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Reply to: Lakewood Ranch

October 28, 2016

Ms. Alaina Ray
Zoning Board of Adjustment
Town of Longboat Key
501 Bay Isles Road
Longboat Key, FL 34228

Re: Application for Variance - Petition No. 1-16
RE: LBK Real Estate Holdings, LLC.
Subject Property: 4120 Gulf Of Mexico Drive, Longboat Key, FL 34228

Dear Alaina,

I have reviewed the application filed by LBK Real Estate Holdings, LLC, dated October 5, 2016, seeking a variance in accordance with the Town Code Section 158.029 of the Town of Longboat Key Zoning Ordinance on the above-referenced subject property located at 4120 Gulf Of Mexico Drive, Longboat Key, FL 34228.

It is my opinion that the Zoning Board of Adjustment has jurisdiction pursuant to Town Code Section 158.029 to consider this request. Kindly forward this opinion to the Members of the Zoning Board of Adjustment.

Lakewood Ranch
6853 Energy Court
Lakewood Ranch, Florida 34240

St. Petersburg
111 Second Avenue NE, Suite 536
St. Petersburg, Florida 33701

Venice
217 Nassau Street S.
Venice, Florida 34285

Ms. Alaina Ray
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This letter is an opinion of jurisdiction and is not intended to address the merits of the application. Should you have any questions, please contact me.

Respectfully,

Maggie Mooney-Portale

Maggie Mooney-Portale
Signed electronically

cc: Donna Chipman



SITE

Legend

 4120 Gulf of Mexico Dr.

0 0.01 0.02 0.04 0.06 0.08 Miles



MEMORANDUM

DATE: October 27, 2016

TO: Zoning Board of Adjustment (ZBA)

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

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

SUBJECT: VARIANCE PETITION 1-16

APPLICANT: LBK Real Estate Holdings LLC

AGENT: Mathew D. Campo, Campo Engineering, Inc.

LOCATION: 4120 Gulf of Mexico Drive
Longboat Key, Florida

ZONING DISTRICT: C-1 (Limited Commercial District);

REQUEST: The applicant has requested variances from Section 158.128(A)(1) of the Town Zoning Code to reduce the size of parking stalls from 10 feet by 20 feet to 10 feet by 18 feet; and from Section 158.150(D)(3) of the Town Zoning Code to reduce the required bay waterfront yard from 50 feet to 0 feet as measured from the Mean High Water Line.

BACKGROUND AND SUMMARY

The subject property is an .81 acre bayside waterfront lot located at 4120 Gulf of Mexico Drive. The property is the site of the existing Pattigeorge's Waterfront Restaurant, constructed in 1977. The existing 7,241 sq. ft. restaurant building is considered a grandfathered structure and is in non-compliance with the Federal Emergency Management Agency (FEMA), Florida Department of Environmental Protection (FDEP), and Florida Building Code.

The property is designated Commercial Limited (CL) in the Town's Comprehensive Plan Future Land Use Element (FLU) and Limited Commercial District (C-1) in the Town's Zoning Code. The commercial zoning designation requires a 45-foot street yard setback

Meeting Date: November 17,
2016,

and 50-foot bay waterfront yard setback. The variance request is intended to establish the allowable setbacks for renovation/reconstruction of the restaurant.

Pattigeorge's Waterfront Restaurant has been an historic asset to the community since 1977, by providing waterfront access to the public. The loss of waterfront restaurants in the region has been a continuing trend over the last two (2) decades. 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.

VARIANCE AUTHORITY PURSUANT TO SECTIONS 158.128(A)(1) AND 158.150(D)(3)(e)

Pursuant to Section 158.128(A)(1), the size of an off-street parking space requirements are as follows:

An off-street parking space shall consist of a parking space having minimum dimensions of ten feet in width by 20 feet in length for the parking of each automobile, exclusive of access drives or aisles thereto.

Pursuant to Section 158.150(D)(3), the required bayside waterfront yard requirements are as follows:

Every lot which abuts Sarasota Bay shall have, on the bay side, a bayside waterfront yard. The waterfront yard is a required yard and shall not be utilized for any purpose other than docks, open area, landscaping, a dock access ramp or stairs, a ladder or other device pursuant to Section 158.151 (F)(2), or outdoor dining area as defined in Section 158.006 and in compliance with Section 158.136, except within an M-1 District which shall be subject to site plan review. The required bay waterfront yard shall not be less than 50 feet measured from the bulkhead, bulkhead line, or mean high water line whichever is most landward except that a single-family residence not located in an Island Preserve Residential District may not be located closer than 20 feet to the bulkhead or bulkhead line or mean high water line.

STAFF ASSESSMENT

Staff met with the applicant a number of times and was able to reduce the requested variances from an original five (5) variances to two (2) variances for redevelopment of the site. Staff reviewed the variance application with consideration as to the required bayside waterfront yard and the size of the parking spaces to allow for the renovation/reconstruction of the existing restaurant structure. The following is Staff's assessment.

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2016,

Assessment of Existing Conditions

The subject property is a somewhat irregular-shaped parcel that is 126.88 feet along the Sarasota Bay (east) property line, 105 feet wide along Gulf of Mexico Drive on the west property line, 304.4 feet along on the north property line, and 316.7 feet along the south property line. The property is bordered by Harbour Square (office building) to the north; Sarasota Bay to the east; Bayfront Park to the south; and La Firenza Condominium across the Gulf of Mexico Drive right-of-way to the west.

The shape of the lot makes redevelopment of the subject property more difficult than development would be for a property with symmetrical dimensions. The current building and parking configuration represents the best general layout for potential redevelopment of the restaurant. The rear of the existing building extends 1.2 feet beyond the Mean High Water Line (MHWL) of Sarasota Bay, creating a cantilever over the water. The existing restaurant building is 7,241 square feet in size and the finished floor is below the required base flood elevation. The proposed restaurant structure would be located in the same location as the existing restaurant, in order to maximize bay views and water access, but would not be built out over the water.

The proposed parking would remove the existing parking now located within the required 20-foot street setback and the 7-foot side yard setback. The proposed 10 feet by 18 feet parking spaces would be adjacent to landscaping. In comparison to Longboat Key's Code, Manatee County allows parking spaces to be 9 feet by 17 feet if they are adjacent to landscaping areas and Sarasota County allows spaces to be 8 feet by 18 feet. The new parking layout would allow the best accessibility, vehicular maneuvering capability, and would increase vegetative buffering of the parking area.

Surrounding Conditions

The Limited Commercial District (C-1) zoning for the neighboring office building requires a 45-foot street yard setback and the required bay waterfront yard is 50 feet. The applicant's proposed building adjacent to the Harbour Square office building property would increase the side setback from (0) to 15 feet. The property to the south is zoned Open Space Active and is owned by the Town of Longboat Key. The Town is presently building a kayak launch area and a dog park adjacent to the property as part of the redeveloped Bayfront Park. The applicant plans to provide pedestrian access to the park and to the Gulf of Mexico Drive sidewalk.

Compliance with the Zoning Code

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.

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2016,

The applicant plans to reconstruct a waterfront restaurant in approximately the same location where the existing restaurant has existed since 1977. The proposed waterfront setback would be an improvement upon the existing waterfront setback. The existing parking would be removed from the required street and the side setbacks. The bay waterfront yard would require the removal of 1.2 feet of building that extends beyond the MHWL. The reconstructed site would meet all other zoning requirements.

Compliance with the Comprehensive Plan

Granting the minimum variance for the reasonable use of the property is consistent with the policies set forth in the Comprehensive Plan. The Town's Comprehensive Plan Objective 1.2 provides that the Town will protect historic resources through periodic review of the resources and existing land development regulations. This objective would be consistent with the protection of this historic waterfront restaurant.

Variance Criteria

As per Town Code Section 158.029, the Zoning Board of Adjustment (Board) may authorize a variance from the zoning code requirements if such variance is not contrary to the public interest and if compliance with Town codes will result in an unnecessary and undue hardship. In making such a determination to grant a variance, the Board must make specific findings of fact that each of the criteria set forth below has been met. To facilitate the Board's review and consideration of the subject variance petition, staff has provided an assessment of each of the seven (7) criteria.

RECOMMENDED FINDINGS OF FACT

1. The variance **is** in fact a variance as set forth within this Chapter and within the jurisdiction of the Board (reference: Town Attorney's memo attached).
2. Special conditions and circumstances **do** exist which are peculiar to the land, structure, or building, and which are not applicable to other lands, structures, or buildings in the same zoning district. The subject property consists of an irregular-shaped parcel, which makes development/redevelopment more challenging.
3. The special conditions and circumstances **do not** result from the actions of the applicant. The shape of the parcel does not result from the applicant's actions.
4. Granting the variance requested **will not** confer on the applicant special privilege that is denied by Town Code Section 158.029 to other lands, buildings or structures in the same zoning district. Only two (2) other waterfront restaurants are located in C-1 zoning districts in the Town. The new Shore Restaurant, located at 800 Broadway, was granted a variance that reduced the street setback requirement to 20 feet and reduced the bay waterfront yard to zero (0) feet. The Mar Vista

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2016,

Restaurant, at 760 Broadway, meets the waterfront setback, but has one (1) structure that is located 11.8 feet from the street right-of-way.

5. Literal interpretation of the provision of this Chapter **would** deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of Town Code Section 158.029 and **would** result in unnecessary and undue hardship on the applicant. The irregular-shaped waterfront lot led to the current site configuration for the last 39 years and presents the best layout for redevelopment of the site. Most waterfront restaurants are located on or very close to the water.
6. The variance, if granted, **would** be the minimum variance that will make possible the reasonable use of the land, building or structure. The applicant would be reducing the current nonconforming setbacks of the existing parking and removing the portion of the building which extends over Sarasota Bay.
7. The granting of the variance **would be** in harmony with the general intent and purpose of Town Code Section 158.029.

STAFF RECOMMENDATION

The historic restaurant has occupied its current location on the site since 1977. The protection and redevelopment of this waterfront restaurant is consistent with the goals of the Vision Plan. It provides waterfront access to the public, both residents and visitors.

Based on the above assessment of Variance Petition 1-16 and the variance criteria of Section 158.029(A), Staff recommends **APPROVAL** of Variance Petition 1-16, with the following conditions:

1. The variance applies only to a restaurant use.

ATTACHMENTS

Attached, please find a copy of the variance petition and support documentation upon which the staff assessment has been based.

xc: Mathew D. Campo, Campo Engineering, Inc.
Maggie Mooney-Portale, Town Attorney
Alaina Ray, AICP, Director – Planning, Building and Zoning Department



Planning, Zoning & Building Department
501 Bay Isles Road
Longboat Key, Florida 34228
Fax Number: (941) 316-1970
Web: <http://www.longboatkey.org>

(941) 316-1966

APPLICATION FOR VARIANCE

Date Filed _____ Receipt # (\$1000.00 deposit)____ Petition No. _ (Application fee of \$450 will be deducted from deposit)

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

(I) (We) _____ LBK Real Estate Holdings LLC _____ of _____ 2025 E 7th Avenue Tampa, FL 33605 _____
(name) (mailing address)

request a Variance from Section (s) 158.128(A)(1) and 158.150(D)(3) of the Town of Longboat Key Zoning Ordinance

to **reduce parking stalls from 20' to 18' per LDC 158.128(A)(1) and reduce the bayfront setback from 50 feet to 0 feet per LDC 158.150(D)(3)**

Subject property is located at 4120 Gulf Of Mexico Drive Longboat Key, FL 34228
(street number location)

The legal description is as follows: _____, _____, _____
(Lot(s)) (Block) (Subdivision or Plat)

or (First American File Number:2061-3568139)

The land referred to herein below is situated in the County of Sarasota, and the County of Manatee in the State of Florida, and is described as follows:

Begin at the concrete monument at the intersection of the West line of Gulf of Mexico Drive (John Ringling Parkway 100 feet wide), with the North line of Section 6, Township 36 South, Range 17 East; thence Southerly along said Drive along a curve to the right with a radius of 992.14 feet a distance of 201.81 feet to the end of said curve; thence continue along said West line of Gulf of Mexico Drive along a tangent bearing South 12° 55' East a distance of 161.1 feet; thence North 58° 5' East, 105.76 feet to Easterly Right-of-Way line of said Gulf of Mexico Drive; thence North 12° 55' West along said Drive 105.76 feet for a Point of Beginning; thence continue North 12° 55' West 20.9 feet to PC; thence Northwesterly along said curve to left with a radius of 1092.14 feet, a distance of 83.1 feet; thence North 58° 5' East, 304.4 feet to seawall at Sarasota Bay; thence Southeasterly along seawall 127.8 feet to a point lying in a

North 62° 55' East direction from Point of Beginning; thence South 62° 55' West 316.7 feet to the Point of Beginning.

Lying and being situate in Sarasota and Manatee Counties of the State of Florida.

(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.

(I) (WE) believe that the Zoning Board of Adjustment should grant this Variance pursuant to Section 158.029 of the Town Code because all of the following criteria are factually supported in this petition:

- (1) 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.
- (2) The special conditions and circumstances do not result from the actions of the applicant.
- (3) Granting the variance requested will not confer on the applicant any special privilege that is denied by Chapter 158 to other lands, buildings, or structures in the same zoning district.
- (4) Literal interpretation of the provisions of Chapter 158 would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of Chapter 158 and would work unnecessary and undue hardship on the applicant
- (5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.
- (6) The grant of the variance will be in harmony with the general intent and purpose of Chapter 158, and the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

STATE SEPARATELY HOW EACH OF THE ABOVE SIX (6) CRITERIA ARE FACTUALLY PRESENT IN YOUR VARIANCE REQUEST:

See attached write up to address variance criteria.

(ATTACH EXTRA SHEET, IF NECESSARY)

APPLICATION FOR VARIANCE

Page 3

(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.

(Signature of Owner)

RICHARD GONZALEZ
(Please print or type Owner's 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.

Print or type Agent Name

LEB REAL ESTATE HOLDINGS LLC
2025 WATT ST APT 118
TAMPA, FL 33605

Phone # (813) 247-3000

Fax # (813) 247-5881

Notarization of Agent's Signature:

State of Florida

County of Hillsborough

The foregoing instrument was acknowledged before me this 5TH day of October, 2016

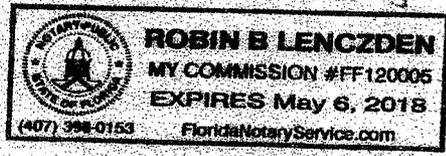
by Richard Gonzalez

as President
(type of authority)

for LEB Real Estate Holdings LLC
(name of party acting on behalf of)

[Signature]
Notary Public

Robin B Lenczden
Name of Notary (print, typed or stamped)



Personally know OR produced identification Type of Identification _____

FOR STAFF USE ONLY

Application Fee: \$ 1000.00 deposit* _____ Receipt # _____
(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.

4120 Gulf of Mexico Drive

Variance Narrative and Justification

Please accept this written justification for 4120 Gulf of Mexico Drive, which was previously the Pattigeorges Waterfront Restaurant. The parcel has been purchased by a new owner who seeks to redevelop the parcel into a new restaurant while maintaining the intent of the original business and follow the Town's goals under the Vision Plan to continue to provide water front dining options. Under the proposed project the existing building would be demolished and a new building constructed that is essentially in the same location as the current building. The balance of the parcel would be reconstructed to allow for functional parking while meeting the Land Development Code (LDC) to the greatest extent possible. After an extensive analysis by qualified engineering consultants it was confirmed that the existing building is experiencing settlement and cracks in the foundation. At this time it is not a viable option to remodel the existing building and a new structure is required. A redevelopment of this magnitude does present a financial challenge for the new owners and as a result they have determined that a 200 seat restaurant is necessary to make this redevelopment a viable business opportunity. If this application process is not successful, it could jeopardize the redevelopment opportunity. As with the iconic Pattigeorges Waterfront Restaurant that was in business since 1977, this location offers a new unique opportunity to maintain a desirable dining experience for the community of Longboat Key while providing an improved facility, that is flood protected, promotes public access to the waterfront and offers pedestrian / bicyclist connectivity to the new Bayfront Park located immediately south of the property.

In order to redevelop the parcel within the conformance of the LDC and construct a new 200 seat restaurant along with the supporting infrastructure, parking and landscaping we have determined that the following two (2) site specific variances are required.

1 – Reduce the code required parking space depth from 20 feet to 18 feet (LDC Section 158.128(A)(1)).

2 – Reduce the bayfront setback from and 50 feet to 0 feet (LDC Section 158.150(D)(3)).

It should be noted that while these are two (2) separate variances, each plays an integral part in allowing the attached site plan to offer functional parking that meets code thresholds for the City and meets the needs of a new owner at this location. In doing this we were also sensitive to meeting new codes and standards that the previous/existing restaurant did not.

Variance 1

Reduce the code required parking space depth from 20 feet to 18 feet per LDC 158-128(A)(1).

- 1. 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 existing parcel has irregular geometry with the parcel being 105 feet wide at the right of way line and 127 feet wide at the water front, while the north parcel line is 304.4 feet long and the south parcel line is 316.7 feet long. This geometry results in a very narrow and long parcel which complicates the geometric layout of the property. Through a series of site planning efforts, different parking space sizes, lane widths and buffer widths were incorporated to find the most efficient combination. On the existing site, the side parcel line buffers do not meet the code required width on the north or south parcel line. The south buffer is as narrow as 2 feet in locations and the north buffer is as narrow as 6.5 feet in locations. The parking field has no internal landscape islands and there is no pedestrian connection to the public sidewalks along Gulf of Mexico Drive. These existing conditions and their lack of compliance present a hardship to this project such that it could not be developed today based on the site layout of the past. This condition requires the owner to make every effort to bring the entire project up to current code. This is what we have done through a series of site planning efforts to consider different parking space styles, depths and lane widths to find the most efficient combination that would provide the parking count required. Through this exercise it was determined that angled spaces are the most inefficient and result in the least number of parking spaces. This request for the parking space depth reduction allows for the project to maximize green space and minimize impervious pavement area while providing functional parking spaces. The use of an 18' deep space is very common in Manatee County, Sarasota County and surrounding municipalities. Once again, we want to mention that all of the variances presented are integral to the site plan and should be considered as a whole.

Furthermore, we are not aware of another restaurant that is along this segment of Gulf of Mexico Drive which has a commercial zoning and is on a long narrow irregularly shaped parcel with the same parking circumstances presented in this application.

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

The existing parcel, its existing non-complying parking area and overall geometry is a pre-existing condition. This condition is existing as shown in the survey provided with the application and has not been imposed by the applicant.

3. *Granting the variance requested will not confer on the applicant any special privilege that is denied by Chapter 158 to other lands, buildings, or structures in the same zoning district.*

The request for a variance is a site specific determination so an approval of a variance at this location and based on this parcel's unique conditions should not provide a special privilege denied to others. Each parcel must be assessed based on its owner merit and justification for a variance. In the case of this parcel there is a unique issue of parcel geometry and the unique condition of working to replace an aged building and parking area that does not comply with current codes.

4. *Literal interpretation of the provisions of Chapter 158 would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of Chapter 158 and would work unnecessary and undue hardship on the applicant.*

Not having this request approved would impact the ability of this location to redevelop into a new restaurant and prevent maintaining a known location for this type of use and service in Longboat Key. This parcel is unique as a restaurant in that it is located on the water front, has boater access and is in an area of the island that needs more accessibility to a food service industry. Under the LDC there are provisions to provide water front access to the public and to maximize views of the bay which this parcel provided and would be able to continue to provide. In addition, denying the owner of this parcel the requested variance would jeopardize the redevelopment opportunity and potentially be contrary to the goals of the Town's Vision Plan.

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

As noted in subsequent variance justifications, a series of eight (8) site plan variations were prepared to develop the most efficient use of this parcel while minimizing the code variances requested. In a past informal meeting with Town Staff versions of the site plan were discussed and refined further to minimize this variance request. As noted previously, this request is an integral part of a larger plan and all variances requested under this application should be considered as a whole and the net benefit of the site plan presented.

6. *The grant of the variance will be in harmony with the general intent and purpose of Chapter 158, and the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.*

The approval of this variance request will be integral to achieving the overall site plan approval for this project and provide to the Town a new redeveloped parcel with a new and unique dining experience. The Community of Longboat Key is continually challenged with having viable open dining establishments year round. The approval of this variance will further that objective while also providing public access to the water front along with improved views of the bay.

Variance 2

Reduce the bayfront setback from and 50 feet to 0 feet (LDC Section 158.150(D)(3)).

- 1. 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 existing restaurant building at 4120 Gulf of Mexico Drive is located on the rear parcel line and there is currently no bay setback provided. In fact, the existing building slightly overhangs the parcel line and into sovereign lands of the State of Florida. This is an existing condition the owner seeks to improve by placing the building solely on private property while maintaining a 0 foot rear setback. The new project construction would be placed at the seawall bulkhead located on the east parcel line so that a 0 foot setback is provided for the bayfront setback. The building location would be located primarily in the same location as the existing structure. To require the owner to now meet the 50 foot bay setback would shift the proposed building further west and into the parking field that exists today. The placement of the building at the 50 foot bayfront setback would also place patrons further from the water front and potentially minimize views to Sarasota Bay. The only other restaurant that we are aware of with a 0 foot rear setback in Longboat Key is Moore's. This location originally pre-dated current codes and has received a variance consistent with this request.

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

The existing building location was not created by the applicant and is a pre-existing condition. This condition is existing as shown on the survey provided with the application and has not been imposed by the applicant. The applicant seeks to maintain this condition and continue to utilize the parcel without being deprived of a past allowance enjoyed on this parcel.

- 3. Granting the variance requested will not confer on the applicant any special privilege that is denied by Chapter 158 to other lands, buildings, or structures in the same zoning district.***

The request for a variance is a site specific determination so an approval of a variance at this location and based on this parcel's unique conditions should not provide a special privilege denied to others. Each parcel must be assessed based on its owner merit and justification for a variance. In the case of this parcel there is a unique issue of parcel geometry and the unique condition of working to replace an aged building and parking area that does not comply with current codes.

4. *Literal interpretation of the provisions of Chapter 158 would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of Chapter 158 and would work unnecessary and undue hardship on the applicant.*

Not having this request approved would impact the ability of this location to redevelop into a new restaurant and prevent maintaining a known location for this type of use and service in Longboat Key. This parcel is unique as a restaurant in that it is located on the water front, has boater access and is in an area of the island that needs more accessibility to a food service industry. Under the LDC there are provisions to provide water front access to the public and to maximize views of the bay which this parcel provided and would be able to continue to provide. In addition, denying the owner of this parcel the requested variance would jeopardize the redevelopment opportunity and potentially be contrary to the goals of the Town's Vision Plan.

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

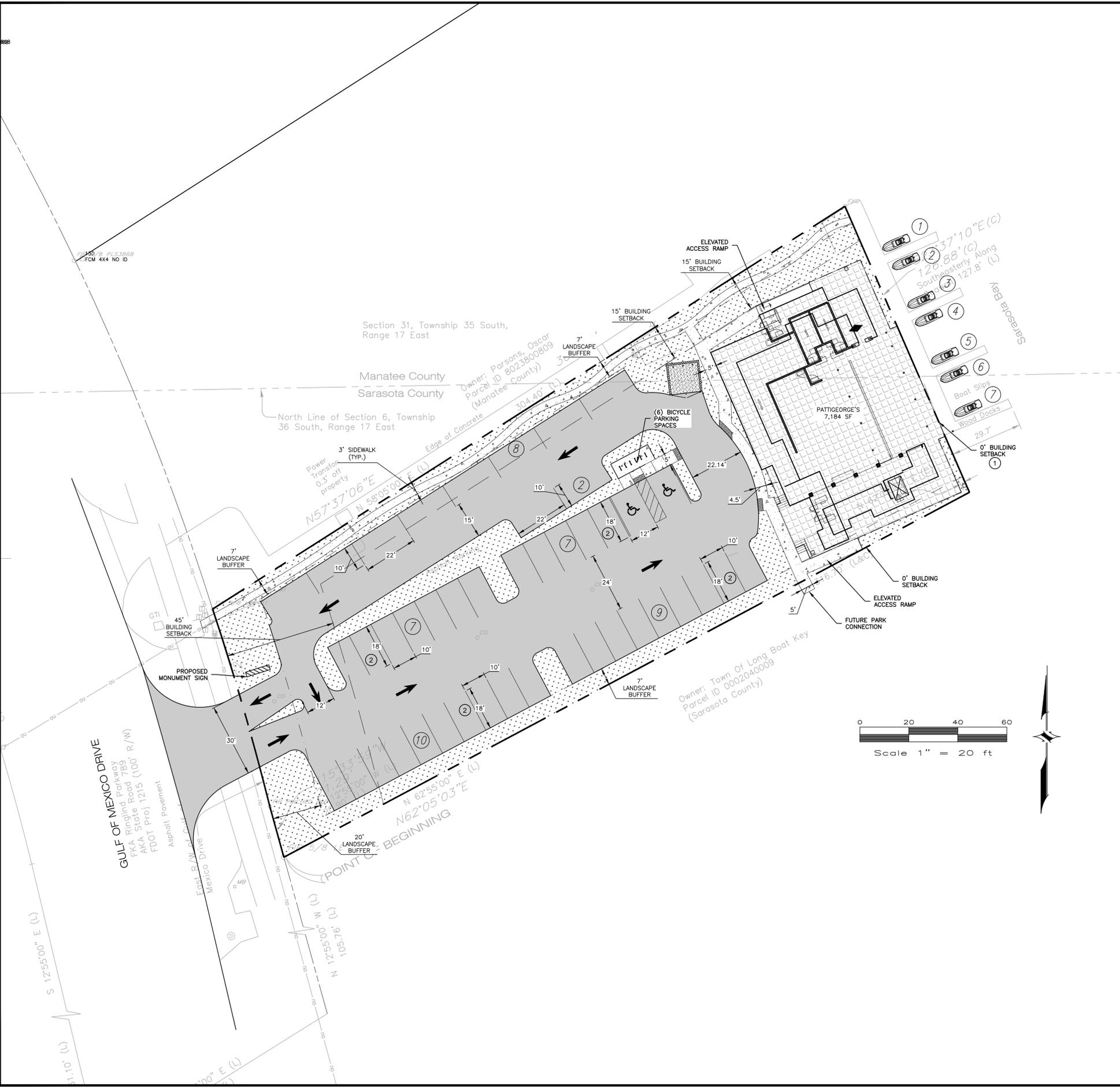
To deny this variance request for a 0 foot bay setback would remove reasonable use of the parcel previously allowed. The owner seeks the reasonable use of the land through a building location that was established in the past and has benefitted other restaurant parcel owners. For this owner to compete with similar business the minimum variance possible is 0 feet. As noted previously, this request is an integral part of a larger plan and to require a 50 foot setback would impact the balance of the owner's site plan configuration.

6. *The grant of the variance will be in harmony with the general intent and purpose of Chapter 158, and the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.*

The approval of this variance request will be integral to achieving the overall site plan approval for this project and provide to the Town a new redeveloped parcel with a new and unique dining experience. In addition, this request would further the goals under the Vision Plan for Longboat Key and promote access to available waterfront dining locations that offer waterfront access and maximized views of Sarasota Bay. These factors demonstrate how this request would be in harmony with the intent and purpose of the Land Development Code.

It should also be noted that the community of Longboat Key is continually challenged with having viable open waterfront dining establishments year round. This request will ensure the new owner of the Pattigeorges can maintain a financially viable business and continue what has been available in the Town since 1977.

G:\Projects\16-027 - Longboat Key - Pattigeorges\Drawings\Concept\16-027 - Variance Exhibit.dwg - Printed Oct 21, 2016 - 4:12pm by: AlanL



LEGEND

- PROPERTY LINE
- BUILDING SETBACK LINE
- LANDSCAPE BUFFER
- ASPHALT PAVEMENT
- CONCRETE PAVEMENT
- LANDSCAPED AREA
- ⑥ PARKING SPACE COUNT

VARIANCES

- ① REDUCE REAR (EAST) SETBACK FROM 20' TO 0'
- ② REDUCE PARKING STALLS FROM 20' TO 18'

SITE DATA

ADDRESS: 4120 GULF OF MEXICO DR
LONGBOAT KEY, FL 34228

PARCEL ID #: 0002040008 & 8024300009

JURISDICTION: TOWN OF LONGBOAT KEY

EX. ZONING: C-1 (COMMERCIAL)

EX. HEIGHT: 28'±

PROP. HEIGHT: 35' (BUILDING HEIGHT OF 35' IS FROM BFE)

TOTAL PARCEL AREA: 35,374 SF (0.81 AC)

REQ. PARKING: 1 SPACE PER 4 SEATS
200 SEATS / 4 SEATS = 50 SPACES

PROP. PARKING: 43 SPACES (PROPOSED)
7 BOAT SLIPS
6 BICYCLE RACK SPACES (2 SPACES EQUIV.)

TOTAL PARKING 52 SPACES

SETBACKS: REQUIRED: PROVIDED:

FRONT: 45' (WEST)	FRONT: 45' (WEST)
SIDE: 0' OR 15' (NORTH)	SIDE: 15' (NORTH)
SIDE: 0' OR 15' (SOUTH)	SIDE: 0' (SOUTH)
REAR: 20' (EAST)	REAR: 0' (EAST)

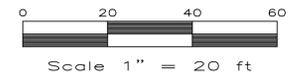
BUFFERS: REQUIRED: PROVIDED:

FRONT: 20' (WEST)	FRONT: 20' (WEST)
SIDE: 7' (NORTH)	SIDE: 7' (NORTH)
SIDE: 7' (SOUTH)	SIDE: 7' (SOUTH)
SIDE: 0' (EAST)	SIDE: 0' (EAST)

REQ. GREEN SPACE: 7,075 SF (20.00%)
PROP. GREEN SPACE: 8,139 SF (23.00%)

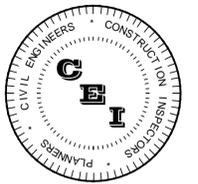
BUILDINGS: 7,184 SF (20.31%)
CONC., ASPH., S/W: 20,051 SF (57.02%)
TOTAL IMPERVIOUS AREA: 27,235 SF (77.00%)

REQUIRED VUA LANDSCAPE: 15% x 17,867 SF VUA = 2,681 SF
PROVIDED VUA LANDSCAPE: 2,833 SF = 15.9%



NOTES

1. EXHIBIT IS PRELIMINARY AND SUBJECT TO CHANGE.
2. SUBSURFACE STORMWATER REQUIRED FOR PROJECT TO PROVIDE STORMWATER TREATMENT AND ATTENUATION.
3. NINE (9) REQUIRED MATURE TREES TO BE PROVIDED WITHIN PARKING AREA.
4. AUTOTURN PROGRAM WAS RUN ON THIS LAYOUT UTILIZING A 32' LONG AASHTO SINGLE UNIT (SU) PUMPER FIRE TRUCK.



CAMPO
ENGINEERING, INC.

FBPR CERTIFICATE OF AUTHORIZATION NO.: 26726

1725 EAST 5TH AVENUE
TAMPA, FL. 33605
PHONE: (813) 215-7372
FAX: (813) 902-8782

PROJECT TITLE

**LONGBOAT KEY -
PATTIGEORGES**

TOWN OF LONGBOAT KEY, FLORIDA

CLIENT

REVISIONS

NO.	DESCRIPTION	DATE

ISSUE DATE: 08/2016

REVIEWED BY: MDC

DRAWN BY: JA

DESIGNED BY: MDC

PROJECT NUMBER

16-027

Matthew D. Campo 53988 10/21/2016
NAME SEAL NO. DATE

SHEET TITLE

**VARIANCE
EXHIBIT**

SHEET NUMBER

EX-1