

**REGULAR
CITY COMMISSION MEETING**

TUESDAY, SEPTEMBER 8, 2020

@ 7:00 P.M.



Administrative
727/595-2517

Building/Planning & Zoning
727/517-0404
727/596-4759 (Fax)

Library
727/596-1822

Public Services
727/595-6889
727/593-5137 (Fax)

AGENDA
CITY OF INDIAN ROCKS BEACH
REGULAR CITY COMMISSION MEETING
TUESDAY, SEPTEMBER 8, 2020 @ 7:00 P.M.
VIRTUAL MEETING VIA ZOOM

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL

1. PRESENTATIONS.

- A. **REPORT OF** Pinellas County Sheriff's Office.
- B. **REPORT OF** Pinellas Suncoast Fire & Rescue District.

2. PUBLIC COMMENTS. [3-minute time limit per speaker.]

(Any member of the audience may come forward, give his/her name and address, and state any comment or concern that he/she may have regarding any matter over which the City Commission has control, **EXCLUDING AGENDA ITEMS**. All statements made to the City Commission shall be made to the City Commission as a whole, not directed to any individual City Commission Member, and no personal, impertinent or slanderous remarks shall be permitted. No speaker shall be interrupted and no debate shall take place between the speaker and the City Commission.)

3. REPORTS OF:

- A. **City Attorney.**
- B. **City Manager.**
- C. **City Commission.**
[3-minute time limit per City Commission Member.]

4. ADDITIONS/DELETIONS.

5. CONSENT AGENDA:

- A. **APPROVAL OF** the August 11, 2020 Regular City Commission Meeting Minutes.
- B. **APPROVAL OF** the July 23, 2020 City Commission Work Session Minutes.
- C. **APPROVAL OF** the FY2020 Law Enforcement Contract with the Pinellas County Sheriff's Office.

- D. **RESOLUTION NO. 2020-09.** A resolution of the City Commission of the City of Indian Rocks Beach, Florida, nominating an elected official to Forward Pinellas; and providing an effective date.
- E. **CONFIRMING ACTION** taken during the September 3, 2020 Special City Commission Meeting.

6. **PUBLIC HEARINGS:**

A. **BOA CASE NO. 2020-05 — 2004-20TH AVENUE PARKWAY**

Considering variance requests from Section 94-86(a)(1) of 2 feet 6 inches into the 12-foot side yard setback from the northeast projected property line, leaving a side yard setback of 9 feet 6 inches, and of 5 feet 6 inches into the 12-foot side yard setback from the southwest projected property line, leaving a side yard setback of 6 feet 6 inches, for the installation of a new dock, for the property located at 2004-20th Avenue Parkway, Indian Rocks Beach, Florida, and legally described as Lot 16 and part of Lot 15, Seventh Addition to Re-Revised Map of Indian Beach. Parcel #06-30-15-42156-000-0160.

B. **ABT 11-2020 — 2300 GULF BOULEVARD**

Considering a 2COP Alcoholic Beverage License Designation (*Beer/wine. By the drink or in sealed containers for consumption on or off premises where sold*) to Michael Fisher, d/b/a Beach Waves Grill, LLC, which establishment is located at 2300 Gulf Boulevard, Suite 1, Indian Rocks Beach, Florida, and legally described as Indian Beach Re-Revised, Block 42, Lot 6 and 7 less road on E. Parcel ID #: 01-30-14-42030-042-0060.

C. **ABT 12-2020 — 1401 GULF BOULEVARD**

Considering a 2COP Alcoholic Beverage License Designation (*Beer/wine. By the drink or in sealed containers for consumption on or off premises where sold*) to Michael G, Alfaro, d/b/a Groupers on the Gulf, LLC, which establishment is located at 1401 Gulf Boulevard, Unit # 7 & 8, Indian Rocks Beach, Florida, and legally described as Indian Beach Re-Revised, Block 29, Lots 1, 2, and 3. Parcel ID #: 01-30-14-42030-029-0010.

7. **OTHER LEGISLATIVE MATTERS:** None.

8. **WORK SESSION ITEMS [DISCUSSION ONLY]:** None.

9. **OTHER BUSINESS.**

10. **ADJOURNMENT.**

APPEALS: Any person who decides to appeal any decision made, with respect to any matter considered at such hearing, will need a record of the proceedings and, for such purposes, 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, per s. 286.0105, F.S. Verbatim transcripts are not furnished by the City of Indian Rocks Beach and should one be desired, arrangements should be made in advance by the interested party (i.e. Court Reporter).

In accordance with the Americans with Disability Act and s. 286.26, F.S., any person with a disability requiring reasonable accommodation in order to participate in this meeting should

contact the City Clerk's Office with your request, telephone 727/595-2517 or doreilly@ircbity.com, no later than four (4) days prior to the proceeding for assistance.

POSTED: September 3, 2020

**SECOND AND FINAL BUDGET HEARING
THURSDAY, SEPTEMBER 17, 2020 @ 6:00 P.M.**

**NEXT REGULAR CITY COMMISSION MEETING
TUESDAY, OCTOBER 13, 2020 @ 7:00 P.M.**

NOTICE IS HEREBY GIVEN as a result of the public health emergency that exists due to the COVID-19 Virus, and upon the authority granted by Executive Orders issued by Governor Ron DeSantis, the City Commission of the City of Indian Rocks Beach, Florida, will hold a public virtual meeting by means of communications media technology on Tuesday, September 8, 2020, at 7:00 p.m.

City Hall is closed to the public due to the COVID-19 emergency; thus changing the meeting location from in-person at City Hall to a meeting by means of communications media technology.

THE CITY OF INDIAN ROCKS BEACH IS INVITING YOU TO A SCHEDULED VIRTUAL CITY COMMISSION MEETING VIA ZOOM ON SEPTEMBER 8, 2020, 07:00 P.M. EST.

<https://zoom.us/j/93287266108?pwd=cDVFTm56ZklwMWNIMHhXOHQwTmIVUT09>

Meeting ID: 932 8726 6108
Passcode: 726658

One tap mobile

+19292056099,,93287266108#,,,,,0#,,726658# US (New York)

+13017158592,,93287266108#,,,,,0#,,726658# US (Germantown)

Dial by your location

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 932 8726 6108
Passcode: 726658

Find your local number: <https://zoom.us/u/ak9rEDHHJ>

AGENDA ITEM NO. 1A

**REPORT OF
Pinellas County Sheriff's Office**

AGENDA ITEM NO. 1B

**REPORT OF
Pinellas Suncoast Fire & Rescue
District**

Monthly Report from the Pinellas Suncoast Fire & Rescue District

David Ardman, Commissioner – Seat 2 Indian Rocks Beach

For IRB City Commission Meeting Sept. 8, 2020

1. Staffing levels are normal, as all staff with COVID-related issues were cleared to return to work.
2. Most administrative staff continue to work remotely due to COVID.
3. District continues working with “reopener” negotiations with the labor organization per the Collective Bargaining Agreement.
4. District budget meetings are scheduled for 6:00 p.m. on Sept. 15 at Belleair Beach City Hall and Sept. 24 at St. Jerome’s Catholic Church Parish Hall. Notice will be provided if the meetings are to be virtual.
5. The supply chain for personal protective equipment (PPE) within the EMS system has improved and the medical director has approved the use of N95 masks for responders versus the full face respirators that had been required.
6. August was a busy EMS month in IRB with 64 calls for service. The EMS calls included:
 - COVIC Related – 4
 - Gunshot/Assault - 2
 - Unconscious Person – 10
 - Motor Vehicle Crash – 6
 - Other EMS calls - 17
 - Overdose - 1
 - Trauma Related - 5
 - Sick Person - 5
 - Falls – 8
 - Water Rescues – 2
 - Cardiac/Respiratory - 5

All emergency responses except for three were within our target of 7 minutes 30 seconds. In two of the three cases, the call was handled by resources from our Indian Shores station.

Our average response time was 4 minutes 49 seconds.

7. August was a slower than average month for fire responses within IRB with a total of nine and included one outside fire, one elevator rescue, two gas leaks, and three fire alarms. All but one call were within the 7 minutes 30 seconds target with an average of 4 minutes 01 seconds.

AGENDA ITEM NO. 2
PUBLIC COMMENTS.

AGENDA ITEM NO. 3A
REPORTS OF City Attorney

AGENDA ITEM NO. 3B
REPORTS OF City Manager

AGENDA ITEM NO. 3C
REPORTS OF City Commission

AGENDA ITEM NO. 4
ADDITIONS/DELETIONS

**AGENDA ITEM NO. 5A
CONSENT AGENDA**

**August 11, 2020
Regular City Commission Meeting
Minutes**

AGENDA ITEM NO.: 5A - CONSENT AGENDA
DATE OF MEETING: SEPTEMBER 8, 2020 CCM

MINUTES — AUGUST 11, 2020
CITY OF INDIAN ROCKS BEACH
REGULAR (VIRTUAL) CITY COMMISSION MEETING

The Indian Rocks Beach Virtual Regular City Commission Meeting was held on **TUESDAY, AUGUST 11, 2020.**

Mayor-Commissioner Kennedy called the meeting to order at 7:00 p.m.

Mayor-Commissioner Kennedy welcomed everyone to the August 11, 2020 virtual Indian Rocks Beach City Commission Meeting convening pursuant to Executive Order No. 20-69, issued by the Office of Governor Ron DeSantis on March 20, 2020, and extended by Executive Orders 20-112, 20-114, 20-150, and 20-179, allowing local government bodies to conduct meetings of their governing boards without having a quorum of its members present physically or at any specific location, and utilizing communications media technology such as telephonic or video conferencing, as provided by Section 120.54(5)(b)2, Florida Statutes.

PRESENT: Mayor-Commissioner Joanne Moston Kennedy, Vice Mayor-Commissioner Philip J. Hanna, Commissioner Diane Flagg, Commissioner Edward G. Hoofnagle, Commissioner Joe McCall.

OTHERS PRESENT: City Manager Brently Gregg Mims, City Attorney Randy D. Mora, City Clerk Deanne B. O'Reilly, MMC, Planning Consultant Hetty C. Harmon, AICP, and Technology Moderator Matt Sabella.

(To provide continuity for research, items are listed in agenda order although not necessarily discussed in that order.)

1A. Pinellas County Sheriff's Office. (Written report submitted and made part of the Agenda Packet.)

The Pinellas County Sheriff's Office (PCSO) submitted a written Crime Analysis Report for the month of July 2020 for the City of Indian Rocks Beach.

1B. Pinellas Suncoast Fire & Rescue District: (Written report below):

Monthly Report from the Pinellas Suncoast Fire & Rescue District
David Ardman, Commissioner – Seat 2 Indian Rocks Beach
For City Commission Meeting July 14, 2020

- Staffing levels are stabilizing towards normal. Three members remain out for COVID-related reasons but are expected back soon.

- The District is monitoring COVID news daily through contact with County EMS leadership and the District medical director. Heightened awareness measures are still in place with daily wellness checks and no public visitors. Most administrative staff are still working remotely.
- The fireboat lift project at the Keegan Clair docks in IRB has been completed. Many thanks to City Manager Mims and Public Services Director Scharmen for their support. Pioneer Mortgage, a local business, has provided the funding for logo/graphics for the new fireboat.
- The District Finance Director continues work to recover extraordinary costs related to COVID.
- Labor organization "reopener" negotiations are continuing per the current Collective Bargaining Agreement.
- The District Commission will continue to meet using Zoom until further notice.
- The final draft of a fire station location study has been completed as a joint project between Pinellas County and PSFRD. When the report is published, the District will present the findings to all constituent cities and towns as part of a longer-term master planning project.
- July was a busy EMS month in IRB with 58 calls for service. All emergency responses were within the target of 7 minutes 30 seconds. Average response time was 4 minutes 14 seconds.
- July was a slower than average month for fire responses within IRB with a total of 12. All were within the 7 minutes 30 seconds with an average of 3 minutes 45 seconds.

2. PUBLIC COMMENTS.

John Thayer, 1819 Bay Boulevard, recommended the City Commission pass an ordinance regulating e-scooters, and stated that they should not be allowed in the City before the Florida Legislature takes that right away from the cities.

Mr. Thayer stated he has seen a lot of electric bikes on the beach going at a high rate of speed in the evening hours, and stated something should be done before someone gets seriously hurt.

Mr. Thayer stated according to City Code Section 74-61, the City does not prohibit motorized vehicles on the beach and the beach signs read "official vehicles on beach only."

Mr. Thayer stated motorized vehicles should be defined and banned from the beach because it is only going to get worse.

3A. REPORTS OF the City Attorney. No Report.

3B. REPORTS OF the City Manager.

City Manager Mims provided an update of the following projects:

- Submitted the 3rd Quarter Financial Reports.
- Installation of solar panels on City Hall and Museum will begin the week of August 17, 2020.
- The Gulf Boulevard Underground of Utilities Project, Phase I, is on schedule, and is to be completed in October 2020.
- Maxwell Place Drainage Project is complete.
- Pinellas County is completing the installation of a new lift station at Keegan Clair Park. The street and parking lot have been repaved. The park will be reopened to the public in September.
- Completed the latest renovations to the Museum. This project included new front windows, replacing rotten wood and painting.
- A new Bocce Ball Court was installed at the site of the old Bocce Ball Court at Chic-A-Si Park. The new court has artificial turf.

3C. REPORTS OF the City Commission.

COMMISSIONER HOOFNAGLE:

- Thanked Technology Moderator Matt Sabella and City Manager Mims for arranging this evening's Zoom Meeting.

COMMISSIONER FLAGG:

- Stated she thought the Forward Pinellas Gulf Boulevard Visioning Study Plan Work Session was very productive.

MAYOR-COMMISSIONER KENNEDY:

- Announced the calendar for the month of August.
- Reviewed the Indian Rocks Beach Census Report Card for July 2020. The City's response rate for 2020 is 43.6% and in 2010, it was 53.5%. She stated the City should focus citywide to increase census participation from 2010 numbers.

4. ADDITIONS/DELETIONS. None.

5. CONSENT AGENDA:

- A. APPROVAL of the July 14, 2020 Regular City Commission Meeting minutes.**
- B. APPROVAL of the July 21, 2020 City Commission Budget Work Session minutes.**
- C. APPROVAL of the July 21, 2020 Special City Commission Meeting minutes.**
- D. CONFIRMING ACTION taken during the July 21, 2020 Special City Commission Meeting.**
- E. AUTHORIZING the City Manager to enter into a one year renewal agreement with Public Risk Management for Group Health Insurance Coverage for FY2020-21.**

City Attorney Mora read the Consent Agenda, consisting of Agenda Items 5A through 5E, by title only.

MOTION MADE BY COMMISSIONER HOOFNAGLE, SECONDED BY VICE MAYOR-COMMISSIONER HANNA, TO APPROVE THE CONSENT AGENDA, CONSISTING OF AGENDA ITEM NOS 5A THROUGH 5E. UNANIMOUS APPROVAL BY ACCLAMATION.

6. PUBLIC HEARINGS:

A. ORDINANCE NO. 2020-01 — FIRST PUBLIC HEARING.

An ordinance of the City of Indian Rocks Beach, Florida, amending the City of Indian Rocks Beach Comprehensive Plan pursuant to the evaluation and appraisal process of Section 163.3191, Florida Statutes, and the amendment process of Section 163.3184, Florida Statutes, by amending the future land use, transportation, and coastal management and conservation elements to reflect changes in Florida Statutes, Chapter 163 since 2013, updating the future land use element to maintain consistency with the countywide plan for Pinellas County, as hereinafter provided; establishing the legal status of the comprehensive plan; providing for repeal of ordinances or parts of ordinances in conflict herewith; providing for severability; and providing for an effective date.

[Beginning of Staffing Report]

BACKGROUND:

The state of Florida requires local governments to regularly review their comprehensive plans pursuant to Section 163.3191 and update them to reflect changes in local conditions. If the comprehensive plan is not updated, the local government will be prohibited from amending its comprehensive plan, primarily as it relates to any land use changes.

The last update of the City of Indian Rocks Beach was completed in 2013.

The following describes the changes proposed to the comprehensive plan.

1. COASTAL MANAGEMENT AND CONSERVATION ELEMENT

The change to the Florida Statutes in 2015 requires changes to the Coastal Management Element as it relates to the "Perils of Flood" amendments. In Section 163.3178(2)(f) of the Florida Statutes, it states that the Coastal Management Element section of a comprehensive plan needs to address the following:

- (f) A redevelopment component that outlines the principles that must be used to eliminate inappropriate and unsafe development in the coastal areas when opportunities arise. The component must:

1. Include development and redevelopment principles, strategies, and engineering solutions that reduce the flood risk in coastal areas which results from high-tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea-level rise.
2. Encourage the use of best practices development and redevelopment principles, strategies, and engineering solutions that will result in the removal of coastal real property from flood zone designations established by the Federal Emergency Management Agency.
3. Identify site development techniques and best practices that may reduce losses due to flooding and claims made under flood insurance policies issued in this state.
4. Be consistent with, or more stringent than, the flood-resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R. part 60.
5. Require that any construction activities seaward of the coastal construction control lines established pursuant to s. 161.053 be consistent with chapter 161.
6. Encourage local governments to participate in the National Flood Insurance Program Community Rating System administered by the Federal Emergency Management Agency to achieve flood insurance premium discounts for their residents.

2. FUTURE LAND USE ELEMENT

The Future Land Use Element land use categories table was modified to be consistent and reflect the land use categories adopted in the Forward Pinellas Countywide Rules.

3. FUTURE LAND USE ELEMENT - DATA AND ANALYSIS

The Future Land Use Data and Analysis was updated to reflect:

- a. Updated population projections.
- b. Updated Existing Land Use Acreage.
- c. Level of Services for major roads.

4. TRANSPORTATION – DATA AND ANALYSIS

- a. Updated Level of Services.

5. MAPS

- a. Future Land Use Map-updated to reflect the 2035 planning horizon.
- b. Coastal High Hazard Map-new map added to the map series.
- c. Transportation Maps-2018 map shows current level of service and the 2040 map reflects the future level of services.

PLANNING AND ZONING BOARD RECOMMENDATION: Recommended approval of Ordinance No. 2020-01, amending the City of Indian Rocks Beach Comprehensive Plan pursuant to the Evaluation and Appraisal Process of Section 163.3191, Florida Statutes,

and the amendment process of Section 163.3184, Florida Statutes, by amending the Future Land Use, Transportation, and Coastal Management and Conservation Elements to reflect changes in Florida Statutes, Chapter 163 since 2013, updating the Future Land Use Element to maintain consistency with the countywide plan for Pinellas County, as hereinafter provided; establishing the legal status of the comprehensive plan; providing for repeal of ordinances or parts of ordinances in conflict herewith; providing for severability; providing for an effective date with the following additional recommendations:

1. That the City's comprehensive plan includes a goal or objective to consider the historical integrity or preservation of buildings inasmuch as that it can be reconciled with all the other flood mitigation requirements set forth.
2. Clarify Policy 2.7.1 to read that the City is working with Pinellas County to avoid removing sand dunes.
3. Have the City Attorney to draft language after the second sentence to clarify the preamble in the Ordinance. Specifically to revise as follows: "These future land use rules categories shall be consistent with the uses listed in the Pinellas Countywide Rules as they exist at the time of this plan's adoption."
4. Clarify why there are white areas in the Coastal High Hazard Area Map.

[End of Staffing Report.]

Planning Consultant Harmon reviewed the Staffing Report.

Planning Consultant Harmon stated the Local Planning Agency approved Ordinance 2020-01 unanimously with the following additional recommendations:

1. That the City's comprehensive plan includes a goal or objective to consider the historical integrity or preservation of buildings inasmuch as that it can be reconciled with all the other flood mitigation requirements set forth.
2. Clarify Policy 2.7.1 to read that the City is working with Pinellas County to avoid the removal of sand dunes.
3. Have the City Attorney to draft language after the second sentence to clarify the preamble in the Ordinance. Specifically to revise as follows: "These future land use rules categories shall be consistent with the uses listed in the Pinellas Countywide Rules as they exist at the time this plan's adoption."
4. Clarify why there are white areas in the Coastal High Hazard Area Map.

City Attorney Mora stated the preamble of the ordinance already reads that it will be consistent with Pinellas County. However, a member of the Local Planning Agency wanted to make it exclusively clear that it read "as at this time" to indicate that the City is adopting its ordinance to align with the County's regulations at this time. That way, if they deviate in the future, this would add clarity as to the reason for any such difference.

City Attorney Mora stated more to the point he wanted to emphasize to the City Commission that this is something that only happens once every seven years and the comprehensive plan, from a legal standpoint, is seen as the City's constitution for

development. The comprehensive plan is the foundation that the City's land development regulations are later built upon. The comprehensive plan does not have restrictions but rather has the objectives and goals memorializing the City's policy priorities relative to land use.

Commissioner Hoofnagle thanked the Local Planning Agency for their thorough review of Ordinance No. 2020-01.

Commissioner Hoofnagle clarified that the entire City is within the Coastal High Hazard Area.

Planning Consultant Harmon responded in the affirmative and stated this is based on a Federal Storm Surge Model based on a Cat 1 Hurricane.

OBJECTIVE 2.6

The City shall encourage the use of best practices development and redevelopment principles, strategies, and engineering solutions that will result in the removal of coastal real property from flood zone designations established by the Federal Emergency Management Agency.

Policy 2.6.1: The City shall consider one or more of the following strategies in those areas which receive major or moderate flood damage.

- **Relocation;**
- **Reduction of permissible density or intensity of use;**
- **Reconstruction in compliance with current building and construction standards; or**
- **Public acquisition.**

Commissioner Hoofnagle stated basically what Objective 2.6 is saying is that wherever possible if damage occurs, the City wants to remove coastal real property from the flood zone designations, and then it sets out some criteria considering doing that. He has two recommendations that he would like to discuss.

Commissioner Hoofnagle stated he would like to exercise the City's "home rule" authority and place language in Objective 2.6 that recognizing the significance of historical preservation in determining whether or not the City return or reduce the density or intensity. The City has "home rule" and should exercise the City's authority to communicate that the City likes to encourage preservation especially after storm damage.

Commissioner Hoofnagle stated he thinks this overall objective is questionable given that the entire City is in the Coastal High Hazard Area, and he would prefer if the City Commission amend this objective to reflect that.

Commissioner Hoofnagle stated that the comprehensive plan is the City's plan and that the City is in a unique situation because it is completely within a Coastal High Hazard Area. He explained that the plan must reflect the City's unique situation, and not be a bureaucratic or administrative implementation based on templates from FEMA or the County.

City Attorney Mora stated the language could be enhanced to reflect those notions that structures do not actually need to be removed from the designated district encompassing the entire City. Instead, language could be added to the effect that it "shall encourage the use of best practices development and redevelopment principles, strategies, and engineering solutions" to mitigate the effects of hurricanes and flooding. The proposal was not to take properties and let them be removed from the City's boundaries but rather as those things happen, use the best practices and etc., and that was the explanation staff had given to the Local Planning Agency.

Planning Consultant Harmon stated the City Code provides for a property owner to rebuild their structure as it exists if they apply for a building permit within six months after flood damage occurs. However, they must comply with all FEMA requirements and they also have to have the ability to obtain flood insurance also.

City Manager Mims stated under emergency declarations, the City would have the ability to grant property owners additional time to secure a permit.

Commissioner Hoofnagle proposed modifying Objective 2.6 to explicitly recognize that the City is entirely encompassed within the Coastal High Hazard Area and that it is unrealistic as an objective to remove coastal real property from the flood zone designation. The City Attorney agreed to work on editing the phrase to address the "removal of real property" from the objective's wording.

Planning Consultant Harmon stated the objective is not saying to remove them, but that they could be built to flood standards.

City Attorney Mora stated the point Commissioner Hoofnagle is making is the explicit language does say "*the removal of coastal real property from flood zone designations.*" This language could be modified to emphasize that the City encourages measures to mitigate flood insecurities or weaknesses, or use of less than ideal construction materials.

City Attorney Mora stated as he understands Commissioner Hoofnagle, he is asking to consider reworking that objective to excise the language about the removal, and perhaps to better optimize construction and with some recognition in that language that the entire City is within the contemplated flood district.

Commissioner Hoofnagle stated in addition, he was suggesting the City exercise its "*home rule*" authority by placing recognition of historical significance based on the City Commission's or its delegate's determination of historical significance as a strategic consideration in policy 2.6.1.

Commissioner Hoofnagle commented that he read in the Local Planning Agency minutes that only the State's historical register was recognized for historical significance and expressed frustration with the State's overreach in such "home rule" matters.

MOTION MADE BY COMMISSIONER HOOFNAGLE, SECONDED COMMISSIONER MCCALL, TO MODIFY OBJECTIVE 2.6 TO ELIMINATE THE REFERENCE TO THE REMOVAL OF COASTAL PROPERTY FROM THE FLOOD ZONE DESIGNATIONS GIVEN THE ENTIRE CITY IS COMPLETELY ENCOMPASSED IN THE FLOOD ZONE, AND POLICY 2.61. BE AMENDED TO INCLUDE CONSIDERATION OF HISTORICAL SIGNIFICANCE AS DETERMINED BY THE CITY COMMISSION.

Commissioner Hoofnagle thanked Planning Consultant Harmon for all her hard work, and the Planning and Zoning Board for the time they spent on this issue.

Mayor-Commissioner Kennedy stated the City should be exercising its "home rule" authority much more, and she appreciates Commissioner Hoofnagle's insight on Objective 2.6.

Mayor-Commissioner Kennedy opened the public hearing. Seeing and/or hearing no one wishing to speak, the public hearing was closed.

ROLL CALL:

AYES: HANNA, FLAGG, MCCALL, HOOFNAGLE, KENNEDY
NAYS: NONE.

MOTION CARRIED UNANIMOUSLY.

MOTION MADE BY COMMISSIONER HOOFNAGLE, SECONDED BY COMMISSIONER FLAGG, TO ACCEPT THE ADDITIONAL RECOMMENDATIONS OF THE LOCAL PLANNING AGENCY, WHICH ARE AS FOLLOWS: (1) THAT THE CITY'S COMPREHENSIVE PLAN INCLUDES A GOAL OR OBJECTIVE TO CONSIDER THE HISTORICAL INTEGRITY OR PRESERVATION OF BUILDINGS INASMUCH AS THAT IT CAN BE RECONCILED WITH ALL THE OTHER FLOOD MITIGATION REQUIREMENTS SET FORTH, (2) CLARIFY POLICY 2.7.1 TO READ THAT THE CITY IS WORKING WITH PINELLAS COUNTY TO AVOID THE REMOVAL OF SAND DUNES, (3) HAVE THE CITY ATTORNEY DRAFT LANGUAGE AFTER THE SECOND SENTENCE TO CLARIFY THE PREAMBLE IN THE ORDINANCE, SPECIFICALLY TO REVISE AS FOLLOWS: "THESE FUTURE LAND USE RULES CATEGORIES SHALL BE CONSISTENT WITH THE USES LISTED IN THE PINELLAS COUNTYWIDE RULES AS THEY EXIST AT THE TIME THIS PLAN'S ADOPTION," AND (4) CLARIFY WHY THERE ARE WHITE AREAS IN THE COASTAL HIGH HAZARD AREA MAP.

There were no City Commission comments.

Mayor-Commissioner Kennedy opened the public hearing. Seeing and/or Hearing no one wishing to speak, the public hearing was closed.

ROLL CALL VOTE:

AYES: MCCALL, HANNA, FLAGG, HOOFNAGLE, KENNEDY.

NAYS: NONE

MOTION CARRIED UNANIMOUS.

MOTION MADE BY COMMISSIONER HOOFNAGLE, SECONDED BY COMMISSIONER FLAGG, TO APPROVE ORDINANCE NO. 2020-01, ON FIRST READING, AMENDING THE CITY OF INDIAN ROCKS BEACH COMPREHENSIVE PLAN PURSUANT TO THE EVALUATION AND APPRAISAL PROCESS OF SECTION 163.3191, FLORIDA STATUTES, AND THE AMENDMENT PROCESS OF SECTION 163.3184, FLORIDA STATUTES, BY AMENDING THE FUTURE LAND USE, TRANSPORTATION, AND COASTAL MANAGEMENT AND CONSERVATION ELEMENTS TO REFLECT CHANGES IN FLORIDA STATUTES, CHAPTER 163 SINCE 2013, UPDATING THE FUTURE LAND USE ELEMENT TO MAINTAIN CONSISTENCY WITH THE COUNTYWIDE PLAN FOR PINELLAS COUNTY, AS HEREINAFTER PROVIDED; ESTABLISHING THE LEGAL STATUS OF THE COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AS AMENDED.

There were no City Commission comments.

Mayor-Commissioner Kennedy opened the public hearing. Seeing and/or hearing no one wishing to speak, the public hearing was closed.

ROLL CALL VOTE:

AYES: MCCALL, HANNA, FLAGG, HOOFNAGLE, KENNEDY.

NAYS: NONE

MOTION CARRIED UNANIMOUS.

7. **OTHER LEGISLATIVE MATTERS:** None.
8. **WORK SESSION ITEMS [DISCUSSION ONLY]:** None.
9. **OTHER BUSINESS.**

Commissioner Hoofnagle requested the City Commission workshop motorized vehicles on the beach.

CONSENSUS OF THE CITY COMMISSION TO WORKSHOP MOTORIZED VEHICLES ON THE BEACH.

10. **ADJOURNMENT.**

MOTION MADE BY COMMISSIONER HOOFNAGLE, SECONDED BY COMMISSIONER FLAGG, TO ADJOURN THE MEETING AT 7:50 P.M. UNANIMOUS APPROVAL BY ACCLAMATION.

September 8, 2020

Date Approved

Joanne Moston Kennedy, Mayor-Commissioner

ATTEST: _____

Deanne B. O'Reilly, MMC, City Clerk

/DOR

**AGENDA ITEM NO. 5B
CONSENT AGENDA**

**JULY 23, 2020
CITY COMMISSION
WORK SESSION MINUTES**

MINUTES — JULY 23, 2020
CITY OF INDIAN ROCKS BEACH
REGULAR CITY COMMISSION MEETING

The Indian Rocks Beach Regular City Commission Meeting was held on **THURSDAY, JULY 23, 2020**, in the City Commission Chambers, 1507 Bay Palm Boulevard, Indian Rocks Beach, Florida.

Mayor-Commissioner Kennedy called the meeting to order at 4:00 p.m.

PRESENT: Mayor-Commissioner Joanne Moston Kennedy, Vice Mayor-Commissioner Phillip J. Hanna, Commissioner Diane Flagg, Commissioner Edward G. Hoofnagle, and Commissioner Joe McCall.

OTHERS PRESENT: City Manager Brently Gregg Mims, City Attorney Randy Mora, City Clerk Deanne B. O'Reilly, MMC, Planning Consultant Hetty C. Harmon, AICP, and Captain Michael Leiner, Pinellas County Sheriff's Office.

(To provide continuity for research, items are listed in agenda order although not necessarily discussed in that order.)

Mayor-Commissioner Kennedy reviewed the format of the zoom meeting.

City Manager Mims stated there are five primary topics today, and it is hoped that the City Commission could reach a consensus of each topic. If the City Commission provides direction to amend the City Code as it relates to each topic, staff will draft the amendments. The draft ordinances would be prepared and then posted on the City's website for 30 days. After that, there would be two public hearings on each ordinance at a future date.

1. DISCUSSION OF on-street parking.

City Manager Mims provided a background and some basic facts regarding on-street parking.

The City has existed for over 65 years, and parking-related issues have always existed at various stages.

In 2014, the City Commission held two work sessions concerning the beach and related challenges, and discussion from those meetings has resulted in various changes such as:

- The addition of daily collection of solid waste on the beach and twice a day on holidays and peak times.
- Additional mechanical raking of the beach.
- Enhanced cleaning of the County Park public restrooms.
- Begun the process of updating informational signage at each beach access, which includes "Leave Only Your Footprint" signs.
- Trimming of sea oats at each beach access to open the view for older citizens and individuals with ADA issues.
- Enhanced parking enforcement. The Pinellas County Sheriff's Office and the City's Code Enforcement Officer have issued over 194 parking citations during the months of May and June.
- Three additional resident-only parking spaces at almost every beach access. There are a couple at the south end of town that are small accesses where it could not be done.
- There are 67 resident-only parking spaces. Three at the Nature Preserve, three at the Keegan-Clair Park, and 61 at the beach accesses.

City Manager Mims stated resident beach parking decals are issued for two years, and in this cycle, which ends in December, the City has issued more than 2,490 decals.

City Manager Mims stated back in 2014 there was a recommendation submitted to the City Commission to consider an ordinance to limit parking to IRB residents with decals from 8:00 a.m. to 5:00 p.m., or the alternative was for staff to go out and restrict side streets with no parking signs. The City Commission chose the designation of no parking on at least one side on every street from 5th Avenue to 27th Avenue.

Since 2014, the staff has installed almost 230 no parking signs from 5th Avenue to 27th Avenue, and others have been installed based on complaints and volume of cars. For example, 1st Street has no parking signs from one end to the other.

The City has eliminated parking on vacant lots on Gulf Boulevard.

The parking violation fines were increased from \$20 to \$40.

City Manager Mims offered the following recommendations to the City Commission for consideration:

- **OPTION A:**
- Increase parking violation fines from \$40 to \$80. If not paid within 15 days, the fine will be \$95.
- Increase parking violation fines at 15th Avenue boat ramp from \$25 per axle to \$80. If not paid within 15 days, the fine will be \$95.00.
- Continue to restrict parking on one side of the streets east of Gulf Boulevard.

City Manager Mims stated within the Proposed FY2021 Budget, he has asked for a part-time code enforcement officer, who would work part-time on weekends, holidays, and on peak days to work with the two deputies and the one code enforcement officer.

OPTION B:

- Increase parking violation fines from \$40 to \$80. If not paid within 15 days, the fine will be \$95.
- Increase parking violation fines at 15th Avenue boat ramp from \$25 per axle to \$80. If not paid within 15 days, the fine will be \$95.00.
- Draft an ordinance to impose parking restrictions on all streets east of Gulf Boulevard and north of 5th Avenue to 27th Avenue, for resident-only parking from 8:00 a.m. to 5:00 p.m., with exceptions for delivery services, licensed contractors, yard services, etc. There would still be some permanent no parking signs for safety issues. For example, the curve at Brown Park (Harbor Drive area).

There were no City Commission comments at this time.

Mayor-Commissioner Kennedy opened the public comment session.

Gordon Obarski, 708 Beach Trail, Unit #B, stated he liked Option B but would like to see the hours from 8:00 a.m. to 7:00 p.m. He stated this would help with parking at the baseball field if the hours were extended.

David Ardman, 351 LaHacienda Drive, stated just for a point of clarification the Town of Indian Shores doubled their parking violation fines from \$25 to \$50. As a resident, he would like to express his support for Option B. He stated the area of 7th, 8th, and 9th Avenues around East Gulf Boulevard get very congested on both sides of the streets when everyone is parking there.

Mr. Ardman stated, as an Indian Rocks Beach Fire Commissioner, he would also like to impress upon the City Commission the importance of keeping clearance for the fire district's front apparatus vehicles. This is sometimes an issue with the overflow of on-street parking throughout the neighborhoods.

Carol McGlaughlin, 115-21st Avenue, thanked the City for putting up the no parking signs on 1st Street, and stated she did not understand how the options would affect the parking on 1st Street.

City Manager Mims stated staff would determine which no parking signs would remain because of safety issues. If the City Commission chose Option B, residents with decals would be able to park on 1st Street from 8:00 a.m. to 5:00 p.m., but after 5:00 p.m., there would be no restrictions on who could park on 1st Street or any other side streets north of 5th Avenue to 27th Avenue.

City Manager Mims explained staff's initial plan of placing new signs at every side street and Gulf Boulevard intersection that reads: "Resident Parking Only from 8:00 a.m. to 5:00 p.m. with a decal. Violators will be ticketed and/or towed."

Ms. McGlaughlin submitted a petition to the City appreciating the fact that the City Commission is addressing the parking issue, and hoping the residents could get some clarification and enforcement in terms of parking.

Todd Plumlee, 469 Harbor Drive North, stated he supports Option B and asked if there would be fewer signs since there would not be so many parking signs; there would only be signs at the intersections and signs at the entrances of the City.

City Manager Mims stated if the City Commission goes with Option B, it would be one, maybe two more decorative-looking signs at each intersection.

Mr. Plumlee asked if Option B would be easier to enforce.

City Manager Mims responded in the affirmative.

David Gardella, 705 Harbor Drive, Belleair Beach, stated he owns some apartments on Bay Boulevard. Since all the no parking signs have been installed on the side streets between 18th Avenue through 28th Avenue, the beach parkers have made their way to Bay Boulevard to park. He stated Bay Boulevard is where all the apartments are, and there is always an overflow of parking in that area from the apartments.

Mr. Gardella stated he likes Option B. It would be consistent with parking from 5th Avenue to 27th Avenue, and there would be fewer signs.

Mr. Gardella stated Church of the Isles, 200-24th Avenue, tried to do some parking on the weekends. It was packed for two weekends in a row but received some flack from the neighborhood. He suggested that the City try to partner with the church for beach parking by monitoring and closing the parking lot on the weekends with the part-time code enforcement officer.

City Manager Mims stated the City was aware of the situation and requested Church of the Isles to stop because of the number of complaints received.

City Manager Mims stated Calvary Episcopal Church, 1615-1st Street, has been using their parking lot for beach parking on weekends for donations for the past three or four years. Legally, there is nothing the City can do if a church decides to have parking where people make donations, but if they were to have a set fee, that is a different issue.

R.B. Johnson, 1206 Beach Trail, stated he does not believe the residential neighborhoods in a town of an approximate 4,000 person population should bear the burden of being the pre-parking mecca for a metropolitan area of over two million people because that is essentially what Indian Rocks Beach has become, whether it is back in the neighborhoods or out at the beach itself. The number of people and the amount of traffic that is here now is like weekends used to be during weekdays, and weekends are now like holiday weekends used to be. It is incredible and over a couple of years, especially over the last six months or so, the increase in the activity that the City has here. He thinks it has gotten to the point where it is absolutely unbearable. Therefore, he does believe that Option B is probably the direction to go. He stated after 5:00 p.m., there could still be problems with people trying to park to get to the beach to enjoy the sunset.

Mr. Johnson stated a few years he would not have advocated for this, but it is just getting worse and worse, and it is not going to get any better.

City Manager Mims stated 8:00 a.m. to 5:00 p.m., is just a starting point with the City Commission. He wanted the City Commission to keep in mind that it would not go too late into the evening with the no parking plan because it will interfere with parties and barbecues.

Joe Romano, 359-12th Avenue, stated he agrees beach parking is terrible, and he strongly supports Option B. He stated parking on 12th Avenue is ridiculous on the weekends. It would be impossible to get a first response vehicle down 12th Avenue on the weekends should there be an emergency. Over the past couple of years, the traffic and parking situation has gotten worse. There are times when he is unable to drive his car down 12th Avenue. He stated Option B is a good starting point, but it will not be the end-all because Indian Rocks Beach is becoming this "trash pot" where everybody wants to come and park for free. Possibly, maybe there is a parking garage in the future? Parking is great for a city. It brings in money and industry to the City, but not at the residents' expense that live here.

Karla Stahl, 1000 Gulf Boulevard, Reef Club Condominiums, stated she does understand the issue with beach parking on the side streets. However, occasionally her household has an overflow of parking for her family or guests, and stated the beach decals would not help her, and asked if there would be temporary parking hang tags available.

City Manager Mims stated further in the meeting the City Commission will be addressing and clarifying resident parking decals and who receives those. Also, there are two different categories of temporary hang tags. The one that would most likely apply to Ms. Stahl would be the temporary hang tag that has a minimum fee that is good for a specific time period.

Dave Whiteside, 446 Harbor Drive North, stated the resident-only parking spots at the beach accesses are being abused by residents who live on the beach accesses. They are using those spots as their own private parking spots and are not moving their vehicles or

taking them first thing in the morning. He sees the same cars in the same spots each morning. He would like to see no overnight parking on the beach accesses.

City Manager Mims stated a growing trend of residents has the beach decal to leave their vehicle parked in a resident space for a day, a two, or three at a beach access.

City Manager Mims stated he would be asking the City Commission to allow staff to clarify that particular problem because it has become an issue.

David Bliesner, 1612-1st Street, stated his quality of life in the last year had been degraded significantly on the weekends by Calvary Episcopal Church when they allow beachgoers to park in their parking lot. When the church does that, it is a commercial parking lot by all intents and purposes. The trash has gotten out of hand and goes over in the mornings to cleans it up. He even puts out his trash cans in the parking lot. He reiterated this is a commercial operation; a person cannot park unless they pay.

Mayor-Commissioner Kennedy stated other residents on 16th Avenue have complained about the beach parking at the Calvary Episcopal Church.

Mark Poznan, 921 Harbour House Drive, stated what happens if his driveway is full of his cars during the day, and a friend stops by.

City Manager Mims suggested that he move one of his vehicles that have a decal on the street and let his friend use his driveway.

Mr. Poznan asked if the City Commission would consider selling non-residents beach parking decals for \$50 a year.

Mayor-Commissioner Kennedy closed public comments.

Commissioner Hoofnagle stated the following concerning beach parking:

- Parking violation fines/15th Boat Ramp parking violation fines. The higher, the better. Maximum per Florida Statutes.
- Hours for Resident Parking Only: Timing to be as late as possible.
- Temporary Hanging Parking Permits. As few hanging parking permits as possible. The City is overrun with out-of-town residents, who just come, park, and destroy the beach. They come back leave to their cars and leave garbage in people yards and in the streets. He has heard horror stories of drunk people having all kinds of issues before they get in their car and drive away in no condition to drive.
- Overnight Parking: If restricted, it needs to be careful in terms of more than one night because if a resident is intoxicated and not able to drive home, they should have the right to leave their car overnight and then come back the next day to pick it up. He thinks what the City is trying to control is people parking who are residents

for seven days in a row at the same beach access spot. The City should not put someone in a position where they feel they have to drive a car if they are not in a condition to drive.

Commissioner Hoofnagle stated he supports Option B and would like it as strongly enforceable as possible.

Vice Mayor-Commissioner Hanna stated he agrees with Commissioner Hoofnagle comments and stated the City should enter into a towing contract.

Vice Mayor-Commissioner Hanna stated that the parking had gotten out of hand over the past couple of years, and something needs to be done. It is now affecting the quality of life of IRB residents.

Commissioner Flagg stated safety for the City's walkers, bikers, and pedestrians are at risk, so it is time that City does something. The City needs to make its streets safer for emergency vehicles.

Commissioner Flagg stated she favors Option B but wants to see the highest fine possible for parking violation fines and limit the issuance of temporary hang parking permits.

Commissioner McCall stated the parking violation fines should be raised to the maximum as possible.

Commissioner McCall stated the City has done a fantastic job over the years with the increase of traffic and people.

Commissioner McCall stated because of COVID-19, the City has seen an influx of traffic and people. With families having no other options but to come to the beach, the City is seeing record numbers.

Commissioner McCall stated he is not entirely onboard with Option B. He is a social person, and he does not want to have to run to City Hall to get temporary tags for his guests.

Commissioner McCall stated the City should address the people that are infringing on the City and are violating the criminal laws. He stated if the fine is large enough, then the City could control parking.

City Manager Mims stated under Options A and B, there is no scenario where someone comes to City Hall to get some type of temporary pass to parking on the street during the designated resident parking only hours. His suggestion would be for the resident to move his vehicles that have the decals on the street and let the visitors park in his driveway.

PSCO Captain Leiner stated whatever the City Commission comes up with, the sheriff's office will enforce. It will be a big change, so it would probably come with education first, but he understands what the public is talking about.

Mayor-Commissioner Kennedy stated she had received emails from residents stating that after 5:00 p.m., non-residents are parking in the resident only parking spaces on the beach accesses. She would like more patrolling on that, and if they do not have a resident beach parking decal, she would like them ticketed if they are parking in a resident space.

Mayor-Commissioner Kennedy asked the City Attorney to provide the City Commission with the insight if the parking violation fines are raised to \$99.

City Attorney Mora stated s. 316.1967, F.S. provides that an official can determine as to whether a parking violation has been committed and may impose a civil penalty not to exceed \$100 or the fine amount designated by county ordinance, plus court costs.

Commissioner Flagg stated the resident-only parking does not affect the Business District Triangle parking. She does understand where Commission McCall is going because people invite people over in the evening, creating some challenges. Still, for the benefit of most of the community, she is going to try to have to work that out with neighbors, Ubering, etc.

Commissioner McCall asked if the sheriff's office tracks repeat offenders of parking violators, with Captain Leiner responding that their system automatically does that when a ticket is written.

Mayor-Commissioner Kennedy stated she has received many emails concerning parking on Bay Boulevard and explained if the City Commission approves Option B, a resident would be eligible for a parking decal and would be able to park on the side street anytime. Non-resident parking would be available after 5:00 p.m.

Mayor-Commissioner Kennedy stated there are parking problems on 25th, 26th, and 27th Avenues.

Mayor-Commissioner Kennedy asked how would the City address people who leave their cars parked at the beach accesses or on side streets overnight when they have had too much to drink, and they do not want to drive home.

City Manager Mims stated that it is a personal responsibility.

CONSENSUS OF THE CITY COMMISSION TO DIRECT STAFF TO PROCEED WITH OPTION B, WITH COMMISSIONER MCCALL DISSENTING.

City Manager Mims clarified that resident parking only on the side streets would be from 8:00 a.m. to 5:00 p.m.

SEC. 62-35. PARKING ON BEACH ACCESSES AND 15TH AVENUE BOAT RAMP

(c) Permit parking on beach accesses. Permits for parking at beach accesses in the City shall be as following as:

- (1) All residents of the City shall, upon application and proof of automobile registration, be issued one resident permit per vehicle for parking on beach accesses and no fee shall be charged for such permit. Proof of residency within the corporate limits of the City shall be required for such permit. The City shall provide parking places on accesses designated for residents only where deemed feasible by the city manager. The resident parking permit decal must be permanently attached to the exterior rear of the vehicle in a visible location.

City Manager Mims stated the wording in this subsection needs to be clearer. There are 67 resident-only parking only, and approximately 2,400 resident parking decals have been issued.

City Manager Mims stated currently, residents and property owners are issued resident parking decals. He believes, when this was written, the resident parking decals were for someone who truly resided in Indian Rocks Beach, and that would be determined by a vehicle registration tying them to an Indian Rocks Beach address where they reside. He stated for whatever reason, this is not how this section of the Code has been applied since 1980.

City Manager Mims stated under Florida Law, a person has 30 days to update their driver's license and tags once they move.

City Manager Mims stated the guidelines that staff uses is if a person is leasing, they must provide proof that they are leasing the property for at least a year.

Commissioner Flagg stated the decals should be issued to Indian Rocks Beach residents only, and their automobile registration should determine proof of residency. The parking decal should be permanently affixed to the back of their vehicle.

Mayor-Commissioner Kennedy stated one of the City Manager's questions was a period of time when a person is truly a resident, and asked Commissioner Flagg what her thoughts were on that.

Commissioner Flagg asked if they would have their car there and would it be registered at that Indian Rocks Beach address.

City Manager Mims responded in the affirmative. Staff was trying to avoid giving someone a decal that is good for two years when their situation was that they were only going to be here for six to eight months, but they were going to have to change their driver's license and automobile tag to comply with State Law.

Vice Mayor-Commissioner Hanna stated the parking decals should be issued to legal residents with proof of residency, a car registration.

Commissioner Hoofnagle suggested parking decals be issued for one year. A typical household lease is 12 months. Something to think about is the duration of the parking decal.

Commissioner Hoofnagle confirmed that Commissioner Flagg stated that if the person's car was not registered in Indian Rocks Beach, then they would not be entitled to a decal, with Commissioner Flagg responding in the affirmative.

Commissioner Flagg stated full-time residents would be entitled to a decal, but a part-time resident would not be. For example, someone who spends four months out of the year in Indian Rocks Beach.

Commissioner McCall stated that he does not think there is a difference between a full-time resident property owner and a property owner. He does not know if a part-time property owner should have any less rights than a full-time property owner. He would not issue a decal to a renter unless it is obtained or in conjunction with the property owner. If the property owner contacts the City and wants one of their tenants to have a decal as part of the lease, then a process can be developed for that through the lease.

City Manager Mims stated one of the things that has happened to the City in the last three or four years is the east side of Gulf Boulevard in the residential areas, the City has topped in the mid-150 range of houses that have been converted from traditional single-family houses to short-term vacation rentals.

City Manager Mims stated if the City Code remains the same, decals would be issued to traditional residents, property owners, and renters. He stated the decals are supposed to be permanently affixed to the vehicle. Still, renters and some property owners affix the decal with Scotch tape making it easy to switch the decal from car to car, making enforcement difficult. Decals are issued based on automobile registration.

Mayor-Commissioner Kennedy opened the public comments.

Carol McGlaughlin, 115-21st Avenue, stated parking decals should be issued to homesteaded property. If it is homesteaded, that is the person's homestead, and that person should have their car registration at the address.

Ms. McGlaughlin stated in 1980 when this ordinance was enacted, the intention was that the parking decals were for property owners.

Gordon Obarski, 708 Beach Trail, Unit #B, stated the parking decals should be for anyone who owns property. He stated many people who own beach property own it for investment purposes. He thinks anyone who owns property here should be issued a parking decal. He stated beachfront property owners and non-homesteaded property owners pay more in taxes. He stated to eliminate those individuals would be a disservice to this City.

David Gardella, 705 Harbor Drive, Belleair Beach, stated the parking decals should be renewed yearly and proof of residency determined by car registration.

Jean Scott, 420 Harbor Drive South, inquired if the City would be issuing parking decals for the golf cart, with City Manager Mims responding that the City would be issuing decals for golf carts.

Todd Plumlee, 479 Harbor Drive, stated the parking decals should be renewed yearly and proof of residency determined by car registration.

Kelly Cisarik, 448 Harbor Drive South, stated the number of parking spaces for golf carts on the beach accesses had expanded a few years ago. Still, those spots are available to both residents and non-residents that stay in vacation rental properties. Many vacation rentals now provide golf carts for their guests' use, so she sees more golf carts on the streets now. She would like to see some of the dedicated golf cart parking spaces returned to general parking decal holders, and those can be for both golf carts and full-size cars. It is hard for her to park at the beach now because she does not own a golf cart, and there are more parking spaces for golf carts at her beach access, 27th Avenue, then there are for resident-only. Decals should be required for resident golf carts.

Ms. Cisarik stated parking decals should be for all residents and all property owners.

Mayor-Commissioner Kennedy closed the public comments.

Commissioner Hoofnagle stated he had heard a lot of the comments about property ownership and parking for residents. He does understand when people talk about property owners, and they pay taxes, but he does not think this is what this issue is about. Taxes are where the City's money costs come from, and it does entitle property owners to a resident parking pass, and so as difficult as that would be for some people to hear. He thinks what the City is dealing with here is a resident's quality of life issue and the way the City addresses that is by restricting the passes to residents instead of saying this is a general property right.

City Manager Mims responded that is correct. There would only be one decal, which would serve as the resident only beach access parking decal, and if Option B is approved, it will serve as the on-street resident only parking decal.

Commissioner McCall stated he is more interested in second homes, the snowbirds. The City is making a distinction between residents and the snowbird community (second home property owners).

City Manager Mims stated it would be the same decal, so whatever the City Commission decides Option A or Option B.

City Manager Mims stated that if the City is going to issue to property owners and residents, then the City Commission might want to discuss limiting the number of decals per household. He stated many cities in Florida and around the Gulf-of-Mexico had put limits on the number of beach parking decals issued per household.

Commissioner Flagg stated anyone who owns, rents, or leases (long term at least a year) property in Indian Rocks Beach that have cars registered in Indian Rocks Beach or can prove ownership would be entitled to a decal.

Commissioner Hanna stated he is leaning more toward the one-year distribution for decals and proof of residency, car registration, and one decal per household.

Commissioner Hoofnagle recommended issuing the decals yearly with proof of residency through car registration. These are resident decals.

City Manager Mims stated after the decals expire, individuals come to City Hall asking for temporary parking permits because under Subsection (2) there is no limit, there is no length of time, and no associated cost.

City Manager Mims stated there are over 100 temporary parking permits issued with the majority being issued to property owners on Gulf Boulevard's west side.

City Manager Mims stated Subsection (2) does not restrict who can obtain these permits, and some residents live on LaHacienda, Harbor Drive, and other places that have these parking permits. Subsection (2) has been abused dramatically over the years.

City Manager Mims recommended that Subsection 2 be deleted from the City Code and just have Subsection (3).

City Manager Mims stated if a resident or property owner needs a temporary parking permit for whatever the situation is, under Subsection (3) a temporary parking permit can be issued not to exceed more than three days.

Commissioner Flagg stated she sees cars parked in regular parking spaces for weeks at a time with these temporary parking permits, and they seem to leave the car indefinitely.

City Manager Mims stated when the Subsection (1) is rewritten, there will be some language that limits the time that someone can leave a vehicle parked at the beach because that has been an ongoing problem.

Commissioner Hoofnagle stated he does not understand Subsection (2) and does not understand why it exists.

Commissioner Hanna stated the temporary parking permits should be for a time specific.

~~CONSENSUS OF THE CITY COMMISSION TO ELIMINATE SECTION 62-35, PARKING ON BEACH ACCESSES AND 15TH AVENUE BOAT RAMP, (c), PERMIT PARKING ON BEACH ACCESS, (2): THE CITY MANAGER MAY, UPON REQUEST, ISSUE TEMPORARY GUEST PARKING PERMITS TO MOTELS/MOTOR LODGES, BUSINESSES OR RESIDENCES ON THE CONDITION THAT BUSINESS TAX RECEIPTS, IF APPLICABLE, ARE PAID. NO FEE SHALL BE CHARGED FOR THIS PERMIT. THESE TEMPORARY GUEST PARKING PERMITS MAY NOT BE USED IN THE SPACES DESIGNATED FOR RESIDENTS ONLY. THE PARKING PERMITS USED MUST BE VISIBLE FROM THE REAR OF THE VEHICLE.~~

CONSENSUS OF CITY COMMISSION FOR STAFF TO TWEAK SECTION 62-35, PARKING ON BEACH ACCESSES AND 15TH AVENUE BOAT RAMP, (c), PERMIT PARKING ON BEACH ACCESS, AS DISCUSSED BY THE CITY COMMISSION.

2. DISCUSSION OF golf cart ordinance.

City Attorney Mora stated the purpose of this discussion is to amend the City's ordinance so that there are no conflicts with Florida Statutes.

City Attorney Mora reviewed the definitions of golf carts and low-speed vehicles, per Florida State Statutes which are as follows:

- *Golf Carts.* Motorized four-wheeled vehicles with a maximum speed of 20 miles per hour do not require insurance and do not require a driver's license.
- *Low-Speed Vehicles.* Motorized four-wheeled vehicles, which in some cases resemble golf carts, but are capable of a maximum speed of 25 mph, require insurance and registration, and require the operator to have a driver's license.

Municipalities are limited in regulating and requiring the operator, as they can only regulate unlicensed drivers and may not require anything further than state statute permits. Municipalities are empowered to regulate and prohibit low-speed vehicles. The City Code

presently regulates golf carts, but aspects of the provision are likely invalid and unenforceable.

While the City Code is currently silent on low-speed vehicles and micromobility scooters, the City does have statutory authority to enact ordinances that prohibits or regulate the operation of low-speed vehicles or micromobility scooters.

City Attorney Mora reviewed golf carts as defined in Florida Statutes, reviewed portions of Florida Statutes, and persuasive authority: Attorney General Opinions.

Golf Carts. Motorized four-wheeled vehicles with a maximum speed of 20 miles per hour that are allowed to travel on certain roads with a posted speed limit of 30 miles per hour or less. By statute, golf carts are not required to be registered or insured. State statute and the Florida Attorney General opinions hold that while municipalities may regulate some golf carts operations, these regulations may only apply to unlicensed drivers. Further, as there is no requirement that a golf cart operator has a driver's license, a municipality may not enact an ordinance that requires a driver's license to operate a golf cart or even a seat belt.

A separate provision addressing the operation of golf carts on certain roadway and general prohibitions and regulations of golf carts' operation also offers relevant insight [§ 316.212, F.S.]. While generally the operation of golf carts on public roadways is prohibited, a golf cart may be operated only upon a county road that has been designated by the county, a municipal street that has been designated by a municipality, or a two-lane county road located with the jurisdiction of a municipality, for the use of golf carts. [§ 316.212(1), F.S.]. Further, golf carts may only be operated on roads with a posted speed limit of 30 mph or less. [§ 316.2126(1)(c), F.S.]. According to State Statutes, golf carts may only operate on sidewalks under the following conditions: if provided by municipal ordinance, the sidewalks are eight feet wide, and if the top speed of golf carts on the sidewalk is 15 miles per hour. [§ 316.212(8), F.S.]. The City prohibits golf carts on sidewalks.

While golf carts are not required to be licensed or insured, a golf cart may not be operated on public roads by any person under the age of 14. [§ 316.0212(7), F.S.]. However, golf carts can legally be operated by someone 14 years of age or older.

Golf carts may only be operated between sunrise and sunset, unless the county or municipality has determined that golf carts may be safely operated outside those hours and golf carts have headlights, brake lights, turn signals, and a windshield. [§ 316.212(5)]. Local governments may enact an ordinance relating to golf cart operation and equipment that is more restrictive than state statute, but the ordinance may only apply to unlicensed drivers, and the municipality must post signs regarding the more restrictive golf cart ordinance. [§ 316.212(8)(a), F.S.]

Violations of § 316.212, F.S. (golf cart operating state statute) are considered noncriminal traffic infractions punishable as a moving violation. [316.212(9)].

Presently, the City Code regulates golf carts in Chapter 62 of the Code of Ordinances. The City Code states that golf carts must be equipped with headlamps, stop lamps, turn lamps, tail lamps, reflectors, brakes, rearview mirrors, windshields, and standard hop restraints.[Section 62-40(1) of the Code of Ordinances.] Because the City allows golf carts to operate between the hours of sunset and sunrise, this additional required equipment language is likely permissible under the City's authority found in § 316.212(5), F.S.

The City Code also requires that golf cart operators must possess a valid driver's license. [Sec. 62-40(2) of the Code of Ordinances]. This section is preempted by state statute and likely unenforceable as noted above. AGO 16-07 in conjunction with § 316.212, F.S. would prohibit the City from requiring driver's licenses or raising the minimum age of golf cart operators. It would be advisable to amend this section of the City Code in light of statutory language and secondary legal authority.

The City Code, under Section 62-40 (3), has designated areas where golf carts may cross Gulf Boulevard at the following intersections: 8th Avenue, 12th Avenue, 15th Avenue, 16th Avenue, 17th Avenue, 18th Avenue, 19th Avenue, 20th Avenue, 21st Avenue, and 22nd Avenue.

City Attorney Mora reviewed the definition of low-speed vehicles definition and safety standards and operation of low-speed vehicles according to Florida Statutes.

Low-speed vehicles. Any four-wheeled vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, including but not limited to, neighborhood electric vehicles. Low-speed vehicles must comply with the safety standards in 49 C.F.R. s. 571.500 (Federal Safety Standards) and § 316.2122. [§ 320.01(41), F.S.]

§ 316.2122, F.S. deals with the safety standards and operation of low-speed vehicles or mini-trucks. Operations of low-speed vehicles are authorized on any road with the following restrictions:

- (1) A low-speed vehicle or mini-truck may be operated only on streets where the posted speed limit is 35 miles per hour or less. This does not prohibit a low-speed vehicle or mini-truck from crossing a road or street at an intersection where the road or street has a posted speed limit of more than 35 miles per hour.
- (2) A low-speed vehicle must be equipped with headlamps, stop lamps, turn signal lamps, tail lamps, reflex reflectors, parking brakes, rearview mirrors, windshields, seat belts, and vehicle identification numbers.
- (3) A low-speed vehicle or mini-truck must be registered and insured in accordance with § 320.02, F.S. and titled pursuant to Chapter 319, F.S.
- (4) Any person operating a low-speed vehicle or mini-truck must have in his or her possession a valid driver's license.

- (5) A county or municipality may prohibit the operation of low-speed vehicles or mini-trucks on any road under its jurisdiction if the governing body of the county or municipality determines that such prohibition is necessary in the interest of safety.
- (6) The Department of Transportation may prohibit the operation of low-speed vehicles or mini-trucks on any road under the jurisdiction if it determine that such prohibition is necessary in the interest of safety.

City Attorney Mora stated the City Code does not define, regulate, or prohibit low-speed vehicles within the City.

City Attorney Mora stated low-speed vehicles are separate and distinct from golf carts, it would be advisable for the City to amend the City Code or enact a new ordinance or define, regulate, and enforce low-speed vehicle operation. The City has the authority to ban low-speed vehicles on municipal roads outright, or it could regulate them within the confines of the statute by requiring a driver's license to operate, requiring registration and insurance. The City could prohibit their operation on any roads with a posted speed limit greater than 35 miles per hour.

Commissioner Hoofnagle stated is the City leaving the identification of whether it is a golf cart or a low-speed vehicle up to the enforcement officer.

Captain Leiner stated realistically more likely or not. It would be treated like a golf cart unless it has a tag. If there is a tag, it is a low-speed vehicle.

City Manager Mims asked if a 14-year could drive a golf cart on Gulf Boulevard.

City Attorney Mora responded yes. Under Code Section 62-40, the City allows golf carts to cross Gulf Boulevard at certain avenues.

Mayor-Commissioner Kennedy opened the public comment session.

Todd Plumlee, 469 Harbor Drive North, stated there is a distinction between golf carts and low-speed vehicles, and stated golf carts are not allowed to travel north and south on Gulf Boulevard. However, if the speed limit is under 35 miles per hour, low-speed vehicles can travel on those street. Low-speed vehicles require license tags and a licensed driver.

Patti Sullivan asked how you differentiate between 13 and someone who is 14 if they do not have an ID.

Captain Leiner stated the deputies would more than likely reach out to the parents for verification, but there needs to be a primary reason to stop the golf cart.

Elizabeth Flynn, 914 Harbour House Drive, stated it does not seem that the City is enforcing its current ordinance. She has seen people driving their golf carts up and onto the beach, parking at entrances where they are not authorized to park (9th Avenue), and she has seen overloaded golf carts with eight to ten people. She sees people driving their golf carts on the sidewalk from 9th Avenue to 10th Avenue, a safety hazard for the pedestrian because the sidewalk is only eight feet wide. She sees a lot of golf carts driving down Gulf Boulevard.

Ms. Flynn asked what are the hours of operation for golf carts?

Captain Leiner stated golf carts should only be operated during daytime hours, and golf carts are not to be driven on Gulf Boulevard except to cross at the designated Gulf Boulevard intersections as outlined in the City Code.

Captain Leiner clarified if a golf cart has a windshield, brakes, headlamp, brake lights, and turn signal, they may travel at night.

City Manager Mims stated all sidewalks north of Walsingham Road are five feet in width, so legally, no one should be driving golf carts on sidewalks.

City Attorney Mora stated golf carts do not require driver's license, headlamps, or seat belts as outlined in the City Code. However, low-speed vehicles require a license tag, a licensed driver, headlamp, seat belts, and other safety equipment.

Kelly Cisarik, 448 Harbor Drive South, stated she thinks the City would have benefitted tremendously in the beginning if the City permitted low-speed vehicles and prohibited golf carts. The state law requires low-speed vehicles to register, have liability insurance, safety equipment, seat belts, licensed drivers, and they are not allowed to be on sidewalks.

Ms. Cisarik stated the majority of the golf carts had been converted to low-speed vehicles.

Mayor-Commissioner Kennedy seeing and/or hearing no one else wishing to speak. The public comment session was closed.

Mayor-Commissioner Kennedy clarified that only the Florida Legislature could increase the age to drive a golf cart from 14 to 16, with City Attorney Mora responding in the affirmative.

Vice Mayor-Commissioner Hanna expressed his concern with the overcrowding and the age of teenagers driving golf carts.

Vice Mayor-Commissioner Hanna stated most short-term vacation rentals have golf carts as an incentive and suggested that there be a requirement that the owner post the City's golf cart regulations inside their rentals.

City Attorney Mora stated laws would be broken. The City cannot require additional safety equipment beyond what the State law contemplated based on the Attorney General opinion.

City Attorney Mora stated that the City Code does not allow golf carts on sidewalks or Gulf Boulevard.

Commissioner McCall stated low-speed vehicles are registered with the State, and asked if it would violate State law to register golf carts with the City, so the City and law enforcement knows who owns those carts.

Commissioner McCall stated the public needs to be educated on golf carts and low-speed vehicles.

Commissioner McCall stated, for the record, he owns a golf cart/low-speed vehicle. He has had it for a year, and it has allowed him to get rid of two cars. He does have a license tag and does carry insurance as required. He stated it takes approximately \$1,200 to convert/apply for a license with the State of Florida.

City Manager Mims stated the registration of golf carts would serve absolutely no purpose. It would just be another layer of bureaucracy.

Mayor-Commissioner Kennedy stated if a deputy saw a golf cart with overcrowding, would the deputy be inclined to stop them.

Captain Leiner stated the deputy would refer to an overall general safety concern.

Commissioner Hoofnagle stated there should be one line in the City Code that reads the liability for injuries arising from the golf cart are the responsibility of the golf cart owner.

CONSENSUS OF THE CITY COMMISSION FOR STAFF TO DRAFT AN AMENDMENT TO THE CITY CODE THAT BRINGS THE CITY'S CURRENT GOLF CART REGULATION IN COMPLIANCE WITH STATE LAW.

3. DISCUSSION OF items left on the beach (no trace ordinance).

City Manager Mims stated there are two Code Sections that deal with items left on the beach, and those are: Section 74.65, Tents, canopies, and volleyball nets, and Section 26-131, Confiscation of abandoned property.

City Manager Mims stated, for example, the City is having a growing problem with beachfront property owners putting permanent chairs on the beach, creating issues for Public Services when they run the mechanical rake.

City Manager Mims stated he is requesting the City Commission authorize staff to draft an ordinance that would set forth that it would be unlawful for any person to leave an item of personal property on the beach after a specific time. If any personal property remains on the beach after a specific time, it would be a violation and considered abandoned, and the City would remove the item. He stated both Sections 74-65 and 26-131 would be repealed.

City Attorney Mora stated § 705.103, F.S., Procedure for abandoned or lost property, addresses how the City shall dispose of abandoned or lost property. He, therefore, reviewed the procedure for abandoned or lost property.

Commissioner Hoofnagle stated there are certain benches up and down the beach that have been there for many years and have signs on them that pertain to certain local businesses. It is his understanding that the City is going to outlaw those.

Commissioner Hoofnagle stated people come on July 2nd, put up a tent, and intend to keep it in that spot for the entire weekend, which is against the City Code. He recommends language be added that the City can remove these tents, and place them in the City's lost and found.

Commissioner Hoofnagle stated people flagrantly violate the City Code on this issue, and he does not think the City needs to make it convenient for them to get the items that they leave recklessly on the beach.

City Manager Mims stated during turtle season, the City is not allowed to go on the beach until the turtle patrol contacts the City advising that they are finished, which is around 9:00 a.m., and this creates problems in trying to determine when something was put out on the beach.

City Manager Mims stated those items, which over the years have been on the beach, that are now permanent need to come off the beach because they present problems with cleaning the beach.

Commissioner Flagg stated trash pickup for the Solid Waste employees is not easy. She walks the beach every day and sees a lot of tents and chairs on the beach. The City needs to get a handle on the items being left on the beach.

Commissioner Flagg stated weekly, monthly, and yearly condo rentals need to educate their tenants on the City's beach rules.

Commissioner Hanna stated volleyball nets become a hazard in the evening hours and at night, and asked about recovery fines for items removed from the beach.

Mayor-Commissioner Kennedy stated people are leaving holes on the beach, which walkers have twisted their ankles in, and asked if something could be done.

Mayor-Commissioner Kennedy opened the public comment session.

R.B. Johnson, 1206 Beach Trail, stated he is in support of a no trace ordinance. The beach has gotten so much more junked-up in recent years. He stated that a lot of tents and chairs had been left on the beach over the last few months since it has not been enforced lately by the City.

Mr. Johnson stated seaward of the main dune line is all State-owned property for the most part. Most of the beach where people are putting their chairs and tents on is all public property, so that should not be difficult to deal with.

Mr. Johnson stated he thinks over time, as the word gets out to the community that stuff is not supposed to be left on the beach, there will not be nearly as much stuff left there.

Elizabeth Flynn, 914 Harbour House Drive, stated the ordinance needs to be updated to be more realistic, and she likes the idea of having a no trace ordinance for the beach. Beachfront property owners need to provide education to their renters on the City's beach rules, and the rules should be posted in the lobbies of the condominiums.

Ms. Flynn stated she walks the beach every morning and sees the amount of stuff left, which has increased dramatically. Most mornings, she picks up a garbage bag full of garbage and cigarette butts from the beach.

Ms. Flynn stated the Solid Waste guys are doing a fantastic job. The amount of stuff they pick up is unbelievable, so "kudos" to the Solid Waste guys.

Mayor-Commissioner Kennedy seeing and/or hearing no one else wishing to speak, closed the comment portion of this agenda item.

City Manager Mims stated staff is requesting the City Commission to authorize staff to develop a no trace ordinance taking into consideration Chapter 705, Florida Statutes.

Commissioner Hoofnagle stated he does not want the City to overreact to Florida Statutes. He is in favor of removing the garbage that are tents and chairs, which are left there recklessly that injure wildlife and scar the beach. He stated the City's legal liability might be there if the City removes it, but the City's financial exposure is extremely de minimis. He stated if the City does not take a stand to protect the City's quality of the beach and the quality of life because the City is afraid of some ridiculous State Law that puts an undue burden on the City. The City needs to stand up for itself and clean its beaches. The City should push back a little bit. The City has "home rule".

Mayor-Commissioner Kennedy stated she agrees with Commissioner Hoofnagle.

Commissioner Flagg asked if someone picks something up that was removed from the beach, would they sign a release form and is there a fine attached to it.

City Attorney Mora stated those issues would be resolved before drafting the ordinance.

Mayor-Commissioner Kennedy stated the City needs to be pro-active in education once this ordinance is enacted by mailing a copy of the ordinance to all beachfront property owners and condominium associations so that everyone is aware of the new beach rules and regulations.

CONSENSUS OF THE CITY COMMISSION TO AUTHORIZE STAFF TO DRAFT A NO TRACE ORDINANCE FOR THE BEACH.

Mayor-Commissioner Kennedy stated there would be two more times when the public may speak again, which would be during first and second readings of the ordinance.

4. DISCUSSION OF park hours.

City Manager Mims stated Code Sections 38-31, 38-51, 38-100, 38-101, and 38-140 all deal with park hours.

City Manager Mims stated Kolb Park, Keegan Clair Park, and Brown Park close at 11:00 p.m., and the Nature Preserve and the dog park close at dusk. There is no reason why the Nature Preserve and Brown Park need to be opened until 11:00 p.m.

City Manager Mims stated he recommends amending the City Code where the Nature Preserve and Brown Park at dusk, and Kolb Park at 9:00 p.m. The City has an agreement with the West Pinellas Little League that allows for them to occupy the baseball field until 10:00 p.m., and Keegan Clair Park to close at 11:00 p.m., to accommodate the businesses and boats that dock at the Keegan Clair dock facility.

Commissioner Hoofnagle stated park hours came before the City Commission before because of the pickleball courts, and the question was not only the closing time but the opening time. He asked if the opening time of the pickleball courts would be discussed.

City Manager Mims stated that was not the reason he brought up park hours, but a couple of residents had issues with the pickleball courts. He stated he is not recommending any changes for the opening time of parks.

Mark Poznan, 921 Harbour Drive, stated he wholeheartedly agrees that keeping these parks open until ten and eleven o'clock is unnecessary. He stated the City Commission should also look at the opening time of these parks. He lives next-door to the Nature Preserve and the dog park, which both open at 7:00 a.m. He cannot keep his doors and

windows open during beautiful weather because he has dogfighting next to his house at 7:02 a.m. He requested that the City Commission look at the opening time for the dog park.

Elizabeth Flynn, 914 Harbour House Drive, stated the Nature Preserve should close at dusk, and the opening time of the dog park should be looked at by the City Commission. She stated it was fine when it was just residents using the dog park, but now it is mostly non-IRB people using the dog park.

CONSENSUS OF THE CITY COMMISSION TO CLOSE THE CITY PARKS AS FOLLOWS:

AT DUSK: NATURE PRESERVE, DOG PARK, AND BROWN PARK.

9:00 a.m. KOLB PARK, EXCEPT FOR THE WEST PINELLAS LITTLE LEAGUE THAT THE CITY HAS AN AGREEMENT THAT ALLOWS THEM TO OCCUPY THE BASEBALL FIELD UNTIL 10:00 p.m.

11:00 p.m. KEEGAN CLAIR PARK (BOAT DOCK FACILITY AND SAND VOLLEYBALL COURTS)

Commissioner Hoofnagle stated he would like to discuss the opening times for the dog park and the pickleball court because that is where most of the residential complaints have arisen. If there is no desire on the part of the City Commission to change those times, that is okay, but the City Commission owes it to those residents to say that the City Commission thought about it and said no. The City Commission cannot just ignore it.

Commissioner Hanna stated he understands the dog park and suggested moving the dog park's opening time a little later as a courtesy.

City Manager Mims stated the majority of the dog parks throughout Pinellas County open at 8:00 a.m.

Commissioner Flagg stated that parks open early for the public as far as she can remember, and that is the majority of people who want to use parks. Many of the City parks are located within residential areas, and 7:00 a.m., in her mind, is not a bad time for parks to open. She stated everybody uses the parks, and to her, 7:00 a.m. would be a regular time for a park to open.

Commissioner McCall stated that he agrees with Commissioner Flagg. Maybe the City Commission could discuss moving up the opening time of the dog park on Sundays.

City Manager Mims stated if the dog park opening time altered, it should be for seven days a week, not just for one day, or it would become too confusing.

City Manager Mims stated opening the dog park at a different time than the Nature Preserve does create some problem, especially on the weekends.

Commissioner Flagg stated garbage pickup starts at 7:00 a.m. and lawn services, and it is quite loud in the community in the mornings. She stated this is a densely populated little beach community.

Commissioner Flagg stated the opening times of parks need to be unified with some normalcy, and she does not think that 7:00 a.m. is a bad opening time for all the City parks.

Commissioner Hanna suggested 7:30 a.m., for the opening time for the dog park.

CONSENSUS OF THE CITY COMMISSION FOR ALL CITY PARKS TO OPEN AT 7:00 a.m.

5. DISCUSSION OF residential construction review fee.

City Manager Mims stated this is a housekeeping item and stated when the City contracted with Pinellas County to take over the Building Department, the City still retains the responsibility of plan review (residential and commercial) by the Planning Consultant.

City Manager Mims stated the City Code only has one site development plan review fee, and it does not spell out what it is for, and it is \$800.00. There is a fair amount of work that goes into reviewing residential and commercial site plans.

City Manager Mims is recommending the following:

Sec. 15-21. Site development plan review fees.

The following fees shall be paid in addition to any other fees where an application is filed requiring site development plan review services. The appropriate fees, costs, and other charges specified shall be submitted with, and paid at the time of, initial application submission or other initial document submission except otherwise specified in this Code.

- (1) Initial site development plan review- ~~\$800.00~~
- (a) Commercial and multi-family \$1,000.00
- (b) Single-Family \$500.00

CONSENSUS OF THE CITY COMMISSION FOR STAFF TO AMEND SECTION 15-21, SITE DEVELOPMENT PLAN REVIEW FEES, INCREASING COMMERCIAL AND MULTI-FAMILY INITIAL SITE DEVELOPMENT PLAN REVIEW FROM \$800.00 TO \$1,000.00

AND DECREASING SINGLE-FAMILY PLAN INITIAL SITE DEVELOPMENT PLAN REVIEW FEE FROM \$800.00 TO \$500.00.

6. ADJOURNMENT.

MOTION MADE BY VICE MAYOR HANNA, SECONDED BY COMMISSIONER FLAGG, TO ADJOURN THE MEETING AT 4:40 P.M. UNANIMOUS APPROVAL BY ACCLAMATION.

September 8, 2020

Date Approved

Joanne Moston Kennedy, Mayor-Commissioner

ATTEST: _____
Deanne B. O'Reilly, MMC, City Clerk


/DOR

**AGENDA ITEM NO. 5C
CONSENT AGENDA**

**FY 2020 Law Enforcement
Contract with the Pinellas County
Sheriff's Office**

**INDIAN ROCKS BEACH CITY COMMISSION
AGENDA MEMORANDUM**

MEETING OF: September 8, 2020 **AGENDA ITEM:** 5C

**SUBMITTED AND
APPROVED BY:** Brently Gregg Mims 
City Manager

SUBJECT: Pinellas County Sheriff's Office FY 2020-21 Law
Enforcement Contract for Services.

BACKGROUND

During the FY 2020-21 Proposed Budget review process, the City Commission noted a 2.58% increase in PCSO law enforcement services. The total cost of law enforcement services for FY 2020-21 is \$1,093,656.

Attached to this memorandum is the proposed contract.

MOTION

That the City Commission approve a contract for law enforcement services with the Pinellas County Sheriff's Office at a total cost of \$1,093,656, and authorize the Mayor-Commissioner and the City Manager to sign all necessary documents and agreements.

CONTRACT FOR LAW ENFORCEMENT SERVICES

THIS AGREEMENT is made and entered into by and between the CITY OF INDIAN ROCKS BEACH, FLORIDA (hereinafter "CITY"), and BOB GUALTIERI, Sheriff, Pinellas County, Florida (hereinafter "SHERIFF").

WITNESSETH:

WHEREAS, the CITY is a municipality within the boundaries of Pinellas County, Florida;
and

WHEREAS, the CITY has requested that the SHERIFF furnish law enforcement protection to its inhabitants and citizens; and

WHEREAS, the CITY desires that the SHERIFF furnish law enforcement protection on a full-time basis and do and perform any and all necessary and appropriate functions, actions, and responsibilities of a law enforcement force for the CITY; and

WHEREAS, it is further the desire of the CITY that the full, complete and entire responsibility for law enforcement within the CITY be performed by the SHERIFF for the period beginning October 1, 2019, and ending September 30, 2020; and

WHEREAS, the SHERIFF has indicated his desire and willingness to accept and fulfill the responsibilities hereinbefore mentioned;

NOW, THEREFORE, in consideration of the mutual promises contained herein and given by each party to the other, the parties hereto do covenant and agree as follows:

1. By appropriate Resolution, the City Commission of the CITY shall declare that the SHERIFF shall perform the duties and functions and shall have the power and authority of a Police Department of the CITY during the contract period.

2. The SHERIFF hereby agrees to provide all necessary and appropriate law enforcement services in and for the CITY by providing two (2) patrol deputies with patrol automobiles for twenty-four consecutive hours per day, seven days per week, which will provide coverage "around the clock".

3. The SHERIFF shall discharge his responsibility under this Agreement by the enforcement of all state laws, county ordinances applicable within the CITY and ordinances of the CITY. The SHERIFF shall bring appropriate charges for violations for all laws and ordinances. The SHERIFF or his designee shall consult with the City Commission twice annually and the City Manager monthly to ascertain the "points of emphasis" for law enforcement services deemed necessary by the City Commission or City Manager and include reports on the results of said "points of emphasis" as part of the regular monthly report.

4. All fines and forfeitures rendered in any court as a result of charges made by the SHERIFF shall be distributed as provided by general law and the rules of the court. It will be noted on all citations and notices to appear for said violations that the violations occurred within the CITY.

5. The SHERIFF shall maintain Uniform Crime Reporting records regarding crimes committed within the CITY. These records shall include the number and type of crimes committed, the number of arrests made for each type of crime, and any other information required by law.

The SHERIFF will provide a monthly crime analysis report to the CITY.

6. The SHERIFF shall provide each deputy who provides services under this Agreement with a patrol automobile and all other necessary or appropriate equipment as determined by the SHERIFF, with training provided by the SHERIFF on said equipment. Other discretionary equipment and training on said equipment may be provided at the option of the SHERIFF. The CITY may also provide additional equipment for use by deputies in the CITY. The SHERIFF may provide training on the CITY-provided equipment when determined by the SHERIFF to be feasible; otherwise, the cost and provision of said training shall be borne by the CITY.

Deputies providing services under this Agreement shall operate out of the Sheriffs Administration Building or North District Station. The cost of operating and maintaining these facilities and the cost of purchasing, maintaining, and repairing equipment issued by the SHERIFF under this Agreement shall be borne by the SHERIFF.

7. The SHERIFF shall be responsible for the appointment, training, assignment, discipline and dismissal of all his law enforcement personnel performing services under this Agreement.

8. The parties to this Agreement are represented by the following attorneys:

- A. SHERIFF OF PINELLAS COUNTY: Office of General Counsel, P.O. Drawer 2500, Largo, FL 33779-2500
- B. CITY OF INDIAN ROCKS BEACH: City Attorney, City of Indian Rocks Beach, 1507 Bay Palm Boulevard, Indian Rocks Beach, FL 33785.

9. To the extent permitted by law and as provided by Section 768.28, Florida Statutes, the SHERIFF agrees to indemnify and hold harmless the CITY from and against all loss or expense including costs and attorney's fees by reason of liability imposed by law upon the SHERIFF for damages including any strict or statutory liability under Workers' Compensation Laws because of bodily injury, including death, sustained by any person or persons, or damage to property, including loss of use thereof, arising out of or in consequence of the actions of the SHERIFF'S law enforcement personnel performing services under this Agreement in accordance with, and subject to the limitation of Section 111.07 Florida Statutes. Lawsuits and claims that may be filed from time to time hereunder shall be handled by the SHERIFF in accordance with normal procedures.

10. This Agreement shall take effect on October 1, 2020, and continue in effect thereafter through September 30, 2021, unless hereafter extended upon such terms and conditions as the parties hereto may later agree. Should either party intend to modify the terms and conditions of this Agreement, written notice must be given to the other party ninety (90) days prior to the expiration of the Agreement.

The parties agree that where the Agreement is not terminated, the terms of this Agreement shall automatically continue for 120 days beyond September 30, 2021, in the event a replacement contract has not yet been completely executed. The CITY shall continue to pay to the SHERIFF on a monthly basis the amount due per this Agreement, until such time as a replacement contract has been approved. The parties further agree that an increase, if any, in the cost of service, shall be retroactively applied for services rendered from October 1, 2021, to the

approval and execution of the replacement contract, and shall be paid by the CITY to the SHERIFF immediately for the services already provided.

11. The CITY shall pay to the SHERIFF, as payment in full for all of the services herein agreed to be performed by the SHERIFF, the sum of ONE MILLION NINETY-THREE THOUSAND SIX HUNDRED FIFTY-SIX DOLLARS AND NO CENTS (\$1,093,656.00). Payment shall be made in monthly installments of NINETY-ONE THOUSAND ONE HUNDRED THIRTY-EIGHT DOLLARS AND NO CENTS (\$91,138.00). Payment shall be made on the first day of each month beginning on the 1st day of October, 2020. (See Attachment 1.)

12. In no event shall this Agreement confer upon any third person, corporation or entity other than the parties hereto any right or cause of action or damages claimed against either of the parties to this Agreement arising from the performance of the obligation and responsibilities of the parties herein or for any other reason.

13. This Agreement reflects the full and complete understanding of the parties to it and may be modified or amended only by a document in writing signed by the parties hereto and executed with the same formality of this Agreement.

Remainder of page intentionally left blank.

IN WITNESS WHEREOF the parties to this Agreement have caused the same to be signed
by their duly authorized representative this _____ day of _____ 2020.

ATTEST:

CITY OF INDIAN ROCKS BEACH

CITY CLERK

BY _____
MAYOR

APPROVED AS TO FORM:

BY _____
CITY MANAGER

CITY ATTORNEY

(CITY SEAL)

SHERIFF, PINELLAS COUNTY, FLORIDA

BY _____
BOB GUALTIERI, Sheriff

Attachment 1

**City of Indian Rocks Beach
Cost of Law Enforcement Services
Worksheet - FY 21**

| | | | | | | | | |
|----|---|---|---------------|---|-----------------|-----------|---------------------|-----------------|
| A. | Cost per Deputy | | | | \$ | 99,592.00 | | |
| B. | Deputies by Post | | | | | | | |
| | Number | | Relief Factor | | Deputy | | | |
| | 8 | x | 1.2 | x | \$ | 99,592.00 | | \$ 956,083.00 |
| C. | Vehicle Cost | | | | | | | |
| | Number | | # Miles | | \$ per Mile | | Days per Year | |
| | 1 | x | 290.9 | x | 0.8137 | x | 365 | \$ 86,397.00 |
| D. | Supervision | | | | | | | |
| | Number | | Factor | | Sergeant/Supv | | | |
| | 1 | x | 1.873% | x | \$ 130,178.00 | | Sergeant | \$ 2,439.00 |
| E. | Equipment | | | | | | | |
| | Number | | Positions | | Equip Cost-CD | | | |
| | 8 | / | 1,322 | x | \$ 1,071,969.00 | | | \$ 6,487.00 |
| F. | Allocated Indirect Cost (AIC) | | | | | | | |
| | Number | | Positions | | AIC-CD | | | |
| | 8 | / | 1,322 | x | \$ 6,981,942.00 | | | \$ 42,251.00 |
| G. | Supervision, Equipment, and AIC total | | | | | | | \$ 51,177.00 |
| H. | TOTAL | | | | | | Yearly | \$ 1,093,657.00 |
| | | | | | | | Rounding | \$ (1.00) |
| | | | | | | | Contract Amount | \$ 1,093,656.00 |
| | | | | | | | 12 monthly payments | \$ 91,138.00 |
| | <i>Increase from prior year (original cost for svc) -percentage</i> | | | | \$ 1,093,656.00 | / | \$ 1,066,128.00 | 2.58% |
| | <i>Increase from prior year (original cost for svc) -amount</i> | | | | | | | \$ 27,528.00 |

AGENDA ITEM NO. 5D


RESOLUTION NO. 2020-09

Nomination to Forward Pinellas.

AGENDA MEMO

INDIAN ROCKS BEACH CITY COMMISSION

MEETING OF: September 8, 2020 **AGENDA ITEM:** 5D

SUBMITTED AND RECOMMENDED BY: Deanne B. O'Reilly, MMC, City Clerk 

APPROVED BY: Brently Gregg Mims, City Manager 

SUBJECT: **RESOLUTION NO. 2020-09**—Nomination to Forward Pinellas.

BACKGROUND:

Forward Pinellas is governed by a 13-member board of elected officials. These officials represent municipal governments, the Board of County Commissioners and the Pinellas Suncoast Transit Authority. The composition of Forward Pinellas is determined by Chapter 339.175, Florida Statutes. Several of the board positions rotate on a two-year basis. Each individual agency is responsible for selecting its membership on the Board.

Forward Pinellas serves as the planning council and metropolitan planning organization for Pinellas County.

Indian Rocks Beach Mayor-Commissioner Joanne "Cookie" Kennedy is the current representative and is eligible for up to two additional two-year terms.

ANALYSIS:

As one of the 10 barrier island communities that share a representative on the board, the City of Indian Rocks Beach is being asked to participate in the member appointment process developed by the Barrier Islands Governmental Council (BIG-C).

Each BIG-C municipality (excluding Clearwater) shall take formal action to either nominate one of its own elected officials, support the nomination of an elected official from another community or the reappointment of the current representative.

City Commissioner Kennedy would like to be considered for reappointment to Forward Pinellas Board.

MOTION:

I move to ***approve/deny*** **RESOLUTION NO. 2020-09**, re-nominate Mayor-Commissioner Joanne "Cookie" Kennedy to serve on Forward Pinellas with a term expiring January 2023.

/DOR

**CITY OF INDIAN ROCKS BEACH
RESOLUTION NO. 2020-09**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF INDIAN ROCKS BEACH, FLORIDA, NOMINATING AN ELECTED OFFICIAL TO FORWARD PINELLAS, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Forward Pinellas is governed by a 13-member board of elected officials. These officials represent municipal governments, the Board of County Commissioners and the Pinellas Suncoast Transit Authority. The composition of the Forward Pinellas Board is determined by Chapter 339.175, Florida Statutes. Several of the board positions rotate on a two-year basis. Each individual agency is responsible for selecting its membership on the Board; and

WHEREAS, Forward Pinellas serves as the planning council and metropolitan planning organization for Pinellas County; and

WHEREAS, as one of the 10 barrier island communities that share a representative on the board, the City of Indian Rocks Beach is being asked to participate in the member appointment process developed by the Barrier Islands Governmental Council (BIG-C); and

WHEREAS, each BIG-C municipality (excluding Clearwater) shall take formal action to either nominate one of its own elected officials, support the nomination of an elected official from another community or the reappointment of the current representative; and

WHEREAS, the current representative is eligible for up to three additional two-year terms.

NOW, THEREFORE THE CITY COMMISSION OF THE CITY OF INDIAN ROCKS BEACH DOES HEREBY RESOLVE, that:

Section 1. Mayor-Commissioner Joanne Moston Kennedy is hereby re-nominated as the City's representative to Forward Pinellas, which term will expire on January 2023.

Section 2. A copy of this Resolution shall be forward to Patrick Soranno, President of the BIG-C, 19305 Gulf Boulevard, Indian Shores, Florida 33785.

Section 3. This Resolution shall become effective immediately upon passage and adoption.

PASSED AND ADOPTED this 8th day of September 2020, by the City Commission of the City of Indian Rocks Beach, Florida.

Joanne Moston Kennedy, Mayor/Commissioner

ATTEST: _____
Deanne B. O'Reilly, MMC, City Clerk

/dor

FORWARD PINELLAS

P: (727) 464.8250

F: (727) 464.8212

forwardpinellas.org

310 Court Street

Clearwater, FL 33756



August 18, 2020

The Honorable Cookie Kennedy, Mayor
City of Indian Rocks Beach
1507 Bay Palm Blvd.
Indian Rocks Beach, FL 33785

RE: Forward Pinellas Membership Appointment/Re-appointment

Dear Mayor Kennedy:

As you are aware, at the end of this year the rotating-seat appointments to Forward Pinellas, serving as the Pinellas Planning Council and the Metropolitan Planning Organization, will expire. This includes your term representing the beach communities (excluding Clearwater). Forward Pinellas's operating procedures call for this representative to be appointed by January 1, 2021, with the term lasting for two years. As the current representative, you are eligible for one additional two-year term. Therefore, we ask you to have your local governing body to determine if it would like to nominate you for reappointment, or if it would like to make a different nomination.

As one of the 10 barrier island communities that share a representative on the board, your local government is being asked to participate in the member appointment process developed by the Barrier Islands Governmental Council (BIG-C):

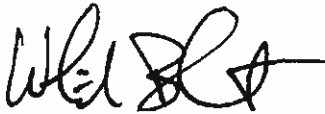
- Step 1: Each BIG-C municipality (excluding Clearwater) shall take formal action to either nominate one of its own elected officials, support the nomination of an elected official from another community or the re-appointment of the current representative. The name of that individual should then be transmitted to Patrick Soranno, President of the BIG-C, 19305 Gulf Blvd. Indian Shores, FL 33785, by October 14th;
- Step 2: After nominations are received, at its next regularly scheduled meeting, the BIG-C, by majority vote, shall recommend an appointment;

- Step 3: The municipal government board on which the recommended elected official serves shall confirm the appointment; and
- Step 4: The municipal government board on which the recommended elected official serves shall transmit the name of the appointee to Forward Pinellas.

It will be important to coordinate this Forward Pinellas appointment with the other beach communities by October 14th to allow time for the BIG-C to make its recommendation and for the local government on which the elected official serves to confirm the appointment.

Please contact myself or Tina Jablon at 727-464-5307 if more information or clarification is needed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Whit Blanton', with a stylized flourish at the end.

Whit Blanton, FAICP
Executive Director

cc: Patrick Soranno, President, BIG-C
Deanne O'Reilly, Clerk, City of Indian Rocks Beach

AGENDA ITEM NO. 5E

**Confirming Action Taken During
the September 3, 2020 Special
City Commission Meeting**

**AGENDA ITEM NO. 6A
QUASI-JUDICIAL PROCEEDING**

**BOA CASE NO. 2020-05
2004-20TH AVENUE PARKWAY**

**CITY OF INDIAN ROCKS BEACH CITY COMMISSION
AGENDA MEMORANDUM**

MEETING OF: September 3, 2020 **AGENDA ITEM:** 6A

SUBMITTED AND RECOMMENDED BY: Hetty C. Harmon, AICP, Planning Consultant

APPROVED BY: Brently Gregg Mims, City Manager 

SUBJECT: **BOA CASE NO. 2020-05 — 2004-20th AVENUE PARKWAY:**
Variance requests from Section 94-86(a)(1) to allow a variance of 2 feet 6 inches into the 12-foot side yard setback from the northeast projected property line leaving a side yard setback of 9 foot 6 inches and 5 feet 6 inches into the 12-foot side yard setback from the southwest projected property line leaving a side yard setback of 6 feet 6 inches for the installation of a new dock, for the property located at 2004- 20th Avenue, Indian Rocks Beach, Florida, and legally described as Lot 16 and part of Lot 15, Seventh Addition to Re-Revised Map of Indian Beach. Parcel #06-30-15-42156-000-0160.

STAFF RECOMMENDATION: Based on the variance review criteria of Section 2-152, staff recommends approval of the request.

BOARD OF ADJUSTMENTS AND APPEALS RECOMMENDATION: Unanimous approval.

OWNER Thomas and Nikkole Schaub
PROPERTY LOCATION: 2004-20th Avenue Parkway
ZONING: S- Single Family

| Direction | Existing Use | Zoning Category |
|-----------|--------------|-----------------|
| North | Intracoastal | N/A |
| East | Residential | S |
| South | Residential | S |
| West | Residential | S |

BACKGROUND:

Thomas and Nikkole Schaub are requesting variance for the side setbacks for the installation of the dock. They are requesting 2 feet 6 inches into the 12-foot side yard setback from the northeast projected property line leaving a side yard setback of 9 foot 6

inches and 5 feet 6 inches into the 12-foot side yard setback from the southwest projected property line leaving a side yard setback of 6 feet 6 inches.

Sec. 2-152. Variances.

(a) *Generally; criteria for granting variances from the terms of subpart B.*

(1) The Board of Adjustments and Appeals shall make recommendations on and the City Commission shall decide variance applications will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of subpart B will result in unnecessary and undue hardship. In order to recommend or decide any variance from the terms of subpart B, the Board or the City Commission shall consider each of the following.

- a. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district. *The property's seawall is on an interior radius which reduces the width of the property as the property lines are extended out into the bay.*
- b. The special conditions and circumstances do not result from the actions of the applicant. *The applicant did not create any special conditions or circumstances.*
- c. Granting the variance will not confer on the applicant any special privilege that is denied by subpart B to other lands, structures or buildings in the same zoning district. *Granting the variance would not confer special privileges to the applicant, it would allow for the dock and boat lift to be constructed.*
- d. Literal interpretation of the provisions of subpart B would deprive other properties in the same zoning district under the terms of subpart B and would work unnecessary and undue hardship upon the applicant. *The approval of this variance request would not deprive other owners of use and enjoyment of their properties.*
- e. The variance granted is the minimum variance that will make possible the reasonable use of the land, structure or building. *This is the minimum variance to allow the owner to construct the dock and boat lift.*
- f. The granting of the variance will be in harmony with the general intent and purpose of subpart B, and such variance will not be injurious to the area involved or be otherwise detrimental to the public welfare. *Granting the variance will be in harmony with the general intent and purpose of subpart B.*

PUBLIC NOTIFICATION: A public meeting notice was mailed by first class mail to the property owners within 150 feet in any direction of the subject property and posted on the property on August 24, 2020, per Code Section 2-149.

A legal notice was published in the August 26, 2020-edition, of the St. Pete Times Section of the *Tampa Bay Times*, for a public hearing that has been scheduled on September 8, 2020, for BOA Case No. 2020-05.

MOTION: I move to **APPROVE/DENY BOA CASE NO. 2020-05**, variance requests from Section 94-86(a)(1) to allow a variance of 2 feet 6 inches into the 12-foot side yard setback from the northeast projected property line leaving a side yard setback of 9 foot 6 inches and 5 feet 6 inches into the 12-foot side yard setback from the southwest projected property line leaving a side yard setback of 6 feet 6 inches for the installation of a new dock, for the property located at 2004- 20th Avenue, Indian Rocks Beach, Florida, and legally described as Lot 16 and part of Lot 15, Seventh Addition to Re-Revised Map of Indian Beach. Parcel #06-30-15-42156-000-0160.

/DOR

4. APPROVAL OF MINUTES: June 16, 2020

MOTION MADE BY MEMBER ALVAREZ, SECONDED BY MEMBER LABADIE, TO APPROVE THE JUNE 16, 2020 BOARD OF ADJUSTMENTS AND APPEALS MINUTES AS SUBMITTED. UNANIMOUS APPROVAL BY ACCLAMATION

5. BOA CASE NO. 2020-05 — 2004-20TH AVENUE PARKWAY

Owner/Applicant: Nikkole Schaub

Thomas Schaub

Representative: Enterprise Marine

Subject Location: 2004-20th Avenue Parkway

Legal Description: Lot 16 and part of Lot 15, Seventh Addition to Re-Revised Map of Indian Beach.

Parcel #: 06-30-15-42156-000-0160

Variance requests: From Section 94-86(a)(1) to allow a variance of 2 feet 6 inches into the 12-foot side yard setback from the northeast projected property line leaving a side yard setback of 9 feet 6 inches and a variance of 5 feet 6 inches into the 12-foot side yard setback from the southwest projected property line leaving a side yard setback of 6 feet 6 inches for the installation of a new dock.

[Beginning of Staffing Report]

SUBJECT: BOA Case No. 2020-05: Variance requests from Section 94-86(a)(1) to allow a variance of 2 feet 6 inches into the 12-foot side yard setback from the northeast projected property line leaving a side yard setback of 9 foot 6 inches and 5 feet 6 inches into the 12-foot side yard setback from the southwest projected property line leaving a side yard setback of 6 feet 6 inches for the installation of a new dock for the property located at 2004-20th Avenue Parkway, Indian Rocks Beach, Florida, and legally described as Lot 16 and part of Lot 15, Seventh Addition to Re-Revised Map of Indian Beach. Parcel #06-30-15-42156-000-0160.

STAFF RECOMMENDATION: Based on the variance review criteria of Section 2-152, staff recommends approval of the request.

OWNER

Thomas and Nikkole Schaub

PROPERTY LOCATION:

2004-20th Avenue Parkway

ZONING:

S- Single Family

| Direction | Existing Use | Zoning Category |
|-----------|--------------|-----------------|
| North | Intracoastal | N/A |
| East | Residential | S |
| South | Residential | S |
| West | Residential | S |

BACKGROUND:

Thomas and Nikkole Schaub are requesting variance for the side setbacks for the installation of the dock. They are requesting 2 feet 6 inches into the 12-foot side yard setback from the northeast projected property line leaving a side yard setback of 9 foot 6 inches and 5 feet 6 inches into the 12-foot side yard setback from the southwest projected property line leaving a side yard setback of 6 feet 6 inches.

Sec. 2-152. Variances.

(a) *Generally; criteria for granting variances from the terms of subpart B.*

(1) The Board of Adjustments and Appeals shall make recommendations on and the City Commission shall decide variance applications will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of subpart B will result in unnecessary and undue hardship. In order to recommend or decide any variance from the terms of subpart B, the Board or the City Commission shall consider each of the following.

- a. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district. *The property's seawall is on an interior radius which reduces the width of the property as the property lines are extended out into the bay.*
- b. The special conditions and circumstances do not result from the actions of the applicant. *The applicant did not create any special conditions or circumstances.*
- c. Granting the variance will not confer on the applicant any special privilege that is denied by subpart B to other lands, structures or buildings in the same zoning district. *Granting the variance would not confer special privileges to the applicant, it would allow for the dock and boat lift to be constructed.*
- d. Literal interpretation of the provisions of subpart B would deprive other properties in the same zoning district under the terms of subpart B and would work unnecessary and undue hardship upon the applicant. *The approval of this variance request would not deprive other owners of use and enjoyment of their properties.*
- e. The variance granted is the minimum variance that will make possible the reasonable use of the land, structure or building. *This is the minimum variance to allow the owner to construct the dock and boat lift.*
- f. The granting of the variance will be in harmony with the general intent and purpose of subpart B, and such variance will not be injurious to the area involved or be otherwise detrimental to the public welfare. *Granting the variance will be in harmony with the general intent and purpose of subpart B.*

[Ending of Staffing Report]

City Attorney Mora read the title of Agenda Item No. 5, BOA Case No. 2020-05.

City Attorney Mora stated this is a quasi-judicial proceeding and proceeded to review the rules for quasi-judicial proceedings.

City Attorney Mora asked if any Members had any ex-parte communications with the applicant, with all Members responding negatively.

City Attorney Mora asked if any Member had done a site visit for the limited purpose of evaluating this case, with all Members responding negatively.

The City Attorney duly swore in all persons planning to give testimony during the quasi-judicial proceeding.

Planning Consultant Harmon introduced BOA Case No. 2020-05. She stated the applicants are requesting variances from Code Section 94-86(a)(1) to allow a variance of 2 feet 6 inches into the 12-foot side yard setback from the northeast projected property line leaving a side yard setback of 9 feet 6 inches and a variance of 5 feet 6 inches into the 12-foot side yard setback from the southwest projected property line leaving a side yard setback of 6 feet 6 inches for the installation of a new dock, for the property located at 2004-20th Avenue Parkway.

Planning Consultant Harmon presented a PowerPoint presentation showing aerial views of the property, and a sketch of the proposed dock facility.

Planning Consultant Harmon stated the the property's seawall is on an interior radius, which reduces the width of the property as the property lines are extended out into the bay.

Planning Consultant Harmon stated the parcel consists of Lot 6 and a sliver of the adjacent lot, Lot 5. The property has a 54-foot inverse curve lot. The City Code does address inverse curve lots that are 45 feet or less. Those properties are allowed to construct a dock facility with diminishing setbacks from the side property line as extended into the water without a variance.

Vice Chair Watt asked for inverse curve lots, how far can they encroach?

Planning Consultant Harmon stated the City Code states the side setbacks for inverse curve lots shall start at ten feet from the property line as extended and encroach to within five feet of the property line as extended onto the water.

Vice Chair Watt asked if the 42-foot length was part of any variance?

Planning Consultant Harmon stated as long as the dock length is not over 50 feet, the City will leave the dock length up to the Pinellas County Environmental Management Navigation Department. The dock length has to do with water depth, and if it is over 50 feet, they would need a variance from the City.

Joe Place, Enterprise Marine, marine contractor for the property owner, stated the property owners who live in New York could not be here this evening because of COVID-19. The

proposed dock was presented to both adjacent owners, and both have signed off with no problems.

Mr. Place explained the reason for the dock's length and stated according to his calculations and measurements to reach 3 feet at mean low tide, and he came up with approximately 36 feet 6 inches.

Mr. Place stated the original permit for this dock did not show the angles on the property lines as this is an inverse curve lot and should have required a variance in 1994. The original permit was inaccurate.

Vice Chair Watt stated the Board tries to make things work with the minimum amount of variance from the City Code.

Vice Chair Watt stated it looks like there is a 10-foot platform on the end of the dock, making this a worse condition. There is a 6-foot walk plank that leads to a 10-foot platform and asked if there was a need or a reason for that.

Mr. Place stated the existing one is 12 feet wide, and the width was reduced by 2 feet.

Mr. Place stated it could be further reduced down; however, the adjacent property owners do not have a problem with the size of the setbacks.

The Board discussed the docks of the adjacent property owners, as seen on the aerial views, the position of the boat lift, and the size of the boat.

City Attorney Mora inquired if all correspondence was received from the public concerning the agenda item.

Planning Consultant Harmon and City Clerk O'Reilly responded the City did not receive any correspondence.

MOTION MADE BY MEMBER ALVAREZ, SECONDED BY VICE CHAIR WATT, TO APPROVE BOA CASE NO. 2020-05, VARIANCES FROM SECTION 94-86(a)(1) TO ALLOW A VARIANCE OF 2 FEET 6 INCHES INTO THE 12-FOOT SIDE YARD SETBACK FROM THE NORTHEAST PROJECTED PROPERTY LINE LEAVING A SIDE YARD SETBACK OF 9 FEET 6 INCHES AND A VARIANCE OF 5 FEET 6 INCHES INTO THE 12-FOOT SIDE YARD SETBACK FROM THE SOUTHWEST PROJECTED PROPERTY LINE LEAVING A SIDE YARD SETBACK OF 6 FEET 6 INCHES FOR THE INSTALLATION OF A NEW DOCK FOR THE PROPERTY, FOR THE PROPERTY LOCATED AT 2004- 20TH AVENUE PARKWAY, INDIAN ROCKS BEACH, FLORIDA, AND LEGALLY DESCRIBED AS LOT 16 AND PART OF LOT 15, SEVENTH ADDITION TO RE-REVISED MAP OF INDIAN BEACH. [PARCEL #:06-30-15-42156-000-0160]

ROLL CALL VOTE:

AYES: LABADIE, WATT, DEVORE, ALVAREZ

NAYS: NONE

ABSENT: CLARK

MOTION CARRIED UNANIMOUSLY.

6. OTHER BUSINESS.

The Board had discussions of changing the starting time of the Board of Adjustments and Appeals from 7:00 p.m. to 6:00 p.m.

CONSENSUS OF THE BOARD OF ADJUSTMENTS AND APPEALS TO CHANGE THE STARTING TIME OF THE BOARD OF ADJUSTMENTS AND APPEALS FROM 7:00 P.M. TO 6:00 P.M., PENDING COORDINATION WITH REMAINING BOARD MEMBERS. UNANIMOUSLY APPROVAL BY ACCLAMATION.

7. ADJOURNMENT.

MOTION MADE BY MEMBER ALVAREZ, SECONDED BY MEMBER LABADIE, TO ADJOURN THE MEETING AT 7:21 P.M. UNANIMOUS APPROVAL.

Date Approved

Stewart DeVore, Chair

/dor



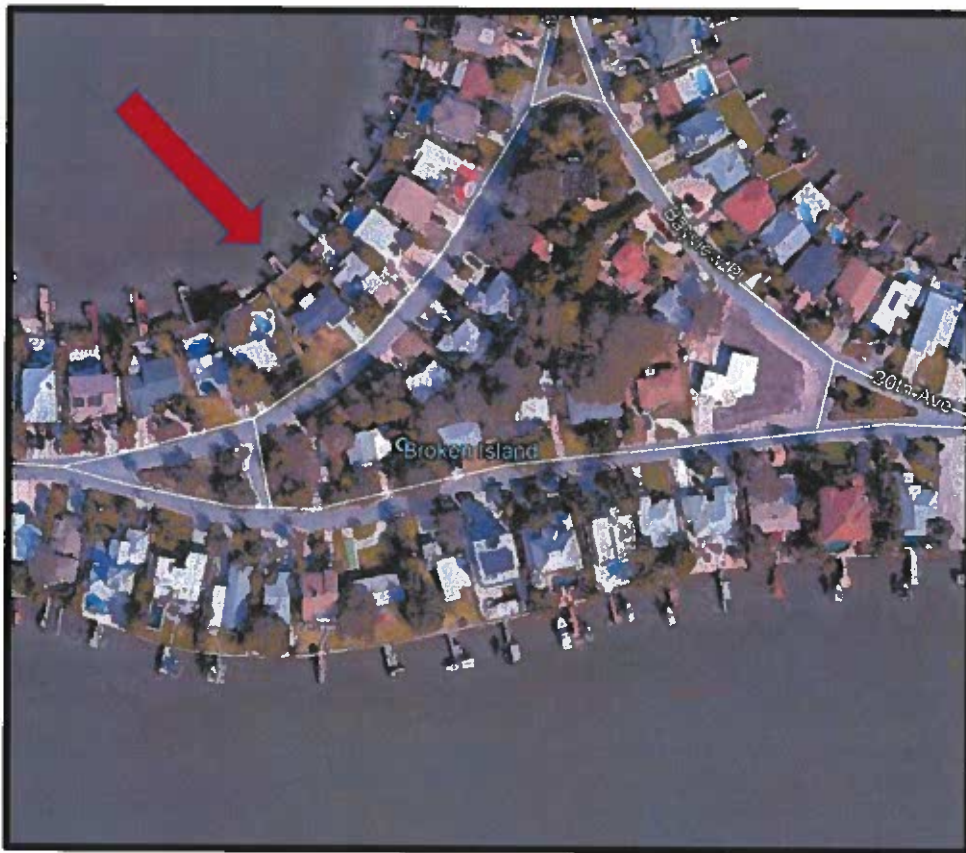
2004 20th Avenue Pkwy
BOA CASE NO. 2020-05



BOA CASE NO. 2020-05: Variance request from Section 94-86(a)(1) to allow a variance of 2 feet 6 inches into the 12 ft side yard setback from the northeast projected property line leaving a side yard setback of 9 foot 6 inches and 5 feet 6 inches into the 12 ft side yard setback from the southwest projected property line leaving a side yard setback of 6 feet 6 inches for the installation of a new dock for the property located at 2004 20th Avenue Pkwy, Indian Rocks Beach, Florida, and legally described as Lot 16 and part of Lot 15, Seventh Addition to Re-Revised Map of Indian Beach.



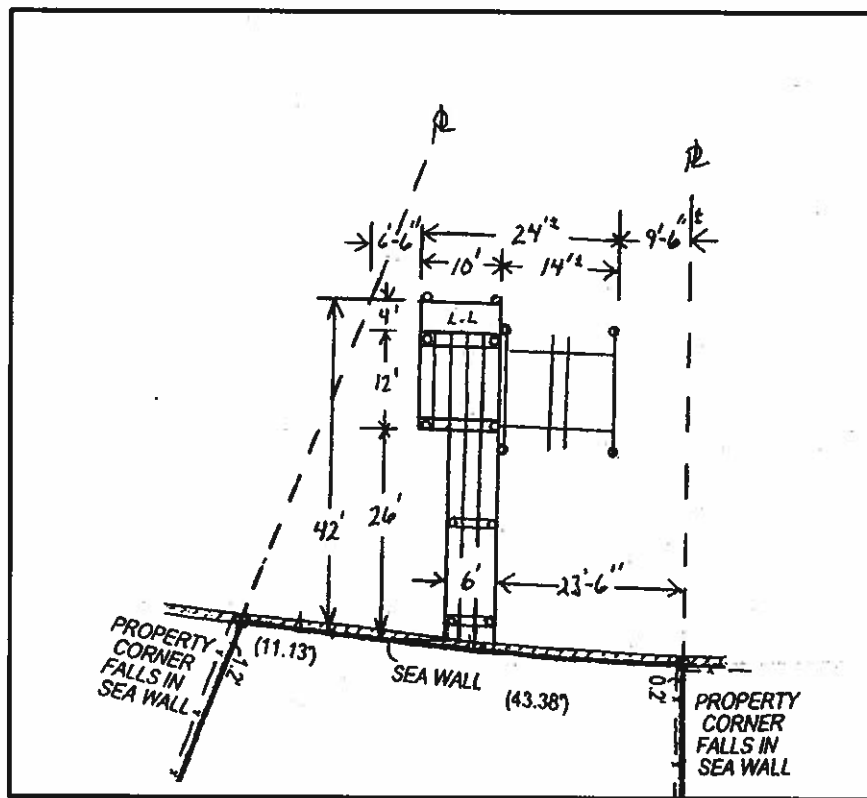
2004 20th Avenue Pkwy



2004 20th Avenue Pkwy



2004 20th Avenue Pkwy



O'Reilly, Deanne

From: DEMETRIA FOUNDOUKIS <zowo@aol.com>
Sent: Tuesday, September 01, 2020 8:03 PM
To: O'Reilly, Deanne
Cc: Dee; Gina G.
Subject: Variance request support

City Clerk,

We are the property owners of land within 150 ft of the property located at 2004 20th Ave Pkwy, IRB and support the referenced variance. We are unable to appear on September 8, 2020. Please accept this email as our support.

Thank you,

Demetria Foundoukis & Trinh Greene
2006 20th Ave Pkwy
IRB, 33785



Administrative
727/595-2517

Building/Planning & Zoning
727/517-0404
727/596-4759 (Fax)

Library
727/596-1822

Public Services
727/595-6889
727/593-5137 (Fax)

**PUBLIC NOTICE – CITY OF INDIAN ROCKS BEACH
VIRTUAL CITY COMMISSION MEETING BY ZOOM
TUESDAY, SEPTEMBER 8, 2020**

NOTICE IS HEREBY GIVEN as a result of the public health emergency that exists due to the COVID-19 Virus, and upon the authority granted by Executive Orders issued by Governor Ron DeSantis, the City Commission of the City of Indian Rocks Beach, Florida, will hold a public virtual meeting by means of communications media technology on Tuesday, September 8, 2020, at 7:00 p.m.

City Hall is closed to the public due to the COVID-19 emergency; thus changing the meeting location from in-person at City Hall to a meeting by means of communications media technology.

YOU ARE HEREBY NOTIFIED as a property owner of land within 150 feet of the property located at **2004-20TH AVENUE PARKWAY, INDIAN ROCKS BEACH, FLORIDA 33785**, of the following variance request:

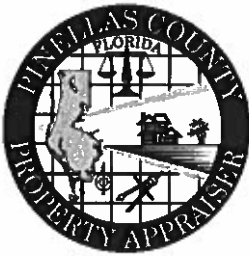
Variance requests from Section 94-86(a)(1) to allow a variance of 2 feet 6 inches into the 12-foot side yard setback from the northeast projected property line, leaving a side yard setback of 9 feet 6 inches, and a variance of 5 feet 6 inches into the 12-foot side yard setback from the southwest projected property line, leaving a side yard setback of 6 feet 6 inches, for the installation of a new dock, for the property located at 2004-20th Avenue Parkway, Indian Rocks Beach, Florida, and legally described as Lot 16 and part of Lot 15, Seventh Addition to Re-Revised Map of Indian Beach. Parcel #06-30-15-42156-000-0160

FOR FURTHER INFORMATION REGARDING THIS REQUEST, PLEASE CONTACT HETTY C. HARMON, PLANNING CONSULTANT, AT 863/646-4771, EXT. 211 OR E-MAIL: hharmon@irbcity.com.

If you desire to either support or object to the referenced variance, you may appear at the Indian Rocks Beach Board of Adjustments and Appeals Meeting on said date, or submit in writing your support or objections to Deanne B. O'Reilly, City Clerk, 1507 Bay Palm Boulevard, Indian Rocks Beach, Florida, 33785, or e-mail: doreilly@irbcity.com. All correspondence must be received by the City Clerk no later than **Tuesday, SEPTEMBER 8, 2020, by 2:00 p.m.** The City will make such records available during normal business hours, Monday through Friday, 7:30 a.m. to 4:00 p.m., to any interested person at his or her request and expense.

If any person desires to appeal a decision made with respect to this request, such person 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, per Section 286.0105, Florida Statutes. Verbatim transcripts are not furnished by the City of Indian Rocks Beach and should one be desired, arrangements (i.e. court reporter) should be made in advance by the interested party.

In accordance with Section 286.26, Florida Statutes, persons with a disability requiring reasonable accommodations in order to participate in this meeting should contact the City Clerk's Office with your request by telephone (727/595-2517) or email: doreilly@irbcity.com no later than 5 business days prior to the proceeding.



MIKE TWITTY, MAI, CFA
Pinellas County Property Appraiser
www.pcpao.org mike@pcpao.org

Run Date: 17 Aug 2020

Subject Parcel: 06-30-15-42156-000-0160

Radius: 150 feet

Parcel Count: 12

Note: Parcels with protected address status are not included in this report.

Total pages: 3

Public information is furnished by the Property Appraiser's Office and must be accepted by the recipient with the understanding that the information received was developed and collected for the purpose of developing a Property Value Roll per Florida Statute. The Pinellas County Property Appraiser's Office makes no warranties, expressed or implied, concerning the accuracy, completeness, reliability or suitability of this information for any other particular use. The Pinellas County Property Appraiser's Office assumes no liability whatsoever associated with the use or misuse of such information.

MAIN OFFICE – COUNTY COURTHOUSE

315 Court St - 2nd Floor
Clearwater, FL 33756

Office: (727) 464-3207

Fax: (727) 464-3448

Hearing Impaired:

Office: (727) 464-3370

Commercial Appraisals:

Office: (727) 464-3284

Exemptions:

Office: (727) 464-3294

Fax: (727) 464-3408

Residential Appraisals:

Office: (727) 464-3643

Tangible Personal Property:

Office: (727) 464-8484

Fax: (727) 464-8488

NORTH COUNTY

29269 US Highway 19 N
Clearwater, FL 33761

Office: (727) 464-8780

Fax: (727) 464-8794

MID COUNTY

13025 Starkey Road
Co-Located with Tax Collector
Largo, FL 33773

Office: (727) 464-3207

Fax: (727) 464-3448

SOUTH COUNTY

1800 66th Street N
St. Petersburg, FL 33710

Office: (727) 582-7652

Fax: (727) 582-7610

ALL MAIL: PO Box 1957 – Clearwater, FL 33757

06-30-15-42156-000-0140
PART OF LOT 15 DESC FROM
LOTS 14 & 15 LESS THAT
RE-REVISED 7TH ADD
INDIAN BEACH

WEBER, WILLIAM
WEBER, ROSE L
2000 20TH AVENUE PKWY
INDIAN ROCKS BEACH FL 33785-2967

06-30-15-42192-000-0020
LOT 2
RE-REVISED 9TH ADD
INDIAN BEACH

STEELE, SEAN P
110 LOMBARDO CT
WILKES BARRE PA 18702-2760

06-30-15-42192-000-0010
LOT 1
RE-REVISED 9TH ADD
INDIAN BEACH

FOUNDOKIS, DEMETRIA
GREENE, TRINH
2006 20TH AVENUE PKWY
INDIAN ROCKS BEACH FL 33785-2967

06-30-15-42354-000-0040
LOT 4
RE-REVISED 18TH ADD
INDIAN BEACH

DAVIS, AMY
2009 20TH AVENUE PKWY
INDIAN ROCKS BEACH FL 33785-2966

06-30-15-42156-000-0130
LOT 13
RE-REVISED 7TH ADD
INDIAN BEACH

HART, DENNIS JAMES
NASTASI, CAROL S
PO BOX 597
BURTON OH 44021-0597

06-30-15-42354-000-0010
LOT 1
RE-REVISED 18TH ADD
INDIAN BEACH

HATCH, JOSEPH C JR
428 20TH AVE
INDIAN ROCKS BEACH FL 33785-2959

06-30-15-42354-000-0030
LOT 3
RE-REVISED 18TH ADD
INDIAN BEACH

KENS, JANNA VALERIEVNA
2007 20TH AVENUE PKWY
INDIAN ROCKS BEACH FL 33785-2966

06-30-15-42156-000-0120
LOT 12 & E 1/2 OF LOT 11
RE-REVISED 7TH ADD
INDIAN BEACH

HAROCOPOS, LAMPROS TRE
420 20TH AVE
INDIAN ROCKS BEACH FL 33785-2930

06-30-15-42192-000-0030
LOT 3 & RIP RTS
RE-REVISED 9TH ADD
INDIAN BEACH

POGASH, JOSEPH J
POGASH, TERESA W
2010 20TH AVENUE PKWY
INDIAN ROCKS BEACH FL 33785-2967

06-30-15-42192-000-0040

LOT 4 & RIP RTS
RE-REVISED 9TH ADD
INDIAN BEACH

REYNOLDS, RICHARD C
REYNOLDS, ELIZABETH
2012 20TH AVENUE PKWY
INDIAN ROCKS BEACH FL 33785-2967

06-30-15-42354-000-0020

BEG MOST S'LY COR OF SD
LOT 2 LESS THAT PART DESC
RE-REVISED 18TH ADD
INDIAN BEACH

ELLIOTT, ANTHONY D
ELLIOTT, LAURA C
1933 GLASGROW AVE
CARDIFF CA 92007-1626

06-30-15-42354-000-0021

BEG AT MOST S'LY COR OF
THAT PT OF LOT 2 DESC AS
RE-REVISED 18TH ADD
INDIAN BEACH

EMMONS, KIMBERLY P
EMMONS, JOHN K SR
839 STATE RD
WEST GROVE PA 19390-9528



APPLICATION FOR VARIANCE

CITY OF INDIAN ROCKS BEACH PLANNING AND ZONING DEPARTMENT

Enquiries: Tel: (727) 517-0404 Fax: (727) 596-4759
Web: <http://www.indian-rocks-beach.com/>
Address: 1507 Bay Palm Boulevard, Indian Rocks Beach, FL 33785

For Office Use Only Application No. **2020-05** Date Received

APPLICANT

Name: **Thomas Schaub**
Address: **2004 20th Ave Prwy**
City: **Indian Rocks Beach**
Zip Code: **33785**
Tel:
Fax:
Mobile: **917-930-8644**
Email: **TSCHAUB631@gmail.com**

AGENT/REPRESENTATIVE

Name: **Joe Place**
Company: **Enterprise Marine**
Address: **8165-46th Ave. N.**
City: **St. Petersburg**
Zip Code: **33709**
Tel: **(727) 343-7788**
Fax: **(727) 954-8812**
Mobile: **(727) 280-4416**
Email: **joe@enterprisemarine.com**

SITE DETAILS

Address: **2004 20th Ave Prwy** Parcel ID: **06/30/15/42156/000/0160**
City: **Indian Rocks Beach** Zip Code: **33785**
Legal Description: **Indian Beach Re- Revised, 7th Add, Lot 16**
Zoning: Future Land Use:
Size:

SITE DETAILS CONTINUED...

Does applicant own any property contiguous to the subject property? Yes No

If yes, provide address and legal description:

Have previous applications been filed for this property? Yes No

If yes, describe:

SEAWALL REPLACEMENT

Has a certificate of occupancy or completion been refused? Yes No

If yes, describe:

Does any other person have ownership or interest in the property? Yes No

If yes, is ownership or interest contingent or absolute:

Is there an existing contract for sale on the property? Yes No

If yes, list all parties on the contract:

Is contract conditional or absolute? Conditional Absolute

Are there options to purchase? Yes No

VARIANCE REQUEST

Regulation

Required

Proposed

Total Requested

Gulf-front setback (feet):

12'

6'-6"

5'-6"

Bay-front setback (feet):

Alley setback (feet):

VARIANCE REQUEST CONTINUED...

| <u>Regulation</u> | <u>Required</u> | <u>Proposed</u> | <u>Total Requested</u> |
|------------------------------------|------------------------|------------------------|-------------------------------|
| Rear-no alley setback (feet): | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| Rear-north/south street (feet): | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| Street-front setback (feet): | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| Side-one/both setback (feet): | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| Minimum green space (%): | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| Habitable stories (#): | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| Minimum lot size (sq. ft.): | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| Building height (feet): | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| Off-street parking (spaces): | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| ISR (%): | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| FAR (%): | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| Dock length (feet): | 35' | 42' | 7' |
| Dock width (feet): | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| Signage (#): | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| Accessory structure (sq. ft.): | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| Accessory structure height (feet): | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| Lot size (sq. ft.): | <input type="text"/> | <input type="text"/> | <input type="text"/> |

Other:

What is the proposed use of the property?

Private Home, Private dock & Boat Lift

HARDSHIP

A variance is granted on the basis of evidence being presented that justifies an undue and unnecessary hardship upon the applicant; a hardship that prevents reasonable use of the property. The following criteria, set forth in Code Section 2-152, Variances, will be used to evaluate the request for variance in order to determine if a hardship is present and if the variance will impact the overall public welfare.

Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district:

The property seawall is on an interior easement, which reduces the width of the property as you extend outward into the waterway.

Special conditions and circumstances do not result from the actions of the applicant:

The narrowing width of the property at the seawall are not the result of actions caused by the applicant.

Granting this variance will not confer on the applicant any special privilege that is denied by the chapter to other lands, structures or buildings in the same zoning district:

This variance request is not a special privilege that has been denied to other properties in the immediate zoning district.

The literal interpretation of the provisions of Subpart B, Code Sections 78 through 110, would deprive other properties in the same zoning district under the terms of Subpart B and would work unnecessary and undue hardship upon the applicant:

This variance request will not deprive owners in the same zoning district. The two adjacent property owners have already approved the design of the dock and lift.

HARDSHIP CONTINUED...

The variance granted is the minimum that will make possible the reasonable use of the land, structure or building:

The requested variance is the minimum required for the docking of the owners boat.

The granting of the variance will be in harmony with the general intent and purpose of Subpart B and such variance will not be injurious to the area involved or be otherwise detrimental to the public welfare:

The granting of the variance will not be detrimental to the public welfare. It will be consistent with other properties in the immediate vicinity.

I (we) believe the Board of Adjustment and Appeals and the City Commission should grant this application because:

We believe the variance should be granted, as similar requests have been previously approved for properties in the immediate vicinity and adjacent property owners have already been presented with the plans and have given their approvals.

CERTIFICATION

Date: June 23, 2020

I hereby certify that I have read and understand the contents of this application, and that this application together with supplemental data and information, is a true representation of the facts related to the request; that this application is filed with my approval, as owner, evidenced by my signature appearing below.

It is hereby acknowledged that the filing of this application does not constitute automatic approval of the request. Further, if the request is approved, I will obtain all necessary permits and comply with all applicable orders, codes, conditions and regulations pertaining to the use of the property.

I hereby grant authorization to any city official to inspect, as reasonable times, the site of the request.

Before me this date personally appeared:

Name: THOMAS SCHAU

Signature: [Handwritten Signature]

Personally known/Form of Identification _____

Who, being first duly sworn, deposes and attests that the above is a true and correct certification.

Sworn to and subscribed before me this: Day: 23rd Month: JUNE, 2020

Notary Public State of Florida at Large: [Handwritten Signature]

Notary Public Commission Expiration: _____

State of Florida
County: Pinellas



JOSEPH R PLACE
Commission #GG203101
Expires August 3, 2022
Bonded Thru Budget Notary Services

APPLICATIONS FILED BY CORPORATIONS MUST BEAR THE SEAL OF THE CORPORATION OVER THE SIGNATURE OF AN OFFICER AUTHORIZED TO ACT ON BEHALF OF THE CORPORATION.

AGENT OF RECORD

Date: June 23, 2020

I, Thomas Schaub do hereby designate and appoint

Joe Place as my agent of record for the purposes of representing me during the Planning and Zoning Department's review process of my application. My agent of record is hereby vested with authority to make any representations, agreements or promises, which are necessary or desirable in conjunction with the review process. My agent of record is authorized to accept or reject any conditions imposed by any reviewing board or entity.

Name: Joe Place Signature: [Signature]

My agent of record may be contacted at:

Company: Enterprise Marine

Address: 8165 - 46th Ave. N.

City/State: St. Petersburg Zip Code: 33709

Telephone: 727 - 343 - 7788 Fax: 727 - 954 - 8812

Before me this date personally appeared:

Name: Thomas Schaub

Signature: [Signature]

Personally known/Form of Identification

Who, being first duly sworn, deposes and attests that the above is a true and correct certification.

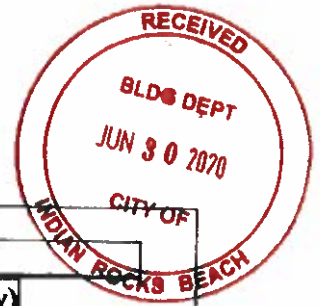
Sworn to and subscribed before me this: Day: 23rd Month: JUNE, 20 20

Notary Public State of Florida at Large: [Signature]

Notary Public Commission Expiration: _____
State of Florida
County: Pinellas



JOSEPH R. PLACE
Commission # GG 203101
Expires August 3, 2022
Bonded Thru Budget Notary Services



Direct all correspondence to:
 Clerk, water and Navigation
 Control Authority
 315 Court Street
 Clearwater, FL 33756

Application # _____
 (Official use only)

**PRIVATE DOCK PERMIT APPLICATION
 PINELLAS COUNTY WATER AND NAVIGATION CONTROL AUTHORITY**

I. PROPERTY OWNER INFORMATION:

- A. Applicant's Name: Thomas Schaub
- B. Mailing Address: 86 B Union Ave.
- C. City: Center Moriches State: NY Zip: 11934-3219
- D. Telephone no. (s): (917) 930-8644
- E. Mail Address: tschaub631@gmail.com

II. AGENT INFORMATION

- A. Name: **ENTERPRISE MARINE CONTRACTORS INC.**
- B. Address: **8165 46th Avenue N.**
- City: **St. Petersburg** State: **FL** Zip: **33709**
- C. Telephone No: **(727) 343-7788** E-Mail Address: **gary@enterprisemarine.com**
joe@enterprisemarine.com

III. SITE INFORMATION:

- A. Construction Site Address: 2004 - 20th Avenue Parkway
 City: Indian Rocks Beach
- B. Parcel ID Number 06, 30, 15, 42156, 1000, 0160
- C. Incorporated: Unincorporated:
- D. Affected Waterbody: Clearwater Harbor
- E. Previous Permits: P20909-93
- F. Date applicant assumed property ownership: April 2019
 (month/year)
- G. Obstructions: (dogs, fences, etc.) NONE
- H. Attach 8-1/2"X vicinity map showing specific project location:
- I. All other information pursuant to P.C. O. 90-19 (amended), Section 10.8, as needed.
- J. For projects requiring a public hearing, attach a copy of the complete legal description.

Application # _____
(OFFICIAL USE ONLY)

IV. PROJECT DESCRIPTION

A. Nature and size of Project:

Remove existing dock and divots. Construct a new
6'x26' walkway to a 12'x12' dock, with 4'x12' lower landing and
ANRW DECO 16,000 # Best LIT Square Feet: 120'

B. Variance: Yes: No:

Amount in variance: Length: _____ Width: _____

Setbacks: L _____: R _____

Other: _____

NOTE: It is the applicant's responsibility to clearly demonstrate that any requested variances are consistent with the variance criteria of the Pinellas County Water and Navigation Control Authority Regulations. The applicant must submit a written variance request outlining the nature of and need for any variances. The applicant must demonstrate that a literal enforcement of the regulations would result in an extreme hardship due to the unique nature of the project and the applicant's property. The hardship must not be created by action(s) of the property owners(s). The granting of the variance must be in the minimum possible to allow for the reasonable use of the applicant's property. Should the applicant fail to demonstrate that any variance request is consistent with the criteria outlined in the regulations; staff cannot recommend approval of the application.

V. CONTRACTOR INFORMATION:

I, Gerhard Georg Kalke, a certified contractor, state that the dock has not been constructed and that it will be built in compliance with all requirements and standards set forth in the "Rules and Regulations" of the Pinellas County Water and Navigation Control Authority, and in accordance with the attached drawings which accurately represent all the information required to be furnished, In the event that this dock is not built in accordance with the permit or the information furnished is not correct, I agree to either remove the dock or correct the deficiency.

Signed: 

Cert. No. C-9714

Company Name: Enterprise Marine Contractors, Inc. Telephone No. (727) 343-7788
Address: 8165 46th Avenue N., St. Petersburg FL, 33709

VI. OWNER'S SIGNATURE:

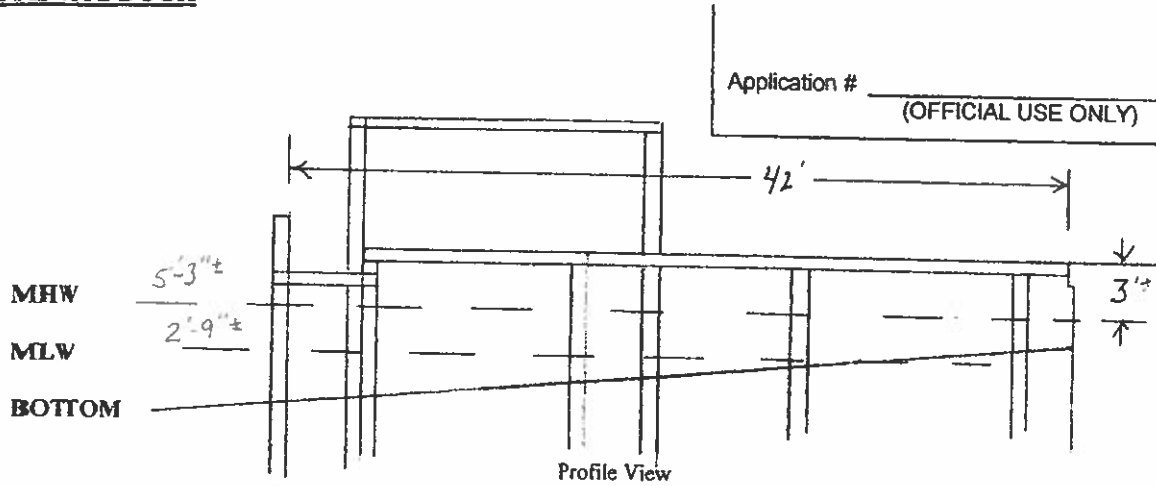
I hereby apply for a permit to do the above work and state that the same will be done according to the map or plan attached hereto and made a part here of, and agree to abide by the "Rules and Regulations" of the Pinellas County Water and Navigation Control Authority for such secure approval from said municipality. I further state that construction will be maintained in a safe condition at all times, should this application be approved, that I am the legal owner of the upland form which I herein propose to construct the improvements, and that the above stated agent/contractor may act as my representative. I understand that I, not Pinellas County, am responsible for the accuracy of the information provided as part of this applicable for the proposed activities on either private or sovereign owned submerged land.

3/4/20
Date

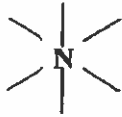

Legal Owner's Signature

PRIVATE DOCK

Application # _____
(OFFICIAL USE ONLY)



ENG SCALE: 1" = 10'



| | |
|-------------------|-------|
| TOTAL SQUARE FEET | 348 |
| NEW SQUARE FEET | 120 |
| WATERWAY WIDTH | 675'± |
| WATERFRONT WIDTH | 54.5 |

Plan View
(applicant and adjacent docks)

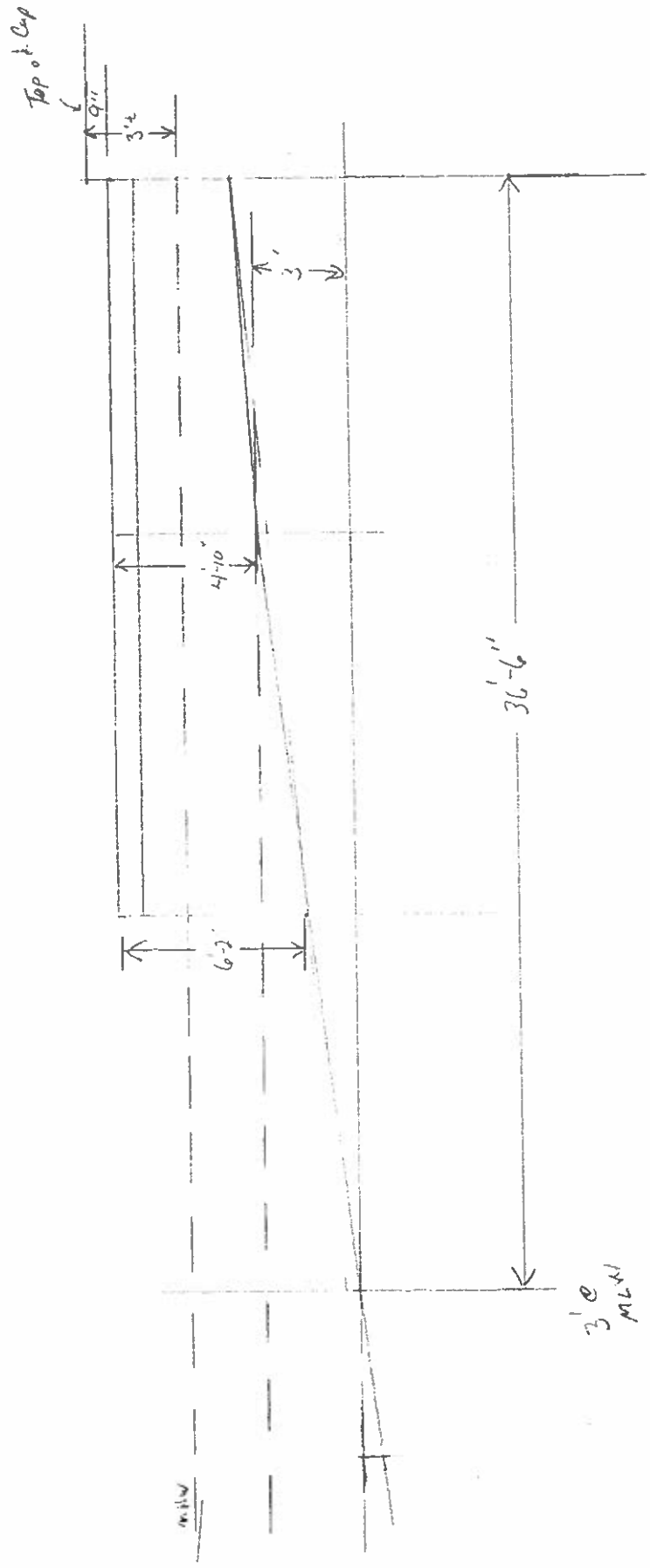
SEE ATTACHED

| SHORELINE | | | |
|--|------|--------------------------------------|------|
| The undersigned does not object to the proposed dock and requested variances as drawn in the space provided above. | | | |
| Left Owner | | Right Owner | |
| Signature | Date | Signature | Date |
| Municipality Approval | | Water and Navigation Approval | |

3/13/20

Tom Schaub
2004-20th Ave Pkwy.

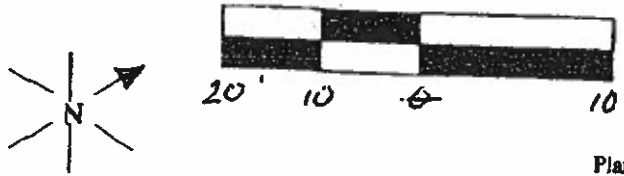
3/16" = 1'



PRIVATE DOCK

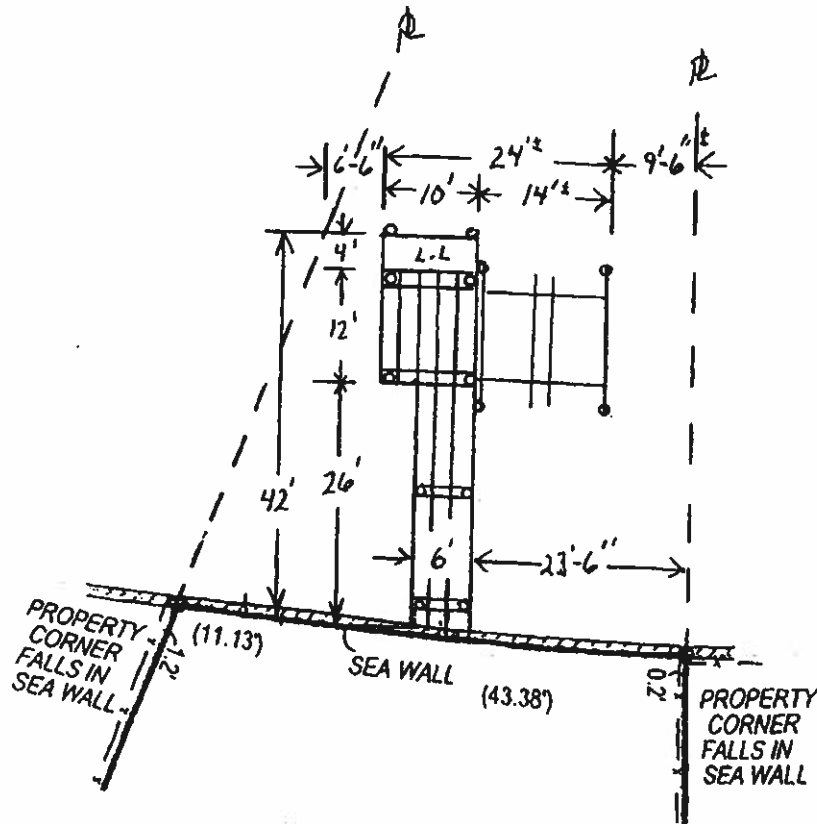
Application # _____
(OFFICIAL USE ONLY)

ENG. SCALE: 1" = 20'



| | |
|-------------------|-------|
| TOTAL SQUARE FEET | 316 |
| NEW SQUARE FEET | 88 |
| WATERWAY WIDTH | 6.75' |
| WATERFRONT WIDTH | 54.5' |

Plan View



| SHORELINE | | | |
|--|---------------------|-------------------------------|-----------------------|
| The undersigned does not object to the proposed dock and requested variances as drawn in the space provided above. | | | |
| Left Owner | | Right Owner | |
| Signature <i>L.A.H.</i> | Date <i>6-27-20</i> | Signature <i>John Ford</i> | Date <i>6/27/2020</i> |
| Municipality Approval | | Water and Navigation Approval | |

VARIANCE REQUEST FORM

Application # _____
(OFFICIAL USE ONLY)

Left lot Owner's Name: William & Rose Weber
Mailing Address: 2000 - 20th Ave. Parkway Zip: 33705

I certify that I am the owner of Lot: 14 which adjoins the property owned by the applicant who proposes to construct a Commercial Multi-use Private dock at the following address: 2004 - 20th Ave. Parkway, Indian Rocks Beach, FL 33785

I have seen the plans of the proposed structure(s) with any requested variances (see Section IVB of Application) and therefore: DO OBJECT DO NOT OBJECT to the construction.

OWNERS SIGNATURE W. Weber

X. _____ Date 6-27-20, 2020.

NOTARY:

STATE OF FLORIDA, PINELLAS COUNTY, BEFORE ME, the undersigned authority, personally appeared William Weber, well known to me, or who provided a valid Florida Driver's License to be the person who executed the foregoing instrument and that he/she acknowledged to me, under oath, that he/she signed the same freely and voluntarily for the purposes expressed therein.

Witness my hand and official seal this 27th day of June, 2020.

Joseph R Place
Notary Public

My commission expires: _____



JOSEPH R PLACE
Commission # GG 203101
Expires August 3, 2022
Bonded thru Budget Notary Services

Right lot Owner's Name: Demetria Foundoukis and Trinh Greene
Mailing Address: 2006 - 20th Ave. Parkway Zip: 33785

I certify that I am the owner of Lot: 1 which adjoins the property owned by the applicant who proposes to construct a Commercial Multi-use Private Dock at the following address: 2004 - 20th Ave. Parkway, Indian Rocks Beach, FL 33765

I have seen the plans of the proposed structure(s) with any requested variances (see Section IVB of Application) and therefore: DO OBJECT DO NOT OBJECT to the construction.

OWNERS SIGNATURE
X. Demetria Foundoukis Date 6/27, 2020.

NOTARY:

STATE OF FLORIDA, PINELLAS COUNTY, BEFORE ME, the undersigned authority, personally appeared Demetria Foundoukis, well known to me, or who provided a valid Florida Driver's License to be the person who executed the foregoing instrument and that he/she acknowledged to me, under oath, that he/she signed the same freely and voluntarily for the purposes expressed therein.

Witness my hand and official seal this 27th day of June, 2020.

Joseph R Place
Notary Public

My commission expires: _____



JOSEPH R PLACE
Commission # GG 203101
Expires August 3, 2022
Bonded thru Budget Notary Services

Application # _____
(OFFICIAL USE ONLY)

DISCLOSURE FORM

In order to alleviate any potential conflict of interest with Pinellas County Staff, it is required that Authority be provide with listings of PERSONS being party to a trust, corporation, or partnership, as well as anyone who may have beneficial interest in the application which would be affected by any decisions rendered by the Authority. (Attach additional sheets if necessary.)

A. PROPERTY OWNERS:

Name: Thomas Schaub
Address: Edg B Union Ave.
Center Moriches, NY 11934

Name: Nikkole Schaub
Address: Edg B Union Ave
Center Moriches, NY 11934

B. REPRESENTATIVES:

Name: Enterprise Marine
Address: 8165 46th Avenue N.
St. Petersburg, FL 33709

Name: _____
Address: _____

C. OTHER PERSONS HAVING OWNERSHIP INTEREST IN THE SUBJECT PROPERTY:

Interest is: contingent absolute

Name: N/A specific interest held

F. DOES A CONTRACT FOR SALE EXIST FOR THE SUBJECT PROPERTY:

Yes No If so, the contract is: contingent absolute

Name of parties to the contract:

G. DOES AN OPTION TO PURCHASE EXIST FOR THE SUBJECT PROPERTY?

Yes No

Name of parties to the contract:

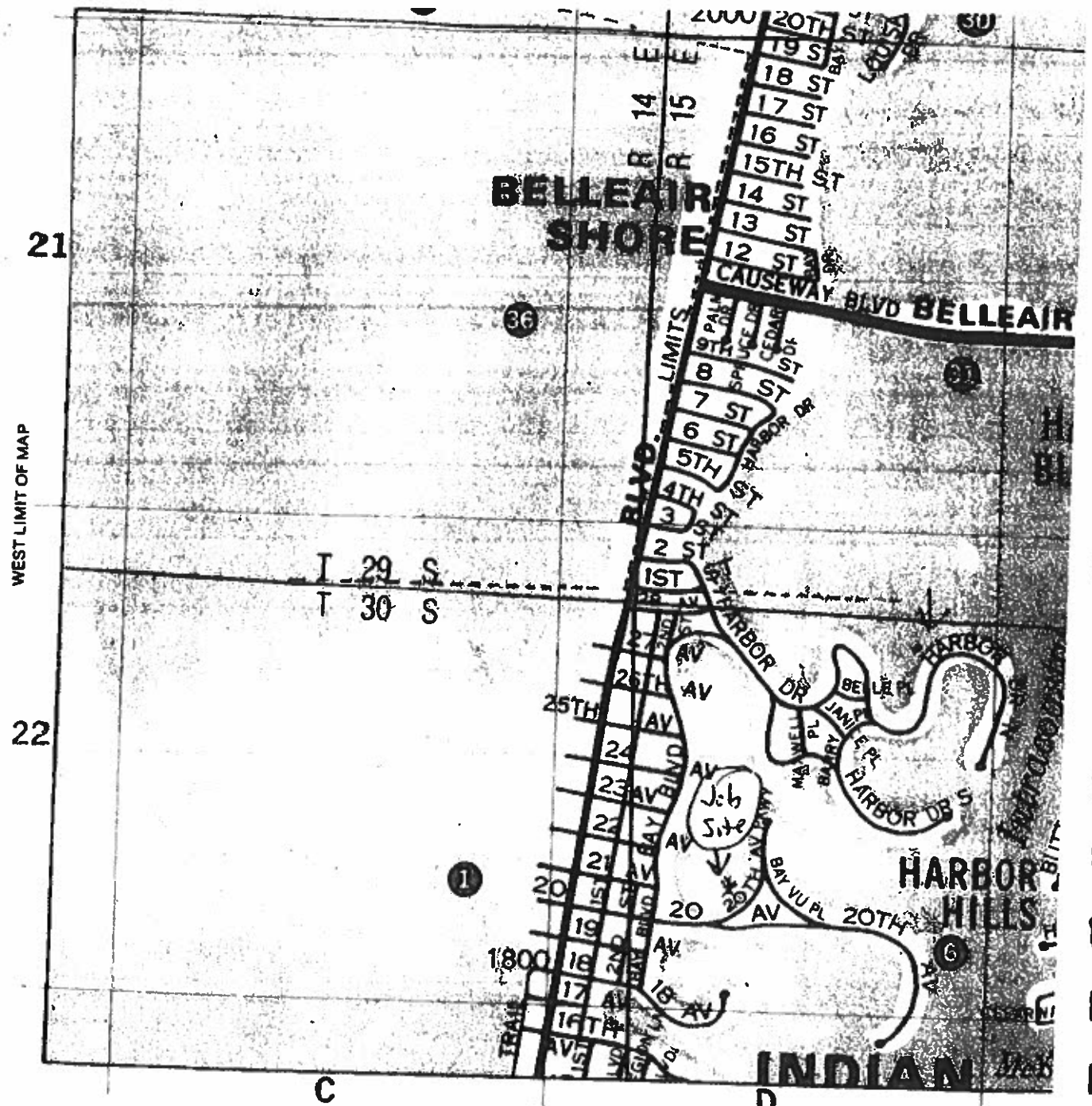
H. OWNER'S SIGNATURE:

I hereby certify that the information started above is complete, accurate, and true to the best of my knowledge.

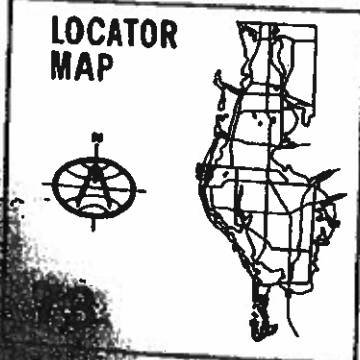


[Handwritten Signature]

Date 3/4/20



SEE MAP 85



Customer Addresses and Phone numbers

Thomas Schaub
2004 - 20th Avenue Parkway
Indian Rocks Beach, FL 33785

PRIVATE DOCK

Application

P20509-93

(4)

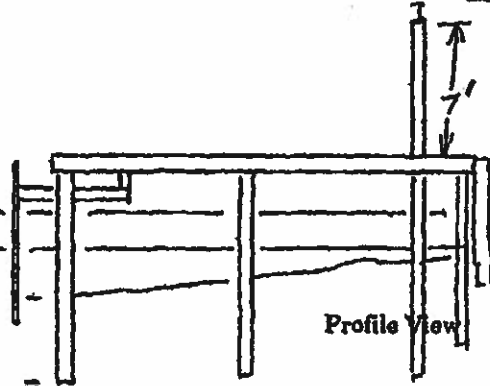
(OFFICIAL USE ONLY)

MHW

MLW 722'

BOTTOM 0'

-3'



Profile View

ENG. SCALE: 1" =



1" = 10'

Plan View

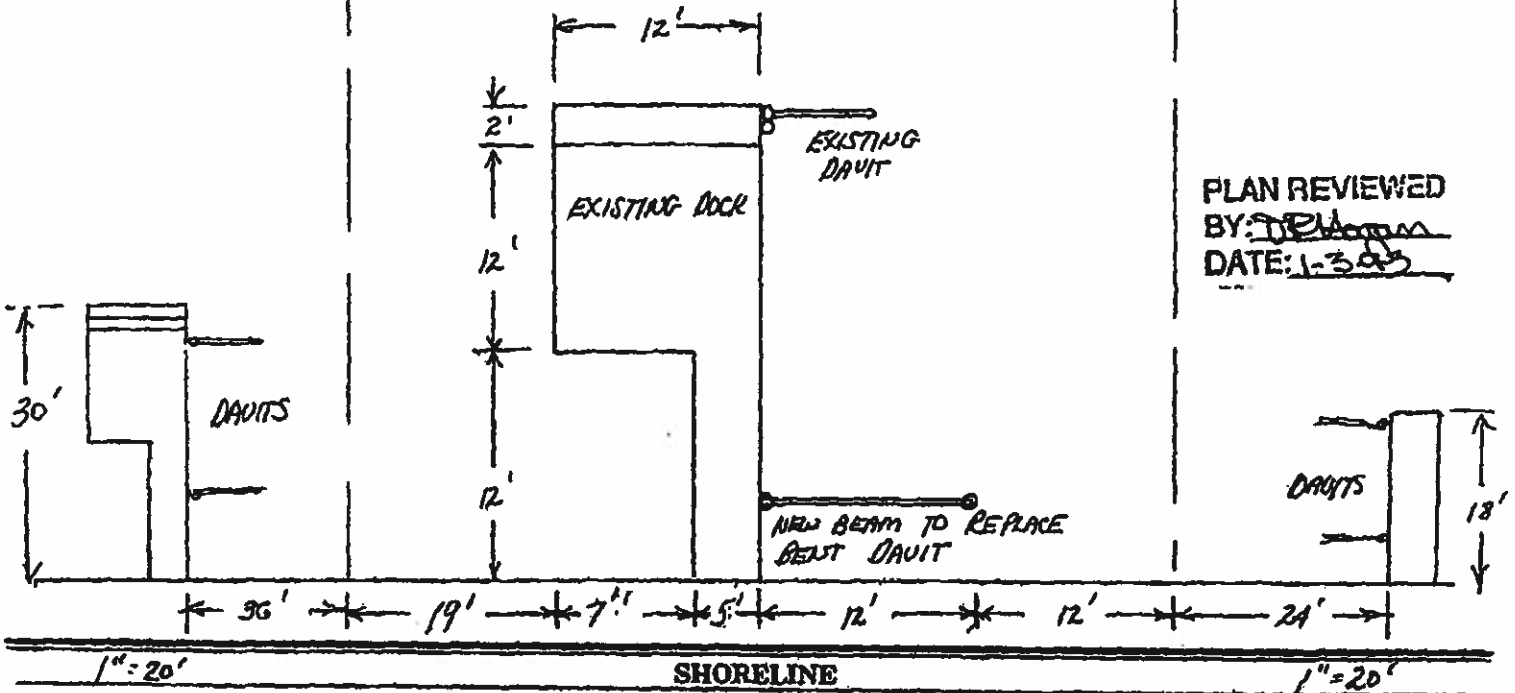
(applicant and adjacent docks)

TOTAL SQUARE FEET 228
 WATERWAY WIDTH OPEN
 WATERFRONT WIDTH 55



R

R



PLAN REVIEWED
 BY: [Signature]
 DATE: 1-3-93

The undersigned does not object to the proposed dock and requested variances as drawn in the space provided above.

Left Owner

Right Owner

Signature

[Signature]

Signature

[Signature]

Municipality Approval

Water and Navigation Approval

APPROVED
 FOR CODE COMPLIANCE

APPROVED

PINELLAS COUNTY
 ENVIRONMENTAL MANAGEMENT

DEC 23 1993

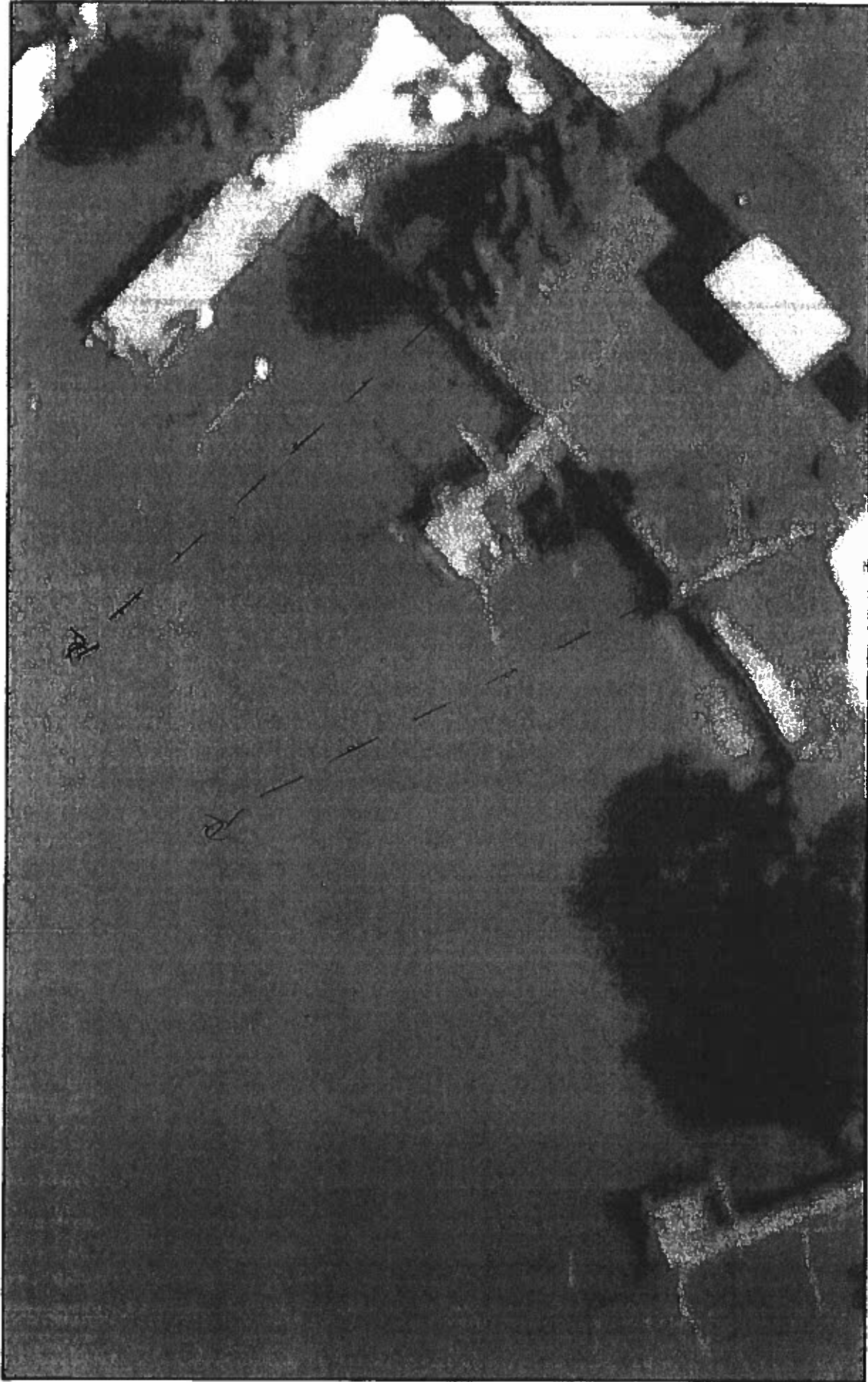
[Signature] 1/4/94
 FOR WILLIAM M. DAVIS, DIRECTOR

CITY OF BEACH BEACH

0489106/ENVIRONMENT/PAA03.7/20/93

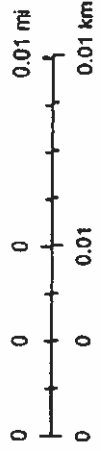
W/N

ArcGIS Web Map



March 13, 2020

1:282



Project: Tom Schaub
2004 - 20th Ave. Parkway
Indian Rocks Beach, FL 33705

State of Florida, DigitalGlobe, Microsoft

**AGENDA ITEM NO. 6B
QUASI-JUDICIAL PROCEEDING**

**ABT 11-2020 — 2COP
2300 GULF BOULEVARD, SUITE 1
BEACH WAVES GRILL**

CITY OF INDIAN ROCKS BEACH
AMENDED CITY COMMISSION AGENDA MEMORANDUM

FOR MEETING OF: September 8, 2020

Agenda Item: 6B

SUBMITTED BY: Deanne B. O'Reilly, City Clerk, MMC 

APPROVED BY: Brently Gregg Mims, City Manager 

SUBJECT: **ABT CASE NO. 11-2020** — Michael Fisher, d/b/a Beach Waves Grill, LLC has requested a 2COP Alcoholic Beverage Use Designation (*Beer; wine. By the drink or in sealed containers for consumption on or off premises where sold*) for the establishment Beach Waves Grill, located at 2300 Gulf Boulevard, Suite 1, Indian Rocks, Beach, Florida, and legally described as Lots 6 and 7 less RD on E, Block 42, Re- Revised Map of Indian Beach. Parcel #14-30-01-42030-042-0060.

BACKGROUND:

Alcoholic Beverage Use Designations are governed by Chapter 6, Alcoholic Beverages.

All alcoholic beverage licenses are under the control of the State of Florida, Division of Alcohol Beverages and Tobacco. However, municipalities do have the right to enact ordinances regulating the hours of business and location of place of business, and prescribing sanitary regulations thereof, of any license under the State Beverage Law within the county or corporate limits of such municipality. [F.S. 562.45(2)(a)]

On August 13, 2020, Michael Fisher submitted an Alcoholic Beverage Designation Application for a 2COP Alcoholic Beverage Use Designation (*Beer; wine. By the drink or in sealed containers for consumption on or off premises where sold*) for the establishment Beach Waves Grill, located at 2300 Gulf Boulevard, Suite 1, Indian Rocks Beach, Florida, pursuant to Code Section 6-32(e).

Mr. Fisher purchased Thai Pan Alley Joseph J. Buck on August 18, 2020, and per Code Section 6-32 Alcoholic Beverage Use Designations are approved for a specific property location and a specific application. Any change in ownership of the establishment will require filing a new application and approval by the City Commission.

Mr. Fisher and his partners will be changing the menu from Thai food to beach casual food.

ANALYSIS:

Beach Waves Grill is located within the CT (Commercial zoning district). The surrounding zoning is CT-Commercial Tourist on the north, south and west sides, and B (Business zoning district) to the east side.

Beach Waves Grill is located in Suite 1 of the Western Plaza located at 2300 Gulf Boulevard.

Beach Waves Grill will have 50 interior seats, and parking is shared with the other tenants in this commercial shopping center.

After a review of the application by the Planning Consultant, it was determined that the Alcoholic Beverage Application for Beach Waves Grill is in compliance with Chapter 6, Alcoholic Beverages, Chapter 110, Zoning, and parking is shared with the other tenants in this commercial plaza.

A review of the application by the Pinellas County Sheriff's Office, per records maintained within the PCSO records management system for Michael Fisher, and his partners: Michael Lee Lowe, James Robert Tenderholt, and Leonard Tenderholt are attached for the City Commission's review. This is not a comprehensive background check and only references the Pinellas County Sheriff's Office records management system.

Section 6-33, Authority of City Commission to designate locations, empowers the City Commission to designate the location and classification and to place reasonable restrictions which are deemed appropriate such as: *Repeated or intermittent nuisance activity and/or unlawful noise levels originating from the establishment or the parking area may result in the revocation of the alcoholic beverage designation.*

PUBLIC NOTIFICATION: A public meeting notice was mailed by first class mail to the property owners within 150 feet in any direction of the subject property and posted on the property on August 24, 2020, per Code Section 2-149.

A legal notice was published in the August 26, 2020-edition, of the St. Pete Times Section of the *Tampa Bay Times*, for a public hearing that has been scheduled on September 8, 2020, for ABT Case No. 2020-11.

FISCAL IMPACT:

If approved, Beach Wave Grill, LLC would be required to obtain an annual business tax receipt license from the City.

MOTION:

I move to **APPROVE/DENY** a request for an Alcoholic Beverage Use Designation of 2COP, (*Beer; wine. By the drink or in sealed containers for consumption on or off premises where sold*) to Michael Fisher, which establishment is located at 2300 Gulf Boulevard, Suite 1, Indian Rocks Beach, Florida, and legally described as Lots 6 and 7 less road on E, Block 42, Indian Beach Re-*Revised* **with the following stipulation: Repeated or intermittent nuisance activity and/or unlawful noise levels originating from the establishment or the parking area may result in the revocation of the alcoholic beverage designation.**

/DOR



CITY OF INDIAN ROCKS BEACH
ALCOHOLIC BEVERAGE DESIGNATION APPLICATION

DATE: 8/12/20

APPLICANT'S NAME: Michael Fisher

ADDRESS: 8496 108th St
Seminole, Fl. 33772

PHONE NO.: 727-510-1125 CELL PHONE: Same

E-MAIL: MFisher1974@outlook.com / BeachWavesgrill@gmail.com

DATE OF BIRTH: 7-4-74 DRIVER'S LICENSE NO.:

ESTABLISHMENT NAME: Beach Waves Grill LLC

ADDRESS: 2300 GOLF Blvd, Suite #1, Indian Rocks Beach, Fl. 33785

PHONE NO.: 727-510-1125 WEBSITE: IN Process

LEGAL DESCRIPTION: 50 seat Restaurant on Corner lot
of Plaza Lot 8 block 42 RE-REVISED MAP Indian Beach

PARCEL ID#: 14 30 01 42030 042 0060

BEVERAGE DESIGNATION REQUESTED: Beer & Wine

SEATING: Interior # 50 Exterior # 0 Parking Spaces # Shared Floor Area 1295

AFFIDAVIT

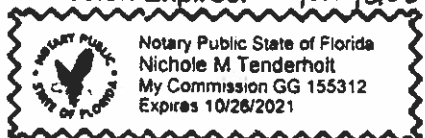
I, Michael Fisher, hereby swear and affirm that the above information is true and correct.

Michael Fisher
Affiant

State of Florida
County of Pinellas

SWORN TO AND SUBSCRIBED before me on this 13 day of August, 2020, by Michael Fisher (applicant), who is personally known to me or who produced as identification that he/she did execute the foregoing Affidavit.

My Commission Expires: 10/26/2021



N Tenderholt
(Signature of Notary Public)

Attachments: Chapter 6, Alcoholic Beverages
Alcoholic Beverages Checklist

ABT # 11-2020
BDMS # _____



ALCOHOLIC BEVERAGE APPLICATION CHECKLIST

Beach Waves Grill LLC ESTABLISHMENT NAME
2300 GOLF BLVD, Suite #1 IRB ADDRESS
Restaurant - Beer/Wine DESIGNATION

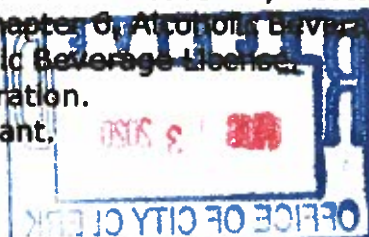
- City Application.
 - Name and address, telephone number, date of birth, and Florida Driver's License Number of applicant.
 - The physical street address of the property.
 - The alcoholic beverage classification requested.
 - Notarized statement by the owner consenting to the application, if applicant is the lessee or tenant.
 - Legal description of property where the business is located, including a survey which clearly sets out the location of the building(s).
 - Parcel ID#
 - State of Florida DBPR ABT Completed Application.
 - Neatly drawn floor plan of the premises including sidewalks and other outside areas which are contiguous to the premises, walls, doors, counters, sales areas, storage areas, restrooms, bar locations and other specific areas which are part of the premises sought to be licensed. A multi-story building where the entire building is to be licensed must show each floor plan. Seating survey of inside and outside. Must include seating both inside and outside.
- Signed, date, and completed Checklist.
- \$250 application fee.
- \$100 deposit for legal advertisement and public notices.

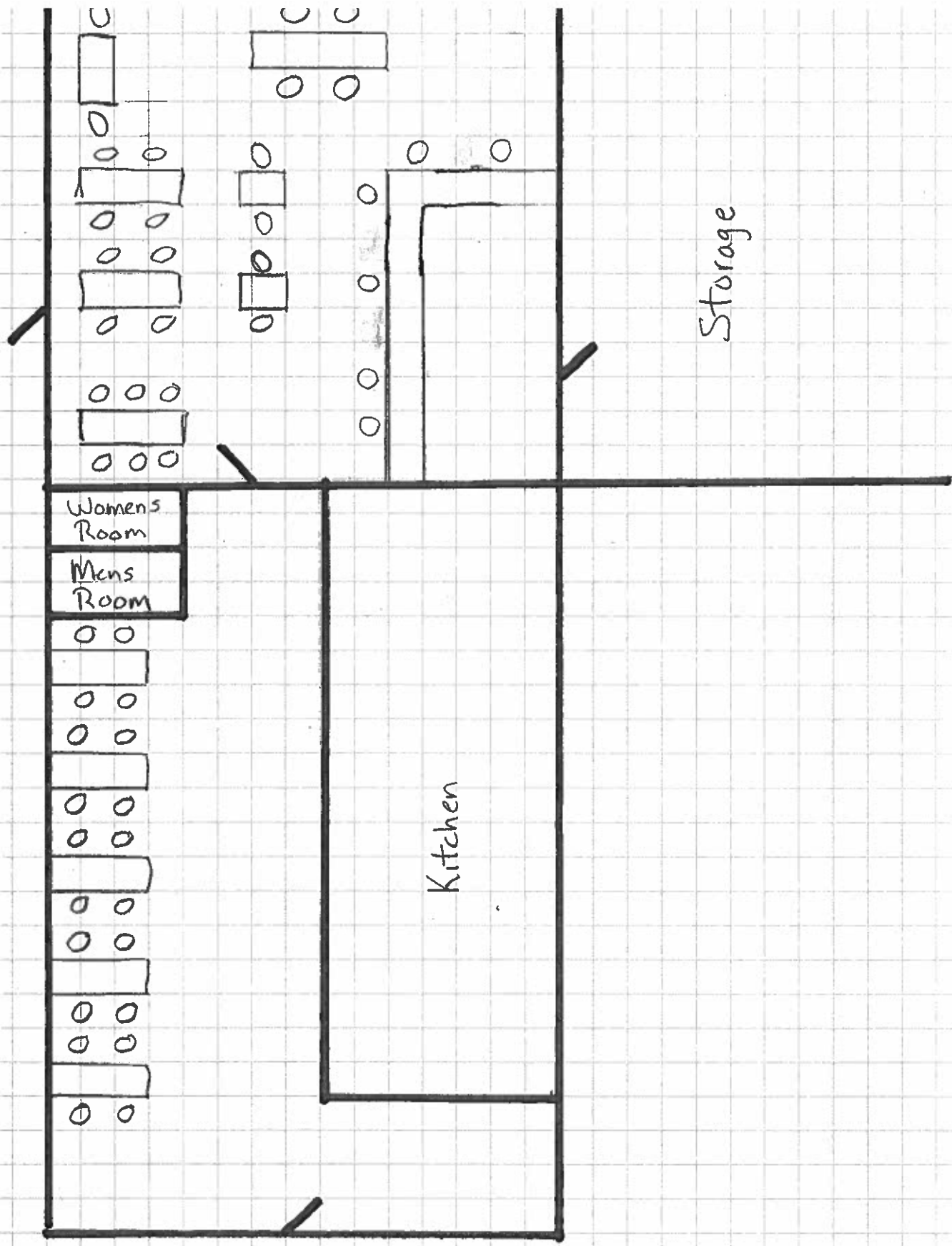

Signature of Applicant

8-13-20
Date

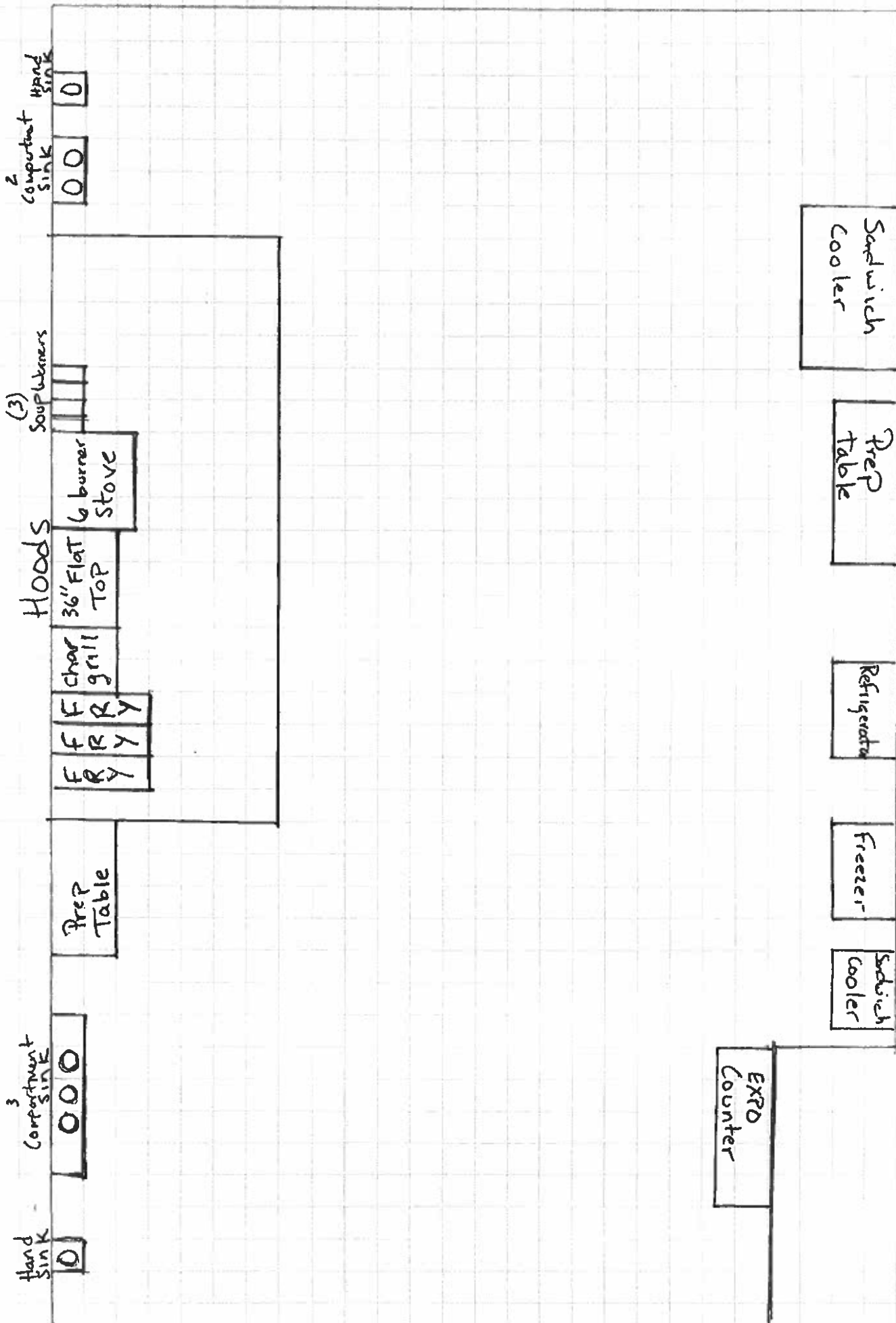
CITY USE

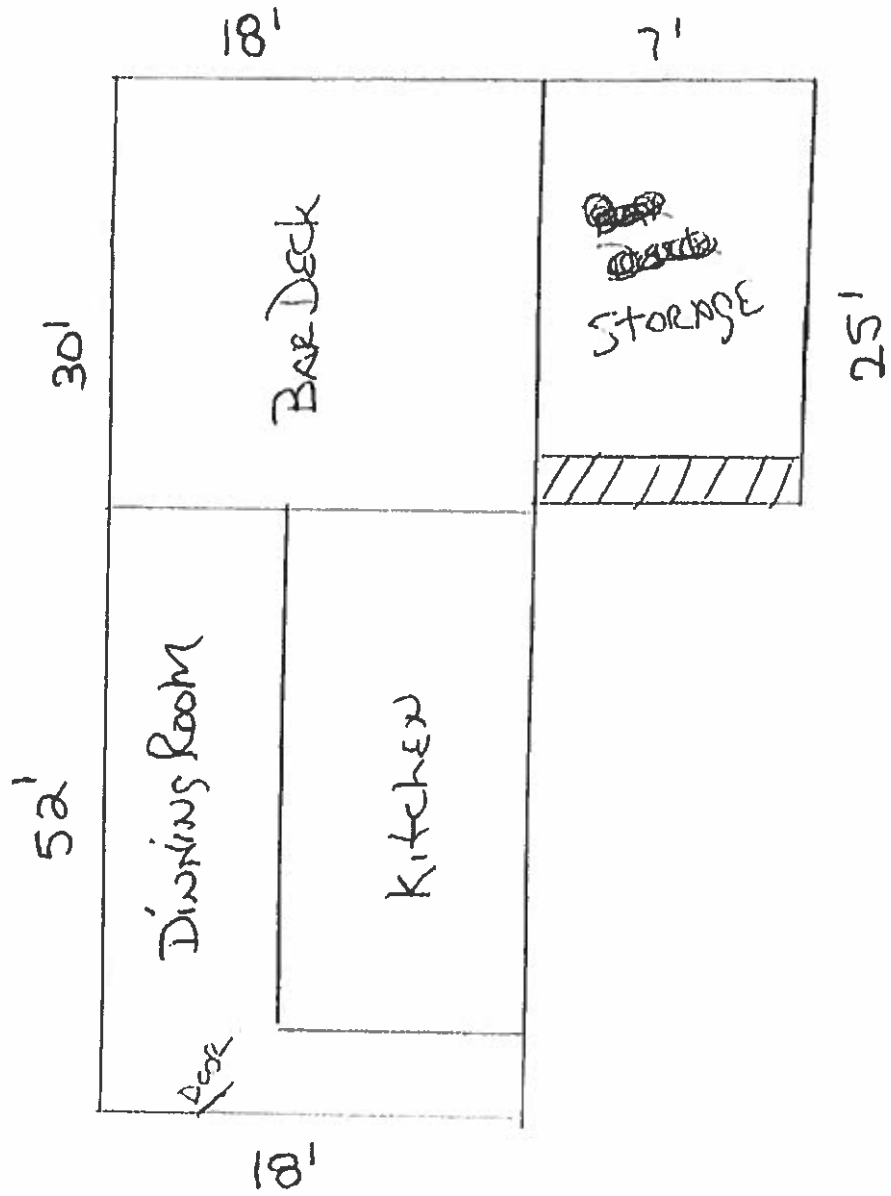
- Pinellas County Sheriff's Office background check. Names of applicants on State of Florida DBPR ABT Application.
- Code Enforcement: 500 feet from elementary, secondary, & high schools.
- Planning Consultant compliance with R2002-95, Restaurant Seating & Parking Chart, Chapter 110, Zoning, Chapter 6, Alcoholic Beverages, and general parking.
- Check Florida DBPR for Alcoholic Beverage License.
- Check Sunbiz for LLC or Corporation.
- Approval/denial letter to applicant.



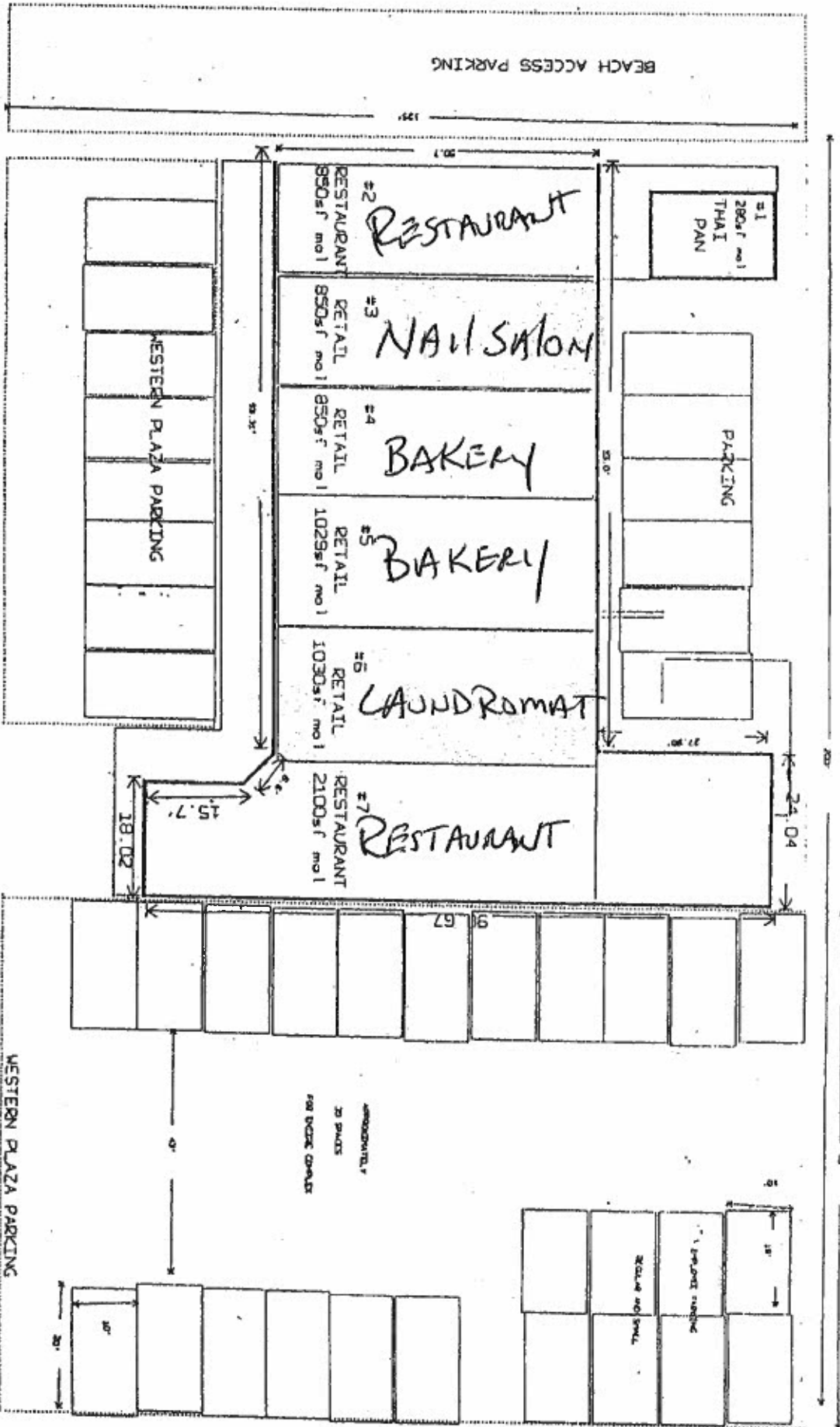


2

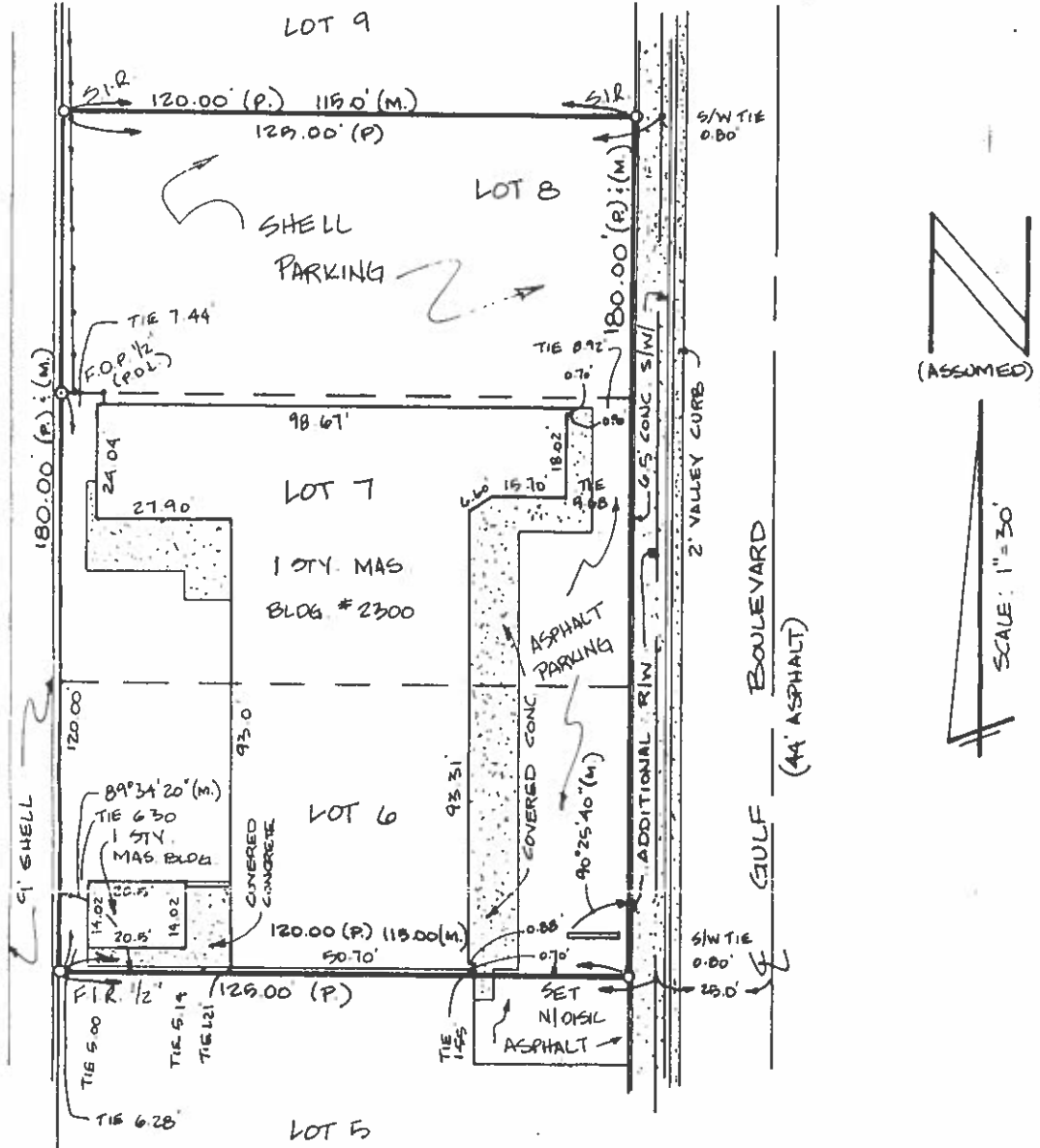




BEACH ACCESS



WESTERN PLAZA LAYOUT
2300 GULF BLVD. NORTH --->



F.C.M. 5'x5' LEGAL DESCRIPTION

LOTS 6, 7, AND 8, BLOCK 42, RE-REVISED MAP OF INDIAN BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 6, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

FIRM ZONE

THE ABOVE DESCRIBED PROPERTY APPEARS TO BE IN ZONE A-11, IN ACCORDANCE WITH THE FIRM MAP OF THE CITY OF INDIAN ROCKS BEACH, PINELLAS COUNTY, COMMUNITY PANEL NO. 125117-0003-B, MAP REVISED 3-2-83.

| | | | | | | | | | | | | | |
|---|---|--------------------|---------------------|----------------------|-----------------------------|-----------------------|--------------------------|-------------------------------|---------------------|------------------------------------|------------------|-------------------------------|-----------------|
| <p>BOUNDARY SURVEY SURVEY IS SUBJECT TO A TITLE SEARCH FOR MATTERS OF RECORD EFFECTING THE PROPERTY. BASIS OF BEARING ARE PLAT, UNLESS OTHERWISE NOTED HEREON. NO UNDERGROUND IMPROVEMENTS LOCATED OR SHOWN HEREON.</p> | <p>LEGEND</p> <table border="0"> <tr> <td>SIR - SET IRON ROD</td> <td>N&D - NAIL AND DISK</td> </tr> <tr> <td>FIR - FOUND IRON ROD</td> <td>POC - POINT OF COMMENCEMENT</td> </tr> <tr> <td>FIP - FOUND IRON PIPE</td> <td>POB - POINT OF BEGINNING</td> </tr> <tr> <td>FCM - FOUND CONCRETE MONUMENT</td> <td>PC - POINT OF CURVE</td> </tr> <tr> <td>PRM - PERMANENT REFERENCE MONUMENT</td> <td>CL - CENTER-LINE</td> </tr> <tr> <td>PCP - PERMANENT CONTROL POINT</td> <td>F/T - FENCE TIE</td> </tr> </table> | SIR - SET IRON ROD | N&D - NAIL AND DISK | FIR - FOUND IRON ROD | POC - POINT OF COMMENCEMENT | FIP - FOUND IRON PIPE | POB - POINT OF BEGINNING | FCM - FOUND CONCRETE MONUMENT | PC - POINT OF CURVE | PRM - PERMANENT REFERENCE MONUMENT | CL - CENTER-LINE | PCP - PERMANENT CONTROL POINT | F/T - FENCE TIE |
| SIR - SET IRON ROD | N&D - NAIL AND DISK | | | | | | | | | | | | |
| FIR - FOUND IRON ROD | POC - POINT OF COMMENCEMENT | | | | | | | | | | | | |
| FIP - FOUND IRON PIPE | POB - POINT OF BEGINNING | | | | | | | | | | | | |
| FCM - FOUND CONCRETE MONUMENT | PC - POINT OF CURVE | | | | | | | | | | | | |
| PRM - PERMANENT REFERENCE MONUMENT | CL - CENTER-LINE | | | | | | | | | | | | |
| PCP - PERMANENT CONTROL POINT | F/T - FENCE TIE | | | | | | | | | | | | |
| <p>CERTIFIED TO: ROBERT DOOD</p> | <p>JOB NUMBER: 920258 DATE SURVEYED: 3-26-92</p> <p>REVISIONS:</p> | | | | | | | | | | | | |
| <p>CERTIFICATE: THE SURVEY REPRESENTED HEREON DOES MEET THE MINIMUM REQUIREMENT OF CHAPTER 21M-6 FLORIDA ADMINISTRATIVE CODE AND THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN HEREON.</p> <p><i>Joseph B. Smith Jr.</i> JOSEPH B. SMITH JR. FLA. REG. SURVEYOR NO. 4000 (NOT VALID UNLESS EMBOSSED WITH SEAL)</p> | <p>GEORGE A. SHIMP II AND ASSOCIATES, INCORPORATED LAND SURVEYORS AND PLANNERS 3211 U.S. ALT. 19 N. SUITE D PALM HARBOR, FLORIDA 34683 PHONE 784-8496 FAX 786-1256</p> <p>LB 1834</p> | | | | | | | | | | | | |



National Association of Residential Property Managers

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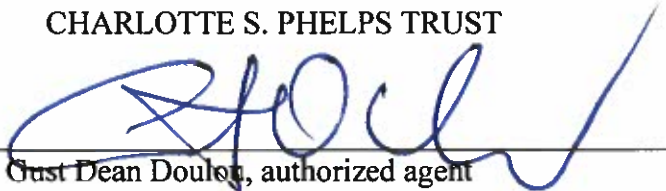


EQUAL HOUSING
OPPORTUNITY

To whom it may concern,

I, Gust D. Doulou, as authorized agent representing the JOHN F. PHELPS TRUST and the CHARLOTTE S. PHELPS TRUST, as owner of the property known as 2300 Gulf Blvd., Indian Rocks Beach, Florida 33785, recognize Beach Waves Grill LLC as the incoming tenant of the restaurant location known as 2300 Gulf Blvd., Unit #1, Indian Rocks Beach, Florida 33785. As authorized agent representing the owner, I consent to the owners of Beach Waves Grill LLC applying for a 2-COP Beer and Wine license for this location to serve beer and wine at the location.


LESSOR: JOHN F. PHELPS TRUST and
CHARLOTTE S. PHELPS TRUST

By: 
Gust Dean Doulou, authorized agent

STATE OF FLORIDA)
COUNTY OF PINELLAS)

The foregoing was acknowledged before me this 11TH day of AUGUST, 2020, by Gust Dean Doulou, as authorized agent of the JOHN F. PHELPS TRUST and the CHARLOTTE S. PHELPS TRUST who is personally known to me or has produced FLDL 40028454031-0 as identification.

(NOTARY SEAL)


(Signature of Notary Public on line above)

Barbara Duffy
(Print Name of Notary Public on line above)

My Commission Expires: 12/20/2021



August 26, 2020

Deanne B. O'Reilly, MMC, City Clerk
City of Indian Rocks Beach
1507 Bay Blvd.
Indian Rocks Beach, FL 33785

**RE: Beach Wave Grill, LLC
2300 Gulf Boulevard Suite 1
2 COP-CMBP Alcoholic Beverage License Designation**

Dear Deanne,

I have reviewed the application for 2300 Gulf Boulevard Suite 1 for a 2-COP Alcoholic Beverage License Designation and found the application is in compliance with Chapter 6 Alcoholic Beverages and Chapter 110-131 (6) b. Permitted uses of the Indian Rocks Beach Code of Ordinances.

The overall commercial uses and parking for the building at 2300 Gulf Boulevard Suite 1 were reviewed for compliance with the parking provided for this site based on the seating capacity of 50 seats. The parking is shared with the other tenants in this commercial plaza

Sincerely,



Hetty C. Harmon, AICP
Senior Planner





Sheriff Bob Gualtieri

Pinellas County Sheriff's Office

"Leading The Way For A Safer Pinellas"

Date: 08/26/2020

Reference: MICHAEL LEE LOWE DOB: 06/09/1976

To Whom It May Concern:

On this date, a records check was conducted by the Records Division of the Pinellas County Sheriff's Office in reference to the above named individual. The attached documents pertain to records maintained by the Pinellas County Sheriff's Office records management system only and should only be used for information and guidance. This is **NOT** a comprehensive background check for the above named individual.

For records checks maintained by other local law enforcement agencies, please contact those agencies individually.

To obtain a Pinellas County records search, please contact the Pinellas County Clerk of the Circuit Court and Comptroller via email at cocrcert@mypinellasclerk.org or by phone at (727) 464-7000, or <https://public.co.pinellas.fl.us/login/loginx.jsp>. Fees may apply.

To obtain a Florida criminal history, please contact the Florida Department of Law Enforcement at (850) 410-8109 or <http://www.fdle.state.fl.us/Criminal-History-Records/Obtaining-Criminal-History-Information.aspx>. Fees may apply.

To obtain a national criminal history check, please contact the Federal Bureau of Investigation at www.fbi.gov. Fees may apply.

If you have questions after reviewing this information, please call the Records Division at (727)582-6281 between 8:00 a.m. to 5:00 p.m., Monday through Friday, and we will assist you.

Sincerely,

Sheriff Bob Gualtieri

By: Natalie Gegan Payroll #: 55346
Administrative Assistant

| CASES | | | | | | | | |
|-------|--------------|-------------|-----------------|----------------|---|---------------------------------|-------------|---------------|
| | RELATIONSHIP | CASE NUMBER | TYPE | DATE INITIATED | DESCRIPTION | LEAD LEO | CASE STATUS | AS OF REPORT |
| 1. | OTHER | SO20-89030 | PCSO - INCIDENT | 03/21/2020 | DISABLED / IMPOUNDED VEHICLE | EULER, KENNETH L LT | CLOSED | SO20-89030 |
| 2. | OTHER | SO18-12834 | PCSO - OFFENSE | 01/14/2018 | BURG- STRUCTURE - 9751 98TH ST N OSCEOLA HIGH SCHOOL SEMINOLE FL (Central / PINELLAS SO / 468 / SQ2 / 21) | MORRIS, BRIDGETT A DEP | CLOSED | SO18-12834 |
| 4. | SUBJECT | SO11-197325 | OFFENSE | 06/11/2011 | NVDL ARREST - NO VALID DRIVERS LICENSE - ULMERTON RD & WILD ACRES RD LARGO FL (Central / PINELLAS SO / 390 / SQ2 / 22) | GRUNDMANN, TIM Sgt | CLOSED | SO11-197325 |
| 5. | COMPLAINANT | SO11-166665 | OFFENSE | 05/18/2011 | BURG- COMMERCIAL - 6655 68TH AVE N PINELLAS PARK FL (Central / PINELLAS SO / 537 / SQ1) | WARNER, PERRY A. DET | CLOSED | SO11-166665 |
| 6. | OTHER | SO09-309328 | INCIDENT | 12/18/2009 | CIVIL MATTER - 6655 68TH AVE N LOWE'S PAINTING PINELLAS PARK FL (Central / PINELLAS SO / 537 / SQ1 / S11) | PANIAGUA, MICHAEL A. CAPT | CLOSED | SO09-309328/1 |
| 7. | COMPLAINANT | 07-294717 | OFFENSE | 10/18/2007 | GTA - 2003 DODGE CARAVAN - EXC / VDP | MILLER, MATTHEW DEP | CLOSED | 07-294717 |
| 8. | Sunday | SB1999-8126 | INVESTIGATION | 11/19/1999 | --- | --- | CLOSED | SB1999-8126 |



Sheriff Bob Gualtieri

Pinellas County Sheriff's Office

"Leading The Way For A Safer Pinellas"

Date: 08/26/2020

Reference: JAMES ROBERT TENDERHOLT DOB: 05/22/1978

To Whom It May Concern:

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Sincerely,

Sheriff Bob Gualtieri

By: Natalie Gegan
Administrative Assistant

Payroll #: 55346

| CASES | | | | | | | |
|--------------|----------------------------|---------|----------------|--|-------------------|-------------|------------------------------|
| RELATIONSHIP | CASE NUMBER | TYPE | DATE INITIATED | DESCRIPTION | LEAD LEO | CASE STATUS | AS OF REPORT |
| 1. WITNESS | SO10-25783 | OFFENSE | 01/27/2010 | KEY CASE: VEHICLE BURGLARIES (2) AT PJAC PARKING LOT | DIPOLITO, M P DEP | CLOSED | SO10-25783/7 |

| CASES | | | | | | | |
|-----------------|-----------------------------|---------------|----------------|----------------|----------|-------------|-----------------------------|
| RELATIONSHIP | CASE NUMBER | TYPE | DATE INITIATED | DESCRIPTION | LEAD LEO | CASE STATUS | AS OF REPORT |
| 1. Other Person | SB1999-8132 | INVESTIGATION | 11/20/1999 | Sexual Battery | -- | CLOSED | SB1999-8132 |



Sheriff Bob Gualtieri

Pinellas County Sheriff's Office

"Leading The Way For A Safer Pinellas"

Date: 08/26/2020

Reference: LEONARD JAMES TENDERHOLT DOB: 04/25/1961

To Whom It May Concern:

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Sincerely,

Sheriff Bob Gualtieri

By: Natalie Gegan
Administrative Assistant

Payroll #: 55346

| CASES | | | | | | | |
|-----------------------|-------------|---------|----------------|--|--------------------------------|-------------|---------------|
| RELATIONSHIP | CASE NUMBER | TYPE | DATE INITIATED | DESCRIPTION | LEAD LEO | CASE STATUS | AS OF REPORT |
| 1. COMPLAINANT/VICTIM | SO16-200151 | OFFENSE | 05/19/2016 | BURG- STRUCTURE - 880 PATRICIA AVE DUNEDIN FL (North / DUNEDIN / 219 / SQ7 / 72) | TSANAKALLOTIS, REGINA H DET | INACTIVE | SO16-200151/1 |



Sheriff Bob Gualtieri

Pinellas County Sheriff's Office

"Leading The Way For A Safer Pinellas"

Date: 08/26/2020

Reference: MICHAEL FISHER DOB: 07/04/1974

To Whom It May Concern:

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Sincerely,

Sheriff Bob Gualtieri

By: Natalie Gegan

Payroll #: 55346

Administrative Assistant

| CASES | | | | | | | | |
|--------------|-------------|-------------|----------------|-------------|--|-----------------------------|--------------|-------------|
| RELATIONSHIP | CASE NUMBER | TYPE | DATE INITIATED | DESCRIPTION | LEAD LEO | CASE STATUS | AS OF REPORT | |
| 3. | OTHER | SO13-146926 | OFFENSE | 04/14/2013 | DRIVER'S LIC SUSP/REVOKED - JOHNSON BLVD & SEMINOLE BLVD SEMINOLE FL (Central / SEMINOLE / 518 / SQ3 / 35) | MATA, Y. DET | CLOSED | SO13-146926 |
| 7. | OTHER | SO09-125988 | INCIDENT | 06/04/2009 | ASSIST CITZ(NO AUTO) - 8496 108TH ST N SEMINOLE FL (/ SEMINOLE / 501 / SQ3 / SM3) | PAPPAS, SHAWN DEP | CLOSED | SO09-125988 |
| 8. | COMPLAINANT | 01-178828 | INCIDENT | 08/18/2001 | INFO - GENERAL - 8496 108 ST SEMINOLE FL (/ PINELLAS SO / 501 / S34B) | RICHARDSON, ROBERT W CPL | CLOSED | 01-178828 |
| 9. | SUBJECT | 98-11507 | OFFENSE | 01/20/1998 | MURDER (ATTEMPTED) | TILLIA, JOHN MAJ | CLOSED | 98-11507/61 |

| | | | | | | | | |
|-----|----|---------------|----|----|---|----|----|----|
| 10. | -- | 07- 311516 | -- | -- | Access Denied - Contact Responsible Party | -- | -- | -- |
|-----|----|---------------|----|----|---|----|----|----|



FLORIDA DEPARTMENT OF LAW ENFORCEMENT CRIMINAL HISTORY INFORMATION

Search Florida's Criminal Histories

Time: 5:13 PM

Lindsey
@ PCSO

Payment receipt has been emailed to info@lowescommercialpainting.com

1. MY INFORMATION 2. CRITERIA 3. CONFIRMATION 4. PAYMENT 5. CANDIDATES 6. RESULTS

These are the results of your search. Read the instructions below to complete the search.

| Name | First | Middle | Last | Suffix | Date of Birth | Age | Race | Sex | SSN |
|-------------------------|----------|--------|------------|--------|---------------------|-----|------|-----|-----|
| JAMES ROBERT TENDERHOLT | JAMES | ROBERT | TENDERHOLT | | 05/22/1978 | | W | M | |
| Maiden/Alias | - | - | - | - | - | - | - | - | - |
| Maiden/Alias 2 | - | - | - | - | - | - | - | - | - |
| Transaction | 11915091 | | | | 9/2/2020 2:53:09 PM | | | | |

Read the following candidates, if a candidate matches the individual being searched, then select the *Display History* box next to the name and the rap sheet (criminal history) should appear. OR If the candidates do not match the individual being searched, select *None of the Above*. **If you select more than one criminal history you will be charged an additional \$25.00 for each name.** This is a search of demographic information only, and positive identification can only be verified by submission of a fingerprint card and comparison by FDLE.

Help understanding these results

| Name | Aliases/Also Known As | DOB | SSN | Sex | Race | Height | Weight | Eyes | Hair |
|------------------------|---|---|---|-----|------|--------|--------|------|------|
| JAMES ROBERT | JAMES, ROBERT | 19790518 | XXX-XX-1955 | M | W | | | BRO | BRO |
| ROBERTS, JAMES JOSEPH | ROBERTS, JAMES ; ROBERTS, JAMES J ; ROBERT, JAMES JOSEPH ; ROBERT, JAMES | 19780609 ; 19780619 | XXX-XX-0133 ; XXX-XX-0137 | M | W | | | HAZ | BRO |
| PHILANTROPE, ROBERT | JAMES, JERMAINE ; PHILANTROPE, ROBERT P ; PHILANTHROPE, ROBERT ; JAMES, JERMAIN ; PHILANTROPE, ROBERT ; PHILANTROP, ROBERT ; MOORE, DAWNE ; MOORE, DWANE ; PHILANTROPO, ROBERT ; TALANTROPE, ROBERT | 1978112 ; 19781127 ; 19781121 | XXX-XX-0383 ; XXX-XX-7383 ; XXX-XX-3833 ; XXX-XX-0883 ; XXX-XX-8181 | M | B | | | BRO | BLK |
| JAMES, ROBERT LEE | LEE, ROBERT ; JAMES, ROBERT ; JAMES, ROBERT L ; THOMAS, GERALD ; GERALD, THOMAS | 19770517 ; 19761223 ; 19771223 | XXX-XX-4187 ; XXX-XX-1143 ; XXX-XX-1143 | M | B | | | BRO | BLK |
| VANWORMER, JAMES FLOYD | VANWORMER, ROBERT GEORGE ; JAMES, ROBERT ; VANWORMER, ROBERT | 19501204 ; 19480920 ; 19480910 ; 19780920 | XXX-XX-5879 ; XXX-XX-6892 ; XXX-XX-6992 ; XXX-XX-6892 ; XXX-XX-6892 | M | W | | | GRN | RED |

None of the Above

SB 1999 8/32
James Tenderholt
11-20-99
Sexual battery
witness!

Pinellas County Sheriff's Office
Case Master Report SB1999-8132

Date Initiated 11/20/1999

Primary Information

| | |
|-------------------|------------------------|
| Agency: | ST PETE BEACH PD |
| Bureau: | SB - PATROL OPERATIONS |
| Division: | SB - PATROL |
| Squad: | ST PETE BEACH PD |
| Type Of Case: | INVESTIGATION |
| Case Description: | Sexual Battery |

Case Status

| | |
|-------------------|-------------|
| Case Status: | CLOSED |
| Case Status Date: | 11/20/1999 |
| Dissemination: | System Wide |

This report is property of Pinellas County Sheriff's Office. Neither it nor its contents may be disseminated to unauthorized personnel.

ST PETE BEACH POLICE DEPARTMENT
INVESTIGATIVE CASE MASTER SB1999-8132

Report Date: 11/20/1999

| Primary Information | |
|---------------------|---|
| Description: | Sexual Battery |
| Occurrence From: | 11/20/1999 02:00 |
| Occurrence To: | 11/20/1999 02:15 |
| Reporting LEO: | Bruneau, David (SB8937 / ST PETE BEACH POLICE DEPARTMENT) |
| Backup LEO: | BITTAKER, RONALD OFCR-SBPD Ofc (SB4515 / UNKNOWN) |
| Report Status: | Approved |
| Report Status Date: | 10/08/2012 |
| Approved By: | Aciss Systems Inc., Support Login (aciss / PINELLAS COUNTY SHERIFF'S OFFICE) |

| Addresses | |
|---------------------|----------------|
| <u>Relationship</u> | <u>Address</u> |
| RELATED | |

| Subjects | | | |
|-------------------------|-------------------------------------|----------------------------|------------|
| <u>Relationship</u> | <u>Name</u> | <u>Bio</u> | <u>DOB</u> |
| VICTIM | | | |
| SUSPECT | Lowe, Mark A (PERSON) | 41 yr. old, WHITE, MALE | 12/29/1970 |
| SUSPECT | Pastor, Robert J (PERSON) | 49 yr. old, WHITE, MALE | 03/23/1963 |
| LAW ENFORCEMENT OFFICER | Bittaker, Officer Ron (PERSON) | 212 yr. old, WHITE, MALE | |
| LAW ENFORCEMENT OFFICER | Bruneau, Officer Dave (PERSON) | 212 yr. old, WHITE, MALE | |
| LAW ENFORCEMENT OFFICER | Ingoglia, Officer Matthew (PERSON) | 212 yr. old, WHITE, MALE | |
| LAW ENFORCEMENT OFFICER | Micklitsch, Officer Robert (PERSON) | 212 yr. old, WHITE, MALE | |
| LAW ENFORCEMENT OFFICER | Riles, Detective Phil (PERSON) | 212 yr. old, WHITE, MALE | |
| LAW ENFORCEMENT OFFICER | Rowe, Technician Barbara (PERSON) | 212 yr. old, WHITE, FEMALE | |
| Other Person | Doney, Robert L (PERSON) | 44 yr. old, WHITE, MALE | 03/01/1968 |
| Other Person | Evans, Andy (PERSON) | 58 yr. old, WHITE, MALE | 05/28/1954 |
| Other Person | Fredricks, Theresa (PERSON) | 36 yr. old, WHITE, FEMALE | 02/02/1976 |
| Other Person | Hind, Prince (PERSON) | 45 yr. old, BLACK, MALE | 07/17/1967 |
| Other Person | Price, Sean G (PERSON) | 35 yr. old, WHITE, MALE | 09/15/1977 |
| Other Person | Rivera, Rafael (PERSON) | 38 yr. old, WHITE, MALE | 12/20/1973 |
| Other Person | Tenderholt, James R (PERSON) | 34 yr. old, WHITE, MALE | 05/22/1978 |

| Vehicles | | | |
|---------------------|--------------|-------------------|-------------------------------|
| <u>Relationship</u> | <u>Tag #</u> | <u>VIN #</u> | <u>VehicleDescription</u> |
| Other | HX649VF | JT2MX83E9K0024800 | TOYOTA Cressida (BLUE) - AUTO |

| Narrative |
|-----------|
| 0 |

This report is property of ST PETE BEACH POLICE DEPARTMENT. Neither it nor its contents may be disseminated to unauthorized personnel.

ST PETE BEACH POLICE DEPARTMENT
INVESTIGATIVE CASE MASTER SB1999-8132

Report Date: 11/20/1999

Narrative - Continued

Original Report - Bruneau, David - 11/20/1999: SEXUAL BATTERY / ROBBERY

V1- ATTACKED BY SUSPECT
L1-BRUNEAU INVESTIGATING OFFICER
L2-INGOGLIA BACK-UP OFFICER
L3-MICKLITSCH BACK-UP OFFICER
L4-BITTAKER- BACK-UP OFFICER / DID TRACK WITH K9
L5-RILES- DETECTIVE RESPONDED TO THE SCENE

SUSPECT INFO: W/M APPROX 20-25 YEARS OLD. 5-8 TO 5-10 CREW CUT TYPE HAIR CUT. DARK COLORED HAIR. SUSPECT MAY HAVE INJURIES CAUSED BY THE VICTIM HITTING HIM WITH HER CAR KEYS, POSSIBLY TO THE BACK, NECK OR ARMS. SUSPECT LAST SEEN RUNNING N. BOUND ON SUNSET WAY.

I RESPONDED TO THE SOUTH BEACH BAR AND GRILL IN REFERENCE TO A FEMALE WHO HAD COME IN TO THE BAR AND WAS VERY UPSET. THE NATURE OF THE PROBLEM WAS UNKNOWN. I MET WITH THE W/F AND IDENTIFIED HER AS V1- V1 WAS VERY UPSET AND HAD TROUBLE TALKING TO ME AT THIS TIME. I ASKED V1 IF SHE NEEDED TO BE SEEN BY RESCUE FOR ANY INJURIES, SHE SAID NO. I COULD SEE MUD ON HER KNEES AND SHE HAD 2 SMALL SCRATCHES ON HER FACE.

I MET WITH V1. INSIDE THE BAR. V1 SAID THAT SHE HAD BEEN ATTACKED BY AN UNKNOWN W/M AS SHE WAS GOING TO HER APT. V1 SAID THAT SHE HAD PARKED HER CAR IN FRONT OF HER APT. THIS IS JUST TO THE NORTH OF THE ENTRANCE TO THE SOUTH BEACH BAR AND GRILL. V1 SAID SHE GOT OUT OF HER CAR AND WALKED AROUND TO THE PASSENGER SIDE. THE SPRINKLERS WERE ON NEXT TO HER CAR. V1 SAID SHE SAW THE SUSPECT STANDING IN FRONT OF THE ENTRANCE TO THE BAR, BUT SHE DID NOT PAY ANY ATTENTION TO HIM. V1 SAID SHE STARTED TO RUN THROUGH THE SPRINKLER TO THE STAIRS LEADING TO HER APT. WHEN THE SUSPECT GRABBED HER FROM BEHIND. THE SUSPECT KNOCKED V1 TO THE GROUND. THE SUSPECT GRABBED V1'S THROAT AND PULLED THE HOOD FROM HER JACKET OVER HER FACE. V1 SAID THAT SHE WAS FIGHTING WITH THE SUSPECT. V1 SAID THAT THE SUSPECT REACHED UNDER HER SHIRT AND WAS "GROPING" HER BREASTS WITH HIS HANDS. V1 SAID HER BRA GOT PUSHED UP DURING THIS TIME. V1 SAID THAT THE SUSPECT THEN PUT HIS HANDS IN TO HER SHORTS AND WAS TRYING TO PULL THEM DOWN. V1 SAID THE SUSPECT HAD HIS HAND BETWEEN HER LEGS. V1 SAID THAT SHE KICKED THE SUSPECT IN THE GROIN AREA SEVERAL TIMES UNTIL HE GOT UP AND RAN AWAY. THE SUSPECT WAS LAST SEEN RUNNING N. BOUND ON SUNSET WAY. V1 THEN RAN TO THE SOUTH BEACH BAR FOR ASSISTANCE. V1 SAID THAT THE ONLY CONVERSATION THAT SHE COULD REMEMBER WAS THAT THE SUSPECT KEPT TELLING HER TO SHUT UP.

I ASKED V1 TO SHOW ME WHERE THE INCIDENT TOOK PLACE. V1 AND I WALKED TO THE STAIRS LEADING TO HER APT. THERE WAS SOME DAMAGE DONE TO THE BUSHES AND THERE WAS DIRT AND MUD ON THE SIDEWALK FROM THE STRUGGLE. I CHECKED THIS AREA FOR ANY EVIDENCE THAT MAY HAVE BEEN LOST BY THE SUSPECT WITH NEGATIVE RESULTS.

A CHECK WAS DONE INSIDE THE BAR WITH THE CLOSING EMPLOYEES. NONE REMEMBERED SEEING ANYONE FITTING THE SUSPECTS DESCRIPTION IN OR NEAR THE BAR.

L4-BITTAKER HAD BEEN NOTIFIED AND WAS RESPONDING TO DO A TRACK WITH K-9.
L4 DID AN AREA CHECK AND WAS UNABLE TO LOCATE A SUSPECT.

L5-RILES WAS ALSO NOTIFIED AND WAS RESPONDING TO THE SCENE.

I ESCORTED V1 TO HER APT. SO THAT SHE COULD CHANGE HER CLOTHES. V1 THEN ADVISED ME THAT SHE HAD A SMALL CUT ON HER HIP. V1 ALSO NOTICED THAT HER DRIVERS LICENSE, ATM CARD AND APPROX. \$60.00 CASH WAS MISSING FROM THE BACK POCKET OF HER SHORTS. V1 WAS ASKED AGAIN IF SHE NEEDED MEDICAL ATTENTION, SHE DECLINED AGAIN. V1 THEN SAID " I'M SURPRISED THAT I DID NOT LOOSE MY KEYS". I ASKED V1 WHERE HER KEYS WERE AT THE TIME OF THE INCIDENT. V1 SAID THAT HER KEYS WERE IN HER HAND AND THAT SHE MAY HAVE INJURED THE SUSPECT IN THE BACK, NECK OR ARMS BECAUSE OF THE KEYS.

V1 WAS TAKEN TO CENTRAL BY L5 FOR AN INTERVIEW. AN AREA SEARCH WAS DONE AGAIN BY MYSELF, L2, L3, AND L4 ON FOOT, WITH NEGATIVE RESULTS. VEHs. THAT WERE IN THE AREA WERE CHECKED. THE TAGS WERE RECORDED AND RUN BY DISPATCH AND GIVEN TO

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Report Date: 11/20/1999

Narrative - Continued

L5.

V1S' DL NUMBER AND ATM INFORMATION WERE NOT AVAILABLE AT THIS TIME. THESE WILL BE ADDED.

Supplemental Report - Centofanti, Chris - 11/20/1999: I was dispatched to 644 77th Ave in reference to a suspicious person. Upon my arrival I met with

Sean G. Price who explained that he had fallen asleep in his 1989 Toyota bearing Florida tag HX649V.

Mr. Sean G. Price advised that he had just broken up with his girlfriend and wife feeling sorry for

himself he had a few drinks of alcohol and fell asleep in his vehicle. Mr.Price stated that he did not

drive home because he did not want to upset his parents so he drove to the end of 77th ave where he fell asleep. Mr.Price advised that he left his girlfriends house (Pam Chase) around 0430 hours and drove directly out to St.Pete Beach. Mr.Sean Price stated that his girlfriend lives on Central ave in St.Petersburg.

Sgt.Rollin then called Mr.Price's girlfriend (Pam Chase) and she advised Mr.Price left her residence around 2330 hrs on Nov.19,1999. At this point it was decided to ask Mr.Price if he would come to the police station for some questioning. Mr.Price agreed and was transported to central. Once at central Sgt.Rollin decided to call out Detective Riles to interview Mr.Price concerning the Sexual Battery.

Mr.Sean Price was wearing a gray/white shirt with tan pants. Mr.Price also had a crew cut hair style. After Detective Riles finished interviewing Mr.Price he left central. It was learned while talking with Mr.Sean Price that he was on probation for Burglary. According to the county computer Mr.Sean Price was sentenced to community control for 2 years. Mr.Price advised that his probation officers name is Rosa Niles 893-5301. Also according to the county computer Mr.Price was still on probation but was released from community control on March 19,1999. I will be calling Mr.Price's probation officer on Nov.22,1999 to advise her of the contact made with Mr.Price.

Mr.Sean Price had a strong odor of an alcoholic beverage on his person, glassy eyes and Mr.Price even admitted to urinating on himself while he was sleeping. All this information will be relayed to his probation officer. No further action by this officer.

Supplemental Report - Bruneau, David - 11/20/1999: On 11-20-99 I CALLED V1 TO SEE IF SHE HAD POSSIBLY FOUND HER ATM CARD, AND DRIVERS LICENSE. SHE SAID SHE HAD NOT FOUND THE ITEMS. V1 PROVIDED ME WITH HER ATM CARD NUMBER, THIS IS WITH AMSOUTH BANK. V1 SAID THAT SHE WAS VERY SORE TODAY. V1 SAID THAT SHE ALSO SAW A CONSTRUCTION WORKER IN THE AREA THAT FIT THE DESCRIPTION OF THE PERSON WHO HAD ATTACKED HER. V1 SAID THAT THIS PERSON ACTED VERY STRANGE AROUND HER WHEN SHE SAW HIM. V1 SAID THAT SHE ADVISED L5-RILES OF THIS INFORMATION. THE ATM CARD INFO WAS ADDED TO THE PROPERTY SECTION OF THIS REPORT.

Supplemental Report - Bittaker, Ron - 11/22/1999: I Responded to a request for K-9 in reference to an attempted Sexual Battery which had occurred near the South Beach Bar on Sunset Way. On my arrival, information was received about the incident, with very little description on the suspect. Information included that the white male suspect had ran north on the sidewalk from the location where the incident had occurred. A time lapse of 45 minutes to an hour had elapsed at this time. A track was established which went north on the sidewalk to 69th ave and then west on 69th ave and then north thru the alley to 70th ave. The track ended in that area.

We then re-deployed from the area of the incident to look for any signs of any physical evidence with negative results.

We then did an area check, 2 blocks square with again negative results.

No further action was taken by

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Narrative - Continued

K-9.

Supplemental Report - Bentley, Kimberly - 11/23/1999: I took photos of recovered stolen driver's license belonging to _____ Roll of film has been turned into evidence to be developed. A supplement with additional details of the photos will follow once they are developed.

Supplemental Report - Bruneau, David - 11/23/1999: I RESPONDED TO _____ IN REFERENCE TO V1- _____ FINDING HER D/L THAT HAD BEEN TAKEN IN A SEX BATTERY.

WHEN I ARRIVED V1 STATED THAT SHE HAD GONE OUT TO RUN SOME ERRANDS AND RETURNED TO HER APT. TO FIND HER DRIVERS LICENSE IN FRONT OF HER APT. LAYING ON THE GROUND. V1 SAID THAT SHE LEFT HER APT. AT APPROX. 1800. WHEN SHE RETURNED AT APPROX. 2000 THE D/L WAS FOUND. IT IS UNKNOWN WHO PLACED IT THERE. PHOTOS WERE TAKEN OF THE D/L. THE D/L WAS PLACED IN TO EVIDENCE TO BE PROCESSED FOR LATENT PRINTS.

Supplemental Report - Rowe, Barbara - 12/01/1999: On 22NOV99 at approximately 1510 hours I met with _____ the victim in my office along with Detective Sgt. Fletcher. Fletcher requested that I photograph some injuries the victim had sub stained while struggling to get away from the suspect. I took the following photographs:

| | | |
|-----|--------------------------------------|-------------------|
| F 1 | Identification shot | |
| F 2 | Identification shot | |
| F 3 | Left side of stomach above the waist | Bruise |
| F 4 | Left side of stomach above the waist | Bruise |
| F 5 | Left side of stomach above the waist | Bruise |
| F 6 | Left side of the back | Red blotch's |
| F 7 | Left side of the back | Red blotch's |
| F 8 | Right upper shoulder | Red blotch's |
| F 9 | Right upper shoulder | Red blotch's |
| F10 | Scalp / middle back of head | Red spot and lump |
| F11 | Scalp / middle back of head | Red spot and lump |
| F12 | Scalp / middle back of head | Red spot and lump |

_____ complained that her forehead was sore, but there was no sign of any injury. I completed the photographing at approximately 1540 hours and she left with Fletcher.

Detective Russo approached me and asked me to take photographs of a subject they were interviewing as a possible suspect. I took three identification shots and one of the top of his hands as he had some abrasions.

Both rolls of film were developed and filed in the photo/negative file.

On 24NOV99 at approximately 0907 hours I removed from evidence locker number six, one Florida drivers license that was submitted by Officer Bruneau for latent fingerprint processing.

At approximately 1140 hours on 24NOV99 I processed the drivers license using Cyanoacrylate fuming and dusting powder. No latent fingerprints of value for comparison were developed. I returned the license to _____ at 1400 hours. See attached property/evidence disposal sheet.

Supplemental Report - Riles, Phil - 01/07/2000: On 11/20/99 at _____, 0230 hours I was called out for a sexual battery which had just occurred at _____. Upon arrival I met with acting Sat. _____ and first officer on the scene, Officer D ave _____. Victim _____ was sitting in patrol vehicle. Officer _____ advised that _____ had been attack out in front of her apartment at the base of the stairs. _____ explained that _____ ran into South Beach Bar after she was attack, the bar is located just south of side walk, where _____ was attack. KO-9 Officer Bit taker responded to the area and did a track which went north of the area, this was unsuccessful, See Bit taker's

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Narrative - Continued

supplement.

Officer advised that no safe examine was required due to the circumstance of the attack. Officer advised wanted to change her clothing which was wet. I advised that would be ok.

While I waited for to change clothing before interview I checked the crime scene.

Crime Scene: Sidewalk just north of the South Beach Bar and Grill, just east of the stairs to victims apartment, floor bed just north of the side walk is where victim was dragged into, sprinklers on ground very wet, lighting was fair.

After changed her clothing I transported her to Central for an interview. was very upset as we started to talk. stated that she started her evening, (Friday 11/19/99) by eating at home with her roommate .

At . 2200 dropped off her roommate at the Tryone Bennigans. then proceed to the Beach Bar at the Howard Johnsons, 6100 Gulf Blvd.

met with Evans, who is her boyfriend. stated she left the bar by herself and went to Rickey T's 10601 Gulf Blvd Treasure Island. drank there from 2330 until just after 0100 am Saturday 11/20/99.

then drove home to . As parked her car in the forth, parking space south, of the intersection of 69th Ave. on Sunset Way, which is just north of the South Beach Bar & Grill. observed a man standing in front of the Sunset Bar and Grill.

exited her car and walked to the passenger side. She noticed that the sprinklers were on and she hesitated for a moment before running east approx. 100' to the stairs to her apartment. As she started to run was grabbed from behind on the right side. She was then knocked to the ground and fell on her back. The suspect who appeared to be the same subject who was standing out in front of the bar started chocking her.

As he was choking her he pulled her jacket hood over her head as she started to scream. The suspect then reached up under shirt and stared foundling her breast by pulling her bra up then felt the suspect place his hands inside her shorts trying to pull them off. started resisting by punching and kicking. stated that the suspect did penetrated her vagina with a finger while he attempted to pull her underwear off.

stated she kicked the suspect in the grion several times until the suspect got up and fled the area north on foot. then ran into the South Beach Bar and asked the bartender to call the police.

stated that she did not get a good look at the suspects face to do a composite drawing. She gave me the same description as she gave Officer Bruneau except she stated the suspect could have been approx. 5'2 in height. became very upset and started crying.

also stated that she was missing her Driver License, \$60.00 and her AMSouth Debit Card which were all in her rear pocket. was given several phone numbers for assistance including the Victim Advocate. I then called Fredreick, roommate who responded to Central and took her home.

I then had dispatch send out a zone 5 Bolo on what had happen, I also gave patrol A Bolo flyer to give out to the local businesses in the area.

Note: After reviewing this case I found that this was very similar to an attempted sexual battery that occurred in the 6700 blk of Sunset Way on 10/30/99, Case number 99-7910.

I requested patrol recheck the area for the missing items.

At approx. 0800 I was called back in after Officer Centofanti located a possible suspect, Price.

I met with Price at Central and interviewed him. I noticed that he had a odor of an alcoholic beverage about this person. Post Miranda Price denied any knowledge of the sexual battery and at this time I did not believe he was the suspect based on the physical description and information I had. Price did say that he was on probation and should not be drinking but was upset because he had broken up with his girlfriend.

On 11/22/99 Detectives Russo, Fratus, Sgt. Fletcher and I did a neighborhood check throughout the day. Several subjects were talked to but no suspects were located. On this date Det. Russo and Sgt. Fletcher reinterviewed

On 11/29/99 the victim from the first attempted sex battery, Heather Manzi, Report 99-7910 responded to Central to look at a photo pack of Rivera who fit the composite. She was unable to pick our anyone. She had no additional information to add.

I have talked with several agencies in the Tampa Bay area and unable to find a similar case.

On 12/16/99 I interviewed another possible suspect, Robert Pastor. After talking with him I found he did not fit the physical description and was not living in the area at the time the crimes occurred.

On 1/04/2000 obtained a photo of a possible suspect, Mark Lowe. Manzi responded to Central and was unable to identify Lowe. This case is enacted until additional leads are located.

Case Status: PLR 01/07/2000 Enacted

Record Status Information

Record Origination Operator:

Aciss Systems Inc., Support Login (aciss / INFORMATION SYSTEMS / PINELLAS COUNTY SHERIFF'S OFFICE)

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ST PETE BEACH POLICE DEPARTMENT
INVESTIGATIVE CASE MASTER SB1999-8132

Report Date: 11/20/1999

Record Status Information - Continued

| | |
|--------------------------|--|
| Record Origination Date: | 10/08/2012 01:04 |
| Last Update Operator: | Aciss Systems Inc., Support Login (aciss / INFORMATION SYSTEMS / PINELLAS COUNTY SHERIFF'S OFFICE) |
| Last Update Date: | 10/08/2012 01:04 |

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FLORIDA DEPARTMENT OF LAW ENFORCEMENT CRIMINAL HISTORY INFORMATION

Search Florida's Criminal Histories

Form 3098ms

Payment receipt has been emailed to info@lowescommercialpainting.com

1. MY INFORMATION 2. CRITERIA 3. CONFIRMATION 4. PAYMENT 5. CANDIDATES 6. RESULTS

These are the results of your search. Read the instructions below to complete the search.

| Name | First | Middle | Last | Suffix | Date of Birth | Age | Race | Sex | SSN |
|----------------|----------|--------|--------|--------|---------------------|-----|------|-----|-----|
| | MICHAEL | ROBERT | FISHER | | 07/04/1974 | | W | M | |
| Maiden/Alias | | | | | - | - | - | - | - |
| Maiden/Alias 2 | | | | | - | - | - | - | - |
| Transaction | 11915105 | | | | 9/2/2020 2:54:34 PM | | | | |

Read the following candidates, if a candidate matches the individual being searched, then select the *Display History* box next to the name and the rap sheet (criminal history) should appear. OR If the candidates do not match the individual being searched, select *None of the Above*. **If you select more than one criminal history you will be charged an additional \$25.00 for each name.** This is a search of demographic information only, and positive identification can only be verified by submission of a fingerprint card and comparison by FDLE.

Help understanding these results

| Name | Aliases/Also Known As | DOB | SSN | Sex | Race | Height | Weight | Eye |
|-----------------------|---|-----------------------|---|-----|------|--------|--------|---------|
| FISHER, RALPH ODEAN | FISHER, RALPH ODEM; FISHER, MICHAEL; FISHER, RALPH O, FISHER, RALPH | 19740607; 19740706 | XXX-XX-8356 | M | W | | | BRO BRO |
| JULES, GERARD | JULES, GERARD; FRASER, RICHARD VIVIAN; JULES, GERALD; JOHNSON, MIKE; FISHER, MICHAEL; FRASER, RICHARD; GERARD, JULES; JULES, GERAAD; MIKE, JOHNSON; GERARD, JULES | 19760419 | XXX-XX-6460; XXX-XX-0982; XXX-XX-6460 | M | W | | | BRO BAL |
| FISHER, ROBERT | FISHER, ROBERT E | 19720303 | XXX-XX-5001 | M | W | | | BLU BRO |
| FISHER, MICHAEL | | 19770616 | XXX-XX-7779 | M | W | | | BLU BRO |
| FISHER, MICHAEL JAMES | FISHER, MIKE | 19730709 | XXX-XX-8179 | M | W | | | BLU BRO |

None of the Above

Mike Fisher
 attempt man
 #98-11507
 witness!! 1998

PINELLAS COUNTY SHERIFF'S OFFICE

Case Master Report 98-11507

Date Initiated 01/20/1998

Warning

Contains entities exempt from disclosure

Primary Information

Agency: PINELLAS CO SHERIFFS OFC
Bureau: Investigative Operations
Division: CRIMES AGAINST PERSONS
Squad: HOMICIDE
Lead LEO: TILLIA, JOHN MAJ (52248 / HOMICIDE / PINELLAS COUNTY SHERIFF'S OFFICE)
Type Of Case: OFFENSE
Case Description: MURDER (ATTEMPTED)

Related Cases

| <u>Case Number</u> | <u>Status</u> | <u>Date Initiated</u> |
|--------------------|---------------|-----------------------|
| 98-38341 | CLOSED | 02/22/1998 |

Authorized Operators

Name
CULLENS, ERIC T CPID (53352 / CHILD PROTECTION INVEST / PINELLAS COUNTY SHERIFF'S OFFICE)
HEYBOER, KEVIN C SGT (51196 / SGT / PINELLAS COUNTY SHERIFF'S OFFICE)
MARCHESIELLO, DOMINICK J DET (52315 / DET / PINELLAS COUNTY SHERIFF'S OFFICE)
VINSON, CLYDE A SGT (50712 / SGT / PINELLAS COUNTY SHERIFF'S OFFICE)

Case Status

Case Status: CLOSED
Disposition Code: SOLVED WITH ARREST
Disposition Date: 02/20/1998
Dissemination: AGENCY ONLY

PINELLAS COUNTY SHERIFF'S OFFICE

Report 98-11507/61

Report Date: 02/02/1998

| Primary Information | |
|---------------------|---|
| Description: | CANVASS OF TIMBER LN TEK |
| Occurrence From: | 01/16/1998 00:00 |
| Dissemination Code: | CID1 - CAC & HOMICIDE |
| Reporting LEO: | KLEIN, THOMAS E CPL. (51019 / CRIMES AGAINST PERSONS) |
| Report Status: | Approved |
| Report Status Date: | 02/16/1998 |

| Synopsis |
|--|
| THIS SUPPLEMENT INCLUDES THE NEIGHBORHOOD CANVASS OF TIMEBER LANE, CLEARWATER. SEE NARRATIVE FOR DETAILS OF THIS SUPPLEMENT. |

| Addresses | |
|---------------------|---|
| <u>Relationship</u> | <u>Address</u> |
| RELATED | 2037 TIMBER LN, CLEARWATER, Florida 33763 |
| RELATED | 2047 TIMBER LN, CLEARWATER, Florida 33763 |
| RELATED | 2051 TIMBER LN, CLEARWATER, Florida 33763 |
| RELATED | 2055 TIMBER LN, CLEARWATER, Florida 33763 |
| RELATED | 2063 TIMBER LN, CLEARWATER, Florida 33763 |
| RELATED | 2067 TIMBER LN, CLEARWATER 33763 |
| RELATED | 2071 TIMBER LN, CLEARWATER, Florida 33763 |
| RELATED | 2101 TIMBER LN, CLEARWATER, Florida 33763 |

| Subjects | | | |
|---------------------|--------------------------------|---------------------------|------------|
| <u>Relationship</u> | <u>Name</u> | <u>Bio</u> | <u>DOB</u> |
| SUBJECT | BOROS, JOHN (PERSON) | 91 yr. old, WHITE, MALE | 08/03/1906 |
| SUBJECT | DIXON, BARBARA (PERSON) | 63 yr. old, WHITE, FEMALE | 01/27/1936 |
| SUBJECT | ELLER, CLARA (PERSON) | WHITE, FEMALE | --- |
| SUBJECT | ELLER, FRANK (PERSON) | 85 yr. old, WHITE, MALE | 01/11/1913 |
| SUBJECT | FISHER, MICHAEL (PERSON) | 23 yr. old, WHITE, MALE | 07/04/1974 |
| SUBJECT | FISHER, SARAH (PERSON) | 22 yr. old, WHITE, FEMALE | 11/25/1975 |
| SUBJECT | FLYNN, DESMOND (PERSON) | 79 yr. old, WHITE, MALE | 08/02/1918 |
| SUBJECT | FLYNN, EITHNE (PERSON) | 76 yr. old, WHITE, FEMALE | 08/07/1921 |
| SUBJECT | HARPER, DONNA FAY (PERSON) | 42 yr. old, WHITE, FEMALE | 08/11/1961 |
| SUBJECT | HOLMAN, RICHARD PARKS (PERSON) | 59 yr. old, WHITE, MALE | 12/31/1940 |
| SUBJECT | NIOSI, JANET (PERSON) | 52 yr. old, WHITE, FEMALE | 03/31/1945 |
| SUBJECT | PAMPLIN, GAYLE C (PERSON) | 59 yr. old, WHITE, FEMALE | 12/25/1939 |

| Narrative | |
|--|---|
| PINELLAS COUNTY SHERIFF'S OFFICE C.I.D. / Homicide/Robbery Unit | |
| Report Date | : |

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PINELLAS COUNTY SHERIFF'S OFFICE

Report 98-11507/61

Report Date: 02/02/1998

Narrative - Continued

02-02-98

Report/Supplement Number: 98-11507/61

Offense Description: Attempted Murder

On 01-16-98, I assisted with this investigation by doing a neighborhood canvass in the area of Timber Lane, Clearwater.

Donna Harper, 2037 Timber Lane, Clearwater.

Harper stated that she sees the victim, Jean Ward, walking through the neighborhood at all hours of the day and night. She states that she sees her when it is still light out. She stated that other than seeing her in the neighborhood, she does not know anything about her. Harper also told me that she did not see anything unusual or hear anything unusual on the morning hours of 01-16-98.

Barbara Dixon, 2047 Timber Lane, Clearwater.

Dixon told me that she recognized the victim who usually walks around the neighborhood. She stated she also saw her between the hours of 4:00 and 5:00 p.m. on 01-15-98. She also told me she has not seen anyone unusual in the area.

2051 Timber Lane, Clearwater.

At this location, there was no one home so I left a business card for the resident to call me.

2055 Timber Lane, Clearwater.

At this location, there was no one home so I left a business card for the resident to call me.

Frank Eller
Clarea Eller
Janet Nosi
2059 Timber Lane, Clearwater.

These subjects told me that they have never seen the victim, Jean Ward, walking throughout the neighborhood. They also told me that they have not seen anyone unusual or anything unusual in the neighborhood in the last few days.

Desmond Flynn
Eithne Flynn
2063 Timber Lane, Clearwater

Both subjects have seen the victim, Jean Ward, and her husband walking throughout the neighborhood. They told me that every time they see them, it is during daylight hours. They went on to tell me that they have not seen anyone or anything unusual in the neighborhood in the last few days.

Michael Fisher, 2067 Timber Lane, Clearwater.

He stated he has never seen the victim, Jean Ward, walking throughout the neighborhood.

Sarah Fisher, 2067 Timber Lane, Clearwater.

She stated that she has seen the victim, Jean Ward, walking in the neighborhood in the early morning hours. She also told me she has seen her carrying a flashlight. She told me she has not seen anyone unusual in the neighborhood just older people walking on the streets. She also added that she has moved to the area only two months ago.

Richard Holman
Gayle Pamplin
2071 Timber Lane

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PINELLAS COUNTY SHERIFF'S OFFICE

Report 98-11507/61

Report Date: 02/02/1998

Narrative - Continued

Clearwater.

Holman and Pamplin told me that they have seen the victim, Jean Ward, walking through the neighborhood in the early morning hours. Holman stated that he saw the victim on the morning of 01-15-98 walking through the neighborhood. Holman told me that on the evening of 01-15-98 between the hours of 1730 and 1745 hours, he did see a white male in his late 40's or early 50's on a bike. He described this male to be approximately 5'10" with dark hair and a round face. He described his hair as short and curly. He described the bicycle as an old fashioned looking bike, possibly a Beach Cruiser type. He stated that the subject was riding down the street and he looked suspicious to him. Holman could not provide any further information about the subject on the bicycle.

John Boros, 2101 Timber Lane, Clearwater.

Boros told me he has never seen the victim, Jean Ward, walking through the neighborhood. He also told me that there was no one unusual in the neighborhood the last few days.

This information will be referred to Det. John Tillia.

/pq

1

Record Status Information

| | |
|------------------------------|--|
| Record Origination Operator: | KLEIN, THOMAS E SGT (51019 / SGT / PINELLAS COUNTY SHERIFF'S OFFICE) |
| Record Origination Date: | 02/02/1998 00:00 |
| Last Update Operator: | KLEIN, THOMAS E SGT (51019 / SGT / PINELLAS COUNTY SHERIFF'S OFFICE) |
| Last Update Date: | 02/04/1998 08:27 |



FLORIDA DEPARTMENT OF LAW ENFORCEMENT CRIMINAL HISTORY INFORMATION

Search Florida's Criminal Histories

Time: 01:14ms

Payment receipt has been emailed to info@lowescommercialpainting.com

1. MY INFORMATION 2. CRITERIA 3. CONFIRMATION 4. PAYMENT **5. CANDIDATES** 6. RESULTS

These are the results of your search. Read the instructions below to complete the search.

| Name | First | Middle | Last | Suffix | Date of Birth | Age | Race | Sex | SSN |
|----------------|----------|--------|------|--------|---------------------|-----|------|-----|-----|
| | MICHAEL | LEE | LOWE | | 06/09/1976 | | W | M | |
| Maiden/Alias | - | - | - | - | - | - | - | - | - |
| Maiden/Alias 2 | - | - | - | - | - | - | - | - | - |
| Transaction | 11915074 | | | | 9/2/2020 2:51:44 PM | | | | |

Read the following candidates, if a candidate matches the individual being searched, then select the *Display History* box next to the name and the rap sheet (criminal history) should appear. OR If the candidates do not match the individual being searched, select *None of the Above*. **If you select more than one criminal history you will be charged an additional \$25.00 for each name.** This is a search of demographic information only, and positive identification can only be verified by submission of a fingerprint card and comparison by FDLE.

Help understanding these results

| Name | Aliases/Also Known As | DOB | SSN | Sex | Race | Height | Weight | Eye | Hair |
|------------------------|--|-----------------------|--------------------------|-----|------|--------|--------|-----|------|
| LEE, MICHAEL | LEE, MICHAEL D | 19750928 | XXX-XX-9440 | M | W | | | GRN | BRO |
| COOPER, MICHAEL MIGUEL | LEE, MICHAEL | 19750806 | | M | W | | | BRO | BRO |
| LOWE, MICHAEL LARUE | LOWE, MICHAEL LOWE; LOWE, MICHAEL LARUE; LOWE, MICHAEL | 19770605 | XXX-XX-7146 | M | B | | | BRO | BLK |
| KOLPACK, ROMA RONALD | LOWE, MICHAEL ; KOLPACK, ROMA RONALD; KOLPACK, ROMA R | 19750423; 19740716 | XXX-XX-8298; XXX-XX-7822 | M | W | | | BLU | BLN |

None of the Above

Melci Lowe
 Burglary
 # 5018-12834
 witness! 2016

PINELLAS COUNTY SHERIFF'S OFFICE

Case Master Report SO18-12834

Date Initiated 01/14/2018

Warning

Contains entities exempt from disclosure

Primary Information

Agency: PINELLAS CO SHERIFFS OFC
Bureau: Patrol Operations
Division: Patrol
Squad: SQUAD 2 - B-NIGHTS
Lead LEO: MORRIS, BRIDGETT A DEP (56212 / SQUAD 2 - B-NIGHTS / PINELLAS COUNTY SHERIFF'S OFFICE)
Type Of Case: PCSO - OFFENSE
Total Time: 4:10

Case Status

Case Status: CLOSED
Case Status Date: 01/17/2018
Disposition Code: SOLVED IN HOUSE
Disposition Date: 05/21/2018
Dissemination: System Wide

This report is property of PINELLAS COUNTY SHERIFF'S OFFICE. Neither it nor its contents may be disseminated to unauthorized personnel.

PINELLAS COUNTY SHERIFF'S OFFICE

PCSO - OFFENSE SO18-12834

Report Date: 01/14/2018

Warning

Contains entities exempt from disclosure

Primary Information

Occurrence From: 01/14/2018 20:36
 Occurrence To: 01/14/2018 20:36
 Source Of Call: DISPATCHED
 Business Area Name: OSCEOLA HIGH SCHOOL
 Dissemination Code: UNCLASSIFIED
 Shift: CHARLIE - EARLY
 Reporting LEO: MORRIS, BRIDGETT A DEP (56212 / SQUAD 2 - B-NIGHTS / PINELLAS COUNTY SHERIFF'S OFFICE)
 Backup LEO: MOWATT, BRET L SGT (56209 / SRO1 - NORTH COUNTY / PINELLAS COUNTY SHERIFF'S OFFICE)
 Report Status: Approved
 Report Status Date: 01/17/2018
 Approved By: RICHARDSON, ROBERT W CPL (55567 / SQUAD 2 - B-NIGHTS / PINELLAS COUNTY SHERIFF'S OFFICE)

Response Information

Time Call Received: 01/14/2018 20:36
 Time Dispatched: 01/14/2018 20:38
 Time Arrived: 01/14/2018 20:44
 Time Completed: 01/14/2018 22:10

Addresses

| <u>Relationship</u> | <u>Address</u> |
|---------------------|---|
| OCCURRED/DISPATCHED | 9751 98TH ST N OSCEOLA HIGH SCHOOL, SEMINOLE, Florida 33777 UNITED STATES |
| D | |
| RELATED | 11289 TRADEWINDS BLVD N, LARGO, Florida 33773 UNITED STATES |
| RELATED | 8071 93RD ST N, SEMINOLE, Florida 33777 UNITED STATES |

Offenses

| <u>Offense Type</u> | <u>Offense</u> | <u>Attempted/Committed</u> | <u>Statute</u> | <u>UCR Class</u> |
|---------------------|----------------|----------------------------|----------------|------------------|
| FELONY | BURG-STRUCTURE | COMMITTED | 810.02 | 2200 |

Subjects

| <u>Relationship</u> | <u>Name</u> | <u>Bio</u> | <u>DOB</u> |
|---------------------|--|---------------------------|------------|
| COMPLAINANT | PINELLAS COUNTY SCHOOL POLICE (AGENCY) | | --- |
| VICTIM | OSCEOLA HIGH SCHOOL (BUSINESS) | | --- |
| OTHER - EXEMPT | DELGADO, WILLIAM (PERSON) | 16 yr. old, WHITE, MALE | 01/09/2002 |
| OTHER | DOWLING, MARIE (PERSON) | 46 yr. old, WHITE, MALE | 03/30/1971 |
| OTHER | DOWLING, PAUL CHRISTIAN (PERSON) | 44 yr. old, WHITE, MALE | 01/22/1973 |
| OTHER | ENGLE, MARIANNE HELLA (PERSON) | 50 yr. old, WHITE, FEMALE | 05/08/1967 |

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PINELLAS COUNTY SHERIFF'S OFFICE

PCSO - OFFENSE SO18-12834

Report Date: 01/14/2018

| Subjects - Continued | | | |
|-----------------------------|--------------------------------|-------------------------|------------|
| <u>Relationship</u> | <u>Name</u> | <u>Bio</u> | <u>DOB</u> |
| OTHER - EXEMPT | FITZGERALD, PEYTON (PERSON) | 15 yr. old, WHITE, MALE | 02/12/2002 |
| OTHER | LOWE, MICHAEL LEE (PERSON) | 41 yr. old, WHITE, MALE | 06/09/1976 |
| OTHER | MAXWELL, GREG HAMPTON (PERSON) | 41 yr. old, WHITE, MALE | 09/14/1976 |
| OTHER - EXEMPT | MOONEY, MATTHEW (PERSON) | 15 yr. old, WHITE, MALE | 05/06/2002 |
| OTHER - EXEMPT | STAVREVSKI, SKYLAR (PERSON) | 16 yr. old, WHITE, MALE | 03/18/2001 |
| OTHER - EXEMPT | STAVREVSKI, SPENCER (PERSON) | 15 yr. old, WHITE, MALE | 07/15/2002 |
| OTHER | STRUCKHOFF, ADAM W (PERSON) | 50 yr. old, WHITE, MALE | 12/14/1967 |
| SUSPECT - EXEMPT | | | |
| SUSPECT - EXEMPT | | | |
| SUSPECT - EXEMPT | | | |
| SUSPECT - EXEMPT | | | |
| SUSPECT - EXEMPT | | | |

| Analysis Information | |
|-----------------------------|-------------------|
| Sick Or Injured: | NO |
| MHU Referral for Follow Up: | NO |
| Cargo Theft: | NO |
| Alarm: | NO |
| Location Type: | SCHOOL/UNIVERSITY |
| Forced Entry: | NO |
| Occupany Code: | UNOCCUPIED |
| Alcohol Related: | NO |
| Drug Related: | NO |
| Hate Crime: | NO |
| Sex Crime: | NO |
| Juvenile Crime: | YES |
| Domestic Violence: | NO |
| Senior Abuse: | NO |
| Child Abuse: | NO |
| Gang Related: | NO |
| School Zone: | NO |
| Public Housing: | NO |
| Signature Act: | NO |

| Arrest #1 | | |
|----------------------------|---|--|
| Primary Information | | |
| <u>Arrest Type</u> | <u>Location</u> | <u>Arresting LEO</u> |
| FELONY | 9751 98TH ST N, OSCEOLA HIGH SCHOOL, SEMINOLE, FL 33777 | MORRIS, BRIDGETT A DEP (56212 / SQUAD 1 - B-NIGHTS / PINELLAS COUNTY SHERIFF'S OFFICE) |

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PINELLAS COUNTY SHERIFF'S OFFICE

PCSO - OFFENSE SO18-12834

Report Date: 01/14/2018

| Arrest #1 - Continued | | | | | | |
|------------------------------|----------------|----------------------------|----------------|------------------|---------------------|----------------|
| Charges | | | | | | |
| <u>Charge Type</u> | <u>Charge</u> | <u>Attempted/Committed</u> | <u>Statute</u> | <u>UCR Class</u> | <u>Charge Count</u> | <u>Warrant</u> |
| FELONY | BURG-STRUCTURE | COMMITTED | 810.02 | 2200 | 1 | --- |
| Arrestee Information | | | | | | |
| <u>Name</u> | | | | <u>Sex</u> | <u>Race</u> | <u>DOB</u> |
| | | | | MALE | WHITE | |

| Arrest #2 | | | | | | |
|-----------------------------|---|--|----------------|------------------|---------------------|----------------|
| Primary Information | | | | | | |
| <u>Arrest Type</u> | <u>Location</u> | <u>Arresting LEO</u> | | | | |
| FELONY | 9751 98TH ST N, OSCEOLA HIGH SCHOOL, SEMINOLE, FL 33777 | MORRIS, BRIDGETT A DEP (56212 / SQUAD 1 - B-NIGHTS / PINELLAS COUNTY SHERIFF'S OFFICE) | | | | |
| Charges | | | | | | |
| <u>Charge Type</u> | <u>Charge</u> | <u>Attempted/Committed</u> | <u>Statute</u> | <u>UCR Class</u> | <u>Charge Count</u> | <u>Warrant</u> |
| FELONY | BURG-STRUCTURE | COMMITTED | 810.02 | 2200 | 1 | --- |
| Arrestee Information | | | | | | |
| <u>Name</u> | | | | <u>Sex</u> | <u>Race</u> | <u>DOB</u> |
| | | | | MALE | WHITE | |

| Arrest #3 | | | | | | |
|-----------------------------|---|--|----------------|------------------|---------------------|----------------|
| Primary Information | | | | | | |
| <u>Arrest Type</u> | <u>Location</u> | <u>Arresting LEO</u> | | | | |
| FELONY | 9751 98TH ST N, OSCEOLA HIGH SCHOOL, SEMINOLE, FL 33777 | MORRIS, BRIDGETT A DEP (56212 / SQUAD 1 - B-NIGHTS / PINELLAS COUNTY SHERIFF'S OFFICE) | | | | |
| Charges | | | | | | |
| <u>Charge Type</u> | <u>Charge</u> | <u>Attempted/Committed</u> | <u>Statute</u> | <u>UCR Class</u> | <u>Charge Count</u> | <u>Warrant</u> |
| FELONY | BURG-STRUCTURE | COMMITTED | 810.02 | 2200 | 1 | --- |
| Arrestee Information | | | | | | |
| <u>Name</u> | | | | <u>Sex</u> | <u>Race</u> | <u>DOB</u> |
| | | | | MALE | WHITE | |

| Arrest #4 | | |
|----------------------------|---|--|
| Primary Information | | |
| <u>Arrest Type</u> | <u>Location</u> | <u>Arresting LEO</u> |
| FELONY | 9751 98TH ST N, OSCEOLA HIGH SCHOOL, SEMINOLE, FL 33777 | MORRIS, BRIDGETT A DEP (56212 / SQUAD 1 - B-NIGHTS / PINELLAS COUNTY SHERIFF'S OFFICE) |

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PINELLAS COUNTY SHERIFF'S OFFICE

PCSO - OFFENSE SO18-12834

Report Date: 01/14/2018

| Arrest #4 - Continued | | | | | | |
|------------------------------|----------------|----------------------------|----------------|------------------|---------------------|----------------|
| Charges | | | | | | |
| <u>Charge Type</u> | <u>Charge</u> | <u>Attempted/Committed</u> | <u>Statute</u> | <u>UCR Class</u> | <u>Charge Count</u> | <u>Warrant</u> |
| FELONY | BURG-STRUCTURE | COMMITTED | 810.02 | 2200 | 1 | --- |
| Arrestee Information | | | | | | |
| <u>Name</u> | | | | <u>Sex</u> | <u>Race</u> | <u>DOB</u> |
| | | | | MALE | WHITE | |

| Arrest #5 | | | | | | |
|-----------------------------|---|--|----------------|------------------|---------------------|----------------|
| Primary Information | | | | | | |
| <u>Arrest Type</u> | <u>Location</u> | <u>Arresting LEO</u> | | | | |
| FELONY | 9751 98TH ST N, OSCEOLA HIGH SCHOOL, SEMINOLE, FL 33777 | MORRIS, BRIDGETT A DEP (56212 / SQUAD 1 - B-NIGHTS / PINELLAS COUNTY SHERIFF'S OFFICE) | | | | |
| Charges | | | | | | |
| <u>Charge Type</u> | <u>Charge</u> | <u>Attempted/Committed</u> | <u>Statute</u> | <u>UCR Class</u> | <u>Charge Count</u> | <u>Warrant</u> |
| FELONY | BURG-STRUCTURE | COMMITTED | 810.02 | 2200 | 1 | --- |
| Arrestee Information | | | | | | |
| <u>Name</u> | | | | <u>Sex</u> | <u>Race</u> | <u>DOB</u> |
| | | | | MALE | WHITE | |

| Other Responding Units |
|-------------------------------|
| <u>Unit</u> |
| PATROL |
| K9/DOGS |
| TRANSPORTATION |

Narrative

On January 14, 2018, at 2212 hours, I was dispatched to Osceola High School located at 9751 98th Street North in Seminole, in reference to a Burglary in-progress. Per the call notes Pinellas County School Police (Cynthia) advised she could see five subjects in and/or near the kitchen/cafeteria area. School Police advised the subjects appear to be in the area of room #181 which is in the science wing which is on the south east portion of the building. The School Police Officer advised the subjects appear to be taking their clothes off and taking photographs.

Upon arrival, I took a perimeter position west of the front doors/teacher/staff parking. I advised Dispatch to have the key-holder meet me in the teachers parking lot. Cynthia (Cindy) Scarborough arrived on-scene and provide me with the master key which I turned over to Deputy Juliet so that her and her K9 could clear the building.

See Deputy K. Juliet's supplement reference her deployment of her K9.

Sergeant Mowatt who is with School Resources Unit arrived on-scene. I informed him what had occurred and that K9 was not getting a lot of odor inside of the building. While talking with Sergeant Mowatt, I made contact with Cynthia with PCS. I asked her if she observed any further activity. Cynthia advised she has not had any new activations. She said the last activation was at 2042 hours. Cynthia further advised the door 136B is an exit door. I asked Cynthia if she could send me some still photographs of the subjects to Sergeant Mowatt's phone.

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PINELLAS COUNTY SHERIFF'S OFFICE

PCSO - OFFENSE SO18-12834

Report Date: 01/14/2018

Narrative - Continued

It should be noted that Lt. Corlett had made contact with several subjects as the call was coming out, on 102nd Ave North just east of 9700 block. Lt. Corlett provided me with the subjects names and stated they were not involved. These subjects names are: Peyton Fitzgerald, Skylar Stavrevski, Matthew Mooney, William Delgado and Spencer Stavrevski.

Once Deputy Juliet advised perimeter units could break down the perimeter, I met with Cindy Scarborough the Night Foreman. I walked the perimeter of the building to see if the point of entry could be determined. After checking, we did not locate the point of entry. Cindy then secured the building

Sergeant Mowatt sent the still photographs to my agency issued email. The photographs will be attached to this report. The still photographs show five male subjects all wearing hoodies and pants. See photographs.

Sergeant Mowatt was leaving the area and observed several subjects in the area of 98th Street North and 102nd Avenue North. Deputy Mowatt and I made contact with the subjects. I immediately recognized the subjects clothing from the still photographs. As the location we made contact was not safe, Deputy Mowatt and I relocated the subjects to Osceola High School.

I had the one subject exit my vehicle. I read the subject Miranda Rights. He stated he did not wish to answer any of my questions. The subject identified himself as [redacted] was then assisted into the back seat of my patrol vehicle. I then made contact with [redacted]. I read him Miranda from my issued SAO Card. [redacted] stated he was willing to talk to me. [redacted] advised that they were just being stupid. He stated they climbed a fence on the south east side of the school. They then went over a wall and were able to climb to the roof of the high school. He stated they thought it would be cool to walk around on the roof but then found a unsecured door. [redacted] said they did not break anything and/or take anything. [redacted] stated that they made a video of [redacted] in his underwear as they were discussing that they have had dreams they were walking down the hallway in their underwear.

I then made contact with [redacted] I read him Miranda from my issued SAO card. [redacted] stated he was willing to talk. [redacted] acknowledged they knew they shouldn't be on the school property but they just wanted to walk on the roof of the school. [redacted] acknowledged they climbed the fence on the south east portion of the property and then they were able to climb up onto the roof. [redacted] acknowledged he was the one who took his clothes off down to his boxer shorts. He stated it was just for fun. [redacted] was cooperative and advised he would show us how and where they got into school. See Deputy Mowatt's supplement for further details.

I made contact with [redacted] I read [redacted] Miranda Warnings from my issued SAO Card. [redacted] stated he understood and was willing to talk to me. [redacted] advised they were just out having fun. He advised they started out on Starkey Elementary roof and then they proceeded to Osceola Middle before ending up at Osceola High School. I asked him who's idea it was to do this. [redacted] stated "it was all of their's." [redacted] stated they weren't out to destroy anything, he said they just wanted to have some fun. [redacted] advised they walked from Osceola Middle, jumped a fence and then climbed up to the roof, where they found an unlocked door. [redacted] advised he filmed [redacted] when he took his clothes off as he thought it was funny. [redacted] said he thinks [redacted] wanted to do it as he does not go to Osceola. [redacted] again stated "we didn't break and/or steal anything." I asked him if he knew it was wrong to be on school grounds. He stated "yes." I asked him if he thought he would get in trouble for going in when he is not invited. He stated "yes." I asked [redacted] who the fifth subject was and he stated [redacted]

I made contact with Evelyn Mowatt as she is the School Administrator for Osceola High School. Evelyn was able to provide me with [redacted] date of birth and his address. Evelyn advised the Principal Michael Bohnet did wish to press charges.

G4S assisted me by transporting [redacted] and [redacted] to PCJ without incident. All of their parents were notified of the incident.

Deputy N. Mowatt and I proceeded to 8071 93rd Street to attempt to locate [redacted]. I made contact with [redacted] father and mother Maria and Paul Dowling. I asked them if [redacted] was home. They stated he was supposed to be at a friend's house for a sleep over. I asked them if they had any idea why I was looking for [redacted] Paul and Maria stated he had told them that his friends wanted to go into Osceola High School. He said he went in but didn't feel right about it so he left his friends. I informed them that he didn't feel too bad when he was jumping a fence and/or climbing to the roof of the building. I advised them that [redacted] other friends have already been arrested and were currently at PJAC.

Maria called [redacted] and had him text her the address he was at. Maria advised me he was currently at 11289 Tradewinds Boulevard in Seminole.

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PINELLAS COUNTY SHERIFF'S OFFICE

PCSO - OFFENSE SO18-12834

Report Date: 01/14/2018

Narrative - Continued

I responded to the Tradewinds Boulevard address. [redacted] was waiting for me by the roadway as his mother had instructed him to. I read [redacted] Miranda from my issue SAO Card. [redacted] stated he understood his rights and was willing to talk to me. [redacted] stated he knew going onto the school grounds wasn't right but he went anyways. [redacted] acknowledged they went to Starkey Elementary and Osceola Middle before going to the high school. He stated they were bored and just wanted to have some fun. I asked [redacted] if he knew the police were there. He stated "yes." He said he went out the back way and hopped the railing and came to his friend's house.

At 0055 hours, [redacted] was placed under arrest for Burglary to a structure. [redacted] was placed in handcuffs. Deputy N. Mowatt assisted me by conducting a search incident to arrest. Deputy Mowatt did not locate any weapons and/or illegal contraband.

I transported [redacted] to OHS where I met with G4S who took custody of him.

Disposition: Case closed, solved with arrest

Record Status Information

| | |
|------------------------------|--|
| Record Origination Operator: | System, ACISS (PINELLAS CO SHERIFFS OFC / PINELLAS COUNTY SHERIFF'S OFFICE) |
| Record Origination Date: | 01/14/2018 22:20 |
| Last Update Operator: | RICHARDSON, ROBERT W CPL (55567 / SQUAD 2 - B-DAYS / PINELLAS COUNTY SHERIFF'S OFFICE) |
| Last Update Date: | 01/17/2018 23:55 |



Administrative
727/595-2517

Building/Planning & Zoning
727/517-0404
727/596-4759 (Fax)

Library
727/596-1822

Public Services
727/595-6889
727/593-5137 (Fax)

**PUBLIC NOTICE – CITY OF INDIAN ROCKS BEACH
VIRTUAL CITY COMMISSION MEETING BY ZOOM
TUESDAY, SEPTEMBER 8, 2020**

NOTICE IS HEREBY GIVEN as a result of the public health emergency that exists due to the COVID-19 Virus, and upon the authority granted by Executive Orders issued by Governor Ron DeSantis, the City Commission of the City of Indian Rocks Beach, Florida, will hold a public virtual meeting by means of communications media technology on Tuesday, September 8, 2020, at 7:00 p.m.

City Hall is closed to the public due to the COVID-19 emergency; thus changing the meeting location from in-person at City Hall to a meeting by means of communications media technology.

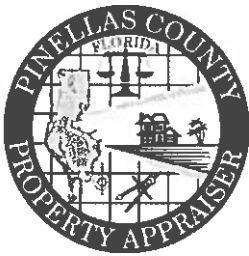
YOU ARE HEREBY NOTIFIED, as a property owner of land within one hundred and fifty feet (150') of the property located at **2300 GULF BOULEVARD, SUITE 1, INDIAN ROCKS BEACH, FLORIDA, 33785**, of the following Alcoholic Beverage Use Designation request:

2COP: Beer; Wine. By the drink or in sealed containers for consumption on or off the premises where sold, for Beach Wave Grill, located at 2300 Gulf Boulevard, Suite 1 Indian Rocks Beach, Florida, and legally described as Indian Beach Re-Revised, Block, 42, Lots 6, and 7 less Rd on E. [Parcel #: 01-30-14-42030-042-0060]

If you desire to either support or object to the referenced Alcoholic Beverage Use Designation request, you may appear at the Indian Rocks Beach City Commission Meeting on said date, or submit your support or objections in writing to the City Clerk's Office, 1507 Bay Palm Boulevard, Indian Rocks Beach, Florida, 33785 or e-mail doreilly@irbcity.com. Letter(s) must be received by the City Clerk's Office no later than Tuesday, September 8, 2020, by 2:00 p.m. The City will make such records available during normal business hours, Monday through Friday, 7:30 AM – 4:00 PM, to any interested person.

If any person desires to appeal a decision made with respect to this request, such person 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, per Section 286.0105, Florida Statutes. Verbatim transcripts are not furnished by the City of Indian Rocks Beach and should one be desired, arrangements (i.e. court reporter) should be made in advance by the interested party.

In accordance with Section 286.26, Florida Statutes, persons with a disability requiring reasonable accommodations in order to participate in this meeting should contact Deanne B. O'Reilly, City Clerk, with request by telephone (727/595-2517), fax (727/596-4759), or e-mail doreilly@irbcity.com, no later than four days (4) prior to the proceeding.



MIKE TWITTY, MAI, CFA
Pinellas County Property Appraiser

www.pcpao.org

mike@pcpao.org

Run Date: 17 Aug 2020

Subject Parcel: 01-30-14-42030-042-0060

Radius: 150 feet

Parcel Count: 31

Note: Parcels with protected address status are not included in this report.

Total pages: 5

Public information is furnished by the Property Appraiser's Office and must be accepted by the recipient with the understanding that the information received was developed and collected for the purpose of developing a Property Value Roll per Florida Statute. The Pinellas County Property Appraiser's Office makes no warranties, expressed or implied, concerning the accuracy, completeness, reliability or suitability of this information for any other particular use. The Pinellas County Property Appraiser's Office assumes no liability whatsoever associated with the use or misuse of such information.

MAIN OFFICE – COUNTY COURTHOUSE

315 Court St - 2nd Floor
Clearwater, FL 33756
Office: (727) 464-3207
Fax: (727) 464-3448
Hearing Impaired:
Office: (727) 464-3370
Commercial Appraisals:
Office: (727) 464-3284

Exemptions:

Office: (727) 464-3294
Fax: (727) 464-3408
Residential Appraisals:
Office: (727) 464-3643
Tangible Personal Property:
Office: (727) 464-8484
Fax: (727) 464-8488

NORTH COUNTY

29269 US Highway 19 N
Clearwater, FL 33761
Office: (727) 464-8780
Fax: (727) 464-8794

MID COUNTY

13025 Starkey Road
Co-Located with Tax Collector
Largo, FL 33773
Office: (727) 464-3207
Fax: (727) 464-3448

SOUTH COUNTY

1800 66th Street N
St. Petersburg, FL 33710
Office: (727) 582-7652
Fax: (727) 582-7610

ALL MAIL: PO Box 1957 – Clearwater, FL 33757

01-30-14-05983-000-0050
UNIT 5
BEACH TRAIL VILLAS A CONDO

FENCEL, MICHAEL M
FENCEL, JAMI R
C/O FENCEL, MICHAEL M
41792 AVENIDA ORTEGA
TEMECULA CA 92592-8250

01-30-14-05983-000-0020
UNIT 2
BEACH TRAIL VILLAS A CONDO

DAVIS, DANIEL J
DAVIS, JANET L
2300 BEACH TRL APT 2
INDIAN ROCKS BEACH FL 33785-3004

01-30-14-42030-042-0040
OF BEACH DR ON W
BLK 42, LOT 4 & VAC PART
INDIAN BEACH RE-REVISED

TOMMYS ON THE BEACH LLC
8450 SW 98TH ST
MIAMI FL 33156-2463

01-30-14-47319-000-0001
COMMON ELEMENTS
LA CABANA CONDO

LA CABANA CONDO ASSN INC
3617 HUDSON LANE
TAMPA FL 33618-3819

01-30-14-79346-000-0090
UNIT 9
SEA GEMS CONDO

SCHOLL, MARY JEAN
2206 BEACH TRL APT 9
INDIAN ROCKS BEACH FL 33785-3863

01-30-14-42030-042-0020
INDIAN BEACH RE-REVISED
OF BEACH DR ON W
BLK 42, LOT 2 & VAC PART

2306 BEACH TRAIL LLC
11746 URADCO PL
SAN ANTONIO FL 33576-7134

01-30-14-42030-042-0010
OF BEACH DR ON W
BLK 42, LOT 1 & VAC PART
INDIAN BEACH RE-REVISED

PHILLIPS, TONYA DEE ANDREWS TRUST
PHILLIPS, TONYA DEE ANDREWS TRE
3618 VALENCIA COVE CT
LAND O LAKES FL 34639-6791

01-30-14-05983-000-0030
UNIT 3
BEACH TRAIL VILLAS A CONDO

PAPA, JOSEPH E & MARIA SERENA REV TRUS
PAPA, JOSEPH E TRE
10550 HAZEL ST
LARGO FL 33778-3429

01-30-14-79346-000-0050
UNIT 5
SEA GEMS CONDO

KEEFE, KAREN M LIVING TRUST
KEEFE, KAREN M TRE
2206 BEACH TRL UNIT 5
INDIAN ROCKS BEACH FL 33785-3863

01-30-14-79346-000-0040

UNIT 4
SEA GEMS CONDO

KEENEY, KEITH C
KEENEY, KATHERINE D
2206 BEACH TRL UNIT 4
INDIAN ROCKS BEACH FL 33785-3863

01-30-14-42030-042-0100

ON E
BLK 42, LOT 10 LESS RW
INDIAN BEACH RE-REVISED

MEYER, ERIC W & FLAGG, DIANE REV LIV TRUST
MEYER, ERIC W TRE
2316 GULF BLVD
INDIAN ROCKS BEACH FL 33785-3057

01-30-14-05983-000-0060

UNIT 6
BEACH TRAIL VILLAS A CONDO

VOSS, DALE L TRUST
VOSS, DALE L TRE
2300 BEACH TRL APT 6
INDIAN ROCKS BEACH FL 33785-3004

01-30-14-05983-000-0001

COMMON ELEMENTS
BEACH TRAIL VILLAS A CONDO

BEACH TRAIL VILLAS CONDO ASSN INC
2117 GULF BLVD
INDIAN ROCKS BEACH FL 33785-3814

01-30-14-79346-000-0060

UNIT 6
SEA GEMS CONDO

WALKER, RICHARD F
WEIDEMAN, CAROL A
2206 BEACH TRL APT 6
INDIAN ROCKS BEACH FL 33785-3863

01-30-14-42030-043-0030

BLK 43, LOT 3
INDIAN BEACH RE-REVISED

SAINT JENNINGS, ARIYANA
320 GULF BLVD
BELLEAIR SHORES FL 33786-3228

01-30-14-47319-000-0010

UNIT 1
LA CABANA CONDO

DOYLE, DANIEL M JR
DOYLE, NICOLE K
3 STONEGATE DR
BELLEAIR FL 33756-1687

01-30-14-79346-000-0001

TRAIL PER O.R 18911/1925
WITH PART OF VAC BEACH
(COMMON AREA) TOGETHER
SEA GEMS CONDO

SEA GEMS CONDO ASSN INC
2206 BEACH TRL
INDIAN ROCKS BEACH FL 33785-3863

01-30-14-79346-000-0070

UNIT 7
SEA GEMS CONDO

MINIERI PROPERTIES INC
36370 US HIGHWAY 19 N
PALM HARBOR FL 34684-1328

01-30-14-42030-042-0080
LOT 9 LESS RD R/W ON E
BLK 42, LOT 8 & S 20FT OF
INDIAN BEACH RE-REVISED

PHELPS, JOHN F TRUST
PHELPS, CHARLOTTE S TRUST
1027 REDSTONE LN
DUNWOODY GA 30338-2637

01-30-14-42030-042-0090
LESS RD R/W ON E
BLK 42, N 40FT OF LOT 9
INDIAN BEACH RE-REVISED

DUNDAS, JEANETTE L INDIAN BEACH TRUST
689 RIDGE RD SW
LARGO FL 33770-3427

01-30-14-42030-046-0010
BLK 46, LOT 1
INDIAN BEACH RE-REVISED

A J B AND C J B LLC
PO BOX 916640
LONGWOOD FL 32791-6640

01-30-14-05983-000-0040
UNIT 4
BEACH TRAIL VILLAS A CONDO

SIMONS, DONALD L TRE
SIMONS, LINDA T TRE
2300 BEACH TRL APT 4
INDIAN ROCKS BEACH FL 33785-3004

01-30-14-47319-000-0020
UNIT 2
LA CABANA CONDO

DOYLE, DANIEL M
DOYLE, ROSALEEN J
7 STONEGATE DR
BELLEAIR FL 33756-1687

01-30-14-79346-000-0010
UNIT 1
SEA GEMS CONDO

PURCELL, LEE H
PURCELL, JANET L
1 23RD AVE UNIT 1
INDIAN ROCKS BEACH FL 33785-3037

01-30-14-42030-043-0040
BLK 43, LOTS 4 AND 5
INDIAN BEACH RE-REVISED

SAINT JENNINGS, ARIYANA
14404 MARK DR
LARGO FL 33774-5102

01-30-14-79346-000-0080
UNIT 8
SEA GEMS CONDO

R C G III PROPERTIES LLC
2206 BEACH TRL
INDIAN ROCKS BEACH FL 33785-3863

01-30-14-79346-000-0020
UNITS 2 & 3
SEA GEMS CONDO

MC CAFFREY, DOUGLAS T
1 23RD AVE APT 2
INDIAN ROCKS BEACH FL 33785-3037

01-30-14-42030-047-0090

R/W O.R 6671/35
32FT & LESS E 10FT FOR RD
BLK 47, LOTS 9 & 10 LESS W
INDIAN BEACH RE-REVISED

SALLOUM, ISSA
IBRAHIM, ABDEL K
48 GREENLAWN AVE
CLIFTON NJ 07013-3212

01-30-14-42030-046-0020

BLK 46, LOT 2
INDIAN BEACH RE-REVISED

T & J GONZALEZ PROPERTIES MAGMT INC
13106 DONE GROVEN DR
DOVER FL 33527-4800

01-30-14-42030-043-0010

BLK 43, LOTS 1 AND 2
INDIAN BEACH RE-REVISED

SAINT JENNINGS, ARIYANA
320 GULF BLVD
BELLEAIR SHORES FL 33786-3228

01-30-14-05983-000-0010

UNIT 1
BEACH TRAIL VILLAS A CONDO

LEWIS, STEVEN C
LAPOINTE-LEWIS, MICHELLE HELEN
255 E DAVIS BLVD
TAMPA FL 33606

**AGENDA ITEM NO. 6C
QUASI JUDICIAL PROCEEDING**

**ABT 12-2020 — 2COPR
1401 GULF BOULEVARD, #7 & 8
GROUPERS ON THE GULF**

**CITY OF INDIAN ROCKS BEACH
CITY COMMISSION AGENDA MEMORANDUM**

FOR MEETING OF: September 8, 2020 **Agenda Item:** 6C

SUBMITTED BY: Deanne B. O'Reilly, City Clerk, MMC 

APPROVED BY: Brently Gregg Mims, City Manager 

SUBJECT: **ABT CASE NO. 12-2020** — Michael G. Alfaro, d/b/a Groupers on the Gulf, LLC has requested a 2COP Alcoholic Beverage Use Designation (*Beer; wine. By the drink or in sealed containers for consumption on or off premises where sold*) for the establishment Groupers on the Gulf, located at 1401 Gulf Boulevard, Units 8 & 9, Indian Rocks, Beach, Florida, and legally described as Lots 1, 2, and 3, Block 29, Indian Beach Re-Revised. Parcel #01-30-14-42030-029-0010.

BACKGROUND:

Alcoholic Beverage Use Designations are governed by Chapter 6, Alcoholic Beverages.

All alcoholic beverage licenses are under the control of the State of Florida, Division of Alcohol Beverages and Tobacco. However, municipalities do have the right to enact ordinances regulating the hours of business and location of place of business, and prescribing sanitary regulations thereof, of any license under the State Beverage Law within the county or corporate limits of such municipality. [F.S. 562.45(2)(a)]

On August 14, 2020, Michael Alfaro submitted an Alcoholic Beverage Designation Application for a 2COP Alcoholic Beverage Use Designation (*Beer; wine. By the drink or in sealed containers for consumption on or off premises where sold*) for the establishment Groupers on the Gulf, located at 1401 Gulf Boulevard, Units 8 and 9, Indian Rocks Beach, Florida, pursuant to Code Section 6-32(e).

Mr. Alfaro purchased Groupers from Adam McLean on July 28, 2020, and per Code Section 6-32 Alcoholic Beverage Use Designations are approved for a specific property location and a specific application. Any change in ownership of the establishment will require filing a new application and approval by the City Commission.

ANALYSIS:

Groupers on the Gulf is located within the B-Business zoning district. The surrounding zoning is B-Business to the north and south, RM2-Medium density multifamily zoning district to the east and CT-Commercial Tourist on the west side of Gulf Boulevard.

Groupers on the Gulf is located in the corner of the Sunrise Gallery Shopping Center located at 1401 Gulf Boulevard.

Groupers on the Gulf will have 44 interior seats, and parking is shared with the other tenants in this commercial shopping center.

After a review of the application by the Planning Consultant, it was determined that the Alcoholic Beverage Application for Groupers on the Gulf is in compliance with Chapter 6, Alcoholic Beverages, Chapter 110, Zoning, and parking is shared with the other tenants in this commercial plaza.

A review of the application by the Pinellas County Sheriff's Office, per records maintained within the PCSO records management system, there were no identified offenses for Michael Alfaro. This is not a comprehensive background check and only references the Pinellas County Sheriff's Office records management system.

Section 6-33, Authority of City Commission to designate locations, empowers the City Commission to designate the location and classification and to place reasonable restrictions which are deemed appropriate such as: Repeated or intermittent nuisance activity and/or unlawful noise levels originating from the establishment or the parking area may result in the revocation of the alcoholic beverage designation.

PUBLIC NOTIFICATION: A public meeting notice was mailed by first class mail to the property owners within 150 feet in any direction of the subject property and posted on the property on August 24, 2020, per Code Section 2-149.

A legal notice was published in the August 26, 2020-edition, of the St. Pete Times Section of the *Tampa Bay Times*, for a public hearing that has been scheduled on September 8, 2020, for ABT Case No. 2020-12.

FISCAL IMPACT:

If approved, Groupers of the Gulf would be required to obtain an annual business tax receipt license from the City.

CORRESPONDENCE RECEIVED:

A letter opposition was received from Timothy Bridges, Beachside Villas, 1412 Gulf Boulevard.

MOTION:

I move to **APPROVE/DENY** a request for an Alcoholic Beverage Use Designation of 2COP, (*Beer; wine. By the drink or in sealed containers for consumption on or off premises where sold*) to Michael Alfaro, d/b/a Groupers on the Gulf, LLC., which establishment is located at 1401 Gulf Boulevard, Units 8 and 9, Indian Rocks Beach, Florida, and legally described as Lots 1,2, and 3, Block 29, Indian Beach Re-Revised **with the following stipulation: Repeated or intermittent nuisance activity and/or unlawful noise levels originating from the establishment or the parking area may result in the revocation of the alcoholic beverage designation.**

/DOR

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/DOR



CITY OF INDIAN ROCKS BEACH
ALCOHOLIC BEVERAGE DESIGNATION APPLICATION

DATE: 8/14/2020
APPLICANT'S NAME: Michael G. Alfaro
ADDRESS: 461 Waterford Cir E
Tarpon Springs, FL 34688
PHONE NO.: 727 247-6267 CELL PHONE: 727 247-6267
E-MAIL: groupersonthegulf@yahoo.com
DATE OF BIRTH: 5/28/67 DRIVER'S LICENSE NO.: _____

ESTABLISHMENT NAME: Groupers on the Gulf LLC
ADDRESS: 1401 Gulf Blvd, #8 + #9, Indian Rocks Beach, FL 33785
PHONE NO.: 727 266 4276 WEBSITE: groupersonthegulf.com
LEGAL DESCRIPTION: Indian Beach Re- Revised Blk 29, Lots 1, 2 + 3

PARCEL ID#: ~~029~~ 01-30-14-42030-029-0010

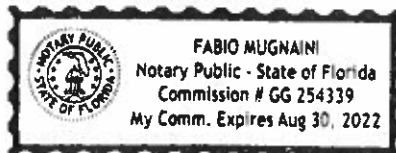
BEVERAGE DESIGNATION REQUESTED: 2 COP

SEATING: Interior # 44 Exterior # 0 Parking Spaces # shared Floor Area 1000 sq ft

AFFIDAVIT

I, MICHAEL ALFARO, hereby swear and affirm that the above information is true and correct.

State of Florida
County of Pinellas



Michael Alfaro
Affiant

SWORN TO AND SUBSCRIBED before me on this 14th day of August, 2020, by Michael Alfaro (applicant), who is personally known to me or who produced FL Drivers License as identification that he/she did execute the foregoing Affidavit.

My Commission Expires: Aug 30, 2022

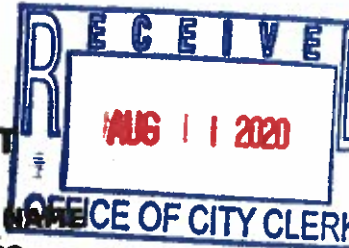
Fabio Mugnaini
(Signature of Notary Public)

Attachments: Chapter 6, Alcoholic Beverages
Alcoholic Beverages Checklist

ABT # 12-2020
BDMS # _____

BEV6213573

ALCOHOLIC BEVERAGE APPLICATION CHECKLIST



Groupers on the Gulf

ESTABLISHMENT NAME

1401 Gulf Blvd. #8+9, Indian Rocks Beach

ADDRESS

FL 33785

Retail Beverage

DESIGNATION

- City Application.
 - Ⓢ Name and address, telephone number, date of birth, and Florida Driver's License Number of applicant.
 - Ⓢ The physical street address of the property.
 - Ⓢ The alcoholic beverage classification requested.
 - Ⓢ Notarized statement by the owner consenting to the application, if applicant is the lessee or tenant.
 - Ⓢ Legal description of property where the business is located, including a survey which clearly sets out the location of the building(s).
 - Ⓢ Parcel ID#
 - Ⓢ State of Florida DBPR ABT Completed Application.
 - Ⓢ Neatly drawn floor plan of the premises including sidewalks and other outside areas which are contiguous to the premises, walls, doors, counters, sales areas, storage areas, restrooms, bar locations and other specific areas which are part of the premises sought to be licensed. A multi-story building where the entire building is to be licensed must show each floor plan. Seating survey of inside and outside. Must include seating both inside and outside.
- Signed, date, and completed Checklist.
- \$250 application fee.
- \$100 deposit for legal advertisement and public notices.

[Signature]
Signature of Applicant

8/8/2020
Date

CITY USE

- Pinellas County Sheriff's Office background check. Names of applicants on State of Florida DBPR ABT Application.
- Code Enforcement: 500 feet from elementary, secondary, & high schools.
- Planning Consultant compliance with R2002-95, Restaurant Seating & Parking Chart, Chapter 110, Zoning, Chapter 6, Alcoholic Beverages, and general parking.
- Check Florida DBPR for Alcoholic Beverage License.
- Check Sunbiz for LLC or Corporation.
- Approval/denial letter to applicant.



National Association of Residential Property Managers

Sea Gull Realty Realtors



REALTOR®

13575 58th Street North • #172 • Clearwater, FL 33760-3721
(727) 596-1621 • www.seagullrealty.com



EQUAL HOUSING
OPPORTUNITY

To whom it may concern,

I, Gust D. Doulou, as authorized agent representing LION PROPERTIES OF FLORIDA NO. 1 LLC as owner of the property known as 1401 Gulf Blvd., Indian Rocks Beach, Florida 33785, recognize Groupers on the Gulf LLC as the new tenant of the restaurant location known as 1401 Gulf Blvd., Unit #8, Indian Rocks Beach, Florida 33785. As authorized agent representing the owner of the property, I consent to the owner of Groupers on the Gulf LLC applying for a 2-COP Beer and Wine license for this location to serve beer and wine at the location.

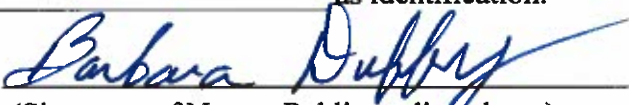
LESSOR: LION PROPERTIES OF FLORIDA NO. 1 LLC

By: 
Gust Dean Doulou, authorized agent

STATE OF FLORIDA)
COUNTY OF PINELLAS)

The foregoing was acknowledged before me this 12th day of August, 2020, by Gust Dean Doulou, as authorized agent for LION PROPERTIES OF FLORIDA NO. 1 LLC who is personally known to me or has produced _____ as identification.

(NOTARY SEAL)


(Signature of Notary Public on line above)

Barbara Duffy
(Print Name of Notary Public on line above)

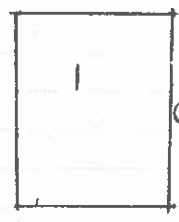
My Commission Expires: Dec. 20, 2021



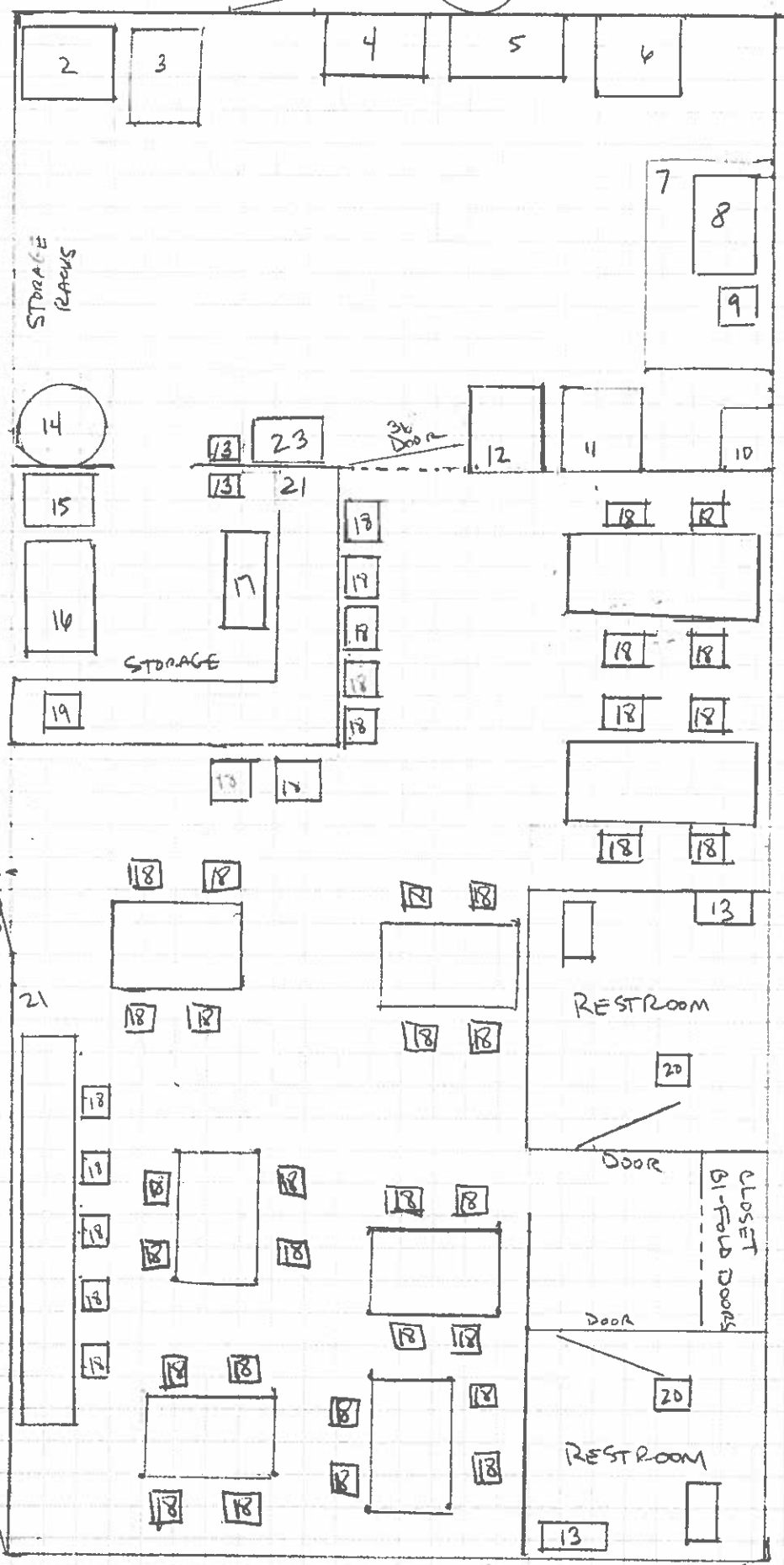
32" EXIT Door

23'5"

22 CONCRETE

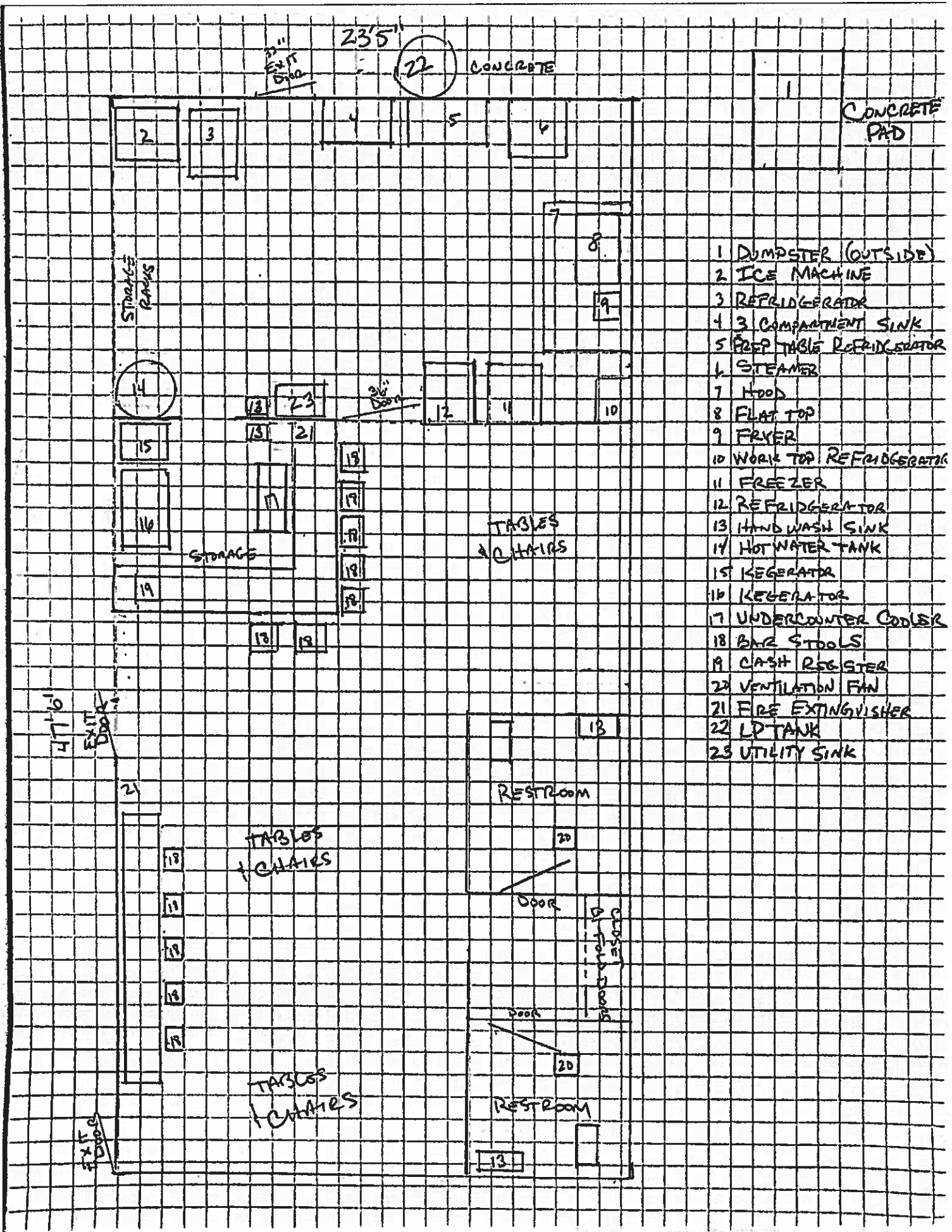


CONCRETE PAD



- 1 DUMPSTER (OUTSIDE)
- 2 ICE MACHINE
- 3 REFRIDGERATOR
- 4 3 COMPARTMENT SINK
- 5 PREP TABLE REFRIDGERATOR
- 6 STEAMER
- 7 HOOD
- 8 FLAT TOP
- 9 FRYER
- 10 WORK TOP REFRIDGERATOR
- 11 FREEZER
- 12 REFRIDGERATOR
- 13 HAND WASH SINK
- 14 HOT WATER TANK
- 15 KEGERATOR
- 16 KEGERATOR
- 17 UNDERCOUNTER COOLER
- 18 BAR STOOLS
- 19 CASH REGISTER
- 20 VENTILATION FAN
- 21 FIRE EXTINGVISHER
- 22 LPTANK
- 23 UTILITY SINK

1000 sq. FT.



- 1 DUMPSTER (OUTSIDE)
- 2 ICE MACHINE
- 3 REFRIGERATOR
- 4 3 COMPARTMENT SINK
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- 6 STEAMER
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- 18 BAR STOOLS
- 19 CASH REGISTER
- 20 VENTILATION FAN
- 21 FIRE EXTINGUISHER
- 22 LP TANK
- 23 UTILITY SINK

23'5"

30"
EXIT
Down

22

CONCRETE

CONCRETE
PAD

STORAGE
RACKS

30"
Down

TABLES
&
CHAIRS

STORAGE

47'6"
EXIT
Down

RESTROOM

TABLES
&
CHAIRS

Door

WASH
SINKS
At
Entrance

Door

RESTROOM

TABLES
&
CHAIRS

EXIT
Down



DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

DIVISION OF ALCOHOLIC BEVERAGES & TOBACCO

2COP APPLICATION# 1327935 FILE # 250497

TEMPORARY LICENSE/PERMIT

VALID UNTIL EITHER THE APPLICATION IS DENIED OR UNTIL 14 DAYS AFTER
APPLICATION IS APPROVED

| DATE | RECEIPT NBR | FEE | LICENSE NBR | SERIES | CLASS |
|-------------|--------------------|------------|--------------------|---------------|--------------|
| 08/20/2020 | | \$0 | BEV6213573 | 2COP | |

**GROUPERS ON THE GULF
GROUPERS ON THE GULF LLC
1401 GULF BLVD
#8 & #9
INDIAN ROCKS BEACH, FL 33785**

CONTROL NUMBER: 24611651

DISPLAY AS REQUIRED BY LAW



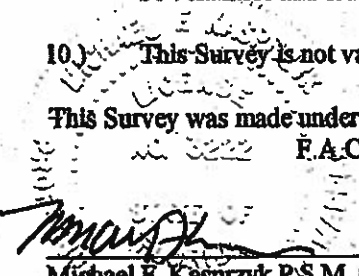
Surveyor's Report

This report is sheet two of two and is not complete without the accompanying sheet one of two which is the Boundary Survey Drawing. The Legal Description for the Land or Lands Surveyed is on Sheet 1 of 2.

Surveyor's Notes:

- 1.) The Survey as shown hereon, was made without benefit of abstract of Title and therefore, the undersigned and M. Mooney & Associates, Surveyors Inc. makes no guarantees or representations regarding easements, claims of Boundary line disputes, agreements, reservations or any other similar matters which may appear in the abstract.
2.) Re-use of this Survey for purposes other than which it was intended, without written approval, will be at the re-user's sole risk and without liability to the signing Surveyor or M. Mooney & Associates, Surveyors Inc.. Nothing herein shall be construed to give any right or benefits to anyone other than to those certified.
3.) Approximate flood zone line note: (Only applicable if shown) Boundaries of the flood ways were computed at cross sections and interpolated between cross sections by the Federal Emergency Management Agency and or it's assigns. The flood ways were based on hydraulic considerations with regards to requirements of said "FEMA". M. Mooney & Associates, Surveyors Inc. has not performed any Hydraulic Surveys, nor established any Topographic contours on Surveyed land shown hereon. The approximate flood zone line shown (if shown) is a horizontal extrapolation based solely on planimetric features and graphic plotting and not on any hydraulic information. It is therefore just approximate. Location of said approximate flood zone line is neither warranted nor certified by this Survey or M. Mooney & Associates, Surveyors Inc.
4.) M. Mooney & Associates, Surveyors Inc. is a Land Surveying Company. We do not have personnel with any training in Flood Zone Determinations. Do not rely upon this Boundary Survey as a Flood Zone Determination. When selling or purchasing Land, one should retain the services of a Certified Flood Zone Determination Firm. M. Mooney & Associates, Surveyors Inc. does not guarantee, does not warrant nor defend Flood Zones.
5.) Boundary Surveys by no means represent a determination on whether properties will or will not flood. The Land within the Boundaries of this Boundary Survey may or may not be subject to flooding. The PINELLAS County Building Department has information regarding flooding and restrictions on development.
6.) This is not a "Wetlands Delineation Survey" and does not depict any Wetlands Lines or other physical topographic features that may or may not exist on the Property Surveyed.
7.) The purpose of this Boundary Survey is to establish the perimeter Boundary lines of the land or lands described in the Legal Description as shown on this Survey and is not to establish ownership. Ownership should be determined by a Title Company.
8.) No underground installations or improvements have been located except as shown.
9.) There are no visible encroachments other than those shown except Ownership of fences may not always be verifiable and thus there may or may not be fence encroachments that are not noted in this report.
10.) This Survey is not valid without raised embossed Surveyor's seal.

This Survey was made under my direction and complies with the minimum technical standards as set forth in Chapter 61G17-6 F.A.C. Pursuant to Section 472.027 Florida Statutes effective September 1, 1981.



Michael F. Kasprzyk P.S.M. #3222

12/03/02

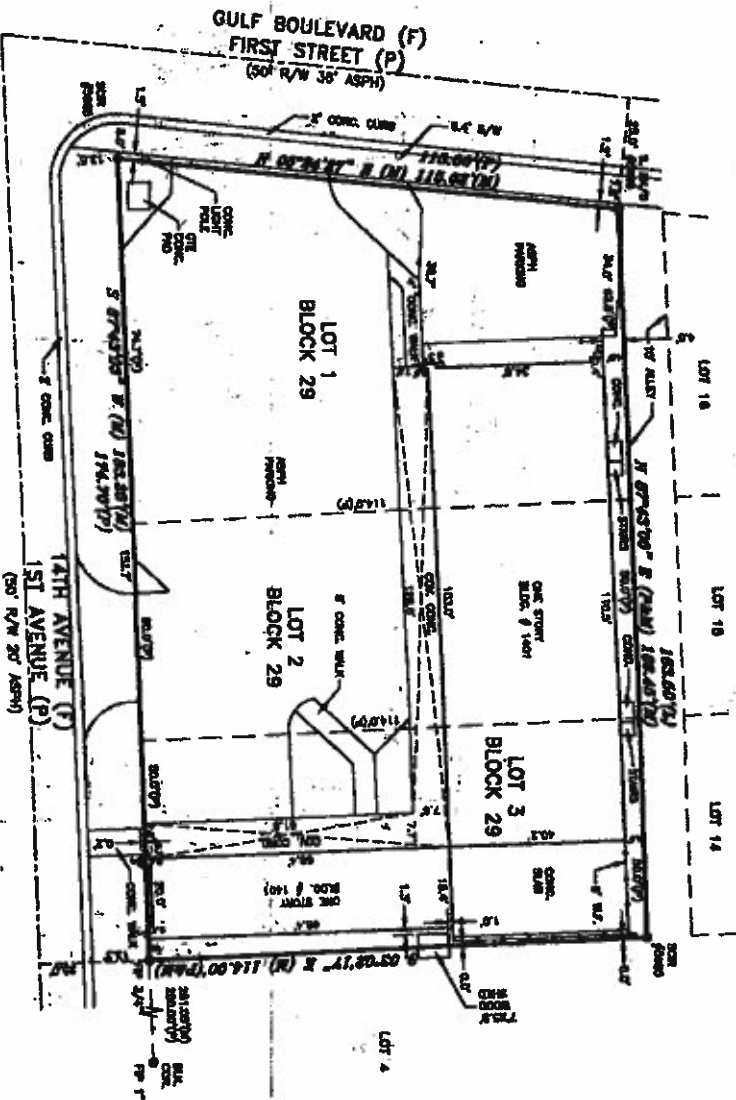
Date

Project No. # 023186

M. Mooney & Associates, Surveyors Inc. 333 Falkenburg Road Suite C 305 Tampa, Florida 33619

(813) 681-4481 FAX (813) 685-5832 E-Mail mkmoooney@floridasurveyor.com Web Site www.floridasurveyor.com

RECORDED MAPS ON 275, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000



BOUNDARY SURVEY

SHEET 1 OF 2
 SUBJECT: LOT 1, 2 & 3, BLOCK 29, OF THE BOUNDARY MAP OF RE-DESIGNED MAP OF BROWN BLOCK
 AS RECORDED IN PLOT BOOK 2, PAGE 8, OF THE PUBLIC RECORDS OF HAWAII

A Survey of Lot 1, 2, 3, Block 29, of the BOUNDARY MAP OF RE-DESIGNED MAP OF BROWN BLOCK
 as recorded in Plot Book 2, Page 8, of the Public Records of Hawaii.

THESE LOTS ARE SEPARATED FROM THE REST OF THE BROWN BLOCK BY THE
 14TH AVENUE (F) AND FIRST STREET (P). THE BOUNDARY MAP OF BROWN BLOCK
 WAS RECORDED IN PLOT BOOK 2, PAGE 8, OF THE PUBLIC RECORDS OF HAWAII ON
 FEBRUARY 12, 1964. THE BOUNDARY MAP OF BROWN BLOCK WAS RECORDED IN PLOT BOOK 2,
 PAGE 8, OF THE PUBLIC RECORDS OF HAWAII ON FEBRUARY 12, 1964.

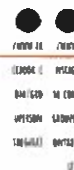
| NO. | NAME | DATE |
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MA
 H. HIGGINS
 & ASSOCIATES,
 Surveyors, Inc.
 325 Kalia Road, Suite 200
 Honolulu, Hawaii 96811
 (808) 944-1400
 www.hawaii-surveyors.com

Drawn by: [Name]
 Date: 12/20/08
 Scale: 1" = 20'



CALL US! (727) 266-4276



MENU

APPETIZERS

FISH SPREAD W/ SLEEVE OF CRACKERS... \$9

WINGS

(PLAIN | GARLIC PARMESAN | BARBEQUE | SWEET HEAT)

(6) \$5.50 (12) \$10

POTATO SKINS LOADED WITH CHEESE, SCALLIONS, BACON, & SOUR CREAM... \$9

NACHOS... WITH BEANS, CHEESE, LETTUCE, TOMATOES & SCALLIONS

\$8 ADD BEEF, CHICKEN OR PORK... \$4

FRIED PICKLES... \$7.50

FRIED CHEESE CURDS... \$8

ACROSS THE GULF

STREET TACOS... (2)... \$5 (3)... \$7

BEEF, CHICKEN OR PORK

CHEESE QUESADILLA... SERVED WITH SOUR CREAM & GUACAMOLE

\$6 ADD BEEF, CHICKEN OR PORK... \$4

CUBAN SANDWICH... (6")... \$7 (12")... \$10

ROASTED PORK, HAM, SWISS CHEESE, MAYO, MUSTARD & PICKLES

FROM THE SHORE

GULF BURGER WITH FRIES... \$9.50

SOUP

CLAM CHOWDER (CUP)... \$4

LOBSTER BISQUE (CUP)... \$4

SALADS

HOUSE SALAD... ICEBERG LETTUCE, TOMATOES, ONIONS, CUCUMBERS & CROUTONS \$7

CAESAR SALAD... ROMAINE LETTUCE, CREAMY GARLIC DRESSING, PARMESAN CHEESE & CROUTONS \$7

WEDGE SALAD... CRISP ICEBERG WEDGE TOPPED WITH BACON BITS, BLUE CHEESE CRUMBLES, CHERRY TOMATOES, FRENCH FRIED ONIONS AND BLUE CHEESE DRESSING \$11

ADD CHICKEN... \$4

ADD GROUPER, SALMON, SHRIMP... \$6

FROM THE SEA

CAJUN SHRIMP (1 LB)... \$15 (2 LBS)... \$27

1 LB. SNOW CRAB WITH COLESLAW... \$19

1 LB. MUSSELS WITH GARLIC BREAD... \$9

GROUPER TACOS WITH COLESLAW... \$9

SHRIMP TACOS WITH COLESLAW... \$9

GROUPER SANDWICH WITH COLESLAW... \$10



AMERICAN CHEESE, ONIONS, PICKLES, SAUCE


 CHICKEN SANDWICH WITH FRIES... \$9.50

HOT DOG WITH CHIPS... \$3.50

CHILI DOG WITH CHIPS... \$4.50

(ADD CHEESE .50)

GRILLED CHEESE WITH CHIPS... \$5

KIDS MENU

JR. GULF BURGER WITH FRIES AND JUICE BOX... \$6.50

GROUPE BITES WITH FRIES AND JUICE BOX... \$7

HOT DOG WITH CHIPS AND JUICE BOX... \$4

GRILLED CHEESE WITH CHIPS AND JUICE BOX... \$5.50

DRINKS

SODA, WATER... \$1

ICE TEA... \$2

ON DRAFT - BUD LIGHT, AMBER BOCK, MICHELOB ULTRA... \$3

SHOCK TOP, STELLA, REEF DONKEY... \$4

BOTTLED BEER - MICHELOB ULTRA, BUD LIGHT, BUD LIGHT LIME,
BUDWEISER... \$4PREMIUM BOTTLED BEER - BLUE MOON, HEINEKEN, STELLA,
CORONA, DOS XX... \$5

SPIKED SELTZER... \$4

WINE - PINOT GRIGIO, ITALIAN CHARDONNAY, CABERNET
SAUVIGNON, PINOT NOIR... \$5

SANGRIA... WHITE OR RED \$5

GROUPE REUBEN WITH COLESLAW... \$10! (727) 266-4276

GROUPE BITES WITH FRIES... \$12

SALMON WITH GARLIC BREAD & COLESLAW... \$10

RED SNAPPER WITH GARLIC BREAD & COLE SLAW... \$11

STEAMER BUCKET... \$27

1/2 LB OF SHRIMP

1/2 LB OF MUSSELS

CLUSTER OF CRAB LEGS

CORN & RED POTATOES W/ CAJUN SEASONING

DESSERTS

SLICE OF KEY LIME PIE... \$4.50

BROWNIE WITH ICE CREAM... \$5.50

SIDES

FRIES... \$4

ONION RINGS... \$6

STEAMED BROCCOLI... \$3

STEAMED CORN... \$2

GARLIC BREAD... \$2

GARLIC CHEESE BREAD... \$2.50

BREAD WITH AIOLI... \$4

GUACAMOLE... (4 OZ) \$3 (8 OZ) \$5

COLESLAW... \$1.50

CHIPS... \$1

August 26, 2020

Deanne B. O'Reilly, MMC, City Clerk
City of Indian Rocks Beach
1507 Bay Blvd.
Indian Rocks Beach, FL 33785

**RE: Groupers on the Gulf
1401 Gulf Boulevard, Units 8 and 9
2 COP-CMBP Alcoholic Beverage License Designation**

Dear Deanne,

I have reviewed the application for 1401 Gulf Boulevard, Units 8 and 9 for a 2-COP Alcoholic Beverage License Designation and found the application is in compliance with Chapter 6 Alcoholic Beverages and Chapter 110-131 (6) b. Permitted uses of the Indian Rocks Beach Code of Ordinances.

The overall commercial use and parking for the building at 1401 Gulf Boulevard, Units 8 and 9 were reviewed for compliance with the parking provided for this site based on the seating capacity of 44 seats. The parking is shared with the other tenants in this commercial plaza.

Sincerely,



Hetty C. Harmon, AICP
Senior Planner





Sheriff Bob Gualtieri

Pinellas County Sheriff's Office

"Leading The Way For A Safer Pinellas"

Date: 08/25/2020

Reference: MICHAEL G. AIFARO DOB: 05/28/1967

To Whom It May Concern:

On this date, a records check was conducted by the Records Division of the Pinellas County Sheriff's Office in reference to the above named individual. **There are no records responsive to this search.** This is **NOT** a comprehensive background check for the above named individual.

For records checks maintained by other local law enforcement agencies, please contact those agencies individually.

To obtain a Pinellas County records search, please contact the Pinellas County Clerk of the Circuit Court and Comptroller via email at cocrcert@mypinellasclerk.org or by phone at (727) 464-7000, or <https://public.co.pinellas.fl.us/login/loginx.jsp>. Fees may apply.

To obtain a Florida criminal history, please contact the Florida Department of Law Enforcement at (850) 410-8109 or <http://www.fdle.state.fl.us/Criminal-History-Records/Obtaining-Criminal-History-Information.aspx>. Fees may apply.

To obtain a national criminal history check, please contact the Federal Bureau of Investigation at www.fbi.gov. Fees may apply.

If you have questions after reviewing this information, please call the Records Division at (727)582-6281 between 8:00 a.m. to 5:00 p.m., Monday through Friday, and we will assist you.

Sincerely,

Sheriff Bob Gualtieri

By: Natalie Gegan Payroll #: 55346
Administrative Assistant

O'Reilly, Deanne

From: tim b <timmyb312001@yahoo.com>
Sent: Tuesday, September 01, 2020 7:27 AM
To: O'Reilly, Deanne; Missy Morton
Subject: I VOTE NO! 1401 Gulf Boulevard 2COP request

Hello,

I co-own a property just across the street from the property referenced above, at Beachside Villas, and I strongly object to more liquor licenses and designation requests in this area as it is already saturated with liquor stores, bars, and restaurants where you can drink and take away, if you desire.

It is already noisy enough in this area without adding more places for people to stop and purchase alcohol in Indian Rocks Beach. This will encourage loitering, more public intoxication issues, and more NOISE in our area, in my opinion.

Furthermore, we should have a noise ordinance in IRB, as incredibly loud motorcycles race through late at night waking everyone in the area.

Thank you,

Timothy Bridges

phone: 727.365.4378

I have cc'd the co-owner, my sister, on this email. She also votes NO, so please count us twice!
Melissa, please REPLY!

"Life is a journey to be savored."

O'Reilly, Deanne

From: Melissa Morton <mortonmelissa@sbcglobal.net>
Sent: Tuesday, September 01, 2020 9:42 PM
To: O'Reilly, Deanne; tim b
Subject: Re: I VOTE NO! 1401 Gulf Boulevard 2COP request

Yes, I agree. These rentals are often to families with children looking for a quiet and fun vacation. I too like to enjoy the peacefulness of IRB. There are plenty of drinking establishments within walking distance. I vote NO. Thank you, Melissa

On Tuesday, September 1, 2020, 6:26:52 AM CDT, tim b <timmyb312001@yahoo.com> wrote:

Hello,

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Timothy Bridges

phone: 727.365.4378

I have cc'd the co-owner, my sister, on this email. She also votes NO, so please count us twice!
Melissa, please REPLY!

"Life is a journey to be savored."



Administrative
727/595-2517

Building/Planning & Zoning
727/517-0404
727/596-4759 (Fax)

Library
727/596-1822

Public Services
727/595-6889
727/593-5137 (Fax)

**PUBLIC NOTICE – CITY OF INDIAN ROCKS BEACH
VIRTUAL CITY COMMISSION MEETING BY ZOOM
TUESDAY, SEPTEMBER 8, 2020**

NOTICE IS HEREBY GIVEN as a result of the public health emergency that exists due to the COVID-19 Virus, and upon the authority granted by Executive Orders issued by Governor Ron DeSantis, the City Commission of the City of Indian Rocks Beach, Florida, will hold a public virtual meeting by means of communications media technology on Tuesday, September 8, 2020, at 7:00 p.m.

City Hall is closed to the public due to the COVID-19 emergency; thus changing the meeting location from in-person at City Hall to a meeting by means of communications media technology.

YOU ARE HEREBY NOTIFIED, as a property owner of land within one hundred and fifty feet (150') of the property located at **1401 GULF BOULEVARD, UNITS 8 & 9, INDIAN ROCKS BEACH, FLORIDA, 33785**, of the following Alcoholic Beverage Use Designation request:

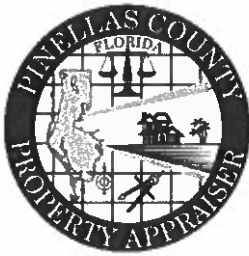
2COP: Beer; Wine. By the drink or in sealed containers for consumption on or off the premises where sold, for Groupers on the Rocks, located at 1401 Gulf Boulevard, Units 8 & 9, Indian Rocks Beach, Florida, and legally described as Indian Beach Re-Revised, Block 29, Lot 1, 2, and 3. [Parcel Number: 01-30-14-42030-029-010]

If you desire to either support or object to the referenced Alcoholic Beverage Use Designation request, you may appear at the Indian Rocks Beach City Commission Meeting on said date, or submit your support or objections in writing to the City Clerk's Office, 1507 Bay Palm Boulevard, Indian Rocks Beach, Florida, 33785 or e-mail doreilly@irbcity.com. Letter(s) must be received by the City Clerk's Office no later than Tuesday, September 8, 2020, by 2:00 p.m. The City will make such records available during normal business hours, Monday through Friday, 7:30 A.M. – 4:00 P.M., to any interested person.

If any person desires to appeal a decision made with respect to this request, such person 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, per Section 286.0105, Florida Statutes. Verbatim transcripts are not furnished by the City of Indian Rocks Beach and should one be desired, arrangements (i.e. court reporter) should be made in advance by the interested party.

In accordance with Section 286.26, Florida Statutes, persons with a disability requiring reasonable accommodations in order to participate in this meeting should contact Deanne B. O'Reilly, City Clerk, with request by telephone (727/595-2517), fax (727/596-4759), or e-mail doreilly@irbcity.com, no later than four days (4) prior to the proceeding.

Notice was mailed by first class mail to the property owners within one hundred and fifty feet in any direction of the subject property and posted on the subject property on August 24, 2020. (Sec. 2-149 of the Code of Ordinances.)



MIKE TWITTY, MAI, CFA
Pinellas County Property Appraiser
www.pcpao.org mike@pcpao.org

Run Date: 17 Aug 2020

Subject Parcel: 01-30-14-42030-029-0010

Radius: 150 feet

Parcel Count: 67

Note: Parcels with protected address status are not included in this report.

Total pages: 9

Public information is furnished by the Property Appraiser's Office and must be accepted by the recipient with the understanding that the information received was developed and collected for the purpose of developing a Property Value Roll per Florida Statute. The Pinellas County Property Appraiser's Office makes no warranties, expressed or implied, concerning the accuracy, completeness, reliability or suitability of this information for any other particular use. The Pinellas County Property Appraiser's Office assumes no liability whatsoever associated with the use or misuse of such information.

MAIN OFFICE – COUNTY COURTHOUSE

315 Court St - 2nd Floor
Clearwater, FL 33756
Office: (727) 464-3207
Fax: (727) 464-3448
Hearing Impaired:
Office: (727) 464-3370
Commercial Appraisals:
Office: (727) 464-3284

Exemptions:
Office: (727) 464-3294
Fax: (727) 464-3408
Residential Appraisals:
Office: (727) 464-3643
Tangible Personal Property:
Office: (727) 464-8484
Fax: (727) 464-8488

NORTH COUNTY

29269 US Highway 19 N
Clearwater, FL 33761
Office: (727) 464-8780
Fax: (727) 464-8794

MID COUNTY

13025 Starkey Road
Co-Located with Tax Collector
Largo, FL 33773
Office: (727) 464-3207
Fax: (727) 464-3448

SOUTH COUNTY

1800 66th Street N
St. Petersburg, FL 33710
Office: (727) 582-7652
Fax: (727) 582-7610

ALL MAIL: PO Box 1957 – Clearwater, FL 33757

01-30-14-79408-000-0012
UNIT A-2
ROCKS CONDO
SEASIDE OAKS OF INDIAN

VITAMIN SEA I R B LLC
3312 W KNIGHTS AVE
TAMPA FL 33611-1912

01-30-14-79408-000-0023
UNIT B-3
ROCKS CONDO
SEASIDE OAKS OF INDIAN

ORSCHELN, MICHAEL J TRUST
ORSCHELN, MICHAEL J TRE
1111 N MILWAUKEE AVE UNIT 235
VERNON HILLS IL 60061-1658

01-30-14-79408-000-0031
UNIT C-1
ROCKS CONDO
SEASIDE OAKS OF INDIAN

DENDY, MICHAEL C
1308 GULF BLVD UNIT C-1
INDIAN ROCKS BEACH FL 33785-2717

01-30-14-79369-000-4010
PARKING SPACE
USE OF ONE UNDER BUILDING
UNIT 401 TOGETHER WITH THE
SEA HORSE CONDO

DENIS, LACINDA M TRE
DENIS, LACINDA M TRUST
5807 BROWDER RD
TAMPA FL 33625-4126

01-30-14-79369-000-1030
PARKING SPACE
USE OF ONE UNDER BUILDING
UNIT 103 TOGETHER WITH THE
SEA HORSE CONDO

LOCKE, MICHAEL J
1310 GULF BLVD APT 103
INDIAN ROCKS BEACH FL 33785-2778

01-30-14-79369-000-5030
PARKING SPACE
USE OF ONE UNDER BUILDING
UNIT 503 TOGETHER WITH THE
SEA HORSE CONDO

MARSHALL, ANNE L
1310 GULF BLVD UNIT 503
INDIAN ROCKS BEACH FL 33785-4711

01-30-14-79369-000-1020
PARKING SPACE
USE OF ONE UNDER BUILDING
UNIT 102 TOGETHER WITH THE
SEA HORSE CONDO

COBURN, FORREST TRE
COBURN, FORREST TRUST
1310 GULF BLVD APT 403
INDIAN ROCKS BEACH FL 33785-2778

01-30-14-68276-003-0020
UNIT 3B
HOMES CONDO
PELICAN'S ROOST BEACH

KERR, ROBERT
KERR, SALLIE J
971 W KENILWORTH AVE
PALATINE IL 60067-5930

01-30-14-68276-004-0020
UNIT 4B
HOMES CONDO
PELICAN'S ROOST BEACH

SMITHERMAN, FRANK BYRON JR FAMILY TRUST
SMITHERMAN, FRANK B TRE
2012 BELLEAIR RD
CLEARWATER FL 33764

01-30-14-05979-001-0104

BLDG A, UNIT 104A
INDIAN ROCKS BEACH CONDO
BEACHSIDE VILLAS OF

1412 GULF BOULEVARD 104A LLC
17001 BEACH RD
CHESTERFIELD VA 23838-1830

01-30-14-05979-001-0102

BLDG A, UNIT 102A
INDIAN ROCKS BEACH CONDO
BEACHSIDE VILLAS OF

BLUE GECKO BEACHSIDE LLC
9529 LONGVIEW DR
ELLCOTT CITY MD 21042-2407

01-30-14-42030-030-0190

ALLEY ADJ ON S
BLK 30, LOT 19 & N 1/2 VAC
INDIAN BEACH RE-REVISED

PINES, RAYMOND
3308 W UNION ST
TAMPA FL 33607-4229

01-30-14-68276-003-0010

UNIT 3A
HOMES CONDO
PELICAN'S ROOST BEACH

WHITNEY, RICHARD L
WHITNEY, MARIA B
608 S OREGON AVE
TAMPA FL 33606-2524

01-30-14-05979-001-0203

BLDG A, UNIT 203A
INDIAN ROCKS BEACH CONDO
BEACHSIDE VILLAS OF

FURMAN, KARL D
FURMAN, BARBARA J
16124 ARMISTEAD LN
ODESSA FL 33556-3303

01-30-14-42030-030-0220

ON S
AND N 1/2 VAC ALLEY ADJ
BLK 30, LOT 22 LESS E 6IN
INDIAN BEACH RE-REVISED

DIGIACINTO HOLDINGS LLC
628 PINE TREE DR
INDIALANTIC FL 32903-3830

01-30-14-42030-030-0210

ALLEY ADJ ON S
OF LOT 22 & N 1/2 VAC
BLK 30, LOT 21 AND E 6IN
INDIAN BEACH RE-REVISED

MAISANO, ANTHONY JOHN REVOCABLE TRUST
MAISANO, ANTHONY JOHN TRE
1105 GULF BLVD
BELLEAIR BEACH FL 33786-3356

01-30-14-42030-029-0160

INDIAN BEACH RE-REVISED
BLK 29, LOTS 14, 15 & 16

ANNA MARIE REALTY CORP
C/O TEMPLETON, BRUCE
28-48 31ST ST 2ND FL
ASTORIA NY 11102-2131

01-30-14-42030-029-0110

BLK 29, LOT 11
INDIAN BEACH RE-REVISED

LANSING, LU ANN M
LANSING, GARRY L
111 15TH AVE
INDIAN ROCKS BEACH FL 33785-2705

01-30-14-79408-000-0033
UNIT C-3
ROCKS CONDO
SEASIDE OAKS OF INDIAN

WASHINGTON, DAVID
WASHINGTON, KIMBERLY
3600 FERRELL ST
NEW PORT RICHEY FL 34655-2037

01-30-14-79369-000-3020
SPACE
USE OF ONE OUTSIDE PARKING
UNIT 302 TOGETHER WITH THE
SEA HORSE CONDO

ADAMS, JOE
ADAMS, CHERYL
847 HAWK LN
CAROL STREAM IL 60188-3326

01-30-14-79369-000-0001
(COMMON ELEMENTS)
SEA HORSE CONDO

SEA HORSE CONDO ASSN INC
1310 GULF BLVD
INDIAN ROCKS BEACH FL 33785-2720

01-30-14-05979-000-0001
(COMMON ELEMENTS)
INDIAN ROCKS BEACH CONDO
BEACHSIDE VILLAS OF

BEACHSIDE VILLAS OF INDIAN RCKS BCH CONDO ASSN
INC
1412 GULF BLVD
INDIAN ROCKS BEACH FL 33785-4718

01-30-14-05979-000-0002
SW POOL, ETC
COMMON AREA: REC AREA,
INDIAN ROCKS BEACH CONDO
BEACHSIDE VILLAS OF

BEACHSIDE VILLAS OF INDIAN RCKS BCH CONDO ASSN
INC
1412 GULF BLVD
INDIAN ROCKS BEACH FL 33785-4718

01-30-14-42048-079-0010
BLK 79, LOT 1
RE-REVISED 1ST ADD
INDIAN BEACH

PALOSCIO, DANIEL J
915 N FRANKLIN ST UNIT 1805
TAMPA FL 33602-3879

01-30-14-79369-000-3010
PARKING SPACE
USE OF ONE UNDER BUILDING
UNIT 301 TOGETHER WITH THE
SEA HORSE CONDO

FORBRIGER, TIMOTHY W
1310 GULF BLVD APT 301
INDIAN ROCKS BEACH FL 33785-4704

01-30-14-79369-000-3030
PARKING SPACE
USE OF ONE UNDER BUILDING
UNIT 303 TOGETHER WITH THE
SEA HORSE CONDO

ADAMS, CHERYL J REVOCABLE TRUST
ADAMS, CHERYL J TRUSTEE
847 HAWK LN
CAROL STREAM IL 60188-3326

01-30-14-79369-000-5020
SPACE
USE OF ONE OUTSIDE PARKING
UNIT 502 TOGETHER WITH THE

SEA HORSE CONDO

**KASOWSKI, SUZANNA B
KASOWSKI, STEVEN S
913 MAPLE RIVER CT
MAPLETON ND 58059-4033**

**01-30-14-68276-001-0010
UNIT 1A
HOMES CONDO
PELICAN'S ROOST BEACH**

**CALLAHAN, TERRENCE S
MANDERA-CALLAHAN, MARION B
PO BOX 1166
CRYSTAL BEACH FL 34681-1166**

**01-30-14-68276-000-0001
(COMMON ELEMENTS)
HOMES CONDO
PELICAN'S ROOST BEACH**

**PELICAN'S ROOST BEACH HOMES CONDO ASSN INC
1400 GULF BLVD
INDIAN ROCKS BEACH FL 33785-2710**

**01-30-14-68276-002-0020
UNIT 2B
HOMES CONDO
PELICAN'S ROOST BEACH**

**COLLINS, CHERYL L
1400 GULF BLVD APT 2B
INDIAN ROCKS BEACH FL 33785-2790**

**01-30-14-05979-001-0202
BLDG A, UNIT 202A
INDIAN ROCKS BEACH CONDO
BEACHSIDE VILLAS OF**

**ALFEROVA, YELENA G
31656 E COUNTY ROAD 1900 N
MANITO IL 61546-7902**

**01-30-14-05979-001-0201
BLDG A, UNIT 201A
INDIAN ROCKS BEACH CONDO
BEACHSIDE VILLAS OF**

**BODIKER, ARTHUR E
BODIKER, KRISTEN
34 W MCPHERSON ST
DAYTON OH 45405-4831**

**01-30-14-42030-029-0120
BLK 29, LOT 12
INDIAN BEACH RE-REVISED**

**MCDONALD, KATHLEEN R
109 15TH AVE
INDIAN ROCKS BEACH FL 33785-2705**

**01-30-14-42030-028-0080
PART OF VAC BEACH DR ON W
OF VAC ALLEY ON E & THAT
BLK 28, LOT 8 & W'LY 1/2
INDIAN BEACH RE-REVISED**

**GULF DUNES PROPERTY LLC
818 S BAYSIDE DR
TAMPA FL 33609-3618**

**01-30-14-79408-000-0001
COMMON AREA
ROCKS CONDO
SEASIDE OAKS OF INDIAN**

**SEASIDE OAKS OF INDIAN ROCKS CONDO ASSN INC
PO BOX 2262
TAMPA FL 33601-2262**

01-30-14-79408-000-0011

UNIT A-1
ROCKS CONDO
SEASIDE OAKS OF INDIAN

SHUKUR, KEVIN R
SHUKUR, JANICE C
1308 GULF BLVD UNIT A 1
INDIAN ROCKS BEACH FL 33785-2708

01-30-14-79369-000-4030
PARKING SPACE
USE OF ONE UNDER BUILDING
UNIT 403 TOGETHER WITH THE
SEA HORSE CONDO

COBURN, PEGGY SUE TRUST
COBURN, PEGGY SUE TRE
1310 GULF BLVD UNIT 403
INDIAN ROCKS BEACH FL 33785-2778

01-30-14-79369-000-2020
PARKING SPACE
USE OF ONE UNDER BUILDING
UNIT 202 TOGETHER WITH THE
SEA HORSE CONDO

DUNN, JAMES L
DUNN, JANICE C
4009 ALTAWOOD CT
LOUISVILLE KY 40245-1927

01-30-14-79369-000-1010
SPACE
USE OF ONE OUTSIDE PARKING
UNIT 101 TOGETHER WITH THE
SEA HORSE CONDO

TRENT, GWENDOLYN CRITTENDEN
14403 MARK DR
LARGO FL 33774-5103

01-30-14-05979-002-0202
BLDG B, UNIT 202B
INDIAN ROCKS BEACH CONDO
BEACHSIDE VILLAS OF

EVANS, ANTHONY
EVANS, VICTORIA SUE
618 15TH ST
ASHLAND KY 41101

01-30-14-05979-002-0104
BLDG B, UNIT 104B
INDIAN ROCKS BEACH CONDO
BEACHSIDE VILLAS OF

POWELL, BRETTON L
1030 10TH AVE
HUNTINGTON WV 25701-3317

01-30-14-05979-002-0103
BLDG B, UNIT 103B
INDIAN ROCKS BEACH CONDO
BEACHSIDE VILLAS OF

ALI, MOHAMMAD
217 N JEFFERSON ST
NEW CASTLE PA 16101-2271

01-30-14-05979-001-0103
BLDG A, UNIT 103A
INDIAN ROCKS BEACH CONDO
BEACHSIDE VILLAS OF

CEREKWICKI, TONI L REV TRUST
CEREKWICKI, TONI LYNN TRE
12427 GLENFIELD AVE
TAMPA FL 33626-2608

01-30-14-42030-029-0050
BLK 29, LOT 5
INDIAN BEACH RE-REVISED

PARK, ROBERT K III
110 14TH AVE
INDIAN ROCKS BEACH FL 33785-2704

01-30-14-79408-000-0022
UNIT B-2
ROCKS CONDO
SEASIDE OAKS OF INDIAN

PRIEST, ANDREW R
2511 ELDERBERRY DR
CLEARWATER FL 33761-2205

01-30-14-79408-000-0013
UNIT A-3
ROCKS CONDO
SEASIDE OAKS OF INDIAN

MITTELBRUN, JOHN W TRUST
MITTELBRUN, JOHN W TRE
1308 GULF BLVD UNIT A 3
INDIAN ROCKS BEACH FL 33785-2708

01-30-14-79369-000-2010
PARKING SPACE
USE OF ONE UNDER BUILDING
UNIT 201 TOGETHER WITH THE
SEA HORSE CONDO

KOONS, THOMAS B
KOONS, PAULINE T
1310 GULF BLVD UNIT 201
INDIAN ROCKS BEACH FL 33785-4704

01-30-14-79369-000-2030
PARKING SPACE
USE OF ONE UNDER BUILDING
UNIT 203 TOGETHER WITH THE
SEA HORSE CONDO

NESBITT TRUST
CABELLA, RUTH TRE
4350 DUHME RD
MADEIRA BEACH FL 33708-2809

01-30-14-68276-004-0010
UNIT 4A
HOMES CONDO
PELICAN'S ROOST BEACH

STEWART, LEIGH MERIWETHER
135 MOUNTAIN ELDER LN
HENDERSONVILLE NC 28739-0149

01-30-14-68276-005-0010
UNIT 5A
HOMES CONDO
PELICAN'S ROOST BEACH

FAIRHAVEN PARTNERS LTD
3305 W MCKAY AVE
TAMPA FL 33609-4627

01-30-14-05979-001-0101
BLDG A, UNIT 101A
INDIAN ROCKS BEACH CONDO
BEACHSIDE VILLAS OF

BUTT, JEFFREY DREW
BUTT, MICHELLE K
12125 CLEAR HARBOR DR
TAMPA FL 33626-2525

01-30-14-05979-002-0203
BLDG B, UNIT 203B
INDIAN ROCKS BEACH CONDO
BEACHSIDE VILLAS OF

TAFT, PENNY
2968 HAZLETT RD
SPRINGFIELD IL 62707-2607

01-30-14-05979-002-0102
BLDG B, UNIT 102B
INDIAN ROCKS BEACH CONDO
BEACHSIDE VILLAS OF

SERE, RICHARD
SERE, JOAN
80 GARY PL

01-30-14-05979-002-0204

BLDG B, UNIT 204B
INDIAN ROCKS BEACH CONDO
BEACHSIDE VILLAS OF

BRIDGES, TIMOTHY W
MORTON-JOST, MELISSA J
115 112TH AVE NE APT 617
ST PETERSBURG FL 33716-3259

01-30-14-42030-030-0200

ALLEY ADJ ON S
BLK 30, LOT 20 & N 1/2 VAC
INDIAN BEACH RE-REVISED

TURPIN, CHRISTINE J
107 14TH AVE
INDIAN ROCKS BEACH FL 33785-2703

01-30-14-79369-000-5010

PARKING SPACE
USE OF ONE UNDER BUILDING
UNIT 501 TOGETHER WITH THE
SEA HORSE CONDO

SHEA, MICHAEL P
SHEA, LEILA P
3902 S DREXEL AVE
TAMPA FL 33611-1520

01-30-14-79369-000-4020

SPACE
USE OF ONE OUTSIDE PARKING
UNIT 402 TOGETHER WITH THE
SEA HORSE CONDO

HAMBY, LINDA SUE REV LIV TRUST
HAMBY, LINDA SUE TRE
1310 GULF BLVD UNIT 402
INDIAN ROCKS BEACH FL 33785-2777

01-30-14-68276-005-0020

UNIT 5B
HOMES CONDO
PELICAN'S ROOST BEACH

VOGT, KARL E
VOGT, JOAN S
1400 GULF BLVD APT 5B
INDIAN ROCKS BEACH FL 33785-2775

01-30-14-68276-001-0020

UNIT 1B
HOMES CONDO
PELICAN'S ROOST BEACH

ALTICE, ADAM
ALTICE, REAGAN
3923 VENETIAN WAY
TAMPA FL 33634-7491

01-30-14-05979-001-0204

BLDG A, UNIT 204A
INDIAN ROCKS BEACH CONDO
BEACHSIDE VILLAS OF

VEILLETTE, TRACY LYNNE
2912 W CHAPIN AVE
TAMPA FL 33611-1635

01-30-14-05979-002-0101

BLDG B, UNIT 101B
INDIAN ROCKS BEACH CONDO
BEACHSIDE VILLAS OF

J T R PROPERTY HOLDINGS LLC
2 15TH AVE UNIT 403
INDIAN ROCKS BEACH FL 33785-4715

01-30-14-42030-030-0230

VAC ALLEY ADJ ON S

BLK 30, LOT 23 AND N 1/2
INDIAN BEACH RE-REVISED

1309 GULF BLVD LLC
1309 GULF BLVD
INDIAN ROCKS BEACH FL 33785-2748

01-30-14-42048-078-0160
ALLEY ADJ ON S
BLK 78, LOT 16 & N 1/2 VAC
RE-REVISED 1ST ADD
INDIAN BEACH

PINES, HAZEL J
10922 JUNIPERUS PL
TAMPA FL 33618-3883

01-30-14-79408-000-0021
UNIT B-1
ROCKS CONDO
SEASIDE OAKS OF INDIAN

HART, KEVIN D
HART, MARTHA
2051 VILLA RD UNIT 403
BIRMINGHAM MI 48009-6570

01-30-14-68276-002-0010
UNIT 2A
HOMES CONDO
PELICAN'S ROOST BEACH

LINDSAY, HEATHER B
LEE, LONNIE
923 SAINT ANNES CT
TARPON SPRINGS FL 34688-6331

01-30-14-42030-029-0130
BLK 29, LOT 13
INDIAN BEACH RE-REVISED

HUBINGER, KIMBERLY
107 15TH AVE
INDIAN ROCKS BEACH FL 33785-2705

01-30-14-42030-029-0040
BLK 29, LOT 4
INDIAN BEACH RE-REVISED

BOWERS, JONATHAN
108 14TH AVE
INDIAN ROCKS BEACH FL 33785-2704

AGENDA ITEM NO. 7

OTHER LEGISLATIVE MATTERS

NONE

AGENDA ITEM NO. 8

WORK SESSION ITEMS

NONE

AGENDA ITEM NO. 9

OTHER BUSINESS:

AGENDA ITEM NO. 10
ADJOURNMENT.