



Pinellas County

Staff Report

File #: 22-0592A, Version: 1

Subject:

Request for a public hearing to appeal the denial of County Dock Permit Application No. WND-21-01528 for 618 Sunset Drive South in St. Petersburg.

Recommended Action:

Recommend consideration of Mr. James Arnold's (property owner) request for a public hearing to appeal the denial of County Dock Permit Application No. WND-21-01528 for 618 Sunset Drive South in St. Petersburg.

- Property owner applied for a private permit to construct a new single-family dock at 618 Sunset Drive South in St. Petersburg.
- Proposed dock location would require removal of approximately 330 square feet of large mature mangroves.
- Section 58-530(b) - affirmative answers to Findings of Fact require denial or modification of the application.
- County staff proposed an alternate location on the southern edge of the property, which is currently devoid of mangroves, but property owner declined to modify application.

County Dock Permit Application No. WND-21-01528.

Strategic Plan:

Practice Superior Environmental Stewardship

3.2 Preserve and manage environmental lands, beaches, parks, and historical assets

3.3 Protect and improve the quality of our water, air, and other natural resources.

Summary:

The County issued a denial letter on February 10, 2022, for the above referenced Dock Permit Application. County Code (Code) provides thirty (30) days for appeals where the appellant(s) must state the grounds upon which staff have erred in its findings. The Board of County Commissioners (Board) may grant or deny a public hearing to reconsider the denial of the permit application. Staff has reviewed the appeal and issues raised by Mr. Arnold and finds the denial of the application was determined properly.

Background Information:

Mr. James Arnold, property owner at 618 Sunset Drive S. in St. Petersburg, applied for a new single-family private dock on November 22, 2021. Much of the property's waterfront (129 feet out of 159 feet) features a mature mangrove fringe which extends from the shoreline approximately 71 feet in depth. The proposed dock location would require the removal of approximately 330 square feet of mature mangroves.

After review of the Dock Permit Application and conducting a site inspection, staff proposed

alternative designs to Mr. Arnold that would place the dock at the southern end of the property, which was historically cleared of mangroves and only has a minimal amount of very small seedlings. This alternate placement would avoid destruction of the large mangrove trees along the shoreline. Mr. Arnold declined the alternative designs. Therefore, the County issued a letter denying the application on February 10, 2022. The letter outlined how this proposed project is inconsistent with multiple sections of the Water and Navigation Regulations (Chapter 58, Article XV):

Section 58-504(b): Protection of natural resources

Section 58-530(b): Affirmative answers to several Findings of Fact which require denial or modification of the application:

(5) Adverse effect to natural beauty

(6) Conservation of natural resources

(9) Inconsistent with adopted plans such as the County's Comprehensive Plan, Mangrove Trimming and Preservation Act and the Comprehensive Conservation and Management Plan for Tampa Bay.

Section 58-533(c): Adverse impacts to habitats with high degree of ecological value

Section 58-531(c): Alternative designs

Mr. Arnold wishes to petition the Board to hold a public hearing to appeal the permit denial.

Fiscal Impact:

N/A

Staff Member Responsible:

Kelli Hammer Levy, Director, Public Works

Partners:

City of St. Petersburg

Attachments:

Permit Denial Letter

Appeal Emails

Summary of Appellant Concerns

Dock Permit Application

Location Map

Site Photographs

Alternative Locations Drawing