

MEMORANDUM

DATE: October 29, 2015

TO: Planning and Zoning Board (PZB)

FROM: Steve Schield, AICP, ASLA, CFM, Planner
Planning, Zoning & Building Department

THROUGH: Alaina Ray, AICP, Director
Planning, Zoning & Building Department

SUBJECT: Special Exception – Outdoor Dining
6836 Gulf of Mexico Drive (Longbeach Café)

PROPERTY OWNER: Whitney Plaza, LLC

APPLICANT: Peter Collandra, Longbeach Cafe

SITE LOCATION: 6836 Gulf of Mexico Drive, Longboat Key, Florida
Longbeach Cafe

ZONING: C-2-General Commercial

REQUEST: The applicant requests approval by the Planning and Zoning Board of a Special Exception application for a 24 seat outdoor dining area that would allow for food and beverage service on an existing 600 square foot outdoor paved area at the Longbeach Cafe.

STAFF SUMMARY

Peter Collandra, the applicant and owner of Longbeach Café in the Whitney Plaza Shopping Center, proposes to provide outdoor dining in an area consisting of an existing 600 square foot paved area. This area is to the rear of the Whitney Plaza Shopping Center, adjacent to the existing Longbeach Cafe restaurant. The proposed outdoor dining area would overlook Bishops Bayou, which runs behind the shopping center.. The proposed outdoor dining area has a separate access door at the rear of the existing restaurant. One other outdoor dining area has been approved at the Whitney Beach Shopping Center for the Bayou Tavern Restaurant, located in the same general area of the shopping center adjacent to Bishops Bayou. The Bayou Tavern has 50 outdoor

seats and has had no complaints regarding noise or nuisances as a result of the outdoor dining activity.

The applicant currently has 45 approved seats inside the Longbeach Café restaurant and requests approval to add 24 additional seats, to be located in the proposed outdoor dining area. This would result in 69 total seats for the restaurant. The existing parking lot for the Whitney Beach Shopping Center has sufficient parking spaces to accommodate the request, even if all currently vacant spaces were leased and fully occupied. Based on the allowable uses for the shopping center, a total of 139 spaces are required, with 180 spaces provided. Town Code Section 158.128 requires one (1) parking space for every four (4) restaurant seats. If the request for outdoor dining were approved, Longbeach Café would require a minimum of 18 parking spaces, which can be easily accommodated based on the existing spaces provided.

The proposed outdoor dining area does not require any changes to the existing Site Plan for Whitney Plaza that would require Planning and Zoning Board approval, since the paved space proposed to be used is already in existence. However, if the Special Exception for outdoor dining is approved, Staff will then require a Site Plan Exemption application to be filed so that the outdoor dining area description will appear on the Site Plan. The Site Plan Exemption is an Administrative approval process and will be handled at the Staff level.

STAFF ASSESSMENT

The standards for granting a Special Exception are outlined in Section 158.126 of the Town Zoning Code. Additional standards specifically related to Special Exceptions for outdoor dining are found in Section 158.136.

158.126 - Special Exception

As per Town Code Section 158.126(A), 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

Staff reviewed the subject application and plat documents, and provides the following findings of fact:

1. The proposed use complies with all elements of the Comprehensive Plan.

2. The proposed use is a Special Exception use as set forth in the Schedule of Use Regulations.
3. Safe and convenient ingress and egress to the property is provided to the proposed outdoor dining area.
4. No additional off-street parking is required for the outside dining area, due to the sufficient existing parking spaces within the parking lot for the Whitney Beach Shopping Center (139 required, 180 provided).
5. Existing refuse or service areas are satisfactory to serve the additional outdoor dining area.
6. New utility service to the outdoor dining area is not proposed.
7. Adequate screening and buffering of the outdoor dining area will be provided.
8. Signs and additional exterior lighting are not proposed.
9. The outdoor dining area has no impact on yard and other open space requirements.
10. The proposed use conforms to all applicable regulations governing the district in which it is located, and the approved site plan order.
11. The proposed use is compatible with adjacent properties and other properties in the district.

158.136 – Outdoor dining for restaurants

The purpose of Section 158.136 is to provide standards, which are specifically applied to Special Exception use applications for outdoor dining at a restaurant. An outdoor dining area at a restaurant shall not be permitted unless it complies with each of the following standards:

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 a restaurant with indoor dining.**
2. The outdoor dining area shall be used only for food service, drink service, as a waiting area, and for casual seating. **Applicant is aware of and agrees to this provision.**
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 outdoor preparation of food and drink is proposed.**
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 dining area is adjacent to the existing indoor dining area and has an existing access door from the restaurant to the outdoor dining area.**

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 area is located in the required canal yard (50 feet), as allowed. It is located 33.6 feet from the Mean High Water Line.**
6. All outdoor areas shall meet the regulations for parking under section 158.128 as may be modified by subsection 158.178(A) (1). **Parking requirements have been met.**
7. The entire ground service area of the outdoor dining area shall have an improved walking surface. **The proposed area is currently paved.**
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 to be consistent with the intent of this subsection. **The proposed outdoor dining area will be delineated with a minimum three (3) foot fence and/or vegetation.**
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 restricted to 8:00 a.m. to 2:30 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. **Applicant is aware of and agrees to this provision.**

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 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. **The applicant is aware of and agrees to this condition.**
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. Outdoor dining located in a bay or canal waterfront yard may be covered by a permanent roof structure or retractable or collapsible awning or canopy, so long as it meets the criteria outlined in Section 158.136(A)(14). **No roof structure, awning, or canopy is proposed at this time.**
15. No signs, unless specifically exempted in the Town Sign Code, shall be permitted within the outdoor dining area. **The applicant acknowledges that any installation of additional signs must meet all sign code requirements and be approved by the Town before installation.**
16. Any increase in the total number of seats at the restaurant in conjunction with the establishment of an outdoor dining area, may subject the property owner to an assessment of a sewer/water connection fee in accordance with Town Code Chapter 51, Charges, Rates and Billing. **The applicant is aware of and agrees to this condition.**

STAFF RECOMMENDATIONS

Staff recommends that the Planning and Zoning Board **approve** the Special Exception application for the outdoor dining area at 6836 Gulf of Mexico Drive with the following conditions:

1. The outdoor dining area shall be limited to 600 square feet, as shown on the attached site plan dated October 9, 2015.
2. The applicant shall maintain the fencing and vegetation in order to provide physical delineation of the perimeter of the outdoor dining area.
3. The hours of operation for the outdoor dining area shall be 8:00 a.m. to 2:30 p.m.
4. 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 (8) feet and shall be fabric covered. In the event of a tropical storm or hurricane, the furniture shall be physically secured or stored within the restaurant building or other on-site enclosed storage area.
5. No roof structure, awning, or canopy shall be permitted without additional approval.
6. Any increase in the total number of seats at the restaurant in conjunction with the establishment of an outdoor dining area, may subject the property owner to an assessment of a sewer/water connection fee in accordance with Town Code Chapter 51, Charges, Rates and Billing.

ATTACHMENTS

Attached, please find a copy of the Special Exception application and support documentation. If you should have any questions, or desire additional information, please contact the Planning, Zoning & Building Department.

XC: Maggie Mooney-Portale, Town Attorney
Alaina Ray, Director – Planning, Building & Zoning Department

SITE



Google earth

Imagery Date: 4/1/2014 27°25'59.57" N 82°41'01.57" W elev 4 ft eye alt 1612 ft

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PLANNING AND ZONING BOARD
SPECIAL EXCEPTION ORDER # 2015-03

AN ORDER OF THE PLANNING AND ZONING BOARD OF THE TOWN OF LONGBOAT KEY, FLORIDA, APPROVING A SPECIAL EXCEPTION APPLICATION FOR THE RESTAURANT LOCATED AT 6836 GULF OF MEXICO DRIVE (WHITNEY PLAZA), TO ALLOW FOR A 24 SEAT OUTDOOR DINING AREA FOR FOOD AND BEVERAGE SERVICE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, a restaurant is allowed at 6836 Gulf of Mexico Drive (Whitney Plaza), as permitted in the C-2 General Commercial Zoning District; and

WHEREAS, Ryan Snyder, authorized representative for Whitney Plaza, LLC, submitted a Special Exception application to allow outdoor dining (food and beverage service) in an existing 600 square foot outdoor paved area; and

WHEREAS, the Planning and Zoning Official has, in a timely fashion, accepted the Application and referred same to the Planning and Zoning Board along with the support documentation and staff recommendations; and

WHEREAS, the Planning and Zoning Board makes these conclusions and findings of fact:

- (a) With the recommended conditions of approval the Special Exception is consistent with the comprehensive plan, and the purpose and intent of the zoning district in which it is located.
- (b) With the recommended conditions of approval the Special Exception is in conformance with all applicable regulations of the zoning district in which it is located.
- (c) With the recommended conditions of approval the Special Exception is in conformance with the Town's subdivision regulations, Chapter 157, and all other applicable Town requirements, including the design, adequacy, utility facilities, and other essential services.
- (d) With the recommended conditions of approval the Special Exception is consistent with good design standards in respect to all external relationships, including but not limited to relationship to adjoining properties; internal circulation, both vehicular and pedestrian; provision of screening and buffering; and, hours of operation.
- (e) With the recommended conditions of approval the Special Exception is in conformance with Town policy in respect to sufficiency of ownership,

guarantees for completion of all required improvements, and, if private, the guarantees for continued maintenance.

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

Section 1. The Special Exception application for a restaurant located at 6836 Gulf of Mexico Drive (Whitney Plaza), Longboat Key, Florida 34228 be and is hereby approved subject to the conditions attached hereto marked Exhibit "A", "Conditions Requisite for Approval", Special Exception, restaurant located at 6836 Gulf of Mexico Drive (Whitney Plaza), Longboat Key, Florida 34228, and dated concurrently with this Special Exception Order.

Section 2. This Order shall become effective immediately upon adoption.

ADOPTED at a meeting of the Planning and Zoning Board of the Town of Longboat Key on the 17th day of November 2015.

Chairman

ATTEST:

Secretary

EXHIBIT "A"

SPECIAL EXCEPTION ORDER # 2015-03

CONDITIONS REQUISITE FOR APPROVAL
SPECIAL EXCEPTION

RESTAURANT

6836 GULF OF MEXICO DRIVE (WHITNEY PLAZA)

1. The outdoor dining area shall be limited to 600 square feet, as shown on the attached site plan dated October 9, 2015.
2. The applicant shall provide and maintain fencing and vegetation in order to provide physical delineation of the perimeter of the outdoor dining area.
3. The hours of operation for the outdoor dining area shall be 8:00 a.m. to 2:30 p.m.
4. 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 (8) feet and shall be fabric covered. In the event of a tropical storm or hurricane, the furniture shall be physically secured or stored within the restaurant building or other on-site enclosed storage area.
5. No roof structure, awning, or canopy shall be permitted without additional approval.
6. Any increase in the total number of seats at the restaurant in conjunction with the establishment of an outdoor dining area, may subject the property owner to an assessment of a sewer/water connection fee in accordance with Town Code Chapter 51, Charges, Rates and Billing.

TOWN OF LONGBOAT KEY



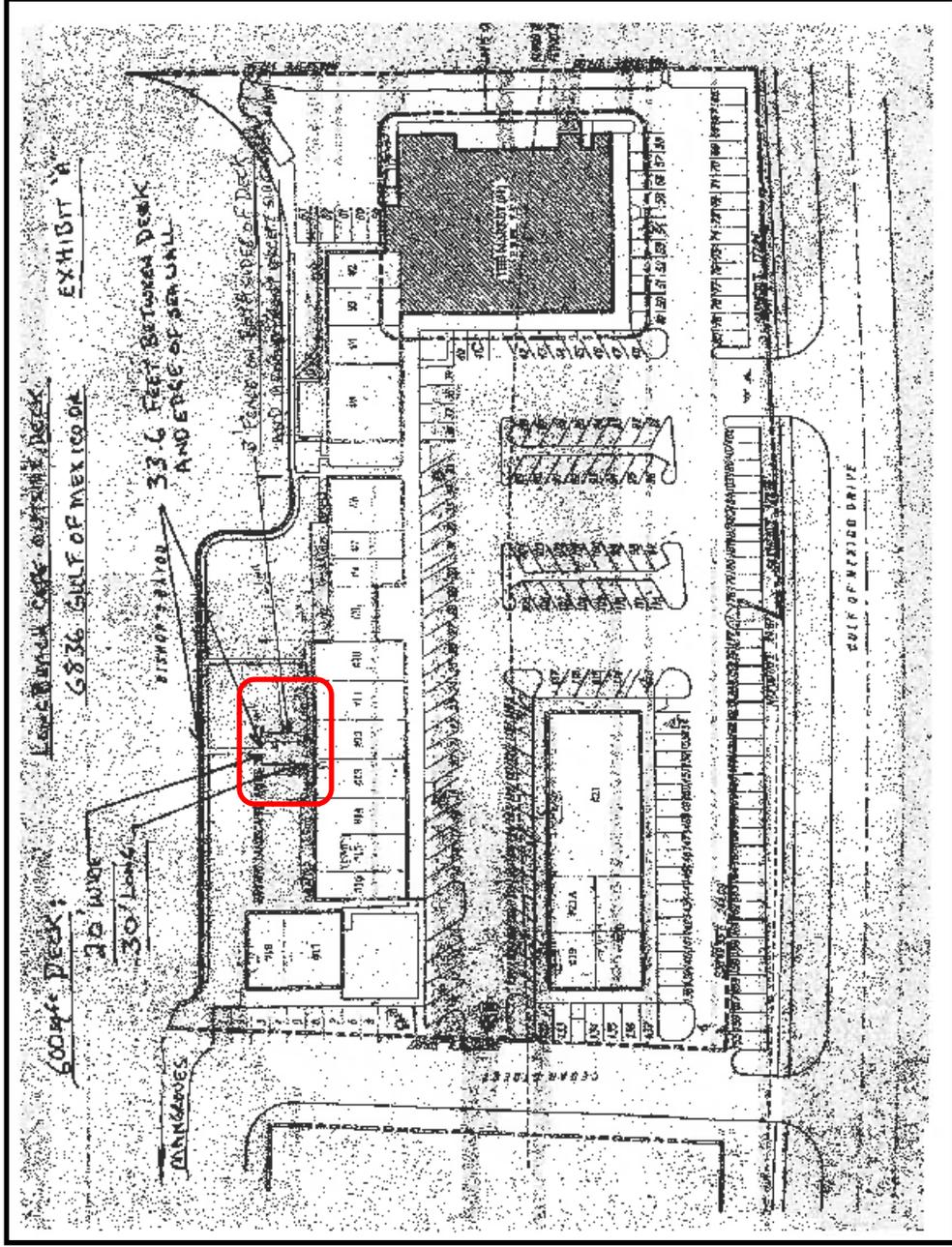
**6836 Gulf of Mexico Drive
Outdoor Dining
Special Exception Order
2015-03**

**Planning and Zoning Board Meeting
November 17, 2015**

TOWN OF LONGBOAT KEY



Whitney Beach Plaza Site Plan





Whitney Beach Plaza Aerial



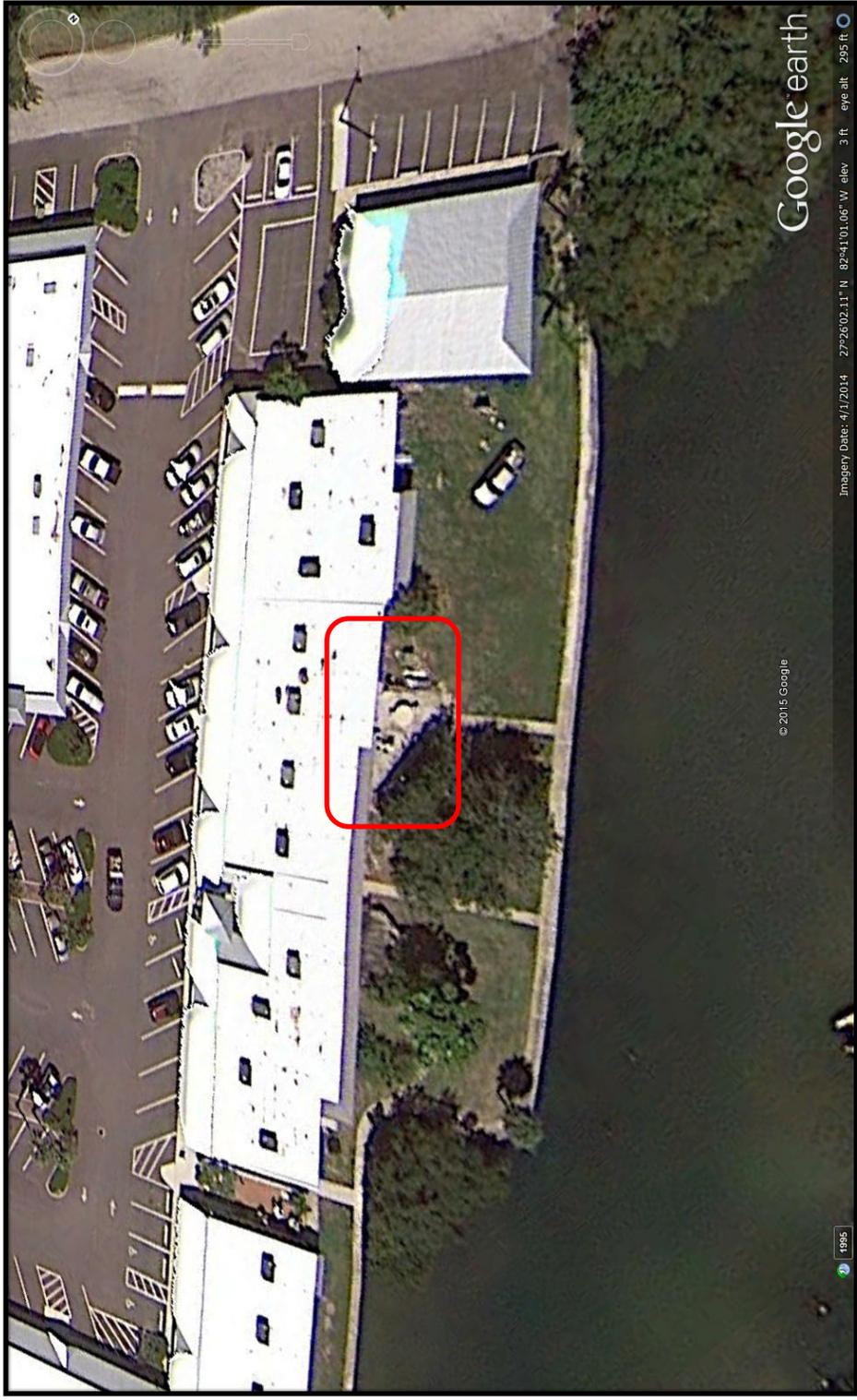
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TOWN OF LONGBOAT KEY



Proposed Outdoor Dining Area



TOWN OF LONGBOAT KEY



Front of Plaza



TOWN OF LONGBOAT KEY



Front of Restaurant





Proposed Outdoor Dining Area





Proposed Outdoor Dining Area





Proposed Outdoor Dining Area



TOWN OF LONGBOAT KEY



Southern View





Recommendation

Staff recommends approval of the Special Exception as provided in Special Exception Order # 2015-03 with the conditions as specified in the Staff Report

Please print and fax or mail completed form



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 SPECIAL EXCEPTION

THE APPLICANT IS REQUIRED TO SUBMIT TWENTY-FIVE (25) COLLATED SETS (ONE BEING AN ORIGINAL) OF THIS APPLICATION, SUPPORTING PLANS AND DOCUMENTS

(I) (We) LONG BEACH CAFE - COLLEEN COLLANDRA of
Name
6836 GULF OF MEXICO DRIVE
(Mailing address)

request a Special Exception pursuant to the Ordinances of the Town of Longboat Key.

This petition concerns Section(s) 158.136, Paragraph(s) 1-16
 of the Town of Longboat Key Zoning Ordinance for the reason that it is a request for a special exception, as provided in the section of the Ordinance above referred to.

PROPERTY DESCRIPTION

Property is located at 6836 GULF OF MEXICO DRIVE

The legal description (if applicable) is as follows: _____
Lot(s)

Block Subdivision or Plat
 or _____
(if otherwise legally described)

Lot Size _____ Present Zoning Classification C-2

Present Use EXISTING 45 SEAT RESTAURANT - RETAIL

Present structures (type) and improvements upon the land EXISTING IMPROVED
PAVER DECK FOR OUTSIDE DINNING ADDING 24 MORE SEATS

PETITION FOR SPECIAL EXCEPTION

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The proposed use will be TO ADD A 24 SEAT OUTSIDE DINNING
AREA BEHIND AN EXISTING 45 SEAT INSIDE DINNING.

If this petition is granted, the effect will be to ADD 24 SEAT OUTSIDE DINNING
AREA TO AN EXISTING RESTAURANT OF 45 SEATS ON TO AN
EXISTING DECK.

(brief description, i.e. to reduce side yard from 7.5 ft. to 2 ft.)

Has any previous application or appeal been filed within the last year in connection with these premises? yes no If so, briefly state the nature of the application or appeal:

What is the Applicant's interest in the premises affect? OWNER OF RESTAURANT
LESSEE OF PROPERTY.

(Owner, agent, lessee, etc.)

LISTS AND LABELS OF ALL PROPERTY OWNERS WITHIN 500 FT. OF SUBJECT PROPERTY THAT ARE TO BE NOTIFIED WILL BE PROVIDED BY THE TOWN.

FOR STAFF USE ONLY

Application Fee: \$ 1000.00 deposit* _____ Receipt # P561491
(Application fee will be deducted from deposit)

Application and Plans Accepted By: _____ Date: _____

File Code/Number: _____

**Deposit required at time of formal submission*

At the conclusion of your plan review by the Town, you will be billed for additional staff time, Town Attorney cost, cost of advertising, and any other miscellaneous costs incurred with the processing of your application(s). Costs will be deducted from initial deposit. If costs exceed the initial deposit, you will be billed for the remaining costs incurred; or you will be refunded the unused portion of the deposit.

PETITION FOR SPECIAL EXCEPTION

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(I) (We) understand that this Petition becomes a part of the permanent records of the Town of Longboat Key. (I) (We) certify that the above statements and the statements or showing made in any paper or plans submitted herewith are true to the best of (my) (our) knowledge and belief.

[Signature]
Signature of Owner

[Signature]

Ryan Snyder, Mgr. of Whitney Plaza, LLC
Print or type Owner Name

The Owner has hereby designated the above signed person to act as his agent in regard to this Petition. (To be executed when Owner designates another to act on his behalf)

Mailing address you wish information sent to and telephone number:
11031 Gatewood Drive
Bradenton, FL 34211

Peter Collandra
Print or type Agent Name 650-5938

Phone # 941-747-3456
Fax # 941-747-6789

Notarization of Agent's Signature:

State of Florida
County of SARASOTA

The foregoing instrument was acknowledged before me this 8 day of OCT, 2015
by Peter Collandra

as _____ for _____
(type of authority) (name of party acting on behalf of)

Marie Cordasco
Notary Public



Name of Notary (print, typed or stamped)

Personally know OR produced identification _____

Type of Identification _____

Colleen Collandra's Petition for Special Exception for Outdoor Dining on an Existing Patio.

6836 Gulf of Mexico Drive

Longboat Key, Florida 34228

Response for Longboat Key Zoning Code- 158.136 Out Door Dining for Restaurants.

May 1, 2015

(A) 158.136 The purpose of this section is to provide standards to be specifically applied to special exception use applications for outdoor dining at a restaurant. An outdoor dining area at a restaurant shall not be permitted unless it complies with each of the following standards:

(1) The principle use of the property shall be a restaurant that provides indoor dining, outdoor dining or both types of dining.

Response: The existing restaurant has a 45 seat capacity. The proposed Patio will be outdoor dining area with a 24 seat additional seating capacity.

(2) The outdoor dining area shall be used only for food service, drink service, as a waiting area and for casual seating.

Response: The 24 seat outdoor dining area will comply with this section.

(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.

Response: The 24 seat outdoor dining area will comply with this section.

(4) An outdoor dining area shall be considered an expansion of a Restaurant. Accordingly, an outdoor dining area shall be design in such a manner that will maintian a free, unobstructed connection between the restuarant and outdoor dining areas. All regulations that pertain to restaurant dining areas shall pertain to oudoor dining areas.

Response: The 24 seat outdoor dining area will comply with this section.

(5) An outdoor dining area may be located within the required street yard, the required canal, bay, or pass waterfront yard, and within a nonrequired yard. An outdoor dining area shall not be located in any required side or rear yard when that yard abuts residential property.

Response: The 24 seat outdoor dining area will comply with this section. The outdoor area is 33.6 feet from canal.

(6) All outdoor dining areas shall meet the regulations for parking under section 158.128 as may be modified by section 158.178(A) (1).

Response: Please refer to attached Parking Analysis. Six additional parking spaces provided for outdoor dining.

(7) The entire ground surface area of the outdoor dining area shall have an improved walking surface.

Response: The existing 600 sq. ft . Patio Area currently has a concreat paver walking surface and will comply with this section.

(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 to be consistent with the intent of this subsection.

Response: The existing 600 sq. ft. Patio area currently has a concrete paver walking surface. The proposed dining area perimeter shall be outlined by either a short fence, shrubs or both three feet in height.

(9) Hours of Operation: Response: 0800 a.m. - 2:30 p.m.

(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;

Response: The 24 seat outdoor dining area applicant will comply with this section.

(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 and other than safety and security lighting, shall be prohibited;

Response: The 24 seat outdoor dining area will comply with this section.

(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.

Response: The 24 seat outdoor dining area is attached to the 45 seat indoor dining restaurant.

(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.

Response: The 24 seat outdoor dining area will comply with this section and will not play amplified music.

(11) All lighting used in conjunction with 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.

Response: The 24 seat outdoor dining area will comply with this section. The hours of operation are daylight hours.

(12) An outdoor dining area shall be screened from all adjacent properties and rights-of-way. The required landscaped screening shall comply with the standards contained in subsections 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 required screening in the side, rear or nonrequired yards shall have a maximum height of six feet. In addition, the required screen shall be at least 80 percent opaque.

Response: The 24 seat outdoor dining area will comply with this section. The existing patio is out back behind the shopping center and any rights-of-way are blocked from view from both sides. The residential properties across the back are mostly or entirely blocked from view by Mangroves across the large canal. Fencing and or hedge will be a minimum of three feet.

(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 cover. 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.

Response: All furniture, tables, and chairs will be portable and will be stowed appropriately during a tropical storm or climatic event within the building.

(14) Outdoor dining located in a bay or canal waterfront yard may be covered by a permanent roof structure or retractable or collapsible awning or canopy, so long as it meets all of the following criteria:

Response: No roof structure, awning, or canopy is proposed at this time.

(15) No signs, unless specifically exempted in the Town Sign Code, shall be permitted within the outdoor dining area.

Response: The 24 seat outdoor dining area will comply with this section and acknowledges that any installation of additional signs must meet all sign code requirements and be approved by the Town before installation.

(16) Any increase in the total number of seats at the restaurant in conjunction with the establishment of an outdoor dining area, may subject the property owner to an assessment of a sewer/water connection fee in accordance with the Town Code Chapter 51, Charges, Rates, and Billing.

Response: The 24 seat outdoor dining area applicant is aware and will comply with the section.

END OF SECTIONS.

From: Ryan Snyder [mailto:ryan@snyderlawgroup.com]
Sent: Wednesday, September 16, 2015 10:50 AM
To: Steve Schield
Cc: Alaina Ray
Subject: RE: Fwd: Parking

Mr. Schield:

There is a total of 33,885 sq. ft. of leasable space in the plaza. 5,766 sq. ft. is restaurant/lounge space (Bayou Tavern, Longbeach Café, and Giacomo's Bar). The remaining 28,119 sq. ft. is commercial office. Per my count this weekend, there are 180 parking spaces in the plaza.

Here is a breakdown of the 33,885 sq. ft. of leasable space:

1. 6858 Gulf of Mexico Drive, Giacomo's – 1,499 sq. ft. (Restaurant/Lounge Space) – 32 seats – 8 parking spaces
2. 6854 Gulf of Mexico Drive, LBK Liquors – 2,000 sq. ft. (Commercial/Office Space) – 5 parking spaces
3. 6850 Gulf of Mexico Drive, Rip Current – 3,000 sq. ft. (Commercial/Office Space) – 8 parking spaces
4. 520 Cedar Street, Happy Paddler – 1,000 sq. ft. (Commercial/Office Space) – 3 parking spaces
5. 6842 Gulf of Mexico Drive, Chris Caswell Attorney – 615 sq. ft. (Commercial/Office Space) – 2 parking spaces
6. 6840 Gulf of Mexico Drive, Hair Salon – 1,408 sq. ft. (Commercial/Office Space) – 4 parking spaces
7. 6838 Gulf of Mexico Drive, Dogs of Earth – 1,005 sq. ft. (Commercial/Office Space) – 3 parking spaces
8. 6836 Gulf of Mexico Drive, Longbeach Café – 1,136 sq. ft. (Restaurant/Lounge Space) – 45 seats – 12 parking spaces - *FOR INDOOR DINING, (24 SEATS OUTSIDE DINING - 6 ADDITIONAL SPACES)*
9. 6838 Gulf of Mexico Drive, Gym/Fitness – 1,851 sq. ft. (Commercial/Office Space) – 5 parking spaces
10. 6826 Gulf of Mexico Drive, Dry Cleaner – 401 sq. ft. (Commercial/Office Space) – 2 parking spaces
11. 6824 Gulf of Mexico Drive, CPA/Accountant – 1,144 sq. ft. (Commercial Office Space) -3 parking spaces
12. 6814 Gulf of Mexico Drive, Bayou Tavern – 3,131 sq. ft. (Restaurant/Lounge Space) – 150 seats – 38 parking spaces
13. 6810 Gulf of Mexico Drive, Lido Beach Resort – 10,138 sq. ft. – 26 parking spaces
14. 6812 Gulf of Mexico Drive, 5,557 sq. ft. of Commercial/Office Space is vacant – 14 parking spaces

spaces	Total Required Parking - 133
	+ <u>6</u> = 139
spaces	Parking provided - 180

I have no idea the number of seats LBK has permitted for Longbeach Café or Bayou Tavern, so I did not fill anything in above for these restaurants. Please let me know if there is anything else you need. Thank you for your assistance.

Sincerely Yours,

 Ryan L. Snyder, Esq.
 Snyder Law Group, P.A.
 11031 Gatewood Drive
 Bradenton, FL 34211
 Office: (941) 747-3456

600 sq ft DECK:

20' WIDE
30' LONG

LONG BEACH CAFE OUTSIDE DECK
6836 GULF OF MEXICO DR

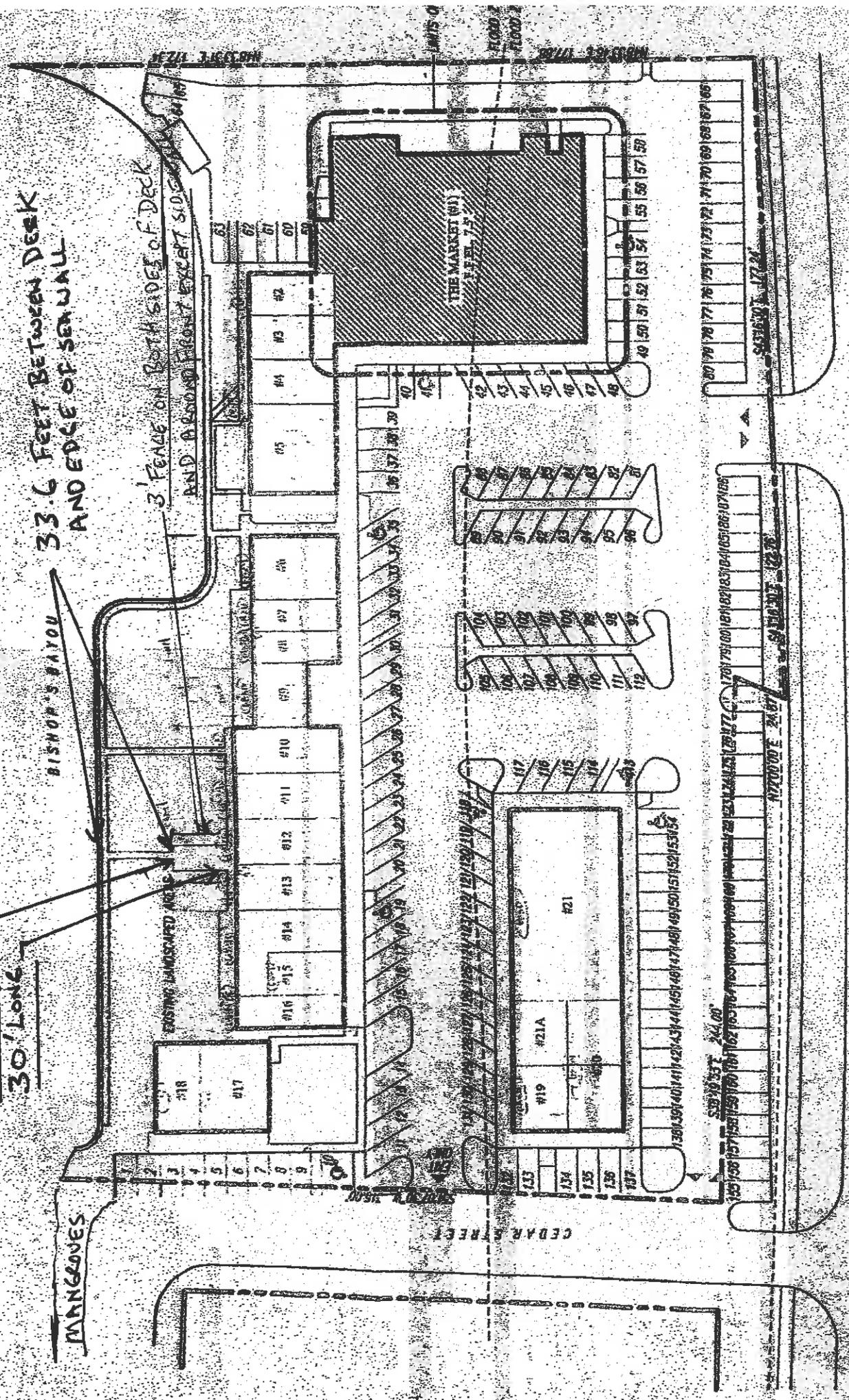
EXHIBIT "A"

33.6 FEET BETWEEN DECK
AND EDGE OF SEAWALL

BISHOP'S BAYOU

3' FENCE ON BOTH SIDES OF DECK
AND AROUND FRONT EXCEPT SIDES

MANGROVES



GULF OF MEXICO DRIVE

