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**From:** ripper@tampabay.rr.com  
**Sent:** Thursday, June 01, 2017 9:45 AM  
**To:** Stefan Hoppe; Zoning  
**Cc:** liangxinfeng@gmail.com; roblinger1@tampabay.rr.com; bhundt@tampabay.rr.com; stpeteachtg@yahoo.com; jsavko@tampabay.rr.com; jgs364@aol.com; Mohammad; richardmasi@gmail.com; tinafina808@gmail.com; Stefan Hoppe; anabella@vdocs.org  
**Subject:** Re: Case No Z-10-06-17 - Request application to be removed from the meeting on June 08 at 9 am

Thank you Stefan!

I'm in opposition to the plan also - let me know if you need anything. Thank you for your hard work!

( RICHARD RIPPETOE, CRS, GRI, MBA )

Realtor Associate

Coldwell Banker Sun Vista Realty

Email: richrippetoe@gmail.com, ripper@tampabay.rr.com

Cell: (727) 902-1437 | Office: (727) 595-1604

Twitter: @RRippetoe | Instagram: @RichRippetoe

Website: www.beachrealestatepro.com

Over \$18 Million Sold in 2016

---- Stefan Hoppe <stefan@vdocs.net> wrote:

> To Pinellas County Planning Department,

>

>

> The affected neighbors are almost 100% in complete OPPOSITION to this  
> devastating plan!

>

> 13 direct affected neighbors signed the attached document opposing the  
> proposed development. Two additional neighbors also expressed their  
> opposition, but were not able to sign yet. One neighbor was not  
> reachable.

>

> We expect and hope that the attached information is enough for this  
> zoning request to be immediately removed from the meeting!

>

>

> Please provide us an e-mail confirmation in email that

>

> a) you received this communication and

> b) your decision if this devastating project will actually still be

> considered on the agenda on June 08, 2017 at 9:00 am.

>

>

>

>

> Thank you very much.

>

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**From:** Stefan Hoppe <stefan@vdocs.net>  
**Sent:** Thursday, June 01, 2017 9:39 AM  
**To:** Zoning  
**Cc:** ripper@tampabay.rr.com; Mohammad; jsavko@tampabay.rr.com; bhundt@tampabay.rr.com; jgs364@aol.com; richardmasi@gmail.com; liangxinfeng@gmail.com; tinafina808@gmail.com; roblinger1@tampabay.rr.com; stpeteachtg@yahoo.com; anabella@vdocs.org; Stefan Hoppe  
**Subject:** Case No Z-10-06-17 - Request application to be removed from the meeting on June 08 at 9 am  
**Attachments:** Case No Z-10-06-17 - Request application to be removed from the Zoning Hearing on June 08 at 9 am.pdf

To Pinellas County Planning Department,

**The affected neighbors are almost 100% in complete OPPOSITION to this devastating plan!**

13 direct affected neighbors signed the attached document opposing the proposed development. Two additional neighbors also expressed their opposition, but were not able to sign yet. One neighbor was not reachable.

**We expect and hope that the attached information is enough for this zoning request to be immediately removed form the meeting!**

Please provide us an e-mail confirmation in email that

- a) you received this communication and
- b) your decision if this devastating project will actually still be considered on the agenda on June 08, 2017 at 9:00 am.

Thank you very much.

Regards,

**Stefan Hoppe**

13734 77<sup>th</sup> Ave., | Seminole, FL 33776 | 727-215-9944 | E:[stefan@vdocs.net](mailto:stefan@vdocs.net)

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Pinellas County Planning & Department  
Board of Commissioners  
Zoning Division  
Development Review Services Department  
440 Court Street, 4th Floor  
Clearwater, FL 337546

Re Case No Z-10-06-17  
Geatano and Grace Critelli, Applicant  
Jake Seaton, Representative

**We, the undersigned home owners, request the prior application to be immediately removed from the meeting due to incorrect, false and misleading information provided by the Applicant.**

**In addition Mr. Critelli and Mr. Seaton used lies, deception and extortion like practices to gain the approval from neighbors.**

If Mr. Critelli and Mr. Seaton will try again filing and honest and actual representative request for re-zoning we request to have the following concerns addressed before this request is being filed and considered by the County:

1. Fix and Correct the Application
2. Traffic Impact Study
3. Buffer study
4. Light pollution study and proposed solution to avoid
5. Noise study and evaluation and proposed solution to avoid
6. Property Value analysis and loss study
7. Compensation for reduced Property Values
8. Address increased crime rate
9. Lower adjusted Property Taxes for affected Home owners

All cost would need to be covered by the Develop and Mr. Critelli, because they plan to change the zoning but have not solution or answer.

**If the Pinellas County Planning Department will still go ahead with the re zoning request that is based on a proven false information in the application, we the affected neighbors, would be required to seek legal actions against the Pinellas Planning Department for knowingly supporting wrong information in this application. If the County would neglect protecting our properties, we will!**

Regards,

Anabella and Stefan Hoppe

13734 77<sup>th</sup> Avenue

Seminole, FL 33776

Signature:

A handwritten signature in black ink, appearing to be 'Anabella Hoppe', written over a horizontal line.

Date:

5/30/17

Signature:

A handwritten signature in black ink, appearing to be 'Stefan Hoppe', written over a horizontal line.

Date:

5/30/2017

Regards,


Joseph Belanger

Christina Therp Belanger

13898 76TH TER

Seminole, FL 33776

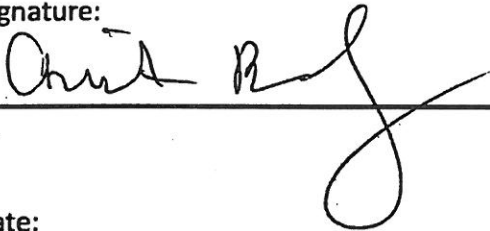
Signature:

  
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Date:

5-30-17  
\_\_\_\_\_

Signature:

  
\_\_\_\_\_

Date:

5.30.17  
\_\_\_\_\_

Regards,

Robert Oblinger

Renee Stum

13898 76TH TER

Seminole, FL 33776

Signature:

Robert Oblinger

Date:

5-30-17

Signature:

Renee Stum

Date:

5-30-17

Regards,

Milosaua Radan

13788 76TH TER

Seminole, FL 33776

Signature:

Milosaua Radan

Date:

5/30/17

Regards,

Xinfeng, Liang

Yun Li

13702 76TH TER

Seminole, FL 33776

Signature:



Date:

05/30/2017

Signature:



Date:

5/30/2017



Regards,

Gale Masi

Richard Masi

13837 76<sup>th</sup> Ter

Seminole, FL 33776

Signature:

Gale Masi

Date:

5/30/17

Signature:

R. Masi

Date:

5/30/17

My Signature below denotes my disagreement w/ case Z10-6-17  
in changing from C-1 to C-2.

Regards,


Justin Kennison

13801 76<sup>th</sup> Ter

Seminole, FL 33776

727-793-5778

Signature:



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Date:

5/29/17

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Regards,

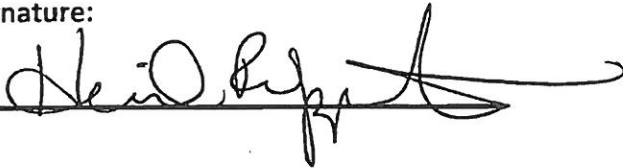
Heidi Rippetoe

Richard Rippetoe

13781 76<sup>th</sup> Ter

Seminole, FL 33776

Signature:

  
\_\_\_\_\_

Date:

5.30.17

Signature:

  
\_\_\_\_\_

Date:

5.30.17

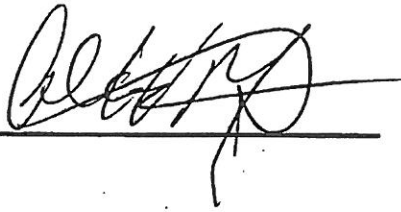
Regards,

Christine Wolff

Alan Wolff


13749 76<sup>th</sup> Ter

Signature:



A handwritten signature in black ink, appearing to be 'Alan Wolff', written over a horizontal line.

Date:



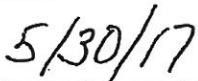
A handwritten date '5/30/17' in black ink, written over a horizontal line.

Signature:



A handwritten signature in black ink, appearing to be 'Christine Wolff', written over a horizontal line.

Date:



A handwritten date '5/30/17' in black ink, written over a horizontal line.

Regards,

Robin Sills

James Sills

13733 76<sup>th</sup> Ter

Seminole, FL 33776

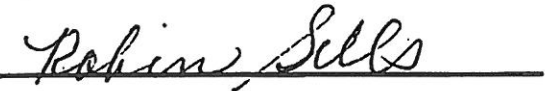
Signature:

A handwritten signature in cursive script, appearing to read "James Sills", written over a solid horizontal line.

Date:

5/29/17

Signature:

A handwritten signature in cursive script, appearing to read "Robin Sills", written over a solid horizontal line.

Date:

5/29/17

Regards,

William Hundt

Barbara Farmer

13701 76<sup>th</sup> Ter

Seminole, FL 33776

Signature:

William Hundt

Date:

5/31/17

Signature:

Barbara Farmer

Date:

5/30/17.

Regards,

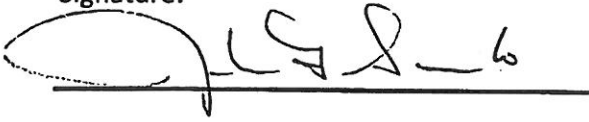
Sharon Savko

John Savko

7701 OAKHURST RD

Seminole, FL 33776

Signature:



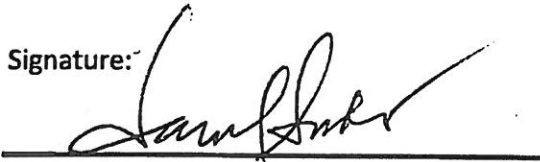
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Date:

5/31/17

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Signature:



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Date:

5/31/17

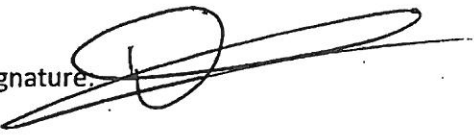
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Regards,

1226 LLC

7684 Oakhust Road

Seminole, FL 33776

Signature: 

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Date: 5/30/17

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On MAY 08, 2017 at 10:00 am a Planning Review Committee took place to review the Case (Q) Z-10-06-17 Gaetano and Grace Critelli.

In the case review Mr. Critelli certified several incorrect and wrong statements.

## I. Incorrect Reasons listed for Application

### Point 13 of Certified Document from March 31, 2017

13. I/We believe this application should be granted because (include in your statement sufficient reasons in law and fact to sustain your position.) (If this request is for a determination of Vested Rights/Appeal Determination, applicants are advised to review the procedural and substantive requirements of Pinellas County Ordinances 89-32 and 89-69) (Attach a separate sheet if necessary).

The proposed development fronts Park Boulevard and is surrounded largely by other commercial developments along Park Boulevard. The development conforms to all the requirements of the commercial general land use category which it is currently designated. It will serve to benefit the local community by providing a convenient, clean and safe environment for local patrons to enjoy the products and services that will be provided. The proposed development will also minimize all unwanted impacts to the surrounding neighborhoods by utilizing a full access off Park Boulevard and providing ample buffering to the rear of the property.

14. Has any previous application relating to zoning or land use on this property been filed with this authority?

Mr. Critelli's answer to point 13 (if you cannot read the very small print above please see below the re-typed content):

*"The proposed development fronts Park Boulevard and is surrounded largely by other commercial developments along Park Boulevard. The development **conforms to all the requirements of the commercial general land use category which it is currently designated.** It will serve to **benefit the local community** by providing a convenient, clean and safe environment for local patrons to enjoy the products and services that will be provided. The proposed development **will also minimize all unwanted impacts to the surrounding neighborhoods** by utilizing a full access to Park Boulevard and **providing ample buffering to the rear of the property.**"*

### Point 15 of Certified Document from March 31, 2017

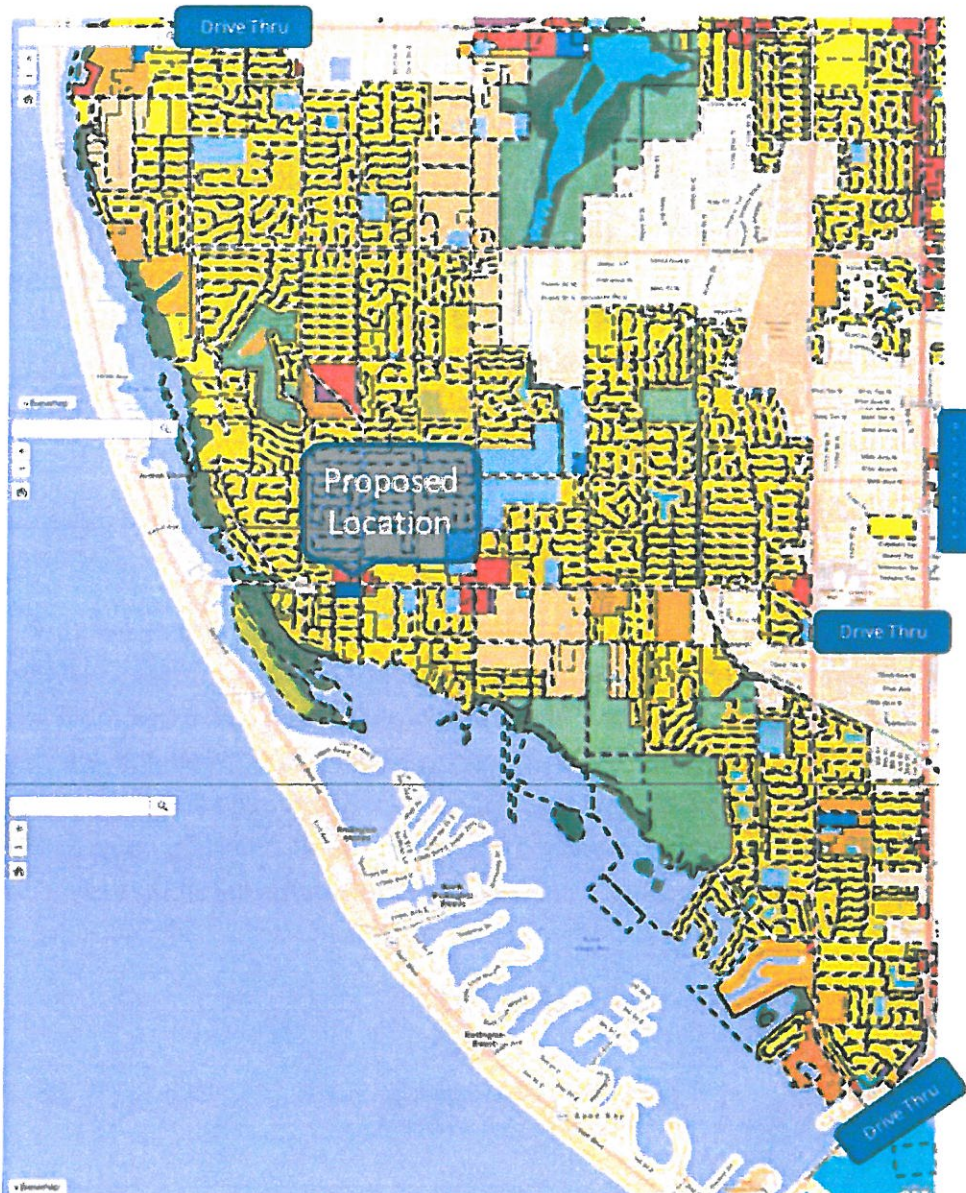
15. Does applicant own any property contiguous to subject property?  Yes  No  
If so, give complete legal description of contiguous property:

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**1. First Incorrect Statement:**

*“The development conforms to all the requirements of the commercial general land use category which it is currently designated”*

Looking at the general land use Plan from Walsingham on the North, Seminole Blvd to the East and Tom Steward Causeway to the south there is no Drive thru Restaurant.



For the surrounding 14 square miles there is No drive thru restaurant. The Statement from that the proposed location conforms to all requirements is wrong!

The 14 square mile area without a drive thru is:

- South of Walsingham (about 2.6 miles north on from proposed location)
- West of Seminole Blvd/Seminole Mall (about 2.2 miles east of proposed location)
- North of Tom Steward Causeway (about 4.5 miles south of proposed location)

The proposed Dunkin Donuts, with a drive thru, location would be in the center of the aforementioned area.

We do not understand that the applicant writes that the ***“development conforms to all the requirements of the commercial general land use category which it is currently designated”***

The current Zoning Designation is C-1. C-1 does not allow drive thru. And there is no drive thru in a 14 square mile area surrounding this proposed location.

Therefore, the statement from Mr Critelli explaining that the ***“the development conforms to all the requirements of the commercial general land use category which it is currently designated”*** is completely false.

The current zoning is not designated for a drive thru restaurant because it disrupts the integrity of the residential zone classification and cannot accommodate a drive thru zoning requirements.

**2. Second Incorrect Statement:**

*“proposed development will also minimize all unwanted impacts to the surrounding neighborhoods”*

Not sure if we should laugh or cry about this bogus statement. But regardless, this statement cannot be taken seriously because is completely wrong. The impact of the neighborhood will be huge but in a very negative way.

The real effect of a drive thru restaurant in this neighborhood will have a dramatic impact on:

- a. Property Values
- b. Tax Revenue to County
- c. Property Value Loss
- d. Noise Level
- e. Light Pollution
- f. Car Pollution
- g. Environment impact is against the character of the neighborhood
- h. Spread of Decease
- i. Rodent Infestation

**a. Property Value Analysis Properties new Dunkin Donuts**

Within the zip code 33776, there is no property available that could be used to establish a fair comparison for a drive thru next to a residential area with limited or no buffer. The closest to us is, 2.2 miles east near Seminole Mall, Dunkin Donuts on 8595 Seminole Blvd.

This Dunkin Donuts opened in 2013/2014. Prior there was a Greek Restaurant in this location. The neighboring Properties are valued per Pinellas County Property Appraiser:

Property ID	Address	Sqft	Sales Comparison	\$/Sqft	2016 Just Market Value	\$/Sqft	Sold	Price/Sqft
<b>Dunkin Donut</b>								
22-30-15-01116-000-0150	8595 SEMINOLE BLVD	1919	490,000	255	445,000	232	11/12/2013	490000
<b>Surrounding Homes</b>								
22-30-15-01116-000-0180	10664 86TH AVE, Seminole	1030	118,900	115	99,698	97		
22-30-15-01116-000-0190	10648 86TH AVE	1308	164,900	119	136,969	99	09/26/2006	
22-30-15-01116-000-0200	10632 86TH AVE	896	114,900	128	99,888	111	125,000	140
27-30-15-47484-000-0040	10649 LAKE BREEZE DR	2220	207,400	93	174,044	78		
22-30-15-01116-000-0030	10681 86TH AVE	1170	118,300	101	100,060	86		
22-30-15-01116-000-0040	10665 86TH AVE N	850	96,700	114	85,010	100		
22-30-15-01116-000-0050	10649 86TH AVE	1191	164,900	138	138,891	117		
		8745	986,000 <sup>P</sup>	113	834,560	95		

The property values of the neighboring properties of the proposed location are:

Property ID	Address	Sqft	Sales Comparison	\$/Sqft	2016 Just Market Value	\$/Sqft	Sold	Price/Sqft
Proposed Location Neighborhood								
Surrounding Homes								
30-30-15-36486-000-1430	13800 77TH AVE	2908	472,900	163	394,921	136		
30-30-15-36486-000-1400	13750 77TH AVE	2818	411,700	146	347,382	123		
30-30-15-36486-000-1390	13734 77TH AVE	2774	477,700	172	396,817	143		
30-30-15-36486-000-1360	13701 76TH TER	2254	359,200	159	307,671	137		
30-30-15-36486-000-1340	13733 76TH TER	2247	348,900	155	300,519	134		
30-30-15-36486-000-1330	13749 76TH TER	2116	338,400	160	328,962	155		
30-30-15-36486-000-1310	13781 76TH TER	2107	359,800	171	303,604	144	11/29/2016	
30-30-15-36486-000-1290	13801 76TH TER	2120	392,100	185	333,130	157	443,500	209
		19344	3,160,700	163	2,713,006	140		

Utilizing the only available comparison data the current homes contiguous the proposed location are:

- Homes are over twice as large
- The achieved per SF price is about 50% higher
- The total taxable property value is 350% higher, \$2,713,006.

The property values near the Seminole Dunkin Donuts are about 50% lower than our homes. Therefore, we, the affected property owners need to get compensated for any loss in property value as we can expect it to decline by 50%.

#### b. Tax Revenue Loss to Pinellas County

Due to the lower property value, the property tax would need to be re-assessed and adjusted properly. Based on actual property value, the taxable loss for the county would be over 1 Million Dollars.

Taking an average of the four closest Dunkin Donuts, the average taxable Just Market Value is \$495,000.

Dunkin Donut	Address	Sqft	2016 Just Market Value	Sales Price	Sales Date
22-30-15-01116-000-0150	8595 SEMINOLE BLVD	1919	445,000	490,000	11/12/2013
02-31-15-00000-230-0300	9991 BAY PINES BLVD	2278	575,000		11/16/2004
08-30-16-70974-200-0706	13013 66TH ST	1810	519,000	1,225,000	06/21/2004
22-30-15-01116-000-0150	8595 SEMINOLE BLVD	1919	445,000	490,000	11/12/2013

In summary, the Dunkin Donuts would significant affect the current taxable property values of over 2,7 million dollar. A property value decline of only 18% would offset the new property tax value of the Dunkin Donuts and would make the development revenue neutral to the county.

### c. Property Value Loss

In addition, due to the tax revenue loss, the home owners would need to get compensated for the loss in property value. As a matter of fact, the idea of having a drive thru has already affected real estate sales in our neighborhood. One of the residents, adjacent to the unwanted Dunkin Donuts, had several very interested potential buyers, who immediately dropped their offers after they were explained the possibility of a Dunkin Donuts drive thru almost in the front yard.

The public posting on Park Blvd has already shown a detrimental effect on the current home values and the sales due to the negative perception of ill, low quality, cheap drive thru business that does not belong in our strong, family oriented and reputable residential area.

### d. Noise Pollution

The proposed Dunkin Donuts will open 7 days per week from 5 or 6 am until 9 or 10 pm

The noise pollution from the proposed Dunkin Donuts will have a negative effect on the quality of our residential lifestyle. Dunking Donuts traffic studies show that the morning peak will be from 5:30 until 8:30 am presenting:

#### - **Idling Car Noise:**

Based on Studies the average noise level of multiple idling cars in Drive thru is about 55 to 61 dBA. This is equivalent of people standing 3 feet away and having a conversation or the noise of a car on the highway at 55 mph about 150' away.

This noise level will be permanent for 17 to 18 hours 365 days.

[https://www.tucsonaz.gov/files/pdsd/McDonalds Tucson Noise Report.pdf](https://www.tucsonaz.gov/files/pdsd/McDonalds_Tucson_Noise_Report.pdf)

Pinellas County only allows noise over 55db between 7:00 am and 11:00 pm

Idling cars have noise level of over 55dBA, a drive thru in the residential area would be only allowed to be open anyways after 7:00 am. (<http://www.pinellascounty.org/code-enforcement/enforcement-codes.htm>)

#### - **Drive thru Loudspeaker is pointing towards the residential homes.**

In addition to the noise from cars the loudspeaker pointing to the residential properties adds to the noise level. Pinellas County does not allow noise over 72aBA. This is about the noise of a lawn mower 100 ft away, vacuum cleaner etc.

- **Compounding Noise:**

Based on the compounding noise and our experience with Dunkin Donuts locations on Seminole Blvd and Bay Pines, the noise level will exceed 55aBA before 7:00 am and will reach or exceed 72dBA during the day.

**e. Light Pollution**

The pollution though car lights will be between 4.5 to 7 hours per day during the year.

Sun rise: between 6:30 am and 7:30

Sunset: between 6:00 pm and 7:30 pm

This results in light pollution for about 2 to 3 hours in the morning and 2.5 to 4 hours in the evening.

The properties on 77th Avenue and the adjoining properties on 76<sup>th</sup> Terrace will be illuminated for several hours every day, 365 days per year. The headlight will come in, wait for minutes in the drive thru and then turn. The light will go all over the properties south of the proposed location. The current fence does not protect from the light pollution and also the proposed 8 ft fence will provide no improvement to the light pollution to the top story.

13734 77<sup>th</sup> Avenue is a two story home and two bedrooms are facing the drive thru fast food location.



Cars in the drive thru will illuminate two or our four bedrooms up to 7 hours per day, 365 days per year, every day! **This is completely unacceptable!**

**f. Car Pollution:**

Based on Traffic studies for other Dunkin Donuts the proposed location would be visited by several hundred cars per day. The average waiting time in a drive thru is about 4 minutes. During Peak times there will be hundreds of cars waiting per hour in the drive thru. This means that there will be multiple cars idling for hours about less than 60 feet away from our residential property.

**g. Environment impact is against the character of the neighborhood**

This proposed development would bring very big changes to current land use plan and for the actually means for the surrounding neighborhood:

A zoning change from C1 to C2 change should reflect the neighborhood and its character ([https://www.municode.com/library/fl/pinellas\\_county/codes/code\\_of\\_ordinances?nodeId=PTIILADECO\\_CH138ZO\\_ARTVCOINMUDI\\_DIV5GERECOLISED](https://www.municode.com/library/fl/pinellas_county/codes/code_of_ordinances?nodeId=PTIILADECO_CH138ZO_ARTVCOINMUDI_DIV5GERECOLISED))

The reason we moved to this area is the green, tree rich character of our neighborhood. The area south of Park Boulevard is very rich on trees and very green. Several people call this tree rich area “forest”





The property is covered with some strong and old trees. This is very typical for this neighborhood. The other business in this neighborhood are keeping and maintaining its trees plus providing buffer of over 80 to over 100 feet to any residential properties. These businesses include Walgreens, iStorage, Ozaka, HomeBanc and others.

View from park Blvd near the entrance of the property (all the trees would be cleared)



Several of the trees are very near the fence of the property



View from Park Blvd and 137<sup>th</sup> Street, overlooking the parking lot of HomeBank  
The reason people live here is the "forest" like, old strong tree rich atmosphere.

The proposed Dunkin Donut would change the typical character of the neighborhood.



Based on the proposed Site Plan, All current trees, even the ones that are very close to the property border with HomeBanc would be chopped down  
Dunkin Donuts would turn the property into a concrete desert that is inconsistent with the character of the neighborhood.



Dunkin Donuts on Seminole Blvd/86<sup>th</sup> Ave



Dunkin Donuts on Bay Pines Blvd/100<sup>th</sup> Way

**i. Rodent Infestation at several Dunkin Donuts locations**

It is a known fact that many Dunkin Donuts throughout Pinellas have had rodent infestation. This is a fact for fast food restaurants. Just doing a Google and YouTube search shows very recent Dunkin donuts that have needed to shut down due to infestation.

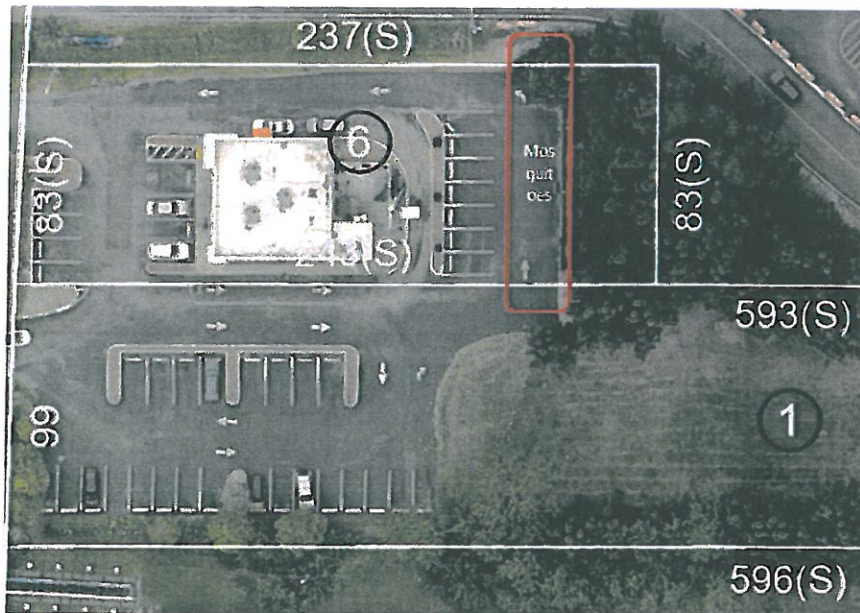
<https://www.myfloridalicense.com/inspectionDetail.asp?InspVisitID=6189035&licid=6445516T>

his causes major concern because the main trash is less than 40 ft away from the property line to the residential properties.

**h. Spread of disease**

Visiting the 1830sf Dunkin Donuts on 66<sup>th</sup> Street the back of the parking lot, the drive area next to the buffer is surrounded by thousand of mosquitoes. It is not possible to safely exit the car or even get like 30 feet close to the tree area, due to infestation of mosquitoes coming from the drainage retention area.

This used area of the 66<sup>th</sup> Street Dunkin Donuts is twice as large as the proposed location on Park Blvd., about 1.1 acres vs. 0.55 ac. This property has usable dimensions (parking, building, and buffer) of about 182 x 237. The drive thru is in the east site of the between the building and the property line is about 100 ft. with an about 80-150 ft tree rich buffer.



**Red Area:** Mosquito's infested area – Dunkin Donuts on 66<sup>th</sup> Street, Largo, FL

The driving area, marked RED, is a mosquito's infested area. This area is about 25 ft away next to the retention zone.

### Third Incorrect Statement

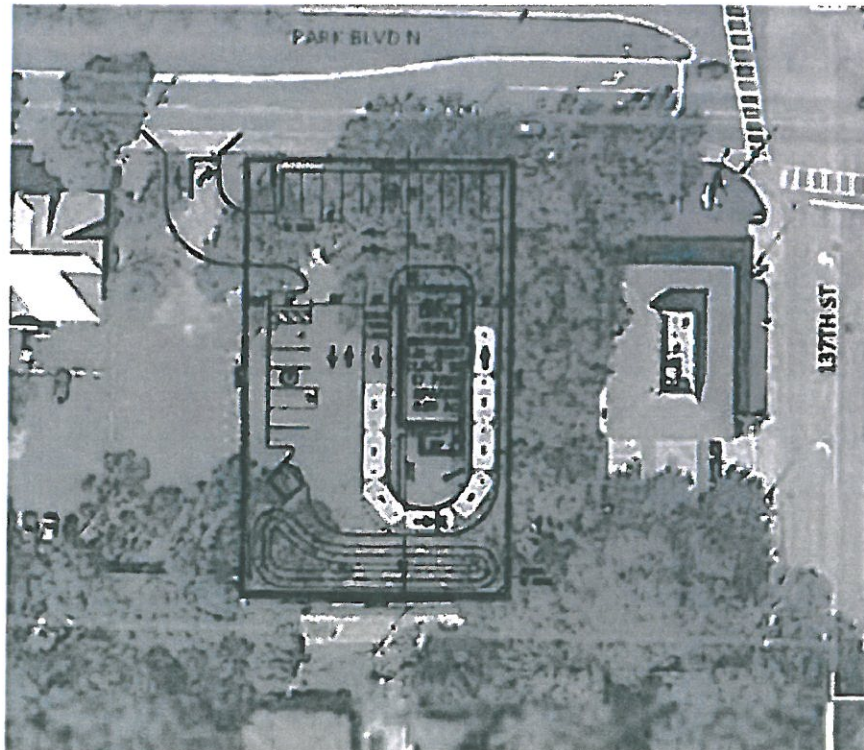
#### *“Ample buffering to the rear of the property”*

The proposal suggests a 25' to 28' drainage buffer with an 8' fence between the drive thru and the property line. The loudspeaker of the proposed drive thru is facing south, towards all contiguous properties. This is a very tiny buffer to a drive thru restaurant with and Non acceptable level of noise Pollution for a residential neighborhood. There is a reason that the current zoning does not allow a drive thru restaurant.

#### **Proposed Buffer Zone:**

The proposed location has a water retention and drainage buffer of only 25'-28'. Regardless what will be planted (from grass to high trees), a retention area will be breeding ground for mosquitoes and other plagues. The mosquitoes will extend beyond the drive-thru street area.

- ➔ The Dunkin Donuts customers waiting in the drive thru will be exposed to potential disease by insects.
- ➔ Mosquitoes fly and they will not be confined to the proposed location. Mosquitoes will expand to the residential area and increase disease spread to the neighborhood.



**Proposed Location:** 25 ft Buffer, water retention area in back of building. Mosquito's would effect the drive thru traffic plus the contiguous neighbors

The proposed drive thru is only 12 ft wide and directly adjoining the buffer area

In addition the drive thru is only 25 ft from the property line and less than 60 feet from the next residential properties.

In summary, the profit of a Dunking Donut is built at the expense of our physical, mental, economical well being as they force family and friends to give up their life style and homes.

It would be unconscionable to allow patrons and to the current neighborhood to be exposed to this.

One option would be chemical control but then Dunkin Donuts would expose the patrons to chemical through the AC system.

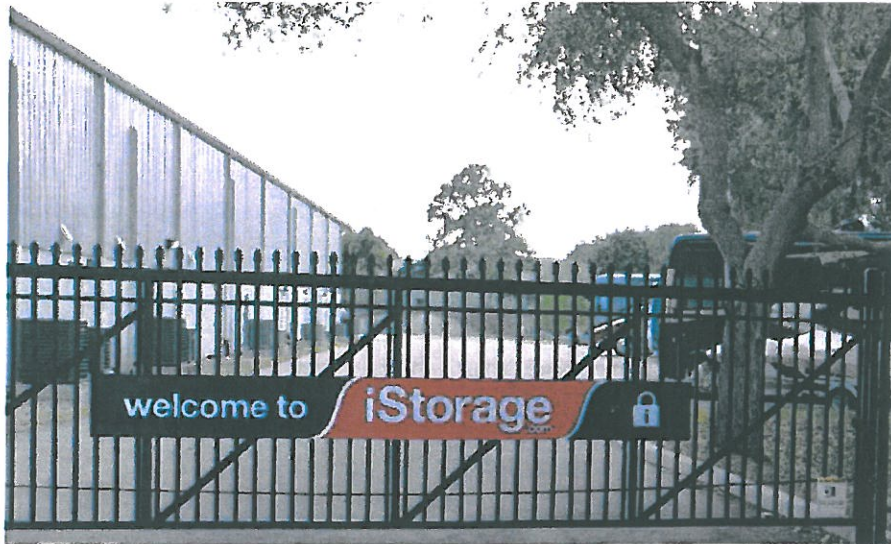
**Bottom line the proposed Buffer is not sufficient, unrealistic and a potential health hazard.**

**How do the other surrounding businesses address the buffer area?**

**Rear/ Back Buffer comparison to the other nearby properties**

**1. UPS / iStorage**

Over 80 ft buffer between the storage Building and the residential properties. The traffic impact of the iStorage location is almost nonexistent. This property is used to store Boats, RV etc.



2. The **Walgreens** has over 80 ft buffer. Very low traffic impact behind the Walgreens plus no opportunity for cars to park with running engine. The buffer consists of over 50 ft Gras / Tree buffer plus the back road of 25 ft and a parking buffer of 12 ft. Again the traffic impact is also almost nonexistent.



**3. HomeBanc,**

Next to the proposed location also has a buffer of about 60 ft between the ATM machine and the property line. The main building is over 100 ft away from the property line. Plus 77<sup>th</sup> Avenue the buffer is over 120 ft to the next residential property. The office hours are only weekdays from 9 – 5 pm.

The traffic impact is almost nonexistent.



In addition Homebanc kept its property consistent with the Character of the neighborhood. They keep the property very green take care of the large trees.

4. **Osaka Thai Restaurant**, next to the proposed location, has over 100 ft buffer in the back. This restaurant is open 6 days per week for 8 hours per day, from 12:00 pm to 3:00 pm and from 5:00 pm until 10:00 pm. The Patrons are quite and only go from the car to the restaurant and back to the car.

No cars are sitting iddle in the parking lot and having the engien running for hours and hours.

Plus Osaka has an over 130 ft buffer from the building to the residential properties. They kept the trees mature and kept the property consistent with the neighborhood character.



**Osaka:** over 100 ft buffer between Building and Back Neighborhood, plus 30 ft of 77<sup>th</sup> Ave,  
Total buffer over 130 ft

Based on the traffic studies from other Dunking Donuts restaurants, The proposed Dunking Donuts will have about as many customers per hour (at peak times) that Osaka per day. Compared to Dunkin Donuts the traffic, noise impact of Osaka is almost nonexistent.

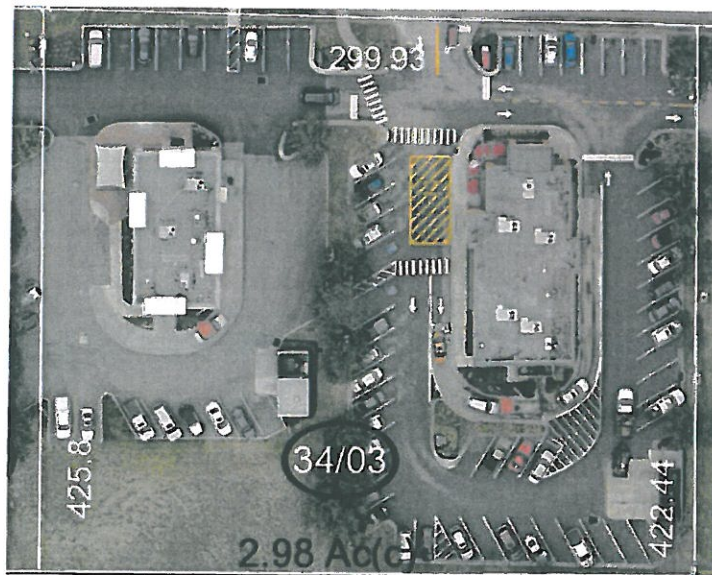


**5. Comparable buffer to closed drive thru restaurant:**

The closest drive thru restaurant is at Park Blvd / Seminole Blvd. The drive thru restaurant has a buffer of over 200 ft from the residential properties.



**Chick Fil-A, Dairy Queen:** over 200 ft buffer between drive thru and residential properties.



(Image Park Boulevard/Seminole Boulevard – Drive thru restaurants with ample buffer, about 200 ft, from residential properties)

## II. Falsified Statement in Application

Point 15 of Certified Document from March 31, 2017

15. Does applicant own any property contiguous to subject property?  Yes  No  
If so, give complete legal description of contiguous property:

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Against his Certified Statement, Mr Critelli owns property (highlighted) directly contiguous to the proposed site (160, 159, 153, 154)

<a href="#">Interactive Map of this parcel</a>	<a href="#">Sales Query</a>	<a href="#">Back to Query Results</a>	<a href="#">New Search</a>	<a href="#">Tax Collector Home Page</a>	<a href="#">Contact Us</a>	WM
30-30-15-36486-000-1400 <a href="#">Comment Property Report Card</a>						
<a href="#">Portability Calculator</a>	Updated May 20, 2017			<a href="#">Email Print</a>	<a href="#">Radius Search</a>	<a href="#">FEMA/FIRM</a>
Ownership Mailing Address <a href="#">Change Mailing Address</a>				Site Address		
CRITELLI GAETANO A CRITELLI GRACE 13025 PELICAN LN MADEIRA BEACH FL 33706-2642				13750 77TH AVE (Unincorporated)		
<a href="#">Property Use:</a> 0110 (Single Family Home)						Living Units: 1



**Summary and Conclusion to**

**Point 13 of Certified Document from March 31, 2017**

**The statements supporting the development of the proposed Dunkin Donuts are incorrect, wrong and misleading.**

- 1. The proposed development does NOT conform to the requirements which it is currently designated for**
- 2. There is no benefit for the local community**
- 3. The impact to the surrounding neighborhood is very negative**
- 4. The buffering to the rear is not acceptable**
- 5. Development can be a hazard and dangerous to the neighborhood**

## **Additional Information to Deny for the Zoning Change:**

### **1. How Mr. Critelli and Mr. Seaton approached the neighbor about the Dunkin Donuts:**

Mr. Critelli informed Mr. Ripptoe who is also an affected neighbor a few months ago that he received an offer from Dunkin Donuts. Mr. Critelli told Mr. Ripptoe that he will decline this offer, because of the detrimental effect on the neighborhood and he does not want a drive thru in his front yard. He expressed his concern for his own home property value currently for sale at \$499,000

On 04-28-2017, Mr. Critelli informed Mr. Hoppe, affected neighbor, via phone call, that Dunkin Donuts is the best choice for the property. In addition he said that he was contacted by WaWa. WaWa was willing to buy the joining bank property and is already allowed to put a gas station at the location. Then Mr. Critelli said that this would be a really bad choice for the neighborhood. But he is willing to sell the property to Dunkin Donuts, because it has a less negative impact. And because the property is already ready to Dunkin Donuts, there is nothing he can do and nothing we can do.

Per Mr. Critelli request, Mr. Seaton met with Mr. Hoppe to show the site plan. Mr. Seaton requested that Mr. Hoppe sign the document supporting a Dunkin Donuts. He also stated that the proposed Dunkin Donuts would be better than a Gas station. Mr. Seaton re-iterated the fact again in his email to Mr. Hoppe on 05-16-2017.

Mr. Critelli had a similar conversation with Mr. Ripptoe, addressing the interest from WaWa to buy the property plus the bank.

Why Mr. Ripptoe and Mr. Hoppe? Mr. Hoppe is severely impacted by the proposal because his property is directly behind the proposed site. Mr. Ripptoe is a realtor that sold many homes in his neighborhood and knows many people, so he started sharing his conversation with other neighbors. Mr. Ripptoe started talking with the neighbors about the WaWa interest. This caused many more neighbors to be in complete uproar of having a huge 24 hour gas station right in front of their homes. Sleepless nights and not knowing about the future of their homes and their life savings are the result.

Mr. Critelli is implying that if we as neighbors do not support the Dunkin Donuts then he has no other choice than to sell to WaWa and they do not need to re-zone.

This approach fits the definition of extortion which is "... the practice of obtaining something, especially money, through force or threats."

Mr. Critelli started the WaWa interest and Mr. Seaton reinforced the "threat" of a gas station in his conversation with Mr. Hoppe and in his follow up e-mail. It is very obvious that both Mr. Critelli and Mr. Seaton collude using extortion like tactics to scare the neighbors in agreeing to Dunkin Donuts because a Gas station, WaWa would be so much worse and they do us a favor in the Dunkin Donuts development.

But Mr David J. Macdond, the WaWa Regional Real Estate Manager stated in email to M. Hoppe that "This is not us.

This shows that the Mr. Critelli lied and together with Mr. Seaton using extortion like tactics to scare the neighbors to agree to the Dunking Donuts.

(Researched Fact: All Wawa Gas stations are also zoned C2 and the smallest Wawa is 300x300 ft. and will not fit on the proposed location plus the bank (230 x 199).

We request that the Board of Commissioners would immediately remove the request. It would be devastating and we would not understand if the Commission would continue allowing the zoning request, based on this unacceptable, unethical and un professional behavior of Mr. Critelli and Mr. Seaton.

## 2. Communications with Mr. Seaton

After the public notice was posted, Mr. Hoppe emailed Mr. Seaton his concerns about the property value and that his property is most affected. His response was that *"the rezoning from C-1 to C2 shouldn't have any negative affects to your property as we are also entering into a development agreement with the county to only allow our specific use"*.

Mr. Hoppe informed Mr. Seaton that during the open house on 05-14-2017, very interested potential buyers were inquiring about the property zoning changes of the proposed development. After the potential home buyers heard about a proposed Dunkin Donuts with drive thru, they immediately left, even they really loved the home.

Mr. Seaton's response was *"How did they find out about the zoning change and was it clear that the zoning was only for the one site off Park Blvd?"* In addition Mr. Seaton explained the benefits of the development over other potential uses.

Mr. Hoppe again addressed the concerns that the house is not sellable anymore at market value, just by the zoning change request. In addition, Mr. Hoppe explained that the reduced property value will wipe out the equity of the home. Furthermore, Mr. and Mrs. Hoppe bought the home next to the proposed development because with C1 the possible developments are limited over C2.

Today, even the proposal of the development already has a negative impact on the property value.

Mr. Hoppe requested on 05-18-2017 a Meeting with Mr. Seaton to address the concerns in person. Mr. Seaton agreed to meet on Friday 05-19-2017. Mr. Seaton missed the meeting and informed Mr. Hoppe in the afternoon in a text follow up that he *"forgot the meeting"*.

### **In Summary:**

- No concerns were addressed by Mr. Seaton
- Mr. Seaton did not show to the meeting

### 3. How Dunkin Donuts affected other neighborhoods in the US:

Today, Dunkin Donuts is a popular drive thru restaurant. But the development of a Dunkin Donuts raises similar concerns about drive thru Fast Food Restaurants; in this case Dunkin Donuts Developments are all over the country.

The questions is

**“Is the Pinellas County Planning Commission willing, for the profit motives of the Dunkin Donut Corporation, to allow the development of the Dunkin Donuts, despite the negative impact for the neighborhoods, while all neighbors are STRONGLY against this project?”**

How other communities were fighting against proposed Dunkin Donuts Development in residential areas:

#### 1. Agawam, MA:

“Three Feeding Hills residents are taking a town zoning board and a developer to court for allowing the construction of Dunkin' Donuts”

“The company agreed to move the Dunkin' drive-through back 150 feet to mitigate noise, and will build a fence on the north side of the property to increase privacy.”

Lawsuit is against the Drive thru:

The laws suit is against the drive thru and the residents are ok with the development of the restaurant without drive thru

[http://www.masslive.com/news/index.ssf/2015/08/agawam\\_residents\\_abutting\\_prop.html](http://www.masslive.com/news/index.ssf/2015/08/agawam_residents_abutting_prop.html)

Result: A 150 ft Buffer between homes. Law suit is not settled

#### 2. Smithtown Blvd, Nesconset

DENY Case# 17192 for Dunkin Donuts at 223 Smithtown Blvd, Nesconset

<https://www.change.org/p/town-of-smithtown-board-of-zoning-appeals-deny-case-17192-for-dunkin-donuts-at-223-smithtown-blvd-nesconset>

“This proposal changes the landscape of the Nesconset community. The current businesses are neighborhood friendly (nail salon, bakery, Italian ices, deli, small restaurant, dry cleaners,

barber shop) that are mostly closed by 8pm with italian ices and restaurant being open a bit later on weekends and during the summer.”

**“Imagine headlights beaming into your living room/bedroom all night?”**

**“There is no enforcement for customer headlights shining off the property.”**

3. Dunkin Donuts, Plainfield Illinois

<https://www.yourmunicipal.com/projects/a-vision-for-division/ideas/the-dunkin-donut-project-site-plan-w-aerial-image-version-1>

Comment Theresa Scarcelli Plainfield, Illinois:

- 1.Safety of our children...riding bikes, playing in the neighborhood, walking to and from school
2. Decreased Property Values and livability in our neighborhood
3. The inability for services and emergency vehicles to reach every house within a reasonable time
4. The inability to get in and out of our driveways during “peak times” for Dunkin Donut
5. Excessive noise pollution (from the drive thru and additional traffic) and air pollution (from the donuts being prepared in the early morning and all day)
6. Rodent infestation due to the close proximity of our homes and the restaurant and the continuous need to empty garbage dumpsters
7. Increased traffic and large delivery and garbage trucks which essentially turns our residential street into a “mini route 59”

Allowing Dunkin Donuts to be built in this area will also have a negative impact on the entire community which should not be overlooked! The excessive noise, rats, cockroaches, cooking exhaust fumes, trash issues, violations of residential parking; and early morning deliveries with double parking of large delivery trucks are all major concerns. “

We purchased downtown Plainfield because we love the character and quaintness of this town! That character is what we all cherish and why we have chosen to be a part of this community. Adding a Dunkin Donut will be the tipping point that changes a vibrant neighborhood into an unreasonable environment where no one wants to live. “



#### 4. How Dunkin Donuts selects Locations:

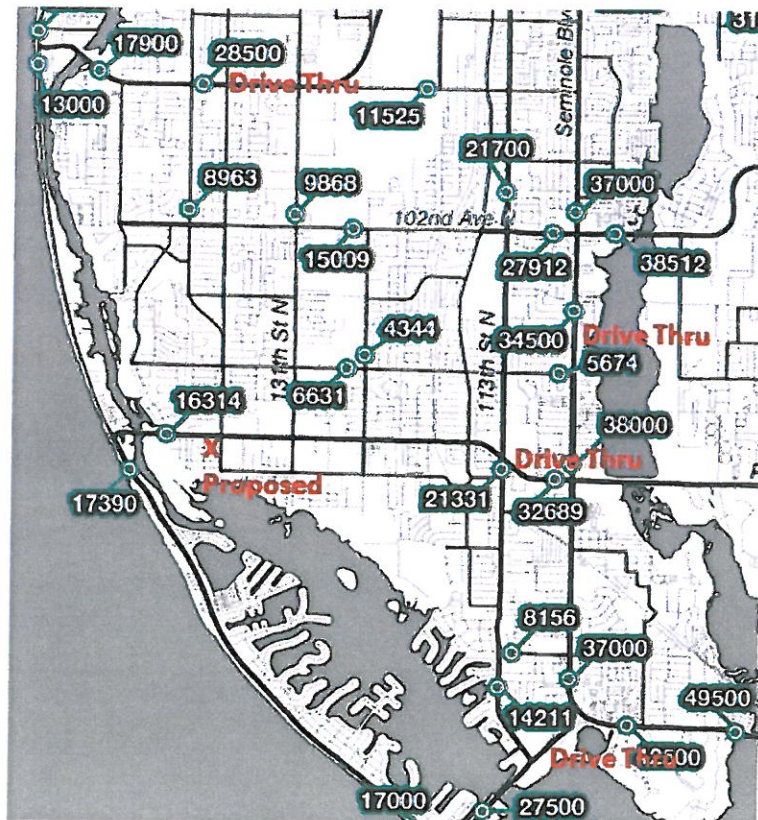
- Traffic Count of 20K ADT

### THE DEMOGRAPHICS

## PREFERRED DEMOGRAPHICS & TRAFFIC COUNT

- Minimum Traffic Count: 20,000 ADT
- Median HH Income: \$30,000+
- Residential Population:
  - 15,000 within 3-minute drive-time (suburban)
  - 25,000 within a 5-minute drive-time (suburban)

Dunkin Donuts requires minimum traffic of 20,000 plus the residential population. But the traffic count on Park Blvd is about 16,3K per day, so only at 81%. This increases the risk for this proposed development to be not successful, if approved.

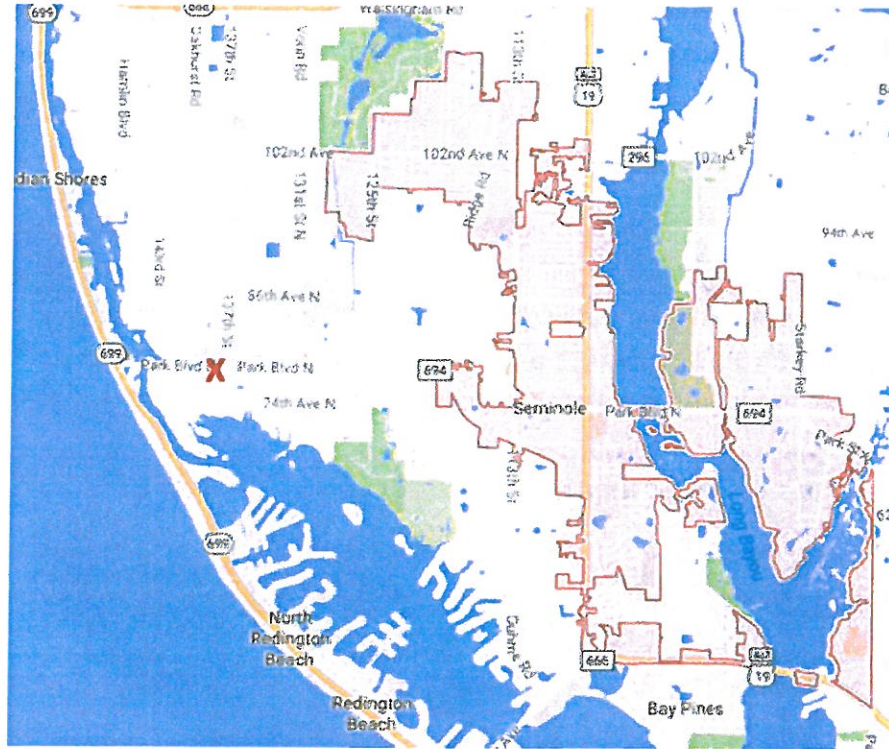


Map shows the traffic flow of the 14 square mile area that does not include any Drive thru, from Walsingham to Seminole Blvd, to Tom Steward Cause Way

- **15K to 25K residential Population**

In addition Dunkin Donuts requires to have 15K population within 3 minutes or/and 25K within 5 minutes driving.

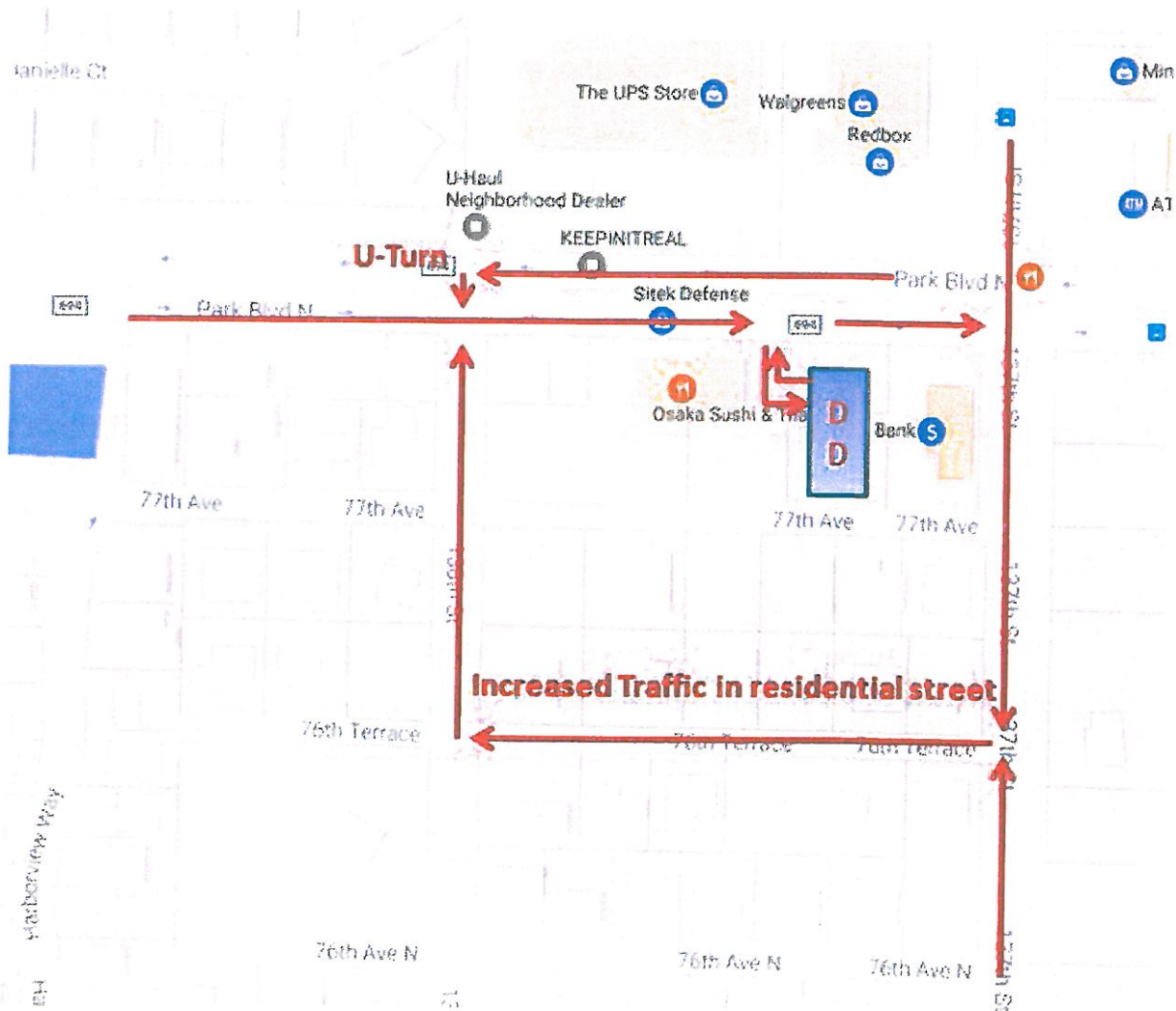
Looking at the Map of the City of Seminole (area in Red), that has a pollution of about 18K,



This Dunkin Donuts does not meet the 15K to 15K population requirement and is set to fail.

## 5. Traffic Flow and Neighborhood issues

The proposed location has no direct entrance from the west bound traffic on Park Blvd. People coming from 137<sup>th</sup> and Park Blvd going west have to do a U-Turn in a few hundred feet past the proposed location. Like in other areas with Drive Thru Restaurants people will go through the residential neighborhood. The proposed entrance is an easement from Osaka, west of the proposed location. So many people would miss to turn into Dunkin Donuts. This would result that many people that missed the entrance and people coming from 137<sup>th</sup> would go thru the residential street on 76<sup>th</sup> Terr to circle back to Park Blvd.

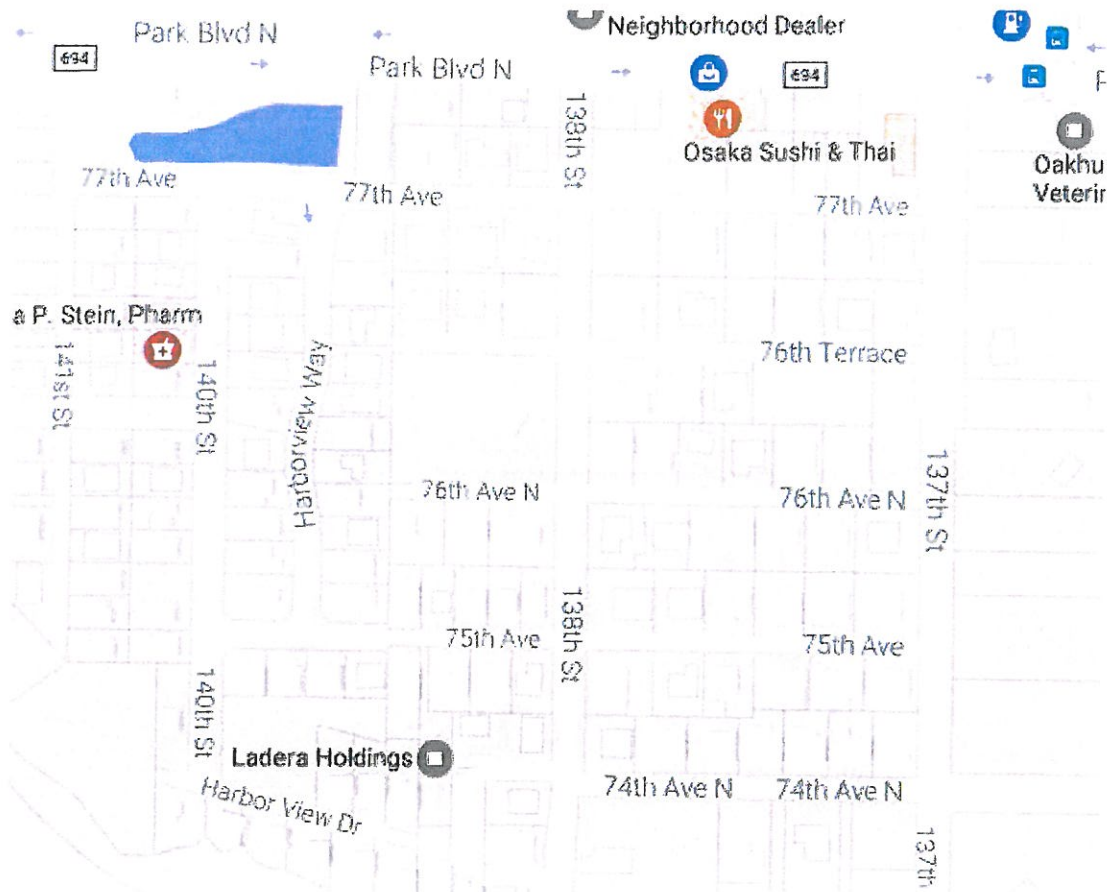


In addition, people that are not familiar with the neighborhood would try to use other access roads and get lost. The result has a very negative impact with increased traffic for the entire neighborhood.

## 6. Increased Crime Rate

Statistics show that the rate of assaults at fast food restaurants is more than twice as high as it is at full service restaurants. (<http://www.ranker.com/list/fast-food-crimes/jacob-shelton>)

Based on research, an increase in crime is inevitable. Combining the statistical proven doubling in crime near drive thru restaurants and people getting lost in our neighborhood this will increase the crime in our neighborhood. And this will affect the entire Harbor View neighborhood.



## 7. Why Drive-Thru?

The reason for a drive thru is explained by Scott Murphy, senior vice president of operations, Dunkin Donuts:

<https://www.qsrmagazine.com/reports/drive-thru-2016-dunkin>

"There's no denying the impact a drive thru can have on sales. Just look at Dunkin' Donuts: Scott Murphy, senior vice president of operations for the coffee-and-treats chain, **says 59 percent of traditional Dunkin' locations have a drive thru**, and those units have **23 percent higher sales volume** than other traditional locations."

### **Impact on Profit for Dunkin Donuts:**

A 23% higher Sales Volume with almost same fixed cost means over proportional profit increase.

### **Negative Impact on Neighborhood:**

While the Franchise owner profits, this will have a detrimental negative impact on the entire neighborhood. Dunkin Donuts will make more profit at the expense of the neighbors drastic decline in property value, increased in traffic, and increase in pollution, light, noise, and increases crimes.

## 8. Zoning Change Impact on Future Use:

The proposed location is outside the Dunkin Donuts requirements to open a drive thru restaurant (using Dunkin Donuts data).

If the county would approve the zoning change, the Property use would be:

2226 Fast Food Restaurant – DriveIn, Diner (McDonalds, KFC, John Long Silver etc.)

Portability Calculator		Updated May 20, 2017		Email Print	Radius
Ownership Mailing Address	Change Mailing Address	Site Address			
LOT O NORTH DALE MABRY HWY LLC 1 BEACH DR SE STE 230 ST PETERSBURG FL 33701-3972		8595 SEMINOLE BLVD (Unincorporated)			
Property Use: 2226 (Fast Food Restaurant - Drive-In, Diner (McDonalds, KFC, Long John Silvers, etc.))					

(Image shows the Property Use of Dunkin Donuts on Seminole Blvd.)

If Dunkin Donuts fails to be successful, the zoning change would open the door at a later time to convert the Dunkin Donuts into any other Drive thru.

And what happens when Dunkin Donuts is being sold (MBE sold to UPS, Hortons bough Burger King, Burger King bough Popeys, ... what's next)?

Things change in the Franchise world all time, but a zoning change from C2 and not cannot be retracted, if approved. (We could not find a zoning change from C2 to C1. A onetime zoning change is factually forever!)

## 9. Un-even distribution of Property Taxes

The typical freestanding Dunkin Donuts cost between a million to 1.5 Million. The average appraised taxable value of the closest freestanding newer Dunking Donuts location only 30% to 50%, about \$530,000 of the actual cost.

Dunkin Donut			2016 Just Market Value	Sales Price	Sales Date
22-30-15-01116-000-0150	8595 SEMINOLE BLVD	1919	445,000	490,000	11/12/2013
02-31-15-00000-230-0300	9991 BAY PINES BLVD	2278	575,000		11/16/2004
08-30-16-70974-200-0706	13013 66TH ST	1810	519,000	1,225,000	06/21/2004
22-30-15-01116-000-0150	8595 SEMINOLE BLVD	1919	445,000	490,000	11/12/2013

The affected Home Owner surrounding this proposed location pay about 87% of the property appraised value.

This means franchise business like Dunkin Donuts are getting a 50% to 70% Property tax break due to low appraisals. So homeowners pay about 40 to 60% higher taxes on their property than a commercial fast food franchise, in this case Dunkin Donuts.

In other words, we, the private home owner would subsidize this commercial Dunkin Donuts franchise and have all the negative side effects, while Dunkin Donuts would make the profits. And if the profits decline close or sell the location and another drive thru could take over this location.

#### **10. Tax Payer already subsidizing Fast Food Franchisees**

The average cashier at Dunkin Donuts makes less than \$9.00 per hours.

[http://www.payscale.com/research/US/Employer=Dunkin' Donuts/Hourly Rate](http://www.payscale.com/research/US/Employer=Dunkin%20Donuts/Hourly_Rate)

A full time employed cashier is at about 110% of poverty level and would qualify for all kinds of government support (like SNAP). The franchise owner makes high 5 to 6 digits income.

As tax payer we would subsidize this franchise with

- Property Tax subsidy (pay at less than 50% of actual value
- Employee Living subsidy (support struggling employees with governmental program to supplement living expenses)

#### **11. Lost revenue to the County:**

Mr. and Mrs. Hoppe on 77<sup>th</sup> Avenue are ready to start building a home. They already bought a piece of land in this neighborhood on 141<sup>st</sup> street in Seminole.

The proposed zoning change has put our building efforts on hold, because no one wants to pay the actual home value due to the proposed zoning change. The county is now losing the additional tax revenue from the planned home to be built on the empty lot.

## Conclusion

The proposed Dunkin Donuts will have the following effects on the neighborhood:

- Reduced property values
- Light Pollution from drive thru cars
- Noise Pollution
- Increased Traffic
- Increased Crime
- Development against the Character of the Neighborhood
- Tax Payer subsidize of Franchise Business
- Tax Payer subsidy of Franchise Employees'

But Mr. Critelli would be able to sell his land for a multiple times what he paid for just few years ago. The Developer would make money with the construction. The Franchise might make profit if the location actually pays off.

In summary, a few people would make money while the neighborhood will be severely damaged and would have to pay up.

Plus, the County would support the deceptive and extortion like practices of Mr. Critelli and Mr. Seaton in trying to scare and force the neighbors into agreeing with a Dunkin Donuts, because a WaWa Gas station would be even worse. And this was based on a lie.