

Direct all correspondence to:

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

Application # _____
(OFFICIAL USE ONLY)

PRIVATE DOCK PERMIT APPLICATION
PINELLAS COUNTY WATER AND NAVIGATION

I. PROPERTY OWNER INFORMATION:

- A. Applicant's Name: JAMES DONOVAN
- B. Mailing Address: 106 HARBOR DR.
City: PALM HARBOR State: FL Zip: 34683
- C. Telephone No: 513-617-9249 E-mail Address: donovanjim11@yahoo.com

II. AGENT INFORMATION:

- A. Name: TERRI SKAPIK, PRESIDENT WOODS CONSULTING
- B. Address: 1714 COUNTY ROAD 1, SUITE 22
City: DUNEDIN State: FL Zip: 34698
- C. Telephone No: 727-786-5747 E-mail Address: terriskapik@woodsconsulting.org

III. SITE INFORMATION:

- A. Construction Site Address: 106 HARBOR DR.
City: PALM HARBOR State: FL Zip: 34683
- B. Parcel ID Number: 10 / 28 / 15 / 65124 / 000 / 0210
- C. Incorporated: Unincorporated:
- D. Affected Water Body: ST JOSEPH'S SOUND
- E. Previous Permits: P30636-01
- F. Date applicant assumed property ownership: JULY 2019
month/year
- G. Obstructions: (Dogs, Fences, etc.) FENCE
- H. Attach 8 1/2" X 11" vicinity map showing specific project location.
- I. All other information pursuant to Section 166-328, Pinellas County Code, as needed.
- J. For projects requiring a public hearing, attach a copy of the complete legal description.

IV. PROJECT DESCRIPTION:

A. Nature and Size of Project: WRECK AND REMOVE EXISTING DOCK AND REPLACE WITH 25' X 5' WALKOUT TO 23' X 14' PLATFORM AND 2.5' X 14' LOWER LANDING WITH BOAT LIFT ON LEFT SIDE OF DOCK Square Feet: 482

B. Variance: Yes No
Amount in variance: Length: 7.8' Width: _____
Setbacks: Left: *SEE NOTE Right: _____

Other: *EXISTING DOCK TO REMAIN IN SAME FOOTPRINT, WITHIN LEFT SIDE SETBACK, LIFT ALREADY WITHIN LEFT SIDE SETBACK WOULD BE MOVED WATERWARD OF CURRENT LOCATION

NOTE: It is the applicant's responsibility to clearly demonstrate that any requested variances are consistent with the variance criteria of Section 166-291 of the Pinellas County Code. The applicant must demonstrate that a literal enforcement of the regulations would result in an extreme hardship due to the unique nature of the project and the applicant's property. The hardship must not be created by action(s) of the project owner(s). The granting of the variance must be in harmony with the general intent of the regulations and not infringe upon the property rights of others. The variance requested must be the minimum possible to allow for the reasonable use of the applicant's property. Should the applicant fail to demonstrate that any variance request is consistent with the criteria outlined in the regulations, staff cannot recommend approval of the application.

V. CONTRACTOR INFORMATION:

I, CONTRACTOR NOT YET SELECTED, a certified contractor, state that the dock has not been constructed and that it will be built in compliance with all requirements and standards set forth in the Pinellas County Code, and in accordance with the attached drawings which accurately represent all the information required to be furnished. In the event that this dock is not built in accordance with the permit or the information furnished is not correct, I agree to either remove the dock or correct the deficiency.

Signed: _____ Cert No.: _____

Company Name: _____ Telephone No: _____

City: _____ State: _____ Zip: _____

E-mail Address: _____

VI. OWNER'S SIGNATURE:

I hereby apply for a permit to do the above work and state that the same will be done according to the map or plan attached hereto and made a part hereof, and agree to abide by the criteria of the Pinellas County Code for such construction and, if said construction is within the corporate limits of a municipality, to first secure approval from said municipality. I further state that said construction will be maintained in a safe condition at all times, should this application be approved, that I am the legal owner of the upland from which I herein propose to construct the improvements, and that the above stated agent/contractor may act as my representative. I understand that I, not Pinellas County, am responsible for the accuracy of the information provided as part of this application and that it is my responsibility to obtain any necessary permits and approvals applicable for the proposed activities on either private or sovereign owned submerged land.

11/6/2020

Date



Legal Owner's Signature

CERTIFICATION

I hereby certify that I am the owner and record title holder or trustee of the property described herein; that I have read and understand the contents of this application, and that this application, together with all supplemental data and information is a true representation of the facts concerning this request; that this application is made with my approval, as owner and applicant, as evidenced by my signature appearing below. It is hereby acknowledged that the filing of this application does not constitute automatic approval of the request; that the burden is on the undersigned to provide substantial and competent evidence to show that relevant criteria is met prior to any approval being granted; and further that if the request is approved, I will obtain all necessary permits and comply with all applicable orders, codes, conditions, and rules and regulations pertaining to the use of the subject property. I further understand that any misrepresentation of the facts contained herein may render action on this request by Pinellas County to be null and void.

James Jordan
Signature of Owner or Trustee
*(See note below)

Date: 11/9/2020

STATE OF FLORIDA; COUNTY OF ~~PINELLAS~~ PASCO

The foregoing instrument was acknowledged before me this 9th day of November

20 20 by James Jordan who is known to me or has produced _____ as identification and who did (did not) take an oath.



TRACEY SAYLOR
Commission # GG 352995
Expires September 1, 2023
Bonded Thru Budget Notary Services

Tracey Saylor
Notary Public
(seal)

*Applications which are filed by corporations must bear the seal of the corporation over the signature of an officer authorized to act on behalf of the corporation.

Application # _____
(OFFICIAL USE ONLY)

DISCLOSURE FORM

In order to alleviate any potential conflict of interest with Pinellas County staff, it is required that the County be provided with a listing of PERSONS being party to a trust, corporation, or partnership, as well as anyone who may have beneficial interest in the application which would be affected by any decision rendered by the County (attach additional sheets if necessary).

A. PROPERTY OWNERS:

Name: DONOVAN, JAMES P _____ Name: _____
Address: 106 HARBOR DR. _____ Address: _____
PALM HARBOR, FL 34683 _____
Name: _____ Name: _____
Address: _____ Address: _____

B. REPRESENTATIVES:

Name: KATIE COLE, HILL WARD HENDERSON _____ Name: TERRI SKAPIK, WOODS CONSULTING _____
Address: 600 CLEVELAND STREET, SUITE 800 _____ Address: 1714 COUNTY RD. 1 SUITE 22 _____
CLEARWATER, FL 33755 _____ DUNEDIN, FL 34683 _____
Name: _____ Name: _____
Address: _____ Address: _____

C. OTHER PERSONS HAVING OWNERSHIP INTEREST IN THE SUBJECT PROPERTY:

Interest is: contingent absolute
Name: _____ specific interest held: _____

D. DOES A CONTRACT FOR SALE EXIST FOR THE SUBJECT PROPERTY? YES NO

If so, the contract is: contingent absolute
Name of parties to the contract: _____

E. DOES AN OPTION TO PURCHASE EXIST FOR THE SUBJECT PROPERTY? YES NO

Name of parties to the option: _____

F. OWNER'S SIGNATURE:

I hereby certify that the information stated above is complete, accurate, and true to the best of my knowledge.

X James Donovan Date 11/6/2020





Prepared by and Return To:
Michele Williams
Fidelity National Title of Florida, Inc.
28059 US Highway 19 North, Suite 100
Clearwater, FL 33761

Order No.: FTPA19-74274

APN/Parcel ID(s): 10/28/15/65124/000/0210

WARRANTY DEED

THIS WARRANTY DEED dated July 1, 2019, by David J. Linesch and Jan S. Linesch, husband and wife, hereinafter called the grantor, to James P. Donovan, a single man, whose post office address is 106 Harbor Drive, Palm Harbor, FL 34683, hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of Ten And No/100 Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the grantee, all the certain land situated in the County of Pinellas, State of Florida, to wit:

Lot 21, Fourth Addition to Ozona Shores, according to the map or plat thereof, as recorded in Plat Book 49, Page(s) 46, of the Public Records of Pinellas County, Florida.

Subject to easements, restrictions, reservations and limitations of record, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

TO HAVE AND TO HOLD the same in Fee Simple forever.

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes-accruing subsequent to December 31, 2018.

WARRANTY DEED

(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Signed, Sealed and Delivered in the presence of:

[Signature]
Witness Signature

Daniela Carrion
Print Name

[Signature]
Witness Signature

Rachel Durant
Print Name

[Signature]
David J. Linesch

[Signature]
Jan S. Linesch

Address: 106 Harbor Drive
Palm Harbor, FL 34683

State of Florida
County of Pinellas

The foregoing instrument was acknowledged before me this 25 day of June, 2019, by David J. Linesch and Jan S. Linesch, to me known to be the person(s) described in or who has/have produced _____ as identification and who executed the foregoing instrument and he/she/they acknowledged that he/she/they executed the same.

Witness my hand and official seal in the County and State last aforesaid this 25 day of June, 2019.

[Signature]
NOTARY PUBLIC
My Commission Expires:



COPY

Project Narrative and Variance Request
Dock and Boatlift – 106 Harbor Drive, Palm Harbor

Mr. James Donovan (the “Applicant”) proposes a dock with a total of 482 square feet of surface area, at his home at 106 Harbor Drive, Palm Harbor (the “Property”). The dock will be 14’ in width at its widest point, and a total of 50.5’ in length. The proposed dock will include a boatlift on its south side, where there is currently a boatlift on the existing dock at the Property. The proposed dock is depicted on Exhibit A, attached hereto.

The proposed dock will meet all construction criteria of Section 58-554 of the Pinellas County Water and Navigation Regulations Code (the “Code”). Pursuant to the applicable criteria of Section 58-555(a) of the Code, the dock structure:

- Shall not extend more than 25% into the navigable portion of the adjacent waterway;
- Shall not extend more than 300 feet waterward of the mean high water line; and
- Shall not be designed to accommodate more than 2 boats for permanent mooring

The Applicant requests relief from the criteria of Section 58-555(b). Specifically, the Applicant requests a dock-length of 50.5’, which is 7.8’ longer than permitted under Section 58-55(b)(1). The Applicant also requests that the dock and lift be allowed to remain sited southward as permitted in 2001.

These requests for relief from the Code are justified for the following reasons. The Applicant purchased the Property in 2019, which included the existing dock on-site. The property was originally permitted for a dock of 42.4’ in length, with tie poles at 50.5’, and with the configuration depicted in Exhibit B, attached hereto. Per Section 58-555(b)(1), waterfront property-owners may construct docks with a length up to 50% of the lot’s waterfrontage. The Property’s waterfront is 85.4’, and therefore the dock length allowed by Code would be 42.7’ long. Since a 42.4’ dock was originally permitted with tie poles at 50.5’, and surrounding property owners have docks longer than the Code’s formula allows, it is clearly not a provision that has been adhered to in the surrounding area. The extra length is not only consistent with the surrounding area, but necessary based upon the depth of the water and the general navigational parameters of the area. Please see Exhibit C for dock lengths of surrounding neighbors, and Exhibit D for a breakdown of same.

The as-built dock on the Property is not located as far southward as permitted in 2001, since the permit plans show a boat lift even further southward and almost to the south boundary line. Cuban shoal grass and thalassia populate the north side of the as-built dock, and the location of the proposed new dock. To avoid impacts to this vegetation, and to allow a functional boatlift and boat ingress/egress, the dock and boatlift must therefore remain sited southward of this vegetated area. The proposed boat lift will be located in essentially the same footprint of the existing boat lift – the new boat lift will be shifted further waterward to achieve better depth for boat ingress/egress, but its distance from the south boundary line will remain the same, which is in line with what was permitted in 2001. Please see the attached permit from 2001, attached hereto as Exhibit F. The adjacent neighbor to the south has a dock of similar length, with a boatlift on the north side of said dock that extends further northward than permitted by Section 58-555(b)(2).

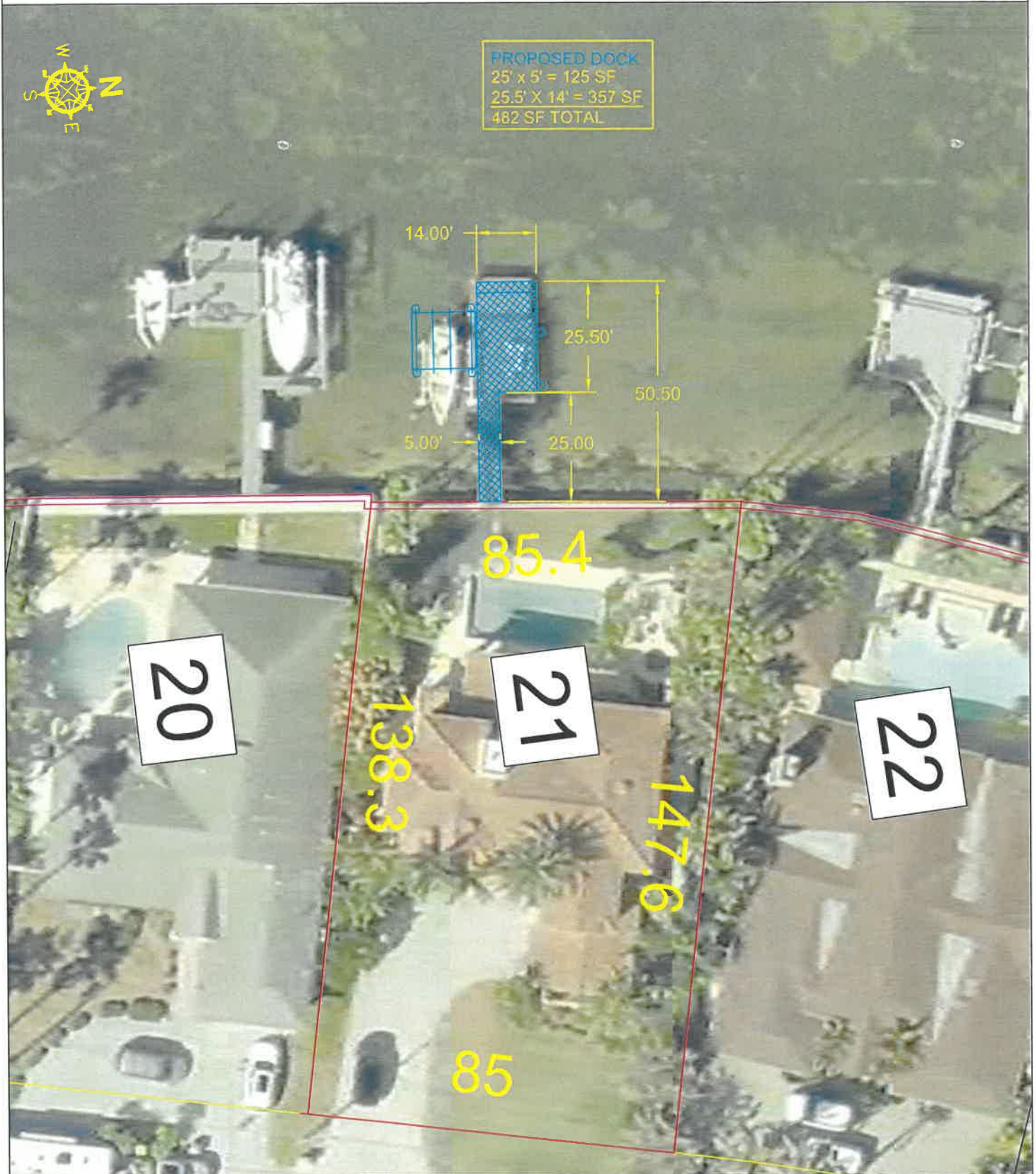
To deny the Applicant the requested relief from Section 58-555(b) would be to deny the Applicant rights afforded to the vast majority of other property owners in the surrounding area. The existing dock on the Property does no harm to the adjacent property owners and is reflective of the

general development pattern in the area. The dock proposed by this Application is substantially the same as that in existence, with a boatlift in greater conformity with that which was originally permitted.

Finally, the proposed dock is in conformity and consistent with Sections 58-530 and 58-533 of the Code. Specifically, the proposed dock will have no adverse effects upon navigation, water flow, natural beauty of the area, erosion control, uplands, or aquatic habitats. The proposed dock is also consistent with the Pinellas County Comprehensive Plan, as the future land use designation on the Property is RL, and the proposed dock is for personal watercraft in connection with a single family home.

SCALE: 1" = 30'

PROPOSED DOCK



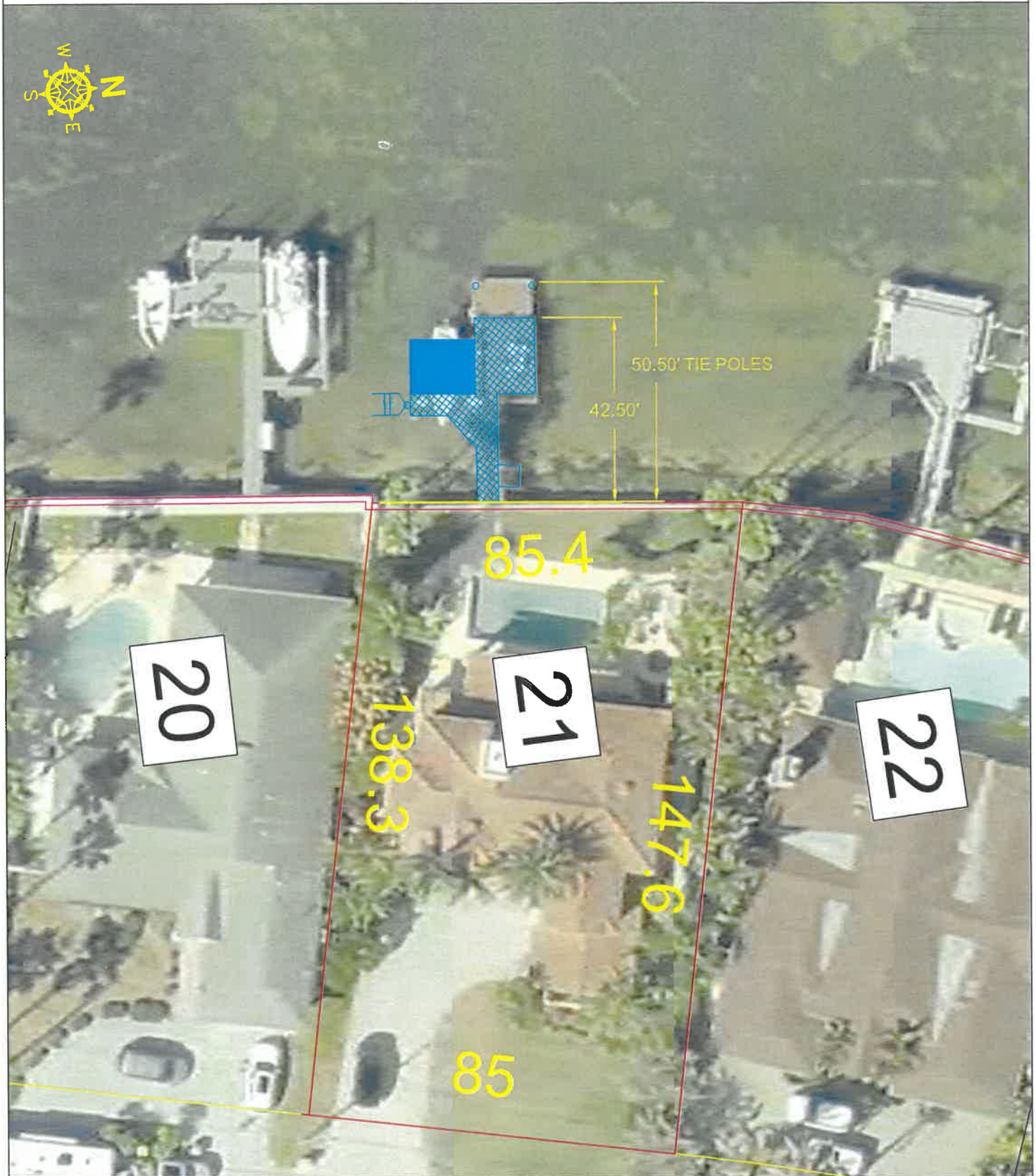
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Donovan Residence
106 Harbor Dr., Palm Harbor

WOODS CONSULTING
1714 COUNTY ROAD 1, SUITE 22
DUNEDIN, FL 34898
PH. (727) 786-5747
FAX (727) 786-7479

SCALE: 1" = 30'

ORIGINAL PERMITTED DOCK



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106 Harbor Dr., Palm Harbor

WOODS CONSULTING
1714 COUNTY ROAD 1, SUITE 22
DUNEDIN, FL 34698
PH. (727) 786-5747
FAX (727) 786-7479

SCALE: 1" = 150'

SURROUNDING DOCK LENGTHS



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106 Harbor Dr., Palm Harbor

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PH. (727) 786-5747
FAX (727) 786-7479

LOT NUMBER	Address HARBOR DRIVE	Length of Waterfrontage	Length Allowed by Code (50% of WF)	Length of Dock As Built
5	129	85	42.5	45
6	127	72.6	36.3	66
7	125	82.9	41.45	50
8	123	80	40	58
9	121	84.9	42.45	58
10	119	80	40	60
11	117	78.8	39.4	60
12	115	75	37.5	62
13	113	75	37.5	54
14	109	75	37.5	100
15	107	84.5	42.25	74
16	105	100	50	63
17	103	169	84.5	102
18	100	148.9	74.45	NO DOCK
19	102	186.2	93.1	NO DOCK
20	104	80	40	59.5
21	106	85.4	42.7	50.5
22	108	97.7	48.85	54
23	110	110.8	55.4	71
24	114	96.3	48.15	102
25	116	98.3	49.15	DOCK REMOVED
26	118	80	40	82
27	120	90	45	47.5
28	122	80	40	39
29	124	85	42.5	32
30	126	93.8	46.9	43
31	128	90.5	45.25	68
32	130	80	40	90

SCALE: 1" = 30'

SEA GRASS SURVEY EXHIBIT
SURVEY DATE 08-04-20



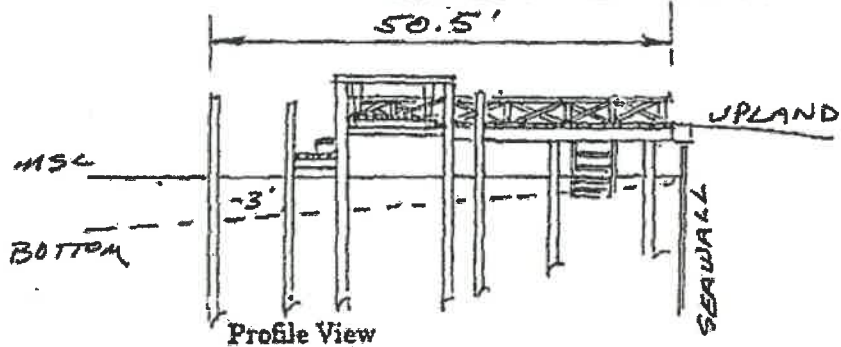
Donovan Residence
106 Harbor Dr., Palm Harbor

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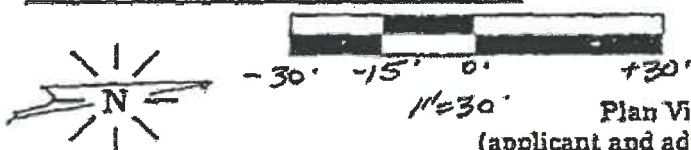
PRIVATE DOCK

Application # P30636-01
(OFFICIAL USE ONLY)

MHW
MLW
BOTTOM



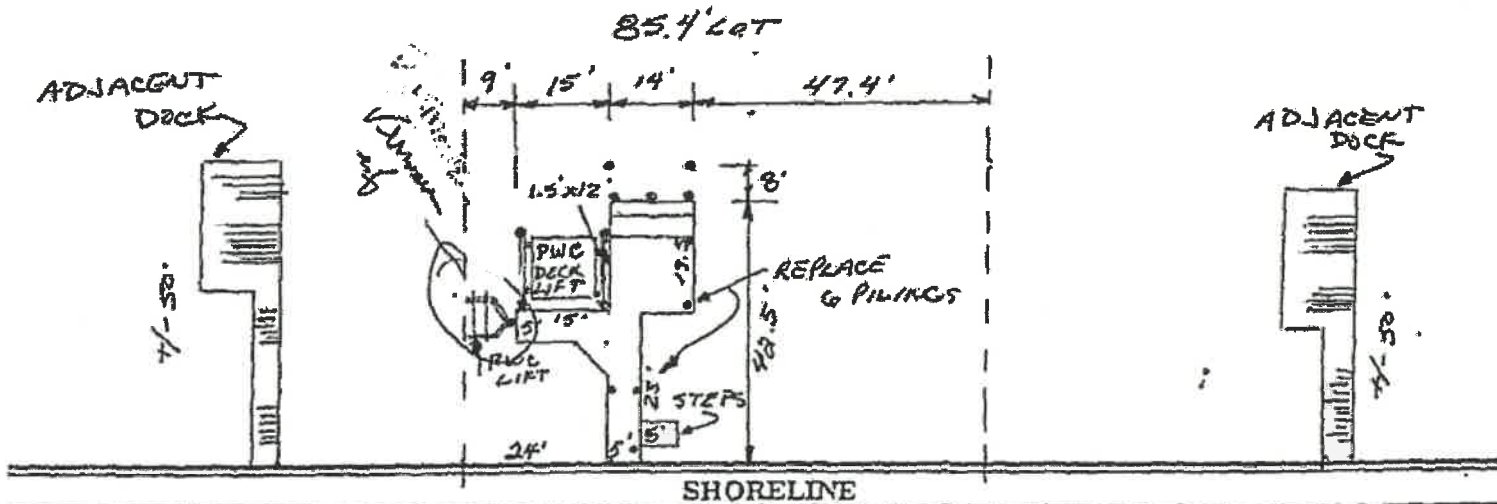
ENG. SCALE: 1" =



TOTAL SQUARE FEET	486
NEW SQUARE FEET	0
WATERWAY WIDTH	OPEN
WATERFRONT WIDTH	85.4'

Plan View
(applicant and adjacent docks)

- SCOPE OF WORK:
- ALL STRUCTURES ARE EXISTING
- REPLACE 6 DOCK PILING



The undersigned does not object to the proposed dock and requested variances as drawn in the space provided above.

Left Owner: FEINSTEIN		Right Owner	
Signature	Date 9/13/01	Signature N/A	Date
Municipality Approval		Water and Navigation Approval	

APPROVED
PINELLAS COUNTY
ENVIRONMENTAL MANAGEMENT
DPH 9-27-01
FOR WILLIAM M. DAVIS, DIRECTOR
DATE 09/27/01