



Planning, Zoning & Building Department (941) 316-1966
 501 Bay Isles Road
 Longboat Key, Florida 34228
 Fax Number: (941) 373-7938
 Web: <http://www.longboatkey.org>



PETITION FOR DAYLIGHT PLANE WAIVER

Date Filed _____ Receipt # (\$390.00) _____ Petition No. _____

THE APPLICANT IS REQUIRED TO SUBMIT SEVENTEEN (17) (ORIGINAL PLUS SIXTEEN (16) COPIES) INDIVIDUAL, COLLATED SETS OF THIS APPLICATION, SUPPORTING PLANS AND DOCUMENTS.

(1) (We) Neal & Karen Neilinger of 125 Clapboard Ridge Rd.
(name) (mailing address)

Greenwich, Ct. 06830 34228 request a Waiver from the Daylight Plane regulations

in accordance with Town Code Section 158.26 (F)(3) of the Town of Longboat Key Zoning Ordinance to increase the required 50 degree Daylight Plane angle to 56 degrees.

Subject property is located at 5809 Gulf of Mexico Dr. Longboat Key, Fl
(street number location)

The legal description is as follows: 2 — H&M Assoc. Subdivision
(Lot(s)) (Block) plat book 29, pgs 85 & 86
(Subdivision or Plat)

or _____
(if otherwise legally described)

LIST OF NAMES AND ADDRESSES OF ALL OWNERS OF PROPERTY WITHIN A DISTANCE OF 500 FT. FROM THE OUTSIDE EDGES OF THE PROPERTY INVOLVED WILL BE PROVIDED BY THE TOWN.

(1) (We) believe that the Zoning Board of Adjustment should grant this petition pursuant to Section 158.026 of the Town Code because the following criteria are factually supported by this petition:

- (1) The proposed does not adversely impact the view of neighbors and the neighborhood.
- (2) The lot upon which the structure is proposed is unique in its configuration.
- (3) Special circumstances or conditions are effecting the property such that the strict application of the Daylight Plane requirements inordinately burden the property owner and deprives the property owner of a reasonable design for the building as it relates to its environs.

Daylight Plane Waiver Application
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STATE SEPARATELY HOW EACH OF THE ABOVE THREE (3) CRITERIA ARE FACTUALLY PRESENT IN YOUR WAIVER REQUEST:

- ① Adjacent property owners will not be impacted since the closest buildable lot areas are 40-60' away from our side property lines.
- ② Our lot is part of a subdivision of a larger lot into 3 smaller lots.
- ③ The areas to the sides of our property are used solely as access drives to the existing houses located to the southwest of the proposed home.

(ATTACH EXTRA SHEET, IF NECESSARY)

(I) (WE) understand that this Petition becomes a part of the permanent records of the Zoning Board of Adjustment. (I) (WE) hereby certify that the above statements and the statements or showings made in any paper or plans submitted herein are true to the best of (my) (our) knowledge and belief.

Karen L. Neilinger
(Signature of Owner)

Karen Neilinger
(Please print or type Owner's Name)

Mailing address you wish information sent to and telephone number:

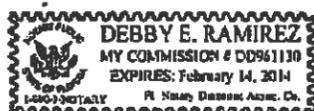
K2 Design Group, Inc.
25081 Bernwood Drive
Ponitz Springs, Fl. 34135

Phone # (239) 444-5205

Fax # (239) 444-5210

[Signature]
The Owner has hereby designated the above signed person to act as his agent in regard to this Petition. It to be executed when Owner designates another to act on his behalf.

Jenny Provost
Print or Type Agent Name



Notarization of Agent's Signature:

State of Florida

County of Lee

The foregoing instrument was acknowledged before me this 25th day of January, 2013 by Jenny Provost

as REPRESENTATIVE for NEAL AND KAREN NEILINGER
(type of authority) (name of party acting on behalf of)

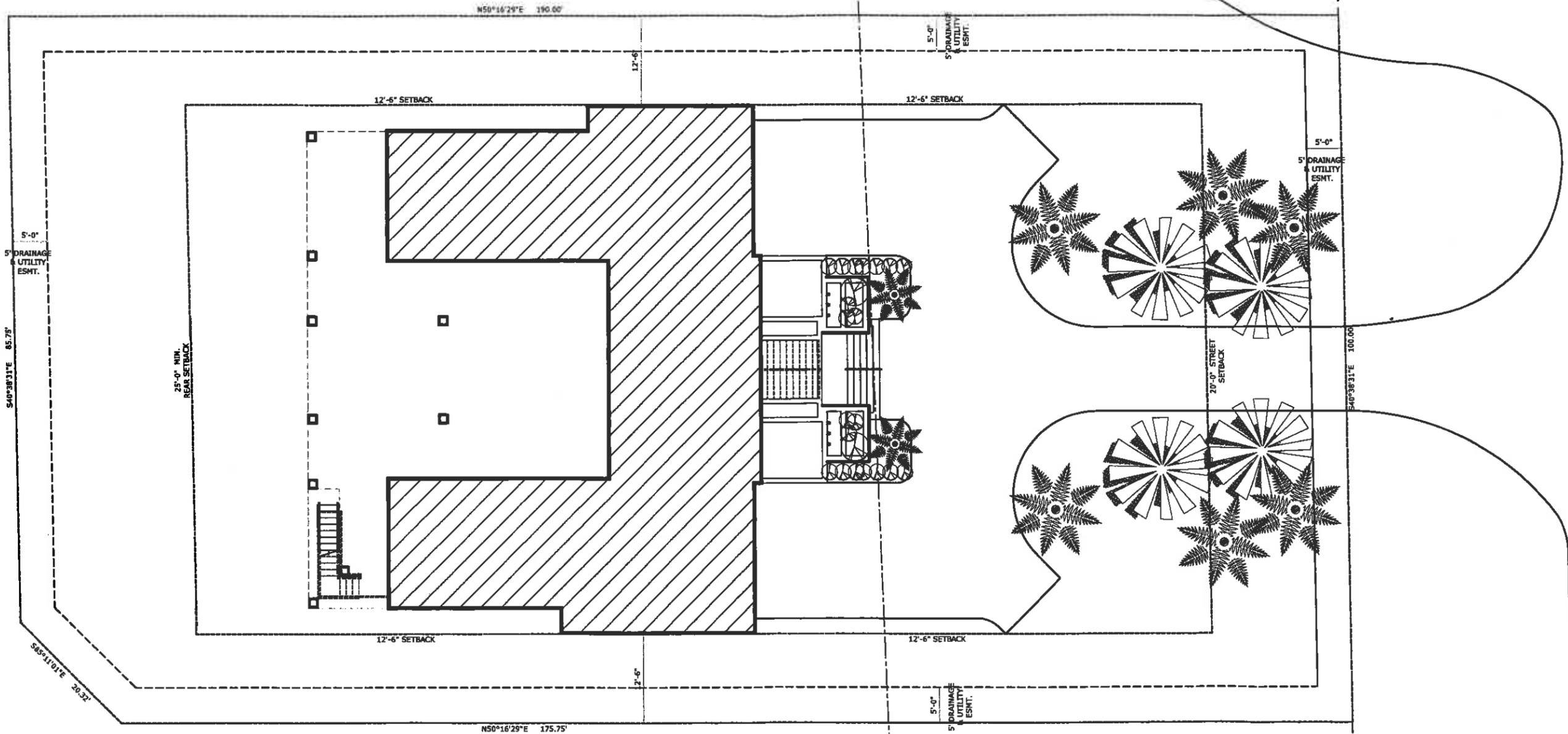
[Signature]
Notary Public

Debby E Ramirez
Name of Notary (print, typed or stamped)

Personally know ___ OR produced identification Type of Identification Florida Driver License



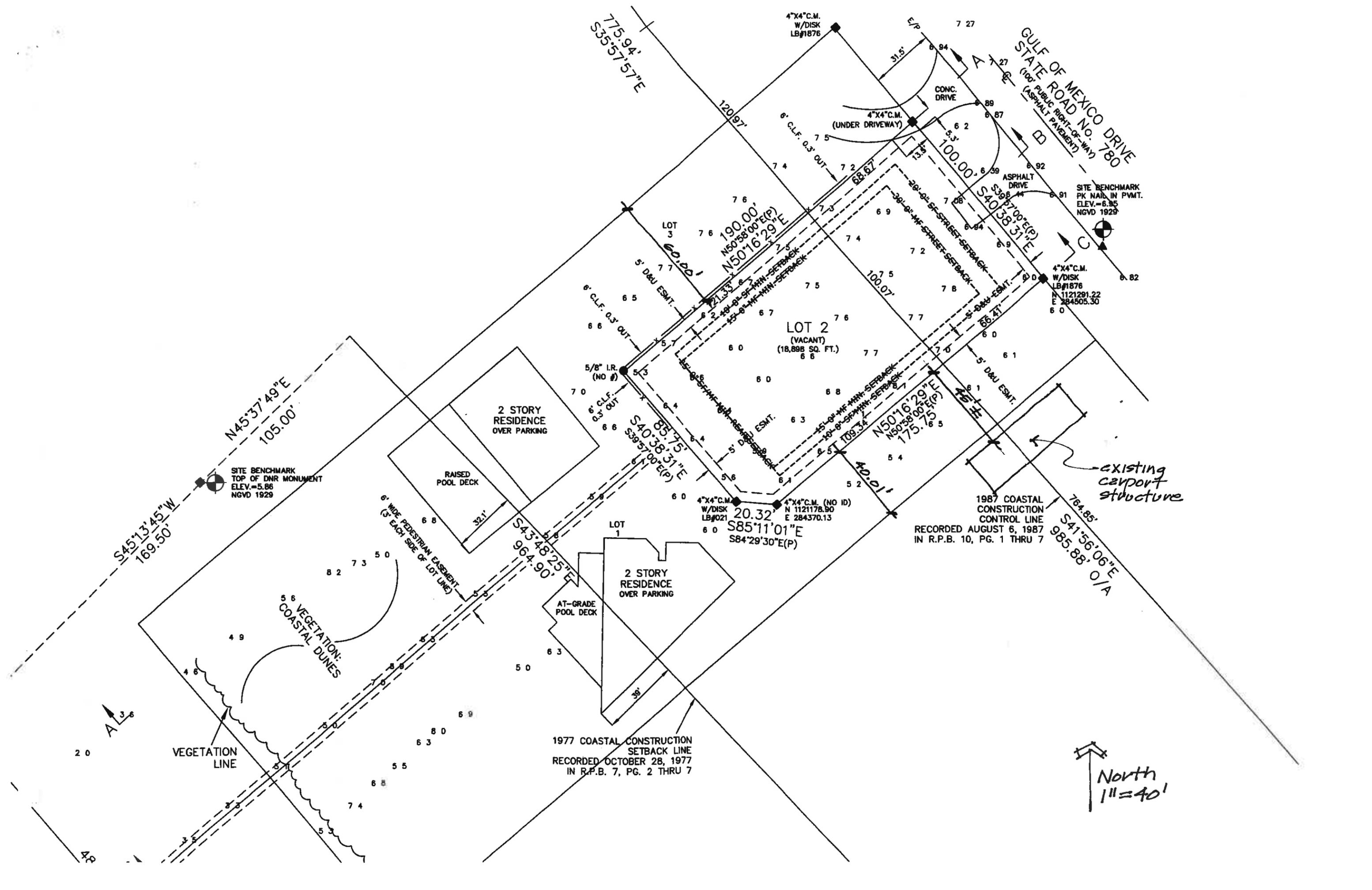
EAST ELEVATION
 SCALE: 1/8" = 1'-0" 1



NORTH

SITE PLAN
 SCALE: 1/16" = 1'-0" **1**

NEILINGER RESIDENCE



GULF OF MEXICO DRIVE
STATE ROAD NO. 780
(100' PUBLIC RIGHT-OF-WAY)
(ASPHALT PAVEMENT)

SITE BENCHMARK
PK NAIL IN PVMT.
ELEV. = 6.85
NGVD 1929



North
1" = 40'

1987 COASTAL
CONSTRUCTION
CONTROL LINE
RECORDED AUGUST 6, 1987
IN R.P.B. 10, PG. 1 THRU 7

1977 COASTAL CONSTRUCTION
SETBACK LINE
RECORDED OCTOBER 28, 1977
IN R.P.B. 7, PG. 2 THRU 7

existing
carport
structure

SITE BENCHMARK
TOP OF DNR MONUMENT
ELEV. = 5.88
NGVD 1929

VEGETATION
LINE

5' VEGETATION:
COASTAL DUNES

2 STORY
RESIDENCE
OVER PARKING

2 STORY
RESIDENCE
OVER PARKING

RAISED
POOL DECK

AT-GRADE
POOL DECK

LOT 2
(VACANT)
(18,898 SQ. FT.)

LOT 3

LOT 1

775.94'
S35°57'57"E

S45°13'45"W
169.50'

N45°37'49"E
105.00'

190.00'
N50°58'00"E(P)
N50°16'29"E

85.75'
S40°58'31"E
S39°57'00"E(P)

20.32'
S85°11'01"E
S84°29'30"E(P)

109.34'
N50°16'29"E
175.75'

764.85'
S41°56'06"E
985.88' O/A

100.00'
S40°58'31"E

120.97'

7 27

E/P

31.5'

CONC.
DRIVE

4"x4"C.M.
(UNDER DRIVEWAY)

6 2

6 87

6 92

ASPHALT
DRIVE

6 91

6 92

6 91

6 90

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4"x4"C.M.
W/DISK
LB#1876

4"x4"C.M.
W/DISK
LB#1876
N 1121291.22
E 284505.30

4"x4"C.M.
W/DISK
LB#021

4"x4"C.M. (NO ID)
N 1121178.90
E 284370.13

6' C.L.F. 0.3' OUT

5' D&U ESMT.

5/8" LR.
(NO #)

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5809 Gulf of Mexico Dr, Longboat Key, FL 34228, USA

