



Pinellas County

Legislation Details (With Text)

File #: 19-2082A **Version:** 1

Type: Contract/Agreement **Status:** Failed

File created: 11/9/2019 **In control:** Public Works

On agenda: 12/10/2019 **Final action:** 12/10/2019

Title: Authority to advertise a public hearing to be held on January 14, 2020, regarding a single-family private Dock Permit Application P49848-19 for Patel, 224 Driftwood Lane, located in unincorporated Largo.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Comment Cards Submitted for Public Comment, 2. Signed Memo of Agenda item 19-2082A re Dock Permit, 3. Summary and Analysis of Issues, 4. Photographs, 5. Aerials, 6. Pinellas County Code Excerpts, 7. Dock Permit, 8. Project Location Map, 9. Emails, 10. Appeals

Date	Ver.	Action By	Action	Result
12/10/2019	1	Board of County Commissioners	denied	Pass

Subject:

Authority to advertise a public hearing to be held on January 14, 2020, regarding a single-family private Dock Permit Application P49848-19 for Patel, 224 Driftwood Lane, located in unincorporated Largo.

Recommended Action:

Denial of the request for a public hearing to be held on January 14, 2020, regarding a single-family private Dock Permit P49848-19 for Patel, 224 Driftwood Lane, located in unincorporated Largo.

- Dock Permit P49848-19 for Patel, 224 Driftwood Lane in unincorporated Largo, was issued September 30, 2019.
- Two neighbors since have appealed the Permit and asked for a public hearing on this matter, after signing waivers of no objection.
- Staff has determined the now constructed dock complies with the Permit and does not violate County dock regulations.

Strategic Plan:

Ensure Public Health, Safety, and Welfare

2.1 Provide planning, coordination, prevention, and protective services to ensure a safe and secure community.

Summary:

The County received appeals from two parties regarding the subject Dock Permit, issued on September 30, 2019. Pinellas County Code (Code) provides thirty days for such appeals, wherein the appellant(s) must state the grounds upon which staff have erred in their findings. The Board of

County Commissioners (Board) may, in its discretion, grant or deny a public hearing to reconsider the issuance of the permit. Staff has reviewed the Permit and issues raised by the appellants and determined the structure does not violate County dock regulations and that the Permit was issued properly. No issues were raised by either of the appellants that warrant a public hearing, for a reconsideration of this Permit. The dock has been inspected and constructed in compliance with its permit.

Background Information:

An application for a single-family private dock was received on September 19, 2019 from Mr. Jyoti Patel, to replace an existing 36-foot long dock with a new structure. The new dock is 52.5 feet long on the north side and approximately 38 feet long on the south side (due to the curvature of the seawall). It has a side setback to the adjacent property of 20.5 feet on the south side and 18.5 feet on the north side. The Code limits private dock lengths in the unincorporated County to one-half of the waterfront width of the property. The waterfront width of this property is 85.5 feet, which would limit the dock length to 42.75 feet. The Code also requires private docks to be in the center one-third of the property, or 28.5 feet from each adjacent property in this case. These requirements, however, can be waived with signatures of no objection from the abutting property owners. The applicant did obtain both signatures of the abutting property owners. In addition, staff has no navigational or environmental concerns with the project.

Upon seeing the dock under construction, one of the neighbors, Mr. Dohring, contacted staff and indicated that he wished to rescind his signature, which was not possible as the Permit had already been issued. Both adjacent neighbors have since appealed for the Board to hold a public hearing on the matter. The essence of the appeal is that the neighbors did not fully understand the scope of the project when the applicant asked them to approve. Unfortunately, the neighbors did sign the variance request forms, as well as the dock drawing itself, which formally indicated to staff that they did not object to the project. A more detailed summary of the issues raised by the appellants is attached.

Fiscal Impact:

N/A

Staff Member Responsible:

Kelli Hammer Levy, Interim Director, Public Works

Partners:

N/A

Attachments:

Dock permit
Appeals
Emails
Summary and Analysis of Issues
Pinellas County Code (relevant excerpts)
Project Location Map
Aerials
Photographs