

From: [Creech, Whitney](#)
To: [Comments, BCC Agenda](#)
Subject: FW: Agenda Item Number 48
Date: Tuesday, December 15, 2020 3:44:09 PM
Attachments: [Wat Lao Documents.pdf](#)

FYI – please add to item for records.
Thanks.

Whitney Creech
Comm. Gerard's Office – District 2
727.464.3360
wcreech@pinellascounty.org

Due to Florida's broad public records laws most written communications with government employees are considered public records. Therefore, this e-mail communication and any attachments may be subject to public disclosure.

From: Brian J. Aungst Jr. <BJA@macfar.com>
Sent: Tuesday, December 15, 2020 3:09 PM
To: Seel, Karen <kseel@co.pinellas.fl.us>; Robinson-Flowers, Rene <rflowers@co.pinellas.fl.us>; Gerard, Pat <pgerard@co.pinellas.fl.us>; Eggers, Dave <deggers@co.pinellas.fl.us>; Justice, Charlie <cjustice@co.pinellas.fl.us>; Peters, Kathleen <kpeters@pinellascounty.org>; Long, Janet C <JanetCLong@co.pinellas.fl.us>
Cc: Vandenberg, Courtney <cvandenberg@co.pinellas.fl.us>; Greenleaf, Kim <kgreenleaf@co.pinellas.fl.us>; Simmons, Cyndi M <csimmons@co.pinellas.fl.us>; Creech, Whitney <wcreech@co.pinellas.fl.us>; Hardy, Chelsea D <chardy@co.pinellas.fl.us>; Lyon, Blake G <blyon@co.pinellas.fl.us>; Herring, Darlina <dherring@co.pinellas.fl.us>; Walsh, J Doyle <dwalsh@co.pinellas.fl.us>; Overend, Ashley <aoverend@pinellascounty.org>
Subject: Re: Agenda Item Number 48

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Good afternoon Commissioners, in anticipation of the hearing tonight on the potential vacation and relocation of the alleyway that bifurcates the property of the Wat Lao Temple, please see attached handout that I anticipated showing you on an overhead projector. I have been informed that while the regular BoCC Chambers has an overhead projector there is no overhead projector in the Magnolia room. I am also cognizant of not wanting to hand you hard copies during the Covid pandemic and maintaining social distancing during the hearing; so I am providing the attached PDF in the spirit and purpose of serving as a stand in for the overhead projector that is usually available in Chambers.

I look forward to seeing you all tonight and I thank you for your consideration.

Brian

Brian J. Aungst, Jr., Esq.

Macfarlane Ferguson & McMullen

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O: (727) 441-8966

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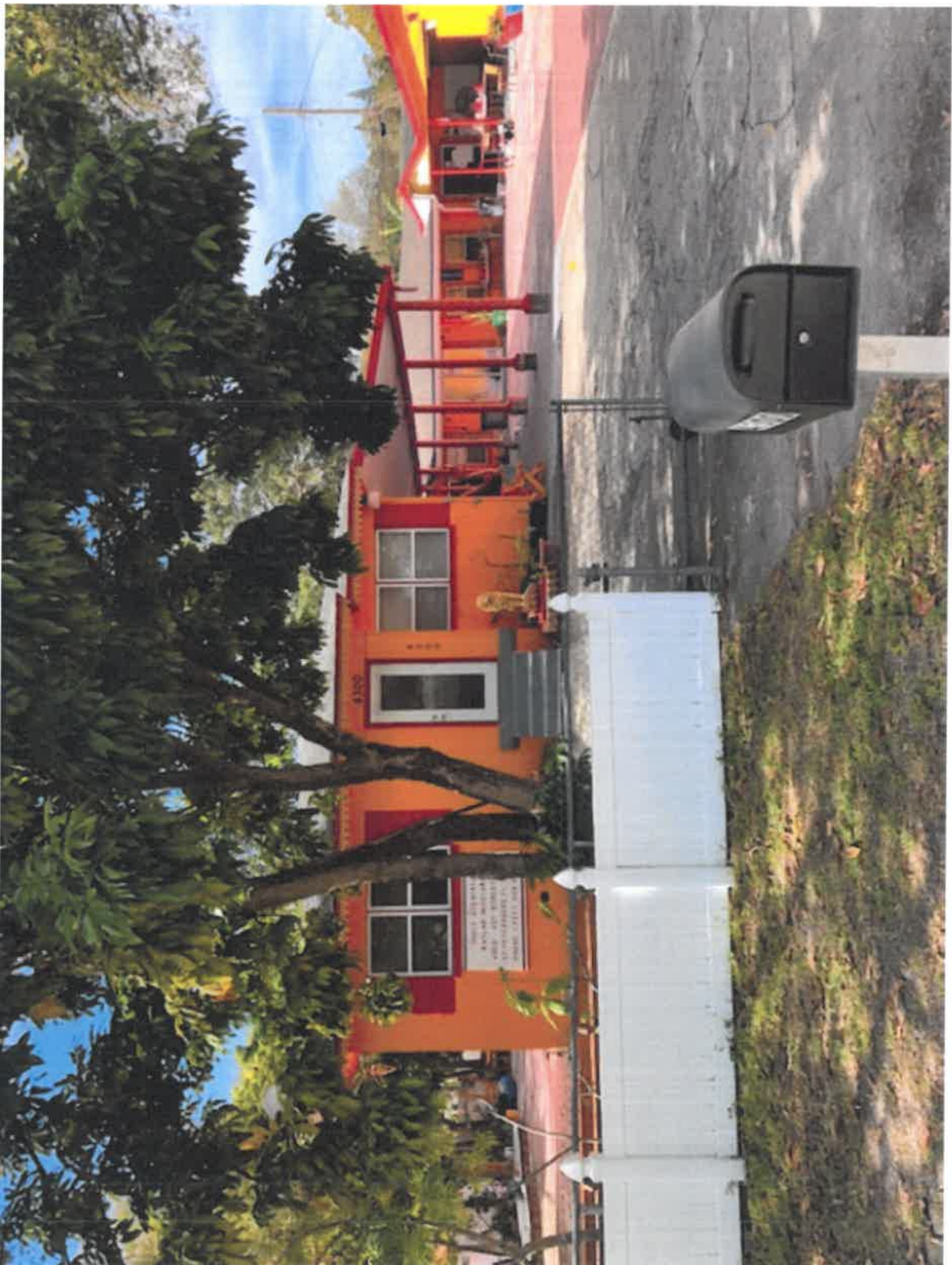
E: bj@macfar.com

W: www.mfmlegal.com

Bio: [Brian J. Aungst](#)



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Building Division
440 Court Street
Clearwater, FL 33756
Phone (727) 464-3888 Fax (727) 464-5021
Email: building@pinellascounty.org



08/23/19

WAT LAO MIXAIYARAM INC
4300 43RD ST N
ST PETERSBURG FL 33714

Re: Notice of Violation # BC19-00411

Date Issued 7/17/19

Our records indicate that the above referenced Notice of Violation LARGE CANOPY INSTALLED WITHOUT A PERMIT remains outstanding and is beyond the required resolution date.

You must correct or remove the violation and/or permit the work, if required, on or before 9/9/19 . Ten (10) day extensions for situations beyond your control may be considered if requested prior to the due date.

PLEASE DO NOT ASSUME THIS NOTICE IS INCORRECT

NOTICE: Failure to comply may result in a citation for a fine in County Court and/or notice for appearance before the Special Magistrate. The Special Magistrate has the authority to impose fines of up to \$1,000.00 for each day that the violation continues. If the violation is corrected and then repeated or if the violation is not corrected by the above specified date, the case may be brought for hearing even if the violation is corrected prior to the hearing. Additional costs and fees may be assessed in addition to any permit fees and/or fines.

If you have any questions regarding this Notice of Violation please contact me at 727-464-5230 between 8:30 AM and 4:00 PM. If I am unavailable at the time that you call please leave a Voicemail including your Name, Contact Number, and the Violation Number above.

VINCENT LAPORTA

Inspector

SECTION 3, TOWNSHIP 31S, RANGE 16E

CERTIFIED TO: WAT LAD MANAVARAM INC.



NORTH BASIS
PLAT

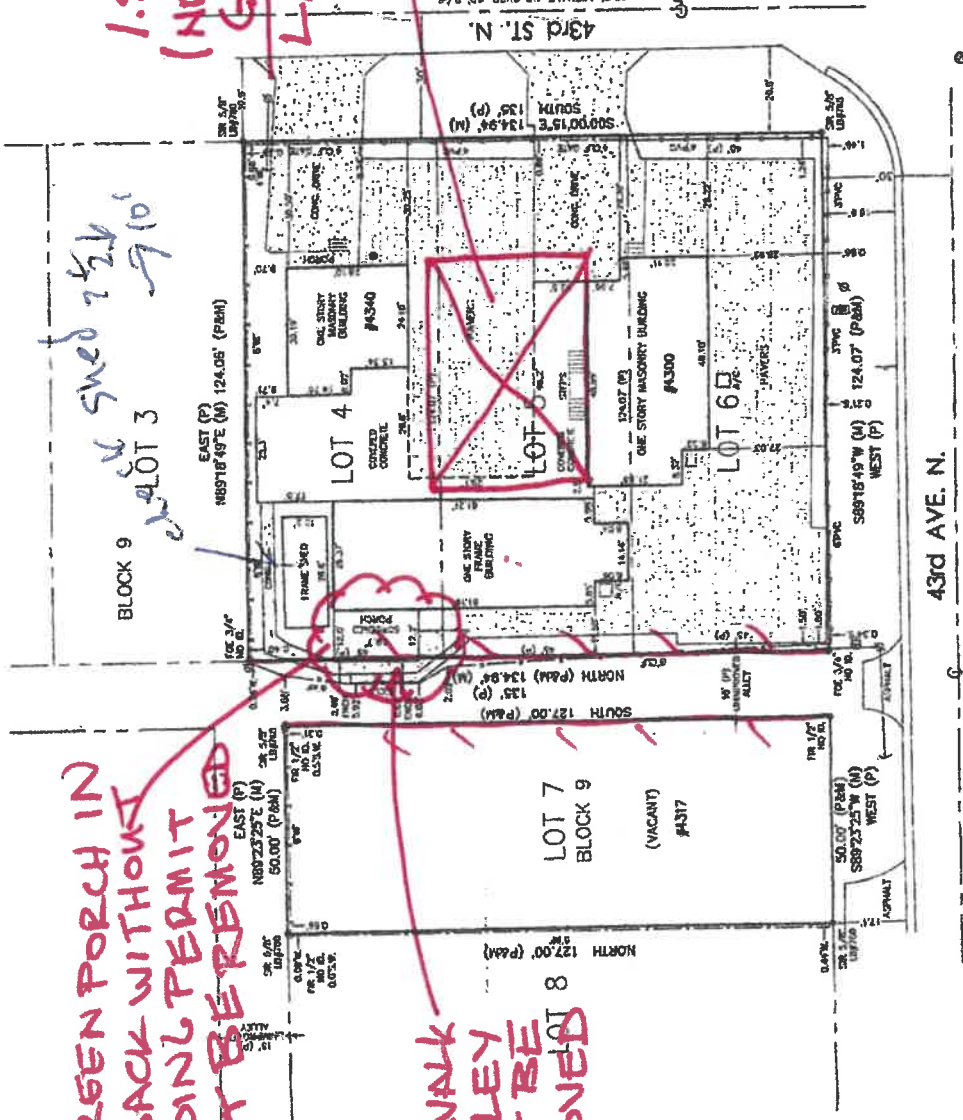
SCALE 1" = 20'

**I.S.R. = 65%
(NEED 36% OPEN,
GREEN SPACE)
LANDSCAPING**

**CANOPY
NEEDS
BUILDING
PERMIT
AFTER
SPECIAL
EXCEPTION**

**SCREEN PORCH IN
SETBACK WITHOUT
BUILDING PERMIT
- MUST BE REMOVED**

**SIDEWALK
IN ALLEY
- MUST BE
REMOVED**



- LEGEND:
- 1 AND 2 - FOUND
 - 3 - HAIL & IRON
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 - 5 - FOUND
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 - 100 - FOUND

LEGAL DESCRIPTION

LOTS 4, 5, 6, AND 7, BLOCK 9, ACCORDING TO THE PLAT OF AIRY PARK HEIGHTS, AS RECORDED IN PLAT BOOK 100 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

**CALL
SPECIAL EXCEPTION
NEED SITE PLAN
AND**

NOTE: The survey was prepared without the benefit of a title search or other records. Surveyors do not warrant the accuracy of the original record of a property. Licensed Surveyors and Engineers.

CERTIFICATION

I hereby certify that the survey represented hereon meets the requirements of Chapter 51-17.005, Florida Administrative Code.

Surveyor's Name: *[Signature]*
 State of Florida License No. 1259
 Certificate of Authorization No. 760

JOHN C. BRENDA AND ASSOCIATES, INC.
 Consulting Engineers and Land Surveyors

JCB

4015 82nd Avenue North
 Pinellas Park, Florida 33781
 Telephone (727) 576-7546
 Facsimile (727) 577-8932

**BOUNDARY SURVEY
WITH IMPROVEMENTS**

No.	DESCRIPTION	DATE

Job Number: 1808-100
 Survey Date: 7/20/16
 DWG: JCB
 CHK: JCB

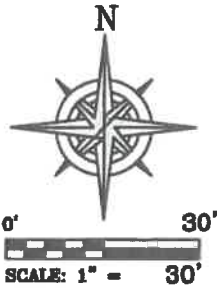
FB: 933 Pg: 3

THIS IS NOT A SURVEY.
 THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY
 THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

SEC. 3, TWP. 31 S., RNG. 16 E.
 PINELLAS COUNTY, FLORIDA

LEGEND

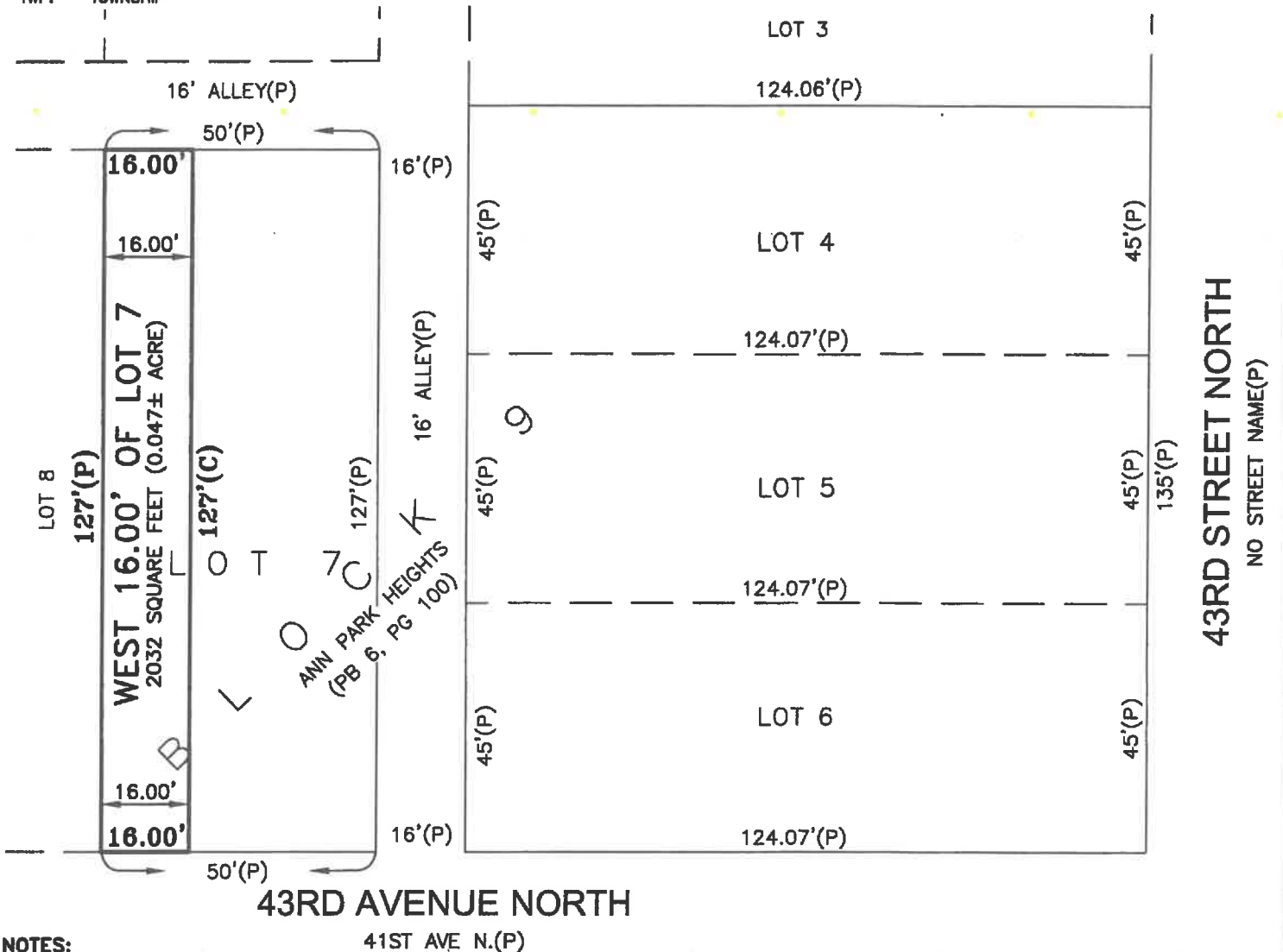
(C) CALCULATED
 LB LICENSED BUSINESS
 No. NUMBER
 OR OFFICIAL RECORD BOOK
 (P) PLAT BOOK 6, PAGE 100
 PB PLAT BOOK
 PG PAGE/PAGES
 PSM PROFESSIONAL SURVEYOR
 & MAPPER
 R/W RIGHT-OF-WAY
 RNG. RANGE
 SEC. SECTION
 TWP. TOWNSHIP



DESCRIPTION:

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF THE
 SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 31 SOUTH, RANGE
 16 EAST, PINELLAS COUNTY, FLORIDA, BEING DESCRIBED AS
 FOLLOWS:

THE WEST 16.00 FEET OF LOT 7, BLOCK 9, ANN PARK
 HEIGHTS, AS RECORDED IN PLAT BOOK 6, PAGE 100, PUBLIC
 RECORDS OF PINELLAS COUNTY, FLORIDA.



NOTES:

1. ADDITIONS OR DELETIONS TO THIS SKETCH OF DESCRIPTION OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED.
2. THIS SKETCH MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS AND MAPPERS, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES AS PRESCRIBED IN CHAPTER 5J-17.052(6) DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES. THIS DOCUMENT IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. THIS SKETCH OF DESCRIPTION IS BASED ON U.S. SURVEY FEET.
4. THIS SKETCH OF DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND MAY BE SUBJECT TO EASEMENTS, RESTRICTIONS, RIGHTS-OF-WAY AND OTHER MATTERS OF RECORD. THE GEOMETRY AS DESCRIBED ON THE RECORDED DOCUMENTS AS NOTED HEREIN AND IS SUBJECT TO AN ACCURATE FIELD BOUNDARY SURVEY.
5. THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1/30 OR SMALLER.

DEUEL & ASSOCIATES
 CONSULTING ENGINEERS LAND SURVEYORS LAND PLANNERS

565 SOUTH HERCULES AVENUE
 CLEARWATER, FL 33764
 PHONE 727.922.4151
 WWW.DEUELENGINEERING.COM
 CERTIFICATE OF AUTHORIZATION NUMBER 26320
 LICENSED BUSINESS NUMBER 107

THIS DOCUMENT IS NOT VALID WITHOUT THE
 SIGNATURE AND ORIGINAL RAISED SEAL OF A
 FLORIDA LICENSED SURVEYOR AND MAPPER.

**SKETCH OF DESCRIPTION
 WAT LAO MIXAYARAM INC.
 4300 43RD AVENUE NORTH**

DANA A. WYLLIE, PSM, LS 5874

CITY OF ST. PETERSBURG

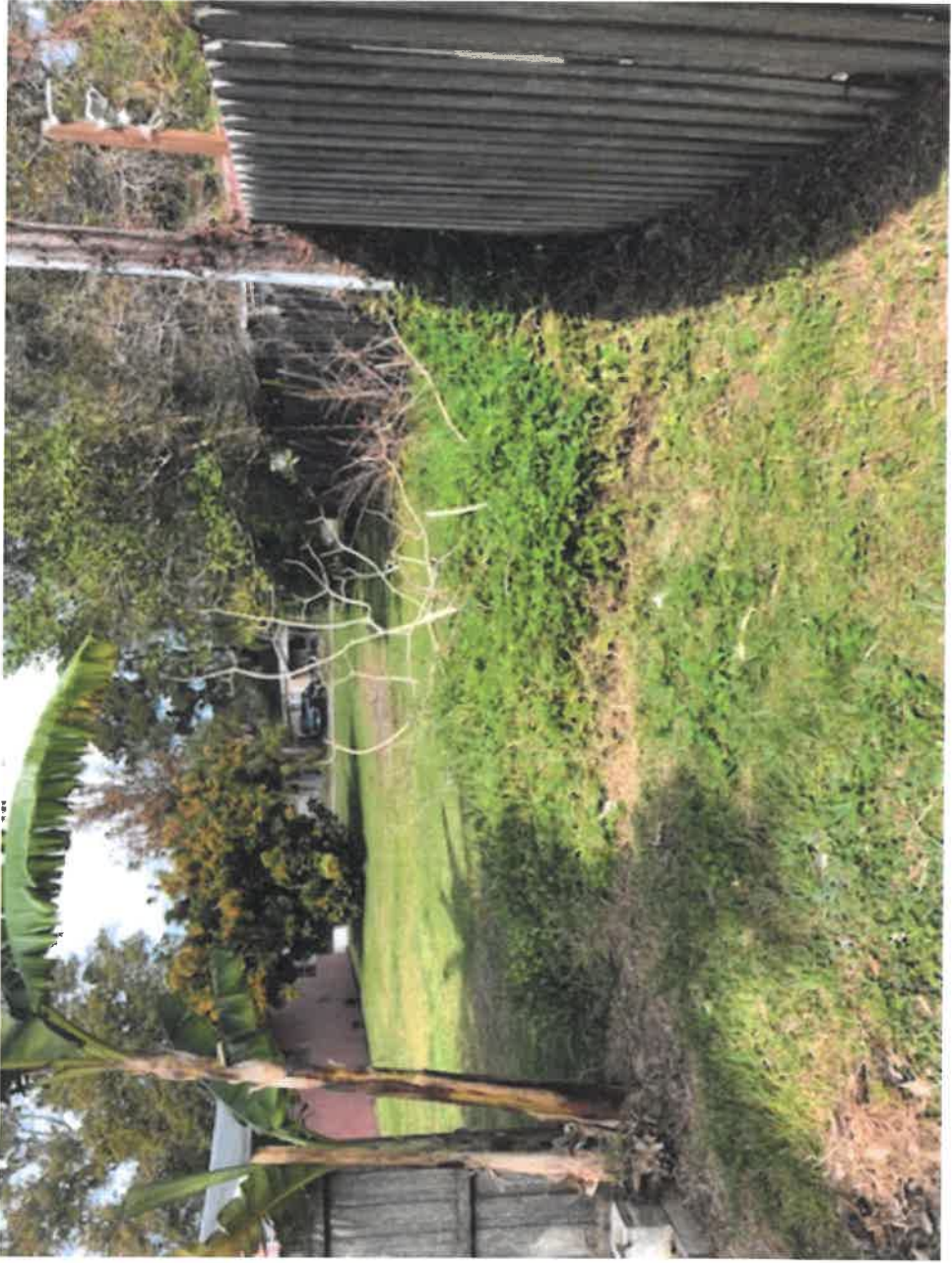
FLORIDA

WORK ORDER	2019-179
DATE:	8/03/2020
DRAWN:	LKC
SCALE:	1" = 30'
SHEET NO.	1 OF 1















Prepared by and return to:
Facilities and Real Property Division
Attn: Josh Rosado
509 East Ave. South
Clearwater, FL 33756

Property Appraiser
Attention: PW Operations

RIGHT-OF-WAY EASEMENT

THIS INDENTURE, made this 23 day of Sept, 2020, between WAT LAO MIXAYARAM, INC., whose address is 4300 43rd Avenue North, Saint Petersburg, FL, 33714, hereinafter referred to as Grantor and PINELLAS COUNTY, whose address is 509 East Avenue South, Clearwater, Florida 33756, a political subdivision of the State of Florida, hereinafter referred to as Grantee.

WITNESSETH

Grantor hereby warrants and covenants that (a) Grantor is the owner of the fee simple title to the property, in which the below described Easement is located, and that (b) Grantor has full rights and lawful authority to grant and convey this Easement to the Grantee.

That the said Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations to them in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does hereby grant and convey unto the Grantee, and the Grantee's successors and assigns, a perpetual right-of-way easement over and across the following described property, together with reasonable access for the Grantor's employees and contractors to install, inspect, maintain, and repair the Grantee's facilities and the right to authorize use of this easement by other public and private utilities as needed to provide power, telecommunications and other utilities as deemed necessary:

Lands described in legal description attached as Exhibit "A" hereto and made a part hereof, hereinafter referred to as the "Easement."

The purpose of this Easement is to relocate a 16 foot alley originally lying adjacent to and in between lots 4,5,6, and 7 of Block 9 of the Ann Park Heights Subdivision, according to the plat thereof as recorded in Plat Book 6, Page 100, for public roadway, sidewalk, drainage and utility purposes, together with any reasonable or necessary appurtenances thereto. This easement shall take effect when said original platted alley is vacated by the Pinellas County Board of County Commissioners.

IN WITNESS WHEREOF, the said Grantor has signed the day and year first written above.

SIGNED AND DELIVERED
IN THE PRESENCE OF:

WAT LAO MIXAYARAM, INC.

WITNESSES:

Robert Sosa

Print Name: Robert Sosa

Toun Thep

Print Name: TOUN THEP

By: Seazu Phothisarath

Print Name: SEAZU PHOTHISARATH

Title: President

CHAPTER 138, ARTICLE XI



**LEALMAN
FORM-BASED CODE
& DISTRICT (L-FBC)**

DRAFT as of 4.10.20

DIVISION 6: DEVELOPMENT DESIGN STANDARDS

SECTION 138-4170. INTENT

- (a) The Development Design Standards establish site, building, landscaping, and signage standards for the development/redevelopment of properties.
- (b) These standards are intended to preserve and build on the existing development pattern in order to promote a walkable, pedestrian-focused community.
- (c) The Development Design Standards are further intended to provide a safe, functional, and attractive built environment and circulation pattern for all users and transportation modes.

SECTION 138-4171. SITE DESIGN STANDARDS

The following Site Design Standards apply to all new development/redevelopment and expansions and remodels, as applicable per *LFBC Div. 2: Section 138-4053*.

(a) GENERAL

- (1) *Existing Street Preservation.* The vacation of public streets and alleys is discouraged in order to preserve the existing street network, unless new public streets and alleys are constructed that serve the function of those vacated.
- (2) *New Streets.* New public streets must align with and follow the existing gridded street network. Cul-de-sacs must be avoided where possible, as determined by the Code Administrator.
- (3) *Blocks & Lots.*
 - a. All new lots must front on at least one public street.
 - b. All lots and/or contiguous lots that are situated between 2 parallel public streets are considered a block. No new block created through land assembly can have a length greater than 600 feet without providing pedestrian through-access to another public street, pedestrian pathway, or public space/facility. The required pedestrian connection must be located within the public right-of-way or within a dedicated easement. (See *LFBC Div. 6: Figure 138-4171.a*)
- (4) *Outdoor Pedestrian Areas.* Structures, landscaping, and/or another method should be provided around outdoor pedestrian use areas, such as outdoor dining areas, to provide shade and reduce heat island effects.
- (5) *Dumpster Enclosure.* All dumpsters, recycling, and other similar containers must be screened from view of all public streets and adjacent properties. The screening must be a fence/wall that is a minimum of 6 feet in height and 100% opaque. The fence/wall must be constructed of wood, stone, masonry, or of a similar material. Chain link fence with interwoven plastic strips or other similar fencing is not permitted.

Figure 138-4171.a Block Length

