

TOWN OF BELLEAIR BUILDING DEPARTMENT

901 Ponce de Leon Blvd. Belleair, Florida 33756-1096 Phone: (727) 588-3769 ext. 215 Fax: (727) 588-3768

MEMORANDUM

DATE:

December 14, 2017

TO:

Mayor and Commissioners

FROM:

JP Murphy, Town Manager

SUBJECT:

Request for Variance –Sunset Bay

Parcel No. 32/29/15/87372/000/0451

Property Owner:

Kathleen & Charles Wingfield

718 Bluffview Drive Belleair, Florida 33756

The following information is regarding the above referenced variance request.

I. Existing conditions of land and structure(s):

A. Zoning designation: R-1 (Single Family Residential)

B. Original Construction date: 1970

C. Structural and other improvements to date:

• Swimming Pool- 1970

D. Existing Easements: None Shown on survey

II. Proposed request:

The applicant is requesting a variance which would allow the construction of a proposed dock to extend 30' feet beyond the 50 feet allowed by town code, resulting in a 80 foot' dock. Please see attached rendering for details.



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VARIANCE APPICATION CHECK OFF SHEET

Application shall be <u>fully completed</u> and must include the following information:
OWNERS NAME KATHLEEN WINGFIELD
OWNERS MAILING ADDRESS 718 BLUFF VIEW DR. BELLEAIR
PROPERTY ADDRESS_SAME
PHONE NUMBER_
REPRESENTATIVE NANE AND ADDRESS (if any) AL CARRIER, DEUEL ASSE
PHONE NUMBER 727 822 4151
DATE OF ORIGINAL CONSTRUCTION NONE - NEW DOCK
IMPERVIOUS COVER_NA
FLOOD ZONE AND ELEVATION WA
REQUIRED INFORMATION:
REQUIRED RECEIVED PROVIDE (18) COPIES EACH
X PLANS/SPECS/PRODUCT BROCHURE
X PHOTOS OF AREA (straight/right angle/left angle)
X SURVEY W/ SETBACKS SHOWN
X SITE PLAN W/ SETBACKS SHOWN
REVIEWED BY: ZONING PUB.WK FIRE BLDG. MRG.
DATE SENT:
DATE RETURNED.



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DATE BUBIZOIT

To the Town Commission of the Town of Belleair, Florida The undersigned, KATHLEEN WINGHELD, owner of Lot SEE ATTACHED 1. . Subdivision Commission of the Town of Belleair for a variance on the above-described property. The property is presently zoned 2-1 2. The present land use on the property is RESIDENTIAL 3. The decision involves Article Section 74-288 of the Belleair Land 4. Development Code. (d)(1) 5. The Commissions power arises under Article V, Section 66.253 of the Belleair Land Development Code. 6. The Relief prayed by the applicant is: CONSTRUCT DOCK TO EXTEND PAST EXISTING MANGROVES AND HAVE BOAT LIFT LOCATED IN DEEPER WATER 7. The Justification for the request is (requests for the variances must demonstrate the practical difficulty or unnecessary hardship which justifies the variance): TO AVOID ENVIRONMENTAL IMPACTS TO MANGROVES AND SEABED 8. Attached is a non-refundable fee to defray expenses incurred by the Town of Belleair in processing this application. (** Note: All costs incurred by the Town of Belleair, above and beyond the variance application fee, will be the responsibility of the applicant regardless of approval or denial of the request**) 9. I am aware that this request will be voided should I or my representative fail to appear at the public hearings scheduled to consider this request. a 10. I am aware that any variance that may be granted will automatically expire twelve months after approval by the Town Commission unless a building permit id produced from the Town with respect to the improvements contemplated by this application for variance within said twelve month period unless the construction of said improvements is promptly commenced pursuant to the building permit and diligently pursued to completion thereafter. FEE: \$300.00 - Check inclosed Paid: Telephone Number

718 BLUFF VIEW-LEGAL

That part of Tract A of SUNSET BAY described as follows: Begin at the SE corner of Tract A of SUNSET BAY as recorded in Plat Book 33, Pages 76 and 77 of the Public Records of Pinellas County, Florida and run thence N 89°03'57" W. along the Southerly line of said Tract, 300.0 feet; thence N 1°23'52" E. along the Westerly line of said Tract 80.0 feet; thence N 86°01'32" E. 301.24 feet; thence S 1°23'52" W. along the Easterly line of said Tract, 101.23 feet to the P. O. B.

Note that this is one and the same property as is described in the Warranty Deed recorded at Official Records Book 3096, Page 107 of the Public Records of Pinellas County, Florida.

Tax parcel number: 32-29-15-87372-000-0451

Sec. 74-288. - Docks and piers.

- (a) Generally. The construction, installation, or structural alteration of any dock, pier, boat lift, or dock-related structure, which shall include the structural alteration, building, moving, projection, or prolongation of a dock, pier, boat lift or dock-related structure, or any part thereof (collectively referred to herein as dock or pier "construction") shall be regulated by the provisions of this section and must comply with all specifications prescribed by the town. All multi-use private docks shared by more than ten property owners, managed collectively, and not governed by and contained within RPD zoning districts shall be exempt from the provisions of subsections (d)(1) and (2).
- (b) *Permits.* No person or party may construct any type of planned or existing dock or pier located within the jurisdiction of the town without first having obtained a permit.
 - (1) The owner of record of the riparian upland property upon which a dock or pier may be constructed as set forth herein, or its agent, must submit to the town building department an application for a building permit, which shall include, but shall not be limited to: plans and specifications; a survey showing precise location of the structure or structures relative to the property lines and in conjunction with adjoining lands, waters, and channels; construction contracts reflecting the cost of the proposed work and the address of the contractor authorized by the applicant to perform the proposed work; and other pertinent information which the town building department may deem necessary for review and consideration of the application.
 - (2) The town building department shall review all applications and notify applicant of the building department's approval or disapproval of the dock. If the building department approves the dock, the building department shall issue a dock permit that is contingent upon the applicant securing all permits or approvals as may be required by other governmental agencies having regulatory jurisdiction over such dock or pier, including without limitation, approval from the Pinellas County Water and Navigation Control Authority ("authority").
 - (3) Repairs to a private dock, together with associated mooring piles, shall require a repair permit from the town if the construction is done in the same configuration as the originally issued permit. The owner of record of the riparian upland property upon which a dock or pier is located must submit to the town building department an application for a repair permit which shall include any and all such documentation as may be required by the town building department for review and consideration of the application. Repair permits shall be effective from the date of issuance for six months and may be renewable for one additional term of one month upon the written request of the applicant at least two weeks prior to the expiration date of the permit and for justifiable cause. If no original permit can be identified, a new permit shall be required which shall be issued based upon the requirements set forth herein for new or planned docks or piers. Repairs or replacement of deck boards only do not require a permit from the town. This exemption does not apply to any support structure such as stringers, caps or floaters and all deck boards must meet the Minimum Construction Criteria required by the Pinellas County Water and Navigation Control Authority.
 - (4) Prior to commencing construction or replacement of any dock or pier, any and all parties performing such work shall present to the town building department evidence that such party holds a class A general contractor's license or marine contractor's license issued by the Pinellas County Construction and Licensing Board.
 - (5) Permits for dock and pier construction from the town shall be effective for six months from the date of issuance. Such permits may be renewable for one additional term of 90 days upon the written request of the applicant at least 30 days prior to the expiration date of the permit and for justifiable cause. All permits must be posted prominently and openly, in close proximity to the work for the duration of the permit or until the work is completed.
 - (6) After-the-fact dock permits. Any person who undertakes to construct or structurally alter a dock without obtaining the required permit from the town shall have ten days from the date of written notice from town

to file an application for an after-the-fact permit, or to remove the unpermitted structured. After-the-fact dock applications shall be subject to an application fee which is three times the amount of the standard application fee. Such after-the-fact applications and construction must comply with all the terms and conditions of this Code. If such construction does not comply with the Code, it must either be removed or repaired so as to comply with all such requirements. The town shall copy the written notice of violation to the Pinellas County Construction and Licensing Board which notice shall constitute a complaint against the contractor who performed the unpermitted work. The town's authority to enforce unpermitted construction as set forth in this Code shall apply to enforcement of this section.

(c) Location; types of facilities. Building permits for docks and piers shall only be issued for construction of docks or piers on riparian properties zoned and used for single-family, residential dwellings (RE, R-1, R-2, RN-15, and RPD), for hotels (H), for country clubs (GC), and for public land (P). Any dock to be owned in common or used by the residents of a homeowner's association or condominium shall be referred to as "multi-use private dock." Permits for commercially zoned properties and for commercial docks, piers, and wharfs where the primary use of such structure is the collection of revenue for profit, including, but not limited to, commercial marinas, boat yards and commercial boat docking facilities, shall not be permitted. Live-aboard facilities accommodating the use of a boat as a residence shall not be permitted. The foregoing prohibition, however, shall not be construed to prohibit the use of a private dock or pier to accommodate temporary living arrangements for up to seven days within a 30-day period.

d) Design criteria.

- (1) a. All docks must be constructed within the center one-third of the applicant's waterfront property. This requirement may be waived by the building official provided that the applicant submits a signed, notarized statement of no objection, from the owner of the adjacent waterfront property that the dock encroaches upon.
 - b. Private docks shall be constructed so that the length of the structure shall not extend more than 50 feet measured from the waterfront.
 - c. Catwalks shall have a maximum width of three feet and shall be contained entirely between the two side setbacks of the property. Mooring piles shall be constructed within the side property lines and shall be contained entirely within the dock area and the extended property line.
- (2) No single-family use dock shall be constructed to permit more than two boats to permanently dock, moor, park, store or in any other manner attach to or be placed upon the dock. For purposes of this paragraph, the term boat shall include boats, vessels or any other item which floats and is constructed to be propelled by oars, paddles, sail or motorized power. In addition to the foregoing, each dock shall be allowed to also store or have placed upon it a total of not more than two of the following boats: canoes, kayaks, non-motorized boats less than 12 feet in length, or motorized boats less than eight feet in length (this provision shall not exempt the structure from being designed and constructed for only two boats).
- (3) No roof structure will be allowed.
- (e) Construction. The construction of all docks and piers shall comply with the state building code and the minimum construction specifications required by the authority.
- (f) Disrepaired or dilapidated docks. If any dock constructed under this Code or continued in existence under this Code falls into disrepair so as to become a dangerous structure involving risks to the safety and well-being of the community or individual members thereof, such structure must either be removed or repaired so as to conform with the requirements of this Code. Upon determination by the town building department that any dock or pier has become a dangerous structure, written notice thereof shall be given by registered/certified, return receipt requested, mail or personal service to the owner of record of the riparian upland property. Such party shall have seven days from the date of service within which to secure the area and respond to the town building department indicating the intent regarding

the dilapidated structure. Such party shall have an additional 60 days to remove the structure or obtain the required permits and repair such structure to conform with the requirements of this Code; the entire structure shall be brought into conformance with the requirements of this Code.

(Ord. No. 395, § 1, 8-23-00; Ord. No. 399, § 1, 11-20-01; Ord. No. 412, § 1, 3-18-03)

DEUEL & ASSOCIATES

CONSULTING ENGINEERS * LAND SURVEYORS * LAND PLANNERS 565 S. Hercules Avenue, Clearwater, Florida 33764 Office: (727) 822-4151

December 6, 2017

Mr. Gregg Lauda
Building & Zoning Technician
Town of Belleair, Florida
Building and Zoning Department
901 Ponce de Leon Boulevard
Belleair, Florida 33756

RE: Waiver Request to Land Development Code Section 74-288 (d)(1)(b) Docks and Piers Design Criteria Proposed Private Residential Dock Located at 718 Bluff View Drive, Belleair Bluffs, Florida 33770 Pinellas County Parcel No. 32-29-15-87372-000-0451

Mr. Lauda:

On behalf of the property owner of the above referenced parcel, Deuel & Associates (D&A) requests a waiver for the construction of a private residential dock construction.

The subject parcel is located on the west side of Bluff View Drive approximately eighty (80) feet north of the Bluff View Drive / Renatta Drive intersection. The property owner is requesting to construct a private dock located in the center one-third of the subject property and extending eighty (80) feet from the existing seawall.

Town of Belleair Land Development Code Section 74-288 (d)(1)(b) states the length of private docks shall not extend more than fifty (50) feet measured from the waterfront. As such, a waiver is requested to allow an eighty (80) foot dock length in order to reach deeper water providing safer boat access, less damage to the existing mangroves in the subject area; and to allow dock access to the homeowners to the north.

We respectfully request that a waiver is granted for the subject request. If you have any questions or need additional information please contact me [phone: 727-822-4151 x. 213; email: al@deuelengineering.com]. Thank you for your time and consideration on this matter.

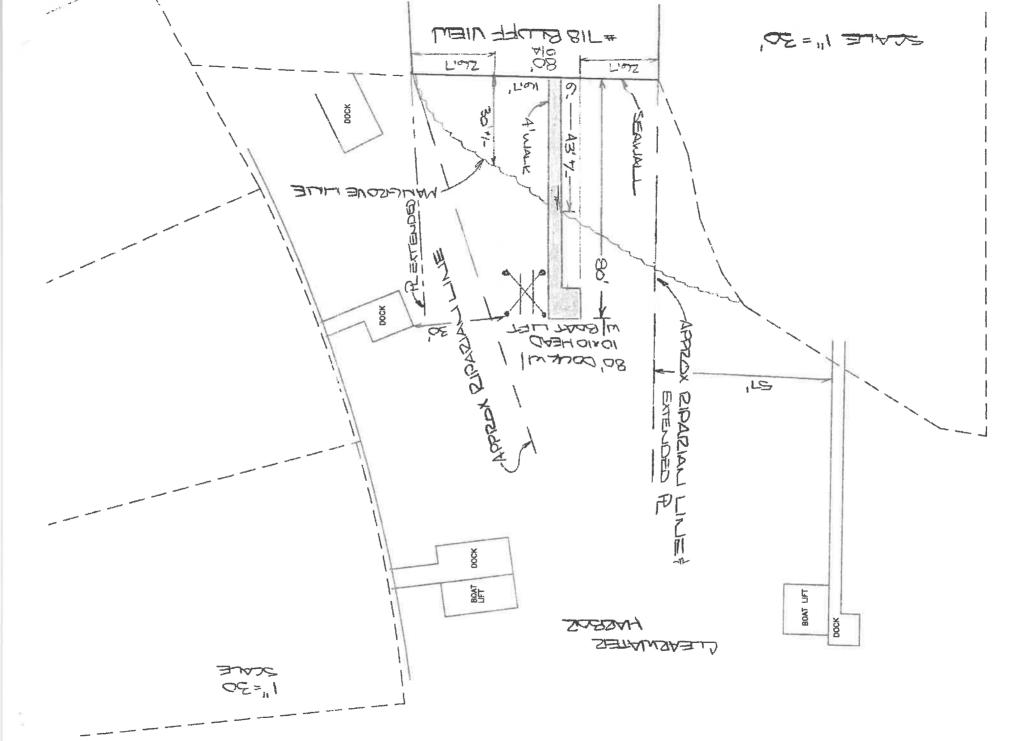
Sincerely,

DEUEL & ASSOCIATES

Al Carrier, PE, PSM

Principal

Attachment



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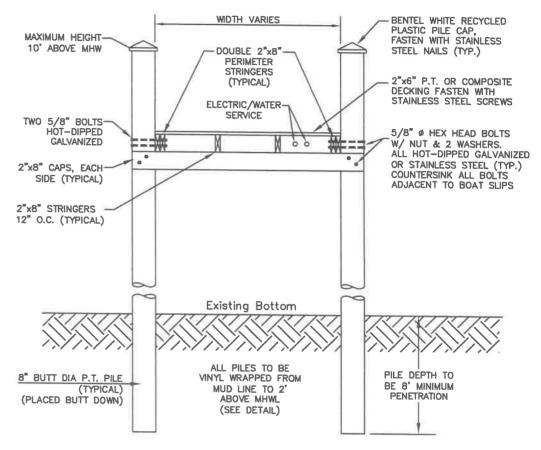






GENERAL NOTES:

- . ELEVATION OF PROPOSED DECK TO MATCH EXISTING DECK.
- PILING SPACING (CENTER TO CENTER) TO BE 10' NOMINAL, NOT TO EXCEED 12'.
- NAIL ALL JOINTS WITH 30D GALVANIZED NAILS BEFORE BOLTING.
- SCREW DECKING TO EACH STRINGER WITH (2) STAINLESS STEEL FASTENERS PER CONNECTION.
- ALL BOLTS, NUTS & WASHERS SHALL BE HOT DIPPED GALVANIZED.
- ALL TIMBER PILES SHALL BE SOUTHERN PINE GRADE ONE (1)
 TREATED 2.5 P.C.F. OF C.C.A.
- · ALL TIMBER PILES ARE TO BE WRAPPED.
- ALL FRAMING, CAPS AND STRINGERS SHALL BE SOUTHERN PINE GRADE ONE (1), FINISHED RS, & TREATED W/O.4 OF C.C.A.
- STRINGER LAP JOINTS = 4' MIN. FOR DOUBLE STRINGERS
 2' MIN. FOR INTERMEDIATE STRINGERS
- ALL PLANKS, POSTS & RAILS SHALL BE SOUTHERN PINE GRADE ONE (1), FINISHED S4S AND TREATED WITH 0.4 P.C.F. OF C.C.A.
- . ALL PERIMETER FRAMING TO BE DOUBLE 2"x8"



DOCK CROSS-SECTION

Scale: NTS

I, ALBERT CARRIER, HEREBY CERTIFY AS A LICENSED PROFESSIONAL ENGINEER, REGISTERED IN ACCORDANCE WITH FLORIDA STATUTE 471 (481) THAT THE ABOVE PROJECT'S SITE AND/OR CONSTRUCTION PLANS, TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, WILL MEET APPLICABLE DESIGN CRITERIA SPECIFIED BY CITY MUNICIPAL ORDINANCE, STATE AND FEDERAL ESTABLISHED STANDARDS. I UNDERSTAND THAT IT IS MY RESPONSIBILITY AS THE PROJECT'S PROFESSIONAL ENGINEER TO PERFORM A QUALITY ASSURANCE REVIEW OF THESE SUBMITTED PLANS.

ALBERT P. CARRIER, P.E., 53990

DEUEL & A SSOCIATES

CONSULTING ENGINEERS LAND SURVEYORS LAND PLANNER

565 SOUTH HERCULES AVENUE, CLEARWATER, FL 33764
PH 727, 822, 4151 FAX 727, 821, 7255
WWW DEUELENGINEERING, COM
CERTIFICATE OF AUTHORIZATION # 26320 LICENSED BUSINESS # 107

718 BLUFF VIEW DR. DOCK PLANS DOCK CROSS-SECTION

WORK ORDER 2017-76

DRAWN: ARD DATE: 12/5/2017

CHECK: APC SHEET: 1 OF 1

FLORIDA

BELLEAIR

PINELLAS COUNTY

