



**PLANNING BOARD MEETING  
CITY OF ST. PETE BEACH  
COMMISSION CHAMBERS**

155 Corey Avenue  
St. Pete Beach, FL 33706

Monday, January 26, 2026  
4:00 PM

Call to Order  
Pledge of Allegiance  
Roll Call

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**REGULAR MEETING**

1. Approval of the Agenda

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**Action Request: Motion to approve the January 26, 2025 agenda.**

2. Audience Comments

-

*If you wish to speak, please complete and submit a speaker's card to the City Clerk. When called, approach the podium and state your name and address for the record. Comments are limited to 3 minutes for both general and agenda items. Public comment on agenda items will be taken when that item is called.*

3. Approval of Minutes

**a. December 15, 2025 Meeting Minutes**

4. Action Items - Sitting as Local Planning Agency

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**a. Recommendation of Resolution 2026-01 to the City Commission: Vacating three-foot easements located at the rear of Lots 5 and 6 of Block C of Sunset Park Replat as recorded in Plat Book 18, Page 6, of the Public Records of Pinellas County, Florida (103 24th Avenue)**

**A RESOLUTION OF THE CITY OF ST. PETE BEACH VACATING THREE-FOOT-WIDE PLATTED EASEMENTS AT THE REAR OF LOTS 5 AND 6 OF BLOCK C OF SUNSET**

PARK REPLAT, RECORDED IN PLAT BOOK 18, PAGE 6, OF PINELLAS COUNTY PUBLIC RECORDS, LOCATED WITHIN THE PROPERTY BOUNDARIES OF 103 24TH AVENUE; AND PROVIDING FOR CONSTRUCTION, CORRECTION OF SCRIVENER'S ERROR, AND AN EFFECTIVE DATE.

**b. Recommendation of Resolution 2026-03 to the City Commission: Vacating two five-foot drainage and utility easements along the common side lot lines of Lots 1 and 2 of Block 79 of the plat of North Unit No. 1., as recorded in Book 21, Page 27, of the Public Records of Pinellas County, Florida (645 78th Avenue)**

A RESOLUTION OF THE CITY OF ST. PETE BEACH VACATING TWO FIVE-FOOT-WIDE PLATTED DRAINAGE AND UTILITY EASEMENTS AT THE COMMON SIDE PROPERTY LINES OF LOTS 1 AND 2 OF BLOCK 79 OF THE PLAT OF NORTH UNIT NO. 1, RECORDED IN PLAT BOOK 21, PAGE 27, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, LOCATED WITHIN THE PROPERTY BOUNDARIES OF 645 78TH AVENUE; AND PROVIDING FOR CONSTRUCTION, CORRECTION OF SCRIVENER'S ERROR, AND AN EFFECTIVE DATE.

**c. Recommendation of Ordinance 2025-16 to the City Commission: Marine turtle and coastal wildlife protection**

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA FOR THE PURPOSE OF RENAMING LAND DEVELOPMENT CODE DIVISION 44 – MARINE TURTLE PROTECTION TO DIVISION 44 - MARINE TURTLE AND COASTAL WILDLIFE PROTECTIONS; AMENDING SECTIONS 44.1. THROUGH 44.9., AND ADOPTING SECTIONS 44.10 THROUGH 44.14., TO UPDATE TECHNICAL STANDARDS, CLARIFY REQUIREMENTS FOR NEW AND EXISTING DEVELOPMENT AND SPECIAL EVENTS, MODIFY PENALTIES, COMPLIANCE AND ENFORCEMENT MEASURES, SPECIFY RESPONSIBLE PARTIES, AND UPDATE DEFINITIONS, TO BETTER SERVE THE PURPOSE AND INTENT OF THE DIVISION AND ALIGN WITH FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND FISH AND WILDLIFE COMMISSION BEST PRACTICES; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER'S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

**d. Recommendation of Ordinance 2026-01: Amending Land Development Code standards pertaining to accessory structures, ancillary equipment, nonconforming uses and structures, stair and balcony encroachments, and providing for consistency in floodplain management regulations and definitions, to the City Commission**

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, AMENDING THE ST. PETE BEACH LAND DEVELOPMENT CODE SECTIONS 2.1., 3.10., 6.13., 6.14., 6.22., 7.4., 28.1., AND 28.5., TO INCREASE FRONT YARD STAIR ENCROACHMENTS FOR SPECIFIED RESIDENCES, ALLOW RETENTION OF NONCONFORMING BALCONY FOOTPRINTS AND SPECIFIED NONCONFORMING RESIDENTIAL ACCESSORY STRUCTURES FOLLOWING SUBSTANTIAL IMPROVEMENT TO THE PRIMARY RESIDENCE, CLARIFY RESTRICTIONS ON NONCONFORMING USES AND AMEND RESTRICTIONS ON ELEVATED AND SUBSTANTIALLY-IMPROVED NONCONFORMING STRUCTURES, MODIFY RESIDENTIAL STORAGE BUILDING STANDARDS, MODIFY RESIDENTIAL EQUIPMENT SETBACK STANDARDS, PROVIDE A FRONT YARD SETBACK LINE ALTERNATIVE FOR RESIDENTIAL CUL-DE-SAC AND CURVED STREET LOTS, AND AMEND DEFINITIONS AND CONTENT OF THE LAND DEVELOPMENT CODE TO PROVIDE CLARITY AND CONSISTENCY WITH CHAPTER 98 OF THE CODE OF ORDINANCES AND THE FLORIDA BUILDING CODE; PROVIDING FOR SEVERABILITY, CODIFICATION AND CORRECTION OF SCRIVENER'S ERRORS, AND PROVIDING FOR AN EFFECTIVE DATE.

5. Discussion Items

**a. 2026 Florida Legislative Session Introduction**

Presentation introducing key planning- and zoning-related Senate and House bills proposed for the 2026 Florida legislative session.

## 6. Adjournment

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**APPEAL:** In accordance with 286.0105, Florida Statute (Notices of meetings and hearings must advise that a record is required to appeal), if a person decides to appeal any decision made by this committee, board, agency, or commission with respect to any matter considered at this meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

**AMERICANS WITH DISABILITIES ACT (ADA):** In accordance with the Americans with Disabilities Act and Florida Statutes, if any person with a disability defined by the ADA needs special accommodation to participate in this proceeding, then not later than two business days prior to the proceeding, he or she should contact City Hall at (727) 367-2735.

**The public is cordially invited to attend this meeting.  
All agenda material is available for review at City Hall or [www.stpetebeach.org](http://www.stpetebeach.org).**

## PLANNING BOARD MEETING MINUTES

December 15, 2025 - 4:00PM

**MEMBERS PRESENT:** David Hubbard, Chair  
Sam Angelides, Jr., Vice Chair  
Grant Izzi, Member  
Rich Lorenzen, Member  
Cindy Perry, Member

**STAFF PRESENT:** Brandon Berry, Senior Planner  
Attorney Chloe Berryman, City Attorney's Office  
Ginny Bodkin, Deputy City Clerk

Chair Hubbard called the meeting to order at 4:00 PM, followed by the Pledge of Allegiance. He thanked Member Grocott for her service to the board and welcomed new member Rich Lorenzen.

### 1. Approval of the Agenda –

**Motion: Member Perry moved, and Vice Chair Angelides seconded, to approve the December 15, 2025 agenda as presented; the motion carried unanimously.**

### 2. Audience Comments – No one came forward to comment.

### 3. Approval of Minutes – Minutes October 20, 2025

**Motion: Member Izzi moved and Vice Chair Angelides seconded, to approve the October 20, 2025 minutes as presented; the motion carried unanimously.**

### 4. Action Items –

- a. Recommendation of Ordinance 2025-02, pertaining to conduct, behavior, operations, development, activity registration and permitting, and maintenance of the City's beaches, to the City Commission

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA FOR THE PURPOSE OF ADOPTING A BEACH ORDINANCE; CREATING CHAPTER 95. BEACHES, SECTIONS 95-1 THROUGH 95-25; RELOCATING, RENAMING AND AMENDING SECTIONS IN CODE OF ORDINANCES DIVISIONS 6, 14, 58, 62, 74 AND 94; AND RELOCATING AND AMENDING SECTIONS IN LAND DEVELOPMENT CODE DIVISION 25 AND 44; PROVIDING A CONSOLIDATED ORDINANCE PERTAINING TO CONDUCT, BEHAVIOR, OPERATIONS, DEVELOPMENT, PERMITTING, AND MAINTENANCE ON THE CITY'S BEACHES; SPECIFYING PENALTIES FOR VIOLATIONS; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER'S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

### Public Comment:

John Kurzman of Bahia Honda Way commented as a resident, not a Beach Stewardship Committee member and voiced concerns about managing beach items such as unattended ("phantom") chairs, signage, and objects placed on the beach, while avoiding any changes to customary use. He opined that language implying private beaches is dangerous and inconsistent with historical precedent, noting

that deeds recognize public rights to use the sandy beach and property taxation reflects beachfront status rather than private control of the sand. He expressed concern about ordinance changes, including new or expanded prohibitions (fireworks, smoking, bicycles, alcohol, polystyrene, vaping, vending, sleeping on the beach) and signage regulations for the beach (P zone) remain unresolved.

Robert Czysczon of 4506 Gulf Blvd. spoke in favor of moving the beach ordinance forward but emphasized the need to distinguish between private and public beaches. He stated that hotel-adjacent beaches are private, citing recent signage and enforcement and said hoteliers welcome public access as long as visitors patronize hotel services and don't set up personal tents or chairs that create liability. He raised concerns about ordinance language that could improperly regulate chickee huts by subjecting them to building codes that differ from state exemptions. He supported clearer boundary markers for service and cabana areas to improve transparency and enforcement. He opposed a total ban on fireworks, suggesting fireworks launched from barges as a reasonable alternative that would not impact turtles and would preserve traditional celebrations.

Krystin Simmons of the Luce Hotel at 6300 Gulf Blvd. raised concerns about Section 44.10 of the ordinance, stating that proposed lighting restrictions would eliminate nighttime events by prohibiting even temporary lighting, impacting ceremonies, receptions, and events at oceanfront and poolside venues. She requested clarification on the applicable dates and whether restrictions apply only during turtle nesting season or year-round. She was opposed to restrictions on fireworks, emphasizing their importance as a long-standing community tradition.

Chair Hubbard adjourned as the Planning Board and reconvened as the Local Planning Agency at 4:13 PM.

Senior Planner Brandon Berry opened his presentation by explaining this is one of three proposed ordinances pertaining to use of and development on the City's beaches. Ordinance 2025-02 largely addresses conduct, behavior, and requirements for registration, Ordinance 2025-16 addresses wildlife-friendly lighting requirements, and a future ordinance may address cabana service area and private beach requirements as well as development. He added that the Beach Stewardship Committee recommended, by a vote of 4-1, the proposed changes that were included in the meeting packet. His presentation is part of the meeting record.

Ordinance 2025-02 makes minor modifications to the LDC, largely moving content to the Code of Ordinances. References remain in the LDC to the relocated content. The following sections would be relocated: Regulation of tiki hut regulations (LDC Sec. 25.5.) to Chapter 95; dune modification permitting requirements (LDC Sec. 25.8. [currently 25.9.]) to Chapter 95; prohibitions on activities disruptive to marine turtles (LDC Sec. 44.3.) to Chapter 95.

Other overall proposed modifications were the prohibition of micromobility devices (including bikes) on the beach except during special events, prohibitions of fireworks on the beach, prohibition of glass and polystyrene on the beach, requiring the registration of site- and non-site-based businesses that set up furniture, host recreation activities, and make other use of the public beach that is outsized with the average public use of the beach, and allowing cabana service areas to host non-guests of a resort. Consistency with the Comp Plan Future Land Use and Coastal and Conservation Elements was reviewed.

The members reviewed the proposed amendments that were included in the meeting packet section

by section, and discussion and comments were made on:

- Tiki and Chickee Huts
- Fireworks and barges
- Styrofoam and plastics on the beach
- Harassment and prohibitions regarding wildlife
- Drones on the beach
- Micromobility and motorized and non-motorized bicycles on the beach
- Sunrise and sunset definitions
- The reason for three separate ordinances (Reassessment following significant public comment on the single ordinance, and the enactment of SB180, restricting development and creating a potential risk that a legal challenge could invalidate an entire ordinance rather than specific sections. The ordinance was divided by subject matter with provisions focused on behavior and conduct separated from potential development limitations, which may be considered later as a third ordinance. The marine turtle lighting provisions were separated out for clarity and current state review.)
- Marijuana prohibition falls under no smoking
- Consistencies and scrivener's errors

Mr. Berry reviewed the guidance that the board had provided to staff for revisions to the ordinance:

- Identified outdated language in the definition of “micro-mobility device” and the need to review use of the word “sunset” within the definition of “sunrise.”
- Noted that the term “unattended fishing and/or line” is not currently used in the ordinance and should be confirmed or removed.
- Flagged proposed Section 95-7 (temporary structures) as potentially redundant and to be reviewed for overlap with other sections.
- Emphasized the need for consistent use of the term “Gulf” (proposed Section 95-6).
- In Section 95-10, identified inconsistent use of “glass,” “bottle,” and “open/non-open” language and the need to correct punctuation related to glass and plastic straws.
- In Section 95-13, recommended adding the word “sand” before “beach” regarding dogs prohibited on beaches.
- In Section 95-14, recommended including drones and lasers as examples of harassment.
- In Section 95-15, recommended adding “use of flashlights” to the listed prohibitions.
- Noted the need to ensure consistency with a forthcoming ordinance regarding lighting restrictions during marine turtle nesting season.
- Discussed amending the fireworks section to allow fireworks from barges while maintaining the prohibition on firing from or over the beach.
- Clarification on prohibiting foam polystyrene specifically on the beach, not all plastic products.

Mr. Berry asked if he had missed anything in his summary. Discussion ensued on whether the ordinance should continue to prohibit human-powered bicycles on the beach. Staff noted that, without further changes, the ordinance would maintain the prohibition, but the Local Planning Agency could recommend allowing human-powered bicycles if it found the restriction inconsistent with the Comprehensive Plan. Questions were raised about whether bicycle regulation falls within the Board's purview, with clarification that while it is not part of the Land Development Code, a recommendation could be made if a Comprehensive Plan inconsistency is identified.

Board members expressed differing views. Some supported allowing human-powered bicycles, citing quality-of-life benefits, lack of evidence of significant safety risks, and the beach as a safer exercise

alternative given limited walkability and recent pedestrian safety incidents. Others raised concerns about safety and congestion, particularly during busy seasons, and suggested limiting bicycle use by location or time of day. Attorney Berryman cautioned that bicycle regulation is more appropriately addressed by the Beach Stewardship Committee and outside the purview of this Board and recommended keeping the ordinance motion separate from the bicycle issue.

**Motion: Member Izzi moved that staff address the revisions as discussed today and bring back to a future Planning Board meeting. The motion died for lack of a second.**

Discussion followed regarding avoiding further delays in advancing the ordinance, noting the extensive work already completed by staff and the Beach Stewardship Committee.

**Motion: Member Perry moved, and Member Lorenzen seconded to have staff make the changes that were identified at this meeting and move Ordinance 2025-02 forward to the City Commission for first read. The motion carried 3-2 with Member Izzi and Vice Chair Angelides voting no.**

b. Recommendation of Ordinance 2025-16, pertaining to wildlife-friendly lighting, to the City Commission

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA FOR THE PURPOSE OF RENAMING LAND DEVELOPMENT CODE DIVISION 44 – MARINE TURTLE PROTECTION TO DIVISION 44 - MARINE TURTLE AND COASTAL WILDLIFE PROTECTIONS; AMENDING SECTIONS 44.1. THROUGH 44.9., AND ADOPTING SECTIONS 44.10 THROUGH 44.14., TO UPDATE TECHNICAL STANDARDS, CLARIFY REQUIREMENTS FOR NEW AND EXISTING DEVELOPMENT AND SPECIAL EVENTS, MODIFY PENALTIES, COMPLIANCE AND ENFORCEMENT MEASURES, SPECIFY RESPONSIBLE PARTIES, AND UPDATE DEFINITIONS, TO BETTER SERVE THE PURPOSE AND INTENT OF THE DIVISION AND ALIGN WITH FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND FISH AND WILDLIFE COMMISSION BEST PRACTICES; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER’S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

Public comment:

John Kurzman of Bahia Honda Way raised concerns about zoning inconsistencies, noting that all beaches are in the Preservation (P) zone, not resort or other zones referenced in the Land Development Code, and urged the ordinance to reflect this. He questioned allowing large chickee huts on the beach while previously restricting smaller items like chairs and criticized blanket bans on bicycles and fireworks instead of limiting them to turtle nesting season. He challenged the justification for lighting restrictions, noting that turtles naturally navigate by moonlight and ambient conditions, making some provisions unrealistic. He opposed new requirements that would force full compliance, such as window tinting, when repairing minor building elements, suggesting flexibility should remain.

Robert Czyszczon of 4506 Gulf Blvd. supported the Board’s discussion and urged clearer treatment of tiki and chickee huts, stating they are fundamentally different and should be addressed in separate code sections to avoid confusion and potential legal issues. He raised concerns about Section 44.10, arguing that lighting restrictions during turtle season would effectively eliminate special events for much of the year and should allow limited special events only during nesting season. He opined that

enforcement provisions should apply equally to all beachfront properties, including condominiums, not just hotels, to ensure fair and consistent application of lighting standards.

Krystin Simmons of the Luce Hotel at 6300 Gulf Blvd. expressed concerns that the lighting ordinance would heavily impact hotel operations and limit their ability to host events, affecting staff income and client confidence. She highlighted that the ordinance's definitions of artificial, cumulative, indirect, and transient lighting are overly broad, potentially penalizing businesses for common light sources such as car headlights, tiki torches, lanterns, or temporary event lighting. She recommended tightening the definitions to ensure the ordinance regulates coastal construction impacts without unfairly affecting hotels and other beachfront businesses.

Mr. Berry reviewed a presentation outlining the revisions to the proposed lighting ordinance which comes under the full purview of the Local Planning Agency. This ordinance focuses on modernizing lighting regulations to protect turtles and coastal resources while providing clarity for developers and staff. Key points included:

- Purpose & Scope: Aligns with Senate Bill 180 and the state's model lighting ordinance, focusing on regulating new construction, modifications, repairs, and special event lighting rather than redefining construction.
- Technical Standards: Updates outdated language from the 1990s ordinance, adds definitions for full-cutoff and shielded lighting, specifies long-wavelength bulbs, and reduces allowable visible light transmittance from 45% to 30% for glass visible from the beach. Requires new pool lighting to follow long-wavelength standards.
- Compliance Triggers: New structures, redevelopment of primary structures, non-substantial additions, and modifications of windows, doors, or fixtures must comply with the updated standards. Pre-2007 installations are grandfathered until modified.
- Enforcement & Reporting: Code enforcement is the responsible division; penalties updated; vegetation screening must be Florida-native; annual reporting to the City Commission and Beach Stewardship Committee is required.
- Special Provisions: Prohibits transient or temporary special event lighting during marine turtle season.
- Comprehensive Plan Consistency: Supports goals for protecting marine wetlands, turtle nesting grounds, dune systems, and other coastal resources, while promoting restoration and sustainable development in commercial and resort areas.

Staff requested a recommendation of approval to the City Commission and affirmation of consistency with the comprehensive plan.

Board discussion followed. Staff addressed potential conflicts with SB 180, stating that the ordinance was drafted with that in mind and consultations with the city attorney are ongoing. Under Florida Statute 380.04, certain maintenance or interior/exterior cosmetic work is exempt from SB 180. Most of the ordinance codifies existing enforcement practices rather than introducing new requirements, and the definition of "construction" that triggers compliance remains unchanged.

The board discussed the proposed restrictions on special events and transient lighting during sea turtle nesting season (May–October). Key points included:

- The current ordinance is ambiguous; the draft ordinance is more restrictive, particularly regarding transient lighting visible from the beach.
- Questions arose about whether lighting could be shielded or positioned to avoid disturbing turtles while still allowing events.

- Concerns were raised about the economic impact of prohibiting special events and the need for clear guidance for event organizers.
- The importance of practical, enforceable standards was emphasized, including examples or schematics showing how events could comply.
- Several members suggested collaboration with experts and affected community members to develop workable solutions.
- There was consensus that the current language is overly restrictive, poorly structured, and could be clarified into subsections (special events, transient lighting, people on the beach).
- The board decided to direct staff to rework the ordinance to better balance turtle protection with allowing special events, rather than approving it as-is.
- Staff could revise the ordinance and return to the board with updated language and potential solutions.

**Motion: Member Lorenzen moved, and Vice Chair Angelides seconded, to return Ordinance 2025-16 to the staff to rework the issues as discussed and bring back to the board. The motion carried 5-0.**

Chair Hubbard adjourned as the Local Planning Agency and reconvened as the Planning Board at 6:06 PM.

#### 5. Discussion Items -

##### a. St. Pete Beach dock regulations

Chair Hubbard requested the item be added to the agenda to raise concerns about provisions in the LDC related to residential docks and navigability and Board of Adjustment administrative approvals based solely on no-objection letters from adjacent property owners. He expressed that could unintentionally restrict other nearby residents' access to navigable waters.

Discussion focused on LDC Section 6.23, particularly the rule allowing docks to extend up to one-half the width of the waterfront lot with administrative approval. Current code does not require consideration of broader navigational impacts on other properties, especially in narrow or shallow waterways where access is already limited. Questions were raised about the lack of a clear local definition of "navigable waterway," noting that reliance on broad county or federal definitions may not adequately reflect on-the-ground conditions. It was suggested that the City consider amendments to ensure that administrative approvals and variances account for impacts on surrounding residents' access to waterways. Possible tools discussed included requiring additional information, such as depth charts, to better inform decisions without conflicting with state limitations (including Senate Bill 180). Additional concerns were raised about other dock-related standards in Section 6.23, including dock height limits, which may prevent property owners from raising docks in anticipation of higher seawalls or flood resilience needs, potentially contributing to storm damage and navigation hazards, and orientation requirements that docks be perpendicular to seawalls, which may not be practical for irregularly shaped lots and could lead to setback or encroachment issues. The members agreed that multiple areas in the dock regulations could benefit from clarification and modernization.

#### 6. Adjournment - Next meeting January 26, 2026.

There being no further business, Chair Hubbard adjourned the meeting at 6:20 PM.

*These minutes were approved at the January 26, 2025 meeting of the Planning Board.*

**PLANNING BOARD MEETING  
CITY OF ST. PETE BEACH  
COMMISSION CHAMBERS**

**Agenda Report**

**Agenda Title Name:** Recommendation of Resolution 2026-01 to the City Commission: Vacating three-foot easements located at the rear of Lots 5 and 6 of Block C of Sunset Park Replat as recorded in Plat Book 18, Page 6, of the Public Records of Pinellas County, Florida (103 24th Avenue)

**Action Request:** Motion to recommend approval of Resolution 2026-01 to the City Commission.

**Strategic Objective:** Recovery, Resiliency & Sustainability

**Date:** January 26, 2026

**Prepared By:** Brandon Berry, Senior Planner

**Through:** Laura Canary, Community Development Director

**Summary of Issue:** The Sunset Park area of Pass A Grille underwent replatting in 1926 and included numerous general easements on the replat, one of which runs along the rear of the four lots of Block C that face the currently-named Pass A Grille Way between 24th and 25th Avenues.

The property of 103 24th Avenue contains all of Lot 7 of Block C and the rear 22 feet of both Lots 5 and 6. The partial lots under ownership were platted with a three-foot unspecified-to-purpose easement at their rear. This property's ownership configuration has been in place since at least 1978, the earliest deed record readily available for the property. The owners of the property are seeking to redevelop the property with a new residence that will be located within the specified easement, and seek a vacation of the easement.

The owners have received letters of no conflict from Duke Energy, Frontier Communications, TECO Peoples Gas, and Pinellas County Utilities in support of the vacation request. Charter Communications (Spectrum) also provided a no conflict letter, stating that easements may be required on the subject property in

the future to accommodate their facilities.

Staff has no concerns with the request. Although the original purpose of the easement is unspecified, the City has no present need for the easement to be maintained as a drainage easement, as the property will need to be swaled to direct water to the street when redeveloped which will fulfill the drainage improvement requirement applicable to new single-family homes. At the property's size and present zoning, it could not be permitted any use other than a single-family home, so it is unlikely that the property could be later developed with a more intensive use which would require a more robust drainage solution.

Approval of this request will permanently vacate the easement that currently intersects the eastern 19 feet of the property from the 50x100' Lot 7 that presently contains the 1925-built home, which is being contemplated for either demolition or relocation at the time of drafting this report. When the easement is vacated, the applicant will be able to proceed with development on the site to the typical zoning setback and lot coverage standards. The existing three-foot platted easement that runs along the entire rear (north side) of the Lot 7 portion of the property will remain unaffected.

The new residence has proceeded through design review with the Historic Preservation Board, and the permit authorizing the development of the new home is pending approval of the subject easement vacation request.

**Funding:**

No known fiscal impact to the City.

**Attachments:**

1. Resolution 2026-01
2. Sunset Park Replat
3. Pinellas County Utilities - Letter of No Objection
4. Duke Energy - Letter of No Objection
5. Frontier Communications - Letter of No Objection
6. TECO Peoples Gas - Letter of No Objection
7. Charter Communications - Conditional Letter of No Objection
8. Survey Showing Easement Location
9. Proposed Site Plan

**RESOLUTION NO. 2026-01**

**A RESOLUTION OF THE CITY OF ST. PETE BEACH VACATING THREE-FOOT-WIDE PLATTED EASEMENTS AT THE REAR OF LOTS 5 AND 6 OF BLOCK C OF SUNSET PARK REPLAT, RECORDED IN PLAT BOOK 18, PAGE 6, OF PINELLAS COUNTY PUBLIC RECORDS, LOCATED WITHIN THE PROPERTY BOUNDARIES OF 103 24TH AVENUE; AND PROVIDING FOR CONSTRUCTION, CORRECTION OF SCRIVENER’S ERROR, AND AN EFFECTIVE DATE.**

**WHEREAS**, the owners of the property at 103 24<sup>th</sup> Avenue desire to redevelop their property with a single-family residence and accessory structures.

**WHEREAS**, the property contains all of a single platted lot, and the western 22 feet of two platted lots that contain at their western rear boundary a three-foot unspecified easement that was designated on the Sunset Park Replat in 1926.

**WHEREAS**, the owner has obtained letters of no objection from Duke Energy, Pinellas County, Charter Communications (Spectrum), TECO Peoples Gas, and Frontier Communications for the proposed vacation, being the five utilities currently active in St. Pete Beach.

**WHEREAS**, Staff has no concerns regarding the vacation of the proposed easement and finds that single-family drainage improvements will be required for the new development regardless of the presence of the easement.

**WHEREAS**, the proposed new development on the subject property has been reviewed and accepted by the Historic Preservation Board, and its construction is contingent on the vacation of the subject easement.

**NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH FLORIDA, HEREBY RESOLVES:**

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

SECTION 2. The City Commission authorizes the vacation of the subject three-foot easement, which has a length of 100 feet, width of three feet, and begins 19 feet from the eastern property boundary of 103 24<sup>th</sup> Avenue as depicted on the accompanying survey and recorded Sunset Park plat.

SECTION 3. This request does not vacate any of the platted three-foot-wide, 50-foot-long easement that runs along the northern side of Sunset Park Replat Block C, Lot 7, connecting with an easement of the same size on Lot 8 that leads to the right-of-way of Sunset Way.

SECTION 4. A copy of the accompanying development order to this request shall be recorded prior to issuance of any permit that will develop the land on which the easement is currently located.

SECTION 5. 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 6. Construction. This Resolution is to be liberally construed to accomplish its objectives.

SECTION 7. Effective Date. This Resolution shall be effective upon adoption.

**PASSED AND APPROVED BY THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2026.**

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

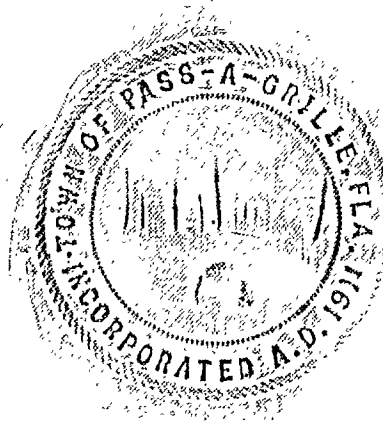
\_\_\_\_\_  
Adrian Petril, Mayor

ATTEST:

\_\_\_\_\_  
Renee Rose, City Clerk

Approved as to form and legal sufficiency for the  
use and reliance of the City of St. Pete Beach only:

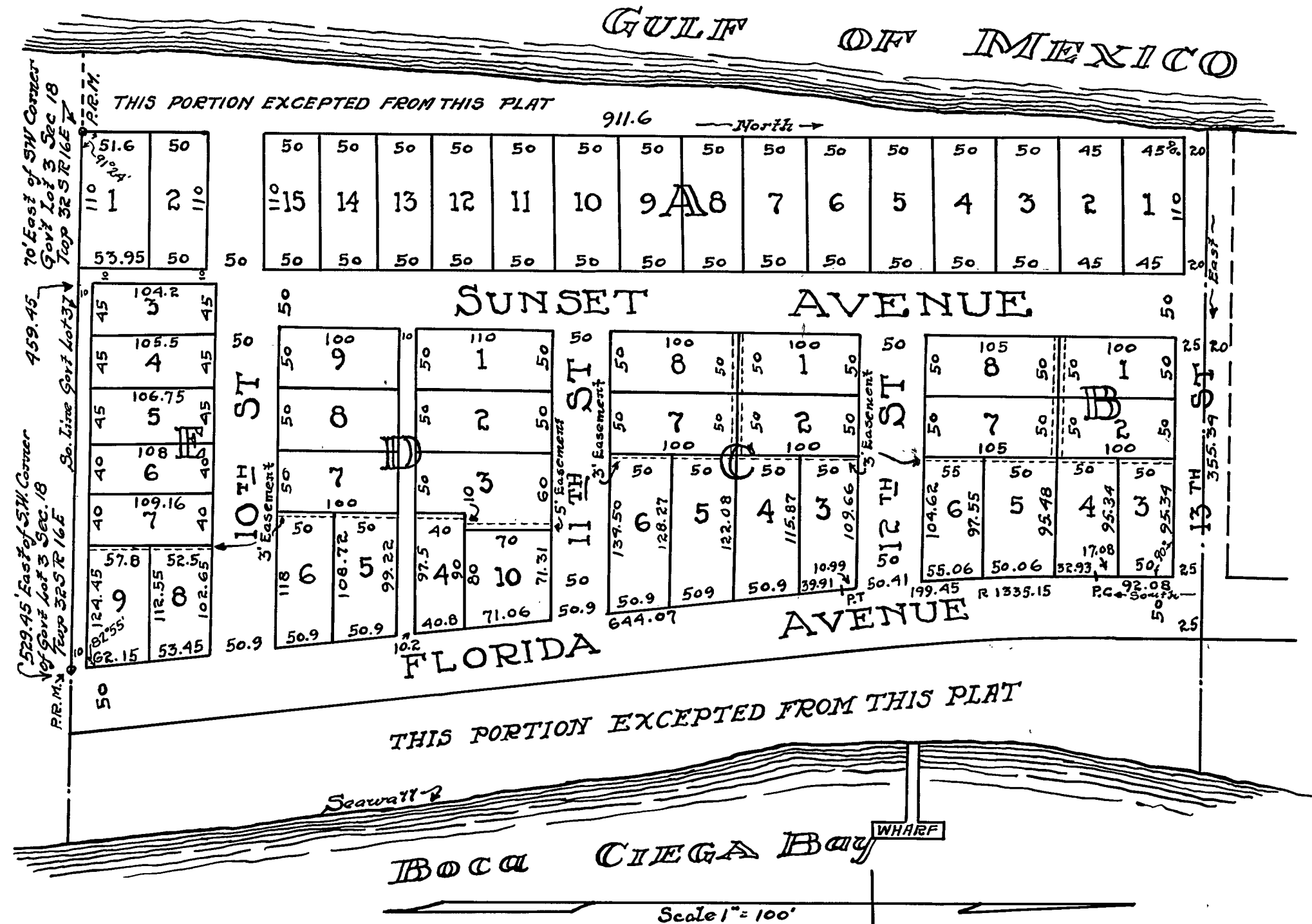
\_\_\_\_\_  
Vose Law Firm LLP, City Attorney



Accepted for the City of Pass-a-Grille  
 E. K. Meredith Mayor Pro Tem  
 F. E. Hallock Commissioner  
 J. E. Wallock Clerk

I hereby certify that on this 14 day of April A.D. 1926 this property was surveyed and staked and that monuments were set as indicated and that the dimensions and lengths are correct. This report made for the purpose of changing the alignment of Florida Avenue.

J. F. Valentine  
 Reg. Exp. # 462



A REPLAT  
 OF  
**SUNSET PARK**  
 Pass-a-Grille Pinellas County Florida.

Being a replat of a portion of all lots in Blocks A.-B.-C.-D. and E of Sunset Park as filed in Book 12, Page 100 Pinellas County Records.  
 Further described as follows:  
 Beginning at a point 70 feet East of SW corner of Govt Lot 3, Sec. 18 - Twp 32S - R. 16 E. run North 911.6 feet; thence East 355.34 feet; thence South 92.08 feet to P.C.; thence running on a curve to the left of radius 1335.15 feet a distance of 199.45 feet to P.T.; thence Southeast 644.07 feet to the South line of Govt Lot 3; thence West along South line of Govt Lot 3 a distance of 459.45 feet to point of Beginning.

We the undersigned hereby certify that we are the owners in fee simple of the lands above described hereby platted as "A Replat of Sunset Park" that we hereby dedicate to the public all streets and public places shown on this plat of the sub-division of the same; it being stipulated that a right of way be reserved as shown for the location of public utilities including poles and conduits for wires and pipes, and that the sub-division is permanently marked upon the ground by concrete monuments in the locations shown on said plat and that the dimensions angles and lengths and the connections with and witness marks of monuments as shown are correct and entirely within the boundaries of said tract as above described.  
 Witness our hand and official seal at St Petersburg, Florida this day of April A.D. 1926

Signed, sealed and delivered in presence of

C. Lester Ford (Seal)  
 Elizabeth G. Ford (Seal)  
 C. E. Redington (Seal)  
 Hazel A. Redington (Seal)  
 Mary Lou Gray (Seal)  
 Erwin C. Price (Seal)  
 E. K. Meredith (Seal)

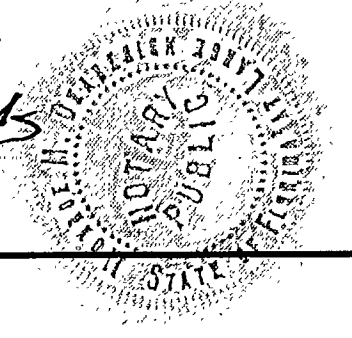
Trustees of School District #12 Pinellas County, Florida.

Erwin C. Price (Witness)  
 M. M. Deaderick (Witness)

State of Florida,  
 County of Pinellas.)  
 I hereby certify, that on this 17th day of April A.D. 1926 before me, the undersigned authority, personally appeared C. Lester Ford and Elizabeth G. Ford, his wife, C. E. Redington and Hazel A. Redington, his wife for themselves and Erwin C. Price, E. K. Meredith, and Mary Lou Gray as Trustees of School District #12 Pinellas County, Florida, and severally acknowledged that they executed this plat of Sunset Park as and for their free act and deed, and the said Erwin C. Price, E. K. Meredith and Mary Lou Gray acknowledged that they executed the same in behalf of School District No. 12 Pinellas County, Florida.  
 I further certify that the said Elizabeth G. Ford, Hazel A. Redington wives of the said C. Lester Ford and C. E. Redington respectively, on an examination taken and made separately and apart from their said husbands, each acknowledged to me that she executed this instrument for the purpose of renouncing and relinquishing her dower and rights of dower and separate estate in and to the lands, tenements, and hereditaments herein described, and that she executed said instrument freely and voluntarily, and without any compulsion, constraint, apprehension or fear of or from her said husband.

Witness my hand and official seal this date aforesaid.

My commission expires Dec. 1, 1928  
 Monroe M. Deaderick  
 Notary Public State at Large



Book 18 Page 6  
 22978  
 FILED APR 20 1926 10:00 A.M.  
 AND RECORDED IN THE PUBLIC RECORDS OF  
 PINELLAS COUNTY, FLORIDA IN THE BOOK  
 AND ON THE PAGES DESIGNATED ABOVE.  
 E. B. O'QUINN, Clerk Circuit Court  
 D. C.

August 27, 2025

Att: Gina Pezza  
Email: [ginap@groundpros.com](mailto:ginap@groundpros.com)  
103 24th Avenue, St. Pete Beach, Fl. 33706

Re: Letter of No Objection for the proposed vacation of the 3' public easement located along the East side of Lots 5 and 6, Block C, A Replat of SUNSET PARK (Plat Book 18, page 6),

Dear Property Owner,

We have received your request for a letter of no objection for the proposed vacation of the 3' public easement located along the East side of Lots 5 and 6, Block C, A Replat of SUNSET PARK (Plat Book 18, page 6), as depicted in the attached exhibit(s).

Pinellas County does not have any utilities, or stormwater facilities in the right-of-way and has no future plans for utilities, or stormwater facilities in the easement. Therefore, Pinellas County has no objection to the proposed vacation.

If you have any questions, or if we may be of further assistance, please feel free to contact me at (727) 464-3169.

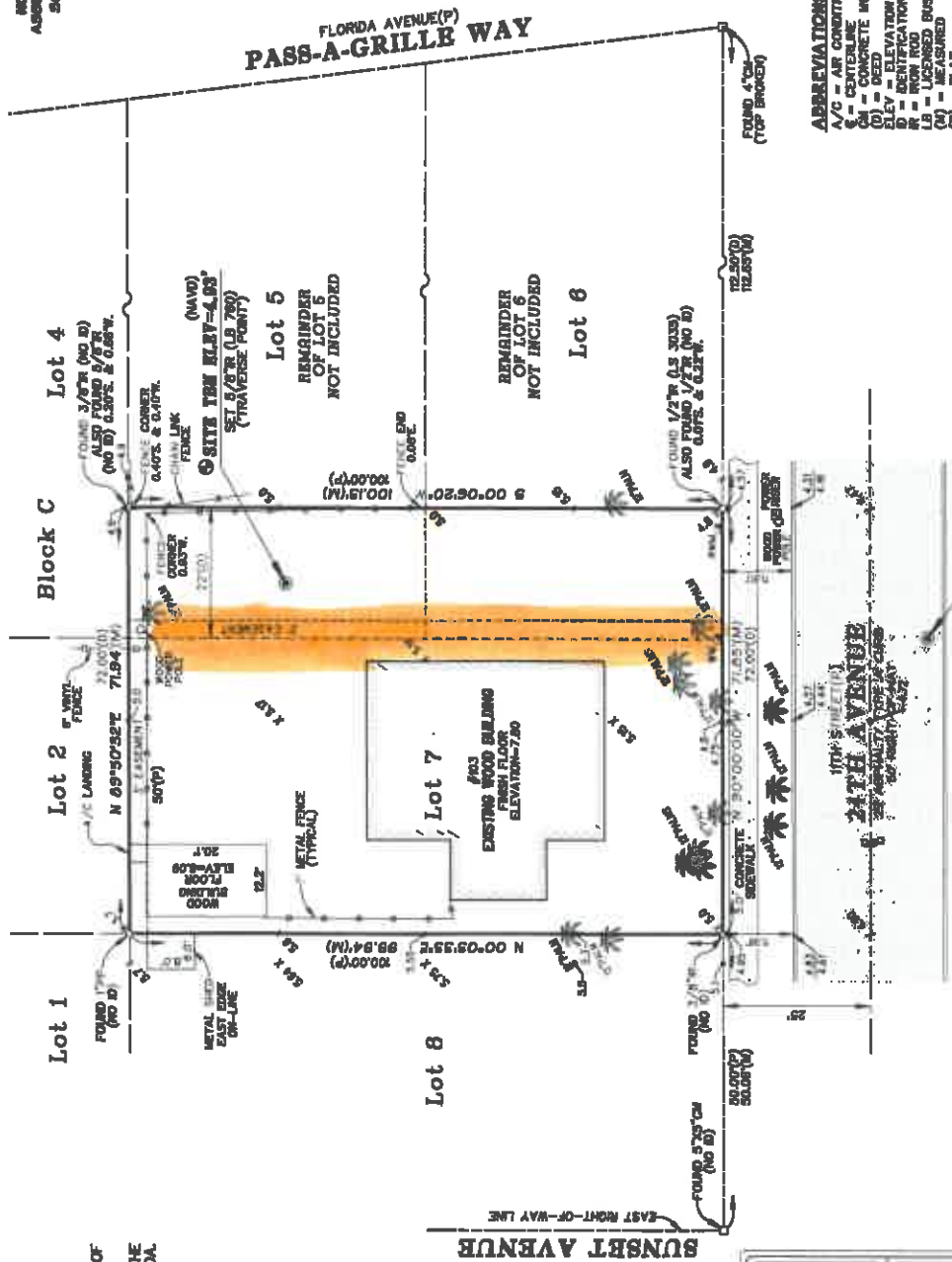
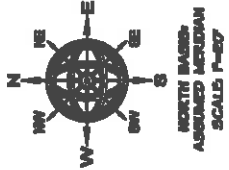
Sincerely,



**Briana Dachniewicz**  
Development Project Manager I  
Petition to Vacate Coordinator  
Pinellas Building & Development Review Services

440 Court Street  
Clearwater, FL 33756  
Phone (727) 464-3888  
V/TDD (727) 464-4062  
[www.pinellascounty.org](http://www.pinellascounty.org)

SECTION 18, TOWNSHIP 32 SOUTH, RANGE 16 EAST



- ABBREVIATIONS:**  
 A/C - AIR CONDITIONER  
 C - CENTERLINE  
 CM - CONCRETE MONUMENT  
 (D) - DEED  
 ELEV - ELEVATION  
 R - IRON ROD  
 LB - LICENSED BUSINESS  
 (M) - MEASURED  
 (P) - PLAT  
 (P) - PLYWOOD  
 RW - RECALIBRATED WATER METER  
 TM - TEMPORARY BENCHMARK  
 WM - WATER METER

**CERTIFIED TO:**  
 MICHAEL J. PEZZA  
 GINA M. PEZZA  
 CSM CONSTRUCTION

**LEGAL DESCRIPTION**

LOT 7 AND THE WEST 23 FEET OF LOTS 5 AND 6, BLOCK C, ACCORDING TO THE PLAT OF SUNSET PARK REPLAT AS RECORDED IN PLAT BOOK 18, PAGE 6 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA. BOUNDARY AND TOPOGRAPHIC SURVEY WITH TREE LOCATION - 5/12/25

Current FEMA Flood Zone Data:  
 FLOOD ZONE(S): AEV1  
 DOES NOT LIE WITHIN COASTAL A ZONE  
 COMMUNITY PANEL #125149 125030278 H  
 REVISED 8/24/21

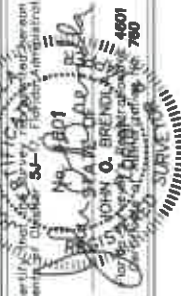
Assumed Basis of Bearings:  
 NORTH RIGHT-OF-WAY LINE OF 24TH AVENUE AS BEING  
 N49°00'00"W, ASSUMED. (NO RECORD PLAT BEARINGS)  
 Reference Benchmark:  
 PINELLAS COUNTY MAP #294 (NOAA 8773)  
 ELEV=7.587 NAVD, ADJUSTED TO  
 ELEV=6.82 NAVD, NSL=0.007

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

This survey is made for the exclusive use of the current owners of the property and also for the purchase, mortgage or encumbrance of the title thereto within one (1) year from latest date shown hereon.

Prepared by:  
**JOHN C. BRENDA AND ASSOCIATES, INC.**  
 PROFESSIONAL LAND SURVEYORS AND MAPPERS  
 405 56th Avenue North  
 Pinellas (TAMU) Florida 33778  
 Phone: (727) 878-7118

I hereby certify that this Survey, Florida Land Surveyors and Mappers meets the requirements of Chapter 54, Florida Administrative Code.



Job Number: 2503-55  
 Drawn: DS  
 FIELD BOOK 982 PAGE(S) 38  
 2503-55-CRO



2166 Palmetto Street  
Clearwater, FL 33765  
Mail Code: CWBAYG  
Office-727-893-9262

Email: [Jonathan.Kasper@Duke-Energy.com](mailto:Jonathan.Kasper@Duke-Energy.com)

August 29, 2024

PEZZA, MICHAEL J  
PEZZA, GINA M

**RE: *Approval of a Platted Utility Easement Vacation***  
***Parcel ID: 18-32-16-88056-003-0070***  
***Address: 103 24TH AVE., ST PETE BEACH, FL 33706***  
***Legal: SUNSET PARK REPLAT BLK C, LOT 7 & W 22FT OF LOTS 5 & 6***

Dear Mr. and Mrs. Pezza,

Please be advised that Duke Energy Florida, LLC., *Distribution Department* and *Transmission Department* has “**NO OBJECTIONS**” to the 3’ wide platted utility easement vacation, lying along the Westerly boundary of Lots 5 and 6, Block C, according to the plat thereof, referenced on SUNSET PARK REPLAT, Plat Book 18, Page 6, Public Records of Pinellas County Florida, further shown on accompanying exhibit.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

***Jonathan Kasper***

Jonathan Kasper  
Real Estate Representative  
Duke Energy Florida





FRONTIER

2185 Range Rd  
Clearwater, FL 33765  
(941) 266-9218  
[stephen.waidley@fr.com](mailto:stephen.waidley@fr.com)

11/17/2025

Attn: Briana Dachniewicz  
Development Project Manager I  
Pinellas County  
440 Court St  
Clearwater, FL 33756

RE: Vacation of Easement - 103 24<sup>th</sup> Ave, St Pete Beach, FL

Dear Ms. Dachniewicz,

Our records do not indicate that there are Frontier facilities in the area of the Plat request as per the attachment provided.

Frontier has no objection to the above referenced request as per the attachment.

Frontier has facilities within the proposed vacate area. A recordable non-exclusive Easement in favor of Frontier will be required for Frontier facilities to remain in the proposed vacated R.O.W.

Frontier has facilities in the area, which may be in conflict with your proposed construction plans. Please contact Sunshine 811 by dialing 811, 2 full business days prior to the start of your work to have these facilities located for you. Please take all necessary precautions to protect and avoid damage of these facilities during your construction.

Frontier has facilities in the area, which may be in conflict with your proposed construction plans. Please send a set of construction plans and references to the Frontier Engineering Department with regards to the above project.

Frontier has facilities in the area of your proposed construction. Prepayment is required to markup a set of construction plans in order to confirm and accurately depict Frontier facilities. There will also be a reimbursement of all costs required for relocation/adjustments of Frontier facilities needed to accommodate the proposed construction project.

Please call me if you have any questions or need any additional information at (941) 266-9218.

Sincerely,

*Stephen Waidley*

Stephen Waidley  
Frontier Florida LLC  
Regional Rights of Way & Municipal Affairs Manager

August 27, 2025

Att: Gina Pezza  
Email: [ginap@groundpros.com](mailto:ginap@groundpros.com)  
103 24th Avenue, St. Pete Beach, Fl. 33706

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Pinellas County does not have any utilities, or stormwater facilities in the right-of-way and has no future plans for utilities, or stormwater facilities in the easement. Therefore, Pinellas County has no objection to the proposed vacation.

If you have any questions, or if we may be of further assistance, please feel free to contact me at (727) 464-3169.

Sincerely,



**Briana Dachniewicz**  
Development Project Manager I  
Petition to Vacate Coordinator  
Pinellas Building & Development Review Services

440 Court Street  
Clearwater, FL 33756  
Phone (727) 464-3888  
V/TDD (727) 464-4062  
[www.pinellascounty.org](http://www.pinellascounty.org)

**CERTIFIED TO:**  
 MICHAEL J. PEZZA  
 GINA M. PEZZA  
 CSM CONSTRUCTION

**SECTION 18, TOWNSHIP 32 SOUTH, RANGE 16 EAST**



**LEGAL DESCRIPTION**  
 LOT 7 AND THE WEST 22 FEET OF LOTS  
 5 AND 6, BLOCK C, ACCORDING TO THE PLAT OF  
 SUNSET PARK REPLAT  
 AS RECORDED IN PLAT BOOK 18, PAGE 6 OF THE  
 PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.  
 BOUNDARY AND TOPOGRAPHIC SURVEY  
 WITH TREE LOCATION - 5/12/25

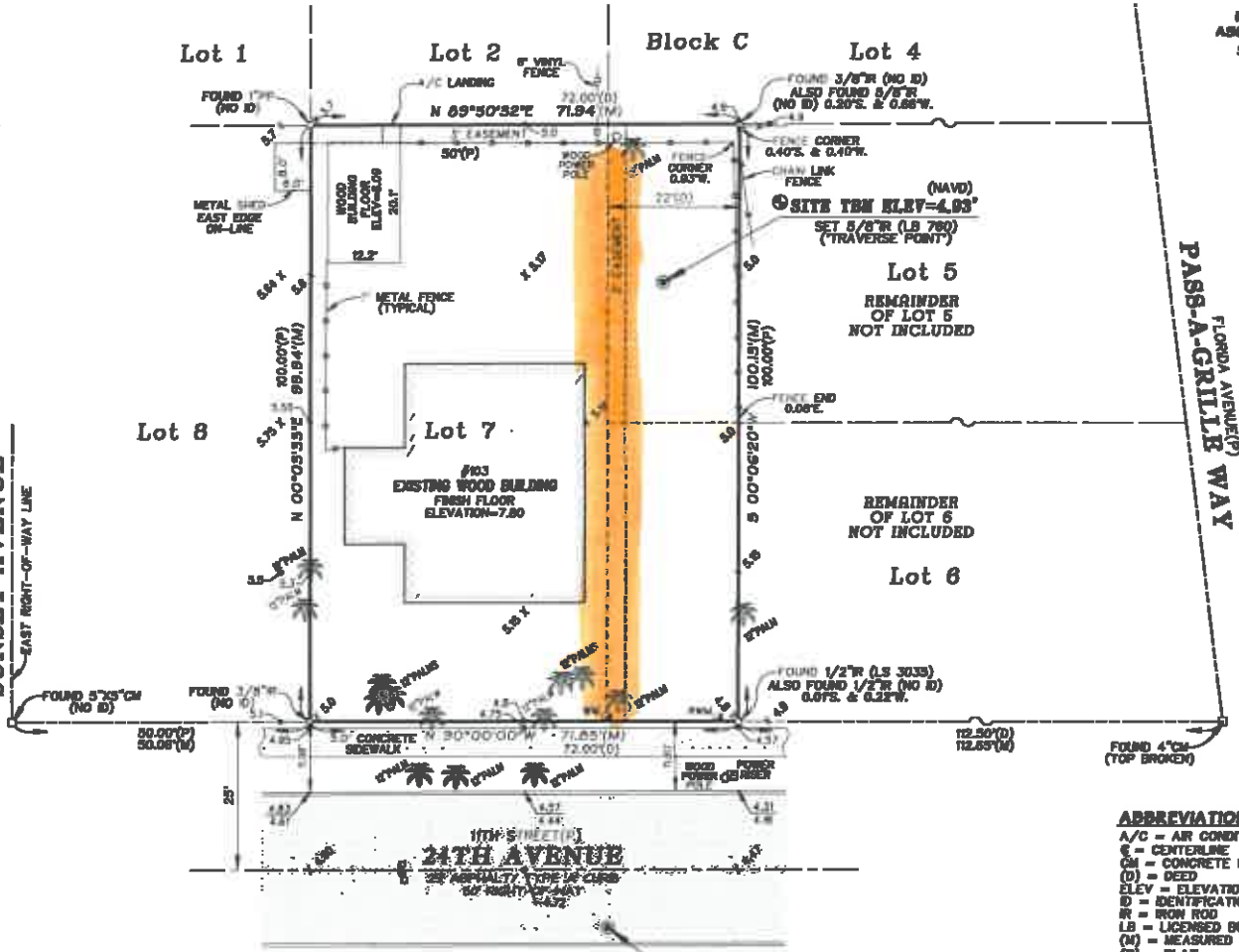
Current FEMA Flood Zone Data:  
 FLOOD ZONE(S): AE(1%)  
 DOES NOT LIE WITHIN COASTAL A ZONE  
 COMMUNITY PANEL #123149 1210300278 H  
 REVISED 8/24/21

Assumed Basis of Bearings:  
 NORTH RIGHT-OF-WAY LINE OF 24TH AVENUE AS BEING  
 N89°00'00"W, ASSUMED. (NO RECORD PLAT BEARINGS)  
 Reference Benchmark:  
 PINELLAS COUNTY MAP #284 (NOAA 1973)  
 ELEV=7.548' NAVD, ADJUSTED TO  
 ELEV=6.82' NAVD, MSL=0.00'

This survey was prepared without the benefit of a title search and is  
 subject to all easements, 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.

This survey is made for the exclusive use of the current owners of the  
 property and does those who purchase, mortgage or guarantee the title  
 thereto within one (1) year from latest date shown hereon.



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 A/C = AIR CONDITIONER  
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 (P) = PLAT  
 PF = PINCH PIPE  
 RWM = RECLAIMED WATER METER  
 TBM = TEMPORARY BENCHMARK  
 WM = WATER METER

Prepared by:  
**JOHN C. BRENDLA AND ASSOCIATES, INC.**  
 PROFESSIONAL LAND SURVEYORS AND MAPPERS  
 405 82nd Avenue North  
 Pinellas Park, Florida 33781  
 phone (877) 576-7946

I hereby certify that this survey has been prepared in accordance with the  
 requirements of Chapter 5J, Florida Administrative Code.



Job Number: 2503-55  
 Drawn: DS

2503-55.CRD  
 FIELD BOOK 992 PAGE(S) 36

(NAVD)  
 SITE TBM ELEV=4.93'  
 SET NAIL & DISK (LB 780)  
 IN ASPHALT PAVEMENT

## Ticket Status Notification

To:  
 Email: MIKEP@GROUNDPROS.COM

Below lists utilities that were stasured by USIC. Please note there may be other Utilities which include private facilities that may be present in the work area and are NOT the responsibility of USIC to locate or mark.

You are receiving this notification because your contact information is listed on the above ticket from the One Call System. If you have any questions regarding this notification, please contact USIC at 1-800-762-0592.

<b><u>Ticket</u></b>	<b><u>Address</u></b>	<b><u>Utility</u></b>	<b><u>Locate Date /</u></b>	<b><u>Status</u></b>	<b><u>Detail</u></b>
233502566	103 24TH AVE,ST PETE BEACH,FL	Charter-Time Warner Cab	09/22/25 04:32 PM	Not Marked	4 - Excavation Site Clear
		Frontier Tel	09/22/25 04:32 PM	Not Marked	4 - Excavation Site Clear

---

Stay Up-to-Date with Real-Time Access to USIC's assigned Tickets through our DigCheck Pro App. You will have the flexibility to see Open and Closed Tickets, Post Locate Photos, and Street Views! There is no cost to access our DigCheck Pro App.

Sign up by emailing [DigCheck@usicllc.com](mailto:DigCheck@usicllc.com) and provide your  
 First Name:  
 Last Name:  
 Company Name:  
 Email Address:  
 State or States:  
 Phone Number:

You can download DigCheck Pro from Apple App Store or Google Play Store Now!

It's Free!



Questions or Comments:

[DigCheck@usicllc.com](mailto:DigCheck@usicllc.com)



January 6, 2026

To: Brandon Berry  
Senior Planner  
City of St. Pete Beach

Re: Vacate of Easement  
Address: 103 24th Ave St Pete beach ,33706

To Whom It May Concern,

Thank you for contacting Peoples Gas System, Inc. ("PGS") regarding the vacate of easement at the above reference location. After reviewing the documents provided, TECO-PGS has NO objection to this request. TECO-PGS does not have any active facilities in this specified area.

If you have further questions, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink, appearing to read "Briana". The signature is fluid and cursive, with a large initial "B" and a long, sweeping tail.

Briana Velez  
Peoples Gas Systems- Engineering  
8416 Palm River Rd, Tampa FL 33619  
Office: (813)275-3700 ext:53700  
Cell: (813)460-2040



Date: 12/31/25

Re: **Request for vacation of platted residential easement - 103 24th Avenue, St. Pete Beach, 33706**

XXX Charter Communications has no objections provided easements for our facilities are Retained / granted

       Charter Communications has facilities that would need to be relocated and the applicant would be responsible for this expense. Payment in full would be required to proceed with vacation of the easement.

       In order to properly evaluate this request, Charter Communications will need detailed plans of facilities proposed for subject areas.

       Charter Communications has facilities within this area, which may conflict with subject project please call 811 to have locating. **SEE NOTES**

       Charter Communications requires 30 days written notice prior to construction start date to relocate their facilities.

**NOTES:**

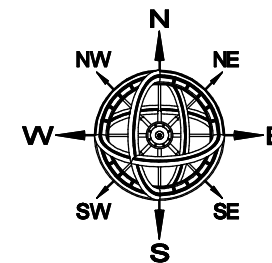
Sincerely,

Derrick Snyder

Construction Supervisor  
Charter Communications  
Pinellas County  
Phone Number 727-329-2041

SECTION 18, TOWNSHIP 32 SOUTH, RANGE 16 EAST

**CERTIFIED TO:**  
 MICHAEL J. PEZZA  
 GINA M. PEZZA  
 CSM CONSTRUCTION

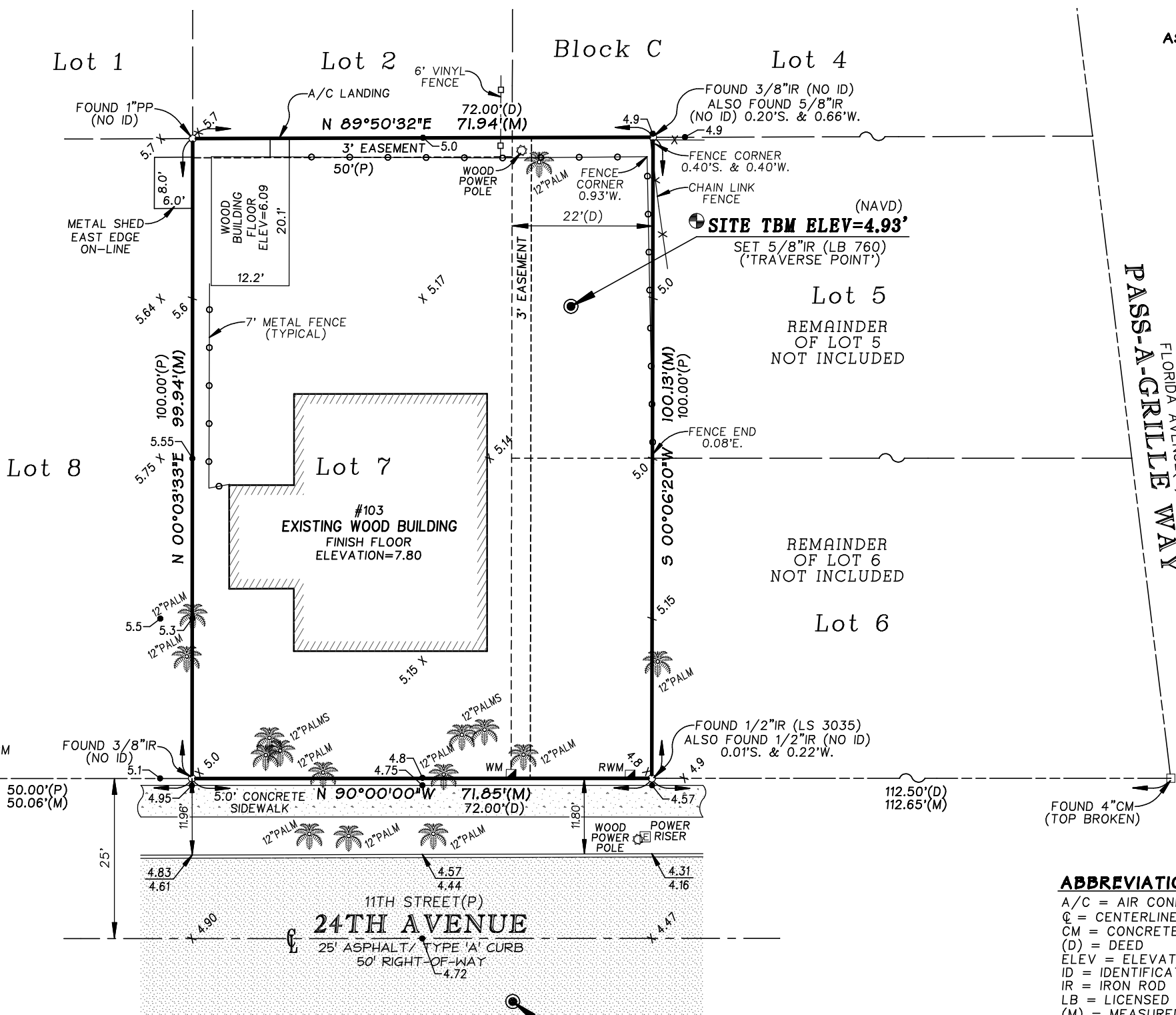


**NORTH BASIS:**  
 ASSUMED MERIDIAN  
 SCALE: 1"=20'

**LEGAL DESCRIPTION**

LOT 7 AND THE WEST 22 FEET OF LOTS 5 AND 6, BLOCK C, ACCORDING TO THE PLAT OF **SUNSET PARK REPLAT** AS RECORDED IN PLAT BOOK 18, PAGE 6 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

BOUNDARY AND TOPOGRAPHIC SURVEY WITH TREE LOCATION - 5/12/25



Current FEMA Flood Zone Data:  
 FLOOD ZONE(S): AE(9')  
 DOES NOT LIE WITHIN COASTAL A ZONE  
 COMMUNITY PANEL #125149 12103C0278 H  
 REVISED 8/24/21

Assumed Basis of Bearings:  
 NORTH RIGHT-OF-WAY LINE OF 24TH AVENUE AS BEING N.90°00'00"W., ASSUMED. (NO RECORD PLAT BEARINGS)

Reference Benchmark:  
 PINELLAS COUNTY MAP #284 (NOAA 1973)  
 ELEV=7.566' NGVD, ADJUSTED TO  
 ELEV=6.82' NAVD, MSL=0.00'

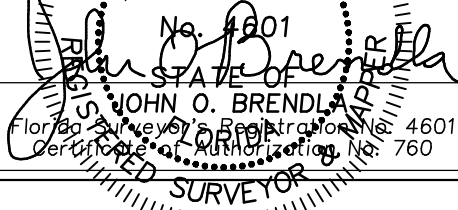
This survey was prepared without the benefit of a title search and is subject to all easements, rights-of-way, and other matters of record.

Survey not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper.

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

Prepared by:  
**JOHN C. BRENDLA AND ASSOCIATES, INC.**  
 PROFESSIONAL LAND SURVEYORS AND MAPPERS  
 4015 82nd Avenue North  
 Pinellas Park, Florida 33781  
 phone (727) 576-7546

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



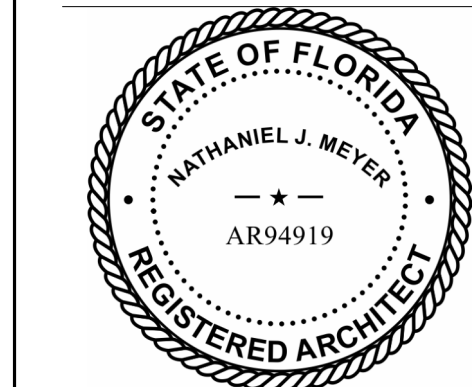
Job Number: 2503-55  
 Drawn: DS

2503-55.CRD  
 FIELD BOOK 992 PAGE(S) 36

(NAVD)  
**SITE TBM ELEV=4.31'**  
 SET NAIL & DISK (LB 760)  
 IN ASPHALT PAVEMENT

**ABBREVIATIONS:**

- A/C = AIR CONDITIONER
- ⊕ = CENTERLINE
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- (M) = MEASURED
- (P) = PLAT
- PP = PINCH PIPE
- RWM = RECLAIMED WATER METER
- TBM = TEMPORARY BENCHMARK
- WM = WATER METER



REVISIONS		
MARK	DATE	DESC
1	10.09.2024	ZONING REVIEW

REVISIONS		
MARK	DATE	DESC
1	10.09.2024	ZONING REVIEW

B PROPORTIONAL DESIGN ELEMENTS SHALL INCLUDE:  
1 WINDOWS IN VARYING, YET SIMILAR ARRANGEMENTS.  
2 APPROPRIATE VERTICAL VISUAL CONSISTENCY AT THE CENTERLINE OF THE FAÇADE.  
3 APPROPRIATE RATIOS OF VISUAL WIDTH BETWEEN TOP AND BOTTOM HALVES OF THE ELEVATION (BOTTOM 1/4 CLEARLY SUPPORTS THE TOP).  
4 OVERALL DESIGN SHALL BE SYMMETRICALLY OR ASYMMETRICALLY BALANCED.

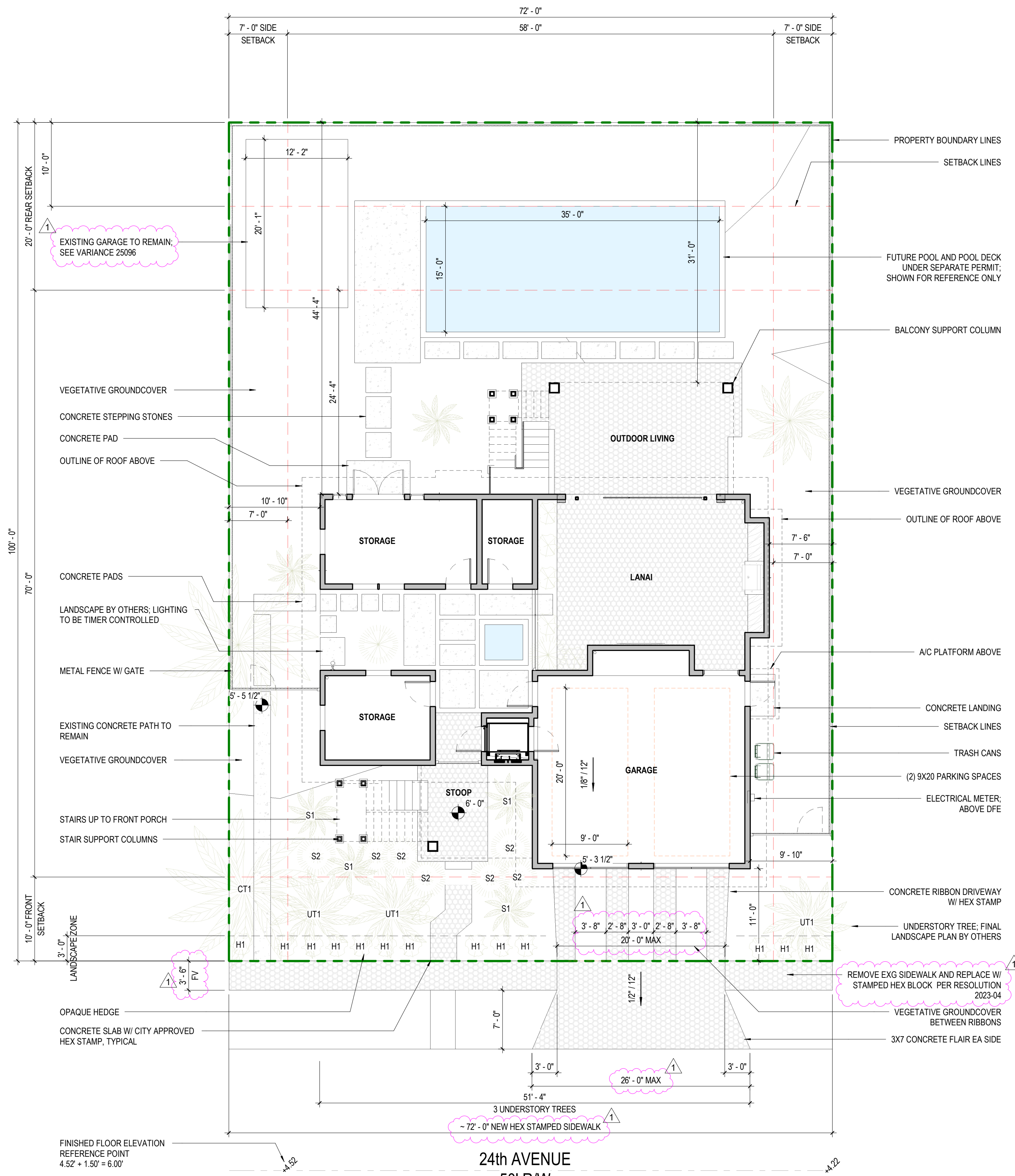
C DESIGN MUST INCLUDE THE FOLLOWING RHYTHMS:  
1 PROXIMITY (OBJECTS CLOSE TOGETHER COMPLEMENT EACH OTHER).  
2 SIMILARITY- COMMON TEXTURES, COLORS OR FEATURES.

SHEET MANAGEMENT	
DATE:	08.28.2025
PHASE:	PERMIT-100%
SHEET TITLE	

ARCHITECTURAL SITE PLAN

SHEET NUMBER

# A0.01



### GENERAL NOTES - LANDSCAPING

- LANDSCAPE PLAN IS SCHEMATIC. A COMPLETE PLAN IS TO BE PROVIDED BY OTHERS PRIOR TO FINAL ZONING INSPECTION.
- SOD OR VEGETATIVE GROUNDCOVER TO BE 24% (1728SF) OF THE LOT.
- PROVIDE IRRIGATION TO ALL LANDSCAPED AREAS.
- PLANT MATERIALS USED IN CONFORMANCE WITH THE PROVISIONS OF THIS ARTICLE SHALL CONFORM TO THE STANDARD FOR FLORIDA NO. 1 OR BETTER, AS GIVEN IN GRADES AND STANDARDS FOR NURSERY PLANTS, PART I, 1963, AND PART II, PUBLISHED BY THE FLORIDA DEPARTMENT OF AGRICULTURE, OR EQUAL.
- ALL TREES PLANTED UNDER THE PROVISIONS OF THIS CODE SHALL BE OF A SPECIES HAVING AN AVERAGE CROWN OF GREATER THAN 15 FEET AT MATURITY AND HAVING A TRUNK WHICH CAN BE MAINTAINED IN A CLEAN CONDITION, FREE OF BRANCHES, FROM GRADE TO FIVE FEET ABOVE GRADE.
- CANOPY TREES SHALL HAVE A MINIMUM HEIGHT OF 12 FEET AND A DBH DIMENSION OF THREE INCHES AT THE TIME OF PLANTING.
- ACCENT UNDER-STORY TREES SHALL BE A MINIMUM OF EIGHT FEET IN OVERALL HEIGHT AND A TREE DBH DIMENSION OF TWO INCHES AT THE TIME OF PLANTING.
- SHRUBS AND HEDGES SHALL BE A MINIMUM OF TWO FEET IN HEIGHT WHEN MEASURED IMMEDIATELY AFTER PLANTING.
- VEGETATIVE GROUND COVERS IN LIEU OF GRASS, IN WHOLE OR IN PART, SHALL BE PLANTED IN SUCH A MANNER AS TO PRESENT A FINISHED APPEARANCE AND REASONABLY COMPLETE COVERAGE.
- LANDSCAPE LIGHTING TO BE CONTROLLED BY TIMER.

### ZONING DATA - SAINT PETE BEACH SEC. 20.20 LANDSCAPING STANDARDS

#### SEC. 20.21 SCREENING OF ELEVATED BUILDINGS

- A - ARCHITECTURAL SCREENING SHALL:
- CREATE A VISUAL CONTINUITY THAT IS INTEGRATED WITH THE OVERALL DESIGN AND ARCHITECTURE OF THE HOME USING DOORS, GARAGE DOORS, ENTRYWAYS, STAIRCASE AND/OR ARCHWAYS.
  - NO MORE THAN 20 PERCENT OF THE AREA BEING SCREENED CAN BE TRANSPARENT.

#### B - LANDSCAPE SCREENING SHALL BE INSTALLED:

- A MINIMUM 3-FOOT-WIDE LANDSCAPE AREA.
- ONE UNDERSTORY TREE PER 20 LINEAL FEET (OR PORTION THERE OF) OF THE ELEVATED BUILDING LENGTH/WIDTH VIEWED FROM PUBLIC RIGHTS-OF WAY.
- PLANTED WITH SHRUBS, ORNAMENTAL GRASSES AND GROUNDCOVERS TO PROVIDE 100 PERCENT COVERAGE OF THE LANDSCAPE AREA WITHIN ONE GROWING SEASON. THE LANDSCAPE DESIGN SHALL (UNLESS SPATIALLY IMPRACTICAL) PROVIDE LAYERING OF PLANT MATERIALS THAT INCLUDES LARGER BACKGROUND SHRUBS AND LOW FOREGROUND GROUNDCOVERS. ALL PLANT MATERIAL SHOULD BE FLORIDA FRIENDLY PLANTINGS AS DEFINED AND IDENTIFIED BY UNIVERSITY OF FLORIDA/IFHS HORTICULTURE EXPERTS.
- PERMANENT MULCH MATERIALS, SUCH AS ORGANIC MULCHES, STONES, AND RECYCLED INORGANIC GROUNDCOVER MATERIALS ARE NOT PERMITTED IN LIEU OF VEGETATION, UNLESS THEY ARE PROVIDED AS ACCENT OR FOCAL POINTS THAT ENHANCE THE LANDSCAPE DESIGN.

### SCHEDULE-IMPERVIOUS SURFACE

NAME	AREA
BUILDING FOOTPRINT	2449 SF
CONCRETE PADS	45 SF
DRIVEWAY	112 SF
EXISTING GARAGE	245 SF
POOL DECK	407 SF
POOL WATER SURFACE	525 SF
STAIRS	162 SF
WALKWAYS	183 SF
<b>TOTAL IMPERVIOUS SURFACE</b>	<b>4127 SF</b>

### SCHEDULE-PERVIOUS SURFACE

NAME	AREA
PERVIOUS LANDSCAPE	3073 SF
<b>TOTAL PERVIOUS SURFACE</b>	<b>3073 SF</b>

### SCHEDULE-PLANTS

MARK	COMMENTS
CT1	CANOPY TREE
H1	SHRUB, 3GAL MIN FORMING AN OPAQUE HEDGE
S1	SHRUB, 3GAL MIN
S2	SHRUB, 3GAL MIN
S3	SHRUB, 3GAL MIN
UT1	UNDERSTORY TREE

FINAL LANDSCAPE PLAN INCLUDING ALL PLANT AND VEGETATIVE GROUNDCOVER SPECIES AND SIZE TO BE PROVIDED BY OTHERS.

### ZONING DATA - SAINT PETE BEACH PASS-A-GRILL (PAG) OVERLAY

SITE ADDRESS: 103 24TH AVENUE, SAINT PETE BEACH, FL 33602  
LOT DIMENSIONS: FRONT 72' X 100'

FEMA MAP: 12103C02278H EFFECTIVE 08/24/2021  
ZONE: AE LEEWARD OF LIMWA LINE  
BASE FLOOD ELEVATION (BFE): 9.0'  
DESIGN FLOOD ELEVATION (DFE): 10.0'  
LOWEST FLOOR (LEVEL 2): 18'-6.34"  
EXISTING GRADE (SEE SURVEY): LAG X' - HAG X'

ZONING DISTRICT SEC. 20.15: RLM-2 / HL (HOUSE LARGE)

SEC. 20.09 MAX IMPERVIOUS SURFACE RATIO (ISR): 60% MAX  
7,200SF SITE AREA X 0.60 = 4,320SF MAX IMPERVIOUS

SEC. 20.15 PERMITTED BUILDING TYPES: HOUSE-LARGE  
BUILDING ENVELOPE: ---  
STREET SETBACK: 10FT MIN 15FT MAX  
SECONDARY STREET SETBACK: 7FT  
SIDE SETBACK: 7FT  
REAR SETBACK (INTERIOR LOT): 15FT  
GARAGE ADJACENT TO ALLEY: 5FT  
FRONTAGE BUILDOUT: 50%

ACCESSORY STRUCTURE ENVELOPE: ---  
STREET SETBACK: 10FT  
SIDE SETBACK: 25FT  
REAR SETBACK (INTERIOR LOT): 80FT MAX  
BUILDING FOOTPRINT: 800SF  
ROOF HEIGHT AT 10FT SETBACK: 14FT

STOOP: ---  
WIDTH: 5FT MIN 10FT MAX  
DEPTH: 3FT MIN 8FT MAX  
HEIGHT: 18IN MIN 24IN MAX

SEC. 20.17 BUILDING HEIGHT: ---  
DESIGN FLOOD ELEVATION: 10.0'  
FINISHED GRADE: X' (SEE SURVEY)  
HEIGHT OF FLOORS: 8FT MIN 14FT MAX (LIVEABLE)  
TOTAL HEIGHT: 28-32FT (FROM 8FT ABOVE NATURAL GRADE)

SEC. 23.5 NUMBER OF PARKING SPACES REQUIRED: ---  
RESIDENTIAL SINGLE-FAMILY: 2 SPACES PER UNIT

SEC. 23.11 PARKING CONSTRUCTION AND DESIGN REQ: ---  
90 DEGREE SPACES: 9' X 20'  
DRIVEWAY WIDTH: 10FT MIN  
20FT MAX AT PROPERTY LINE  
26FT MAX AT CURB W/ 3X7 FLARES  
NUMBER OF DRIVEWAYS (CORNER LOTS): 3

SEC. 6.13 RESIDENTIAL ACCESSORY STRUCTURES: ---  
ATTACHED GARAGE: SHARES 75% OF COMMON WALL  
POOLS MEASURED FROM EDGE OF WATER: ---  
REAR SETBACK: 5FT TO WATERS EDGE, 4FT TO  
FRONT AND SIDE SETBACKS: COPING  
SEE PRINCIPAL STRUCTURE

SEC. 6.14 RESIDENTIAL EQUIPMENT ENCROACHMENTS: ---  
GRADE: 4FT  
ELEVATED: PROHIBITED

SEC. 6.15 FENCES AND WALLS: ---  
FRONT YARDS: 4FT  
MAX HEIGHT: 8FT

SEC. 6.22 YARD AND MEASUREMENT REQUIREMENTS: ---  
OPEN BALCONIES: 3FT FRONT / REAR ENCROACHMENT  
OPEN STAIRS: 3FT ENCROACHMENT  
ORNAMENTAL COMPONENTS: 1FT ENCROACHMENT  
ROOF EAVES W/ GUTTERS: 2FT ENCROACHMENT

SEC. 11.6 MIN ZONING LOT REQUIREMENTS: RLM-2  
MAX RESIDENTIAL DENSITY: 10 UNITS / ACRE  
LOT AREA PER DWELLING UNIT: 4,356SF  
DWELLING UNITS ALLOWED: 2 (7,000SF / 4,356SF = 1.6)

SEC. 20.22 GENERAL BUILDING DESIGN: ---  
A THE MASS OF A BUILDING MUST INCLUDE:  
1 PRIMARY MASS. THE BUILDING SHALL HAVE A DISTINCT PRIMARY MASS.  
2 SECONDARY MASS. A BUILDING SHOULD ALSO INCLUDE SECONDARY MASS (PRIVATE FRONTAGE REQUIREMENTS) THAT FORM THE FAÇADE OF THE BUILDING.  
3 VOIDS THAT ALLOW FOR NATURAL BREAKS IN THE MASS.

B PROPORTIONAL DESIGN ELEMENTS SHALL INCLUDE:  
1 WINDOWS IN VARYING, YET SIMILAR ARRANGEMENTS.  
2 APPROPRIATE VERTICAL VISUAL CONSISTENCY AT THE CENTERLINE OF THE FAÇADE.  
3 APPROPRIATE RATIOS OF VISUAL WIDTH BETWEEN TOP AND BOTTOM HALVES OF THE ELEVATION (BOTTOM 1/4 CLEARLY SUPPORTS THE TOP).  
4 OVERALL DESIGN SHALL BE SYMMETRICALLY OR ASYMMETRICALLY BALANCED.

C DESIGN MUST INCLUDE THE FOLLOWING RHYTHMS:  
1 PROXIMITY (OBJECTS CLOSE TOGETHER COMPLEMENT EACH OTHER).  
2 SIMILARITY- COMMON TEXTURES, COLORS OR FEATURES.

D DESIGN MUST INCLUDE THE FOLLOWING RHYTHMS:  
1 PROXIMITY (OBJECTS CLOSE TOGETHER COMPLEMENT EACH OTHER).  
2 SIMILARITY- COMMON TEXTURES, COLORS OR FEATURES.

E DESIGN MUST INCLUDE THE FOLLOWING RHYTHMS:  
1 PROXIMITY (OBJECTS CLOSE TOGETHER COMPLEMENT EACH OTHER).  
2 SIMILARITY- COMMON TEXTURES, COLORS OR FEATURES.

F DESIGN MUST INCLUDE THE FOLLOWING RHYTHMS:  
1 PROXIMITY (OBJECTS CLOSE TOGETHER COMPLEMENT EACH OTHER).  
2 SIMILARITY- COMMON TEXTURES, COLORS OR FEATURES.

G DESIGN MUST INCLUDE THE FOLLOWING RHYTHMS:  
1 PROXIMITY (OBJECTS CLOSE TOGETHER COMPLEMENT EACH OTHER).  
2 SIMILARITY- COMMON TEXTURES, COLORS OR FEATURES.

H DESIGN MUST INCLUDE THE FOLLOWING RHYTHMS:  
1 PROXIMITY (OBJECTS CLOSE TOGETHER COMPLEMENT EACH OTHER).  
2 SIMILARITY- COMMON TEXTURES, COLORS OR FEATURES.

I DESIGN MUST INCLUDE THE FOLLOWING RHYTHMS:  
1 PROXIMITY (OBJECTS CLOSE TOGETHER COMPLEMENT EACH OTHER).  
2 SIMILARITY- COMMON TEXTURES, COLORS OR FEATURES.

J DESIGN MUST INCLUDE THE FOLLOWING RHYTHMS:  
1 PROXIMITY (OBJECTS CLOSE TOGETHER COMPLEMENT EACH OTHER).  
2 SIMILARITY- COMMON TEXTURES, COLORS OR FEATURES.

**PLANNING BOARD MEETING  
CITY OF ST. PETE BEACH  
COMMISSION CHAMBERS**

**Agenda Report**

**Agenda Title Name:** Recommendation of Resolution 2026-03 to the City Commission: Vacating two five-foot drainage and utility easements along the common side lot lines of Lots 1 and 2 of Block 79 of the plat of North Unit No. 1., as recorded in Book 21, Page 27, of the Public Records of Pinellas County, Florida (645 78th Avenue)

**Action Request:** Motion to recommend approval of Resolution 2026-03 to the City Commission.

**Strategic Objective:** Recovery, Resiliency & Sustainability

**Date:** January 26, 2026

**Prepared By:** Brandon Berry, Senior Planner

**Through:** Laura Canary, Community Development Director

**Summary of Issue:** The North Unit No. 1. plat was replatted in 1937 from an earlier replat of the St Petersburg Beach Replat. On the plat are blanket five-foot side and rear drainage and utility easements along all side and rear lot lines of all platted lots, necessitating the subject vacation when an owner seeks to assemble all or part of multiple parcels for development and build across them. The owner of 645 78th Avenue, who owns Lots 1 and 2 of Block 79 of North Unit No. 1, is seeking to construct a single-family residence that is located partially within the easements and is seeking a vacation of both five-foot interior side property easements.

The owner has received letters of no objection from Pinellas County, Frontier Communications, and Duke Energy. Letters have been requested from TECO Peoples Gas and Charter Communications (Spectrum). Staff has no concerns with the subject vacation. the applicant will fulfill the single-family drainage requirements during the new construction process, which will involve swaling runoff to the water to the west of the property or to the street.

Notice has been provided to all property owners within

300 feet as required by City Charter. The City Commission will review the subject request following the Planning Board review.

**Funding:**

No known fiscal impact to the City.

**Attachments:**

1. Resolution 2026-03
2. Plat - North Unit No 1
3. Survey
4. Application\_to\_Vacate\_Easement\_Revised signed
5. Duke Energy No Objection
6. Frontier No Objection
7. Pinellas County No Objection

**RESOLUTION NO. 2026-03**

**A RESOLUTION OF THE CITY OF ST. PETE BEACH VACATING TWO FIVE-FOOT-WIDE PLATTED DRAINAGE AND UTILITY EASEMENTS AT THE COMMON SIDE PROPERTY LINES OF LOTS 1 AND 2 OF BLOCK 79 OF THE PLAT OF NORTH UNIT NO. 1, RECORDED IN PLAT BOOK 21, PAGE 27, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, LOCATED WITHIN THE PROPERTY BOUNDARIES OF 645 78<sup>TH</sup> AVENUE; AND PROVIDING FOR CONSTRUCTION, CORRECTION OF SCRIVENER'S ERROR, AND AN EFFECTIVE DATE.**

**WHEREAS**, the owners of the property at 645 78<sup>th</sup> Avenue desire to redevelop their property with a single-family residence and accessory structures.

**WHEREAS**, the North Unit No. 1 plat, a replat of Block 77 of St. Petersburg Beach Replat, contains a reservation statement that a five-foot utility and drainage easement is located along the side and rear lot lines of each lot.

**WHEREAS**, the owner has obtained letters of no objection from Duke Energy, Pinellas County, Frontier Communications for the proposed vacation, and requests for letters of no objection have been submitted to Teco Peoples Gas and Charter Communications (Spectrum), being those five utilities active in St. Pete Beach.

**WHEREAS**, Staff has no concerns regarding the vacation of the proposed easement and finds that single-family drainage improvements will be required for the new development regardless of the presence of the easement.

**WHEREAS**, the proposed new development has been submitted for permitting and is partially constructed within the subject easements, necessitating vacation of these easements prior to issuance of the subject permit.

**WHEREAS**, this request is the third vacation request approved for the subject plat, with prior easement vacations occurring in September 1998 (O.R. Bk. 10230, Pg. 936) and September 1999 (O.R. Bk. 10645, Pg. 2201).

**NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH FLORIDA, HEREBY RESOLVES:**

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

SECTION 2. The City Commission authorizes the vacation of both of the subject five-foot drainage and utility easements, which each have a length of 100 feet, width of five feet, and

extend interior to the property from the common side lot line of the two properties as depicted on the accompanying survey and stated as a reservation of the recorded North Unit No. 1 plat.

SECTION 3. This request does not vacate any of the platted five-foot easement that runs along the northern rear of the subject Lots 1 and 2, nor the platted five-foot easement that runs along the eastern side of the subject Lot 2.

SECTION 4. A copy of the accompanying development order to this request shall be recorded prior to issuance of any permit that will develop the land on which the easement is currently located.

SECTION 5. 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 6. Construction. This Resolution is to be liberally construed to accomplish its objectives.

SECTION 7. Effective Date. This Resolution shall be effective upon adoption.

**PASSED AND APPROVED BY THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2026.**

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

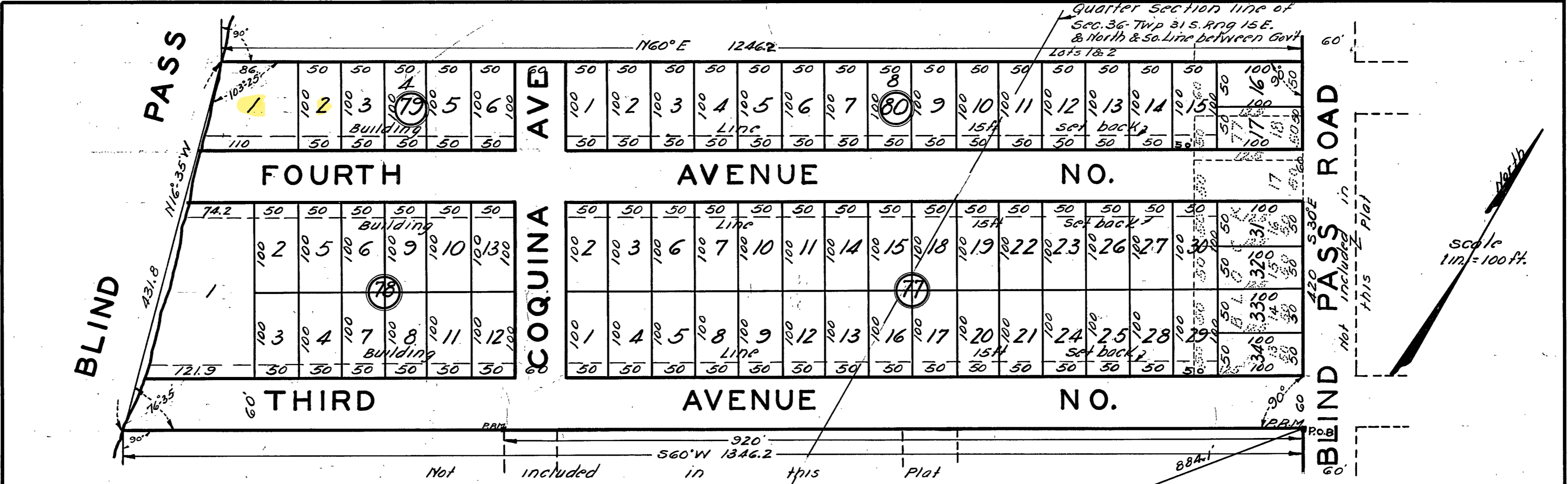
\_\_\_\_\_  
Adrian Petril, Mayor

ATTEST:

\_\_\_\_\_  
Renee Rose, City Clerk

Approved as to form and legal sufficiency for the use and reliance of the City of St. Pete Beach only:

\_\_\_\_\_  
Vose Law Firm LLP, City Attorney



Plat 71, pg. 27

RESOLUTION OF PARTIAL VACATION OF  
**North Unit 1**  
 SUBDIVISION HAS BEEN RECORDED IN  
 O.R. BOOK **12985** PAGE **370**  
 ON **8-14** 19 **03**  
 KARLEEN F. De BLAKER  
 Clerk of the Circuit Court  
 By **Gamine Fairchild** Deputy Clerk

RESOLUTION OF PARTIAL VACATION OF  
**North Unit 1**  
 SUBDIVISION HAS BEEN RECORDED IN  
 O.R. BOOK **10230** PAGE **936**  
 ON **9-9** 19 **99**  
 KARLEEN F. De BLAKER  
 Clerk of the Circuit Court  
 By **Gamine Fairchild** Deputy Clerk

# NORTH UNIT NO 1

BEING A RERLAT OF BLOCK 77 OF ST PETERSBURG BEACH REPLAT  
 AS RECORDED IN BOOK 5 PAGES 28 & 29 RECORDS OF PINELLAS CO.  
 AND IN ADDITION THERETO LANDS IN GOVERNMENT LOTS 1 & 2  
 SECTION 36 TOWNSHIP 31 SOUTH RANGE 15 EAST  
 PINELLAS COUNTY FLORIDA

RESOLUTION OF PARTIAL VACATION OF  
**North Unit I**  
 SUBDIVISION HAS BEEN RECORDED IN  
 O.R. BOOK **10645** PAGE **2201**  
 ON **9-1** 19 **99**  
 KARLEEN F. De BLAKER  
 Clerk of the Circuit Court  
 By **Gamine Fairchild** Deputy Clerk

Further described as follows -  
 Beginning at the southeast corner of Government Lot 2 Section 36 Township 31 South Range 15 East, thence N33°16' E 884.1 ft to a point on the westerly line of Blind Pass Road and the P.O.B. thence S60°W 1346.2' to the waters of Blind Pass thence N16°35' W 431.8' along the waters of Blind Pass, thence N60°E 1246.2 ft to the westerly side of Blind Pass Road thence S30°E 420 ft to the P.O.B.

Dedication -  
 We the undersigned certify that we are the owners of the above described property hereby platted as North Unit No 1 and that we dedicate to the public all streets, alleys and public places as shown on this plat of the subdivision of said land.

Attest: **R. W. Upham** International Realty Associates, Inc.  
 Assistant Secretary **Upham** President

Witness **Larry S. Snaut**  
 Attest: **Wm M. Gaier** Secretary  
 Witness **Larry S. Snaut**  
 State of Florida  
 County of Pinellas.

I hereby certify that on this 1<sup>st</sup> day of June A.D. 1937 before me personally appeared R. W. Upham, President and W. W. Upham, Assistant Secretary of the International Realty Associates Inc. under the laws of Delaware and E. G. Schorb, President and W. M. Taliaterra, Secretary of the Union Security and Investment Co. Inc. under the laws of the State of Florida to me known to be the persons described in and who executed the foregoing certificate and dedication and acknowledge the execution thereof to be their free act and deed for the uses and purposes therein mentioned, and they affix there to the official seals of their respective Corporations and that the said instrument is the act and deed of their respective Corporations.

I hereby certify that on this 15 day of May A.D. 1937 the above described property was surveyed and staked and that monuments were set as indicated and that the angles and distances are correct

**E. J. Young**  
 State Engineer's Registration #231  
 State Surveyor's Registration #100

Approved for the Board of County Commissioners of Pinellas County this 22<sup>nd</sup> day of July A.D. 1937

**W. W. Upham**  
 County Engineer

Witness my hand and official seal at St. Petersburg, County of Pinellas, State of Florida, the day and year aforesaid.

**W. W. Upham**  
 Notary Public, State of Florida, at large

My commission Expires Dec 18, 1940.

Reservation:  
 An easement of 5 ft is hereby reserved on the side and rear lines of all lots for utility and drainage purposes

Note:  
 Building Line indicated thus --- is 15 ft back from street side lines

# BOUNDARY & TOPOGRAPHIC SURVEY

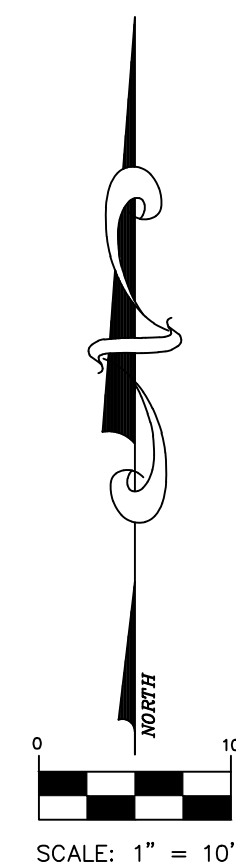
ADDRESS:  
645 78TH AVENUE  
ST. PETE BEACH, FLORIDA

LEGAL DESCRIPTION: (O.R. 4939, PG 1652)  
LOTS 1 AND 2, BLOCK 79, NORTH UNIT NO. 1, ACCORDING TO  
THE PLAT THEREOF RECORDED IN PLAT BOOK 21, AT PAGE 27,  
OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH ANY INTEREST THE GRANTORS HAVE IN THE  
LANDS LYING BETWEEN THE WESTERLY EXTENSIONS OF THE  
NORTH AND SOUTH BOUNDARY LINES OF LOT 1 AND THE  
WATERS OF BLIND PASS.

### SYMBOL LEGEND

- Backflow Preventor
- Cable Box
- Centerline
- Cleanout
- Drainage Manhole
- Fire Hydrant
- Gas Fit
- Guy Anchor
- Irrigation Valve
- Light Pole
- Mailbox
- Power Box
- Reclaimed Water Meter
- Sanitary Manhole
- Sign
- Spot Elevation
- Telecommunication Box
- Utility Pole
- Utility Box
- Water Meter
- Water Valve

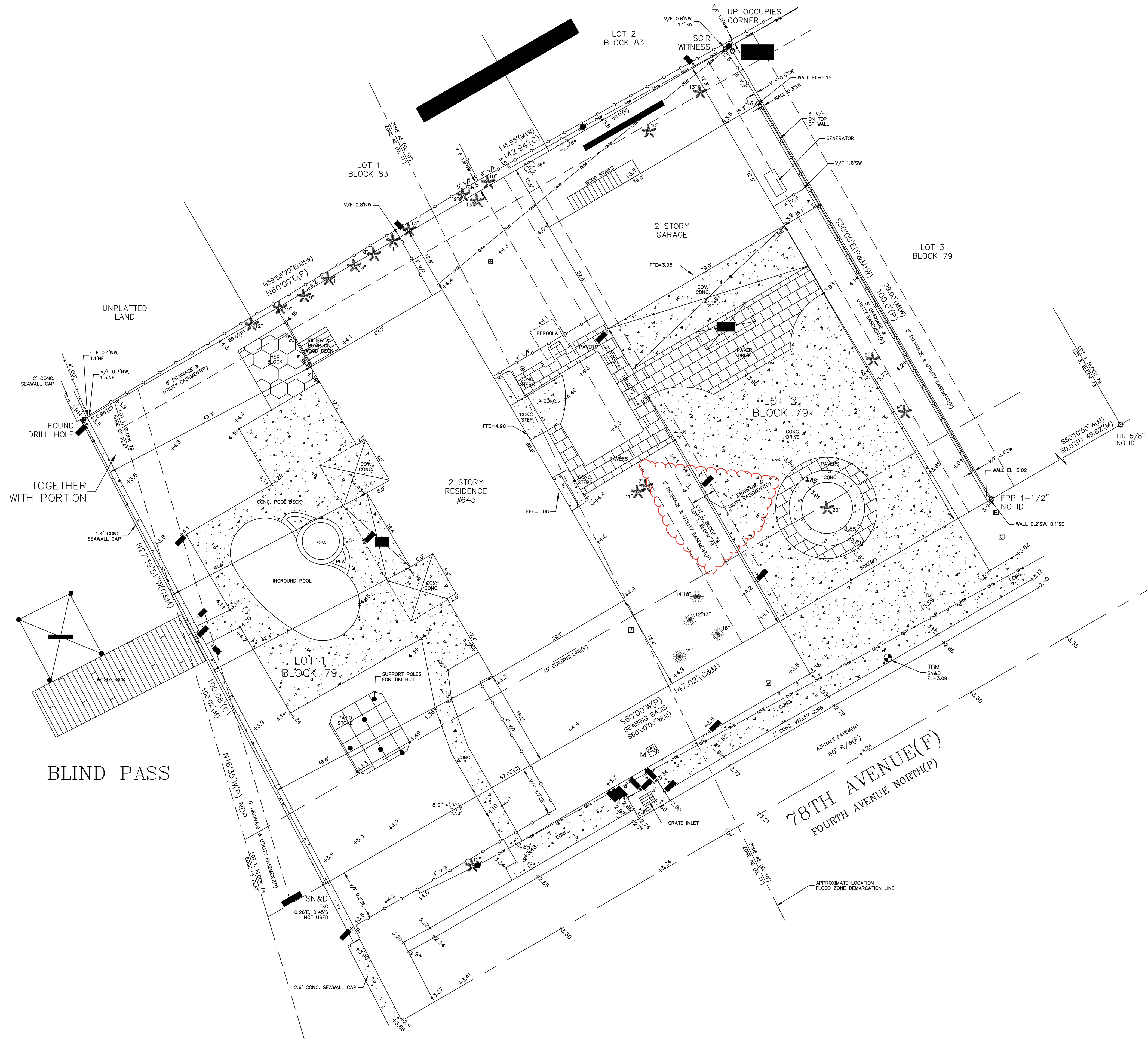


### ABBREVIATION LEGEND

- (C) = Calculated Data
- (D) = Data per Description
- (F) = Field Determined
- (M) = Measured Data
- (MW) = Measured to Witness Data
- (P) = Data per Plat
- + = Plus or Minus
- AC/CS = Air Conditioner on CIS
- BWF = Barbed Wire Fence
- BFE = Base Flood Elevation
- BFF = Backflow Preventor
- CB = Chord Bearing
- CH = Chord
- C.P.B. = Condominium Plat Book
- C.C. = Covered Concrete
- C/S = Concrete Slab
- C/SW = Concrete Sidewalk
- CLF = Chain Link Fence
- COV. = Covered
- CLP = Concrete Light Pole
- CMP = Corrugated Metal Pipe
- CONC. = Concrete
- A = Delta Angle
- D.B. = Deed Book
- DW = Driveway
- DMH = Drainage Manhole
- DWM = Detectable Warning Mat
- EP = Edge of Pavement
- EL = Elevation
- EDW = Edge of Water
- FCIR = Found Iron Rod & Cap
- FCM = Found Concrete Monument
- FFE = Finished Floor Elevation
- FIP = Found Iron Pipe
- FIR = Found Iron Rod - No Cap
- FLA = Florida
- FND = Found Nail & Disk
- FPP = Found Pinched Pipe
- FXC = Found "X" Cut
- G.I. = Gate Inlet
- GV = Gate Valve
- HYD = Fire Hydrant
- ID = Identification
- IE = Invert Elevation
- LB = Corporate Certificate Number
- LP = Light Pole
- LFE = Lowest Floor Elevation
- LMWA = Limit of Moderate Wave Action
- M.F. = Metal Fence
- M.O.L. = More or Less
- MES = Metered End Section
- N&D = Nail & Disk
- NFNS = Not Found and Not Set
- OCS = Outfall Control Structure
- OHV = Overhead Wire
- O.R. = Official Records Book
- P.B. = Plat Book
- PCP = Permanent Control Point
- PG(S) = Page(s)
- PLA = Planter
- PLS = Professional Land Surveyor
- POB = Point of Beginning
- POC = Point of Commencement
- PRC = Point of Reverse Curvature
- PRM = Permanent Reference Monument
- R = Radius
- RGE = Range
- R/W = Right-of-Way
- RCP = Reinforced Concrete Pipe
- SCM = Set Concrete Monument PLS #2865
- SCIR = Set Iron Rod & Cap 5/8" PLS #2865
- SN&D = Set Nail & Disk PLS #2865
- SMH = Sanitary Manhole
- STM = Storm Pipe
- TBM = Temporary Benchmark
- TOB = Top of Bank
- TOS = Toe of Slope
- TWP = Township
- TYP = Typical
- UB = Utility Box
- UP = Utility Pole
- V.F. = Vinyl Fence
- W = With
- WF = Wood Fence
- WM = Water Meter
- W.O. = Work Order
- WV = Water Valve

### TREE LEGEND

- OAK
- PALM
- PINE
- SCHEFFLERA



### SURVEY NOTES:

1. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT, AND IS SUBJECT TO EASEMENTS, RIGHT-OF-WAY, AND OTHER MATTERS OF RECORD THAT A TITLE SEARCH MIGHT DISCLOSE.
2. PLANIMETRIC FEATURES SHOWN HEREON WERE DETERMINED BY STANDARD FIELD SURVEYING METHODS.
3. BEARING BASIS IS THE NORTHERLY RIGHT-OF-WAY LINE OF 78TH AVENUE BEING S60°00'W, PER PLAT.
4. ALL HORIZONTAL AND VERTICAL MEASUREMENTS SHOWN ON THIS DRAWING ARE IN U.S. SURVEY FEET.
5. ALL INSTRUMENTS SHOWN HEREON ARE OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, UNLESS OTHERWISE SPECIFIED.
6. UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON SURFACE MARKINGS AND OR STRUCTURES. NO EXCAVATION WAS PERFORMED FOR THE LOCATION OF SUCH UTILITIES.
7. ADDITIONS OR DELETIONS TO THIS SURVEY MAP AND/OR REPORT BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
8. THIS PARCEL APPEARS TO BE IN FLOOD ZONE "AE (EL 11 FEET)" AND "AE (EL 10 FEET)", ACCORDING TO THE FLOOD INSURANCE RATE MAP, MAP NUMBER: 12103C0257H, MAP EFFECTIVE DATE: 08/24/2021, AS PROVIDED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THIS MAP'S NOTES STATE THAT THE BASE FLOOD ELEVATIONS SHOWN REPRESENT ROUNDED WHOLE-FOOT ELEVATIONS AND THEREFORE MAY NOT EXACTLY REFLECT THE FLOOD ELEVATION DATA PRESENTED IN THE FLOOD INSURANCE STUDY (FIS) REPORT. THE FIS REPORT WAS NOT CONSULTED FOR THIS SURVEY. FLOOD ZONE LINES AND/OR LMWA LINE SHOWN HEREON WERE TRANSFERRED BY GRAPHIC METHODS FROM THE FLOOD ZONE MAP, AND ARE SUBJECT TO THE INHERENT INACCURACIES OF SUCH TRANSFERS. THIS FLOOD ZONE NOTE IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY, AND ANY PROPOSED FINISHED FLOOR ELEVATIONS ARE TO BE DETERMINED BY THE PERMITTING AGENCY HAVING JURISDICTION.
9. ELEVATION BASIS: NORTH AMERICAN VERTICAL DATUM 1988 (NAVD88) BENCHMARK UTILIZED: "BLIND M", PID NUMBER AG0349, ELEVATION = 3.32' AS PUBLISHED BY THE NATIONAL GEODETIC SURVEY.
10. PLAT'S RESERVATION NOTE STATES: AN EASEMENT OF 5 FT. IS HEREBY RESERVED ON THE SIDE AND REAR LINES OF ALL LOTS FOR UTILITY AND DRAINAGE PURPOSES. THIS SURVEYOR HAS NO KNOWLEDGE OF WHETHER THE EASEMENTS RUNNING ALONG THE BOUNDARY BETWEEN LOT 1 AND LOT 2 HAVE BEEN VACATED.
11. LOCATIONS OF TREES SHOWN HEREON WERE LIMITED TO TREES 4" DIAMETER AT BREAST HEIGHT (DBH) OR LARGER. GEODATA SERVICES CAN ACCEPT NO RESPONSIBILITY FOR THE IDENTIFICATION OF THE TREE SPECIES SHOWN HEREON, ALTHOUGH EVERY EFFORT HAS BEEN MADE TO PROPERLY IDENTIFY THE TREES SHOWN HEREON, TREE IDENTIFICATION IS OUTSIDE THE EXPERTISE OF A PROFESSIONAL LAND SURVEYOR. THE TREE TYPES SHOWN HEREON ARE FOR INFORMATIONAL PURPOSES ONLY AND SHOULD BE RELIED UPON ONLY AFTER CONFIRMATION BY A CERTIFIED ARBORIST OR OTHER SUCH PROFESSIONAL.

### SURVEYOR'S CERTIFICATION:

I, DENNIS J. EYRE, THE SURVEYOR IN RESPONSIBLE CHARGE, HEREBY CERTIFY THAT THE SURVEY REPRESENTED HEREON AND THAT SAID ABOVE GROUND SURVEY AND SKETCH ARE ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. SURVEY NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, OR ELECTRONIC DIGITAL SIGNATURE IN ACCORDANCE WITH STATE OF FLORIDA ADMINISTRATIVE CODE RULE 5J-17.062.

DENNIS J. EYRE, P.L.S., FLA. REG. NO. 2865  
DATE: OCTOBER 1, 2024  
AN UNSIGNED SURVEY DRAWING IS FOR INFORMATIONAL PURPOSES ONLY.

W.O. 7149	FIELD DATE: SEPTEMBER 16, 2024
DRAWN BY: HW	
CHECKED BY: DJE	
SCALE: 1"=10'	
FIELD BOOK / PAGE(S): 0-23/31	
SHEET 1 OF 1	

GEODATA SYSTEMS INC. D/B/A  
**GEODATA SERVICES**  
1166 KAPP DRIVE  
CLEARWATER, FL 33765  
PHONE: (727) 447-1763



Application #: \_\_\_\_\_ Fee: \_\_\_\_\_ Date Paid: \_\_\_\_\_



### APPLICATION TO VACATE AN EASEMENT

#### 1. Applicant and Owner Information

Owner Information		Applicant Information (If different from the Owner)	
<b>Name:</b>	Leanne Faris	<b>Name:</b>	Jesse Blackstock, PE
<b>Mailing Address:</b>	645 78th Ave N	<b>Mailing Address:</b>	1646 W Snow Ave
<b>City / State / ZIP:</b>	St. Pete Beach, FL 33706	<b>City / State / ZIP:</b>	Tampa, FL 33606
<b>Phone:</b>	813-455-2184	<b>Phone:</b>	813-455-2184
<b>Email:</b>	leannefaris@yahoo.com	<b>Email:</b>	jesse@blackstockeng.com

Note: If the applicant is not the property owner, a signed authorization letter from the property owner must be attached.

#### 2. Property Information

Property Address: 645 78th Ave N

Parcel / Tax ID Number: 36-31-15-61524-079-0010

Subdivision / Lot Number (if applicable): NORTH UNIT NO. 1, Lots 1 & 2

Application #: \_\_\_\_\_ Fee: \_\_\_\_\_ Date Paid: \_\_\_\_\_

Zoning District: RU-1

**3. Easement Information**

Type of Easement to be Vacated (e.g., utility, drainage, access): Drainage & Utility

Width and Length (approximate dimensions): (2) 5'x100'

Location Description (attach map or survey): See attached survey

Reason for Request:

Construct new SFR within Lots 1 & 2 combined as one parcel  
\_\_\_\_\_  
\_\_\_\_\_

**4. Required Attachments**

- 1. Survey or Plat showing the easement area proposed for vacation.
- 2. Legal Description of the easement.
- 3. Proof of Ownership (copy of deed or title report).
- 4. Signed Letters of No Objection from all affected utility companies, including but not limited to:

- Electric Utility: Duke Energy (Letter attached )
- Water Utility: Pinellas County (Letter attached )
- Sewer Utility: City of St. Pete Beach (Letter attached )
- Gas Utility: N/A (Letter attached )
- Telecommunications Provider: Frontier (Letter attached )

- 5. Owner Authorization Letter (if applicant is not the owner).

**5. Applicant and Owner Certification**

By signing below, the undersigned certifies that all information provided herein is true and correct to the best of their knowledge and agrees to comply with all applicable local, state, and federal regulations.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Owner Signature: Leanne Faris Date: 12-1-25



Dec. 29, 2025

Via email: [jesse@blackstockeng.com](mailto:jesse@blackstockeng.com)

Mr. Jesse Blackstock, PE  
BLACKSTOCK ENGINEERING UNLIMITED, INC.  
1646 W Snow Avenue  
Suite 174  
Tampa, Florida 33606

**RE: Vacation of a Platted Easement  
645 78<sup>th</sup> Avenue, St. Petersburg  
Pinellas County, Florida**

Dear Mr. Blackstock

Please be advised that Duke Energy has “**no objection**” to the vacation and abandonment of the 5.00 foot Drainage & Utility Easement located between Lot 1 and Lot 2, Block 79, North Unit No. 1, as recorded in Plat Book 21, Page 27, of the Public Records of Pinellas County, Florida, more particularly as shown on the accompanying Boundry & Topographic Survey drawn by Geodata Seervices, W.O. # 7149, attached hereto and by this reference made a part hereof.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

*Irma Cuadra*

Irma Cuadra  
Senior Research Specialist

attachment

# BOUNDARY & TOPOGRAPHIC SURVEY

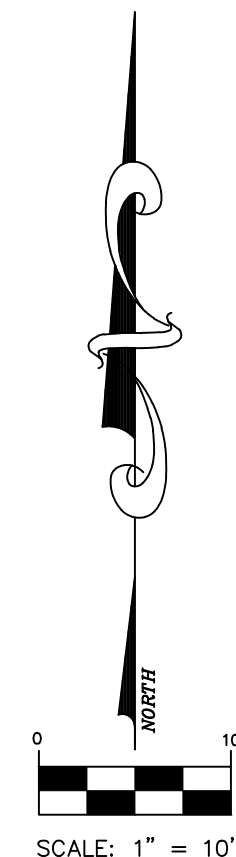
ADDRESS:  
645 78TH AVENUE  
ST. PETE BEACH, FLORIDA

LEGAL DESCRIPTION: (O.R. 4939, PG 1652)  
LOTS 1 AND 2, BLOCK 79, NORTH UNIT NO. 1, ACCORDING TO  
THE PLAT THEREOF RECORDED IN PLAT BOOK 21, AT PAGE 27,  
OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH ANY INTEREST THE GRANTORS HAVE IN THE  
LANDS LYING BETWEEN THE WESTERLY EXTENSIONS OF THE  
NORTH AND SOUTH BOUNDARY LINES OF LOT 1 AND THE  
WATERS OF BLIND PASS.

### SYMBOL LEGEND

- Backflow Preventor
- Cable Box
- Centerline
- Cleanout
- Drainage Manhole
- Fire Hydrant
- Gas Fit
- Guy Anchor
- Irrigation Valve
- Light Pole
- Mailbox
- Power Box
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- Sanitary Manhole
- Sign
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- Telecommunication Box
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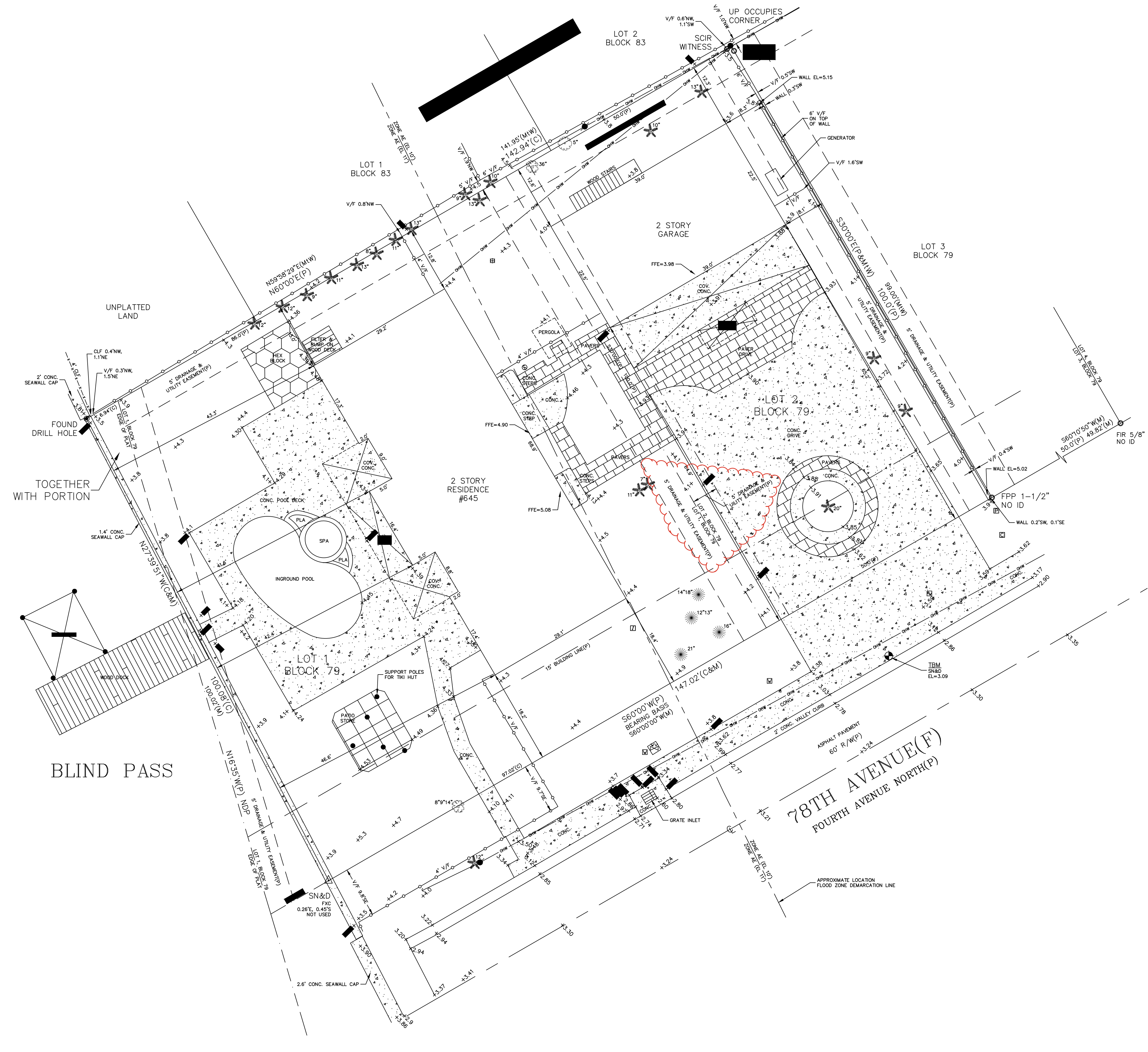


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DENNIS J. EYRE, P.L.S., FLA. REG. No. 2865  
DATE: OCTOBER 1, 2024  
AN UNSIGNED SURVEY DRAWING IS FOR INFORMATIONAL PURPOSES ONLY.

W.O. 7149	FIELD DATE: SEPTEMBER 16, 2024
DRAWN BY: HW	
CHECKED BY: DJE	
SCALE: 1"=10'	
FIELD BOOK / PAGE(S): 0-23/31	
SHEET 1 OF 1	

GEODATA SYSTEMS INC. D/B/A  
**GEODATA SERVICES**  
1166 KAPP DRIVE  
CLEARWATER, FL 33765  
PHONE: (727) 447-1763





FRONTIER

2185 Range Rd  
Clearwater, FL 33765  
(941) 266-9218  
[stephen.waidley@ftr.com](mailto:stephen.waidley@ftr.com)

12/1/2025

Attn: Jesse Blackstock, PE  
Blackstock Engineering Unlimited, Inc.  
1646 W Snow Ave, Suite 174  
Tampa, FL 33606  
(813) 455-2184

RE: Vacation of 2 side lot line Drainage/Utility Easements – 645 78<sup>th</sup> Ave N, St Pete Beach, FL

Dear Mr. Blackstock,

Our records do not indicate that there are Frontier facilities in the area of the Plat request as per the attachment provided.

Frontier has no objection to the above referenced request as per the attachment.

Frontier has facilities within the proposed vacate area. A recordable non-exclusive Easement in favor of Frontier will be required for Frontier facilities to remain in the proposed vacated R.O.W.

Frontier has facilities in the area, which may be in conflict with your proposed construction plans. Please contact Sunshine 811 by dialing 811, 2 full business days prior to the start of your work to have these facilities located for you. Please take all necessary precautions to protect and avoid damage of these facilities during your construction.

Frontier has facilities in the area, which may be in conflict with your proposed construction plans. Please send a set of construction plans and references to the Frontier Engineering Department with regards to the above project.

Frontier has facilities in the area of your proposed construction. Prepayment is required to markup a set of construction plans in order to confirm and accurately depict Frontier facilities. There will also be a reimbursement of all costs required for relocation/adjustments of Frontier facilities needed to accommodate the proposed construction project.

Please call me if you have any questions or need any additional information at (941) 266-9218.

Sincerely,

*Stephen Waidley*

Stephen Waidley  
Frontier Florida LLC  
Regional Rights of Way & Municipal Affairs Manager

## Waidley, Stephen

---

**From:** Jesse Blackstock <jesse@blackstockeng.com>  
**Sent:** Monday, December 1, 2025 10:31 AM  
**To:** Waidley, Stephen; Jonathan.Kasper@duke-energy.com  
**Cc:** leannefaris@yahoo.com; sarah@ashdevelopers.us; Robert Motley  
**Subject:** 645 78th Ave N, St Pete Beach FL | Easement Vacation  
**Attachments:** 7149-20240918-V2004-BTT.pdf  
  
**Categories:** Easement

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**WARNING: External email. Please verify sender before opening attachments or clicking on links.**

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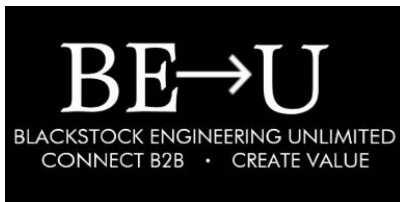
Stephen & Jonathan,

Please confirm there are no objections to vacating the two (2) 5'x100' drainage/utilities easements depicted on the attached survey. I have the existing easement clouded in red to highlight their location. Neither Frontier nor Duke have utilities there currently, but the City still requires a letter of no objection in order for us to vacate the two easements.

Thanks!

Best Regards,

Jesse Blackstock, PE



**BLACKSTOCK ENGINEERING UNLIMITED, INC.**

1646 W Snow Avenue  
Suite 174  
Tampa, Florida 33606  
C. 813.455.2184

**CONNECT B2B - CREATE VALUE**

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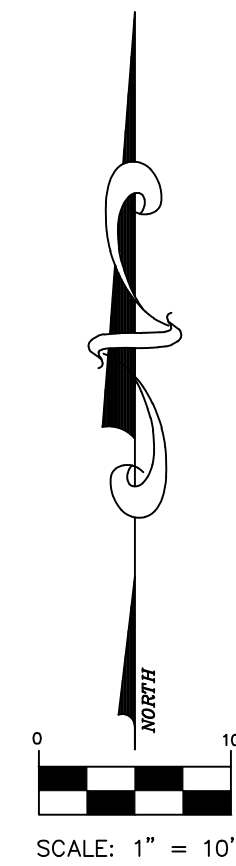
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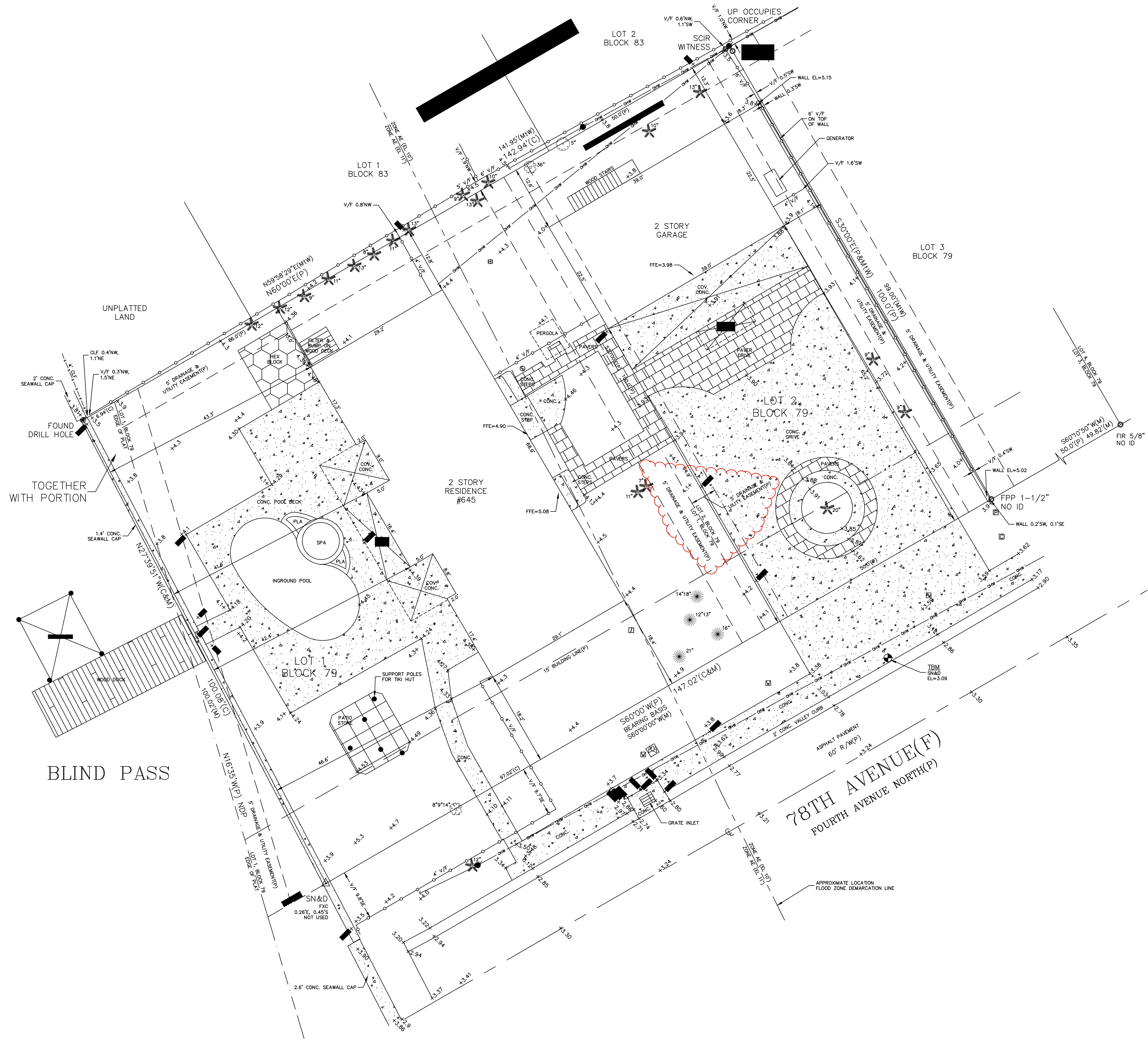


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GEODATA SYSTEMS INC. D/B/A  
**GEODATA SERVICES**  
1166 KAPP DRIVE  
CLEARWATER, FL 33765  
PHONE: (727) 447-1763

January 9, 2026

Attention: Leanne Faris  
645 78<sup>th</sup> Avenue  
St. Pete Beach, Florida 33706

**Re: Letter of No Objection for the proposed vacation of Lots 1 and 2, Block 79, North Unit No.1, According to the plat thereof recorded in Plat Book 21, At Page 27, Of the Public Records of Pinellas County Florida. (Official Records Book(O.R.) 4939, Page (Pg 1652) Public Records of Pinellas County, Florida,**

We have received your request for a letter of no objection for the proposed vacation of Lots 1 and 2, Block 79, North Unit No.1, According to the plat thereof recorded in Plat Book 21, At Page 27, Of the Public Records of Pinellas County Florida. (Official Records Book(O.R.) 4939, Page (Pg 1652) Public Records of Pinellas County, Florida, as depicted in the attached exhibit. Pinellas County does not have any utilities, or stormwater facilitates in the easement(s) and has no future plans for utilities or stormwater facilitates in the easement(s). Therefore, Pinellas County has no objection to the proposed vacation.

If you have any questions, or if we may be of further assistance, please feel free to contact me at (727) 464-5240.

Sincerely,



**Briana Dachniewicz**  
Development Project Manager I  
Petition to Vacate Coordinator  
Pinellas County Building & Development Review Services

440 Court Street  
Clearwater, FL 33756  
Phone (727) 464-3888  
V/TDD (727) 464-4062  
[www.pinellascounty.org](http://www.pinellascounty.org)



**PLANNING BOARD MEETING  
CITY OF ST. PETE BEACH  
COMMISSION CHAMBERS**

**Agenda Report**

**Agenda Title Name:** Recommendation of Ordinance 2025-16 to the City Commission: Marine turtle and coastal wildlife protection

**Action Request:** Motion to recommend Ordinance 2025-16 to the City Commission and find the Ordinance consistent with the Comprehensive Plan.

**Strategic Objective:**

**Date:** January 26, 2026

**Prepared By:** Brandon Berry, Senior Planner

**Through:** Laura Canary, Community Development Director

**Summary of Issue:** **Note:** Staff has highlighted the sections of the ordinance where major changes are proposed.

This item was recommended to the City Commission at a vote of 4-1 by the Beach Stewardship Committee at their November 2025 meeting. Special event-related amendments requested by the Planning Board at the December 2025 Planning Board meeting have not been reviewed by the Beach Stewardship Committee, but will be presented at the February meeting for consideration and recommendation (if warranted) prior to final City Commission reading.

Major changes made to this item since the December 2025 meeting address only special event and transient lighting prohibitions as directed. Staff convened with experts at the National Wildlife Federation and Sea Turtle Conservancy to review standards that ease proposed restrictions on special events, while ensuring that special events that introduce new nighttime transient light sources have those sources treated the same as permanent sources during turtle nesting season when warranted by local conditions. Under the revised standard, applicants for any special event that makes use of new transient lighting sources and runs at night during turtle nesting season must submit an

event lighting plan. In addition to this plan, the city manager or designee may request documentation that the lighting is mounted as low as possible, shielded, and long-wavelength, when local conditions require it. This provides potential for the City to waive certain requirements based on actual conditions, like when no nest has been reported in view of the event and the event is proposed in a timeframe where hatching activity is unlikely to occur, while reserving blanket rights to request compliance information when necessary to ensure the health of its protected local wildlife populations.

Staff also asked experts about the potential for the use of barriers behind nests to mitigate false crawls, and disorientation among hatchlings and nesting turtles. Barriers were discouraged for several reasons, including the following:

- Hatchlings do not travel in a straight path and are guided by topography, including local changes (e.g. sand mounds), as well as bright horizons.
- Barriers do not prevent distress or disorientation of nesting turtles.
- Indirect illumination of the beach can be just as harmful as a direct source of light (e.g. light illuminating the sand instead of a view of the actual bulb itself) in causing disorientation, and barriers may not prevent indirect illumination, which can scatter across the beach and create a false horizon for hatchlings.
- FDEP is unlikely to permit a barrier during nesting season, except to certified individuals, and logistics of maintenance are a challenge as well.
- Presence of nests closer to the high tide than the dunes, allowing for event activity behind it, can be indicative of other issues such as a nesting turtle's inability to reach upland areas of the beach due to obstruction.

The State of Florida model lighting ordinance recommends direct regulation of light rather than secondary means of addressing its effects. Staff has attempted to preserve that intent through this ordinance.

---

This ordinance makes updates to the City's wildlife (currently marine turtle-focused) lighting regulations, bringing the City's laws in line with the 2020 state model lighting ordinance and more recent evidence-based best practices such as requiring tint that provides 30% or less inside-to-outside visible light transmittance. These regulations are intended to work within the existing definition of "construction" as defined within the Land Development Code to avoid conflicts with Florida Law 2025-190 (formerly SB 180), by providing better clarity to staff and property owners as to when certain improvements must be made. The content of this ordinance limits the application of additional regulations to special events, and property maintenance and repair, rather than new development. This ordinance also defines the code enforcement department as the entity responsible for enforcing this ordinance, defines penalties, and expands reporting requirements.

Only minor adjustments have been made to the content of this ordinance since the November 2025 Beach Stewardship Committee meeting. These updates include:

- Preserving Section 44.3., pertaining to prohibitions on activities disruptive to marine turtles, by referencing the content's new location in Chapter 95 of the Code of Ordinances; and,
- Striking "Florida friendly" landscaping as a viable screening option for lighting visible from the beach, leaving "Florida native" as the only permitted option.
- Modifying special event requirements during marine turtle nesting season, as described above.

## **Comprehensive Plan Consistency**

### **Future Land Use Element**

**GOAL 4:** The Land Development Code shall be amended and adopted to implement the goals, objectives, and policies of this comprehensive plan, as amended.

**Policy 4.1.2** The City shall adopt and implement a Land Development Code that contains specific and detailed provisions required to implement this Comprehensive Plan, as amended, which, at a minimum shall: [...]

b. Protect the limited amount of marine wetlands, including sea grass and turtle nesting grounds remaining in the community, and those lands designated as Preservation on the Future Land Use Map; [...]

**SPA-1 GOAL 3:** Rebuild the core commercial and resort areas of the City utilizing Green practices, strategies, and technologies.

**Objective 3.1** Implement building and site design construction and operation practices that support long-term environmental sustainability by: protecting and conserving water resources; constructing energy efficient buildings; using Florida-Friendly landscape plant materials and design; recycling construction materials and debris; reducing urban heat through innovative building and site design; reducing pollutant run-off; protecting further degradation of the beach dune system and coastal wildlife species habitat and restoring or enhancing existing conditions through dune restoration measures, lighting, and refuse controls and other measures.

### **Coastal and Conservation Element**

**GOAL 1:** Conserve, protect, appropriately manage, and, where appropriate, restore, or enhance the City's natural resources (aquatic, wetland, air, and terrestrial) to ensure the highest environmental quality possible.

**Objective 1.5** The City shall protect, to the maximum extent possible, species with special status from adverse impacts due to loss of natural foraging, feeding, nesting, and brooding habitats.

**Policy 1.5.3** The City shall work in cooperation with the Florida Department of Environmental Protection (FDEP), U.S. Fish and Wildlife Service, Pinellas County Coastal Management and other state and federal agencies to develop and enforce an area-specific sea turtle and manatee protection plan in order to ensure long-range sea turtle, manatee, and habitat protection.

**Funding:**

N/A

**Attachments:**

1. Ord. 2025-16 - Markup

## Ordinance 2025-16

**AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA FOR THE PURPOSE OF RENAMING LAND DEVELOPMENT CODE DIVISION 44 – MARINE TURTLE PROTECTION TO DIVISION 44 - MARINE TURTLE AND COASTAL WILDLIFE PROTECTIONS; AMENDING SECTIONS 44.1. THROUGH 44.9., AND ADOPTING SECTIONS 44.10 THROUGH 44.14., TO UPDATE TECHNICAL STANDARDS, CLARIFY REQUIREMENTS FOR NEW AND EXISTING DEVELOPMENT AND SPECIAL EVENTS, MODIFY PENALTIES, COMPLIANCE AND ENFORCEMENT MEASURES, SPECIFY RESPONSIBLE PARTIES, AND UPDATE DEFINITIONS, TO BETTER SERVE THE PURPOSE AND INTENT OF THE DIVISION AND ALIGN WITH FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND FISH AND WILDLIFE COMMISSION BEST PRACTICES; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER’S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.**

**WHEREAS**, the sand beaches of St. Pete Beach are frequently used as nesting activity for marine turtles, particularly loggerhead and green sea turtles; and

**WHEREAS**, the City’s wildlife partners have tracked numerous hatchling disorientations over the past years, including in 2025, which are often linked to the use of short wavelength bulbs, and/or lights that are not properly shielded and cut off; and

**WHEREAS**, the City’s existing marine turtle protection ordinance was evaluated as “somewhat ideal” by the Sea Turtle Conservancy in 2022; and

**WHEREAS**, the City’s ordinance provides a strong framework, but lacks some of the modern technical justification generated since its adoption in 2007, and can also benefit from clearer requirements for new and existing development, along with compliance and enforcement guidelines; and

**WHEREAS**, millions of birds die annually from collision with glass following disorientation from artificial lighting according to the American Bird Conservancy (2022)<sup>1</sup>, and while eliminating interior artificial light as an attractor is only one of a set of collision-reducing efforts that should be undertaken, darkening windows can assist with eliminating disorientations among other coastal wildlife (U.S. Fish & Wildlife Service, n.d.)<sup>2</sup>.

**WHEREAS**, the City’s Comprehensive Plan requires the City to conserve and improve its wildlife population and habitat; and

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<sup>1</sup> American Bird Conservancy. (2022, May 12). Misguiding lights: American Bird Conservancy highlights artificial light’s link to bird-glass collisions. <https://abcbirds.org/news/new-lighting-collisions-recommendations/>.

<sup>2</sup> U.S. Fish & Wildlife Service. (n.d.). Threats to birds: Collisions (Buildings & glass). <https://www.fws.gov/story/threats-birds-collisions-buildings-glass>.

**WHEREAS**, these amendments are not intended to create greater burdens on existing or new development, but to clarify requirements for development in the context of the City’s existing definition for “construction” in Division 2 of the Land Development Code, and “tinted glass” in Division 44, to align standards with the research of King et. al (2025)<sup>3</sup>, Long et. al (2025)<sup>4</sup>, the Florida state model lighting ordinance, and local knowledge, among other sources; and

**WHEREAS**, these amendments are found to be consistent with the Land Development Code and Comprehensive Plan.

**NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH FLORIDA, HEREBY ORDAINS:**

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

SECTION 2. The City Code and Land Development Code is amended as shown in EXHIBIT A to this Ordinance.

SECTION 3. Codification. This Ordinance shall be codified in the Code of Ordinances of the City of St. Pete Beach.

SECTION 4. Conflicts. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

SECTION 5. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, word, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, words, clauses, and phrases of this Ordinance as they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 6. Scrivener’s Error. The City Attorney may correct scrivener’s errors found in this Ordinance by filing a corrected copy of this Ordinance with the City Clerk.

SECTION 7. Construction. This Ordinance is to be liberally construed to accomplish its objectives.

SECTION 8. Publication. This Ordinance shall be published in accordance with the requirements of law.

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<sup>3</sup> King, E.J., Hofeister, K.M., Bosshard, S.C., Limpus, C.J., & Scales, K.L. (2015, July 16). To see in the dark: Assessing effects of LED streetlights on sea-finding in marine turtle hatchlings. *Wildlife Research*, 52(7). <https://doi.org/10.1071/WR24151>.

<sup>4</sup> Long, T.M., Anderson, R., Ceriani, S.A., Frederick, C., Koperski, M., Shea, C.P., Wideroff, M., & Trindell, R.N. (2025, March). Can darker window tints reduce interior light impacts to hatchling sea turtles on developed coastlines? An experimental assessment. *Journal for Nature Conservation*, 84. <https://doi.org/10.1016/j.jnc.2025.126843>.

SECTION 9. Effective Date. This ordinance shall take effect immediately upon adoption.

FIRST READING: \_\_\_\_\_

SECOND READING: \_\_\_\_\_

PUBLIC HEARING: \_\_\_\_\_

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

\_\_\_\_\_  
Adrian Petril, Mayor

I, Renee Rose, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Renee Rose, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
City Attorney

## Exhibit A

### Land Development Code Division 44 Marine Turtle Protection is amended as follows:

#### DIVISION 44 MARINE TURTLE AND COASTAL WILDLIFE PROTECTIONS

##### Sec. 44.1. Purpose and intent.

The purpose of this rule is to protect hatchling marine turtles, the city's coastal seabirds, and other coastal wildlife from the adverse effects of artificial lighting, provide overall improvement in marine turtle nesting habitat degraded by light pollution, and increase successful nesting activity and production of marine turtle hatchlings.

##### Sec. 44.2. Definitions.

[The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

*Artificial light* or *artificial lighting* means the light emanating from any human-made device.

*Bollards* means lighting consisting of short posts that incorporate a lighting element, including temporary staked lighting and other such structures that are installed low to the ground and typically used to illuminate a pathway.

*Bug light* or *bug type bulb* means ~~any yellow colored light bulb that is marketed as being specifically treated in such a way so as to reduce the attraction of bugs to the light.~~

*Certified Wildlife Lighting* means lighting fixtures and bulbs reviewed and approved with conditions of use through the Florida Fish and Wildlife Conservation Commission's Wildlife Lighting Certification Process and published at <https://myfwc.com/conservation/you- conserve/lighting/criteria/certified/>.

*City manager* shall mean the City's Chief Executive Officer or their designee.

*Coastal construction activities* means any work or activity that is likely to have a material physical effect on existing coastal conditions or natural shore and inlet processes.

*Construction* shall have the same meaning as in Division 2 of the Land Development Code.

*Cumulatively illuminated* means illuminated by numerous artificial light sources that ~~as a group illuminate any portion of~~ can be seen by an observer standing anywhere on the beach.

*Directional fixture* means an assembly that holds the lamp along with any globe, shade, or other covering surrounding the lamp that may be adjusted to concentrate or throw light in a specific direction.

*Directly illuminated* ~~visible~~ means ~~illuminated as a result of~~ when glowing element(s), lamp(s), globe(s), or reflector(s) of an artificial light source ~~which is visible to~~ can be seen by an observer standing anywhere on the beach.

*Existing beachfront lighting* means an artificial light source associated with a building, structure, roadway, parking lot, dune crossover, pier, beach walkway or beach access for which a permit was issued prior to the adoption of this ordinance and such lighting is directly or indirectly visible from the beach. This term shall include those improvements and repairs further defined in Section 44.5 of this Division.

*Floodlight* means a reflector-type light fixture that may be attached directly to a building, other structure, or freestanding, and is unshielded.

*Frontal dune* means the first natural or man-made mound or bluff of sand which is located landward of the beach and which has sufficient vegetation, height, continuity, and configuration to offer protective value to the beach environment.

*Full cutoff* means a lighting fixture constructed in such a manner that no light emitted by the fixture, either directly from the lamp or a diffusing element or indirectly by reflection or refraction from any part of the fixture, is projected at or above 90° as determined by photometric test or certified by the fixture manufacturer.

*Ground-level barrier* means any vegetation, natural feature or artificial structure rising from the ground which prevents beachfront lighting from shining directly onto the beach-dune system, including, but not limited to, hedges, native dune vegetation, privacy fences, walls, etc.

*Hatchling* means any species of marine turtle, within or outside of a nest that has recently hatched from an egg.

~~*Illuminated* means exposed to light from an artificial light source in a way that produces brightness detectable to an observer standing anywhere on the beach. A beach is illuminated if an observer standing anywhere on the beach can see light that has emanated from an artificial light source.~~

~~*Indirectly illuminated/visible* means illuminated as a result of light reflected from the glowing element(s), lamp(s), globe(s), or reflector(s) of an artificial light source which is not visible to an that can be seen by an observer standing anywhere on the beach, without the light source being directly visible.~~

*Long wavelength* means an amber, orange, or red lamp or bulb that has a light source emitting a light wavelength of 560 nanometers or greater and is absent wavelengths below 560 nanometers.

~~*Low-pressure sodium luminaire (LPS)* means an electric discharge lamp, containing sodium, neon, and argon, that when illuminated appears amber-yellow.~~

*Low-profile luminaire* means a light fixture set on a base which raises the source of light no higher than 48 inches above the ground, and is designed in such a way that light is directed downward from a hooded light source.

~~*Low-wattage bug light* means a bug light with no greater than 25-watt incandescence and no greater than nine-watt fluorescence.~~

*Marine turtle* means any marine-dwelling reptile of the families Cheloniidae or Dermochelyidae found in Florida waters or using the beach as nesting habitat, including the species: *Caretta caretta* (loggerhead), *Chelonia mydas* (green), *Dermochelys coriacea* (leatherback), *Eretmochelys imbricata* (hawksbill), and *Lepidochelys kempi* (Kemp's ridley). For purposes of this rule, marine turtle is synonymous with sea turtle.

*Marine Turtle nesting season* means the period from May 1 through October 31 of each year.

*Motorized vehicle* means, but is not limited to, any self-propelled, wheeled, tracked, or belted conveyance.

*Nest* means an area where marine turtle eggs have been naturally deposited or subsequently relocated.

*New coastal construction* means new construction and remodeling of existing structures when such remodeling includes alteration of exterior lighting where such lighting does or will at completion of work be directly and/or indirectly visible from the beach. This term shall include those improvements further defined in Section 44.5 of this Division.

*Nighttime* means the locally effective time period between sunset and sunrise.

*Person* means individuals, firms, associations, joint ventures, partnerships, estates, trusts, syndicates, fiduciaries, corporations, and all other groups or combinations.

*Pinellas County seabird nesting season* means the period from February 15 through August 31 of each year.

*Point source of light* means the actual light source such as the bulb, fluorescent tube, lamp, etc., from which light emanates.

*Pole lighting* means a light fixture set on a base or pole which raises the source of the light higher than 48 inches off the ground.

*Primary dune* means the most seaward dune with sufficient alongshore continuity which has sufficient height and configuration or vegetation to offer protective value to the beach environment.

*Publicly owned lighting* means lighting installed by a public or private entity which is owned by, or rented or leased to, a governmental agency, or lighting installed on public property.

~~*Red or amber light emitting diodes (LED)* means miniature lamps that emit pure red or amber light that does not vary in color over the life of the lamp. These lamps may be used in multiples to form strips of small lamps within a light fixture.~~

~~*Shield* means a nonreflective covering, canopy or other such device fitted over and extended below a light source preventing light from illuminating the beach. *Spotlight* means a light fixture having a narrow beam.~~

~~*Shielded* means a lighting fixture constructed in such a manner that the glowing elements, lamps, globes, or reflectors of the fixture are completely covered by a permanent opaque material to prevent them from being directly visible from the beach.~~

~~*Sunrise* shall have the same meaning as in Chapter 95 of the Code of Ordinances.~~

~~*Sunset* shall have the same meaning as in Chapter 95 of the Code of Ordinances.~~

*Temporary structure* means any human-made structure or object with a location or arrangement that is temporary or transient in nature.

~~*Tinted glass* means any glass treated/modified by tinting, film or other material that has to achieve an industry approved, inside-to-outside light transmittance value of 45/30 percent or less. Such transmittance is limited to the visible spectrum (400 to 700 nanometers) and is measured as the percentage of light that is transmitted through the glass.~~

~~*Transient lighting* means artificial/any non-permanent light sources that are not affixed to a building or other structure may be hand-held or portable including but not limited to tiki torches, lanterns, flashlights (including cell phone flashlights), candles, flash photography, etc. When used in the context of special event permitting, this term also means any non-permanent source associated with the special event to which it is associated, such as the temporary installation of a light fixture. Transient lighting includes, but is not limited to, flashlights, fishing lanterns, flash photography, recreational fireworks, and vehicle headlights.~~

~~*True neon* means a tubular lamp containing neon gas that emits pure red light. Not to be confused with tubular fluorescent lamps, which may appear as various colors.~~

~~*Uplight* means a lighting source which is strategically located to light up features such as building facades, signs, and trees.~~

~~*Visible from the beach*, which not preceded by the modifiers “directly”, “indirectly”, or “cumulatively”, shall be inclusive of all three.~~

**Sec. 44.3. – Prohibition of activities disruptive to marine turtles. Activity regulations during marine turtle nesting season.**

Regulations pertaining to the prohibition of activities disruptive to marine turtles are found in Section 95-15 of the Code of Ordinances.

~~The following activities are prohibited on the beach at nighttime during the nesting season for the protection of nesting females, nests, and hatchling marine turtles:~~

- ~~(a) The operation of all motorized vehicles, except emergency and law enforcement vehicles or operated by those persons who have authorization or a permit to engage in marine turtle conservation or research issued by the United States Fish and Wildlife Service, or the Florida Fish and Wildlife Conservation Commission, and Florida Department of Environmental Protection approved for mechanical beach cleaning or beach renourishment activities.~~
- ~~(b) The building of campfires or bonfires.~~
- ~~(c) Any transient lighting which purposely and flagrantly illuminates nesting sea turtles or hatchlings. This prohibition does not apply to those persons who have authorization or a permit to engage in marine turtle conservation or research.~~
- ~~(d) If any turtle nests or nesting activities have been reported within a portion of a beach, any temporary structures, including but not limited to beach chairs, umbrellas and cabanas which have the potential for entrapment of marine turtles and which may interfere with the use of the natural beach environment for nesting habitat shall be:
 
  - ~~(1) Removed from the beach nightly; or~~
  - ~~(2) Stored in areas designated by the City of St. Pete Beach staff which are situated to avoid interference with marine turtles; or~~
  - ~~(3) Placed in a manner so as to not obstruct the transit of turtle hatchlings to the water.~~~~

**Sec. 44.4. Responsible department.**

St. Pete Beach Code Enforcement shall be the responsible department for the enforcement of this division.

**Sec. 44.5. Certification of compliance.**

- (a) The following shall be submitted and completed for any new coastal construction as classified in Section 44.7.:
  - (1) All permit applications for new coastal construction shall include:
    - a. A statement that the construction will be compliant with the requirements of section 44.7;
    - b. Product specifications and/or plan references to certification numbers verifying that bulbs, fixtures, and other lighting elements required to meet the new coastal construction requirements of section 44.7. have Certified Wildlife Lighting certification. In absence of this certification, information deemed adequate to the city manager or designee that the lighting elements will be long wavelength, shielded, full cutoff, downward-directed, and/or mounted as low as possible, when required, shall suffice.
  - (2) Prior to certificate of occupancy or final inspection for a permit for new coastal construction, as relevant to the permit type, St. Pete Beach Code Enforcement reserves the right to schedule an inspection to certify compliance of the construction with Section 44.6., which may include a nighttime inspection. This inspection shall be a requirement for any new coastal construction utilizing bulbs or fixtures not certified by the Certified Wildlife Lighting program, unless waived in writing by the city manager or designee.
- (b) When existing beachfront lighting has been modified to comply with section 44.8., the property owner shall submit product specifications, Certified Wildlife Lighting certifications, or other detail deemed sufficient to the city manager or designee to demonstrate compliance.

**Section 44.6. Classification of new coastal construction and existing lighting.**

- (a) The following shall constitute new coastal construction for the purpose of this division:

- (1) Any construction of any new building, structure, or accessory structure where any exterior or interior light source is visible from the beach.
  - (2) Any redevelopment or partial reconstruction of any existing building, structure, or accessory structure where any exterior or interior light source is visible from the beach.
  - (3) Any replacement of any existing window or door, or remodel or repair of, or addition to, any building which:
    - a. Introduces a new or replaces an existing exterior light source;
    - b. Replaces any existing window or door visible from the beach;
    - c. Creates a new opening visible from the beach;
    - d. Widens or lengthens an existing opening visible from the beach;
    - e. Constitutes a substantial improvement to the building or structure; or,
    - f. Exchanges a window or door within an existing opening for the other, from which an interior light source is visible from the beach.
- (b) The following shall constitute existing lighting for the purpose of this division:
- (1) Existing lights in the interior of a building or structure that are visible from the beach through an existing opening that has not been replaced or modified subsequent to [specify adoption date of Ordinance 2025-16];
  - (2) Any exterior or interior light noncompliant with the new coastal construction requirements of Section 44.7. that is visible from the beach and was installed prior to August 14, 2007; and,
  - (3) Repair of exterior light fixtures that were installed prior to August 14, 2007, that does not constitute a full replacement of the fixture, further expose the point source of the fixture's light, or cause greater direct or indirect illumination of the beach.
- (e) When a building, structure, or accessory structure is newly-constructed, redeveloped or substantially improved, the new construction standards of this Division shall apply to the entire building, structure, or accessory structure. When the newly-constructed, redeveloped or substantially improved building or structure is the primary structure on the property, the new construction standards of this Division shall also apply to the entire property. When an addition is constructed to a building and does not constitute a substantial improvement, the new construction standards of this Division shall apply to the addition. For all other construction associated with existing buildings and structures, including remodels and renovations that modify or replace the exterior of the structure, and one-for-one changeouts of windows, doors and exterior lighting fixtures where such construction does not constitute a substantial improvement to the building or structure, the new construction standards of this Division shall apply to the altered part(s) of the building or structure and/or replaced fixtures, windows and doors.

**Sec. 44.47. Standards for new beachfront lighting.**

In order to provide the highest level of protection for nesting marine turtles and their hatchlings, the following standards for artificial light sources on all new coastal construction shall be applied:

- (a) Exterior artificial light fixtures shall be designed and positioned so that:
  - (1) The point source of light or any reflective surface of the light fixture is not directly visible from the beach;
  - (2) Areas seaward of the frontal dune, or the beach in areas where the frontal dune no longer exists, are not directly, indirectly, or cumulatively illuminated.

- (b) Exterior artificial light fixtures cumulatively, directly or indirectly illuminating the beach are considered appropriately designed if:
  - (1) Exterior lights are completely shielded downlight only fixtures or recessed fixtures ~~having low wattage Bug Type Bulbs, low pressure sodium vapor (LPS) bulbs, Red or Amber Light Emitting Diodes (LED), or True Neon light sources~~ producing long wavelength light as certified by and installed according to requirements of the Certified Wildlife Lighting program or as demonstrated through spectrometric inspection by the city manager, their designee, or a local wildlife protection program partner. Other fixtures that have appropriate light-blocking shields, louvers, or cut-off features may also be used if they are in compliance with subsection (a)(1); and (2); and (3) above; and
  - (2) All fixtures are mounted as low in elevation as possible through use of low-mounted wall fixtures, low bollards, and ground-level fixtures; and,
  - (3) Fixtures are full cutoff.
- (c) Floodlights, uplights or spotlights that ~~are directly, visible from the beach, or which~~ indirectly or cumulatively illuminate the beach, shall not be used.
- (d) Exterior lights used expressly for safety or security purposes shall be limited to the minimum number and configuration required to achieve their functional role(s). The use of motion detector switches that keep lights off except when approached and that switch hooded or shielded lights on for the minimum duration possible are preferred.
- (e) Only ~~low intensity~~ long wavelength recessed or louvered lighting, or other appropriate ~~low intensity~~ long wavelength lighting, shall be used on dune crossovers, walkovers, cut-throughs, and other means of access where permissible. All light fixtures on dune crosswalks must utilize ~~low wattage Bug Type Bulbs, low pressure sodium vapor (LPS) bulbs, Red or Amber Light Emitting Diodes (LED) or True Neon~~ long wavelength light sources. Dune crosswalk lighting seaward of the primary dune, or on the beach in areas where the primary dune no longer exists, shall not be used.
- (f) To the extent this regulation is not adverse to applicable state and federal public safety laws, pools, spas, and their accessory decks shall utilize long-wavelength and fully shielded bulbs and fixtures. Underwater lighting shall be mounted horizontally, long wavelength and not be directly or indirectly visible from the beach.
- (fg) Only ~~low intensity~~ long wavelength lighting shall be used in parking areas within line-of-sight of the beach. Such lighting shall be:
  - (1) Set on a low-profile luminaire; and
  - (2) Positioned or shielded so that the light is cast downward and the source of light or any reflective surface of the light fixture is not visible from the beach and does not directly or indirectly illuminate the beach.
- (gh) All newly constructed parking areas and roadways, including any paved or unpaved areas upon which motorized vehicles will park or operate, shall be designed and located to prevent lights (including vehicular headlights) from directly or indirectly illuminating the beach.
- (hi) Vehicular lighting, parking area lighting, and roadway lighting shall be modified or shielded from the beach through the use of ground-level barriers or external shields. Ground-level barriers must not interfere with marine turtle nesting or hatchling emergence, or cause short- or long-term damage to the beach/dune system.
- (ij) Tinted glass shall be installed on all windows and glass doors of single or multi-story structures within line-of-sight of the beach visible from the beach.

- (jk) Use of appropriately shielded ~~low-pressure sodium vapor~~long wavelength lamps and fixtures shall be preferred for high-intensity lighting applications such as lighting parking areas and roadways, providing security, and similar applications.
- (kl) All of the above standards shall be met prior to the issuance of a certificate of occupancy.
- (lm) Temporary lighting of construction sites during the marine turtle nesting season shall be restricted to the minimal amount necessary and shall incorporate all of the standards of this section. Said lighting shall not be mounted more than eight feet above the ground.

**Sec. 44.58. Standards for existing beachfront lighting.**

By July 1, 2008; all light sources or reflective surfaces illuminated by such sources that are visible from the beach shall be brought into compliance with the following standards:

- (a) Existing artificial light fixtures shall be repositioned, modified, or removed so that:
  - (1) The point source of light or any reflective surface of the light fixture is not directly visible from the beach;
  - (2) Areas seaward of the frontal dune, or the beach in areas where the frontal dune no longer exists, are not directly, indirectly, or cumulatively illuminated.
- (b) The following measures shall be taken to reduce or eliminate the negative effects of existing exterior artificial lighting:
  - (1) Reposition fixtures so that the point source of light or any reflective surface of the light fixture is no longer visible from the beach;
  - (2) Replace fixtures having an exposed light source with fixtures containing recessed light sources or external shields;
  - (3) Replace traditional light bulbs (e.g. incandescent, fluorescent, and high intensity lighting) with ~~yellow Bug Type Bulbs,~~the lowest-wattage long wavelength low-pressure sodium vapor (LPS) bulbs, or Red or Amber Light-Emitting Diodes (LED) or True Neon light sources available for the specific application. Unless preempted by law, replacement lighting shall be long wavelength;
  - (4) Replace non-directional fixtures with directional fixtures that point down and away from the beach;
  - (5) Replace fixtures having transparent or translucent coverings with fixtures having opaque shields covering an arc of at least 180 degrees and extending an appropriate distance below the bottom edge of the fixture on the seaward side so that the light source or any reflective surface of the light fixture is not visible from the beach;
  - (6) Replace pole lamps with low-profile, low-level luminaries so that the light source or any reflective surface of the light fixture is not visible from the beach;
  - (7) Replace incandescent, fluorescent, and high intensity lighting with the lowest wattage ~~low-pressure sodium vapor lighting, yellow Bug Type Bulbs,~~ Red or Amber Light-Emitting Diodes (LED) ~~or True Neon light sources possible for the specific application. Unless preempted by law, replacement lighting shall be long wavelength;~~
  - (8) Plant or improve Floridan native vegetation buffers between the light source and the beach to screen light from the beach. All dune plantings shall be those listed in the Florida Department of Environmental Protection (FDEP) Recommended Florida Native Beach and Dune Plants for Beachfront Properties and Dune Restoration guide, or an approved

alternative, and shall be planted only upon issuance of a permit from the City of St. Pete Beach and FDEP, as applicable;

- (9) Construct a ground level barrier to shield light sources from the beach. Ground-level barriers must not interfere with marine turtle nesting or hatchling emergence, or cause short- or long-term damage to the beach/dune system;
  - (10) Permanently remove, disable or lock in off position any fixture which cannot be brought into compliance with the provisions of these standards.
- (c) One or more of the following measures shall be taken to reduce or eliminate the negative effects of interior light emanating from doors and windows within line-of-sight of the beach:
- (1) Apply window tint or film to meet standards for tinted glass as defined in this division~~that meets the standards for tinted glass~~;
  - (2) Rearrange lamps and other moveable fixtures away from windows;
  - (3) Use window treatments (e.g., blinds, curtains) to shield interior lights from the beach; or
  - (4) Turn off unnecessary lights.

#### **Sec. 44.69. Standards for publicly owned lighting.**

All publicly owned lighting with light sources that are visible from the beach or that illuminate reflective surfaces that are visible from the beach, including but not limited to streetlights, parking lot lights, and beach access lighting, shall be:

- (a) Fitted with a shield or positioned so that the light source or any reflective surfaces illuminated by such sources are not visible from the beach and do not directly or indirectly illuminate the beach; or
- (b) Extinguished between sunset and sunrise, as defined in Code of Ordinances Chapter 95, from May 1 to October 31 of each year.

#### **Sec 44.10. Transient lighting, and use of fireworks, during applicable nesting seasons.**

- (a) Special event lighting during marine turtle nesting season. Any applicant who requests approval of a special event that will take place during marine turtle nesting season shall submit an event lighting plan if the event will employ a new transient light source or sources that will be directly, indirectly, or cumulatively visible from the beach between sunset and sunrise. The requirement for an event lighting plan shall not apply if the event solely makes use of lighting permitted and in current compliance with Section 44.7., and/or if the event utilizes existing lighting in current compliance with Section 44.8. All transient lighting utilized for a special event between sunset and sunrise that is visible from the beach shall meet the standards of Section 44.7.(b). The City Manager or designee may require submission of product specifications and/or Fish and Wildlife Commission Certified Wildlife Lighting Program certification numbers during event permit review, and perform a pre-event inspection with authorized transient lighting present, to ensure the intent of this section has been met. When the event is of a magnitude or intensity that exceeds the capacity of the enforcing department of this ordinance to assess compliance, the City may employ the use of a third-party certified reviewer and/or inspector, the documented cost of which shall be borne by the applicant.
- (b) Use of transient lighting during marine turtle nesting season. Handheld and other portable transient lighting shall not be directed toward or used in a manner that disturbs marine turtles, seabirds, their nests, or other coastal wildlife.

(c) Fireworks prohibited over the beach during beach wildlife nesting seasons. The use of fireworks, including sparklers, firecrackers, propellants, explosives, or any of the fireworks defined in F.S. § 791.01(4), on or over any beach of the City, shall be prohibited during Pinellas County seabird and marine turtle nesting seasons.

**Sec. 44.711. Construction during nesting season.**

- (a) During the nesting/hatching season, it shall be unlawful to construct any structure, excavate or place any fill, mechanically clean any beach, or grade any dirt within 100 feet of the nesting zone of a beach where marine turtles nest or may nest, without:
  - (1) Obtaining written approval from the Florida Department of Environmental Protection (FDEP) (F.A.C. 62B-33, F.S. ch. 161, and F.S. § 370.12); and
  - (2) Coordinating each activity by means of a written agreement with FWC-permitted sea turtle nest monitoring personnel holding a current and valid permit from the FWC for the specific area.
- (b) Construction activities, including use of temporary light sources, shall not interfere with marine turtle nesting, nests or hatching activities, shall preserve or replace any native vegetation on the site, and shall maintain the natural existing beach profile and minimize interference with the natural beach dynamics and function.

**Sec. 44.812. Enforcement.**

Periodic nighttime lighting inspections shall be performed from the beach to determine the extent of compliance with section 44.57 and 44.8. Inspections shall include both public and private properties within jurisdictional boundaries. Inspections shall be conducted by the city code enforcement department or other qualified persons appointed or contracted by the city. ~~At least one compliance inspection of the beach shall be conducted at night prior to the commencement of the marine turtle nesting season and additional compliance inspections shall be conducted during the marine turtle nesting season until existing beachfront lighting has been brought into compliance.~~

**Section 44.13. Penalties.**

- (a) Violations of this division originating from any lighting associated with a permanent building, structure, or accessory structure, any constructed or installed outdoor lighting fixture, or any transient lighting associated with a temporary structure or special event associated with a property or properties, shall be cited to the property owner(s) and follow the procedure in section 22-276 of this Code. When a property has multiple light sources in violation of this division, each may be cited as a violation.
- (b) Violations of this division that originate from a transient lighting source unassociated with a special event, temporary structure, and/or that originate from individuals on the public beach shall be cited in accordance with the procedures in section 22-286 of this Code.
- (c) During marine turtle nesting season, any light source installed or placed upon any public property that is visible from the beach without prior authorization of the City may be removed without notice at the discretion of the city manager.

**Sec. 44.914. Monitoring and reporting guidance.**

The following information should be compiled by the city or qualified wildlife protection program partner on an annual basis and submitted to the Florida Fish and Wildlife Conservation Commission Marine Turtle Protection Program, with report made available to the City Commission and Beach Stewardship Committee:

- (a) Number of lighting applications reviewed;

- (b) Number of potential violations reported;
- (c) Number of potential violations investigated;
- (d) Disposition of all potential violations including results of enforcement actions and amounts of penalties assessed;
- (e) Results of compliance checks conducted prior to and during the marine turtle nesting season;  
and
- (f) Status of local lighting ordinances and any amendments to those ordinances.

**PLANNING BOARD MEETING  
CITY OF ST. PETE BEACH  
COMMISSION CHAMBERS**

**Agenda Report**

**Agenda Title Name:** Recommendation of Ordinance 2026-01: Amending Land Development Code standards pertaining to accessory structures, ancillary equipment, nonconforming uses and structures, stair and balcony encroachments, and providing for consistency in floodplain management regulations and definitions, to the City Commission

**Action Request:** Motion to recommend approval of Ordinance 2026-01 to the City Commission and find Ordinance 2026-01 consistent with the Comprehensive Plan.

**Strategic Objective:** Recovery, Resiliency & Sustainability

**Date:** January 26, 2026

**Prepared By:** Brandon Berry, Senior Planner

**Through:** Laura Canary, Community Development Director

**Summary of Issue:** This ordinance is a consolidation and rewrite of Ordinance 2025-21, which provided amendments to standards for vested rights and nonconformities for substantially-improved and -damaged, homes, accessory structures, and uses, stair and balcony encroachments, ancillary equipment, accessory structures, and cul-de-sac lot setback line alternatives, with requests made by the State of Florida to provide consistency and clarity in the Land Development Code pertaining to floodplain management-related definitions and regulations.

Staff finds the content originally presented under Ordinance 2025-21 has not been significantly modified in the revisions presented in the subject Ordinance 2026-02. Modifications largely pertain to consistency in language between the Land Development Code, Chapter 98 of the Code of Ordinances which regulates local standards for floodplain management, and the Florida Building Code as applicable. These changes are made at the request of the State of Florida under an agreement that permitted Ordinance 2025-17 to move

forward earlier this year, which limited elevation of flood-damaged equipment for most homes built prior to the implementation of mandatory elevation requirements.

Changes presented in the subject ordinance that modify content presented under Ordinance 2025-21 includes the following:

- Reduction of the base openness requirement for stairs that encroach into the required front setback from 80% to 60%, to account for support requirements.
- Clarify that structurally-connected additions to historic structures that constitute a substantial improvement are not eligible for the historic structure floodplain ordinance compliance exception, consistent with the Florida Building Code. Repairs, alterations, non-substantial additions, and additions that are not structurally connected and are minimally finished (sometimes called lateral additions) are still permitted, subject to applicable criteria.
- Amending definitions to provide consistency with Chapter 98 of the Code of Ordinances.
- Provides consistency in reference to the ground floor, which is permitted to be located below the design flood elevation and not considered the "lowest floor" for floodplain purposes, when it contains only parking, storage, and access to the floor above.
- Amends Section 7.4. to defer to the higher of the Florida Building Code and Chapter 98 of the Code of Ordinances as the required finished floor elevation for new and substantially-improved construction.

### **Comprehensive Plan Consistency**

While the Comprehensive Plan does not speak about accessory structures directly, these changes support Goal 1 of the Future Land Use Element pertaining to maintenance of residential character, and Goals 1 and Policy 1.1.1 and 1.1.2 of the Housing Element pertaining to meeting the housing needs of the City and support for housing rehabilitation. Modifications made to support terminology and application consistency with

floodplain management regulations and the Florida Building Code, these changes also support Policy 4.1.2 of the Future Land Use element regarding consistency of the Land Development Code and its resulting development with FEMA and National Flood Insurance Program requirements.

**Funding:** N/A

**Attachments:** 1. Ordinance 2026-01 - Markup

**ORDINANCE NO. 2026-01**

**AN ORDINANCE OF THE CITY OF ST. PETE BEACH, AMENDING THE ST. PETE BEACH LAND DEVELOPMENT CODE SECTIONS 2.1., 3.10., 6.13., 6.14., 6.22., 7.4., 28.1., AND 28.5., TO INCREASE FRONT YARD STAIR ENCROACHMENTS FOR SPECIFIED RESIDENCES, ALLOW RETENTION OF NONCONFORMING BALCONY FOOTPRINTS AND SPECIFIED NONCONFORMING RESIDENTIAL ACCESSORY STRUCTURES FOLLOWING SUBSTANTIAL IMPROVEMENT TO THE PRIMARY RESIDENCE, CLARIFY RESTRICTIONS ON NONCONFORMING USES AND AMEND RESTRICTIONS ON ELEVATED AND SUBSTANTIALLY-IMPROVED NONCONFORMING STRUCTURES, MODIFY RESIDENTIAL STORAGE BUILDING STANDARDS, MODIFY RESIDENTIAL EQUIPMENT SETBACK STANDARDS, PROVIDE A FRONT YARD SETBACK LINE ALTERNATIVE FOR RESIDENTIAL CUL-DE-SAC AND CURVED STREET LOTS, AND AMEND DEFINITIONS AND CONTENT OF THE LAND DEVELOPMENT CODE TO PROVIDE CLARITY AND CONSISTENCY WITH CHAPTER 98 OF THE CODE OF ORDINANCES AND THE FLORIDA BUILDING CODE; PROVIDING FOR SEVERABILITY, CODIFICATION AND SCRIVENER'S ERRORS, AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of St. Pete Beach occasionally finds land development standards in need of updating.

**WHEREAS**, residential neighborhoods City-wide are experiencing significantly more redevelopment and both voluntary and mandatory elevation than any time in the past several decades due to effects of the 2024 hurricanes, which can carry significant challenges.

**WHEREAS**, the majority of content in this ordinance was originally presented and approved on first reading under Ordinance 2025-21, with the subject ordinance consolidating that content, including updates, with requests from the Florida Department of Emergency Management to align definitions and regulations in the Land Development Code with Chapter 98 of the Code of Ordinances and the Florida Building Code.

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Words ~~stricken~~ through shall be deleted. Words underscored constitute the amendment proposed. The symbol \*\*\* constitutes code sections not shown for purposes of brevity. Remaining provisions are now in effect and remain unchanged.

**WHEREAS**, the City Commission of the City of St. Pete Beach finds the proposed modifications to development standards are not of a nature that will create significant additional visual burden on abutting properties, are reasonable in scale and scope, and will assist with accelerating neighborhood reoccupancy, which promotes the public health and welfare.

**NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH FLORIDA, HEREBY ORDAINS:**

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

SECTION 2. The Land Development Code is amended as shown in EXHIBIT A to this Ordinance.

SECTION 3. Codification. This Ordinance shall be codified in the Land Development Code of the City of St. Pete Beach.

SECTION 4. Conflicts. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

SECTION 5. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance as they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 6. Scrivener’s Error. The City Attorney may correct scrivener’s errors found in this Ordinance by filing a corrected copy of this Ordinance with the City Clerk.

SECTION 7. Construction. This Ordinance is to be liberally construed to accomplish its objectives.

SECTION 8. Publication. This Ordinance shall be published in accordance with the requirements of law.

SECTION 9. Effective Date. This ordinance shall take effect immediately upon adoption.

FIRST READING: \_\_\_\_\_

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PUBLISHED: \_\_\_\_\_  
SECOND READING: \_\_\_\_\_  
PUBLIC HEARING: \_\_\_\_\_

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

\_\_\_\_\_  
Adrian Petrilu, Mayor

I, Renee Rose, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Renee Rose, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
Ralf Brookes, City Attorney

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## EXHIBIT A

### **Sec. 2.1. Words, terms and phrases defined.**

All words used in this chapter shall carry their customary dictionary meanings, except the following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

\*\*\*

*Design Flood Elevation* means the elevation of the "design flood," including wave height, relative to the datum specified on the community's legally designated flood hazard map. For purposes of measuring height, this term shall refer to the Base flood Elevation plus required freeboard.

\*\*\*

*Freeboard* means an additional amount of height above the Base Flood Elevation used as a factor of safety (e.g., one ~~feet~~foot above the Base Flood) in determining the level at which a structure's lowest floor must be elevated or floodproofed to be in accordance with the stricter of state or community floodplain management regulations.

\*\*\*

*Height* means the vertical distance as specified below:

- (1) When the structure is a residence located in the RU-1, RU-2, RLM-1, RLM-2, RM, or Pass-a-Grille Overlay Districts, this measurement shall be taken from a starting point as follows:
  - a. For any structure ~~with habitable space that has a lower or ground floor used for any purpose other than parking, storage, and/or access located less than eight feet above~~ with habitable space that has a lower or ground floor used for any purpose other than parking, storage, and/or access located less than eight feet above natural grade, height shall be measured from the property's required Design Flood Elevation.
  - b. For any structure ~~with habitable space that has a lower or ground floor used for any purpose other than parking, storage, and/or access beginning at or higher than eight feet above~~ with habitable space that has a lower or ground floor used for any purpose other than parking, storage, and/or access beginning at or higher than eight feet above natural grade, height shall be measured from eight feet above natural grade.
- (2) When the structure is an accessory structure, this measurement shall be taken from natural grade to the highest point of the roof unless otherwise specified in this Code;
- (3) For all other structures, height is measured from the structure's required Design Flood Elevation to the highest point of the roof.

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The highest point of the roof is as follows:

- a. The highest point of a flat roof.
- b. The deck of a mansard roof.
- c. The average height between the plate and ridge of gable or hip roofs.

This measurement shall not be inclusive of elevator shafts, chimneys, mechanical rooms or other non-habitable areas except for properties located in the Pass-a-Grille Overlay District.

\*\*\*

*Market value* means, for the purposes of determining substantial improvement or substantial damage except for the purposes of Chapter 98, an acceptable estimate of the value of the structure as determined by a professional property appraiser or using the value of the structure as determined by the most recent available tax roll for the county property appraiser's office and adding 25 percent.

\*\*\*

*Substantial damage* means damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its pre-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred.

*Substantial improvement* means any combination of repairs, reconstruction, rehabilitation, alteration, addition or other improvements to a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started.

This term includes structures which have incurred "substantial damage" regardless of the actual repair work performed. This term does not include:

- (1) Any project for the improvement of a structure to correct existing violations of state or local health, sanitation or safety code inspection which have been identified by the ~~local code enforcement~~ building official and which are the minimum necessary to assure safe living conditions, or
- (2) Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

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### **Sec. 3.10. Vested rights and nonconformities.**

The purpose of this section is to regulate the continued existence of certain uses and structures established prior to the effective date of this Code that do not conform to these regulations. It is the intent of this Code to permit legally nonconforming uses and structures to continue in existence until they are removed or abandoned.

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To avoid undue hardship, nothing in this Code shall be deemed to require a change in the plans, construction or designated use of any structure on which actual construction was lawfully begun prior to the effective date of this Code, or amendment thereto, and upon which actual building construction has continued unabated since inception of such construction, pursuant to valid building permits issued therefor.

- (a) *Nonconforming lots.* In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this Code, except as provided below, a single-family dwelling and customary accessory buildings may be erected on any lot of record as of the adoption date of this Code. This provision shall apply even though such lot fails to meet the requirements for lot width or area, or both, that are generally applicable to the district, provided that the building setbacks and other requirements shall conform to the regulations for the district in which the lot is located.
- (b) *Nonconforming structures.* Where a lawful structure exists at the time of adoption or amendment of this Code which could no longer be built under the terms of this Code by reason of restrictions on lot area, impervious surface, height, or other such characteristics, such structure may continue to be used so long as it remains otherwise lawful, subject to the following provisions:
  - (1) No such structure may be enlarged, altered or improved in a manner which increases its nonconformity, except for the conditions set forth for elevating an existing structure in subsection (3)A. below.
  - (2) Any nonconforming structure which suffers substantial damage, as defined in this Code, shall only be repaired, restored or reconstructed in a manner which brings the entire structure into compliance with all requirements of this Code and other applicable codes of the city, except for residential properties when the primary residential structure is nonconforming solely to required yard setbacks, which may be elevated and moved in compliance with subsection (3) following as provided in subsection (3)D. below.
  - (3) Should such nonconforming structure be elevated or moved, ~~either vertically or horizontally~~, it shall comply with the following:
    - Aa. The structure may be elevated by raising the structure on a new foundation or extended foundation or by converting the ground floor to a floor used solely for parking, storage and/or access, with a vertical addition (replacement occupiable space) in compliance with the Florida Building Code and Chapter 98 of the Code of Ordinances, subject to the following:

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- i. The footprint of the structure within the required yard setbacks is unchanged;
- ii. The structure maintains or is moved horizontally to provide at least a three-foot setback from all property lines and is located out of all easements;
- iii. The resulting structure does not exceed the maximum height allowed by the zoning district; and,
- iv. The number of stories within the required yard setbacks does not increase by more than one, and that additional story is used solely for parking, storage, and/or access. ~~moved, vertically only, such that the lowest habitable floor is elevated above the required design flood elevation, as defined and established in the city's flood damage prevention regulations set forth in Chapter 98 of the Code of Ordinances. Additionally, the existing habitable ground floor of the structure beneath the required design flood elevation may be converted to parking, storage and building access if in compliance with the structure's flood zone and the habitable floor(s) are reconstructed, in the same footprint and the same floor height as the existing habitable floor(s), above. Compliance shall be as required for the structure's flood zone and degree of improvement or damage, including elevation on or conversion to open foundations comprised of piles, posts, piers, or columns for substantially improved or damaged structures in the VE and Coastal A zones as applicable, and installation of flood vents and flood resistant materials below the design flood elevation for substantially improved or damaged structures in the AE zone as applicable. Under no circumstances shall the resulting structure exceed the maximum height allowed by the zoning district.~~

~~Bb.~~ The structure shall ~~may~~ be moved, horizontally only, in compliance with the Florida Building Code and Chapter 98 of the Code of Ordinance and provided such that no additional nonconformities are created, and no existing nonconformities are increased, by such relocation; and ~~the~~ the structure shall be located on the property so that there is a setback of at least three feet from the nearest property line on all sides of the structure.

~~C.~~ Any additions to the structure made during or subsequent to the elevation or reconstruction of the structure, other than reconstruction of the habitable floor(s) of the structure above required design flood elevation when reconstruction is

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undertaken, shall comply with the existing required setbacks for the structure's zoning district.

- ~~D.~~ When a residential structure that is nonconforming solely by means of setback(s) suffers substantial damage and the requirements of subsections (3)A. through C. preceding can be met, the structure may be eligible for a vertical move, elevation or reconstruction as set forth above but shall comply with all applicable floodplain management regulations and building codes.
- ~~Ec.~~ When subsection (3)A. or D. above is utilized, if the applicant cannot reasonably construct stairs to access the first living level without encroaching into the front setback, the applicant may be permitted to construct stairs without an independent roof overhang within the required front yard. Stairs shall not encroach more than ten feet into the required front yard unless additional encroachment is demonstrated as necessary to avoid conflict with garage access or correct a safety issue. Under no circumstances shall stairs authorized through this permission be located closer than three feet to any property line. This standard shall supersede other permissions and restrictions found elsewhere in this Code. Residences elevated in compliance with subsection (3)a. preceding shall be permitted to have one exterior stairway that encroaches into the required front yard setback when the following criteria are met:
- i. The structure is a single- or two-family residence; and
  - ii. The portion of the stairway and associated landings that encroach into the required front yard setback are not independently roofed or covered by an independent roofing system, are not enclosed except with a Florida Building Code-compliant railing or balustrade, and provide an open base of at least 70 percent transparency between the footing or landing, and the stair risers and treads ; and
  - iii. The stairway extends no higher than the top of the lowest floor used for any purpose other than parking, storage and/or access; and
  - iv. Landings that encroach into a required front yard setback are not wider than the greater of six feet or the minimum width required by the Florida Building Code; and
  - v. The stairway, with landings, projects no more than seven feet from the front wall of the residence adjacent the entry and encroaches no closer than ten feet to the front property line, or five feet to the front property line for stairs built at the front of residences constructed to the House-Large, House-Medium, or House-Small standards of the

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Pass-A-Grille Overlay District, or those residences granted a Certificate of Appropriateness from the Historic Preservation Board pursuant to Section 28.8; or

- vi. When a residential structure is elevated within the front yard setback such that stairs cannot be constructed pursuant to the permission in (3)d.v. preceding, stairs may encroach to the the existing and maintained front wall of the structure, or three feet, whichever provides a greater setback from the front property line.

d. Structures that comply with subsection (3)a. above, that have an existing balcony within a required front or rear yard setback that will be maintained in the elevation, may construct within the same footprint a balcony with the same openness and means of ground support as the existing balcony.

- (4) Any nonconforming structure may be reinforced to make it resistant to hurricanes for the health safety and welfare of the public, provided that such reinforcements do not constitute a substantial improvement as defined in the Land Development Code. These improvements include the addition of hurricane shutters, impact windows and doors, and hurricane straps.

- (5) Ordinary repairs and maintenance may be made to a nonconforming structure provided that such repairs or maintenance do not constitute a substantial improvement as defined in the Land Development Code.

- (c) *Nonconforming uses.* Nonconforming uses of land, structures and premises which were lawfully established prior to the adoption of this Code, but which are not permitted or are otherwise currently prohibited by this Code, may continue to operate at their present location until such time as such use has been discontinued. If the use is discontinued for more than 90 consecutive days or a total of 180 calendar days within a one-year period, subsequent use of the premises shall conform to the district regulations. Continuance of nonconforming uses are subject to the following provisions:

- (1) Uses nonconforming by the type of use are regulated as follows:

- a. There shall be no increase of a nonconforming use by expansion of the use to adjacent properties, to other structures on the property, or to other portions of a multi-tenant structure within which the nonconforming use is located. No multi-tenant structure may be converted into a single-tenant structure for the purpose of expanding a nonconforming use.

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- b. No structure in which a nonconforming use is located shall be enlarged, altered, substantially improved or relocated to occupy other portions of the lot upon which it is located or to increase the size of the structure.
  - c. When a structure which is occupied by a nonconforming use suffers substantial damage, said structure, if repaired, restored or reconstructed, shall only be occupied, upon completion, by uses which are allowed in the zoning district in which the structure is located.
- (2) Uses that are nonconforming by reason of development density are regulated as follows:
- a. The recognized number of units on such property shall be determined by the number shown in the property records on file with the city as of the date of adoption of this section.
  - b. There shall be no increase in the number of units by expansion or alteration of the use.
  - c. Except as provided for elsewhere in this Code, any property, upon which there are one or more buildings having such pre-existing nonconforming number of units shall be brought into conformity with the density requirements of this ordinance when any building is proposed to be substantially improved.
- (d) *Grandfathered nonconforming residential uses.* Notwithstanding the provisions of paragraph (c)(2) above and paragraph (e) following, nonconforming residential properties having a greater number of units than currently allowed under the provisions of the comprehensive plan and this Code that are ~~lost~~ destroyed or substantially damaged through a catastrophic event may be reconstructed with the same number of units as they had prior to the loss under the following conditions:
- (1) For the purposes of this subsection only, transient accommodations shall be considered to be residential properties.
  - (2) The applicant can verify to the satisfaction of the city that the property contained the number of units, square footage and height that are proposed for replacement;
  - (3) The replacement structure(s) shall be no larger in square footage, nor taller than the original structure, except that structure height may be increased by the ~~height of the base flood elevation~~ minimal amount of additional elevation necessary to comply with the Florida Building Code and Chapter 98 of the Code of Ordinances ~~where necessary to comply with flood hazard mitigation requirements;~~

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- (4) Provided there are no conflicts with other codes and that no adverse impacts on adjacent properties will be created, the replacement structure(s) may be permitted to be constructed with the same footprint as the original structure(s);
  - (5) The replacement structure(s) shall meet all other local, state and federal requirements in place at the time of replacement; and
  - (6) Permits to rebuild under these provisions shall be obtained within one year of the catastrophic loss, or 60 days following the expiration of an executive order issued by the office of the governor that declared a state of emergency for the event that caused the substantial damage, whichever is later, unless a general extension of time has been granted by the city commission.
- (e) *Nonconforming accessory structures.* No nonconforming accessory structure shall continue after the principal use or structure is terminated by abandonment, elective redevelopment, change of use, damage, or destruction, except as provided below. In addition to the other provisions of this section applicable to nonconforming structures, the following additional conditions shall apply to nonconforming accessory structures:
- (1) Any nonconforming accessory structure shall be brought into conformity with these applicable regulations of the structure's zoning district and Section 6.13. of this Code whenever a ~~substantial improvement to the accessory structure or the principal structure on the property is proposed and approved~~ is substantially improved as defined in this Code. Nonconforming accessory structures shall also be brought into conformity with these regulations when the principal structure on the property is substantially improved, excepting those accessory structures associated with a detached single-family residence in the RU-1, RU-2, RLM-1, RLM-2, or RM zoning districts when the following are met:
    - a. The accessory structure is a deck cover, gazebo, or pool that has not sustained substantial damage as defined in this code, and is not proposed to be substantially improved in conjunction with or subsequent to the primary structure's substantial improvement; and
    - b. The principal residence is substantially improved through elevation or conversion of the existing ground floor of the residence to parking, storage, and/or access, with addition of a floor above; and
    - c. The substantial improvement of the principal residence does not add more than ten percent in living square footage in conjunction with or subsequent to the substantial improvement, provided that this ten percent maximum excludes any living space added through the finishing of an existing attached garage or

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carport that shares the same roofline as the primary residence and is elevated or reconstructed; and

d. The accessory structure is not located within an easement and does not cross any zoning lot property boundary.

(2) Notwithstanding the foregoing, any accessory structure which is designated and constructed as a garage, the principle purpose of which is the storage of motor vehicles for single-family residential purposes, which is substantially damaged as the result of a catastrophic event as defined in the Code of Ordinances, may be reconstructed in accordance with the criteria set forth in subsection (d) hereof, as well as any applicable requirements of the Florida Building Code and Chapter 98 of the Code of Ordinances.

(23) Any nonconforming accessory structure which is destroyed or substantially damaged, shall, upon replacement, conform to all requirements of this Code and other applicable codes of the city. Any part of a nonconforming accessory structure which is destroyed or damaged to less than 50 percent of the value of such accessory structure may be repaired or restored if a permit for the repair or restoration is issued within 12 months of the date of the damage.

(f) *Repairs and maintenance; maintaining safe condition.* Repairs and maintenance of nonconforming structures are ~~permitted~~allowed.

### **Sec. 6.13. Residential accessory structures.**

Accessory residential structures may be permitted only on zoning lots having one or more existing residential dwelling units and shall be regulated as follows:

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(b) *Residential storage buildings.* Residential storage buildings may be permitted as an accessory on a residential property. Only one such residential storage building is allowed, and the residential storage building shall be further regulated as follows:

(1) The residential storage building shall be used exclusively for storage of household items, and no mechanical equipment such as window air conditioning units that could render the space as habitable or for use for any other purpose than storage shall be operated within or attached to such building.

(2) The placement of a residential storage building shall require a building permit, meet all applicable building codes, and shall be properly anchored. When the

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primary structure on a residential property undergoes substantial improvement or redevelopment and an existing residential storage building is proposed to be maintained on the property in compliance with these regulations, or a residential storage building is substantially improved, the storage building shall be subject to the same requirements as if it were newly constructed.

- (3) All storm water runoff shall be directed and maintained on the property upon which the building is located.
- (4) The residential storage building shall be located a minimum of 60 feet from the front property line and 20 feet from the secondary front yard, provided no residential storage building shall be permitted within the required yard for a waterfront yard.
- (5) Residential storage buildings shall be subject to the following dimensional and required yard requirements.
  - a. *Maximum size:* ~~80~~120 square feet in area.
  - b. *Maximum height:* Eight feet in height as measured from grade to the highest point on the structure.
  - c. *Location:* May be located along any side or rear property line, except in secondary front yards and waterfront yards as provided in paragraph (4) above; and must be separated at least six feet from any other accessory structure.

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**Sec. 6.14. Encroachment of certain specified ancillary residential equipment into required yards.**

- (a) For the purpose of these regulations, ancillary equipment shall include but not be limited to generators, air conditioning compressors, and swimming pool and spa filters and pumps.
- ~~(ab) Ancillary residential equipment installed no more than two feet above grade, such as but not limited to air conditioning compressors when permitted, swimming pool and spa filters and pumps, etc. shall be allowed to encroach into any required yards up to four feet, provided that any such equipment located in front of the residence shall be adequately shielded from the adjoining property by either a solid enclosure or solid fence or wall and no resulting setback shall be less than 3 feet from any property line. Any residential ancillary equipment installed more than two feet above grade in any location for the first time, and any equipment installed more than two feet above grade that is associated with new construction of the residence to~~

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Words ~~stricken~~ through shall be deleted. Words underscored constitute the amendment proposed. The symbol \*\*\* constitutes code sections not shown for purposes of brevity. Remaining provisions are now in effect and remain unchanged.

which it is associated, shall meet all required yard setbacks for the district in which it is located.

- (bc) ~~Equipment newly installed more than two feet above grade shall not encroach into any required front or side yard setback. New or replacement equipment that is eligible under the Florida Building Code and the floodplain management regulations of Chapter 98 of the Code of Ordinances to be installed at or near grade, including pool equipment where so authorized, may encroach into any required yard setback up to four feet provided that any equipment located in front of the residence is adequately shielded through a solid enclosure, fence or wall, and no remaining setback distance is less than three feet from any property line. When this permission is utilized, the equipment shall be elevated no more than two feet above grade.~~
- (ed) New elevated equipment on any new or substantially improved residential structures shall not encroach into any required yard setback. This shall apply to any equipment installed for new or substantially improved structures or to such items being installed for existing structures the first time. When a residence is substantially improved and it is served by permitted existing ancillary equipment that encroaches into a required yard, and when permitted existing ancillary equipment encroaches into a required yard and is voluntarily or is required to be elevated, it may be elevated in place subject to the following:
- (d) ~~Change outs or in-place elevation of existing residential equipment located in the required rear or side yard of a structure legally nonconforming to the current required design flood elevation, that has sustained damage from a flood and is required by the Florida Building Code to be elevated above the floodplain, shall be permitted to be elevated in place subject to the following criteria. Equipment required to be elevated shall be as applicable in section 701.3(2) of the Florida Building Code, Existing, as may be amended, and shall include condensers, generators, and other exterior residential equipment and appliances damaged by flood, but shall not include pool equipment when permitted by the Florida Building Code to be installed below the required flood elevation.~~
- (1) The bottom of the equipment shall be elevated no higher than one foot above the top of the structure's lowest floor used for a purpose other than parking, storage and access, or the required design flood elevation plus one foot, whichever is higher.
  - (2) The equipment shall encroach no farther into the required yard than the equipment it is replacing, except that minimum additional encroachment may be permitted to avoid conflict with existing projections located on the structure and/or roof eaves.
  - (3) If on a column or pedestal, the equipment with column or pedestal shall be located no closer than three feet from the property line.

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- (4) If on a bracket the equipment with bracket shall be located no closer than three feet from the property line or, if elevated on a bracket such that any projection is no lower than 6'-8" from adjacent grade, shall not encroach beyond the property line.
- (5) The top of the equipment shall not exceed the height of the ridge of the roof of the structure to which it is attached or associated, unless additional height is required by the Florida Building Code or Chapter 98 of the Code of Ordinances, which shall supersede this limitation.
- (6) ~~This provision shall not apply to residential structures that are new or substantially improved, which are regulated by (c), above.~~ The equipment, if located within the required front yard setback of the property, encroaches no more than five feet beyond the front wall of the residence.

**Sec. 6.22. Yard and measurement requirements.**

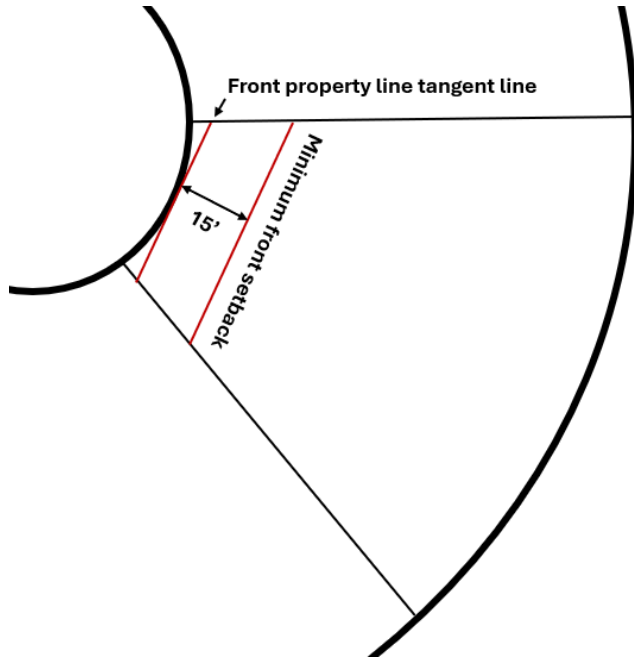
- (a) *Required yards.* Examples of yards are shown in the illustration on the next page.
- (b) *Encroachment of open balconies ~~and stairs.~~* Open balconies may be permitted to encroach into required front or rear yards a distance of three feet.
- (c) Stairs that are independently roofed or covered by an independent overhang system shall meet all primary structure yard setback requirements for the zoning district in which they are located. Other stairs shall be permitted to encroach into required yards as follows:
  - (1) ~~Open~~ All stairs, without independent roof or overhang systems, may be permitted to encroach into any required yard setback a distance of three feet provided that no resulting setback shall be less than 2 feet from any property line.
  - (2) Residential single- or two-family homes possessing stairs meeting (1) preceding that also provide an open base between the footing and treads or landing, defined as a space that is at least 80 percent transparent when accounting for supports and any other structural or architectural component of the stairs, may encroach up to seven feet into the required front yard, provided the stairs are set no closer than two feet to the front property line. When the stairs include a landing that encroaches into the required front yard the landing shall be no wider than six feet, or the minimum width required by the Florida Building Code, whichever is greater.

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- (g) Front yard setbacks for lots located on the turning circle of a cul-de-sac or specified curved streets. When a property is located on the turning circle of a cul-de-sac or a concave curved

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intersection of two streets and has a zoning of RU-1, RU-2, RLM-1, RLM-2, or RM, the front property line for setback purposes, only, may be established by drawing a tangent line connecting the side property lines at the midpoint of the front arc. When this standard is used, the front setback from the tangent line may be 15 feet, as illustrated in the following graphic. Additionally, permitted encroachments provided for in this section may be established relative to this 15-foot front setback.



#### **Sec. 7.4. Establishment of minimum building finished floor elevations.**

The minimum finished floor elevation for all new or relocated structures, and any structure being restored, renovated or improved such that the new construction is subject to the substantial improvement rules shall be at an elevation to be determined by the city based upon the applicable local, state and federal flood hazard mitigation requirements meet the stricter of the elevations required by the Florida Building Code or Chapter 98 of the Code of Ordinances.

#### **Sec. 28.1. Definitions.**

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*Substantial improvement* means the same as defined under section ~~106-86~~98-128.4.

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**Sec. 28.5. Ordinary maintenance and repair.**

- (a) Nothing in this division shall be construed to prevent the ordinary maintenance or repair of any exterior feature of any historic building, structure or site which does not involve a substantive change in material, design or outer appearance.
- (b) Buildings or structures that have been designated pursuant to this division at the time that the city was a certified local government and/or otherwise meet the criteria of section 28.16.(a) may be excluded from the definition of substantial improvement when repairs, construction, rehabilitation, alterations, and changes of occupancy addition, or other improvements as permitted by Chapter 12 of Florida Building Code, Existing, exceed the threshold established in Chapter 98 of the Code of Ordinances, subject to the following:
  - a. Improvement(s) are entirely interior and/or involve only ordinary maintenance or repair of an exterior feature as established in (a), above, as documented through material boards, product specifications, or other submittals deemed appropriate by the reviewer at time of permitting for the improvement(s);
  - b. The improvement(s) is or are independent from any addition or alteration that would otherwise be subject to the floodplain management regulation variance process established in section 28.16.(b) of this Code;
  - c. The improvement(s) and alteration(s) are determined to not preclude the building or structure's continued designation as a historic resource.
- (c) Any improvement(s) to a historic building or structure that exceed(s) the threshold for substantial improvement and involves any exterior improvement that exceeds the threshold for ordinary maintenance or repair established in (a) above shall be subject to the variance process established in section 28.16.(b) of this Code.

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**PLANNING BOARD MEETING  
CITY OF ST. PETE BEACH  
COMMISSION CHAMBERS**

**Agenda Report**

**Agenda Title Name:** 2026 Florida Legislative Session Introduction

**Action Request:** None - for informational purposes.

**Strategic Objective:**

**Date:** January 26, 2026

**Prepared By:** Brandon Berry, Senior Planner

**Through:** Laura Canary, Community Development Director

**Summary of Issue:** Presentation introducing key planning- and zoning-related Senate and House bills proposed for the 2026 legislative session.

**Funding:** N/A

**Attachments:** 1. 2026 Legislative Update

# 2026 Legislative Update

January 26, 2026

Planning Board



# Major Subjects of Applicable Bills

- Continued preemptions on local regulation of zoning and land use.
- Scaling back of Senate Bill 180 (2025) in scope and location.
- Support for increased residential development
  - Accessory dwellings
  - Preemption for 1-4 unit “tiny home” residential developments
- Limitations on local review of applications.
- Adjustment of considerations of “compatibility” in land use planning.

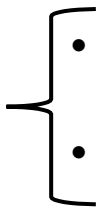
# SB 840 – Amending SB 180 (2025)

- Reduces the end date of prohibition on more burdensome or restrictive amendments to LDC/Comp Plan from October 2027 to end of June 2026.

## **For future events (one-year post-storm preemption):**

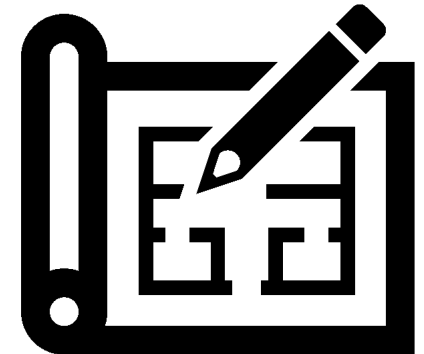
- Allows post-storm moratoria on construction and redevelopment.
- Allows post-storm moratoria on repair and reconstruction, but only to address stormwater, floodwater management, potable water, or sanitary sewer.
- Allows cities to enforce LDC/Comp Plan requirements for repair and reconstruction if applicable prior to the storm.
- Allows post-storm changes to review, approval, or issuance processes for development orders (e.g. CUPs, site plans), provided those changes do not affect issuance timeframes.
  - E.g. This may allow higher application submittal requirements, stronger community meeting requirements that are not simply a requirement for extra meetings, etc.
- Allows more restrictive amendments when required to comply with state/federal law, the Florida Building Code, and/or its local technical amendments.
- SB 218 also modifies SB 180 (2025) but does not change its applicability to SPB.

Local prohibitions apply only to documented storm-damaged properties, to extent necessary to repair or reconstruct



# SB 1138/H 927 – Qualified contractors

- Requires Cities to maintain a registry of qualified contractors to review zoning and planning applications.
  - Similar to private provider law for building departments.
  - Requires three qualified contractors for St. Pete Beach (pop. under 10,000).
  - If qualified and no conflict of interest exists, contractor is able to be used. Cannot impose geographic restriction.
- Reduces costs of application by a flat fee or percentage when an outside entity reviews.
  - E.g. a \$1,250 site plan review fee may be reduced by \$300 to offset the cost of zoning department review.
  - Does allow for clerical fee for processing.
- Allows outside entities to perform reviews of development-related applications, and requires issuance after 10 business days of submittal of a completed application unless the City species a basis for rejection in that timeframe.
- Unclear whether outside entity is responsible for coordinating and holding required-by-ordinance public hearings and other actions.
  - If not, this law significantly limits public involvement and current noticing requirements for CUPs and variances, both of which require public hearings.
  - Staff is seeking clarification on the overall impact of the law and whether it is chilling to public comment and public hearings on development review.



# SB 948 – Starter Homes Act & Procedures for Development Permits and Orders

- Prohibits municipalities from requiring more than 1,200 sq. ft. in land area per dwelling (~36 dwellings/acre) for single-through four-family developments in residential zoning districts.
- Would permit no greater restrictions on residences than:
  - Three stories/35 feet above BFE
  - 0' side and 10' rear yards
  - Dwellings of the minimum size required by Florida Building Code (could increase density over 36/acre)
- Allows some limited consideration for historic properties but they must be regulated the same as other historic properties (e.g. lots in PAG cannot be subdivided to less than their historic size).
- Provides very limited timeframes for review of lot splits.



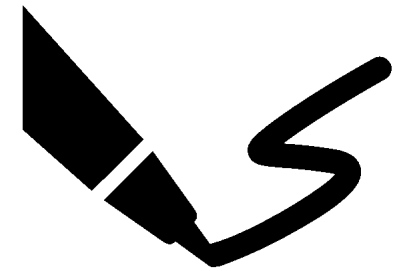
# SB 48 – Accessory Dwellings

- Similar to a bill that came close to passing in 2025.
- Accessory dwellings would be permitted by right in any single-family zoning district.
- Does not require extra parking if the driveway can accommodate an extra vehicle
- Does not require replacement of converted garages.
  - Generally irrelevant in St. Pete Beach due to floodplain requirements.
- Cannot require primary owner occupancy.
- Appears to limit size/area/lot coverage etc. to the same standards as the primary home.
  - St. Pete Beach: Accessory dwellings must be lesser in extent and stature than the primary dwelling.
- Can prohibit short-term rentals but not otherwise prohibit rentals.



# SB 208: Land use and development regulations

- Requires fees to be tied to direct and indirect costs of review.
  - Cannot be percentage based on site costs, permit cost, etc.
    - Consistent with current application of development review fees in SPB.
- Requires cities to include regulations and Comprehensive Plan references to massing, architecture, etc. for new residential uses, and use those regulations specifically when assessing compatibility of new projects.
  - Design standards to assess residential project compatibility are required.
  - Unclear on how this will reconcile with preemptions on design standards for single-family residences (F.S. 163.3202).
  - Would likely apply to residential multifamily projects in St. Pete Beach (no land for new subdivisions).
  - Provides preemptions for established historic districts (Pass A Grille only).



# Other relevant bills

## **SB 302: Nature-based solutions for coastal resilience**

- Largely encouraging in nature, not preemptive.
- Encourages local government involvement in identification of properties that could benefit from nature-based solutions (e.g. living seawalls), and development of those solutions.
- Will study providing communities Community Rating System (flood insurance discount) credit in forthcoming years for implementation of nature-based resiliency efforts.

## **H 479 / SB 718 – Land and water management**

- Preempts regulation of activities 15-25 feet from wetlands when the buffer itself is preemptive of that activity.

## **H 105 – Local government enforcement actions**

- When requested by the entity or individual cited, cities must review an enforcement action and provide a written response.
- Allows suits up to \$50,000 when an action is not supported by law, deviates from prior interpretation without justification, unreasonably delays legal development etc., or imposes requirements not authorized by law.

