



## STAFF REPORT

DATE: October 12, 2015

TO: Planning and Zoning Board

FROM: Maika Arnold, Planner  
Planning, Zoning and Building Department

THROUGH: Alaina Ray, AICP  
Director – Planning, Zoning and Building Department

SUBJECT: The Shore Restaurant  
Special Exception

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APPLICANT: 800 Broadway, LLC

AGENT: Peter Dailey

LOCATION: 800 Broadway St.  
Longboat Key, Florida

ZONING DISTRICT: C-1 (Limited Commercial)

EXISTING USE: Restaurant

REQUEST: Construction of new restaurant with outdoor dining and a dock  
that exceeds 500 square feet

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### **SUBJECT PROPERTY**

The subject property is a bayside waterfront lot located at 800 Broadway. The property is the site of the former Moore's Stone Crab Restaurant, constructed in 1967. The new owner of the property, 800 Broadway LLC, has proposed to demolish the existing restaurant building and reconstruct a new restaurant on the site, which will include a reconstructed dock. The property is zoned C-1 Limited Commercial and has a Future

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Land Use (FLU) designation of CL Limited Commercial. The existing use and site conforms to both the Comprehensive Plan and the Land Development Code.

Variance Petition 2-15 was granted on February 2, 2015, to allow a reconstructed restaurant to have a 0-foot waterfront yard setback and a 20-foot street setback from Broadway Street. The property was also re-zoned from R-6SF to Limited Commercial (C-1) and received a FLU change from RH6 to CL in May 2015.

Moore's Stone Crab Restaurant was an historic asset to the community, which provided waterfront dining and access to the public. The reconstructed restaurant and dock will continue to provide waterfront dining and access for residents and patrons. The Town's adopted Vision Plan recognizes waterfront dining as one of the amenities that makes Longboat Key a special place. The Town's Vision Plan also states that the Town will strive to support restaurants on the island, encouraging viability and diversification, as well as waterfront dining options.

The existing zoning and land uses adjacent to the subject property are as follows:

Northwest: Abuts Broadway Street; Properties across Broadway Street zoned R-6SF (High Density Single Family); Remainder of properties consist of existing single-family homes.

Northeast: Sarasota Bay

Southeast: Zoned C-1, Existing use is Mar Vista Restaurant

Southwest: Zoned R-6SF; Existing use is single-family homes.



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## **PROJECT SUMMARY**

The applicant has submitted a separate application for a Site Plan, seeking approval to reconstruct a new restaurant. A restaurant use is permitted in a C-1 zoning districts provided a special exception is obtained.

The former restaurant, Moore's Stone Crab Restaurant, had 185 seats available for indoor dining. The applicant is seeking 185 seats for its proposed restaurant. If the Special Exception and Site Plan are approved for the new restaurant, the applicant plans to divide the 185 seats between indoor and outdoor dining. The total area of the proposed restaurant is 11,157 square feet. The applicant plans to dedicate 3,500 square feet of space for outdoor dining and waiting area. Indoor seating will occupy 1,990 square feet. The interior of the restaurant will also have a bar and retail shop.

The proposed Site Plan includes stair access to the proposed first floor over parking. The Site Plan application proposes extensive landscaping around the perimeter of the property and within the street setback. The applicant is also proposing to resurface and stripe the parking lot, add wheel stops, and provide additional parking underneath the restaurant in a parking garage.

The existing dock is 4,069 square feet. The proposed, reconstructed dock will be 4,116.5 square feet. The applicant has also submitted a separate application for a Variance (Petition 4-15), seeking approval to construct a dock 192.6 feet from the Mean High Water Line (MHWL), for a variance of 142.6 feet. The variance request is intended to establish the allowable projection for reconstruction of the dock farther than 50 feet from the MHWL, as allowed by Code. Zoning Board of Adjustment will hold a public hearing on October 15, 2015 to decide on Variance Petition 4-15.

Approval of the Special Exception will be conditioned upon approval of the Variance Petition 4-15. Approval of the concurrent Site Plan will also be conditioned upon approval of the Special Exception, as required by the Land Development Code (LDC).

## **STAFF ANALYSIS**

The initial Special Exception application submitted to Staff on July 28, 2015, requested a total of 299 seats within the new restaurant. Staff reviewed the request and indicated to the applicant that Staff could not support a request for additional seats, based on the provisions of the Comprehensive Plan and the Land Development Code. The applicant revised its Special Exception application and now seeks to maintain the 185 seat allocation held by the former Moore's Stone Crab Restaurant; since there is no net increase in the seats associated with the applicant's submittal, there is no requirement for additional parking.

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The applicant proposes to construct two stairways for customers to access the dining area above the parking garage.

Section 158.028 of the Land Development Code specifies that with the exception of home occupations and windwalls, the planning and zoning board shall hear all applications for special exceptions. Section 158.126 of the Land Development Code specifies the standards for granting of a Special Exception. Additional standards for outdoor dining are provided in Section 158.136.

The applicant has also submitted applications to the Town requesting that the reconstructed dock be 4,116.5 square feet, larger than the 500 square feet than the Town Code allows. The existing, legal non-conforming dock is 4,069 square feet. The nonconforming section of the Zoning Code does not allow for significant renovation and/or reconstruction of the existing nonconforming structure without meeting all zoning requirements, with certain limited allowances related to involuntary destruction.

The average water depths surrounding the outer edge of the proposed dock are approximately 10 feet, and range from six (6) feet to nine (9) feet on the inner edge of the mooring area, depending on tides and sea floor. The water depths surrounding the outer edge of the mooring areas range from eight (8) feet to 11 feet.

The proposed dock would be an improvement upon the existing structure. Removal of the smaller docking structure will aid in the growth of the seagrass area that is currently inhibited by the dock. Elimination of mooring on the inside of the dock will help to preserve and restore the seagrasses, and the proposed configuration promotes easier navigation into and out of the docking area.

### **158.126 - Special Exception**

As per Town code Section 158.126(A), *Findings*:

*Before any Special Exception shall be granted, the Planning and Zoning Board shall make a written finding that the granting of the special exception will not adversely affect the public interest and certifying that the specific requirements governing the individual special exception, if any, have been met by the petitioner and that, further, satisfactory provision and arrangement has been made concerning the following matters, where applicable:*

### **Findings of Fact**

To facilitate the Board's review and consideration of the Special Exception petition, Staff has reviewed the application, and provides the following recommended findings of fact:

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1. **The proposed use complies with the Comprehensive Plan.** The proposed restaurant use is allowed under and consistent with the current C-1 Limited Commercial Future Land Use Designation of the subject property. The proposed outdoor dining use is connected to the proposed restaurant facility and is consistent with its principal use. According to the applicant, the proposed restaurant would increase the economic viability within the community and continue to be a staple to the community of Longboat Key. The restaurant will also continue to maintain the health, safety, welfare and property values of the community, and is consistent with the Goals, Objectives, and Policies of the Future Land Use Element of the Comprehensive Plan.
2. **The proposed use is a permitted Special Exception use as set forth in the Schedule of Use Regulations.** Zoning Code Section 158.125 *Schedule of use regulations* lists restaurants with outdoor dining as an allowed Special Exception use in C-1 (Limited Commercial) zoning districts. Additionally, Zoning Code Section 158.155 (C) states, "The maximum permitted area of a boat dock shall be 500 square feet. *Any boat dock in excess of 500 square feet shall be a permitted special exception use*, subject to compliance with [section 158.126](#)."
3. **Safe and convenient ingress and egress to the property and proposed structures has been provided.** The proposed site plan shows three (3) driveways to access the property. Two (2) driveways are utilized to access the parking lot, and the driveway on the northernmost side of the property serves the parking garage. The proposed dock provides adequate navigation for boaters, as the mooring area has water depths ranging from eight (8) to 11 feet.
4. **Off-street parking and loading areas are provided, with particular attention to items in (3) above and the economic, noise, glare, or other effects of the special exception on adjoining properties and properties generally in the district.** The proposed restaurant will have 185 seats and is required to provide 47 parking spaces. According to the Site Plan, the applicant proposes to provide 55 parking spaces (26 garage spaces, 28 regular parking spaces and 1 (one) grass overflow parking space). The proposed dock will provide 16 boat slips.

The impact from parking proposed in this reconstructed restaurant will improve parking conditions. The proposed parking lot will improve the drainage and storm water runoff system, as pervious surfaces and swales will be utilized. The applicant proposes to provide more parking spots than are required, which will improve the parking conditions within the surrounding neighborhood. Finally, improved and plentiful landscaping will be used to buffer the parking lot, which will prevent any other negative effects on adjoining properties.

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5. **Existing refuse or service areas are satisfactory to serve the outdoor dining area.** The proposed refuse and service areas for the site are satisfactory. The dumpster location meets the required setbacks and has adequate screening. Furthermore, the proposed dumpster will be tied to a grease trap for the restaurant to reduce any impacts from the trash functions associated with the dumpster.
6. **Utilities, with reference to locations, have been provided and are available and compatible.** Per Site Plan Order 2015-01, all utilities shall be undergrounded. Lighting plans have been submitted, and are sufficient for the site. The applicant has proposed to place the air conditioning handlers on the roof, in order to visually screen and reduce noise to the surrounding neighbors.
7. **Adequate screening and buffering of the proposed use has been provided.** As shown on sheet L-3, the restaurant and parking will be screened by a buffer that will be planted within the 20-foot street setback. The screening facing the adjacent residentially zoned properties will provide a minimum of 80 percent opacity, in compliance with the LDC. The outdoor dining area will be open on the side facing Sarasota Bay.
8. **Signs and additional exterior lighting are proposed.** Exterior lighting is proposed along the perimeter of the parking lot and in the parking garage. The lighting proposed is indirect lighting that will provide no glare past the property boundaries as demonstrated by the lighting plan submitted by the applicant. Signage will be wall-mounted and will be submitted with building plans.
9. **The applicant meets all yard and other open space requirements.** As proposed, the outdoor dining area will be located along the waterfront portion of the restaurant. The proposed restaurant will have a 0-foot waterfront setback. The restaurant also meets open space requirements, as the maximum non-open space is 80% and the proposed non-open space is 78.76%.

The Zoning Board of Adjustment will consider a variance application from the applicant on October 15, 2015, to reconstruct the dock further than 50 feet from the Mean High Water Line. The existing dock is considered a legal non-conforming structure, since it currently extends 150.6 feet from the Mean High Water Line (MHWL). The variance request is intended to establish the allowable projection for reconstruction of the dock farther than 50 feet from the MHWL, as allowed by Code. The applicant is requesting to construct a dock 192.6 feet from the MHWL, for a variance of 142.6 feet. Approval of the Special Exception is conditioned upon approval of Variance 4-15.

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10. **The proposed uses conform to all applicable regulations governing the district in which it is located, with the approval of the site plan amendment.** The C-1 (Limited Commercial) zoning district allows for restaurants with outdoor dining. Furthermore, docks more than 500 square feet are permitted on a property if a Special Exception is granted. The proposed of the property is the Shore Restaurant and includes outdoor dining. The proposed outdoor dining area use is conforms to all applicable regulations governing the C-1 (Limited Commercial) zoning district. The reconstructed dock conforms to all applicable regulations set forth in Zoning Code Section 158.155.
  
11. **The proposed uses are generally compatible with adjacent properties and other properties in the district.** The existing restaurant abuts Broadway Street to the northwest. Properties across Broadway Street are zoned residential and consist of existing single-family homes. The property to the southeast is zoned C-1, and is the location of the existing Mar Vista Restaurant. Sarasota Bay abuts the property to the northeast. The existing Moore's Stone Crab Restaurant has been part of the surrounding neighborhood, known as "The Village," since 1967. It is considered by many to be an historic element of the area and contributes to the unique nature of the historic village setting. The Town's adopted Vision Plan recognizes waterfront dining as one of the amenities that makes Longboat Key a special place. The Town's Vision Plan also states that the Town will strive to support restaurants on the island, encouraging viability and diversification, as well as waterfront dining options. The reconstructed restaurant and dock will provide residents and visitors the opportunity to continue to enjoy the waterfront access the historic restaurant provided. Several design features will minimize any potential external impacts, including indirect lighting, enhanced screening, and additional buffer landscaping.

The proposed dock is generally compatible with adjacent properties, as the Mar Vista Restaurant, adjacent to the subject property, at 760 Broadway, has a dock that extends 171.2 feet from the Mean High Water Line. The proposed extension of the reconstructed dock is 153 feet from the Mar Vista dock, so it will not impact navigation into the Mar Vista dock.

### **Section 158.136 – Outdoor dining for restaurants**

Town Code Section 158.136 provides standards for outdoor dining areas at restaurants. An outdoor dining area at a restaurant shall not be permitted unless it complies with each of the following standards:

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1. **The principal use of the property shall be a restaurant that provides indoor dining, outdoor dining, or both types of dining.** The principal use of the subject property is the proposed Shore Restaurant, which will provide both indoor and outdoor dining.
2. **The outdoor dining area shall be used only for food service, drink service, as a waiting area, and for casual seating.** The outdoor area will only be used for food service, drink service, as a waiting area, and for casual seating.
3. **All food and drink preparations shall take place within the confines of an enclosed restaurant building located on the same site as the outdoor dining area.** No preparation of food and drink in the outdoor dining area is proposed. All food and drink preparation will be provided in the kitchen and bar areas.
4. **An outdoor dining area shall be considered an expansion of a restaurant. Accordingly, an outdoor dining area shall be designed in such a manner that will maintain a free, unobstructed connection between the restaurant and outdoor dining areas. All regulations that pertain to restaurant dining areas shall apply to outdoor dining areas.** The proposed outdoor dining area provides a free unobstructed connection to the restaurant through stairways.
5. **An outdoor dining area may be located within the required street yard, the required canal, bay, or pass waterfront yard, and within a non-required yard. An outdoor dining area shall not be located in any required side or rear yard when that yard abuts residential property.** The proposed outdoor dining area does not encroach into any yard areas.
6. **All outdoor dining areas shall meet the regulations for parking under Section 158.128 as may be modified by subsection 158.178(A)(1).** The proposed restaurant will have 185 seats and is required to provide 47 parking spaces, per Section 158.128 of the Zoning Code. According to the Site Plan, the applicant proposes to provide 55 parking spaces (26 garage spaces, 28 regular parking spaces and one (1) grass overflow parking space). There will also be slips for boats to dock and a bicycle rack for patrons who wish to utilize alternate methods of transportation.
7. **The entire ground service area of the outdoor dining area shall have an improved walking surface.** Stairways and new walkways will connect the proposed dining area to the entries to the restaurant.
8. **The entire perimeter of the outdoor dining area shall be physically delineated by the improved walking surface, railing, fencing, a wall, landscaping, or similar device deemed by the Planning and Zoning Board**

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**to be consistent with the intent of this subsection.** The restaurant will be clearly delineated with railings and signage.

9. **Hours of operation**
  - a. **The hours of operation for an outdoor dining area shall not be before or extend beyond the hours of operation for an associated indoor dining area, at which time, lights, other than safety and security lighting, shall be prohibited.**
  - b. **When an outdoor dining area is located within 250 feet of residential property, service in the outdoor dining area shall not begin before 8:00 a.m. and the outdoor dining area shall be vacated by 10:00 p.m., at which time, lights, other than safety and security lighting, shall be prohibited.**
  - c. **When a restaurant is not associated with an indoor dining facility and not within 250 feet of a residential property, service in the outdoor dining area shall not begin until 6:30 a.m. and the dining area shall be vacated by 11:00 p.m., at which time, lights, other than safety and security lighting, shall be prohibited.** The hours of operation for the outdoor dining area are to be 11:00 a.m. to 10:00 p.m.
10. **No music or amplified voices shall be allowed in the outdoor dining area. Noise shall not be audible more than 50 feet from the commercial property and shall otherwise be in accordance with Section 130.02, Loud and Unnecessary Noise, of the Town code, as may be amended.** No music or amplified voices will be allowed in the outdoor dining area.
11. **All lighting used in conjunction with an outdoor dining area shall be designed and installed in a manner to avoid glare being directed toward a public or private right-of-way, adjacent property, and the Gulf of Mexico pursuant to Chapter 100 of the Town Code, Sea Turtles, as may be amended.** The applicant agrees to adhere to the lighting plan submitted as part of the application for the Special Exception and acknowledges that any installation of additional lighting must meet all code requirements and be approved by the Town.
12. **An outdoor dining area shall be screened from all adjacent properties and right-of-ways. The required landscaped screening shall comply with the standards contained in Section 158.154(A)(1) and (2), except that the required screening in a street or waterfront yard shall have a height of three feet and the required screening in the side, rear, or non-required yards shall have a maximum height of six feet. In addition, the required screen shall be at least 80 percent opaque.** As shown on sheet L-3, the restaurant will be screened by a buffer that will be planted within the 20-foot

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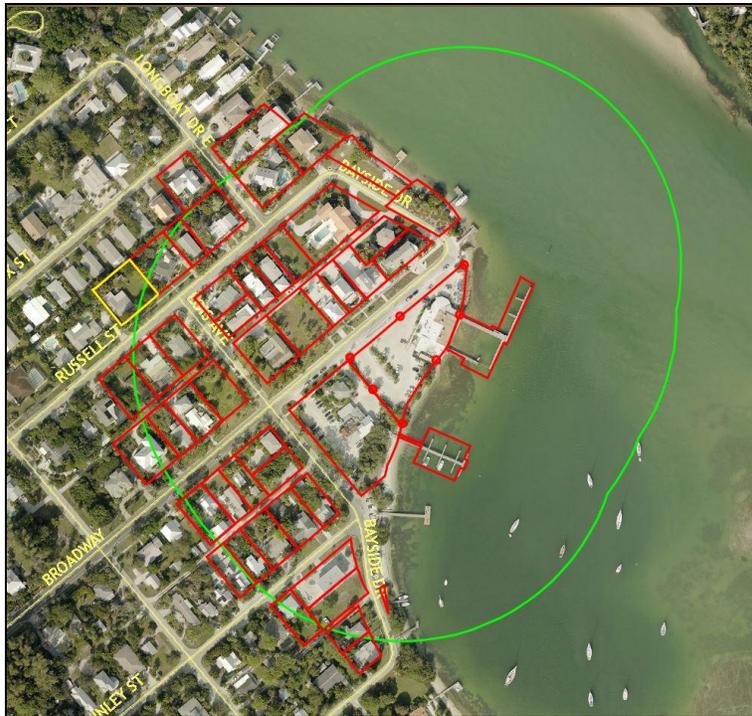
street setback. The screening facing adjacent residentially zoned properties will provide a minimum of 80 percent opacity, in compliance with the LDC. The outdoor dining area will be open on the side facing Sarasota Bay. The applicant acknowledges and agrees to the condition that the outdoor dining area shall be screened to at least 80 percent opacity from all adjacent properties and right-of-ways.

13. **All furniture within an outdoor dining area shall be portable, meaning that such furniture shall be easily removable from the outdoor dining area. Portable furniture may include tables, chairs, and umbrellas. The maximum diameter of an umbrella shall be eight feet and shall be fabric covered. In the event of a tropical storm, the furniture shall be physically secured or stored within the restaurant building or other on-site enclosed storage area.** The applicant is aware of and agrees to this condition.
  
14. **No signs, unless specifically exempted in the Town Sign Code, shall be permitted within the outdoor dining area.** No additional signs are proposed and the applicant acknowledges that any installation of additional signs must meet all sign code requirements and be approved by the Town prior to installation.

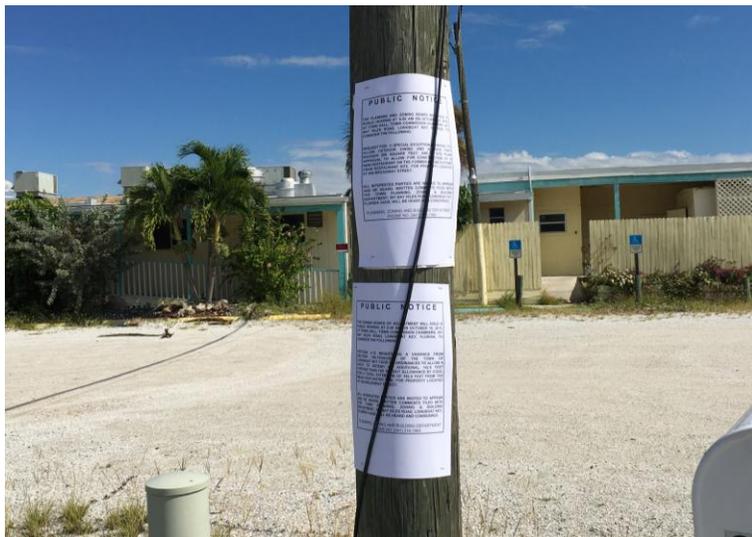
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**PUBLIC NOTIFICATION**

Notification of public hearing is required for property owners of parcels located within 500 feet of the subject property. Notification was mailed to all parcels indicated in gray within the red circle on the aerial shown below, which in an abundance of caution also includes parcels well outside the required 500-foot notification area.



Notice of Public Hearing was also posted on the subject property, as shown in the photo below.



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### **STAFF RECOMMENDATIONS**

Staff recommends that the Board **approve** Special Exception Order 2015-02 to provide a 4,116.5 square foot dock and outdoor dining service in a reconstructed restaurant, conditioned on approval of a Site Plan, at 800 Broadway with the conditions listed in Special Exception Order 2015-02, Exhibit "A": Conditions Requisite for Approval. If Site Plan Order 2015-01 is not approved, approval of Special Exception Order 2015-02 would become null and void.

### **ATTACHMENTS**

Attached, please find a copy of the Special Exception application and support documentation upon which the staff assessment has been based. A copy of Special Exception Order 2015-02 is also attached. If you should have any questions, or desire any additional information, please do not hesitate to contact the Planning, Zoning & Building Department.



**PLANNING AND ZONING BOARD  
SPECIAL EXCEPTION ORDER #2015-02**

**AN ORDER OF THE PLANNING AND ZONING BOARD OF THE TOWN OF LONGBOAT KEY, FLORIDA, APPROVING A SPECIAL EXCEPTION APPLICATION FOR 800 BROADWAY STREET, TO ALLOW FOR USE OF A 4,116.5 SQUARE FOOT DOCK AND OUTDOOR DINING SERVICE IN A RECONSTRUCTED RESTAURANT; PROVIDING FOR REPEAL OF ALL PRIOR SPECIAL EXCEPTION ORDERS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, 800 Broadway, LLC (hereinafter the "Owner") owns certain real property located at 800 Broadway Street (hereinafter the "Property") ; and

**WHEREAS**, the Property is zoned C-1 (Limited Commercial) outdoor dining is an allowed use within the C-1 zoning district provided a special exception is obtained for such use in accordance with the Town of Longboat Key Zoning Code; and

**WHEREAS**, a dock that is more than 500 square feet is an allowed use within the C-1 zoning district provided a special exception is obtained for such use in accordance with the Town of Longboat Key Zoning Code; and

**WHEREAS**, the Owner has submitted a Special Exception application requesting to construct a 4,116.5 square foot dock and provide outdoor dining service on the Property for a reconstructed restaurant; and

**WHEREAS**, the Planning and Zoning Official has, in a timely fashion, accepted the Owner's application and referred the same to the Planning and Zoning Board along with the supporting documentation and staff recommendations; and

**WHEREAS**, the Zoning Board of Adjustment approved Variance Petition 4-15 on October 15, 2015, to allow construction of a dock 192.6 feet from the MHWL, for a variance of 142.6 feet at the Shore Restaurant on the Property contingent upon approval of a Special Exception; and

**WHEREAS**, the Planning and Zoning Board heard testimony and evidence presented at a duly noticed public hearing and hereby makes the following findings:

1. The proposed uses are in compliance with all elements of the Comprehensive Plan.
2. The proposed uses are a special exception use as set forth in the Schedule of Use Regulations and Structures Over Water.
3. Safe and convenient ingress and egress to the property is provided by the proposed driveways off of Broadway Street and the proposed mooring areas in Sarasota Bay.
4. The plan provides adequate off-street parking, with 55 parking spaces and 16 boat slips. The off-street parking meets the setback requirements.
5. The proposed refuse and service areas for the site are satisfactory. The dumpster location meets the required setbacks and has adequate screening.
6. Lighting plans have been submitted, and are sufficient for the site. The applicant has proposed to place the air conditioning handlers on the roof, in

order to visually screen and reduce noise to the surrounding neighbors. All utilities shall be undergrounded.

7. The restaurant and parking will be screened by a buffer that will be planted within the 20 foot street setback. The screening facing the adjacent residentially zoned properties will provide a minimum of 80 percent opacity, in compliance with the LDC. The outdoor dining area will be open on the side facing Sarasota Bay.
8. Exterior lighting is proposed along the perimeter of the parking lot and in the parking garage. The lighting proposed is indirect lighting that will provide no glare past the property boundaries as demonstrated by the lighting plan submitted by the applicant. Signage will be wall-mounted and will be submitted with building plans.
9. The site plan shows that all required yard setbacks are met.
10. The proposed uses conform to all applicable regulations governing the district.
11. The proposed uses are generally compatible with adjacent properties and other properties in the district. The compatibility of the proposed use is specifically evaluated through the following criteria:
  - a. As a permitted land use, the proposed use will not be contrary to the land use plan and will not have an adverse effect on the Comprehensive Plan.
  - b. The proposed use does not affect the established land use pattern in the vicinity. Adequate and sufficient buffering shall be required of the proposed use.
  - c. The proposed use will not alter the population density pattern and therefore does not increase or overtax the load on public facilities such as schools, utilities and streets.
  - d. The proposed restaurant and reconstructed dock will be advantageous to the community, as it will provide residents and visitors the opportunity to continue to enjoy the waterfront access the historic restaurant provided. Several design features will minimize any potential external impacts, including indirect lighting, enhanced screening, and additional buffer landscaping.
  - e. The proposed restaurant and dock would not change the existing uses and would not adversely influence the living conditions in the neighborhood. The property will be screened from adjacent properties and will not increase the number of seats in the restaurant.
  - f. The proposed use should not create or excessively increase traffic congestion or otherwise affect public safety, as the number of seats will remain the same.
  - g. The proposed drainage retention is sufficient to accommodate the runoff from the site.
  - h. The proposed use will not reduce the flows of light and air to adjacent areas.
  - i. No evidence has been produced demonstrating that the proposed use will adversely affect property values in the adjacent area.
  - j. The proposed expansion of use should not be a deterrent to the

improvement or development of adjacent property in accordance with existing regulations.

- k. The proposed use will not be out of scale with the needs of the neighborhood or the Town. The reconstructed restaurant will continue to serve the neighborhood and patrons by providing a waterfront dining option. Furthermore, the proposed dock will preserve the seagrasses and provide for sufficient navigation for boaters.

**NOW, THEREFORE, BE IT ORDERED BY THE PLANNING AND ZONING BOARD, THAT:**

Section 1. The above recitals are true and correct and are incorporated fully herein by reference.

Section 2. The Special Exception Use application for a 4,116.5 square foot dock and outdoor dining service in a reconstructed restaurant at 800 Broadway Street, Longboat Key, Florida 34228 is hereby approved subject to the conditions attached hereto marked Exhibit "A," "Conditions Requisite for Approval," and dated concurrently with this Special Exception Order.

Section 3. If any section, subsection, sentence, clause or provision of this Order is held to be invalid or ineffective, the validity of the remaining portions of this Order shall not be affected.

Section 4. Pursuant to Section 158.126 of the Town Code, a special exception shall expire the later of 24 months from the date of the grant or 12 months following the discontinuance of the use for which the special exception was granted.

Section 5. All previous resolutions, site plan exemptions and site plan orders for the Property shall be repealed.

Section 6. This Order allowing for use of the property for a 4,116.5 square foot dock and outdoor dining service in a reconstructed restaurant area shall become effective immediately upon adoption by the Planning and Zoning Board.

ADOPTED at a meeting of the Planning and Zoning Board of the Town of Longboat Key, on the 20<sup>th</sup> day of October 2015.

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Jim Brown, Chair

ATTEST:

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Kenneth Schneier, Secretary

Attachment: Exhibit "A": Conditions Requisite for Approval

EXHIBIT "A"

SPECIAL EXCEPTION ORDER #2015-02

CONDITIONS REQUISITE FOR APPROVAL  
SPECIAL EXCEPTION USE

800 Broadway Street

1. The provisions of the site plan application for the subject property, dated September 21, 2015, and received by the Town on September 22, 2015, shall be complied with unless waived or modified by the following conditions or by written agreement between the Town and the applicant or amended pursuant to Code.
2. The development/construction plans shall conform to all applicable Town codes and ordinances and all other applicable regulations, including but not limited to, FEMA standards/regulations, accessibility, fire code, and life/safety.
3. No more than a total of 185 tables shall be utilized for the restaurant as delineated on the submitted plans.
4. The applicant shall install railings on the northwestern sides of the walkway portions of the dock, with signage to prohibit docking within the seagrass areas.

**TOWN OF LONGBOAT KEY**



# **Shore Restaurant**

## **Special Exception**

### **Outdoor Dining and Dock**

**Planning & Zoning Board**

**October 20, 2015**



## Special Exception

- Request to construct a new restaurant with outdoor dining and a dock that exceeds 500 square feet
- No increase in maximum number of seats; remains at 185 seats.
- The existing, 4,069 square foot dock will be demolished and reconstructed with a 4,116.5 square foot dock.

# TOWN OF LONGBOAT KEY



## Location Map



# TOWN OF LONGBOAT KEY



## Notification Area

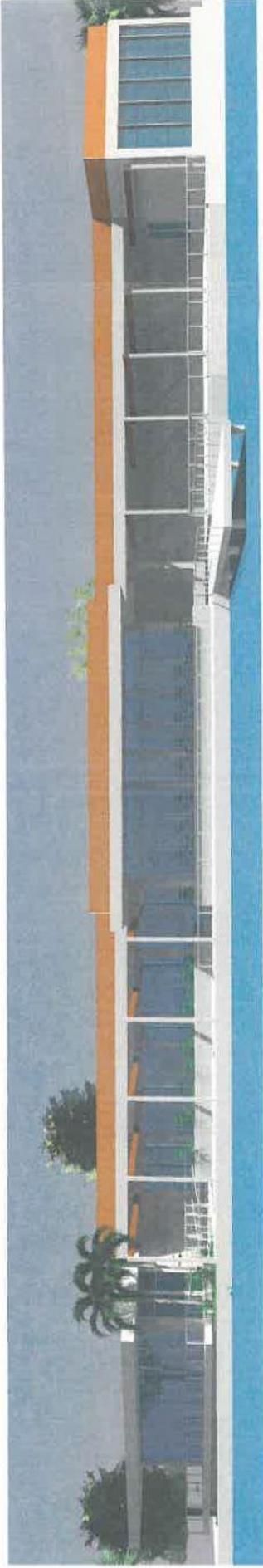




# TOWN OF LONGBOAT KEY



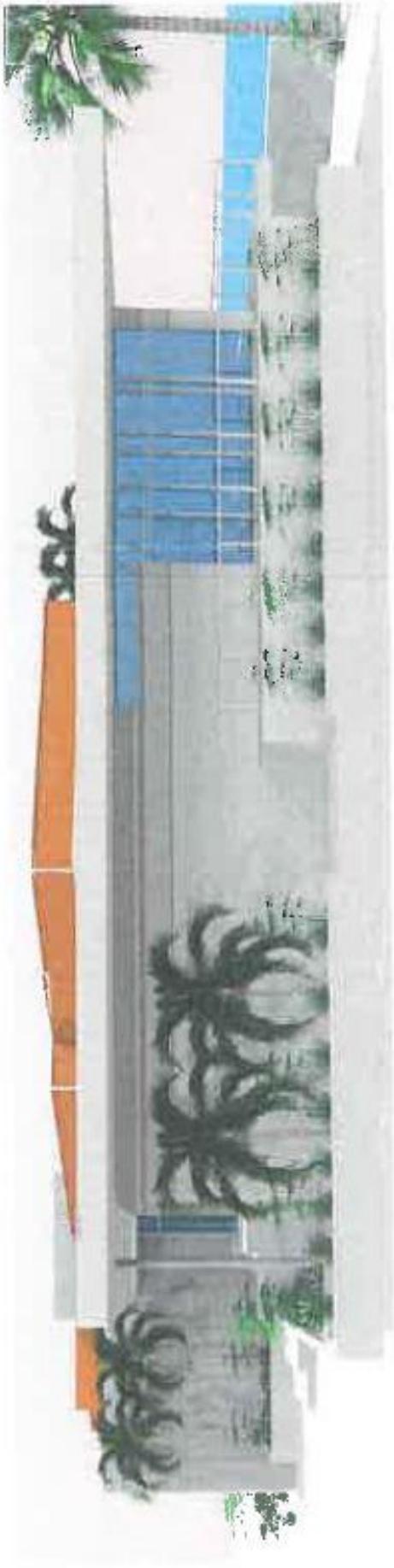
## Elevation from Waterfront



# TOWN OF LONGBOAT KEY



## Elevation from South





# TOWN OF LONGBOAT KEY



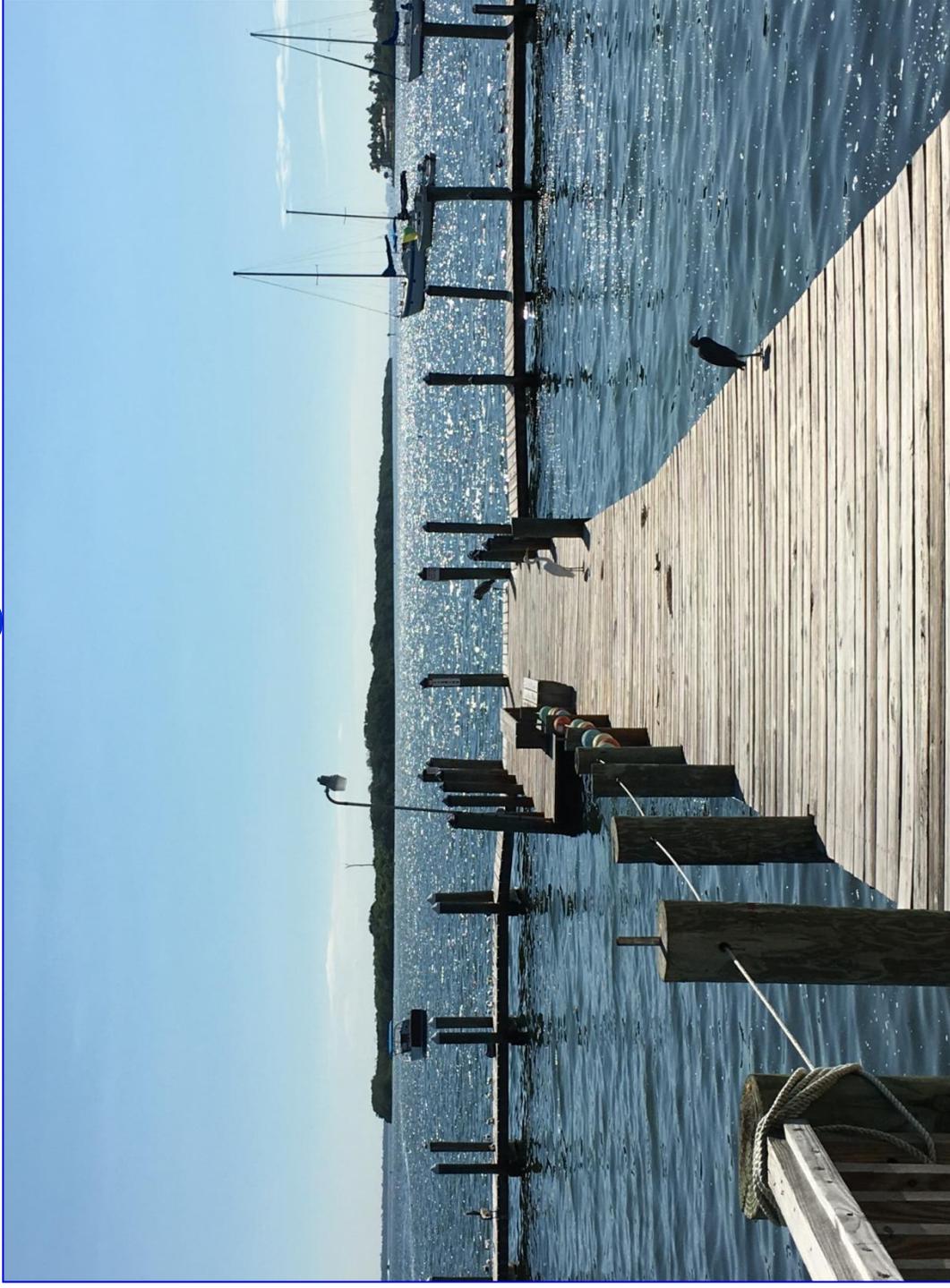
## Existing Dock



# TOWN OF LONGBOAT KEY



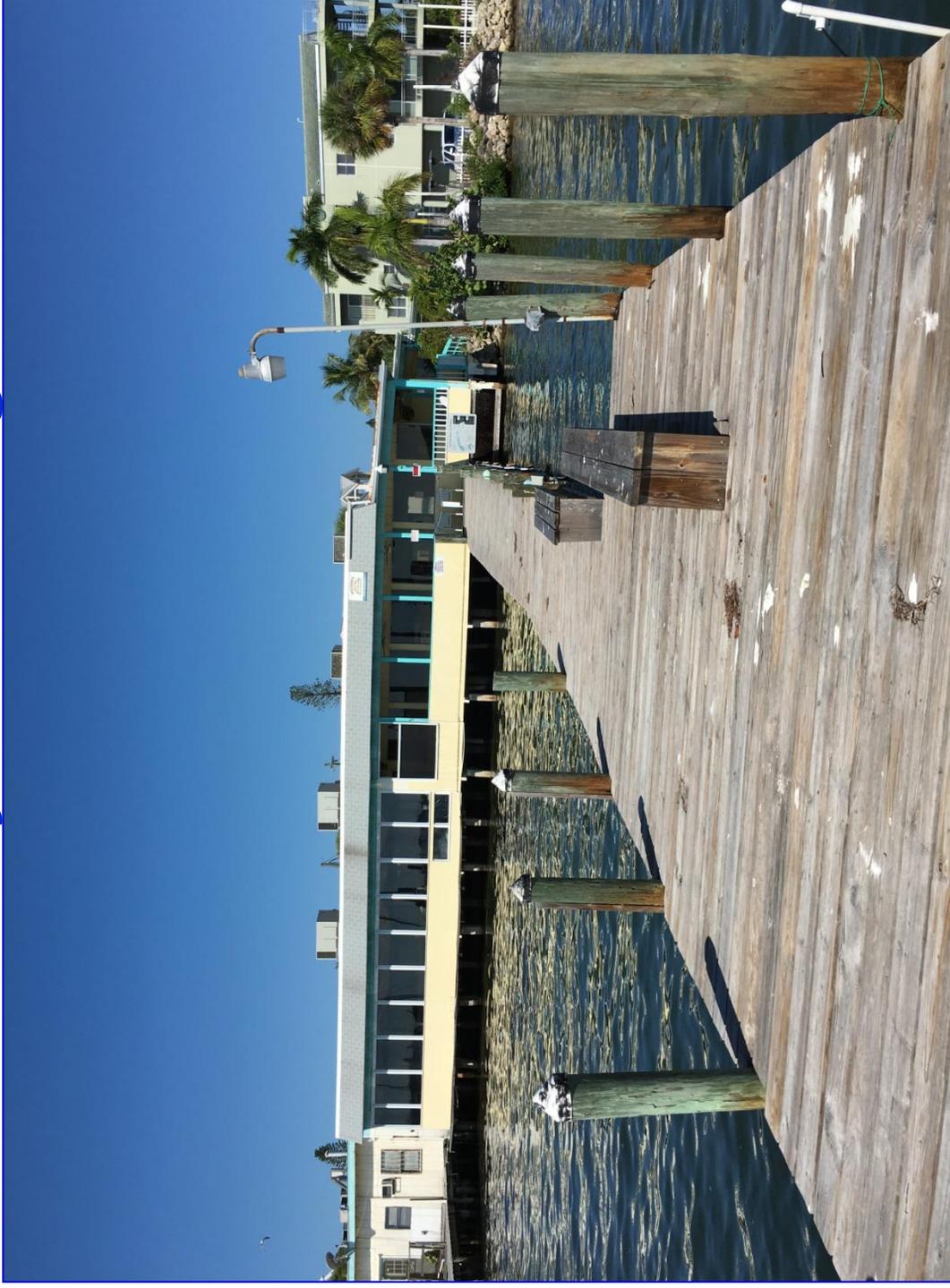
## Existing Dock



# TOWN OF LONGBOAT KEY



## Walkway of existing dock



# TOWN OF LONGBOAT KEY



## Northern extension of existing dock



# TOWN OF LONGBOAT KEY



## Southern extension of existing dock



# TOWN OF LONGBOAT KEY

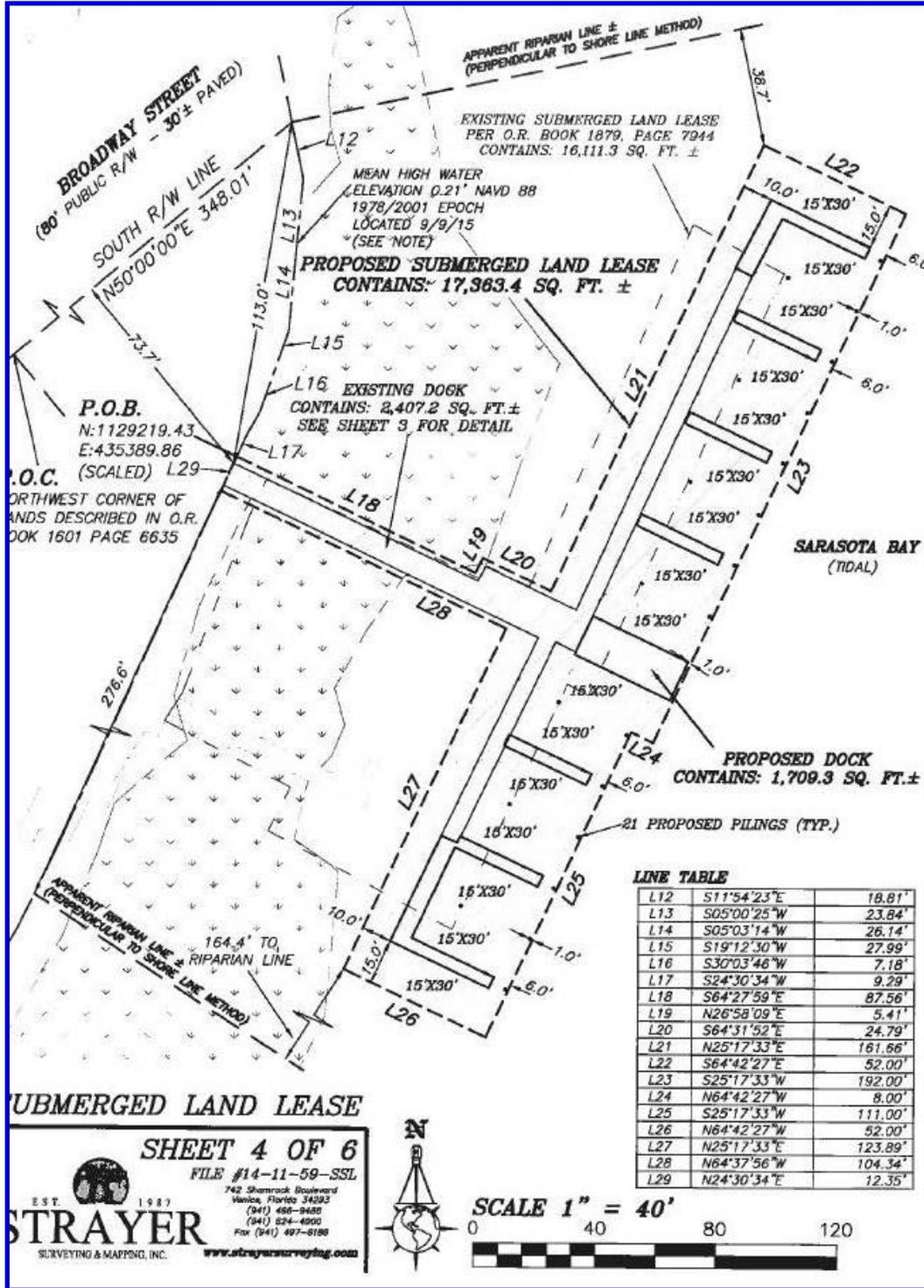


**Existing dock to be removed**



# TOWN OF LONGBOAT KEY

# PROPOSED DOCK





## Staff Recommendation

- Staff recommends APPROVAL of the request to:
  - construct a new restaurant (with a total of 185 seats) with outdoor dining; and
  - construct a 4,116.5 square foot dock