EXCEEDS \$2,500.00 PER FLORIDA STATUTE 713.135 (CONSTRUCTION LIEN LAW).

SECTION 2: PROPOSED DEVELOPMENT (To be completed by APPLICANT):

PROPERTY ADDRESS: 2007 Pass-A-Grille Way

OWNER	E-MAIL ADDRESS	ADDRESS	TELEPHONE
Charles Collom	JRCMOO@gol.com	2381 East Vin De Mar Blvd 33706	727 418 1314
BUILDER/CONTRACTOR		ADDRESS	TELEPHONE
Economy Dock Seawall and Dredge Co		866 2nd Ave S. Tierra Verde Fl 33715	727 821 5482
E-MAIL ADDRESS			
Craig@economydockandseawall.com			
ENGINEER/ARCHITECT	ADDRESS	TELEPHONE	

DESCRIPTION OF WORK:

Add two deck area's to existing docks. One area measures 16' x 14'6" and the other 16' x 24'3". See attached diagram of work.

(Check all applicable boxes below):

STRUCTURAL DEVELOPMENT:

A. ACTIVITY

- ☐ New Structure Square Footage _____
- ☐ Addition Square Footage _____
- ☐ Renovation/Alteration
- ☐ Relocation
- ☐ Demolition
- ☐ Replacement/Restoration

B. STRUCTURAL TYPE:

- ☐ Residential (Single-Family)
- ☐ Residential (Multi-Family)
- ☐ Non-residential (Flood-proofing?) (Yes)
- ☐ Commercial
- ☐ Combined Use (Residential & Commercial)

OFFICE USE ONLY

FLOOD ZONE _____
ELEVATION _____

ESTIMATED COST OF PROJECT: \$ _____

C. OTHER DEVELOPMENT ACTIVITIES:

- | | | | | | | | |
|---|-------------------------------------|--|---|----------------------------------|---|-----------------------------------|--|
| ☐ Electrical | ☐ Mechanical | ☐ Plumbing | ☐ Gas | ☐ Roofing | ☒ Docks & Lifts | ☐ Seawalls | ☐ Water or Sewer System |
| ☐ Fill | ☐ Grading | ☐ Excavation | ☐ Clearing/Site Demo | | ☐ Drainage Improvements | | ☐ Pool Installation/Finishing |
| ☐ Fire Sprinkler | ☐ Fire Alarm | ☐ Hood Suppression System | ☐ Sign | | ☐ Other: _____ | | |

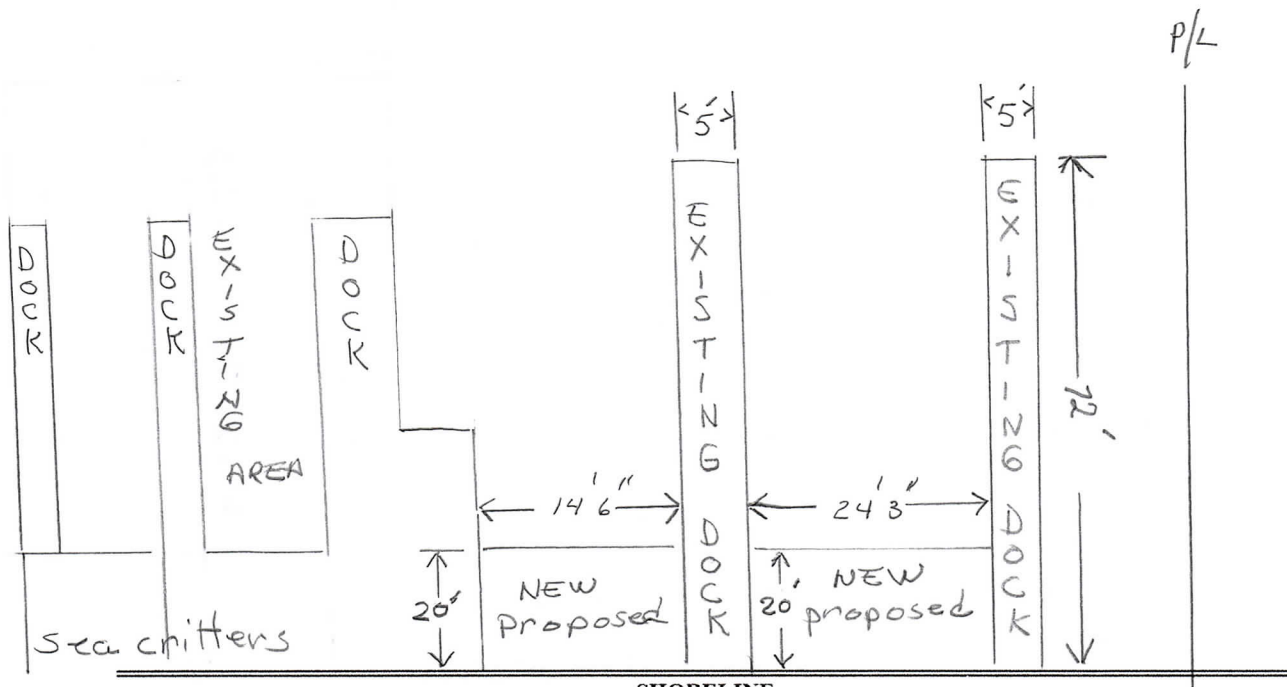
(ISSUED BY) _____ (DATE) _____

Owner Name: Charles Collom Site Address: 2007 Pass A-Grille Way

Nature and Size of Project: Adding two dock areas to existing dock. One is 'x 14'6" and the other is 'x 24'3".

Total Project Square Footage: 1342' New Square Footage: 622
 Total Number of Pilings: 18 Diameter of Pilings: 8-10"
 Waterway Width: 282 Waterfront Width: 65'

Plan View Drawing
 (applicant and adjacent docks)



SHORELINE

The undersigned does not object to the proposed project as drawn in the space provided above.

Left Owner	Right Owner
Signature	Signature
Date	Date
Municipality Approval	Water and Navigation Approval

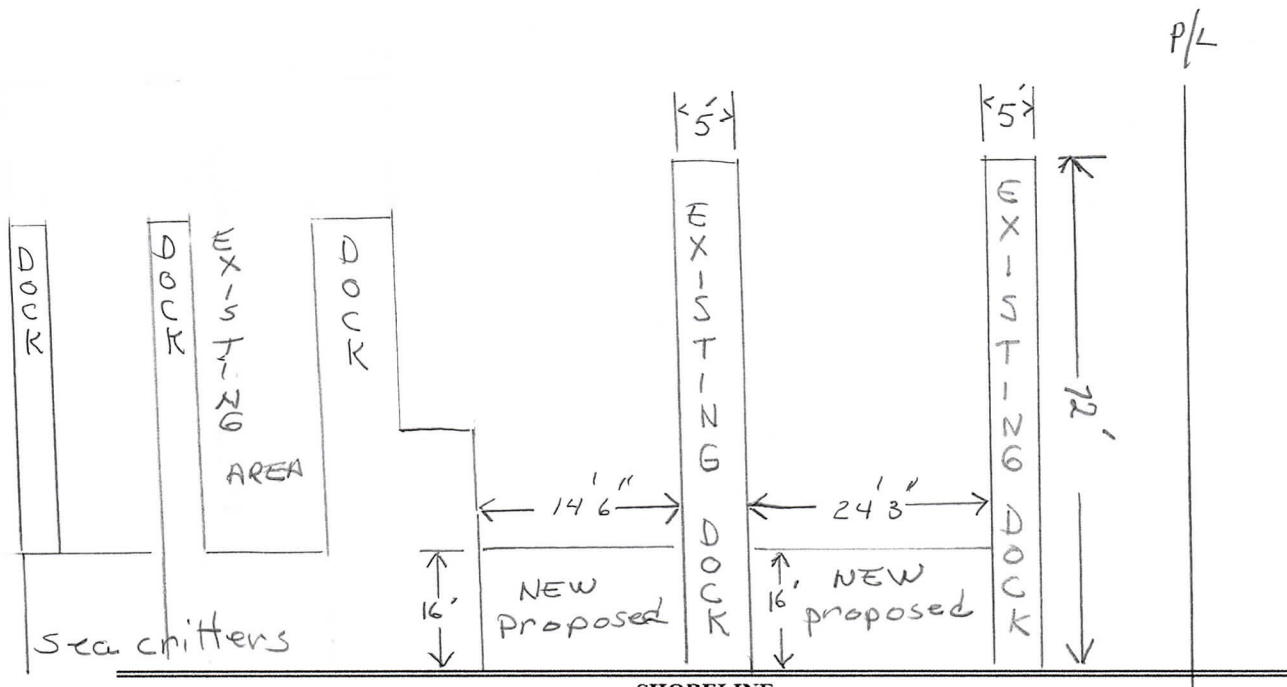
Approved by:
Hetty C. Harmon
6-1-22

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SHORELINE

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Left Owner		Right Owner	
Signature	Date	Signature	Date
Municipality Approval		Water and Navigation Approval	



RESUBMITTAL COVER SHEET

PERMIT # 2201094

DATE: 6/17/22

SITE ADDRESS: 2007 Pass-A-Grille Way

PROJECT INFORMATION:

Build two deck areas to existing docks.
Increasing size from 16' to 20' wide

CONTRACTOR/OWNER-BUILDER INFORMATION:

COMPANY OR/OWNER-BUILDER NAME:

Economy Dock and Seawall

PHONE: 727 821 5482

E-MAIL: craig@economydock
andseawall.com

PLEASE CHOOSE ONE OF THE FOLLOWING:

SUBMITTAL TO CORRECT PLAN REVIEW DISCREPANCIES

SUBMITTAL OF VOLUNTARY DESIGN REVISIONS X

OTHER NEW VALUATION \$ 5000.00

BRIEFLY DESCRIBE THE REVISIONS MADE:

Adding 4' to total width of new decks.
from 16' wide to 20' wide

CITY OF ST. PETE BEACH, COMMUNITY DEVELOPMENT DEPT. 727-367-2735



RESUBMITTAL COVER SHEET

PERMIT # 2201094

DATE: 6/17/22

SITE ADDRESS: 2007 Pass-A-Grille Way

PROJECT INFORMATION:

Build two deck areas to existing docks.
Increasing size from 16' to 20' wide

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COMPANY OR/OWNER-BUILDER NAME:

Economy Dock and Seawall

PHONE: 727 821 5482

E-MAIL: craig@economydock
andseawall.com

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Adding 4' to total width of new decks.
from 16' wide to 20' wide

CITY OF ST. PETE BEACH, COMMUNITY DEVELOPMENT DEPT. 727-367-2735

REVISED

7:26 am, Jun 22, 2022

APPROVED

By Wayne Vater at 7:25 am, Jun 22, 2022



RESUBMITTAL COVER SHEET

PERMIT # 2201094

DATE: 6/17/22

SITE ADDRESS: 2007 Pass-A-Grille Way

PROJECT INFORMATION:

Build two deck areas to existing docks.
Increasing size from 16' to 20' wide

CONTRACTOR/OWNER-BUILDER INFORMATION:

COMPANY OR/OWNER-BUILDER NAME:

Economy Dock and Seawall

PHONE: 727 821 5482

E-MAIL: craig@economydock
andseawall.com

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CITY OF ST. PETE BEACH, COMMUNITY DEVELOPMENT DEPT. 727-367-2735

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Nature and Size of Project: Adding two dock areas to existing dock. One is 'x 14'6" and the other is 'x 24'3".

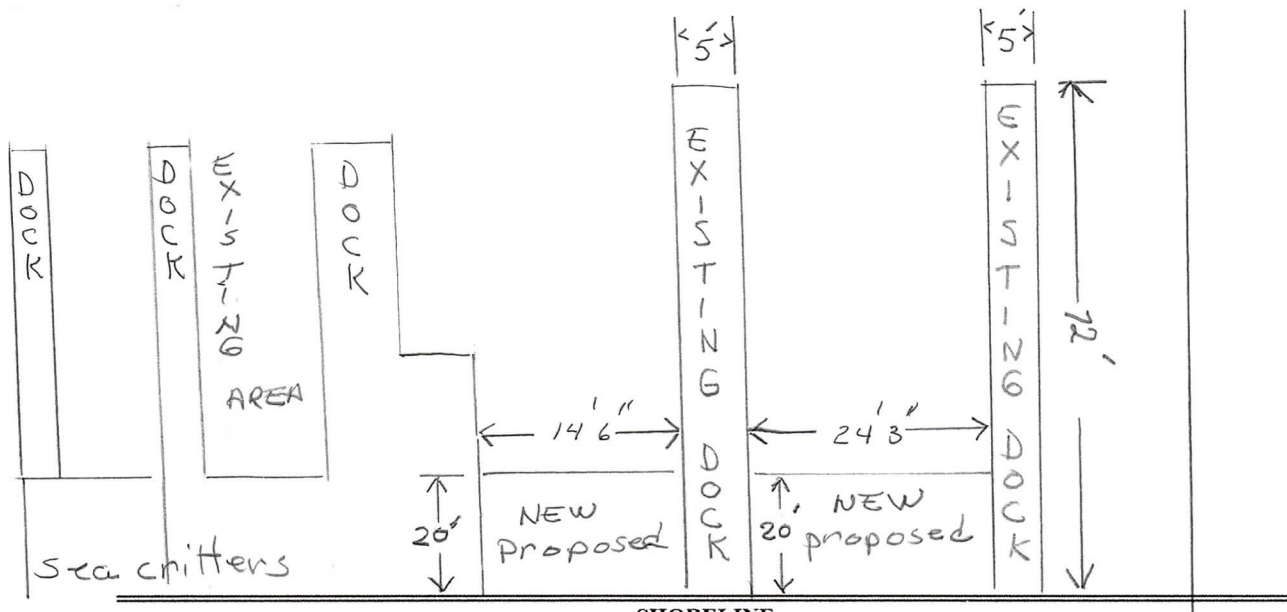
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 Total Number of Pilings: 18 Diameter of Pilings: 8-10"
 Waterway Width: 282 Waterfront Width: 65'

Plan View Drawing
(applicant and adjacent docks)

REVISED

7:26 am, Jun 22, 2022

P/L



SHORELINE

The undersigned does not object to the proposed project as drawn in the space provided above.

Left Owner

Right Owner

Signature

Date

Signature

Date

Municipality Approval

Water and Navigation Approval

APPROVED

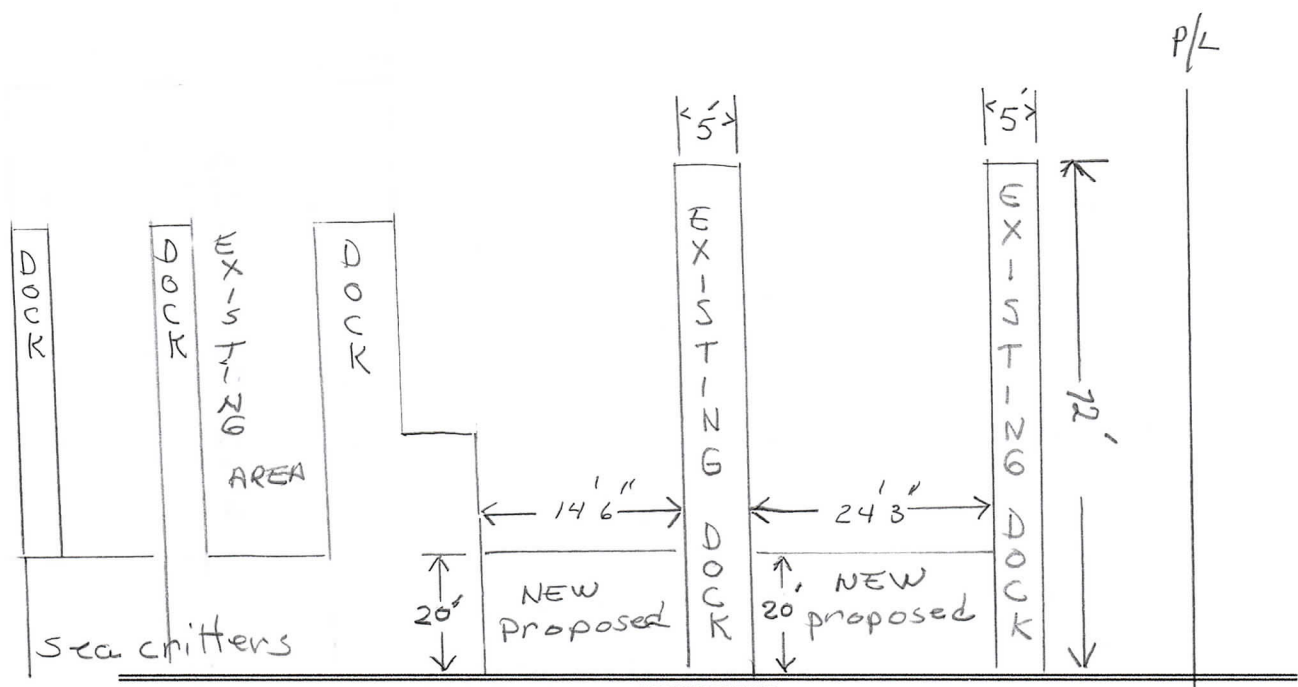
By Wayne Vater at 7:26 am, Jun 22, 2022

Owner Name: Charles Collom Site Address: 2007 Pass A-Grille Way

Nature and Size of Project: Adding two dock areas to existing dock. One is 'x 14'6" and the other is 'x 24'3".

Total Project Square Footage:	<u>1342'</u>	New Square Footage:	<u>622</u>
Total Number of Pilings:	<u>18</u>	Diameter of Pilings:	<u>8-10"</u>
Waterway Width	<u>282</u>	Waterfront Width	<u>65'</u>

Plan View Drawing
(applicant and adjacent docks)



SHORELINE			
The undersigned does not object to the proposed project as drawn in the space provided above.			
Left Owner		Right Owner	
Signature	Date	Signature	Date
Municipality Approval		Water and Navigation Approval	

REVIEWED

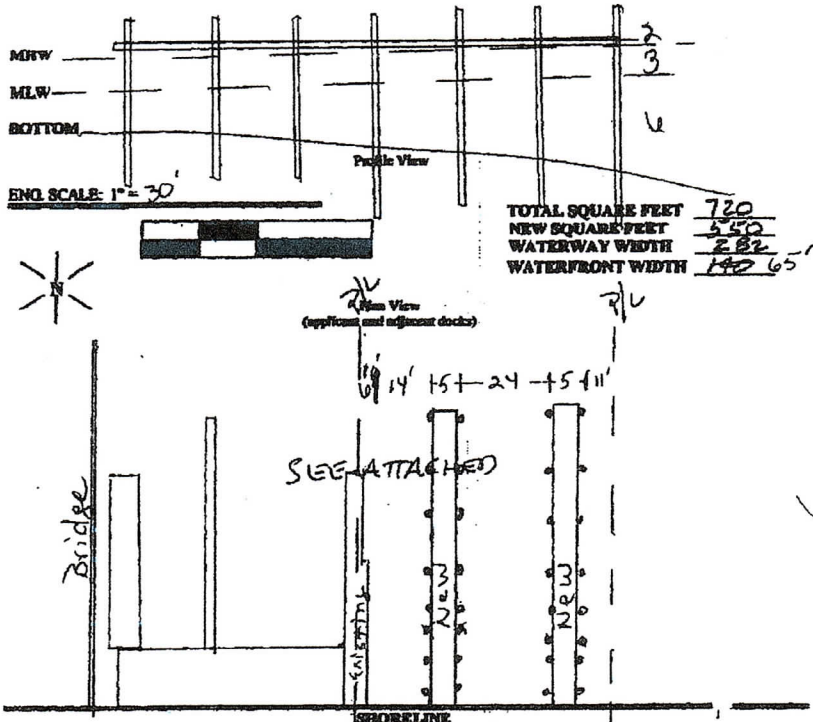
By Wayne Vater at 12:37 pm, Jun 01, 2022

MULTI-USE / COMMERCIAL DOCK

Application #

CA46145-14

(OFFICIAL USE ONLY)



APPROVED ZONING
DATE 8/17/16

APPROVED
PINELLAS COUNTY
WATER AND NAVIGATION
8-26-2016



Owner Name: Charles Collom Site Address: 2007 Pass A-Grille Way

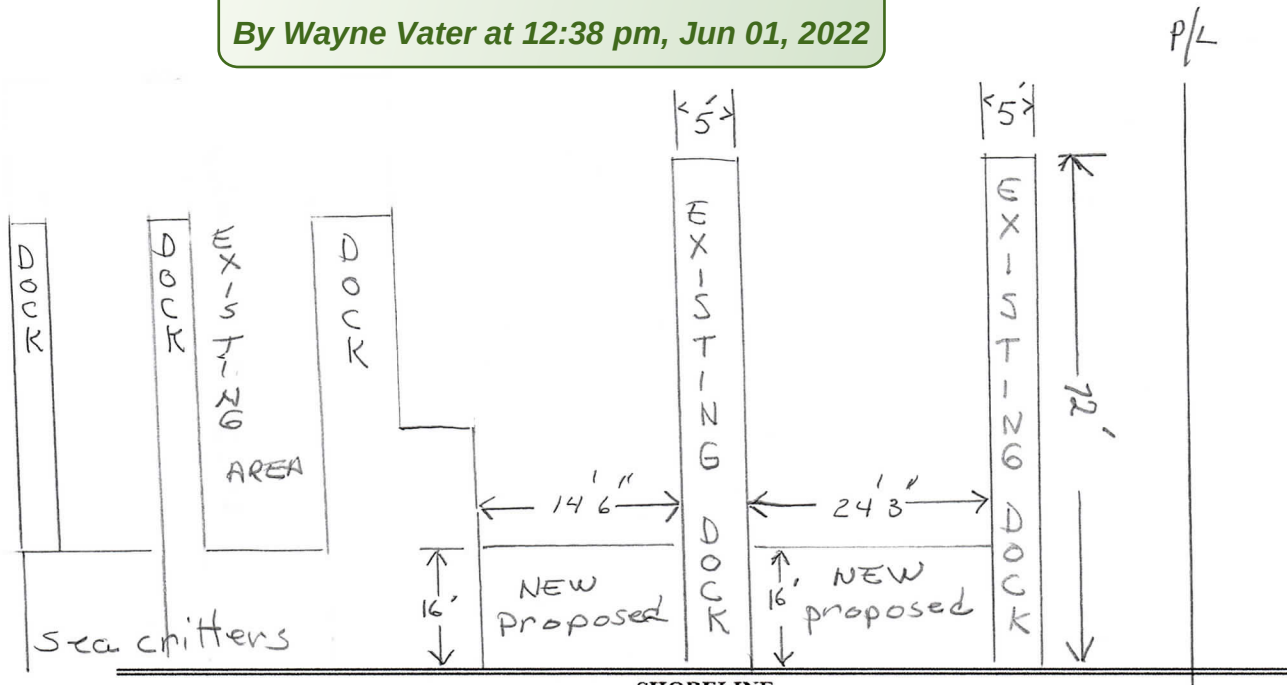
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 Total Number of Pilings: 18 Diameter of Pilings: 8-10"
 Waterway Width: 282 Waterfront Width: 65'

Plan View Drawing
(applicant and adjacent docks)

APPROVED

By Wayne Vater at 12:38 pm, Jun 01, 2022



SHORELINE

The undersigned does not object to the proposed project as drawn in the space provided above.

Left Owner

Right Owner

Signature

Date

Signature

Date

Municipality Approval

Water and Navigation Approval

To Whom it May Concern:

I, Charles Collom, owner of 2007 Pass-A-Grille Way St. Pete Beach, FL 33706 am writing to formally change my marine contractor from Economy Dock and Dredge to **Edge Marine Construction** for permit #2201094.

Please reach out with any questions.

Charles Collom
(727) 418-1314

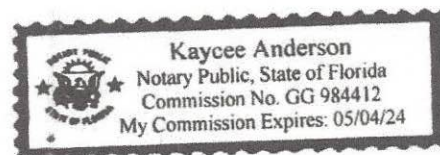
PRINT: ☒ Charles Collom
SIGN: ☒ [Signature]

Sworn to and subscribed before me this 18th day of February 2023 by
Charles Collom, who ☒ is personally known to me or () produced
_____ (Florida Driver's License) as identification.

[Signature]

Notary Public, State of Florida

My Commission Expires: 5/4/24



If applying in person, direct all correspondence to

Clerk, Water and Navigation, 5th Floor
315 Court Street
Clearwater, FL 33756



COMMERCIAL AND MULTI-USE DOCK PERMIT APPLICATION
PINELLAS COUNTY WATER AND NAVIGATION

I. PROPERTY OWNER INFORMATION:

A. Applicant's Name: Red White - Boore - Sea Cutters Charles Colton
B. Mailing Address: 2381 E. U.S. Del Mar Blvd
City: St. Pete Beach FL State: FL Zip: 33706
C. Telephone No.: 727-418-1314 E-mail Address: Jecmoo00A@AOL.com

II. CONTRACTOR INFORMATION (Pro):

A. Name: Economy Dock Seawall and Dredge Co.
B. Address: 866 2nd Ave S.
City: Tierra Verde State: FL Zip: 33715
C. Telephone No.: 727 821 5482 E-mail Address: Craig@economydockandseawall.com

III. AGENT INFORMATION (if different from Contractor):

A. Name: _____
B. Address: _____
City: _____ State: _____ Zip: _____
C. Telephone No.: _____ E-mail Address: _____

IV. SITE INFORMATION:

A. Construction Site Address: 2007 Pass-A-Grille Way
City: St Pete Beach Zip Code: 33706
B. Site Parcel ID Number: 18 32 16 68634 000 0020
C. Incorporated: ☒ Unincorporated: ☐
D. Affected Water Body: Boca Ciega Bay
E. Previous Permits: CA46145-16 RC 44275-14

- F. Date applicant assumed property ownership: 4/22 month/year
- G. Obstructions: (Dogs, Fences, etc.) NO
- H. All other information pursuant to Chapter 58, Article XV (Water and Navigation Regulations).

V. PROJECT DEVIATION INFORMATION (FOR UNINCORPORATED ONLY):

- A. Signature from Adjacent Owner Required under Code Section 58-556(b)(1): Yes ☐ No ☐

Amount of deviation: Length: _____

Width: _____

Setbacks: Left: _____ Right: _____

Other: _____

- B. Net increase in number of wet slips: _____

❖ Please note that all information requested in this application must be filled out in its entirety prior to submittal to Pinellas County. An application missing information will not be considered complete, and therefore ready for possible approval, until all required information is provided.

VI. CONTRACTOR INFORMATION:

I, Craig Patterson, a marine contractorwhose contractor license # SCC131151930 expires on 8/22

I swear that the above described project (the "Project") has not been constructed as of the date affixed by my signature below. If a permit for this Project (the "Permit") is granted by the County, I agree to design and construct the Project in full compliance with the Pinellas County Code and in full accordance with the drawings or plans attached hereto. I swear that the information provided in this application represents the full scope of the Project and that no material information regarding the Project has been omitted. In the event that either the Project is not constructed in full accordance with the Permit or the information provided in this application is not correct, I agree to either remove the Project or correct the deficiency.

Signed Craig Patterson Date: 5/11/22

- You must have USL&H insurance in order to construct a dock in Pinellas County; as well as be licensed with the PCCLB.



VII. PROPERTY OWNER'S SIGNATURE:

I hereby apply for a permit to perform the above described project (the "Project"). Should a permit for the Project be granted by the County, I agree to design and construct the Project in full compliance with the Pinellas County Code and in full accordance with the plans or drawings attached hereto; I likewise agree to maintain the Project in a safe condition throughout the Project's existence.

I hereby authorize the above stated contractor – and agent if listed – to act as my representative in all matters pertaining to the application. I understand that I, not the County am responsible for the accuracy of the information provided as part of this application. I further understand that it is my responsibility to obtain any necessary permits and approvals required for the Project at the Federal, State, and local levels; should the Project be within a municipality, I recognize that approval from that municipality – in addition to the County – is required.

I swear that I own the upland property described in this application (the "Property"). While this application is pending, I expressly authorize the County and its agents to access the Property at any time as may be necessary to review and act on this application. Should a permit for the Project be granted by the County, I expressly authorize the County and its agents to access the Property at any time as may be necessary to monitor the Project and ensure compliance with the terms of the permit; this permission is valid until the Project has passed final inspection.

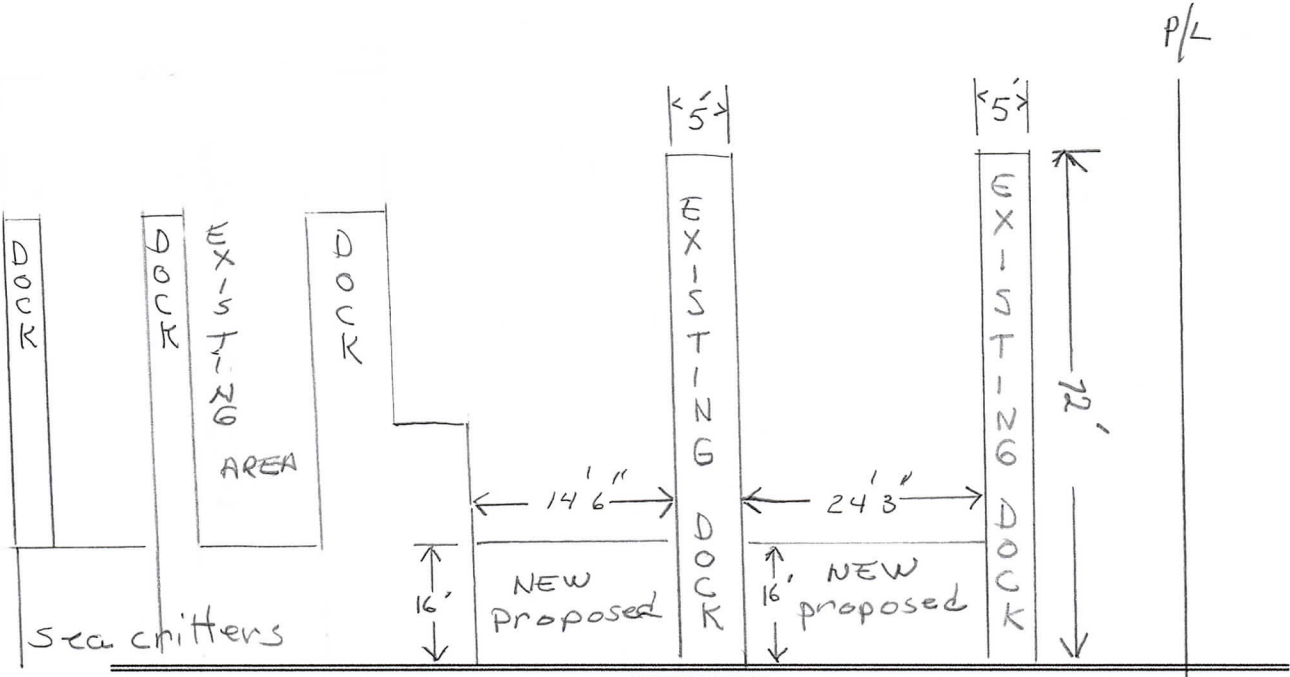
Signed [Signature] Date 5-12-22

Owner Name: Charles Collom Site Address: 2007 Pass A-Grille Way

Nature and Size of Project: Adding two dock areas to existing dock. One is 16' x 14' 6" and the other is 16' x 24' 3".

Total Project Square Footage:	<u>1342'</u>	New Square Footage:	<u>622</u>
Total Number of Pilings:	<u>18</u>	Diameter of Pilings:	<u>8-10"</u>
Waterway Width	<u>282</u>	Waterfront Width	<u>65'</u>

Plan View Drawing
(applicant and adjacent docks)

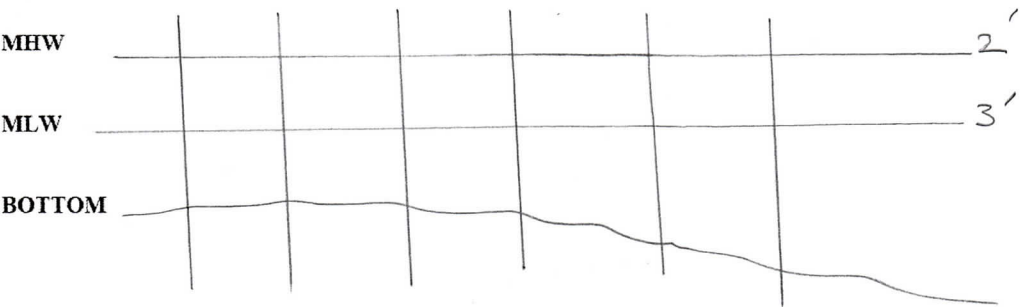


SHORELINE			
The undersigned does not object to the proposed project as drawn in the space provided above.			
Left Owner		Right Owner	
Signature	Date	Signature	Date
Municipality Approval		Water and Navigation Approval	

Owner Name : Charles Collom

Site Address: 2007 Pass-A-Grille Way

Profile View Drawing





PERMIT EXTENSION REQUEST

Date: 12/12/22

Applicant: Economy Dock Seawall and Dredge Co.

Permit Number: 2201094

Address of Property: 2007 Pass a Grille Way

Contractor Name & Complete Address: Economy Dock And Seawall

Contractor Telephone #: 727 821 5482

Contractor Email: craig@economydockandseawall.com

I am requesting additional time for the above-mentioned permit. I have not been able to obtain an approved inspection due to:

Just received county permit

I understand my inspections must be completed and approved including a final inspection within the time frame established by the Building Official.

Signature: Craig Patterson

Print Name: Craig Patterson

\$50.00 FEE FOR 90 DAY EXTENSION

KEN BURKE, CLERK OF COURT
AND COMPTROLLER PINELLAS COUNTY, FL
INST# 2023028810 02/03/2023 10:44 AM
OFF REC BK: 22335 PG: 330-330
DocType:NOT COM RECORDING: \$10.00

Permit Number _____
Parcel ID Number _____

NOTICE OF COMMENCEMENT

State of Florida
County of Pinellas

THE UNDERSIGNED hereby gives notice that improvements will be made to certain real property, and in accordance with Section 713.13 of the Florida Statutes, the following information is provided in this **NOTICE OF COMMENCEMENT**.

1. **Description of property (legal description):** PHILLIPS DIVISION REV MAP N 115FT OF THAT UNNUMBERED TRACT LYING E OF BLK 1 BETWEEN E RW OF FLORIDA AVE (NKA PASS-A-GRILLE WAY) & WATER

a) Street (job) Address: 2007 Pass-A-Grille Way St. Pete Beach, FL 33706

2. **General description of improvements:** Build a new dock.

3. **Owner Information or Lessee information if the Lessee contracted for the improvement:**

a) Name and address: Collom Properties LLC - 2007 Pass-A-Grille Way St. Pete Beach, FL 33706

b) Name and address of fee simple titleholder (if different than Owner listed above) _____

c) Interest in property: _____

4. **Contractor Information**

a) Name and address: Edge Marine Construction - 4790 95th St. N. St. Petersburg, FL 33708

b) Telephone No.: (727) 210-9510 Fax No.: (optional) _____

5. **Surety** (if applicable, a copy of the payment bond is attached)

a) Name and address: _____

b) Telephone No.: _____

c) Amount of Bond: \$ _____

6. **Lender**

a) Name and address: _____

b) Telephone No.: _____

7. **Persons within the State of Florida designated by Owner** upon whom notices or other documents may be served as provided by Section 713.13 (1) (a) 7., Florida Statutes:

a) Name and address: _____

b) Telephone No.: _____ Fax No.: (optional) _____

8. a) **In addition to himself or herself, Owner designates** _____ of _____

to receive a copy of the Lienor's Notice as provided in Section 713.13 (1) (b), Florida Statutes.

b) Phone Number of Person or entity designated by Owner: _____

9. **Expiration date of notice of commencement** (the expiration date may not be before the completion of construction and final payment to the contractor, but will be 1 year from the date of recording unless a different date is specified): _____, 20

WARNING TO OWNER: ANY PAYMENTS MADE BY THE OWNER AFTER THE EXPIRATION OF THE NOTICE OF COMMENCEMENT ARE CONSIDERED IMPROPER PAYMENTS UNDER CHAPTER 713, PART I, SECTION 713.13, FLORIDA STATUTES, AND CAN RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.

Under penalty of perjury, I declare that I have read the foregoing notice of commencement and that the facts stated therein are true to the best of my knowledge and belief.

(Signature of Owner or Lessee, or Owner's or Lessee's (Authorized Officer/Director/Partner/Manager)

Charles Collom
(Print Name and Provide Signatory's Title/Office)

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ on-line notarization, this 3rd day of February, 2023, by Charles Collom as owner (type of authority, e.g. officer, trustee, attorney in fact)

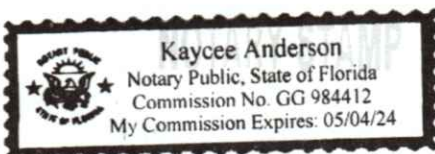
for Charles Collom, as _____ (Name of Person)

for self (name of party on behalf of whom instrument was executed).

Personally Known ☒ Produced ID ☐
Type of ID _____

Notary Signature
Print name

Kaycee Anderson
Kaycee Anderson





City of St. Pete Beach, Florida
APPLICATION FOR CONSTRUCTION (FLOOD ZONE)

727-367-2735

PERMIT NUMBER: _____

SECTION 1: GENERAL PROVISIONS (APPLICANT TO READ AND SIGN):

- A. The permit may be revoked if any false statements are made herein.
- B. If revoked, all work must cease until permit is re-issued.
- C. Development shall not be used or occupied until a Certificate of Occupancy is issued, if applicable.
- D. The permit will expire if no work is commenced within six months of issuance.
- E. No work of any kind may start until a permit is issued.
- F. Applicant is hereby informed that other permits may be required to fulfill local, state and federal regulatory requirements.
- G. Applicant hereby gives consent to the Local Administrator or his/her representative to make reasonable inspections required to verify compliance.
- H. THE APPLICANT CERTIFIES THAT ALL STATEMENTS HEREIN AND ANY ATTACHMENTS TO THIS APPLICATION ARE TO THE BEST OF MY KNOWLEDGE TRUE AND ACCURATE.

The Permittee shall repair and or restore any damage or injury to the right-of-way or to any other City property and shall repair the same promptly (within 7 days of notification to the Permittee), restoring it to a condition at least equal to that which existed immediately prior to the infliction of such damage or injury.

WARNING TO PROPERTY OWNERS: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOU PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT. A NOTICE OF COMMENCEMENT MUST BE RECORDED BEFORE ANY WORK ON A PROPERTY THAT EXCEEDS \$2,500.00 PER FLORIDA STATUTE 713.135 (CONSTRUCTION LIEN LAW).

SECTION 2: PROPOSED DEVELOPMENT (To be completed by APPLICANT):

PROPERTY ADDRESS: 2007 Pass-A-Grille Way

OWNER	E-MAIL ADDRESS	ADDRESS	TELEPHONE
Charles Collom	JRCMOO@gol.com	2381 East Vinel De Mar Blvd 33706	727 418 1314
BUILDER/CONTRACTOR		ADDRESS	TELEPHONE
Economy Dock Seawall and Dredge Co		866 2nd Ave S. Tierra Verde Fl 33715	727 821 5482
E-MAIL ADDRESS			
Craig@economydockandseawall.com			
ENGINEER/ARCHITECT	ADDRESS	TELEPHONE	

DESCRIPTION OF WORK:

Add two deck area's to existing docks. One area measures 16' x 14'6" and the other 16' x 24'3". See attached diagram of work.

(Check all applicable boxes below):

STRUCTURAL DEVELOPMENT:

A. ACTIVITY

- ☐ New Structure Square Footage _____
- ☐ Addition Square Footage _____
- ☐ Renovation/Alteration
- ☐ Relocation
- ☐ Demolition
- ☐ Replacement/Restoration

B. STRUCTURAL TYPE:

- ☐ Residential (Single-Family)
- ☐ Residential (Multi-Family)
- ☐ Non-residential (Flood-proofing?) (Yes)
- ☐ Commercial
- ☐ Combined Use (Residential & Commercial)

OFFICE USE ONLY

FLOOD ZONE _____
ELEVATION _____

ESTIMATED COST OF PROJECT: \$ _____

C. OTHER DEVELOPMENT ACTIVITIES:

- | | | | | | | | |
|---|-------------------------------------|--|---|----------------------------------|---|-----------------------------------|--|
| ☐ Electrical | ☐ Mechanical | ☐ Plumbing | ☐ Gas | ☐ Roofing | ☒ Docks & Lifts | ☐ Seawalls | ☐ Water or Sewer System |
| ☐ Fill | ☐ Grading | ☐ Excavation | ☐ Clearing/Site Demo | | ☐ Drainage Improvements | | ☐ Pool Installation/Finishing |
| ☐ Fire Sprinkler | ☐ Fire Alarm | ☐ Hood Suppression System | ☐ Sign | | ☐ Other: _____ | | |

(ISSUED BY) _____ (DATE) _____



City of St. Pete Beach, Florida
APPLICATION FOR CONSTRUCTION (FLOOD ZONE)

727-367-2735

PERMIT NUMBER: _____

SECTION 1: GENERAL PROVISIONS (APPLICANT TO READ AND SIGN):

- A. The permit may be revoked if any false statements are made herein.
- B. If revoked, all work must cease until permit is re-issued.
- C. Development shall not be used or occupied until a Certificate of Occupancy is issued, if applicable.
- D. The permit will expire if no work is commenced within six months of issuance.
- E. No work of any kind may start until a permit is issued.
- F. Applicant is hereby informed that other permits may be required to fulfill local, state and federal regulatory requirements.
- G. Applicant hereby gives consent to the Local Administrator or his/her representative to make reasonable inspections required to verify compliance.
- H. THE APPLICANT CERTIFIES THAT ALL STATEMENTS HEREIN AND ANY ATTACHMENTS TO THIS APPLICATION ARE TO THE BEST OF MY KNOWLEDGE TRUE AND ACCURATE.

The Permittee shall repair and or restore any damage or injury to the right-of-way or to any other City property and shall repair the same promptly (within 7 days of notification to the Permittee), restoring it to a condition at least equal to that which existed immediately prior to the infliction of such damage or injury.

WARNING TO PROPERTY OWNERS: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOU PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT. A NOTICE OF COMMENCEMENT MUST BE RECORDED BEFORE ANY WORK ON A PROPERTY THAT EXCEEDS \$2,500.00 PER FLORIDA STATUTE 713.135 (CONSTRUCTION LIEN LAW).

SECTION 2: PROPOSED DEVELOPMENT (To be completed by APPLICANT):

PROPERTY ADDRESS: 2007 Pass-A-Grille Way

OWNER	E-MAIL ADDRESS	ADDRESS	TELEPHONE
Charles Collom	JRCMOO@gol.com	2381 East Vinel De Mar Blvd 33706	727 418 1314
BUILDER/CONTRACTOR		ADDRESS	TELEPHONE
Economy Dock Seawall and Dredge Co		866 2nd Ave S. Tierra Verde Fl 33715	727 821 5482
E-MAIL ADDRESS			
Craig@economydockandseawall.com			
ENGINEER/ARCHITECT	ADDRESS	TELEPHONE	

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- ☐ Replacement/Restoration

B. STRUCTURAL TYPE:

- ☐ Residential (Single-Family)
- ☐ Residential (Multi-Family)
- ☐ Non-residential (Flood-proofing?) (Yes)
- ☐ Commercial
- ☐ Combined Use (Residential & Commercial)

OFFICE USE ONLY

FLOOD ZONE _____
ELEVATION _____

ESTIMATED COST OF PROJECT: \$ _____

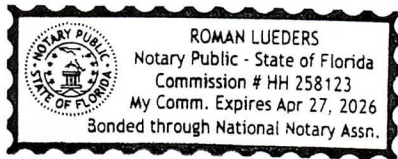
C. OTHER DEVELOPMENT ACTIVITIES:

- | | | | | | | | |
|---|-------------------------------------|--|---|----------------------------------|---|-----------------------------------|--|
| ☐ Electrical | ☐ Mechanical | ☐ Plumbing | ☐ Gas | ☐ Roofing | ☒ Docks & Lifts | ☐ Seawalls | ☐ Water or Sewer System |
| ☐ Fill | ☐ Grading | ☐ Excavation | ☐ Clearing/Site Demo | | ☐ Drainage Improvements | | ☐ Pool Installation/Finishing |
| ☐ Fire Sprinkler | ☐ Fire Alarm | ☐ Hood Suppression System | ☐ Sign | | ☐ Other: _____ | | |

(ISSUED BY) _____ (DATE) _____

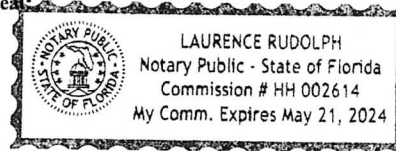
1. OWNER or AGENT (If Agent, Power of Attorney or Agency Letter Required):

Signed: [Signature] Date: 5-18-22
Printed Name: Charles Callan
State of Florida, County of Pinellas
Sworn to and subscribed before me this 18 day of May, 2022
[Signature]
Notary Public, State of Florida, County of Pinellas
Personally Known _____ or Produced Identification X Drivers lic
Notary Seal:



2. CONTRACTOR or AGENT (If Agent, Notarized Authorization Form MUST be on file with the City):

Signed: [Signature] Date: 5/19/22
Printed Name: Craig Patterson
License # P.362 412 54 1910
State of Florida, County of Pinellas
Sworn to and subscribed before me this 19th day of May, 2022
[Signature]
Notary Public, State of Florida, County of Pinellas
Personally Known _____ or Produced Identification Florida Drivers License
Notary Seal:



Homeowner's signature required for residential permits.
Commercial owner's signature required on permits.

SUB-CONTRACTOR SIGN ON (If Applicable)

3. Electrical Contractor Signature: _____ **License #:** _____
Print Name: _____ Company Name: _____
Address: _____ Phone: _____
State of Florida, County of Pinellas
Sworn to and subscribed to me this _____ day of _____, 20____
Personally Known _____ or Produced Identification _____

Notary Signature

4. Plumbing Contractor Signature: _____ **License #:** _____
Print Name: _____ Company Name: _____
Address: _____ Phone: _____
State of Florida, County of Pinellas
Sworn to and subscribed to me this _____ day of _____, 20____
Personally Known _____ or Produced Identification _____

Notary Signature

5. Mechanical Contractor Signature: _____ **License #:** _____
Print Name: _____ Company Name: _____
Address: _____ Phone: _____
State of Florida, County of Pinellas
Sworn to and subscribed to me this _____ day of _____, 20____
Personally Known _____ or Produced Identification _____

Notary Signature

6. Roofing Contractor Signature: _____ **License #:** _____
Print Name: _____ Company Name: _____
Address: _____ Phone: _____
State of Florida, County of Pinellas
Sworn to and subscribed to me this _____ day of _____, 20____
Personally Known _____ or Produced Identification _____

Notary Signature

Application # CA 46145-14
(OFFICIAL USE ONLY)



2/19/16
 2/19/16

Firefox

Firefox

Owner Name: Charles Collom Site Address: 2007 Pass A-Grille Way

Nature and Size of Project: Adding two dock areas to existing dock. One is 20' x 14'6" and the other is 20' x 24'3".

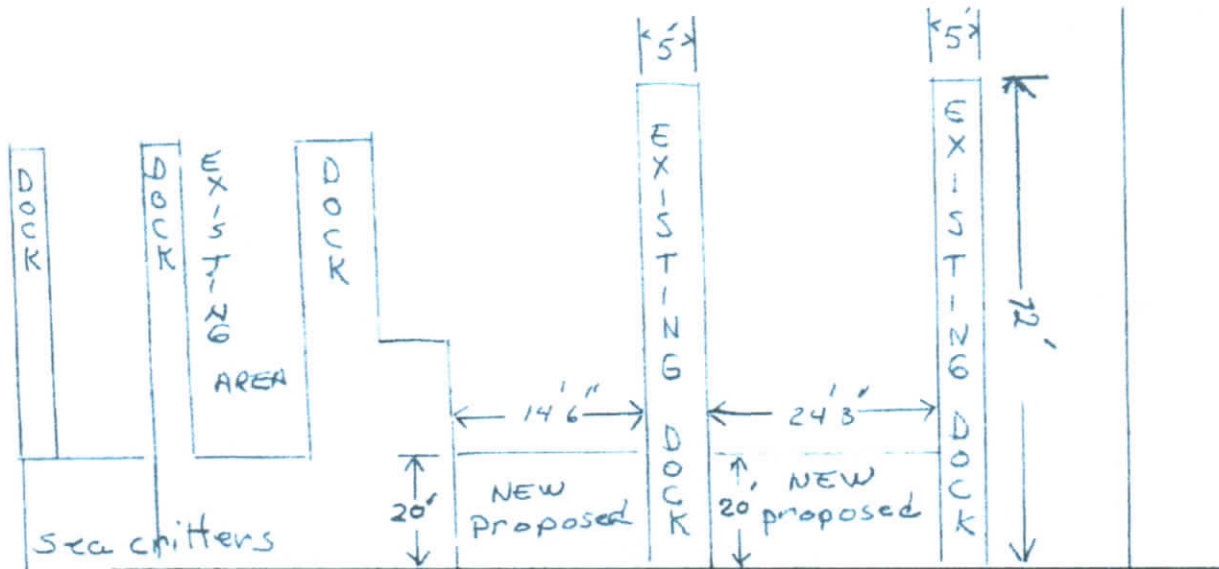
Total Project Square Footage:	<u>720</u>	New Square Footage:	<u>266</u>
Total Number of Pilings:	<u>18</u>	Diameter of Pilings:	<u>8-10"</u>
Waterway Width	<u>282</u>	Waterfront Width	<u>65'</u>

Plan View Drawing
(applicant and adjacent docks)

REVISED

7:26 am, Jun 22, 2022

P/L



SHORELINE

The undersigned does not object to the proposed project as drawn in the space provided above.

Left Owner

Right Owner

Signature

Date

Signature

Date

Municipality Approval

Water and Navigation Approval

APPROVED

By Wayne Vater at 7:26 am, Jun 22, 2022

Permit No. WND-22-00752

Date Approved: 12/07/2022

Approved By: B. Fisk

Pinellas County Water and Navigation

Pinellas County Water & Navigation
315 Court Street
Clearwater, Florida 33756

Issued To: 2007 PASS A GRILLE LLC
Contractor: ECONOMY DOCK, SEAWALL AND DREDGE CO
Construction Site: 2007 PASS A GRILLE WAY
ST PETE BEACH FL 33706
Parcel No.: 183216686340000020

Permit is valid for 1 year

To report starting date and completion date call: (727) 464-3770

PERMIT NO.

WND-22-00752

Notes:

PERMITS MAY ALSO BE REQUIRED FROM THE
FOLLOWING AGENCIES: FL DEP AND U.S.
ARMY COE.

THE WATERS OF PINELLAS COUNTY ARE
LOCATED WITHIN THE PINELLAS COUNTY AND
BOCA CIEGA BAY AQUATIC PRESERVE.
SPECIAL REGULATIONS EXIST THAT GOVERN
THE CONSTRUCTION WITHIN AN AQUATIC
PRESERVE. PLEASE CONTACT THE FL DEP.

Date of Issuance:

12/08/2022

THIS PERMIT IS SUBJECT TO A 30-DAY
APPEAL PERIOD FROM DATE OF ISSUANCE –
SECTION 58-536(A) WATER AND NAVIGATION
REGULATIONS.

Final Inspection Date:

/ /

ADDITIONAL INSTALLATIONS SUCH AS WATER
OR ELECTRIC WILL REQUIRE SEPARATE
PERMITS FROM THE APPROPRIATE MUNICIPAL
OR COUNTY BUILDING DEPARTMENT.

**THIS PERMIT IS REQUIRED TO BE POSTED IN
A CONSPICUOUS LOCATION AT THE**