



# Town of Belleair

901 Ponce de Leon Blvd.  
Belleair, FL 33756

## Meeting Agenda Planning & Zoning Board

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Monday, July 8, 2019

5:30 PM

Town Hall

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**Welcome. We are glad to have you join us. If you wish to speak, please wait to be recognized, then step to the podium and state your name and address. We also ask that you please turn-off all cell phones.**

### ROLL CALL

### SCHEDULED PUBLIC HEARING

Persons are advised that, if they decide to appeal any decision made at this meeting/hearing, they will need a record of the proceedings, and, for such purposes, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

[19-0163](#) Local Planning Agency Item - Presentation of Pelican Golf Phase 4 Development Plan

**Attachments:**

[Phase 4 Staff Report PZ 070819](#)

[Application Package 52019](#)

[Ord 524&525 Phase 4 Legal Notice 061419 FINAL](#)

[PGC Variances Legal AD 6-17-19 FINAL](#)

[NTA - Patterson](#)

[19-0159](#) Local Planning Agency Item - Consideration of Elements of Ordinance 524; Amending Comprehensive Land Use Plan Future Land Use Map Amendment of LOTS 6 & 7, 28-31, ALL OF LOTS 8, 9, 26 & 27 & THE N'LY 43FT OF LOTS 10 & 25, LOT 11 & THE SW'LY 6 FT OF LOT 10 & THE NE'LY 28 FT OF LOT 12, BLOCK 32, BELLEAIR ESTATES SUBDIVISION FROM RESIDENTIAL LOW (RL) TO RECREATION/OPEN SPACE (R/OS)

**Attachments:**

[Ordinance 524 - PGC FLUM Amendment\\_w Attachment A](#)

[19-0160](#) Local Planning Agency Item - Consideration of Elements of Ordinance 525- Text Amendment; Accessory Uses for Golf Course

[19-0164](#) Local Planning Agency Item - Consideration of Elements of Ordinance 525-Amending Zoning Map Amendment; of Lots 6 & 7, 28 thru 31, all of Lots 8, 9, 26 & 27 & the N'ly 43ft of Lots 10 & 25, Lot 11 & the SW'ly 6 ft of lot 10 & the NE'ly 28 ft of Lot 12, Block 32, Belleair Estates Subdivision

**Attachments:**

[ORDINANCE 525](#)

[19-0165](#) Local Planning Agency Item - Consideration of Elements of Ordinance 525- Text Amendment; Accessory Uses for Golf Course

[19-0166](#) Consideration of Elements of Ordinance 525- Amended Development Plan.

Attachments: [Pages from Phase 4 Staff Report\\_PZ\\_070819](#)

[19-0167](#) Consideration of Elements of Ordinance 525- Development and Right of Way Use Agreement

Attachments: [Right of Way Use Agreement with Pelican Golf Ottinger 062819](#)

[19-0161](#) Variance Request - 1501 Indian Rocks Rd Fence - Indian Rocks Road Frontage

Attachments: [Pages from Phase 4 Staff Report\\_PZ\\_070819](#)

[PGC Variances Legal AD 6-17-19 FINAL](#)

[19-0162](#) Variance Request - 1501 Indian Rocks Rd - Golf View Road Frontage

Attachments: [PGC Variances Legal AD 6-17-19 FINAL](#)

[Pages from Phase 4 Staff Report\\_PZ\\_070819](#)

## CITIZENS COMMENTS

*(Discussion of items not on the agenda. Each speaker will be allowed 3 minutes to speak.)*

## APPROVAL OF MINUTES

[19-0155](#) Approval of May 13, 2019 Meeting Minutes

Attachments: [P & Z Minutes 05-13-2019](#)

## GENERAL AGENDA

[19-0158](#) Election of Officers

## OTHER BUSINESS

## COMMISSION ADVISOR REPORT

## ADJOURNMENT

ANY PERSON WITH A DISABILITY REQUIRING REASONABLE ACCOMMODATIONS IN ORDER TO PARTICIPATE IN THIS MEETING, SHOULD CALL (727) 588-3769 OR FAX A WRITTEN REQUEST TO (727) 588-3767.



## Legislation Details (With Text)

**File #:** 19-0163      **Version:** 2      **Name:**  
**Type:** Action Item      **Status:** Public Hearing  
**File created:** 7/3/2019      **In control:** Planning & Zoning Board  
**On agenda:** 7/8/2019      **Final action:**  
**Title:** Local Planning Agency Item - Presentation of Pelican Golf Phase 4 Development Plan  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [Phase 4 Staff Report PZ 070819](#)  
[Application Package 52019](#)  
[Ord 524&525 Phase 4 Legal Notice 061419 FINAL](#)  
[PGC Variances Legal AD 6-17-19 FINAL](#)  
[NTA - Patterson](#)

Date	Ver.	Action By	Action	Result
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### Summary

To: Planning & Zoning Board  
From: JP Murphy  
Date: 7/3/2019

### Subject:

Local Planning Agency Item - Presentation of Pelican Golf Phase 4 Development Plan

### Summary:

The Planning and Zoning board, sitting in its capacity as the Local Planning Agency will consider the application for Phase 4 amendments to the Pelican Golf Project at 1501 Indian Rocks Road. This application represents the Phase 4 development, and amendments to the previously approved site plan and development proposal (Phase 3), for the Pelican Golf Club, located at 1501 Indian Rocks Road; Parcel No. 28-29-15-68247-000-0002. Phase 3 was previously approved by the Town Commission in June 2018.

The current expansion proposal includes approximately 1.88 (±) acres of existing residential property adjacent to the golf course between Indian Rocks Road and Golf View Drive, recently acquired by the applicant [Figure1]. The proposed expansion is to facilitate the addition of another cottage similar to those previously approved under Phase 3; and the relocation, and reconfiguration of other features/amenities previously approved under Phase 3. Please refer to the applicants site plan and the Phase 4 Project Narrative, dated 05-20-19 for additional details.

In addition to the Phase 4 site development plan review and approval, the applicant is seeking the following:

1. An amendment to the Town of Belleair Future Land Use Map of approximately 1.88 acres of property adjacent to the Pelican Golf Course being Lots 6 & 7, 28 thru 31, all of Lots 8, 9, 26 & 27 & the N'ly 43ft

of Lots 10 & 25, Lot 11 & the SW'ly 6 ft of lot 10 & the NE'ly 28 ft of Lot 12, Block 32, Belleair Estates subdivision from Residential Low (RL) to Recreation/Open Space (R/OS) [Figure 2].

2. Rezoning of approximately 1.90 acres of property adjacent to the Pelican Golf Course being Lots 6 & 7, 28 thru 31, all of Lots 8, 9, 26 & 27 & the N'ly 43ft of Lots 10 & 25, Lot 11 & the SW'ly 6 ft of lot 10 & the NE'ly 28 ft of Lot 12, Block 32, Belleair Estates subdivision from Single Family Residential (R-1), to Golf Course District (GC). [Figure 3]
3. Variance to the Town of Belleair Code of Ordinances, Subpart B, Land Development Code, Article IV, Accessory Structures and Uses, Sections 74-287(e), to locate a perimeter fence/wall within the required front yard setback area, 5-feet from the property line along Indian Rocks Road. Please refer to Exhibit 'A'
4. Variance to the Town of Belleair Code of Ordinances, Subpart B, Land Development Code, Article IV, Accessory Structures and Uses, Sections 74-287(e), to locate a perimeter fence/wall within the required front yard setback area, 10-feet from the property line. And 5-feet from the right-of-way of Golf View Drive.
5. An amendment to the Town of Belleair Code of Ordinances, Section 74-82, Schedule of District Regulations, amending the number of sleeping rooms that could be considered as ancillary or accessory uses for Golf Courses.
6. An amendment to the previously approved site plan to allow the following:
  - A. The relocation of the proposed cottages, learning center, and parking. Please refer to Exhibit 'E'.
  - B. The addition of a second driveway entrance along Poinsettia Road. Please refer to Exhibit 'G'.
  - C. The addition of a third 12-room cottage, in conjunction with item 5, above. Please refer to Exhibits 'C 1-6' and 'E'
7. Approval of a right-of-way use agreement for a fence along a portion of the cul-de-sac on the Golf View Drive, and a right-of-way use agreement for a gate and columns along Poinsettia Road. Please refer to Exhibits 'B' and 'F-1, F-2'.
8. An amendment to the previously approved Development Agreement.

Please refer to the attached staff report and application for further detail

For convenience of the board's consideration, the various requests have been split out for individual vote by the board but should be considered as a total package with this agenda item.








Building Code Services  
Civil Engineering / Roadway  
& Highway Design  
Coastal Engineering  
Code Enforcement  
Construction Engineering &  
Inspection (CEI)  
Construction Services  
Data Technologies &  
Development  
Electrical Engineering  
Engineering  
Environmental Services  
Facilities Management  
Geographic Information  
Systems (GIS)  
Governmental Services  
Indoor Air Quality  
Landscape Architecture  
Planning  
Project Management  
Redevelopment  
& Urban Design  
Surveying & Mapping  
Traffic Engineering  
Transportation Planning  
Water / Utilities Engineering  
Website Development

Feather Sound  
Corporate Center  
13535 Feather Sound Dr.  
Suite 135  
Clearwater, FL 33762  
727.394.3825 phone

[www.cgasolutions.com](http://www.cgasolutions.com)

## MEMORANDUM

TO: Planning & Zoning Board & Town Commission

FROM:  Christopher Brimo, AICP  
Calvin, Giordano & Associates

THROUGH: JP, Murphy, Belleair Town Manager

SUBJECT: Pelican Golf, LLC (Applicant) – Phase 4 Development &  
Site Plan Amendment

DATE: July 8, 2019

### Background

This application represents the Phase 4 development, and amendments to the previously approved site plan and development proposal (Phase 3), for the Pelican Golf Club, located at 1501 Indian Rocks Road; Parcel No. 28-29-15-68247-000-0002. Phase 3 was previously approved by the Town Commission in June 2018.

The current expansion proposal includes approximately 1.88 (±) acres of existing residential property adjacent to the golf course between Indian Rocks Road and Golf View Drive, recently acquired by the applicant [Figure1]. The proposed expansion is to facilitate the addition of another cottage similar to those previously approved under Phase 3; and the relocation, and reconfiguration of other features/amenities previously approved under Phase 3. Please refer to the applicants site plan and the Phase 4 Project Narrative, dated 05-20-19 for additional details.

Figure 1.





In addition to the Phase 4 site development plan review and approval, the applicant is seeking the following:

1. An amendment to the Town of Belleair Future Land Use Map of approximately 1.88 acres of property adjacent to the Pelican Golf Course being Lots 6 & 7, 28 thru 31, all of Lots 8, 9, 26 & 27 & the N'y 43ft of Lots 10 & 25, Lot 11 & the SW'y 6 ft of lot 10 & the NE'y 28 ft of Lot 12, Block 32, Belleair Estates subdivision from Residential Low (RL) to Recreation/Open Space (R/OS) [Figure 2].
2. Rezoning of approximately 1.90 acres of property adjacent to the Pelican Golf Course being Lots 6 & 7, 28 thru 31, all of Lots 8, 9, 26 & 27 & the N'y 43ft of Lots 10 & 25, Lot 11 & the SW'y 6 ft of lot 10 & the NE'y 28 ft of Lot 12, Block 32, Belleair Estates subdivision from Single Family Residential (R-1), to Golf Course District (GC). [Figure 3]
3. Variance to the Town of Belleair Code of Ordinances, Subpart B, Land Development Code, Article IV, Accessory Structures and Uses, Sections 74-287(e), to locate a perimeter fence/wall within the required front yard setback area, 5-feet from the property line along Indian Rocks Road. Please refer to Exhibit 'A'
4. Variance to the Town of Belleair Code of Ordinances, Subpart B, Land Development Code, Article IV, Accessory Structures and Uses, Sections 74-287(e), to locate a perimeter fence/wall within the required front yard setback area, 10-feet from the property line. And 5-feet from the right-of-way of Golf View Drive.
5. An amendment to the Town of Belleair Code of Ordinances, Section 74-82, Schedule of District Regulations, amending the number of sleeping rooms that could be considered as ancillary or accessory uses for Golf Courses.
6. An amendment to the previously approved site plan to allow the following:
  - A. The relocation of the proposed cottages, learning center, and parking. Please refer to Exhibit 'E'.
  - B. The addition of a second driveway entrance along Poinsettia Road. Please refer to Exhibit 'G'.
  - C. The addition of a third 12-room cottage, in conjunction with item 5, above. Please refer to Exhibits 'C 1-6' and 'E'
7. Approval of a right-of-way use agreement for a fence along a portion of the cul-de-sac on the Golf View Drive, and a right-of-way use agreement for a gate and columns along Poinsettia Road. Please refer to Exhibits 'B' and 'F-1, F-2'.
8. An amendment to the previously approved Development Agreement.



### Summary Description of Applicant's Request

1. In conjunction with the Phase 4 development proposal for the Pelican Golf Club, the applicant purchased several additional residential lots adjacent to the existing golf course. The lots are designated on the countywide plan map as Residential Low Medium (RLM), which is equivalent to Belleair's map designation of Residential Low (RL). The applicant is requesting an amendment to the Belleair comprehensive plan map for the referenced parcels from Residential Low (RL) to Recreation/Open Space (ROS), which is the current designation of the adjacent golf course, and will mirror the recent plan map amendment completed under Phase 3. [Figure 2]. Please refer to the applicant's request for this proposed change.

The requested Future Land Use Map amendment would be for the following five parcels:

1614 Golf View Dr. (28-29-15-06732-032-0300); 1616 Golf View Dr. (28-29-15-06732-032-0280); 1609 Indian Rocks Rd. (28-29-15-06732-032-0060); 1611 Indian Rocks Rd. (28-29-15-06732-032-0080); 1617 Indian Rocks Rd. (28-29-15-06732-032-0110).

*An amendment to the Town of Belleair Future Land Use Map of approximately 1.88 (±) acres of property being Lots 6 & 7, 28 thru 31, all of Lots 8, 9, 26 & 27 & the N'y 43ft of Lots 10 & 25, Lot 11 & the SW'y 6 ft of lot 10 & the NE'y 28 ft of Lot 12, Block 32, Belleair Estates subdivision from Residential Low (RL) to Recreation/Open Space (R/OS) – **Ord. 524***

Figure 2.



Source: Forward Pinellas Countywide Plan Map



This proposed change is consistent with Belleair's adopted comprehensive plan, including the following Plan Goals and Policies.

*Future Land Use Element*

Goal 1: Ensure that the park-like, residential/family character of the Town of Belleair is maintained and protected while supporting the continued economic viability of local resorts and preservation of the Belleview Biltmore Resort Hotel.

Policy 1.1.4: The town shall continue to implement land development regulations that shall contain specific and detailed provisions required to implement this comprehensive plan, which, at a minimum shall:

- Regulate the subdivision of land;
- Regulate signage;
- Ensure that all development is consistent with federal flood insurance regulations;
- Ensure the compatibility of adjacent land uses and provide for adequate and appropriate buffering.

*Recreation-Open Space Element*

Goal: The town shall ensure the provision, protection, and maintenance of a coordinated, efficient and accessible system of public and private recreational parks and facilities which shall meet the needs of the town's current and future residents, tourists, and visitors.

Policy 1.3.2: The town shall preserve recreation and open space areas, e.g., golf courses, as identified on Map LU-4: Future Land Use.

Pursuant to the requirements of Chapter 163, Florida Statutes and the Countywide Plan Rules, following the first reading of Ordinance 525 recommending the aforementioned amendment, the request will be transmitted to the State Department of Economic Opportunity, Pinellas County, and all other required agencies for review. Given the size and nature of the amendment from a higher intensity to a lower intensity category, which does not negatively impact the Towns infrastructure requirements, the review will be handled through the expedited review process. Upon review and approval by these entities, the Town may adopt the change on second reading.

2. In conjunction with the aforementioned comprehensive plan map amendment, the applicant is requesting an amendment to the Town of Belleair official zoning map, rezoning the five lots from R-1, Single-Family Residential, to GC, Golf Course District. This requested rezoning is consistent and compatible with the proposed comprehensive plan map amendment and the Countywide Plan Rules. Zoning changes approved by the Town Commission are contingent upon the transmitted comprehensive plan map amendment becoming effective. [Figure 3] Please refer to the applicant's request for the rezoning.



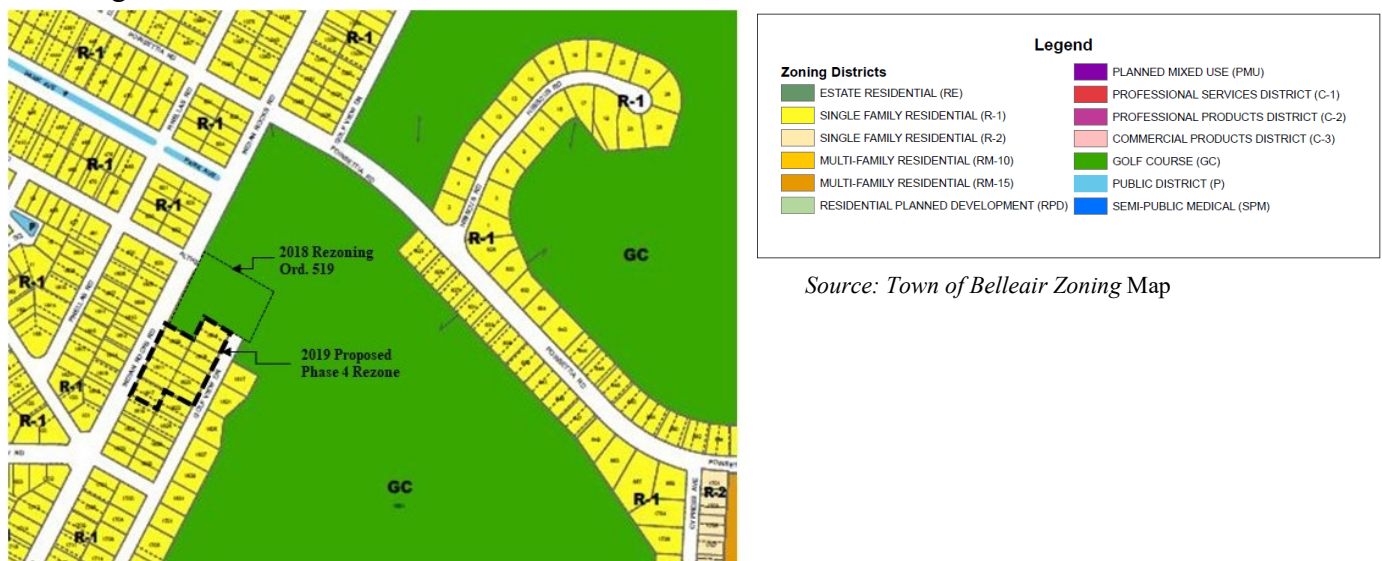


The requested rezoning would be for the following five parcels:

1614 Golf View Dr. (28-29-15-06732-032-0300); 1616 Golf View Dr. (28-29-15-06732-032-0280); 1609 Indian Rocks Rd. (28-29-15-06732-032-0060); 1611 Indian Rocks Rd. (28-29-15-06732-032-0080); 1617 Indian Rocks Rd. (28-29-15-06732-032-0110).

*Rezoning of approximately 1.88 (±) acres of property being Lots 6 & 7, 28 thru 31, all of Lots 8, 9, 26 & 27 & the N'y 43ft of Lots 10 & 25, Lot 11 & the SW'y 6 ft of lot 10 & the NE'y 28 ft of Lot 12, Block 32, Belleair Estates subdivision from Single Family Residential (R-1), to Golf Course District (GC) - Ord. 525*

Figure 3.



Source: Town of Belleair Zoning Map

- Fences and fence walls shall be prohibited within the front yard setback area, and within the primary front yard setback area of corner parcels. With the acquisition of the additional residential properties, the applicant is requesting a variance to the Town of Belleair Code of Ordinances, Subpart B, Land Development Code, Article IV, Accessory Structures and Uses, Sections 74-287€, to locate a perimeter fence/wall within the required 25-foot front yard setback area, 5-feet from the property line along Indian Rocks Road.

During the Phase 3 review and approval of the Pelican Golf Course development plan in 2018, the applicant requested and was granted a variance to locate a perimeter fence/wall within the required front yard setback along Indian Rocks Road.

With the acquisition of the additional property, the applicant proposes to install similar fencing along the remaining properties 5-feet from the property line, necessitating a variance request of 20-feet. Please refer to the applicant's request for a variance and Exhibit 'A'.



4. Similar to the previous variance request, the applicant intends to install the same fence material along Golf View Drive and is requesting a variance to the Town of Belleair Code of Ordinances, Subpart B, Land Development Code, Article IV, Accessory Structures and Uses, Sections 74-287E, to locate a perimeter fence/wall within the required 25-foot front yard setback area, 5-feet from the property line along Golf View Drive.

Typically, this portion of the property would be considered a secondary front yard and not require a variance for this portion of the fence. However, until the Pelican Golf Club property goes through the replat procedure and is unified as one site, three of these properties are still addressed off of Golf View Drive, necessitating a variance of 20-feet. Please refer to the applicants request for a variance and Exhibit 'A'.

5. An amendment to the Town of Belleair Code of Ordinances, Section 74-82, Schedule of District Regulations, amending the number of sleeping rooms that could be considered as ancillary or accessory uses for Golf Courses.

As a part of the Phase 3 review and approval process, the applicant requested an amendment Code of Ordinances to allow the development of cottages for the use of club members and their guests only. This request consisted of two, 8-room cottages. At that time, the Town Code did not include these types of uses as accessory to golf courses. In order to allow this type of use, an amendment to Section 74-82, Schedule of District Uses was required and approved after the applicant presented substantiating evidence at the public hearing, of similar types of uses at other comparable golf clubs. Specific language regulating their use and operation was developed by the Town Attorney and adopted by the Town Commission. Further limitations on the operation and use of these cottages was included in the revised Development Agreement in 2018.

With the acquisition of the additional properties and under the Phase 4 development proposal under review, the applicant is requesting the Town consider an additional amendment to Section 74-82 (and the Development Agreement) to permit the development on one additional 12-unit cottage, similar to the two previously approved. As with the previous request, specific language regulating their use and operation will be incorporated in the regulations by the Town Attorney. Further limitations on the operation and use of these cottages will also be provided for in the current (proposed) revisions to the Development Agreement.

6. This application currently under review also requests the approval of amendments to the previously approved Phase 3 site and development plan.

The proposed amendments being requested include the following:

- a. The relocation of the proposed cottages, performance center (formerly the learning center), and parking areas.



With the acquisition of the additional residential properties, the applicant was able to rearrange the locations of the previous structures, to enhance the layout, accommodate the proposed addition of a third cottage, and provide Fire Department access off Indian Rocks Road. Please refer to the application narrative and Exhibits 'E' and 'H'.

- b. The addition of a second driveway entrance along Poinsettia Road.

Following the approval of Phase 3, the applicant proposed a reconfiguration of that portion of the Clubhouse property fronting Poinsettia Road. This reconfiguration addressed some onsite utility items and addressed the ingress and egress requirements for deliveries. The proposal of a second entrance allows for safer onsite access and circulation. Please refer to the application narrative and Exhibit 'G'.

- c. The addition of a third 12-room cottage discussed in Item 5, above. Please refer to the application narrative and Exhibits 'C 1-6', and 'E'.
7. With the Phase 4 development proposal, the applicant is requesting approval of a right-of way use agreement for the following:
- a. To install approximately 47 linear feet of fencing, 5-feet high along a portion of the cul-de-sac on the Golf View Drive along a portion of the golf cart path;
  - b. To install a security gate and columns along Poinsettia Road right-of-way; and
  - c. To continue to maintain the first hole tee within the Poinsettia Road right-of-way.

Please refer to the applicant's narrative, the attached right-of-way use agreement, and Exhibits 'B' and 'F-1, F-2', respectively.

8. The City Attorney and the applicant's attorney are currently working on an amendment to the previously approved Development Agreement to address the changes previously discussed in this report, as well as address any changes to previously established completion dates, and any contractual off-site parking agreements.





## **Exhibits**

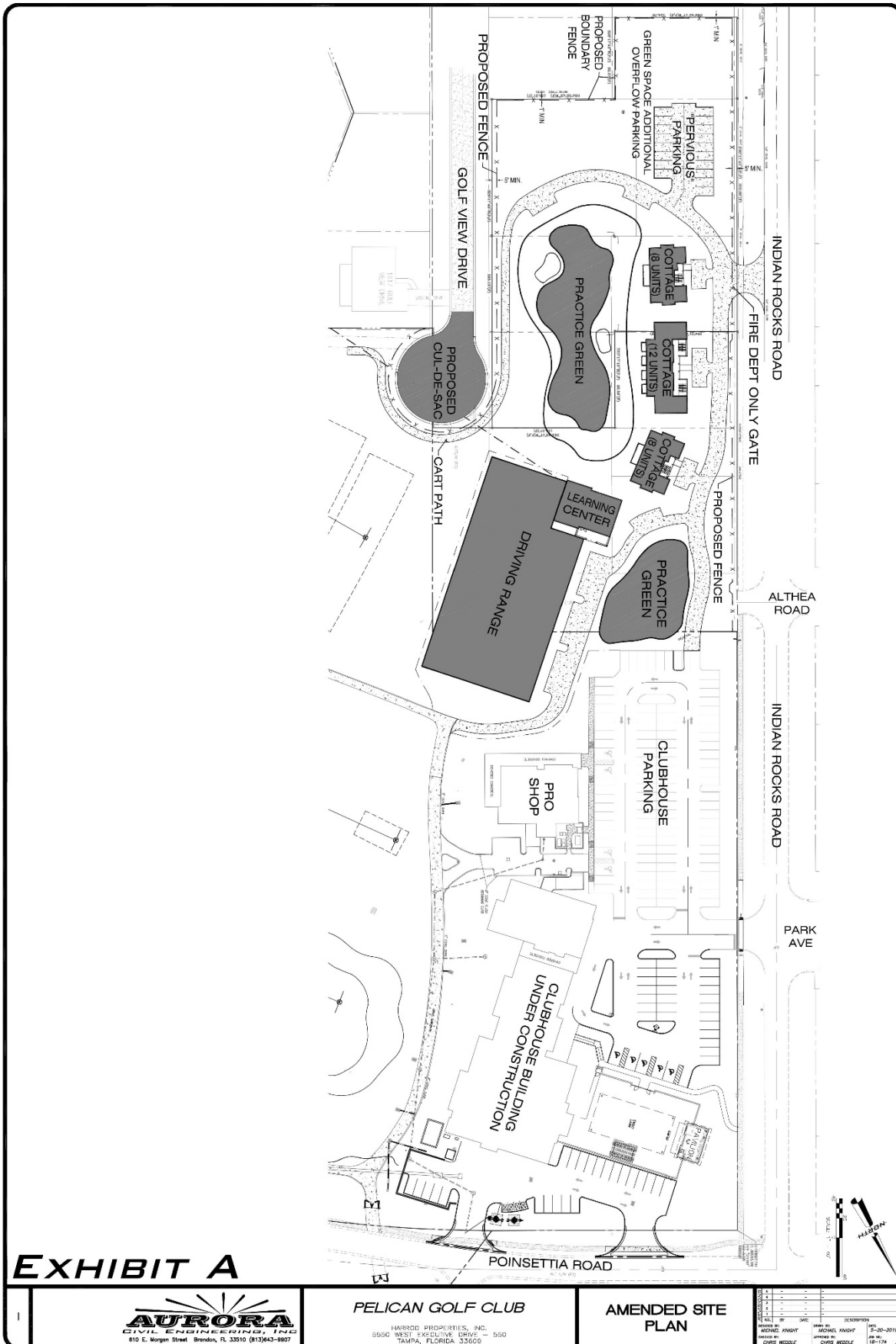
- A: Amended Site Plan**
- B: Proposed Fence in R-O-W (Gulf View Drive)**
- C 1-6: 8 Room & 12 Room Cottage Elevations**
- D: (None)**
- E: Overall Comparison of Relocated Structures and Amenities**
- F 1-2: Proposed Gate and Columns in R-O-W (Poinsettia Road)**
- G: Proposed Second Driveway on Poinsettia Road**
- H: Fire Access**

## **Ordinances**

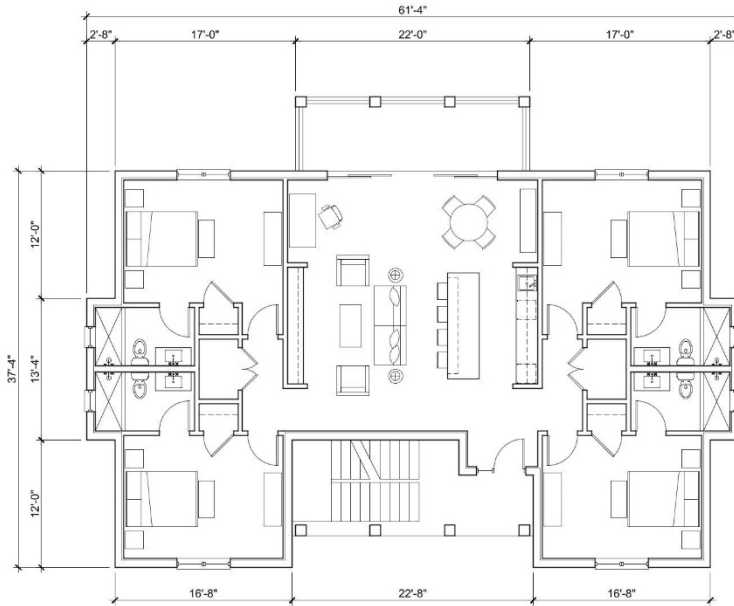
**Ordinance 524 and Ord. Exhibit 'A'**

**Ordinance 525 and Ord. Exhibits 'A - E'**

## **Right-of-Way Use Agreement**







**elevation**  
ARCHITECTURE

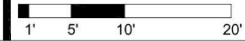
architecture | planning | interiors

Project: 8 Room Villa  
Pelican Golf Club

Belleair, Florida

Sheet Title:  
TYPICAL FLOOR PLAN

SCALE: 3/32" = 1'-0"

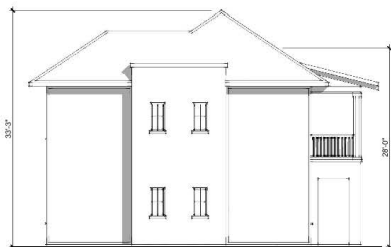


**Exhibit C1**

Project #: 19-109  
Date: 05.17.19



TYPICAL EAST ELEVATION



TYPICAL SIDE ELEVATION



TYPICAL WEST ELEVATION

**elevation**  
ARCHITECTURE

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Project: 8 Room Villa  
Pelican Golf Club

Belleair, Florida

Sheet Title:  
EXTERIOR ELEVATIONS

SCALE: 1/16" = 1'-0"



**Exhibit C2**

Project #: 19-109  
Date: 05.17.19



**elevation**  
ARCHITECTURE

architecture | planning | interiors

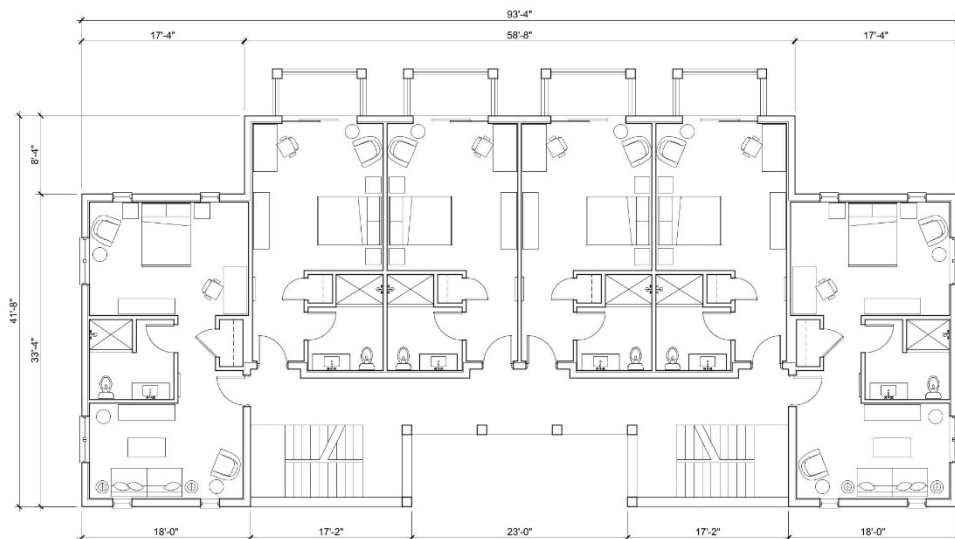
Project: 8 Room Villa  
Pelican Golf Club

Belleair, Florida

Sheet Title:  
AERIAL VIEW FROM GREEN

**Exhibit C3**

Project #: 19-109  
Date: 05.17.19



**elevation**  
ARCHITECTURE

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Project: 12 Room Villa  
Pelican Golf Club

Belleair, Florida

Sheet Title:  
TYPICAL FLOOR PLAN

SCALE: 3/32" = 1'-0"

1' 5' 10' 20'

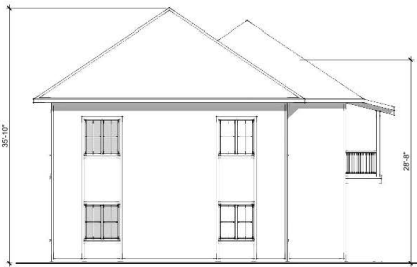


**Exhibit C4**

Project #: 19-109  
Date: 05.17.19



TYPICAL EAST ELEVATION



TYPICAL SIDE ELEVATION



TYPICAL WEST ELEVATION

**elevation**  
ARCHITECTURE

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Project: 12 Room Villa  
Pelican Golf Club

Belleair, Florida

Sheet Title:  
EXTERIOR ELEVATIONS

SCALE: 1/8" = 1'-0"



**Exhibit C5**

Project #: 19-109  
Date: 05.17.19



**elevation**  
ARCHITECTURE

architecture | planning | interiors

Project: 12 Room Villa  
Pelican Golf Club

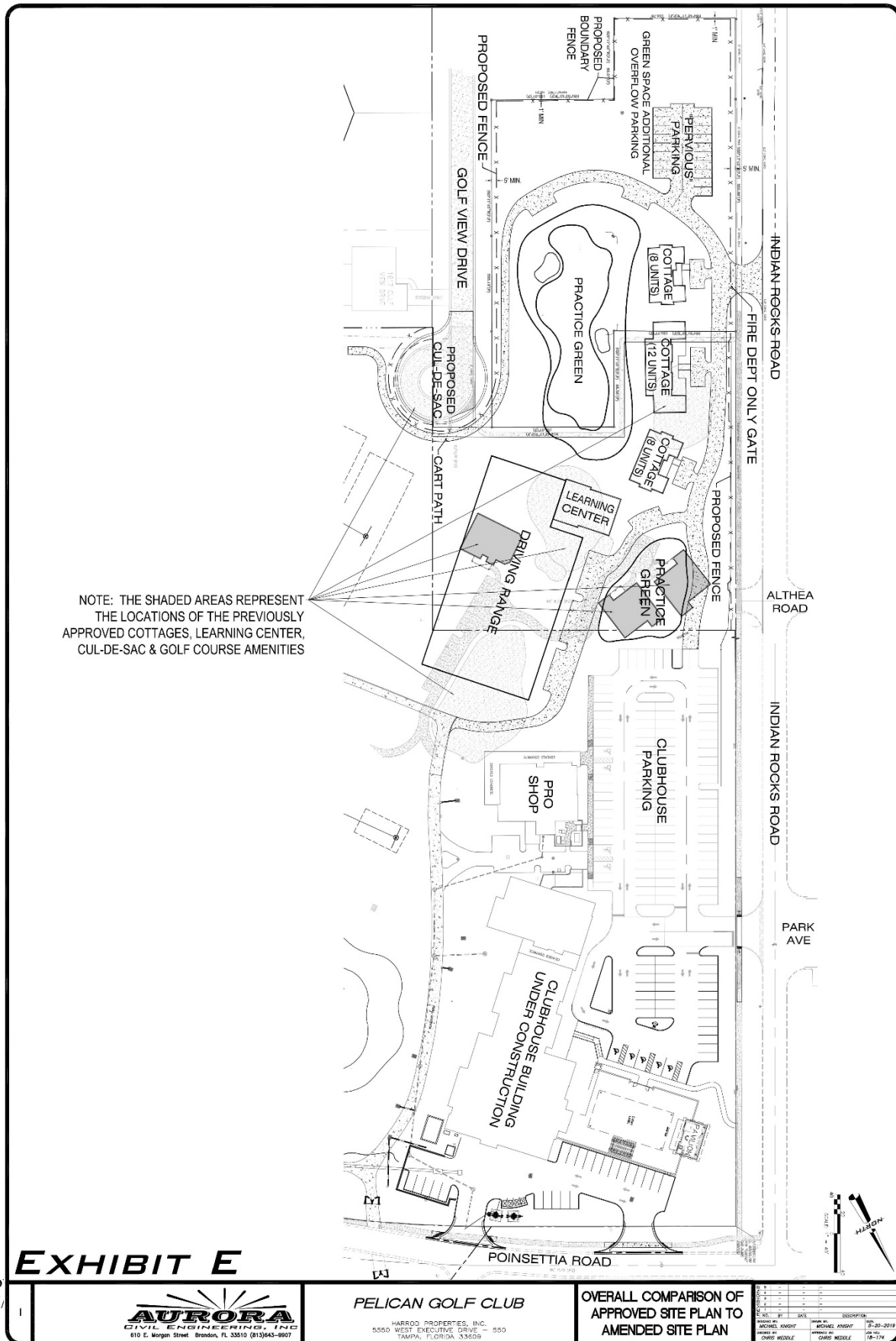
Belleair, Florida

Sheet Title:  
AERIAL VIEW FROM GREEN

**Exhibit C5**

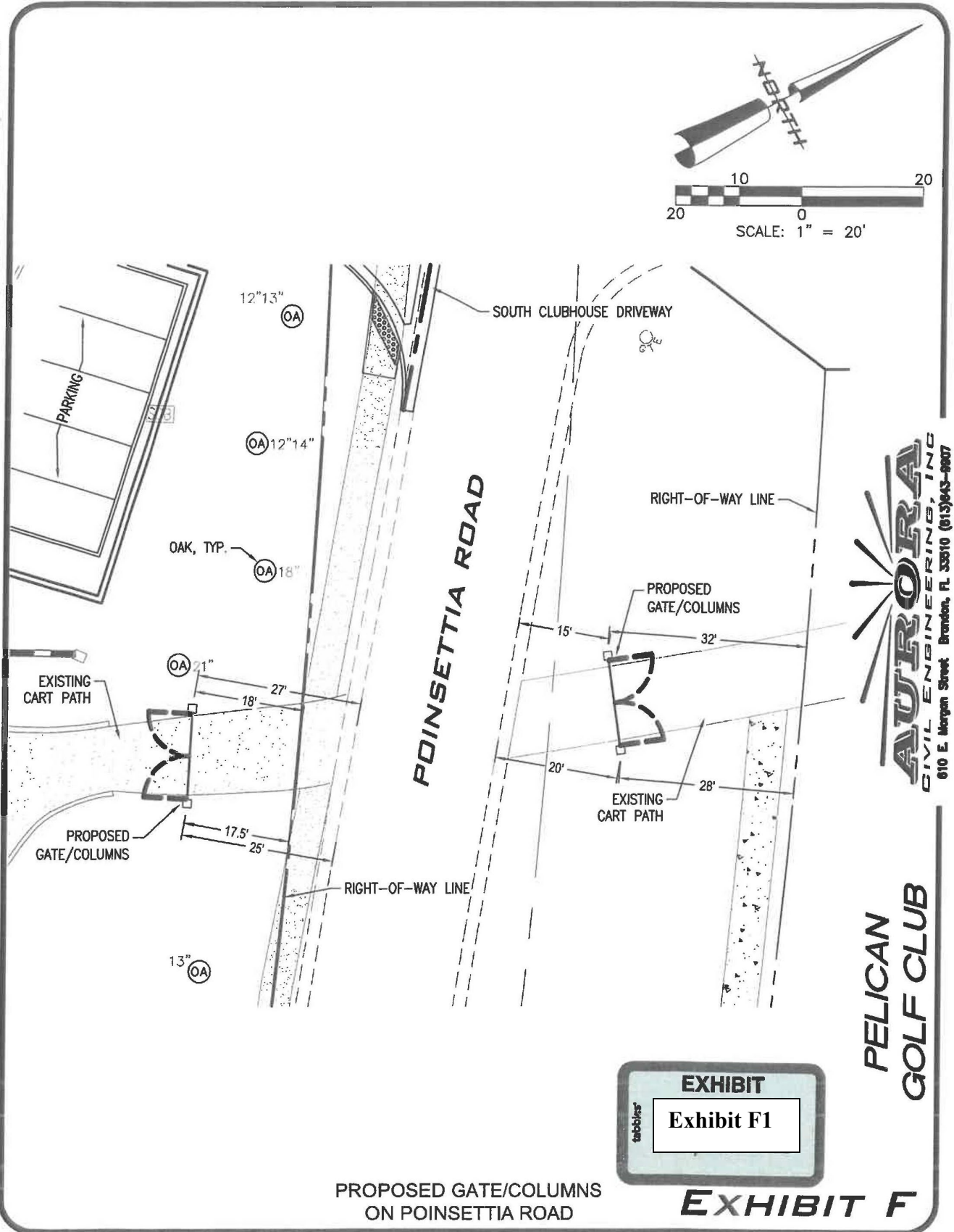
Project #: 19-109  
Date: 05.17.19







File: E:\Projects\Harrod The Pelican\Plans\Pelican - Villa; Plotted: 5/17/2019 4:24 PM by MICHAEL KNIGHT; Saved: 5/17/2019 4:24 PM by MICHAEL





Pelican Golf Club  
Clubhouse

3145 Lakewood Ranch Blvd.  
Bradenton, Florida 34211

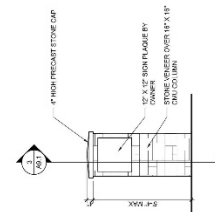
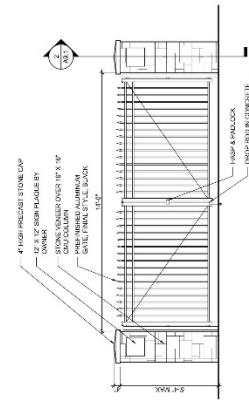
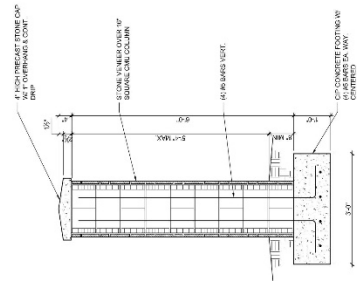
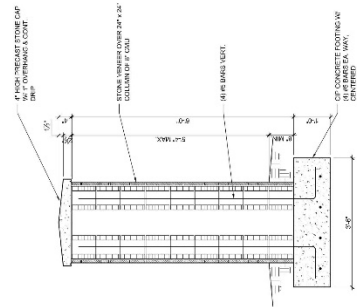
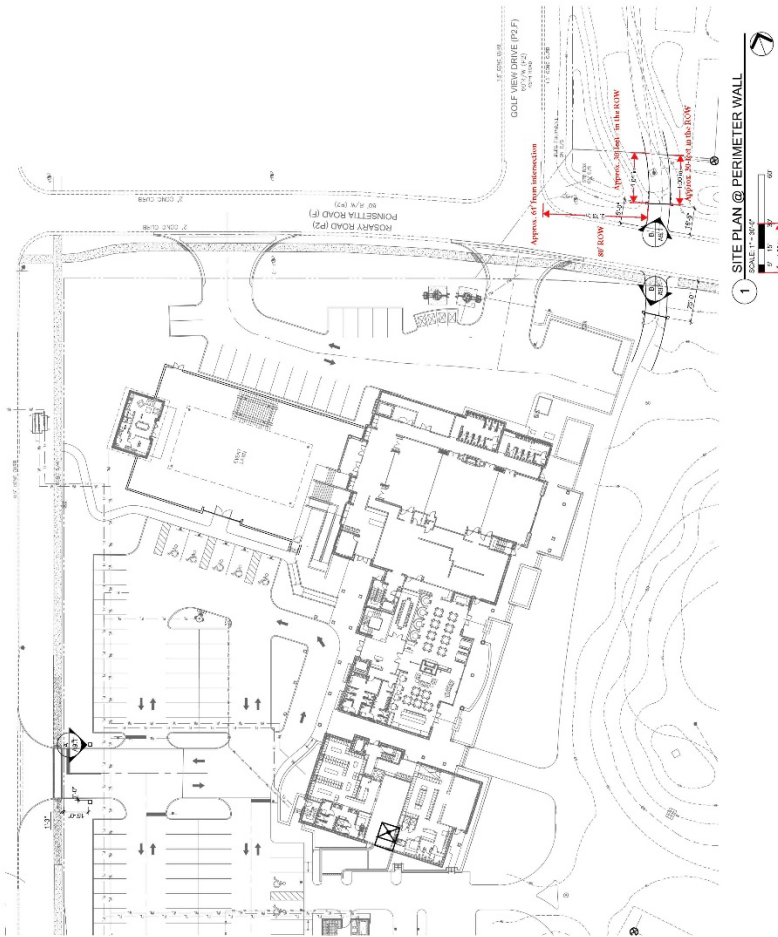
SPAM: \_\_\_\_\_  
 Dennis M. Carr, AIA  
 FL Lic. No. A00218700

**SHEET TITLE:**  
**ENTRY COLUMN  
PLANS, ELEVATIONS,  
& DETAILS**

DATA:	16-102
PROJECT A:	03-11-2019
DATE:	
DRAWN BY:	
FILE:	
SHEET N°:	

## A9.1

**EXHIBIT 'F'**



## Exhibit F2

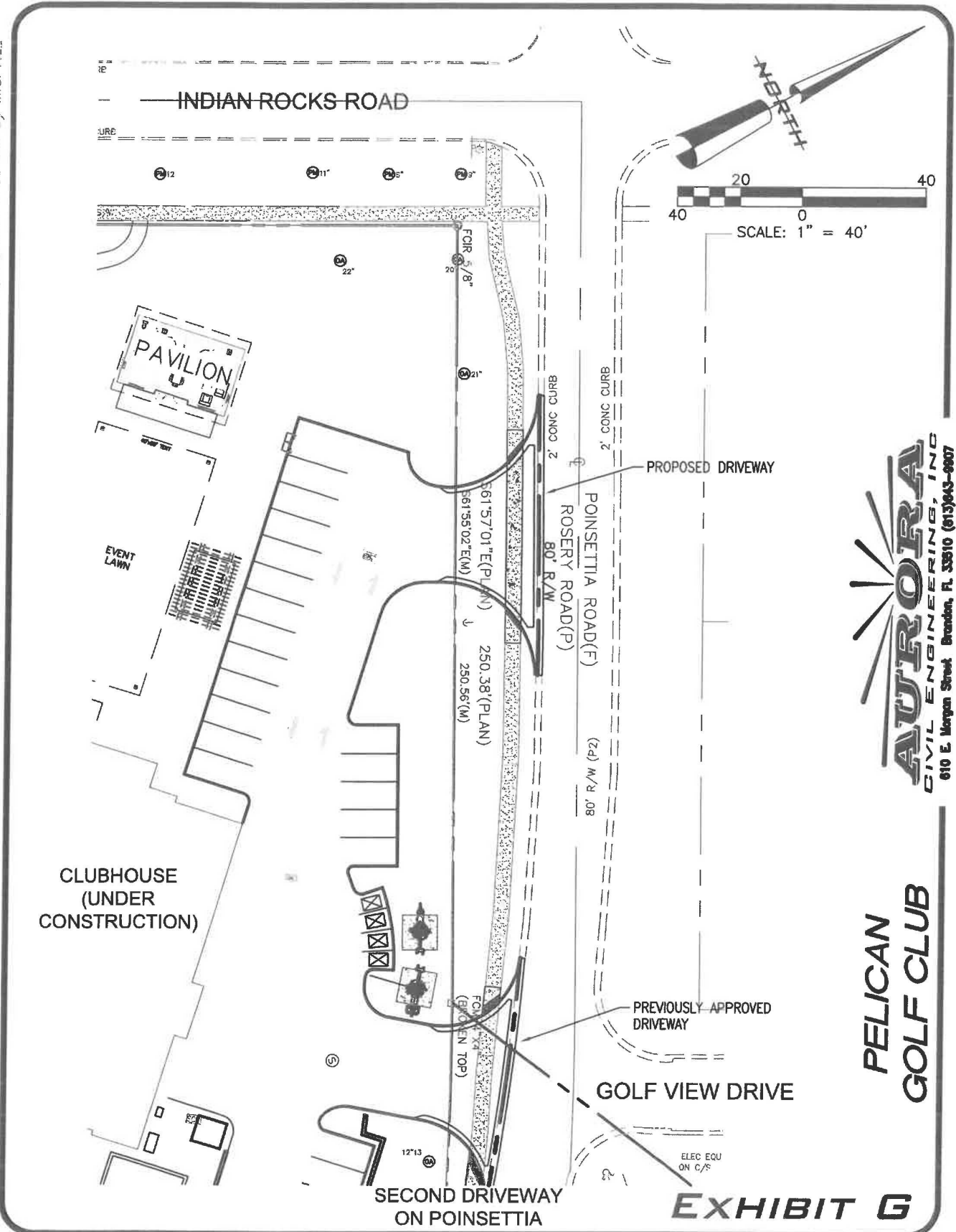
3 SECTION @ ENTRY COLUMN

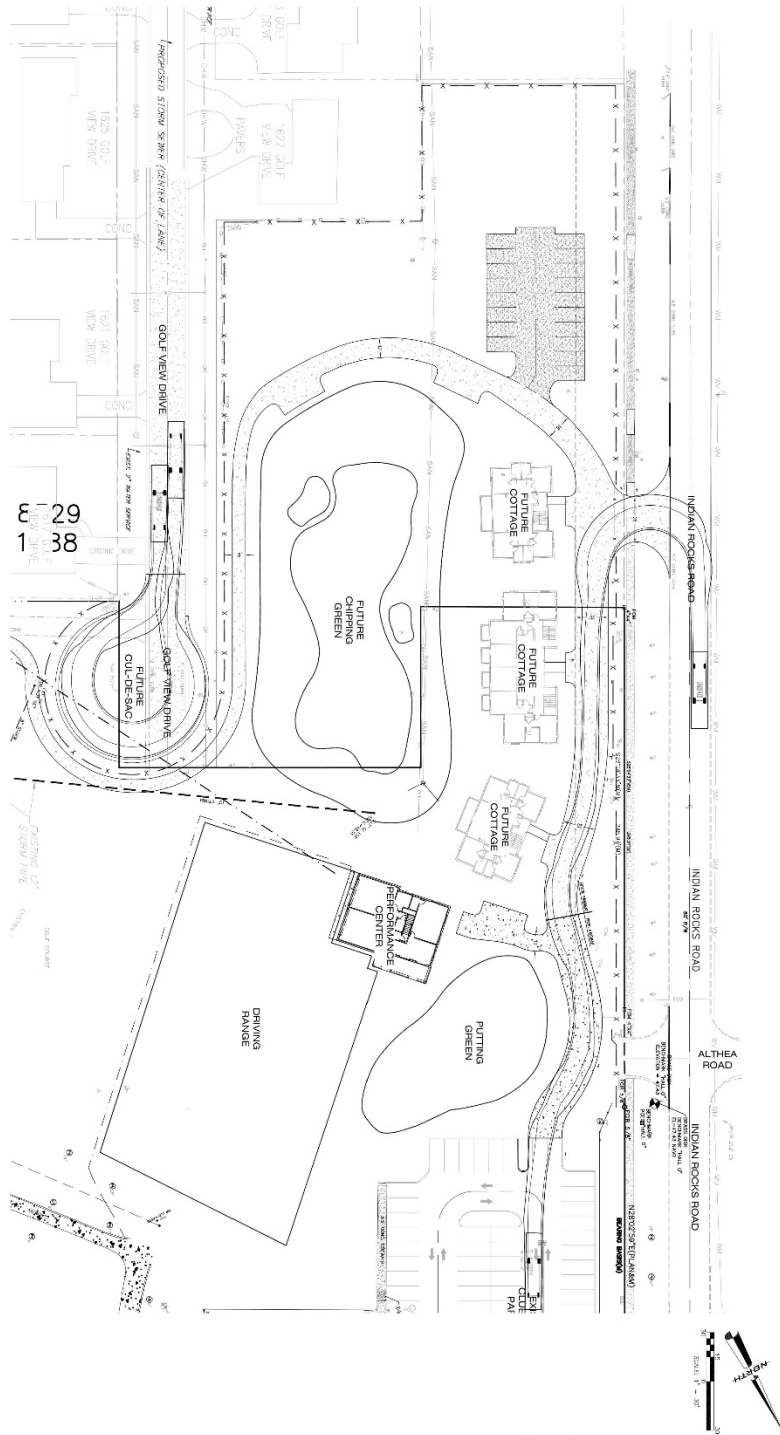
2 SECTION @ CART PATH COLUMN 31" x 12"

**B** ELEVATION @ CART PATH GATE 3.8' ± 1.0'

**ELEVATION @ ENTRY COLUMN**

The Pelican \Plans \Pelican -- Villa; Flotted: 5/7/2013 4:09 PM by MICHAEL KNIGHT; Saved: 5/17/2013 3:59 PM by MICHAEL





## EXHIBIT H

 <b>AURORA</b> CIVIL ENGINEERING, INC. 610 E. Morgan Street, Brandon, FL 33510 (813)643-9907	<b>PELICAN GOLF CLUB</b> <b>"PERFORMANCE CENTER"</b> HARRIS PROPERTIES, INC. 8550 WEST EXECUTIVE DRIVE - 550 TAMPA, FLORIDA 33609	<b>VEHICLE TRACKING</b>	DATE: 7-1-2018	
			DESIGNED BY: MCI/AD	CHECKED BY: KMD/HT

# **PELICAN GOLF CLUB**

## **PROJECT NARRATIVE FOR NEW PHASE 4 EXPANSION**

**Phase 4 Expansion of Original Golf Course  
Reconstruction Project to Include Additional Parcels located at:**

**1614 Golf View Drive  
1616 Golf View Drive  
1609 Indian Rocks Road  
1611 Indian Rocks Road  
1617 Indian Rocks Road**

### **Requested Actions:**

**Rezoning and Land Use Changes  
Site Plan Approval and Variance Requests**

**AND**

**Supplemental Approvals for Phase 3  
Amendment to Development Agreement  
and Variance Requests**

**Table of Contents**

Phase 4 Project Summary .....3

Future Land Use Plan Change/Rezoning..... 4

Phase 4 Site Plan Approval and Variance Requests..... 7

Phase 3 Request for Amendment to Development Agreement and  
Supplemental Variance Requests.....10

Consent and Joinder by CDM Investments, Inc. and Danielson, Ltd.....14

**Exhibits:**

- Exhibit A - Amended Site Plan
- Exhibit B - Detailed drawing of cul-de-sac
- Exhibit C - Plans for two 8-room cottages
- Exhibit D - Plans for the 12-room cottage
- Exhibit E - Overall comparison of approved Site Plan and Amended Site Plan
- Exhibit F - Proposed gate/columns on Poinsettia
- Exhibit G - Second entrance on Poinsettia

## Phase 4 Project Summary

This document describes a project that is an expansion of Pelican Golf Club, a golf course renovation and new golf clubhouse project previously approved by the Town of Belleair. For background information, please refer to PELICAN GOLF CLUB RECONSTRUCTION PLAN Project Narrative dated January 12, 2017 (Revised March 27, 2017), as well as Phase 3 Project Narrative dated May 14, 2018.

Danielson, Ltd. has acquired 1614 Golf View Drive and 1611 Indian Rocks Road. CDM Investments, Inc. has acquired 1616 Golf View Drive, 1609 Indian Rocks Road, and 1617 Indian Rocks Road (all referred to herein as the “Additional Parcels”). The Additional Parcels total approximately 1.881 acres. The applicant herein, Pelican Golf LLC (“Pelican”) is the owner of the golf course and the expanded area referenced in Phase 3. Danielson, Ltd. and CDM Investments, Inc. have joined in this application as the owners of the Additional Parcels and agree to the changes being sought herein.

The Additional Parcels are currently zoned Residential and the future land use designation is also Residential. Request No. 1 of this application is to change the zoning classification to Golf Course and the land use designation to Recreation/Open Space.

Request No. 2 of this application seeks approval of an amendment to the previously approved Site Plan (“Amended Site Plan”) which encompasses the Additional Parcels and the Phase 3 Property. The Amended Site Plan shows the location of three cottages, the new putting and chipping areas, and additional parking areas. See **Exhibit A**. Inclusive with the Amended Site Plan approval request is an application for a variance to install a fence along Indian Rocks Road and along Golf View Drive within the required 25’ front yard setback. A detailed description of the fence is shown on the proposed Amended Site Plan. A second fence variance seeks to allow a fence to be located 17.6 feet within the existing and to be dedicated right of way of the proposed cul-de-sac of Golf View Drive, as depicted on the Amended Site Plan and the detailed drawing of the cul-de-sac attached as **Exhibit B**. Pelican agrees to indemnify and hold the Town harmless from liability within the right of way area as may be required by the Town as part of its standard procedure.

Request No. 3 is to allow an amendment to the existing Phase 3 Development Agreement to allow a variance for a gate and column entrance on the North side of Poinsettia Road and a variance for a second entrance on the South side of Poinsettia Road. Variance applications are attached.

The following pages further outline Pelican’s requests in detail.

## Request No. 1

### Request for Future Land Use Plan Change and for Rezoning

The Additional Parcels are currently zoned Residential and have a Land Use designation of Residential. In order to accommodate the expansion of the golf course, Pelican is requesting that the Zoning Classification be changed to Golf Course and that the Land Use designation be changed to Recreational/Open Space. Attached hereto is the Application for Future Land Use Plan Changes and for Rezoning.



☒ **FUTURE LAND USE PLAN CHANGE**  
☒ **REZONING**

TOWN OF BELLEAIR

Application No. \_\_\_\_\_

(To Be Assigned)

All applications are to be filled out completely and correctly. The application shall be submitted to the Town of Belleair Building Department, located at 901 Ponce de Leon Blvd Belleair, Florida.

**GENERAL INFORMATION**

**APPLICATION**

Date of Submittal: \_\_\_\_\_

Street Address: 1609, 1611 and 1617 INDIAN ROCKS ROAD; 1614 and 1616 Golf View Drive

Parcel ID or Tract Number(s): SEE ATTACHED FOR PARCEL NUMBERS

Zoning Classification: *Present:* Residential *Proposed:* Golf Course

Future Land Use Plan Category: *Present:* Residential *Proposed:* Rec/OS

**NAME of APPLICANT (Property Owner):** PELICAN GOLF LLC

Street Address: 11201 CORPORATE CIRCLE N., SUITE 120

City, State, Zip: ST. PETERSBURG, FL 33716

Telephone No: \_\_\_\_\_

Email Address: \_\_\_\_\_

**NAME of any others PERSONS (Having ownership interest in property):**

Specify Interest Held: NONE

Is such Interest Contingent or Absolute: \_\_\_\_\_

Street Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone No: \_\_\_\_\_

Email Address: \_\_\_\_\_

**NAME of AGENT OR REPRESENTATIVE:**

Street Address: THOMAS C. NASH, ESQ., MACFARLANE FERGUSON & MCMULLEN

City, State, Zip: POST OFFICE BOX 1669, CLEARWATER, FL 33757

Telephone No: (727) 441-8966

Email Address: tcn@macfar.com

**AUTHORIZATION**

Future Land Use Plan (map) amendment	\$1,500.00
Rezoning	\$1,000.00

**FEE SCHEDULE SUBPART A. GENERAL ORDINANCES**

The UNDERSIGNED CERTIFIES that the ownership of all property within this application has been fully divulged, whether such ownership be contingent or absolute, and that the names of all parties to any contract for sale in existence or any options to purchase are filed with the application. Further, this application must be complete and accurate, before the public hearings can be advertised, with attached justification form completed and filed as part of this application.

Signature: \_\_\_\_\_

*Must be signed by title holder(s), or by an authorized agent with letter attached.*

Date: \_\_\_\_\_

5-20-19





☒ **FUTURE LAND USE PLAN CHANGE**  
☒ **REZONING**

TOWN OF BELLEAIR

**NARRATIVE** (PAGE 1 of 1)

**NARRATIVE**

**PROPERTY INFORMATION:**

Street Address:

Parcel ID or Tract Number:

Square Feet: 81,933 more or less

Acreage: 1.881 more or less

Proposed Legal Description:

SEE SURVEY

Is there any existing contract for sale on the subject property: NO

If so, list names of all parties to the contract:

Is contract conditional or absolute:

Are there any options to purchase on the subject property: NO

Is so, list the names of all parties to option:

**REQUEST:** [Attach additional justification if necessary]

The applicant is of the opinion that this request would be an appropriate land use and / or rezoning for the above described property, and conforms with the Town's Comprehensive Plan and Land Development Code (Zoning Ordinance) for the following reasons:

SEE ATTACHED

**TOWN OF BELLEAIR  
FUTURE LAND USE PLAN CHANGE & REZONING**

**GENERAL INFORMATION:** Parcel ID or Tract Numbers:

1609 Indian Rocks Road:

# 28-29-15-06732-032-0060

Lots 6 and 7

1611 Indian Rocks Road

# 28-29-15-06732-032-0080

All of Lots 8, 9, 26 & 27 and N'LY 43FT of Lots 10 and 25

1617 Indian Rocks Road

# 28-29-15-06732-032-0110

Lot 11 & SW'LY 6 FT of Lot 10 & NE'LY 28FT of Lot 12

1614 Golf View Drive

# 28-29-15-06732-032-0030

Lots 30 & 31

1616 Golf View Drive

# 28-29-15-06732-032-0280

Lots 28 & 29

**TOWN OF BELLEAIR  
FUTURE LAND USE PLAN CHANGE & REZONING**

**REQUEST:**

Pelican is of the opinion that this request would be an appropriate land use and/ or rezoning for the above described property, and confirms with the Town's Comprehensive Plan and Land Development (Zoning Ordinance) for the following reasons:

The Property which is the subject of this application consists of approximately 1.881 acres as depicted on the attached survey.

The Property will be used in connection with the existing Pelican Golf Course property. Primarily the Property will be used to expand the existing golf course driving range and to add putting, pitching and chipping areas, all as shown on **Exhibit A**.

The Town's approval of the Phase 3 Site Plan allows for the construction of two small eight room guest cottages. The guest cottages were previously recognized by the Town as an accessory use to the clubhouse and overall golf course development. The Amended Site Plan seeks approval of a third cottage. The third cottage will consist of twelve bedrooms, but will have no common areas. The use of the third cottage will be the same as the previously approved cottages and all of the restrictions imposed on the previously approved cottages will apply to the additional cottage.

The proper Land Use Designation is Recreational / Open Space which is consistent with a golf course use. Likewise, the appropriate Zoning is Golf Course. The cottages are appropriate in the golf course district as a use consistent with a golf / country club. The expansion of the driving range and practice area is consistent with the historic golf course use.

## Request No. 2

### Phase 4 Site Plan Approval and Variance Requests.

Attached hereto as **Exhibit A** is the proposed amendment to the previously approved Site Plan (“Amended Site Plan”) for the improvements to be placed on the Additional Parcels. The Amended Site Plan shows the two already approved cottages and the third cottage. As previously mentioned, two of the cottages, each containing eight rooms and limited common areas, were approved in the Phase 3 Plan. The elevation drawings and plans for the two previously approved eight-room cottages containing approximately 3,826 square feet are attached hereto as **Exhibit C**.

The additional cottage will consist of twelve rooms on the two floors, but will have no common area amenities. The planned use of the cottages has not changed. The cottages will not have kitchen facilities. The cottages will have one central keyed entrance and will be used only by Club members and their guests. No third party booking services will be used. Fees for usage will be billed to the member by the Club. No outside or transient rentals will be allowed. No guest vehicles will be allowed near or adjacent to the cottages and each room will exceed 300 square feet. The proposed Site Plan indicates the general location of all three cottages. The twelve-room cottage will be approximately 5,590 square feet. The elevation drawings and plans for the twelve-room cottage are attached as **Exhibit D**.

Pelican is of the position that the cottages are an auxiliary use to the Club and therefore no additional parking should be required. Most guests will arrive at area airports and be transported directly to the Club by one of the Club’s courtesy vehicles or some form of ride sharing service. Therefore, there is no need for additional parking to accommodate overnight guests. Nevertheless, in order to assuage any concerns, a portion of the Additional Parcels has been designated for use as overflow parking. The new parking area will consist of turf block surfaces and will add a minimum of eighteen additional parking spaces.

As part of Phase 4, Pelican is seeking two minor variances. The first variance seeks to allow a vinyl fence to be constructed within the 25’ front yard setback, five feet from the right of way line along Indian Rocks Road and Golf View Drive. The fence will be heavily landscaped on both the interior and exterior sides. The granting of this variance will allow the same setback and continuation of the fence previously approved by the variance granted in Phase 3. Please see Variance Application #1 attached hereto for further detail. The location of the fence is shown on the Amended Site Plan.

Another addition to the previously approved Site Plan is the relocation of the cul-de-sac at the north end of Golf View Drive. The cul-de-sac has been moved slightly from its previously approved location. Pelican will dedicate a portion of its land for construction of the cul-de-sac. The detail of the proposed relocated cul-de-sac is attached as **Exhibit B**. The Amended Site Plan shows the location of the cart path and fence within the right of way.

A second variance is needed as part of Phase 4 to approve the location of the fence within the right of way of the area surrounding the cul-de-sac. The fence will be located 17.6 feet within the right of way. Please see Variance Application #2 and the location of the proposed fence/variance area marked in red on **Exhibit B**.



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

DATE 5/20/19

To the Town Commission of the Town of Belleair, Florida

1. The undersigned, Pelican Golf LLC, lessee of Lot \_\_\_\_\_, Block \_\_\_\_\_, Subdivision \_\_\_\_\_, property Commission of the Town of Belleair for a variance on the above-described property.
2. The property is presently zoned Residential, pending change to Golf Course.
3. The present land use on the property is Residential, pending change to Recreation/Open Space.
4. The decision involves Article IV Section 74-287(e) of the Belleair Land Development Code.
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: Request permission to construct fence along Indian Rocks Road and Golf View Drive within the 25' front yard set back.
7. The Justification for the request is (requests for the variances must demonstrate the practical difficulty or unnecessary hardship which justifies the variance): See attached, as well as depiction of fence on Site Plan.
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.
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 is 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**

**Paid:** \_\_\_\_\_

[Signature]  
Owner

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone Number

**VARIANCE REQUEST NO. 1: Request for Variance to Location of Fence pursuant to Section 74-287(e) of Town Code.**

**JUSTIFICATIONS (per Section 66-253(b)(1) of Town Code):**

**1. Special conditions and circumstances exist which are peculiar to the land, structure or buildings involved.**

Pelican would like to install a fence along Indian Rocks Road and Golf View Drive as shown on the Amended Site Plan. The fence will tie into the fence previously approved in Phase 3. The fence material will be a dark green manufactured fence product designed to visually “blend in” with the landscaping. To create the amount of room necessary for the practice greens and associated activities such as chipping, pitching, bunker practice, and putting, it is necessary to push the fence toward the outer perimeter of the parcel as much as possible. Thus, the proposed fence is 5’ from the property line which is inside the designated front yard setback area defined as 25 feet from property line.

**2. The special conditions and circumstances do not result from actions of the applicant.**

The need for the proposed fence location is a function of trying to maximize the size of the area associated with the practice greens. As the size of the area is maximized, the area becomes more safe for use.

**3. Literal interpretation of the provisions of this Code would work unnecessary and undue hardship on the applicant.**

Literal interpretation of the provisions of this Code would reduce the amount of usable space available for the practice greens.

**4. The variance, if granted, is the minimum variance that will make possible the reasonable use of the land, structure or building.**

The variance requested is the absolute minimum needed in order to create a functional and aesthetically pleasing barrier along Indian Rocks Road and Golf View Drive.

**5. A grant of variance will be in harmony with the general intent and purpose of this Code, and that such variance will not be injurious to the zoning district involved or otherwise detrimental to the public interest.**

The intent of the Code is to allow reasonable and appropriate development with the Town and the granting of this variance will not be injurious to the zoning district or otherwise detrimental to the public interest. The end result will be an aesthetically pleasing fence that will provide visual screen from Indian Rocks Road and Golf View Drive.

**6. A grant of variance will not result in any land use not specifically provided for in the schedule of district regulations (Section 74-82 of this Code) for the zoning district in which the property is located.**

The granting of this variance will not result in any land use not specifically provided for the zoning district.



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

DATE 5/20/19

To the Town Commission of the Town of Belleair, Florida

1. The undersigned, Pelican Golf LLC, lessee of Lot \_\_\_\_\_, Block \_\_\_\_\_, Subdivision \_\_\_\_\_, property Commission of the Town of Belleair for a variance on the above-described property.
2. The property is presently zoned Residential, pending change to Golf Course.
3. The present land use on the property is Residential, pending change to Recreation/Open Space.
4. The decision involves Article IV Section 74-287(e) of the Belleair Land Development Code.
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: Request permission to construct fence 17.6 feet within the right of way of the area surrounding the cul-de-sac to be completed on the north end of Golf View Drive.
7. The Justification for the request is (requests for the variances must demonstrate the practical difficulty or unnecessary hardship which justifies the variance): See attached, as well as depiction of fence on Site Plan.
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.
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 is 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**

**Paid:** \_\_\_\_\_

Owner \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

**VARIANCE REQUEST NO. 2: Request for Variance to Allow Fence to be constructed within the right-of-way.**

**JUSTIFICATIONS (per Section 66-253(b)(1) of Town Code):**

**1. Special conditions and circumstances exist which are peculiar to the land, structure or buildings involved.**

Pelican would like to install a fence within the dedicated right of way area existing within the cul-de-sac at the north end of Golf View Drive, as shown on the attached Amended Site Plan and cul-de-sac detailed in **Exhibit B**. The fence material will be the same dark green manufactured fence product as the fence constructed along Indian Rocks Road and Golf View Drive and will be designed to visually “blend in” with the landscaping. The fence to be located within the right of way will be five feet high and will encroach 17.6 feet into the right of way.

**2. The special conditions and circumstances do not result from actions of the applicant.**

The need for the proposed fence location is a function of trying to maximize the size of the area associated with the practice greens and to allow sufficient area for a cart path to be built, as shown on the attached Amended Site Plan. As the size of the area is maximized, the area becomes more safe for use.

**3. Literal interpretation of the provisions of this Code would work unnecessary and undue hardship on the applicant.**

Literal interpretation of the provisions of this Code would reduce the amount of usable space available for the practice greens and as to the fence within the Golf View right of way, it would require the fence to impede onto the practice facility.

**4. The variance, if granted, is the minimum variance that will make possible the reasonable use of the land, structure or building.**

The variance requested is the absolute minimum needed in order to create a functional and aesthetically pleasing barrier on the north side of the Golf View area cul-de-sac.

**5. A grant of variance will be in harmony with the general intent and purpose of this Code, and that such variance will not be injurious to the zoning district involved or otherwise detrimental to the public interest.**

The intent of the Code is to allow reasonable and appropriate development with the Town and the granting of this variance will not be injurious to the zoning district or otherwise detrimental to the public interest. The end result will be an aesthetically pleasing fence that will provide visual screen around the Golf View Drive cul-de-sac.

**6. A grant of variance will not result in any land use not specifically provided for in the schedule of district regulations (Section 74-82 of this Code) for the zoning district in which the property is located.**

The granting of this variance will not result in any land use not specifically provided for the zoning district.



## **Request No. 3**

### **Phase 3 Supplement (Amendment to Development Agreement)**

Due to the acquisition of the Additional Parcels, the overall plan of development is changing, resulting in needed changes to the previously approved Development Agreement. Likewise, as the project has progressed, Pelican has realized that additional minor variances need to be added to the Phase 3 approved development. For the reviewer's aid, we have included an overview sketch which compares the existing approved Phase 3, requested changes to Phase 3, and the addition of Phase 4. See **Exhibit E**.

These variances are as follows:

#### **Variance Request No. 1**

Gate/Columns on north side of Poinsettia Road. Please see attached application and drawing of the proposed gate and column entrance to be added on the north side of Poinsettia Road entering to the number one golf hole tee area. This is the actual entrance to the front nine holes of the golf course. The request is to allow a maximum six foot gate and same height columns to be 15/20 feet from the north side of Poinsettia Road and 32/28 feet within the existing right of way. In order to accommodate the championship tee, the entry area to hole number one is closer to Poinsettia Road than originally contemplated. It would be an unnecessary hardship on Pelican to move the entryway further north. This variance creates no adverse effect on the general public. A specific diagram of the proposed gate is attached as **Exhibit F**. The drawing shows a 5'4" gate, but standard is 6' and thus we are requesting a maximum of six feet. Due to the configuration of Poinsettia Road, the gate/columns will reside within the Poinsettia Road right of way. Pelican agrees to indemnify and hold the Town harmless from liability within the right of way area as may be required by the Town as part of its standard procedure

#### **Variance Request No. 2**

Pelican is seeking a variance to allow a second entrance along Poinsettia Road, as shown in the attached variance application. The second entrance is needed so as to allow delivery vehicles to safely enter and exit the Premises. The granting of this variance has no adverse effect on nearby owners. In fact, a second entrance will allow for safer exits out of the Club property, which will benefit all who use Poinsettia Road. A specific diagram of the proposed second entrance is attached as **Exhibit G**.

#### **General Matters**

1. Pelican requests the Clubhouse completion date be extended until April 1, 2020.
2. Pelican requests authority be vested in the Town Manager to authorize the vacation of any Town owned easements for services or utilities which now may encumber any

portion of the Development, including the Additional Parcels.

3. Pelican requests the Town Manager grant continued authority to grant minor revisions to the Amended Site Plan and Development Agreement without further Town Council approval.

Phase 3 Supplemental Variance Request No. 1



**TOWN OF BELLEAIR**

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

DATE

5/20/19

To the Town Commission of the Town of Belleair, Florida

1. The undersigned, Pelican Golf LLC, owner of Lot \_\_\_\_\_, Block \_\_\_\_\_, Subdivision \_\_\_\_\_, property Commission of the Town of Belleair for a variance on the above-described property.
2. The property is presently zoned Golf Course.
3. The present land use on the property is Recreation/Open Space.
4. The decision involves Article IV Section 74-287(e) of the Belleair Land Development Code.
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: Request permission to construct a gate and columns on the North side of Poinsettia to be constructed as shown on the attached Plan.
7. The Justification for the request is (requests for the variances must demonstrate the practical difficulty or unnecessary hardship which justifies the variance): See attached.
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.
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 is 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**

**Paid:** \_\_\_\_\_

[Signature]  
Owner

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

**SUPPLEMENTAL VARIANCE REQUEST NO. 1: Request for Variance to Location of Entry Gate and Column Entrance, pursuant to Section 74-287(e) of Town Code.**

**JUSTIFICATIONS (per Section 66-253(b)(1) of Town Code):**

- 1. Special conditions and circumstances exist which are peculiar to the land, structure or buildings involved.**

For security purposes and for aesthetics, Pelican needs to add a gate and entry columns as shown on the drawings attached to this application. The gate and columns will both be a maximum of six feet in height and be located 15/20 feet from Poinsettia Road and therefore 32'/28' within the setback and existing right of way. Due to the location of the #1 hole tee box and the odd configuration of Poinsettia Road, the gate is within the setback and the right of way.

- 2. The special conditions and circumstances do not result from actions of the applicant.**

The proposed gate is needed for security. The columns are decorative.

- 3. Literal interpretation of the provisions of this Code would work unnecessary and undue hardship on the applicant.**

Literal interpretation of the provisions of this Code would result in the inability to install a safety gate and decorative columns.

- 4. The variance, if granted, is the minimum variance that will make possible the reasonable use of the land, structure or building.**

The variance requested is the absolute minimum needed in order to allow a functional gate.

- 5. A grant of variance will be in harmony with the general intent and purpose of this Code, and that such variance will not be injurious to the zoning district involved or otherwise detrimental to the public interest.**

The intent of the Code is to allow reasonable and appropriate development with the Town and the granting of this variance will not be injurious to the zoning district or otherwise detrimental to the public interest. The end result will be an aesthetically pleasing gate/column combination that will provide security and aesthetically pleasing entry to the first tee.

- 6. A grant of variance will not result in any land use not specifically provided for in the schedule of district regulations (Section 74-82 of this Code) for the zoning district in which the property is located.**

The granting of this variance will not result in any adverse land use.



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DATE

5/20/19

To the Town Commission of the Town of Belleair, Florida

1. The undersigned, Pelican Golf LLC, owner of Lot \_\_\_\_\_, Block \_\_\_\_\_, Subdivision \_\_\_\_\_, property Commission of the Town of Belleair for a variance on the above-described property.
2. The property is presently zoned Golf Course.
3. The present land use on the property is Recreation/Open Space.
4. The decision involves Article IV Section 74-287(e) of the Belleair Land Development Code.
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: Request permission to construct a second driveway area on the South side of Poinsettia as shown on the attached Plan.
7. The Justification for the request is (requests for the variances must demonstrate the practical difficulty or unnecessary hardship which justifies the variance): See attached.
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.
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 is 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**

**Paid:** \_\_\_\_\_

Owner

Address

Telephone Number

**SUPPLEMENTAL VARIANCE REQUEST NO. 2: Request for Variance for Second Entrance on Poinsettia Road.**

**JUSTIFICATIONS (per Section 66-253(b)(1) of Town Code):**

**1. Special conditions and circumstances exist which are peculiar to the land, structure or buildings involved.**

Due to the configuration of the Clubhouse, a second entrance is necessary. This will allow safer access to and from Poinsettia Road.

**2. The special conditions and circumstances do not result from actions of the applicant.**

The location of the Clubhouse and the proximity to the intersection create a need for a second entrance.

**3. Literal interpretation of the provisions of this Code would work unnecessary and undue hardship on the applicant.**

The lack of a second entrance would create a hardship creating difficulty with traffic ingress and egress.

**4. The variance, if granted, is the minimum variance that will make possible the reasonable use of the land, structure or building.**

The is the minimum area necessary in order to create a second driveway.

**5. A grant of variance will be in harmony with the general intent and purpose of this Code, and that such variance will not be injurious to the zoning district involved or otherwise detrimental to the public interest.**

The intent of the Code is to allow reasonable and appropriate development with the Town and the granting of this variance will not be injurious to the zoning district or otherwise detrimental to the public interest.

**6. A grant of variance will not result in any land use not specifically provided for in the schedule of district regulations (Section 74-82 of this Code) for the zoning district in which the property is located.**

The granting of this variance will not result in any adverse land use.

## CONSENT TO FILING AND JOINDER TO APPLICATION

The undersigned, CDM Investments, Inc., as the owner of 1616 Golf View Drive, 1609 Indian Rocks Road, and 1617 Indian Rocks Road does hereby consent to the filing of this Application by Pelican Golf Club LLC and joins in the requests herein made.

CDM Investments, Inc.,  
a Florida corporation

By: 

Daniel M. Doyle  
Vice President

The undersigned, Danielson, Ltd., as the owner of 1614 Golf View Drive and 1611 Indian Rocks Road does hereby consent to the filing of this Application by Pelican Golf Club LLC and joins in the requests herein made.

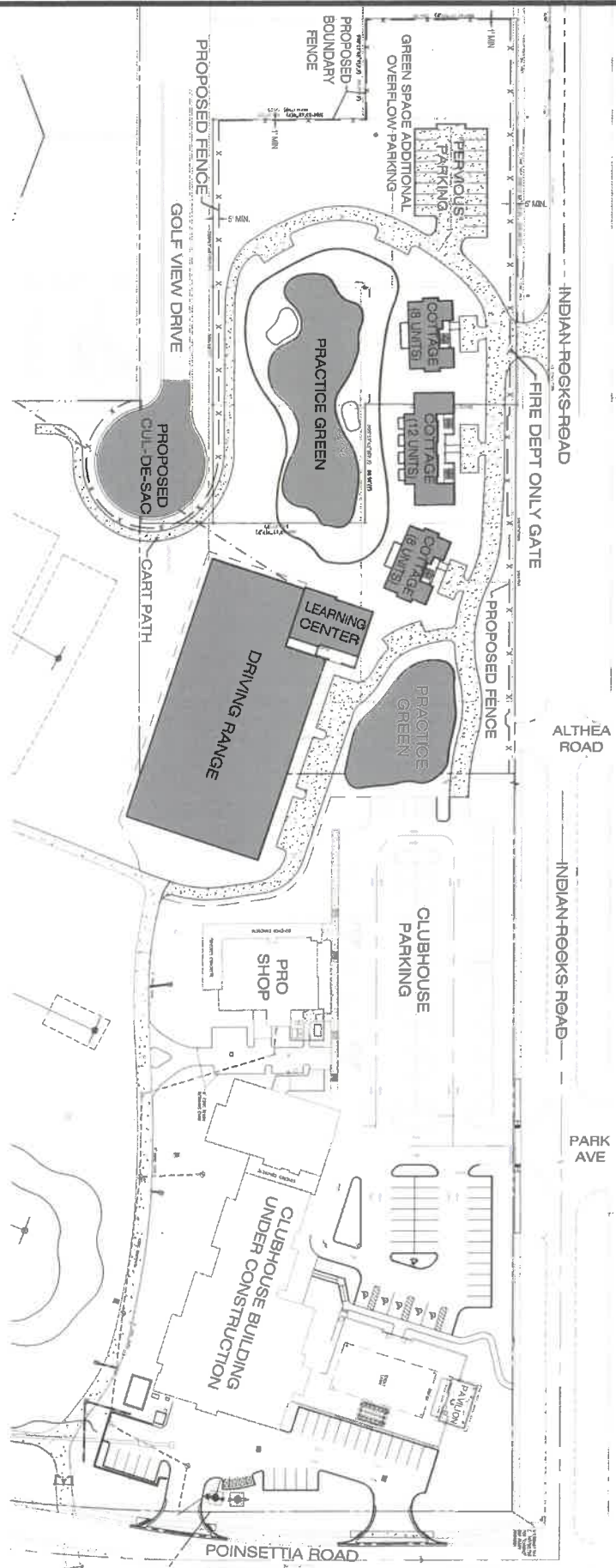
DANIELSON, LTD,  
a Florida limited partnership

By: Danielson, Inc.,  
a Florida corporation  
its General Partner

By: 

Daniel M. Doyle  
President





# EXHIBIT A



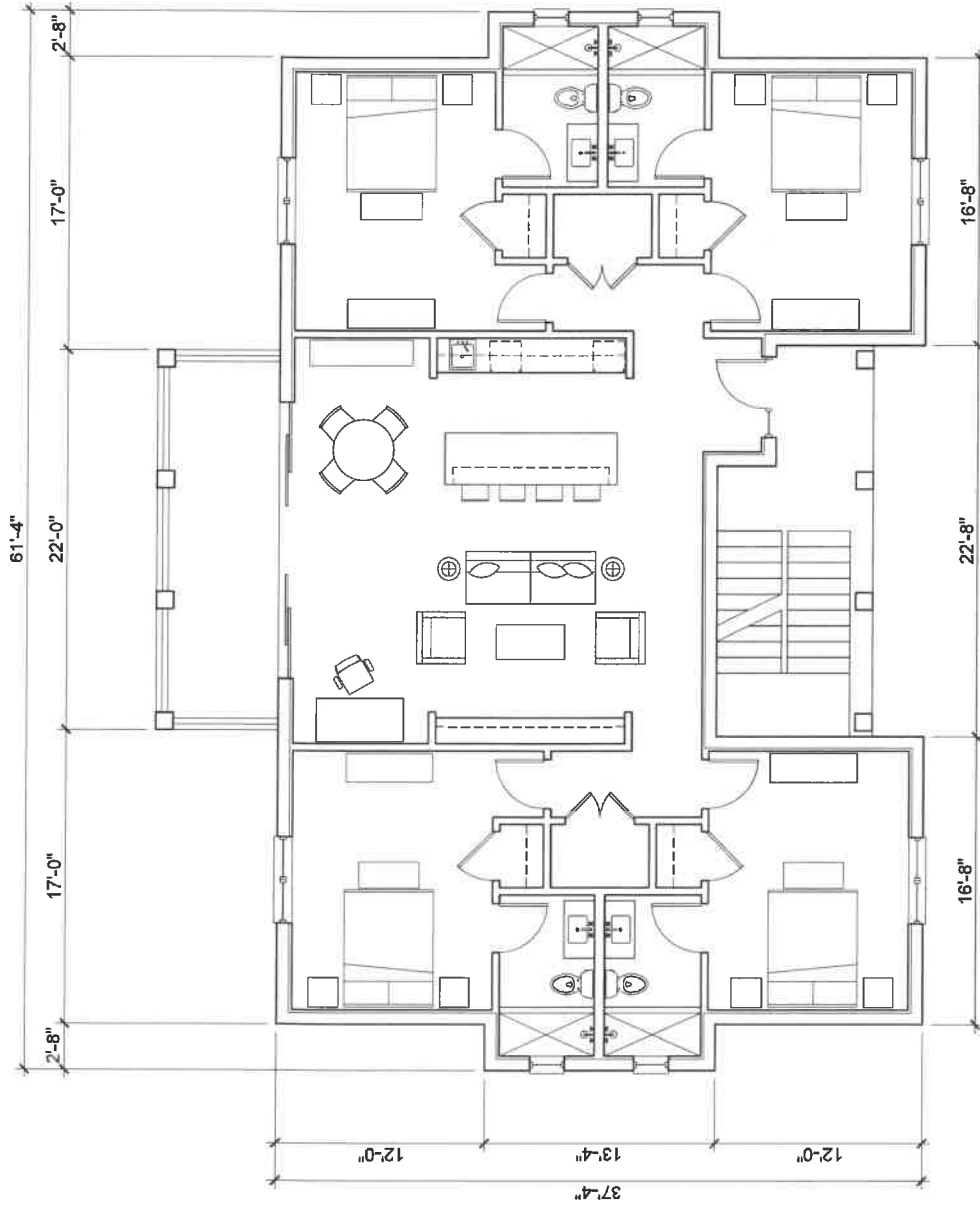
## PELICAN GOLF CLUB

HARROD PROPERTIES, INC.  
5550 WEST EXECUTIVE DRIVE -- 550  
TAMPA, FLORIDA 33609

## AMENDED SITE PLAN

NO.	DATE	DESCRIPTION
1	02-20-2018	ORIGINAL
2	02-20-2018	AMENDED
3	02-20-2018	AMENDED
4	02-20-2018	AMENDED
5	02-20-2018	AMENDED
6	02-20-2018	AMENDED
7	02-20-2018	AMENDED
8	02-20-2018	AMENDED
9	02-20-2018	AMENDED
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13	02-20-2018	AMENDED
14	02-20-2018	AMENDED
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96	02-20-2018	AMENDED
97	02-20-2018	AMENDED
98	02-20-2018	AMENDED
99	02-20-2018	AMENDED
100	02-20-2018	AMENDED





**elevation**  
ARCHITECTURE

architecture | planning | interiors

Project: 8 Room Villa  
Pelican Golf Club

Belleair, Florida



Sheet Title:  
TYPICAL FLOOR PLAN

SCALE: 3/32" = 1'-0"

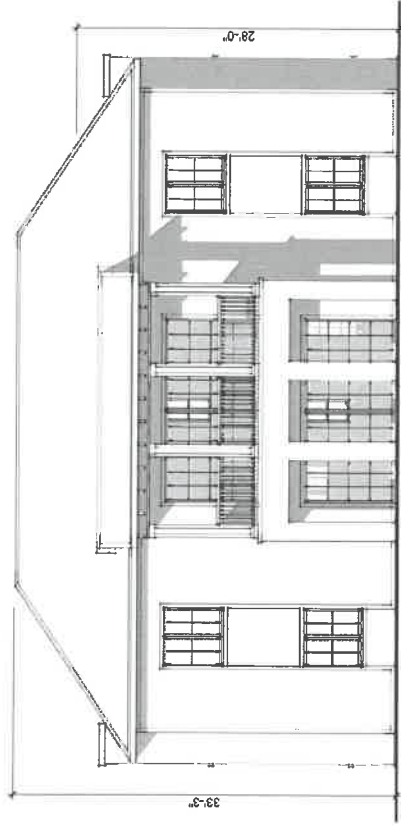


Sheet #:

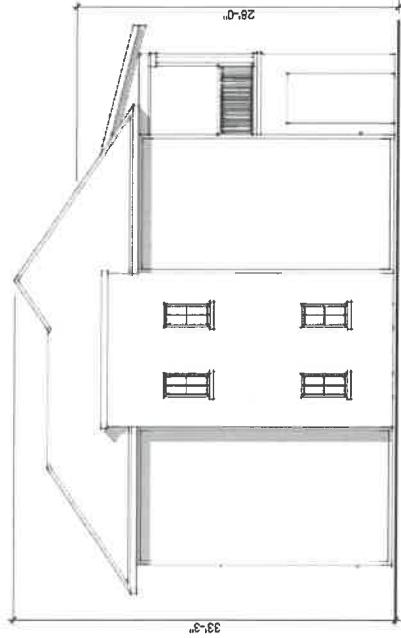
**SD8.1**

Project #:  
Date:

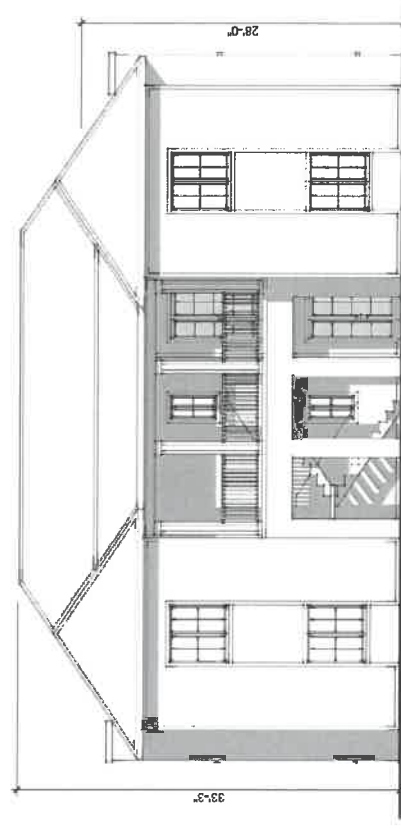
19-109  
05.17.19



TYPICAL EAST ELEVATION



TYPICAL SIDE ELEVATION



TYPICAL WEST ELEVATION



**elevation**  
ARCHITECTURE

architecture | planning | interiors

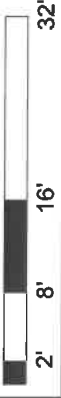
Project: 8 Room Villa  
Pelican Golf Club

Belleair, Florida



Sheet Title:  
EXTERIOR ELEVATIONS

SCALE:  $\frac{1}{8}" = 1'-0"$

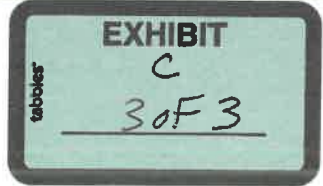


Sheet #:

**SD8.2**

Project #:  
Date:

19-109  
05.17.19



**elevation**  
ARCHITECTURE

architecture | planning | interiors

Project: 8 Room Villa  
Pelican Golf Club

Belleair, Florida

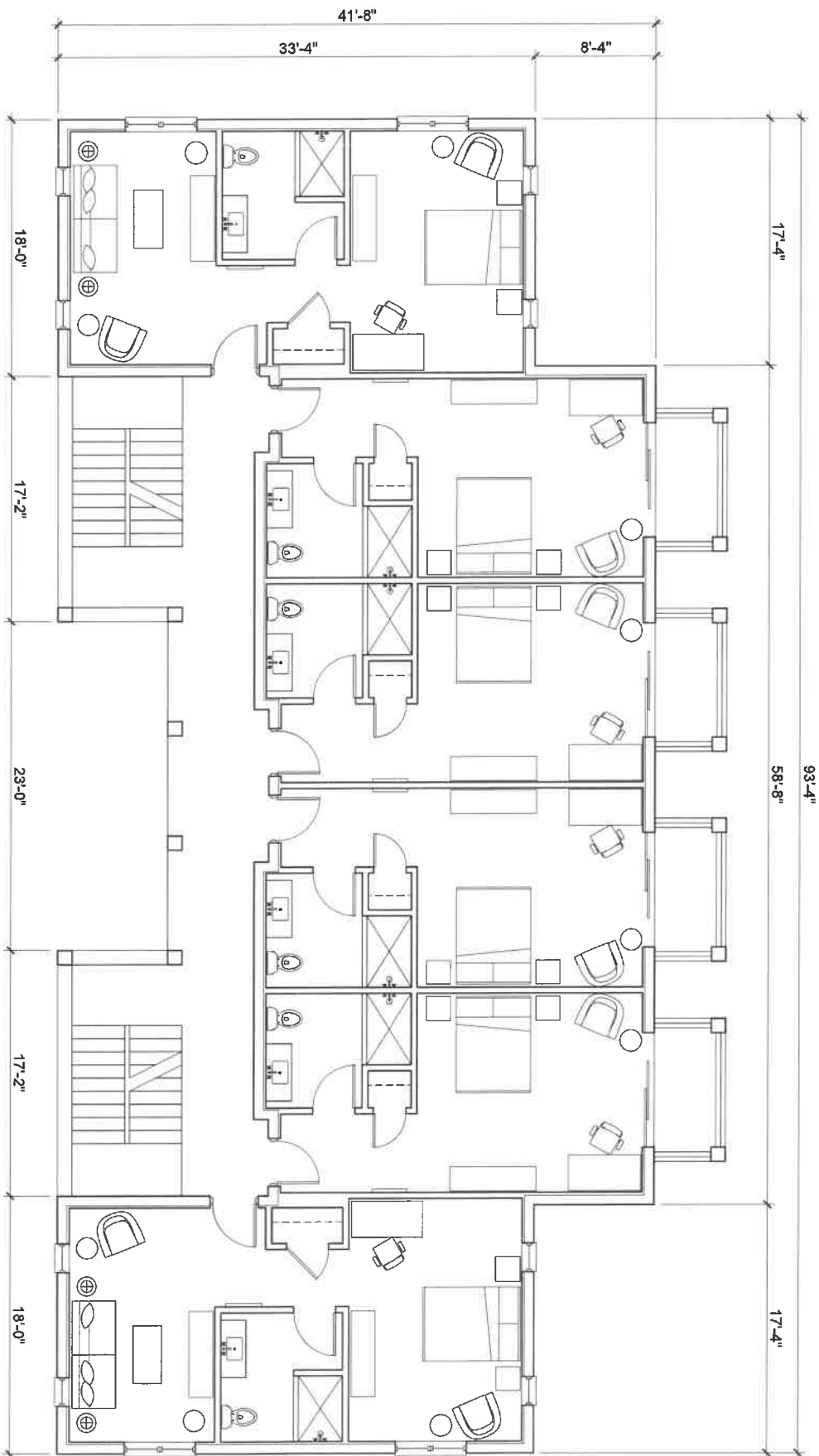


Sheet Title:  
AERIAL VIEW FROM GREEN

Sheet #:  
SD8.3

Project #:  
19-109  
Date:  
05.17.19





# elevation

## ARCHITECTURE

architecture | planning | interiors

Project:

12 Room Villa  
Pelican Golf Club

Belleair, Florida

tabbles

EXHIBIT

10F3

Sheet Title:

TYPICAL FLOOR PLAN

SCALE: 3/32" = 1'-0"

1' 5' 10' 20'



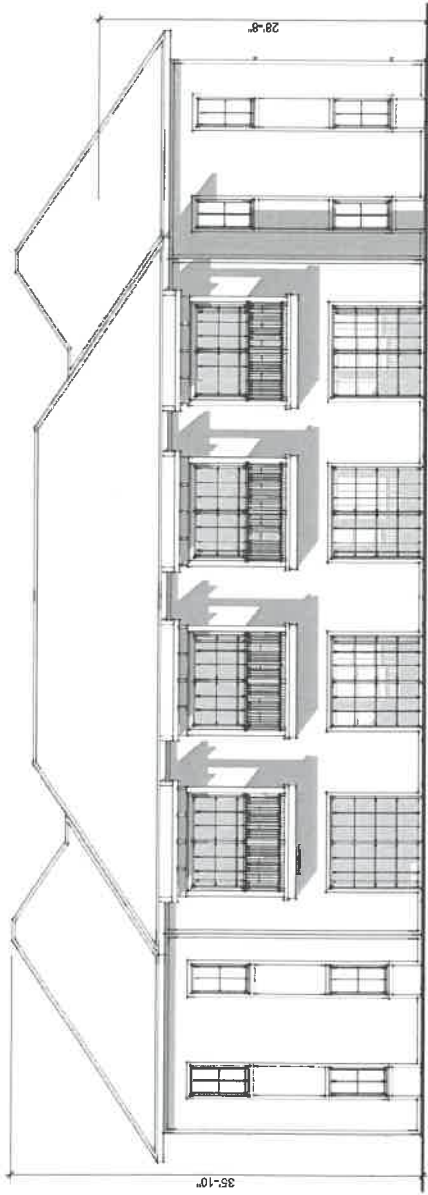
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SD8.1

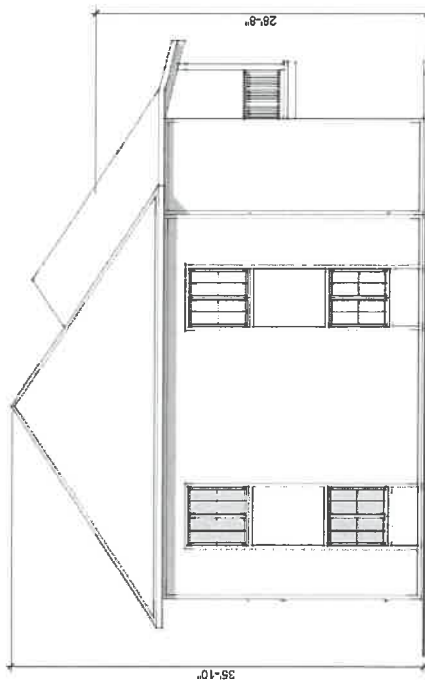
Project #:

Date:

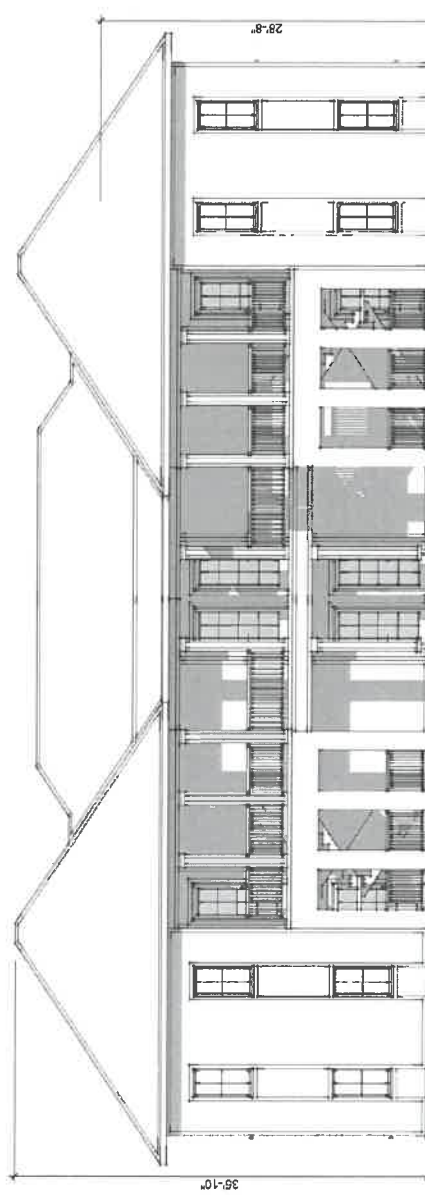
19-109  
05.17.19



TYPICAL EAST ELEVATION



TYPICAL SIDE ELEVATION



TYPICAL WEST ELEVATION

**elevation**  
ARCHITECTURE

architecture | planning | interiors

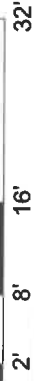
Project: 12 Room Villa  
Pelican Golf Club

Belleair, Florida



Sheet Title:  
EXTERIOR ELEVATIONS

SCALE: 1/8" = 1'-0"



Sheet #: SD12.2

Project #: 19-109  
Date: 05.17.19





**elevation**  
ARCHITECTURE

architecture | planning | interiors

Project:

**12 Room Villa**  
**Pelican Golf Club**

**Belleair, Florida**

Sheet Title:

**AERIAL VIEW FROM GREEN**

Sheet #:

**SD12.3**

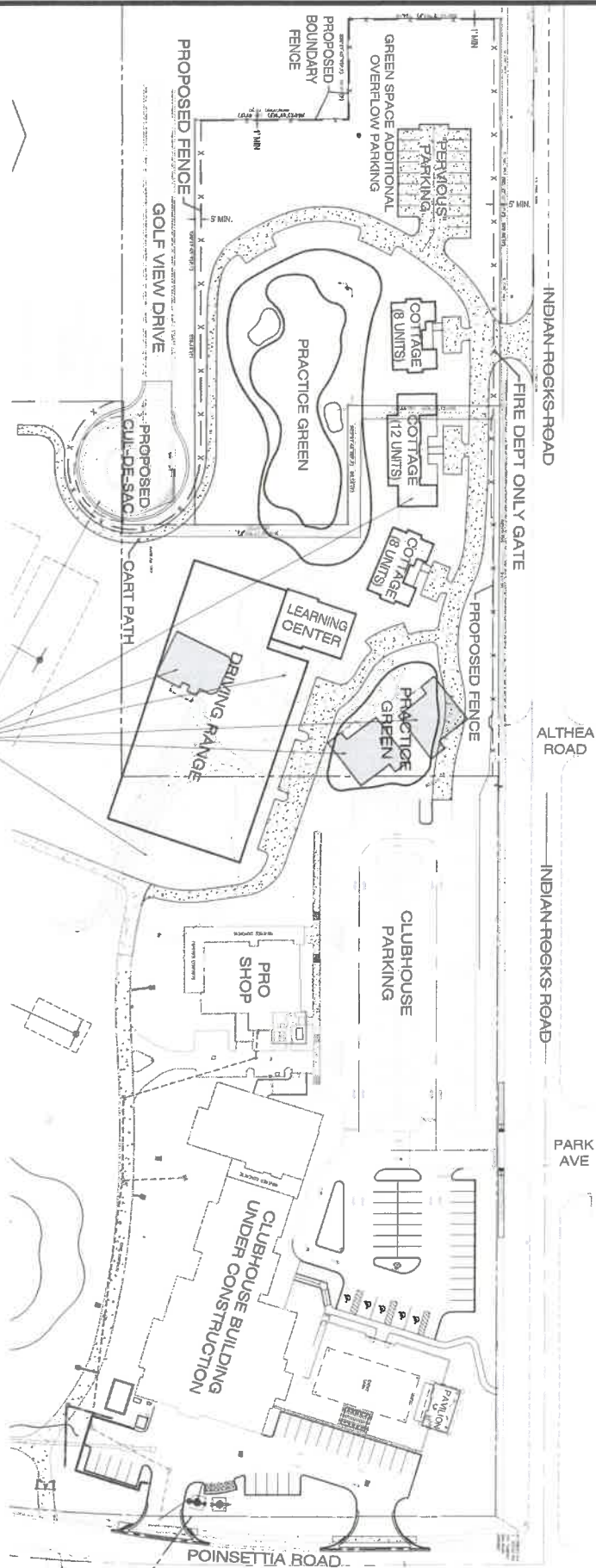
Project #:

Date:

19-109  
05.17.19



NOTE: THE SHADED AREAS REPRESENT THE LOCATIONS OF THE PREVIOUSLY APPROVED COTTAGES, LEARNING CENTER, CUL-DE-SAC & GOLF COURSE AMENITIES



## EXHIBIT E

**AURORA**  
CIVIL ENGINEERING, INC.  
810 E. Mayan Street, Brandon, FL 33510 (813) 643-9927

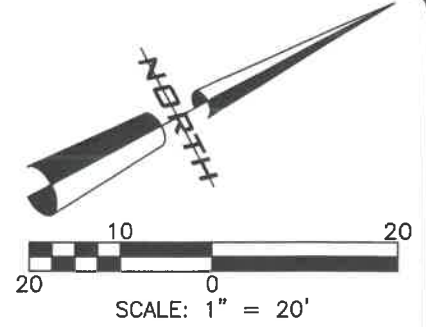
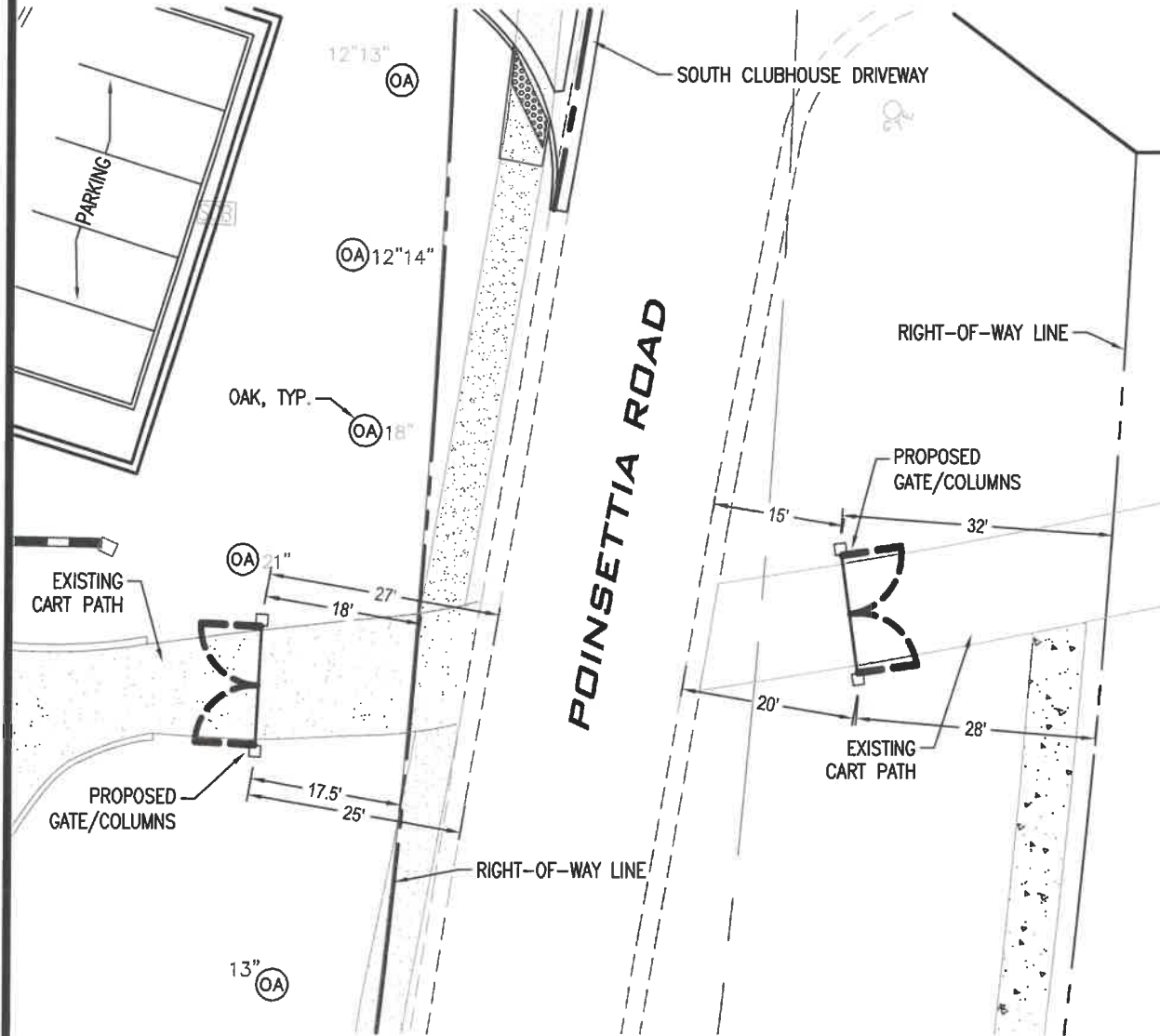
### PELICAN GOLF CLUB

HARRCO PROPERTIES, INC.  
5550 WEST EXECUTIVE DRIVE, 550  
TAMPA, FLORIDA 33609

### OVERALL COMPARISON OF APPROVED SITE PLAN TO AMENDED SITE PLAN

NO.	BY	DATE	DESCRIPTION
1	ARCHER KNIGHT	ARCHER KNIGHT	2-20-2019
2	CHRS NEDDLE	CHRS NEDDLE	2-20-2019
3			12-14

File: R:\Projects\Horrod The Pelican\Plans\Pelican - Villa; Plotted: 5/17/2019 4:24 PM by MICHAEL KNIGHT; Saved: 5/17/2019 4:24 PM by MICHAEL



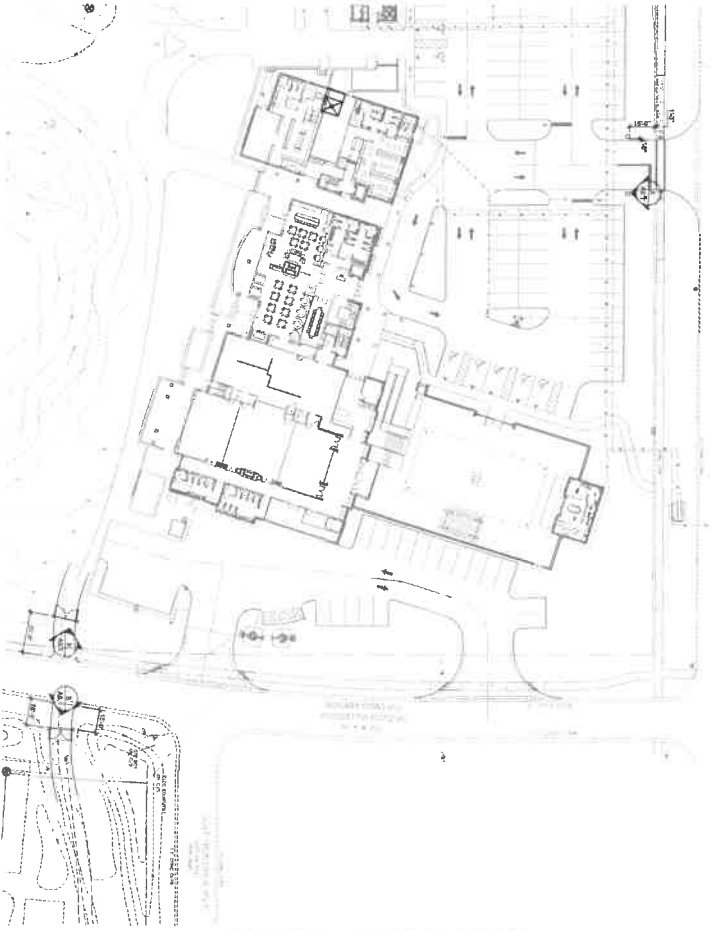
**AURORA**  
CIVIL ENGINEERING, INC.  
810 E. Morgan Street Brandon, FL 33510 (813)943-8907

**PELICAN  
GOLF CLUB**



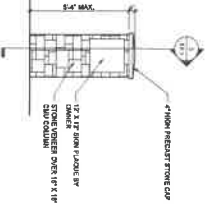
PROPOSED GATE/COLUMNS  
ON POINSETTIA ROAD

**EXHIBIT F**

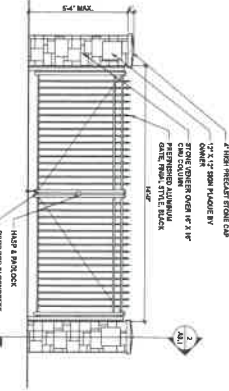


1 SITE PLAN PERIMETER WALL  
SCALE 1" = 40'  
N

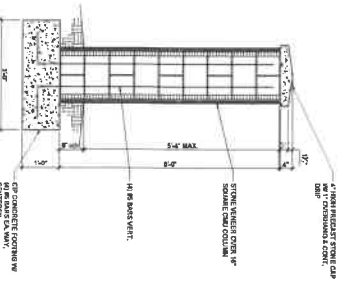
A ELEVATION @ ENTRY COLUMN  
3/8" = 1'-0"



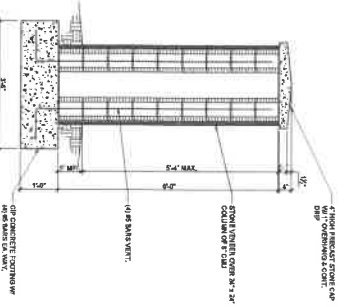
B ELEVATION @ CART PATH GATE  
3/8" = 1'-0"



2 SECTION @ CART PATH COLUMN  
3/8" = 1'-0"



3 SECTION @ ENTRY COLUMN  
3/8" = 1'-0"

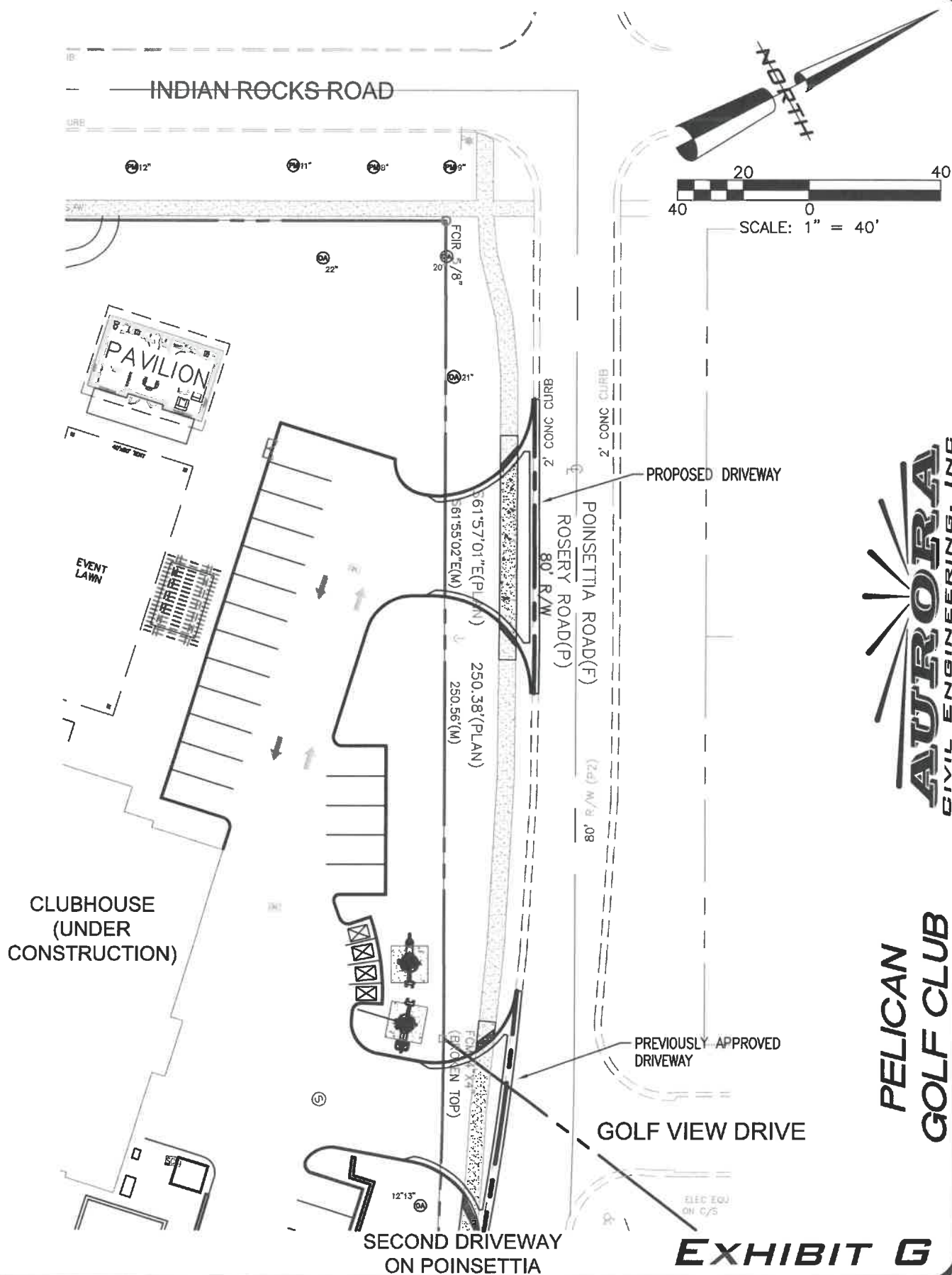


Pelican Golf Club Clubhouse  
3145 Lakewood Ranch Blvd.  
Bradenton, Florida 34211

DATE: 08/14/2014  
DRAWN BY: J. L. LEE  
P.L.L.C., INC. ARCHITECTS

REVISIONS	
SHEET TITLE	ENTRY COLUMN PLANS, ELEVATIONS, & DETAILS
PROJECT #	13-08
DATE	08/14/2014
FILE	
PLOT #	





**AURORA**  
ENGINEERING, INC.  
610 E. Morgan Street Brandon, FL 33610 (813) 643-9907

**PELICAN  
GOLF CLUB**

**EXHIBIT G**

**TOWN OF BELLEAIR**  
**NOTICE OF PUBLIC HEARINGS**  
**NOTICE OF PROPOSED FUTURE LAND USE MAP AMENDMENT, REZONING, LAND DEVELOPMENT CODE**  
**AMENDMENT, SITE PLAN REVIEW, CONSIDERATION OF AMENDED DEVELOPMENT AGREEMENT, AND**  
**CONSIDERATION OF A RIGHT-OF-WAY USE AGREEMENT**

Notice is hereby given, the following public hearings will be held at Town Hall, **901 Ponce de Leon Blvd, Belleair, Florida** Regarding the Pelican Golf Course development:

The Planning and Zoning Board hearing will be held on **MONDAY, JULY 8, 2019 at 5:30 PM** on Ordinances 524 and 525, and amendments to a previously approved site plan.

The Town Commission hearing will be held on **TUESDAY, JULY 16, 2019 at 6:00 PM** for Ordinances 524 and 525, amendments to a previously approved site plan, amendment to the Development Agreement, and approval of a right-of-way use agreement.

The Town Commission hearing will be held on **TUESDAY, AUGUST 6, 2019 at 6:00 PM** for Ordinances 524 and 525 (second consideration).

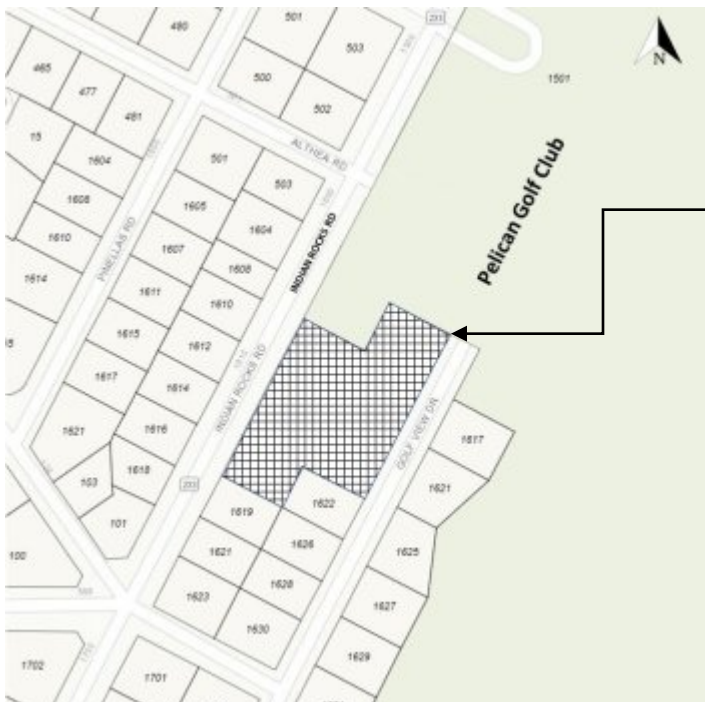
**ORD 524**

**AN ORDINANCE OF THE TOWN OF BELLEAIR, FLORIDA, PERTAINING TO THE REDEVELOPMENT OF THE PELICAN GOLF COURSE; AMENDING THE TOWN OF BELLEAIR COMPREHENSIVE PLAN, FUTURE LAND USE MAP ON APPROXIMATELY 1.88 ACRES OF PROPERTY BEING LOTS 6 & 7, 28-31, ALL OF LOTS 8, 9, 26 & 27 & THE N'LY 43FT OF LOTS 10 & 25, LOT 11 & THE SW'LY 6 FT OF LOT 10 & THE NE'LY 28 FT OF LOT 12, BLOCK 32, BELLEAIR ESTATES SUBDIVISION FROM RESIDENTIAL LOW (RL) TO RECREATION/OPEN SPACE (R/OS); PROVIDING AN EFFECTIVE DATE**

**ORD 525**

**AN ORDINANCE OF THE TOWN OF BELLEAIR, FLORIDA, PERTAINING TO THE REDEVELOPMENT OF THE PELICAN GOLF COURSE; AMENDING THE TOWN OF BELLEAIR CODE OF ORDINANCES SECTION 74-82-SCHEDULE OF DISTRICT REGULATIONS AMENDING SECTION 74-82 OF THE LAND DEVELOPMENT CODE RELATING TO GOLF COTTAGES AS ACCESSORY USE FOR GOLF COURSE DISTRICT; AMENDING THE CURRENT ZONING DESIGNATION OF APPROXIMATELY 1.88 ACRES OF PROPERTY BEING LOTS 6 & 7, 28-31, ALL OF LOTS 8, 9, 26 & 27 & THE N'LY 43FT OF LOTS 10 & 25, LOT 11 & THE SW'LY 6 FT OF LOT 10 & THE NE'LY 28 FT OF LOT 12, BLOCK 32, BELLEAIR ESTATES SUBDIVISION FROM SINGLE FAMILY RESIDENTIAL (R-1) TO GOLF COURSE DISTRICT (GC); APPROVING A SUPPLEMENTAL DEVELOPMENT PLAN FOR THE PELICAN GOLF COURSE; APPROVING AMENDMENT TO DEVELOPMENT AGREEMENT WITH PELICAN GOLF, LLC; PROVIDING FOR A RIGHT-OF-WAY USE AGREEMENT WITH PELICAN GOLF, LLC; PROVIDING FOR SEVERABILITY; SUPERSEDING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING AN EFFECTIVE DATE**

Proposed ordinances will affect the land area shown on the map in this advertisement:



**Parcels affected by the proposed change**

1614 Golf View Dr. 28-29-15-06732-032-0300

1616 Golf View Dr. 28-29-15-06732-032-0280

1609 Indian Rocks Rd. 28-29-15-06732-032-0060

1611 Indian Rocks Rd. 28-29-15-06732-032-0080

1617 Indian Rocks Rd. 28-29-15-06732-032-0110

1501 Indian Rocks Rd. 28-29-15-68274-000-0002

A copy of the proposed ordinances, site plan, and development agreement is available in full at the Town Hall, 901 Ponce de Leon Boulevard, Belleair, Florida where the same may be inspected by the public.

All parties interested are invited to attend and be heard. The hearing(s) may be continued from time to time as deemed necessary. Persons are advised that if they decide to appeal any decision made at these hearings, they will need records of these proceedings and for such purposes they may need to ensure that verbatim records of the proceedings are made, which records include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities requiring reasonable accommodation to participate in these proceedings/events should call (727) 588-3769 x312 or Fax (727) 588-3767, not later than seven (7) days prior to the proceeding.

(Publish date: TBT Clearwater/North Pinellas Friday June 21, 2019)

## NOTICE OF PUBLIC HEARING

Notice is hereby given that Public Hearings will be held by the Planning and Zoning Board and the Town Commission of the Town of Belleair, Florida. An application has been received from Pelican Golf, LLC for the following enumerated variances to the Code of Ordinances. The requested variances pertain to the following: LOTS 6 & 7, 28-31, ALL OF LOTS 8, 9, 26 & 27 & THE N'LY 43FT OF LOTS 10 & 25, LOT 11 & THE SW'LY 6 FT OF LOT 10 & THE NE'LY 28 FT OF LOT 12, BLOCK 32, BELLEAIR ESTATES SUBDIVISION, & 1501 INDIAN ROCKS RD, and are more specifically enumerated below.

1. Variance to Chapter 74, Land Use Regulations, Article IV, Accessory Structures and Uses, Sections 74-287(e), to locate a perimeter fence and fire access gate within the required 25-foot front yard setback area along Indian Rocks Road, 5-feet from the property line.
2. Variance to Chapter 74, Land Use Regulations, Article IV, Accessory Structures and Uses, Sections 74-287(e), to locate a perimeter fence within the required 25-foot front yard setback area along Golf View Drive, 5-feet from the property line.

The Planning and Zoning Board and Town Commission hearings will be held at the Town Hall, 901 Ponce de Leon Blvd., Belleair, Florida on the following dates:

Planning and zoning Board: **MONDAY, JULY 8, 2019 at 5:30 P.M.**

Town Commission: **TUESDAY, JULY 16, 2019 at 6:00 P.M.**

Additional information is available at Town Hall. All parties interested are invited to attend and be heard. The hearings(s) may be continued from time to time as deemed necessary. Persons are advised that if they decide to appeal any decision made at these hearings, they will need records of these proceedings and for such purposes they may need to ensure that verbatim records of the proceedings are made, which records include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities needing assistance to participate in these proceedings should contact the Town Clerk's office (727) 588-3769 x312 or Fax (727) 588-3767, not later than seven (7) days prior to the proceeding.







NOTICE OF APPEARANCE

I, Scott + Dolores Patterson (individual or corporate representative), hereby file and serve notice of my appearance/lawyer or other appropriate representative's appearance, to present testimony and/or cross examine other witnesses at the quasi-judicial hearings to be held on the following dates:

Planning and Zoning Board: Monday, July 8, 2019 at 5:30 P.M.

Town Commission: Tuesday, July 19, 2018 at 6:00 P.M.

I understand that upon filing this Notice of Appearance, I shall be considered a participant in the hearing, subject to a determination of standing if challenged.

Variance Request Regarding: Pelican Golf Course Development

(Lots: LOTS 6 & 7, 28-31, ALL OF LOTS 8, 9, 26 & 27 & THE N'LY 43FT OF LOTS 10 & 25, LOT 11 & THE SW'LY 6 FT OF LOT 10 & THE NE'LY 28 FT OF LOT 12, BLOCK 32, BELLEAIR ESTATES SUBDIVISION, & 1501 INDIAN ROCKS RD,)

Name: Scott/Dolores Patterson  
(Please Print)  
Address: 103 Osceola Road  
Scott Patterson

RECEIVED  
BELLEAIR TOWN HALL

JUN 25 2019

TIME REC. \_\_\_\_\_



## Legislation Details (With Text)

---

**File #:** 19-0159      **Version:** 1      **Name:**

**Type:** Action Item      **Status:** Public Hearing

**File created:** 7/3/2019      **In control:** Planning & Zoning Board

**On agenda:** 7/8/2019      **Final action:**

**Title:** Local Planning Agency Item - Consideration of Elements of Ordinance 524; Amending Comprehensive Land Use Plan Future Land Use Map Amendment of LOTS 6 & 7, 28-31, ALL OF LOTS 8, 9, 26 & 27 & THE N'LY 43FT OF LOTS 10 & 25, LOT 11 & THE SW'LY 6 FT OF LOT 10 & THE NE'LY 28 FT OF LOT 12, BLOCK 32, BELLEAIR ESTATES SUBDIVISION FROM RESIDENTIAL LOW (RL) TO RECREATION/OPEN SPACE (R/OS)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [Ordinance 524 - PGC FLUM Amendment w Attachment A](#)

Date	Ver.	Action By	Action	Result
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## **ORDINANCE 524**

**AN ORDINANCE OF THE TOWN OF BELLEAIR, FLORIDA, PERTAINING TO THE REDEVELOPMENT OF THE PELICAN GOLF COURSE; AMENDING THE TOWN OF BELLEAIR COMPREHENSIVE PLAN, FUTURE LAND USE MAP ON APPROXIMATELY 1.88 ACRES OF PROPERTY BEING LOTS 6 & 7, 28-31, ALL OF LOTS 8, 9, 26 & 27 & THE N'LY 43FT OF LOTS 10 & 25, LOT 11 & THE SW'LY 6 FT OF LOT 10 & THE NE'LY 28 FT OF LOT 12, BLOCK 32, BELLEAIR ESTATES SUBDIVISION FROM RESIDENTIAL LOW (RL) TO RECREATION/OPEN SPACE (R/OS); PROVIDING AN EFFECTIVE DATE.**

**Whereas**, Pelican Golf, LLC (“Applicant”) has filed a series of applications with the Town of Belleair (“Town”) in order to provide for the expansion and upgrade to the Pelican Golf Course; and,

**Whereas**, the applications include this map amendment to the Town’s Comprehensive Land Use Plan, a request to amend the Town Code of Ordinances (“Code”) related to additional uses in the Golf Course District; a request for a zoning map amendment; and corresponding approval of a supplemental preliminary development plan and amendment to an existing development agreement with the Applicant (collectively “Applications”); and,

**Whereas**, the Applications would allow for the expansion of the existing Pelican Golf Course facilities including additional on-suite guest cottages to be used by members and out of town guest and to construct an expanded golf course practice area; and,

**Whereas**, the Town held all required duly noticed public hearing per the Code and per Florida Statutes; and

**Whereas**, the Town considered existing and expected future development pattern and community facilities as well as the adopted goal, objectives and policies in the Town’s Comprehensive Land Use Plan and found the proposed plan amendment to be consistent.

**NOW, THEREFORE, BE IT ENACTED BY THE TOWN COMMISSION OF THE TOWN OF BELLEAIR:**

**Section 1. Legislative Findings.** The foregoing recitals are incorporated herein by reference as the legislative findings of the Town Commission of the Town of Belleair.

**Section 2. Comprehensive Land Use Plan Amendment.** The Town’s Comprehensive Land Use Plan, Future Land Use Map is hereby amended for the 1.88 acres of property described and depicted in **Attachment A** from Residential Low (RL) to Recreation/Open Space (R/OS).

**Section 3. Effective Date.** Pursuant to Section Florida Statutes Section 163.3187 (5) (c) this Ordinance and the amendment to the Town’s Comprehensive Land Use Plan does not become effective until thirty-one (31) days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this Ordinance and amendment does not become effective until the state land plan agency or the Administration

Commission enters a final order determining the adopted amendment to be in compliance and takes effect immediately upon its enactment.

**INTRODUCED AND PASSED ON FIRST READING:** \_\_\_\_\_

**APPROVED AND ADOPTED ON SECOND READING:** \_\_\_\_\_

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
Town Clerk

**APPROVED AS TO FORM AND  
LEGALITY:**

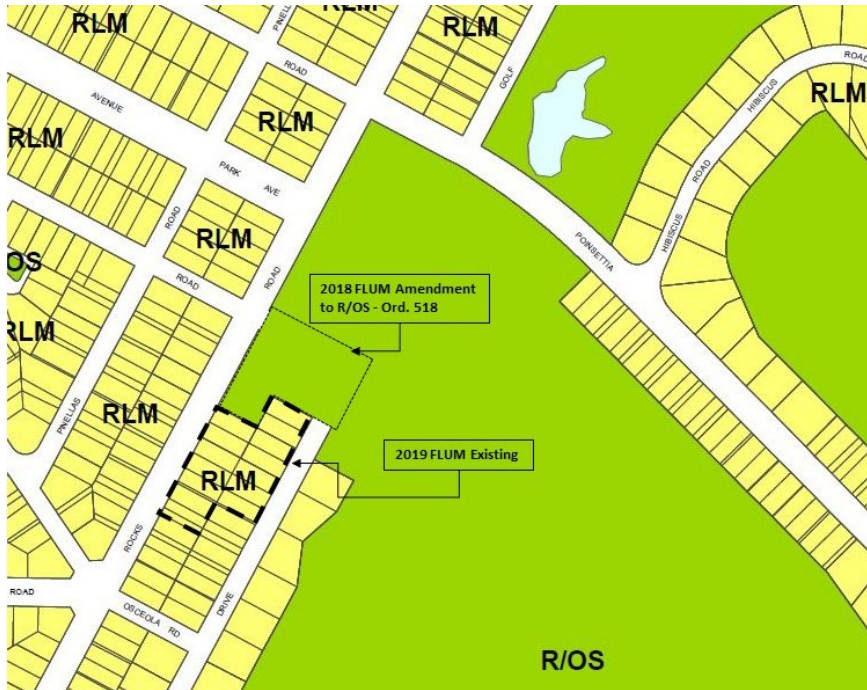
\_\_\_\_\_  
David J. Ottinger, Town Attorney

**Town of Belleair, Florida  
Ordinance 524  
ATTACHMENT 'A'**

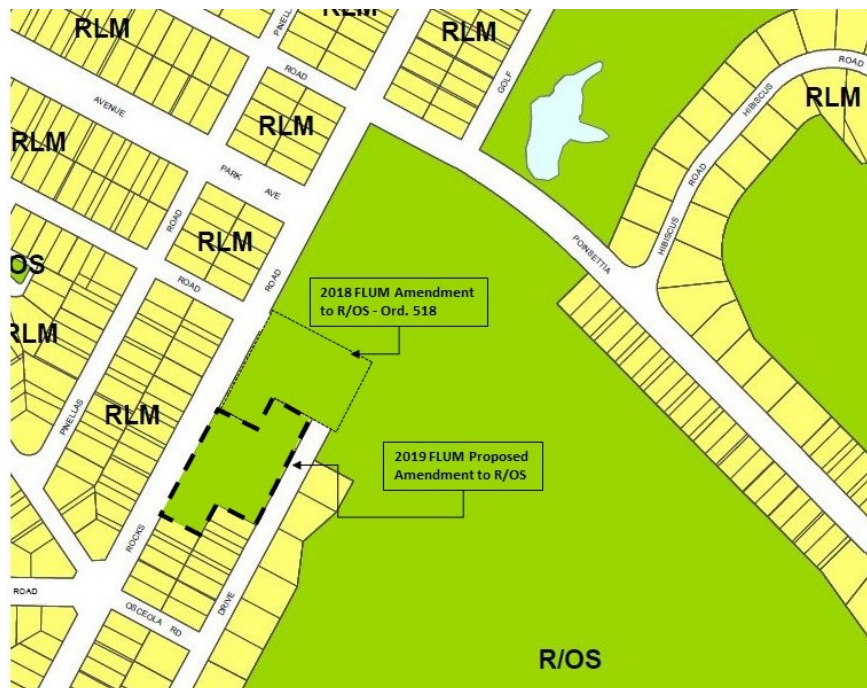
Pelican Golf Club – Future Land Use Map Amendment

**Property Location:** Approximately 1.88 acres of property being Lots 6 & 7, 28 thru 31, all of Lots 8, 9, 26 & 27 & the N'y 43ft of Lots 10 & 25, Lot 11 & the SW'y 6 ft of lot 10 & the NE'y 28 ft of Lot 12, Block 32, Belleair Estates subdivision

**Existing Land Use Designation: (County Map) Residential Low Medium (RLM);  
Belleair Equivalent: Residential Low (RL)**



**Proposed FLUM Amendment: Recreation/Open Space (R/OS)**





## Legislation Details (With Text)

---

**File #:** 19-0160      **Version:** 1      **Name:**

**Type:** Action Item      **Status:** Public Hearing

**File created:** 7/3/2019      **In control:** Planning & Zoning Board

**On agenda:** 7/8/2019      **Final action:**

**Title:** Local Planning Agency Item - Consideration of Elements of Ordinance 525- Text Amendment;  
Accessory Uses for Golf Course

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
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## Legislation Details (With Text)

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**File #:** 19-0164      **Version:** 1      **Name:**

**Type:** Action Item      **Status:** Public Hearing

**File created:** 7/3/2019      **In control:** Planning & Zoning Board

**On agenda:** 7/8/2019      **Final action:**

**Title:** Local Planning Agency Item - Consideration of Elements of Ordinance 525-Amending Zoning Map Amendment; of Lots 6 & 7, 28 thru 31, all of Lots 8, 9, 26 & 27 & the N'y 43ft of Lots 10 & 25, Lot 11 & the SW'y 6 ft of lot 10 & the NE'y 28 ft of Lot 12, Block 32, Belleair Estates Subdivision

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [ORDINANCE 525](#)

Date	Ver.	Action By	Action	Result
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## ORDINANCE 525

**AN ORDINANCE OF THE TOWN OF BELLEAIR, FLORIDA, PERTAINING TO THE REDEVELOPMENT OF THE PELICAN GOLF COURSE; AMENDING THE TOWN OF BELLEAIR CODE OF ORDINANCES SECTION 74-82-SCHEDULE OF DISTRICT REGULATIONS AMENDING SECTION 74-82 OF THE LAND DEVELOPMENT CODE RELATING TO GOLF COTTAGES AS ACCESSORY USE FOR GOLF COURSE DISTRICT; AMENDING THE CURRENT ZONING DESIGNATION OF APPROXIMATELY 1.88 ACRES OF PROPERTY BEING LOTS 6 & 7, 28-31, ALL OF LOTS 8, 9, 26 & 27 & THE N'LY 43FT OF LOTS 10 & 25, LOT 11 & THE SW'LY 6 FT OF LOT 10 & THE NE'LY 28 FT OF LOT 12, BLOCK 32, BELLEAIR ESTATES SUBDIVISION FROM SINGLE FAMILY RESIDENTIAL (R-1) TO GOLF COURSE DISTRICT (GC); APPROVING A SUPPLEMENTAL DEVELOPMENT PLAN FOR THE PELICAN GOLF COURSE; APPROVING AMENDMENT TO DEVELOPMENT AGREEMENT WITH PELICAN GOLF, LLC; PROVIDING FOR A RIGHT-OF-WAY USE AGREEMENT WITH PELICAN GOLF, LLC; PROVIDING FOR SEVERABILITY; SUPERSEDING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING AN EFFECTIVE DATE.**

**Whereas,** Pelican Golf, LLC (“Applicant”) has filed a series of applications with the Town of Belleair (“Town”) in order to provide for the expansion and upgrade to the Pelican Golf Course; and,

**Whereas,** Applicant’s previous applications for redevelopment of the Pelican golf course and clubhouse have been approved and development activity pursuant to the previously approved site plan is largely completed; and

**Whereas,** subsequent to the prior site plan approvals, Applicant has acquired additional property adjacent to the Pelican golf course which Applicant desires to utilize to expand the golf course and related amenities and has filed a supplemental application for preliminary site plan approval for the expansion project hereinafter referred to as the “Phase 4 Application”; and

**Whereas,** the Phase 4 Application includes a concurrent amendment to the Town’s Comprehensive Land Use Plan, a request to amend the Town Code of Ordinances (“Code”) related to additional uses in the Golf Course District; a request for a zoning map amendment; and corresponding approval of a supplemental preliminary development plan and amendment to an existing development agreement with the Applicant (hereafter collectively the “Applications”); and,

**Whereas,** the Applications would allow for the expansion of the existing Pelican Golf Course to provide an elite golf facility including additional on-site guest cottages to be used by members and out of town guest and to construct an expanded golf course practice area; and,

**Whereas,** the application for amendment of the Zoning Map proposes to amend the current Residential (R-1) existing on 1.88 acres of property, as more fully described in Attachment “A” herein, adjacent to the Pelican Golf Course to Golf Course District (GC) ; and,

**Whereas,** the process and requirements for a preliminary development plan submitted in conjunction with a request for zoning amendment is set forth in Sec. 66-164 (b) of the Code; and,

**Whereas,** the Applicant for the Applications have submitted and proposes to execute an amendment to an existing Development Agreement the purpose of which is to memorialize and establish a commitment to the specific development details and respective responsibilities of the applicant and the Town under Section 74-86 of the Land Development Code; and,

**Whereas,** with respect to the amendment to the zoning map, the Town Commission finds the proposed development plan to be:

- (a) Consistent with the goals, objectives and policies set forth in the Town's Comprehensive Plan, specifically, the Future Land Use, Transportation, Infrastructure, Recreation and Open Space, and Capital Improvement Elements of the Comprehensive Plan;
- (b) Compliant with the related provisions of the Code addressing compatibility with the site, adjoining use and the maintenance of required levels of service standards for concurrency management; and,

**Whereas,** with respect to the application for Supplemental Preliminary Development Plan approval, the application and proposed development plan is consistent with the requirements of 74-86 of the Town Code; and

**Whereas,** with respect to the application to amend the Development Agreement with Pelican Golf, LLC, the application is:

- (a) Consistent with the form and content required by State law and the Town Code;
- (b) Consistent with the foregoing applications for Zoning Map amendment, Preliminary Development Plan approval - subject to such changes or additions as set forth herein; and

**Whereas,** the Town held all required duly noticed public hearing per the Code and per Florida Statutes.

**NOW, THEREFORE, BE IT ENACTED BY THE TOWN COMMISSION  
OF THE TOWN OF BELLEAIR:**

**Section 1. Legislative Findings.** The foregoing recitals are incorporated herein by reference as the legislative findings of the Town Commission of the Town of Belleair.

**Section 2. Zoning Code Amendment.** Town Code Chapter 74 Section 74-87, Golf Club Cottages, is hereby amended as provided for in **Attachment "A"** attached hereto.

**Section 3. Amendment to the Zoning Map.** The Town's official Zoning Map for the 1.88 acres of property described and depicted in **Attachment B** is hereby rezoned from Residential (R-1) to Golf Course District (GC).

**Section 4. Preliminary Development Plan.** The Preliminary Development Plan attached hereto as **Attachment C** is hereby approved. The Final Development Plan (FDP) shall be consistent with the Preliminary Development Plan.

**Section 5. Development Agreement.** The Town and the Applicant shall execute the amendment to the Development Agreement, attached hereto as **Attachment D**, or in a substantially similar form.

**Section 6. Severability.** If any provision or portion of this ordinance is declared by a court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full effect.

**Section 7. Conflicts.** In the event of a conflict or conflicts between this ordinance and other ordinances, this ordinance shall control and supersede.

**Section 8. Effective Date.** This Ordinance takes effect upon Ordinance 518 becoming effective.

**INTRODUCED AND PASSED ON FIRST READING:** \_\_\_\_\_

**APPROVED AND ADOPTED ON SECOND READING :** \_\_\_\_\_

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
Town Clerk

**APPROVED AS TO FORM AND  
LEGALITY:**

\_\_\_\_\_  
David J. Ottinger, Town Attorney

Ordinance 525  
ATTACHMENT A  
Amendments to Chapter 74

1.     Amendment to Division 3, Section 74-87.

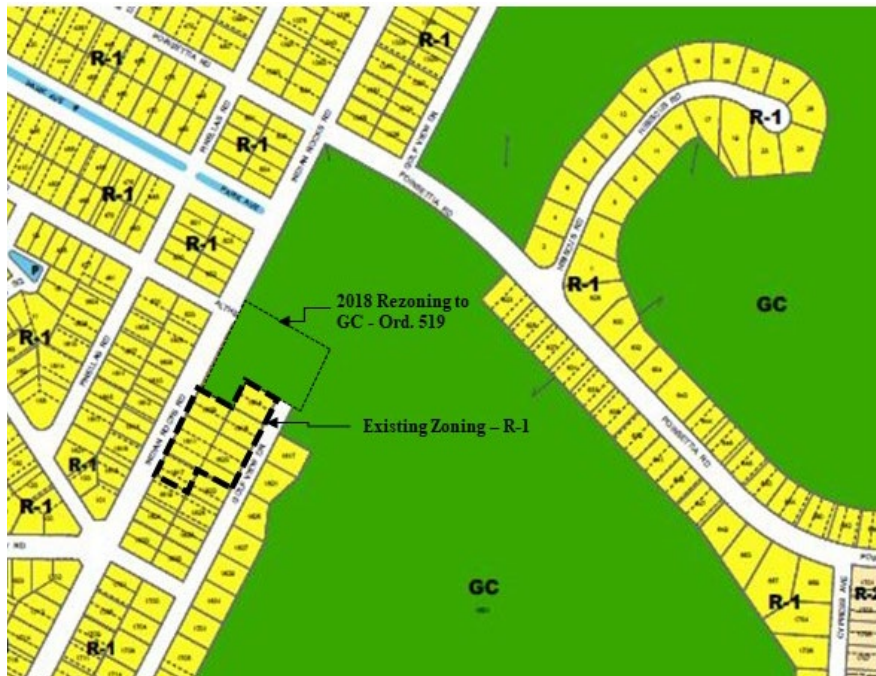
Section 74-87, Golf Club Cottages, Subsection (c), Design Standards for Golf Club Cottagers, subpart (i), Occupants, is amended to increase the cumulative number of bedrooms from 16 to 28.

Ordinance 525  
ATTACHMENT B

Pelican Golf Club Zoning Map Amendment

Property Location: Approximately 1.88 acres of property being Lots 6 & 7, 28 thru 31, all of Lots 8, 9, 26 & 27 & the N'ly 43ft of Lots 10 & 25, Lot 11 & the SW'ly 6 ft of lot 10 & the NE'ly 28 ft of Lot 12, Block 32, Belleair Estates Subdivision.

**Existing Zoning: Single Family Residential (R-1)**



**Proposed Zoning: Golf Course District (GC)**



Ordinance 525  
ATTACHMENT C

Phase 4 Development Plan

Ordinance 525  
ATTACHMENT D

Amended Development Agreement



## Legislation Details (With Text)

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**File #:** 19-0165      **Version:** 1      **Name:**

**Type:** Action Item      **Status:** Public Hearing

**File created:** 7/3/2019      **In control:** Planning & Zoning Board

**On agenda:** 7/8/2019      **Final action:**

**Title:** Local Planning Agency Item - Consideration of Elements of Ordinance 525- Text Amendment;  
Accessory Uses for Golf Course

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
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## Legislation Details (With Text)

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**File #:** 19-0166      **Version:** 1      **Name:**

**Type:** Action Item      **Status:** Public Hearing

**File created:** 7/3/2019      **In control:** Planning & Zoning Board

**On agenda:** 7/8/2019      **Final action:**

**Title:** Consideration of Elements of Ordinance 525- Amended Development Plan.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [Pages from Phase 4 Staff Report\\_PZ\\_070819](#)

Date	Ver.	Action By	Action	Result
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## **Exhibits**

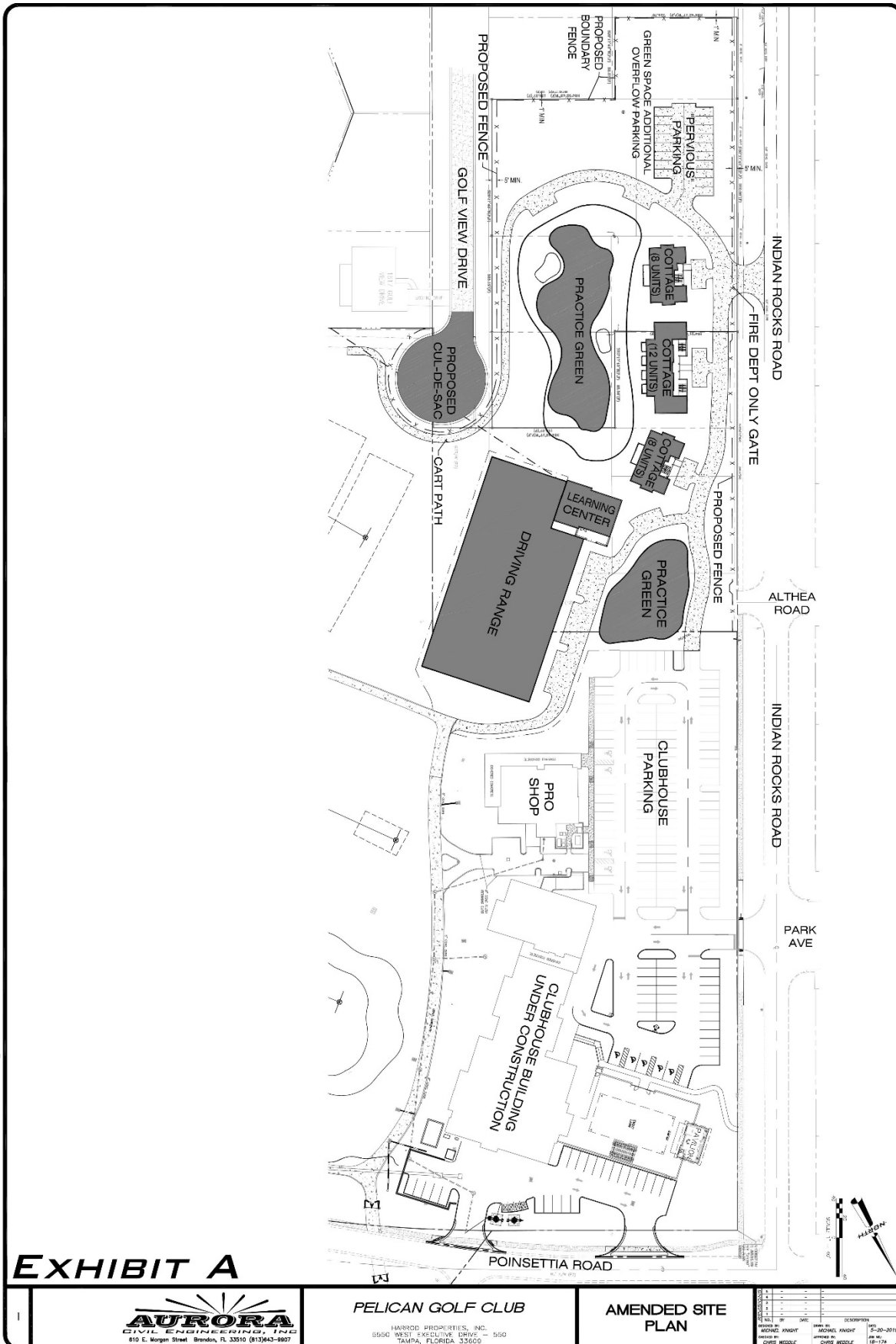
- A: Amended Site Plan**
- B: Proposed Fence in R-O-W (Gulf View Drive)**
- C 1-6: 8 Room & 12 Room Cottage Elevations**
- D: (None)**
- E: Overall Comparison of Relocated Structures and Amenities**
- F 1-2: Proposed Gate and Columns in R-O-W (Poinsettia Road)**
- G: Proposed Second Driveway on Poinsettia Road**
- H: Fire Access**

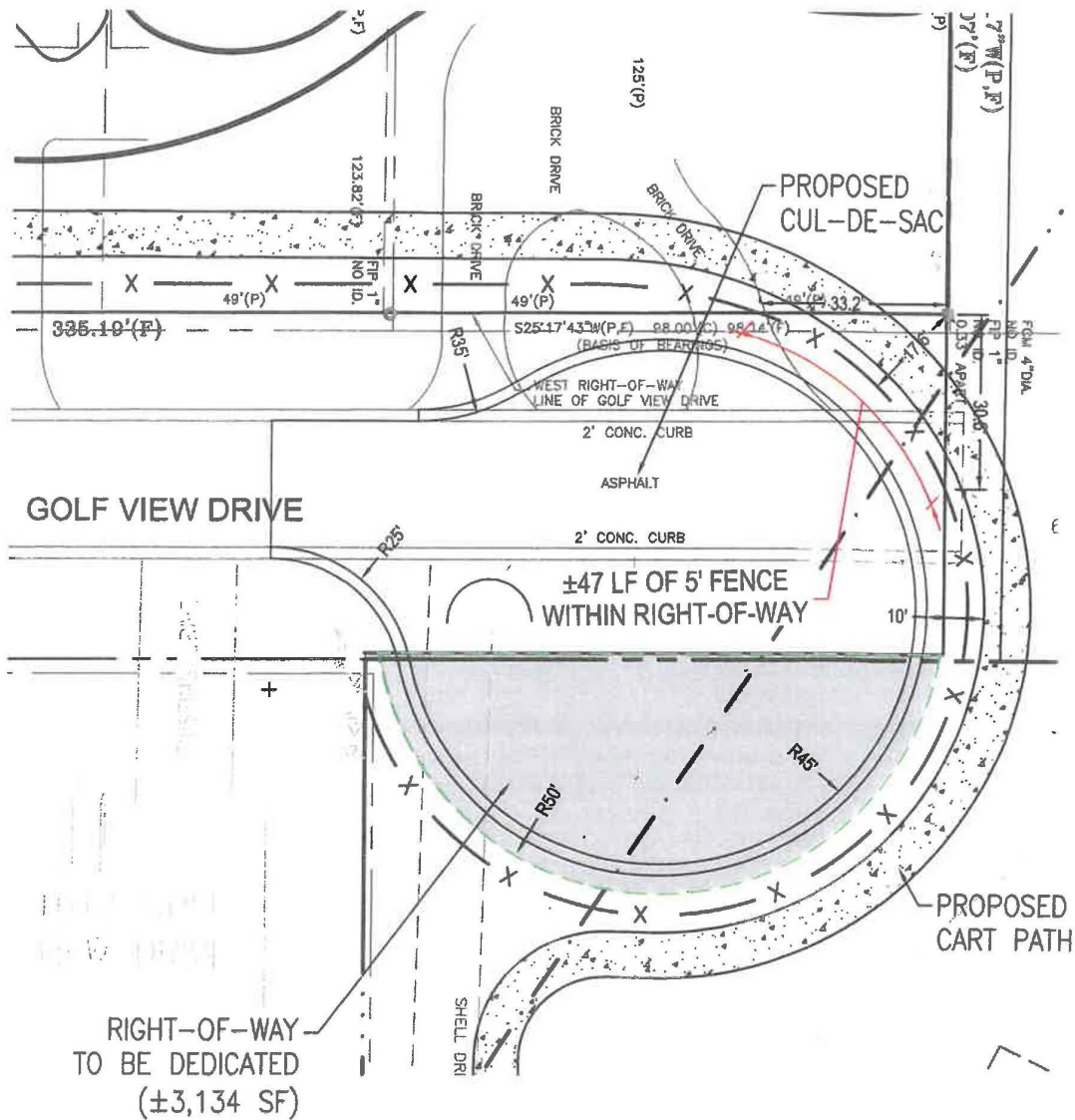
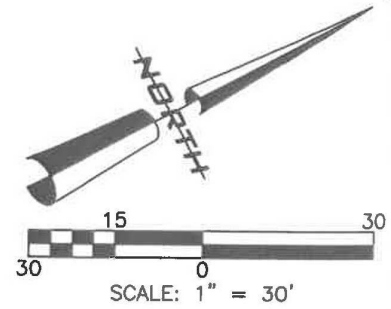
## **Ordinances**

**Ordinance 524 and Ord. Exhibit 'A'**

**Ordinance 525 and Ord. Exhibits 'A - E'**

## **Right-of-Way Use Agreement**



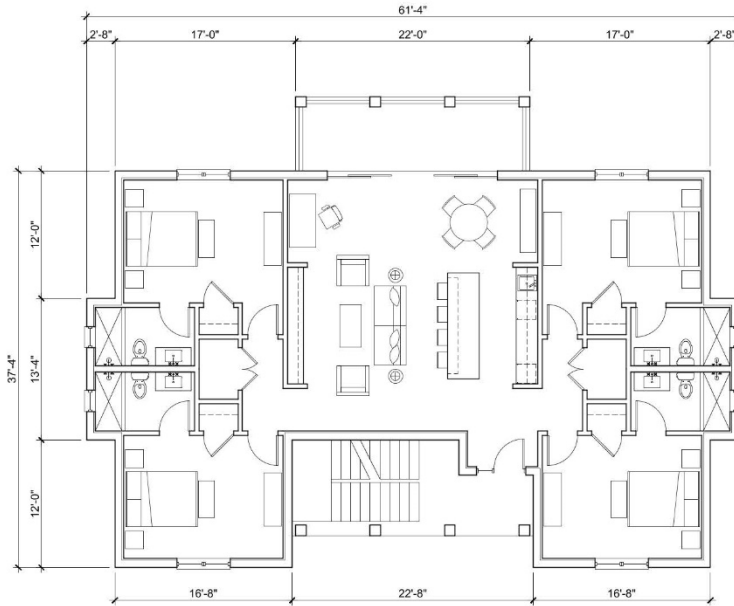


**AURORA**  
CIVIL ENGINEERING, INC.  
610 E. Morgan Street, Brandon, FL 33510 (813) 643-9907

**PELICAN  
GOLF CLUB**

DETAILED DRAWING  
OF CUL-DE-SAC

**EXHIBIT B**



**elevation**  
ARCHITECTURE

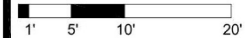
architecture | planning | interiors

Project: 8 Room Villa  
Pelican Golf Club

Belleair, Florida

Sheet Title:  
TYPICAL FLOOR PLAN

SCALE: 3/32" = 1'-0"

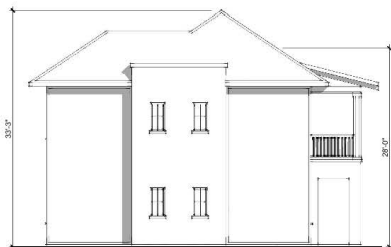


**Exhibit C1**

Project #: 19-109  
Date: 05.17.19



TYPICAL EAST ELEVATION



TYPICAL SIDE ELEVATION



TYPICAL WEST ELEVATION

**elevation**  
ARCHITECTURE

architecture | planning | interiors

Project: 8 Room Villa  
Pelican Golf Club

Belleair, Florida

Sheet Title:  
EXTERIOR ELEVATIONS

SCALE: 1/16" = 1'-0"



**Exhibit C2**

Project #: 19-109  
Date: 05.17.19



**elevation**  
ARCHITECTURE

architecture | planning | interiors

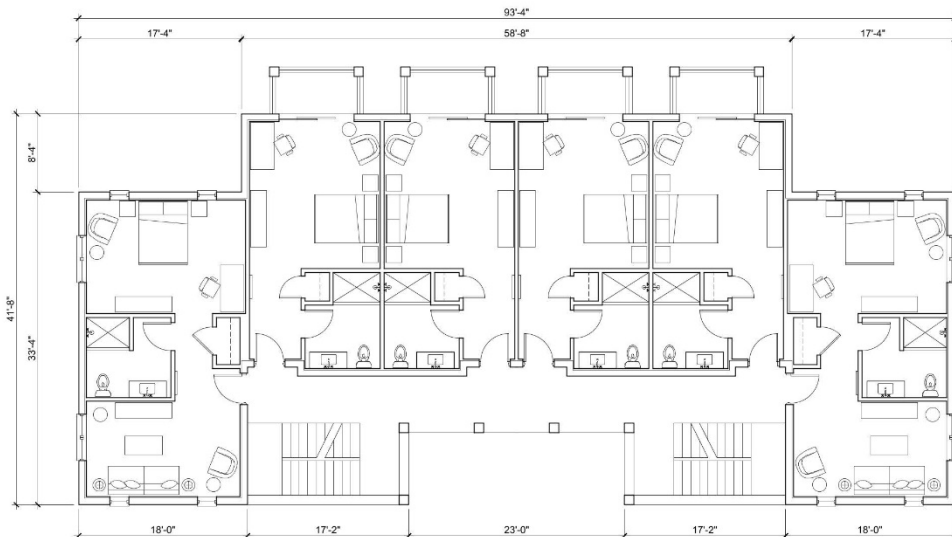
Project: 8 Room Villa  
Pelican Golf Club

Belleair, Florida

Sheet Title:  
AERIAL VIEW FROM GREEN

**Exhibit C3**

Project #: 19-109  
Date: 05.17.19



**elevation**  
ARCHITECTURE

architecture | planning | interiors

Project: 12 Room Villa  
Pelican Golf Club

Belleair, Florida

Sheet Title:  
TYPICAL FLOOR PLAN

SCALE: 3/32" = 1'-0"

1' 5' 10' 20'

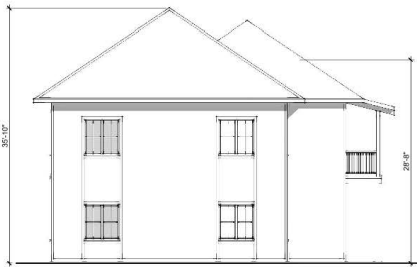


**Exhibit C4**

Project #: 19-109  
Date: 05.17.19



TYPICAL EAST ELEVATION



TYPICAL SIDE ELEVATION



TYPICAL WEST ELEVATION

**elevation**  
ARCHITECTURE

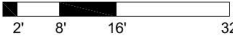
architecture | planning | interiors

Project: 12 Room Villa  
Pelican Golf Club

Belleair, Florida

Sheet Title:  
EXTERIOR ELEVATIONS

SCALE: 1/8" = 1'-0"



**Exhibit C5**

Project #: 19-109  
Date: 05.17.19



**elevation**  
ARCHITECTURE

architecture | planning | interiors

Project: 12 Room Villa  
Pelican Golf Club

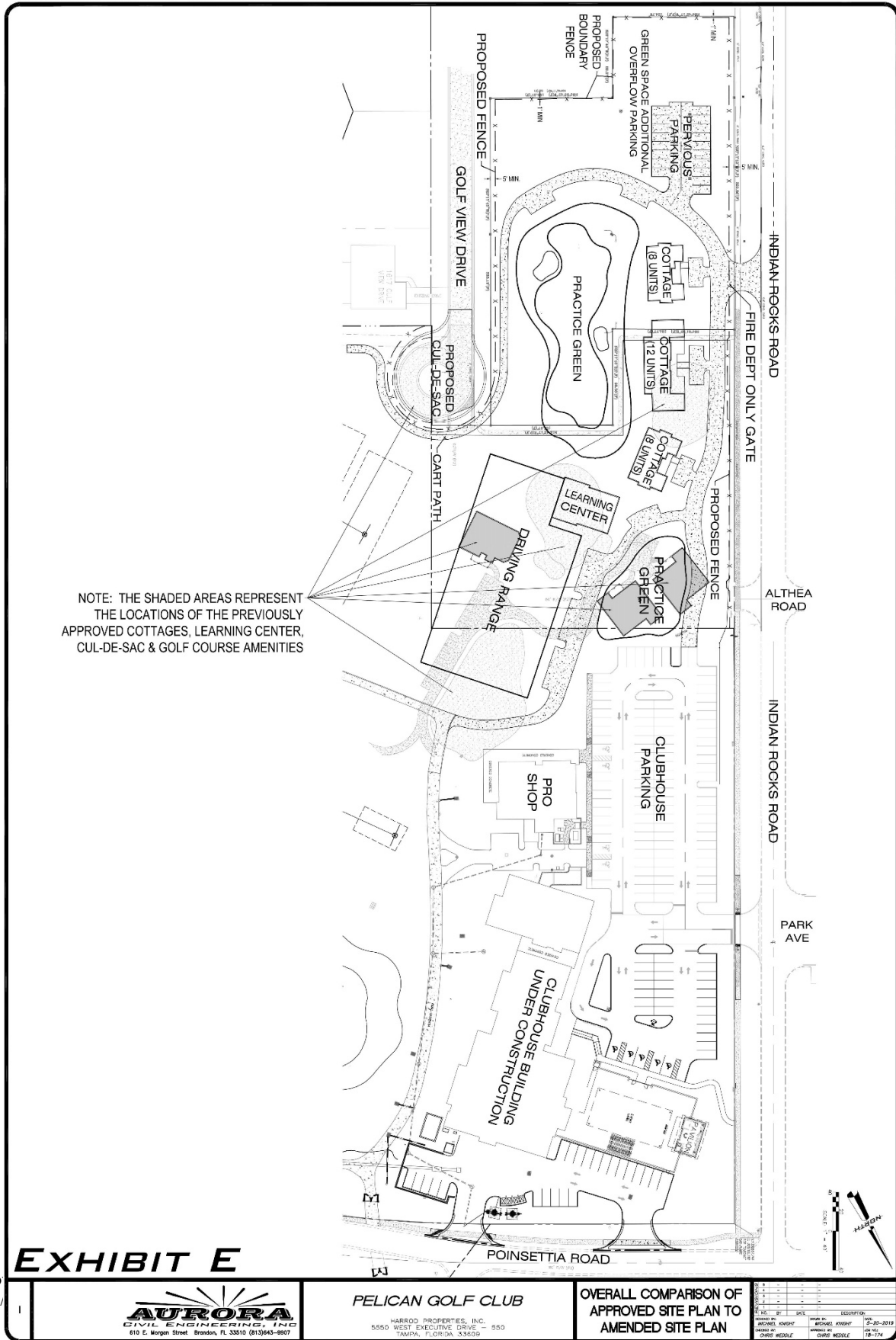
Belleair, Florida

Sheet Title:  
AERIAL VIEW FROM GREEN

**Exhibit C5**

Project #: 19-109  
Date: 05.17.19

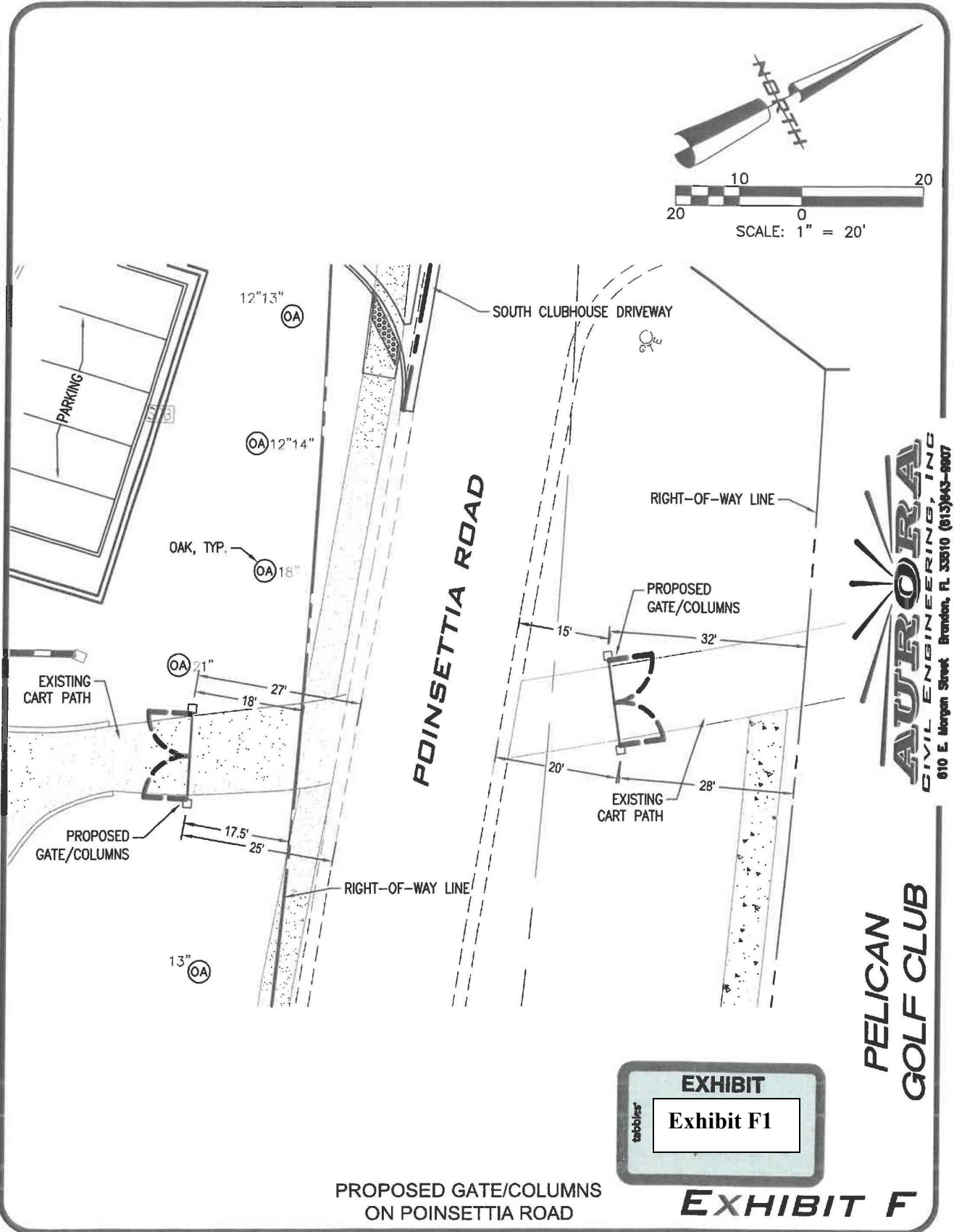








File: E:\Projects\Harrod The Pelican\Plans\Pelican - Villa; Plotted: 5/17/2019 4:24 PM by MICHAEL KNIGHT; Saved: 5/17/2019 4:24 PM by MICHAEL



**AURORA**  
CIVIL ENGINEERING, INC.  
810 E. Morgan Street Brandon, FL 33510 (813)943-9907

**PELICAN GOLF CLUB**

Pelican Golf Club  
Clubhouse

3145 Lakewood Ranch Blvd.  
Bradenton, Florida 34211

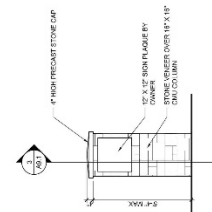
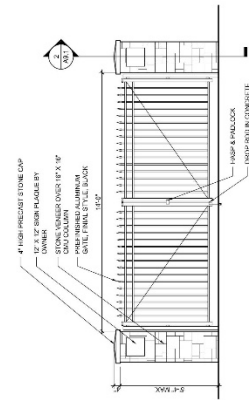
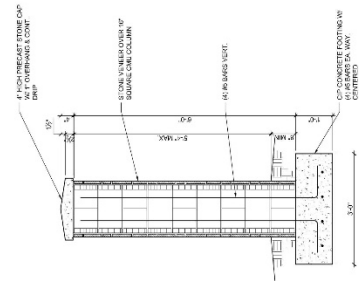
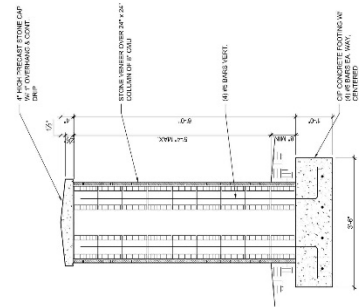
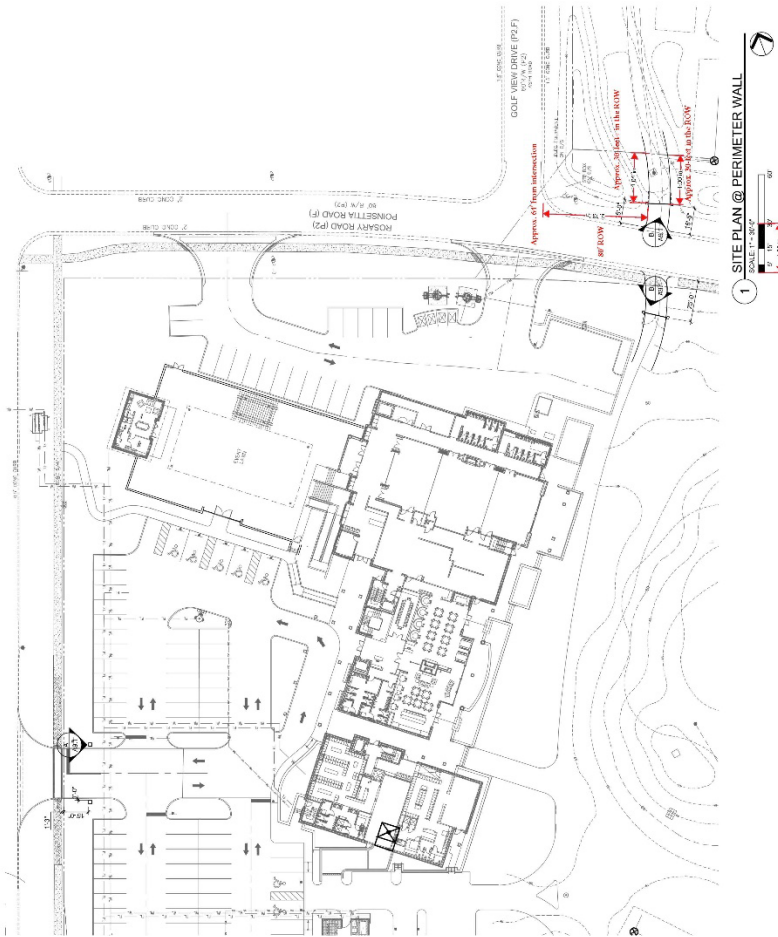
NAME: \_\_\_\_\_  
Dennis M. Carr, AIA  
FL Lic. No. AR0215706

**SHEET TITLE: ENTRY COLUMN  
PLANS, ELEVATIONS,  
& DETAILS**

DATA:	16-102
PROJECT A:	03-11-2019
DATE:	
DRAWN BY:	
FILE:	
SHEET N°:	

## A9.1

**EXHIBIT 'F'**



## Exhibit F2

3 SECTION @ ENTRY COLUMN

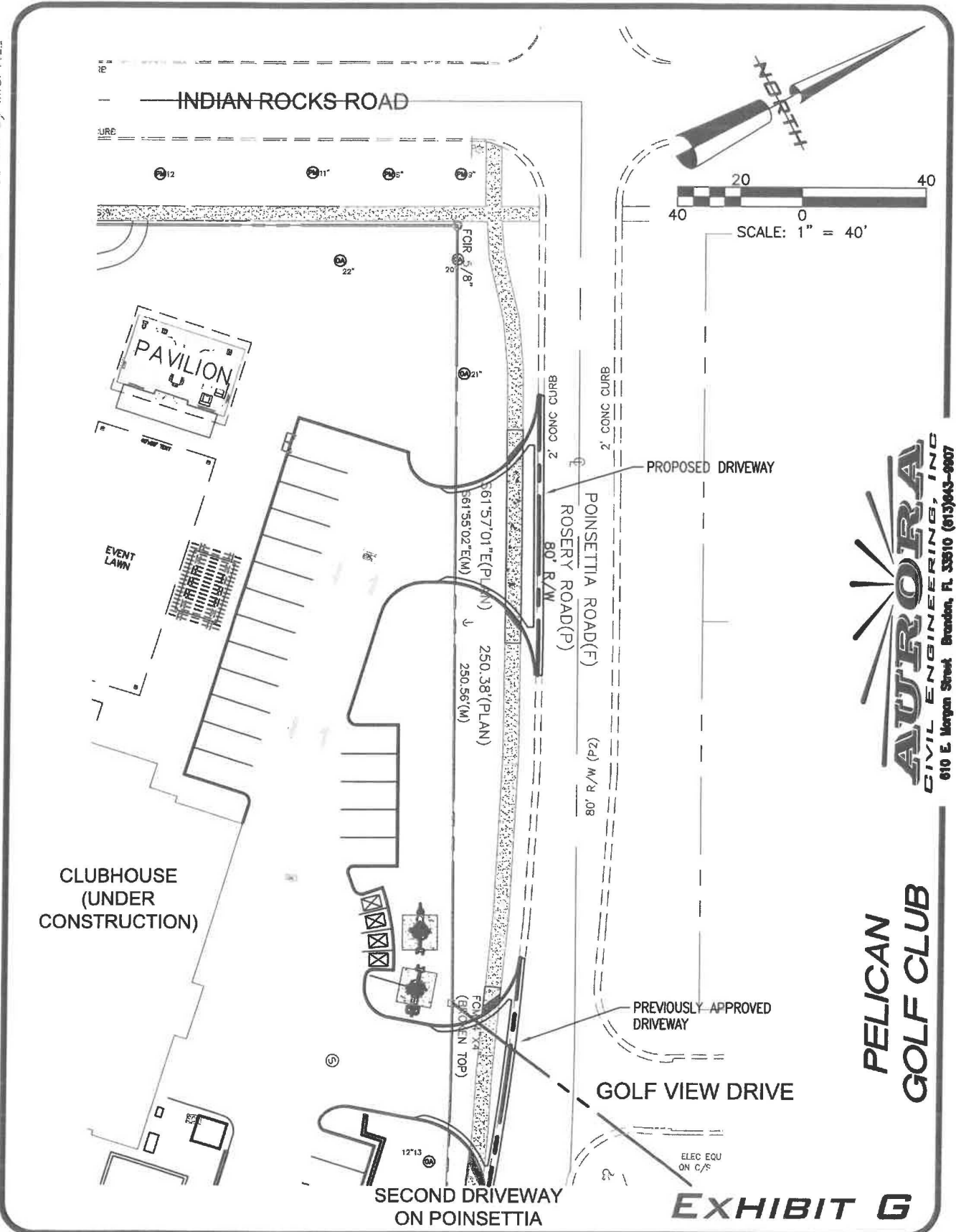
2 SECTION @ CART PATH COLUMN 31" x 12"

**B** ELEVATION @ CART PATH GATE 3.8' ± 1.0'

**ELEVATION @ ENTRY COLUMN**



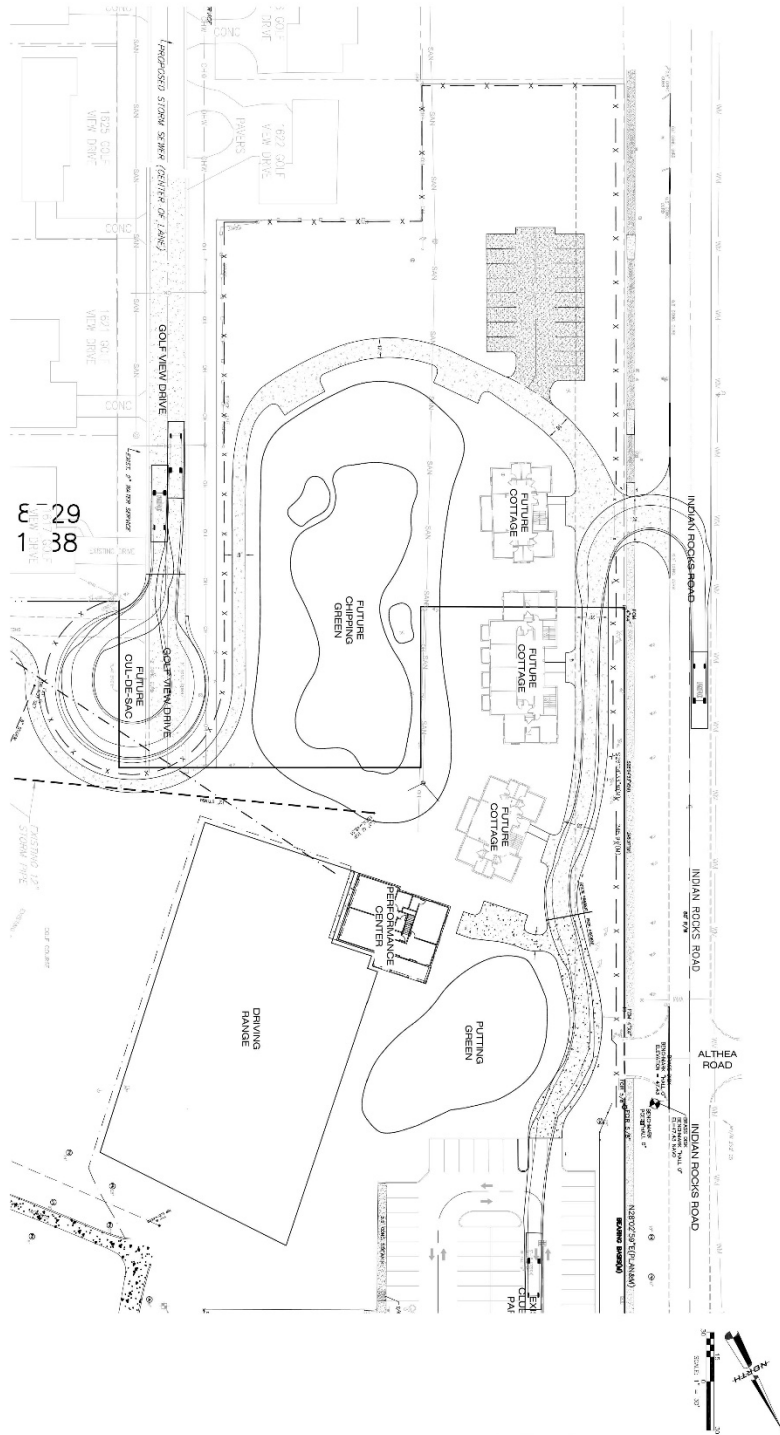
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**AURORA**  
CIVIL ENGINEERING, INC.  
610 E. Morgan Street, Brandon, FL 33510 (813) 943-9907

**PELICAN  
GOLF CLUB**

**EXHIBIT G**



## EXHIBIT H

 <b>AURORA</b> CIVIL ENGINEERING, INC. 610 E. Morgan Street, Brandon, FL 33510 (813)643-9907	<b>PELICAN GOLF CLUB</b> <b>"PERFORMANCE CENTER"</b> HARRIS PROPERTIES, INC. 8550 WEST EXECUTIVE DRIVE - 550 TAMPA, FLORIDA 33609	<b>VEHICLE TRACKING</b>	DATE: 7-1-2018	
			DESIGNED BY: MCI/AD	CHECKED BY: KMD/IT



## Legislation Details (With Text)

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**File #:** 19-0167      **Version:** 1      **Name:**

**Type:** Action Item      **Status:** Public Hearing

**File created:** 7/3/2019      **In control:** Planning & Zoning Board

**On agenda:** 7/8/2019      **Final action:**

**Title:** Consideration of Elements of Ordinance 525- Development and Right of Way Use Agreement

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [Right of Way Use Agreement with Pelican Golf\\_Ottinger 062819](#)

Date	Ver.	Action By	Action	Result
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## **RIGHT-OF-WAY USE AGREEMENT**

THIS RIGHT-OF-WAY USE AGREEMENT made this \_\_\_\_ day of \_\_\_\_\_, 2019, by and between the **Town of Belleair**, a Florida municipal corporation in the State of Florida (the “First Party”), and **Pelican Golf, LLC**, a Florida limited liability company, or its successors and/or assigns (the “Second Party”).

### **WITNESSETH:**

WHEREAS, First Party owns fee simple title to certain street right-of-way properties, more particularly described and depicted in **Attachment “A”** and referred to herein as the **“Golfview ROW”** and in **Attachment “B”** and referred to herein as the **“Poinsettia ROW”** attached hereto and by this reference made a part hereof. The Golfview ROW and Poinsettia ROW” are collectively referred to herein as the “Properties”); and

WHEREAS, Second Party owns and operates a private golf course and clubhouse facility adjacent to the Properties; and

WHEREAS, Second Party wishes to use a portion of the Golfview ROW to locate a safety and security fence along a portion of a golf cart path ; and

WHEREAS, Second Party wishes to use a portion of the Poinsettia ROW to: (i) locate a security gate to control entrance to the golf course by unauthorized persons; and (ii) continue with the current location of the first hole tee area within the Poinsettia ROW; and

WHEREAS, Second Party acknowledges that this agreement does not permit them to add to, modify or otherwise alter the Properties or to place any item on the Properties; and

WHEREAS, Second Party has agreed to assume responsibility for all mowing and upkeep of the Properties; and

WHEREAS, the parties desire to enter into this Right-of-Way Use Agreement for their mutual benefit, protection, welfare, and necessity.

NOW THEREFORE, in consideration of the mutual covenants and conditions herein contained, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the First Party, the parties hereto agree, for themselves, their heirs, successors, and assigns, as follows:

- 1) First Party, subject to the terms and conditions hereinafter set forth, hereby grants unto the Second Party, their successors and assigns, the right to utilize the Golfview ROW to locate a golf cart path safely and security fence for the golf course, with the specific location as more particularly described and depicted in **Attachment “A”**.
- 2) First Party, subject to the terms and conditions hereinafter set forth, hereby grants unto the Second Party, its successors and assigns, the right to utilize the Poinsettia ROW to

locate a security fence for the golf course and continue with the present location of the golf course first hole tee area with the specific locations as more particularly described and depicted in **Attachment "B"**.

- 3) The duration of this Agreement and right of use shall be perpetual, unless Second Party terminates or abandons its use of the Properties as described in this Agreement or unless said Second Party's use, in the sole determination of First Party, becomes incompatible or inconsistent with First Party's use of the Properties as public rights-of-way.
- 4) In the event First Party determines it is necessary to terminate this Agreement and Second Party's right to use either of the Properties it shall provide Second Party with sixty (60) days' prior notice of such termination including directions for the removal of any structures or other improvements placed on the Properties by Second Party which Second Party acknowledges are considered temporary and subject to removal at Second Party's expense when this Agreement is no longer in effect.
- 5) This agreement specifically includes the right of Second Party, its agents, employees, contractors, and assigns, to traverse the Properties as may be reasonably necessary for the stated use of the Properties.
- 6) Second Party holds First Party harmless from any and all liability for personal injury, wrongful death and Properties damage resulting from, or in any way connected with said use as a trash and solid waste collection site, except liability for personal injuries or Properties damage caused solely by the negligence or wrongdoing of First Party.
- 7) Second Party indemnifies First Party from any and all liability for personal injury, wrongful death and Properties damage occurring on the Properties, except liability for personal injuries or Properties damage caused solely by the negligence or wrongdoing of First Party.
- 8) The parties acknowledge and agree that the right of use herein granted is non-exclusive, and First Party, its heirs, successors or assigns, shall be entitled at all times to travel over the Properties, and to conduct any and all activities which they may desire to conduct thereon. The parties further acknowledge that First Party shall have no responsibility to maintain any portion thereof as a result of any of First Party's activities on or use of the Properties for any purpose.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this \_\_\_\_ day of \_\_\_\_\_, 2019. Signed, sealed and delivered in the presence of:

**[Signature blocks on the following pages]**



Signed, sealed and delivered  
in the presence of:

**TOWN OF BELLEAIR, FLORIDA**

\_\_\_\_\_  
Attest: \_\_\_\_\_

By: \_\_\_\_\_  
Gary Katica, Mayor

\_\_\_\_\_  
Christine Torok, Town Clerk

STATE OF FLORIDA  
COUNTY OF PINELLAS

This instrument was acknowledged before me, this \_\_\_\_ day of \_\_\_\_\_, 2019, by Gary Katica and Christine Torok, as Mayor and Town Clerk of the TOWN OF BELLEAIR, FLORIDA, a Florida municipal corporation, who are both personally known to me, on behalf of the corporation.

\_\_\_\_\_  
NOTARY PUBLIC  
State of Florida, At Large  
Expiration of Commission:

**PELICAN GOLF, LLC**

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF PINELLAS

This instrument was subscribed before me, this \_\_\_\_ day of \_\_\_\_\_,  
2010, by \_\_\_\_\_, as \_\_\_\_\_ of Pelican Golf, LLC, a  
Florida limited liability company who is personally known or has produced  
\_\_\_\_\_ as identification.

\_\_\_\_\_  
NOTARY PUBLIC

State of Florida, At Large

Expiration of Commission:

## ATTACHMENT “A”

### Legal Description and Map of Golfview Right-of-Way (Golfview ROW)

#### Legal Description

#### Map of Right-of-Way



## ATTACHMENT “B”

### Legal Description and Map of Poinsettia Right-of-Way (Poinsettia ROW)

#### Legal Description

#### Map of Right-of-Way





## Legislation Details (With Text)

**File #:** 19-0161      **Version:** 1      **Name:**  
**Type:** Action Item      **Status:** Public Hearing  
**File created:** 7/3/2019      **In control:** Planning & Zoning Board  
**On agenda:** 7/8/2019      **Final action:**  
**Title:** Variance Request - 1501 Indian Rocks Rd Fence - Indian Rocks Road Frontage  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [Pages from Phase 4 Staff Report PZ 070819](#)  
[PGC Variances Legal AD 6-17-19 FINAL](#)

Date	Ver.	Action By	Action	Result
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### Summary

To: Planning & Zoning Board  
From: JP Murphy  
Date: 7/3/2019

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**Subject:**

Variance for 1501 Indian Rocks Road- Fence along Golf View Drive Frontage.

**Summary:**

The applicant is requesting a Variance to Chapter 74, Land Use Regulations, Article IV, Accessory Structures and Uses, Sections 74-287(e), to locate a perimeter fence and fire access gate within the required 25-foot front yard setback area along Indian Rocks Road, 5-feet from the property line. This places the fence in line with a previously approved fence variance in the Phase 3 application. Please see the attached staff report for further information.



## Legislation Details (With Text)

**File #:** 19-0162      **Version:** 1      **Name:**  
**Type:** Action Item      **Status:** Public Hearing  
**File created:** 7/3/2019      **In control:** Planning & Zoning Board  
**On agenda:** 7/8/2019      **Final action:**  
**Title:** Variance Request - 1501 Indian Rocks Rd - Golf View Road Frontage  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [PGC Variances Legal AD 6-17-19 FINAL](#)  
[Pages from Phase 4 Staff Report\\_PZ\\_070819](#)

Date	Ver.	Action By	Action	Result
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### Summary

To: Planning & Zoning Board  
From: JP Murphy  
Date: 7/3/2019

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**Subject:**

Variance for 1501 Indian Rocks Road- Fence along Golf View Drive Frontage.

**Summary:**

The applicant is requesting a Variance to Chapter 74, Land Use Regulations, Article IV, Accessory Structures and Uses, Sections 74-287(e), to locate a perimeter fence within the required 25-foot front yard setback area along Golf View Drive, 5-feet from the property line. Please see the attached staff report for further information.



## Legislation Details (With Text)

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**File #:** 19-0155      **Version:** 1      **Name:**

**Type:** Minutes      **Status:** Minutes Approval

**File created:** 6/14/2019      **In control:** Planning & Zoning Board

**On agenda:** 7/8/2019      **Final action:**

**Title:** Approval of May 13, 2019 Meeting Minutes

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [P & Z Minutes 05-13-2019](#)

Date	Ver.	Action By	Action	Result
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**Meeting Minutes  
Planning & Zoning Board**

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**Monday, May 13, 2019**

**5:30 PM**

**Town Hall**

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**Welcome. We are glad to have you join us. If you wish to speak, please wait to be recognized, then step to the podium and state your name and address. We also ask that you please turn-off all cell phones.**

Meeting called to order at 5:30 PM with Chairman Brandvik presiding.

**ROLL CALL**

**Present** 4 - Chairman Bonnie-Sue Brandvik, Vice Chairman Jim Millspaugh, Gene Wrightenberry, and Brand Shank  
**Absent** 3 - Peter Marich, Marc Mariano, and Jerome Ciliento

**SCHEDULED PUBLIC HEARING**

Persons are advised that, if they decide to appeal any decision made at this meeting/hearing, they will need a record of the proceedings, and, for such purposes, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

[19-0114](#)

Variance for 313 Woodlawn Ave

Those wishing to speak were sworn in by the Town Clerk.

No exparte communications expressed.

JP Murphy-Town Manager-Introduced case; provided background of property; discussed applicant's request for variance and conditions.

Lester Mandelker-Applicant-Discussed request; requesting to maintain same location of fence, but it would be 6ft. wood fence instead of the 4ft fence.

Mr. Shank questioned items on property visible from street and area where new fence would be installed; regarding boat visibility; dated survey.

Ms. Brandvik inquired about other fence locations; photos of property presented.

Discussion ensued regarding the the fence materials in area; regarding the wood fence materials being installed.

Mr. Mandelker addressed questions of the board.

Further discussion ensued regarding setbacks; pre-existing fence, prior variances; conditions; accessory uses; uniformity of fences on property; proposed irrigation in future.



Chairman Brandvik provided clarification to applicant regarding request and following Town ordinance.

There were no public comments to be heard; letter of support from neighbor at 360 Woodlawn Ave, provided in packet.

Meeting was closed to the public.

Board discussion regarding code violations on property; cannot be considered at this time as it is not part of the variance; applicant is attempting to come into compliance; Mr. Murphy suggested clearly identifying conditions for motion.

Proposed conditions: Agree with originally approved variance location of 20ft from setback; fence along Woodlawn to be built at 6ft and have a uniform height, color and material type; must demonstrate vegetative buffer at time of installation in compliance with the code; removing existing 4ft. picket fence.

**Mr. Millspaugh moved to approve the proposed fence across the front of the house subject to the conditions discussed. Seconded by Mr. Wrightenberry.**

**Aye:** 4 - Chairman Brandvik, Vice Chairman Millspaugh, Wrightenberry, and Shank

**Absent:** 3 - Marich, Mariano, and Ciliento

## CITIZENS COMMENTS

None to be heard.

## APPROVAL OF MINUTES

[19-0111](#) Approval of April 8, 2019 Meeting Minutes

**Mr. Millspaugh moved approval. Seconded by Mr. Wrightenberry.**

**Aye:** 4 - Chairman Brandvik, Vice Chairman Millspaugh, Wrightenberry, and Shank

**Absent:** 3 - Marich, Mariano, and Ciliento

## GENERAL AGENDA

[19-0120](#) Discussion of On-Street Parking Permits & Permitted Parking Near Certain Parks

Mr. Murphy introduced Chris Brimo-Calvin, Giordano and Associates, Town Planner-here to discuss onstreet parking permits; Mr. Murphy and Mr. Brimo provided background discussion regarding parking at Hallett Park, Coe Road, Winston Park, and Thompson Park; presented presentation of areas.

Discussion of Coe Road: park area; right-of-way; areas owned by the villas; possible parking areas; possible Kayak launch.

Discussion ensued regarding parking permits; stickers or hang tags; annual change of tags; cost of parking permits for residents and recreation members; holiday parking.

Discussion of Hallett Park: no parking between sunset and sunrise on Bayview; location of parking spaces; signage; handicap space; liability of Town as to location of spaces.

Board discussed Thompson Park and Winston Park; two spaces are all that will safely fit for residents at Thompson Park; board doesn't see issue in area, best to leave alone; same as with Winston Park, best to leave alone.

Mr. Brimo will create a graphic of potential spaces on Bayview and Coe Road; will look at right-of-ways throughout town for possible no street parking on narrow streets.

[19-0122](#)

Discussion of Fence Regulations

Mr. Murphy summarized prior discussions for fencing and materials; plantings and irrigation.

Mr. Brimo stated language added regarding grade; need to remove subjectivity from material waiver; conditions for maintenance; visibility triangle requirements; landscape buffer; provide samples of vegetation.

Discussion ensued regarding increasing initial planting size; associated costs; vegetation maintenance.

Mr. Murphy requested clarification on rod iron fencing; no chain-link along front yard setback; uniformity for corner lots; visual plane of plantings.

Ms. Brandvik commented on need to enforce code violations; Mr. Murphy discussed court process and successful results.

**OTHER BUSINESS**

No other business.

**COMMISSION ADVISOR REPORT**

Deputy Mayor Rettstatt commented on upcoming community meetings regarding Belleair Country Club purchase proposal for Waterfall West.

Mr. Murphy stated the July 8th Planning and Zoning board meeting will likely for Pelican Golf Course modifications, variances etc. for development plan.

**ADJOURNMENT**

Meeting adjourned in due form at 7:41 PM.

**APPROVED:**

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**Chairman**



## Legislation Details (With Text)

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**File #:** 19-0158      **Version:** 1      **Name:**

**Type:** Action Item      **Status:** General Agenda

**File created:** 7/3/2019      **In control:** Planning & Zoning Board

**On agenda:** 7/8/2019      **Final action:**

**Title:** Election of Officers

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
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