



COMMISSION MEETING CITY OF ST. PETE BEACH

155 Corey Avenue

Tuesday, March 27, 2012

6:00 PM

Call to Order
Pledge of Allegiance
Invocation
Roll Call

INSTALLATION MEETING

Call to Order

1. Installation of District 1 Commissioner – Lorraine Huhn

Adjourn

REGULAR MEETING

- 1. Changes to the Agenda** - Any agenda items to be added, moved, or deleted will be addressed at this time. Added items will be assigned agenda item numbers and moved items should remain with the same item numbers. Notation will be made that those items will be taken out of order. Consent items may be removed for discussion, changes, and/or anticipation of a non-unanimous vote and considered separately on the request of anyone on the Commission or by a majority vote of the City Commission upon request of an audience member.
- 2. Presentations** - Presentations shall be limited to 5 minutes for non-city government related items.
 - a. Proclamation declaring March and April, 2012, as St. Pete Beach Fire Fighters Local 2266, Appreciation Months.**

- 3. Audience Comments** - Comments shall be limited to 3 minutes per person to issues not on the agenda.

4. Consent

- a. Approval of Minutes for the City Commission Regular Meeting of February 28, 2012.**
- b. Authorize the City Manager to enter into a purchasing agreement with Hinterland Group, Inc., for \$116,112, for the rehabilitation of Lift Station #10.**
- c. Authorize the City Manager to rescind the surplus of a Ford Ranger (vehicle #180).**
- d. Ratification of the City Manager's decision to expend \$33,451.44 to Rowland Inc. for emergency repairs to wastewater force main #2.**
- e. Ratification of the City Manager's decision to expend \$22,650 to Seminole Septic Inc. for emergency repairs to wastewater force main #2.**
- f. Authorization for the Mayor and City Manager to enter into an Interlocal Agreement providing joint control of pollutants within Pinellas County.**
- g. Authorize the City Manager to sign modified FDOT District Seven Highway Beautification Maintenance Memorandum of Agreements (MOAs) for the City of St. Pete Beach to design, build, and maintain new landscaping on FDOT right-of-way.**

5. Action Items

- a. Authorization for the City Manager to amend the existing lease agreement with Merry Pier Partners, LLC to permit limited on premises consumption of beer and wine and limited consent to sub lease the side deck/patio area subject to the terms and conditions set forth in the FIRST AMENDMENT TO LEASE AGREEMENT and CONSENT TO SUBLEASE AGREEMENT.**
- b. Election of Vice Mayor**
- c. Board Appointments – BIG C, MPO, TBRPC and Suncoast League**

6. Ordinances

- a. Ordinance 2011-33, First Reading and Public Hearing, an ordinance of the City of St. Pete Beach, Pinellas County, Florida, providing for an amendment to the Future Land Use Map of the Comprehensive Plan for**

the property located at 1307 Gulf Way, further illustrated on the map in “Exhibit A”, changing the designation from Residential High with the Resort Facilities Overlay to Residential Low Medium; Providing for the repeal of ordinances or parts of ordinances in conflict herewith, to the extent of such conflict; providing for severability; and providing an effective date. (Legislative)

- b. Ordinance 2011-34, First Reading and Public Hearing, an ordinance of the City of St. Pete Beach, Pinellas County, Florida, providing for an amendment to the official zoning map for the property located at 1307 Gulf Way, as illustrated on the map in “Exhibit A” from THD to RLM-2; Providing for the repeal of ordinances or parts of ordinances in conflict herewith, to the extent of such conflict; providing for severability; and providing an effective date. (Quasi-Judicial)**
- c. Ordinance 2011-37, First Reading and Public Hearing, an ordinance of the City of St. Pete Beach, Pinellas County, Florida, providing for an amendment to the Future Land Use Map of the Comprehensive Plan for the property located at 701 Gulf Way, as illustrated on the map in “Exhibit A”; Providing for the repeal of ordinances or parts of ordinances in conflict herewith, to the extent of such conflict; providing for severability; and providing an effective date. (Legislative)**
- d. Ordinance 2011-38, First Reading and Public Hearing, an ordinance of the City of St. Pete Beach, Pinellas County, Florida, providing for an amendment to the official zoning map for the property located at 701 Gulf Way, as illustrated on the map in “Exhibit A”; Providing for the repeal of ordinances or parts of ordinances in conflict herewith, to the extent of such conflict; providing for severability; and providing an effective date. (Quasi-Judicial)**
- e. Ordinance 2011-39, First Reading and Public Hearing, an ordinance of the City of St. Pete Beach, Pinellas County, Florida, providing for amendments to the Eighth Avenue Special Area Plan, adding 701 Gulf Way to the map, adding single family residential as a permitted use, and amending the allowable temporary lodging density from 30 to 50 units per acre; Providing for the repeal of ordinances or parts of ordinances in**

conflict herewith, to the extent of such conflict; providing for severability; and providing an effective date. (Legislative)

- f. Ordinance 2011-40, First Reading and Public Hearing, an ordinance of the City of St. Pete Beach, Pinellas County, Florida, providing for an amendments to the text of the Future Land Use Plan Element and the text of the Future Land Use Map Element in the Comprehensive Plan to increase the permitted temporary lodging density from 30 to 50 units per acre in the Community Redevelopment Area – Eighth Avenue Future Land Use designation, as illustrated in “Exhibit A”; Providing for the repeal of ordinances or parts of ordinances in conflict herewith, to the extent of such conflict; providing for severability; and providing an effective date. (Legislative)**
- 7. Resolutions**
 - a. Resolution No. 2012-02, accepting the March 13, 2012 Election Results**
- 8. Items for Discussion**
- 9. City Manager, City Attorney and City Commission Reports**
- 10. Adjournment**

APPEAL

If a person decides to appeal any decision made at this meeting, they will need a record of the proceeding and, for such purpose, may need to ensure that a verbatim record of the meeting is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105) The City does not furnish verbatim transcripts; interested parties should make the necessary arrangements for verbatim transcripts.

AMERICAN DISABILITIES ACT

In Accordance with the American's with Disabilities Act and F.S. 286.26, persons with disabilities needing special accommodations to participate in this meeting should contact City Hall at (727) 367-2735 no later than (4) days prior to the meeting for assistance.

The public is cordially invited to attend. All agenda material is available for review at City Hall.



PROCLAMATION

WHEREAS, fighting fires is one of the most hazardous professions, requiring physical strength, stamina, extensive training, courage and selfless concern for the welfare of our citizens; and in addition to their daily service, firefighters throughout the state and across the nation have joined the Muscular Dystrophy Association for 58 years in the fight against neuromuscular diseases; and will do so again in St. Pete Beach in 2012; and

WHEREAS, Florida firefighters collected \$199,493 during the 2011 “*Fill the Boot*” campaign for MDA; and

WHEREAS, the funds collected by St. Pete Beach Fire Fighters assist MDA in providing medical services at local clinics, summer camps, research grants, support groups, and public education seminars at no cost to local children and families; and

WHEREAS, to show our appreciation and to honor the efforts of the St. Pete Beach Fire Fighters, the Muscular Dystrophy Association is sponsoring the *St. Pete Beach Fire Fighters Association, Local 2266, Appreciation Months*, so this courageous group will be recognized for their dedication to area children and adults.

NOW, THEREFORE, I, Steve McFarlin, Mayor of St. Pete Beach do hereby proclaim March and April, 2012, as

ST. PETE BEACH FIRE FIGHTERS LOCAL 2266, APPRECIATION MONTHS

and encourage all citizens to join in this tribute to honor our firefighters for their efforts on behalf of the Muscular Dystrophy Association.

Seal:

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the City of St. Pete Beach, Pinellas County, Florida to be affixed this 27th day of March 2012.

Mayor Steve McFarlin

CITY COMMISSION MEETING

MINUTES

February 28, 2012

6:00 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENT:

Steve McFarlin, Mayor
Beverly Garnett, Vice Mayor
Al Halpern, Commissioner
Jim Parent, Commissioner
Marvin Shavlan, Commissioner

ALSO PRESENT:

Mike Bonfield, City Manager
Mike Davis, City Attorney
Rebecca C. Haynes, City Clerk
Steve Hallock, Public Services Director

1. Changes to the Agenda

City Manager Bonfield requested adding three items to the Consent Agenda, Items 4 (g) through (i).

2. Presentations

There were no presentations.

3. Audience Comments

Rosemary Manning, 200 1st Avenue, commented on the placement of the orange barrels in the bike lane and other safety/appearance issues along Gulf Boulevard.

Fran Travinson, 1215 Boca Ciega Avenue, commented on an accident that took place with a tourist falling into a manhole. She asked who is responsible in these situations and also voiced her concern over other manhole safety issues in general.

City Manager Bonfield and Director Hallock agreed to look into the manhole incident further.

4. Consent

- a. Approval of minutes for the City Commission Regular Meeting of February 14, 2012.
- b. Cancellation of the March 13, 2012 City Commission meeting.
- c. Authorize the City Manager to enter into a Memorandum of Understanding (MOU) with Suntan Arts for use of the City's Don Vista building.
- d. Authorize the City Manager to enter into a purchasing agreement with Otis Elevator Company in the amount of \$6,984 per year for a three year elevator service maintenance contract.
- e. Approve the request from the Gulf Beach Historical Museum to close 10th Avenue from Gulf Way to Pass-A-Grille Way on 3/3/12 for the Island Festival.
- f. Approve the request from Corey Area Business Association to close the 400 block of Corey Ave on 3/31/12 – 4/1/12, 6/2/12 – 6/3/12 and 12/1/12 – 12/2/12 for the Corey Avenue Art and Craft Shows.
- g. Approval for the Pass-A-Grille Community Church to place a temporary sign on their property recognizing their 100th Anniversary.
- h. Special Event Request: Closure of 20th Avenue between the north/south alleys on March 10th, 2012 from 2:00pm until 6:00pm.
- i. Special Event Request: Closure of 30th Avenue between Sunset Way and the street end on March 4th, 2012 from 2:00pm until 4:30pm.

Commissioner Halpern moved to approve all Consent Agenda Items (a) through (i). The motion was seconded by Commissioner Parent.

Commissioner Shavlan mentioned that the parking lot for the Lemon Tree and other businesses on the corner of Gulf Boulevard and Corey Avenue is usually blocked off during the Corey Art shows.

The motion was approved by unanimous roll call vote.

5. Action Items

- a. Authorization to release shade meeting transcripts from the mediation in the Kadoura/Pyle cases.

City Attorney Davis explained the release request and recommended that the Commission approve the action item.

Commissioner Parent moved to approve Action Item 5(a), to release the shade meeting transcripts in the Kadoura/Pyle cases. The motion was seconded by Commissioner Halpern and unanimously approved by roll call vote.

- b. Appointment to the Firefighters' Pension Board of Trustees
- c. Appointment to the General Employees' Pension Board of Trustees
- d. Appointment to the Police Officers' Pension Board of Trustees

Vice Mayor Garnett moved to approve the appointment of Bruno Falkenstein to the Firefighters' Pension Board of Trustees, the appointment of Mike Cohen to the General Employees' Pension Board of Trustees and the appointment of Jerry Gorup to the Police Officers' Pension Board of Trustees. The motion was seconded by Commissioner Parent and unanimously approved by roll call vote.

6. Ordinances

- a. Ordinance 2012-04, Final Reading and Public Hearing, providing for an amendment of the Appendix A Fee Schedule of the Code of Ordinances as set forth in Attachment A pertaining to hourly coin operated parking meter rates.

City Manager Bonfield explained that this ordinance brings all City meters to a cost of \$1.50 per hour.

Vice Mayor Garnett moved to approve Item 6(a), Ordinance 2012-04, Final Reading and Public Hearing, an ordinance of the City of St Pete Beach, Florida providing for an amendment of the Appendix A Fee Schedule as referenced in Section 82-205 of the code of ordinances, as set forth in Attachment A to this ordinance pertaining to the hourly coin operated parking meter rates; providing for severability; providing for the repeal of ordinances or parts of ordinances in conflict herewith to the extent of such conflict; and providing for an effective date. The motion was seconded by Commissioner Shavlan.

Mayor McFarlin called for audience comments.

Fran Travinson, 1215 Boca Ciega Avenue, asked if the coin machines only accepted quarters and asked if any free parking is available.

The motion was approved by a unanimous roll call vote.

7. Resolutions

There were no resolutions.

8. Items for Discussion

There were no items for discussion.

9. City Manager, City Attorney and City Commission Reports

City Manager Bonfield noted the Runoff Election is Tuesday, March 13th for District #1 and the Commission meeting for that night is cancelled. The Recreation Center's popular senior excursions are underway and interested parties should sign up in advance. Weekend pool hours begin this weekend, Saturday, 10:00 a.m. to 3:00 p.m. and Sunday, 12:00 p.m. to 3:00 p.m. There will be a yard sale at the Community Center on March 10th, 8:00 a.m. to noon. A ribbon cutting ceremony is scheduled for the new mosaic mural at the Don Vista building on March 10th at 6:00 p.m. Mr. Bonfield reported that completed projects include the Lido Park exercise equipment, reclaimed water panels and manhole rehabilitation work in Belle Vista. Paving has been completed with the exception of Boca Ciega Drive. He noted that other current projects include the stormwater outfall, seawall repair and several lift stations. Piling work has begun on the Bayway Bridge and there is a public forum with FDOT concerning the bridge work each Thursday morning at 9:00 a.m. in the Isla del Sol shopping center. The couplet meeting is scheduled for March 22nd at the Community Center at 6:00 p.m. The next Commission meeting on March 27th will include the installation of the District #1 Commissioner, a few consent items, several inter-local agreements and possibly the annual audit presentation. The award of contract for the stormwater master plan and plans for the 20th Avenue street restoration will also be included on the agenda.

City Attorney Davis gave a brief update on the Anderson case.

Vice Mayor Garnett mentioned the mosaic ribbon cutting ceremony on March 10th and closure of 9th and 10th Avenues on March 3rd. Ms. Garnett thanked Susan Churuti and the City Staff for their work on the Anderson case.

Commissioner Shavlan reported that resident Neil Callahan has offered to show residents how to use the new equipment at Lido Park on Thursday, March 1st at 5:00 p.m. and Saturday, March 10th at 10:00 a.m. Mr. Shavlan suggested that the City may want to compile a list of resident email addresses that can be used for public notifications. Commissioner Parent mentioned that Pinellas County has a similar email notification system in place that residents can sign up for.

Commissioner Parent reported that he will be at the Big C Meeting on February 29th at 9:00 a.m. and that his next roundtable will be held at the library on that evening beginning at 6:30 p.m. Mr. Parent stated that he was impressed with the manner in which City Manager Bonfield and City Staff handled the Anderson case. The March 'Music in the Afternoon' has outgrown the Boca Ciega Room and has been moved to

the Recreation Center gymnasium. Commissioner Parent recommended that the City post scheduled firework displays on the website. Mr. Parent mentioned that he and his wife are celebrating their 43rd wedding anniversary on March 1st.

Commissioner Halpern noted that he has a District #1 email database and mentioned that because the March 'Music in the Afternoon' has been moved to a larger facility, there are still reservations available. The March 10th yard sale at the Community Center still has tables available for rent. The food truck event on Corey Avenue on Friday night was a huge success. The Corey Avenue spring sidewalk sale is March 7th – 10th and St. John's Church will sponsor a fish fry each Friday during Lent beginning at 4:30 p.m. to 6:45 p.m.

Mayor McFarlin stressed that the couplet meeting on March 22nd is a very important event and encouraged the community to participate. He welcomed a new business to Gulf Boulevard, Smoking J's BBQ, which is opening on Thursday, March 1st.

10. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 6:48 p.m.

Rebecca C. Haynes, City Clerk

Steve McFarlin, Mayor

Minutes approved on: _____

St. Pete Beach City Commission
Agenda Report

Issue Considered: Authorize the City Manager to enter into a purchasing agreement with Hinterland Group, Inc., for \$116,112, for the rehabilitation of Lift Station #10.

Date: 03/27/2012

Prepared By: Renee Cooper, CIP Construction Manager

Through: Steven J. Hallock, Public Services Director

Summary of Issue: Bids were received on March 9th for the Rehabilitation of Wastewater Lift Station #10. Five bids were received. Bid Results are as follows:

- Hinterland Group: \$116,112
- Kloote Contracting: \$138,500
- TLC Diversified, Inc.: \$147,390
- Rowland: \$151,725
- QRC: \$171,100

The lift station rehabilitation includes all new electronic controls, electric service, pumps, piping, valves, valve vault, lids, and wet well lining. Also included in the project is the rehabilitation of two adjacent manholes. An allowable contingency of \$10,000 will also need to be included as a part of this project.

Requested Motion: "I move to authorize the City Manager to enter into a purchasing agreement with Hinterland Group, Inc., for \$116,112, for the rehabilitation of Lift Station #10."

Attachments: Purchasing Agreement

Reviewed by
City Manager: MB

CITY OF ST. PETE BEACH, FLORIDA
PURCHASING AGREEMENT
Rehabilitation of Wastewater Lift Station #10

THIS AGREEMENT is hereby executed this 27 day of March, 2012, between the CITY OF ST. PETE BEACH, FLORIDA (hereinafter "CITY") and Hinterland Group, Inc. (hereinafter "VENDOR"), as follows:

WHEREAS, City is desirous of purchasing from Vendor the goods or services described in this agreement; and

WHEREAS, Vendor is in the business of providing the goods or services described herein, and has submitted an appropriate proposal to the City to provide the same; and

WHEREAS, this agreement has been properly approved by the appropriate authority of the City and the Vendor.

NOW, THEREFORE, upon the mutual covenants contained herein, and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties hereto hereby agree to the following:

1. City hereby agrees to purchase, and Vendor hereby agrees to sell or provide, the goods or services described in the proposal attached hereto and incorporated herein.

2. Vendor shall deliver the goods, or provide the services, described herein as substantially complete no later than July 27th, 2012.

3. Time is of the essence in the performance of this contract. City shall be entitled to liquidated damages in the amount of \$500 per day, for each day subsequent to the date set forth in paragraph 2 hereof that Vendor has failed to properly and completely deliver all of the goods or provide all of the services herein specified. Vendor specifically acknowledges that the foregoing sum is reasonable and does not constitute a penalty.

4. Upon Vendor's satisfactory delivery of the goods, or full performance of the services, or in accordance with the payment schedule provided in the attached proposal, City shall pay Vendor the sum of \$116,112.00, as full consideration for the goods or services provided hereunder.

5. Vendor fully warrants the title to any goods provided hereunder, and agrees to defend the same against all claims whatsoever. At the time of delivery, Vendor shall furnish to the City a bill of sale absolute, with full warranties, or other evidence of title transfer satisfactory to the City, for the goods specified herein.

6. Vendor expressly warrants that all goods delivered hereunder are of merchantable quality and fit for the purpose for which the City has purchased the same. Vendor further warrants that any defects in the goods shall be properly repaired by Vendor for a period of 18 months from final delivery, including all parts and labor associated with said repairs.

7. City reserves the right to reject any defective goods, notwithstanding City's payment of the purchase price provided herein.

8. Vendor fully warrants that all services provided hereunder have been provided in a good and workmanlike manner. Vendor guarantees said services for a period of 18 months from the date of final performance. Vendor shall provide all labor and materials necessary to repair any defective workmanship reported to Vendor within said guarantee period.

9. To the extent that this agreement requires Vendor to provide any services of any kind, Vendor and all of Vendor's subcontractors shall maintain public liability insurance in a single combined limit for bodily injury and property damage in the amount of not less than \$1,000,000.00, satisfactory to the City Manager of City, naming the City as additional insured and providing coverage up through and including the final performance of any services provided hereunder. Vendor and all of Vendor's subcontractors shall maintain in full force and effect a policy of worker's compensation insurance for all of Vendor's employees in accordance with applicable state and federal law. Said insurance coverage shall include employer's liability with a single limit of \$100,000.00 per accident or occurrence. Vendor shall present City with a certificate for all of the foregoing insurance, at the time of executing this agreement and at such other times requested by the City.

10. In consideration of the payment of ten dollars as part of the above purchase price, Vendor shall indemnify, defend and hold the City harmless for itself, its employees, agents and assigns, from and against any and all losses, claims, damages, suits, actions, or demands, including attorneys fees and costs of litigation through all appellate proceedings, arising from the performance or non-performance of this agreement, whether caused in part by the City or not.

11. This Agreement shall be binding upon the parties, their successors, assigns, and legal representatives. Vendor shall not assign or otherwise transfer any of the rights or duties under this Agreement, without the express written consent of the City.

12. This document embodies the entire agreement of the parties. There are no promises, terms, conditions, or representations binding on either party hereto, other than those contained herein; and this document shall supersede all previous communications, representations, and/or agreements between the parties hereto, whether written or oral. This Agreement may be modified only in writing executed by all parties. This agreement shall be construed according to the laws of Florida, and venue for any action arising herefrom shall be in Pinellas County, Florida.

13. The prevailing party in any action to enforce or interpret this agreement shall be entitled to reasonable attorneys fees incurred through all appellate proceedings.

14. Vendor hereby acknowledges that the person executing this agreement on behalf of Vendor has the full authority to do so and to bind Vendor to the terms hereof.

15. Any notices provided hereunder shall be sent to the parties at the following addresses and shall be considered properly delivered when placed in the U.S. mail, postage prepaid, certified return receipt requested:

As to Vendor:

Hinterland Group, Inc.
5642 Corporate Way
West Palm Beach, FL 33407

As to City:

City Manager
City of St. Pete Beach, Florida
155 Corey Avenue
St. Pete Beach, Florida 33706

16. To the extent that any terms in the attached proposal conflict with the terms of this agreement, the terms of this agreement shall control and supersede such conflicting terms in the attached proposal, to the extent of such conflict.

17. The following sections, paragraphs or provisions of the attached proposal are hereby deleted from this agreement and shall be of no force or effect:

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the day and year first above written.

Hinterland Group, Inc.
Vendor

BY



Daniel Duke, III, President
NAME, TITLE (typed or printed)

CITY OF ST. PETE BEACH, FLORIDA

BY

CITY MANAGER

APPROVED AS TO FORM:

ATTEST:

CITY ATTORNEY

CITY CLERK

10/1/2004

St. Pete Beach City Commission
Agenda Report

Issue Considered: Authorize the City Manager to rescind the surplus of a Ford Ranger (vehicle #180).

Date: 3/27/2012

Prepared By: Steven J. Hallock, Public Services Director

Summary of Issue: Last year Public Services planned to surplus two (2) vehicles and replace it with one new Ford F-350 utility truck with crane. The two (2) vehicles were surplus and the one (1) new truck purchased.

Later we surplused another vehicle bringing the total number of surplused vehicles to three (3). This proved to be one (1) too many in order for us to operate so we need to rescind the surplus approval on vehicle #180.

Requested Motion: "I move to authorize the City Manager to rescind the surplus of a Ford Ranger (vehicle #180)."

Reviewed by
City Manager: MB

St. Pete Beach City Commission
Agenda Report

Issue Considered: Ratification of the City Manager's decision to expend \$33,451.44 to Rowland Inc. for emergency repairs to wastewater force main #2.

Date: 3/27/2012

Prepared by: Steven J. Hallock, Public Services Director

Summary of Issue: We had a wastewater force main pipe failure near lift station #2 on 2/11/2012. City and contractor staff worked all weekend to make the temporary repair and monitor the station to prevent backups. We came back on 2/15/2012 and made the permanent repair. Per the City's Purchasing Manual all expenditures over \$10,000 must be authorized by City Commission even if it is an emergency repair already completed.

This is the second break within the last few months. As a result staff is looking into moving the force main #2 project up to this year to prevent any more costly emergency repairs. This proposal will come back to City Commission at a later date.

Requested Motion: "I move to ratify the City Manager's decision to expend \$33,451.44 to Rowland Inc. for emergency repairs to wastewater force main #2."

Attachments: Rowland Inc. Invoice

Reviewed by
City Manager: MB

ROWLAND INC.

6855 102ND AVENUE NORTH
PINELLAS PARK, FL 33782
727/545-3815 Fax 727/546-8464

*ok to pay
2/22/12*

INVOICE

INVOICE NO : 000936
DATE: February 22, 2012

To: MR. MIKE MAXEMOW
OPERATIONS MANAGER
CITY OF ST. PETE BEACH
155 COREY AVENUE
ST. PETERSBURG BEACH, FL 33706

Reference: 10", 12" & 14" FORCE MAIN REPAIR
GULF BLVD AND 55TH AVENUE

ROWLAND PROJECT 12-00

SALESPERSON	P.O. NUMBER	DATE COMPLETED	SHIPPED VIA	F.O.B. POINT	TERMS
KEN ROWLAND		02/17/12			30 DAYS NET

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
1 LS	EMERGENCY REPAIR – SEE BACKUP Prices based on our current contract with the City of St. Petersburg for Project number 913-78, Unscheduled Repairs FY 2011		\$33,451.44
TOTAL			\$33,451.44

Make all checks payable to: **ROWLAND INC.**

THANK YOU FOR YOUR BUSINESS!

Rowland, Incorporated

City of St. Pete Beach

10", 12" & 14" Force Main Repair - Gulf Blvd. & 55th Ave.

Item	Description	Quant.	u/m	Unit cost	Total
G	General				
G-1.2	Mobilization - Immediate Response	1.00	EA	1,000.00	1,000.00
G-5.1	Stone Bedding	8.00	CY	50.00	400.00
G-20.1	Site Super Hourly	13.00	Hour	83.00	1,079.00
G-20.2	Foreman Hourly	31.50	Hour	63.00	1,984.50
G-20.3	Operator Hourly	54.50	Hour	47.00	2,561.50
G-20.4	Truck Driver Hourly	2.00	Hour	35.00	70.00
G-20.5	Pipe Layer Hourly	43.50	Hour	37.00	1,609.50
G-20.6	Laborer Hourly	62.00	Hour	33.00	2,046.00
G-20.11	Site Super Overtime Hourly	13.00	Hour	93.00	1,209.00
G-20.12	Foreman Overtime Hourly	16.50	Hour	73.00	1,204.50
G-20.13	Operator Overtime Hourly	29.00	Hour	57.00	1,653.00
G-20.14	Truck Driver Overtime Hourly	7.50	Hour	45.00	337.50
G-20.15	Pipe Layer Overtime Hourly	29.00	Hour	47.00	1,363.00
G-20.16	Laborer Overtime Hourly	27.00	Hour	43.00	1,161.00
G-30.1	Foreman Truck w/ Tools	74.00	Hour	25.00	1,850.00
G-30.2	Job Truck w/Tools	76.00	Hour	30.00	2,280.00
G-30.3	Tractor & Trailer Heavy Transport	9.50	Hour	25.00	237.50
G-30.5	Track Hoe (up to 100 H.P.)	39.50	Hour	85.00	3,357.50
G-30.9	Wheel Loader (Up to 150 H.P.)	41.50	Hour	60.00	2,490.00
G-30.14	Plate Tamp	1.00	Hour	5.00	5.00
G-30.15	3" Trash Pump	13.00	Hour	5.00	65.00
G-30.17	Air Compressor (125 C.F.M. Minimum)	12.00	Hour	12.00	144.00
C	Surface Restoration				
C-8.1	Sodding	44.00	SY	5.00	220.00
					28,327.50
M-13	Miscellaneous Items				4,658.13
	10% allowable markup on miscellaneous items				465.81
				TOTAL = \$	33,451.44

St. Pete Beach City Commission
Agenda Report

Issue Considered: Ratification of the City Manager's decision to expend \$22,650 to Seminole Septic Inc. for emergency repairs to wastewater force main #2.

Date: 3/27/2012

Prepared by: Steven J. Hallock, Public Services Director

Summary of Issue: We had a wastewater force main pipe failure near lift station #2 on 2/11/2012. City and contractor staff worked all weekend to make the temporary repair and monitor the station to prevent backups. We came back on 2/15/2012 and made the permanent repair. Per the City's Purchasing Manual all expenditures over \$10,000 must be authorized by City Commission even if it is an emergency repair already completed.

This is the second break within the last few months. As a result staff is looking into moving the force main #2 project up to this year to prevent any more costly emergency repairs. This proposal will come back to City Commission at a later date.

Requested Motion: "I move to ratify the City Manager's decision to expend \$22,650 to Seminole Septic Inc. for emergency repairs to wastewater force main #2."

Attachments: Seminole Septic Inc. Invoice

Reviewed by
City Manager: MB

Seminole Septic, Inc.
8530 Starkey Rd.
Seminole, FL 33777-2835

Invoice

Date	Invoice #
2/16/2012	30412

Office (727)-392-1352 Fax (727)-393-0413

Grease Traps, Lift Stations, Jet Cleaning, Televising, Vactor Combination Truck & More ...

Bill To:
City of St. Pete Beach 155 Corey Ave. St. Pete Beach, FL 33706

0556 A

P.O. No.	Terms
	Net 30

Description	Qty	Rate	Amount
Emergency pumping of Lift Station at 55th Ave. and Gulf Blvd due to force main failure. Sat. 2/11 - 2/12/12 and 2/15 - 2/16/12		22,650.00	22,650.00
RECEIVED FEB 22 2012 PUBLIC SERVICES FEB 23 2012 All work is complete! <i>Per Mike Maximo</i>			
Interest of 1 1/2% per month on past due invoices. Customer agrees to pay all collection costs, including legal fees on past due balances.		Total	\$22,650.00
All sales are final.		Payments/Credits	\$0.00
		Balance Due	\$22,650.00

Please Process P.O. for Payment

**St. Pete Beach City Commission
Agenda Report**

Issued Considered: Authorization for the Mayor and City Manager to enter into an Interlocal Agreement providing joint control of pollutants within Pinellas County.

Date: 3/27/2012

Prepared By: Steven J. Hallock, Public Services Director

Summary of Issue: The cities, FDOT, and county, as parties to this agreement, recognize that unless otherwise established through a separate agreement, each party is responsible for controlling pollutants in discharges from public or privately owned lands within its territorial jurisdiction to separate stormwater systems owned and/or maintained by that party, or to a system owned and/or maintained by another party to this agreement, or to Waters of the State. The cities, FDOT, and county shall be independently and separately responsible for controlling the contribution of pollutants as necessary to meet the requirements of Chapter 62-624, F.A.C, from their respective separate stormwater system to another system, or to Waters of the State.

Requested Motion: "I move to authorize the Mayor and City Manager to enter into an Interlocal Agreement providing joint control of pollutants within Pinellas County."

Attachments: Interlocal Agreement providing joint control of pollutants
Chapter 62-624 Municipal Separate Storm Sewer Systems

**Reviewed By
City Manager:** MB

***PINELLAS COUNTY GOVERNMENT IS COMMITTED TO PROGRESSIVE PUBLIC POLICY,
SUPERIOR PUBLIC SERVICE, COURTEOUS PUBLIC CONTACT, JUDICIOUS EXERCISE
OF AUTHORITY AND SOUND MANAGEMENT OF PUBLIC RESOURCES, TO MEET THE
NEEDS AND CONCERNS OF OUR CITIZENS TODAY AND TOMORROW***



**INTERLOCAL AGREEMENT PROVIDING JOINT CONTROL OF POLLUTANTS WITHIN
PINELLAS COUNTY**

AGREEMENT PREPARED BY
PINELLAS COUNTY DEPARTMENT OF ENVIRONMENT AND INFRASTRUCTURE
WATERSHED MANAGEMENT

NOVEMBER 2011

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**INTERLOCAL AGREEMENT PROVIDING JOINT CONTROL OF POLLUTANTS WITHIN
PINELLAS COUNTY**

SECTION 1, INTENT OF AGREEMENT

THIS AGREEMENT, by and among the Cities of Pinellas County, Florida, including the Town of Belleair, City of Belleair Beach, City of Belleair Bluffs, City of Clearwater, City of Dunedin, Town of Kenneth City, City of Gulfport, City of Indian Rocks Beach, City of Largo, City of Madeira Beach, Town of North Redington Beach, City of Oldsmar, City of Pinellas Park, Town of Redington Beach, Town of Redington Shores, City of St. Petersburg, City of St. Pete Beach, City of Safety Harbor, City of Seminole, City of South Pasadena, City of Tarpon Springs, City of Treasure Island, all of which are municipal corporations of the State of Florida, hereinafter collectively referred to as CITIES, the Florida Department of Transportation, an agency of the State of Florida, hereinafter referred to as FDOT, and Pinellas County, a political subdivision of the State of Florida, hereinafter referred to as the COUNTY, is entered into this ____ day of _____ 201__.

WITNESSETH, That:

WHEREAS, pursuant to the Clean Water Act (CWA), and the regulations promulgated thereunder, the United States Environmental Protection Agency (EPA) has developed regulations under the National Pollutant Discharge Elimination System (NPDES) permit program published as 40 C.F.R. § 122.26; and

WHEREAS, 40 C.F.R. § 122.26 requires that, based on the 1990 census, the COUNTY and the City of St Petersburg each require a NPDES permit; and

WHEREAS, the EPA, Region IV notified FDOT and the remaining CITIES, except the Town of Indian Shores, by letter dated December 16, 1993 that FDOT and the remaining CITIES except the Town of Indian Shores, are designated as part of the COUNTY municipal separate storm sewer system (MS4) for the purposes of NPDES permitting; and

WHEREAS, NPDES permits in Florida were delegated from the Environmental Protection agency's jurisdiction to the Florida Department of Environmental Protection (FDEP) in October 2000 as set forth in Section 403.0885, F.S.; and

WHEREAS, the Town of Indian Shores obtained a phase II NPDES permit in 2008; and

WHEREAS, stormwater discharges from medium and large MS4's are regulated under Chapter 62-624, F.A.C.;

WHEREAS, the CITIES, FDOT, and COUNTY desire to protect and promote the public health, safety and general welfare through the management of stormwater runoff; and

WHEREAS, the CITIES, FDOT, and COUNTY desire to maintain and assist in the improvement of water quality and to preserve and enhance the environmental quality of receiving waters; and

WHEREAS, the CITIES, FDOT, and COUNTY are accountable for their respective separate storm sewer systems which outfall from one system to another or to Waters of the State; and

WHEREAS, the individual CITIES, FDOT, and the COUNTY have approved the concept of intergovernmental cooperation to effectively manage and control discharge into separate storm sewer systems;

NOW THEREFORE, in consideration of the mutual covenants hereafter set forth, the parties hereto mutually agree as follows:

SECTION 2, PURPOSE

The purpose of this Agreement is to set forth the relationship of the CITIES, FDOT and COUNTY with respect to their general responsibilities to control the contribution of pollutants from one identified system to another or to Waters of the State.

SECTION 3, GENERAL RESPONSIBILITIES

The CITIES, FDOT, and COUNTY, as parties to this agreement, recognize that unless otherwise established through a separate agreement, each party is responsible for controlling pollutants in discharges from public or privately owned lands within its territorial jurisdiction to separate storm sewer systems owned and/or maintained by that party, or to a system owned and/or maintained by another party to this agreement, or to Waters of the State. The CITIES, FDOT, and COUNTY shall be independently and separately responsible for controlling the contribution of pollutants as necessary to meet the requirements of Chapter 62-624, F.A.C, from their respective separate storm sewer system to another system, or to Waters of the State.

SECTION 4, COPIES

Upon final execution of this document, one (1) certified copy will be provided to each party.

SECTION 5, PERMIT IMPLEMENTATION

Unless otherwise established in separate agreement, the CITIES, FDOT, and COUNTY shall each be solely responsible for implementation of the NPDES permit conditions within the boundaries of its respective jurisdiction. Each party shall be responsible for ensuring the terms of the permit are acceptable.

SECTION 6, LEGAL AUTHORITY

The CITIES, FDOT and COUNTY agree that each party will consider, if it is determined that such action is lawful and in the best interest of the parties, taking action necessary to adopt, modify or amend any ordinances, resolutions, rules, regulations or policies which in accordance with Chapter 62-624, F.A.C allow the contents of this Agreement to be enforced.

SECTION 7, NOTICES

All written notices to CITIES, FDOT and the COUNTY under this agreement shall be directed to the following addresses:

FDOT:

Ms. Sue Moore
Maintenance / Environmental Coordinator
FDOT District VII
11201 N. McKinley Drive M.S. 1200
Tampa, FL 33612-6456

Belleair Bluffs:

Mr. Robert David
Public Works Director
City of Belleair Bluffs
2747 Sunset Blvd.
Belleair Bluffs, FL 33770

Clearwater:

Ms. Sarah Josuns
Engineering Department
City of Clearwater
P.O. Box 4748
Clearwater, FL 33758-4748

Gulport:

Mr. Don Sopak
Public Works Director
City of Gulfport
2401-53rd St. South
Gulfport, FL 33707

Kenneth City:

Mr. John Dutton
Director of Public Works
Town of Kenneth City
6000 54th Ave. N.
Kenneth City, FL 33709-1800

Belleair:

Mr. Perry Lopez
Public Works Director
City of Belleair
901 Ponce De Leon Blvd.
Belleair, FL 33756-1096

Belleair Beach:

Mr. Allen Godfrey
Community Services Director
City of Belleair Beach
444 Causeway Boulevard,
Belleair Beach, Florida 33786

Dunedin:

Mr. Keith Fogarty
Director of Maintenance
City of Dunedin
750 Milwaukee Avenue
Dunedin, FL 34698

Indian Rocks Beach:

Mr. Dean Scharmen
Public Services Director
City of Indian Rocks Beach
1507 Bay Palm Blvd.
Indian Rocks Beach, FL 33785-2899

Largo:

Mr. Troy Tinch
Stormwater Program Coordinator
City of Largo
P.O. Box 296
Largo, FL 33779-0296

Madeira Beach:

Mr. Bill Mallory
Interim City Manager
City of Madeira Beach
300 Municipal Drive
Madeira Beach, FL 33708-1996

Oldsmar:

Ms. Lisa R. Rhea
Public Works Director
City of Oldsmar
100 State Street West
Oldsmar, FL 34677-3756

Redington Beach:

Mr. Mark Davis
Public Works Director
Town of Redington Beach
105-164th Ave.
Redington Beach, FL 33708-1519

Safety Harbor:

Ms. Debbie Drees
Engineering Department
City of Safety Harbor
750 Main Street
Safety Harbor, FL 34695

Seminole:

Mr. Jeremy Hockenbury
Public Works Director
City of Seminole
9199 113th Street North
Seminole, FL 33772

North Redington Beach:

Ms. Mari Campbell
Town Clerk
Town of N. Redington Beach
190 173rd Avenue
North Redington Beach, FL 33708-1397

Pinellas Park:

Mr. Randal Roberts
Streets & Drainage Division Director
City of Pinellas Park
6051 78th Ave. N.
Pinellas Park, FL 33781

Redington Shores:

Ms. Patti Herr
Deputy Town Clerk
Town of Redington Shores
17425 Gulf Blvd.
Redington Shores, FL 33708-1299

South Pasadena:

Mr. Gary Anderson
Public Works Director
City of South Pasadena
7047 Sunset Dr. S.
South Pasadena, FL 33707-2895

St Petersburg:

Mr. Carlos Frey
Engineering Department
City of St. Petersburg
PO Box 2842
St. Petersburg, Florida 33731

St. Pete Beach:

Mr. Steven Hallock
Public Services Director
City of St. Pete Beach
155 Corey Avenue
St. Pete Beach, FL 33706-1839

Treasure Island:

Mr. James Newton
Water Pollution Control Supervisor
City of Treasure Island
120 108th Ave.
Treasure Island, FL 33706

Tarpon Springs:

Ms. Roni Barrow
NPDES Coordinator

City of Tarpon Springs
323 E. Pine Street
Tarpon Springs, FL 34688

Pinellas County:

Ms. Kelli Hammer Levy
Pinellas County Dept. of Environment and
Infrastructure - Watershed
300 S. Garden Avenue
Clearwater, FL 33756

SECTION 8, AGREEMENT TERM

This Agreement shall remain in effect until January 31st, 2016, unless renewed in writing by mutual agreement of all parties hereto for an additional length of time.

SECTION 9, TERMINATION

This Agreement may be terminated without cause by giving thirty (30) days written notice to each of the other parties hereto.

IN WITNESS WHEREOF, the undersigned have hereunto affixed their hands and seals
as the day and year first above written.

PINELLAS COUNTY, by and through its Board of County Commissioners

By: _____
Susan Latvala, Commission Chair

ATTEST: Ken Burke, Clerk

By: _____

APPROVED AS TO FORM:

By: _____
Office of County Attorney

**INTERLOCAL AGREEMENT PROVIDING JOINT CONTROL OF POLLUTANTS
WITHIN PINELLAS COUNTY**

FLORIDA DEPARTMENT OF TRANSPORTATION

By: _____

Title: _____

Attest: _____

Legal Review:

By: _____ Date: _____

**INTERLOCAL AGREEMENT PROVIDING JOINT CONTROL OF POLLUTANTS
WITHIN PINELLAS COUNTY**

CITY OF ST PETE BEACH

Countersigned:

Mayor

By: _____

City Manager

Approved as to form:

Attest:

Attorney

City Clerk

CHAPTER 62-624 MUNICIPAL SEPARATE STORM SEWER SYSTEMS

62-624.100	Policy and Purpose.
62-624.200	Definitions.
62-624.300	General Provisions.
62-624.310	General Conditions, Individual Permits.
62-624.400	Application Procedures for New Individual MS4 Permits.
62-624.420	Re-application Procedures for Individual MS4 Permits.
62-624.440	Contents of Re-application for Individual MS4 Permits.
62-624.460	Application Processing, Individual Permits.
62-624.500	Standards for Issuing or Denying Individual Permits.
62-624.600	Monitoring and Annual Reports for Individual Permits.
62-624.700	Transfer of Operational Authority. (Repealed)
62-624.800	Regulated Phase II MS4s.
62-624.810	Permit Application Procedures for Phase II MS4s.

62-624.100 Policy and Purpose.

This rule provides the requirements for processing Municipal Separate Storm Sewer Systems (MS4) permits, as authorized under Section 403.0885, Florida Statutes. This rule also provides general requirements and procedures for the issuance, denial, revision, suspension, and revocation of MS4 permits. The requirements of this part are in addition to and not in lieu of the requirements specified in Chapters 62-25, 62-330 and 62-341, F.A.C., or the requirements of Part IV, Chapter 373, Florida Statutes. Regulatory program and surveillance fees for individual MS4 permits are as provided in Rule 62-4.052, F.A.C. Applicants seeking coverage under the Department's Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems (MS4s), as incorporated by paragraph 62-621.300(7)(a), F.A.C., in lieu of an individual MS4 permit, must file an application fee as set out in Rule 62-4.050, F.A.C.

Specific Authority 403.061, 403.087 FS. Law Implemented 403.087, 403.088, 403.0885 FS. History--New 10-22-00, Amended 5-1-03.

62-624.200 Definitions.

(1) Co-permittee means a permittee to a NPDES permit that is only responsible for permit conditions relating to the municipal separate storm sewer that it operates.

(2) Illicit discharge means any discharge to a municipal separate storm sewer that is not composed entirely of stormwater except discharges pursuant to an NPDES permit and the following categories of non-stormwater discharges provided they do not cause a violation of water quality standards:

- (a) Water line flushing,
- (b) Landscape irrigation,
- (c) Diverted stream flows,
- (d) Rising ground waters,
- (e) Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20)),
- (f) Uncontaminated pumped ground water,
- (g) Discharges from potable water sources,
- (h) Foundation drains,
- (i) Air conditioning condensate,
- (j) Irrigation water,
- (k) Springs,
- (l) Water from crawl space pumps,
- (m) Footing drains,
- (n) Lawn watering runoff,
- (o) Water from individual residential car washing,
- (p) Flows from riparian habitats and wetlands,
- (q) Dechlorinated swimming pool discharges,
- (r) Residual street wash water, and
- (s) Discharges or flows from fire fighting activities.

(3) Incorporated place means a city, town, township, or village that is incorporated under the laws of Florida.

(4) Large municipal separate storm sewer system means all municipal separate storm sewers that are either:

(a) Located in an incorporated place or county with a population of 250,000 or more as determined by the 1990 Decennial Census conducted by the federal Bureau of Census; or

(b) Owned or operated by a municipality other than those described in paragraph (4)(a) of this section and that are designated by the Department as part of the large municipal separate storm sewer system due to the interrelationship between the discharges of the designated storm sewer and the discharges from municipal separate storm sewers described under paragraph (4)(a) of this section. In making this determination the Department shall consider the following factors:

1. Physical interconnections between the municipal separate storm sewers;
2. The location of discharges from the designated municipal separate storm sewer relative to discharges from municipal separate storm sewers described in paragraph (4)(a) of this section;
3. The quantity and nature of pollutants discharged to waters of the state; and
4. The nature of the receiving waters.

(5) Major municipal separate storm sewer outfall means a municipal separate storm sewer outfall that discharges from a single pipe with an inside diameter of 36 inches or more or its equivalent (discharge from a single conveyance other than circular pipe which is associated with a drainage area of more than 50 acres); or for municipal separate storm sewers that receive stormwater from lands zoned for industrial activity (based on comprehensive zoning plans or the equivalent), an outfall that discharges from a single pipe with an inside diameter of 12 inches or more or from its equivalent (discharge from other than a circular pipe associated with a drainage area of 2 acres or more).

(6) Major outfall means a major municipal separate storm sewer outfall.

(7) Medium municipal separate storm sewer system means all municipal separate storm sewers that are either:

(a) Located in an incorporated place or county with a population of 100,000 or more but less than 250,000, as determined by the 1990 Decennial Census conducted by the federal Bureau of Census; or

(b) Owned or operated by a municipality other than those described in paragraph (7)(a) of this section and that are designated by the Department as part of the medium municipal separate storm sewer system due to the interrelationship between the discharges of the designated storm sewer and the discharges from municipal separate storm sewers described under paragraph (7)(a) of this section. In making this determination the Department shall consider the following factors:

1. Physical interconnections between the municipal separate storm sewers;
2. The location of discharges from the designated municipal separate storm sewer relative to discharges from municipal separate storm sewers described in paragraph (7)(a) of this section;
3. The quantity and nature of pollutants discharged to waters of the state; and
4. The nature of the receiving waters.

(8) Municipal separate storm sewer or MS4 means a conveyance or system of conveyances like roads with stormwater systems, municipal streets, catch basins, curbs, gutters, ditches, constructed channels, or storm drains:

(a) Owned or operated by a State, city, town, county, special district, association, or other public body (created by or pursuant to State Law) having jurisdiction over management and discharge of stormwater and which discharges to surface waters of the state;

(b) Designed or used for collecting or conveying stormwater;

(c) Which is not a combined sewer; and

(d) Which is not part of a Publicly Owned Treatment Works (POTW). POTW means any device or system used in the treatment of municipal sewage or industrial wastes of a liquid nature which is owned by a "State" or "municipality." This definition includes sewers, pipes, or other conveyances only if they convey wastewater to a POTW providing treatment.

(9) Outfall means a point source at the location where a municipal separate storm sewer discharges to water of the state and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other waters of the state and are used to convey waters of the state. Point source is defined as any discernible, confined, and discrete conveyance, such as any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, or landfill leachate collection system from which pollutants are or may be discharged.

(10) Phase I MS4 means a municipal separate storm sewer system identified under Section 402(p)(2) of the Clean Water Act and subject to regulation under Section 402(p)(3)(B) of the Clean Water Act as implemented as part of the Department's federally approved National Pollutant Discharge Elimination System (NPDES) stormwater program pursuant to Section 403.0885, F.S., and this chapter.

(11) Phase II MS4 means a municipal separate storm sewer system subject to regulation under Section 402(p)(6) of the Clean Water Act, as implemented as part of the Department's federally approved National Pollutant Discharge Elimination System (NPDES) stormwater program pursuant to Section 403.0885, F.S., this chapter, and paragraph 62-621.300(7)(a), F.A.C., which incorporates by reference the Department's Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems, and includes MS4 facilities owned or operated by the United States and MS4 facilities operated by the Florida Department of Transportation (FDOT) that are not covered by an existing Phase I MS4 permit.

(12) Stormwater means stormwater runoff, surface runoff and drainage.

(13) Regulated Phase II MS4 means all separate storm sewers that serve a minimum resident population of at least 1,000 individuals and are:

(a) Not defined as "large" or "medium" municipal separate storm sewer systems pursuant to subsections 62-624.200(4) and 62-624.200(7), F.A.C., of this chapter, or otherwise designated as a large or medium MS4; and

(b) Meet applicable criteria, or are otherwise designated by the Department, pursuant to Rule 62-624.800, F.A.C., and those Phase II MS4s in Florida identified by the U.S. Environmental Protection Agency (EPA) as located wholly or partially within an urbanized area and as published December 8, 1999 in the Federal Register, Volume 64, Number 235, at pages 68813 and 68814.

(c) The term does not include separate storm sewers in very discrete areas, such as individual buildings and does not include systems within tribal lands over which jurisdiction has been retained by the U. S. Environmental Protection Agency (EPA).

Specific Authority 403.061, 403.087 FS. Law Implemented 403.087, 403.088, 403.0885 FS. History--New 10-22-00, Amended 5-1-03.

62-624.300 General Provisions.

(1) Any operator of a Phase I or regulated Phase II MS4 must be covered by a permit under this chapter. Operators of MS4s such as municipalities, Chapter 298, F.S., special districts, drainage districts, or Districts of the Florida Department of Transportation, that were named as permittees or co-permittees as a result of previous designation by the Regional Administrator of the United States Environmental Protection Agency must be covered by a permit under this chapter. Any operator of a Phase I MS4, or designated permittee or co-permittee, having been issued an MS4 permit by EPA, must file for re-application with the Department in accordance with the procedures under this chapter.

(2) Individual MS4 permits issued under this chapter are subject to the procedural requirements of Rules 62-620.302 (Confidentiality), 62-620.305 (Signatory Requirements), and 62-620.350 (Recordkeeping), F.A.C.

(3) For purposes of enforcement, compliance with an MS4 permit constitutes compliance with the applicable provisions of Chapter 403, F.S. For purposes of enforcement, compliance with a permit issued under this chapter pursuant to the authority of Section 403.0885, F.S., constitutes compliance with Sections 301, 302, 306, 307, 318, 402 and 403 of the Clean Water Act.

(4) A permit may be revoked, suspended, or terminated in accordance with Rule 62-620.345, F.A.C. A permit may be revised in accordance with Rule 62-620.325, F.A.C. A permit may be renewed in accordance with Rule 62-624.420, F.A.C., of this chapter.

(5) No Department issued MS4 permit shall be issued for a term of more than 5 years.

(6) An annual fee is required for individual MS4 permits as provided in Rule 62-4.052, F.A.C. An application fee must be filed by applicants utilizing the Department's generic permit (see paragraph 62-621.300(7)(a), F.A.C.) as provided in Rule 62-4.050, F.A.C.

(7) To the extent that this chapter imposes duties for the construction, operation, maintenance, or monitoring of a stormwater management system, for reporting system operations, or for securing permits from the Department, responsibility lies with the permittee and the owner of the stormwater management system. Nevertheless, Section 403.141, F.S., creates joint and several liability for those responsible for violations.

Specific Authority 403.061, 403.087 FS. Law Implemented 403.087, 403.088, 403.0885 FS. History--New 10-22-00, Amended 5-1-03.

62-624.310 General Conditions, Individual Permits.

All individual MS4 permits shall be subject to the general conditions set forth in Rule 62-620.610, F.A.C., except for conditions in subsections (7), (12), (16), (17), (22), and (23).

Specific Authority 403.061, 403.087 FS. Law Implemented 403.087, 403.088, 403.0885 FS. History--New 10-22-00, Amended 5-1-03.

62-624.400 Application Procedures for New Individual MS4 Permits.

Applicants for new individual MS4 permits shall follow the procedures as described in 40 CFR 122.26.

Specific Authority 403.061, 403.087, 403.0877 FS. Law Implemented 403.061, 403.087, 403.0877, 403.088, 403.0885 FS. History--New 10-22-00, Amended 5-1-03.

62-624.420 Re-application Procedures for Individual MS4 Permits.

(1) MS4 permits shall be effective for a fixed term not to exceed five years. If the permittee wishes to continue an activity regulated by an MS4 permit after the expiration date of the permit, the permittee must apply for and obtain a new permit. Permittees are encouraged to consult with the Department before the re-application process begins so that a mutually acceptable municipal stormwater program is developed prior to re-application.

(2) An MS4 permittee may re-apply for permit coverage concurrently with a timely filing of the fourth year annual report. A fourth year annual report used as the principle component for re-application must clearly state that the report is being used for re-application purposes, and must clearly describe proposed revisions to the permittee's activities required under the existing permit.

(3) As an alternative, permittees may re-apply for a MS4 permit by submitting an application 180 days prior to the expiration of the permit. The application shall include a proposed stormwater management program and monitoring program in accordance with this section and Rule 62-624.440, F.A.C.

(4) A re-application filed in accordance with subsections (2) and (3) of this section shall be considered timely and sufficient. When an application for renewal of a permit is timely and sufficient, the existing permit shall not expire until the Department has taken final action on the application for renewal or until the last day for seeking judicial review of the agency order or a later date fixed by order of the reviewing court.

(5) Late re-application shall be considered timely and sufficient for the purpose of extending the effectiveness of the expiring permit only if it is submitted and made complete before the expiration date.

Specific Authority 403.061, 403.087 FS. Law Implemented 403.087, 403.088, 403.0885 FS. History—New 10-22-00, Amended 5-1-03.

62-624.440 Contents of Re-application for Individual MS4 Permits.

(1) The Department is committed to allowing flexible re-application requirements that are specific to the needs of the individual MS4 program. However, certain fundamental information is required for all re-applications as follows:

(a) Name and mailing address of the permittee that operates the MS4, and if applicable, the names and addresses of the co-permittees that operate an MS4;

(b) Names and titles of the primary administrative and technical contacts for the municipal permittee and all co-permittee(s);

(c) Identification number of the existing MS4 permit;

(d) A listing of changes in co-applicants since issuance of initial MS4 permit;

(e) Identification of any previously unidentified water bodies that receive discharges from the MS4;

(f) A summary of any known water quality impacts on the newly identified receiving waters from the MS4 discharge; and

(g) A summary of known or estimated reductions in stormwater pollutant loads discharged from the MS4 resulting from implementation of the stormwater management plan during the term of the most recent permit.

(2) Stormwater Management Program. The stormwater management program (SWMP) is a fundamental element of the MS4 program. Required components of the SWMP are listed in 40 CFR 122.26(d)(2)(iv). Components of the previously permitted SWMP that are found to be effective shall be continued and made an ongoing part of the proposed SWMP. Components to be evaluated for effectiveness for continued emphasis shall include:

(a) Public education programs, particularly programs that provide training on the proper design, construction, operation, maintenance, and inspection of stormwater management systems. Another educational focus shall be pollution prevention such as proper disposal of waste oil, household hazardous waste, and pesticide application;

(b) Increasing the effectiveness or maintaining effective programs to reduce erosion and sedimentation from construction activities;

(c) Increasing the effectiveness or maintaining effective programs to reduce pollution and other adverse ecological effects from stormwater discharges associated with new development or re-development activities;

(d) Retrofitting the existing MS4 to reduce pollutants as set forth in a local SWMP;

(e) Increasing the effectiveness or maintaining effective inspections of stormwater management and treatment systems to assure they are properly operated and maintained;

(f) Coordination and participation with adjacent MS4s, the Department, Water Management Districts, or other groups in monitoring the effects of stormwater discharges or the effectiveness of stormwater management programs;

(g) Coordinating and participating with the Department, Water Management Districts, or other groups that are developing a watershed approach to reduce the adverse effects of stormwater discharges;

(h) Detecting and eliminating non-stormwater discharges to the MS4; and

(i) Inspecting priority high-risk industrial stormwater dischargers to the MS4 to assure that they have implemented pollution prevention plans that minimize the discharge of pollutants to the MS4.

(3) The accumulated annual report information as outlined in Rule 62-624.600, F.A.C., shall be evaluated by the applicant, and to the extent practical, be summarized and incorporated into the re-application package.

(4) Re-application is an appropriate time for MS4s to evaluate their monitoring program and propose changes to make the program more appropriate and useful.

Specific Authority 403.061, 403.087 FS. Law Implemented 403.087, 403.088, 403.0885 FS. History—New 10-22-00, Amended 5-1-03.

62-624.460 Application Processing, Individual Permits.

Permit applications or re-applications, for individual permits, shall be processed in accordance with the following:

(1) Within 90 days after receipt of an application for permit, the Department shall notify the applicant if the application is not complete and shall request submittal of the additional information needed to review the application.

(2) Within 90 days after receipt of such additional information, the Department shall review it and may request only that information needed to clarify such additional information or to answer new questions raised by, or directly related to, such additional information.

(3) If the Department decides that a site visit is necessary in conjunction with processing the application, the applicant shall be notified and a visit scheduled.

(4) If the applicant fails to provide information requested or to correct deficiencies noted in the application, which were either requested or notified in accordance with subsection (1) of this section, and the information or correction is necessary to meet the requirements of this chapter, the permit shall be denied. Discharge from a MS4 without a valid permit is cause for appropriate enforcement action.

(5) When an application is complete, the Department shall determine whether to prepare a draft permit for issuance or denial of a permit. The initial preparation of a draft permit for issuance does not preclude the Department from denying a permit or modifying the draft permit after an opportunity for public comment or public meeting, if requested.

(6) The Department shall render a decision as to whether the draft permit will be for issuance or denial within 90 days after the Department has received all of the information necessary to make the application complete. If this time schedule is not met, the permit applicant may apply for an order from the circuit court requiring the Department to render a decision within a specified time.

(7) If the Department intends to deny the permit application, it shall issue a notice of intent to deny. Public notice under subsection 62-620.550(2), F.A.C., shall not be required. However, the Department shall prepare a statement of basis or fact sheet with the reasons for the proposed action. If the decision to deny is changed, except through an administrative hearing under Section 120.57, F.S., the Department shall withdraw the notice of intent to deny and shall proceed to prepare a draft permit. If the applicant requests an administrative hearing under Section 120.57, F.S., on the Department's intent to deny, the applicant shall publish notice of proposed agency action under subsections 62-620.550(1) and 62-110.106(7), F.A.C. Upon completion of the administrative hearing, the Department shall issue or deny the permit in accordance with the conclusions of the proceedings, provided the applicant has published notice as required in subsections 62-620.550(1) and 62-110.106(7), F.A.C. If the hearing results in a recommendation for approval of the permit, and if the applicant has not published notice as required in these rules, the Department shall proceed to prepare a draft permit.

(8) The Department shall notify the applicant that the application is complete after receipt of all required information. The date on which the Department notifies the applicant that the application is complete is the effective date of the application.

(9) If the Department intends to prepare a draft permit for issuance, it shall prepare and mail to the applicant, not later than the effective date of the application, a project decision schedule. The schedule shall specify, at a minimum, target dates for the following:

- (a) Preparation of a draft permit;
- (b) Public notice, if required, under subsections 62-620.550(2) through (4), F.A.C.;
- (c) Completion of the public comment period, including any public meeting, if held;
- (d) Issuance of a final permit or submittal of a proposed permit to EPA;
- (e) Public notice, if required, under subsection 62-110.106(7), F.A.C.; and
- (f) Completion of any formal proceedings which may be associated with the application.

(10) A draft permit for issuance shall contain the following information:

- (a) All conditions the applicant must meet;
- (b) All applicable compliance schedules; and
- (c) All monitoring requirements.

(11) For all draft permits, the Department shall prepare a statement of basis or a fact sheet on which the Department relied in making its decision. The statement of basis or fact sheet shall be prepared in accordance with the Department of Environmental Protection Guide to Permitting Wastewater Facilities or Activities under Chapter 62-620, F.A.C.

(12) Comments from the public under subsections 62-620.550(2) through (4), F.A.C., shall be considered in evaluation of the draft permit. If a permit is issued, the Department shall prepare a response to the significant comments in accordance with Rule 62-620.555, F.A.C.

(13) The administrative record of the draft permit shall be available for public inspection at the Department office issuing the permit and shall consist of:

- (a) The application and any supporting data provided by the applicant;
- (b) The draft permit;
- (c) The statement of basis or fact sheet;
- (d) All documents cited in the statement of basis or fact sheet; and
- (e) Other documents contained in the supporting file.

(14) Material readily available at the Department office issuing the permit or published material that is generally available and included in the administrative record need not be physically included with the rest of the record as long as it is specifically referenced in the statement of basis or the fact sheet.

(15) The Department shall prepare a proposed permit after the close of the public comment period under subsections 62-620.550(2) through (4), F.A.C., or, if requested, after any public meeting under Rule 62-620.555, F.A.C.;

(16) Except as waived by EPA in a Memorandum of Agreement with the Department, for discharges regulated under this chapter pursuant to Section 403.0885, F.S., the Department shall submit the proposed permit to the EPA for its concurrence in the Department decision. Upon receipt of the EPA concurrence, the Department shall prepare and send to the applicant for publication the public notice required under subsection 62-620.550(1), F.A.C., advising the applicant and all affected persons of their right to an administrative hearing.

(17) Permits shall be issued or denied as follows:

(a) For an MS4 regulated under this chapter, the Department shall grant a permit or deny the permit application within 90 days after the Department has received notice from the EPA as to whether the EPA concurs with the proposed permit;

(b) The time for issuing a permit or denying a permit application shall be tolled by the timely filing of a request for an administrative hearing under Section 120.57, F.S. The time shall be tolled until 45 days after the submission of a recommended order or until the administrative petition is dismissed or withdrawn; or

(c) If these time schedules are not met, the permit applicant may apply for an order from the circuit court requiring the Department to render a decision within a specified time.

(d) If EPA objects to issuance of the permit in accordance with 40 CFR 123.44 and in writing within 90 days of submittal to EPA, and the Department fails to submit to EPA a revised permit satisfying the objections in accordance with the following timeframe, exclusive authority to issue the permit passes to EPA. The Department shall have 90 days from receipt of the EPA objections, or 30 days from the date of a public hearing on the objections, to submit a revised permit to EPA. The Department shall advise the applicant of the EPA objections.

Specific Authority 403.061, 403.087, 403.815 FS. Law Implemented 403.061, 403.087, 403.0876, 403.088, 403.0885, 403.815 FS. History--New 10-22-00, Amended 5-1-03.

62-624.500 Standards for Issuing or Denying Individual Permits.

(1) The Department shall use the provisions of 40 CFR 122.26, revised as of July 1, 2000, hereby incorporated by reference, for implementation of the program. Where there are conflicts with general or specific requirements of 40 CFR 122.26, the requirements and procedures set forth in this chapter shall supersede all other procedures and requirements for MS4 facilities.

(2) The Department shall issue an MS4 permit only if the applicant affirmatively provides the Department with reasonable assurance that the stormwater management program will achieve a reduction of the discharge of pollutants from the MS4 to the Maximum Extent Practicable in accordance with 40 CFR 122.26.

(3) The permittee shall at all times properly operate and maintain the facility and systems of treatment and control, and related appurtenances, that are installed and used by the permittee to achieve compliance with the conditions of the permit.

Specific Authority 403.061, 403.087, 403.815 FS. Law Implemented 403.061, 403.087, 403.0876, 403.088, 403.0885, 403.815 FS. History--New 10-22-00, Amended 5-1-03.

62-624.600 Monitoring and Annual Reports for Individual Permits.

(1) Each permittee shall submit an Annual Report to the Department for each year of coverage under the permit term. The first year Annual Report must cover the twelve month period beginning on the effective date of the permit and is due six months after the first anniversary of the date of permit issuance. The Annual Report is due each subsequent year to the Department six months after the anniversary of the effective date of the permit.

(2) Annual Reports must be submitted by each permittee on DEP form 62-624.600(2), issued by the Department and effective 1-28-04, adopted herein by reference.

(a) The first year Annual Report shall contain an inventory of all known major outfalls covered by the permit and a map depicting the location of major outfalls. Additionally, newly identified major outfalls shall be reported in each subsequent Annual Report; and

(b) The third year Annual Report shall include estimates of seasonal pollutant loadings and event mean concentrations (EMC) for each major outfall or each major watershed covered by the permit.

(c) Each Annual Report shall include a summary providing an assessment of water quality trends based on data gathered as a result of the monitoring program as required in each permit.

Specific Authority 403.061, 403.087, 403.815 FS. Law Implemented 403.061, 403.087, 403.0876, 403.088, 403.0885, 403.815 FS. History--New 10-22-00, Amended 5-1-03, 1-28-04.

62-624.800 Regulated Phase II MS4s.

(1) A Phase II MS4 is regulated under this chapter if it is a Phase II MS4 as defined in Rule 62-624.200, F.A.C., and:

(a) Located in an urbanized area as determined by the latest Decennial Census by the U. S. Bureau of the Census. (If the Phase II MS4 is not located entirely within an urbanized area, only the portion that is within the urbanized area is regulated); or

(b) It is designated by the Department, subsequent to the Department applying its designation criteria, as required by 40 CFR 123.35(b), whether initiated by the Department or as a result of a petition filed by a party seeking designation of the MS4 as a regulated Phase II MS4.

(2) The Department shall designate a Phase II MS4 as a regulated Phase II MS4 under the following circumstances:

(a) Discharges from the MS4 are determined to be a significant contributor of pollutants to surface waters of the State. Discharges shall be deemed a significant contributor of pollutants to surface waters of the State when a total maximum daily load has been adopted by the Department for a water body or segment into which the Phase II MS4 discharges the pollutant(s) of concern.

(b) The Phase II MS4 lies outside of the urbanized area and serves a jurisdiction with a population density of at least 1,000 people per square mile and a population of at least 10,000; and

1. The MS4 discharges into Class I or Class II waters, as defined in Rule 62-302, F.A.C., or waters designated as Outstanding Florida Waters; or

2. The Phase II MS4 contributes to the pollutant loadings of a physically interconnected MS4 regulated under the Department's NPDES stormwater program as set forth in 40 CFR 123.35(b)(4).

(3) A Phase II MS4 may be the subject of a petition to the Department to require an NPDES permit for the discharge of stormwater, even if the designation population thresholds described in paragraph 62-624.800(2)(b), F.A.C., are not exceeded. In evaluating such a petition, the Department will use the criteria outlined in subparagraphs 62-624.800(2)(b)1.-2., F.A.C. If the Department determines that a permit is needed, the entity responsible for the MS4 must comply with the application procedures of this chapter.

(4) A petition seeking the designation of a Phase II MS4 shall be filed as set forth in Rules 28-106.201 and 62-110.106, F.A.C., and applicable provisions of Chapter 120, F.S.

Specific Authority 403.061, 403.087 FS. Law Implemented 403.087, 403.088, 403.0885 FS. History--New 5-1-03, Amended 1-28-04.

62-624.810 Permit Application Procedures for Phase II MS4s.

(1) The entity responsible for the operation of a regulated Phase II MS4, under Rule 62-624.800, F.A.C., must seek coverage:

(a) Under paragraph 62-621.300(7)(a), F.A.C., which incorporates the Department's Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems, by filing a Notice of Intent to Utilize the Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems as incorporated by reference by paragraph 62-621.300(7)(b), F.A.C. The NOI must include a summary description of the best management practices and measurable goals as set forth in the Phase II MS4 GP; or

(b) Under an individual Phase II permit following the Phase I application procedures of Rule 62-624.400, F.A.C., and fee schedule as set forth in Rule 62-4.052, F.A.C.; or

(c) As a co-permittee under an existing MS4 permit as set out in subsection 62-624.810(2), F.A.C.

(2) If the Phase II MS4 is in the same urbanized area as a Phase I MS4 with an NPDES stormwater permit and the permitted Phase I MS4 consents, in writing, to allow the regulated Phase II MS4 to participate in its stormwater program, the Phase II MS4 and the existing Phase I MS4 may jointly seek a modification of the original Phase I MS4 permit to include the newly regulated Phase II MS4 as a co-permittee. As a co-permittee, the Phase II MS4 will be responsible for compliance with the permit's conditions applicable to its jurisdiction. If a Phase II MS4 pursues this option the proposed permittee must comply with the permit application requirements of Rule 62-624.400, F.A.C., which incorporates 40 CFR 122.26, rather than the requirements of this section, Rule 62-624.810, F.A.C.

(3) If an MS4 operator is responsible for MS4 facilities located wholly or partially within more than one urbanized area, the operator may file a single Notice of Intent, if using the Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems (MS4s). If the operator elects to submit a single NOI, the Stormwater Management Program must address all such MS4 facilities and be applied uniformly throughout the operators system or systems however, the operator shall be considered a single entity for the payment of application fees and for filing annual reports.

(4) Application deadlines for regulated Phase II MS4s are as follows:

(a) If designated under paragraph 62-624.800(1)(a), F.A.C., based upon the 1990 Decennial Census, the proposed permittee must apply for coverage under an individual or generic Phase II MS4 permit, or apply for a modification of an existing Phase I MS4 permit, under subsection (2) of this rule, by June 1, 2003.

(b) If designated under paragraph 62-624.800(1)(a), F.A.C., based upon the 2000 Decennial Census, the proposed permittee must apply for coverage under an individual or generic Phase II MS4 permit, or apply for a modification of an existing Phase I MS4 permit, under subsection (2) of this rule, by June 1, 2004.

(c) If designated under paragraph 62-624.810(1)(b), F.A.C., the proposed permittee must apply for coverage under an individual or generic Phase II MS4 permit, or apply for a modification of an existing Phase I MS4 permit, under subsection (2) of this rule, within one year of notice.

(d) If an MS4 becomes a regulated MS4 due to incorporation as a new municipality or redefinition of an urbanized area or areas, the proposed permittee must apply for coverage under an individual or generic Phase II MS4 permit, or apply for a modification of an existing Phase I MS4 permit, under subsection (2) of this section, within one year of the event causing the MS4 to become a regulated MS4.

Specific Authority 403.061, 403.087 FS. Law Implemented 403.087, 403.088, 403.0885 FS. History--New 5-1-03.

St. Pete Beach City Commission
Agenda Report

Issue Considered: Authorize the City Manager to sign modified FDOT District Seven Highway Beautification Maintenance Memorandum of Agreements (MOAs) for the City of St. Pete Beach to design, build, and maintain new landscaping on FDOT right-of-way.

Date: 03/27/2012

Prepared By: Renee Cooper, CIP Construction Manager

Through: Steven J. Hallock, Public Services Director

Summary of Issue: The City has previously entered into Memorandum of Agreements for maintenance of the FDOT right-of-way. After numerous meetings, modifications were drafted in order to:

1. Provide the City the ability to furnish one (1) landscape plan for all three (3) MOAs to the Department as well as enable the City to invoice each MOA separately for the plan design.
2. Add project limits to the Multiyear Citywide Rehabilitation Phase One – FY2010 – 2011 MOA in order to give the City the legal ability to construct within modified limits.
3. Add language to each MOA that will address Governor Scott's Executive Order Number 11-02 of January 4, 2011 requiring e-verify language to all State contracts.

The modified agreements allows for additional landscaping along 75th Ave. The modified agreement also allows the submission of one plan set in lieu of having to submit 3 different plan sets – one for each grant. The City and FDOT were unable to have the grant funding consolidated so separate invoicing still applies.

Requested Motion: "I move to authorize the City Manager to sign modified FDOT District Seven Highway Beautification Maintenance Memorandum of Agreements (MOAs) for the City of St. Pete Beach to design, build, and maintain new landscaping on FDOT right-of-way."

Attachments: FDOT MOAs

Reviewed by
City Manager: MB

**MODIFICATION TO HIGHWAY LANDSCAPE REIMBURSEMENT
AND MAINTENANCE MEMORANDUM OF AGREEMENT FOR MULTIYEAR
CITYWIDE REHABILITATION FY 2010/2011**

THIS MODIFICATION, made and entered into as of the _____ day of _____, 2012, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, a component agency of the State of Florida, hereinafter called the "Department" and the CITY OF ST. PETE BEACH, a municipal corporation of the State of Florida, existing under the Laws of Florida, hereinafter called the "City";

W I T N E S S E T H

WHEREAS, the Department and the City entered into a Highway Landscape Reimbursement and Maintenance Memorandum of Agreement, hereinafter called "Agreement", dated;

December 27, 2010, whereby the Department agreed to reimburse the City for eligible expenditures and the City agreed to maintain landscape improvements within the rights-of-way of

- a. State Road 682 (Pinellas Bayway) located between Gulf Boulevard (Section 15200-001, M.P. 0.000) and west of Granada Street (Section 15200-001, M.P. 0.429) in Pinellas County, Florida (the "Project Highway"); and
- b. State Road 699 (Gulf Boulevard) located between Pinellas Bayway (Section 15100, M.P. 0.000) and Gulf Winds Drive (Section 15100, M.P. 1.792) in Pinellas County, Florida (the "Project Highway"); and
- c. State Road 699 (75th Avenue) located between Gulf Boulevard (Section 15100, M.P. 2.522) and Blind Pass Road (Section 15100, M.P. 2.607) in Pinellas County, Florida (the "Project Highway"); and

WHEREAS, the City has requested and the Department has agreed to modify the terms of the Agreement mentioned above, which are agreeable to the parties hereto; and

WHEREAS, the City has authorized its officers to execute this Agreement on its behalf;

NOW THEREFORE, for and in consideration of the premises, mutual benefits, and covenants contained herein, the parties agree as follows:

1. Modify the language Paragraph 1 a., "SUBMITTALS", of the Agreement to add the following sentence:
"...The plans will be prepared as one design for M.O.A. #01-11, F.P. #428885-3-58-01, Contract #AQ560, and; M.O.A. #02-11, F.P. #428885-4-58-01, Contract #AQ561, and; Multiyear Citywide Rehabilitation Phase One-FY 2010-2011, F.P. #429468-6-58-01, Contract #AQ603, but be invoiced to each contract separately..."
2. Modify the description of the Project Highways Section Numbers, Roadway Names and Limits From-To to read:
"... SECTION #15 100 000: ROADWAY NAME S.R. 699, BLIND PASS ROAD: LIMITS FROM-TO M.P. 2.607 (75th Avenue) – 3.569 (93rd Avenue)..., and
"... SECTION #15 110 000: ROADWAY NAME S.R. 693, 75th AVENUE: LIMITS FROM-TO M.P. 0.000 (Blind Pass Road) – 0.261 (Beginning of Bridge Structures #030 and #135)..."
3. Modify the language of Paragraph 8, "GENERAL", of the Agreement to add the following sentence:
"...f. The City shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new persons employed by the City during the term of the agreement and shall expressly require any subcontractors, assigned by the City's contractor to perform work pursuant to the contract with the Department to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new persons employed by the subcontractor during the agreement term..."

IN WITNESS WHEREOF, the parties hereto have caused this Modification to be executed the day and year first above written.

CITY OF ST. PETE BEACH
a municipal corporation of
the State of Florida

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

By: _____
Michael P. Bonfield
City Manager

By: _____
James V. Moulton, Jr., P.E.
Director of Transportation Operations,
District Seven

Attest: _____
City Clerk (SEAL)

Attest: _____
Executive Secretary (SEAL)

Legal Review:

Legal Review:

City Attorney

Office of the General Counsel, District 7

**MODIFICATION TO HIGHWAY LANDSCAPE REIMBURSEMENT
AND MAINTENANCE MEMORANDUM OF AGREEMENT #02-11**

THIS MODIFICATION, made and entered into as of the _____ day of _____, 2012, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, a component agency of the State of Florida, hereinafter called the "Department" and the CITY OF ST. PETE BEACH, a municipal corporation of the State of Florida, existing under the Laws of Florida, hereinafter called the "City";

W I T N E S S E T H

WHEREAS, the Department and the City entered into a Highway Landscape Reimbursement and Maintenance Memorandum of Agreement, hereinafter called "Agreement", dated;

December 20, 2010, whereby the Department agreed to reimburse the City for eligible expenditures and the City agreed to maintain landscape improvements within the rights-of-way of State Road 682 (Pinellas Bayway) located between Gulf Boulevard (Section 15200-001, M.P. 0.000) and 75' east of Granada Boulevard (Section 15200-001, M.P. 0.290) in Pinellas County, Florida (the "Project Highway"); and

WHEREAS, the City has requested and the Department has agreed to modify the terms of the Agreement mentioned above, which are agreeable to the parties hereto; and

WHEREAS, the City has authorized its officers to execute this Agreement on its behalf;

NOW THEREFORE, for and in consideration of the premises, mutual benefits, and covenants contained herein, the parties agree as follows:

Modify the language of Paragraph 1 a, "SUBMITTALS", of the Agreement to add the following sentence:

"...The plans will be prepared as one design for M.O.A. #01-11, F.P. #428885-3-58-01, Contract #AQ560, and; M.O.A. #02-11, F.P. #428885-4-58-01, Contract #AQ561, and; Multiyear Citywide Rehabilitation Phase One-FY 2010-2011, F.P. #429468-6-58-01, Contract #AQ603, but be invoiced to each contract separately..."

Modify the language of Paragraph 8, "GENERAL", of the Agreement to add the following sentence:
"...f. The City shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new persons employed by the City during the term of the agreement and shall expressly require any subcontractors, assigned by the City's contractor to perform work pursuant to the contract with the Department to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new persons employed by the subcontractor during the agreement term..."

IN WITNESS WHEREOF, the parties hereto have caused this Modification to be executed the day and year first above written.

CITY OF ST. PETE BEACH
a municipal corporation of
the State of Florida

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

By: _____
Michael P. Bonfield
City Manager

By: _____
James V. Moulton, Jr., P.E.
Director of Transportation Operations,
District Seven

Attest: _____
City Clerk (SEAL)

Attest: _____
Executive Secretary (SEAL)

Legal Review:

Legal Review:

City Attorney

Office of the General Counsel, District 7

**MODIFICATION TO HIGHWAY LANDSCAPE REIMBURSEMENT
AND MAINTENANCE MEMORANDUM OF AGREEMENT #01-11**

THIS MODIFICATION, made and entered into as of the _____ day of _____, 2012, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, a component agency of the State of Florida, hereinafter called the "Department" and the CITY OF ST. PETE BEACH, a municipal corporation of the State of Florida, existing under the Laws of Florida, hereinafter called the "City";

W I T N E S S E T H

WHEREAS, the Department and the City entered into a Highway Landscape Reimbursement and Maintenance Memorandum of Agreement, hereinafter called "Agreement", dated

December 20, 2010, whereby the Department agreed to reimburse the City for eligible expenditures and the City agreed to maintain landscape improvements within the rights-of-way of State Road 699 (Gulf Boulevard) located between 35th Avenue (Section 15100, M.P. 0.111) and 93rd Avenue (Section 15100, M.P. 3.569) in Pinellas County, Florida (the "Project Highway"); and

WHEREAS, the City has requested and the Department has agreed to modify the terms of the Agreement mentioned above, which are agreeable to the parties hereto; and

WHEREAS, the City has authorized its officers to execute this Agreement on its behalf;

NOW THEREFORE, for and in consideration of the premises, mutual benefits, and covenants contained herein, the parties agree as follows:

Modify the language of Paragraph 1 a., "SUBMITTALS", of the Agreement to add the following sentence:

"...The plans will be prepared as one design for M.O.A. #01-11, F.P. #428885-3-58-01, Contract #AQ560, and; M.O.A. #02-11, F.P. #428885-4-58-01, Contract #AQ561, and; Multiyear Citywide Rehabilitation Phase One-FY 2010-2011, F.P. #429468-6-58-01, Contract #AQ603, but be invoiced to each contract separately..."; and;

Modify the language of Paragraph 8, "GENERAL", of the Agreement to add the following sentence:
"...f. The City shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new persons employed by the City during the term of the agreement and shall expressly require any subcontractors, assigned by the City's contractor to perform work pursuant to the contract with the Department to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new persons employed by the subcontractor during the agreement term..."

IN WITNESS WHEREOF, the parties hereto have caused this Modification to be executed the day and year first above written.

CITY OF ST. PETE BEACH
a municipal corporation of
the State of Florida

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

By: _____
Michael P. Bonfield
City Manager

By: _____
James V. Moulton, Jr., P.E.
Director of Transportation Operations,
District Seven

Attest: _____
City Clerk (SEAL)

Attest: _____
Executive Secretary (SEAL)

Legal Review:

Legal Review:

City Attorney

Office of the General Counsel, District 7

**St. Pete Beach City Commission
Agenda Report**

Issue Considered: Authorization for the City Manager to amend the existing lease agreement with Merry Pier Partners, LLC to permit limited on premises consumption of beer and wine and limited consent to sub lease the side deck/patio area subject to the terms and conditions set forth in the FIRST AMENDMENT TO LEASE AGREEMENT and CONSENT TO SUBLEASE AGREEMENT.

Date: March 27, 2012

Prepared By: Dan O'Connor – Administrative Services Supervisor

Through: Elaine Edmunds – Finance Director

Summary of Issue: Merry Pier Partners, LLC is requesting an amendment to the existing lease agreement that would permit limited on site consumption of beer and wine on premises subject to the following restrictions:

- A. Between the hours of 6:00 AM and 7:00 PM;
- B. Compliance with all federal, state and local laws, codes and regulations applicable to the sale of beer and wine and consumption of beer and wine on the premises; and
- C. Obtaining all required licenses and permits and insurance as the City may reasonably require for the sale of beer and wine and consumption of beer and wine on the premises.

Merry Pier Partners, LLC is also requesting limited consent to sub lease the side deck/patio area subject to the terms and conditions set forth in the consent to sub lease agreement.

The City Attorney has reviewed the agreements and has approved same to form.

Requested Motion: “I move to authorize the City Manager to amend the existing lease agreement with Merry Pier Partners, LLC to permit limited on premises consumption of beer and wine and limited consent to sub lease the side deck/patio area subject to the terms and conditions set forth in the FIRST AMENDMENT TO LEASE and CONSENT TO SUBLEASE AGREEMENTS.

Attachments: First Amendment to Lease and Consent to Sub Lease Agreements.

**Reviewed by
City Manager:** MB

FIRST AMENDMENT TO LEASE AGREEMENT

THIS FIRST AMENDMENT TO LEASE AGREEMENT (this “First Amendment”), is made as of the “Effective Date” set forth below, by and between the **CITY OF ST PETE BEACH** (“lessor”) and **MERRY PIER PARTNERS, LLC** (“lessee”), for the purposes set forth herein.

WITNESSTH:

WHEREAS, Lessor and Lessee have previously executed that certain “Lease Agreement” for the “Merry Pier” dated February 5, 2011 (“the Lease”) pursuant to which Lessee has leased from Lessor certain premises (“the Premises”), commonly known as “Merry Pier”, located within the City of St. Pete Beach; and

WHEREAS, Lessor and Lessee have agreed to amend the Lease as more fully set forth herein.

NOW, THEREFORE, for and in consideration of the foregoing recitals (which are incorporated herein by this reference), the sum of Ten and No Dollars (\$10.00) each to the other paid, the mutual covenants and agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Lessor and Lessee do hereby covenant and agree as follows:

1. **Lease Amendments**

A. Section 4 of the Lease is hereby revised and amended as follows:

PERMITTED USES:

The Premises shall be occupied by Lessee solely for the purpose of operating boats for tours, rides and excursions at the Merry Pier; kayak paddleboard and bicycle rentals; fishing,

fishing tournaments, marine life education; sale of fishing, boating and beach supplies; sale of food, food products; sale of beer and wine.

Beer and wine may be served for consumption on the premises but may only be served between the hours of 6:00 AM and 7:00 PM Monday through Sunday. Sales of beer and wine and consumption of beer and wine on premises are subject to: (i) the period of time set forth; (ii) Lessee's compliance with all federal, state and local laws, codes and regulations applicable to the sale of beer and wine and consumption of beer and wine on the premises; and (iii) upon Lessee obtaining all required licenses and permits and insurance as Lessor may reasonably require for the sale of beer and wine and consumption of beer and wine on the premises. Lessee shall not use or permit the use of the premises for any other use or purpose than that set forth herein without prior written consent of Lessor.

B. Section 22. A. of the Lease is hereby deleted in its entirety.

2. Except as otherwise modified by this First Amendment, all provisions, conditions, duties and obligations set forth in the Lease shall remain in full force and effect and unaffected by this First Amendment.

3. This First Amendment embodies the entire agreement between the parties hereto regarding this First Amendment and supersedes any prior understandings or written or oral agreements between the parties concerning the First Amendment. This First Amendment cannot be varied, modified, amended or altered except by written agreement of the parties.

4. This First Amendment may be executed in multiple counterparts, each of which shall be deemed to be an original. This First Amendment may be executed via facsimile and the facsimile signature of any party shall be considered valid, binding and effective for all purposes.

IN WITNESS WHEREOF, Lessor and Lessee have duly executed this First Amendment to be effective (the “Effective Date”) as of the date the latter of Lessor or Lessee executes this First Amendment below.

City of St. Pete Beach, a Florida
municipal corporation

By: _____
Michael P. Bonfield
City Manager

ATTEST:

City Clerk

By: _____
Randall Coffman
Merry Pier Partners, LLC

By _____
Nancy Davidek
Merry Pier Partners, LLC

APPROVED AS TO FORM:

City Attorney or Designee

By: _____

City Attorney

CONSENT TO SUBLEASE

The City of St. Pete Beach ("Landlord"), as landlord, pursuant to that certain Lease (the "Lease") dated February 5, 2011, as amended, by and between Landlord and Merry Pier Partners, L.L.C., ("Tenant"), as tenant, subject to and specifically conditioned upon the following terms and conditions hereby grants its consent to the Sublease dated _____, 2012, made by and between Tenant, as sublessor, and _____, a _____ ("Subtenant"), as subtenant, a copy of which is attached hereto as Exhibit "A" (the "Sublease") covering certain premises known as _____ deemed to consist of _____ square feet of rentable area, (the "Premises") as more particularly described in the Sublease.

As conditions to the consent of Landlord to the Sublease, it is understood and agreed as follows:

1. **Recitals.** The above recitals are incorporated herein as if fully set forth.
2. **Capitalized Terms.** All words and phrases have the meanings attributed to them in the Lease, unless otherwise expressly stated herein, or unless the context hereof clearly requires otherwise.
3. **No Release.** This Consent to Sublease shall in no way release Tenant or any person or entity claiming by, through or under Tenant, including Subtenant, from any of its covenants, agreements, liabilities and duties under the Lease (including, without limitation, all duties to cause and keep Landlord and others named or referred to in the Lease fully insured and indemnified with respect to any acts or omissions of Subtenant or its agents, employees or invitees or other matters arising by reason of the Sublease or Subtenant's use or occupancy of the Premises), as the same may be amended from time to time, without respect to any provision to the contrary in the Sublease.
4. **Specific Provisions of Lease and Sublease.** This Consent to Sublease consenting to a sublease to Subtenant shall not be construed to amend the Lease in any respect, any purported modifications being solely for the purpose of setting forth the rights and obligations as between Tenant and Subtenant, but not binding Landlord.
5. **Amendment of Sublease.** Tenant and Subtenant shall not amend the Sublease in any respect without the prior written approval of Landlord. In no event shall any such amendment affect or modify or be deemed to affect or modify the Lease in any respect.
6. **Limited Consent.** Except as otherwise set forth herein, this Consent to Sublease does not and shall not be construed or implied to be a consent to any other matter for which Landlord's consent is required under the Lease, including, without limitation, any alterations, additional or further subleases, assignments or transfers of the Lease or any interest therein or thereto under the Lease including without limitation, a sub-sublease or any assignment of the Sublease. This Consent represents Landlord's consent for Tenant to enter into a Sublease solely with Subtenant pursuant to the provisions enumerated herein. The Landlord expressly does not consent to an assignment of the Sublease by Subtenant or Tenant, and the Sublease by and between Tenant and Subtenant must not be assignable or delegable to any other person or entity.

7. **Tenant's Continuing Liability.** Tenant shall be liable to Landlord for any default under the Lease, whether such default is caused by Tenant or Subtenant or anyone claiming by or through either Tenant or Subtenant, but the foregoing shall not be deemed to restrict or diminish any right which Landlord may have against Subtenant pursuant to the Lease, in law or in equity for violation of the Lease or otherwise, including, without limitation, the right to enjoin or otherwise restrain any violation of the Lease by Subtenant.
8. **Acceptance by Tenant and Subtenant.** Tenant and Subtenant understand and acknowledge that Landlord has agreed to execute this Consent to Sublease based upon Tenant's and Subtenant's acknowledgment and acceptance of the terms and conditions hereof.
9. **Subordination.** The Sublease is, in all respects, subject and subordinate to the Lease, as the same may be amended. Furthermore, in the case of any conflict between the provisions of this Consent to Sublease or the Lease and the provisions of the Sublease, the provisions of this Consent to Sublease or the Lease, as the case may be, shall prevail unaffected by the Sublease.
10. **Landlord's Charges.** Tenant specifically agrees to pay all of Landlord's reasonable costs, charges and expenses, including attorneys' fees at all tribunal levels, incurred in connection with the Sublease and this Consent to Sublease upon submission of bills therefor, and that the failure to pay the same upon demand shall be a default under the Lease.
11. **Insurance.** Subtenant shall maintain all policies of liability and other insurance and otherwise comply with the insurance requirements of Tenant according to the Lease and which Subtenant is required to maintain according to the Sublease, which policies will name Landlord and such other persons or firms as Landlord specifies from time to time as additional insureds. Certificates of such insurance shall be furnished by Subtenant to Landlord upon Subtenant's execution of this Consent to Sublease. Subtenant waives any and all right to recover against Landlord or against any other tenant or occupant of the Premises, or against the Commissioners, officers, directors, shareholders, partners, joint venturers, employees, agents, customers, invitees, or business visitors of Landlord or of such other tenant or occupant of the Premises, for any loss or damage to such waiving party arising from any cause covered by any property insurance required to be carried by such party pursuant to the Lease or any other property insurance actually carried by such party. Subtenant from time to time will cause its insurer to issue appropriate waiver of subrogation rights endorsements to all property insurance policies carried in connection with the Premises or the contents of the Premises. Subtenant assumes all risk of damage of Subtenant's property within the Premises, including any loss or damage caused by water leakage, fire, windstorm, explosion, theft, act of any other tenant, or any other cause.
12. **Termination of Lease; Right of Direct Action.** If at any time prior to the expiration of the term of the Sublease the Lease shall be in default beyond the applicable curative periods, terminate or be terminated for any reason (or Tenant's right to possession shall terminate without termination of the Lease), the Sublease shall simultaneously terminate. Nothing contained in this paragraph shall be construed to impair or modify any right otherwise exercisable by Landlord, whether under the Lease, any other agreement or in law. In the event of any default under the Lease which is not cured within any applicable grace period, Landlord shall have the right of direct action against Sublessee pursuant to the same remedies as are available to Landlord against Tenant.

13. **Services.** Tenant hereby agrees that Landlord may furnish to the Premises services requested by Subtenant other than or in addition to those to be provided under the Lease, and bill Subtenant directly for such services for the convenience of and without notice to Tenant. Subtenant hereby agrees to pay Landlord all amounts which may become due for such services on the due dates therefor. If Subtenant shall fail to do so, however, and if Tenant has been notified in advance in writing about the furnishing of such other or additional services to Subtenant and Tenant does not notify Landlord of its protest of same within ten (10) days following such notice, Tenant agrees to pay such amounts to Landlord upon demand as Rent under the Lease, and the failure to pay the same upon demand shall be a payment default under the Lease.
14. **No Waiver; No Privity.** Nothing herein contained shall be deemed a waiver of any of Landlord's rights and remedies under the Lease and shall not be construed as a bar to any subsequent enforcement of any of Landlord's rights or remedies. In no event, however, shall Landlord be deemed to be in privity of contract with Subtenant or owe any obligation or duty to Subtenant under the Lease or otherwise, any duties of Landlord under the Lease being in favor of, for the benefit of and enforceable solely by Tenant.
15. **Notices.** Subtenant agrees to promptly deliver a copy to Landlord of all notices of default and all other notices sent to Tenant under the Sublease, other than ministerial notices, and Tenant agrees to promptly deliver a copy to Landlord of all such notices sent to Subtenant under the Sublease. All copies of any such notices shall be delivered personally or sent by United States certified mail, postage prepaid, return receipt requested, to The City of St. Pete Beach, c/o City Manager, 155 Corey Avenue, St. Pete Beach, Florida 33706 or to such other place or persons as Landlord or its agent may from time to time designate.
16. **Reservation of Rights.** This Consent to Sublease shall be deemed limited solely to the Sublease, and Landlord reserves the right to consent or to withhold consent and all other rights under the Lease with respect to any other matters including, without limitation, any proposed alterations (except as otherwise set forth herein) and with respect to any further or additional subleases, assignments or transfers of the Lease or any interest therein or thereto including, without limitation, a sublease or any assignment of this Sublease.
17. **Right to Cure Subtenant Default.** Tenant shall be notified in writing of any events of default of the Lease by Subtenant in the event Landlord intends to declare a default under the Lease as to Subtenant, and in such event, Tenant shall have the right to timely cure such default as set forth in the Lease.
18. **Brokers.** Landlord, Tenant and Subtenant represent and warrant that, [except as disclosed in the Sublease](#), they neither consulted nor negotiated with any broker or finder with respect to the Premises or this Sublease. Tenant and Subtenant agree to indemnify, protect, defend, and save Landlord harmless from and against any claims for fees or commissions from anyone with whom they have dealt in connection with the Premises or this Consent to Sublease including attorneys' fees at all tribunal levels incurred in connection with the defense of any such claim.
19. **Ratification of Lease.** Except as expressly set forth herein, the Lease remains in full force and effect in accordance with its terms and provisions; and Landlord and Tenant do hereby ratify,

adopt, and confirm its terms and provisions and its terms and provisions shall remain in full force and effect.

20. **Entire Agreement.** The Lease as modified herein is intended by the parties as the final expression of their agreement and as a complete and exclusive statement of the terms thereof, all negotiations, considerations and representations between the parties having been incorporated herein or therein. No course of prior dealings between the parties, their officers, employees, agents, or affiliates shall be deemed relevant or admissible to supplement, explain or vary any of the terms and provisions of the Lease. No representations, understandings or agreements have been made or relied upon in the making of this Consent to Sublease other than set forth herein.
21. **Conflicts.** Landlord, Tenant and Subtenant agree that should any provision in this Consent to Sublease disagree with or conflict with any provision in the Lease, the provision in the Lease will control.
22. **No Construction Against Drafting Party.** Landlord, Tenant and Subtenant acknowledge that each of them and their counsel have had an opportunity to review this Consent to Sublease and that this Consent to Sublease will not be construed against Landlord merely because Landlord has prepared it.
23. **Time is of the Essence.** Time is of the essence of all terms and conditions of this Consent to Sublease.
24. **No Claims.** Tenant acknowledges and agrees that through the date hereof, Landlord, its predecessors in interest, and their respective Commissioners, officers, employees and agents have fully and completely performed all of the obligations on their part to be performed under the Lease, and thus (i) Tenant has no claim or cause of action against them under the Lease or otherwise, (ii) Tenant does not have any existing setoffs, counterclaims or defenses against Landlord under the Lease, and (iii) Landlord has paid all amounts and performed all work required to be paid or performed by Landlord under the Lease as of the date hereof.
25. **Tenant and Subtenant Bound.** By executing this Consent to Sublease, Tenant and Subtenant acknowledge and agree to be bound by all of the terms and conditions of Landlord's consent to the Sublease as set forth herein.
26. **Exculpation.** Neither Landlord, nor the Commissioners, directors, officers, agents or employees of any of the foregoing (collectively, the "Parties"), shall be personally liable, in any manner, by reason of, or as a consequence of, the execution or delivery of this Consent.
27. **No Offer.** This Consent to Sublease is submitted on the understanding that it will not be considered an offer and will not bind Landlord in any way until (a) Tenant and Subtenant have duly executed and delivered four (4) duplicate originals to Landlord and (b) Landlord has executed and delivered one of such originals to Tenant and Subtenant.
28. **Date of Consent.** For purposes of this Consent, the term "Date of this Consent" shall mean the date on which this Consent is executed by the last one of the parties to do so.

29. No Recordation. Neither this Consent nor the Sublease shall be recorded in the public records.

IN WITNESS WHEREOF, this Consent to Sublease has been executed on behalf of Landlord, Tenant, and Subtenant as of the Date of this Consent to Sublease.

LANDLORD:

TENANT:

CITY OF ST. PETE BEACH,
a Municipal _____

MERRY PIER PARTNERS, LLC

By: _____

Name: Michael Bonfield

Title: City Manager

By: _____

Name: _____

Title: _____

Date Signed: _____, 2012

Date Signed: _____, 2012

Witness to signature of Landlord:

Witness to signature of Tenant:

(Print or type name)

(Print or type name)

(Print or type name)

(Print or type name)

(Signatures continue on next page)

Witness to signature of Subtenant:

(Print or type name)

(Print or type name)

SUBTENANT:
(TO COME)

a _____

By: _____

Name: _____

Title: _____

Date Signed: _____, 2012

EXHIBIT A
SUBLEASE

**St. Pete Beach City Commission
Agenda Report**

Issue Considered:	First Reading and Public Hearing of Ordinance 2011-33
Date:	March 27, 2012
Prepared By:	Catherine Hartley, AICP, CNU-A, Senior Planner
Summary of Issue:	Applicant requests change of Future Land Use Map designation for 1307 Gulf Way from Residential High with the Resort Facilities Overlay to Residential Low Medium. The Planning Board conducted a public hearing on the above-mentioned case on January 17, 2012, and unanimously voted to recommend approval of the request.
Requested Motion:	“I move to approve Ordinance 2011-33 (read title)”
Attachments:	Ordinance 2011-33.
Reviewed by City Manager:	<u>MB</u>

ORDINANCE # 2011-33

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, PINELLAS COUNTY, FLORIDA, PROVIDING FOR AN AMENDMENT TO THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN FOR THE PROPERTY LOCATED AT 1307 GULF WAY, FURTHER ILLUSTRATED ON THE MAP IN “EXHIBIT A”, CHANGING THE DESIGNATION FROM RESIDENTIAL HIGH WITH THE RESORT FACILITIES OVERLAY TO RESIDENTIAL LOW MEDIUM; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Pete Beach Comprehensive Plan encourages the preservation of residential neighborhoods and recommends minimizing the impacts of commercial uses adjacent to residential uses; and

WHEREAS, the Planning Board of the City of St. Pete Beach conducted a public hearing on January 17, 2012, noticed pursuant to Florida law and conducted pursuant to Ordinance 88-36 of the City of St. Pete Beach and Section 3.4 of the Land Development Code; and

WHEREAS, City Commission of the City of St. Pete Beach conducted public hearings on Tuesday March 27, 2012 and _____, 2012, noticed pursuant to Florida law and conducted pursuant to Ordinance 88-36 of the City of St. Pete Beach and Section 3.4 of the Land Development Code; and

WHEREAS, the City Commission finds this change to the Future Land Use Map to be consistent with the Goals, Objectives, and Policies of the Comprehensive Plan; and

WHEREAS, the City Commission finds this amendment to the Future Land Use Map to be in the best interest of the citizens of the City of St. Pete Beach.

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

Section 1. The Future Land Use Map of the City of St. Pete Beach Comprehensive Plan is hereby amended, changing the designation for the property located at 1307 Gulf Way, illustrated in “Exhibit A”, from Residential High with the Resort Facilities Overlay to Residential Low Medium.

Section 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with this Ordinance.

Section 3. If any portion or part of this Ordinance is declared invalid by a court of competent jurisdiction, the valid remainder hereof shall remain in full force and effect.

Section 4. This Ordinance shall become effective within 30 days of the Florida Department of Economic Opportunity issuance of a final statement of “no objection”.

STEVE MCFARLIN, MAYOR

LPA PUBLIC HEARING: 1/17/2012

PUBLISHED:

FIRST READING: 3/27/2012

PUBLISHED :

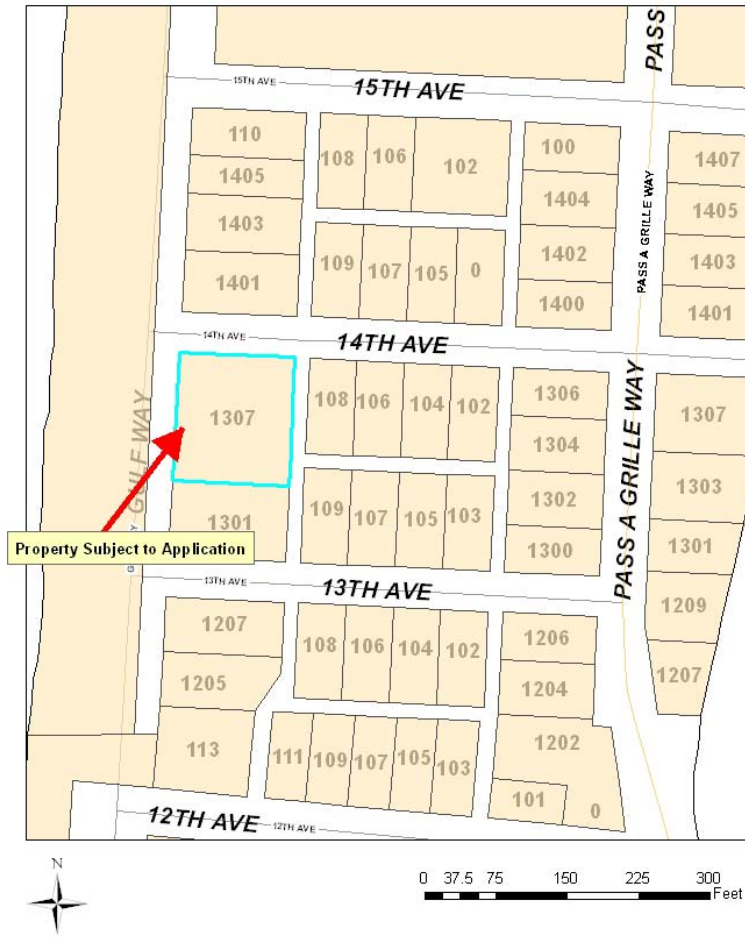
SECOND READING/ADOPTION HEARING:

PUBLISHED:

I, Rebecca Haynes, 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 _____, 2012.

Rebecca Haynes, City Clerk

“Exhibit A”



City of St. Pete Beach
City Commission Public Hearings
Case # 2011-0032 (Corresponding Ordinance # 2011-33)
Case # 2011-33 (Corresponding Ordinance # 2011-34)
March 27, 2012

Property Information

Address: 1307 Gulf Way

Owner: 1307 LLLP

Agent: David Bacon

Existing Use: Vacant

Proposed Use: Residential

Parcel Size: 16,605 square feet or .38 acres

Applicant Requests: Change of Future Land Use Designation from Residential High with the Resort Facilities Overlay to Residential Low-Medium.

Change of Zoning from Traditional Hotel District (THD) to Residential Medium (RLM-2).

Background Information:

In 2009, the Future Land Use designation was changed from Residential Low Medium to Residential High with the Resort Facilities Overlay. The zoning was concurrently changed from RLM-2 to THD. The purpose of the applications, according to the owner of the property at that time, was to redevelop the existing hotel into an updated temporary lodging facility.

Since the rezoning in 2009, the Land Development Regulations regarding the Traditional Hotel District have been modified to limit the redevelopment of hotels in the THD. Specifically, the LDC was amended to only permit the rebuilding of the same square footage as the former transient use, with the allowance of a 5% increase in square footage plus square footage for accessibility requirements. Additionally, swimming pools became a prohibited use in the THD. The property has since changed hands and the new owner has requested the property be re-designated and rezoned to a residential use.

Sec. 31.3. Permitted accessory uses and structures. The following accessory uses are permitted in the THD district:

- 1. Retail sales, limited to 100 square feet in area. The sales shall be located inside the principal structure and shall not have signage outside the structure advertising such retail goods for sale.*
- 2. Office space for the administrative use of the accommodation, such as check-in, check-out areas, reservations, and accounting.*

3. Meeting or conference rooms for the use of guests.

4. Fitness facilities for the use of guests.

(b) In addition to those commercial accessory structures permitted in 6.12, the following accessory structures are permitted in the THD District:

- 1. Garages;*
- 2. A storage building*
- 3. Decks and patios*
- 4. Fountains*

5. Gazebos

6. Trellises

31.12 Maximum Floor Area - No new structure shall be larger in aggregate square footage than the structures which occupied the site prior to redevelopment, except that the Building Official may allow a 5 % increase in the aggregate square footage overall, plus the minimum necessary increases in aggregate square footage in cases where such increases are reasonably necessary to implement current Building Code or other statutory requirements.

Sec. 31.13 Additional Requirements for Spas

1) All unenclosed spas shall provide a solid screening wall or fence at least six feet in height. This requirement shall be waved in instances where an enclosed structure is positioned between the spa and the adjacent private property.

2) No spa shall be located in such a manner as to be separated from the facility it serves by any public right-of-way.

3) Any existing facility expanded under this Division which currently has a pool or spa shall not construct a spa unless such existing pool or spa is first removed.

*Staff Note: Pools were not included as a permitted accessory use, and are therefore prohibited.

Staff Analysis

Consistency of the request with the Comprehensive Plan:

The following goals, objectives, and policies are germane to the application:

Citywide Land Use Goals, Objectives and Policies. In furtherance of the overall goals, objectives, and policies contained in the Comprehensive Plan, the land use categories and their descriptions, beginning on the next page, are hereby adopted for the purpose of serving as the guide for the City of St. Pete Beach in continuing its heritage of quality residential living complemented by resort facilities that support a tourist-based economy by creating a vision for the City's future that ensures that the City will remain a desirable place to live and visit that includes overall quality land management and emphasis on strict management of redevelopment in designated strategic core areas of the City.

Objective 2.13

The City shall promote the preservation and redevelopment of temporary lodging uses.

Policy 2.1.5

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

Policy 2.1.6

The conservation, maintenance and rehabilitation of existing residential areas shall be encouraged through provisions contained in the land development regulations and other applicable City codes.

Policy 2.3.5

The City shall encourage the maintenance of tourist lodging facilities in keeping with the character of the community.

Objective 2.4

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

Policy 2.4.1

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

Standards for review of FLUM changes:

Future Land Use Map amendments are a legislative function of local government under Florida law, which holds the governing authority to a general standard of reasonableness in making the determination. In addition, Land Use Map changes should be broadly consistent with relevant Comprehensive Plan policies. Beyond this, there are no decision making criteria specified in State statute or local ordinance beyond ensuring that Level of Service Standards shall not be degraded.

Standards for review of for changes to the Official Zoning Map:

Section 3.9 of the Land Development Code sets forth the standards for review of requests for rezonings:

Standards for review. In reviewing the application for a rezoning, the staff, the planning board and the city commission shall consider whether the proposed rezoning is consistent with and furthers the goals, policies and action strategies of the comprehensive plan.

In addition, the planning board and city commission shall consider the following:

- a. Whether the proposed change would be contrary to the land use plan and would have an adverse effect on the plan. The planning board and city commission shall review the request considering the most intense use permitted in the requested zone district;*
- b. Compatibility with adjacent properties and the existing land use pattern;*
- c. Possible creation of an isolated district unrelated to adjacent and nearby districts;*
- d. The population density pattern and increase in demand for public utilities or services, including potable water supply, sanitary sewer capacity, law enforcement or fire suppression;*
- e. Any increase in use of city infrastructure, including stormwater management facilities, streets and roads, water lines, sewer lines or lift stations;*
- f. Whether existing district boundaries are logically drawn in relation to existing conditions on the property proposed for change;*
- g. Whether changed or changing conditions make the passage of the proposed amendment necessary;*
- h. Whether the proposed change will adversely affect drainage.*

- i. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations;*
- j. Whether the proposed change will constitute a grant of special privileges to an individual owner as contrasted with the public welfare; and*
- k. Whether the change suggested is out of scale with the needs of the neighborhood or the city.*

Based on the standards in the code, Staff makes the following observations:

Although not reflected on the zoning map, Pass-a-Grille is a mixed-use district containing a variety of land uses including single family residential, multifamily residential, temporary lodging, office, retail, restaurants and other commercial uses, recreational uses, and institutional uses such as churches and clubs. Although the zoning map represents a strict separation of land uses, the actual uses on the ground are considerably more mixed.

The change in zoning would not be inconsistent with the Land Use Plan Map if the request for a change to the Future Land Use Map is granted. There are goals, objectives, and policies in the comprehensive plan that support both the maintenance of residential areas and temporary lodging uses as quoted above.

The property immediately adjacent to the subject property is a conforming temporary lodging use in terms of both the Comprehensive Plan and the Land Development Code. It could be argued that the change from a temporary lodging use to a residential use would be incompatible with the abutting property. However, the property would not be an isolated residential district, as the properties within the surrounding blocks are designated residential.

There is no significant impact on public facilities anticipated by the change in land use or zoning, as the property was designated residential prior to 2009.

The existing boundary of the Traditional Hotel District is logical in that the property abutting the subject property is a temporary lodging use. However, the remainder of the subject property is surrounded by residential zoning.

The applicant has not identified (in writing) any changes in conditions that would warrant the change in future land use or zoning. The applicant's testimony at the Planning Board public hearing was that it is not financially feasible to construct a new hotel use on the property. Staff has noted above the potential for discouraging the redevelopment of temporary lodging uses via the changes to the THD ordinance that further restricted square footage and prohibited swimming pools.

Impacts to drainage are not anticipated, as any new construction will be compelled to follow any regulations regarding drainage and stormwater mitigation.

It could be argued that the change in zoning to the subject property could impede the redevelopment of the abutting property, as an additional buffer would be required on the adjacent property if redevelopment next to a residential use.

Development allowed under the proposed zoning is generally consistent in size and mass to that allowed under the present zoning. The “needs” of the community as expressed in economic terms have not been clearly defined and are therefore difficult to assess. No studies have been conducted which clearly establish the economic value of the tourist lodging facilities in Pass-a-Grille as opposed to residential uses.

Conclusion

Certainly, there are policies in the Comprehensive Plan that support both the maintenance of the temporary lodging uses and the maintenance of single family neighborhoods; However, there are more policies that lean towards maintaining the temporary lodging use. Multiple public meetings have been conducted over the last year in which both the public and elected officials have stated that the preferred location of temporary lodging uses are on Gulf Way and Pass-a-Grille Way versus the interior streets where single family residences are the predominate uses. However, the applicant has argued that the restrictions placed on the Traditional Hotel District, in addition to the location (not directly on the beach) and the small size of the property make a hotel use not financially feasible. The applicant has argued that the highest and best use of the property is single family residential.

Respectfully submitted:

Catherine M. Hartley, AICP, CNU-a
Senior Planner

LAW OFFICES
OF
Bacon & Bacon, P.A.
A Professional Association

2959 FIRST AVENUE NORTH
ST. PETERSBURG, FLORIDA 33713

BACON & BACON, P.A.
ADRIAN S. BACON (19242001)
DAVID A. BACON

TELEPHONE: 727-327-3935
FACSIMILE: 727-323-4936

September 16, 2011

City of St. Pete Beach, Florida
Attn: Catherine Hartley, Zoning Dept.
155 Corey Avenue
St. Pete Beach, FL 33706

IN RE: Rezoning Application
Property Owner: 1307 Gulf Way, LLLP
Property Address: 1307 Gulf Way, St. Pete Beach

Dear Catherine:

I am enclosing herewith the following document in reference to the above application:

1. Rezoning Application;
2. Authorization Form;
3. Survey prepared by George F. Young; and
4. A check made payable to the City in the amount of \$2,043.44, representing the following:

a.	Zoning Application Fee -	\$500.00
b.	Flume (Land Use Map Change) Fee -	\$1,000.00
c.	Mailing Costs -	\$230.40
d.	Mailing Costs - repealing of Development Agr. -	\$313.04

Should you require any additional information or documentation at the present time, please advise me accordingly. Thanking you for your attention to the foregoing, I am

Sincerely,
BACON & BACON, P.A.

Jodilynn Furlong,
Florida Registered Paralegal
Enclosure

cc: Client

PLEASE TYPE OR
PRINT LEGIBLY



APPLICATION

(Check appropriate boxes)

Complete the information required below, read and initial the caveats on PAGE 2 of this form, sign below where indicated and attach a recent survey of the subject property and any supporting drawings and documents you think will enhance your application.

☐ Plan change ☒ Rezoning

APPLICANT/AGENT:

Name: Bacon & Bacon, P.A.-David Bacon Esq.

Address: 2959 First Avenue North

City: St. Petersburg State: FL

Zip: 33713 Telephone: 727-327-3935

PROPERTY OWNER:

Name: 1307 Gulf Way, LLLP

Address: 1324 S. Lakeshore Drive

City: Sarasota State: FL

Zip: 34231 Telephone: 941-358-6868

PROPERTY:

Address: 1307 Gulf Way, St. Pete Beach, FL

Parcel ID: 18-32-16-95454-004-1330

Current Zoning: THD Proposed Zoning: LLM-2

Current Land Use: Residential High

Proposed land use: LLM

Lot area: _____

DETAILS OF THE REQUEST (Add additional sheets if necessary):

Property is currently zoned THD and improved with a dilapidated, non-operational building formerly operated as the Gulf Way Inn. Property owner intends to cause the existing building to be demolished and desires to change the zoning to allow the property to be three (3) single family lots for eventual improvement with single family dwellings.

1307 GULF WAY, LLLP
By: [Signature] - THOMAS A. JACOBS 7-21-11
Signature of Applicant & Date

For office use only:

Case Number: _____ Scheduled PB Meeting: _____ Fees: _____

PB Action: ☐ Approved as requested ☐ Approved with conditions ☐ Denied

Forwarded to City Commission: Date Sent: _____ Scheduled for: _____

City Commission Action: ☐ Approved as requested ☐ Approved with conditions ☐ Denied

File Closed: _____

Property address 1307 GUP WAY (continued)

THE FOLLOWING ITEMS MUST BE INITIALED BY APPLICANT OR AGENT:

 I understand that the Board's action is not final. It must be approved by the City Commission, and I further understand that the Commission may modify the conditions of approval or deny the application.

 I understand that any person aggrieved by the final decision has the right to file a petition in the Pinellas County Circuit Court within **30 days** after the Commission decision, otherwise, the decision shall be final.

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



Owner's Authorization for Agent
Community Development Department
City of St. Pete Beach, Florida

I/WE 1307 GULF WAY, LLLP
(print name of property owner)

hereby authorize BACON + BACON, P.A. - DAVIS BACON
(print name of agent)

to represent me/us in an application for RE-ZONING
(type of application: variance, land use, zoning, special event, etc)

1307 GULF WAY, LLLP
By: [Signature] - President
Signature of owner

HOWARD A. JACOBS - President
Print name of owner

[Signature]
Signature of owner

[Signature]
Print name of owner

The foregoing instrument was acknowledged before me this 21 day
of July 2011, by HOWARD A. JACOBS who
is personally known X or produced _____ as
identification.

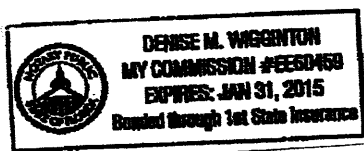
[Signature: Denise M. Wigginton]

(Notary Signature)

7/21/11

(Date)

My commission expires 1/31/15



KEN BURKE, CLERK OF COURT
PINELLAS COUNTY FLORIDA
INST# 2011161527 06/20/2011 at 09:32 AM
OFF REC BK: 17280 PG: 525-534
DocType:AGM RECORDING: \$86.50

KEN BURKE, CLERK OF COURT
PINELLAS COUNTY FLORIDA
INST# 2009032931 02/09/2009 at 01:35 PM
OFF REC BK: 16493 PG: 598-604
DocType:AGM RECORDING: \$61.00

DEVELOPMENT AGREEMENT

By and Between

THE CITY OF ST PETE BEACH

and

TAKVOR EVRIKOZ

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (the "Agreement") is made and executed as of this day of December, 2008, by and between the CITY OF ST PETE BEACH, a municipal corporation existing under the laws of the State of Florida, (the "City"), and TAKVOR EVRIKOZ (the "Developer").

RECITALS:

1. The Developer is developing and improving certain land situated in Pinellas County, Florida (the "County"), being more particularly described by Exhibit "A", attached hereto and incorporated herein by this reference (the "Property").
2. The Developer plans to develop a real estate project (the "Project") on the Property at an unspecified date in the future which will consist of two separate transient accommodation facilities allocated one each to the tracts of land identified as 1301 and 1307 Gulf Way. Each facility will be developed independently and at a time of the Developer's choosing.
3. The parties acknowledge that development of the Project will, result in a need for governmental services and facilities and the City has determined that it is feasible to extend into the Property municipal services, such as but not limited to police protection, fire protection, sanitary sewage collection and treatment, trash and garbage removal, street and storm drainage maintenance, water and electricity and such other governmental and municipal services as may be required or available from time to time, all in accordance with the terms of this Agreement and City, State, Federal and public utility authority rules, regulations, ordinances and procedures.
4. The City has determined that development of the Project in accordance with the conditions of approval set forth in the Development Order as amended by the terms and conditions set forth herein will be consistent with the goal of orderly growth and development of the area in which the Property is located and is consistent with the policies of the St. Pete Beach Comprehensive Plan. Development shall proceed in accordance with the existing or subsequently amended Development Order(s).
5. Both parties recognize that, because the development of the Project may occur over a number of years, each requires, for long range planning and implementation purposes (with respect to capital, marketing and the providing of governmental services), a high level of certainty, and that each party is entitled to act in reliance upon the agreements herein set forth.

6. This Agreement is intended to authorize the Developer to proceed with the development of the Project in accordance with and in reliance upon the approvals set forth in the Development Order and this Agreement.

Accordingly, for and in consideration of the terms of the agreements herein, the receipt and sufficiency of which are hereby mutually acknowledged, the City and the Developer agree as follows:

Section 1. Definitions. The following words, phrases and terms shall have the following meanings unless the context clearly requires otherwise:

- A. City. The City of St. Pete Beach, Florida
- B. County. Pinellas County, Florida.
- C. Developer. TAKVOR EVRIKOZ
- D. Development Order. All applicable Development Orders, including rezonings, variances or conditional use approvals.
- E. Project. The expansion of any current development or construction of any new residential or hotel facility located on the subject property.
- F. Property. The lands described by the attached Exhibit "A".
- G. Density. The number of residential units permitted per acre of land in accordance with the Comprehensive Plan and Land Development Code of the City of St. Pete Beach.

Section 2. General Provisions.

A. Compliance. The Developer agrees that both it and its successors and assigns will abide by the provisions of this Agreement, the laws of the State of Florida and the applicable ordinances of the CITY OF ST PETE BEACH.

B. Property Description and Binding Covenants. The Property is the real estate described by Exhibit "A". Except as herein provided to the contrary, it is intended that the provisions of this Agreement shall constitute promises and rights which shall run with said Property and the benefits and burdens hereof shall bind and inure to the benefit of all successors in interest to the parties hereto. Provided, however, the provisions of this paragraph are not intended

to imply or require the City's consent or joinder in mortgages encumbering the Property, declarations of condominium, declarations of covenants or restrictions, executions of easements or any other instruments executed in connection with the development or sale of the Property, in whole or in part.

C. Term. The term of this Agreement shall commence upon the proper execution of this Agreement by the last party hereto and shall extend for the entire period during which the subject property is designated as Residential High on the Future Land Use Plan Map of the City, unless sooner terminated, modified or extended by circumstances set forth in this Agreement or by mutual consent of the parties hereto, but shall under no circumstances remain in effect for less than three years from the date of commencement. Following the expiration of this Agreement, the contractual obligations provided by this Agreement shall be deemed terminated and of no further force and effect; provided, however, the termination of this Agreement shall not have the effect of terminating any Development Order.

D. Assignment. (1) At any time during the term of this Agreement, Developer may assign or transfer this Agreement, together with all the Developer's rights, title and interest therein, to any person, firm or corporation which succeeds to the then remaining interest of the Developer in and to the Property. That is, if the Developer shall sell or transfer its rights with respect to development or the Property by direct transfer or sale, long term lease, merger, consolidation, joint venture or partnership the successor to the Developer shall receive the benefits and be bound by the provisions of this Agreement.

E. Notices. Formal written notice, demands, correspondence and communication between the City and Developer shall be sufficiently given if dispatched by postage prepaid, first class mail, return receipt requested, to the respective party at the following address or to such other persons and addresses as either party may from time to time designate to the other in writing:

If to the City:

CITY OF ST PETE BEACH
City Clerk
155 Corey Avenue
St. Pete Beach, Florida 33706

If to the Developer:

Takvor Evrikoz
1307 Gulf Way
St. Pete Beach, Florida 33706

F. Notice of Sale or Transfer. Developer shall give prior written notice to the City of any sale or transfer of the Property or any portion thereof if such transfer includes an assignment of this Agreement or any portion thereof. Such notice shall specify the name or names of the transferee, the transferee's mailing address, the location of the land so sold or transferred, and the name and address

of the entity to which any notice relating to this Agreement shall be given.

G. Amendment of Agreement.

(1) This Agreement may be amended from time to time only by the mutual consent of the parties according to the same formalities required for the execution of this Agreement.

Section 3. Development of the Property.

A. Conditions. No development shall be allowed upon the property which is inconsistent with the stated policies of the City's Comprehensive Plan, Land Development Code or any applicable Development Order. Additionally, no permanent residential development of any configuration shall be permitted in excess of 10 units per acre, irrespective of the zoning assigned to the property. Except as herein or in the Development Order specifically permitted or stated to the contrary, all development activity and construction conducted in or on the Property shall be in accordance with contemporaneously applicable local, state and federal laws, regulations and ordinances.

B. Rules, Regulations, Zoning and Official Policies.

(1) This section shall not preclude the application to the Property of changes in City ordinances, regulations, plans or policies, the terms of which are specifically mandated and required to be applied to the Property by changes in water management districts or state or federal laws or regulations. In the event such changes in state or federal laws prevent or preclude compliance with one or more provisions of this Agreement (and the Project is not otherwise entitled to a vested rights status by statute or law), the City and Developer shall take such action as may be required to modify this Agreement.

(2) This section shall not be construed to limit the authority or obligation of the City to hold necessary public hearings, to limit the future discretion of the City or any of its officers or officials with regard to rules, regulations, ordinances, laws and entitlements of use which would require the exercise of discretion by the City or any of its officers or officials; provided that the City is currently exercising its discretionary powers with respect to the Project in the execution of this Agreement and subsequent discretionary actions shall not prevent development of the Project for the land uses and to the density and intensity of development as provided by this nor act as a cancellation of the provisions of this Agreement.

Section 4. Development of Property as a Private Undertaking.

It is specifically understood that the development of the Property is a private undertaking. No partnership, joint venture or

other association of any kind is formed by this Agreement. The only relationship between the City and the Developer is that of a government entity regulating the development of private property and the owner of such private property.

Section 5. Miscellaneous Provisions.

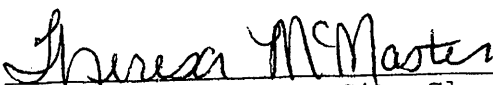
A. Recording. The Developer upon the execution of this Agreement, shall pay to the City the costs of recording of this Agreement among the Public Records of Pinellas County, Florida and the Agreement shall thereafter be recorded.

B. Severability. If any sentence, phrase, paragraph, provision or portion of this Agreement is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion thereto unless removing such sentence, phrase, paragraph, provision or portion from this Agreement would frustrate the intentions of either of the parties hereto in executing this Agreement.

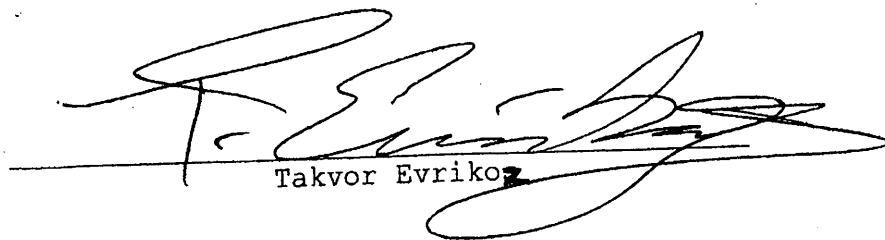
C. Successors and Assigns. The rights, benefits, burdens and obligations created and imposed by this Agreement shall inure to the benefit of and be binding upon the successors and assigns of the parties hereto.

IN WITNESS THEREOF, the parties hereto have caused these presents to be signed all as of the date and year first above written.

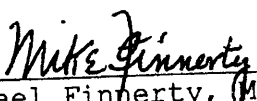
I, Theresa B. McMaster, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Development Agreement was duly adopted in accordance with the provisions of applicable law this 14th day of January, 2009.


Theresa B. McMaster, City Clerk

Signatures of Parties to the Agreement:



Takvor Evrikov



Michael Finnerty, Mayor
City of St. Pete Beach

Attachment "A"

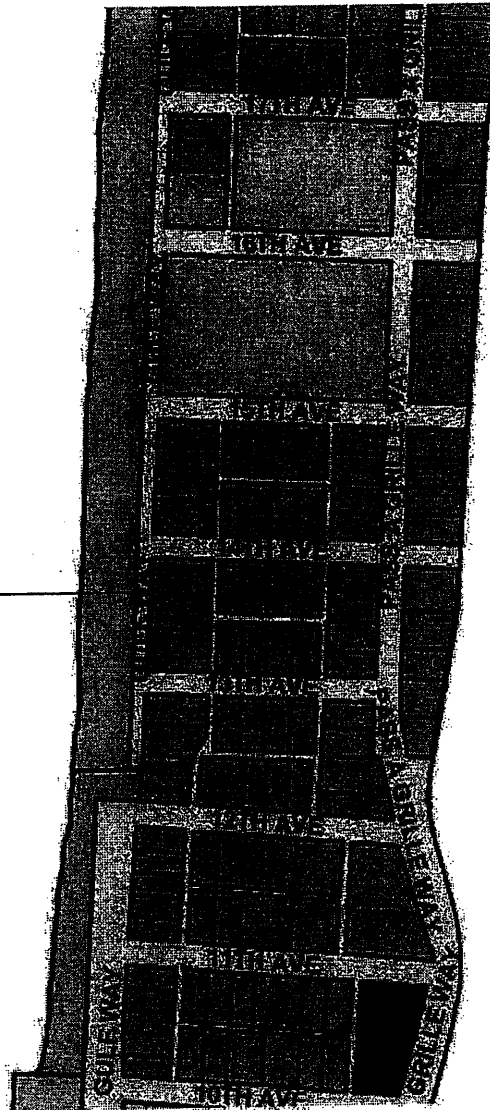
Legal Description 1307 Gulf Way

WEBSTER'S MAP, WARREN BLK B, LOTS 133 & 134 & N 35FT OF LOT 135
TOGETHER WITH THAT VAC PT OF GULF WAY DESC BEG AT NW COR OF
LOT 133 TH S01DE 135FT TH W 22.24FT TH N 135FT TH E 20.98FT TO POB (PER
O.R. 13168/437)

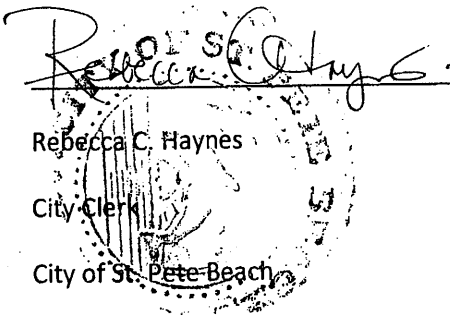
Exhibit A

1307 Gulf Way

1307



I, Rebecca C. Haynes, City Clerk with the City of St. Pete Beach, hereby certify that the foregoing Development Agreement by and between the City of St. Pete Beach and Mr. Takvor Evrikov re: 1307 Gulf Way, Pass-A-Grille, FL 33706, is a true and correct copy, as amended. The Development Agreement was approved by the St. Pete Beach City Commission at its regular meeting of January 14, 2009, and originally recorded on February 9, 2009 as Document #2009032931 with the Clerk of Court, Pinellas County, Florida. It is amended with the inclusion of "Exhibit A" as referred to in the Development Agreement, Page One, Section 'Recitals', Paragraph One.

 6/14/2011
Rebecca C. Haynes
City Clerk
City of St. Pete Beach

MEMORANDUM



CITY CLERK'S OFFICE

June 16, 2011

Clerk of Court
County of Pinellas
ATTN: Official Records Division
315 Court Street
Clearwater, FL 33756

To Whom It May Concern:

Please record the enclosed documents as listed below:

1. Development Agreement with Mr. Joe Caruso, 1301 Gulf Way, Pass-A-Grille, FL
2. Development Agreement with Mr. Takvor Evrikov, 1307 Gulf Way, Pass-A-Grille, FL

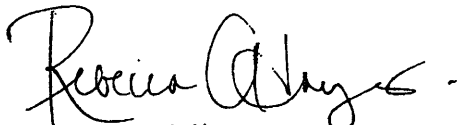
These documents were previously recorded on February 9, 2009 but did not include city clerk certification or the attachments referred to as Exhibit A.

As I understand from our Finance Department, Pinellas County will invoice the City of St. Pete Beach for this transaction. The total amount is \$173.00, \$10.00 for the first page and \$8.50 for each additional page, totaling \$86.50 for each ten-page document. Please advise if this is incorrect.

Should you require additional documentation or have any questions, please give me a call at (727) 363-9220.

Cordially,

CITY OF ST. PETE BEACH


Rebecca C. Haynes
City Clerk

City of St. Pete Beach

Robert and Mary Fernandez
110 12th Avenue
St. Pete Beach, FL 33706

October 21, 2011

Attention: C. Hartley
City of St. Pete Beach
Community Development Department
City Hall – 1st Floor
155 Corey Avenue
St. Pete Beach, FL 33706

Re: Ordinance to the Future Land Use Map from Residential High with the Resort Facilities Overlay
To Residential Low—Medium for the property located at 1307 Gulf Way

Ordinance 2011-34: Change to the Official Zoning Map from THD (Traditional Hotel District) to
RLM-2 (Residential Low Medium 2) for the property located at 1307 Gulf Way

Dear Sirs:

We will be out of town on October 26, 2011 and so we are writing to file our objection to the proposed future land use and zoning changes for 1307 Gulf Way.

As you know, we have vigorously opposed the expansion of a commercial property into our residential neighborhood. In this case the proposal is to convert property that has been commercial for many decades and approved for THD into residential zoning. This property is on Gulf Way and neighbors two other commercial properties. It is separated by an alley from other residential properties.

Just as we have strived to protect our neighborhood, we believe it is important to recognize the value of existing transient accommodations in the appropriate locations to the Pass-A-Grille mix. Thus we urge the Planning Board and the City Commission to reject this proposed future land use and zoning change for 1307 Gulf Way.

Sincerely,

Bob & Mary Fernandez

mjm

**St. Pete Beach City Commission
Agenda Report**

Issue Considered: First Reading and Public Hearing of Ordinance 2011-34

Date: March 27, 2012

Prepared By: Catherine Hartley, AICP, CNU-A, Senior Planner

Summary of Issue: Applicant requests change of zoning designation for 1307 Gulf Way from THD to RLM-2.

The Planning Board conducted a public hearing on the above-mentioned case on January 17, 2012, and unanimously voted to recommend approval of the request.

Requested Motion: “I move to approve Ordinance 2011-34 (read title)”

Attachments: Ordinance 2011-34.

Reviewed by City Manager: MB

ORDINANCE 2011-34

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, PINELLAS COUNTY, FLORIDA, PROVIDING FOR AN AMENDMENT TO THE OFFICIAL ZONING MAP FOR THE PROPERTY LOCATED AT 1307 GULF WAY, AS ILLUSTRATED ON THE MAP IN “EXHIBIT A” FROM THD TO RLM-2; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith, TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Pete Beach Comprehensive Plan encourages the preservation of residential neighborhoods and recommends minimizing the impacts of commercial uses adjacent to residential uses; and

WHEREAS, the Planning Board of the City of St. Pete Beach conducted a public hearing on January 17, 2012, noticed pursuant to Florida law and conducted pursuant to Ordinance 88-36 of the City of St. Pete Beach and Section 3.4 of the Land Development Code; and

WHEREAS, City Commission of the City of St. Pete Beach conducted public hearings on Tuesday March 27, 2012 and _____, 2012, noticed pursuant to Florida law and conducted pursuant to Ordinance 88-36 of the City of St. Pete Beach and Section 3.4 of the Land Development Code; and

WHEREAS, the City Commission finds this change to the Zoning Map to be consistent with the Goals, Objectives, and Policies of the Comprehensive Plan; and

WHEREAS, the City Commission finds this amendment to the Zoning Map to be in the best interest of the citizens of the City of St. Pete Beach.

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

Section 1. The Zoning Map of the City of St. Pete Beach is hereby amended, changing the zoning for the property located at 1307 Gulf Way, further illustrated in “Exhibit A”, from THD to RLM-2.

Section 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with this Ordinance.

Section 3. If any portion or part of this Ordinance is declared invalid by a court of competent jurisdiction, the valid remainder hereof shall remain in full force and effect.

Section 4. This Ordinance shall become effective within 30 days of adoption.

STEVE MCFARLIN, MAYOR

LPA PUBLIC HEARING: 1/17/2012

PUBLISHED:

FIRST READING: 3/27/2012

PUBLISHED :

SECOND READING/ADOPTION HEARING:

PUBLISHED :

I, Rebecca Haynes, 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 _____, 2012.

Rebecca Haynes, City Clerk

City of St. Pete Beach
City Commission Public Hearings
Case # 2011-0032 (Corresponding Ordinance # 2011-33)
Case # 2011-33 (Corresponding Ordinance # 2011-34)
March 27, 2012

Property Information

Address: 1307 Gulf Way

Owner: 1307 LLLP

Agent: David Bacon

Existing Use: Vacant

Proposed Use: Residential

Parcel Size: 16,605 square feet or .38 acres

Applicant Requests: Change of Future Land Use Designation from Residential High with the Resort Facilities Overlay to Residential Low-Medium.

Change of Zoning from Traditional Hotel District (THD) to Residential Medium (RLM-2).

Background Information:

In 2009, the Future Land Use designation was changed from Residential Low Medium to Residential High with the Resort Facilities Overlay. The zoning was concurrently changed from RLM-2 to THD. The purpose of the applications, according to the owner of the property at that time, was to redevelop the existing hotel into an updated temporary lodging facility.

Since the rezoning in 2009, the Land Development Regulations regarding the Traditional Hotel District have been modified to limit the redevelopment of hotels in the THD. Specifically, the LDC was amended to only permit the rebuilding of the same square footage as the former transient use, with the allowance of a 5% increase in square footage plus square footage for accessibility requirements. Additionally, swimming pools became a prohibited use in the THD. The property has since changed hands and the new owner has requested the property be re-designated and rezoned to a residential use.

Sec. 31.3. Permitted accessory uses and structures. The following accessory uses are permitted in the THD district:

- 1. Retail sales, limited to 100 square feet in area. The sales shall be located inside the principal structure and shall not have signage outside the structure advertising such retail goods for sale.*
- 2. Office space for the administrative use of the accommodation, such as check-in, check-out areas, reservations, and accounting.*

3. Meeting or conference rooms for the use of guests.

4. Fitness facilities for the use of guests.

(b) In addition to those commercial accessory structures permitted in 6.12, the following accessory structures are permitted in the THD District:

- 1. Garages;*
- 2. A storage building*
- 3. Decks and patios*
- 4. Fountains*

5. Gazebos

6. Trellises

31.12 Maximum Floor Area - No new structure shall be larger in aggregate square footage than the structures which occupied the site prior to redevelopment, except that the Building Official may allow a 5 % increase in the aggregate square footage overall, plus the minimum necessary increases in aggregate square footage in cases where such increases are reasonably necessary to implement current Building Code or other statutory requirements.

Sec. 31.13 Additional Requirements for Spas

1) All unenclosed spas shall provide a solid screening wall or fence at least six feet in height. This requirement shall be waved in instances where an enclosed structure is positioned between the spa and the adjacent private property.

2) No spa shall be located in such a manner as to be separated from the facility it serves by any public right-of-way.

3) Any existing facility expanded under this Division which currently has a pool or spa shall not construct a spa unless such existing pool or spa is first removed.

*Staff Note: Pools were not included as a permitted accessory use, and are therefore prohibited.

Staff Analysis

Consistency of the request with the Comprehensive Plan:

The following goals, objectives, and policies are germane to the application:

Citywide Land Use Goals, Objectives and Policies. In furtherance of the overall goals, objectives, and policies contained in the Comprehensive Plan, the land use categories and their descriptions, beginning on the next page, are hereby adopted for the purpose of serving as the guide for the City of St. Pete Beach in continuing its heritage of quality residential living complemented by resort facilities that support a tourist-based economy by creating a vision for the City's future that ensures that the City will remain a desirable place to live and visit that includes overall quality land management and emphasis on strict management of redevelopment in designated strategic core areas of the City.

Objective 2.13

The City shall promote the preservation and redevelopment of temporary lodging uses.

Policy 2.1.5

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

Policy 2.1.6

The conservation, maintenance and rehabilitation of existing residential areas shall be encouraged through provisions contained in the land development regulations and other applicable City codes.

Policy 2.3.5

The City shall encourage the maintenance of tourist lodging facilities in keeping with the character of the community.

Objective 2.4

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

Policy 2.4.1

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

Standards for review of FLUM changes:

Future Land Use Map amendments are a legislative function of local government under Florida law, which holds the governing authority to a general standard of reasonableness in making the determination. In addition, Land Use Map changes should be broadly consistent with relevant Comprehensive Plan policies. Beyond this, there are no decision making criteria specified in State statute or local ordinance beyond ensuring that Level of Service Standards shall not be degraded.

Standards for review of for changes to the Official Zoning Map:

Section 3.9 of the Land Development Code sets forth the standards for review of requests for rezonings:

Standards for review. In reviewing the application for a rezoning, the staff, the planning board and the city commission shall consider whether the proposed rezoning is consistent with and furthers the goals, policies and action strategies of the comprehensive plan.

In addition, the planning board and city commission shall consider the following:

- a. Whether the proposed change would be contrary to the land use plan and would have an adverse effect on the plan. The planning board and city commission shall review the request considering the most intense use permitted in the requested zone district;*
- b. Compatibility with adjacent properties and the existing land use pattern;*
- c. Possible creation of an isolated district unrelated to adjacent and nearby districts;*
- d. The population density pattern and increase in demand for public utilities or services, including potable water supply, sanitary sewer capacity, law enforcement or fire suppression;*
- e. Any increase in use of city infrastructure, including stormwater management facilities, streets and roads, water lines, sewer lines or lift stations;*
- f. Whether existing district boundaries are logically drawn in relation to existing conditions on the property proposed for change;*
- g. Whether changed or changing conditions make the passage of the proposed amendment necessary;*
- h. Whether the proposed change will adversely affect drainage.*

- i. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations;*
- j. Whether the proposed change will constitute a grant of special privileges to an individual owner as contrasted with the public welfare; and*
- k. Whether the change suggested is out of scale with the needs of the neighborhood or the city.*

Based on the standards in the code, Staff makes the following observations:

Although not reflected on the zoning map, Pass-a-Grille is a mixed-use district containing a variety of land uses including single family residential, multifamily residential, temporary lodging, office, retail, restaurants and other commercial uses, recreational uses, and institutional uses such as churches and clubs. Although the zoning map represents a strict separation of land uses, the actual uses on the ground are considerably more mixed.

The change in zoning would not be inconsistent with the Land Use Plan Map if the request for a change to the Future Land Use Map is granted. There are goals, objectives, and policies in the comprehensive plan that support both the maintenance of residential areas and temporary lodging uses as quoted above.

The property immediately adjacent to the subject property is a conforming temporary lodging use in terms of both the Comprehensive Plan and the Land Development Code. It could be argued that the change from a temporary lodging use to a residential use would be incompatible with the abutting property. However, the property would not be an isolated residential district, as the properties within the surrounding blocks are designated residential.

There is no significant impact on public facilities anticipated by the change in land use or zoning, as the property was designated residential prior to 2009.

The existing boundary of the Traditional Hotel District is logical in that the property abutting the subject property is a temporary lodging use. However, the remainder of the subject property is surrounded by residential zoning.

The applicant has not identified (in writing) any changes in conditions that would warrant the change in future land use or zoning. The applicant's testimony at the Planning Board public hearing was that it is not financially feasible to construct a new hotel use on the property. Staff has noted above the potential for discouraging the redevelopment of temporary lodging uses via the changes to the THD ordinance that further restricted square footage and prohibited swimming pools.

Impacts to drainage are not anticipated, as any new construction will be compelled to follow any regulations regarding drainage and stormwater mitigation.

It could be argued that the change in zoning to the subject property could impede the redevelopment of the abutting property, as an additional buffer would be required on the adjacent property if redevelopment next to a residential use.

Development allowed under the proposed zoning is generally consistent in size and mass to that allowed under the present zoning. The “needs” of the community as expressed in economic terms have not been clearly defined and are therefore difficult to assess. No studies have been conducted which clearly establish the economic value of the tourist lodging facilities in Pass-a-Grille as opposed to residential uses.

Conclusion

Certainly, there are policies in the Comprehensive Plan that support both the maintenance of the temporary lodging uses and the maintenance of single family neighborhoods; However, there are more policies that lean towards maintaining the temporary lodging use. Multiple public meetings have been conducted over the last year in which both the public and elected officials have stated that the preferred location of temporary lodging uses are on Gulf Way and Pass-a-Grille Way versus the interior streets where single family residences are the predominate uses. However, the applicant has argued that the restrictions placed on the Traditional Hotel District, in addition to the location (not directly on the beach) and the small size of the property make a hotel use not financially feasible. The applicant has argued that the highest and best use of the property is single family residential.

Respectfully submitted:
Catherine M. Hartley, AICP, CNU-a
Senior Planner

LAW OFFICES
OF
Bacon & Bacon, P.A.
A Professional Association

2959 FIRST AVENUE NORTH
ST. PETERSBURG, FLORIDA 33713

BACON & BACON, P.A.
ADRIAN S. BACON (1924-2001)
DAVID A. BACON

TELEPHONE: 727-327-3935
FACSIMILE: 727-323-4936

September 16, 2011

City of St. Pete Beach, Florida
Attn: Catherine Hartley, Zoning Dept.
155 Corey Avenue
St. Pete Beach, FL 33706

IN RE: Rezoning Application
Property Owner: 1307 Gulf Way, LLLP
Property Address: 1307 Gulf Way, St. Pete Beach

Dear Catherine:

I am enclosing herewith the following document in reference to the above application:

1. Rezoning Application;
2. Authorization Form;
3. Survey prepared by George F. Young; and
4. A check made payable to the City in the amount of \$2,043.44, representing the following:

a.	Zoning Application Fee -	\$500.00
b.	Flume (Land Use Map Change) Fee -	\$1,000.00
c.	Mailing Costs -	\$230.40
d.	Mailing Costs - repealing of Development Agr. -	\$313.04

Should you require any additional information or documentation at the present time, please advise me accordingly. Thanking you for your attention to the foregoing, I am

Sincerely,
BACON & BACON, P.A.

Jodilynn Furlong,
Florida Registered Paralegal
Enclosure

cc: Client

PLEASE TYPE OR
PRINT LEGIBLY



APPLICATION

(Check appropriate boxes)

Complete the information required below, read and initial the caveats on PAGE 2 of this form, sign below where indicated and attach a recent survey of the subject property and any supporting drawings and documents you think will enhance your application.

☐ Plan change ☒ Rezoning

APPLICANT/AGENT:

Name: Bacon & Bacon, P.A.-David Bacon Esq.

Address: 2959 First Avenue North

City: St. Petersburg State: FL

Zip: 33713 Telephone: 727-327-3935

PROPERTY OWNER:

Name: 1307 Gulf Way, LLLP

Address: 1324 S. Lakeshore Drive

City: Sarasota State: FL

Zip: 34231 Telephone: 941-358-6868

PROPERTY:

Address: 1307 Gulf Way, St. Pete Beach, FL

Parcel ID: 18-32-16-95454-004-1330

Current Zoning: THD Proposed Zoning: LLM-2

Current Land Use: Residential High

Proposed land use: LLM

Lot area: _____

DETAILS OF THE REQUEST (Add additional sheets if necessary):

Property is currently zoned THD and improved with a dilapidated, non-operational building formerly operated as the Gulf Way Inn. Property owner intends to cause the existing building to be demolished and desires to change the zoning to allow the property to be three (3) single family lots for eventual improvement with single family dwellings.

1307 GULF WAY, LLLP
By: [Signature] - THOMAS A. JACOBS 7-21-11
Signature of Applicant & Date

For office use only:

Case Number: _____ Scheduled PB Meeting: _____ Fees: _____

PB Action: ☐ Approved as requested ☐ Approved with conditions ☐ Denied

Forwarded to City Commission: Date Sent: _____

Scheduled for: _____

City Commission Action: ☐ Approved as requested ☐ Approved with conditions ☐ Denied

File Closed: _____

Property address 1307 GULF WAY (continued)

THE FOLLOWING ITEMS MUST BE INITIALED BY APPLICANT OR AGENT:

 I understand that the Board's action is not final. It must be approved by the City Commission, and I further understand that the Commission may modify the conditions of approval or deny the application.

 I understand that any person aggrieved by the final decision has the right to file a petition in the Pinellas County Circuit Court within **30 days** after the Commission decision, otherwise, the decision shall be final.

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



Owner's Authorization for Agent
Community Development Department
City of St. Pete Beach, Florida

I/WE 1307 GULF WAY, LLLP
(print name of property owner)

hereby authorize BACON + BACON, P.A. - DAVIS BACON
(print name of agent)

to represent me/us in an application for RE-ZONING
(type of application: variance, land use, zoning, special event, etc)

1307 GULF WAY, LLLP
By: [Signature] - President
Signature of owner

HOWARD A. JACOBS - President
Print name of owner

[Signature]
Signature of owner

[Signature]
Print name of owner

The foregoing instrument was acknowledged before me this 21 day
of July 2011, by HOWARD A. JACOBS who
is personally known X or produced _____ as
identification.

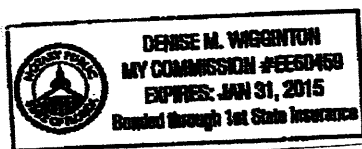
[Signature]

(Notary Signature)

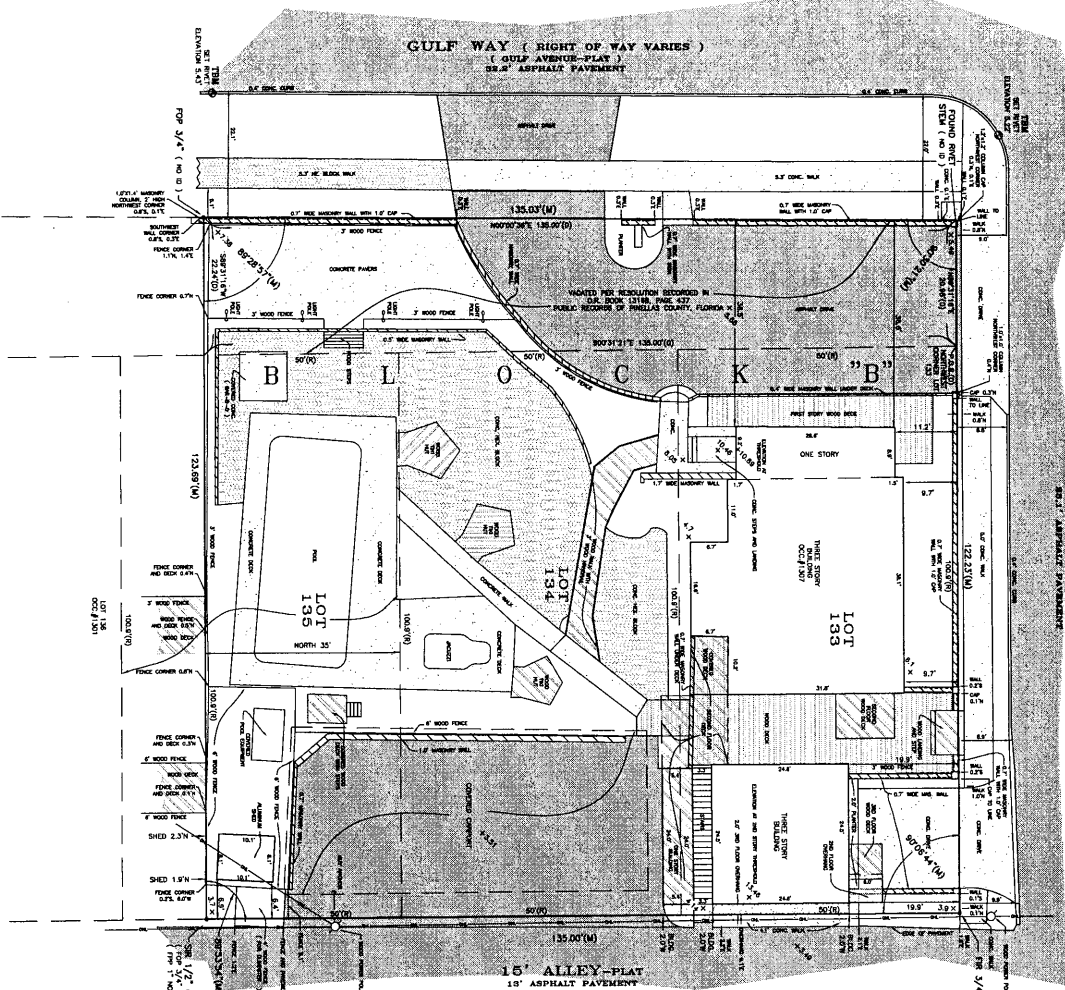
7/21/11

(Date)

My commission expires 1/31/15



14TH AVENUE 42' R/W - PLAT
32.1' ASPHALT PAVEMENT



LEGEND

A.C.	ADJACENT
B.P.	BORDER
C.C.	CORNER
C.D.	CORNER
C.F.	CORNER
C.G.	CORNER
C.H.	CORNER
C.I.	CORNER
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V.A.	VAN
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V.X.	VAN
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V.Z.	VAN
W.A.	WALL
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A BOUNDARY SURVEY OF

Lot 133, 134 and the North 35 feet of Lot 135, Block B, WARREN WEBSTER'S MAP, according to the plat thereof recorded in Plat Book 5, page 38, Public Records of Pinellas County, Florida, TOGETHER WITH a parcel of land lying West of and adjacent to said Lot 133, 134, and the North 35 feet of Lot 135, Block B, according to the plat thereof recorded in the Public Records of Pinellas County, Florida, at the Northwest corner of said Lot 133, run South 00°31'21" East, 135.00 feet; thence South 89°31'16" West, 22.24 feet; thence North 00°00'36" East, 135.00 feet; thence North 89°31'16" East, 20.96 feet to the POINT OF BEGINNING.

St. Petersburg Beach, Florida

NOTES:

1. George F. Young, Inc. and the undersigned make no representations or warranties as to the accuracy of the data herein.
2. This survey is made for the purpose of establishing the boundary between Lot 133, 134 and the North 35 feet of Lot 135, Block B, and the parcel of land lying West of and adjacent to said Lot 133, 134, and the North 35 feet of Lot 135, Block B, according to the plat thereof recorded in the Public Records of Pinellas County, Florida, at the Northwest corner of said Lot 133, run South 00°31'21" East, 135.00 feet; thence South 89°31'16" West, 22.24 feet; thence North 00°00'36" East, 135.00 feet; thence North 89°31'16" East, 20.96 feet to the POINT OF BEGINNING.
3. This survey is a graphic depiction of the current boundary and visible easements in accordance with the legal description shown herein and may not reflect the actual boundary.
4. Survey prepared with the benefit of a Chicago Title Insurance Company Commitment for Title Insurance, Order No. 3352872, effective date, October 22, 2010 at 11:00 pm, issued by Sunbeam, Loop 8, St. Petersburg, FL 34781.
5. As per above referenced Title Commitment, the boundary between Lot 133, 134 and the North 35 feet of Lot 135, Block B, and the parcel of land lying West of and adjacent to said Lot 133, 134, and the North 35 feet of Lot 135, Block B, according to the plat thereof recorded in the Public Records of Pinellas County, Florida, at the Northwest corner of said Lot 133, run South 00°31'21" East, 135.00 feet; thence South 89°31'16" West, 22.24 feet; thence North 00°00'36" East, 135.00 feet; thence North 89°31'16" East, 20.96 feet to the POINT OF BEGINNING.
6. The boundary between Lot 133, 134 and the North 35 feet of Lot 135, Block B, and the parcel of land lying West of and adjacent to said Lot 133, 134, and the North 35 feet of Lot 135, Block B, according to the plat thereof recorded in the Public Records of Pinellas County, Florida, at the Northwest corner of said Lot 133, run South 00°31'21" East, 135.00 feet; thence South 89°31'16" West, 22.24 feet; thence North 00°00'36" East, 135.00 feet; thence North 89°31'16" East, 20.96 feet to the POINT OF BEGINNING.
7. As per the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Number 121020276C, Community Number 125149, dated 02/28/2006, this area is in Zone AE with a base flood elevation of 11 feet, and Zone AE with a base flood elevation of 12 feet (NAVD 88).
8. Elevation shown herein refer to the North American Vertical Datum of 1988 (NAVD 88).
9. Boundary used was "NOAA A" located at Post-A-Chart Beach on the beach adjacent to the property.
10. This map is intended to be a scale of 1" = 10' or smaller.
11. Additions or deletions to survey maps or reports by other than the signing party or parties are prohibited without written consent of the signing party or parties.
12. This Survey is not valid without the signature and the original sealed and of a Florida Licensed Surveyor and map.
13. Certification is understood to be an expression of professional opinion by the surveyor and mapmaker based on the surveyor and mapmaker's knowledge and information, and that it is not a guarantee or warranty, expressed or implied.

1307 Gulf Way
Boundary Survey

SECTION 1A, TOWNSHIP 35S, RANGE 16E

1000

DEVELOPMENT AGREEMENT

By and Between

THE CITY OF ST PETE BEACH

and

TAKVOR EVRIKOZ

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (the "Agreement") is made and executed as of this day of December, 2008, by and between the CITY OF ST PETE BEACH, a municipal corporation existing under the laws of the State of Florida, (the "City"), and TAKVOR EVRIKOZ (the "Developer").

RECITALS:

1. The Developer is developing and improving certain land situated in Pinellas County, Florida (the "County"), being more particularly described by Exhibit "A", attached hereto and incorporated herein by this reference (the "Property").
2. The Developer plans to develop a real estate project (the "Project") on the Property at an unspecified date in the future which will consist of two separate transient accommodation facilities allocated one each to the tracts of land identified as 1301 and 1307 Gulf Way. Each facility will be developed independently and at a time of the Developer's choosing.
3. The parties acknowledge that development of the Project will, result in a need for governmental services and facilities and the City has determined that it is feasible to extend into the Property municipal services, such as but not limited to police protection, fire protection, sanitary sewage collection and treatment, trash and garbage removal, street and storm drainage maintenance, water and electricity and such other governmental and municipal services as may be required or available from time to time, all in accordance with the terms of this Agreement and City, State, Federal and public utility authority rules, regulations, ordinances and procedures.
4. The City has determined that development of the Project in accordance with the conditions of approval set forth in the Development Order as amended by the terms and conditions set forth herein will be consistent with the goal of orderly growth and development of the area in which the Property is located and is consistent with the policies of the St. Pete Beach Comprehensive Plan. Development shall proceed in accordance with the existing or subsequently amended Development Order(s).
5. Both parties recognize that, because the development of the Project may occur over a number of years, each requires, for long range planning and implementation purposes (with respect to capital, marketing and the providing of governmental services), a high level of certainty, and that each party is entitled to act in reliance upon the agreements herein set forth.

6. This Agreement is intended to authorize the Developer to proceed with the development of the Project in accordance with and in reliance upon the approvals set forth in the Development Order and this Agreement.

Accordingly, for and in consideration of the terms of the agreements herein, the receipt and sufficiency of which are hereby mutually acknowledged, the City and the Developer agree as follows:

Section 1. Definitions. The following words, phrases and terms shall have the following meanings unless the context clearly requires otherwise:

- A. City. The City of St. Pete Beach, Florida
- B. County. Pinellas County, Florida.
- C. Developer. TAKVOR EVRIKOZ
- D. Development Order. All applicable Development Orders, including rezonings, variances or conditional use approvals.
- E. Project. The expansion of any current development or construction of any new residential or hotel facility located on the subject property.
- F. Property. The lands described by the attached Exhibit "A".
- G. Density. The number of residential units permitted per acre of land in accordance with the Comprehensive Plan and Land Development Code of the City of St. Pete Beach.

Section 2. General Provisions.

A. Compliance. The Developer agrees that both it and its successors and assigns will abide by the provisions of this Agreement, the laws of the State of Florida and the applicable ordinances of the CITY OF ST PETE BEACH.

B. Property Description and Binding Covenants. The Property is the real estate described by Exhibit "A". Except as herein provided to the contrary, it is intended that the provisions of this Agreement shall constitute promises and rights which shall run with said Property and the benefits and burdens hereof shall bind and inure to the benefit of all successors in interest to the parties hereto. Provided, however, the provisions of this paragraph are not intended

to imply or require the City's consent or joinder in mortgages encumbering the Property, declarations of condominium, declarations of covenants or restrictions, executions of easements or any other instruments executed in connection with the development or sale of the Property, in whole or in part.

C. Term. The term of this Agreement shall commence upon the proper execution of this Agreement by the last party hereto and shall extend for the entire period during which the subject property is designated as Residential High on the Future Land Use Plan Map of the City, unless sooner terminated, modified or extended by circumstances set forth in this Agreement or by mutual consent of the parties hereto, but shall under no circumstances remain in effect for less than three years from the date of commencement. Following the expiration of this Agreement, the contractual obligations provided by this Agreement shall be deemed terminated and of no further force and effect; provided, however, the termination of this Agreement shall not have the effect of terminating any Development Order.

D. Assignment. (1) At any time during the term of this Agreement, Developer may assign or transfer this Agreement, together with all the Developer's rights, title and interest therein, to any person, firm or corporation which succeeds to the then remaining interest of the Developer in and to the Property. That is, if the Developer shall sell or transfer its rights with respect to development or the Property by direct transfer or sale, long term lease, merger, consolidation, joint venture or partnership the successor to the Developer shall receive the benefits and be bound by the provisions of this Agreement.

E. Notices. Formal written notice, demands, correspondence and communication between the City and Developer shall be sufficiently given if dispatched by postage prepaid, first class mail, return receipt requested, to the respective party at the following address or to such other persons and addresses as either party may from time to time designate to the other in writing:

If to the City:

CITY OF ST PETE BEACH
City Clerk
155 Corey Avenue
St. Pete Beach, Florida 33706

If to the Developer:

Takvor Evrikoz
1307 Gulf Way
St. Pete Beach, Florida 33706

F. Notice of Sale or Transfer. Developer shall give prior written notice to the City of any sale or transfer of the Property or any portion thereof if such transfer includes an assignment of this Agreement or any portion thereof. Such notice shall specify the name or names of the transferee, the transferee's mailing address, the location of the land so sold or transferred, and the name and address

of the entity to which any notice relating to this Agreement shall be given.

G. Amendment of Agreement.

(1) This Agreement may be amended from time to time only by the mutual consent of the parties according to the same formalities required for the execution of this Agreement.

Section 3. Development of the Property.

A. Conditions. No development shall be allowed upon the property which is inconsistent with the stated policies of the City's Comprehensive Plan, Land Development Code or any applicable Development Order. Additionally, no permanent residential development of any configuration shall be permitted in excess of 10 units per acre, irrespective of the zoning assigned to the property. Except as herein or in the Development Order specifically permitted or stated to the contrary, all development activity and construction conducted in or on the Property shall be in accordance with contemporaneously applicable local, state and federal laws, regulations and ordinances.

B. Rules, Regulations, Zoning and Official Policies.

(1) This section shall not preclude the application to the Property of changes in City ordinances, regulations, plans or policies, the terms of which are specifically mandated and required to be applied to the Property by changes in water management districts or state or federal laws or regulations. In the event such changes in state or federal laws prevent or preclude compliance with one or more provisions of this Agreement (and the Project is not otherwise entitled to a vested rights status by statute or law), the City and Developer shall take such action as may be required to modify this Agreement.

(2) This section shall not be construed to limit the authority or obligation of the City to hold necessary public hearings, to limit the future discretion of the City or any of its officers or officials with regard to rules, regulations, ordinances, laws and entitlements of use which would require the exercise of discretion by the City or any of its officers or officials; provided that the City is currently exercising its discretionary powers with respect to the Project in the execution of this Agreement and subsequent discretionary actions shall not prevent development of the Project for the land uses and to the density and intensity of development as provided by this nor act as a cancellation of the provisions of this Agreement.

Section 4. Development of Property as a Private Undertaking.

It is specifically understood that the development of the Property is a private undertaking. No partnership, joint venture or

other association of any kind is formed by this Agreement. The only relationship between the City and the Developer is that of a government entity regulating the development of private property and the owner of such private property.

Section 5. Miscellaneous Provisions.

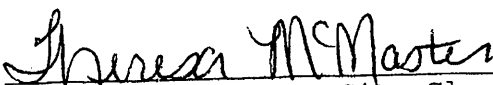
A. Recording. The Developer upon the execution of this Agreement, shall pay to the City the costs of recording of this Agreement among the Public Records of Pinellas County, Florida and the Agreement shall thereafter be recorded.

B. Severability. If any sentence, phrase, paragraph, provision or portion of this Agreement is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion thereto unless removing such sentence, phrase, paragraph, provision or portion from this Agreement would frustrate the intentions of either of the parties hereto in executing this Agreement.

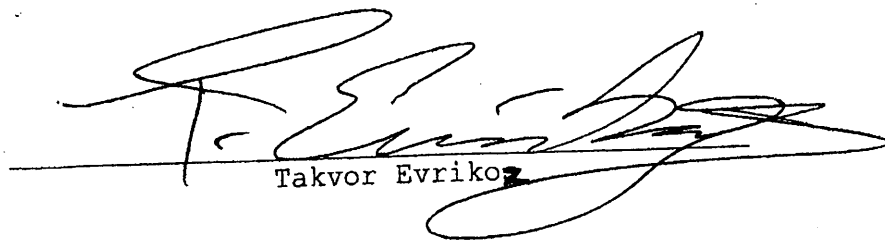
C. Successors and Assigns. The rights, benefits, burdens and obligations created and imposed by this Agreement shall inure to the benefit of and be binding upon the successors and assigns of the parties hereto.

IN WITNESS THEREOF, the parties hereto have caused these presents to be signed all as of the date and year first above written.

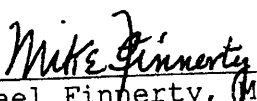
I, Theresa B. McMaster, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Development Agreement was duly adopted in accordance with the provisions of applicable law this 14th day of January, 2009.


Theresa B. McMaster, City Clerk

Signatures of Parties to the Agreement:



Takvor Evrikov



Michael Finnerty, Mayor
City of St. Pete Beach

Attachment "A"

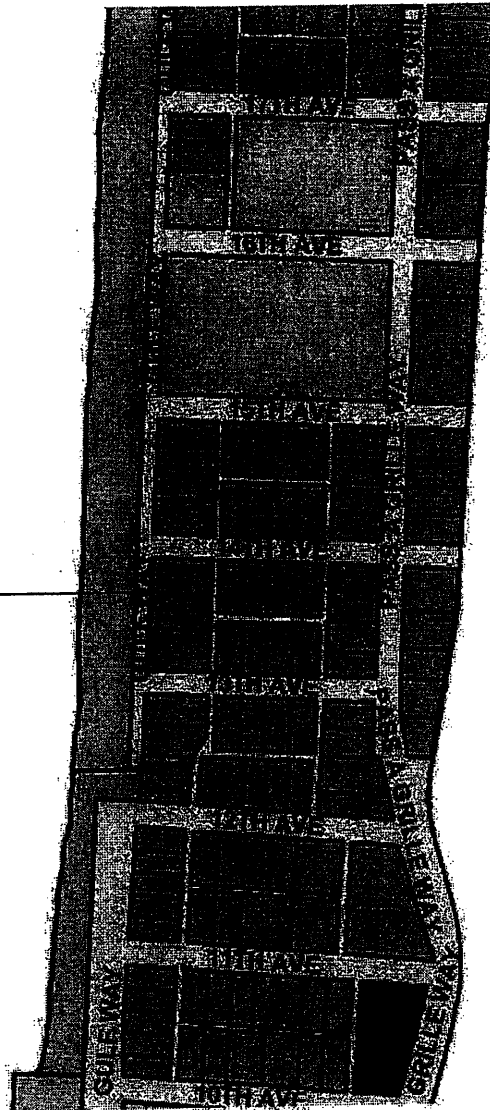
Legal Description 1307 Gulf Way

WEBSTER'S MAP, WARREN BLK B, LOTS 133 & 134 & N 35FT OF LOT 135
TOGETHER WITH THAT VAC PT OF GULF WAY DESC BEG AT NW COR OF
LOT 133 TH S01DE 135FT TH W 22.24FT TH N 135FT TH E 20.98FT TO POB (PER
O.R. 13168/437)

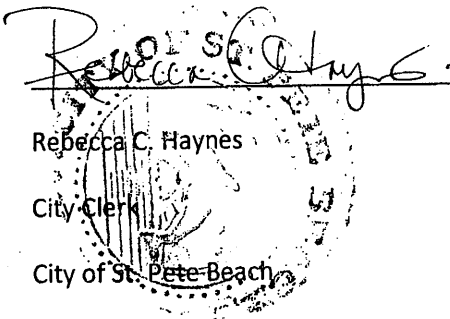
Exhibit A

1307 Gulf Way

1307



I, Rebecca C. Haynes, City Clerk with the City of St. Pete Beach, hereby certify that the foregoing Development Agreement by and between the City of St. Pete Beach and Mr. Takvor Evrikov re: 1307 Gulf Way, Pass-A-Grille, FL 33706, is a true and correct copy, as amended. The Development Agreement was approved by the St. Pete Beach City Commission at its regular meeting of January 14, 2009, and originally recorded on February 9, 2009 as Document #2009032931 with the Clerk of Court, Pinellas County, Florida. It is amended with the inclusion of "Exhibit A" as referred to in the Development Agreement, Page One, Section 'Recitals', Paragraph One.

 6/14/2011
Rebecca C. Haynes
City Clerk
City of St. Pete Beach

MEMORANDUM



CITY CLERK'S OFFICE

June 16, 2011

Clerk of Court
County of Pinellas
ATTN: Official Records Division
315 Court Street
Clearwater, FL 33756

To Whom It May Concern:

Please record the enclosed documents as listed below:

1. Development Agreement with Mr. Joe Caruso, 1301 Gulf Way, Pass-A-Grille, FL
2. Development Agreement with Mr. Takvor Evrikov, 1307 Gulf Way, Pass-A-Grille, FL

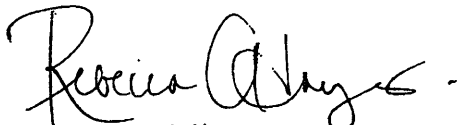
These documents were previously recorded on February 9, 2009 but did not include city clerk certification or the attachments referred to as Exhibit A.

As I understand from our Finance Department, Pinellas County will invoice the City of St. Pete Beach for this transaction. The total amount is \$173.00, \$10.00 for the first page and \$8.50 for each additional page, totaling \$86.50 for each ten-page document. Please advise if this is incorrect.

Should you require additional documentation or have any questions, please give me a call at (727) 363-9220.

Cordially,

CITY OF ST. PETE BEACH


Rebecca C. Haynes
City Clerk

City of St. Pete Beach

Robert and Mary Fernandez
110 12th Avenue
St. Pete Beach, FL 33706

October 21, 2011

Attention: C. Hartley
City of St. Pete Beach
Community Development Department
City Hall – 1st Floor
155 Corey Avenue
St. Pete Beach, FL 33706

Re: Ordinance to the Future Land Use Map from Residential High with the Resort Facilities Overlay
To Residential Low—Medium for the property located at 1307 Gulf Way

Ordinance 2011-34: Change to the Official Zoning Map from THD (Traditional Hotel District) to
RLM-2 (Residential Low Medium 2) for the property located at 1307 Gulf Way

Dear Sirs:

We will be out of town on October 26, 2011 and so we are writing to file our objection to the proposed future land use and zoning changes for 1307 Gulf Way.

As you know, we have vigorously opposed the expansion of a commercial property into our residential neighborhood. In this case the proposal is to convert property that has been commercial for many decades and approved for THD into residential zoning. This property is on Gulf Way and neighbors two other commercial properties. It is separated by an alley from other residential properties.

Just as we have strived to protect our neighborhood, we believe it is important to recognize the value of existing transient accommodations in the appropriate locations to the Pass-A-Grille mix. Thus we urge the Planning Board and the City Commission to reject this proposed future land use and zoning change for 1307 Gulf Way.

Sincerely,

Bob & Mary Fernandez

mjm

**St. Pete Beach City Commission
Agenda Report**

Issue Considered: First Reading and Public Hearing of Ordinance 2011-37

Date: March 27, 2012

Prepared By: Catherine Hartley, AICP, CNU-A, Senior Planner

Summary of Issue: Change of Future Land Use designation for 701 Gulf Way from Residential Office Retail (ROR) to Community Redevelopment District – Eighth Avenue (CRD-EA).

The Planning Board conducted a public hearing on the above-mentioned case on January 17, 2012, and voted 4-1 to recommend approval of the request with the conditions that the units not be permitted to be rented for less than one week and that the development order should specify such.

Requested Motion: “I move to approve Ordinance 2011-37 (read title)”

Attachments: Ordinance 2011-37.

Reviewed by City Manager: MB

ORDINANCE # 2011-37

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, PINELLAS COUNTY, FLORIDA, PROVIDING FOR AN AMENDMENT TO THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN FOR THE PROPERTY LOCATED AT 701 GULF WAY, FURTHER ILLUSTRATED ON THE MAP IN “EXHIBIT A”, FROM RESIDENTIAL OFFICE RETAIL TO CRD-EA; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission adopted Ordinance 2008-24 on August 26, 2008, establishing a special Future Land Use designation for Eighth Avenue, known as the Community Redevelopment District- Eighth Avenue: and

WHEREAS, the Citizens of St. Pete Beach validated the adoption of this comprehensive plan amendment via public referendum in 2009; and

WHEREAS, the Planning Board of the City of St. Pete Beach conducted a public hearing on January 17, 2012, noticed pursuant to Florida law and conducted pursuant to Ordinance 88-36 of the City of St. Pete Beach and Section 3.4 of the Land Development Code; and

WHEREAS, City Commission of the City of St. Pete Beach conducted public hearings on Tuesday March 27, 2012 and _____, 2012, noticed pursuant to Florida law and conducted pursuant to Ordinance 88-36 of the City of St. Pete Beach and Section 3.4 of the Land Development Code; and

WHEREAS, the City Commission finds this change to the Future Land Use Map to be consistent with the Goals, Objectives, and Policies of the Comprehensive Plan; and

WHEREAS, the City Commission finds this amendment to the Future Land Use Map to be in the best interest of the citizens of the City of St. Pete Beach.

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

Section 1. The Future Land Use Map of the City of St. Pete Beach Comprehensive Plan is hereby amended, changing the designation for the property located at 701 Gulf Way, illustrated in “Exhibit A”, from Residential Office Retail to CRD-EA.

Section 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with this Ordinance.

Section 3. If any portion or part of this Ordinance is declared invalid by a court of competent jurisdiction, the valid remainder hereof shall remain in full force and effect.

Section 4. This Ordinance shall become effective within 30 days of the Florida Department of Economic Opportunity issuance of a final statement of “no objection”.

STEVE MCFARLIN, MAYOR

LPA PUBLIC HEARING: 1/17/2012

PUBLISHED:

FIRST READING: 3/27/2012

PUBLISHED : 3/14/2012

SECOND READING/ADOPTION HEARING:

PUBLISHED:

I, Rebecca Haynes, 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 _____, 2012.

Rebecca Haynes, City Clerk

“Exhibit A”

701 Gulf Way



City of St. Pete Beach
City Commission Public Hearings
Ordinance # 2011-37
Ordinance # 2011-38
March 27, 2012

Property Information

Address: 701 Gulf Way
Owners: Multiple – Please refer to Exhibit A submitted by applicant's agent
Agent: Deborah Martohue
Existing Use: Multifamily
Proposed Use: Temporary Lodging
Parcel Size: 7,980 square feet MOL

Applicant Requests: Change of Future Land Use Designation from Residential Office Retail to CRD-EA
Change of Zoning from ROR to CRD-EA

Background Information:

The property was formerly an 11-unit apartment complex. Between roughly 2006 and 2007, the property was renovated and the number of units was reduced to 8 units. The certificate of occupancy issued at the completion of the project states the structure was at the time of issuance "in compliance with the various ordinances of the City regarding building construction or use for the following: 8 unit apartment building". The Certificate of Occupancy is dated March 28, 2008. According to Property Appraiser public records, all of the units were sold between July - August 2008.

Shortly after the Certificate of Occupancy was issued, the City initiated a Future Land Use Map (FLUM) change to the area known as the CRD-EA or Community Redevelopment Area- 8th Avenue (Ordinance 2008-24). The area was also subject to a Special Area Plan and Countywide Land Use Map change. ***(Please note: The property subject to this application, 701 Gulf Way, was not included in the 2008 FLUM Amendment or Special Area Plan.)***

The dates of the public hearings/election for the FLUM change are as follows:

Planning Board: 5/22/2008
City Commission 1st reading: 6/10/2008
City Commission 2nd reading: 8/26/2008
Voter Approval: 3/10/2009
Pinellas Planning Council: 2/17/2010
Pinellas County Board of County Commissioners acting as the Countywide Planning Authority: 3/16/2010

A map of the CRD-EA as approved via Ordinance 2008-24 is illustrated in Figure 1 below:

Under the proposed CRD-EA FLUM and zoning regulations, the site would be permitted to have 5 transient units. It should be noted that the City Commission directed Staff to initiate a change to the Eighth Avenue Special Area Plan and text of the Comprehensive Plan to allow for 50 transient units per acre, which are addressed in Ordinance numbers 2011-39 and 2011-40, respectively. This change in density, along with the change in Future Land Use and zoning, would make the property as used as a temporary lodging use both conforming by use and density. Currently, the site does not contain any off-street parking; however, pursuant to Division 23.5 of the land Development Code, transient uses in the CRD-EA zoning are exempt from providing off-street parking.

Staff Analysis

Consistency of the request with the Comprehensive Plan:

The following goals, objectives, and policies are germane to the application:

Policy 2.1.5

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

Policy 2.1.6

The conservation, maintenance and rehabilitation of existing residential areas shall be encouraged through provisions contained in the land development regulations and other applicable City codes.

Objective 2.4

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

Policy 2.4.1

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

Standards for review of FLUM changes:

Future Land Use Map amendments are a legislative function of local government under Florida law, which holds the governing authority to a general standard of reasonableness in making the determination. In addition, Future Land Use Map changes should be broadly consistent with relevant Comprehensive Plan policies, including not degrading infrastructure Levels of Service.

The applicant has not submitted evidence of meeting level of service standards pursuant to the Comprehensive Plan. However, as the City was required to amend the Eighth Avenue Special Area Plan to accommodate the City Commission's request to increase temporary lodging density, staff calculated the demand including the subject property. No significant impacts to

infrastructure have been noted. The existing facilities have the capacity to handle possible increases (impacts would be negligible- St. Pete Beach is a retail customer in terms of potable water, and the St. Petersburg Sewage treatment facility has several million gallons of capacity). Please refer to the 8th Avenue Special Area Plan for specific calculations.

The existing ROR Future Land Use category currently permits transient accommodations, which is also consistent with the CRD-EA category. The only difference lies in the number of units per acre permitted.

Standards for review of for changes to the Official Zoning Map:

Section 3.9 of the Land Development Code sets forth the standards for review of requests for rezonings:

Standards for review. In reviewing the application for a rezoning, the staff, the planning board and the city commission shall consider whether the proposed rezoning is consistent with and furthers the goals, policies and action strategies of the comprehensive plan.

In addition, the planning board and city commission shall consider the following:

- a. Whether the proposed change would be contrary to the land use plan and would have an adverse effect on the plan. The planning board and city commission shall review the request considering the most intense use permitted in the requested zone district;*
- b. Compatibility with adjacent properties and the existing land use pattern;*
- c. Possible creation of an isolated district unrelated to adjacent and nearby districts;*
- d. The population density pattern and increase in demand for public utilities or services, including potable water supply, sanitary sewer capacity, law enforcement or fire suppression;*
- e. Any increase in use of city infrastructure, including stormwater management facilities, streets and roads, water lines, sewer lines or lift stations;*
- f. Whether existing district boundaries are logically drawn in relation to existing conditions on the property proposed for change;*
- g. Whether changed or changing conditions make the passage of the proposed amendment necessary;*
- h. Whether the proposed change will adversely affect drainage.*
- i. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations;*
- j. Whether the proposed change will constitute a grant of special privileges to an individual owner as contrasted with the public welfare; and*
- k. Whether the change suggested is out of scale with the needs of the neighborhood or the city.*

Although not reflected on the zoning map, Pass-a-Grille is a mixed-use area containing a variety of land uses including single family residential, multifamily residential, temporary lodging, office, retail, restaurants and other commercial uses, recreational uses, and institutional uses such as churches and clubs. Although the zoning map represents a strict separation of land uses, the actual uses on the ground are considerably more mixed.

The change in zoning would not be inconsistent with the Future Land Use Plan Map if the request for a change to the Future Land Use Map is granted. There are goals, objectives, and policies in the comprehensive plan that support both the maintenance of residential areas and encouraging mixed use development.

The property immediately adjacent to the subject property is a conforming temporary lodging use in terms of permitted uses in both the Comprehensive Plan and the Land Development Code. It could be argued that the change from a residential use to a temporary lodging use would be compatible with the surrounding area. Although the properties east of the subject property are predominately residential in character and use, the zoning and Future Land use allow for non-residential uses.

There is no significant impact on public facilities anticipated by the change in land use or zoning, as stated above.

The applicant has identified a change in condition that would warrant the change in future land use or zoning: The owners of the existing units allegedly relied on information provided by the developer that the units could be used as short term rentals.

Impacts to drainage are not anticipated, as any new construction will be compelled to follow any regulations regarding drainage and stormwater mitigation. No new construction has been proposed for this site.

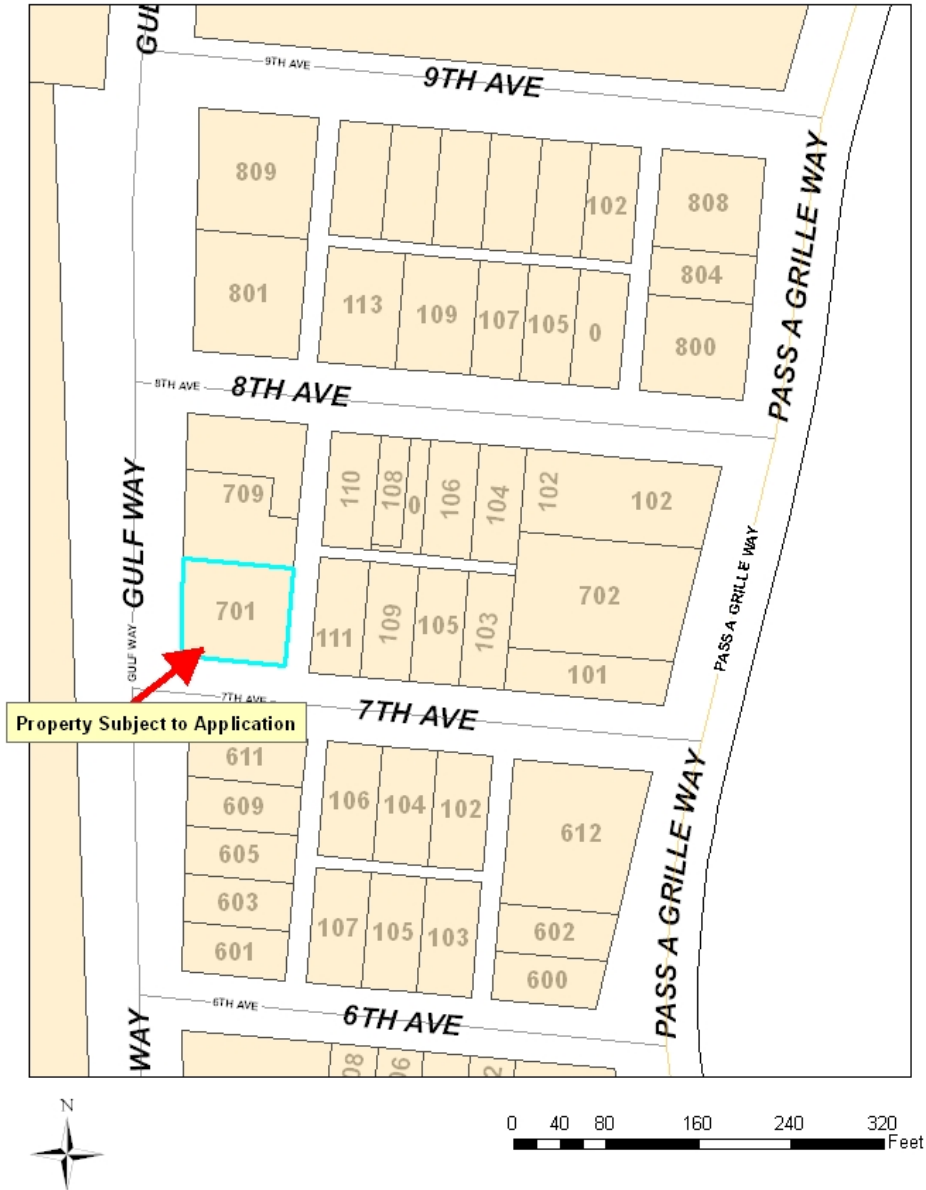
Development allowed under the proposed zoning is generally consistent in size and mass to that allowed under the present zoning. The current mass and scale is less than what is allowed under the CRD-EA zoning. The “needs” of the community as expressed in economic terms have not been clearly defined and are therefore difficult to assess. No studies have been conducted which clearly establish the economic value of the tourist lodging facilities in Pass-a-Grille as opposed to residential uses.

Summary and Conclusion

Certainly, there are policies in the Comprehensive Plan that support both mixed use development and the maintenance of single family neighborhoods. However, the existing zoning and FLUM designations are mixed use. Both single family and mixed uses – including temporary lodging – are proximate to the subject property. Multiple public meetings have been conducted over the last year in which both the public and elected officials have stated that the preferred location of temporary lodging uses are on Gulf Way and Pass-a-Grille Way versus the interior streets where single family residences are the predominate uses. The only issue at hand is whether or not to allow the existing 8 units to be permitted to rent short term (less than 30 days) more than three times per year.

Respectfully submitted:
Catherine M. Hartley, AICP, CNU-a
Senior Planner

Ordinance # 2011-37 Change of Future
Land Use from Residential Office Medium to
Community Redevelopment District - Eighth Avenue
Ordinance # 2011-38 Change of Zoning from
ROR to CRD-EA
701 Gulf Way





CITY OF ST PETE BEACH

CERTIFICATE OF OCCUPANCY

This Certificate is issued pursuant to the requirements of the Florida Building Code and the Land Development Code, certifying that at the time of issuance, this structure was in compliance with the various ordinances of the City regulating building construction or use, for the following:

DESCRIPTION & ADDRESS OF BUILDING: 8 Unit Apartment Building 701 Gulf Way, St Pete Beach, FL 33706

LOT: 10 & 11 BLOCK: 6 SUBDIVISION: Morey Beach

USE CLASSIFICATION: Residential GROUP: R-2 FIRE DISTRICT: No

BUILDING PERMIT NUMBER: 20061384

OWNER OF BUILDING: S C USA Pass-A-Grille LLC

ADDRESS: PO Box 10279, Tampa, FL 33679-0279

CONTRACTOR: Hussung Construction Inc.

ADDRESS: 246 17th Ave NE, St Petersburg, FL 33704

NOTES: Existing 11 unit apartment renovated and converted to 8 units.


Bruce Cooper, Building Official March 28, 2008

2002**St Pete Beach Business Tax Receipt**

License Number

20021229

Date Paid

5/7/2002

Amount Paid

\$46.00

Expires 9/30/2002

Mail to

GREEN CASTLE APTS (INAC)

2167 GORDON DR

JOSEPH JANDSCIK

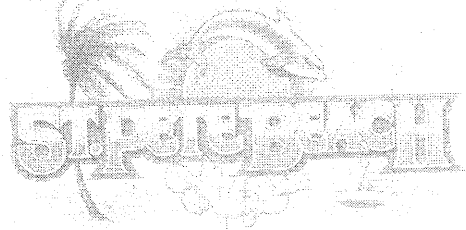
MISSISSAUGA ONTARIO, CN L5B1S6

GREEN CASTLE APTS (INAC)

701 GULF WAY

ST PETE BEACH, FL 33706

Catagory	Fee	Note
☒ Apartment Hotel Motel Guest House - 6 to10 units inclusive	\$30.00	
☒ Apartment Hotel Motel Guest House Each additional unit over 10	\$6.00	11 UNITS
☒ Laundromats or self-service laundries. Washers and dryers Each machine	\$10.00	2 MACHINES



This occupational tax license does not permit the holder to operate in violation of any city law, ordinance or regulation. Any change in location or ownership must be approved by city license department, subject to zoning restrictions. This occupational tax does not constitute an endorsement, approval or disapproval of the holder's skill or competence or non-competence of the holder with other laws, regulations or standards.

Every person required to have a city license shall at all times from the issuance of such license by the city, conspicuously display such license in his place of business, and where the licensee dose not have a place of business he shall be prepared at all times while engaged in his occupation to present his license for inspection by any police officer or license officer of the city when requested to do so.

Licensee copy

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City Copy

2003**St Pete Beach Business Tax Receipt**GREEN CASTLE APTS (INAC)
701 GULF WAY

ST PETE BEACH, FL 33706

Mail to

GREEN CASTLE APTS (INAC)
2167 GORDON DR
JOSEPH JANDSCIK
MISSISSAUGA ONTARIO, CN L5B1S6

License Number

20030987

Date Paid

8/22/2002

Amount Paid

\$80.50

Expires 9/30/2003

Catagory	Fee	Note
☒ Apartment Hotel Motel Guest House - 6 to 10 units inclusive	\$30.00	
☒ Apartment Hotel Motel Guest House Each additional unit over 10	\$6.00	11 UNITS
☒ Laundromats or self-service laundries. Washers and dryers Each machine	\$10.00	2 MACHINES



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Licensee copy

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701 GULF WAY

ST PETE BEACH, FL 33706

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JOSEPH JANDSCIK
MISSISSAUGA ONTARIO, CN L5B1S6

License Number

20030987

Date Paid

8/22/2002

Amount Paid

\$80.50

Expires 9/30/2003

Catagory	Fee	Note
☒ Apartment Hotel Motel Guest House - 6 to 10 units inclusive	\$30.00	
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City Copy

2004**St Pete Beach Business Tax Receipt**

License Number

20041148

Date Paid

8/6/2003

Amount Paid

\$57.50

Expires 9/30/2004

GREEN CASTLE APTS (INAC)
701 GULF WAY

Mail to

GREEN CASTLE APTS (INAC)
2167 GORDON DR
JOSEPH JANDSCIK
MISSISSAUGA ONTARIO, CN L5B1S6

ST PETE BEACH, FL 33706

Catagory	Fee	Note
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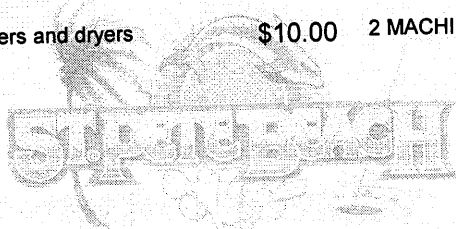
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2005

St Pete Beach Business Tax Receipt

GREEN CASTLE APTS (INAC)
701 GULF WAY

ST PETE BEACH, FL 33706

Mail to

GREEN CASTLE APTS (INAC)
2167 GORDON DR
JOSEPH JANDSCIK
MISSISSAUGA ONTARIO, CN L5B1S6

License Number
20050902
Date Paid
8/5/2004
Amount Paid
\$46.00
Expires 9/30/2005

Catagory	Fee	Note
☒ Apartment Hotel Motel Guest House - 6 to 10 units inclusive	\$30.00	
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701 GULF WAY

ST PETE BEACH, FL 33706

Mail to

GREEN CASTLE APTS (INAC)
2167 GORDON DR
JOSEPH JANDSICK
MISSISSAUGA ONTARIO, CN L5B1S6

License Number
20061334
Date Paid
8/5/2005
Amount Paid
\$46.00
Expires 9/30/2006

Catagory	Fee	Note
☒ Apartment Hotel Motel Guest House - 6 to10 units inclusive	\$30.00	
☒ Apartment Hotel Motel Guest House Each additional unit over 10	\$6.00	11 UNITS
☒ Laundromats or self-service laundries. Washers and dryers Each machine	\$10.00	2 MACHINES



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2007**St Pete Beach Business Tax Receipt**GREEN CASTLE APTS (INAC)
701 GULF WAY

ST PETE BEACH, FL 33706

Mail to

GREEN CASTLE APTS (INAC)
2167 GORDON DR
JOSEPH JANDSCIK
MISSISSAUGA ONTARIO, CN L5B1S6License Number
20070417
Date Paid
8/10/2006
Amount Paid
\$0.00
Expires 9/30/2007

Catagory	Fee	Note
☒ Apartment Hotel Motel Guest House - 6 to10 units inclusive	\$30.00	
☒ Apartment Hotel Motel Guest House Each additional unit over 10	\$6.00	11 UNITS
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Licensee copy

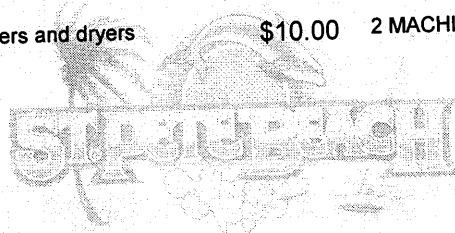
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City Copy

2007**St Pete Beach Business Tax Receipt**SC USA PASS-A-GRILLE LLC
701 GULF WAY

ST PETE BEACH, FL 33706

Mail to

SC USA PASS-A-GRILLE LLC
4165 14TH ST NE

ST PETERSBURG, FL 33703

License Number

20071617

Date Paid

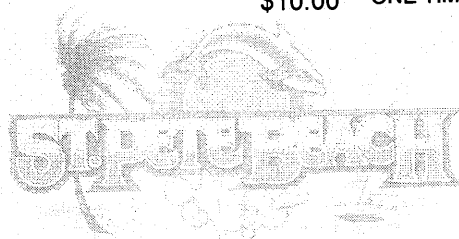
9/25/2006

Amount Paid

\$46.00

Expires 9/30/2007

Catagory	Fee	Note
☒ Apartment Hotel Motel Guest House - 6 to 10 units inclusive	\$30.00	
☒ Apartment Hotel Motel Guest House Each additional unit over 10	\$6.00	11 UNITS
☒ Application Fee	\$10.00	ONE TIME FEE



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City Copy

2008

St Pete Beach Business Tax Receipt

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701 GULF WAY

ST PETE BEACH, FL 33706

Mail to

SC USA PASS-A-GRILLE LLC
4165 14TH ST NE

ST PETERSBURG, FL 33703

License Number

20081222

Date Paid

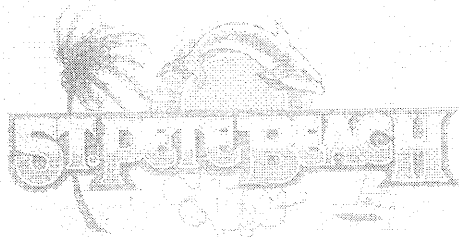
8/31/2007

Amount Paid

\$36.00

Expires 9/30/2008

Catagory	Fee	Note
☒ Apartment Hotel Motel Guest House - 6 to 10 units inclusive	\$30.00	
☒ Apartment Hotel Motel Guest House Each additional unit over 10	\$6.00	11 UNITS



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ST PETE BEACH, FL 33706

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City Copy

2009

St Pete Beach Business Tax Receipt

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701 GULF WAY

ST PETE BEACH, FL 33706

Mail to

SC USA PASS-A-GRILLE LLC
4165 14TH ST NE

ST PETERSBURG, FL 33703

License Number

20091341

Date Paid

7/15/2008

Amount Paid

\$0.00

Expires 9/30/2009

Catagory	Fee	Note
☒ Apartment Hotel Motel Guest House - 6 to 10 units inclusive	\$30.00	
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ST PETERSBURG, FL 33703

License Number

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Date Paid

7/15/2008

Amount Paid

\$0.00

Expires 9/30/2009

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City Copy



Village Center on Grand Central
2429 Central Avenue, Suite 203
Saint Petersburg, Florida 33713
Telephone: 727.321.5263
Facsimile: 727.321.8584
dmartohue@martohuelaw.com
www.martohuelaw.com

October 13, 2011

VIA HAND DELIVERY

Mr. Karl Holley, AICP
Director of Community Development
155 Corey Avenue
St. Pete Beach, FL 33706

RE: Joint Application for Future Land Use Map Amendment and Rezoning
Subject Property Location: 701 Gulf Way

Dear Mr. Holley:

This law firm represents Beach Club at Pass-A-Grille Condominium Association, Inc., and its eight (8) member Unit Owners representing all Unit Owners of the Association by and through its authorized representative, Robert Kilgo, the Association's President (hereinafter the "Association" or "Applicant") with respect to the captioned Property and Joint Application. The Association respectfully requests approval of a future land use map (FLUM) amendment from the existing ROR designation to the CRD-EA designation as an expansion of the existing CRD-EA district immediately abutting the subject Property along its North property boundary. In addition, concurrent with and contingent upon the approval of the FLUM amendment, the Association requests approval of the corresponding zoning designation of CRD-EA from the existing ROR designation. The Applicant offers the following justification and enclosed documentation in support of its Application for the aforesaid requests. The Association and its members are seeking the CRD-EA FLUM and Zoning designation in order to operate transient tourist rentals in a lawful manner.

Site History

Historically the subject Property was owned and operated as an 11-unit apartment building until 2007. According to the City in 2006, the parcel and the apartment building was a grandfathered use as the improvements existed prior to the enactment of the the current zoning Code designating the property Residential Office Retail ("ROR"). In 2006, the then owner-developer of the subject Property, RPS Commercial Properties, Inc., ("Developer") converted the 11-unit apartment building to an 8-unit condominium property maintaining the ROR zoning designation. However, as part of that conversion process, the Developer sought and obtained approval of several setback variances and variance to wall height. (See enclosed Development Order#20060020, survey, renderings and site plan; additional historical information can be obtained in the property file located

in the Community Development Department). The condo conversion entailed not only a wholesale remodel of the exterior and interior of the building and property as the enclosed supporting documentation for the variance application demonstrates, it also reduced the existing intensity of the building footprint and reduced the Property density from 11 units to 8 units. The ROR zoning district permits 15 units per acre. The Property is 0.189 acres and thus the permitted density is 2.79 units or only 2 residential units would legally be permitted on the subject Property, both then and now. As a result, the Property under its current ROR FLUM and Zoning designations remains over the permitted density and thus, non-conforming.

Unbeknownst to the current owners who primarily purchased Units within the Property in 2008-09, the City was undergoing the CRD-EA FLUM designation in 2008-09 which was eventually approved by the voters in March of 2009 (Ordinance 2008-24) after approval by the County and State. It is unknown to the current owners why the then Developer did not participate in that process during that time, one can only speculate it was because he had obtained his zoning variance approvals in 2006, implemented his redevelopment plan in 2007 and was selling the Units in 2008-09. It appears that the notices fell through the "crack" in terms of timing during the transition from the Developer to current owners. Regardless, it would be speculation to answer historical questions of why the subject Property was not included in the FLUM CRD-EA at that time but as the Application justification below will demonstrate, it makes rational planning sense to include the subject Property in the CRD-EA district now based upon compatibility and to cure existing non-conformities.

The City Commission currently has approved the CRD-EA zoning designation for the CRD-EA FLUM Special Area District upon first reading in September 2011 and final approval upon second reading is pending at the time of this application. The subject Property, although noticed for the CRD-EA rezoning, could not participate and request the same CRD-EA zoning because it did not have the CRD-EA FLUM designation in place. Thus, the need for the Joint Application requests for both the FLUM and Zoning CRD-EA designations.

Site Description

The Developer submitted a survey with its variance application in 2006 upon which Development Order #20060020 is based. The Property's physical configuration and size remains unchanged from that date of the variance application in 2006. The subject Property is slightly irregular in shape but generally rectangular, containing 8100 square feet, more or less, or 0.189 acres. The four-sided site has the following general dimensions as measured by the existing survey maintained in the City's file for the subject Property: 91.75 feet on the south property line; 84.43 feet on the west; 100.26 feet on the north; and 84.31 feet on the east. The Property is located in Flood Zone VE. Mandatory flood insurance purchase requirements apply in this zone per FEMA.

The Property was converted in 2006-07 from an 11-unit apartment building to a Condominium comprised of eight 1 and 2 bedroom units totaling 5,564 square feet of building. The conversion included remodeling the exterior elevation to include painting and balconies for the second floor 2-bedroom units, adding a new pool and pool deck, landscaping, installing a 6' high

concrete wall, central heat and air, security gates and fences, concrete walks, hurricane grade windows and doors, and upgraded electrical. In sum, the conversion resulted in a significant structural and aesthetic upgrade for the subject Property enhancing the 8th Avenue district neighborhood.

Surrounding Uses

North – CRD-EA Land Use and ROR Zoning¹; Existing Use Transient Condominiums
East – 18' Wide Alleyway, ROR/PAG Overlay Land Use and Zoning; Existing Residence
South – 7th Avenue – 55' ROW; RLM Land Use and RLM2-PAG Overlay Zoning
West – Gulf Way (60' asphalt width – ROW width varies), Pass-A-Grille Beach

Application Requests

The Joint Application seeks to amend the FLUM and Zoning Maps from ROR to CRD-EA. These land use and zoning amendments, if approved, would remedy the non-conformity both in terms of density and use. Currently, unknown to all 8 Unit owners at the time of purchase in 2007-09 and until very recently, the ROR zoning district does not allow them to rent their condominiums on a transient basis. The 8 Units were sold to some of the current owners at the peak of the real estate boom and others were purchased in a duress bulk sale, and all were sold to out-of-state non-homesteaded owners being told they could rent the Units on a transient basis. It has recently come to the attention of the Association and its members that the ROR land use and zoning designation does not lawfully permit this type of transient rental. Thereafter, the Association sought my legal counsel as to the best option to remedy the situation so each Unit could be used in a lawful manner in accordance with local zoning ordinances and each Owner's intended use when they purchased their Unit.

After a pre-application consultation with Senior Planner, Catherine Hartley, regarding the various options available, it was mutually decided that a joint application for a FLUM and Zoning Map amendment to CRD-EA would be the logical and rational planning option as a result of:

1. The Property's location abutting the existing CRD-EA Special Area district;
2. The existing transient rentals on the property located immediately north of the subject Property located in the CRD-EA Special Area District and zoned ROR with the CRD-EA rezoning pending is operating at a higher density than the subject Property;
3. The Property's location abutting Gulf Way, the north-south throughfare, and its proximity to Pass-A-Grille Beach – the primary tourist destination in Pass-A-Grille; and
4. The City's intent to initiate an amendment to the CRD-EA to increase transient density from 30 units/acre to 50 units/acre.²

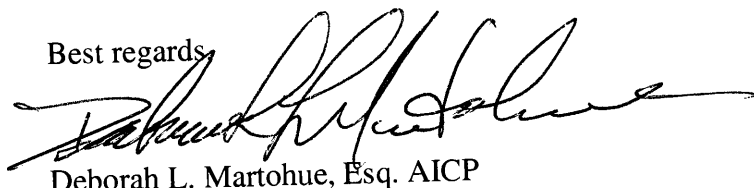
¹ Ordinance 2010-18 for CRD-EA zoning in the FLUM CRD-EA Special Area District is pending second reading approval by the City Commission at the time of this Application.

Upon learning of the City's intent to initiate a FLU text and map amendment to increase the allowable density in the CRD-EA district from 30 to 50 units/acre, the Applicant, in consultation with your Department Staff, is seeking to coordinate its FLUM and Zoning requests in consideration of the City-initiated density amendment to the CRD-EA. The subject Property density is 43 units/acre. This density is grandfathered but exceeds the existing ROR permitted density by 6 units. If redesignated under the current CRD-EA, the Property would still be non-conforming but exceed the permitted density by only 3 units, half of the current non-conformity. However, if redesignated as CRD-EA land use and zoning under the City's proposed density amendment, the subject property would be fully conforming both in terms of use and density.

Accordingly, the Applicant's requests would not only remedy its existing non-conforming use and density, it would be compatible with the transient rentals on the property located immediately north of the subject Property which is a more appropriate use for property across from Pass-A-Grille Beach and fronting Gulf Way, one of two north-south thoroughfares in Pass-A-Grille. In addition, by allowing the Property to be designated CRD-EA, this would allow transient rentals which creates a significantly greater economic engine to support the local retail and restaurant businesses in the 8th Ave Business District, far surpassing the economic impact generated by the occasional occupancy of out-of-state owners or seasonal residents should the use remain strictly residential with the severe limitations on rentals that accompany that designation in the ROR district.

Based upon the foregoing and the supporting documentation enclosed, the Applicant respectfully requests favorable Staff consideration of the Joint FLUM/Zoning application requests, as well as a recommendation of approval by the Planning Board and approval by the City Commission. If you have any questions or need additional supporting information or clarification, please contact me at the email address or phone number listed at the top of this letter. I look forward to working with you, Catherine Hartley and City Manager Bonfield on this Application.

Best regards,



Deborah L. Martohue, Esq. AICP

Enclosures – Application and Supporting Documentation

CH # 1124 - # 1638 60 - Application fee

Cc: Client

² This City amendment was initiated by Staff at the request of the District Commissioner independent of and prior to the Applicant's inquiry as to possible land use and zoning remedies available to allow the Property to become both density and use conforming.



Owner's Authorization for Agent
Community Development Department
City of St. Pete Beach, Florida

I, the 2 members of the Beach Club at Pass-A-Grille
Condominium Association

hereby authorize Deborah L. Martineau Esq., of Martineau
Land Use Law Group P.A.

to represent me/us in an application for Land Use and Zoning Amendment
(type of application: variance, land use, zoning, special use, etc.)

The Beach Club at Pass-A-Grille
Condominium Association

By: [Signature]
Signature of owner

Robert Kilgo
Print name of owner
It is President

[Signature]
Signature of owner

[Signature]
Print name of owner

The foregoing instrument was acknowledged before me this 11 day
of October 2011, by Robert Kilgo who
is personally known _____ or produced Florida Driver License as
identification.

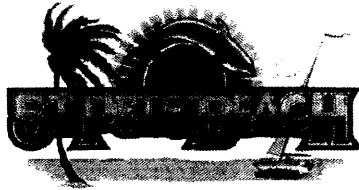
[Signature]
(Notary Signature)

10/11/11
(Date)

My commission expires Sept 21, 2015



PLEASE TYPE OR
PRINT LEGIBLY



APPLICATION

(Check appropriate boxes)

Complete the information required below, read and initial the caveats on PAGE 2 of this form, sign below where indicated and attach a recent survey of the subject property and any supporting drawings and documents you think will enhance your application.

☒ Future Land Use Map change ☒ Rezoning

PROPERTY:

Legal

Description Morey Beach Block 6, Lots 10 and 11

Address: 701 Gulf Way, St. Pete Beach, FL 33706

Parcel ID: See Attached Exhibit A

Current	Proposed	Current	Proposed
Zoning: <u>ROR</u>	Zoning: <u>CRD-EA</u>	FLUM	FLUM
		Category: <u>ROR</u>	Category: <u>CRD-EA</u>

Lot area: 8100 sq.ft., mol or 0.189 acres

APPLICANT/AGENT:

Martohue Land Use Law Group PA

Name: Deborah L. Martohue, Esq. AICP

Address: 2429 Central Ave., Ste 203

City: St. Petersburg State: FL

Zip: 33713 Telephone: 727-321-5263

PROPERTY OWNER:

Beach Club at Pass-A-Grille

Name: Condominium Association, Inc.

Address: 4165 14th St. NE

City: St. Petersburg State: FL

Zip: 33703 Telephone: 727-434-1465

See Ex. A for List of Individual
Unit Owners

DETAILS OF THE REQUEST (Add additional sheets if necessary):

See attached Letter of Intent and Justification Statement enclosing
supporting documentation and survey

By: [Signature], Agent

October 13, 2011
Signature of Applicant & Date

For office use only:

Case Number: _____ Scheduled PB Meeting: _____ Fees: _____

PB Action: ☐ Approved as requested ☐ Approved with conditions ☐ Denied

Forwarded to City Commission: Date Sent: _____

Scheduled for: _____

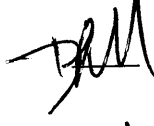
City Commission Action: ☐ Approved as requested ☐ Approved with conditions ☐ Denied

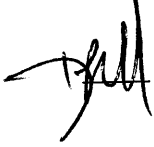
File Closed: _____

Property address 701 Gulf Way (continued)

THE FOLLOWING ITEMS MUST BE INITIALED BY APPLICANT OR AGENT:

 I understand that the Planning Board's action is not final. It must be approved by the City Commission, and I further understand that the Commission may modify the conditions of approval or deny the application.

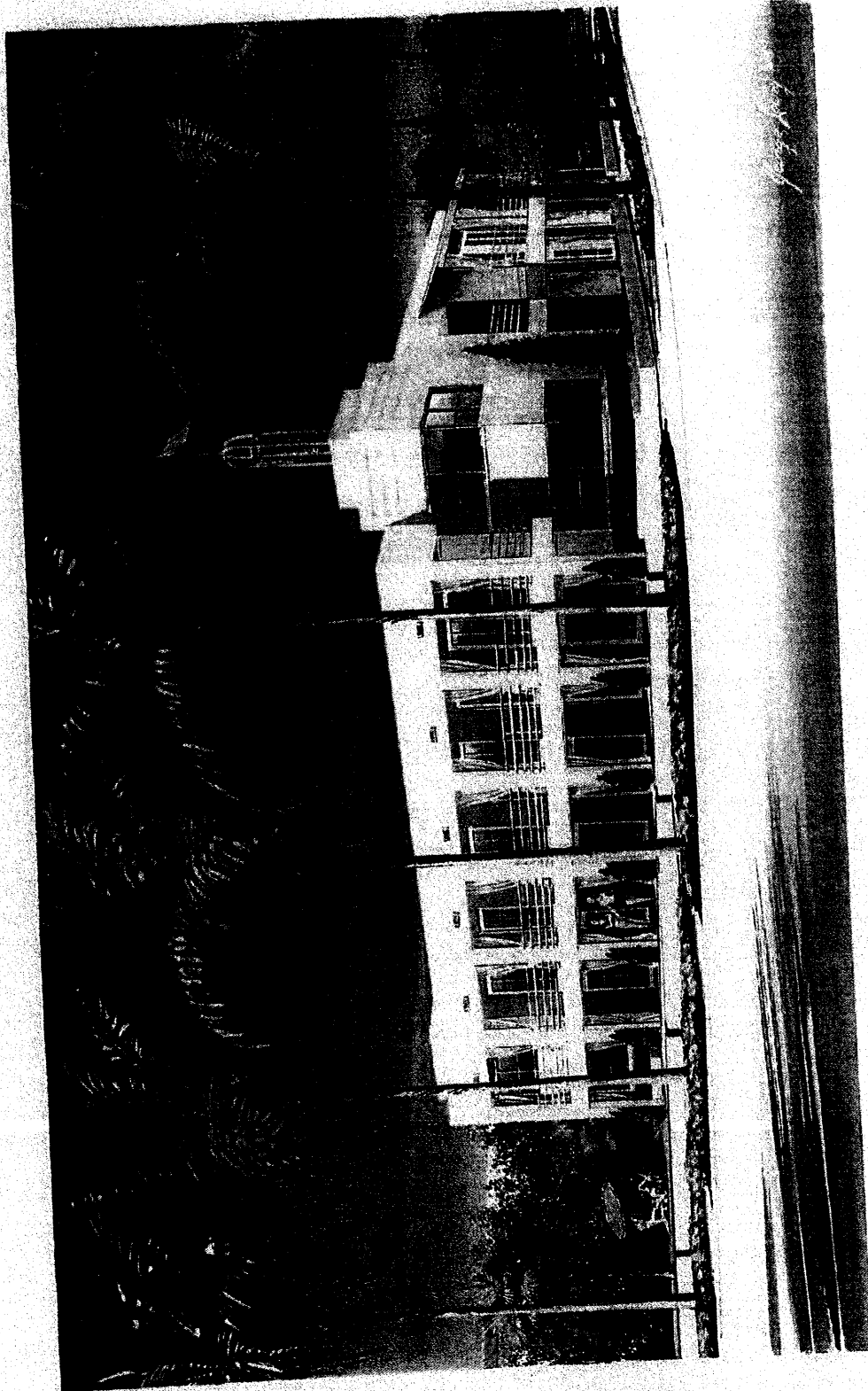
 I understand that any person aggrieved by the final decision has the right to file a petition in the Pinellas County Circuit Court within **30 days** after the Commission decision, otherwise, the decision shall be final.

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



BEFORE CONVERSION

20060020



20060020

AFTER CONVERSION



CITY OF ST. PETE BEACH

SC USA Pass A Grille, LLC
4165 – 14th St. N.E.
St. Petersburg, Florida 33703

DEVELOPMENT ORDER #20060020

The Board of Adjustment approved your application for variances in the above-captioned case April 26, 2006.

Address: 701 Gulf Way

PIN: 193216589320060100

ORDERED:

Approve the variance to Section 13.7(a)(2) requirement of 10.0' to permit the reduction of the secondary front yard to 1.0' for a covered balcony.

Approve the variance to Section 13.7(a) (3) requirement of 8.0' to permit the reduction of the side yard setback to 1.0' for swimming pool equipment.

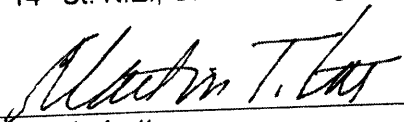
Approve the variance to Section 6.14 requirement of 16.0' to permit the reduction of the rear yard setback to 3.0' for swimming pool equipment.

Approve the variance to Section 6.15 requirement of a maximum 4.0' high wall to increase to a 6.0' wall within the required 10.0' secondary front yard

Any person aggrieved by this order may appeal the order to the circuit court on or before thirty (30) days from the date of the order.

Approval of a variance is valid for one year, within which time a development permit must be issued.

A copy of this Development Order was sent to Robert Sulte, SC USA Pass A Grille, LLC, 4165 – 14th St. N.E., St. Petersburg, Florida, 33703 on the 8th day of May, 2006.

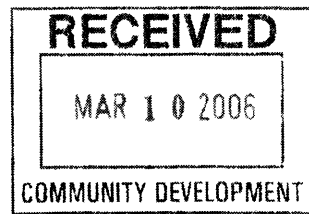


Martin Lott
Chairman

5.8.06

Date

VARIANCE APPLICATION



Case Number: 20060020

APPLICANT/AGENT:

Name: Robert R. Sulte
 Address: 4165-14TH ST. NE
 City: ST. PETE State: FL
 Zip: 33703 Phone: (727) 744-7170

PROPERTY OWNER:

Name: SC USA Pass-u-Grille, LLC
 Address: 4165-14TH ST. NE
 City: ST. PETE State: FL
 Zip: 33703 Phone: 744-7170

PROPERTY:

Address: 701 GOLF Way, ST. PETE Beach, FL 33706
 Parcel ID: 19-32-16-58932-006-0100
 Current Zoning: ROR Current Land Use: ROR Lot Area: 8,100±

DETAILS OF THE REQUEST: (Add additional sheets if necessary)

See Attached Letter

This application, together with all required supporting document, shall be submitted by 12:00 noon on the stated filing date for the Board of Adjustment/City Commission. Failure to do so will delay your application to a later date.

Robert R. Sulte 3/10/06
 Signature of Applicant/Authorized Agent and Date

For office use only:

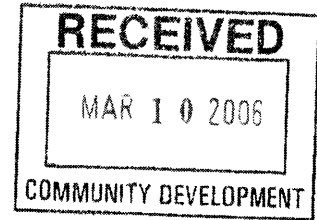
Hearing Date: April 26 2006 Fees: 425.00

BOA Action: ☒ Approved as requested ☐ Approved with conditions ☐ Denied ☐ Continued

City Commission Action: ☐ Approved as requested ☐ Approved with conditions ☐ Denied ☐ Continued



Community Development Department – Zoning
155 Corey Avenue
727.363.9267
email: amarr@stpetebeach.org



VARIANCE APPLICATION

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

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

RPS On all variances, a majority vote is required. Action on this application by the BOA/City Commission may be continued to a later meeting.

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

RPS I understand that if a variance is denied by the BOA/City Commission **no** subsequent applications seeking substantially the same or similar approval shall be filed within six (6) months of the final decision on the original application, unless such application is denied without prejudice by the board hearing the request. Applications which are withdrawn in writing at least 48 hours prior to the public hearing at which they are to be heard shall be considered to have been withdrawn without prejudice and may be resubmitted immediately.

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

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

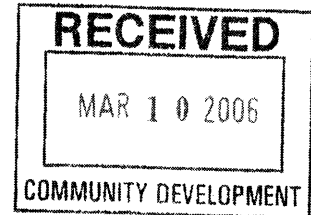
After acknowledgement of these conditions, complete the application form on the next page.

Robert M. Smith 3/10/06
Signature of Applicant/Authorized Agent and Date

RPS COMMERCIAL PROPERTIES, INC.

March 10, 2006

Board of Adjustment
City of St. Pete Beach
155 Corey Avenue
St. Pete Beach, FL 33706



Re: Requested Variances for 701 Gulf Way

Members of the Board of Adjustment and City Staff:

We are respectfully requesting two variances for the renovation of the 11 unit apartment building at 701 Gulf Way. Our plans entail reducing the density and square footage of the building to 8 units and reopening an enclosed breeze way. We will also be re-landscaping the entire property including the city's right of way, removing most of the masonry paving along 7th Avenue. The court yard will be replaced with a pool and deck area. The court yard will also include an exterior bath room and elevator lift system to meet ADA and Department of Health standards.

The first variance involves the replacement of an existing stairway and landing on the south elevation of the building with a balcony. The balcony will be 5 feet in width along the second floor unit. In replacing the stairway, we eliminate a secondary point of access as well as increasing the design and appeal of the building's southern elevation along 7th Avenue.

The second variance involves the placement of the pool equipment. In order to maintain a functional deck area surrounding the pool, we are proposing to place the pool equipment at the northeast corner of the site. At this location the equipment will be adjacent to the alley and the back corner of the existing co-op building. The pool equipment will have a dimension of 4 feet by 9 feet and be enclosed, substantially reducing any noise. The pool will be heated and require a heater unit with a dimension of 3 feet by 4 feet, that can be placed next to the pool equipment either to the west or south side of the pool equipment, reducing the encroachment by the heater. The equipment will be separated by a wall and will be adjacent to an existing compressor unit as well as several wall units of the co-op building hopefully further mitigating any noise intrusion.

Prepared and Submitted
by: [illegible] Street [illegible] [illegible]

20060020

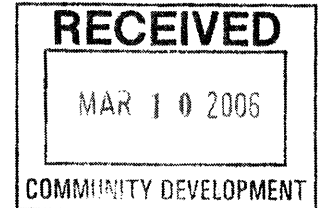
Thank you for your consideration and I hope you will take into account that we will be renovating a property that has been minimally maintained for years, significantly enhancing the appeal of the Pass-A-Grille community.

Sincerely,

RPS Commercial Properties, Inc.



Robert P. Sulte
President



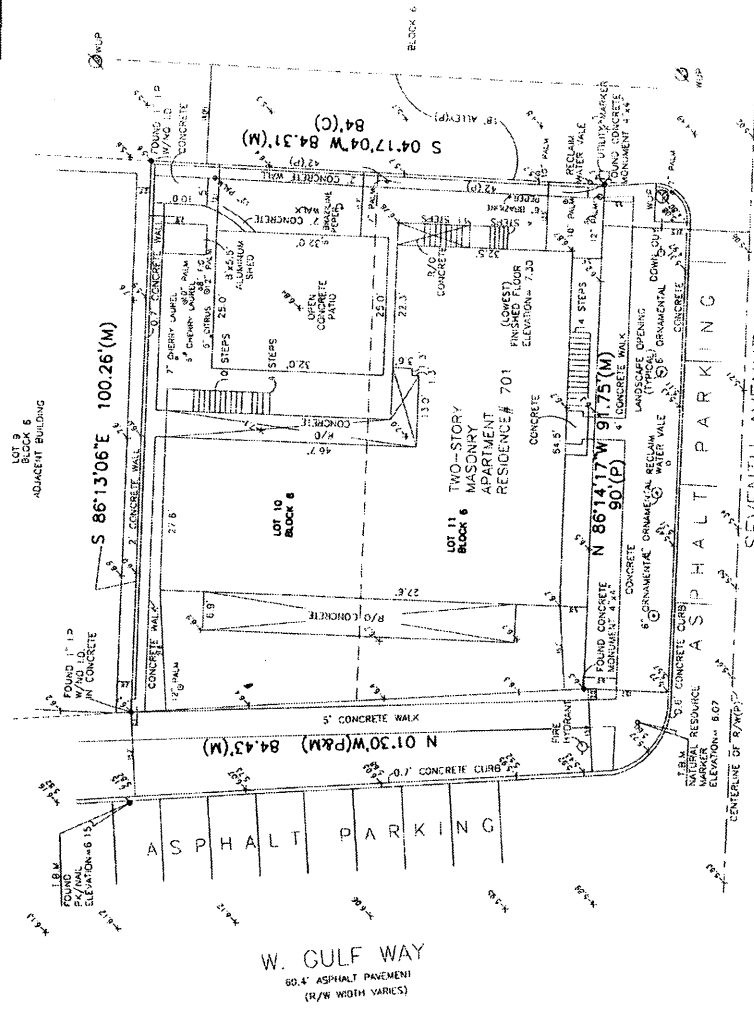
20060020

20060020

RECEIVED
MAR 10 2006
COMMUNITY DEVELOPMENT

THOMAS EVERETT LAMB
 DESIGN AND DEVELOPMENT, INC.
 1111 E. 10TH AVE., SUITE 100
 ST. PETERS, FLORIDA 33786
 (813) 339-1111
 FAX (813) 339-1112
 BEACH CLUB AT PASS-A-GRILL
 ST. PETERS, FLORIDA 33786
 SUR

SCALE 1" = 10'
 N
 SCALE 1" = 10'



SURVEY NOTES

1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD OR TO THE CENTERLINE OF THE LOT.
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NOT VALID WITHOUT THE SURVEYOR AND THE RECORDING OFFICE OF A CROWN, BEING SURVEYED AND APPROVED.

20060020

COMMUNITY DEVELOPMENT

The illustration shows a rectangular sheet of paper with a grid of 12 smaller rectangles arranged in 3 rows and 4 columns. The overall dimensions of the sheet are 11 1/2 inches in width and 17 1/2 inches in height. The width is divided into four equal sections, each labeled 2 7/8. The height is divided into three equal sections, each labeled 5 7/8. The grid is labeled 'ILLUSTRATION OF PAPER' on the right side.

~~SECRET~~

[illegible]

RECEIVED
MAR 10 2006
COMMUNITY DEVELOPMENT

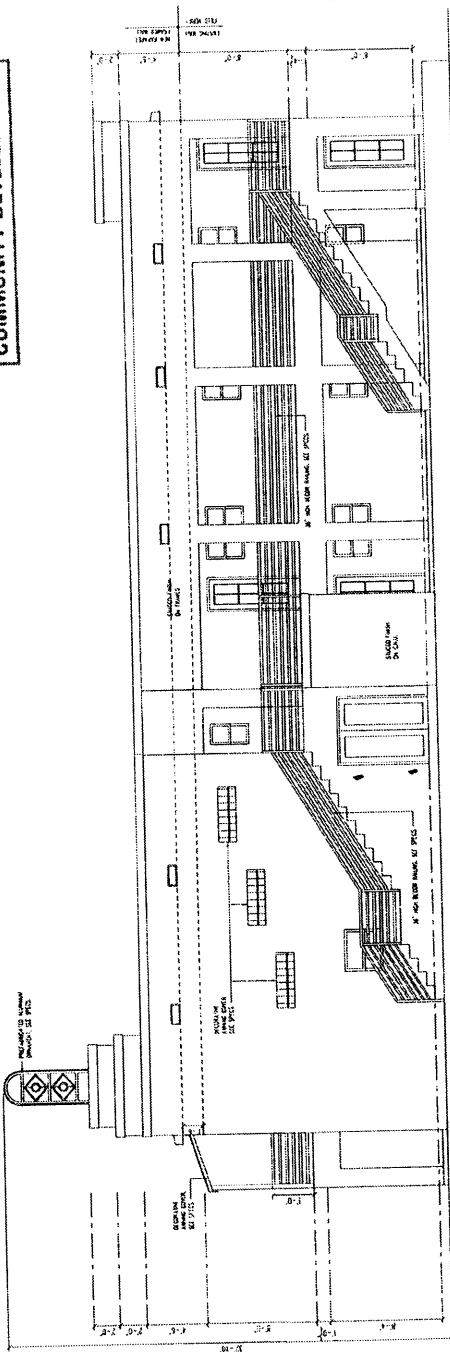
THOMAS EVERETT LAMB
 DESIGN AND DEVELOPMENT
 101 G ST. PETERS
 BEACH, FLORIDA

BEACH CLUB AT PASS-A-GRIFF

DESIGN NO. 03-001
 DATE: 03-01-06

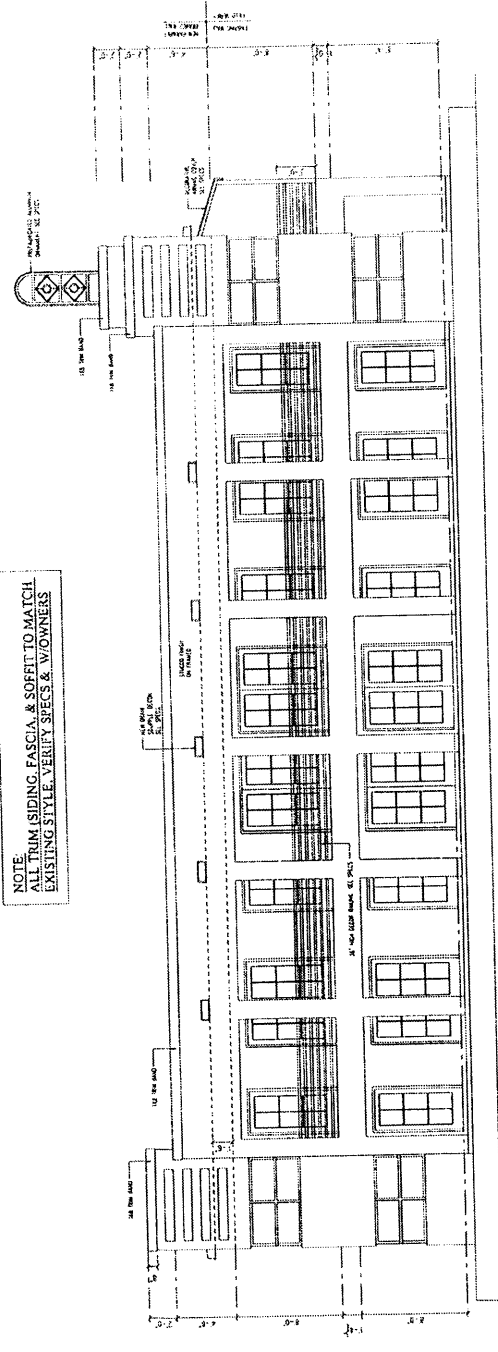
GENERAL NOTES

1. ALL DIMENSIONS ARE IN FEET AND INCHES. FRACTIONS SHALL BE IN EIGHTH INCHES.
2. FINISHES SHALL BE AS SHOWN ON THE FINISH SCHEDULE.
3. ALL MATERIALS SHALL BE NEW UNLESS OTHERWISE NOTED.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.
5. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
6. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES.
7. THE CONTRACTOR SHALL MAINTAIN THE EXISTING LANDSCAPE AND PLANTINGS.
8. THE CONTRACTOR SHALL MAINTAIN THE EXISTING PAVING AND DRIVEWAYS.
9. THE CONTRACTOR SHALL MAINTAIN THE EXISTING FENCES AND GATES.
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11. THE CONTRACTOR SHALL MAINTAIN THE EXISTING SECURITY SYSTEMS.
12. THE CONTRACTOR SHALL MAINTAIN THE EXISTING COMMUNICATIONS SYSTEMS.
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21. THE CONTRACTOR SHALL MAINTAIN THE EXISTING FLOOD PROTECTION MEASURES.
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EXTERIOR (EAST) ELEVATION - REMODEL
 SCALE: 1/8" = 1'-0"

NOTE:
 ALL TRIM (SIDING, FASCIA, & SOFFIT) TO MATCH
 EXISTING STYLE. VERIFY SPECS & WORKMAN.



EXTERIOR (WEST) ELEVATION - REMODEL
 SCALE: 1/8" = 1'-0"

2000000

RECEIVED
MAR 10 2006
COMMUNITY DEVELOPMENT

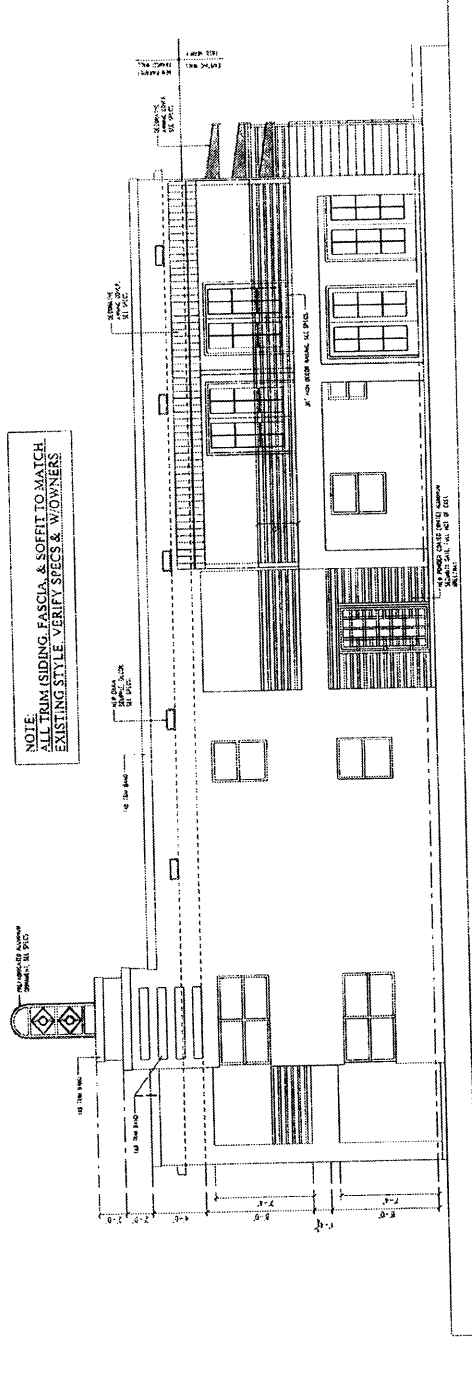
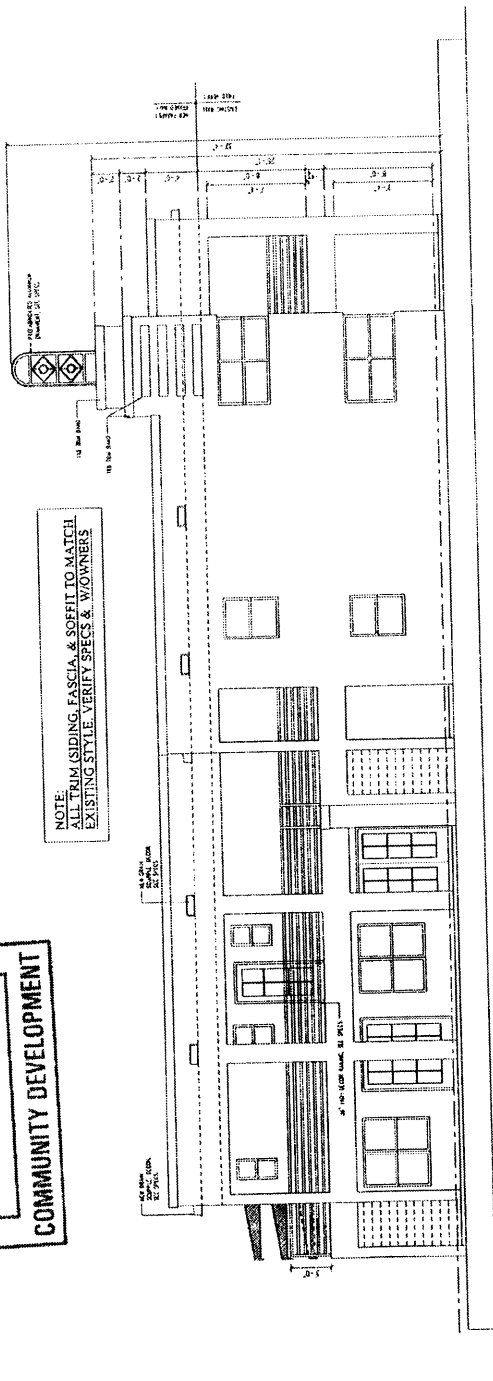
GENERAL NOTES

1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
3. ALL MATERIALS SHALL BE OF QUALITY AND SHALL BE SUBMITTED FOR APPROVAL PRIOR TO INSTALLATION.
4. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
5. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
6. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
7. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
8. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
9. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
10. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

THOMAS EVERETT LAMB
ARCHITECT
DESIGN AND DEVELOPMENT INC.
701 CHURCH ST. PETERSBURG, FLORIDA 34484
772-344-1111
www.thomaseverettlamb.com

BEACH CLUB AT PASS-A-GRILL
701 CHURCH ST. PETERSBURG, FLORIDA 34484
772-344-1111
www.thomaseverettlamb.com

A5.2



20060000

Pinellas County Address Query

Click on the 18 digit parcel number to see General Information
Click on the "X" to view the map or short legal description

New Search: Owner Address Parcel Number Sub or Condo/PLD Plat Book/Page Advanced/Sales Criteria OR Book/Page									
Property Address	Parcel Info	Ownership	Property Use	Map	Subdivision/Condo Name	Plat Book/Page	OR Book/Page	Tax Dist	Short Legal
701 GULF WAY ST PETE BEACH 33706-	19-32-16-05874-000-0010	HOBBS, MICHAEL H / HOBBS, MARIAN G	Condo Conversion - apartments/Platted Condo with apartment use	X	BEACH CLUB AT PASS-A-GRILLE	153/079 16327/0597	SPB	X	
701 GULF WAY ST PETE BEACH 33706-	19-32-16-05874-000-0080	CORTLAND REALTY PARTNERS II LLC	Condo Conversion - apartments/Platted Condo with apartment use	X	BEACH CLUB AT PASS-A-GRILLE	153/079 16414/1383	SPB	X	
701 GULF WAY ST PETE BEACH 33706-	19-32-16-05874-000-0020	CORTLAND REALTY PARTNERS II LLC	Condo Conversion - apartments/Platted Condo with apartment use	X	BEACH CLUB AT PASS-A-GRILLE	153/079 16414/1383	SPB	X	
701 GULF WAY ST PETE BEACH 33706-	19-32-16-05874-000-0060	CORTLAND REALTY PARTNERS II LLC	Condo Conversion - apartments/Platted Condo with apartment use	X	BEACH CLUB AT PASS-A-GRILLE	153/079 16414/1383	SPB	X	
701 GULF WAY ST PETE BEACH 33706-	19-32-16-05874-000-0060	VERNA, LLC	Condo Conversion -	X	BEACH CLUB AT	153/079 16339/1675	SPB	X	

Ex. A

WAY ST PETE BEACH 33706-	16- 05874- 000- 0040	ANTHONY / VERNA, ANGELINA	apartments/Platted Condo with apartment use		PASS-A-GRILLE				
701 GULF WAY ST PETE BEACH 33706-	19-32- 16- 05874- 000- 0030	CORTLAND REALTY PARTNERS II LLC	Condo Conversion - apartments/Platted Condo with apartment use	X	BEACH CLUB AT PASS-A-GRILLE	153/079	16414/1383	SPB	X
701 GULF WAY ST PETE BEACH 33706-	19-32- 16- 05874- 000- 0070	CORTLAND REALTY PARTNERS II LLC	Condo Conversion - apartments/Platted Condo with apartment use	X	BEACH CLUB AT PASS-A-GRILLE	153/079	16414/1383	SPB	X
701 GULF WAY ST PETE BEACH 33706-	19-32- 16- 05874- 000- 0050	SKAGEN, CLAYTON / SKAGEN, JAMIE	Condo Conversion - apartments/Platted Condo with apartment use	X	BEACH CLUB AT PASS-A-GRILLE	153/079	16289/0155	SPB	X

**Additional materials submitted at the Planning Board public Hearing
1/14/2012.**

Submitted into
by applicant evidence 1/17/2011

Ordinance # 2011-37 Change of Future
Land Use from Residential Office Medium to
Community Redevelopment District - Eighth Avenue
Ordinance # 2011-38 Change of Zoning from
ROR to CRD-EA
701 Gulf Way





2006000000



701Gulf Way- Beach Club at Pass-A-Grille West Elevation Facing Gulf Way



701Gulf Way -South Elevation Facing 7th Ave



View Looking East Showing Concrete Wall Separating 701 & 709 (PAG Beach Motel) Gulf Way



Heavy Landscape & Solid Wood Fence Along 18' Alleyway to the East Buffering Curry Residence

Figure 4 Current Future Land Use Classifications, Eighth Avenue and Surrounding Area

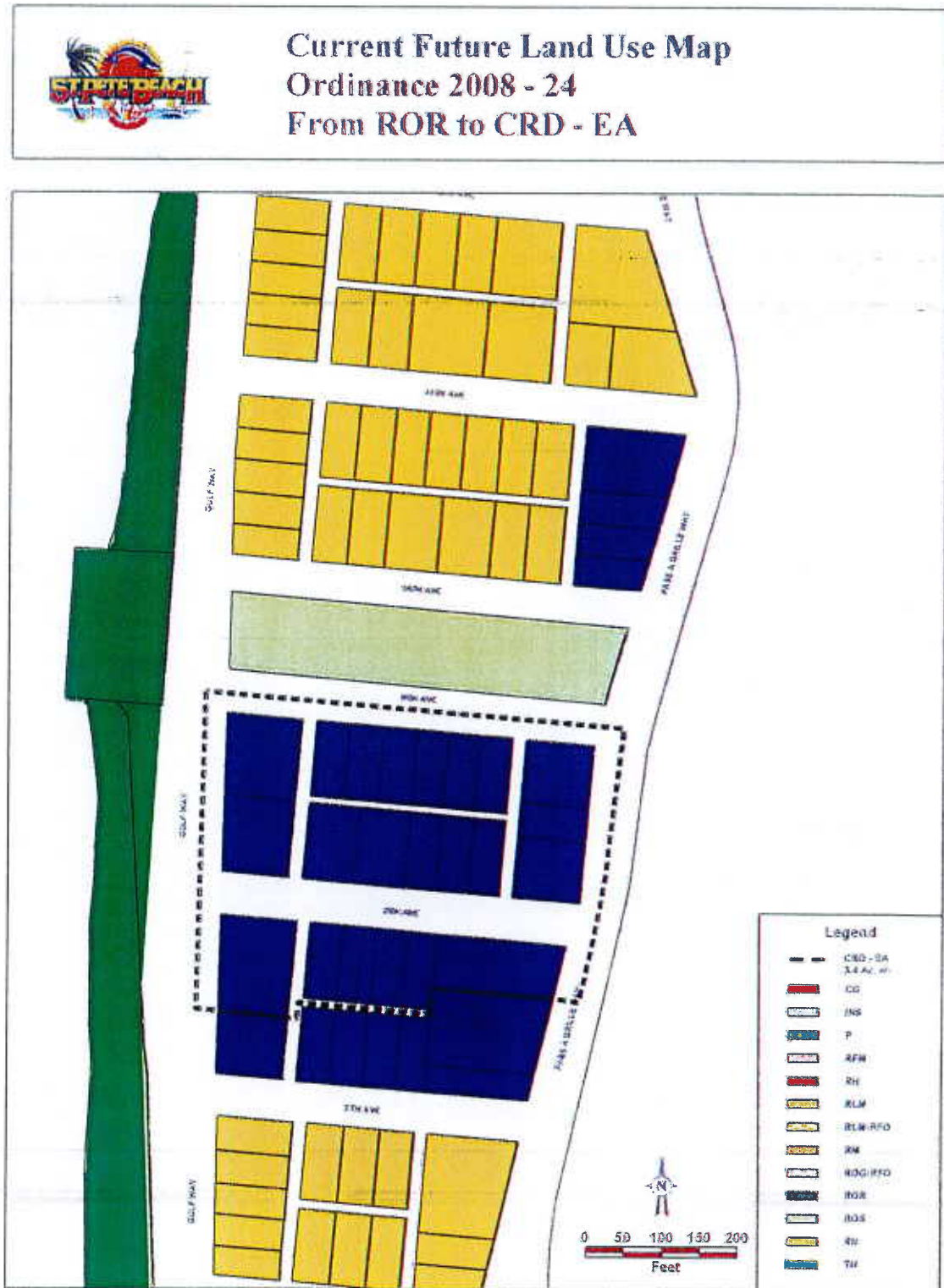


Figure 3 Current Zoning, Eighth Avenue and Surrounding Area

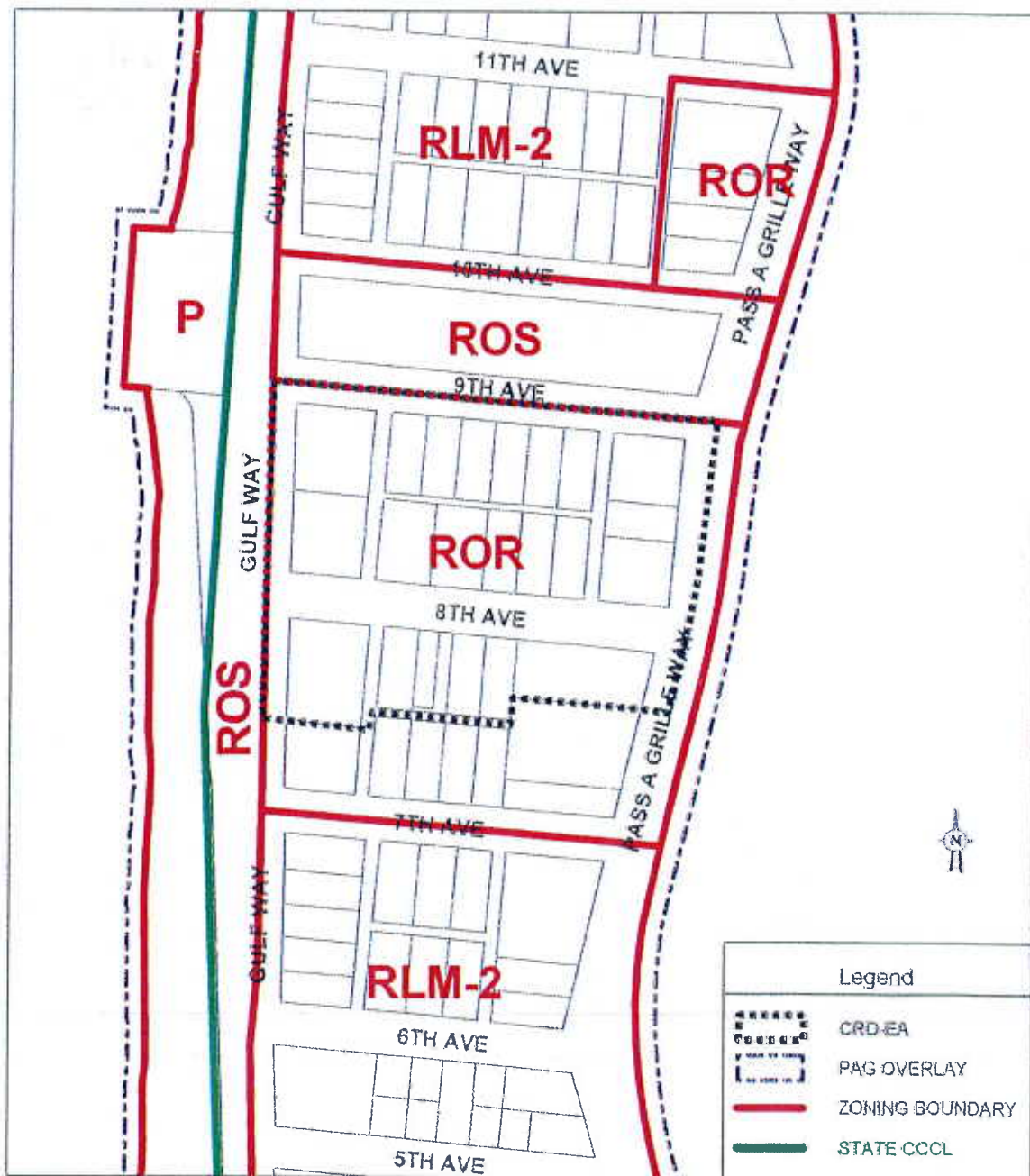
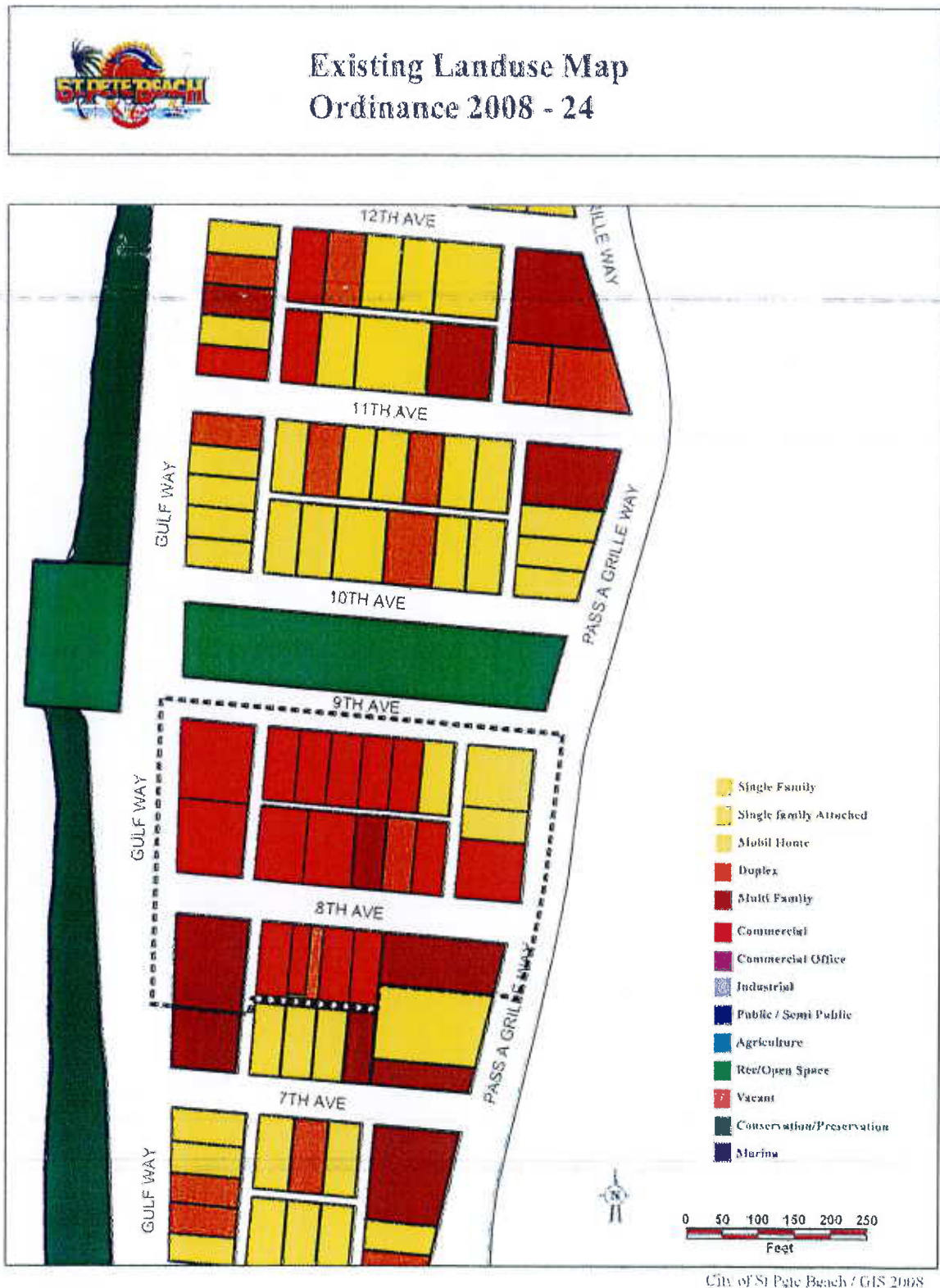


Figure 6 Existing Land Uses, Eighth Avenue and Surrounding Area



THD- 2008

In 2008, the ordinance was amended to exclude those properties north of 15th Avenue but include all properties south of 15th Avenue, not just properties abutting Gulf Way and 1st Avenue. Again, not all properties are eligible for the designation; the Commission must find that they are licensed with the City and are currently operating as a transient lodging.

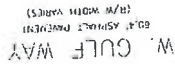


FXED-2007

In 2007, The City adopted ordinance 2007-51 which established the traditional Hotel District. The geographic area eligible for this district was described as "those lots which abut Gulf Way and First Avenue." See maps below. It should be noted that not all lots were necessarily eligible for this district; the applicant had to show the commission that the property was licensed with the City and operating as a transient accommodation. The map simply illustrates the general area applicable.



MAR 10 2006

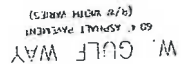


BOUNDARY, TOPOGRAPHIC & TREE SURVEY
THOMAS EVERETT

ST. PETERS BEACH, FLORIDA

SUR

MAR 10 2006

[illegible]

LANDSCAPE LEGEND

	WATER
	BUILDING
	TREE
	FENCE
	ROAD
	GARDEN
	PATH

© 1992 LAND DESIGN, INC.

LANDSCAPE DESIGN, INC.

1000 N. 10TH AVE., SUITE 100

MINNEAPOLIS, MN 55412

LOCAL DESCRIPTION

BOUNDARY TOPOGRAPHIC & TREE SURVEY
IN THE MOUNTAIN
IN THE MOUNTAIN
IN THE MOUNTAIN

EXISTING/REMODEL SITE PLAN

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

BEACH CLUB AT PASS-A-GRILL

THOMAS EVERETT LAMB

161

SUMMARY OF PROPERTY APPRAISER RECORDS

701 GULF WAY – UNITS 1 THROUGH 8

UNITS 1 THROUGH 8 –ALL NON-HOMSTEADED

UNIT 1/HOBBS –OUT-OF-STATE OWNER-PURCHASED 7/22/2008

UNIT 4/VERNA –OUT-OF-STATE OWNER –PURCHASED 8/04/2008

UNIT 5/SKAGAN –OUT –OF-STATE OWNER – PURCHASED 6/17/2008

UNITS 2, 3, 6, 7, 8- CORTLAND REALTY PARTNERS – PURCHASED FROM BANK AT
DISTRESSED SALE 8/14/2008

TIMELINE OF CRD-EA PUBLIC HEARINGS

5/22/2008 –PLANNING BOARD MEETING

6/10/2008 – CITY COMMISSION FIRST READING

8/17/2008 –PLANNING BOARD HEARING

8/26/2008 –CITY COMMISSION SECOND READING

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Improvement Value
per F.S. 553.844

Ownership/Mailing Address	Site Address
HOBBS, MICHAEL H HOBBS, MARIAN G 14649 YORKSHIRE RUN DR ORLANDO FL 32828-7818	701 GULF WAY ST PETE BEACH 33706-



Property Use: 0436 (Condo Conversion - apartments/Platted Condo with apartment use)

Living Units:

[click here to hide] **2011 Legal Description**

BEACH CLUB AT PASS-A-GRILLE CONDO UNIT 1

2011 Exemptions [Mortgage Letter](#) [File for](#)
[Homestead Exemption](#)

2011 Caps/Classified Agricultural Value

Homestead: No

Government: No

Save-Our-Homes Cap Percentage: 0.00%

Institutional: No

Historic: No

Non-Homestead 10%
Cap: Yes

Classified
Agricultural: No

2011 Parcel Information 2011 Trim Notice

Most Recent Conveyance	Sales Comparison	Census Tract	Evacuation Zone	Plat Book/Page
16327/0597	\$127,847 Sales Query	12103028002	A	153/079

2011 Value Information

Year	Save-Our-Homes cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$102,278	\$102,278	\$102,278	\$102,278	\$102,278

[click here to hide] Value History as Certified (yellow indicates correction on file)

Year	Save-Our-Homes Cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$102,278	\$102,278	\$102,278	\$102,278	\$102,278
2010	No	\$256,116	\$256,116	\$256,116	\$256,116	\$256,116
2009	No	\$316,176	\$316,176	\$316,176	\$316,176	\$316,176
2008	No	\$205,700	\$205,700	\$205,700	\$205,700	\$205,700
2007	No	\$0	\$0	\$0	N/A	\$0
2006	No	\$0	\$0	\$0	N/A	\$0
2005	No	\$0	\$0	\$0	N/A	\$0
2004	No	\$0	\$0	\$0	N/A	\$0
2003	No	\$0	\$0	\$0	N/A	\$0
2002	No	\$0	\$0	\$0	N/A	\$0
2001	No	\$0	\$0	\$0	N/A	\$0
2000	No	\$0	\$0	\$0	N/A	\$0
1999	No	\$0	\$0	\$0	N/A	\$0
1998	No	\$0	\$0	\$0	N/A	\$0
1997	No	\$0	\$0	\$0	N/A	\$0
1996	No	\$0	\$0	\$0	N/A	\$0

2011 Tax Information		Ranked Sales <u>See all transactions</u>													
Click Here for 2011 Tax Bill Tax District: <u>SPB</u> 2011 Final Millage Rate 18.2940 2011 Est Taxes w/o Cap or Exemptions \$1,871.07 A significant change in taxable value may occur when sold due to changes in the market or the removal of exemptions. Click here for more information.		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Sale Date</th> <th style="text-align: left;">Book/Page</th> <th style="text-align: left;">Price</th> <th style="text-align: left;">Q/U</th> <th style="text-align: left;">V/I</th> </tr> <tr> <td>22 Jul 2008</td> <td>16327 / 0597</td> <td>\$408,000</td> <td>Q</td> <td>I</td> </tr> </table>				Sale Date	Book/Page	Price	Q/U	V/I	22 Jul 2008	16327 / 0597	\$408,000	Q	I
Sale Date	Book/Page	Price	Q/U	V/I											
22 Jul 2008	16327 / 0597	\$408,000	Q	I											

2011 Land Information					
Seawall: No		Frontage: None		View:	
<u>Land Use</u>	<u>Land Size</u>	<u>Unit Value</u>	<u>Units</u>	<u>Total Adjustments</u>	<u>Adjusted Value</u> <u>Method</u>
No Land Information					

[click here to hide] 2011 Building 1 Structural Elements [Back to Top](#)

Site Address: 701 GULF WAY ST PETE BEACH 33706-

Quality: Average

Complex View: Gulf Of Mexico - Full

Location: Corner

Floor number: 1

Complex Pool

Parking Garage: None

Balcony/Porch: Open Porch

Square Footage: 580.00

Exterior Wall: Masonry

Stories: 1

Year Built: 1951

Effective Age: 61

No Building Drawing Available

Building 1 Sub Area Information				
Description	<u>Living Area Ft²</u>	<u>Gross Area Ft²</u>	<u>Factor</u>	<u>Effective Ft²</u>
Base	580	580	1.00	580
Total Living SF: 580		Total Gross SF: 580		Total Effective SF: 580

[click here to hide] 2011 Extra Features				
Description	Value/Unit	Units	Total New Value	Depreciated Value Year
No Extra Features on Record				

[click here to hide] Permit Data			
Permit information is received from the County and Cities. This data may be incomplete and may exclude permits that do not result in field reviews (for example for water heater replacement permits). Any questions regarding permits should be directed to the permitting office in which the structure is located.			
Permit Number	Description	Issue Date	Estimated Value

No Permit Data Found

Radius
(feet):
1000

Aerials: 2011 Color

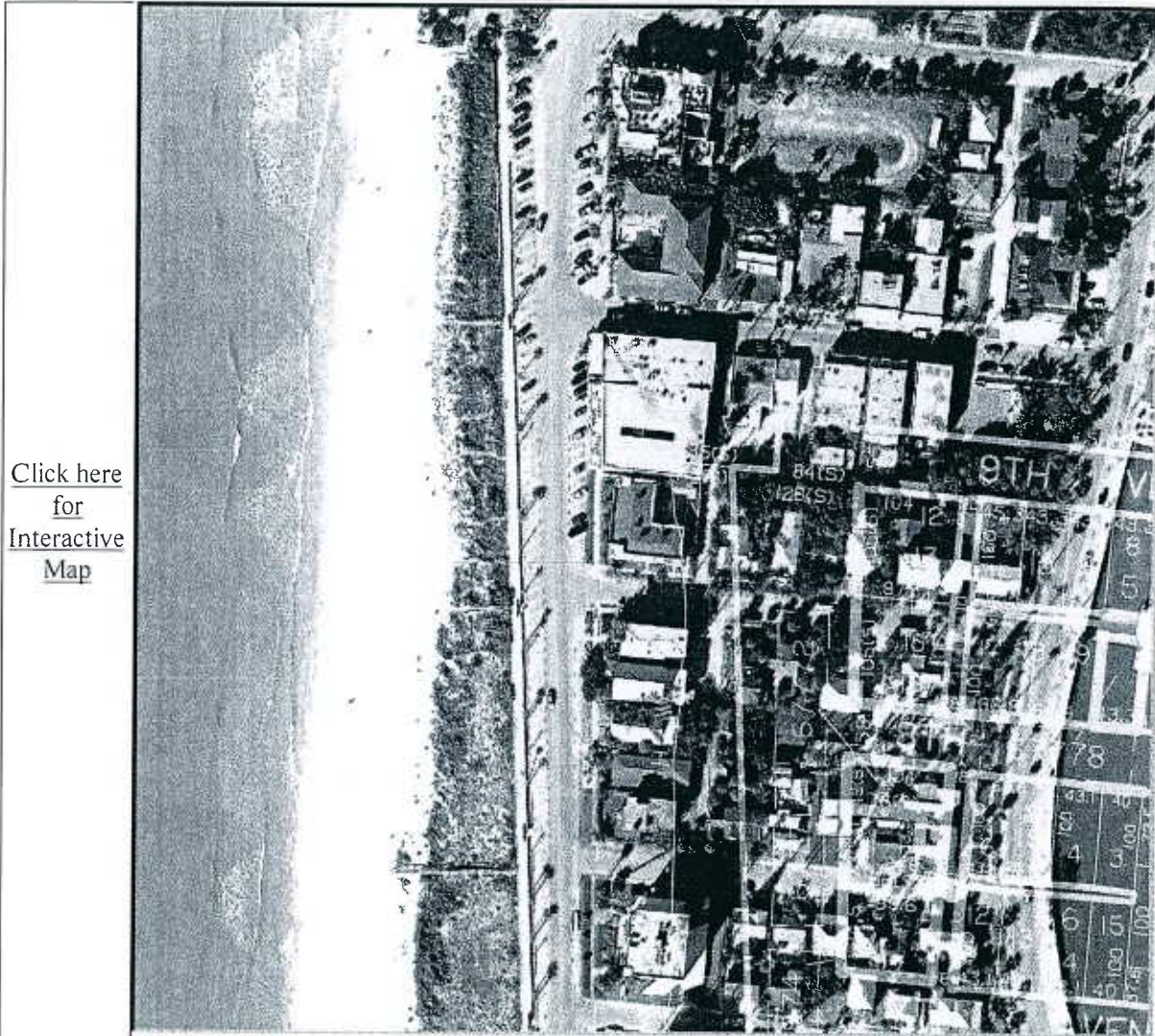
Transparency: 0.5

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How to copy and paste a static map using Mozilla Firefox: Right-click on the map; Select "This Frame"; Select "Open Frame in New Window"; Print from the new window.

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Improvement Value
per F.S. 553.844

Ownership/Mailing Address	Site Address
CORTLAND REALTY PARTNERS II LLC 695 CENTRAL AVE STE 150 ST PETERSBURG FL 33701-3663	701 GULF WAY ST PETE BEACH 33706-



Property Use: 0436 (Condo Conversion - apartments/Platted Condo with apartment use)

Living Units:

[click here to hide] **2011 Legal Description**
BEACH CLUB AT PASS-A-GRILLE CONDO UNIT 2

2011 Exemptions	Mortgage Letter Homestead Exemption	File for	2011 Caps/Classified Agricultural Value
Homestead: No	Government: No		Save-Our-Homes Cap Percentage: 0.00%
Institutional: No	Historic: No		Non-Homestead 10% Cap: Yes
			Classified Agricultural: No

2011 Parcel Information 2011 Trim Notice

Most Recent Conveyance	Sales Comparison	Census Tract	Evacuation Zone	Plat Book/Page
16414/1383	\$140,654 Sales Query	12103028002	A	153/079

2011 Value Information

Year	Save-Our-Homes cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$112,523	\$112,523	\$112,523	\$112,523	\$112,523

[click here to hide] Value History as Certified (yellow indicates correction on file)

Year	Save-Our-Homes Cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$112,523	\$112,523	\$112,523	\$112,523	\$112,523
2010	No	\$256,200	\$256,200	\$256,200	\$256,200	\$256,200
2009	No	\$316,260	\$316,260	\$316,260	\$316,260	\$316,260
2008	No	\$205,700	\$205,700	\$205,700	\$205,700	\$205,700
2007	No	\$0	\$0	\$0	N/A	\$0
2006	No	\$0	\$0	\$0	N/A	\$0
2005	No	\$0	\$0	\$0	N/A	\$0
2004	No	\$0	\$0	\$0	N/A	\$0
2003	No	\$0	\$0	\$0	N/A	\$0
2002	No	\$0	\$0	\$0	N/A	\$0
2001	No	\$0	\$0	\$0	N/A	\$0
2000	No	\$0	\$0	\$0	N/A	\$0
1999	No	\$0	\$0	\$0	N/A	\$0
1998	No	\$0	\$0	\$0	N/A	\$0
1997	No	\$0	\$0	\$0	N/A	\$0
1996	No	\$0	\$0	\$0	N/A	\$0

2011 Tax Information		Ranked Sales <u>See all transactions</u>						
Click Here for 2011 Tax Bill		Tax District: SPB		Sale Date	Book/Page	Price	Q/U	V/I
2011 Final Millage Rate		18.2940		14 Aug 2008	6351 / 0587	\$1,300,000	M	I
2011 Est Taxes w/o Cap or Exemptions		\$2,058.50						
A significant change in taxable value may occur when sold due to changes in the market or the removal of exemptions. Click here for more information.								

2011 Land Information							
Seawall: No		Frontage: None			View:		
<u>Land Use</u>	<u>Land Size</u>	<u>Unit Value</u>	<u>Units</u>	<u>Total Adjustments</u>	<u>Adjusted Value</u>	<u>Method</u>	
No Land Information							

[click here to hide] 2011 Building 1 Structural Elements [Back to Top](#)

Site Address: 701 GULF WAY ST PETE BEACH 33706-

Quality: Average

Complex View: Gulf Of Mexico - Full

Location: Interior

Floor number: 1

Complex Pool

Parking Garage: None

Balcony/Porch: Open Porch

Square Footage: 689.00

Exterior Wall: Masonry

Stories: 1

Year Built: 1951

Effective Age: 61

No Building Drawing
Available

Building 1 Sub Area Information				
Description	<u>Living Area Ft²</u>	<u>Gross Area Ft²</u>	<u>Factor</u>	<u>Effective Ft²</u>
Base	689	689	1.00	689
Total Living SF: 689		Total Gross SF: 689		Total Effective SF: 689

[click here to hide] 2011 Extra Features				
Description	Value/Unit	Units	Total New Value	Depreciated Value Year
No Extra Features on Record				

[click here to hide] Permit Data			
Permit information is received from the County and Cities. This data may be incomplete and may exclude permits that do not result in field reviews (for example, for water heater replacement permits). Any questions regarding permits should be directed to the permitting office in which the structure is located.			
Permit Number	Description	Issue Date	Estimated Value

No Permit Data Found

Radius (feet): 1000	Aerials: 2011 Color	Transparency: 0.5	Update Map
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Improvement Value
per F.S. 553.844

Ownership/Mailing Address	Site Address
CORTLAND REALTY PARTNERS II LLC 695 CENTRAL AVE STE 150 ST PETERSBURG FL 33701-3663	701 GULF WAY ST PETE BEACH 33706-



Property Use: 0436 (Condo Conversion - apartments/Platted Condo with apartment use)

Living Units:

[click here to hide] **2011 Legal Description**
BEACH CLUB AT PASS-A-GRILLE CONDO UNIT 3

2011 Exemptions	Mortgage Letter	File for	2011 Caps/Classified Agricultural Value	
Homestead Exemption				
Homestead: No	Government: No		Save-Our-Homes Cap Percentage: 0.00%	
Institutional: No	Historic: No		Non-Homestead 10% Cap: Yes	Classified Agricultural: No

2011 Parcel Information 2011 Trim Notice

Most Recent Conveyance	Sales Comparison	Census Tract	Evacuation Zone	Plat Book/Page
16414/1383	\$127,847 Sales Query	12103028002	A	153/079

2011 Value Information

Year	Save-Our-Homes cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$102,278	\$102,278	\$102,278	\$102,278	\$102,278

[click here to hide] **Value History as Certified (yellow indicates correction on file)**

Year	Save-Our-Homes Cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$102,278	\$102,278	\$102,278	\$102,278	\$102,278
2010	No	\$256,116	\$256,116	\$256,116	\$256,116	\$256,116
2009	No	\$316,176	\$316,176	\$316,176	\$316,176	\$316,176
2008	No	\$205,700	\$205,700	\$205,700	\$205,700	\$205,700
2007	No	\$0	\$0	\$0	N/A	\$0
2006	No	\$0	\$0	\$0	N/A	\$0
2005	No	\$0	\$0	\$0	N/A	\$0
2004	No	\$0	\$0	\$0	N/A	\$0
2003	No	\$0	\$0	\$0	N/A	\$0
2002	No	\$0	\$0	\$0	N/A	\$0
2001	No	\$0	\$0	\$0	N/A	\$0
2000	No	\$0	\$0	\$0	N/A	\$0
1999	No	\$0	\$0	\$0	N/A	\$0
1998	No	\$0	\$0	\$0	N/A	\$0
1997	No	\$0	\$0	\$0	N/A	\$0
1996	No	\$0	\$0	\$0	N/A	\$0

2011 Tax Information		Ranked Sales <u>See all transactions</u>			
Click Here for 2011 Tax Bill		Tax District: SPB		Sale Date	Book/Page
2011 Final Millage Rate		18.2940	14 Aug 2008		16351 / 0587
2011 Est Taxes w/o Cap or Exemptions		\$1,871.07	Price		\$1,300,000
A significant change in taxable value may occur when sold due to changes in the market or the removal of exemptions. Click here for more information.				Q/U	V/I
				M	I

2011 Land Information					
Seawall: No		Frontage: None		View:	
<u>Land Use</u>	<u>Land Size</u>	<u>Unit Value</u>	<u>Units</u>	<u>Total Adjustments</u>	<u>Adjusted Value</u>
No Land Information					

[click here to hide] 2011 Building 1 Structural Elements [Back to Top](#)

Site Address: 701 GULF WAY ST PETE BEACH 33706-

Quality: Average

Complex View: Gulf Of Mexico - Full

Location: Corner

Floor number: 1

Complex Pool

Parking Garage: None

Balcony/Porch: Open Porch

Square Footage: 580.00

Exterior Wall: Masonry

Stories: 1

Year Built: 1951

Effective Age: 61

**No Building Drawing
Available**

Building 1 Sub Area Information				
Description	<u>Living Area Ft²</u>	<u>Gross Area Ft²</u>	<u>Factor</u>	<u>Effective Ft²</u>
Base	580	580	1.00	580
Total Living SF: 580		Total Gross SF: 580		Total Effective SF: 580

[click here to hide] 2011 Extra Features					
Description	Value/Unit	Units	Total New Value	Depreciated Value	Year
No Extra Features on Record					

[click here to hide] Permit Data			
Permit information is received from the County and Cities. This data may be incomplete and may exclude permits that do not result in field reviews (for example for water heater replacement permits). Any questions regarding permits should be directed to the permitting office in which the structure is located.			
Permit Number	Description	Issue Date	Estimated Value

No Permit Data Found

Radius
(feet):
1000

Aerials: 2011 Color

Transparency: 0.5

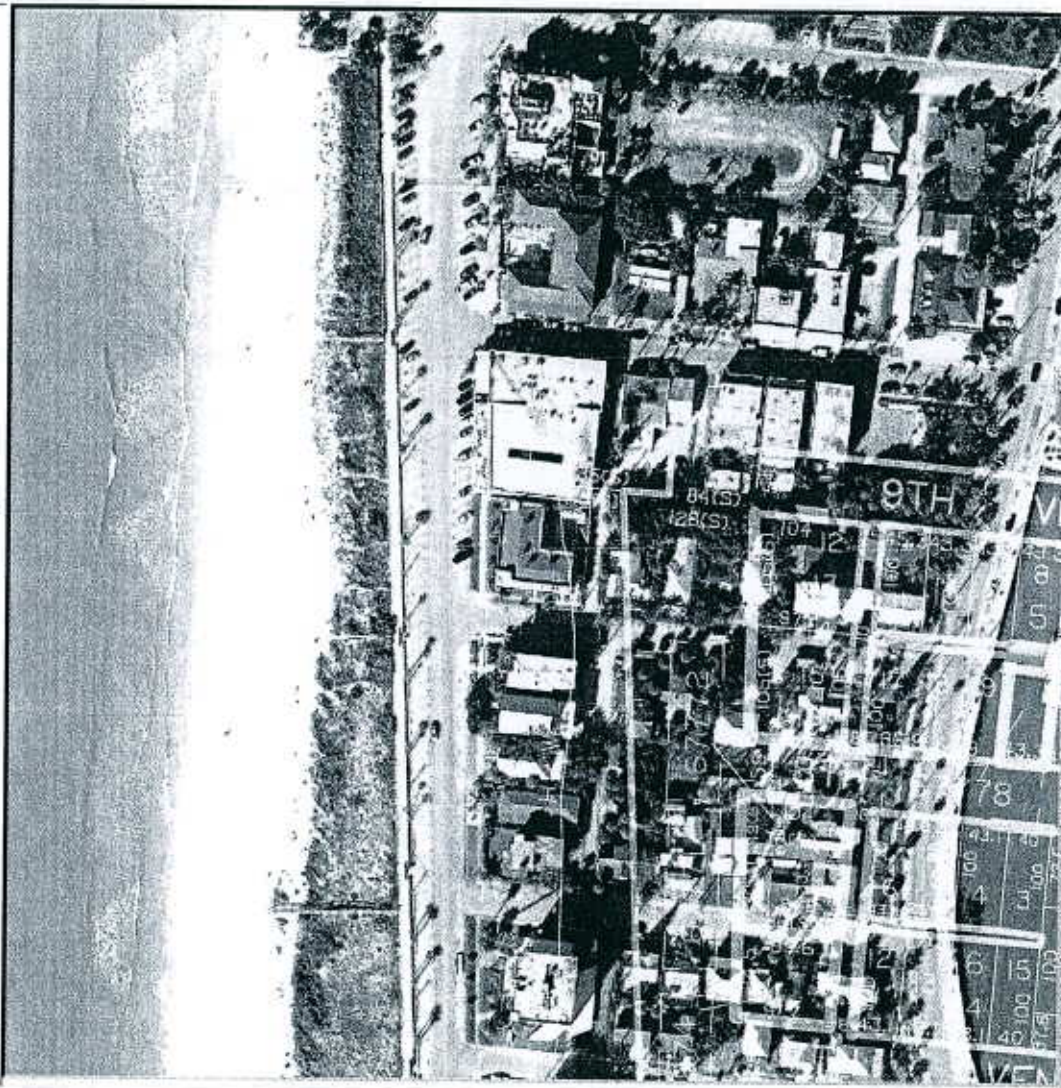
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Improvement Value
per F.S. 553.844

Ownership/Mailing Address	Site Address
VERNA, ANTHONY VERNA, ANGELINA 121 VERMEER DR LANGHORNE PA 19053-1525	701 GULF WAY ST PETE BEACH 33706-



Property Use: 0436 (Condo Conversion - apartments/Platted Condo with apartment use)

Living Units:

[click here to hide] **2011 Legal Description**
BEACH CLUB AT PASS-A-GRILLE CONDO UNIT 4

2011 Exemptions	Mortgage Letter	File for	2011 Caps/Classified Agricultural Value	
Homestead Exemption				
Homestead: No	Government: No		Save-Our-Homes Cap Percentage: 0.00%	
Institutional: No	Historic: No		Non-Homestead 10% Cap: Yes	Classified Agricultural: No

2011 Parcel Information 2011 Trim Notice

Most Recent Conveyance	Sales Comparison	Census Tract	Evacuation Zone	Plat Book/Page
16339/1675	\$117,426 Sales Query	12103028002	A	153/079

2011 Value Information

Year	Save-Our-Homes cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$93,941	\$93,941	\$93,941	\$93,941	\$93,941

[click here to hide] Value History as Certified (yellow indicates correction on file)

Year	Save-Our-Homes Cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$93,941	\$93,941	\$93,941	\$93,941	\$93,941
2010	No	\$218,064	\$218,064	\$218,064	\$218,064	\$218,064
2009	No	\$269,220	\$269,220	\$269,220	\$269,220	\$269,220
2008	No	\$205,700	\$205,700	\$205,700	\$205,700	\$205,700
2007	No	\$0	\$0	\$0	N/A	\$0
2006	No	\$0	\$0	\$0	N/A	\$0
2005	No	\$0	\$0	\$0	N/A	\$0
2004	No	\$0	\$0	\$0	N/A	\$0
2003	No	\$0	\$0	\$0	N/A	\$0
2002	No	\$0	\$0	\$0	N/A	\$0
2001	No	\$0	\$0	\$0	N/A	\$0
2000	No	\$0	\$0	\$0	N/A	\$0
1999	No	\$0	\$0	\$0	N/A	\$0
1998	No	\$0	\$0	\$0	N/A	\$0
1997	No	\$0	\$0	\$0	N/A	\$0
1996	No	\$0	\$0	\$0	N/A	\$0

2011 Tax Information				Ranked Sales <u>See all transactions</u>			
Click Here for 2011 Tax Bill		Tax District: <u>SPB</u>		<u>Sale Date</u>	<u>Book/Page</u>	<u>Price</u>	<u>Q/U</u> <u>V/I</u>
2011 Final Millage Rate		18.2940		04 Aug 2008	16339 / 1675	\$350,000	Q I
2011 Est Taxes w/o Cap or Exemptions		\$1,718.56					
A significant change in taxable value may occur when sold due to changes in the market or the removal of exemptions. Click here for more information.							

2011 Land Information							
Seawall: No		Frontage: None		View:			
<u>Land Use</u>	<u>Land Size</u>	<u>Unit Value</u>	<u>Units</u>	<u>Total Adjustments</u>	<u>Adjusted Value</u>	<u>Method</u>	
No Land Information							

[click here to hide] 2011 Building 1 Structural Elements [Back to Top](#)

Site Address: 701 GULF WAY ST PETE BEACH 33706-

Quality: Average

Complex View: Standard

Location: Corner

Floor number: 1

Complex Pool

Parking Garage: None

Balcony/Porch: Open Porch

Square Footage: 683.00

Exterior Wall: Masonry

Stories: 1

Year Built: 1951

Effective Age: 61

No Building Drawing
Available

Building 1 Sub Area Information				
Description	<u>Living Area Ft²</u>	<u>Gross Area Ft²</u>	<u>Factor</u>	<u>Effective Ft²</u>
Base	683	683	1.00	683
Total Living SF: 683		Total Gross SF: 683		Total Effective SF: 683

[click here to hide] 2011 Extra Features					
Description	Value/Unit	Units	Total New Value	Depreciated Value	Year
No Extra Features on Record					

[click here to hide] Permit Data			
Permit Information is received from the County and Cities. This data may be incomplete and may exclude permits that do not result in field reviews (for example for water heater replacement permits). Any questions regarding permits should be directed to the permitting office in which the structure is located.			
Permit Number	Description	Issue Date	Estimated Value

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Data [Current](#) as of December 15, 2011
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Improvement Value
per F.S. 553.844

Ownership/Mailing Address	Site Address
SKAGEN, CLAYTON SKAGEN, JAMIE RR 1 SITE 2 BOX 106 DEWINTON AB T0L 0X0 CANADA	701 GULF WAY ST PETE BEACH 33706-



Property Use: 0436 (Condo Conversion - apartments/Platted Condo with apartment use)

Living Units:

[click here to hide] **2011 Legal Description**
BEACH CLUB AT PASS-A-GRILLE CONDO UNIT 5

2011 Exemptions	Mortgage Letter	File for	2011 Caps/Classified Agricultural Value	
Homestead Exemption				
Homestead: No	Government: No		Save-Our-Homes Cap Percentage: 0.00%	
Institutional: No	Historic: No		Non-Homestead 10% Cap: Yes	Classified Agricultural: No

2011 Parcel Information 2011 Trim Notice

Most Recent Conveyance	Sales Comparison	Census Tract	Evacuation Zone	Plat Book/Page
16289/0155	\$145,026 Sales Query	12103028002	A	153/079

2011 Value Information

Year	Save-Our-Homes cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$116,021	\$116,021	\$116,021	\$116,021	\$116,021

[click here to hide] Value History as Certified (yellow indicates correction on file)

Year	Save-Our-Homes Cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$116,021	\$116,021	\$116,021	\$116,021	\$116,021
2010	No	\$261,240	\$261,240	\$261,240	\$261,240	\$261,240
2009	No	\$322,476	\$322,476	\$322,476	\$322,476	\$322,476
2008	No	\$205,700	\$205,700	\$205,700	\$205,700	\$205,700
2007	No	\$0	\$0	\$0	N/A	\$0
2006	No	\$0	\$0	\$0	N/A	\$0
2005	No	\$0	\$0	\$0	N/A	\$0
2004	No	\$0	\$0	\$0	N/A	\$0
2003	No	\$0	\$0	\$0	N/A	\$0
2002	No	\$0	\$0	\$0	N/A	\$0
2001	No	\$0	\$0	\$0	N/A	\$0
2000	No	\$0	\$0	\$0	N/A	\$0
1999	No	\$0	\$0	\$0	N/A	\$0
1998	No	\$0	\$0	\$0	N/A	\$0
1997	No	\$0	\$0	\$0	N/A	\$0

1996	No	\$0	\$0	\$0	N/A	\$0
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2011 Tax Information Click Here for 2011 Tax Bill Tax District: SPB 2011 Final Millage Rate 18.2940 2011 Est Taxes w/o Cap or Exemptions \$2,122.49 A significant change in taxable value may occur when sold due to changes in the market or the removal of exemptions. Click here for more information.	Ranked Sales See all transactions <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Sale Date</th> <th>Book/Page</th> <th>Price</th> <th>Q/U</th> <th>V/I</th> </tr> </thead> <tbody> <tr> <td align="center">17 Jun 2008</td> <td align="center">16289 / 0155</td> <td align="right">\$425,000</td> <td align="center">Q</td> <td align="center">I</td> </tr> </tbody> </table>	Sale Date	Book/Page	Price	Q/U	V/I	17 Jun 2008	16289 / 0155	\$425,000	Q	I
Sale Date	Book/Page	Price	Q/U	V/I							
17 Jun 2008	16289 / 0155	\$425,000	Q	I							

2011 Land Information					
Seawall: No		Frontage: None		View:	
<u>Land Use</u>	<u>Land Size</u>	<u>Unit Value</u>	<u>Units</u>	<u>Total Adjustments</u>	<u>Adjusted Value</u> <u>Method</u>
No Land Information					

[click here to hide] 2011 Building 1 Structural Elements [Back to Top](#)

Site Address: 701 GULF WAY ST PETE BEACH 33706-

Quality: Average

Complex View: Gulf Of Mexico - Full

Location: Corner

Floor number: 2

Complex Pool

Parking Garage: None

Balcony/Porch: Open Porch

Square Footage: 580.00

Exterior Wall: Masonry

Stories: 1

Year Built: 1951

Effective Age: 61

No Building Drawing
Available

Building 1 Sub Area Information				
<u>Description</u>	<u>Living Area Ft²</u>	<u>Gross Area Ft²</u>	<u>Factor</u>	<u>Effective Ft²</u>
<u>Base</u>	580	580	1.00	580
Total Living SF: 580		Total Gross SF: 580		Total Effective SF: 580

[click here to hide] 2011 Extra Features					
<u>Description</u>	<u>Value/Unit</u>	<u>Units</u>	<u>Total New Value</u>	<u>Depreciated Value</u>	<u>Year</u>
No Extra Features on Record					

[click here to hide] Permit Data	
Permit information is received from the County and Cities. This data may be incomplete and may exclude permits that do not result in field reviews (for example for water heater replacement permits). Any questions regarding permits should be directed to the permitting office in which the structure is located.	

Permit Number	Description	Issue Date	Estimated Value
No Permit Data Found			
Radius (feet): 1000	Aerials: 2011 Color	Transparency: 0.5	Update Map

If you do not see map, the SVG viewer has not been installed. [Click here for information and installation.](#)

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Ownership/Mailing Address	Site Address
CORTLAND REALTY PARTNERS II LLC 695 CENTRAL AVE STE 150 ST PETERSBURG FL 33701-3663	701 GULF WAY ST PETE BEACH 33706-



Property Use: 0436 (Condo Conversion - apartments/Platted Condo with apartment use)

Living Units:

[click here to hide] **2011 Legal Description**

BEACH CLUB AT PASS-A-GRILLE CONDO UNIT 6

2011 Exemptions **Mortgage Letter**
Homestead Exemption

[File for](#)

2011 Caps/Classified Agricultural Value

Homestead: No
Institutional: No

Government: No
Historic: No

Save-Our-Homes Cap Percentage: 0.00%

Non-Homestead 10%
Cap: Yes

Classified
Agricultural: No

2011 Parcel Information 2011 Trim Notice

Most Recent Conveyance	Sales Comparison	Census Tract	Evacuation Zone	Plat Book/Page
16414/1383	\$159,516 Sales Query	12103028002	A	153/079

2011 Value Information

Year	Save-Our-Homes cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$127,613	\$127,613	\$127,613	\$127,613	\$127,613

[click here to hide] Value History as Certified (yellow indicates correction on file)

Year	Save-Our-Homes Cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$127,613	\$127,613	\$127,613	\$127,613	\$127,613
2010	No	\$261,324	\$261,324	\$261,324	\$261,324	\$261,324
2009	No	\$322,644	\$322,644	\$322,644	\$322,644	\$322,644
2008	No	\$205,700	\$205,700	\$205,700	\$205,700	\$205,700
2007	No	\$0	\$0	\$0	N/A	\$0
2006	No	\$0	\$0	\$0	N/A	\$0
2005	No	\$0	\$0	\$0	N/A	\$0
2004	No	\$0	\$0	\$0	N/A	\$0
2003	No	\$0	\$0	\$0	N/A	\$0
2002	No	\$0	\$0	\$0	N/A	\$0
2001	No	\$0	\$0	\$0	N/A	\$0
2000	No	\$0	\$0	\$0	N/A	\$0
1999	No	\$0	\$0	\$0	N/A	\$0
1998	No	\$0	\$0	\$0	N/A	\$0
1997	No	\$0	\$0	\$0	N/A	\$0
1996	No	\$0	\$0	\$0	N/A	\$0

2011 Tax Information Click Here for 2011 Tax Bill Tax District: <u>SPB</u> 2011 Final Millage Rate 18.2940 2011 Est Taxes w/o Cap or Exemptions \$2,334.55 A significant change in taxable value may occur when sold due to changes in the market or the removal of exemptions. Click here for more information.	Ranked Sales See all transactions <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Sale Date</th> <th>Book/Page</th> <th>Price</th> <th>Q/U</th> <th>V/I</th> </tr> </thead> <tbody> <tr> <td>14 Aug 2008</td> <td>16351 / 0587</td> <td>\$1,300,000</td> <td>M</td> <td>I</td> </tr> </tbody> </table>	Sale Date	Book/Page	Price	Q/U	V/I	14 Aug 2008	16351 / 0587	\$1,300,000	M	I
Sale Date	Book/Page	Price	Q/U	V/I							
14 Aug 2008	16351 / 0587	\$1,300,000	M	I							

2011 Land Information							
Seawall: No		Frontage: None			View:		
<u>Land Use</u>	<u>Land Size</u>	<u>Unit Value</u>	<u>Units</u>	<u>Total Adjustments</u>	<u>Adjusted Value</u>	<u>Method</u>	
No Land Information							

[click here to hide] 2011 Building 1 Structural Elements Back to Top													
Site Address: 701 GULF WAY ST PETE BEACH 33706-													
Quality: Average													
Complex View: Gulf Of Mexico - Full													
Location: Interior													
Floor number: 2													
Complex Pool													
Parking Garage: None													
Balcony/Porch: Open Porch													
Square Footage: 689.00													
Exterior Wall: Masonry													
Stories: 1													
Year Built: 1951													
Effective Age: 61													
Building 1 Sub Area Information													
Description	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th><u>Living Area Ft²</u></th> <th><u>Gross Area Ft²</u></th> <th><u>Factor</u></th> <th><u>Effective Ft²</u></th> </tr> </thead> <tbody> <tr> <td align="center">Base</td> <td align="center">689</td> <td align="center">1.00</td> <td align="center">689</td> </tr> <tr> <td align="center">Total Living SF: 689</td> <td align="center">Total Gross SF: 689</td> <td></td> <td align="center">Total Effective SF: 689</td> </tr> </tbody> </table>	<u>Living Area Ft²</u>	<u>Gross Area Ft²</u>	<u>Factor</u>	<u>Effective Ft²</u>	Base	689	1.00	689	Total Living SF: 689	Total Gross SF: 689		Total Effective SF: 689
<u>Living Area Ft²</u>	<u>Gross Area Ft²</u>	<u>Factor</u>	<u>Effective Ft²</u>										
Base	689	1.00	689										
Total Living SF: 689	Total Gross SF: 689		Total Effective SF: 689										
[click here to hide] 2011 Extra Features													
Description	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Value/Unit</th> <th>Units</th> <th>Total New Value</th> <th>Depreciated Value</th> <th>Year</th> </tr> </thead> <tbody> <tr> <td align="center" colspan="5">No Extra Features on Record</td> </tr> </tbody> </table>	Value/Unit	Units	Total New Value	Depreciated Value	Year	No Extra Features on Record						
Value/Unit	Units	Total New Value	Depreciated Value	Year									
No Extra Features on Record													
[click here to hide] Permit Data													
Permit information is received from the County and Cities. This data may be incomplete and may exclude permits that do not result in field reviews (for example for water heater replacement permits). Any questions regarding permits should be directed to the permitting office in which the structure is located.													
Permit Number	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Description</th> <th>Issue Date</th> <th>Estimated Value</th> </tr> </thead> <tbody> </tbody> </table>	Description	Issue Date	Estimated Value									
Description	Issue Date	Estimated Value											

No Permit Data Found

Radius (feet): 1000	Aerials: 2011 Color	Transparency: 0.5	Update Map
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Improvement Value
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Ownership/Mailing Address	Site Address
CORTLAND REALTY PARTNERS II LLC 695 CENTRAL AVE STE 150 ST PETERSBURG FL 33701-3663	701 GULF WAY ST PETE BEACH 33706-



Property Use: 0436 (Condo Conversion - apartments/Platted Condo with apartment use)

Living Units:

[click here to hide] **2011 Legal Description**
BEACH CLUB AT PASS-A-GRILLE CONDO UNIT 7

2011 Exemptions	Mortgage Letter Homestead Exemption	File for	2011 Caps/Classified Agricultural Value
Homestead: No	Government: No		Save-Our-Homes Cap Percentage: 0.00%
Institutional: No	Historic: No		Non-Homestead 10% Cap: Yes
			Classified Agricultural: No

2011 Parcel Information 2011 Trim Notice

Most Recent Conveyance	Sales Comparison	Census Tract	Evacuation Zone	Plat Book/Page
16414/1383	\$145,026 Sales Query	12103028002	A	153/079

2011 Value Information

Year	Save-Our-Homes cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$116,021	\$116,021	\$116,021	\$116,021	\$116,021

[click here to hide] Value History as Certified (yellow indicates correction on file)

Year	Save-Our-Homes Cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$116,021	\$116,021	\$116,021	\$116,021	\$116,021
2010	No	\$261,240	\$261,240	\$261,240	\$261,240	\$261,240
2009	No	\$322,476	\$322,476	\$322,476	\$322,476	\$322,476
2008	No	\$205,700	\$205,700	\$205,700	\$205,700	\$205,700
2007	No	\$0	\$0	\$0	N/A	\$0
2006	No	\$0	\$0	\$0	N/A	\$0
2005	No	\$0	\$0	\$0	N/A	\$0
2004	No	\$0	\$0	\$0	N/A	\$0
2003	No	\$0	\$0	\$0	N/A	\$0
2002	No	\$0	\$0	\$0	N/A	\$0
2001	No	\$0	\$0	\$0	N/A	\$0
2000	No	\$0	\$0	\$0	N/A	\$0
1999	No	\$0	\$0	\$0	N/A	\$0
1998	No	\$0	\$0	\$0	N/A	\$0
1997	No	\$0	\$0	\$0	N/A	\$0
1996	No	\$0	\$0	\$0	N/A	\$0

2011 Tax Information		Ranked Sales <u>See all transactions</u>				
Click Here for 2011 Tax Bill	Tax District: SPB	<u>Sale Date</u>	<u>Book/Page</u>	<u>Price</u>	<u>Q/U</u>	<u>V/I</u>
2011 Final Millage Rate	18.2940	14 Aug 2008	16351 / 0587	\$1,300,000	M	I
2011 Est Taxes w/o Cap or Exemptions	\$2,122.49					
A significant change in taxable value may occur when sold due to changes in the market or the removal of exemptions. Click here for more information.						

2011 Land Information							
Seawall: No		Frontage: None			View:		
<u>Land Use</u>	<u>Land Size</u>	<u>Unit Value</u>	<u>Units</u>	<u>Total Adjustments</u>	<u>Adjusted Value</u>	<u>Method</u>	
No Land Information							

[click here to hide] 2011 Building 1 Structural Elements Back to Top	
Site Address: 701 GULF WAY ST PETE BEACH 33706-	
Quality: Average	
Complex View: Gulf Of Mexico - Full	
Location: Corner	
Floor number: 2	
Complex Pool	
Parking Garage: None	
Balcony/Porch: Open Porch	
Square Footage: 580.00	
Exterior Wall: Masonry	
Stories: 1	
Year Built: 1951	
Effective Age: 61	

No Building Drawing
Available

Building 1 Sub Area Information				
Description	<u>Living Area Ft²</u>	<u>Gross Area Ft²</u>	<u>Factor</u>	<u>Effective Ft²</u>
Base	580	580	1.00	580
Total Living SF: 580		Total Gross SF: 580		Total Effective SF: 580

[click here to hide] 2011 Extra Features				
Description	Value/Unit	Units	Total New Value	Depreciated Value Year
No Extra Features on Record				

[click here to hide] Permit Data			
Permit information is received from the County and Cities. This data may be incomplete and may exclude permits that do not result in field reviews (for example for water heater replacement permits). Any questions regarding permits should be directed to the permitting office in which the structure is located.			
Permit Number	Description	Issue Date	Estimated Value

No Permit Data Found

Radius (feet): 1000	Aerials: 2011 Color	Transparency: 0.5	Update Map
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Improvement Value
per F.S. 553.844

Ownership/Mailing Address	Site Address
CORTLAND REALTY PARTNERS II LLC 695 CENTRAL AVE STE 150 ST PETERSBURG FL 33701-3663	701 GULF WAY ST PETE BEACH 33706-



Property Use: 0436 (Condo Conversion - apartments/Platted Condo with apartment use)

Living Units:

[click here to hide] **2011 Legal Description**
BEACH CLUB AT PASS-A-GRILLE CONDO UNIT 8

2011 Exemptions Mortgage Letter File for Homestead Exemption		2011 Caps/Classified Agricultural Value	
Homestead: No	Government: No	Save-Our-Homes Cap Percentage: 0.00%	
Institutional: No	Historic: No	Non-Homestead 10% Cap: Yes	Classified Agricultural: No

2011 Parcel Information 2011 Trim Notice

Most Recent Conveyance	Sales Comparison	Census Tract	Evacuation Zone	Plat Book/Page
16414/1383	\$133,062 Sales Query	12103028002	A	153/079

2011 Value Information

Year	Save-Our-Homes cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$106,450	\$106,450	\$106,450	\$106,450	\$106,450

[click here to hide] Value History as Certified (yellow indicates correction on file)

Year	Save-Our-Homes Cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$106,450	\$106,450	\$106,450	\$106,450	\$106,450
2010	No	\$222,264	\$222,264	\$222,264	\$222,264	\$222,264
2009	No	\$274,428	\$274,428	\$274,428	\$274,428	\$274,428
2008	No	\$205,700	\$205,700	\$205,700	\$205,700	\$205,700
2007	No	\$0	\$0	\$0	N/A	\$0
2006	No	\$0	\$0	\$0	N/A	\$0
2005	No	\$0	\$0	\$0	N/A	\$0
2004	No	\$0	\$0	\$0	N/A	\$0
2003	No	\$0	\$0	\$0	N/A	\$0
2002	No	\$0	\$0	\$0	N/A	\$0
2001	No	\$0	\$0	\$0	N/A	\$0
2000	No	\$0	\$0	\$0	N/A	\$0
1999	No	\$0	\$0	\$0	N/A	\$0
1998	No	\$0	\$0	\$0	N/A	\$0
1997	No	\$0	\$0	\$0	N/A	\$0
1996	No	\$0	\$0	\$0	N/A	\$0

2011 Tax Information		Ranked Sales See all transactions				
Click Here for 2011 Tax Bill	Tax District: SPB	Sale Date	Book/Page	Price	Q/U	V/I
2011 Final Millage Rate	18.2940	14 Aug 2008	16351 / 0587	\$1,300,000	M	I
2011 Est Taxes w/o Cap or Exemptions	\$1,947.40					
A significant change in taxable value may occur when sold due to changes in the market or the removal of exemptions. Click here for more information.						

2011 Land Information						
Seawall: No	Frontage: None			View:		
<u>Land Use</u>	<u>Land Size</u>	<u>Unit Value</u>	<u>Units</u>	<u>Total Adjustments</u>	<u>Adjusted Value</u>	<u>Method</u>
No Land Information						

[click here to hide] 2011 Building 1 Structural Elements Back to Top	
Site Address: 701 GULF WAY ST PETE BEACH 33706-	
Quality: Average	
Complex View: Standard	
Location: Corner	
Floor number: 2	
Complex Pool	
Parking Garage: None	
Balcony/Porch: Open Porch	
Square Footage: 683.00	
Exterior Wall: Masonry	
Stories: 1	
Year Built: 1951	
Effective Age: 61	

No Building Drawing
Available

Building 1 Sub Area Information				
Description	<u>Living Area Ft²</u>	<u>Gross Area Ft²</u>	<u>Factor</u>	<u>Effective Ft²</u>
Base	683	683	1.00	683
Total Living SF: 683		Total Gross SF: 683		Total Effective SF: 683

[click here to hide] 2011 Extra Features				
Description	Value/Unit	Units	Total New Value	Depreciated Value Year
No Extra Features on Record				

[click here to hide] Permit Data			
Permit information is received from the County and Cities. This data may be incomplete and may exclude permits that do not result in field reviews (for example for water heater replacement permits). Any questions regarding permits should be directed to the permitting office in which the structure is located.			
Permit Number	Description	Issue Date	Estimated Value

No Permit Data Found

Radius (feet): 1000	Aerials: 2011 Color	Transparency: 0.5	Update Map
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If you do not see map, the SVG viewer has not been installed. [Click here for information and installation.](#)

How to copy and paste a static map using Internet Explorer: Right-click on the map; Select "Copy SVG"; Open a Word document; Select "Paste Special" from Edit menu on toolbar; Select Bitmap, then OK

How to copy and paste a static map using Mozilla Firefox: Right-click on the map; Select "This Frame"; Select "Open Frame in New Window"; Print from the new window.



[Interactive Map of this parcel](#) [Back to Query Results](#) [New Search](#) [Tax Collector Home Page](#) [Question/Comment about this page](#)

**2011 INVENTORY /HISTORY OF TRANSIENT ACCOMMODATIONS
LOCATED IN PASS-A-GRILLE**

The following is a Summary of Data attached as Exhibit A, prepared by City Staff in 2011 regarding the location and type of transient accommodations located in Pass-A-Grille. This Summary is intended to support the requests made pursuant to Ordinances 2011-37 and 2011-38 to expand the CRD-EA ½ block south along Gulf Way to include 701 Gulf Way. The attached data shows that both currently and historically, transient accommodations in various forms including hotel, motel, bed and breakfast inns, rooming houses, transient apartments and transient condominiums exist primarily on Pass-A-Grille Way and Gulf Way with the vast majority of those transient accommodations both historically and currently active located along Gulf Way south of 20th Ave.

ADDRESS	NAME	TRANSIENT TYPE	STATUS
1 PAG Way	Island End Motel	Motel	Active
612 PAG Way	Ayres Apts	Transient apartments	Active
702 PAG Way	PAG Inn	Bed & Breakfast	Closed 2005
1704 PAG Way	Bay Terrace Apts	Transient Apts	Active
2404 PAG Way	Villa Petite Apts	Transient Apts	Active
2706 PAG Way	The Orchid (f/k/a Bahia Apts)	Transient Apts	Active
102 8 th Ave	Marine Apts	Transient Apts	Active
401 Gulf Way	Castle Hotel	Transient Rooms	Active
709 Gulf Way	PAG Beach Motel	Transient Apts	Active
801 Gulf Way	Keystone Hotel	Hotel	Active
• 900 Block	City Park	Park	
1007 Gulf Way	Villa Luna Apts	Transient Apts	Active
1101 Gulf Way	Gulf View Apts	Transient Apts	Closed 2006
1107 Gulf Way	Sunset View Rooming House	Transient Rooms	Closed 2006
1301 Gulf Way	Sabal Palm	Transient Apts	Active
1307 Gulf Way	Gulfway Inn	Motel	Closed 2004
1401 Gulf Way	Inn on the Beach	Motel	Active
1605 Gulf Way	Gulf Sands Apts	Transient Apts	Closed 1999
1705 Gulf Way	Camelot By The Sea Condominium	Transient Condominiums	Active
1801 Gulf Way	Camelot By The Sea Condominium	Transient Condominiums	Active
1905 Gulf Way	Pelican Apts	Transient Apts	Closed 2001
1907 Gulf Way	Apts on the Beach	Transient Apts	Closed 2008

- NOTE #1: The Business Tax Receipts in your agenda packet from 2002 through Sept 30, 2009 for 701 Gulf Way show that the subject property paid City taxes to operate as an Apartment Hotel Motel Guest House.
- NOTE #2: The current owners each purchased their respective units between June 17, 2008 and August 14, 2008 during which time the Business Tax Receipt for Apartment Hotel Motel Guest House were current.

Motel	<u>GAMBLE</u> <u>MILLARD</u> <u>G</u>	Primary	MOT6201130 Motel	Current, Active 02/01/2011
	License Location Address*:		1 PASS A GRILLE WAY ST PETE BCH, FL 337064326	
	Main Address*:		1 PASS A GRILLE WAY ST PETERSBURG BCH, FL 337064326	
	Mailing Address*:		1 PASS A GRILLE WAY ST PETERSBURG BCH, FL 337064326	
Motel	<u>GULF WAY</u> <u>INN (THE)</u>	DBA	6212856H Motel	Closed, 02/01/2004
	License Location Address*:		1307 GULF WAY ST PETE BCH, FL 337064225	
	Main Address*:		1307 GULF WAY ST PETE BCH, FL 337064225	
	Mailing Address*:		1307 GULF WAY ST PETE BCH, FL 337064225	
Motel	<u>HOLEHOUSE</u> <u>RONALD</u>	Primary	MOT6212872 Motel	Current, Active 02/01/2011
	License Location Address*:		1401 GULFWAY ST PETE BCH, FL 33706	
	Main Address*:		1401 GULFWAY ST PETE BCH, FL 33706	
	Mailing Address*:		1401 GULFWAY ST PETE BCH, FL 33706	
Motel	<u>INN ON THE</u> <u>BEACH</u>	DBA	MOT6212872 Motel	Current, Active 02/01/2011
	License Location Address*:		1401 GULFWAY ST PETE BCH, FL 33706	
	Main Address*:		1401 GULFWAY ST PETE BCH, FL 33706	
	Mailing Address*:		1401 GULFWAY ST PETE BCH, FL 33706	
Motel	<u>ISLAND END</u> <u>MOTEL</u>	DBA	MOT6201130 Motel	Current, Active 02/01/2011
	License Location Address*:		1 PASS A GRILLE WAY ST PETE BCH, FL 337064326	
	Main Address*:		1 PASS A GRILLE WAY ST PETERSBURG BCH, FL 337064326	
	Mailing Address*:		1 PASS A GRILLE WAY ST PETERSBURG BCH, FL 337064326	
Hotel	<u>FALKENSTEIN MARY</u>	Primary	HOT6202685 Hotel	Current, Active 02/01/2011
	License Location Address*:		801 GULF WAY ST PETE BCH, FL 337064218	
	Main Address*:		801 GULF WAY ST PETE BCH, FL 337064218	
	Mailing Address*:		801 GULF WAY ST PETE BCH, FL 337064218	
Hotel	<u>KEYSTONE HOTEL</u>	DBA	HOT6202685 Hotel	Current, Active 02/01/2011
	License Location Address*:		801 GULF WAY ST PETE BCH, FL 337064218	
	Main Address*:		801 GULF WAY ST PETE BCH, FL 337064218	
	Mailing Address*:		801 GULF WAY ST PETE BCH, FL 337064218	
Bed and Breakfast	<u>MCGEHEE CHRIS</u>	Primary	BNB6215466 Bed & Breakfast	Closed, 02/01/2005

	License Location Address*:	702 PASS A GRILLE WAY ST PETERSBURG BCH, FL 33706		
	Main Address*:	702 PASS A GRILLE WAY ST PETERSBURG BCH, FL 33706		
	Mailing Address*:	702 PASS A GRILLE WAY ST PETERSBURG BCH, FL 33706		
Bed and Breakfast	<u>PASS A GRILLE INN</u>	DBA	BNB6215466 Bed & Breakfast	Closed, 02/01/2005
	License Location Address*:	702 PASS A GRILLE WAY ST PETERSBURG BCH, FL 33706		
	Main Address*:	702 PASS A GRILLE WAY ST PETERSBURG BCH, FL 33706		
	Mailing Address*:	702 PASS A GRILLE WAY ST PETERSBURG BCH, FL 33706		
Resort Dwelling	<u>BEACH HOUSE</u>	DBA	DWE6215773 Dwelling	Current, Active 02/01/2011
	License Location Address*:	102 27 AVE ST.PETE BEACH, FL 33706		
	Main Address*:	5300 DTC PARKWAY #480 GREENWOOD VILLAGE, CO 80111		
	Mailing Address*:	5300 DTC PARKWAY #480 GREENWOOD VILLAGE, CO 80111		
Resort Dwelling	<u>KILGORE CARRIE & SOLOMON</u>	Primary	DWE6215773 Dwelling	Current, Active 02/01/2011
	License Location Address*:	102 27 AVE ST.PETE BEACH, FL 33706		
	Main Address*:	5300 DTC PARKWAY #480 GREENWOOD VILLAGE, CO 80111		
	Mailing Address*:	5300 DTC PARKWAY #480 GREENWOOD VILLAGE, CO 80111		
Apartment	<u>AEDES HOLDINGS II LLP</u>	Primary	NAP6204724 Nontran Apt	Current, Active 02/01/2011
	License Location Address*:	1605 PASS A GRILLE WAY ST.PETE BEACH, FL 33706		
	Main Address*:	1605 PASS A GRILLE WAY ST.PETE BEACH, FL 33706		
	Mailing Address*:	2506 PASS A GRILLE WAY ST.PETE BEACH, FL 33706		
Apartment	<u>APARTMENTS ON THE BEACH</u>	DBA	TAP6201357 Transient Apt	Closed, 02/01/2008
	License Location Address*:	1907 GULF WAY ST PETE BCH, FL 337064138		
	Main Address*:	1401 GULF WAY ST PETE BCH, FL 33706		
	Mailing Address*:	1401 GULF WAY ST PETE BCH, FL 33706		
Apartment	<u>AROC DEV. CORP</u>	Primary	NAP6200772 Nontran Apt	Ownership Changed, 02/01/2005
	License Location Address*:	226 7 AVE. N. ST. PETERSBURG, FL 33701		
	Main Address*:	226 7 AVE. N. ST. PETERSBURG, FL 33701		
	Mailing Address*:	P.O. BOX. 66194 ST.PETE BEACH, FL 33706		
Apartment	<u>AROC DEV. CORP.</u>	Primary	NAP6213450 Nontran Apt	Ownership Changed, 02/01/2005
	License Location Address*:	255 6 AVE NE ST. PETERSBURG, FL 33701		
	Main Address*:	255 6 AVE NE ST. PETERSBURG, FL 33701		
	Mailing Address*:	P.O. BOX 66194 ST.PETE BEACH, FL 33706		

Apartment	<u>AYRES APARTMENTS</u>	DBA	6201950H Transient Apt	Ownership Changed 02/01/1999
	License Location Address*: 612 PASS A GRILLE WAY ST PETE BCH, FL 337064321 Main Address*: 6727 1ST AVE S STE 210 SAINT PETERSBURG, FL 337071340 Mailing Address*: 6727 1ST AVE S STE 210 SAINT PETERSBURG, FL 337071340			
Apartment	<u>AYRES LOUISE HOUGH</u>	Primary	6201950H Transient Apt	Ownership Changed 02/01/1999
	License Location Address*: 612 PASS A GRILLE WAY ST PETE BCH, FL 337064321 Main Address*: 6727 1ST AVE S STE 210 SAINT PETERSBURG, FL 337071340 Mailing Address*: 6727 1ST AVE S STE 210 SAINT PETERSBURG, FL 337071340			
Apartment	<u>BABLE INVEST OF FL INC</u>	Primary	NAP6200017 Nontran Apt	Ownership Changed, 02/01/2005
	License Location Address*: 701 GULFWAY ST PETE BCH, FL 33706 Main Address*: 2167 GORDON DR MISSISSAUGA ONTARIO, FP L5B156 Mailing Address*: 2167 GORDON DR MISSISSAUGA, ONTARIO L5B156			
Apartment	<u>BAHIA APTS</u>	DBA	6204039H Transient Apt	Ownership Changed 02/01/2002
	License Location Address*: 2706 PASS A GRILLE WAY ST PETE BCH, FL 337064148 Main Address*: 386 BELLE POINT DR ST PETE BCH, FL 337062617 Mailing Address*: 386 BELLE POINT DR ST PETE BCH, FL 337062617			
Apartment	<u>BALI APTS</u>	DBA	TAP6205237 Transient Apt	Current, Active 02/01/2011
	License Location Address*: 105 11 AVE ST PETE BCH, FL 337064253 Main Address*: PO BOX 46768 ST PETERSBURG, FL 337064253 Mailing Address*: P O BOX 46768 ST PETERSBURG, FL 33741			
Apartment	<u>BAY TERRACE APARTMENTS</u>	DBA	TAP6202882 Transient Apt	Current, Active 02/01/2011
	License Location Address*: 1704 PASSA GRILLE WAY ST PETE BCH, FL 337064244 Main Address*: PO BOX 11806 ST PAUL, MN 55111 Mailing Address*: PO BOX 11806 ST PAUL, MN 55111			
Apartment	<u>BECKER KATE</u>	Primary	TAP6203342 Transient Apt	Ownership Changed, 02/01/2008
	License Location Address*: 113 11 AVE ST PETE BCH, FL 337064203 Main Address*: 113 11TH AVE ST PETE BCH, FL 337064203 Mailing Address*: 113 11TH AVE ST PETE BCH, FL 337064203			
Apartment	<u>BOSELA PAULETTE</u>	Primary	6202882H Transient Apt	Ownership Changed 02/01/1998

License Location Address*: 1704 PASSA GRILLE WAY ST PETE BCH, FL 337064244
Main Address*: 1430 SKYLINE RD EAGAN, MN 55121
Mailing Address*: 1430 SKYLINE RD EAGAN, MN 55121

Apartment BOSELA PAULETTE L Primary TAP6202882 Current,
Transient Apt Active
02/01/2011

License Location Address*: 1704 PASSA GRILLE WAY ST PETE BCH, FL 337064244
Main Address*: PO BOX 11806 ST PAUL, MN 55111
Mailing Address*: PO BOX 11806 ST PAUL, MN 55111

Apartment CAMELOT BY THE DBA TAP6201618 Current,
SEA Transient Apt Active
02/01/2011

License Location Address*: 1705 GULF WAY ST PETE BCH, FL 337064238
Main Address*: 1801 GULF WAY ST PETE BCH, FL 337064297
Mailing Address*: 1705 GULF WAY ST PETE BCH, FL 337064238

Apartment CAMELOT BY THE DBA TAP6202981 Current,
SEA Transient Apt Active
02/01/2011

License Location Address*: 1801 GULF WAY ST PETE BCH, FL 337064297
Main Address*: 1801 GULF WAY ST PETE BCH, FL 337064297
Mailing Address*: 1801 GULF WAY ST PETE BCH, FL 337064297

Apartment CAMELOT CONDO Primary TAP6201618 Current,
OWNERS ASSOC INC Transient Apt Active
02/01/2011

License Location Address*: 1705 GULF WAY ST PETE BCH, FL 337064238
Main Address*: 1801 GULF WAY ST PETE BCH, FL 337064297
Mailing Address*: 1705 GULF WAY ST PETE BCH, FL 337064238

Apartment CAMELOT CONDO Primary TAP6202981 Current,
OWNERS ASSOC INC Transient Apt Active
02/01/2011

License Location Address*: 1801 GULF WAY ST PETE BCH, FL 337064297
Main Address*: 1801 GULF WAY ST PETE BCH, FL 337064297
Mailing Address*: 1801 GULF WAY ST PETE BCH, FL 337064297

Apartment CARUSO JOSEPH Primary TAP6200114 Current,
Transient Apt Active
02/01/2011

License Location Address*: 1301 GULF WAY ST PETE BCH, FL 337064225
Main Address*: 1301 GULF WAY ST PETE BCH, FL 337064225
Mailing Address*: 1301 GULF WAY ST PETE BCH, FL 337064225

Apartment CHRIS MCGEHEE Primary TAP6203888 Ownership
Transient Apt Changed,
02/01/2005

License Location Address*: 102 8TH AVENUE ST PETERSBURG BEACH, FL 33706
Main Address*: PO BOX 538 BRANDENBURG, KY 40108
Mailing Address*: 702 PASS A GRILLE WAY ST PETERSBURG, FL 33706

Apartment	<u>COCONUT INN</u>	DBA	TAP6203342 Transient Apt	Current, Active 02/01/2011
	License Location Address*: 113 11 AVE ST.PETE BEACH, FL 33706 Main Address*: 1301 GULF WAY ST.PETE BEACH, FL 33706 Mailing Address*: 1301 GULF WAY ST.PETE BEACH, FL 33706			
Apartment	<u>COCONUT INN LLC</u>	Primary	TAP6203342 Transient Apt	Current, Active 02/01/2011
	License Location Address*: 113 11 AVE ST.PETE BEACH, FL 33706 Main Address*: 1301 GULF WAY ST.PETE BEACH, FL 33706 Mailing Address*: 1301 GULF WAY ST.PETE BEACH, FL 33706			
Apartment	<u>COOK MYRTLE C</u>	Primary	TAP6205237 Transient Apt	Current, Active 02/01/2011
	License Location Address*: 105 11 AVE ST PETE BCH, FL 337064253 Main Address*: PO BOX 46768 ST PETERSBURG, FL 337064253 Mailing Address*: P O BOX 46768 ST PETERSBURG, FL 33741			
Apartment	<u>CORONADO APARTMENTS</u>	DBA	NAP6204724 Nontran Apt	Ownership Changed, 02/01/2005
	License Location Address*: 1605 PASS A GRILLE WAY ST PETE BCH, FL 337064275 Main Address*: 4950 GULF BLVD APT 601 ST PETE BCH, FL 337062435 Mailing Address*: 4950 GULF BLVD APT 601 ST PETE BCH, FL 337062435			
Apartment	<u>CORONADO APARTMENTS</u>	DBA	NAP6204724 Nontran Apt	Current, Active 02/01/2011
	License Location Address*: 1605 PASS A GRILLE WAY ST.PETE BEACH, FL 33706 Main Address*: 1605 PASS A GRILLE WAY ST.PETE BEACH, FL 33706 Mailing Address*: 2506 PASS A GRILLE WAY ST.PETE BEACH, FL 33706			
Apartment	<u>CREPEAU J H & R L</u>	Primary	TAP6204131 Transient Apt	Ownership Changed, 02/01/2009
	License Location Address*: 1007 GULF WAY ST PETE BCH, FL 337064222 Main Address*: 1007 GULF WAY ST PETE BCH, FL 337064222 Mailing Address*: 1007 GULF WAY ST PETE BCH, FL 337064222			
Apartment	<u>DEVALE CAROLINE</u>	Primary	NAP6204724 Nontran Apt	Ownership Changed, 02/01/2005
	License Location Address*: 1605 PASS A GRILLE WAY ST PETE BCH, FL 337064275 Main Address*: 4950 GULF BLVD APT 601 ST PETE BCH, FL 337062435 Mailing Address*: 4950 GULF BLVD APT 601 ST PETE BCH, FL 337062435			
Apartment	<u>DUNN RICHARD A</u>	Primary	6204085H Transient Apt	Closed 02/01/2001

License Location Address*: 1905 GULF WAY ST PETE BCH, FL 337064122
Main Address*: 1905 GULF WAY #3 ST PETE BCH, FL 337064122
Mailing Address*: 1905 GULF WAY #3 ST PETE BCH, FL 337064122

Apartment FAIRHAVEN ESTATES DBA NAP6201950 Nontran Apt Current, Active 02/01/2011

License Location Address*: 612 PASS A GRILLE WAY ST PETE BCH, FL 337064321
Main Address*: 2329 SUNSET WAY ST PETER BCH, FL 33706
Mailing Address*: 2329 SUNSET WAY ST PETER BCH, FL 33706

Apartment FELICIA APARTMENTS DBA 6204085H Transient Apt Closed 02/01/2001

License Location Address*: 1905 GULF WAY ST PETE BCH, FL 337064122
Main Address*: 1905 GULF WAY #3 ST PETE BCH, FL 337064122
Mailing Address*: 1905 GULF WAY #3 ST PETE BCH, FL 337064122

Apartment GAMBLE JONE & MILLARD Primary TAP6204039 Transient Apt Current, Active 02/01/2011

License Location Address*: 2706 PASS A GRILLE WAY ST PETERSBURG BCH, FL 337064148
Main Address*: 1 PASS A GRILLE WAY ST.PETE BEACH, FL 33706
Mailing Address*: 1 PASS A GRILLE WAY ST.PETE BEACH, FL 33706

Apartment GREEN CASTLE APARTMENT DBA NAP6200017 Nontran Apt Ownership Changed, 02/01/2005

License Location Address*: 701 GULFWAY ST PETE BCH, FL 33706
Main Address*: 2167 GORDON DR MISSISSAUGA ONTARIO, FP L5B156
Mailing Address*: 2167 GORDON DR MISSISSAUGA, ONTARIO L5B156

Apartment GRENADA APARTMENTS DBA NAP6204599 Nontran Apt Current, Active 02/01/2011

License Location Address*: 1106 PASS A GRILLE WAY ST PETE BCH, FL 337064273
Main Address*: 12602 N 51ST ST TAMPA, FL 336171420
Mailing Address*: 12602 N 51ST ST TAMPA, FL 336171420

Apartment GULF SANDS APARTMENTS DBA 6201779H Transient Apt Closed 02/01/1999

License Location Address*: 1605 GULF WAY ST PETE BCH, FL 337064267
Main Address*: PO BOX 46768 SAINT PETERSBURG, FL 337416768
Mailing Address*: PO BOX 46768 SAINT PETERSBURG, FL 337416768

Apartment GULFVIEW APARTMENTS DBA TAP6212519 Transient Apt Closed, 02/01/2006

License Location Address*: 1101 GULFWAY ST PETE BCH, FL 33706
Main Address*: 1101 GULFWAY ST PETE BCH, FL 33706
Mailing Address*: 1101 GULFWAY ST PETE BCH, FL 33706

Apartment HEIDENREICH HENRY Primary NAP6214716 Current, Active
Nontran Apt 02/01/2011

License Location Address*: 1853 N 29 AVE ST PETERSBURG, FL 33713
Main Address*: PO BOX 66507 ST PETE BCH, FL 33736
Mailing Address*: PO BOX 66507 ST PETERSBURG BCH, FL 33736

Apartment HERMAN MARGARET OR Primary NAP6201950 Current, Active
KEN Nontran Apt 02/01/2011

License Location Address*: 612 PASS A GRILLE WAY ST PETE BCH, FL 337064321
Main Address*: 2329 SUNSET WAY ST PETER BCH, FL 33706
Mailing Address*: 2329 SUNSET WAY ST PETER BCH, FL 33706

Apartment HURLEY FRANK T JR Primary TAP6204129 Current, Active
Transient Apt 02/01/2011

License Location Address*: 2404 PASSAGRILLE WAY ST PETE BCH, FL 337064158
Main Address*: PO BOX 46768 SAINT PETERSBURG, FL 337416768
Mailing Address*: PO BOX 46768 SAINT PETERSBURG, FL 337416768

Apartment LEROY APTS DBA TAP6203342 Ownership
Transient Apt Changed,
02/01/2008

License Location Address*: 113 11 AVE ST PETE BCH, FL 337064203
Main Address*: 113 11TH AVE ST PETE BCH, FL 337064203
Mailing Address*: 113 11TH AVE ST PETE BCH, FL 337064203

Apartment LINNCREST APTS DBA NAP6205406 Current, Active
Nontran Apt 02/01/2011

License Location Address*: 1505 PASSAGRILLE WAY ST PETE BCH, FL 337064274
Main Address*: 1505 PASS-A-GRILLE WAY #14 ST. PETE BEACH, FL 33706
Mailing Address*: 1505 PASS-A-GRILLE WAY #14 ST PETE BCH, FL 33706-4274

Apartment LOTUACO BALTAZARA Primary TAP6212519 Closed,
Transient Apt 02/01/2006

License Location Address*: 1101 GULFWAY ST PETE BCH, FL 33706
Main Address*: 1101 GULFWAY ST PETE BCH, FL 33706
Mailing Address*: 1101 GULFWAY ST PETE BCH, FL 33706

Apartment M A SMITH RANCH Primary NAP6204599 Current, Active
TRUST PART D Nontran Apt 02/01/2011

License Location Address*: 1106 PASS A GRILLE WAY ST PETE BCH, FL 337064273
Main Address*: 12602 N 51ST ST TAMPA, FL 336171420
Mailing Address*: 12602 N 51ST ST TAMPA, FL 336171420

Apartment MANNING BETH Primary 6203888H Ownership
Transient Apt Changed,
02/01/2003

License Location Address*: 102 8 AVE ST PETERSBURG BCH, FL 337064365
Main Address*: 102 8 AVE ST PETERSBURG BCH, FL 337064365

Mailing Address*: 102 8 AVE ST PETERSBURG BCH, FL 337064365

Apartment MARINE APARTMENTS DBA 6203888H
Transient Apt Ownership
Changed,
02/01/2003

License Location Address*: 102 8 AVE ST PETERSBURG BCH, FL 337064365
Main Address*: 102 8 AVE ST PETERSBURG BCH, FL 337064365
Mailing Address*: 102 8 AVE ST PETERSBURG BCH, FL 337064365

Apartment MARINE APARTMENTS DBA 6203888H
Transient Apt Ownership
Changed
02/01/2002

License Location Address*: 102 8 AVE ST PETE BCH, FL 337064365
Main Address*: PO BOX 46768 ST PETERSBURG, FL 337416768
Mailing Address*: PO BOX 46768 ST PETERSBURG, FL 337416768

Apartment MARINE APARTMENTS DBA TAP6203888
Transient Apt Ownership
Changed,
02/01/2005

License Location Address*: 102 8TH AVENUE ST PETERSBURG BEACH, FL 33706
Main Address*: PO BOX 538 BRANDENBURG, KY 40108
Mailing Address*: 702 PASS A GRILLE WAY ST PETERSBURG, FL 33706

Apartment MARINE APARTMENTS DBA TAP6203888
Transient Apt Ownership
Changed,
02/01/2007

License Location Address*: 102 8 AVE ST.PETE BEACH, FL 33706
Main Address*: 102 8 AVE ST.PETE BEACH, FL 33706
Mailing Address*: 1631 DR MLK JR ST N ST PETERSBURG, FL 33704

Apartment MARINE APARTMENTS DBA NAP6203888
Nontran Apt Current, Active
02/01/2011

License Location Address*: 102 8 AVE ST.PETE BEACH, FL 33706
Main Address*: 702 PASS-A-GRILL WAY ST. PETERSBURG, FL 33706
Mailing Address*: 702 PASS-A-GRILL WAY ST. PETERSBURG, FL 33706

Apartment MARSH NADIA Primary NAP6205406
Nontran Apt Current, Active
02/01/2011

License Location Address*: 1505 PASSAGRILLE WAY ST PETE BCH, FL 337064274
Main Address*: 1505 PASS-A-GRILLE WAY #14 ST. PETE BEACH, FL 33706
Mailing Address*: 1505 PASS-A-GRILLE WAY #14 ST PETE BCH, FL 33706-4274

Apartment MELLOTT CLOYD R Primary 6201779H
Transient Apt Closed
02/01/1999

License Location Address*: 1605 GULF WAY ST PETE BCH, FL 337064267
Main Address*: PO BOX 46768 SAINT PETERSBURG, FL 337416768
Mailing Address*: PO BOX 46768 SAINT PETERSBURG, FL 337416768

Apartment	<u>OTT MARY J</u>	Primary	6203888H Transient Apt	Ownership Changed 02/01/2002
	License Location Address*: 102 8 AVE ST PETE BCH, FL 337064365 Main Address*: PO BOX 46768 ST PETERSBURG, FL 337416768 Mailing Address*: PO BOX 46768 ST PETERSBURG, FL 337416768			
Apartment	<u>PASS A GRILLE BCH MOTEL</u>	DBA	TAP6203784 Transient Apt	Current, Active 02/01/2011
	License Location Address*: 709 GULFWAY ST PETE BCH, FL 33706 Main Address*: 709 GULFWAY ST PETE BCH, FL 33706 Mailing Address*: 250 104TH AVENUE TREASURE ISLAND, FL 33706			
Apartment	<u>PASS A GRILLE BEACH CLUB</u>	DBA	NAP6200017 Nontran Apt	Closed, 02/01/2008
	License Location Address*: 701 GULF WAY ST.PETE BEACH, FL 33706 Main Address*: 701 GULF WAY ST.PETE BEACH, FL 33703 Mailing Address*: 4165 14 ST NE ST PETERSBURG, FL 33703			
Apartment	<u>PASS A GRILLE MOTEL INC</u>	Primary	TAP6203784 Transient Apt	Current, Active 02/01/2011
	License Location Address*: 709 GULFWAY ST PETE BCH, FL 33706 Main Address*: 709 GULFWAY ST PETE BCH, FL 33706 Mailing Address*: 250 104TH AVENUE TREASURE ISLAND, FL 33706			
Apartment	<u>QUEBEC APARTMENTS</u>	DBA	TAP6204131 Transient Apt	Ownership Changed, 02/01/2009
	License Location Address*: 1007 GULF WAY ST PETE BCH, FL 337064222 Main Address*: 1007 GULF WAY ST PETE BCH, FL 337064222 Mailing Address*: 1007 GULF WAY ST PETE BCH, FL 337064222			
Apartment	<u>RESOLUTE APARTMENT</u>	DBA	NAP6200017 Nontran Apt	Ownership Changed, 02/01/2006
	License Location Address*: 701 GULFWAY ST.PETE BEACH, FL 33706 Main Address*: 701 GULFWAY ST.PETE BEACH, FL 33706 Mailing Address*: 2506 PASS A GRILLE WAY ST.PETE BEACH, FL 33706			
Apartment	<u>RESOLUTE INVESTMENTS INC.</u>	Primary	NAP6200017 Nontran Apt	Ownership Changed, 02/01/2006
	License Location Address*: 701 GULFWAY ST.PETE BEACH, FL 33706 Main Address*: 701 GULFWAY ST.PETE BEACH, FL 33706 Mailing Address*: 2506 PASS A GRILLE WAY ST.PETE BEACH, FL 33706			
Apartment	<u>RON'S INVESTMENTS</u>	Primary	TAP6201357 Transient Apt	Closed, 02/01/2008

	License Location Address*:	1907 GULF WAY ST PETE BCH, FL 337064138		
	Main Address*:	1401 GULF WAY ST PETE BCH, FL 33706		
	Mailing Address*:	1401 GULF WAY ST PETE BCH, FL 33706		
Apartment	<u>SABAL PALM APTS</u>	DBA	TAP6200114 Transient Apt	Current, Active 02/01/2011
	License Location Address*:	1301 GULF WAY ST PETE BCH, FL 337064225		
	Main Address*:	1301 GULF WAY ST PETE BCH, FL 337064225		
	Mailing Address*:	1301 GULF WAY ST PETE BCH, FL 337064225		
Apartment	<u>SCUSA PASS A GRILLE</u>	Primary	NAP6200017 Nontran Apt	Closed, 02/01/2008
	License Location Address*:	701 GULF WAY ST.PETE BEACH, FL 33706		
	Main Address*:	701 GULF WAY ST.PETE BEACH, FL 33703		
	Mailing Address*:	4165 14 ST NE ST PETERSBURG, FL 33703		
Apartment	<u>SEA BISCUIT PROPERTIES LLC</u>	Primary	NAP6203888 Nontran Apt	Current, Active 02/01/2011
	License Location Address*:	102 8 AVE ST.PETE BEACH, FL 33706		
	Main Address*:	702 PASS-A-GRILL WAY ST. PETERSBURG, FL 33706		
	Mailing Address*:	702 PASS-A-GRILL WAY ST. PETERSBURG, FL 33706		
Apartment	<u>ST PETE BEACH VENTURES LLC</u>	Primary	TAP6203888 Transient Apt	Ownership Changed, 02/01/2007
	License Location Address*:	102 8 AVE ST.PETE BEACH, FL 33706		
	Main Address*:	102 8 AVE ST.PETE BEACH, FL 33706		
	Mailing Address*:	1631 DR MLK JR ST N ST PETERSBURG, FL 33704		
Apartment	<u>ST PETE VENTURES LLC</u>	Primary	TAP6204131 Transient Apt	Current, Active 02/01/2011
	License Location Address*:	1007 GULF WAY ST.PETE BEACH, FL 33706		
	Main Address*:	123 BAY POINT DRIVE NE ST. PETERSBURG, FL 33704-3805		
	Mailing Address*:	123 BAY POINT DRIVE NE ST. PETERSBURG, FL 33704-3805		
Apartment	<u>THE ORCHID OF PASS A GRILLE</u>	DBA	TAP6204039 Transient Apt	Current, Active 02/01/2011
	License Location Address*:	2706 PASS A GRILLE WAY ST PETERSBURG BCH, FL 337064148		
	Main Address*:	1 PASS A GRILLE WAY ST.PETE BEACH, FL 33706		
	Mailing Address*:	1 PASS A GRILLE WAY ST.PETE BEACH, FL 33706		
Apartment	<u>VILLA LUNA</u>	DBA	TAP6204131 Transient Apt	Current, Active 02/01/2011
	License Location Address*:	1007 GULF WAY ST.PETE BEACH, FL 33706		
	Main Address*:	123 BAY POINT DRIVE NE ST. PETERSBURG, FL 33704-3805		
	Mailing Address*:	123 BAY POINT DRIVE NE ST. PETERSBURG, FL 33704-3805		

Apartment	<u>VILLA PETITE APARTMENTS</u>	DBA	TAP6204129 Transient Apt	Current, Active 02/01/2011
License Location Address*: 2404 PASSAGRILLE WAY ST PETE BCH, FL 337064158 Main Address*: PO BOX 46768 SAINT PETERSBURG, FL 337416768 Mailing Address*: PO BOX 46768 SAINT PETERSBURG, FL 337416768				
Apartment	<u>VOGEL JAMES</u>	Primary	6204039H Transient Apt	Ownership Changed 02/01/2002
License Location Address*: 2706 PASS A GRILLE WAY ST PETE BCH, FL 337064148 Main Address*: 386 BELLE POINT DR ST PETE BCH, FL 337062617 Mailing Address*: 386 BELLE POINT DR ST PETE BCH, FL 337062617				
Rooming House	<u>1107 GULF WAY</u>	Primary	TRM6201844 Transient Rooms	Closed, 02/01/2006
License Location Address*: 1107 GULF WAY ST.PETE BEACH, FL 33706 Main Address*: P O BOX 923 SPARTA, NJ 07871 Mailing Address*: P O BOX 923 SPARTA, NJ 07871				
Rooming House	<u>CASTLE HOTEL</u>	DBA	TRM6201997 Transient Rooms	Delinquent, Active 02/01/2010
License Location Address*: 401 GULF WAY ST PETE BCH, FL 337064322 Main Address*: 401 GULF WAY ST PETE BCH, FL 337064322 Mailing Address*: 401 GULF WAY ST PETE BCH, FL 337064322				
Rooming House	<u>CREPEAU JACQUES H</u>	Primary	TRM6201844 Transient Rooms	Ownership Changed, 02/01/2005
License Location Address*: 1107 GULF WAY ST PETE BCH, FL 337064223 Main Address*: 1107 GULF WAY ST PETE BCH, FL 337064223 Mailing Address*: 1107 GULF WAY ST PETE BCH, FL 337064223				
Rooming House	<u>RUHLMAN ROBERT E</u>	Primary	TRM6201997 Transient Rooms	Delinquent, Active 02/01/2010
License Location Address*: 401 GULF WAY ST PETE BCH, FL 337064322 Main Address*: 401 GULF WAY ST PETE BCH, FL 337064322 Mailing Address*: 401 GULF WAY ST PETE BCH, FL 337064322				
Rooming House	<u>SUN SET VIEW ROOM HSE</u>	DBA	TRM6201844 Transient Rooms	Ownership Changed, 02/01/2005
License Location Address*: 1107 GULF WAY ST PETE BCH, FL 337064223 Main Address*: 1107 GULF WAY ST PETE BCH, FL 337064223 Mailing Address*: 1107 GULF WAY ST PETE BCH, FL 337064223				
Rooming House	<u>SUNSET VIEW ROOMING HOUSE</u>	DBA	TRM6201844 Transient Rooms	Closed, 02/01/2006

License Location Address*: 1107 GULF WAY ST.PETE BEACH, FL 33706
Main Address*: P O BOX 923 SPARTA, NJ 07871
Mailing Address*: P O BOX 923 SPARTA, NJ 07871

THD-2007

In 2007, The City adopted ordinance 2007-51 which established the traditional Hotel District. The geographic area eligible for this district was described as “those lots which abut Gulf Way and First Avenue.” See maps below. It should be noted that not all lots were necessarily eligible for this district; the applicant had to show the commission that the property was licensed with the City and operating as a transient accommodation. The map simply illustrates the general area applicable.



THD- 2008

In 2008, the ordinance was amended to exclude those properties north of 15th Avenue but include all properties south of 15th Avenue, not just properties abutting Gulf Way and 1st Avenue. Again, not all properties are eligible for the designation; the Commission must find that they are licensed with the City and are currently operating as a transient lodging.





**Karl, E. Holley, AICP,
Director of Community Development
City of St. Pete Beach
155 Corey Avenue
St. Pete Beach, Florida 33706**

Memorandum

To: Mike Bonfield, City Manager
From: Karl E. Holley, AICP
Re: June 24th and July 1st Joint THD Workshops
Date: July 12, 2010

The following is a summary of the consensus conclusions of the joint workshops of the Planning Board and Historic Preservation Board held on June 24 and July 1, 2010 concerning the Traditional Hotel District Standards.

Purpose and Intent

Board members concluded that the preservation of existing small hotels in Pass-a-Grille was a valid public policy goal because of the positive economic and social impact of the facilities, but that other issues, such as impacts on residential areas, should be given due consideration in implementing any process to achieve the goal. The Boards suggested that refurbishment of existing structures would be preferable to the development of new structures on existing hotel properties, but they acknowledged that current regulations would generally make this difficult or impossible. It was the clear consensus of the Boards that the application of the Traditional Hotel District should not allow for any potential increase in negative impacts on surrounding properties other than those that might be required by applicable codes, such as increased height to meet FEMA standards.

Use Issues

Board members concluded that it was preferable to only consider those properties which were currently utilized for transient occupancy as permissible for redevelopment. The members did not support the idea of considering any other properties in Pass-a-Grille as suitable for hotel development.

Board members supported specifically limiting any reconstructed hotels to existing ancillary uses, and did not desire to see any expansion of use, whether physically or by type of use, such as through the addition of bars or restaurants to redeveloped properties. It was the clear consensus of the Boards that redevelopment should only occur within the

existing scope of established uses, including recreational amenities; for example, a hotel which did not previously have a swimming pool could not construct one as part of a redevelopment of the property.

Design Issues

Board members recommended that any hotels rebuilt under the provisions of the Traditional Hotel District be limited to the same square footage as those they replace, with some possible additional space allowance to address modern building code requirements, such as ADA, if necessary. They suggested that any such allowances be established after proper research by City staff and that the provisions be incorporated into the THD standards.

Board members recommended that rebuilt hotels be allowed to be no taller than the structures they replace, except that minimum additional height would be granted to elevate new structures to comply with FEMA requirements.

Board members suggested that architectural design criteria for redeveloped hotels be included in the City's efforts to establish overall design guidelines for new development in the Pass-a-Grille area.

Other Issues

Board members recommended that a minimum unit threshold be established for application for the THD. A minimum of five units was generally agreed upon, although board members felt a different number might be acceptable, depending upon the actual unit counts of potentially eligible properties identified.

Board members recommended that City staff and legal counsel resolve the issue of the appropriate criteria for determining what constitutes "presently licensed with the City of St. Pete Beach and operating as a transient accommodation", and that a list of properties meeting the established requirements be included in the THD standards themselves. Board members also recommended that the THD ordinance establish a time period within which any property owner not included on the list developed by City staff could come forward and demonstrate eligibility based upon the established criteria, but that after such time period had expired, no additional properties would be considered for the THD designation.

DIVISION 13 ROR RESIDENTIAL/OFFICE/RETAIL DISTRICT

Sec. 13.1. Purpose and intent.

Sec. 13.2. Permitted principal uses and structures.

Sec. 13.3. Permitted accessory uses and structures.

Sec. 13.4. Allowable conditional uses.

Sec. 13.5. Prohibited uses and structures.

Sec. 13.6. Minimum zoning lot requirements.

Sec. 13.7. Minimum yard requirements.

Sec. 13.8. Maximum height of structures.

Sec. 13.9. Minimum off-street parking requirements.

Sec. 13.10. Landscaping required.

Sec. 13.11. Maximum floor area ratio.

Sec. 13.12. Maximum impervious surface ratio.

Sec. 13.13. Other standards.

Sec. 13.1. Purpose and intent.

The ROR Residential/Office/Retail District is intended for mixed use areas designated within the ROR Residential/Office/Retail land use category on the future land use maps. Certain other structures and uses required to serve governmental, religious and non-commercial recreational needs of such areas may be permitted, subject to restrictions and requirements intended to preserve the character of such district.

(Ord. No. 03-7, § 3, 5-1-03)

Sec. 13.2. Permitted principal uses and structures.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the ROR Residential/Office/Retail District are as follows:

- (a) Clubs, community service.
- (b) Eating and drinking establishments--Sit-down restaurant only.
- (c) Financial institutions without drive-through service.
- (d) Laundries, self-service.
- (e) Offices.
- (f) Printing and copying services.
- (g) Residential dwellings--Attached single-family, detached single-family, multifamily and two-family.
- (h) Retail sales.
- (i) Social service agencies.

(Ord. No. 03-7, § 3, 5-1-03)

Sec. 13.3. Permitted accessory uses and structures.

- (a) Uses and structures, as regulated in sections 6.12 and 6.13, which are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures and are not of a nature prohibited under section 13.5.
- (b) Home occupations, subject to the conditions set forth in section 6.5 of this Code.
- (c) Residential docks, including tie poles, in conformance with the provisions of section 6.23 and other applicable codes and ordinances of the city, county or state.
- (d) Temporary structures under the provisions of section 6.11.

(Ord. No. 03-7, § 3, 5-1-03)

Sec. 13.4. Allowable conditional uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the ROR Residential/Office/Retail District are as follows:

- (a) Assisted living facilities.
- (b) Places of worship.
- (c) Communications facilities.
- (d) Daycare centers/kindergartens.
- (e) Docks, commercial--Class C only.
- (f) Eating and drinking establishment--Bar (cocktail lounge, saloon); restaurant, outdoor.
- (g) Laundries, dry cleaning.
- (h) Parking lots, off-premise.
- (i) Recreational--Public parks and/or recreational facilities.
- (k) Schools, public or private.
- (l) Schools, commercial.
- (m) Services, personal/business.
- (n) Transient accommodations--Bed and breakfast inns and motels only.
- (o) Utility substations and/or rights-of-way.
- (p) Veterinarians.

(Ord. No. 03-7, § 3, 5-1-03; Ord. No. 2004-34, § 2, 12-14-04)

Sec. 13.5. Prohibited uses and structures.

All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the ROR Residential/Office/Retail District.

Any use which has been determined under the provisions of Chapter 46 of the Code of Ordinances to be potentially noxious, dangerous or offensive to residents of the district or to those who pass by on public roadways or likely for other reasons to be incompatible with the character of the district, is hereby prohibited in the ROR Residential/Office/ Retail District.

(Ord. No. 03-7, § 3, 5-1-03)

Sec. 13.6. Minimum zoning lot requirements.

The maximum residential or transient accommodation densities permitted in the ROR Residential/Office/Retail District shall not exceed 15 units per acre. The minimum lot area and width requirements in the ROR Residential/Office/Retail District are as follows:

- (a) *Detached single-family dwellings.*
 - (1) *Lot area:* 5,000 square feet.
 - (2) *Lot width:* 50 feet.
- (b) *Attached single-family, multifamily and two-family dwellings and transient accommodation facilities.*
 - (1) *Lot area:* 2,904 square feet for each dwelling unit or transient accommodation unit, pursuant to section 6.6 of this Code.
 - (2) *Lot width:* 50 feet
- (c) *All other uses.* The lot area and width requirements stated below shall be considered the minimum standards; however, the requirements may be modified by the city under the site plan review process to fit the specific use.

[After reviewing the just published agenda for the 12/20/2011 Planning Board meeting, the owners and residents objecting to this rezoning request wish to submit the following additional objections to the request for rezoning.]

Why Is 709 Gulf Way Different From 701 Gulf Way on The Issue of Impacts From Rezoning?

1. **709 Gulf Way** was rezoned (as was all of 8th Avenue and the South side of 9th Avenue) as part of a larger project related to the existing commercial/business nature of 8th Avenue. The rezoning request for **701 Gulf Way** is an isolated request that could open the flood gates to many more such requests in residential areas throughout Pass-A-Grille.

(The owners of **701 Gulf Way** could have sought to be included in the rezoning resulting from Ordinance 2010-18. They were notified, as required by law, as to its scope and purpose. Because they failed to argue their case for inclusion within the 8th Avenue project at that time, the owners of **701 Gulf Way** should be barred from claiming any unequal treatment based upon any rezoning resulting from that Ordinance. Their failure to act in a timely manner should not entitle them to a “do-over.” The City developed Ordinance 2010-18, reviewed it at the various boards, voted upon it, and determined that these two properties were different regarding the purpose of that Ordinance. Any request for rezoning of **701 Gulf Way** at this point in time should be considered solely as an isolated rezoning request based only upon its own merits.)

2. **709 Gulf Way** DOES NOT face or abut any residential properties. **701 Gulf Way** has two sides facing residential properties. The main entrance for many units and the fenced portion of the complex is on 7th Avenue. The fenced courtyard/pool area (with accompanying noises) is across the alley and street from 7th Avenue residences. Even the presently authorized “lower traffic” uses (apartment/condo) of **701 Gulf Way** have generated noise issues and complaints from the local full-time residents on 7th Avenue.

3. The **709 Gulf Way** complex presently is structurally enclosed, with the units completely surrounding an inner courtyard and no real impact on neighbors on 7th Avenue. In contrast, the **701 Gulf Way** complex has balconies facing outward for every unit on the second floor and outside “patio” areas for each ground floor unit facing 7th Avenue (as well as Gulf Way), and a pool and courtyard area across the alley and street from 7th Avenue residences. The negative impacts to the local neighborhood from **701 Gulf Way** becoming a hotel/motel are clearly far greater than from **709 Gulf Way**.

PASS-A-GRILLE--Do We Really Want to Change It?

Pass-A-Grille is a unique part of St. Pete Beach (SPB). Unlike Treasure Island (which emphasizes a “party” atmosphere) and the Traditional Hotel District of SPB (which has a large (and growing?) number of temporary lodging units), Pass-A-Grille is a quiet family beach and residential area. Such areas are fast becoming extinct from Clearwater Beach all the way down the island chain to Pass-A-Grille. Where else on this island chain can you sleep at night with windows open to the Gulf breezes and not be disturbed by traffic sounds and late-night partying? We feel that Pass-A-Grille needs to be preserved for both the sake of its permanent residents who came here for its quiet family atmosphere and for its uniqueness which attracts visitors to Pass-A-Grille and to SPB as a whole.

DO WE REALLY WANT TO CHANGE PASS-A-GRILLE?

The idea of allowing one property to be rezoned from an apartment/condo complex to a temporary lodging complex may, in isolation, seem to have a limited impact. However, the actual impacts and long-term impacts need to be examined very closely.

1. Where will the rezoning stop if the City starts allowing such changes? The City has the right to vote against this rezoning request on any reasonable basis, to include the objections of the neighbors and to preserve the uniqueness of Pass-A-Grille. However, once any one rezoning request is approved, the City is legally required to approve all such rezoning requests from similarly situated apartment/condo owners. Any rejection by the City of the second such request or the 50th such request may well result in lawsuits alleging unequal treatment. So once this rezoning starts, where does it end? (Of course, if the property is rezoned, the City is likely to be sued for the decrease in land values or other issues by property owners who object to allowing the rezoning.) The key distinction between a lawsuit by the property owners of the first such rezoning request and potential lawsuits by all others (subsequent requesters seeking equal treatment and owners affected by any approval of the first such rezoning request) is that any lawsuit by the first rezoning requesters should be easily won by the City (perhaps even summarily dismissed) if the decision to reject that request is made in good faith and in the best interests of the citizens of SPB.

2. If the rezoning does not stop with 701 Gulf Way, how far might it go? There are between 209 and 467 units on properties zoned “Apartment/Condominium” between 20th Avenue and 1st Avenue in Pass-A-Grille. All arguably are within walking distance of 8th Avenue and arguably (absent a lawsuit to establish otherwise) are similarly situated to 701 Gulf Way. Attachment 1 lists these properties by address. **On what legally defensible basis would subsequent requests to rezone these properties be denied by the City if the first such rezoning request is approved?** That question should to be answered before the City takes an irreversible step down the rezoning path to destroying Pass-A-Grille. How would properties zoned for “duplex, triplex, or fourplex” be

classified in this discussion? (See Attachment 3 for a partial listing of such properties.)

3. Even if SPB were willing to accept the risks of altering the uniqueness of Pass-A-Grille forever, what benefit exists to outweigh such damage or even just the chance of damage? Apartment/condo units are not inconsistent with the uniqueness of Pass-A-Grille. Any significant increase in temporary lodgings would be inconsistent. So it appears that the current rezoning request would benefit solely the owners of the property at 701 Gulf Way at the expense of the others who live and own property in Pass-A-Grille. Certainly the argument will be made that the higher traffic that comes from short-term tourists would better support the businesses on 8th Avenue, and no doubt "opinions" and speculation will be offered on that issue. Even if it were true, does it outweigh the damage that would be caused by unlimited rezoning within Pass-A-Grille or the likely lawsuits that would result from the City's denial of subsequent rezoning requests from similarly situated property owners on the attached list? There already are many temporary lodging units within Pass-A-Grille and just north in the rest of SPB. (Attachment 2 documents the properties presently zoned as temporary lodgings within Pass-A-Grille. No doubt the City has some count of the hotel/motel rooms available within the entire City of SPB)

4. If the City were to begin allowing such rezoning, how aggressively would the City deal with tourists who disrupt the peace and quiet and other enforcement issues? Has anyone considered these issues and the likely costs to the taxpayers? What is the per capita crime rate in the current traditional hotel district versus Pass-A-Grille? What would be the cost and other impacts if Pass-A-Grille's crime rate got as high? The neighbors near 701 Gulf Way can, and have, documented that short-term renters are not conducive to our quiet neighborhood atmosphere. These issues of enforcement and costs should be properly studied and documented before ANY consideration is given to any request to rezone any Pass-A-Grille property from apartment/condo units to temporary lodging units.

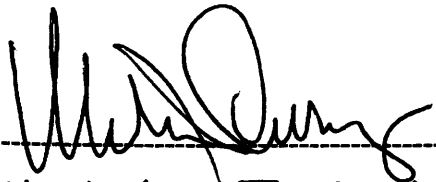
5. Consideration of tourist issues. Tourists (short-term visitors) to SPB should and do have temporary lodgings where they can drink, party, and be boisterous if they so choose. However, such activities are not appropriate for a residential "front porch" neighborhood such as Pass-A-Grille. These tourists can stay within the Traditional Hotel District and make the short ride to Pass-A-Grille to enjoy its restaurants, beaches, and shops.

We as property owners and residents of Pass-A-Grille strongly object to the rezoning of 701 Gulf Way for the reasons given above.

NAME

ADDRESS

Guthrie Mytton 100 6th Ave. N. Pile Beach
Jean Catarguete 109 7th Ave S. Pile Beach



WILLIAM I. CURRY

111 7TH AVE

ST PETE BEACH

HARRY Metz

504 Pass-a-Graile Way

Dayn T. Beam

106 7th Ave., SPB

Diane V. Beam

106 7th Avenue, SPB

more signature will be provided

AT
MEETING
OF
PLANNING
BOARD

ORIGINAL document submitted 11/14/2011

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NAME	ADDRESS
Roy & Patricia Cucchiara	2607 Pass-A-Grille Way
Roy Cucchiara	St Pete Beach FL 33706
Patricia Cucchiara	

PASS-A-GRILLE--Do We Really Want to Change It?

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NAME	ADDRESS
STUART HOSTETTER	235 S. TESSIER DRIVE 316
Ann Hostetter	33706
Ann Hostetter	235 S. TESSIER DR SPB
	33706

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NAME Cheryl A. Haig ADDRESS 4950 Gulf Blvd # 405,
6500 Sunset Way # 108 St Pete Beach, FL
33706

non-resident owner in St Pete Beach

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NAME	ADDRESS
Geraldine Fletcher	102-6th Ave, St. Pete Beach 33706-4312
Robert E Fletcher	same as above, " "

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NAME	ADDRESS
MaryMcReynolds	104 6 th Ave Apt. 2 St. Pete Beach
X Mary McReynolds	
Mable Marvne Davis	104 6 th Ave. Apt. 3 St. Pete Beach
X Mable Marvne Davis	

The Planning Board suggested a compromise at the January 17, 2012 meeting, but no time or forum was available for a productive discussion prior to the vote upon Ordinances 2011-37 and 2011-38 at that meeting. One condition for approval of the Ordinances was added to limit rentals of 701 Gulf Way to not less than one week. After having time to consider the idea of approval of the Ordinances with conditions, some of the affected residents/property owners in opposition to the requested rezoning Ordinances propose the conditions below. These conditions will do more to reassure the affected residents and property owners that the conduct of the transient renters at 701 Gulf Way is less likely to affect these local residents/property owners, and that any inappropriate conduct by the renters shall be dealt with by a local agent without having to contact the police or complain to City enforcement officials. The benefits of the proposed conditions are:

- a. They make the owners of 701 Gulf Way (not the police or the City's enforcement officials) responsible for assuring the proper behavior of their renters;
- b. It reassures the affected residents/property owners that resolution of concerns may be addressed expeditiously without recourse to the police or the City's enforcement officials; and
- c. It may discourage those who oppose the rezoning from bringing legal actions regarding their concerns and issues with the 701 Gulf Way rezoning process and approval.

Conditions for approval of Ordinances 2011-37 and 2011-38:

- 1. Notwithstanding the permissible uses, no rental period for any part of 701 Gulf Way shall be for less than one week.**
- 2. The owners of 701 Gulf Way shall designate a local agent or agents with authority to monitor and enforce the terms of all rental contracts for any part of the property, and the name(s) and telephone number(s) for such agents shall be posted on the property in a manner accessible to the public at all times. The designated agent(s) shall be available at all times.**
- 3. All rentals of 701 Gulf Way shall be by contract, and such contracts shall authorize eviction of renters and any others occupying the property, by the local agent for the property, due to illegal or inappropriate behavior or any other behavior disturbing the peace.**
- 4. Any significant violation of these conditions shall entitle the City to reinstate the zoning for 701 Gulf Way that existed prior to approval of these Ordinances, and such reinstatement shall not convey any right of action to the owners of 701 Gulf Way.**

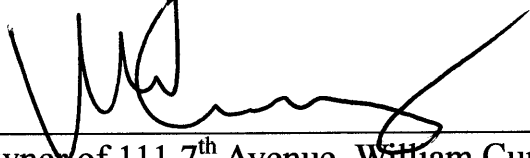
Diane V. Bean 106 7th Ave
111 7th Ave
Juan Catalano 109 2nd Ave

Clarification/Authorship of Objections to the Rezoning of 701 Gulf Way

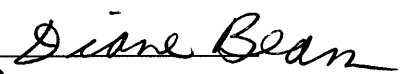
This document is to confirm the authorship of the two prior submissions which stated objections to the rezoning of 701 Gulf Way.

The first document (Exhibit 1) was initiated by the owners of two of the three properties that face (directly or diagonally) the property at 701 Gulf Way. (The third owner is out of state, and that owner's position is unknown to the undersigned.) The owners of 111 7th Avenue (William Curry) and of 106 7th Avenue (Dayn and Diane Beam) initiated the statement of objections to which many other owners and residents of the area have added their signatures.

The second document (Exhibit 2) was initiated in a discussion between the below signed owners and then discussed with other owners and residents. Its submission was in response to the file publicly posted (to the web) the day prior to the scheduled meeting on December 20. Given the need to submit this second document immediately (to supplement the first document based upon new information in the posted file), additional signatures were not solicited. Please consider it as having been signed by the owners below.



Owner of 111 7th Avenue, William Curry

  1/3/2012

Owners of 106 7th Avenue, Dayn and Diane Beam

[After reviewing the just published agenda for the 12/20/2011 Planning Board meeting, the owners and residents objecting to this rezoning request wish to submit the following additional objections to the request for rezoning.]

Why Is 709 Gulf Way Different From 701 Gulf Way on The Issue of Impacts From Rezoning?

1. **709 Gulf Way** was rezoned (as was all of 8th Avenue and the South side of 9th Avenue) as part of a larger project related to the existing commercial/business nature of 8th Avenue. The rezoning request for **701 Gulf Way** is an isolated request that could open the flood gates to many more such requests in residential areas throughout Pass-A-Grille.

(The owners of **701 Gulf Way** could have sought to be included in the rezoning resulting from Ordinance 2010-18. They were notified, as required by law, as to its scope and purpose. Because they failed to argue their case for inclusion within the 8th Avenue project at that time, the owners of **701 Gulf Way** should be barred from claiming any unequal treatment based upon any rezoning resulting from that Ordinance. Their failure to act in a timely manner should not entitle them to a “do-over.” The City developed Ordinance 2010-18, reviewed it at the various boards, voted upon it, and determined that these two properties were different regarding the purpose of that Ordinance. Any request for rezoning of **701 Gulf Way** at this point in time should be considered solely as an isolated rezoning request based only upon its own merits.)

2. **709 Gulf Way** DOES NOT face or abut any residential properties. **701 Gulf Way** has two sides facing residential properties. The main entrance for many units and the fenced portion of the complex is on 7th Avenue. The fenced courtyard/pool area (with accompanying noises) is across the alley and street from 7th Avenue residences. Even the presently authorized “lower traffic” uses (apartment/condo) of **701 Gulf Way** have generated noise issues and complaints from the local full-time residents on 7th Avenue.

3. The **709 Gulf Way** complex presently is structurally enclosed, with the units completely surrounding an inner courtyard and no real impact on neighbors on 7th Avenue. In contrast, the **701 Gulf Way** complex has balconies facing outward for every unit on the second floor and outside “patio” areas for each ground floor unit facing 7th Avenue (as well as Gulf Way), and a pool and courtyard area across the alley and street from 7th Avenue residences. The negative impacts to the local neighborhood from **701 Gulf Way** becoming a hotel/motel are clearly far greater than from **709 Gulf Way**.

Additional Concerns Regarding the Application for Rezoning of
701 Gulf Way
January 11, 2012

The application for Rezoning of 701 Gulf Way was accompanied by a letter from the Martohue Land Use Law Group, P.A. Both documents were dated October 13, 2011, and signed by Deborah Martohue as applicant/agent.

This letter accompanying the application contains statements and assumptions favorable to the applicant's position which, absent further clarification, could be erroneous or misleading. Before the Board allows any such statements within this letter to be considered in its decision, the Board should consider obtaining clarification to assure that the process is based upon fair and accurate information.

Issue # 1. The Martohue letter claims that the timing of ownership changes and inaction by the developer may have been the reason that the owners of 701 Gulf Way did not seek timely inclusion into the 8th Avenue project. However, the facts do not appear to be as asserted in the letter.

The Martohue letter states that "the current owners ... primarily purchased Units within the Property in 2008-09" (second paragraph under "Site History" on page 2), that "all 8 Unit owners ... purchase[d] in 2007-09" and that "[t]he 8 Units were sold to some of the current owners at the peak of the real estate boom and the others were purchased in a duress bulk sale, and all were sold to out-of-state non-homesteaded owners ..." (first paragraph under "Application Requests," on page 3 of the letter).

The "City of St. Pete Beach Planning Board/Local Planning Agency Public Hearings" document dated December 20, 2011 ("City document"), in the first paragraph under "Background Information" on the first page, recognizes that "[a]ccording to Property Appraiser public records, all of the units were sold between July-August 2008." The records on the websites for the Pinellas County Property Appraisal and the Pinellas County Clerk of Court indicate that of the eight units at 701 Gulf Way, three were sold to out-of-state individual owners and five were sold to Courtland Holdings LLC in 2008. The five units sold to Courtland Holdings LLC later were sold to Courtland Realty Partners II by quit claim deed filed 10/29/2008, but no other transfers of these eight units appear in the documents described above. No transfers (to current owners) occurred in 2007 and none in 2009. The five units sold to a legal entity (and then resold to an apparently related legal entity) have had local Pinellas County addresses, management, and registered agents according to documents available on line from

the Florida Department of State records. All of the owners should have been able to verify the zoning and land use restrictions at the time of purchase, and at least the local managers/agents for five of the eight units should have been aware of the current zoning and land use restrictions at the time of purchase and the proposed changes to zoning and land use in 2008 through 2011. Any failure of the developer to act or misrepresentations by the developer do not appear to be valid justification for the current request.

Issue # 2. The Martohue letter argues that rezoning is an appropriate method of resolving nonconforming uses. However, to rezone every property in Pass-A-Grille with grandfathered use, in order to eliminate the nonconforming grandfathered use, would be unnecessarily costly, time-consuming, and counter-productive.

The Martohue letter states that the application seeks “land use and zoning amendments” to “remedy the non-conformity both in terms of density and use” (first paragraph under “Application Requests,” on page 3 of the letter) because “[t]he subject Property density is 43 units/acre ... [which] is grandfathered but exceeds the existing ROR permitted density.... If redesignated (sic) under the current CRD-EA, the Property would still be non-conforming.... However, if redesignated (sic) as CRD-EA land use and zoning..., under the City’s proposed density amendment the subject property would be fully conforming both in terms of use and density” (third paragraph under “Application Requests” on page 4 of the letter).

The letter seems to indicate that curing non-conformances, even those that are grandfathered, is a justified reason to rezone. However, it is assumed that non-conformances that are “grandfathered” do not require curing before an owner may use such property consistent with the grandfathered uses or the currently zoned uses. Therefore, any proposed rezoning to “cure” nonconformance must be justified independently of this “curing” argument.

Issue # 3. The Martohue letter refers to 701 Gulf Way as part of “the 8th Avenue district neighborhood” (second paragraph under “Site Description,” on page 3 of the letter). However, the subject property at 701 Gulf Way does not appear to be a part of the 8th Avenue district.

The property is adjacent to, is visible to, and significantly affects the residents of 7th Avenue but not 8th Avenue.

Issue # 4. The Martohue letter states that “the Applicant’s requests ... would

be compatible with the transient rentals on the property located immediately north of the subject Property which is a more appropriate use for property across from Pass-A-Grille Beach and fronting Gulf Way ...” (fourth paragraph under “Application Requests,” on page 4 of the letter). However, this does not justify rezoning every such property on Gulf Way.

Each rezoning request should be evaluated on its own merits, weighing the concerns of the entire community, including the nearby single family residences, against those requesting the rezoning.

Issue # 5. The Martohue letter assumes significant economic benefit from the requested rezoning and uses such assumption as its primary justification. This conclusion should not be considered unless and until it is supported by proper documentation.

The Martohue letter states that “by allowing the Property to be designated CRD-EA, this would allow transient (sic) rentals which creates a significantly greater economic engine to support the local retail and restaurant businesses in the 8th Ave Business District, far surpassing the economic impact generated by the occasional occupancy of out-of-state owners or seasonal (sic) residents should the use remain strictly residential with the severe limitations on rentals that accompany that designation in the ROR district” (fourth paragraph under “Application Requests,” on page 4 of the letter).

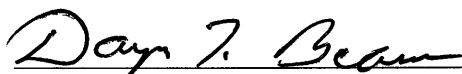
The “City document,” in the seventh paragraph on the fifth page, recognizes that “[n]o studies have been conducted which clearly establish the economic value of the tourist lodging facilities in Pass-a-Grille as opposed to residential uses.” Before accepting the Martohue letter’s conclusion, the appropriate studies should be conducted and properly documented. The impact to the local residents* should be considered as well as the hypothetical impact to restaurants and other businesses.

*In the agenda for the December Planning Board meeting attached to the “City document,” on page 63, is a paragraph within the City of St. Pete Beach, Florida, Eighth Avenue Commercial District Special Area Plan (dated December 2011) titled “Plan Issues and Objectives” which states that “[w]hen the comprehensive plan for the City was written in 1989, the Pass-A-Grille neighborhood (south of 32nd Avenue) was considered to be “primarily residential in character...with neighborhood commercial and some seasonal tourist facilities.... This character is important to the residents of St. Pete Beach, and maintaining it is a major goal of this plan.”

Transient rentals were not even acknowledged as a significant characteristic of this “primarily residential” neighborhood. Approval of this rezoning request (and those likely to follow by similarly situated owners in Pass-A-Grille) is inconsistent with the already approved 8th Avenue plan and the interests of the owners and residents who choose to purchase homes in a “primarily residential” neighborhood. The impact from the already authorized rezoning on 8th Avenue, part of 9th Avenue, and 709 Gulf Way has yet to be experienced. It would seem to be advisable to wait and assess the impacts from the already rezoned properties before increasing the unknown impacts from additional rezoning.

Issue # 6. The Martohue letter requests addition of the property to an already approved 8th Avenue project without going through the extensive review, study, analysis, and impact assessments process used for that 8th Avenue project. It is not clear that the attempt to incorporate new properties into the already processed and approved 8th Avenue project is legally valid.

The rezoning request should be considered upon its merits and not the merits of the 8th Avenue project. The 8th Avenue project underwent extensive study, analysis, assessment, reporting and approval. Any attempt to add new properties (with their additional impacts to all those issues addressed during formal consideration of the 8th Avenue project) appears to circumvent the full process requirements. It is recommended that legal advice be obtained regarding this.



Dayn T. Beam
106 7th Avenue

1/11/2012

**St. Pete Beach City Commission
Agenda Report**

Issue Considered: First Reading and Public Hearing of Ordinance 2011-38

Date: March 27, 2012

Prepared By: Catherine Hartley, AICP, CNU-A, Senior Planner

Summary of Issue: Change of Zoning designation for 701 Gulf Way from ROR to CRD-EA.

The Planning Board conducted a public hearing on the above-mentioned case on January 17, 2012, and voted 4-1 to recommend approval of the request with the conditions that the units not be permitted to be rented for less than one week and that the development order should specify such.

Requested Motion: “I move to approve Ordinance 2011-38 (read title)”

Attachments: Ordinance 2011-38.

Reviewed by City Manager: MB

ORDINANCE # 2011-38

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, PINELLAS COUNTY, FLORIDA, PROVIDING FOR AN AMENDMENT TO THE OFFICIAL ZONING MAP FOR THE PROPERTY LOCATED AT 701 GULF WAY, FURTHER ILLUSTRATED ON THE MAP IN “EXHIBIT A”, FROM ROR TO CRD-EA; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith, TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission adopted Ordinance 2008-24 on August 26, 2008, establishing a special Future Land Use designation for Eighth Avenue, known as the Community Redevelopment District- Eighth Avenue: and

WHEREAS, the Citizens of St. Pete Beach validated the adoption of this comprehensive plan amendment via public referendum in 2009; and

WHEREAS, the Planning Board of the City of St. Pete Beach conducted a public hearing on January 17, 2012, noticed pursuant to Florida law and conducted pursuant to Ordinance 88-36 of the City of St. Pete Beach and Section 3.4 of the Land Development Code; and

WHEREAS, City Commission of the City of St. Pete Beach conducted public hearings on Tuesday March 27, 2012 and _____, 2012, noticed pursuant to Florida law and conducted pursuant to Ordinance 88-36 of the City of St. Pete Beach and Section 3.4 of the Land Development Code; and

WHEREAS, the City Commission finds this change to the Zoning Map to be consistent with the Goals, Objectives, and Policies of the Comprehensive Plan; and

WHEREAS, the City Commission finds this amendment to the Zoning Map to be in the best interest of the citizens of the City of St. Pete Beach.

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

Section 1. The Zoning Map of the City of St. Pete Beach is hereby amended, changing the zoning for the property located at 701 Gulf Way, illustrated in “Exhibit A”, from ROR to CRD-EA.

Section 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with this Ordinance.

Section 3. If any portion or part of this Ordinance is declared invalid by a court of competent jurisdiction, the valid remainder hereof shall remain in full force and effect.

Section 4. This Ordinance shall become effective within 30 days of adoption.

STEVE MCFARLIN, MAYOR

LPA PUBLIC HEARING: 1/17/2012

PUBLISHED:

FIRST READING: 3/27/2012

PUBLISHED :

SECOND READING/ADOPTION HEARING:

PUBLISHED:

I, Rebecca Haynes, 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 _____, 2012.

Rebecca Haynes, City Clerk

“Exhibit A”

701 Gulf Way



City of St. Pete Beach
City Commission Public Hearings
Ordinance # 2011-37
Ordinance # 2011-38
March 27, 2012

Property Information

Address: 701 Gulf Way
Owners: Multiple – Please refer to Exhibit A submitted by applicant’s agent
Agent: Deborah Martohue
Existing Use: Multifamily
Proposed Use: Temporary Lodging
Parcel Size: 7,980 square feet MOL

Applicant Requests: Change of Future Land Use Designation from Residential Office Retail to CRD-EA
Change of Zoning from ROR to CRD-EA

Background Information:

The property was formerly an 11-unit apartment complex. Between roughly 2006 and 2007, the property was renovated and the number of units was reduced to 8 units. The certificate of occupancy issued at the completion of the project states the structure was at the time of issuance “in compliance with the various ordinances of the City regarding building construction or use for the following: 8 unit apartment building”. The Certificate of Occupancy is dated March 28, 2008. According to Property Appraiser public records, all of the units were sold between July - August 2008.

Shortly after the Certificate of Occupancy was issued, the City initiated a Future Land Use Map (FLUM) change to the area known as the CRD-EA or Community Redevelopment Area- 8th Avenue (Ordinance 2008-24). The area was also subject to a Special Area Plan and Countywide Land Use Map change. ***(Please note: The property subject to this application, 701 Gulf Way, was not included in the 2008 FLUM Amendment or Special Area Plan.)***

The dates of the public hearings/election for the FLUM change are as follows:

Planning Board: 5/22/2008
City Commission 1st reading: 6/10/2008
City Commission 2nd reading: 8/26/2008
Voter Approval: 3/10/2009
Pinellas Planning Council: 2/17/2010
Pinellas County Board of County Commissioners acting as the Countywide Planning Authority: 3/16/2010

A map of the CRD-EA as approved via Ordinance 2008-24 is illustrated in Figure 1 below:



Figure One- CRD-EA Map. Area shaded in RED illustrates the area subject to the FLUM change.

The existing ROR Future Land Use category for the subject property permits both residential and transient accommodations (now known as temporary lodging). The Comprehensive Plan sets a density limit for residential uses at 18 units per acre. The Comprehensive Plan is silent regarding a density limit for transient accommodations.

The existing ROR zoning further limits the density for both residential and temporary lodging at 15 units per acre. While residential uses are permitted by right in this district, “motels and bed and breakfasts” are conditional uses. There is no record of the developer requesting a conditional use for a motel or bed and breakfast for the subject property.

Under the ROR zoning, two residential or motel/bed and breakfast units are permitted on the site.

In May 2011, one of the unit owners received a Notice of Violation for allegedly renting the unit for less than 30 days, which is in violation of the Land Development Code. The applicants have requested the change in Future Land Use and Zoning to allow for short term rentals (less than 30 days).

Under the proposed CRD-EA FLUM and zoning regulations, the site would be permitted to have 5 transient units. It should be noted that the City Commission directed Staff to initiate a change to the Eighth Avenue Special Area Plan and text of the Comprehensive Plan to allow for 50 transient units per acre, which are addressed in Ordinance numbers 2011-39 and 2011-40, respectively. This change in density, along with the change in Future Land Use and zoning, would make the property as used as a temporary lodging use both conforming by use and density. Currently, the site does not contain any off-street parking; however, pursuant to Division 23.5 of the land Development Code, transient uses in the CRD-EA zoning are exempt from providing off-street parking.

Staff Analysis

Consistency of the request with the Comprehensive Plan:

The following goals, objectives, and policies are germane to the application:

Policy 2.1.5

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

Policy 2.1.6

The conservation, maintenance and rehabilitation of existing residential areas shall be encouraged through provisions contained in the land development regulations and other applicable City codes.

Objective 2.4

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

Policy 2.4.1

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

Standards for review of FLUM changes:

Future Land Use Map amendments are a legislative function of local government under Florida law, which holds the governing authority to a general standard of reasonableness in making the determination. In addition, Future Land Use Map changes should be broadly consistent with relevant Comprehensive Plan policies, including not degrading infrastructure Levels of Service.

The applicant has not submitted evidence of meeting level of service standards pursuant to the Comprehensive Plan. However, as the City was required to amend the Eighth Avenue Special Area Plan to accommodate the City Commission's request to increase temporary lodging density, staff calculated the demand including the subject property. No significant impacts to

infrastructure have been noted. The existing facilities have the capacity to handle possible increases (impacts would be negligible- St. Pete Beach is a retail customer in terms of potable water, and the St. Petersburg Sewage treatment facility has several million gallons of capacity). Please refer to the 8th Avenue Special Area Plan for specific calculations.

The existing ROR Future Land Use category currently permits transient accommodations, which is also consistent with the CRD-EA category. The only difference lies in the number of units per acre permitted.

Standards for review of for changes to the Official Zoning Map:

Section 3.9 of the Land Development Code sets forth the standards for review of requests for rezonings:

Standards for review. In reviewing the application for a rezoning, the staff, the planning board and the city commission shall consider whether the proposed rezoning is consistent with and furthers the goals, policies and action strategies of the comprehensive plan.

In addition, the planning board and city commission shall consider the following:

- a. Whether the proposed change would be contrary to the land use plan and would have an adverse effect on the plan. The planning board and city commission shall review the request considering the most intense use permitted in the requested zone district;*
- b. Compatibility with adjacent properties and the existing land use pattern;*
- c. Possible creation of an isolated district unrelated to adjacent and nearby districts;*
- d. The population density pattern and increase in demand for public utilities or services, including potable water supply, sanitary sewer capacity, law enforcement or fire suppression;*
- e. Any increase in use of city infrastructure, including stormwater management facilities, streets and roads, water lines, sewer lines or lift stations;*
- f. Whether existing district boundaries are logically drawn in relation to existing conditions on the property proposed for change;*
- g. Whether changed or changing conditions make the passage of the proposed amendment necessary;*
- h. Whether the proposed change will adversely affect drainage.*
- i. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations;*
- j. Whether the proposed change will constitute a grant of special privileges to an individual owner as contrasted with the public welfare; and*
- k. Whether the change suggested is out of scale with the needs of the neighborhood or the city.*

Although not reflected on the zoning map, Pass-a-Grille is a mixed-use area containing a variety of land uses including single family residential, multifamily residential, temporary lodging, office, retail, restaurants and other commercial uses, recreational uses, and institutional uses such as churches and clubs. Although the zoning map represents a strict separation of land uses, the actual uses on the ground are considerably more mixed.

The change in zoning would not be inconsistent with the Future Land Use Plan Map if the request for a change to the Future Land Use Map is granted. There are goals, objectives, and policies in the comprehensive plan that support both the maintenance of residential areas and encouraging mixed use development.

The property immediately adjacent to the subject property is a conforming temporary lodging use in terms of permitted uses in both the Comprehensive Plan and the Land Development Code. It could be argued that the change from a residential use to a temporary lodging use would be compatible with the surrounding area. Although the properties east of the subject property are predominately residential in character and use, the zoning and Future Land use allow for non-residential uses.

There is no significant impact on public facilities anticipated by the change in land use or zoning, as stated above.

The applicant has identified a change in condition that would warrant the change in future land use or zoning: The owners of the existing units allegedly relied on information provided by the developer that the units could be used as short term rentals.

Impacts to drainage are not anticipated, as any new construction will be compelled to follow any regulations regarding drainage and stormwater mitigation. No new construction has been proposed for this site.

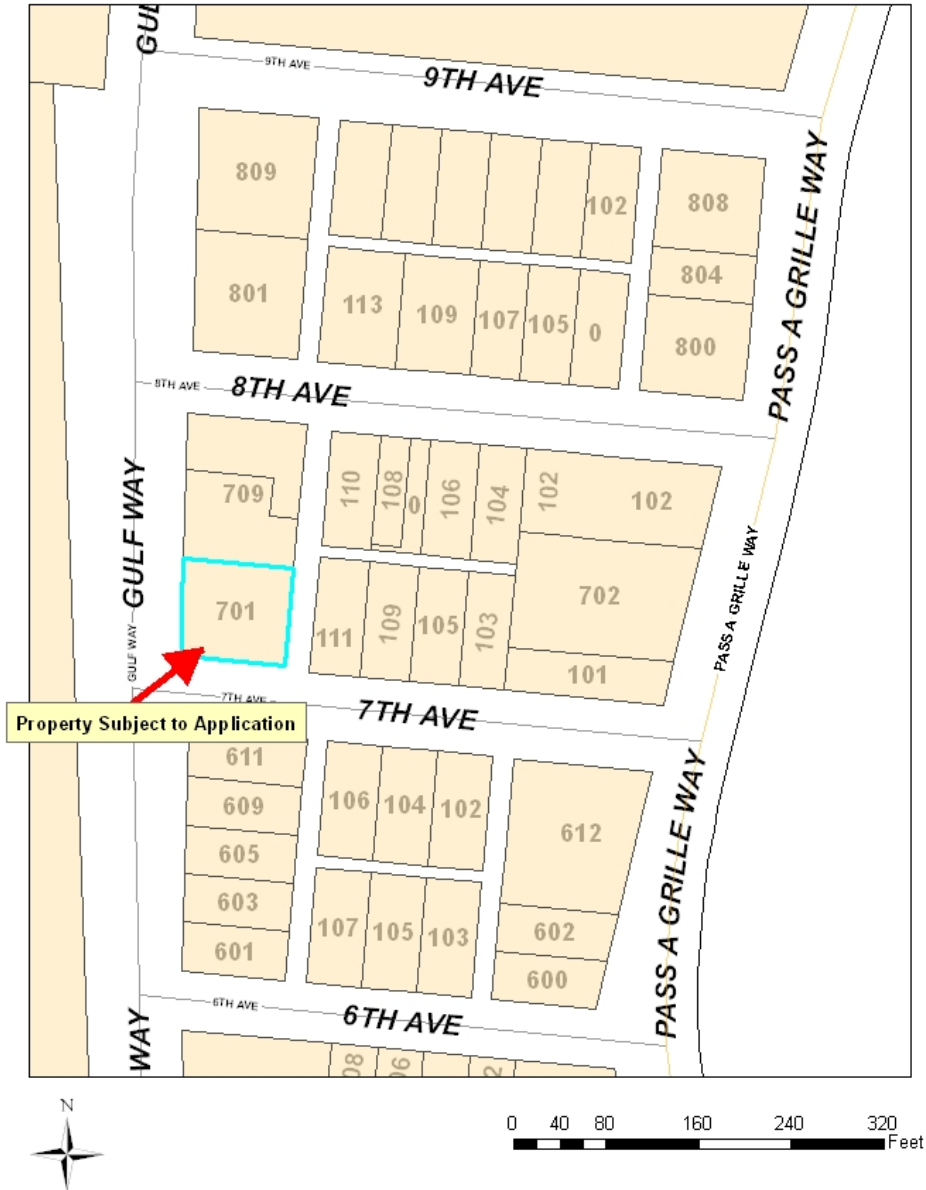
Development allowed under the proposed zoning is generally consistent in size and mass to that allowed under the present zoning. The current mass and scale is less than what is allowed under the CRD-EA zoning. The “needs” of the community as expressed in economic terms have not been clearly defined and are therefore difficult to assess. No studies have been conducted which clearly establish the economic value of the tourist lodging facilities in Pass-a-Grille as opposed to residential uses.

Summary and Conclusion

Certainly, there are policies in the Comprehensive Plan that support both mixed use development and the maintenance of single family neighborhoods. However, the existing zoning and FLUM designations are mixed use. Both single family and mixed uses – including temporary lodging – are proximate to the subject property. Multiple public meetings have been conducted over the last year in which both the public and elected officials have stated that the preferred location of temporary lodging uses are on Gulf Way and Pass-a-Grille Way versus the interior streets where single family residences are the predominate uses. The only issue at hand is whether or not to allow the existing 8 units to be permitted to rent short term (less than 30 days) more than three times per year.

Respectfully submitted:
Catherine M. Hartley, AICP, CNU-a
Senior Planner

Ordinance # 2011-37 Change of Future
Land Use from Residential Office Medium to
Community Redevelopment District - Eighth Avenue
Ordinance # 2011-38 Change of Zoning from
ROR to CRD-EA
701 Gulf Way





CITY OF ST PETE BEACH

CERTIFICATE OF OCCUPANCY

This Certificate is issued pursuant to the requirements of the Florida Building Code and the Land Development Code, certifying that at the time of issuance, this structure was in compliance with the various ordinances of the City regulating building construction or use, for the following:

DESCRIPTION & ADDRESS OF BUILDING: 8 Unit Apartment Building 701 Gulf Way, St Pete Beach, FL 33706

LOT: 10 & 11 BLOCK: 6 SUBDIVISION: Morey Beach

USE CLASSIFICATION: Residential GROUP: R-2 FIRE DISTRICT: No

BUILDING PERMIT NUMBER: 20061384

OWNER OF BUILDING: S C USA Pass-A-Grille LLC

ADDRESS: PO Box 10279, Tampa, FL 33679-0279

CONTRACTOR: Hussung Construction Inc.

ADDRESS: 246 17th Ave NE, St Petersburg, FL 33704

NOTES: Existing 11 unit apartment renovated and converted to 8 units.


Bruce Cooper, Building Official March 28, 2008

2002**St Pete Beach Business Tax Receipt**

License Number

20021229

Date Paid

5/7/2002

Amount Paid

\$46.00

Expires 9/30/2002

Mail to

GREEN CASTLE APTS (INAC)

2167 GORDON DR

JOSEPH JANDSIC

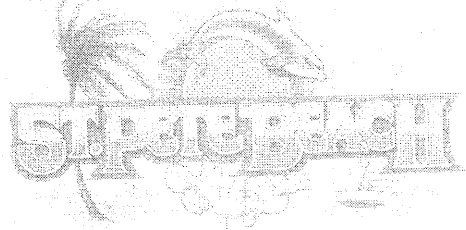
MISSISSAUGA ONTARIO, CN L5B1S6

GREEN CASTLE APTS (INAC)

701 GULF WAY

ST PETE BEACH, FL 33706

Catagory	Fee	Note
☒ Apartment Hotel Motel Guest House - 6 to 10 units inclusive	\$30.00	
☒ Apartment Hotel Motel Guest House Each additional unit over 10	\$6.00	11 UNITS
☒ Laundromats or self-service laundries. Washers and dryers Each machine	\$10.00	2 MACHINES



This occupational tax license does not permit the holder to operate in violation of any city law, ordinance or regulation. Any change in location or ownership must be approved by city license department, subject to zoning restrictions. This occupational tax does not constitute an endorsement, approval or disapproval of the holder's skill or competence or non-competence of the holder with other laws, regulations or standards.

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Licensee copy

2002**City of St Pete Beach Paid Certificate**

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Expires 9/30/2002

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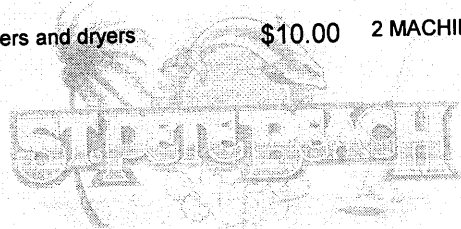
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City Copy

2003

St Pete Beach Business Tax Receipt

GREEN CASTLE APTS (INAC)
701 GULF WAY

ST PETE BEACH, FL 33706

Mail to

GREEN CASTLE APTS (INAC)
2167 GORDON DR
JOSEPH JANDSCIK
MISSISSAUGA ONTARIO, CN L5B1S6

License Number

20030987

Date Paid

8/22/2002

Amount Paid

\$80.50

Expires 9/30/2003

Catagory	Fee	Note
☒ Apartment Hotel Motel Guest House - 6 to 10 units inclusive	\$30.00	
☒ Apartment Hotel Motel Guest House Each additional unit over 10	\$6.00	11 UNITS
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2003

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JOSEPH JANDSCIK
MISSISSAUGA ONTARIO, CN L5B1S6

License Number

20030987

Date Paid

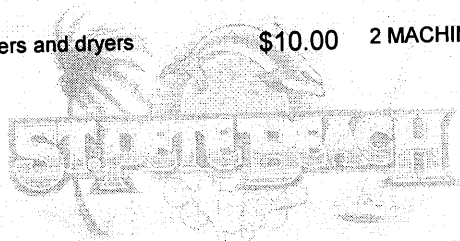
8/22/2002

Amount Paid

\$80.50

Expires 9/30/2003

Catagory	Fee	Note
☒ Apartment Hotel Motel Guest House - 6 to 10 units inclusive	\$30.00	
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City Copy

2004**St Pete Beach Business Tax Receipt**GREEN CASTLE APTS (INAC)
701 GULF WAY

ST PETE BEACH, FL 33706

Mail to

GREEN CASTLE APTS (INAC)
2167 GORDON DR
JOSEPH JANDSICK
MISSISSAUGA ONTARIO, CN L5B1S6

License Number

20041148

Date Paid

8/6/2003

Amount Paid

\$57.50

Expires 9/30/2004

Catagory	Fee	Note
☒ Apartment Hotel Motel Guest House - 6 to10 units inclusive	\$30.00	
☒ Apartment Hotel Motel Guest House Each additional unit over 10	\$6.00	11 UNITS
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License Number

20041148

Date Paid

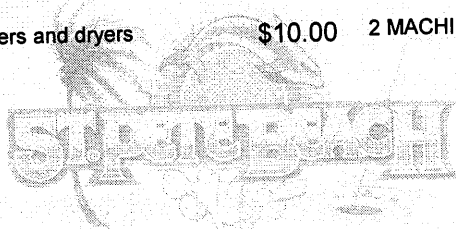
8/6/2003

Amount Paid

\$57.50

Expires 9/30/2004

Catagory	Fee	Note
☒ Apartment Hotel Motel Guest House - 6 to10 units inclusive	\$30.00	
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City Copy

2005

St Pete Beach Business Tax Receipt

GREEN CASTLE APTS (INAC)
701 GULF WAY

ST PETE BEACH, FL 33706

Mail to

GREEN CASTLE APTS (INAC)
2167 GORDON DR
JOSEPH JANDSCIK
MISSISSAUGA ONTARIO, CN L5B1S6

License Number
20050902
Date Paid
8/5/2004
Amount Paid
\$46.00
Expires 9/30/2005

Catagory	Fee	Note
☒ Apartment Hotel Motel Guest House - 6 to 10 units inclusive	\$30.00	
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Licensee copy

2005

City of St Pete Beach Paid Certificate

GREEN CASTLE APTS (INAC)
701 GULF WAY

ST PETE BEACH, FL 33706

Mail to

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License Number
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Date Paid
8/5/2004
Amount Paid
\$46.00
Expires 9/30/2005

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City Copy

2006

St Pete Beach Business Tax Receipt

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701 GULF WAY

ST PETE BEACH, FL 33706

Mail to

GREEN CASTLE APTS (INAC)
2167 GORDON DR
JOSEPH JANDSICK
MISSISSAUGA ONTARIO, CN L5B1S6

License Number

20061334

Date Paid

8/5/2005

Amount Paid

\$46.00

Expires 9/30/2006

Catagory	Fee	Note
☒ Apartment Hotel Motel Guest House - 6 to10 units inclusive	\$30.00	
☒ Apartment Hotel Motel Guest House Each additional unit over 10	\$6.00	11 UNITS
☒ Laundromats or self-service laundries. Washers and dryers Each machine	\$10.00	2 MACHINES



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Licensee copy

2006

City of St Pete Beach Paid Certificate

GREEN CASTLE APTS (INAC)
701 GULF WAY

ST PETE BEACH, FL 33706

Mail to

GREEN CASTLE APTS (INAC)
2167 GORDON DR
JOSEPH JANDSICK
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City Copy

2007

St Pete Beach Business Tax Receipt

GREEN CASTLE APTS (INAC)
701 GULF WAY

ST PETE BEACH, FL 33706

Mail to

GREEN CASTLE APTS (INAC)
2167 GORDON DR
JOSEPH JANDSCIK
MISSISSAUGA ONTARIO, CN L5B1S6

License Number
20070417
Date Paid
8/10/2006
Amount Paid
\$0.00
Expires 9/30/2007

Catagory	Fee	Note
☒ Apartment Hotel Motel Guest House - 6 to10 units inclusive	\$30.00	
☒ Apartment Hotel Motel Guest House Each additional unit over 10	\$6.00	11 UNITS
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Licensee copy

2007

City of St Pete Beach Paid Certificate

GREEN CASTLE APTS (INAC)
701 GULF WAY

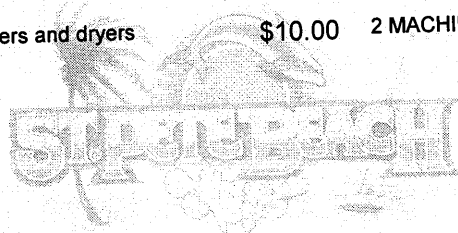
ST PETE BEACH, FL 33706

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City Copy

2007**St Pete Beach Business Tax Receipt**SC USA PASS-A-GRILLE LLC
701 GULF WAY

ST PETE BEACH, FL 33706

Mail to

SC USA PASS-A-GRILLE LLC
4165 14TH ST NE

ST PETERSBURG, FL 33703

License Number

20071617

Date Paid

9/25/2006

Amount Paid

\$46.00

Expires 9/30/2007

Catagory	Fee	Note
☒ Apartment Hotel Motel Guest House - 6 to 10 units inclusive	\$30.00	
☒ Apartment Hotel Motel Guest House Each additional unit over 10	\$6.00	11 UNITS
☒ Application Fee	\$10.00	ONE TIME FEE



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City Copy

2008

St Pete Beach Business Tax Receipt

SC USA PASS-A-GRILLE LLC
701 GULF WAY

ST PETE BEACH, FL 33706

Mail to

SC USA PASS-A-GRILLE LLC
4165 14TH ST NE

ST PETERSBURG, FL 33703

License Number

20081222

Date Paid

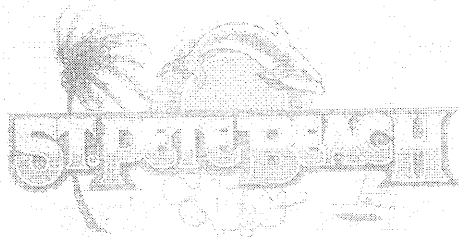
8/31/2007

Amount Paid

\$36.00

Expires 9/30/2008

Catagory	Fee	Note
☒ Apartment Hotel Motel Guest House - 6 to 10 units inclusive	\$30.00	
☒ Apartment Hotel Motel Guest House Each additional unit over 10	\$6.00	11 UNITS



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4165 14TH ST NE

ST PETERSBURG, FL 33703

License Number

20081222

Date Paid

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Expires 9/30/2008

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City Copy

2009**St Pete Beach Business Tax Receipt**

License Number

20091341

Date Paid

7/15/2008

Amount Paid

\$0.00

Expires 9/30/2009

Mail to

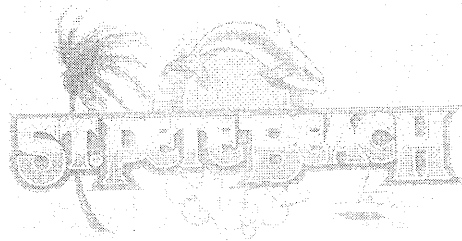
SC USA PASS-A-GRILLE LLC
4165 14TH ST NESC USA PASS-A-GRILLE LLC (INAC)
701 GULF WAY

ST PETE BEACH, FL 33706

ST PETERSBURG, FL 33703

Category**Fee Note**

- | Category | Fee | Note |
|--|---------|----------|
| ☒ Apartment Hotel Motel Guest House - 6 to 10 units inclusive | \$30.00 | |
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License Number

20091341

Date Paid

7/15/2008

Amount Paid

\$0.00

Expires 9/30/2009

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City Copy



Village Center on Grand Central
2429 Central Avenue, Suite 203
Saint Petersburg, Florida 33713
Telephone: 727.321.5263
Facsimile: 727.321.8584
dmartohue@martohuelaw.com
www.martohuelaw.com

October 13, 2011

VIA HAND DELIVERY

Mr. Karl Holley, AICP
Director of Community Development
155 Corey Avenue
St. Pete Beach, FL 33706

RE: Joint Application for Future Land Use Map Amendment and Rezoning
Subject Property Location: 701 Gulf Way

Dear Mr. Holley:

This law firm represents Beach Club at Pass-A-Grille Condominium Association, Inc., and its eight (8) member Unit Owners representing all Unit Owners of the Association by and through its authorized representative, Robert Kilgo, the Association's President (hereinafter the "Association" or "Applicant") with respect to the captioned Property and Joint Application. The Association respectfully requests approval of a future land use map (FLUM) amendment from the existing ROR designation to the CRD-EA designation as an expansion of the existing CRD-EA district immediately abutting the subject Property along its North property boundary. In addition, concurrent with and contingent upon the approval of the FLUM amendment, the Association requests approval of the corresponding zoning designation of CRD-EA from the existing ROR designation. The Applicant offers the following justification and enclosed documentation in support of its Application for the aforesaid requests. The Association and its members are seeking the CRD-EA FLUM and Zoning designation in order to operate transient tourist rentals in a lawful manner.

Site History

Historically the subject Property was owned and operated as an 11-unit apartment building until 2007. According to the City in 2006, the parcel and the apartment building was a grandfathered use as the improvements existed prior to the enactment of the the current zoning Code designating the property Residential Office Retail ("ROR"). In 2006, the then owner-developer of the subject Property, RPS Commercial Properties, Inc., ("Developer") converted the 11-unit apartment building to an 8-unit condominium property maintaining the ROR zoning designation. However, as part of that conversion process, the Developer sought and obtained approval of several setback variances and variance to wall height. (See enclosed Development Order#20060020, survey, renderings and site plan; additional historical information can be obtained in the property file located

in the Community Development Department). The condo conversion entailed not only a wholesale remodel of the exterior and interior of the building and property as the enclosed supporting documentation for the variance application demonstrates, it also reduced the existing intensity of the building footprint and reduced the Property density from 11 units to 8 units. The ROR zoning district permits 15 units per acre. The Property is 0.189 acres and thus the permitted density is 2.79 units or only 2 residential units would legally be permitted on the subject Property, both then and now. As a result, the Property under its current ROR FLUM and Zoning designations remains over the permitted density and thus, non-conforming.

Unbeknownst to the current owners who primarily purchased Units within the Property in 2008-09, the City was undergoing the CRD-EA FLUM designation in 2008-09 which was eventually approved by the voters in March of 2009 (Ordinance 2008-24) after approval by the County and State. It is unknown to the current owners why the then Developer did not participate in that process during that time, one can only speculate it was because he had obtained his zoning variance approvals in 2006, implemented his redevelopment plan in 2007 and was selling the Units in 2008-09. It appears that the notices fell through the "crack" in terms of timing during the transition from the Developer to current owners. Regardless, it would be speculation to answer historical questions of why the subject Property was not included in the FLUM CRD-EA at that time but as the Application justification below will demonstrate, it makes rational planning sense to include the subject Property in the CRD-EA district now based upon compatibility and to cure existing non-conformities.

The City Commission currently has approved the CRD-EA zoning designation for the CRD-EA FLUM Special Area District upon first reading in September 2011 and final approval upon second reading is pending at the time of this application. The subject Property, although noticed for the CRD-EA rezoning, could not participate and request the same CRD-EA zoning because it did not have the CRD-EA FLUM designation in place. Thus, the need for the Joint Application requests for both the FLUM and Zoning CRD-EA designations.

Site Description

The Developer submitted a survey with its variance application in 2006 upon which Development Order #20060020 is based. The Property's physical configuration and size remains unchanged from that date of the variance application in 2006. The subject Property is slightly irregular in shape but generally rectangular, containing 8100 square feet, more or less, or 0.189 acres. The four-sided site has the following general dimensions as measured by the existing survey maintained in the City's file for the subject Property: 91.75 feet on the south property line; 84.43 feet on the west; 100.26 feet on the north; and 84.31 feet on the east. The Property is located in Flood Zone VE. Mandatory flood insurance purchase requirements apply in this zone per FEMA.

The Property was converted in 2006-07 from an 11-unit apartment building to a Condominium comprised of eight 1 and 2 bedroom units totaling 5,564 square feet of building. The conversion included remodeling the exterior elevation to include painting and balconies for the second floor 2-bedroom units, adding a new pool and pool deck, landscaping, installing a 6' high

concrete wall, central heat and air, security gates and fences, concrete walks, hurricane grade windows and doors, and upgraded electrical. In sum, the conversion resulted in a significant structural and aesthetic upgrade for the subject Property enhancing the 8th Avenue district neighborhood.

Surrounding Uses

North – CRD-EA Land Use and ROR Zoning¹; Existing Use Transient Condominiums
East – 18' Wide Alleyway, ROR/PAG Overlay Land Use and Zoning; Existing Residence
South – 7th Avenue – 55' ROW; RLM Land Use and RLM2-PAG Overlay Zoning
West – Gulf Way (60' asphalt width – ROW width varies), Pass-A-Grille Beach

Application Requests

The Joint Application seeks to amend the FLUM and Zoning Maps from ROR to CRD-EA. These land use and zoning amendments, if approved, would remedy the non-conformity both in terms of density and use. Currently, unknown to all 8 Unit owners at the time of purchase in 2007-09 and until very recently, the ROR zoning district does not allow them to rent their condominiums on a transient basis. The 8 Units were sold to some of the current owners at the peak of the real estate boom and others were purchased in a duress bulk sale, and all were sold to out-of-state non-homesteaded owners being told they could rent the Units on a transient basis. It has recently come to the attention of the Association and its members that the ROR land use and zoning designation does not lawfully permit this type of transient rental. Thereafter, the Association sought my legal counsel as to the best option to remedy the situation so each Unit could be used in a lawful manner in accordance with local zoning ordinances and each Owner's intended use when they purchased their Unit.

After a pre-application consultation with Senior Planner, Catherine Hartley, regarding the various options available, it was mutually decided that a joint application for a FLUM and Zoning Map amendment to CRD-EA would be the logical and rational planning option as a result of:

1. The Property's location abutting the existing CRD-EA Special Area district;
2. The existing transient rentals on the property located immediately north of the subject Property located in the CRD-EA Special Area District and zoned ROR with the CRD-EA rezoning pending is operating at a higher density than the subject Property;
3. The Property's location abutting Gulf Way, the north-south throughfare, and its proximity to Pass-A-Grille Beach – the primary tourist destination in Pass-A-Grille; and
4. The City's intent to initiate an amendment to the CRD-EA to increase transient density from 30 units/acre to 50 units/acre.²

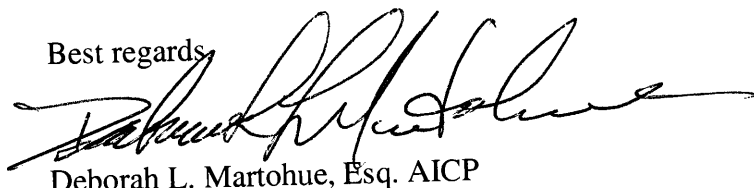
¹ Ordinance 2010-18 for CRD-EA zoning in the FLUM CRD-EA Special Area District is pending second reading approval by the City Commission at the time of this Application.

Upon learning of the City's intent to initiate a FLU text and map amendment to increase the allowable density in the CRD-EA district from 30 to 50 units/acre, the Applicant, in consultation with your Department Staff, is seeking to coordinate its FLUM and Zoning requests in consideration of the City-initiated density amendment to the CRD-EA. The subject Property density is 43 units/acre. This density is grandfathered but exceeds the existing ROR permitted density by 6 units. If redesignated under the current CRD-EA, the Property would still be non-conforming but exceed the permitted density by only 3 units, half of the current non-conformity. However, if redesignated as CRD-EA land use and zoning under the City's proposed density amendment, the subject property would be fully conforming both in terms of use and density.

Accordingly, the Applicant's requests would not only remedy its existing non-conforming use and density, it would be compatible with the transient rentals on the property located immediately north of the subject Property which is a more appropriate use for property across from Pass-A-Grille Beach and fronting Gulf Way, one of two north-south thoroughfares in Pass-A-Grille. In addition, by allowing the Property to be designated CRD-EA, this would allow transient rentals which creates a significantly greater economic engine to support the local retail and restaurant businesses in the 8th Ave Business District, far surpassing the economic impact generated by the occasional occupancy of out-of-state owners or seasonal residents should the use remain strictly residential with the severe limitations on rentals that accompany that designation in the ROR district.

Based upon the foregoing and the supporting documentation enclosed, the Applicant respectfully requests favorable Staff consideration of the Joint FLUM/Zoning application requests, as well as a recommendation of approval by the Planning Board and approval by the City Commission. If you have any questions or need additional supporting information or clarification, please contact me at the email address or phone number listed at the top of this letter. I look forward to working with you, Catherine Hartley and City Manager Bonfield on this Application.

Best regards,



Deborah L. Martohue, Esq. AICP

Enclosures – Application and Supporting Documentation

CH # 1124 - # 1638 ⁶⁰ - Application fee

Cc: Client

² This City amendment was initiated by Staff at the request of the District Commissioner independent of and prior to the Applicant's inquiry as to possible land use and zoning remedies available to allow the Property to become both density and use conforming.



Owner's Authorization for Agent
Community Development Department
City of St. Pete Beach, Florida

I, the 2 members of the Beach Club at Pass-A-Grille
Condominium Association

hereby authorize Deborah L. Martineau Esq., of Martineau
Land Use Law Group P.A.

to represent me/us in an application for Land Use and Zoning Amendment
(type of application: variance, land use, zoning, special use, etc.)

The Beach Club at Pass-A-Grille
Condominium Association

By: [Signature]

Signature of owner

[Signature]
Signature of owner

Robert Kilgo

Print name of owner

[Signature]
Print name of owner

His President

The foregoing instrument was acknowledged before me this 11 day
of October 2011, by Robert Kilgo who
is personally known _____ or produced Florida Driver License as
identification.

[Signature]
(Notary Signature)

10/11/11
(Date)

My commission expires Sept 21, 2015



PLEASE TYPE OR
PRINT LEGIBLY



APPLICATION

(Check appropriate boxes)

Complete the information required below, read and initial the caveats on PAGE 2 of this form, sign below where indicated and attach a recent survey of the subject property and any supporting drawings and documents you think will enhance your application.

☒ Future Land Use Map change ☒ Rezoning

PROPERTY:

Legal

Description Morey Beach Block 6, Lots 10 and 11

Address: 701 Gulf Way, St. Pete Beach, FL 33706

Parcel ID: See Attached Exhibit A

Current	Proposed	Current	Proposed
Zoning: <u>ROR</u>	Zoning: <u>CRD-EA</u>	FLUM	FLUM
		Category: <u>ROR</u>	Category: <u>CRD-EA</u>

Lot area: 8100 sq.ft., mol or 0.189 acres

APPLICANT/AGENT:

Martohue Land Use Law Group PA

Name: Deborah L. Martohue, Esq. AICP

Address: 2429 Central Ave., Ste 203

City: St. Petersburg State: FL

Zip: 33713 Telephone: 727-321-5263

PROPERTY OWNER:

Beach Club at Pass-A-Grille

Name: Condominium Association, Inc.

Address: 4165 14th St. NE

City: St. Petersburg State: FL

Zip: 33703 Telephone: 727-434-1465

See Ex. A for List of Individual
Unit Owners

DETAILS OF THE REQUEST (Add additional sheets if necessary):

See attached Letter of Intent and Justification Statement enclosing
supporting documentation and survey

By: [Signature], Agent

October 13, 2011
Signature of Applicant & Date

For office use only:

Case Number: _____ Scheduled PB Meeting: _____ Fees: _____

PB Action: ☐ Approved as requested ☐ Approved with conditions ☐ Denied

Forwarded to City Commission: Date Sent: _____

Scheduled for: _____

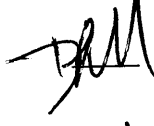
City Commission Action: ☐ Approved as requested ☐ Approved with conditions ☐ Denied

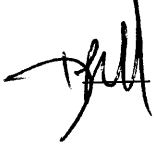
File Closed: _____

Property address 701 Gulf Way (continued)

THE FOLLOWING ITEMS MUST BE INITIALED BY APPLICANT OR AGENT:

 I understand that the Planning Board's action is not final. It must be approved by the City Commission, and I further understand that the Commission may modify the conditions of approval or deny the application.

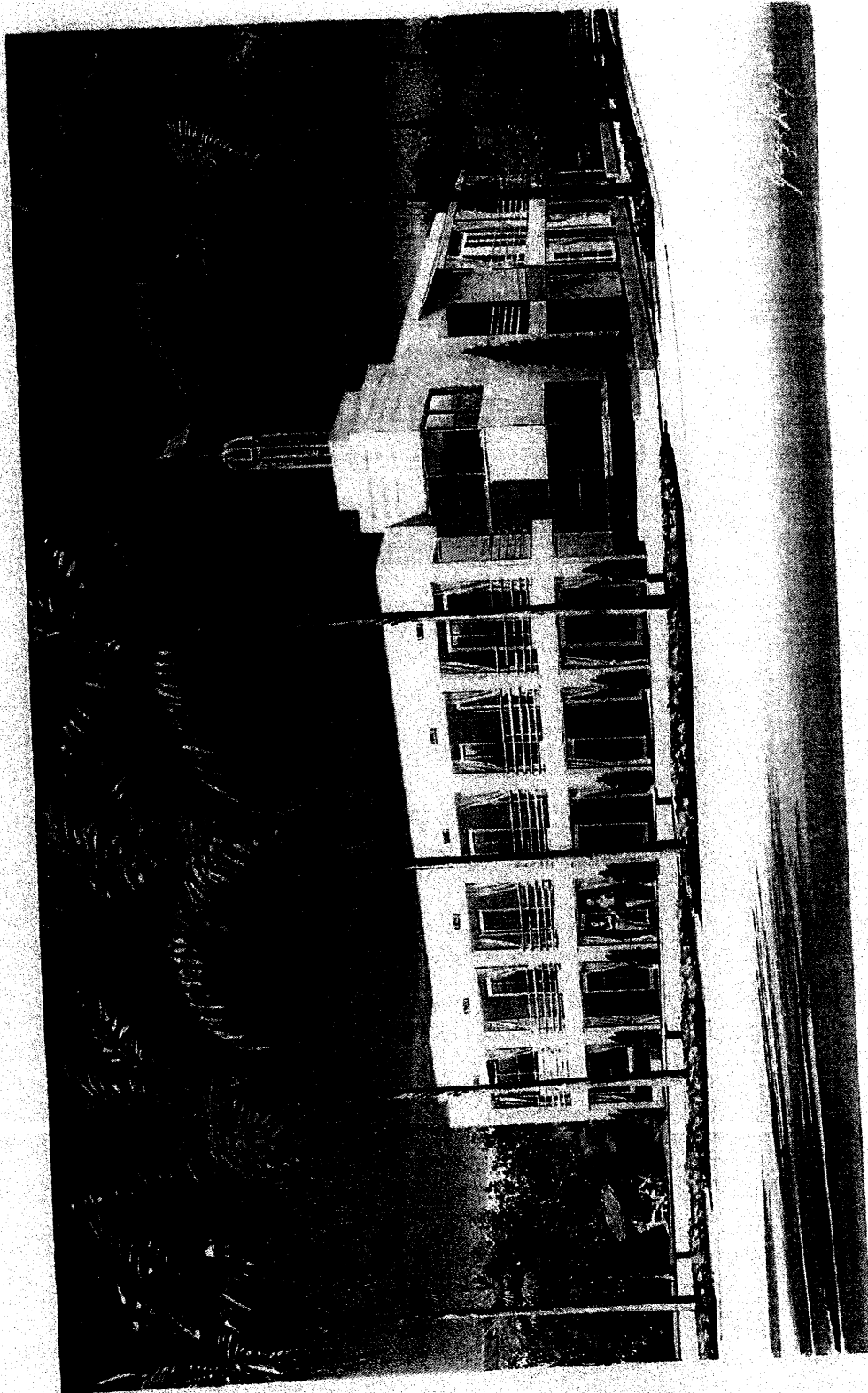
 I understand that any person aggrieved by the final decision has the right to file a petition in the Pinellas County Circuit Court within **30 days** after the Commission decision, otherwise, the decision shall be final.

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



BEFORE CONVERSION

20060020



AFTER CONVERSION

20060020



CITY OF ST. PETE BEACH

SC USA Pass A Grille, LLC
4165 – 14th St. N.E.
St. Petersburg, Florida 33703

DEVELOPMENT ORDER #20060020

The Board of Adjustment approved your application for variances in the above-captioned case April 26, 2006.

Address: 701 Gulf Way

PIN: 193216589320060100

ORDERED:

Approve the variance to Section 13.7(a)(2) requirement of 10.0' to permit the reduction of the secondary front yard to 1.0' for a covered balcony.

Approve the variance to Section 13.7(a) (3) requirement of 8.0' to permit the reduction of the side yard setback to 1.0' for swimming pool equipment.

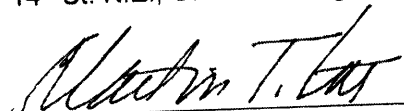
Approve the variance to Section 6.14 requirement of 16.0' to permit the reduction of the rear yard setback to 3.0' for swimming pool equipment.

Approve the variance to Section 6.15 requirement of a maximum 4.0' high wall to increase to a 6.0' wall within the required 10.0' secondary front yard

Any person aggrieved by this order may appeal the order to the circuit court on or before thirty (30) days from the date of the order.

Approval of a variance is valid for one year, within which time a development permit must be issued.

A copy of this Development Order was sent to Robert Sulte, SC USA Pass A Grille, LLC, 4165 – 14th St. N.E., St. Petersburg, Florida, 33703 on the 8th day of May, 2006.

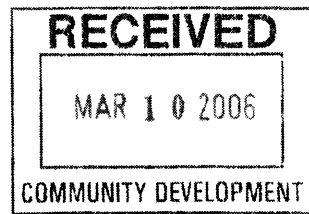


Martin Lott
Chairman

5.8.06

Date

VARIANCE APPLICATION



Case Number: 20060020

APPLICANT/AGENT:

Name: Robert R. Sulte
 Address: 4165-14TH ST. NE
 City: ST. PETE State: FL
 Zip: 33703 Phone: (727) 744-7170

PROPERTY OWNER:

Name: SC USA Pass-u-Grille, LLC
 Address: 4165-14TH ST. NE
 City: ST. PETE State: FL
 Zip: 33703 Phone: 744-7170

PROPERTY:

Address: 701 GOLF Way, ST. PETE Beach, FL 33706
 Parcel ID: 19-32-16-58932-006-0100
 Current Zoning: ROR Current Land Use: ROR Lot Area: 8,100±

DETAILS OF THE REQUEST: (Add additional sheets if necessary)

See Attached Letter

This application, together with all required supporting document, shall be submitted by 12:00 noon on the stated filing date for the Board of Adjustment/City Commission. Failure to do so will delay your application to a later date.

Robert R. Sulte 3/10/06
 Signature of Applicant/Authorized Agent and Date

For office use only:

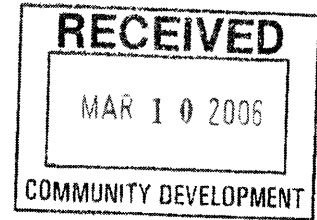
Hearing Date: April 26 2006 Fees: 425.00

BOA Action: ☒ Approved as requested ☐ Approved with conditions ☐ Denied ☐ Continued

City Commission Action: ☐ Approved as requested ☐ Approved with conditions ☐ Denied
☐ Continued



Community Development Department – Zoning
155 Corey Avenue
727.363.9267
email: amarr@stpetebeach.org



VARIANCE APPLICATION

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

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

RPS On all variances, a majority vote is required. Action on this application by the BOA/City Commission may be continued to a later meeting.

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

RPS I understand that if a variance is denied by the BOA/City Commission **no** subsequent applications seeking substantially the same or similar approval shall be filed within six (6) months of the final decision on the original application, unless such application is denied without prejudice by the board hearing the request. Applications which are withdrawn in writing at least 48 hours prior to the public hearing at which they are to be heard shall be considered to have been withdrawn without prejudice and may be resubmitted immediately.

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

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

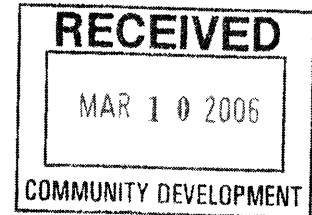
After acknowledgement of these conditions, complete the application form on the next page.

Robert M. Smith 3/10/06
Signature of Applicant/Authorized Agent and Date

RPS COMMERCIAL PROPERTIES, INC.

March 10, 2006

Board of Adjustment
City of St. Pete Beach
155 Corey Avenue
St. Pete Beach, FL 33706



Re: Requested Variances for 701 Gulf Way

Members of the Board of Adjustment and City Staff:

We are respectfully requesting two variances for the renovation of the 11 unit apartment building at 701 Gulf Way. Our plans entail reducing the density and square footage of the building to 8 units and reopening an enclosed breeze way. We will also be re-landscaping the entire property including the city's right of way, removing most of the masonry paving along 7th Avenue. The court yard will be replaced with a pool and deck area. The court yard will also include an exterior bath room and elevator lift system to meet ADA and Department of Health standards.

The first variance involves the replacement of an existing stairway and landing on the south elevation of the building with a balcony. The balcony will be 5 feet in width along the second floor unit. In replacing the stairway, we eliminate a secondary point of access as well as increasing the design and appeal of the building's southern elevation along 7th Avenue.

The second variance involves the placement of the pool equipment. In order to maintain a functional deck area surrounding the pool, we are proposing to place the pool equipment at the northeast corner of the site. At this location the equipment will be adjacent to the alley and the back corner of the existing co-op building. The pool equipment will have a dimension of 4 feet by 9 feet and be enclosed, substantially reducing any noise. The pool will be heated and require a heater unit with a dimension of 3 feet by 4 feet, that can be placed next to the pool equipment either to the west or south side of the pool equipment, reducing the encroachment by the heater. The equipment will be separated by a wall and will be adjacent to an existing compressor unit as well as several wall units of the co-op building hopefully further mitigating any noise intrusion.

Prepared and Submitted
by: [illegible] Street [illegible] [illegible]

20060020

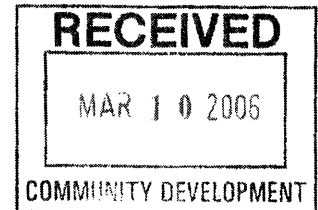
Thank you for your consideration and I hope you will take into account that we will be renovating a property that has been minimally maintained for years, significantly enhancing the appeal of the Pass-A-Grille community.

Sincerely,

RPS Commercial Properties, Inc.



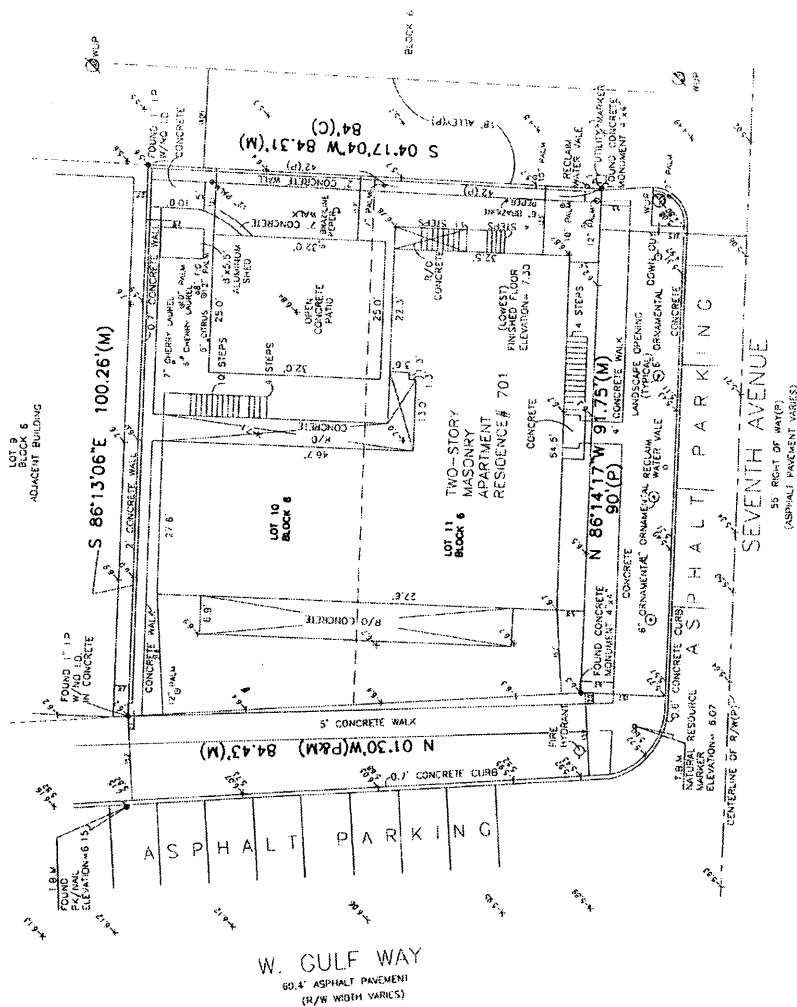
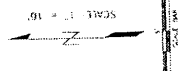
Robert P. Sulte
President



20060020

20060020

COMMUNITY DEVELOPMENT



EXISTING SURVEY

LEGAL DESCRIPTION

BOUNDARY, TOPOGRAPHIC & TREE SURVEY
DATE OF FIELD SURVEY, 12-18-05
THOMAS EVERRELY LAMB
prepared for,

[illegible]

200020

[illegible]

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COMMUNITY DEVELOPMENT

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6" STUCCO BACKING (BRACED 1/2" AROUND TOP OF PLASTER)

6" BLOCK WALL AND CONCRETE SOLID TOP 6" RED, VERTICAL

3'-0" x 3'-0"

4'-0" OR 6'-0"

EXISTING GRADE LINE

3'-0"

12"

12"

3'-0" x 3'-0" CON. BASE

3'-0" x 3'-0" CON. PIPE

4' OR 6' HIGH PRIVACY WALL SECTION

SCALE N.T.S.

LANDSCAPE LEGEND

	DOUBLE LINE
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LEGAL DESCRIPTION

PAGE TWO
IT IS TO AND I, BUCKA O. JONES, WROTE ACCORDING TO THE NEW YORK TIMES
AND AS RECORDED IN PAGE ONE OF THE PUBLIC RECORDS
OF ALABAMA COUNTY AND TOWN.
PAGE

(M) 90: (P)
BOUNDARY, TOPOGRAPHIC & TREE SURVEY
Prepared for
THOMAS EVERETT LAMB
DATE OF FIELD SURVEY 10-18-05

EXISTING/REMODEL SITE PLAN

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RECEIVED
MAR 10 2006
COMMUNITY DEVELOPMENT

THOMAS EVERETT LAMB
 DESIGN AND DEVELOPMENT
 101 G ST. PETERS
 BEACH, FLORIDA

DATE: 03-01-06
 DRAWN BY: [blank]
 CHECKED BY: [blank]
 PROJECT NO: [blank]

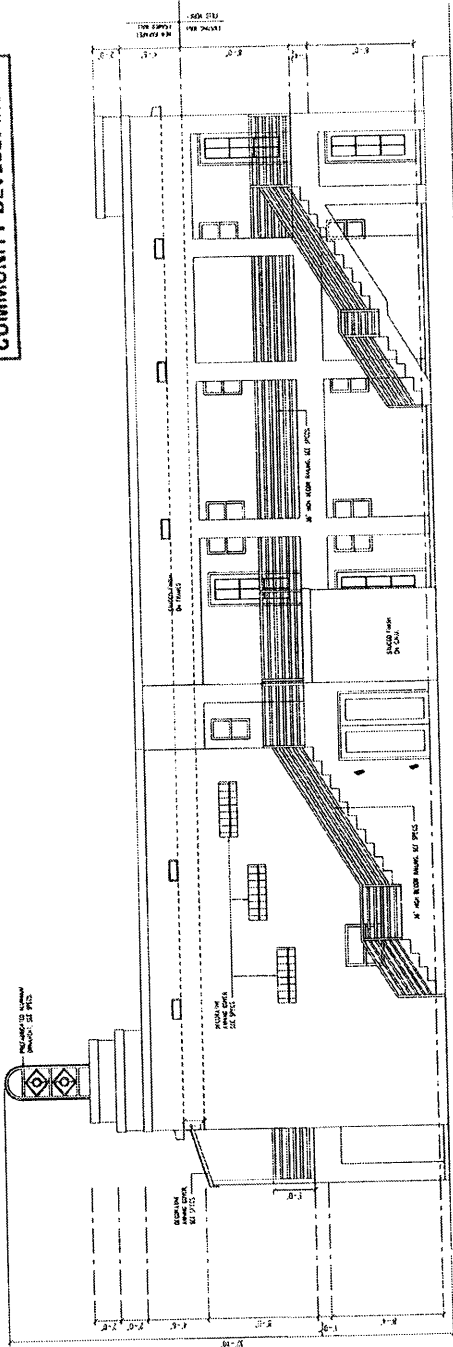
BEACH CLUB AT PASS-A-GRILL

701 G ST. PETERS
 BEACH, FLORIDA

A5.1

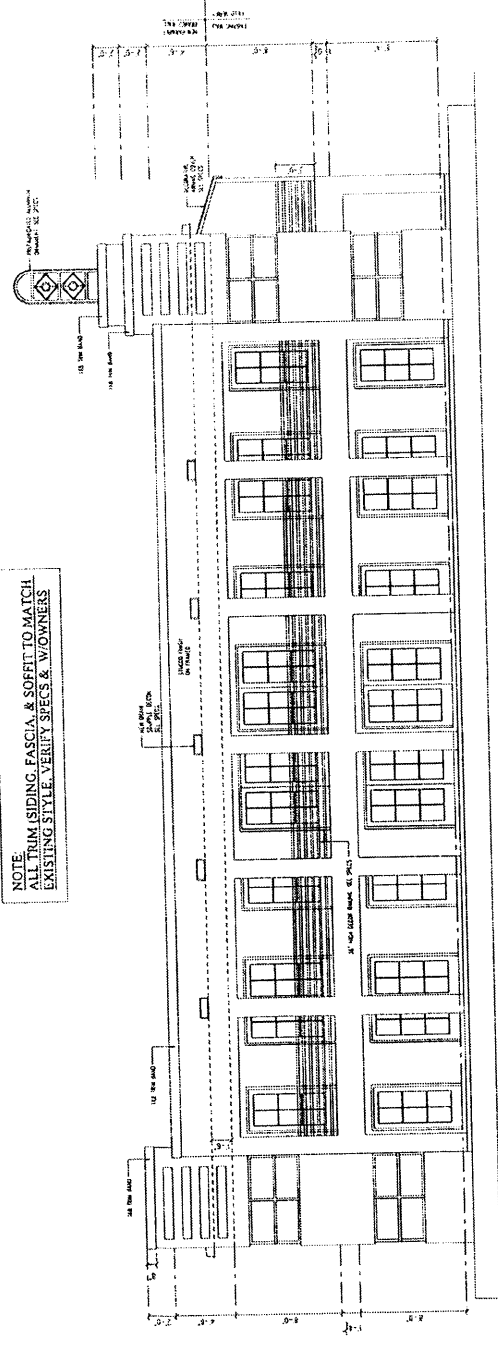
GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FLORIDA BUILDING CODE AND THE FLORIDA ELECTRICAL CODE.
2. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AND SHALL BE APPROVED BY THE ARCHITECT PRIOR TO INSTALLATION.
3. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE.
5. ALL UTILITIES SHALL BE LOCATED AND MARKED PRIOR TO ANY EXCAVATION WORK.
6. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
7. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE SPECIFICATIONS AND NOTES.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.
9. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE.



EXTERIOR (EAST) ELEVATION - REMODEL
 SCALE: 1/8" = 1'-0"

NOTE:
 ALL TRIM (SIDING, FASCIA, & SOFFIT) TO MATCH
 EXISTING STYLE. VERIFY SPECS & WORKMAN.



EXTERIOR (WEST) ELEVATION - REMODEL
 SCALE: 1/8" = 1'-0"

20000000

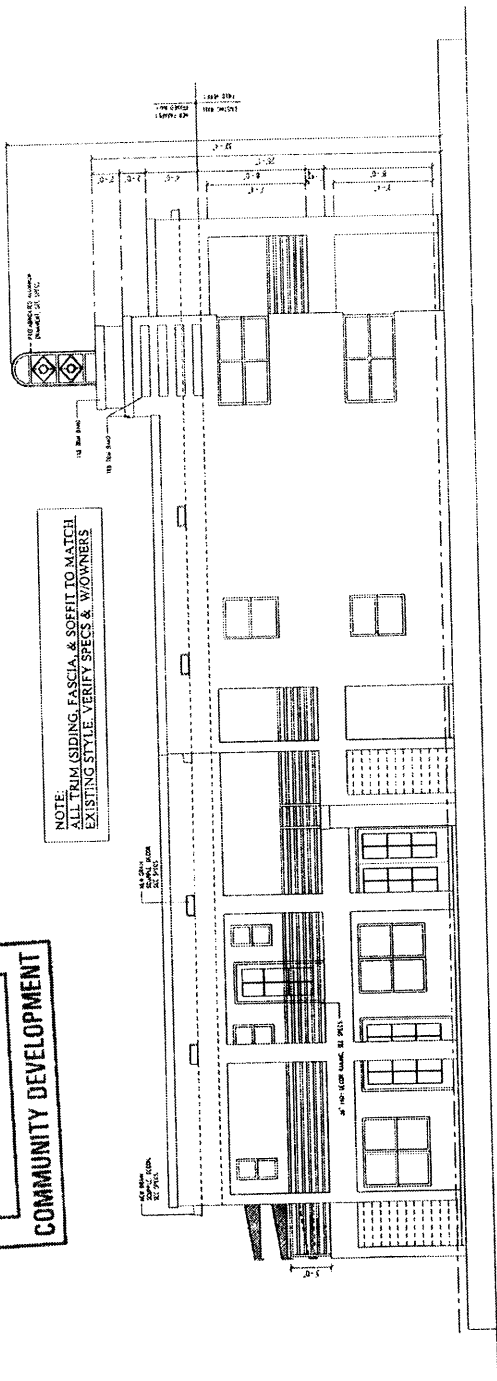
RECEIVED
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COMMUNITY DEVELOPMENT

GENERAL NOTES

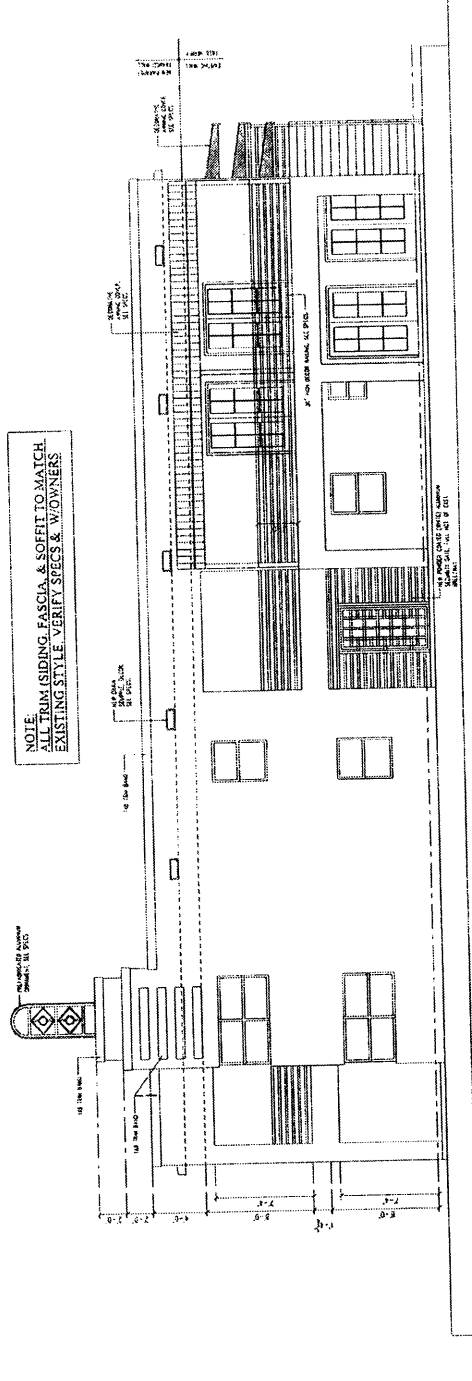
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
3. ALL MATERIALS SHALL BE OF THE BEST QUALITY AND SHALL BE APPROVED BY THE ARCHITECT BEFORE INSTALLATION.
4. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
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10. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.

THOMAS EVERETT LAMB
ARCHITECT
DESIGN AND DEVELOPMENT INC.
10000 N. W. 10TH AVENUE, SUITE 100
MIAMI, FLORIDA 33157
TEL: (305) 555-1234
FAX: (305) 555-1235
WWW.TEDESIGN.COM

BEACH CLUB AT PASS-A-GRILL
701 GULF BLVD.
ST. PETERSBURG, FLORIDA 34781
A5.2



EXTERIOR (NORTH) ELEVATION - REMODEL
SCALE: 1/8" = 1'-0"



EXTERIOR (SOUTH) ELEVATION - REMODEL
SCALE: 1/8" = 1'-0"

20060000

Pinellas County Address Query

Click on the 18 digit parcel number to see General Information
Click on the "X" to view the map or short legal description

New Search: Owner Address Parcel Number Sub or Condo/PLD Plat Book/Page Advanced/Sales Criteria OR Book/Page									
Property Address	Parcel Info	Ownership	Property Use	Map	Subdivision/Condo Name	Plat Book/Page	OR Book/Page	Tax Dist	Short Legal
701 GULF WAY ST PETE BEACH 33706-	19-32-16-05874-000-0010	HOBBS, MICHAEL H / HOBBS, MARIAN G	Condo Conversion - apartments/Platted Condo with apartment use	X	BEACH CLUB AT PASS-A-GRILLE	153/079 16327/0597	SPB	X	
701 GULF WAY ST PETE BEACH 33706-	19-32-16-05874-000-0080	CORTLAND REALTY PARTNERS II LLC	Condo Conversion - apartments/Platted Condo with apartment use	X	BEACH CLUB AT PASS-A-GRILLE	153/079 16414/1383	SPB	X	
701 GULF WAY ST PETE BEACH 33706-	19-32-16-05874-000-0020	CORTLAND REALTY PARTNERS II LLC	Condo Conversion - apartments/Platted Condo with apartment use	X	BEACH CLUB AT PASS-A-GRILLE	153/079 16414/1383	SPB	X	
701 GULF WAY ST PETE BEACH 33706-	19-32-16-05874-000-0060	CORTLAND REALTY PARTNERS II LLC	Condo Conversion - apartments/Platted Condo with apartment use	X	BEACH CLUB AT PASS-A-GRILLE	153/079 16414/1383	SPB	X	
701 GULF WAY ST PETE BEACH 33706-	19-32-16-05874-000-0060	VERNA, LLC	Condo Conversion -	X	BEACH CLUB AT	153/079 16339/1675	SPB	X	

Ex. A

WAY ST PETE BEACH 33706-	16- 05874- 000- 0040	ANTHONY / VERNA, ANGELINA	apartments/Platted Condo with apartment use		PASS-A-GRILLE					
701 GULF WAY ST PETE BEACH 33706-	19-32- 16- 05874- 000- 0030	CORTLAND REALTY PARTNERS II LLC	Condo Conversion - apartments/Platted Condo with apartment use	X	BEACH CLUB AT PASS-A-GRILLE	153/079	16414/1383	■	SPB	X
701 GULF WAY ST PETE BEACH 33706-	19-32- 16- 05874- 000- 0070	CORTLAND REALTY PARTNERS II LLC	Condo Conversion - apartments/Platted Condo with apartment use	X	BEACH CLUB AT PASS-A-GRILLE	153/079	16414/1383	■	SPB	X
701 GULF WAY ST PETE BEACH 33706-	19-32- 16- 05874- 000- 0050	SKAGEN, CLAYTON / SKAGEN, JAMIE	Condo Conversion - apartments/Platted Condo with apartment use	X	BEACH CLUB AT PASS-A-GRILLE	153/079	16289/0155	■	SPB	X

**Additional materials submitted at the Planning Board public Hearing
1/14/2012.**

Submitted into
by applicant evidence 1/17/2011

Ordinance # 2011-37 Change of Future
Land Use from Residential Office Medium to
Community Redevelopment District - Eighth Avenue
Ordinance # 2011-38 Change of Zoning from
ROR to CRD-EA
701 Gulf Way





2006000000



701Gulf Way- Beach Club at Pass-A-Grille West Elevation Facing Gulf Way



701Gulf Way -South Elevation Facing 7th Ave



View Looking East Showing Concrete Wall Separating 701 & 709 (PAG Beach Motel) Gulf Way



Heavy Landscape & Solid Wood Fence Along 18' Alleyway to the East Buffering Curry Residence

Current Future Land Use Map
Ordinance 2008 - 24
From ROR to CRD - EA

Legend

- CRD - EA (dashed line)
- CG (red)
- INS (white)
- P (blue)
- RFW (orange)
- RH (red)
- RLM (yellow)
- RLM-RFO (orange)
- RM (dark blue)
- ROR-RFO (white)
- ROR (black)
- RLS (light green)
- RH (yellow)
- TH (blue)

0 50 100 150 200
 Feet

Figure 3 Current Zoning, Eighth Avenue and Surrounding Area

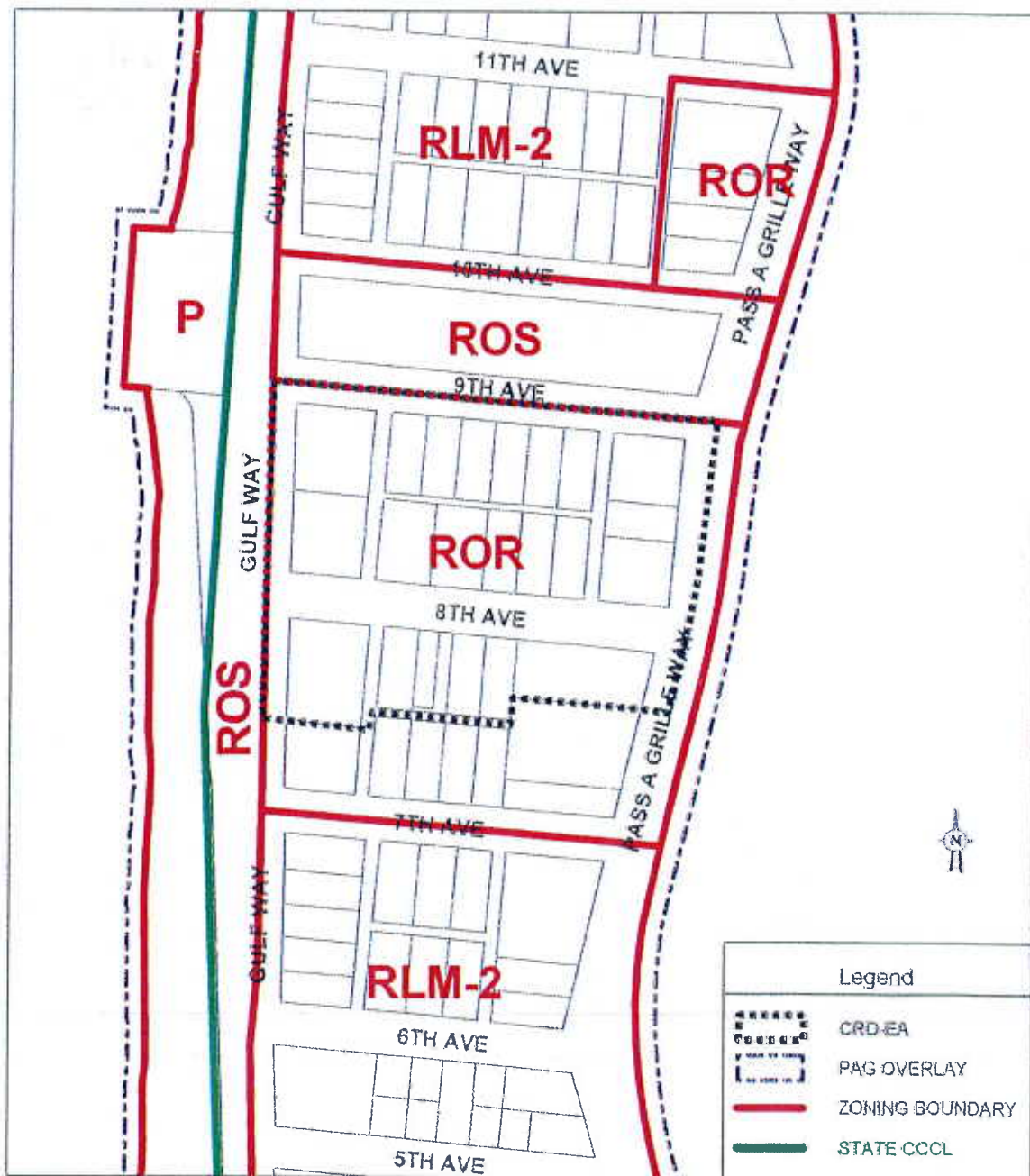
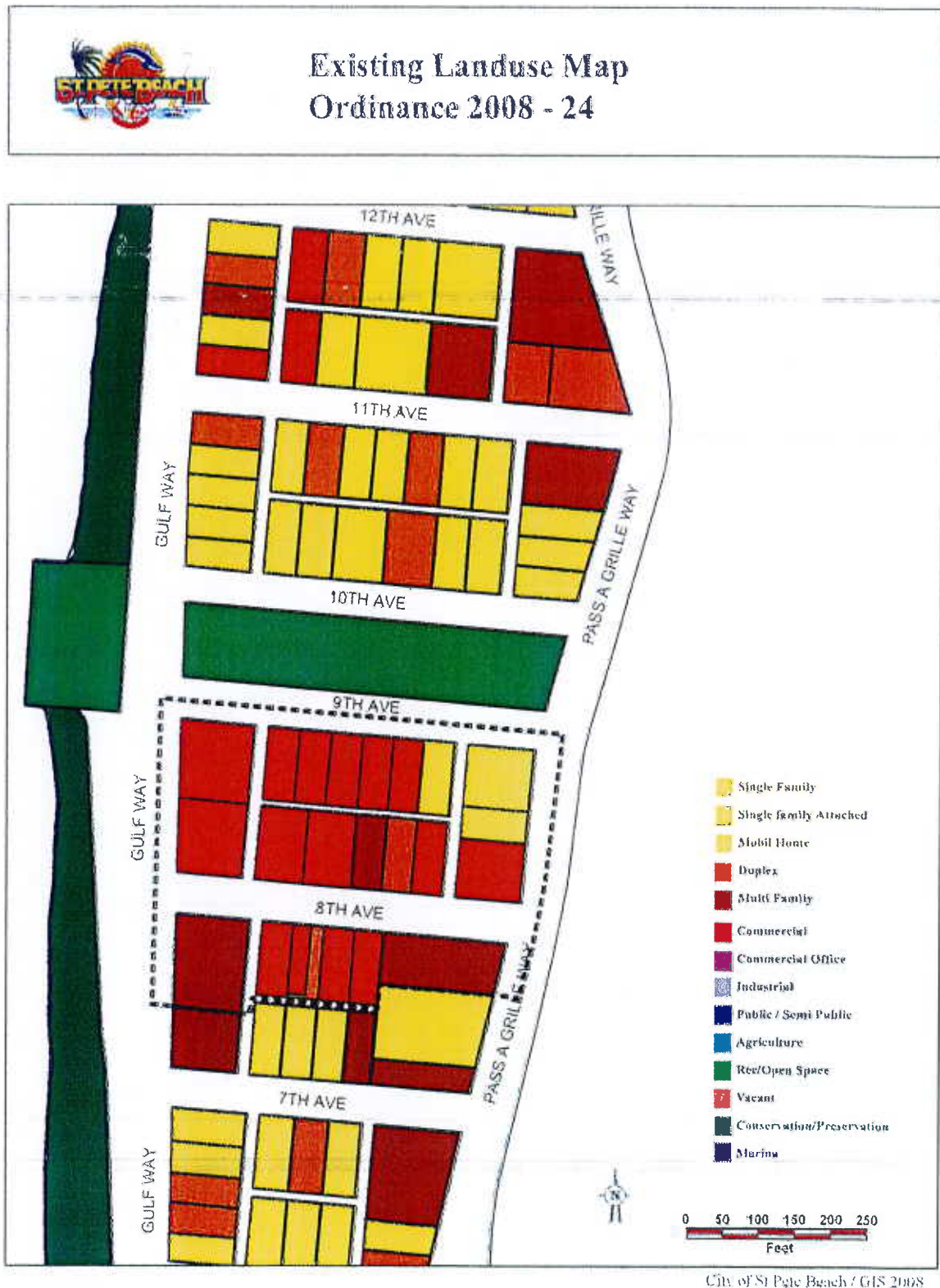


Figure 6 Existing Land Uses, Eighth Avenue and Surrounding Area



THD- 2008

In 2008, the ordinance was amended to exclude those properties north of 15th Avenue but include all properties south of 15th Avenue, not just properties abutting Gulf Way and 1st Avenue. Again, not all properties are eligible for the designation; the Commission must find that they are licensed with the City and are currently operating as a transient lodging.

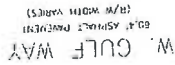


THD-2007

In 2007, The City adopted ordinance 2007-51 which established the traditional Hotel District. The geographic area eligible for this district was described as "those lots which abut Gulf Way and First Avenue." See maps below. It should be noted that not all lots were necessarily eligible for this district; the applicant had to show the commission that the property was licensed with the City and operating as a transient accommodation. The map simply illustrates the general area applicable.



MAR 10 2006



BOUNDARY, TOPOGRAPHIC & TREE SURVEY
THOMAS EVERETT

ST. PETERS BEACH, FLORIDA

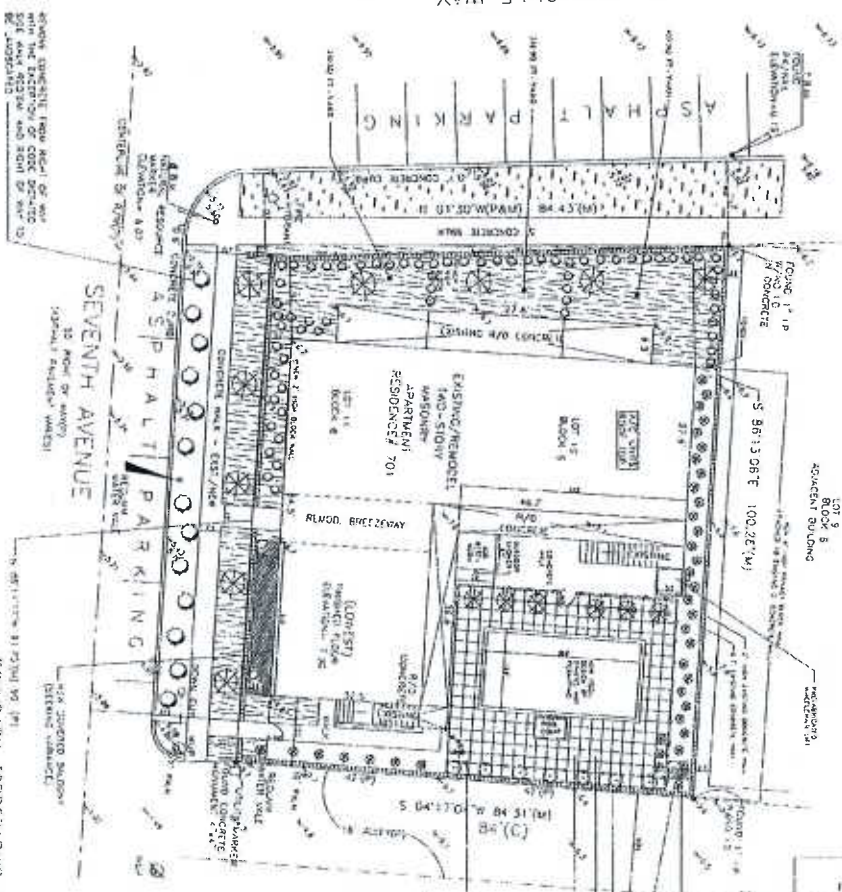
SUR

MAR 10 2006

COMMUNITY DEVELOPMENT



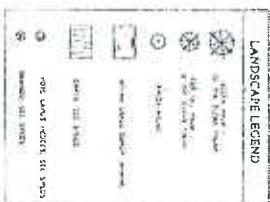
W. GULF WAY
60 E. ASPHALT PAVEMENT
(9/2 WITH VARIET)



EXISTING/REMODEL SITE PLAN

BOUNDARY TOPOGRAPHIC & TIDE SURVEY

DOI: 10.1002/anie.200500575



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BEACH CLUB AT PASS-A-GRILL

THOMAS EVERETT LAMB

283

SUMMARY OF PROPERTY APPRAISER RECORDS

701 GULF WAY – UNITS 1 THROUGH 8

UNITS 1 THROUGH 8 –ALL NON-HOMSTEADED

UNIT 1/HOBBS –OUT-OF-STATE OWNER-PURCHASED 7/22/2008

UNIT 4/VERNA –OUT-OF-STATE OWNER –PURCHASED 8/04/2008

UNIT 5/SKAGAN –OUT –OF-STATE OWNER – PURCHASED 6/17/2008

UNITS 2, 3, 6, 7, 8- CORTLAND REALTY PARTNERS – PURCHASED FROM BANK AT
DISTRESSED SALE 8/14/2008

TIMELINE OF CRD-EA PUBLIC HEARINGS

5/22/2008 –PLANNING BOARD MEETING

6/10/2008 – CITY COMMISSION FIRST READING

8/17/2008 –PLANNING BOARD HEARING

8/26/2008 –CITY COMMISSION SECOND READING

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Improvement Value
per F.S. 553.844

Ownership/Mailing Address	Site Address
HOBBS, MICHAEL H HOBBS, MARIAN G 14649 YORKSHIRE RUN DR ORLANDO FL 32828-7818	701 GULF WAY ST PETE BEACH 33706-



Property Use: 0436 (Condo Conversion - apartments/Platted Condo with apartment use)

Living Units:

[click here to hide] **2011 Legal Description**

BEACH CLUB AT PASS-A-GRILLE CONDO UNIT 1

2011 Exemptions	Mortgage Letter	☐ File for	2011 Caps/Classified Agricultural Value	
Homestead Exemption				
Homestead: No	Government: No		Save-Our-Homes Cap Percentage: 0.00%	
Institutional: No	Historic: No		Non-Homestead 10% Cap: Yes	Classified Agricultural: No

2011 Parcel Information 2011 Trim Notice

Most Recent Conveyance	Sales Comparison	Census Tract	Evacuation Zone	Plat Book/Page
16327/0597	\$127,847 Sales Query	12103028002	A	153/079

2011 Value Information

Year	Save-Our-Homes cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$102,278	\$102,278	\$102,278	\$102,278	\$102,278

[click here to hide] Value History as Certified (yellow indicates correction on file)

Year	Save-Our-Homes Cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$102,278	\$102,278	\$102,278	\$102,278	\$102,278
2010	No	\$256,116	\$256,116	\$256,116	\$256,116	\$256,116
2009	No	\$316,176	\$316,176	\$316,176	\$316,176	\$316,176
2008	No	\$205,700	\$205,700	\$205,700	\$205,700	\$205,700
2007	No	\$0	\$0	\$0	N/A	\$0
2006	No	\$0	\$0	\$0	N/A	\$0
2005	No	\$0	\$0	\$0	N/A	\$0
2004	No	\$0	\$0	\$0	N/A	\$0
2003	No	\$0	\$0	\$0	N/A	\$0
2002	No	\$0	\$0	\$0	N/A	\$0
2001	No	\$0	\$0	\$0	N/A	\$0
2000	No	\$0	\$0	\$0	N/A	\$0
1999	No	\$0	\$0	\$0	N/A	\$0
1998	No	\$0	\$0	\$0	N/A	\$0
1997	No	\$0	\$0	\$0	N/A	\$0
1996	No	\$0	\$0	\$0	N/A	\$0

2011 Tax Information		Ranked Sales <u>See all transactions</u>				
Click Here for 2011 Tax Bill Tax District: <u>SPB</u> 2011 Final Millage Rate 18.2940 2011 Est Taxes w/o Cap or Exemptions \$1,871.07 A significant change in taxable value may occur when sold due to changes in the market or the removal of exemptions. Click here for more information.		Sale Date 22 Jul 2008	Book/Page 16327 / 0597	Price \$408,000	Q/U Q	V/I I

2011 Land Information					
Seawall: No		Frontage: None		View:	
<u>Land Use</u>	<u>Land Size</u>	<u>Unit Value</u>	<u>Units</u>	<u>Total Adjustments</u>	<u>Adjusted Value</u> <u>Method</u>
No Land Information					

[click here to hide] 2011 Building 1 Structural Elements [Back to Top](#)

Site Address: 701 GULF WAY ST PETE BEACH 33706-

Quality: Average

Complex View: Gulf Of Mexico - Full

Location: Corner

Floor number: 1

Complex Pool

Parking Garage: None

Balcony/Porch: Open Porch

Square Footage: 580.00

Exterior Wall: Masonry

Stories: 1

Year Built: 1951

Effective Age: 61

No Building Drawing Available

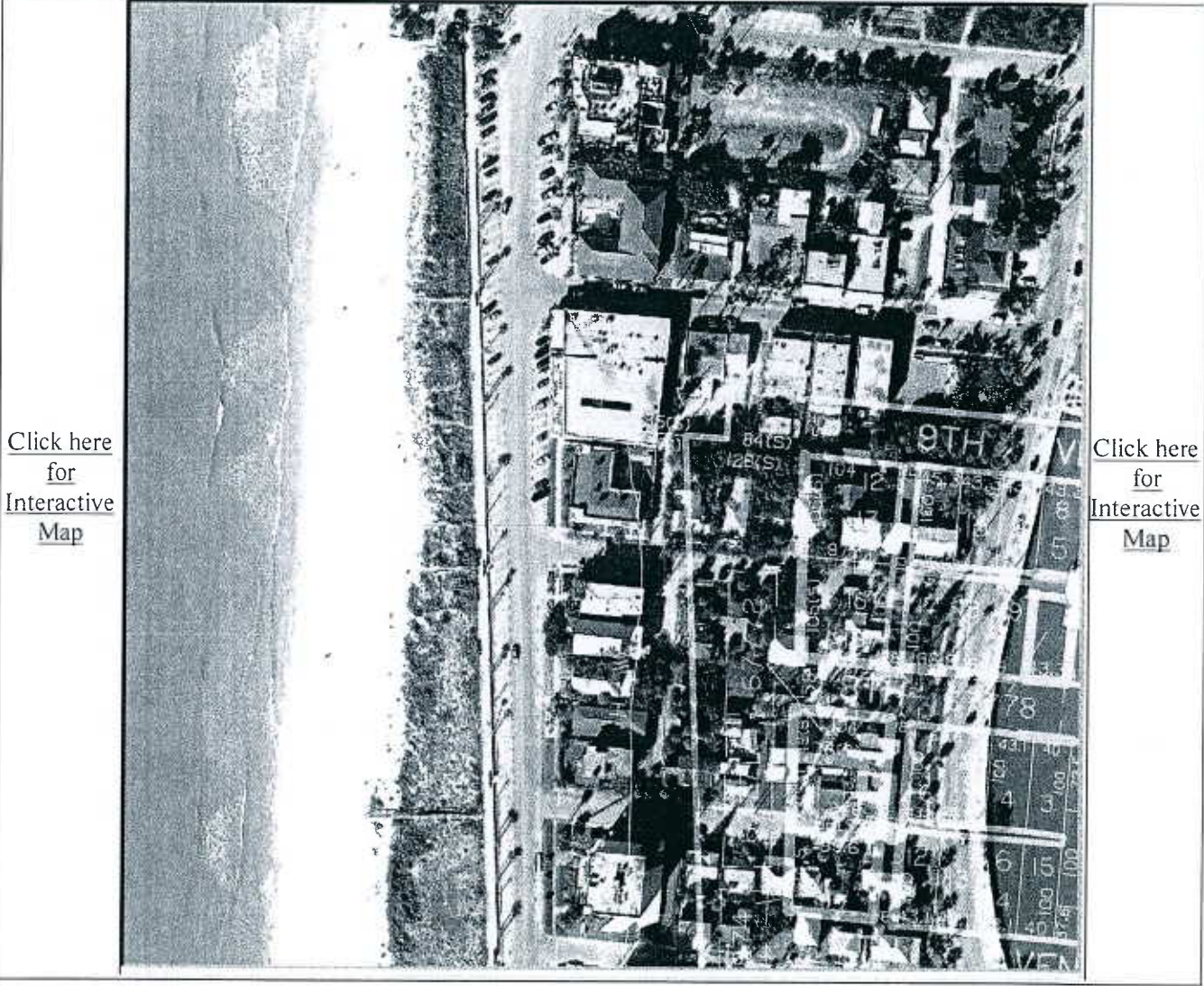
Building 1 Sub Area Information				
<u>Description</u>	<u>Living Area Ft²</u>	<u>Gross Area Ft²</u>	<u>Factor</u>	<u>Effective Ft²</u>
<u>Base</u>	580	580	1.00	580
	Total Living SF: 580	Total Gross SF: 580		Total Effective SF: 580

[click here to hide] 2011 Extra Features				
<u>Description</u>	<u>Value/Unit</u>	<u>Units</u>	<u>Total New Value</u>	<u>Depreciated Value</u> <u>Year</u>
No Extra Features on Record				

[click here to hide] Permit Data			
Permit information is received from the County and Cities. This data may be incomplete and may exclude permits that do not result in field reviews (for example for water heater replacement permits). Any questions regarding permits should be directed to the permitting office in which the structure is located.			
<u>Permit Number</u>	<u>Description</u>	<u>Issue Date</u>	<u>Estimated Value</u>

No Permit Data Found			
Radius (feet): 1000	Aerials: 2011 Color	Transparency: 0.5	Update Map

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How to copy and paste a static map using Mozilla Firefox: Right-click on the map; Select "This Frame"; Select "Open Frame in New Window"; Print from the new window.



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Improvement Value
per F.S. 553.844

Ownership/Mailing Address	Site Address
CORTLAND REALTY PARTNERS II LLC 695 CENTRAL AVE STE 150 ST PETERSBURG FL 33701-3663	701 GULF WAY ST PETE BEACH 33706-



Property Use: 0436 (Condo Conversion - apartments/Platted Condo with apartment use)

Living Units:

[click here to hide] **2011 Legal Description**
BEACH CLUB AT PASS-A-GRILLE CONDO UNIT 2

2011 Exemptions	Mortgage Letter Homestead Exemption	File for	2011 Caps/Classified Agricultural Value
Homestead: No	Government: No		Save-Our-Homes Cap Percentage: 0.00%
Institutional: No	Historic: No		Non-Homestead 10% Cap: Yes
			Classified Agricultural: No

2011 Parcel Information 2011 Trim Notice

Most Recent Conveyance	Sales Comparison	Census Tract	Evacuation Zone	Plat Book/Page
16414/1383	\$140,654 Sales Query	12103028002	A	153/079

2011 Value Information

Year	Save-Our-Homes cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$112,523	\$112,523	\$112,523	\$112,523	\$112,523

[click here to hide] Value History as Certified (yellow indicates correction on file)

Year	Save-Our-Homes Cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$112,523	\$112,523	\$112,523	\$112,523	\$112,523
2010	No	\$256,200	\$256,200	\$256,200	\$256,200	\$256,200
2009	No	\$316,260	\$316,260	\$316,260	\$316,260	\$316,260
2008	No	\$205,700	\$205,700	\$205,700	\$205,700	\$205,700
2007	No	\$0	\$0	\$0	N/A	\$0
2006	No	\$0	\$0	\$0	N/A	\$0
2005	No	\$0	\$0	\$0	N/A	\$0
2004	No	\$0	\$0	\$0	N/A	\$0
2003	No	\$0	\$0	\$0	N/A	\$0
2002	No	\$0	\$0	\$0	N/A	\$0
2001	No	\$0	\$0	\$0	N/A	\$0
2000	No	\$0	\$0	\$0	N/A	\$0
1999	No	\$0	\$0	\$0	N/A	\$0
1998	No	\$0	\$0	\$0	N/A	\$0
1997	No	\$0	\$0	\$0	N/A	\$0
1996	No	\$0	\$0	\$0	N/A	\$0

2011 Tax Information		Ranked Sales <u>See all transactions</u>													
Click Here for 2011 Tax Bill 2011 Final Millage Rate 2011 Est Taxes w/o Cap or Exemptions A significant change in taxable value may occur when sold due to changes in the market or the removal of exemptions. Click here for more information.		Tax District: SPB 18.2940 \$2,058.50		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Sale Date</th> <th style="text-align: left;">Book/Page</th> <th style="text-align: left;">Price</th> <th style="text-align: left;">Q/U</th> <th style="text-align: left;">V/I</th> </tr> <tr> <td>14 Aug 2008</td> <td>6351 / 0587</td> <td>\$1,300,000</td> <td>M</td> <td>I</td> </tr> </table>		Sale Date	Book/Page	Price	Q/U	V/I	14 Aug 2008	6351 / 0587	\$1,300,000	M	I
Sale Date	Book/Page	Price	Q/U	V/I											
14 Aug 2008	6351 / 0587	\$1,300,000	M	I											

2011 Land Information					
Seawall: No		Frontage: None		View:	
<u>Land Use</u>	<u>Land Size</u>	<u>Unit Value</u>	<u>Units</u>	<u>Total Adjustments</u>	<u>Adjusted Value</u> <u>Method</u>
No Land Information					

[click here to hide] 2011 Building 1 Structural Elements [Back to Top](#)

Site Address: 701 GULF WAY ST PETE BEACH 33706-

Quality: Average

Complex View: Gulf Of Mexico - Full

Location: Interior

Floor number: 1

Complex Pool

Parking Garage: None

Balcony/Porch: Open Porch

Square Footage: 689.00

Exterior Wall: Masonry

Stories: 1

Year Built: 1951

Effective Age: 61

No Building Drawing
Available

Building 1 Sub Area Information				
Description	<u>Living Area Ft²</u>	<u>Gross Area Ft²</u>	<u>Factor</u>	<u>Effective Ft²</u>
Base	689	689	1.00	689
Total Living SF: 689		Total Gross SF: 689		Total Effective SF: 689

[click here to hide] 2011 Extra Features					
Description	Value/Unit	Units	Total New Value	Depreciated Value	Year
No Extra Features on Record					

[click here to hide] Permit Data			
Permit information is received from the County and Cities. This data may be incomplete and may exclude permits that do not result in field reviews (for example, for water heater replacement permits). Any questions regarding permits should be directed to the permitting office in which the structure is located.			
Permit Number	Description	Issue Date	Estimated Value

No Permit Data Found

Radius (feet): 1000	Aerials: 2011 Color	Transparency: 0.5	Update Map
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How to copy and paste a static map using Mozilla Firefox: Right-click on the map; Select "This Frame"; Select "Open Frame in New Window"; Print from the new window.

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Improvement Value
per F.S. 553.844

Ownership/Mailing Address	Site Address
CORTLAND REALTY PARTNERS II LLC 695 CENTRAL AVE STE 150 ST PETERSBURG FL 33701-3663	701 GULF WAY ST PETE BEACH 33706-



Property Use: 0436 (Condo Conversion - apartments/Platted Condo with apartment use)

Living Units:

[click here to hide] **2011 Legal Description**
BEACH CLUB AT PASS-A-GRILLE CONDO UNIT 3

2011 Exemptions	Mortgage Letter	File for	2011 Caps/Classified Agricultural Value	
Homestead Exemption				
Homestead: No	Government: No		Save-Our-Homes Cap Percentage: 0.00%	
Institutional: No	Historic: No		Non-Homestead 10% Cap: Yes	Classified Agricultural: No

2011 Parcel Information 2011 Trim Notice

Most Recent Conveyance	Sales Comparison	Census Tract	Evacuation Zone	Plat Book/Page
16414/1383	\$127,847 Sales Query	12103028002	A	153/079

2011 Value Information

Year	Save-Our-Homes cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$102,278	\$102,278	\$102,278	\$102,278	\$102,278

[click here to hide] **Value History as Certified (yellow indicates correction on file)**

Year	Save-Our-Homes Cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$102,278	\$102,278	\$102,278	\$102,278	\$102,278
2010	No	\$256,116	\$256,116	\$256,116	\$256,116	\$256,116
2009	No	\$316,176	\$316,176	\$316,176	\$316,176	\$316,176
2008	No	\$205,700	\$205,700	\$205,700	\$205,700	\$205,700
2007	No	\$0	\$0	\$0	N/A	\$0
2006	No	\$0	\$0	\$0	N/A	\$0
2005	No	\$0	\$0	\$0	N/A	\$0
2004	No	\$0	\$0	\$0	N/A	\$0
2003	No	\$0	\$0	\$0	N/A	\$0
2002	No	\$0	\$0	\$0	N/A	\$0
2001	No	\$0	\$0	\$0	N/A	\$0
2000	No	\$0	\$0	\$0	N/A	\$0
1999	No	\$0	\$0	\$0	N/A	\$0
1998	No	\$0	\$0	\$0	N/A	\$0
1997	No	\$0	\$0	\$0	N/A	\$0
1996	No	\$0	\$0	\$0	N/A	\$0

2011 Tax Information		Ranked Sales <u>See all transactions</u>				
Click Here for 2011 Tax Bill	Tax District: SPB	Sale Date	Book/Page	Price	Q/U	V/I
2011 Final Millage Rate	18.2940	14 Aug 2008	16351 / 0587	\$1,300,000	M	I
2011 Est Taxes w/o Cap or Exemptions	\$1,871.07					
A significant change in taxable value may occur when sold due to changes in the market or the removal of exemptions. Click here for more information.						

2011 Land Information						
Seawall: No	Frontage: None	View:				
<u>Land Use</u>	<u>Land Size</u>	<u>Unit Value</u>	<u>Units</u>	<u>Total Adjustments</u>	<u>Adjusted Value</u>	<u>Method</u>
No Land Information						

[\[click here to hide\]](#) **2011 Building 1 Structural Elements Back to Top**

Site Address: 701 GULF WAY ST PETE BEACH 33706-

Quality: Average

Complex View: Gulf Of Mexico - Full

Location: Corner

Floor number: 1

Complex Pool

Parking Garage: None

Balcony/Porch: Open Porch

Square Footage: 580.00

Exterior Wall: Masonry

Stories: 1

Year Built: 1951

Effective Age: 61

No Building Drawing Available

Building 1 Sub Area Information

Description	<u>Living Area Ft²</u>	<u>Gross Area Ft²</u>	<u>Factor</u>	<u>Effective Ft²</u>
Base	580	580	1.00	580
	Total Living SF: 580	Total Gross SF: 580		Total Effective SF: 580

[\[click here to hide\]](#) **2011 Extra Features**

Description	Value/Unit	Units	Total New Value	Depreciated Value	Year
No Extra Features on Record					

[\[click here to hide\]](#) **Permit Data**

Permit information is received from the County and Cities. This data may be incomplete and may exclude permits that do not result in field reviews (for example for water heater replacement permits). Any questions regarding permits should be directed to the permitting office in which the structure is located.

Permit Number	Description	Issue Date	Estimated Value
---------------	-------------	------------	-----------------

No Permit Data Found

Radius
(feet):
1000

Aerials: 2011 Color

Transparency: 0.5

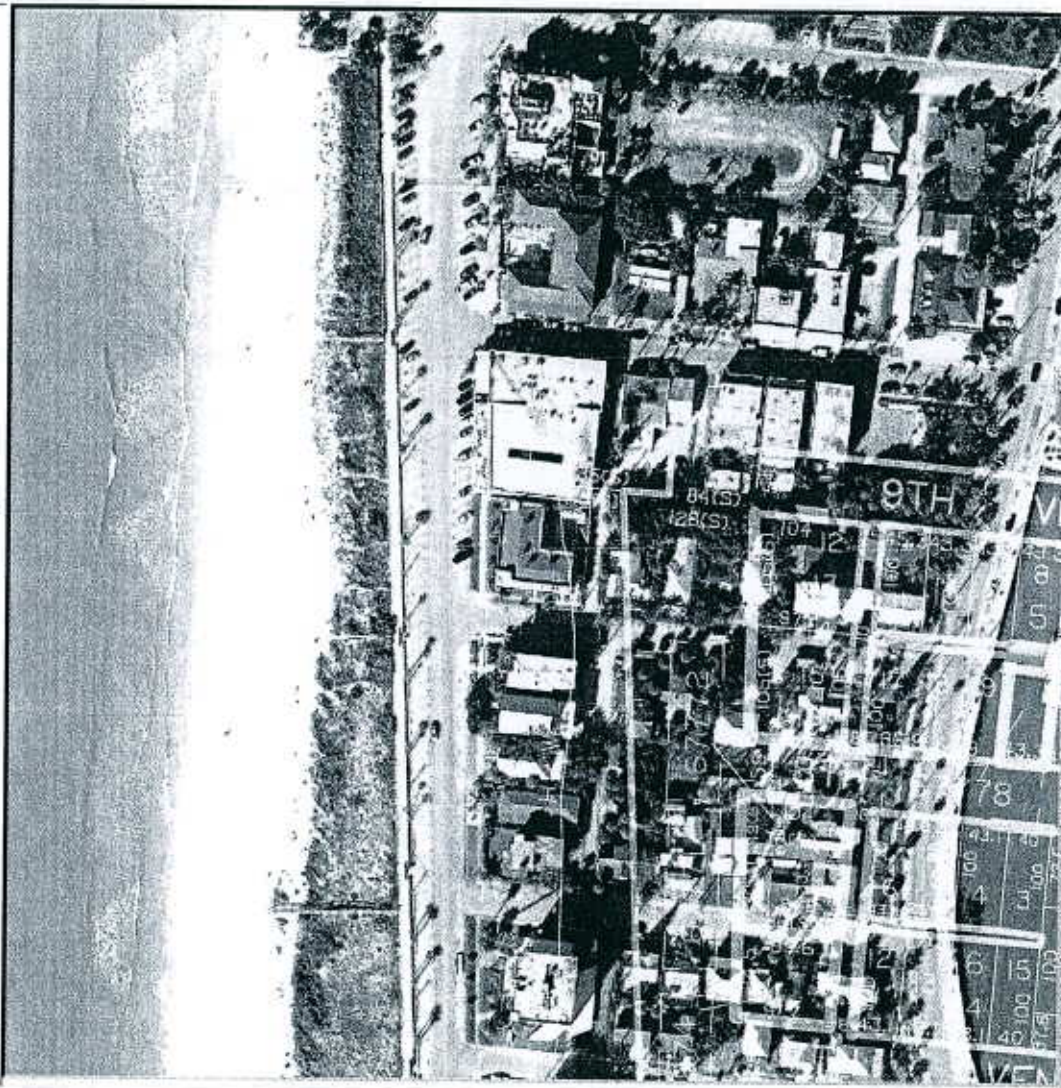
Update
Map

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Improvement Value
per F.S. 553.844

Ownership/Mailing Address	Site Address
VERNA, ANTHONY VERNA, ANGELINA 121 VERMEER DR LANGHORNE PA 19053-1525	701 GULF WAY ST PETE BEACH 33706-



Property Use: 0436 (Condo Conversion - apartments/Platted Condo with apartment use)

Living Units:

[click here to hide] **2011 Legal Description**
BEACH CLUB AT PASS-A-GRILLE CONDO UNIT 4

2011 Exemptions	Mortgage Letter	File for	2011 Caps/Classified Agricultural Value	
Homestead Exemption				
Homestead: No	Government: No		Save-Our-Homes Cap Percentage: 0.00%	
Institutional: No	Historic: No		Non-Homestead 10% Cap: Yes	Classified Agricultural: No

2011 Parcel Information 2011 Trim Notice

Most Recent Conveyance	Sales Comparison	Census Tract	Evacuation Zone	Plat Book/Page
16339/1675	\$117,426 Sales Query	12103028002	A	153/079

2011 Value Information

Year	Save-Our-Homes cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$93,941	\$93,941	\$93,941	\$93,941	\$93,941

[click here to hide] Value History as Certified (yellow indicates correction on file)

Year	Save-Our-Homes Cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$93,941	\$93,941	\$93,941	\$93,941	\$93,941
2010	No	\$218,064	\$218,064	\$218,064	\$218,064	\$218,064
2009	No	\$269,220	\$269,220	\$269,220	\$269,220	\$269,220
2008	No	\$205,700	\$205,700	\$205,700	\$205,700	\$205,700
2007	No	\$0	\$0	\$0	N/A	\$0
2006	No	\$0	\$0	\$0	N/A	\$0
2005	No	\$0	\$0	\$0	N/A	\$0
2004	No	\$0	\$0	\$0	N/A	\$0
2003	No	\$0	\$0	\$0	N/A	\$0
2002	No	\$0	\$0	\$0	N/A	\$0
2001	No	\$0	\$0	\$0	N/A	\$0
2000	No	\$0	\$0	\$0	N/A	\$0
1999	No	\$0	\$0	\$0	N/A	\$0
1998	No	\$0	\$0	\$0	N/A	\$0
1997	No	\$0	\$0	\$0	N/A	\$0
1996	No	\$0	\$0	\$0	N/A	\$0

2011 Tax Information				Ranked Sales <u>See all transactions</u>			
Click Here for 2011 Tax Bill		Tax District: <u>SPB</u>		Sale Date	Book/Page	Price	Q/U V/I
2011 Final Millage Rate		18.2940		04 Aug 2008	16339 / 1675	\$350,000	Q I
2011 Est Taxes w/o Cap or Exemptions		\$1,718.56					
A significant change in taxable value may occur when sold due to changes in the market or the removal of exemptions. Click here for more information.							

2011 Land Information							
Seawall: No		Frontage: None		View:			
<u>Land Use</u>	<u>Land Size</u>	<u>Unit Value</u>	<u>Units</u>	<u>Total Adjustments</u>	<u>Adjusted Value</u>	<u>Method</u>	
No Land Information							

[\[click here to hide\]](#) **2011 Building 1 Structural Elements** [Back to Top](#)
 Site Address: 701 GULF WAY ST PETE BEACH 33706-

Quality: Average
 Complex View: Standard
 Location: Corner
 Floor number: 1
 Complex Pool
 Parking Garage: None
 Balcony/Porch: Open Porch
 Square Footage: 683.00
 Exterior Wall: Masonry
 Stories: 1
 Year Built: 1951
 Effective Age: 61

No Building Drawing
Available

Building 1 Sub Area Information				
Description	<u>Living Area Ft²</u>	<u>Gross Area Ft²</u>	<u>Factor</u>	<u>Effective Ft²</u>
Base	683	683	1.00	683
Total Living SF: 683		Total Gross SF: 683		Total Effective SF: 683

[click here to hide] 2011 Extra Features					
Description	Value/Unit	Units	Total New Value	Depreciated Value	Year
No Extra Features on Record					

[click here to hide] Permit Data			
Permit Information is received from the County and Cities. This data may be incomplete and may exclude permits that do not result in field reviews (for example for water heater replacement permits). Any questions regarding permits should be directed to the permitting office in which the structure is located.			
Permit Number	Description	Issue Date	Estimated Value

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19-32-16-05874-000-0050

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Improvement Value
per F.S. 553.844

Ownership/Mailing Address	Site Address
SKAGEN, CLAYTON SKAGEN, JAMIE RR 1 SITE 2 BOX 106 DEWINTON AB T0L 0X0 CANADA	701 GULF WAY ST PETE BEACH 33706-



Property Use: 0436 (Condo Conversion - apartments/Platted Condo with apartment use)

Living Units:

[click here to hide] **2011 Legal Description**
BEACH CLUB AT PASS-A-GRILLE CONDO UNIT 5

2011 Exemptions	Mortgage Letter	File for	2011 Caps/Classified Agricultural Value	
Homestead Exemption				
Homestead: No	Government: No		Save-Our-Homes Cap Percentage: 0.00%	
Institutional: No	Historic: No		Non-Homestead 10% Cap: Yes	Classified Agricultural: No

2011 Parcel Information 2011 Trim Notice

Most Recent Conveyance	Sales Comparison	Census Tract	Evacuation Zone	Plat Book/Page
16289/0155	\$145,026 Sales Query	12103028002	A	153/079

2011 Value Information

Year	Save-Our-Homes cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$116,021	\$116,021	\$116,021	\$116,021	\$116,021

[click here to hide] **Value History as Certified (yellow indicates correction on file)**

Year	Save-Our-Homes Cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$116,021	\$116,021	\$116,021	\$116,021	\$116,021
2010	No	\$261,240	\$261,240	\$261,240	\$261,240	\$261,240
2009	No	\$322,476	\$322,476	\$322,476	\$322,476	\$322,476
2008	No	\$205,700	\$205,700	\$205,700	\$205,700	\$205,700
2007	No	\$0	\$0	\$0	N/A	\$0
2006	No	\$0	\$0	\$0	N/A	\$0
2005	No	\$0	\$0	\$0	N/A	\$0
2004	No	\$0	\$0	\$0	N/A	\$0
2003	No	\$0	\$0	\$0	N/A	\$0
2002	No	\$0	\$0	\$0	N/A	\$0
2001	No	\$0	\$0	\$0	N/A	\$0
2000	No	\$0	\$0	\$0	N/A	\$0
1999	No	\$0	\$0	\$0	N/A	\$0
1998	No	\$0	\$0	\$0	N/A	\$0
1997	No	\$0	\$0	\$0	N/A	\$0

1996	No	\$0	\$0	\$0	N/A	\$0
------	----	-----	-----	-----	-----	-----

2011 Tax Information Click Here for 2011 Tax Bill Tax District: SPB 2011 Final Millage Rate 18.2940 2011 Est Taxes w/o Cap or Exemptions \$2,122.49 A significant change in taxable value may occur when sold due to changes in the market or the removal of exemptions. Click here for more information.	Ranked Sales See all transactions <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>Sale Date</th> <th>Book/Page</th> <th>Price</th> <th>Q/U</th> <th>V/I</th> </tr> <tr> <td align="center">17 Jun 2008</td> <td align="center">16289 / 0155</td> <td align="right">\$425,000</td> <td align="center">Q</td> <td align="center">I</td> </tr> </table>	Sale Date	Book/Page	Price	Q/U	V/I	17 Jun 2008	16289 / 0155	\$425,000	Q	I
Sale Date	Book/Page	Price	Q/U	V/I							
17 Jun 2008	16289 / 0155	\$425,000	Q	I							

2011 Land Information					
Seawall: No		Frontage: None		View:	
<u>Land Use</u>	<u>Land Size</u>	<u>Unit Value</u>	<u>Units</u>	<u>Total Adjustments</u>	<u>Adjusted Value</u> <u>Method</u>
No Land Information					

[click here to hide] 2011 Building 1 Structural Elements [Back to Top](#)

Site Address: 701 GULF WAY ST PETE BEACH 33706-

Quality: Average

Complex View: Gulf Of Mexico - Full

Location: Corner

Floor number: 2

Complex Pool

Parking Garage: None

Balcony/Porch: Open Porch

Square Footage: 580.00

Exterior Wall: Masonry

Stories: 1

Year Built: 1951

Effective Age: 61

No Building Drawing
Available

Building 1 Sub Area Information				
<u>Description</u>	<u>Living Area Ft²</u>	<u>Gross Area Ft²</u>	<u>Factor</u>	<u>Effective Ft²</u>
<u>Base</u>	580	580	1.00	580
	Total Living SF: 580	Total Gross SF: 580		Total Effective SF: 580

[click here to hide] 2011 Extra Features					
<u>Description</u>	<u>Value/Unit</u>	<u>Units</u>	<u>Total New Value</u>	<u>Depreciated Value</u>	<u>Year</u>
No Extra Features on Record					

[click here to hide] Permit Data	
Permit information is received from the County and Cities. This data may be incomplete and may exclude permits that do not result in field reviews (for example for water heater replacement permits). Any questions regarding permits should be directed to the permitting office in which the structure is located.	

Permit Number	Description	Issue Date	Estimated Value
No Permit Data Found			
Radius (feet): 1000	Aerials: 2011 Color	Transparency: 0.5	Update Map

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Improvement Value
per F.S. 553.844

Ownership/Mailing Address	Site Address
CORTLAND REALTY PARTNERS II LLC 695 CENTRAL AVE STE 150 ST PETERSBURG FL 33701-3663	701 GULF WAY ST PETE BEACH 33706-



Property Use: 0436 (Condo Conversion - apartments/Platted Condo with apartment use)

Living Units:

[click here to hide] **2011 Legal Description**

BEACH CLUB AT PASS-A-GRILLE CONDO UNIT 6

2011 Exemptions **Mortgage Letter** **File for**
Homestead Exemption

2011 Caps/Classified Agricultural Value

Homestead: No	Government: No
Institutional: No	Historic: No

Save-Our-Homes Cap Percentage: 0.00%

Non-Homestead 10% Cap: Yes	Classified Agricultural: No
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2011 Parcel Information 2011 Trim Notice

Most Recent Conveyance	Sales Comparison	Census Tract	Evacuation Zone	Plat Book/Page
16414/1383	\$159,516 Sales Query	12103028002	A	153/079

2011 Value Information

Year	Save-Our-Homes cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$127,613	\$127,613	\$127,613	\$127,613	\$127,613

[click here to hide] Value History as Certified (yellow indicates correction on file)

Year	Save-Our-Homes Cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$127,613	\$127,613	\$127,613	\$127,613	\$127,613
2010	No	\$261,324	\$261,324	\$261,324	\$261,324	\$261,324
2009	No	\$322,644	\$322,644	\$322,644	\$322,644	\$322,644
2008	No	\$205,700	\$205,700	\$205,700	\$205,700	\$205,700
2007	No	\$0	\$0	\$0	N/A	\$0
2006	No	\$0	\$0	\$0	N/A	\$0
2005	No	\$0	\$0	\$0	N/A	\$0
2004	No	\$0	\$0	\$0	N/A	\$0
2003	No	\$0	\$0	\$0	N/A	\$0
2002	No	\$0	\$0	\$0	N/A	\$0
2001	No	\$0	\$0	\$0	N/A	\$0
2000	No	\$0	\$0	\$0	N/A	\$0
1999	No	\$0	\$0	\$0	N/A	\$0
1998	No	\$0	\$0	\$0	N/A	\$0
1997	No	\$0	\$0	\$0	N/A	\$0
1996	No	\$0	\$0	\$0	N/A	\$0

2011 Tax Information Click Here for 2011 Tax Bill Tax District: <u>SPB</u> 2011 Final Millage Rate 18.2940 2011 Est Taxes w/o Cap or Exemptions \$2,334.55 A significant change in taxable value may occur when sold due to changes in the market or the removal of exemptions. Click here for more information.	Ranked Sales See all transactions <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>Sale Date</th> <th>Book/Page</th> <th>Price</th> <th>Q/U</th> <th>V/I</th> </tr> <tr> <td>14 Aug 2008</td> <td>16351 / 0587</td> <td>\$1,300,000</td> <td>M</td> <td>I</td> </tr> </table>	Sale Date	Book/Page	Price	Q/U	V/I	14 Aug 2008	16351 / 0587	\$1,300,000	M	I
Sale Date	Book/Page	Price	Q/U	V/I							
14 Aug 2008	16351 / 0587	\$1,300,000	M	I							

2011 Land Information							
Seawall: No		Frontage: None		View:			
<u>Land Use</u>	<u>Land Size</u>	<u>Unit Value</u>	<u>Units</u>	<u>Total Adjustments</u>	<u>Adjusted Value</u>	<u>Method</u>	
No Land Information							

[click here to hide] 2011 Building 1 Structural Elements Back to Top Site Address: 701 GULF WAY ST PETE BEACH 33706-	
Quality: Average Complex View: Gulf Of Mexico - Full Location: Interior Floor number: 2 Complex Pool Parking Garage: None Balcony/Porch: Open Porch Square Footage: 689.00 Exterior Wall: Masonry Stories: 1 Year Built: 1951 Effective Age: 61	No Building Drawing Available

Building 1 Sub Area Information				
<u>Description</u>	<u>Living Area Ft²</u>	<u>Gross Area Ft²</u>	<u>Factor</u>	<u>Effective Ft²</u>
Base	689	689	1.00	689
	Total Living SF: 689	Total Gross SF: 689		Total Effective SF: 689

[click here to hide] 2011 Extra Features				
<u>Description</u>	<u>Value/Unit</u>	<u>Units</u>	<u>Total New Value</u>	<u>Depreciated Value</u> <u>Year</u>
No Extra Features on Record				

[click here to hide] Permit Data			
Permit information is received from the County and Cities. This data may be incomplete and may exclude permits that do not result in field reviews (for example for water heater replacement permits). Any questions regarding permits should be directed to the permitting office in which the structure is located.			
<u>Permit Number</u>	<u>Description</u>	<u>Issue Date</u>	<u>Estimated Value</u>

No Permit Data Found

Radius (feet): 1000	Aerials: 2011 Color	Transparency: 0.5	Update Map
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If you do not see map, the SVG viewer has not been installed. [Click here for information and installation.](#)

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How to copy and paste a static map using Mozilla Fire fox: Right-click on the map; Select "This Frame"; Select "Open Frame in New Window"; Print from the new window.

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Improvement Value
per F.S. 553.844

Ownership/Mailing Address	Site Address
CORTLAND REALTY PARTNERS II LLC 695 CENTRAL AVE STE 150 ST PETERSBURG FL 33701-3663	701 GULF WAY ST PETE BEACH 33706-



Property Use: 0436 (Condo Conversion - apartments/Platted Condo with apartment use)

Living Units:

[click here to hide] **2011 Legal Description**

BEACH CLUB AT PASS-A-GRILLE CONDO UNIT 7

2011 Exemptions	Mortgage Letter Homestead Exemption	File for	2011 Caps/Classified Agricultural Value
Homestead: No	Government: No		Save-Our-Homes Cap Percentage: 0.00%
Institutional: No	Historic: No		Non-Homestead 10% Cap: Yes
			Classified Agricultural: No

2011 Parcel Information 2011 Trim Notice

Most Recent Conveyance	Sales Comparison	Census Tract	Evacuation Zone	Plat Book/Page
16414/1383	\$145,026 Sales Query	12103028002	A	153/079

2011 Value Information

Year	Save-Our-Homes cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$116,021	\$116,021	\$116,021	\$116,021	\$116,021

[click here to hide] Value History as Certified (yellow indicates correction on file)

Year	Save-Our-Homes Cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$116,021	\$116,021	\$116,021	\$116,021	\$116,021
2010	No	\$261,240	\$261,240	\$261,240	\$261,240	\$261,240
2009	No	\$322,476	\$322,476	\$322,476	\$322,476	\$322,476
2008	No	\$205,700	\$205,700	\$205,700	\$205,700	\$205,700
2007	No	\$0	\$0	\$0	N/A	\$0
2006	No	\$0	\$0	\$0	N/A	\$0
2005	No	\$0	\$0	\$0	N/A	\$0
2004	No	\$0	\$0	\$0	N/A	\$0
2003	No	\$0	\$0	\$0	N/A	\$0
2002	No	\$0	\$0	\$0	N/A	\$0
2001	No	\$0	\$0	\$0	N/A	\$0
2000	No	\$0	\$0	\$0	N/A	\$0
1999	No	\$0	\$0	\$0	N/A	\$0
1998	No	\$0	\$0	\$0	N/A	\$0
1997	No	\$0	\$0	\$0	N/A	\$0
1996	No	\$0	\$0	\$0	N/A	\$0

2011 Tax Information		Ranked Sales <u>See all transactions</u>				
Click Here for 2011 Tax Bill	Tax District: SPB	<u>Sale Date</u>	<u>Book/Page</u>	<u>Price</u>	<u>Q/U</u>	<u>V/I</u>
2011 Final Millage Rate	18.2940	14 Aug 2008	16351 / 0587	\$1,300,000	M	I
2011 Est Taxes w/o Cap or Exemptions	\$2,122.49					
A significant change in taxable value may occur when sold due to changes in the market or the removal of exemptions. Click here for more information.						

2011 Land Information							
Seawall: No		Frontage: None			View:		
<u>Land Use</u>	<u>Land Size</u>	<u>Unit Value</u>	<u>Units</u>	<u>Total Adjustments</u>	<u>Adjusted Value</u>	<u>Method</u>	
No Land Information							

[click here to hide] 2011 Building 1 Structural Elements Back to Top	
Site Address: 701 GULF WAY ST PETE BEACH 33706-	
Quality: Average	
Complex View: Gulf Of Mexico - Full	
Location: Corner	
Floor number: 2	
Complex Pool	
Parking Garage: None	
Balcony/Porch: Open Porch	
Square Footage: 580.00	
Exterior Wall: Masonry	
Stories: 1	
Year Built: 1951	
Effective Age: 61	

No Building Drawing
Available

Building 1 Sub Area Information				
Description	<u>Living Area Ft²</u>	<u>Gross Area Ft²</u>	<u>Factor</u>	<u>Effective Ft²</u>
Base	580	580	1.00	580
Total Living SF: 580		Total Gross SF: 580		Total Effective SF: 580

[click here to hide] 2011 Extra Features				
Description	Value/Unit	Units	Total New Value	Depreciated Value Year
No Extra Features on Record				

[click here to hide] Permit Data			
Permit information is received from the County and Cities. This data may be incomplete and may exclude permits that do not result in field reviews (for example for water heater replacement permits). Any questions regarding permits should be directed to the permitting office in which the structure is located.			
Permit Number	Description	Issue Date	Estimated Value

No Permit Data Found

Radius (feet): 1000	Aerials: 2011 Color	Transparency: 0.5	Update Map
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Data Current as of December 15, 2011
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Improvement Value
per F.S. 553.844

Ownership/Mailing Address	Site Address
CORTLAND REALTY PARTNERS II LLC 695 CENTRAL AVE STE 150 ST PETERSBURG FL 33701-3663	701 GULF WAY ST PETE BEACH 33706-



Property Use: 0436 (Condo Conversion - apartments/Platted Condo with apartment use)

Living Units:

[click here to hide] **2011 Legal Description**
BEACH CLUB AT PASS-A-GRILLE CONDO UNIT 8

2011 Exemptions	Mortgage Letter Homestead Exemption	File for	2011 Caps/Classified Agricultural Value
Homestead: No	Government: No		Save-Our-Homes Cap Percentage: 0.00%
Institutional: No	Historic: No		Non-Homestead 10% Cap: Yes
			Classified Agricultural: No

2011 Parcel Information 2011 Trim Notice

Most Recent Conveyance	Sales Comparison	Census Tract	Evacuation Zone	Plat Book/Page
16414/1383	\$133,062 Sales Query	12103028002	A	153/079

2011 Value Information

Year	Save-Our-Homes cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$106,450	\$106,450	\$106,450	\$106,450	\$106,450

[click here to hide] Value History as Certified (yellow indicates correction on file)

Year	Save-Our-Homes Cap	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2011	No	\$106,450	\$106,450	\$106,450	\$106,450	\$106,450
2010	No	\$222,264	\$222,264	\$222,264	\$222,264	\$222,264
2009	No	\$274,428	\$274,428	\$274,428	\$274,428	\$274,428
2008	No	\$205,700	\$205,700	\$205,700	\$205,700	\$205,700
2007	No	\$0	\$0	\$0	N/A	\$0
2006	No	\$0	\$0	\$0	N/A	\$0
2005	No	\$0	\$0	\$0	N/A	\$0
2004	No	\$0	\$0	\$0	N/A	\$0
2003	No	\$0	\$0	\$0	N/A	\$0
2002	No	\$0	\$0	\$0	N/A	\$0
2001	No	\$0	\$0	\$0	N/A	\$0
2000	No	\$0	\$0	\$0	N/A	\$0
1999	No	\$0	\$0	\$0	N/A	\$0
1998	No	\$0	\$0	\$0	N/A	\$0
1997	No	\$0	\$0	\$0	N/A	\$0
1996	No	\$0	\$0	\$0	N/A	\$0

2011 Tax Information		Ranked Sales See all transactions				
Click Here for 2011 Tax Bill	Tax District: SPB	Sale Date	Book/Page	Price	Q/U	V/I
2011 Final Millage Rate	18.2940	14 Aug 2008	16351 / 0587	\$1,300,000	M	I
2011 Est Taxes w/o Cap or Exemptions	\$1,947.40					
A significant change in taxable value may occur when sold due to changes in the market or the removal of exemptions. Click here for more information.						

2011 Land Information						
Seawall: No	Frontage: None			View:		
<u>Land Use</u>	<u>Land Size</u>	<u>Unit Value</u>	<u>Units</u>	<u>Total Adjustments</u>	<u>Adjusted Value</u>	<u>Method</u>
No Land Information						

[click here to hide] 2011 Building 1 Structural Elements Back to Top	
Site Address: 701 GULF WAY ST PETE BEACH 33706-	
Quality: Average	
Complex View: Standard	
Location: Corner	
Floor number: 2	
Complex Pool	
Parking Garage: None	
Balcony/Porch: Open Porch	
Square Footage: 683.00	
Exterior Wall: Masonry	
Stories: 1	
Year Built: 1951	
Effective Age: 61	

No Building Drawing
Available

Building 1 Sub Area Information				
Description	<u>Living Area Ft²</u>	<u>Gross Area Ft²</u>	<u>Factor</u>	<u>Effective Ft²</u>
Base	683	683	1.00	683
Total Living SF: 683		Total Gross SF: 683	Total Effective SF: 683	

[click here to hide] 2011 Extra Features				
Description	Value/Unit	Units	Total New Value	Depreciated Value Year
No Extra Features on Record				

[click here to hide] Permit Data			
Permit information is received from the County and Cities. This data may be incomplete and may exclude permits that do not result in field reviews (for example for water heater replacement permits). Any questions regarding permits should be directed to the permitting office in which the structure is located.			
Permit Number	Description	Issue Date	Estimated Value

No Permit Data Found

Radius (feet): 1000	Aerials: 2011 Color	Transparency: 0.5	Update Map
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**2011 INVENTORY /HISTORY OF TRANSIENT ACCOMMODATIONS
LOCATED IN PASS-A-GRILLE**

The following is a Summary of Data attached as Exhibit A, prepared by City Staff in 2011 regarding the location and type of transient accommodations located in Pass-A-Grille. This Summary is intended to support the requests made pursuant to Ordinances 2011-37 and 2011-38 to expand the CRD-EA ½ block south along Gulf Way to include 701 Gulf Way. The attached data shows that both currently and historically, transient accommodations in various forms including hotel, motel, bed and breakfast inns, rooming houses, transient apartments and transient condominiums exist primarily on Pass-A-Grille Way and Gulf Way with the vast majority of those transient accommodations both historically and currently active located along Gulf Way south of 20th Ave.

ADDRESS	NAME	TRANSIENT TYPE	STATUS
1 PAG Way	Island End Motel	Motel	Active
612 PAG Way	Ayres Apts	Transient apartments	Active
702 PAG Way	PAG Inn	Bed & Breakfast	Closed 2005
1704 PAG Way	Bay Terrace Apts	Transient Apts	Active
2404 PAG Way	Villa Petite Apts	Transient Apts	Active
2706 PAG Way	The Orchid (f/k/a Bahia Apts)	Transient Apts	Active
102 8 th Ave	Marine Apts	Transient Apts	Active
401 Gulf Way	Castle Hotel	Transient Rooms	Active
709 Gulf Way	PAG Beach Motel	Transient Apts	Active
801 Gulf Way	Keystone Hotel	Hotel	Active
• 900 Block	City Park	Park	
1007 Gulf Way	Villa Luna Apts	Transient Apts	Active
1101 Gulf Way	Gulf View Apts	Transient Apts	Closed 2006
1107 Gulf Way	Sunset View Rooming House	Transient Rooms	Closed 2006
1301 Gulf Way	Sabal Palm	Transient Apts	Active
1307 Gulf Way	Gulfway Inn	Motel	Closed 2004
1401 Gulf Way	Inn on the Beach	Motel	Active
1605 Gulf Way	Gulf Sands Apts	Transient Apts	Closed 1999
1705 Gulf Way	Camelot By The Sea Condominium	Transient Condominiums	Active
1801 Gulf Way	Camelot By The Sea Condominium	Transient Condominiums	Active
1905 Gulf Way	Pelican Apts	Transient Apts	Closed 2001
1907 Gulf Way	Apts on the Beach	Transient Apts	Closed 2008

- NOTE #1: The Business Tax Receipts in your agenda packet from 2002 through Sept 30, 2009 for 701 Gulf Way show that the subject property paid City taxes to operate as an Apartment Hotel Motel Guest House.
- NOTE #2: The current owners each purchased their respective units between June 17, 2008 and August 14, 2008 during which time the Business Tax Receipt for Apartment Hotel Motel Guest House were current.

Motel	<u>GAMBLE</u> <u>MILLARD</u> <u>G</u>	Primary	MOT6201130 Motel	Current, Active 02/01/2011
	License Location Address*:		1 PASS A GRILLE WAY ST PETE BCH, FL 337064326	
	Main Address*:		1 PASS A GRILLE WAY ST PETERSBURG BCH, FL 337064326	
	Mailing Address*:		1 PASS A GRILLE WAY ST PETERSBURG BCH, FL 337064326	
Motel	<u>GULF WAY</u> <u>INN (THE)</u>	DBA	6212856H Motel	Closed, 02/01/2004
	License Location Address*:		1307 GULF WAY ST PETE BCH, FL 337064225	
	Main Address*:		1307 GULF WAY ST PETE BCH, FL 337064225	
	Mailing Address*:		1307 GULF WAY ST PETE BCH, FL 337064225	
Motel	<u>HOLEHOUSE</u> <u>RONALD</u>	Primary	MOT6212872 Motel	Current, Active 02/01/2011
	License Location Address*:		1401 GULFWAY ST PETE BCH, FL 33706	
	Main Address*:		1401 GULFWAY ST PETE BCH, FL 33706	
	Mailing Address*:		1401 GULFWAY ST PETE BCH, FL 33706	
Motel	<u>INN ON THE</u> <u>BEACH</u>	DBA	MOT6212872 Motel	Current, Active 02/01/2011
	License Location Address*:		1401 GULFWAY ST PETE BCH, FL 33706	
	Main Address*:		1401 GULFWAY ST PETE BCH, FL 33706	
	Mailing Address*:		1401 GULFWAY ST PETE BCH, FL 33706	
Motel	<u>ISLAND END</u> <u>MOTEL</u>	DBA	MOT6201130 Motel	Current, Active 02/01/2011
	License Location Address*:		1 PASS A GRILLE WAY ST PETE BCH, FL 337064326	
	Main Address*:		1 PASS A GRILLE WAY ST PETERSBURG BCH, FL 337064326	
	Mailing Address*:		1 PASS A GRILLE WAY ST PETERSBURG BCH, FL 337064326	
Hotel	<u>FALKENSTEIN MARY</u>	Primary	HOT6202685 Hotel	Current, Active 02/01/2011
	License Location Address*:		801 GULF WAY ST PETE BCH, FL 337064218	
	Main Address*:		801 GULF WAY ST PETE BCH, FL 337064218	
	Mailing Address*:		801 GULF WAY ST PETE BCH, FL 337064218	
Hotel	<u>KEYSTONE HOTEL</u>	DBA	HOT6202685 Hotel	Current, Active 02/01/2011
	License Location Address*:		801 GULF WAY ST PETE BCH, FL 337064218	
	Main Address*:		801 GULF WAY ST PETE BCH, FL 337064218	
	Mailing Address*:		801 GULF WAY ST PETE BCH, FL 337064218	
Bed and Breakfast	<u>MCGEHEE CHRIS</u>	Primary	BNB6215466 Bed & Breakfast	Closed, 02/01/2005

	License Location Address*:	702 PASS A GRILLE WAY ST PETERSBURG BCH, FL 33706		
	Main Address*:	702 PASS A GRILLE WAY ST PETERSBURG BCH, FL 33706		
	Mailing Address*:	702 PASS A GRILLE WAY ST PETERSBURG BCH, FL 33706		
Bed and Breakfast	<u>PASS A GRILLE INN</u>	DBA	BNB6215466 Bed & Breakfast	Closed, 02/01/2005
	License Location Address*:	702 PASS A GRILLE WAY ST PETERSBURG BCH, FL 33706		
	Main Address*:	702 PASS A GRILLE WAY ST PETERSBURG BCH, FL 33706		
	Mailing Address*:	702 PASS A GRILLE WAY ST PETERSBURG BCH, FL 33706		
Resort Dwelling	<u>BEACH HOUSE</u>	DBA	DWE6215773 Dwelling	Current, Active 02/01/2011
	License Location Address*:	102 27 AVE ST.PETE BEACH, FL 33706		
	Main Address*:	5300 DTC PARKWAY #480 GREENWOOD VILLAGE, CO 80111		
	Mailing Address*:	5300 DTC PARKWAY #480 GREENWOOD VILLAGE, CO 80111		
Resort Dwelling	<u>KILGORE CARRIE & SOLOMON</u>	Primary	DWE6215773 Dwelling	Current, Active 02/01/2011
	License Location Address*:	102 27 AVE ST.PETE BEACH, FL 33706		
	Main Address*:	5300 DTC PARKWAY #480 GREENWOOD VILLAGE, CO 80111		
	Mailing Address*:	5300 DTC PARKWAY #480 GREENWOOD VILLAGE, CO 80111		
Apartment	<u>AEDES HOLDINGS II LLP</u>	Primary	NAP6204724 Nontran Apt	Current, Active 02/01/2011
	License Location Address*:	1605 PASS A GRILLE WAY ST.PETE BEACH, FL 33706		
	Main Address*:	1605 PASS A GRILLE WAY ST.PETE BEACH, FL 33706		
	Mailing Address*:	2506 PASS A GRILLE WAY ST.PETE BEACH, FL 33706		
Apartment	<u>APARTMENTS ON THE BEACH</u>	DBA	TAP6201357 Transient Apt	Closed, 02/01/2008
	License Location Address*:	1907 GULF WAY ST PETE BCH, FL 337064138		
	Main Address*:	1401 GULF WAY ST PETE BCH, FL 33706		
	Mailing Address*:	1401 GULF WAY ST PETE BCH, FL 33706		
Apartment	<u>AROC DEV. CORP</u>	Primary	NAP6200772 Nontran Apt	Ownership Changed, 02/01/2005
	License Location Address*:	226 7 AVE. N. ST. PETERSBURG, FL 33701		
	Main Address*:	226 7 AVE. N. ST. PETERSBURG, FL 33701		
	Mailing Address*:	P.O. BOX. 66194 ST.PETE BEACH, FL 33706		
Apartment	<u>AROC DEV. CORP.</u>	Primary	NAP6213450 Nontran Apt	Ownership Changed, 02/01/2005
	License Location Address*:	255 6 AVE NE ST. PETERSBURG, FL 33701		
	Main Address*:	255 6 AVE NE ST. PETERSBURG, FL 33701		
	Mailing Address*:	P.O. BOX 66194 ST.PETE BEACH, FL 33706		

Apartment	<u>AYRES APARTMENTS</u>	DBA	6201950H Transient Apt	Ownership Changed 02/01/1999
	License Location Address*: 612 PASS A GRILLE WAY ST PETE BCH, FL 337064321 Main Address*: 6727 1ST AVE S STE 210 SAINT PETERSBURG, FL 337071340 Mailing Address*: 6727 1ST AVE S STE 210 SAINT PETERSBURG, FL 337071340			
Apartment	<u>AYRES LOUISE HOUGH</u>	Primary	6201950H Transient Apt	Ownership Changed 02/01/1999
	License Location Address*: 612 PASS A GRILLE WAY ST PETE BCH, FL 337064321 Main Address*: 6727 1ST AVE S STE 210 SAINT PETERSBURG, FL 337071340 Mailing Address*: 6727 1ST AVE S STE 210 SAINT PETERSBURG, FL 337071340			
Apartment	<u>BABLE INVEST OF FL INC</u>	Primary	NAP6200017 Nontran Apt	Ownership Changed, 02/01/2005
	License Location Address*: 701 GULFWAY ST PETE BCH, FL 33706 Main Address*: 2167 GORDON DR MISSISSAUGA ONTARIO, FP L5B156 Mailing Address*: 2167 GORDON DR MISSISSAUGA, ONTARIO L5B156			
Apartment	<u>BAHIA APTS</u>	DBA	6204039H Transient Apt	Ownership Changed 02/01/2002
	License Location Address*: 2706 PASS A GRILLE WAY ST PETE BCH, FL 337064148 Main Address*: 386 BELLE POINT DR ST PETE BCH, FL 337062617 Mailing Address*: 386 BELLE POINT DR ST PETE BCH, FL 337062617			
Apartment	<u>BALI APTS</u>	DBA	TAP6205237 Transient Apt	Current, Active 02/01/2011
	License Location Address*: 105 11 AVE ST PETE BCH, FL 337064253 Main Address*: PO BOX 46768 ST PETERSBURG, FL 337064253 Mailing Address*: P O BOX 46768 ST PETERSBURG, FL 33741			
Apartment	<u>BAY TERRACE APARTMENTS</u>	DBA	TAP6202882 Transient Apt	Current, Active 02/01/2011
	License Location Address*: 1704 PASSA GRILLE WAY ST PETE BCH, FL 337064244 Main Address*: PO BOX 11806 ST PAUL, MN 55111 Mailing Address*: PO BOX 11806 ST PAUL, MN 55111			
Apartment	<u>BECKER KATE</u>	Primary	TAP6203342 Transient Apt	Ownership Changed, 02/01/2008
	License Location Address*: 113 11 AVE ST PETE BCH, FL 337064203 Main Address*: 113 11TH AVE ST PETE BCH, FL 337064203 Mailing Address*: 113 11TH AVE ST PETE BCH, FL 337064203			
Apartment	<u>BOSELA PAULETTE</u>	Primary	6202882H Transient Apt	Ownership Changed 02/01/1998

License Location Address*: 1704 PASSA GRILLE WAY ST PETE BCH, FL 337064244
Main Address*: 1430 SKYLINE RD EAGAN, MN 55121
Mailing Address*: 1430 SKYLINE RD EAGAN, MN 55121

Apartment BOSELA PAULETTE L Primary TAP6202882 Current,
Transient Apt Active
02/01/2011

License Location Address*: 1704 PASSA GRILLE WAY ST PETE BCH, FL 337064244
Main Address*: PO BOX 11806 ST PAUL, MN 55111
Mailing Address*: PO BOX 11806 ST PAUL, MN 55111

Apartment CAMELOT BY THE DBA TAP6201618 Current,
SEA Transient Apt Active
02/01/2011

License Location Address*: 1705 GULF WAY ST PETE BCH, FL 337064238
Main Address*: 1801 GULF WAY ST PETE BCH, FL 337064297
Mailing Address*: 1705 GULF WAY ST PETE BCH, FL 337064238

Apartment CAMELOT BY THE DBA TAP6202981 Current,
SEA Transient Apt Active
02/01/2011

License Location Address*: 1801 GULF WAY ST PETE BCH, FL 337064297
Main Address*: 1801 GULF WAY ST PETE BCH, FL 337064297
Mailing Address*: 1801 GULF WAY ST PETE BCH, FL 337064297

Apartment CAMELOT CONDO Primary TAP6201618 Current,
OWNERS ASSOC INC Transient Apt Active
02/01/2011

License Location Address*: 1705 GULF WAY ST PETE BCH, FL 337064238
Main Address*: 1801 GULF WAY ST PETE BCH, FL 337064297
Mailing Address*: 1705 GULF WAY ST PETE BCH, FL 337064238

Apartment CAMELOT CONDO Primary TAP6202981 Current,
OWNERS ASSOC INC Transient Apt Active
02/01/2011

License Location Address*: 1801 GULF WAY ST PETE BCH, FL 337064297
Main Address*: 1801 GULF WAY ST PETE BCH, FL 337064297
Mailing Address*: 1801 GULF WAY ST PETE BCH, FL 337064297

Apartment CARUSO JOSEPH Primary TAP6200114 Current,
Transient Apt Active
02/01/2011

License Location Address*: 1301 GULF WAY ST PETE BCH, FL 337064225
Main Address*: 1301 GULF WAY ST PETE BCH, FL 337064225
Mailing Address*: 1301 GULF WAY ST PETE BCH, FL 337064225

Apartment CHRIS MCGEHEE Primary TAP6203888 Ownership
Transient Apt Changed,
02/01/2005

License Location Address*: 102 8TH AVENUE ST PETERSBURG BEACH, FL 33706
Main Address*: PO BOX 538 BRANDENBURG, KY 40108
Mailing Address*: 702 PASS A GRILLE WAY ST PETERSBURG, FL 33706

Apartment	<u>COCONUT INN</u>	DBA	TAP6203342 Transient Apt	Current, Active 02/01/2011
	License Location Address*: 113 11 AVE ST.PETE BEACH, FL 33706 Main Address*: 1301 GULF WAY ST.PETE BEACH, FL 33706 Mailing Address*: 1301 GULF WAY ST.PETE BEACH, FL 33706			
Apartment	<u>COCONUT INN LLC</u>	Primary	TAP6203342 Transient Apt	Current, Active 02/01/2011
	License Location Address*: 113 11 AVE ST.PETE BEACH, FL 33706 Main Address*: 1301 GULF WAY ST.PETE BEACH, FL 33706 Mailing Address*: 1301 GULF WAY ST.PETE BEACH, FL 33706			
Apartment	<u>COOK MYRTLE C</u>	Primary	TAP6205237 Transient Apt	Current, Active 02/01/2011
	License Location Address*: 105 11 AVE ST PETE BCH, FL 337064253 Main Address*: PO BOX 46768 ST PETERSBURG, FL 337064253 Mailing Address*: P O BOX 46768 ST PETERSBURG, FL 33741			
Apartment	<u>CORONADO APARTMENTS</u>	DBA	NAP6204724 Nontran Apt	Ownership Changed, 02/01/2005
	License Location Address*: 1605 PASS A GRILLE WAY ST PETE BCH, FL 337064275 Main Address*: 4950 GULF BLVD APT 601 ST PETE BCH, FL 337062435 Mailing Address*: 4950 GULF BLVD APT 601 ST PETE BCH, FL 337062435			
Apartment	<u>CORONADO APARTMENTS</u>	DBA	NAP6204724 Nontran Apt	Current, Active 02/01/2011
	License Location Address*: 1605 PASS A GRILLE WAY ST.PETE BEACH, FL 33706 Main Address*: 1605 PASS A GRILLE WAY ST.PETE BEACH, FL 33706 Mailing Address*: 2506 PASS A GRILLE WAY ST.PETE BEACH, FL 33706			
Apartment	<u>CREPEAU J H & R L</u>	Primary	TAP6204131 Transient Apt	Ownership Changed, 02/01/2009
	License Location Address*: 1007 GULF WAY ST PETE BCH, FL 337064222 Main Address*: 1007 GULF WAY ST PETE BCH, FL 337064222 Mailing Address*: 1007 GULF WAY ST PETE BCH, FL 337064222			
Apartment	<u>DEVALE CAROLINE</u>	Primary	NAP6204724 Nontran Apt	Ownership Changed, 02/01/2005
	License Location Address*: 1605 PASS A GRILLE WAY ST PETE BCH, FL 337064275 Main Address*: 4950 GULF BLVD APT 601 ST PETE BCH, FL 337062435 Mailing Address*: 4950 GULF BLVD APT 601 ST PETE BCH, FL 337062435			
Apartment	<u>DUNN RICHARD A</u>	Primary	6204085H Transient Apt	Closed 02/01/2001

License Location Address*: 1905 GULF WAY ST PETE BCH, FL 337064122
Main Address*: 1905 GULF WAY #3 ST PETE BCH, FL 337064122
Mailing Address*: 1905 GULF WAY #3 ST PETE BCH, FL 337064122

Apartment FAIRHAVEN ESTATES DBA NAP6201950 Nontran Apt Current,
Active
02/01/2011

License Location Address*: 612 PASS A GRILLE WAY ST PETE BCH, FL 337064321
Main Address*: 2329 SUNSET WAY ST PETER BCH, FL 33706
Mailing Address*: 2329 SUNSET WAY ST PETER BCH, FL 33706

Apartment FELICIA APARTMENTS DBA 6204085H Transient Apt Closed
02/01/2001

License Location Address*: 1905 GULF WAY ST PETE BCH, FL 337064122
Main Address*: 1905 GULF WAY #3 ST PETE BCH, FL 337064122
Mailing Address*: 1905 GULF WAY #3 ST PETE BCH, FL 337064122

Apartment GAMBLE JONE & MILLARD Primary TAP6204039 Transient Apt Current,
Active
02/01/2011

License Location Address*: 2706 PASS A GRILLE WAY ST PETERSBURG BCH, FL 337064148
Main Address*: 1 PASS A GRILLE WAY ST.PETE BEACH, FL 33706
Mailing Address*: 1 PASS A GRILLE WAY ST.PETE BEACH, FL 33706

Apartment GREEN CASTLE APARTMENT DBA NAP6200017 Nontran Apt Ownership
Changed,
02/01/2005

License Location Address*: 701 GULFWAY ST PETE BCH, FL 33706
Main Address*: 2167 GORDON DR MISSISSAUGA ONTARIO, FP L5B156
Mailing Address*: 2167 GORDON DR MISSISSAUGA, ONTARIO L5B156

Apartment GRENADA APARTMENTS DBA NAP6204599 Nontran Apt Current,
Active
02/01/2011

License Location Address*: 1106 PASS A GRILLE WAY ST PETE BCH, FL 337064273
Main Address*: 12602 N 51ST ST TAMPA, FL 336171420
Mailing Address*: 12602 N 51ST ST TAMPA, FL 336171420

Apartment GULF SANDS APARTMENTS DBA 6201779H Transient Apt Closed
02/01/1999

License Location Address*: 1605 GULF WAY ST PETE BCH, FL 337064267
Main Address*: PO BOX 46768 SAINT PETERSBURG, FL 337416768
Mailing Address*: PO BOX 46768 SAINT PETERSBURG, FL 337416768

Apartment GULFVIEW APARTMENTS DBA TAP6212519 Transient Apt Closed,
02/01/2006

License Location Address*: 1101 GULFWAY ST PETE BCH, FL 33706
Main Address*: 1101 GULFWAY ST PETE BCH, FL 33706
Mailing Address*: 1101 GULFWAY ST PETE BCH, FL 33706

Apartment HEIDENREICH HENRY Primary NAP6214716 Current, Active
Nontran Apt 02/01/2011

License Location Address*: 1853 N 29 AVE ST PETERSBURG, FL 33713
Main Address*: PO BOX 66507 ST PETE BCH, FL 33736
Mailing Address*: PO BOX 66507 ST PETERSBURG BCH, FL 33736

Apartment HERMAN MARGARET OR Primary NAP6201950 Current, Active
KEN Nontran Apt 02/01/2011

License Location Address*: 612 PASS A GRILLE WAY ST PETE BCH, FL 337064321
Main Address*: 2329 SUNSET WAY ST PETER BCH, FL 33706
Mailing Address*: 2329 SUNSET WAY ST PETER BCH, FL 33706

Apartment HURLEY FRANK T JR Primary TAP6204129 Current, Active
Transient Apt 02/01/2011

License Location Address*: 2404 PASSAGRILLE WAY ST PETE BCH, FL 337064158
Main Address*: PO BOX 46768 SAINT PETERSBURG, FL 337416768
Mailing Address*: PO BOX 46768 SAINT PETERSBURG, FL 337416768

Apartment LEROY APTS DBA TAP6203342 Ownership
Transient Apt Changed,
02/01/2008

License Location Address*: 113 11 AVE ST PETE BCH, FL 337064203
Main Address*: 113 11TH AVE ST PETE BCH, FL 337064203
Mailing Address*: 113 11TH AVE ST PETE BCH, FL 337064203

Apartment LINNCREST APTS DBA NAP6205406 Current, Active
Nontran Apt 02/01/2011

License Location Address*: 1505 PASSAGRILLE WAY ST PETE BCH, FL 337064274
Main Address*: 1505 PASS-A-GRILLE WAY #14 ST. PETE BEACH, FL 33706
Mailing Address*: 1505 PASS-A-GRILLE WAY #14 ST PETE BCH, FL 33706-4274

Apartment LOTUACO BALTAZARA Primary TAP6212519 Closed,
Transient Apt 02/01/2006

License Location Address*: 1101 GULFWAY ST PETE BCH, FL 33706
Main Address*: 1101 GULFWAY ST PETE BCH, FL 33706
Mailing Address*: 1101 GULFWAY ST PETE BCH, FL 33706

Apartment M A SMITH RANCH Primary NAP6204599 Current, Active
TRUST PART D Nontran Apt 02/01/2011

License Location Address*: 1106 PASS A GRILLE WAY ST PETE BCH, FL 337064273
Main Address*: 12602 N 51ST ST TAMPA, FL 336171420
Mailing Address*: 12602 N 51ST ST TAMPA, FL 336171420

Apartment MANNING BETH Primary 6203888H Ownership
Transient Apt Changed,
02/01/2003

License Location Address*: 102 8 AVE ST PETERSBURG BCH, FL 337064365
Main Address*: 102 8 AVE ST PETERSBURG BCH, FL 337064365

Mailing Address*: 102 8 AVE ST PETERSBURG BCH, FL 337064365

Apartment MARINE APARTMENTS DBA 6203888H
Transient Apt Ownership
Changed,
02/01/2003

License Location Address*: 102 8 AVE ST PETERSBURG BCH, FL 337064365
Main Address*: 102 8 AVE ST PETERSBURG BCH, FL 337064365
Mailing Address*: 102 8 AVE ST PETERSBURG BCH, FL 337064365

Apartment MARINE APARTMENTS DBA 6203888H
Transient Apt Ownership
Changed
02/01/2002

License Location Address*: 102 8 AVE ST PETE BCH, FL 337064365
Main Address*: PO BOX 46768 ST PETERSBURG, FL 337416768
Mailing Address*: PO BOX 46768 ST PETERSBURG, FL 337416768

Apartment MARINE APARTMENTS DBA TAP6203888
Transient Apt Ownership
Changed,
02/01/2005

License Location Address*: 102 8TH AVENUE ST PETERSBURG BEACH, FL 33706
Main Address*: PO BOX 538 BRANDENBURG, KY 40108
Mailing Address*: 702 PASS A GRILLE WAY ST PETERSBURG, FL 33706

Apartment MARINE APARTMENTS DBA TAP6203888
Transient Apt Ownership
Changed,
02/01/2007

License Location Address*: 102 8 AVE ST.PETE BEACH, FL 33706
Main Address*: 102 8 AVE ST.PETE BEACH, FL 33706
Mailing Address*: 1631 DR MLK JR ST N ST PETERSBURG, FL 33704

Apartment MARINE APARTMENTS DBA NAP6203888
Nontran Apt Current, Active
02/01/2011

License Location Address*: 102 8 AVE ST.PETE BEACH, FL 33706
Main Address*: 702 PASS-A-GRILL WAY ST. PETERSBURG, FL 33706
Mailing Address*: 702 PASS-A-GRILL WAY ST. PETERSBURG, FL 33706

Apartment MARSH NADIA Primary NAP6205406
Nontran Apt Current, Active
02/01/2011

License Location Address*: 1505 PASSAGRILLE WAY ST PETE BCH, FL 337064274
Main Address*: 1505 PASS-A-GRILLE WAY #14 ST. PETE BEACH, FL 33706
Mailing Address*: 1505 PASS-A-GRILLE WAY #14 ST PETE BCH, FL 33706-4274

Apartment MELLOTT CLOYD R Primary 6201779H
Transient Apt Closed
02/01/1999

License Location Address*: 1605 GULF WAY ST PETE BCH, FL 337064267
Main Address*: PO BOX 46768 SAINT PETERSBURG, FL 337416768
Mailing Address*: PO BOX 46768 SAINT PETERSBURG, FL 337416768

Apartment	<u>OTT MARY J</u>	Primary	6203888H Transient Apt	Ownership Changed 02/01/2002
	License Location Address*: 102 8 AVE ST PETE BCH, FL 337064365 Main Address*: PO BOX 46768 ST PETERSBURG, FL 337416768 Mailing Address*: PO BOX 46768 ST PETERSBURG, FL 337416768			
Apartment	<u>PASS A GRILLE BCH MOTEL</u>	DBA	TAP6203784 Transient Apt	Current, Active 02/01/2011
	License Location Address*: 709 GULFWAY ST PETE BCH, FL 33706 Main Address*: 709 GULFWAY ST PETE BCH, FL 33706 Mailing Address*: 250 104TH AVENUE TREASURE ISLAND, FL 33706			
Apartment	<u>PASS A GRILLE BEACH CLUB</u>	DBA	NAP6200017 Nontran Apt	Closed, 02/01/2008
	License Location Address*: 701 GULF WAY ST.PETE BEACH, FL 33706 Main Address*: 701 GULF WAY ST.PETE BEACH, FL 33703 Mailing Address*: 4165 14 ST NE ST PETERSBURG, FL 33703			
Apartment	<u>PASS A GRILLE MOTEL INC</u>	Primary	TAP6203784 Transient Apt	Current, Active 02/01/2011
	License Location Address*: 709 GULFWAY ST PETE BCH, FL 33706 Main Address*: 709 GULFWAY ST PETE BCH, FL 33706 Mailing Address*: 250 104TH AVENUE TREASURE ISLAND, FL 33706			
Apartment	<u>QUEBEC APARTMENTS</u>	DBA	TAP6204131 Transient Apt	Ownership Changed, 02/01/2009
	License Location Address*: 1007 GULF WAY ST PETE BCH, FL 337064222 Main Address*: 1007 GULF WAY ST PETE BCH, FL 337064222 Mailing Address*: 1007 GULF WAY ST PETE BCH, FL 337064222			
Apartment	<u>RESOLUTE APARTMENT</u>	DBA	NAP6200017 Nontran Apt	Ownership Changed, 02/01/2006
	License Location Address*: 701 GULFWAY ST.PETE BEACH, FL 33706 Main Address*: 701 GULFWAY ST.PETE BEACH, FL 33706 Mailing Address*: 2506 PASS A GRILLE WAY ST.PETE BEACH, FL 33706			
Apartment	<u>RESOLUTE INVESTMENTS INC.</u>	Primary	NAP6200017 Nontran Apt	Ownership Changed, 02/01/2006
	License Location Address*: 701 GULFWAY ST.PETE BEACH, FL 33706 Main Address*: 701 GULFWAY ST.PETE BEACH, FL 33706 Mailing Address*: 2506 PASS A GRILLE WAY ST.PETE BEACH, FL 33706			
Apartment	<u>RON'S INVESTMENTS</u>	Primary	TAP6201357 Transient Apt	Closed, 02/01/2008

	License Location Address*:	1907 GULF WAY ST PETE BCH, FL 337064138		
	Main Address*:	1401 GULF WAY ST PETE BCH, FL 33706		
	Mailing Address*:	1401 GULF WAY ST PETE BCH, FL 33706		
Apartment	<u>SABAL PALM APTS</u>	DBA	TAP6200114 Transient Apt	Current, Active 02/01/2011
	License Location Address*:	1301 GULF WAY ST PETE BCH, FL 337064225		
	Main Address*:	1301 GULF WAY ST PETE BCH, FL 337064225		
	Mailing Address*:	1301 GULF WAY ST PETE BCH, FL 337064225		
Apartment	<u>SCUSA PASS A GRILLE</u>	Primary	NAP6200017 Nontran Apt	Closed, 02/01/2008
	License Location Address*:	701 GULF WAY ST.PETE BEACH, FL 33706		
	Main Address*:	701 GULF WAY ST.PETE BEACH, FL 33703		
	Mailing Address*:	4165 14 ST NE ST PETERSBURG, FL 33703		
Apartment	<u>SEA BISCUIT PROPERTIES LLC</u>	Primary	NAP6203888 Nontran Apt	Current, Active 02/01/2011
	License Location Address*:	102 8 AVE ST.PETE BEACH, FL 33706		
	Main Address*:	702 PASS-A-GRILL WAY ST. PETERSBURG, FL 33706		
	Mailing Address*:	702 PASS-A-GRILL WAY ST. PETERSBURG, FL 33706		
Apartment	<u>ST PETE BEACH VENTURES LLC</u>	Primary	TAP6203888 Transient Apt	Ownership Changed, 02/01/2007
	License Location Address*:	102 8 AVE ST.PETE BEACH, FL 33706		
	Main Address*:	102 8 AVE ST.PETE BEACH, FL 33706		
	Mailing Address*:	1631 DR MLK JR ST N ST PETERSBURG, FL 33704		
Apartment	<u>ST PETE VENTURES LLC</u>	Primary	TAP6204131 Transient Apt	Current, Active 02/01/2011
	License Location Address*:	1007 GULF WAY ST.PETE BEACH, FL 33706		
	Main Address*:	123 BAY POINT DRIVE NE ST. PETERSBURG, FL 33704-3805		
	Mailing Address*:	123 BAY POINT DRIVE NE ST. PETERSBURG, FL 33704-3805		
Apartment	<u>THE ORCHID OF PASS A GRILLE</u>	DBA	TAP6204039 Transient Apt	Current, Active 02/01/2011
	License Location Address*:	2706 PASS A GRILLE WAY ST PETERSBURG BCH, FL 337064148		
	Main Address*:	1 PASS A GRILLE WAY ST.PETE BEACH, FL 33706		
	Mailing Address*:	1 PASS A GRILLE WAY ST.PETE BEACH, FL 33706		
Apartment	<u>VILLA LUNA</u>	DBA	TAP6204131 Transient Apt	Current, Active 02/01/2011
	License Location Address*:	1007 GULF WAY ST.PETE BEACH, FL 33706		
	Main Address*:	123 BAY POINT DRIVE NE ST. PETERSBURG, FL 33704-3805		
	Mailing Address*:	123 BAY POINT DRIVE NE ST. PETERSBURG, FL 33704-3805		

Apartment	<u>VILLA PETITE APARTMENTS</u>	DBA	TAP6204129 Transient Apt	Current, Active 02/01/2011
License Location Address*: 2404 PASSAGRILLE WAY ST PETE BCH, FL 337064158 Main Address*: PO BOX 46768 SAINT PETERSBURG, FL 337416768 Mailing Address*: PO BOX 46768 SAINT PETERSBURG, FL 337416768				
Apartment	<u>VOGEL JAMES</u>	Primary	6204039H Transient Apt	Ownership Changed 02/01/2002
License Location Address*: 2706 PASS A GRILLE WAY ST PETE BCH, FL 337064148 Main Address*: 386 BELLE POINT DR ST PETE BCH, FL 337062617 Mailing Address*: 386 BELLE POINT DR ST PETE BCH, FL 337062617				
Rooming House	<u>1107 GULF WAY</u>	Primary	TRM6201844 Transient Rooms	Closed, 02/01/2006
License Location Address*: 1107 GULF WAY ST.PETE BEACH, FL 33706 Main Address*: P O BOX 923 SPARTA, NJ 07871 Mailing Address*: P O BOX 923 SPARTA, NJ 07871				
Rooming House	<u>CASTLE HOTEL</u>	DBA	TRM6201997 Transient Rooms	Delinquent, Active 02/01/2010
License Location Address*: 401 GULF WAY ST PETE BCH, FL 337064322 Main Address*: 401 GULF WAY ST PETE BCH, FL 337064322 Mailing Address*: 401 GULF WAY ST PETE BCH, FL 337064322				
Rooming House	<u>CREPEAU JACQUES H</u>	Primary	TRM6201844 Transient Rooms	Ownership Changed, 02/01/2005
License Location Address*: 1107 GULF WAY ST PETE BCH, FL 337064223 Main Address*: 1107 GULF WAY ST PETE BCH, FL 337064223 Mailing Address*: 1107 GULF WAY ST PETE BCH, FL 337064223				
Rooming House	<u>RUHLMAN ROBERT E</u>	Primary	TRM6201997 Transient Rooms	Delinquent, Active 02/01/2010
License Location Address*: 401 GULF WAY ST PETE BCH, FL 337064322 Main Address*: 401 GULF WAY ST PETE BCH, FL 337064322 Mailing Address*: 401 GULF WAY ST PETE BCH, FL 337064322				
Rooming House	<u>SUN SET VIEW ROOM HSE</u>	DBA	TRM6201844 Transient Rooms	Ownership Changed, 02/01/2005
License Location Address*: 1107 GULF WAY ST PETE BCH, FL 337064223 Main Address*: 1107 GULF WAY ST PETE BCH, FL 337064223 Mailing Address*: 1107 GULF WAY ST PETE BCH, FL 337064223				
Rooming House	<u>SUNSET VIEW ROOMING HOUSE</u>	DBA	TRM6201844 Transient Rooms	Closed, 02/01/2006

License Location Address*: 1107 GULF WAY ST.PETE BEACH, FL 33706
Main Address*: P O BOX 923 SPARTA, NJ 07871
Mailing Address*: P O BOX 923 SPARTA, NJ 07871

THD-2007

In 2007, The City adopted ordinance 2007-51 which established the traditional Hotel District. The geographic area eligible for this district was described as "those lots which abut Gulf Way and First Avenue." See maps below. It should be noted that not all lots were necessarily eligible for this district; the applicant had to show the commission that the property was licensed with the City and operating as a transient accommodation. The map simply illustrates the general area applicable.



THD- 2008

In 2008, the ordinance was amended to exclude those properties north of 15th Avenue but include all properties south of 15th Avenue, not just properties abutting Gulf Way and 1st Avenue. Again, not all properties are eligible for the designation; the Commission must find that they are licensed with the City and are currently operating as a transient lodging.





**Karl, E. Holley, AICP,
Director of Community Development
City of St. Pete Beach
155 Corey Avenue
St. Pete Beach, Florida 33706**

Memorandum

To: Mike Bonfield, City Manager
From: Karl E. Holley, AICP
Re: June 24th and July 1st Joint THD Workshops
Date: July 12, 2010

The following is a summary of the consensus conclusions of the joint workshops of the Planning Board and Historic Preservation Board held on June 24 and July 1, 2010 concerning the Traditional Hotel District Standards.

Purpose and Intent

Board members concluded that the preservation of existing small hotels in Pass-a-Grille was a valid public policy goal because of the positive economic and social impact of the facilities, but that other issues, such as impacts on residential areas, should be given due consideration in implementing any process to achieve the goal. The Boards suggested that refurbishment of existing structures would be preferable to the development of new structures on existing hotel properties, but they acknowledged that current regulations would generally make this difficult or impossible. It was the clear consensus of the Boards that the application of the Traditional Hotel District should not allow for any potential increase in negative impacts on surrounding properties other than those that might be required by applicable codes, such as increased height to meet FEMA standards.

Use Issues

Board members concluded that it was preferable to only consider those properties which were currently utilized for transient occupancy as permissible for redevelopment. The members did not support the idea of considering any other properties in Pass-a-Grille as suitable for hotel development.

Board members supported specifically limiting any reconstructed hotels to existing ancillary uses, and did not desire to see any expansion of use, whether physically or by type of use, such as through the addition of bars or restaurants to redeveloped properties. It was the clear consensus of the Boards that redevelopment should only occur within the

existing scope of established uses, including recreational amenities; for example, a hotel which did not previously have a swimming pool could not construct one as part of a redevelopment of the property.

Design Issues

Board members recommended that any hotels rebuilt under the provisions of the Traditional Hotel District be limited to the same square footage as those they replace, with some possible additional space allowance to address modern building code requirements, such as ADA, if necessary. They suggested that any such allowances be established after proper research by City staff and that the provisions be incorporated into the THD standards.

Board members recommended that rebuilt hotels be allowed to be no taller than the structures they replace, except that minimum additional height would be granted to elevate new structures to comply with FEMA requirements.

Board members suggested that architectural design criteria for redeveloped hotels be included in the City's efforts to establish overall design guidelines for new development in the Pass-a-Grille area.

Other Issues

Board members recommended that a minimum unit threshold be established for application for the THD. A minimum of five units was generally agreed upon, although board members felt a different number might be acceptable, depending upon the actual unit counts of potentially eligible properties identified.

Board members recommended that City staff and legal counsel resolve the issue of the appropriate criteria for determining what constitutes "presently licensed with the City of St. Pete Beach and operating as a transient accommodation", and that a list of properties meeting the established requirements be included in the THD standards themselves. Board members also recommended that the THD ordinance establish a time period within which any property owner not included on the list developed by City staff could come forward and demonstrate eligibility based upon the established criteria, but that after such time period had expired, no additional properties would be considered for the THD designation.

DIVISION 13 ROR RESIDENTIAL/OFFICE/RETAIL DISTRICT

Sec. 13.1. Purpose and intent.

Sec. 13.2. Permitted principal uses and structures.

Sec. 13.3. Permitted accessory uses and structures.

Sec. 13.4. Allowable conditional uses.

Sec. 13.5. Prohibited uses and structures.

Sec. 13.6. Minimum zoning lot requirements.

Sec. 13.7. Minimum yard requirements.

Sec. 13.8. Maximum height of structures.

Sec. 13.9. Minimum off-street parking requirements.

Sec. 13.10. Landscaping required.

Sec. 13.11. Maximum floor area ratio.

Sec. 13.12. Maximum impervious surface ratio.

Sec. 13.13. Other standards.

Sec. 13.1. Purpose and intent.

The ROR Residential/Office/Retail District is intended for mixed use areas designated within the ROR Residential/Office/Retail land use category on the future land use maps. Certain other structures and uses required to serve governmental, religious and non-commercial recreational needs of such areas may be permitted, subject to restrictions and requirements intended to preserve the character of such district.

(Ord. No. 03-7, § 3, 5-1-03)

Sec. 13.2. Permitted principal uses and structures.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the ROR Residential/Office/Retail District are as follows:

- (a) Clubs, community service.
- (b) Eating and drinking establishments--Sit-down restaurant only.
- (c) Financial institutions without drive-through service.
- (d) Laundries, self-service.
- (e) Offices.
- (f) Printing and copying services.
- (g) Residential dwellings--Attached single-family, detached single-family, multifamily and two-family.
- (h) Retail sales.
- (i) Social service agencies.

(Ord. No. 03-7, § 3, 5-1-03)

Sec. 13.3. Permitted accessory uses and structures.

- (a) Uses and structures, as regulated in sections 6.12 and 6.13, which are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures and are not of a nature prohibited under section 13.5.
- (b) Home occupations, subject to the conditions set forth in section 6.5 of this Code.
- (c) Residential docks, including tie poles, in conformance with the provisions of section 6.23 and other applicable codes and ordinances of the city, county or state.
- (d) Temporary structures under the provisions of section 6.11.

(Ord. No. 03-7, § 3, 5-1-03)

Sec. 13.4. Allowable conditional uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the ROR Residential/Office/Retail District are as follows:

- (a) Assisted living facilities.
- (b) Places of worship.
- (c) Communications facilities.
- (d) Daycare centers/kindergartens.
- (e) Docks, commercial--Class C only.
- (f) Eating and drinking establishment--Bar (cocktail lounge, saloon); restaurant, outdoor.
- (g) Laundries, dry cleaning.
- (h) Parking lots, off-premise.
- (i) Recreational--Public parks and/or recreational facilities.
- (k) Schools, public or private.
- (l) Schools, commercial.
- (m) Services, personal/business.
- (n) Transient accommodations--Bed and breakfast inns and motels only.
- (o) Utility substations and/or rights-of-way.
- (p) Veterinarians.

(Ord. No. 03-7, § 3, 5-1-03; Ord. No. 2004-34, § 2, 12-14-04)

Sec. 13.5. Prohibited uses and structures.

All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the ROR Residential/Office/Retail District.

Any use which has been determined under the provisions of Chapter 46 of the Code of Ordinances to be potentially noxious, dangerous or offensive to residents of the district or to those who pass by on public roadways or likely for other reasons to be incompatible with the character of the district, is hereby prohibited in the ROR Residential/Office/ Retail District.

(Ord. No. 03-7, § 3, 5-1-03)

Sec. 13.6. Minimum zoning lot requirements.

The maximum residential or transient accommodation densities permitted in the ROR Residential/Office/Retail District shall not exceed 15 units per acre. The minimum lot area and width requirements in the ROR Residential/Office/Retail District are as follows:

- (a) *Detached single-family dwellings.*
 - (1) *Lot area:* 5,000 square feet.
 - (2) *Lot width:* 50 feet.
- (b) *Attached single-family, multifamily and two-family dwellings and transient accommodation facilities.*
 - (1) *Lot area:* 2,904 square feet for each dwelling unit or transient accommodation unit, pursuant to section 6.6 of this Code.
 - (2) *Lot width:* 50 feet
- (c) *All other uses.* The lot area and width requirements stated below shall be considered the minimum standards; however, the requirements may be modified by the city under the site plan review process to fit the specific use.

[After reviewing the just published agenda for the 12/20/2011 Planning Board meeting, the owners and residents objecting to this rezoning request wish to submit the following additional objections to the request for rezoning.]

Why Is 709 Gulf Way Different From 701 Gulf Way on The Issue of Impacts From Rezoning?

1. **709 Gulf Way** was rezoned (as was all of 8th Avenue and the South side of 9th Avenue) as part of a larger project related to the existing commercial/business nature of 8th Avenue. The rezoning request for **701 Gulf Way** is an isolated request that could open the flood gates to many more such requests in residential areas throughout Pass-A-Grille.

(The owners of **701 Gulf Way** could have sought to be included in the rezoning resulting from Ordinance 2010-18. They were notified, as required by law, as to its scope and purpose. Because they failed to argue their case for inclusion within the 8th Avenue project at that time, the owners of **701 Gulf Way** should be barred from claiming any unequal treatment based upon any rezoning resulting from that Ordinance. Their failure to act in a timely manner should not entitle them to a “do-over.” The City developed Ordinance 2010-18, reviewed it at the various boards, voted upon it, and determined that these two properties were different regarding the purpose of that Ordinance. Any request for rezoning of **701 Gulf Way** at this point in time should be considered solely as an isolated rezoning request based only upon its own merits.)

2. **709 Gulf Way** DOES NOT face or abut any residential properties. **701 Gulf Way** has two sides facing residential properties. The main entrance for many units and the fenced portion of the complex is on 7th Avenue. The fenced courtyard/pool area (with accompanying noises) is across the alley and street from 7th Avenue residences. Even the presently authorized “lower traffic” uses (apartment/condo) of **701 Gulf Way** have generated noise issues and complaints from the local full-time residents on 7th Avenue.

3. The **709 Gulf Way** complex presently is structurally enclosed, with the units completely surrounding an inner courtyard and no real impact on neighbors on 7th Avenue. In contrast, the **701 Gulf Way** complex has balconies facing outward for every unit on the second floor and outside “patio” areas for each ground floor unit facing 7th Avenue (as well as Gulf Way), and a pool and courtyard area across the alley and street from 7th Avenue residences. The negative impacts to the local neighborhood from **701 Gulf Way** becoming a hotel/motel are clearly far greater than from **709 Gulf Way**.

PASS-A-GRILLE--Do We Really Want to Change It?

Pass-A-Grille is a unique part of St. Pete Beach (SPB). Unlike Treasure Island (which emphasizes a "party" atmosphere) and the Traditional Hotel District of SPB (which has a large (and growing?) number of temporary lodging units), Pass-A-Grille is a quiet family beach and residential area. Such areas are fast becoming extinct from Clearwater Beach all the way down the island chain to Pass-A-Grille. Where else on this island chain can you sleep at night with windows open to the Gulf breezes and not be disturbed by traffic sounds and late-night partying? We feel that Pass-A-Grille needs to be preserved for both the sake of its permanent residents who came here for its quiet family atmosphere and for its uniqueness which attracts visitors to Pass-A-Grille and to SPB as a whole.

DO WE REALLY WANT TO CHANGE PASS-A-GRILLE?

The idea of allowing one property to be rezoned from an apartment/condo complex to a temporary lodging complex may, in isolation, seem to have a limited impact. However, the actual impacts and long-term impacts need to be examined very closely.

1. Where will the rezoning stop if the City starts allowing such changes? The City has the right to vote against this rezoning request on any reasonable basis, to include the objections of the neighbors and to preserve the uniqueness of Pass-A-Grille. However, once any one rezoning request is approved, the City is legally required to approve all such rezoning requests from similarly situated apartment/condo owners. Any rejection by the City of the second such request or the 50th such request may well result in lawsuits alleging unequal treatment. So once this rezoning starts, where does it end? (Of course, if the property is rezoned, the City is likely to be sued for the decrease in land values or other issues by property owners who object to allowing the rezoning.) The key distinction between a lawsuit by the property owners of the first such rezoning request and potential lawsuits by all others (subsequent requesters seeking equal treatment and owners affected by any approval of the first such rezoning request) is that any lawsuit by the first rezoning requesters should be easily won by the City (perhaps even summarily dismissed) if the decision to reject that request is made in good faith and in the best interests of the citizens of SPB.

2. If the rezoning does not stop with 701 Gulf Way, how far might it go? There are between 209 and 467 units on properties zoned "Apartment/Condominium" between 20th Avenue and 1st Avenue in Pass-A-Grille. All arguably are within walking distance of 8th Avenue and arguably (absent a lawsuit to establish otherwise) are similarly situated to 701 Gulf Way. Attachment 1 lists these properties by address. **On what legally defensible basis would subsequent requests to rezone these properties be denied by the City if the first such rezoning request is approved?** That question should to be answered before the City takes an irreversible step down the rezoning path to destroying Pass-A-Grille. How would properties zoned for "duplex, triplex, or fourplex" be

classified in this discussion? (See Attachment 3 for a partial listing of such properties.)

3. Even if SPB were willing to accept the risks of altering the uniqueness of Pass-A-Grille forever, what benefit exists to outweigh such damage or even just the chance of damage? Apartment/condo units are not inconsistent with the uniqueness of Pass-A-Grille. Any significant increase in temporary lodgings would be inconsistent. So it appears that the current rezoning request would benefit solely the owners of the property at 701 Gulf Way at the expense of the others who live and own property in Pass-A-Grille. Certainly the argument will be made that the higher traffic that comes from short-term tourists would better support the businesses on 8th Avenue, and no doubt "opinions" and speculation will be offered on that issue. Even if it were true, does it outweigh the damage that would be caused by unlimited rezoning within Pass-A-Grille or the likely lawsuits that would result from the City's denial of subsequent rezoning requests from similarly situated property owners on the attached list? There already are many temporary lodging units within Pass-A-Grille and just north in the rest of SPB. (Attachment 2 documents the properties presently zoned as temporary lodgings within Pass-A-Grille. No doubt the City has some count of the hotel/motel rooms available within the entire City of SPB)

4. If the City were to begin allowing such rezoning, how aggressively would the City deal with tourists who disrupt the peace and quiet and other enforcement issues? Has anyone considered these issues and the likely costs to the taxpayers? What is the per capita crime rate in the current traditional hotel district versus Pass-A-Grille? What would be the cost and other impacts if Pass-A-Grille's crime rate got as high? The neighbors near 701 Gulf Way can, and have, documented that short-term renters are not conducive to our quiet neighborhood atmosphere. These issues of enforcement and costs should be properly studied and documented before ANY consideration is given to any request to rezone any Pass-A-Grille property from apartment/condo units to temporary lodging units.

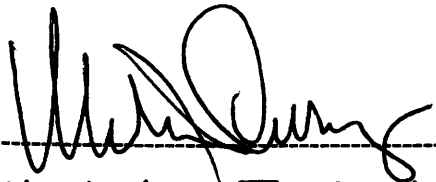
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We as property owners and residents of Pass-A-Grille strongly object to the rezoning of 701 Gulf Way for the reasons given above.

NAME

ADDRESS

Guthrie Mytton 100 6th Ave. N. Pile Beach
Jean Catargueta 109 7th Ave S. Pile Beach



WILLIAM I. CURRY

111 7TH AVE

ST PETE BEACH

HARRY Metz

504 Pass-a-Graile Way

Dayn T. Beam

106 7th Ave., SPB

Diane V. Beam

106 7th Avenue, SPB

more signature will be provided

ORIGINAL document submitted 11/14/2011

AT
MEETING
OF
PLANNING
BOARD

PASS-A-GRILLE--Do We Really Want to Change It?

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4. **If the City were to begin allowing such rezoning, how aggressively would the City deal with tourists who disrupt the peace and quiet and other enforcement issues?** Has anyone considered these issues and the likely costs to the taxpayers? What is the per capita crime rate in the current traditional hotel district versus Pass-A-Grille? What would be the cost and other impacts if Pass-A-Grille's crime rate got as high? The neighbors near 701 Gulf Way can, and have, documented that short-term renters are not conducive to our quiet neighborhood atmosphere. These issues of enforcement and costs should be properly studied and documented before ANY consideration is given to any request to rezone any Pass-A-Grille property from apartment/condo units to temporary lodging units.

5. **Consideration of tourist issues.** Tourists (short-term visitors) to SPB should and do have temporary lodgings where they can drink, party, and be boisterous if they so choose. However, such activities are not appropriate for a residential "front porch" neighborhood such as Pass-A-Grille. These tourists can stay within the Traditional Hotel District and make the short ride to Pass-A-Grille to enjoy its restaurants, beaches, and shops.

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NAME	ADDRESS
Roy & Patricia Cucchiara	2607 Pass-A-Grille Way
Roy Cucchiara	St Pete Beach FL 33706
Patricia Cucchiara	

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NAME	ADDRESS
STUART HOSTETTER	235 S. TESSIER DRIVE 316
Ann Hostetter	33706
Ann Hostetter	235 S. TESSIER DR SPB
	33706

PASS-A-GRILLE—Do We Really Want to Change It?

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classified in this discussion? (See Attachment 3 for a partial listing of such properties.)

3. **Even if SPB were willing to accept the risks of altering the uniqueness of Pass-A-Grille forever, what benefit exists to outweigh such damage or even just the chance of damage?** Apartment/condo units are not inconsistent with the uniqueness of Pass-A-Grille. Any significant increase in temporary lodgings would be inconsistent. So it appears that the current rezoning request would benefit solely the owners of the property at 701 Gulf Way at the expense of the others who live and own property in Pass-A-Grille. Certainly the argument will be made that the higher traffic that comes from short-term tourists would better support the businesses on 8th Avenue, and no doubt "opinions" and speculation will be offered on that issue. Even if it were true, does it outweigh the damage that would be caused by unlimited rezoning within Pass-A-Grille or the likely lawsuits that would result from the City's denial of subsequent rezoning requests from similarly situated property owners on the attached list? There already are many temporary lodging units within Pass-A-Grille and just north in the rest of SPB. (Attachment 2 documents the properties presently zoned as temporary lodgings within Pass-A-Grille. No doubt the City has some count of the hotel/motel rooms available within the entire City of SPB)

4. **If the City were to begin allowing such rezoning, how aggressively would the City deal with tourists who disrupt the peace and quiet and other enforcement issues?** Has anyone considered these issues and the likely costs to the taxpayers? What is the per capita crime rate in the current traditional hotel district versus Pass-A-Grille? What would be the cost and other impacts if Pass-A-Grille's crime rate got as high? The neighbors near 701 Gulf Way can, and have, documented that short-term renters are not conducive to our quiet neighborhood atmosphere. These issues of enforcement and costs should be properly studied and documented before ANY consideration is given to any request to rezone any Pass-A-Grille property from apartment/condo units to temporary lodging units.

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We as property owners and residents of Pass-A-Grille strongly object to the rezoning of 701 Gulf Way for the reasons given above.

NAME Cheryl A. Haig ADDRESS 4950 Gulf Blvd # 405,
6500 Sunset Way # 108 St Pete Beach, FL
33706

non-resident owner in St Pete Beach

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NAME	ADDRESS
Geraldine Fletcher	102-6th Ave, St. Pete Beach 33706-4312
Robert E Fletcher	same as above, " "

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NAME	ADDRESS
MaryMcReynolds	104 6 th Ave Apt. 2 St. Pete Beach
X Mary McReynolds	
Mable Marvne Davis	104 6 th Ave. Apt. 3 St. Pete Beach
X Mable Marvne Davis	

The Planning Board suggested a compromise at the January 17, 2012 meeting, but no time or forum was available for a productive discussion prior to the vote upon Ordinances 2011-37 and 2011-38 at that meeting. One condition for approval of the Ordinances was added to limit rentals of 701 Gulf Way to not less than one week. After having time to consider the idea of approval of the Ordinances with conditions, some of the affected residents/property owners in opposition to the requested rezoning Ordinances propose the conditions below. These conditions will do more to reassure the affected residents and property owners that the conduct of the transient renters at 701 Gulf Way is less likely to affect these local residents/property owners, and that any inappropriate conduct by the renters shall be dealt with by a local agent without having to contact the police or complain to City enforcement officials. The benefits of the proposed conditions are:

- a. They make the owners of 701 Gulf Way (not the police or the City's enforcement officials) responsible for assuring the proper behavior of their renters;
- b. It reassures the affected residents/property owners that resolution of concerns may be addressed expeditiously without recourse to the police or the City's enforcement officials; and
- c. It may discourage those who oppose the rezoning from bringing legal actions regarding their concerns and issues with the 701 Gulf Way rezoning process and approval.

Conditions for approval of Ordinances 2011-37 and 2011-38:

- 1. Notwithstanding the permissible uses, no rental period for any part of 701 Gulf Way shall be for less than one week.**
- 2. The owners of 701 Gulf Way shall designate a local agent or agents with authority to monitor and enforce the terms of all rental contracts for any part of the property, and the name(s) and telephone number(s) for such agents shall be posted on the property in a manner accessible to the public at all times. The designated agent(s) shall be available at all times.**
- 3. All rentals of 701 Gulf Way shall be by contract, and such contracts shall authorize eviction of renters and any others occupying the property, by the local agent for the property, due to illegal or inappropriate behavior or any other behavior disturbing the peace.**
- 4. Any significant violation of these conditions shall entitle the City to reinstate the zoning for 701 Gulf Way that existed prior to approval of these Ordinances, and such reinstatement shall not convey any right of action to the owners of 701 Gulf Way.**

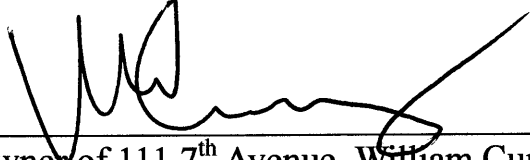
Diene V. Bean 106 7th Ave
111 7th Ave
Juan Catalano 109 2nd Ave

Clarification/Authorship of Objections to the Rezoning of 701 Gulf Way

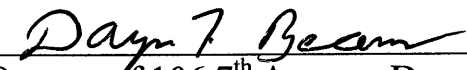
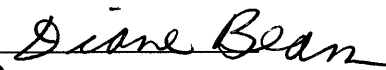
This document is to confirm the authorship of the two prior submissions which stated objections to the rezoning of 701 Gulf Way.

The first document (Exhibit 1) was initiated by the owners of two of the three properties that face (directly or diagonally) the property at 701 Gulf Way. (The third owner is out of state, and that owner's position is unknown to the undersigned.) The owners of 111 7th Avenue (William Curry) and of 106 7th Avenue (Dayn and Diane Beam) initiated the statement of objections to which many other owners and residents of the area have added their signatures.

The second document (Exhibit 2) was initiated in a discussion between the below signed owners and then discussed with other owners and residents. Its submission was in response to the file publicly posted (to the web) the day prior to the scheduled meeting on December 20. Given the need to submit this second document immediately (to supplement the first document based upon new information in the posted file), additional signatures were not solicited. Please consider it as having been signed by the owners below.



Owner of 111 7th Avenue, William Curry

  1/3/2012

Owners of 106 7th Avenue, Dayn and Diane Beam

[After reviewing the just published agenda for the 12/20/2011 Planning Board meeting, the owners and residents objecting to this rezoning request wish to submit the following additional objections to the request for rezoning.]

Why Is 709 Gulf Way Different From 701 Gulf Way on The Issue of Impacts From Rezoning?

1. **709 Gulf Way** was rezoned (as was all of 8th Avenue and the South side of 9th Avenue) as part of a larger project related to the existing commercial/business nature of 8th Avenue. The rezoning request for **701 Gulf Way** is an isolated request that could open the flood gates to many more such requests in residential areas throughout Pass-A-Grille.

(The owners of **701 Gulf Way** could have sought to be included in the rezoning resulting from Ordinance 2010-18. They were notified, as required by law, as to its scope and purpose. Because they failed to argue their case for inclusion within the 8th Avenue project at that time, the owners of **701 Gulf Way** should be barred from claiming any unequal treatment based upon any rezoning resulting from that Ordinance. Their failure to act in a timely manner should not entitle them to a “do-over.” The City developed Ordinance 2010-18, reviewed it at the various boards, voted upon it, and determined that these two properties were different regarding the purpose of that Ordinance. Any request for rezoning of **701 Gulf Way** at this point in time should be considered solely as an isolated rezoning request based only upon its own merits.)

2. **709 Gulf Way** DOES NOT face or abut any residential properties. **701 Gulf Way** has two sides facing residential properties. The main entrance for many units and the fenced portion of the complex is on 7th Avenue. The fenced courtyard/pool area (with accompanying noises) is across the alley and street from 7th Avenue residences. Even the presently authorized “lower traffic” uses (apartment/condo) of **701 Gulf Way** have generated noise issues and complaints from the local full-time residents on 7th Avenue.

3. The **709 Gulf Way** complex presently is structurally enclosed, with the units completely surrounding an inner courtyard and no real impact on neighbors on 7th Avenue. In contrast, the **701 Gulf Way** complex has balconies facing outward for every unit on the second floor and outside “patio” areas for each ground floor unit facing 7th Avenue (as well as Gulf Way), and a pool and courtyard area across the alley and street from 7th Avenue residences. The negative impacts to the local neighborhood from **701 Gulf Way** becoming a hotel/motel are clearly far greater than from **709 Gulf Way**.

Additional Concerns Regarding the Application for Rezoning of
701 Gulf Way
January 11, 2012

The application for Rezoning of 701 Gulf Way was accompanied by a letter from the Martohue Land Use Law Group, P.A. Both documents were dated October 13, 2011, and signed by Deborah Martohue as applicant/agent.

This letter accompanying the application contains statements and assumptions favorable to the applicant's position which, absent further clarification, could be erroneous or misleading. Before the Board allows any such statements within this letter to be considered in its decision, the Board should consider obtaining clarification to assure that the process is based upon fair and accurate information.

Issue # 1. The Martohue letter claims that the timing of ownership changes and inaction by the developer may have been the reason that the owners of 701 Gulf Way did not seek timely inclusion into the 8th Avenue project. However, the facts do not appear to be as asserted in the letter.

The Martohue letter states that "the current owners ... primarily purchased Units within the Property in 2008-09" (second paragraph under "Site History" on page 2), that "all 8 Unit owners ... purchase[d] in 2007-09" and that "[t]he 8 Units were sold to some of the current owners at the peak of the real estate boom and the others were purchased in a duress bulk sale, and all were sold to out-of-state non-homesteaded owners ..." (first paragraph under "Application Requests," on page 3 of the letter).

The "City of St. Pete Beach Planning Board/Local Planning Agency Public Hearings" document dated December 20, 2011 ("City document"), in the first paragraph under "Background Information" on the first page, recognizes that "[a]ccording to Property Appraiser public records, all of the units were sold between July-August 2008." The records on the websites for the Pinellas County Property Appraisal and the Pinellas County Clerk of Court indicate that of the eight units at 701 Gulf Way, three were sold to out-of-state individual owners and five were sold to Courtland Holdings LLC in 2008. The five units sold to Courtland Holdings LLC later were sold to Courtland Realty Partners II by quit claim deed filed 10/29/2008, but no other transfers of these eight units appear in the documents described above. No transfers (to current owners) occurred in 2007 and none in 2009. The five units sold to a legal entity (and then resold to an apparently related legal entity) have had local Pinellas County addresses, management, and registered agents according to documents available on line from

the Florida Department of State records. All of the owners should have been able to verify the zoning and land use restrictions at the time of purchase, and at least the local managers/agents for five of the eight units should have been aware of the current zoning and land use restrictions at the time of purchase and the proposed changes to zoning and land use in 2008 through 2011. Any failure of the developer to act or misrepresentations by the developer do not appear to be valid justification for the current request.

Issue # 2. The Martohue letter argues that rezoning is an appropriate method of resolving nonconforming uses. However, to rezone every property in Pass-A-Grille with grandfathered use, in order to eliminate the nonconforming grandfathered use, would be unnecessarily costly, time-consuming, and counter-productive.

The Martohue letter states that the application seeks “land use and zoning amendments” to “remedy the non-conformity both in terms of density and use” (first paragraph under “Application Requests,” on page 3 of the letter) because “[t]he subject Property density is 43 units/acre ... [which] is grandfathered but exceeds the existing ROR permitted density.... If redesignated (sic) under the current CRD-EA, the Property would still be non-conforming.... However, if redesignated (sic) as CRD-EA land use and zoning..., under the City’s proposed density amendment the subject property would be fully conforming both in terms of use and density” (third paragraph under “Application Requests” on page 4 of the letter).

The letter seems to indicate that curing non-conformances, even those that are grandfathered, is a justified reason to rezone. However, it is assumed that non-conformances that are “grandfathered” do not require curing before an owner may use such property consistent with the grandfathered uses or the currently zoned uses. Therefore, any proposed rezoning to “cure” nonconformance must be justified independently of this “curing” argument.

Issue # 3. The Martohue letter refers to 701 Gulf Way as part of “the 8th Avenue district neighborhood” (second paragraph under “Site Description,” on page 3 of the letter). However, the subject property at 701 Gulf Way does not appear to be a part of the 8th Avenue district.

The property is adjacent to, is visible to, and significantly affects the residents of 7th Avenue but not 8th Avenue.

Issue # 4. The Martohue letter states that “the Applicant’s requests ... would

be compatible with the transient rentals on the property located immediately north of the subject Property which is a more appropriate use for property across from Pass-A-Grille Beach and fronting Gulf Way ...” (fourth paragraph under “Application Requests,” on page 4 of the letter). However, this does not justify rezoning every such property on Gulf Way.

Each rezoning request should be evaluated on its own merits, weighing the concerns of the entire community, including the nearby single family residences, against those requesting the rezoning.

Issue # 5. The Martohue letter assumes significant economic benefit from the requested rezoning and uses such assumption as its primary justification. This conclusion should not be considered unless and until it is supported by proper documentation.

The Martohue letter states that “by allowing the Property to be designated CRD-EA, this would allow transient (sic) rentals which creates a significantly greater economic engine to support the local retail and restaurant businesses in the 8th Ave Business District, far surpassing the economic impact generated by the occasional occupancy of our-of-state owners or seasonl (sic) residents should the use remain strictly residential with the severe limitations on rentals that accompany that designation in the ROR district” (fourth paragraph under “Application Requests,” on page 4 of the letter).

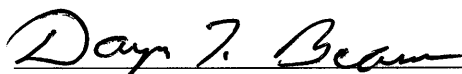
The “City document,” in the seventh paragraph on the fifth page, recognizes that “[n]o studies have been conducted which clearly establish the economic value of the tourist lodging facilities in Pass-a-Grille as opposed to residential uses.” Before accepting the Martohue letter’s conclusion, the appropriate studies should be conducted and properly documented. The impact to the local residents* should be considered as well as the hypothetical impact to restaurants and other businesses.

*In the agenda for the December Planning Board meeting attached to the “City document,” on page 63, is a paragraph within the City of St. Pete Beach, Florida, Eighth Avenue Commercial District Special Area Plan (dated December 2011) titled “Plan Issues and Objectives” which states that “[w]hen the comprehensive plan for the City was written in 1989, the Pass-A-Grille neighborhood (south of 32nd Avenue) was considered to be “primarily residential in character...with neighborhood commercial and some seasonal tourist facilities.... This character is important to the residents of St. Pete Beach, and maintaining it is a major goal of this plan.”

Transient rentals were not even acknowledged as a significant characteristic of this “primarily residential” neighborhood. Approval of this rezoning request (and those likely to follow by similarly situated owners in Pass-A-Grille) is inconsistent with the already approved 8th Avenue plan and the interests of the owners and residents who choose to purchase homes in a “primarily residential” neighborhood. The impact from the already authorized rezoning on 8th Avenue, part of 9th Avenue, and 709 Gulf Way has yet to be experienced. It would seem to be advisable to wait and assess the impacts from the already rezoned properties before increasing the unknown impacts from additional rezoning.

Issue # 6. The Martohue letter requests addition of the property to an already approved 8th Avenue project without going through the extensive review, study, analysis, and impact assessments process used for that 8th Avenue project. It is not clear that the attempt to incorporate new properties into the already processed and approved 8th Avenue project is legally valid.

The rezoning request should be considered upon its merits and not the merits of the 8th Avenue project. The 8th Avenue project underwent extensive study, analysis, assessment, reporting and approval. Any attempt to add new properties (with their additional impacts to all those issues addressed during formal consideration of the 8th Avenue project) appears to circumvent the full process requirements. It is recommended that legal advice be obtained regarding this.



Dayn T. Beam
106 7th Avenue

1/11/2012

**St. Pete Beach City Commission
Agenda Report**

Issue Considered: First Reading and Public Hearing of Ordinance 2011-39

Date: March 27, 2012

Prepared By: Catherine Hartley, AICP, CNU-A, Senior Planner

Summary of Issue: Amending the 8th Ave Special Area Plan to add 701 Gulf Way to the Map, add single family residential as a permitted use, and amend the allowable temporary lodging density from 30 to 50 units per acre.

The Planning Board conducted a public hearing on the above-mentioned case on January 17, 2012, and unanimously voted to recommend approval of the ordinance.

Requested Motion: “I move to approve Ordinance 2011-39 (read title)”

Attachments: Ordinance 2011-39.

Reviewed by City Manager: MB

ORDINANCE 2011-39

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, PINELLAS COUNTY, FLORIDA, PROVIDING FOR AMENDMENTS TO THE EIGHTH AVENUE SPECIAL AREA PLAN, ADDING 701 GULF WAY TO THE MAP, ADDING SINGLE FAMILY RESIDENTIAL AS A PERMITTED USE, AND AMENDING THE ALLOWABLE TEMPORARY LODGING DENSITY FROM 30 TO 50 UNITS PER ACRE; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith, TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission adopted Ordinance 2008-24 on August 26, 2008, establishing a special Future Land Use designation for Eighth Avenue, known as the Community Redevelopment District- Eighth Avenue: and

WHEREAS, the Citizens of St. Pete Beach validated the adoption of this comprehensive plan amendment via public referendum in 2009; and

WHEREAS, the Planning Board of the City of St. Pete Beach conducted a public hearing on January 17, 2012, noticed pursuant to Florida law and conducted pursuant to Ordinance 88-36 of the City of St. Pete Beach and Section 3.4 of the Land Development Code; and

WHEREAS, City Commission of the City of St. Pete Beach conducted public hearings on Tuesday March 27, 2012 and _____, 2012, noticed pursuant to Florida law and conducted pursuant to Ordinance 88-36 of the City of St. Pete Beach and Section 3.4 of the Land Development Code; and

WHEREAS, the City Commission finds these amendments to the Special Area Plan to be consistent with the Goals, Objectives, and Policies of the Comprehensive Plan; and

WHEREAS, the City Commission finds these amendments to the Special Area Plan to be in the best interest of the citizens of the City of St. Pete Beach.

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

Section 1. The Eighth Avenue CRD Special Area Plan is amended as illustrated in “Exhibit A”.

Section 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with this Ordinance.

Section 3. If any portion or part of this Ordinance is declared invalid by a court of competent jurisdiction, the valid remainder hereof shall remain in full force and effect.

Section 4. This Ordinance shall become effective immediately upon adoption.

STEVE MCFARLIN, MAYOR

LPA PUBLIC HEARING: 1/17/2012

PUBLISHED:

FIRST READING: 3/27/2012

PUBLISHED : 3/14/2012

SECOND READING/ADOPTION HEARING:

PUBLISHED:

I, Rebecca Haynes, 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 _____, 2012.

Rebecca Haynes, City Clerk



MEMORANDUM

January 17, 2012

To: Planning Board

From: Catherine Hartley, ACIP, Senior Planner

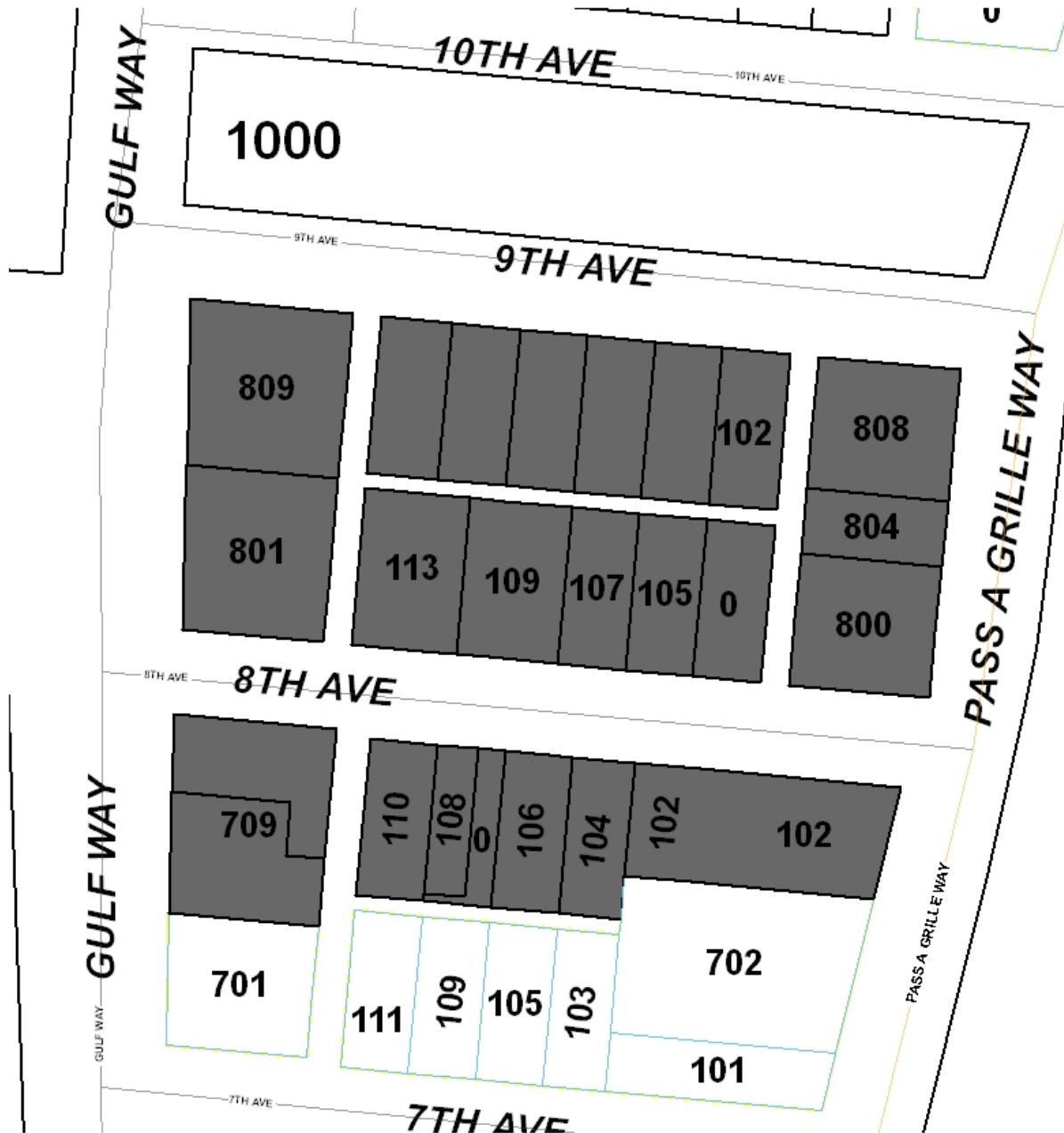
RE: Changes to the Eighth Avenue Special Area Plan and Comprehensive Plan regarding the Eighth Avenue CRD Future Land Use Map and category (Ordinances 2011-39 and 2011-40, respectively).

On November 8, 2011, the City Commission adopted Ordinance 2010-18 which adopted land development regulations and changed the official zoning map for the Eighth Avenue district. The map was changed from ROR to CRD-EA (see map, below). At the public hearing for the adoption of this ordinance, the City Commission requested the following changes be brought forward in the near future:

1. Amend the Special Area Plan to allow single family residential as a permitted use based on the existing Black residence on Pass-a-Grille Way. The owners testified at the first public hearing that they were opposed to their single family residence becoming a non-conforming use).
2. Changing the Temporary lodging density from 30 to 50 units per acre.

Staff has subsequently received an application to change the Future Land Use Map for 701 Gulf Way, which in turn requires an amendment to the Special Area Plan maps. This proposed change is also reflected in Ordinance 2001-39.

Ordinance 2010-18
Change of Zoning from
ROR to CRD-EA



Shaded area is subject to the rezoning

0 25 50 100 150 200 Feet

CITY OF ST. PETE BEACH, FLORIDA EIGHTH AVENUE COMMERCIAL DISTRICT SPECIAL AREA PLAN

DECEMBER 2011~~AUGUST 2008~~



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OVERVIEW

This Special Area Plan is intended to address the unique planning goals for the mixed-use area within the City of St. Pete Beach known as the Eighth Avenue Commercial District in Pass-a-Grille. This Planning Area encompasses the north and south sides of Eighth Avenue, as well as the south side of Ninth Avenue.

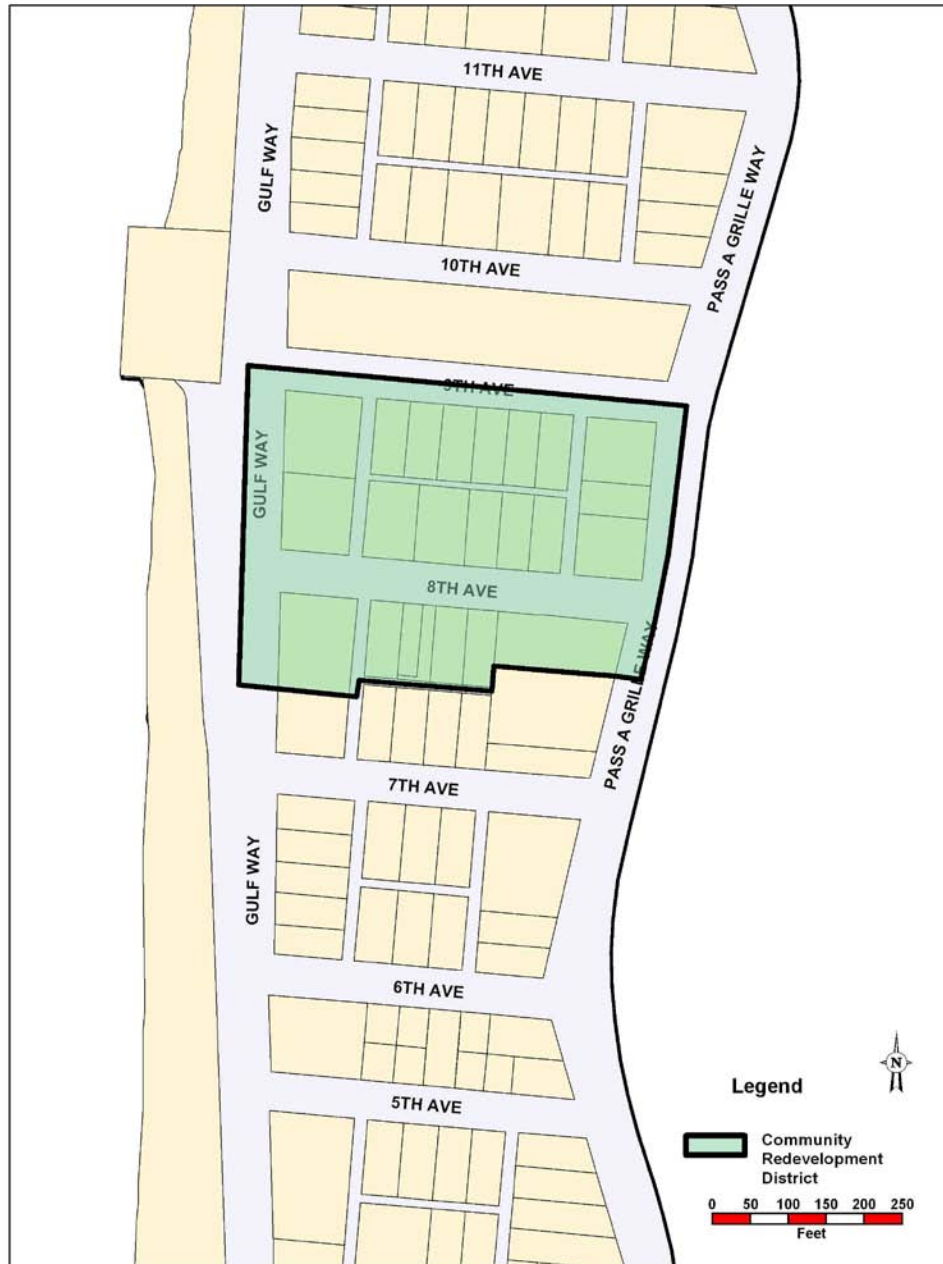
Concerns regarding the ability to maintain the current physical character of Eighth Avenue while potentially attracting new development to fill in vacant parcels have been an ongoing issue of both the City's Historic Preservation Board and the Planning Board. These Boards held several joint meetings over the past few years (2006 and 2007) to discuss options for achieving their joint goals. Additionally, in 2006 City Staff gave two presentations to outline these objectives and possible solutions to the citizens of Pass-a-Grille.

This process will entail numerous steps, including:

- Updating the City's Comprehensive Plan to include a Community Redevelopment District (CRD) category and to define specific density and intensity standards for the proposed Eighth Avenue Commercial District (CRD-EA)
- Amending the City's Future Land Use Map (FLUM) to designate the CRD-EA boundaries
- Amending the Countywide Future Land Use Plan Map to incorporate these changes
- Developing this Special Area Plan to address the planning aspects and impacts of the CRD-EA area
- Adopting land development regulations (LDRs) to apply specific standards to the proposed district.

These steps will be completed concurrently where possible in order to expedite this process. The remainder of this document comprises the Special Area Plan and will detail the provisions of the plan, address anticipated impacts on the City's system capacities if any, and discuss relevant Countywide considerations as required by the Countywide Plan Rules administered by the Pinellas Planning Council.

Figure 1 ~~Exisitng~~ Proposed Community Redevelopment District - Eighth Avenue (CRD-EA)



HISTORY OF PLANNING AREA

Although the Spanish explored much of what is now Pinellas County in the 16th Century, the first settler in Pass-a-Grille was Zephaniah Phillips in 1884. In 1895, the first platting of a subdivision, Morey Beach, occurred in Pass-a-Grille. The expected population boom, however, did not happen because the island was isolated and accessible only by infrequent ferry service.

Passage to Pass-a-Grille became easier by 1905 when the St. Petersburg and Gulf Electric Railroad extended its tracks to Gulfport, just across Boca Ciega Bay from Pass-a-Grille. From there, a shallow draft steam launch, the Althea, a 70-foot boat which carried about 50 passengers, made three trips a day to coordinate trips between Pass-a-Grille and Gulfport and connections with the railroad.

By 1911, Pass-a-Grille was incorporated as one of nine municipalities in the newly designated Pinellas County. The property owners of the town were eligible to vote and held elections, passed ordinances and established zoning regulations.

By 1930, the population of Pass-a-Grille was 233 people and was a community that reached across the spectrum of economic strata. Some of the population consisted of the fairly wealthy while others were commercial fishermen and about 15 percent of the resident population was black. In addition, the town was host to many visitors throughout the period.

In 1957, the Town of Pass-a-Grille merged with the other incorporated cities on the island (St. Petersburg Beach, Belle Vista Beach and Don CeSar Place) into the new municipality of St. Petersburg Beach, and in 1994, the voters agreed to change the name from St. Petersburg Beach to St. Pete Beach in hopes of coming out from under the shadow of St. Petersburg.

The Eighth Avenue Commercial District in Pass-a-Grille has historically been home to hotels, general stores, a Post Office, and a pavilion to serve tourists. The Post Office remains, surrounded by a mixed-use area of restaurants, stores, offices, and second floor residential. Many of the buildings along Eighth and Ninth Avenues were identified as contributing structures within the Pass-a-Grille Historic District, listed on the National Register of Historic Places.

Figure 2 Images of Historic Eighth Avenue



Oleander Avenue (now Eighth Avenue) about 1914 when Pass-a-Grille was the Florida West Coast's most popular beach resort. Left to center are Girard Bros. store, Buckeye Hotel, and Joseph E. Merry's grocery. From right to center, Lizotte's Hotel, Mason House, and Holloway Hotel. Small building in center is ticket office for Favorite Line steamers. (Author's collection)



Joseph E. Merry's general store at the end of a dock at Eighth Avenue and Pass-a-Grille Way was the first retail business at the Gulf Beaches. In 1911, Merry moved his store to a new location at 107 Eighth Avenue. (courtesy of Capt. Kenneth B. Merry)

Source: *Surf, Sand, & Post Card Sunsets* by Frank T. Hurley, Jr.

PLAN ISSUES AND OBJECTIVES

When the comprehensive plan for the City was written in 1989, the Pass-a-Grille neighborhood (south of 32nd Avenue) was considered to be “primarily residential in character ... with neighborhood commercial and some seasonal tourist facilities” (City of St. Pete Beach Comprehensive Plan, 1989). As detailed previously, the Eighth Avenue Commercial District has historically been a mix of uses that support the neighborhood, other residents of the City and visitors to Pass-a-Grille Beach. This character is important to the residents of St. Pete Beach, and maintaining it is a major goal of this plan.

Existing Land Use and Related Characteristics of the Area

When future land uses were assigned within the City as part of the comprehensive planning process, it was the intent of the City to maintain the mix of residential and commercial uses existing within the Eighth Avenue district. Thus, the district is part of a slightly larger portion of Pass-a-Grille currently designated Residential/Office/Retail (ROR) on the City's

Future Land Use Map (Figure 4) and current Zoning Map (Figure 5). Additional pockets of ROR areas exist further north within Pass-a-Grille, as well as on the northern portion of the island along Blind Pass Road.

The Eighth Avenue Plan Area consists of 25423 parcels, totaling 3.3584 acres of land. Over half of the lots within the area are between 40 to 45.3 feet wide by 100 feet deep (4,000 – 4,530 s.f.), although the lots along Gulf Way and Pass-a-Grille Way are larger. The majority of the existing structures along Eighth Avenue are built to the lot line, creating a pedestrian arcade and a traditional, walkable downtown feel (Figure 3).

Figure 3 Images of Eighth and Ninth Avenues



As shown on the Existing Land Use Map (Figure 6), the majority of the parcels are classified as commercial by the Pinellas County Property Appraisers Office. These commercial properties within the District include several mixed use properties that are ground floor commercial with residential above, one operating motel (northwest corner of Eighth Avenue and Gulf Way), two vacant lots (Eighth Avenue, adjacent to eastern and western alleys

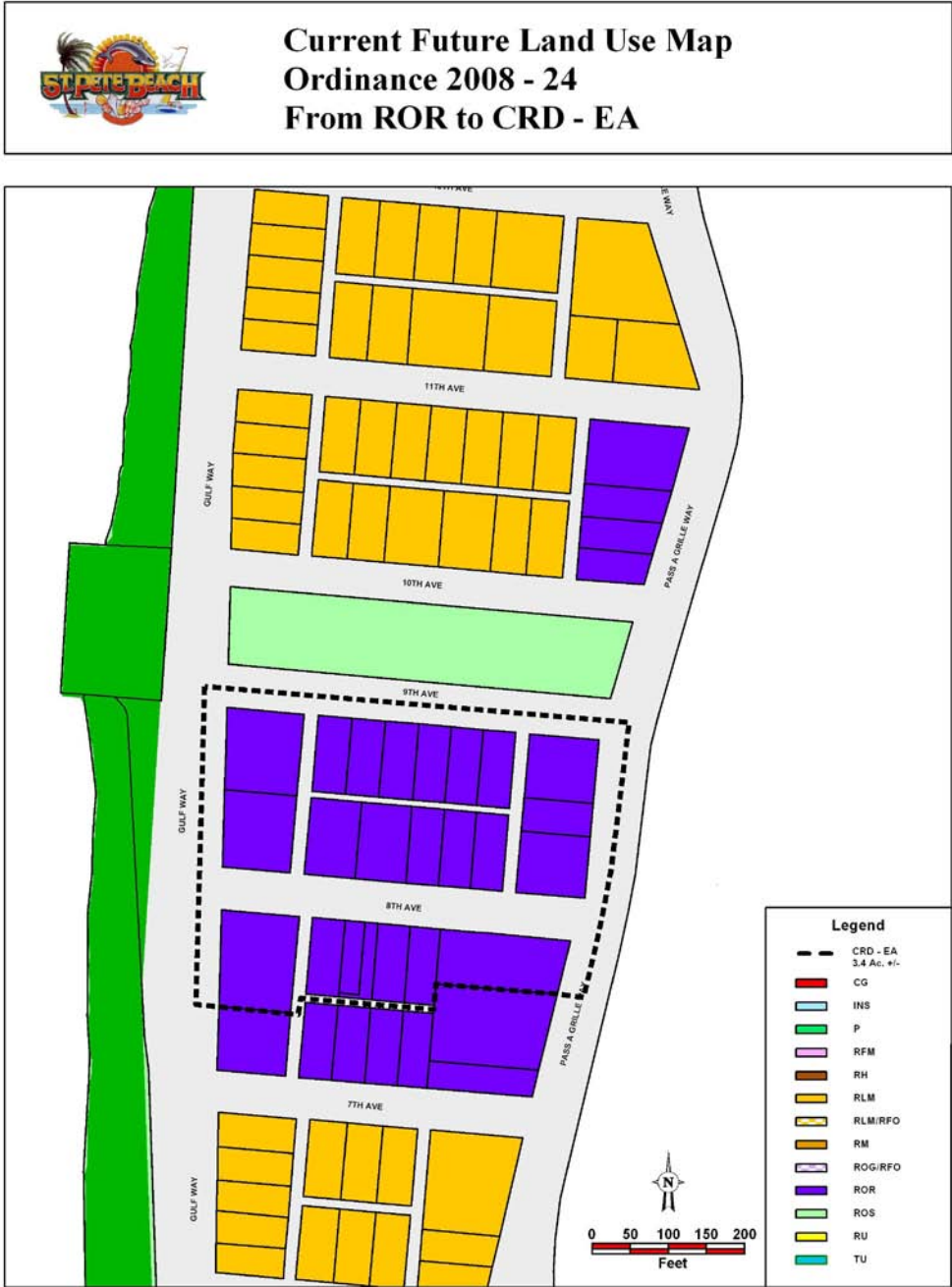
connecting Eighth and Ninth Avenues), and several cleared lots on the south side of Ninth Avenue serving as parking for the Hurricane Restaurant (see Aerial, Figure 7). Several other restaurants, both freestanding and part of mixed-use properties, and a post office also serve the residents and visitors within the vicinity.

In St. Pete Beach, the ROR land use designation (within the Comprehensive Plan) allows for a maximum residential density of 18 units per acre, a maximum floor area ratio (FAR) of .40, and a maximum impervious surface ratio (ISR) of .85. The land development regulations (LDRs), however, currently limit the residential density to 15 units per acre, and the ISR for residential and transient accommodation uses to .70. The LDRs further establish minimum lot area and width standards that make it difficult to redevelop within the area without consolidating properties. Although the Eighth Avenue Commercial District Plan Area lies within the Pass-a-Grille Overlay District, established by the LDRs, most of the standards within the overlay defer to those established by the underlying zoning district.

Beyond making it difficult to redevelop any currently vacant lots within the district, the current regulations also would make it impossible for the current structures to be rebuilt in the same manner as they currently exist, so should a catastrophic event cause severe damage to this area, the resulting construction would be vastly different from the existing character the residents value and want to maintain.

The goal of this plan is to establish standards that are meaningful to this district, taking into account the existing conditions and the limited lot sizes.

Figure 4 Current Future Land Use Classifications, Eighth Avenue and Surrounding Area



City of St Pete Beach / GIS 2008

Figure 5 Current Zoning, Eighth Avenue and Surrounding Area ([Change of Zoning to CRD-EA will become effective 12/22/2011](#)).

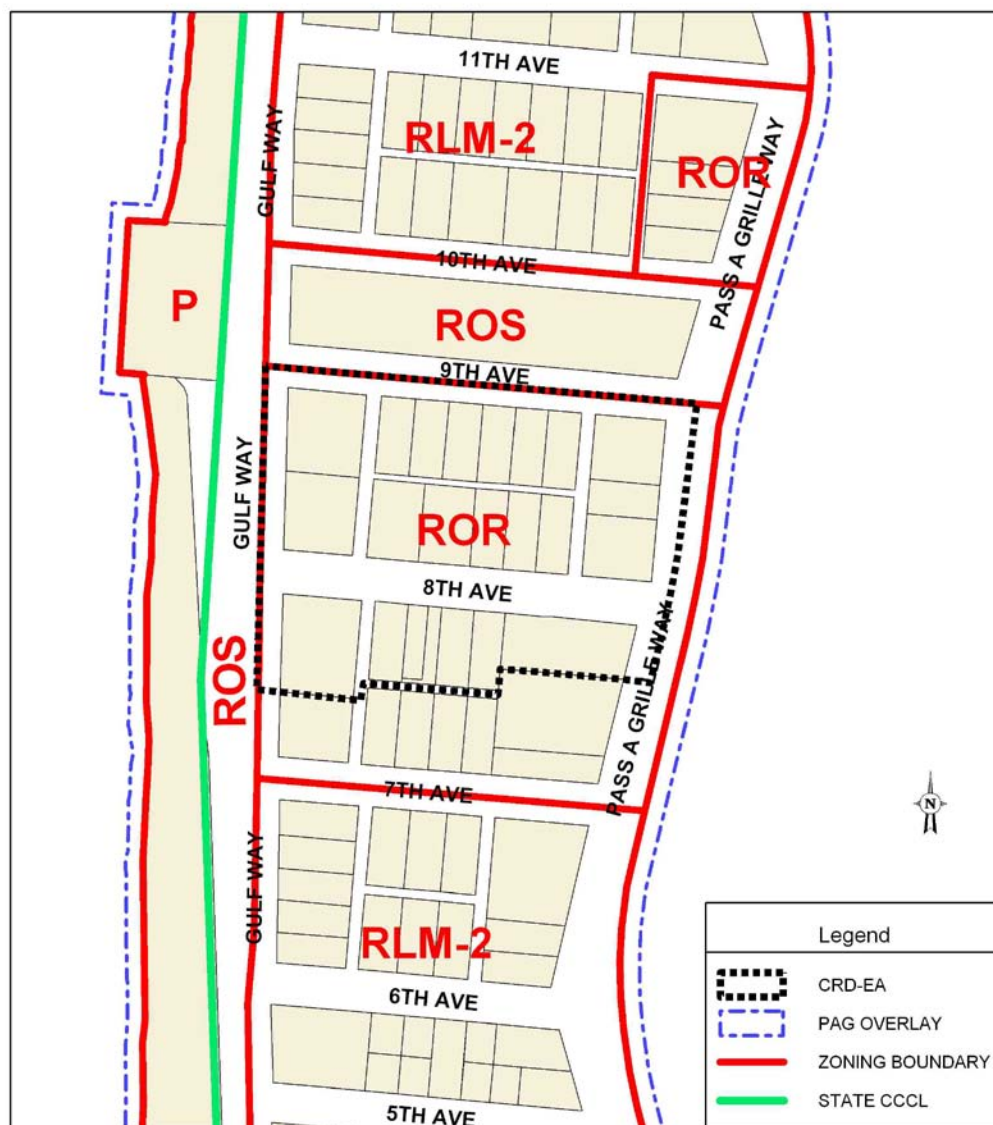
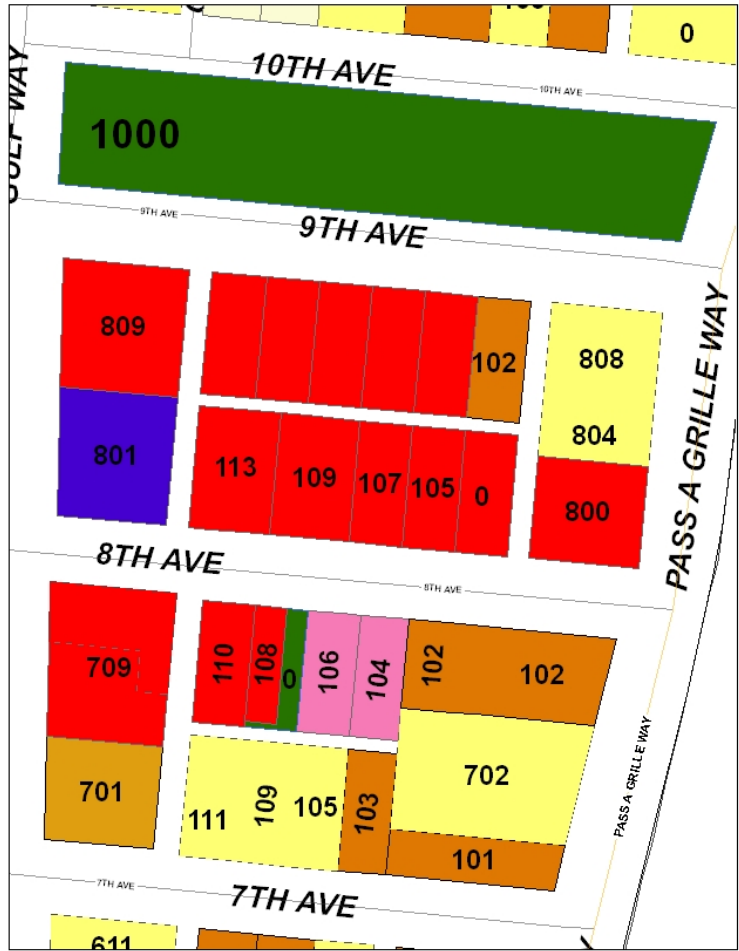


Figure 6 Existing Land Uses, Eighth Avenue and Surrounding Area

Existing Land Uses



Legend:
Green: Parks and Open Space
Red: Commercial
Orange: Multifamily
Yellow: Single Family
Pink: Commercial mixed with Residential
Purple: Hotel/Motel

0 30 60 120 180 240 Feet





Existing Landuse Map Ordinance 2008 - 24



City of St Pete Beach / GIS 2008

Data Source: Pinellas County Land Use Classifications

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Figure 7 Aerial, Eighth Avenue and Surrounding Area



Special Area Plan Issues

The following section outlines the overall issues and objectives of this Special Area Plan. This Planning Area encompasses the north and south sides of Eighth Avenue, as well as the south side of Ninth Avenue (Figure 1).

- Preserve and promote the continuance of the existing development pattern within the Eighth Avenue district in Pass-a-Grille
- Perpetuate the character of the community by preserving the architectural aesthetic of the district
- Promote the viability of the businesses which form the Eighth Avenue Commercial District.
- Attract additional investment into existing structures and new development.
- Ensure that all development is in scale with Pass-a-Grille and supportable by existing infrastructure.

The City wants to maintain the unique quality of the mixed use commercial/residential focus of this area, especially for those properties already developed within Eighth Avenue. As previously discussed, the current Future Land Use classification and zoning regulations make it difficult to promote infill development. The developed and vacant properties within this area are very small and the current land use classification and regulations such as setbacks, FAR, and ISR prohibit reasonable use of the land. Compliance with existing regulations would erase the unique quality and character of the area such as the existing streetwall and pedestrian arcade that forms the cohesive design of the district.

The creation of this plan allows the City to move forward on the creation of land development regulations for the district that would not only reflect what was built before the City's Comprehensive Plan was adopted, but would also increase the economic viability of the District by allowing infill development that is appropriate for the smaller lot sizes within the area.

Plan Objectives in Relationship to St. Pete Beach Comprehensive Plan and Pinellas by Design: An Economic Development and Redevelopment Plan for the Pinellas Community

City of St. Pete Beach, Florida 2010 Comprehensive Plan

The City's ~~2010~~ Comprehensive Plan ~~has been will be~~ amended to incorporate the Community Redevelopment District land use category within its Future Land Use Element. All use limitations and other standards ~~have also been will then be~~ included within the Future Land Use Map section of the Plan under a new Community Redevelopment District – Eighth Avenue (CRD-EA), which ~~applied will apply~~ only to those parcels within the defined district shown in Figure 1. These standards ~~will~~ provided for the increased Density, FAR and ISR ~~and the reduced setbacks~~ needed to address the issues identified in this Special Area Plan.

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~~Additionally, a new policy will be added to the Future Land Use Element requiring the development of land development standards to address the preservation of the existing development pattern and architectural aesthetic within the district.~~

The amendment is consistent with the following Goals, Objectives, and Policies of the Future Land Use Element:

- Objective 1.4 Consistent with this comprehensive plan, as amended, the City of St. Pete Beach shall enhance and protect the City's character through the encouragement of redevelopment which ensures an orderly and aesthetic mixture of uses
- Policy 1.4.1 The City shall, through administration of the land development regulations, encourage the redevelopment or rehabilitation of existing non-residential areas and uses.
- Policy 1.4.2 The City shall, through administration of the land development regulations, encourage the adaptive re-use of no longer viable commercial properties.
- Policy 1.4.3 The City shall, while emphasizing residential uses, encourage the creative redevelopment of non-viable properties by allowing for a mixture of compatible residential and non-residential uses within a single development site.
- Objective 1.6 As of the effective date of this comprehensive plan, as amended, development activities shall be required to ensure the protection of historic and architecturally significant structures and resources.
- Policy 1.6.3 The City shall adopt procedures to be incorporated into the land development regulations which ensure that new development does not adversely impact designated historic or architecturally significant structures and resources.

Pinellas by Design: An Economic Development and Redevelopment Plan for the Pinellas Community

Pinellas by Design recognizes that new development will take place only through infill construction and redevelopment of older properties. This Special Area Plan seeks to create a district, which will be smaller than those examples within *Pinellas by Design* but consistent with the intent described within the document.

Pinellas by Design also recognizes that "The rehabilitation and redevelopment of properties in the county have potentially been hampered by inappropriate or misapplied land development regulations and processes" (*Pinellas by Design*, p.4). It further emphasizes the need for flexibility while maintaining sensitivity to the characteristics of existing development. The City will review its existing regulations and make the necessary modifications to create more consistent standards for the development existing and desired within the Eighth Avenue Commercial District.

Chapter 7 of *Pinellas by Design* identifies many strategies that local governments might use in order to address the issues identified within the plan. St. Pete Beach is utilizing the following strategies in this process:

“Preserve and protect, through neighborhood preservation plans and other proactive measures, existing neighborhoods in order to maintain their general character.”

Specifically, in the process of developing this Special Area Plan, the city has held public meetings in advance of public hearings, allowing for the identification of issues in advance. Additionally, the use of the Special Area Plan is allowing the City to address neighborhood concerns and to ensure that any redevelopment projects have a positive impact on the existing neighborhood.

“Develop special area plans that incorporate desired redevelopment land use patterns and design characteristics”

This Plan has intended to promote compact, mixed use development that is walkable, while still enhancing and preserving the historic architecture and cultural area of the Eighth Avenue Commercial District.

“Promote compact, mixed-use redevelopment land use patterns that include residential development as a component.”

One component of this process is to amend the Comprehensive Plan and LDRs to allow for residential use as part of mixed use developments, but with the caveat that the ground floor must be commercial use only. This mixture of uses is present within the District today, and is an integral part of the Plan to maintain the character in the future.

PLAN COMPOSITION

It is the intent of this plan to create a new Community Redevelopment District – Eighth Avenue (CRD-EA) land use classification with uses that are similar to the current ROR land use, but that will allow for a level of development consistent with the existing density and intensity already developed within the district. This process will require a comprehensive plan amendment.

Permitted Uses and Any Differentiation by Locations

The following uses are proposed for the new Community Redevelopment District – Eighth Avenue (CRD-EA) land use classification:

<i>Primary uses -</i>	Residential; Office; Retail Commercial; Personal/Business Service; Commercial/Business Service; <u>Temporary Lodging</u> Transient Accommodation
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Secondary uses - Residential equivalent; public/semi-public; ancillary non-residential; recreation/open space

Density/Intensity Standards for Permitted Uses

The following standards are proposed for the new Community Redevelopment District – Eighth Avenue (CRD-EA) land use classification:

- Density and Intensity of use for commercial and residential components shall be inclusive, i.e. the same land area may be used to support both use types without proration.
- Residential use - Shall not exceed 24 dwelling units per acre.
- Residential equivalent use ([Bed and Breakfasts](#)) - Shall not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit at 24 dwelling units per acre.
- Non-residential use - Shall not exceed a floor area ratio (FAR) of 1.0 for single use commercial structures or 1.50 for mixed-use development, nor an impervious surface ratio (ISR) of .90. The standard for the purpose of establishing relative intensity and potential impacts shall be an FAR of .75 and an ISR of .75.
- Transient accommodation use - Shall not exceed ~~50~~30 units per acre.
- Public/semi-public; ancillary non-residential use - Shall not exceed a maximum area of three (3) acres. Any such use, alone or when added to existing contiguous like uses, which exceeds this threshold shall require a plan amendment which shall include such use and all contiguous like uses.

Design Guidelines

~~Over the last 3 years, the Historic Preservation Board has discussed the adoption of design guidelines for Pass-a-Grille, including the Eighth Avenue area. However, no guidelines other than the Secretary of the Interior's Standards for Rehabilitation have been adopted. At this time, there is no intention to develop design guidelines for properties within this district.~~

Affordable Housing Provisions

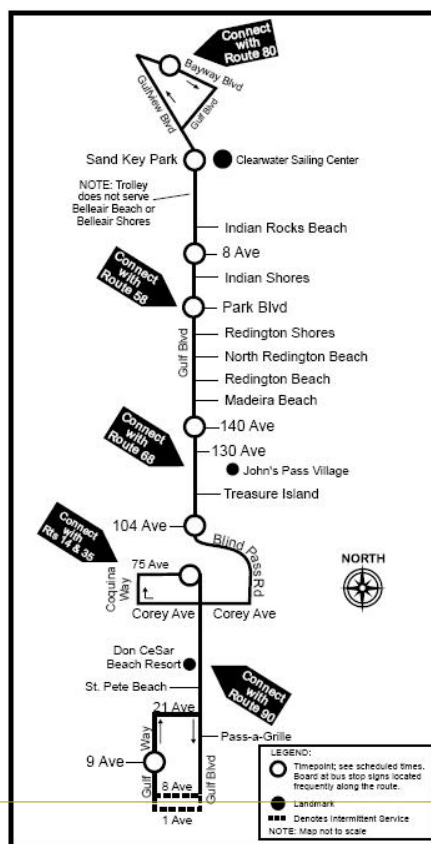
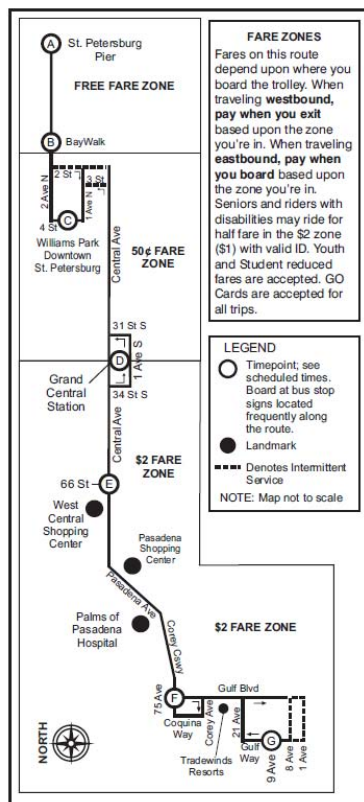
There is no intention to include any affordable housing provisions within the context of this plan.

Mixed-Use Provisions

The Eighth Avenue Commercial District is a mixed-use area where many buildings have second floor residential or commercial over first floor commercial/retail/office space. It is the intent of this plan to continue to encourage this type of development pattern, in a scale that is consistent with the existing development. The City's Comprehensive Plan and LDRs ~~will~~ allow a variety of compatible uses, while the higher FAR and ISR will encourage implementation of such a mixture. Specific provisions ~~currently will be included to~~ allow residential only ~~on above a commercial use and second or third stories of buildings and~~ only as part of a mixed-use project, in order to maintain the street-level commercial use important

to such a district. However, as there are a few single family residential homes on Pass-A-Grille Way, the City will allow those uses to be conforming uses. No stand-alone residential structures will be allowed within the CRD-EA plan area. However, Bed and Breakfasts and the adaptive re-use of existing residential structures are shall be permitted.

Special Provision for Mobility and Circulation (Mass Transit, Access Management, Parking, Pedestrians, and Bicycles)



The mixed-use nature of the Eighth Avenue Commercial District creates a pedestrian oriented area with shops and restaurants that are primarily visited by neighbors and tourists within the Pass-a-Grille beach area. Maintaining this mixture of uses as well as the building arcade and street wall formed by the near zero-lot line development pattern of the buildings promotes the continuance of pedestrian activity within the area.

Pinellas Suncoast Transit Authority's (PSTA) Suncoast Beach Trolley services all of the City and a stop is located within the CRD-EA plan area, connecting it to the other beach communities and providing tourists with public transportation access to Pass-a-Grille.

Parking standards will be addressed within the LDRs that are developed for the District; surface parking will have to support whatever new development or redevelopment occurs. The City has established minimum requirements for the placement of bicycle racks as part of its efforts to become more “bicycle friendly”.

Land Development Regulations that Implement Plan

Land Development Regulations (LDRs) ~~have been~~ will be developed specific to this area consistent with the new CRD-EA land use classification. These LDRs will allow for the increased FAR and ISR needed to allow new development consistent with the existing structures, as well as allowing current buildings to be rebuilt at the same density they currently have.

Figure 8 identifies issues with the existing Residential/Office/Retail (ROR) zoning as applied to the Eighth Avenue Commercial District. ~~This table was included within the presentations made at the community and Board meetings in 2006 and 2007.~~

Figure 7 Current Zoning Standards (ROR), Eighth Avenue Commercial District

Standard	Value	Problem	Potential Solution
Front	20 Feet	Moves buildings too far from sidewalk; not consistent with much of the existing pattern of development.	Set buildings closer to the front property line. Amend LDR's to allow some flexibility for recessed doorways, outdoor seating, etc
Secondary Front	10 Feet	Moves buildings too far from alleys; not consistent with existing structures	Amend LDR's to allow for minimal to no setbacks required for secondary front yard.
Side	10 Percent of Lot Width	Requires building separation; not consistent with existing structures	Allow zero or minimal setbacks (minimal setbacks allow for reduced cost of fire retardant materials in that will allow for building separation, and allows for courtyard areas).
Rear	20 Feet	Inconsistent with current building pattern; however current standard provides some room for surface parking.	Keep Standard to allow for parking or reduce rear yard setbacks.

In St. Pete Beach, the ROR zoning classification limits residential density to 15 units per acre. The LDRs further establish minimum lot area and width standards that make it difficult to redevelop within the area without consolidating properties.

Because many of the existing structures include several residential units above the existing ground floor commercial space, the new LDRs ~~will~~ allow for enough residential density to ~~permit allow~~ at least two residential units per lot. This is a challenge when the smallest lot is 4,300 square feet. In order to support two units on a 4,300 square foot lot, slightly more than 20 units an acre in residential density must be allowed. ~~To be consistent with other established requirements of the adopted Comprehensive Plan, the proposal is to allow 24 residential units per acre in the Eighth Avenue area.~~

Additionally, consistent with most of the existing development in the area, front and side setback requirements will be reduced in order to allow new construction to mimic the historic pattern of development, while allowing for some flexibility for some architectural interest including ~~ing~~ features such as recessed doorways and small outdoor seating areas.

~~The LDRs will regulate building height by a limitation on the maximum number of stories within a higher overall height limitation. A builder would get a maximum of three stories within a maximum building height of 40 feet over flood elevation. Building heights would tend to be below maximum due to the limited functional requirements of each floor of the building. Commercial space can be flood proofed at grade, further reducing the necessary for building height.~~

Public and/or Private Improvements, Contributions and/or Incentives

None.

Local Government Plan Approval Process

~~The first phase of this process was is to concurrently develop this Special Area Plan, and to adopt the comprehensive plan text and map amendments required to create the CRD category. The City's Comprehensive Plan has been will be amended to develop the basic standards for the Eighth Avenue (CRD-EA) district, and to apply them to the appropriate area on the Future Land Use Map. These comprehensive plan amendments were will be submitted to the Department of Community Affairs and not challenged in 2008, to begin the review process, according to the procedures of the Growth Management Act. After DCA's review and finding of compliance, the City of St. Pete Beach citizens approved these changes by voter referendum in 2009. will have to approve these changes to the comprehensive plan by voter referendum (proposed for March 2009).~~

The Special Area Plan will serve not only as the accompanying data and analysis for the Comprehensive Plan amendment, but also accompanied will accompany the application to amend the Countywide Future Land Use Plan Map according to the Countywide Plan Rules administered by the Pinellas Planning Council.

~~The required LDRs were adopted in 2011, will be developed while the comprehensive plan amendment is proceeding through the review process. The development of these LDRs will be based on previous and new public input and will require public hearings of the City's Planning Board and Commission to adopt.~~ They ~~did will~~ not result in any changes of allowed use, since the intent is to maintain the character of the existing district but allow for the needed infill development on vacant lots.

PLAN IMPACTS

The Eighth Avenue Commercial District currently contains a mixture of temporary lodging, ground floor residential and non-residential uses, commercial and second or third story residential space. The intent of this plan is to maintain the existing character and to allow for the continuance of buildings at the same density and intensity as is already built today. The CRD-EA district will not create any significant impact on the City's overall system

capacities (water, sewer, stormwater) or impact the respective adopted levels of service. Discussion regarding roadways is included under Relevant Countywide Considerations.

In accordance with accepted practices from the Florida Department of Community Affairs (DCA) and other review agencies, an impact comparison analysis of the proposed amendment has been completed. The analysis is based on the theoretical maximum development potential under the current future land use designation, versus the requested future land use designation (Figure 9). The existing future land use designation allows for mixed-use development of a residential/office/retail character consistent with surrounding uses, transportation facilities, and natural resource characteristics of the area¹. Given the overall size of the area (~~3.3~~ 3.4 acres), a theoretical maximum of ~~214,452~~ 214,754 square feet of non-residential and 81 residential units could be constructed if part of a mixed-use development within the proposed CRD-EA area. This “worst case” scenario would only result from a complete redevelopment of the proposed area, which is not the intent of this plan.

Figure 8 Evaluation of Densities and Maximum Impacts

	Density		Max Allowed to be Built (<u>3.4</u> acres <u>including 701 Gulf Way</u>)		Potential Unit Increase
	Current (ROR)	Proposed (CRD-EA)*	Current <u>CRD- EA(ROR)</u>	Proposed (CRD-EA)*	
Residential	18	24	80 <u>64</u>	80 <u>4</u>	0 <u>20</u>
Non-Residential	.40 FAR	1.0 FAR** /	<u>214,452 sq</u>	<u>214,452 sq ft</u>	<u>088,863 ft³</u>
	.85 ISR	1.5 FAR*** .90 ISR	<u>ft. 59,241 ft³</u>	<u>148,104 ft³ /</u> <u>214,750 ft³</u>	<u>+</u> <u>155,509 ft³</u>
Temporary Lodging Transient	0 ***	30	<u>990</u>	<u>165</u> <u>402</u>	<u>66</u> <u>402</u>

* Density and Intensity of use for commercial and residential components inclusive (i.e. the same land area may be used to support both use types without proration. Proposal is to increase temporary lodging density from 30 UPA to 50 UPA.

** Single use commercial structures

*** Mixed use development

**** No standard within comprehensive plan, limited to 15 units per acre in ROR zoning, use restricted to bed & breakfast inns and motels

The remaining analysis on the impact to infrastructure is based on the assumed development at maximum residential and non-residential build out (mixed use, 1.5 FAR) with a mixture of restaurant and retail office uses allowed under the proposed CRD-EA standards, compared with two development scenarios allowed under the current ROR land use designation (100 percent residential, or 100 percent commercial). Commercial use was estimated to be half restaurant and half retail office, to reflect the mix of non-residential uses currently existing within the Eighth Avenue Commercial District.

¹ The Countywide Plan Rules, Amended through March 19, 2007

Water

Overall System Capacity

Tampa Bay Water, the regional authority that supplies most of the wholesale potable water for Pinellas County, the City of St. Petersburg, and all other municipalities within Pinellas County, provides all the potable water needed by its six member governments (Hillsborough, Pasco, and Pinellas Counties, and the Cities of New Port Richey, St. Petersburg and Tampa). Since Oct. 1, 1998, Tampa Bay Water has been the sole and exclusive water provider to the six governments it serves.

Pinellas County is authorized to provide St. Pete Beach with water under Chapter 126 of the Pinellas County Code of Ordinances, which states:

That the board of county commissioners of Pinellas County, State of Florida, are hereby authorized and empowered to construct, own, maintain and operate a water supply and distribution system for the purpose of supplying drinkable water to the inhabitants of that certain chain of islands bordering on the Gulf of Mexico in said county, extending from Pass-a-Grille to Indian Rocks, and to furnish water to other districts or communities within said county. (Laws of Fla. Ch. 17644(1935), § 1).

Tampa Bay Water, therefore, provides the wholesale potable water supply to Pinellas County, and the Pinellas County Utilities Department owns and maintains the distribution system. The City is a retail customer of the Pinellas County Utilities Department and has no responsibility regarding the supply of potable water to its citizens.

According to the most current concurrency test statement, adopted by Pinellas County Ordinance #07-49, Tampa Bay Water is currently able to meet annual demand (existing LOS) within the Pinellas County Water Demand Planning Area (WDPA). Based on current population estimates and projections provided by Pinellas County Planning Department, the total population of St. Pete Beach comprises approximately 3 percent of the population served within the WDPA. St. Pete Beach's Comprehensive Plan includes policies to ensure potable water services to its residents, and to review all new development and redevelopment proposals under the City's Concurrency Management System Ordinance so there are no issues with maintaining LOS.

A rough calculation indicates that the percentage of water used by the City as a whole is approximately 3.5 percent of the total use by Pinellas County Utility customers. This is not expected to change throughout the planning horizon of the comprehensive plan.

Impact of Proposed Land Use Change

The current future land use designation would allow either 8064 residential units ~~(assumed to be multifamily residential)~~ and ~~or 215,622~~59,244 square feet of commercial space (assumed to develop at 50 percent restaurant and 50 percent ~~retail office~~). Using standard City figures², the anticipated potable water usage would be 0.0162 million gallons per day (mgd) if redeveloped at 100 percent residential mixed with 100% commercail, or 0.08323 mgd if

² Pinellas County Water/Sewer Factors for use in Calculating Water/Sewer Demand, 10/10/00

developed at 100 percent commercial ~~(without residential)~~ under the proposed changes to the current CRD-EA ROR land use designation.

The proposed changes to the CRD-EA designation ~~future land use designation~~ would allow a maximum of 804 residential units or 165 Temporary Lodging Units and 215,622 ~~214,750~~ square feet of commercial space to be built ~~concurrently~~ on the site. Using the appropriate figures, the anticipated potable water usage would potentially be 0.1999 mgd. Temporary Lodging built at 50 units per acre would generate .017 mgd.

	Development Potential (units or square feet)		Demand - Water (mgd)	
	Existing	Proposed	Existing	Proposed
	ROR	CRD-EA	ROR	CRD-EA
100% Residential	64	84	0.012	0.016
100% Commercial	59,241	214,750	0.023	0.083
50% Restaurant	29,621	107,375	0.020	0.072
50% Office	29,620	107,375	0.003	0.011

Figure 9 Potential Water Demand

	Development Potential (units or square feet)		Demand - Water (mgd)	
	Existing	*Proposed	Existing	Proposed
	CRD-EA	Changes to CRD-EA	CRD-EA	CRD-EA
<u>100% Residential</u>	<u>80</u>	<u>80</u>	<u>.016</u>	<u>.016</u>
<u>100% Temporary Lodging</u>	<u>99</u>	<u>165</u>	<u>.010</u>	<u>.017</u>
<u>100% Commercial</u>	<u>214,750</u>	<u>214,750</u>	<u>.083</u>	<u>.083</u>
<u>50% Restaurant</u>	<u>107,375</u>	<u>107,375</u>	<u>.072</u>	<u>.072</u>
<u>50% Retail</u>	<u>107,375</u>	<u>107,375</u>	<u>.011</u>	<u>.011</u>

*Changes include adding 701 Gulf Way to the Map and increasing temporary lodging density from 30 to 50 units per acre.

See Attachment A for additional details on these calculations.

Sewer

Overall System Capacity

St. Pete Beach currently contracts with the City of St. Petersburg to provide its wastewater treatment. The adopted level of service within the 1998 Comprehensive Plan is 149.4

gallons per day per capita (GPCD). Wastewater from St. Pete Beach is treated in St. Petersburg's Northwest water reclamation facility located at 7500 26th Avenue NW.

The Northwest facility has an adopted LOS of 170 GPCD. This facility has the capacity to process 20 mgd, and in 2007 was handling an average daily flow of 9.72 mgd, leaving an excess capacity of 10.28 mgd.

Impact of Proposed Land Use Change

Using the same maximum development potential figures as before, the anticipated sewer discharge would be 0.009 mgd if redeveloped at 100 percent residential, or 0.015 mgd if developed at 100 percent commercial under the current ~~CRD-EA~~ land use designation. If all 3.34 acres within the proposed CRD-EA area were redeveloped at maximum residential ~~or temporary lodging uses~~ and commercial ~~densities and intensities~~, the ~~maximum~~ anticipated ~~potable~~ sewer discharge would potentially be 0.0646 mgd.

Figure 10 Potential Sewer Demand

	Development Potential (units or square feet)		Demand - Sewer (mgd)	
	Existing CRD-EA	Proposed CRD-EA	Existing CRD-EA	Proposed CRD-EA
100% Residential	8064	804	0.0120.009	0.012
100% Temporary Lodging	29	165	.006	.010
100% Commercial	59,241	214,750	0.015	0.054
50% Restaurant	29,621	107,375	0.012	0.043
50% RetailOffice	29,620	107,375	0.003	0.011

Stormwater Drainage

Stormwater drainage in the City of St. Pete Beach must be designed to accommodate and treat the 25-year, 24-hour storm event without causing flooding or polluting the receiving water bodies. Any new development will be required to design and construct an approved stormwater facility, and will be assessed during the site plan review process.

Storm drainage in the lower Pass-a-Grille area south of 12th Avenue is a sheet flow from West to East. Once the runoff waters reach the west side of Pass-a-Grille Way the water falls into curb inlets and catch basins and proceeds east through pipe under Pass-a-Grille Way and outfalls through the seawall or bulkhead into Boca Ciega Bay. Eighth Avenue has a catch basin on both the northwest and southwest corner of PAG Way connected by pipe and then proceeds to drain under PAG Way east through the seawall to Boca Ciega Bay.

RELEVANT COUNTYWIDE CONSIDERATIONS

Consistency with Countywide Rules

The Community Redevelopment District future land use plan category is being established consistent with the Countywide Rules. The Comprehensive Plan amendment includes the use and locational characteristics and other standards for the CRD future land use category within the descriptions of the plan categories of the Future Land Use Map as required. Additionally, the Community Redevelopment Area – Eighth Avenue future land use plan category is within the “special designation” plan classification, consistent with the Countywide Plan Rules. The Pinellas Planning Council has reviewed the Comprehensive Plan Amendments for consistency and the recommended changes were made prior to the transmittal hearing to ensure consistency. Overall consistency with the application of the CRD-EA future land use category is contingent on the approval of this special area plan, as required by the Countywide Rules.

Adopted Roadway Level of Service (LOS)

The current minimum standard for all arterial and collector roads within the city is LOS D. The Pinellas County Metropolitan Planning Organization (MPO) prepares a report identifying operating conditions for these roads and identifies deficient roadways within the county. Within St. Pete Beach, the MPO is concerned with segments of Blind Pass Road and Gulf Boulevard that are part of State Road 699, which in 2007 were operating at an overall level of service of A, B, or C. [As of 2010, FDOT estimates roughly 24,000 AADT on Gulf Boulevard and 23,000 AADT on the Bayway. The design capacity of Gulf Blvd. is 33,200 at an LOS D.](#)

The Eighth Avenue Commercial District does not lie within this area. The entire district (3.34 acres), under its current ~~CRD-EA ROR~~ future land use designation, would generate approximately 336 trips per day per acre³. The subject area would therefore theoretically generate 1,108~~43~~ trips per day. [Assuming a 50/50 split between vehicles going north on Gulf Blvd. and east on the Bayway, it does not appear the Level of Service will be degraded. In order to compare this with the traffic potentially generated by same acreage under the CRD-EA future land use category, the mixture of actual uses is considered.](#)

Figure 11 LOS, St. Pete Beach, Florida



Source: Pinellas County MPO, Level of Service '07

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³ Traffic Generation Characteristics contained within the Pinellas Planning Council's *Countywide Plan Rules*, amended through March 19, 2007

The intent of the CRD-EA land use category is to allow the existing structures to remain at their current densities. The mixture of residential, [temporary lodging](#), office, retail and restaurant uses creates a pedestrian friendly environment that draws foot traffic in addition to vehicles. As previously discussed, the PSTA Suncoast Beach Trolley line also serves the area. It is not anticipated that the application of the new land use category would dramatically increase the number of vehicle trips within the area.

Scenic/Noncommercial Corridors

Not Applicable.

Coastal High Hazard Area (CHHA)

The Eighth Avenue Commercial District lies within the Coastal High Hazard Area, as defined in the City's Comprehensive Plan as the area inundated from a category one hurricane as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) model and reflected in the most recent *Regional Evacuation Study, Storm Tide Atlas*, as does the majority of the City of St. Pete Beach. The small size of the amendment area and the existence primarily commercial properties within should have little to no impact on emergency shelter space or evacuation routes. The requested amendment will not require the expenditure of public funds for the construction of new infrastructure within the area, and will have no impact on the natural areas that buffer existing development from coastal storms.

The application of the CRD-EA future land use category is not intended to dramatically increase residential densities within the area, as the primary intent of the district is to maintain the commercial downtown district as an economically viable area. This is part of a longer-term vision for the area, requiring the City's Comprehensive Plan and Future Land Use Plan Map to be amended accordingly.

Designated Development/Redevelopment Areas

This Plan establishes a Community Redevelopment District (CRD) and Special Area Plan in accordance with the Countywide Plan Rules as administered by the Pinellas Planning Council. The Eighth Avenue Commercial District would be the first CRD within St. Pete Beach (CRD-EA). Use, locational, and other characteristics will be applied specifically to the Eighth Avenue Commercial District. Should additional CRDs be proposed in the future, individual Special Area Plans with details regarding use, locational characteristics, density/intensity standards, and other standards would be developed at that time.

Public Education Facilities

The application of the CRD-EA future land use category to the Eighth Avenue Commercial District (3.34 acres) is not expected to have any impact on the Public Schools system.

The number of school age children in St. Pete Beach is not expected to increase significantly over the next 15 years. The Pinellas County School Board tracks the enrollment of school

age children in grids (Figure 13). In the 2000/01 school year, there were 430 total school age children residing within St. Pete Beach, 63 of whom lived in Grid 191 in which the Eighth Avenue Commercial District lies. This overall number fluctuated somewhat over the last eight years for which this data is available, but in the most recent school year (2007/08), the number of school age children residing in Grid 191 has declined to 51 (Figure 14).

Consistent with previously made comments, Marshall Touchton, demographer for the school board, indicated that based on trends of the past few years including rising home costs and the types of units being developed (condominiums and townhomes versus rental apartments and single-family homes), the population of school age children may not increase over the next planning period.

Figure 12 School Enrollment Grids (2008)



Source: Pinellas County School Board

Figure 13 St. Pete Beach, FL School Enrollment (2000/01 to 2007/08)

	191*	192	200	210	220	230	StPeteBeach Total
Elementary 2000/01	33	25	53	10	14	75	210
Elementary 2001/02	32	29	59	6	17	85	228
Elementary 2002/03	32	30	56	6	18	90	232
Elementary 2003/04	26	42	42	9	14	101	234
Elementary 2004/05	23	38	45	7	13	78	204
Elementary 2005/06	20	43	42	7	14	91	217
Elementary 2006/07	21	40	50	8	17	88	224
Elementary 2007/08	20	36	41	4	14	72	187

Middle 2000/01	13	5	40	2	8	28	96
Middle 2001/02	12	7	41	1	6	33	100
Middle 2002/03	13	7	29	2	6	41	98
Middle 2003/04	14	13	25	3	3	38	96
Middle 2004/05	9	15	22	3	4	42	95
Middle 2005/06	11	15	22	4	5	40	97
Middle 2006/07	13	19	16	3	3	41	95
Middle 2007/08	14	23	18	6	8	41	110

High 2000/01	17	8	35	4	14	46	124
High 2001/02	17	9	37	4	13	41	121
High 2002/03	20	13	44	4	12	52	145
High 2003/04	15	15	46	6	11	45	138
High 2004/05	15	12	41	6	10	50	134
High 2005/06	16	10	43	8	7	54	138
High 2006/07	16	17	36	8	9	59	145
High 2007/08	17	19	36	5	4	62	143

KG-12 2000/01	63	38	128	16	36	149	430
KG-12 2001/02	61	45	137	11	36	159	449
KG-12 2002/03	65	50	129	12	36	183	475
KG-12 2003/04	55	70	113	18	28	184	468
KG-12 2004/05	47	65	108	16	27	170	433
KG-12 2005/06	47	68	107	19	26	185	452
KG-12 2006/07	50	76	102	19	29	188	464
KG-12 2007/08	51	78	95	15	26	175	440

*Proposed Redevelopment is in Grid 191

Source: Pinellas County School Board

The City ~~recently~~ completed an amendment to its Comprehensive Plan to create a Public School Facilities Element (adopted by City Ordinance 2007-32 on April 8, 2008 and approved by voters on June 3, 2008). As part of that amendment, an extensive analysis of the capacities and levels of service (LOS) of the Pinellas County school system was completed. The level-of-service standard (LOSS), for purposes of implementing school concurrency, is achieved when student enrollment plus vested students divided by existing FISH school capacity plus the additional capacity scheduled to be constructed in the next three years does not exceed 100%.

For the 2006/2007 school year, the existing LOS condition for each school type, within its Concurrency Service Areas, was less than the adopted LOSS of 100 percent. CSA overcrowding is not anticipated in the Pinellas County School District because of the additional capacity currently available and the practically 'flat' projections for student enrollment. Projected enrollment for public school facilities for the next five years is based on birth rate information provided by the Department of Health. The Pinellas County School District anticipates only a slight increase in the number of students within the District, although infill development and redevelopment may create areas of higher densities and additional residents, the School District Facilities Ten and Twenty Year Long Range Plan projects that there will be 3,460 existing student stations removed between 2006 and 2025.

The Eighth Avenue Commercial District lies within CSA 'A' for elementary and middle schools. The most recent data included within the Public School Facilities Element for the 2007/2008 school year indicates that Attendance Area 'A' is at 80 percent utilization for Elementary and 70 percent utilization for middle school, and has a surplus capacity of over 3,600 students and almost 3,000 students respectively. Utilizing the student generation multiplier provided by the Pinellas County School Board (provided by Pinellas County Planning on July 22, 2008), the change in land use for the Eighth Avenue Commercial District might yield an additional six students (Figure 15).

Figure 14 Potential Public School Demand

	Development Potential (units or square feet)		Demand - Public Schools (students in KG-12)	
	Existing <u>CRD- EAROR</u>	Proposed CRD-EA	Existing <u>CRD- EAROR</u>	Proposed CRD-EA
100% Residential	<u>80164</u>	804	<u>260</u>	26
Elementary			<u>129</u>	12
Middle			<u>64</u>	6
High School			<u>86</u>	8
<u>100% Temporary Lodging</u>	<u>29</u>	<u>165</u>	<u>N/A</u>	<u>N/A</u>
100% Commercial	<u>214,750</u> <u>59,244</u>	214,750	N/A	N/A
50% Restaurant	<u>107,375</u> <u>29,624</u>	107,375		
50% <u>RetailOffice</u>	<u>107,375</u> <u>29,620</u>	107,375		

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The City will follow the terms of the Interlocal agreement on public school concurrency to ensure coordination with the School Board for any development agreements entered into within this district in the future.

Adjoining Jurisdictions

There are no anticipated impacts on the jurisdictions surrounding St. Pete Beach (St. Petersburg, Treasure Island, South Pasadena, or unincorporated Pinellas County).

ATTACHMENT A

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Figure 15 Calculation of Potential Water Demand, proposed CRD-EA ROR to CRD-EA (changes from 30 UPA to 50 UPA for temporary lodging)

	Development Potential (units or square feet)		Demand - Water (mgd)	
	Existing ROR	Proposed CRD-EA	Existing ROR	Proposed CRD-EA
100% Residential	64 (3.4 ac * 18 du/ac)	84 (3.4 ac * 24 du/ac)	0.012 (64 units * 200 gal/unit)	0.016 (84 units * 200 gal/unit)
100% Commercial	59,241 (3.4 ac * 18 du/ac)	214,750 (3.4 ac * 24 du/ac)	0.023 (59,241 sqft * 0.67 gal/sqft)	0.083 (214,750 sqft * 0.67 gal/sqft)
50% Restaurant	29,621 (3.4 ac * 18 du/ac)	5 (3.4 ac * 24 du/ac)	0.020 (29,621 sqft * 0.67 gal/sqft)	0.072 (5 sqft * 0.67 gal/sqft)
50% Retail Office	29,620 (3.4 ac * 18 du/ac)	5 (3.4 ac * 24 du/ac)	0.003 (29,620 sqft * 0.1 gal/sqft)	0.011 (5 sqft * 0.1 gal/sqft)
50% Temporary Lodging	-	-	-	-
	Development Potential (units or square feet)		Demand - Water (mgd)	
	Existing CRD-EA	Proposed CRD-EA	Existing CRD-EA	Proposed CRD-EA
100% Residential	80.00 (3.3 ac * 24 du/ac)	80 (3.3 ac * 24 du/ac)	0.016 (80 units * 200 gal/unit)	0.016 (80 units * 200 gal/unit)
100% Temporary Lodging	99.00	165	0.010	0.0165

-	(3.3 ac * 24 du/ac)	(3.3 ac * 24 du/ac)	(80 units * 150 gal/unit)	(80 units * 150 gal/unit)
100% Temporary Lodging	99.00	165	0.006	0.011
-	(3.3 ac*30 UPA)	(3.3 AC * 50 UPA)	99 * 60 Gal/unit	165* 60 gal/unit
100% Commercial	215,622.00	215,622	0.046	0.054
50% Restaurant	107,811.00	107,811	0.043	0.043
-	-	-	4107,811 (29,624-sqft / 50 sqft/seat) * 20 gal/seat	[(107,811 sqft / 50 sqft/seat) * 20 gal/seat]
50% Retail	107,811.00	107,811	0.01102	0.011
-	-	-	(107,811,29,624-sqft * 0.1 gal/sqft)	(107,811 sqft * 0.1 gal/sqft)

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Figure 17 Calculation of Potential Public Schools Demand, ROR to CRD-EA

	Development Potential (units or square feet)		Demand - Public Schools (students in KG-12)	
	Existing CRD_EAROR	Proposed CRD-EA	Existing CRD_EAROR	Proposed CRD-EA
100% Residential	8064 (3.34 ac * 18 du/ac)	804 (3.34 ac * 24 du/ac)	260 (8064 units * 0.32 student multiplier)	26 (804 units * 0.32 student multiplier)
Elementary			9 (8064 units * 0.15 Elementary Student multiplier)	12 (8084 units * 0.15 Elementary Student multiplier)
Middle			64 (8064 units * 0.07 Middle Student multiplier)	6 (804 units * 0.07 Middle Student multiplier)
High School			86	8

					(804 units * 0.1 High School Student multiplier)	(804 units * 0.1 High School Student multiplier)
100 % Temporary Lodging					N/A	N/A
100% Commercial	215,622,59,241	215,622,214,750			N/A	N/A
50% Restaurant	107,811,29,624	107,811,375				
50% Retail Office	107,811,29,620	107,811,375				

* Student generation multiplier for first year, provided by PCSB; County average of 0.32 public school students per Residential Unit in Pinellas County

**St. Pete Beach City Commission
Agenda Report**

Issue Considered: First Reading and Public Hearing of Ordinance 2011-40

Date: March 27, 2012

Prepared By: Catherine Hartley, AICP, CNU-A, Senior Planner

Summary of Issue: Amending the text of the Future Land Use Plan Element and the text of the Future Land Use Map Element in the Comprehensive Plan to increase the permitted temporary lodging density from 30 to 50 units per acre in the Community Redevelopment Area – Eighth Avenue Future Land Use designation.

The Planning Board conducted a public hearing on the above-mentioned case on January 17, 2012, and unanimously voted to recommend approval of the ordinance.

Requested Motion: “I move to approve Ordinance 2011-40 (read title)”

Attachments: Ordinance 2011-40.

Reviewed by City Manager: MB

ORDINANCE 2011-40

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, PINELLAS COUNTY, FLORIDA, PROVIDING FOR AN AMENDMENTS TO THE TEXT OF THE FUTURE LAND USE PLAN ELEMENT AND THE TEXT OF THE FUTURE LAND USE MAP ELEMENT IN THE COMPREHENSIVE PLAN TO INCREASE THE PERMITTED TEMPORARY LODGING DENSITY FROM 30 TO 50 UNITS PER ACRE IN THE COMMUNITY REDEVELOPMENT AREA – EIGHTH AVENUE FUTURE LAND USE DESIGNATION, AS ILLUSTRATED IN “EXHIBIT A”; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith, TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission adopted Ordinance 2008-24 on August 26, 2008, establishing a special Future Land Use designation for Eighth Avenue, known as the Community Redevelopment District- Eighth Avenue: and

WHEREAS, the Citizens of St. Pete Beach validated the adoption of this comprehensive plan amendment via public referendum in 2009; and

WHEREAS, on November 8, 2011, the City Commission directed staff to initiate an amendment to the Comprehensive Plan increasing the permitted temporary lodging density from 30 to 50 units per acre; and

WHEREAS, the Planning Board of the City of St. Pete Beach conducted a public hearing on January 17, 2012, noticed pursuant to Florida law and conducted pursuant to Ordinance 88-36 of the City of St. Pete Beach and Section 3.4 of the Land Development Code; and

WHEREAS, City Commission of the City of St. Pete Beach conducted public hearings on Tuesday March 27, 2012 and _____, 2012, noticed pursuant to Florida law and conducted pursuant to Ordinance 88-36 of the City of St. Pete Beach and Section 3.4 of the Land Development Code; and

WHEREAS, the City Commission finds this change to the Future Land Use Map to be consistent with the Goals, Objectives, and Policies of the Comprehensive Plan; and

WHEREAS, the City Commission finds this amendment to the Future Land Use Map to be in the best interest of the citizens of the City of St. Pete Beach.

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

Section 1. The text of the Future Land Use Plan Element and the text of the Future Land Use Map Element in the Comprehensive Plan is hereby amended to increase the permitted temporary

lodging density from 30 to 50 units per acre in the Community Redevelopment Area – Eighth Avenue Future Land Use designation, as illustrated in “Exhibit A”.

Section 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with this Ordinance.

Section 3. If any portion or part of this Ordinance is declared invalid by a court of competent jurisdiction, the valid remainder hereof shall remain in full force and effect.

Section 4. This Ordinance shall become effective within 30 days of the Florida Department of Economic Opportunity issuance of a final statement of “no objection”.

STEVE MCFARLIN, MAYOR

LPA PUBLIC HEARING: 1/17/2012

PUBLISHED:

FIRST READING: 3/27/2012

PUBLISHED : 3/14/2012

SECOND READING/ADOPTION HEARING:

PUBLISHED:

I, Rebecca Haynes, 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 _____, 2012.

Rebecca Haynes, City Clerk

“Exhibit A”

Future Land Use Maps Element Proposed Changes:

- o **CRD- Eighth Avenue (EA)** - The following uses are proposed for the new Community Redevelopment District – Eighth Avenue (CRD-EA) land use classification:

Primary uses - Residential; Office; Retail Commercial; Personal/Business Service; Commercial/Business Service; Temporary Lodging

Deleted: Transient Accommodation

Secondary uses - Residential equivalent; public/semi-public; ancillary non-residential; recreation/open space

Density/Intensity Standards shall include the following:

- Density and intensity of use for commercial and residential components shall be inclusive, i.e. the same land area may be used to support both use types without pro-ration.
 - Residential use - Shall not exceed 24 dwelling units per acre.
 - Residential equivalent use - Shall not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit at 24 dwelling units per acre.
 - Non-residential use - Shall not exceed a floor area ratio (FAR) of 1.0 for single use commercial structures or 1.5 for mixed-use development, nor an impervious surface ratio (ISR) of .90. The standard for the purpose of establishing relative intensity and potential impacts shall be an FAR of .75 and an ISR of .75.
 - Transient accommodation use - Shall not exceed 50 units per acre.
- o Other standards shall include the following:
 - o Public/semi-public; ancillary non-residential use – shall not exceed a maximum area of three (3) acres. Any such use, alone or when added to existing contiguous like uses, which exceeds this threshold shall require a plan amendment which shall include such use and all contiguous like uses.

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Future Land Use Element Changes:

CRD- Eighth Avenue (EA) - The following uses are proposed for the new Community Redevelopment District – Eighth Avenue (CRD-EA) land use classification:

Primary uses - Residential; Office; Retail Commercial; Personal/Business Service; Commercial/Business Service; Temporary Lodging

Deleted: Transient Accommodation

Secondary uses - Residential equivalent; public/semi-public; ancillary non-residential; recreation/open space

Density/Intensity Standards shall include the following:

- Density and intensity of use for commercial and residential components shall be inclusive, i.e. the same land area may be used to support both use types without pro-ration.
- Residential use - Shall not exceed 24 dwelling units per acre.
- Residential equivalent use - Shall not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit at 24 dwelling units per acre.
- Non-residential use - Shall not exceed a floor area ratio (FAR) of 1.0 for single use commercial structures or 1.5 for mixed-use development, nor an impervious surface ratio (ISR) of .90. The standard for the purpose of establishing relative intensity and potential impacts shall be an FAR of .75 and an ISR of .75.
- Transient accommodation use - Shall not exceed 50 units per acre.
- o Other standards shall include the following:
- o Public/semi-public; ancillary non-residential use – shall not exceed a maximum area of three (3) acres. Any such use, alone or when added to existing contiguous like uses, which exceeds this threshold shall require a plan amendment which shall include such use and all contiguous like uses.

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**St. Pete Beach City Commission
Agenda Report**

Issue Considered: Adoption of Resolution No. 2012-02, providing for acceptance of the votes cast in the Runoff Election held on March 13, 2012.

Date: March 14, 2012

Prepared By: Rebecca C. Haynes, City Clerk

Thru: Mike Bonfield, City Manager

Summary of Issue: In accordance with the Code of Ordinances, the City Commission is required to accept the election results by resolution.

Requested Motion: "I move to approve the adoption of Resolution No. 2012-02..."

Attachments: Resolution No. 2012-02

Reviewed by City Manager: _____^{MB}

RESOLUTION NO. 2012-02

A RESOLUTION OF THE CITY OF ST. PETE BEACH, PINELLAS COUNTY, FLORIDA, PROVIDING FOR THE ACCEPTANCE OF THE VOTES CAST IN THE RUNOFF ELECTION HELD MARCH 13, 2012

The Board of Commissioners of the City of St. Pete Beach, Pinellas County, Florida, in a regular meeting duly assembled on Wednesday, March 14, 2012, resolve as follows:

WHEREAS, a Runoff Election was held on March 13, 2012, in St. Pete Beach to elect a Commissioner in District #1; and

WHEREAS, the City Commission previously authorized the Pinellas County Canvassing Board to canvass and provide the results of the March 13, 2012 Runoff Election.

NOW, THEREFORE, BE IT RESOLVED, that the votes cast in the Runoff Election are as follows:

City Commissioner District #1

Total Votes Cast: 660

Votes Cast for Al Halpern	313	% of Votes Cast:	47.42%
Votes Cast for Lorraine Huhn	347	% of Votes Cast:	52.58%

BE IT FURTHER RESOLVED that the results of the March 13, 2012 Runoff Election are hereby accepted by the Board of Commissioners of the City of St. Pete Beach, County of Pinellas, State of Florida.

RESOLVED AND DONE this 27th day of March, 2012, by the Board of Commissioners of the City of St. Pete Beach, County of Pinellas, State of Florida.

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Steve McFarlin, Mayor

ATTEST:

Rebecca C. Haynes, City Clerk

Approved on: _____

CERTIFICATE OF COUNTY CANVASSING BOARD

STATE OF FLORIDA

Pinellas County

We, the undersigned, Patrick K. Caddell, County Judge; Norm Roche, Member, Board of County Commissioners; and Deborah Clark, Supervisor of Elections, constituting the Board of County Canvassers in and for said County, do hereby certify that we met on the 14th of March, A.D., 2012, and proceeded publicly to canvass the votes given for the **Municipal Runoff Election** held on the 13th day of March, A.D., 2012 as shown by the returns on file in the office of the Supervisor of Elections. We do hereby certify from said returns as follows:

For City of St. Pete Beach, Commissioner District 1 (Vote for One), the whole number of votes cast was 660 of which number

Al Halpern received 313 votes

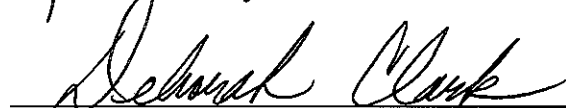
Lorraine Huhn received 347 votes

Total ballots cast in Pinellas County were 660 for a 37.35 percent turnout.

We certify that pursuant to Section 102.112, Florida Statutes, the canvassing board has compared the number of persons who voted with the number of ballots counted and that the certification includes all valid votes cast in the election.


Patrick K. Caddell, County Judge


Norm Roche, Member
Board of County Commissioners


Deborah Clark, Supervisor of Elections