



Dr. James P. Donovan
106 Harbor Drive
Palm Harbor, FL 34683

Re: Pinellas County Board of County Commissioners Quasi-Judicial Public Hearing re: Appeal of County Permit #WND 20-00231REV (Agenda Item: 23-1789A)

Dear Dr. Donovan (Applicant):

This letter (this “Order”) serves as a formal order pursuant to Florida Rules of Appellate Procedure No. 9.100(c). Pursuant to the definition provided in Rule No. 9.020(h), this Order is “rendered” on Wednesday December 27, 2023, which is the date that this Order was filed with the Pinellas County (“County”) Clerk of the Circuit Court.

As you are aware, at a quasi-judicial public hearing held on Tuesday December 12, 2023, the Board of County Commissioners (the “Board”) considered an appeal filed by your neighbors Brian and Lori Myrback; specifically, the Myrbacks challenged County Staff’s (“Staff”) issuance of County Permit #WND 20-00231REV (the “Permit”), which authorizes the construction of certain docking facilities at your property located at 106 Harbor Drive, Palm Harbor, FL 34683. Based upon the evidence in the record, the Board voted unanimously to uphold the Permit. Therefore, the Myrbacks’ appeal of Staff’s issuance of the Permit is denied.

However, please be advised that the Myrbacks may appeal the Board’s decision. Therefore, you may wish to forego any construction authorized by the Permit until such prospective appeal is resolved or until the time to file such prospective appeal has lapsed. It is Staff’s position that, pursuant to Rule No. 9.100(c), the Board’s decision must be appealed by filing a petition for writ of certiorari with the Circuit Court no later than Friday January 26, 2024, which is thirty days from the date that this Order was rendered.

Interested parties are cc’d.

Sincerely yours,

Melanie Weed

Melanie Weed
Division Director, Pinellas County Environmental Management

cc: Katie Cole, Hill Ward Henderson (Counsel for Dr. Donovan)
Edward Cole, Cole Law, P.A. (Counsel for the Myrbacks)
Brian and Lori Myrback (Appellants)