



**APPLICATION FOR A PERMIT FOR CONSTRUCTION
SEAWARD OF THE CCCL OR 50-FOOT SETBACK**

(Application processed pursuant to Rule 62B-33.008, F.A.C.)

1. Owner of Record		Agent (if applicable)	
Typed or Printed Name: Lido Sand LLC		Typed or Printed Name and Company: Kristina V. Tignor, P.E./The Tignor Group, P.A.	
Mailing Address: 1001 E. Atlantic Avenue, Suite 202		Mailing Address: 1255 S. Tamiami Trail	
City/State/Zip Code: Delray Beach, FL 33483-6974		City/State/Zip Code: Sarasota, FL 34239	
Telephone (include area code): 561-573-5350	Fax (include area code):	Telephone (include area code): 941-365-6476	Fax (include area code):
E-mail Address: Barry.Kimball@OceanProp.com		E-mail Address: KTignor@TheTignorGroup.com	

2. I hereby certify that all information submitted with this application is true and complete to the best of my knowledge.

<i>Kristina V. Tignor</i>	6/6/19	Kristina V. Tignor, V.P. The Tignor Group, P.A.
Signature of Owner or Agent	Date	Typed or Printed Name of Owner or Agent (include title of officer and name of corporation or other business entity, if applicable)

3. purpose of applying for a permit.

I hereby authorize the above named agent to make application for a permit for construction or other activities seaward of the coastal construction control line or 50-foot setback on the property (described in Item 4, below).

<i>Barry Kimball</i>	June 4, 2019	Barry Kimball
Signature of Owner	Date	Typed or Printed Name of Owner (include title of officer and name of corporation or other business entity, if applicable)

4. A brief description of the proposed work, activity, or construction.

☒ Check here if additional information is attached.
Remove existing hotel and construct new.

☐ Check here if Modification Request is attached.

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Project Name (for multi-family, commercial, or public projects): Lido Sands		Nearest DEP Reference Monuments (if known): R-41
Street Address: 1540 Benjamin Franklin Drive	County: Sarasota	City/Zip Code: Sarasota/34236

ALL APPLICANTS ARE REQUIRED TO SUBMIT THE FOLLOWING ITEMS:		Attached or Included	Waiver Request ed
5.	A fee as set forth in Rule 62B-33.0085, F.A.C. (see the form entitled "Permit Fee Worksheet for DEP 73-100").	☒	
6.	Sufficient evidence of ownership and legal description of the property [paragraph 62B-33.008(1)(b), F.A.C.].	☒	
7.	Written evidence, provided by the appropriate local governmental agency having jurisdiction over the activity, that the proposed activity, as submitted to the Department, does not contravene local setback requirements or zoning codes [paragraph 62B-33.008(1)(c), F.A.C.].	☒	
8.	A signed and sealed survey of the subject property. The information depicted on the drawings shall be from field survey work performed not more than six months prior to the date of the application. The survey shall comply with the requirements given in Rule 62B-33.0081, F.A.C. [paragraph 62B-33.008(1)(e), F.A.C.].	☒	☐
9.	For structures with proposed permanent exterior lighting, a dimensioned lighting plan drawn to an appropriate scale [paragraph 62B-33.008(1)(f), F.A.C.].	☐	☒
10.	A dimensioned site plan signed and sealed by a registered professional [paragraph 62B-33.008(1)(h), F.A.C.].	☒	☐
11.	A grading plan signed and sealed by a registered professional [paragraph 62B-33.008(1)(i), F.A.C.]. For multi-family dwellings and commercial structures only, geotechnical data [paragraph 62B-33.008(1)(i)4., F.A.C.].	☒	☐
12.	Cross-sections signed and sealed by a registered professional [paragraph 62B-33.008(1)(j), F.A.C.].	☒	☐
13.	Details, including engineering design computations, for any proposed waste discharge onto, over, under, or across the beach and dune system, including but not limited to storm water runoff, swimming pool drainage, well discharge, domestic water systems, and outfalls [paragraph 62B-33.008(1)(l), F.A.C.].	☒	☐
14.	An anticipated construction schedule [paragraph 62B-33.008(1)(m), F.A.C.].	☒	☐
15.	Detailed planting plans, including the location of proposed plants, existing native vegetation, and plants to be removed. Plans shall include a plant list with both scientific and common names [paragraph 62B-33.008(1)(n) and (o), F.A.C.].	☒	☐
APPLICANTS APPLYING TO CONSTRUCT MAJOR STRUCTURES OR RIGID COASTAL STRUCTURES ARE REQUIRED TO SUBMIT THE FOLLOWING ADDITIONAL ITEMS (SEE RULE 62B-33.002, F.A.C.):			
16.	For major habitable multifamily dwelling structures, detailed final foundation plans and specifications [paragraph 62B-33.008(1)(g), F.A.C.].	☐	☐
17.	For rigid coastal structures, a site plan and detailed final construction plans and specifications for all proposed structures or excavation signed and sealed by an engineer licensed in the state of Florida [paragraph 62B-33.008(1)(k), F.A.C.].	☐	☐

APPLICATION FOR WAIVER (Pursuant to subsection 62B-33.008(4), F.A.C., the applicant may request a waiver of certain portions of the information specified in this application form)			
Application Item #	Reason for waiver	DEP Use Only	
		Approved	Denied
9	No lighting plan at this point.		
14	Construction to take 2 years.		

If room for additional application for waivers is needed, please attach an extra sheet to this application and include the applicant name and date on the additional sheet.

Email to: CCCL@dep.state.fl.us

Mail to:
Coastal Construction Control Line Program
Division of Water Resource Management
Florida Department of Environmental Protection
2600 Blair Stone Road, Mail Station 3522
Tallahassee, Florida 32399-2400

or

Overnight or Hand deliver to:
Coastal Construction Control Line Program
Division of Water Resource Management
Florida Department of Environmental Protection
2600 Blair Stone Road, Room 505-B
Tallahassee, Florida 32399-2400

WARNING - THIS CHECK IS PROTECTED BY SPECIAL SECURITY GUARD PROGRAM™ FEATURES

Sandcastle Resort

AP Disbursement

1000 Market St. Bld 1 Ste. 300

Portsmouth, NH 03801

Wells Fargo Bank, N.A.

San Francisco, CA

11-24/1210

Check # 00177166

Check Date

Check Amount

6/4/2019

*****\$5,600.00

Five Thousand Six Hundred and 00/100----- Dollars

PAY TO
THE
ORDER
OF

FLORIDA DEPT OF ENVIRONMENTAL

PROTECTION

2600 BLAIR STONE RD

TALLAHASSEE, FL 32399



Michael Walsh
Authorized Signature

THIS CHECK CONTAINS MULTIPLE SECURITY FEATURES - SEE BACK FOR DETAILS

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RESOURCE MANAGEMENT
ST-2209

Applicant: Lido Sand LLC
Address of Site: 1540 Ben Franklin Drive
Sarasota, FL 34236



Agent: Kristina V. Tignor, P.E.
Florida Department of Environmental Protection (DEP)
Division of Water Resource Management
Coastal Construction Control Line Program
2600 Blair Stone Road, Mail Station 3522
Tallahassee, Florida 32399-2400
(850) 245-8336

PERMIT FEE WORKSHEET

INSTRUCTIONS: Each application for a new permit or for a change in permit status pursuant to Section 161.053, Florida Statutes (F.S.), or applications pursuant to Rule 62B-33.013, Florida Administrative Code (F.A.C.), to be considered by the Department (DEP) shall be accompanied by a fee. An application will not be considered complete until the required fee has been received by DEP. The total amount due is the sum of the fees assessed for each structure or activity. Please utilize this worksheet to calculate the fee required pursuant to Rule 62B-33.0085, F.A.C. A 10 percent discount to the fees shall be applied to applications submitted electronically pursuant to Rule 62B-33.0086, F.A.C. Copies of Chapter 161, F.S., and Chapter 62B-33, F.A.C., as well as assistance from DEP staff are available by calling (850) 245-8336.

	FACTOR		FEE \$	TOTAL \$
MAJOR STRUCTURES				
1. Single Family Dwelling with a roof footprint less than or equal to 2400 ft. ² Total Roof Footprint = _____ ft. ²		X	2,000	
2. Single Family Dwelling with a roof footprint greater than 2400 ft. ²	No. of Structures	X	4,000	
3. Non-Habitable Major Structure (e.g., roads, bridges, storm water outfalls, cabanas, garages, swimming pools)	No. of Structures	X	1,000	
4. Multi-Family Dwelling (e.g., hotels, apartment buildings) PLUS \$100 for each dwelling unit in the structure:	No. of Structures 1	X	5,000	5000.00
	No. of Structures	X	100	
5. Other Major Habitable Structures (e.g., commercial or public buildings, restaurants, towers)	No. of Units No. of Structures	X	3,000	600.00
MINOR STRUCTURES AND ACTIVITIES				
6. A Single Minor Structure			300	
7. Multiple Minor Structures			500	
8. One or More Minor Activities * (e.g., dune construction/enhancement, placement of fill, and debris removal)			300	
ADDITIONS TO EXISTING HABITABLE STRUCTURES				
9. Addition(s) to a Single Family Dwelling			1,000	
10. Additions to a Multi-Family Dwelling: First Unit PLUS \$100 for each additional unit		X	2,500	
		X	100	
REVISIONS OR MODIFICATIONS OF APPROVED PERMITS				
11. Modification which includes revisions to a permitted minor structure or activity			150	
12. Modification to a permit for a minor structure or activity which adds a new minor structure or activity (the amount indicated in items #6, 7, or 8 above, or \$500, whichever is greater)				
13. Modification which includes revisions to a permitted major structure or dwelling unit			500	
14. Modification to a permit for a major structure(s) which adds a new major structure or dwelling unit(s). (the amount indicated in items #1 - 10 above, or \$500, whichever is greater)				
OTHER CONSTRUCTION, STRUCTURES, AND ACTIVITIES				
15. Other Activities (e.g., minor reconstruction of coastal protection structures, repairs to major structures, excavation, and large landscaping projects)			500	
16. Rigid Coastal Structure: First 100 feet of length PLUS \$500 for each additional 50 feet of length (includes return walls)		X	3,000	
		X	500	
	No. of 50' Units			

		FACTOR	FEE \$	TOTAL \$
REISSUED PERMITS				
17.	For projects located on a shoreline which has experienced significant change due to storm impact or erosion, the fee shall be assessed in accordance with paragraphs 62B-33.0085(4)(a) through (g), F.A.C.			
18.	For projects located on a shoreline which has not experienced significant change due to storm impact or erosion, the fee shall be assessed in accordance with the following schedule:			
a)	Nonhabitable major structures: \$500.	X	500	
b)	Habitable major structures with a roof footprint less than 2,400 square feet for a single family dwelling: \$1,000.	X	1,000	
c)	Habitable major structures with a roof footprint equal to or greater than 2,400 square feet for a single family dwelling: \$2,000.	X	2,000	
d)	Habitable major structures with more than one dwelling unit (e.g., hotels, motels, apartment buildings, and condominiums): \$5,000	X	5,000	
e)	Other major habitable structures (e.g., commercial or public buildings, and restaurants): \$1,500.	X	1,500	
f)	Additions to existing habitable structures for a single family dwelling: \$500.	X	500	
g)	Additions to existing habitable structures with more than one dwelling unit: \$2,500.	X	2,500	
TOTAL FEE DUE				5600.00

*The fee for minor activities is waived when the activities are in conjunction with a permit for a structure.

REFUNDS: A fee payment submitted in excess of the amount required or for an activity which is exempt from the provisions of Rule 62B-33.0085, F.A.C., shall be refunded to the applicant. A fee submitted to DEP shall not be refunded if the application is withdrawn, denied, or if separate applications to other agencies or local government are denied.

PERMIT FEE EXEMPTIONS: No fees are assessed for:

- Emergency permit applications pursuant to Rule 62B-33.014, F.A.C.,
- Applications filed by agencies of government of the executive branch of the State of Florida,
- Applications for permits pursuant to Section 161.052, F.S., for work to be conducted within the 50-foot setback from mean high water in counties where no Coastal Construction Control Line has been established pursuant to Section 161.053, F.S.
- Permit transfers, or
- Field permits.

Field permits for certain minor structures and activities including dune walkovers and decks meeting DEP standards and specifications are available at no cost from DEP field representatives. Please contact the appropriate field representative for specific information about which activities may be authorized by a field permit.

MAILING ADDRESS:

Please send the fee payment along with a completed application form (DEP form 73-100) to:

Department of Environmental Protection
Division of Water Resource Management
Coastal Construction Control Line Program
2600 Blair Stone Road, Mail Station 3522
Tallahassee, Florida 32399-2400

Or go to the following website for instructions on how to submit an electronic CCCL application:
http://www.dep.state.fl.us/beaches/forms.htm#CCCL_App_Form

If the fee is not submitted with the application form, please include the following information with the fee payment:

- Application number (if known)
- County
- Applicant name
- Telephone number

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2014015481 6 PGS

2014 FEB 10 02:30 PM

KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA

EOLIVA Receipt#1709349

Doc Stamp-Deed: 191,800.00

This instrument prepared by
and after recording return to:

Richard H. Critchfield
1001 East Atlantic Avenue, Suite 201
Delray Beach, Florida 33483

Property Tax ID #: 2017060004



SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, is made and executed the 7 day of February, 2014 by and between SANDCASTLE HOTEL, INC., a Delaware corporation, having a principal place of business at c/o Helmsley Enterprises, Inc., 230 Park Avenue, New York, New York 10169 ("Grantor") to LIDO SAND LLC, a Florida limited liability company, having an office at 1001 East Atlantic Avenue, Suite 202, Delray Beach, Florida 33483 ("Grantee").

(Whenever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and their respective successors and assigns.)

WITNESSETH: That Grantor, for and in consideration of the sum of Ten (\$10.00) Dollars and other valuable considerations, the receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto Grantee all that certain land situate in the City of Sarasota, County of Sarasota and State of Florida, more particularly described on Exhibits A attached hereto and made a part hereof.

TOGETHER with all improvements, tenements, hereditaments, easements and appurtenances thereto belonging or in anyways appertaining.

SUBJECT TO taxes and assessments for 2014 and subsequent years, and easements, restrictions, covenants, reservations and conditions of record.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND, Grantor hereby covenants with Grantee that Grantor is lawfully seized of said land in fee simple; that Grantor has good and lawful authority to sell and convey said land; and that Grantor warrants the title to such land and improvements and will defend the same against the lawful claims or all persons claiming by, through or under Grantor, except as set forth in the schedule of Permitted Exceptions set forth on Exhibit B attached hereto.

[Signature Page Follows.]

EvKaleel + Crozier

IN WITNESS WHEREOF, Grantor has caused these presents to be duly executed
the day and year first above written.

Signed and delivered
in the presence of:

Rosario Macalinao

Witness

ROSARIO MACALINAO

Printed Witness Name:

Auria Rivera

Witness

Auria Rivera

Printed Witness Name:

GRANTOR:

SANDCASTLE HOTEL, INC.,
a Delaware corporation

By: [Signature]

Name: Harold A. Meriam

Title: Vice President

Special Warranty Deed

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ST-2209

STATE OF NEW YORK)
) ss: February 5th, 2014
COUNTY OF NEW YORK)

The foregoing instrument was acknowledged before me this 5th day of February 2014 by Harold A. Meriam as Vice President of Sandcastle Hotel, Inc., a Delaware corporation, of Sandcastle Hotel, Inc., on behalf of such corporation. He is personally known to me, or has produced his New York driver's license as identification.

SHARON DESANTI
Notary Public, State of New York
No. 01DE6092202
Qualified in Richmond County
Commission Expires May 12, 2015

Sharon L. Desanti
Signature
Sharon L. Desanti
Printed Name

NOTARIAL SEAL

NOTARY PUBLIC STATE OF NEW YORK

May 12, 2015
(Commission Expiration Date)

(Serial Number, if any)

Special Warranty Deed RECEIVED

June 25, 2019

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RESOURCE MANAGEMENT

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EXHIBIT A

LEGAL DESCRIPTION

Lots 4, 5, 6, 7, 8 and 9, South Lido Shores, as per plat thereof, recorded in Plat Book 5 at Page 50 of the Public Records of Sarasota County, Florida

EXHIBIT B-1

A. All matters contained on the Plat of South Lido Shores, as recorded in Plat Book 5, Page 50, Public Records of Sarasota County, Florida.

B. Covenants, conditions and restrictions recorded in Deed Book 267, Page 470, Public Records of Sarasota County, Florida, which contain building and usage restrictions.

C. Coastal Construction Control Line, as evidenced by document recorded in O.R. Book 2102, Page 2632, together with copy of "Chapter 62B-34-General Permits for Activities Seaward of the Coastal Construction Control Line" as recorded in Instrument Number 2010059047, Public Records of Sarasota County, Florida.

D. Any portion of the land lying waterward of the Bulkhead Line identified in O.R. Book 757, Page 589, Public Records of Sarasota County, Florida, as same may have been re-established pursuant to Sec. 253.1221, F.S.

E. Resolution of the Board of Adjustment of the City of Sarasota granting a variance from the front yard setback requirements of the zoning code of the City of Sarasota as requested by petition 82-62; describing the terms and conditions of the variance; providing for reading by title only; and providing an effective date, recorded in O.R. Book 1531, Page 686, Public Records of Sarasota County, Florida.

F. Resolution of the Planning Board of the City of Sarasota granting approval for special exception 82-SE-27 for accessory uses to a hotel to permit the rental of beach chairs, umbrellas and cabana hoods in an RMF-4 zone district recorded in O.R. Book 1537, Page 1693, Public Records of Sarasota County, Florida.

G. Resolution of the Planning Board of the City of Sarasota granting approval for special exception 84-SE-28 to provide the use of sailboats, sailboards and paddleboats to guests as an accessory use to a hotel in a RMF-4 zone district recorded in O.R. Book 1719, Page 501, Public Records of Sarasota County, Florida.

H. Resolution of the Planning Board of the City of Sarasota granting approval for special exception petition 98-SE-14 to permit a hotel and accessory uses in the multiple family (RMF-4) zone district recorded in Instrument Number 1998165302, Public Records of Sarasota County, Florida.

I. Resolution of the Planning Board of the City of Sarasota granting approval for special exception petition 98-SE-19 to permit a pool out-of-door bares an accessory use to a hotel in the multiple-family (RMF-4) zone district recorded in Instrument Number 1998165301, Public Records of Sarasota County, Florida.

EXHIBIT B

PERMITTED EXCEPTIONS

1. Liens, encumbrances, defects, exceptions, easements, rights of way, restrictions, covenants, claims or other matters contained on Exhibit B-1.
2. Liens for Taxes or assessments special or otherwise, not due and payable, or Taxes or assessments which are being apportioned hereunder.
3. Any Laws affecting the land, including, without limitation, those relating to environmental, comprehensive planning, zoning, land use and historic or landmark designation matters, as the same may now exist or may be hereafter modified, supplemented or promulgated.
4. Any and all notes or notices of violations of law, or municipal ordinances, orders, designations or requirements whatsoever noted in or issued by any Governmental Authority.
5. Any utility company rights, easements and franchises for electricity, water, steam, gas, telephone, or other service or the right to use and maintain poles, lines, wires, cables, pipes, boxes and other fixtures and facilities in, over, under and upon the land.
5. All Liens incurred by Grantee.
6. Any other matter that would not have a material adverse effect on the value of the land.

For the purposes of this "Exhibit B" the following terms shall have the meanings set forth below:

"Governmental Authority" means any governmental, quasi-governmental, regulatory, administrative or judicial agency, body or entity, foreign or domestic.

"Law" means, as in effect on January 24, 2014, all foreign, federal, state or local laws, common laws, regulations, rules, ordinances, orders, codes, licenses, permits, decrees and judgments of or by any Governmental Authority.

"Liens" means liens, mortgages, pledges, security interests, options, charges, restrictions, easements or encumbrances.

"Taxes" means all taxes, charges, fees, levies or other assessments, including, without limitation, income and franchise taxes, gross receipts, sales, use, ad valorem, goods and services, capital, transfer, profits, license, withholding, payroll, employment, employer health, excise, estimated, severance, stamp, occupation, property or other taxes, customs duties, fees, assessments or charges of any kind whatsoever, together with any interest and any penalties, additions to tax or additional amounts imposed by any taxing authority.

ORDINANCE NO. 19-5270

AN ORDINANCE OF THE CITY OF SARASOTA, FLORIDA, TO REZONE AN APPROXIMATELY 6.09 ACRE MORE OR LESS PARCEL OF PROPERTY LOCATED BETWEEN BENJAMIN FRANKLIN DRIVE AND THE WATERS OF THE GULF OF MEXICO WITH A STREET ADDRESS OF 1540 BENJAMIN FRANKLIN DRIVE FROM THE RESIDENTIAL MULTIPLE FAMILY-4 (RMF-4) ZONE DISTRICT TO THE WATERFRONT RESORT (WFR) ZONE DISTRICT; ALL AS IS MORE PARTICULARLY SET FORTH HEREIN; PROVIDING FOR READING BY TITLE ONLY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Lido Sand LLC, as fee simple owner of the subject real property, through its agent, Bruce E. Franklin, President, Land Resource Strategies, LLC, hereinafter collectively referred to as "Applicant," has filed Rezone Application No. 17-RE-03 seeking to rezone an approximately 6.09 acre more or less parcel of property located between Benjamin Franklin Drive and the waters of the Gulf of Mexico with a street address of 1540 Benjamin Franklin Drive from the Residential Multiple Family-4 (RMF-4) Zone District to the Waterfront Resort (WFR) Zone District; and

WHEREAS, Rezone Application 17-RE-03 shall be considered according to the requirements and procedures set forth in Article IV, Division 11 of the Zoning Code (2002 edition) pertaining to rezoning; and

WHEREAS, the Planning Board, acting in its capacity as the Local Planning Agency, held a duly noticed public hearing pertaining to Rezone Application No. 17-RE-03 on October 10, 2018; and

WHEREAS, the Planning Board, acting in its capacity as the Local Planning Agency considered the written staff analysis and the testimony at the public hearing and specifically found that Rezone Application No. 17-RE-03 satisfied the standards for review set forth in Section IV-1106, Zoning Code (2002 edition) and was consistent with the Sarasota City Plan (2030) and recommended approval to the City Commission; and

WHEREAS, the City Commission held a duly noticed public hearing pertaining to Rezone Application No. 17-RE-03 on November 19, 2018.

NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF SARASOTA, FLORIDA:

Section 1. The following described real property located in the corporate limits of the City of Sarasota, Sarasota County:

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ST-2209

Lots 4, 5, 6, 7, 8 and 9, South Lido Shores, according to the Map or Plat thereof as recorded in Plat Book 5, Page 50, Public Records of Sarasota County, Florida.

is hereby reclassified from the Residential Multiple Family-4 (RMF-4) Zone District to the Waterfront Resort (WFR) Zone District, and the Official Zoning Map of the City of Sarasota is amended accordingly subject to all of the terms and conditions set out below.

Section 2. This rezoning is granted pursuant to Article IV, Division 11 of the Zoning Code (2002 edition) pertaining to rezoning and shall be subject to all of the terms, requirements and limitations thereof.

Section 3. This Ordinance shall take effect immediately upon second reading.

PASSED on first reading by title only, after posting on the bulletin board at City Hall for at least three (3) days prior to first reading, as authorized by Article IV, Section 2, Charter of the City of Sarasota, Florida this 19th day of November, 2018.

PASSED on second reading and finally adopted this 7th day of January, 2019.


Liz Alpert, Mayor

Attest:


Shayla Griggs
Interim City Auditor and Clerk

yes Mayor Liz Alpert
yes Vice Mayor Jen Ahearn-Koch
yes Commissioner Hagen Brody
yes Commissioner Shelli Freeland Eddie
yes Commissioner Willie Charles Shaw

tammy\ordinances\2019\19-5270-Sandcastle rezone (1/7/19)



January 15, 2019

Bruce E. Franklin, President
Land Resource Strategies, LLC
1555 Fruitville Road
Sarasota, FL 34236

RE: Rezone, Site Plan, Major Conditional Use and Minor Conditional Use Approval for Sandcastle Resort at Lido Beach, 1540 Benjamin Franklin Drive (17-RE-03, 17-SP-15, 17-CU-06 & 17-MCU-03)

Dear Mr. Franklin,

As you are aware, on January 7, 2019 the City Commission adopted Ordinance No. 19-5270 approving your request to rezone property located at 1540 Benjamin Franklin Drive for Sandcastle Resort at Lido Beach, from Residential Multiple Family-4 (RMF-4) to Waterfront Resort (WFR).

In addition, on November 19, 2018 the City Commission affirmed the Planning Board's approval of Major Conditional Use Application 17-CU-06 and Site Plan Application 17-SP-15, with the following conditions:

- A. All beach equipment, including but not limited to, cabanas, daybeds, Hobie sailboats, umbrellas, lounge chairs, paddle boards and cabana hoods must be placed in the two roped-off areas shown on the Site Plan on a nightly basis during non-turtle nesting season. Approval from the Sarasota County Planning and Development Services, Environmental Protection Division is required for the location of the placement of the beach equipment during turtle nesting season. Evidence of approval by the Sarasota County Planning and Development Services, Environmental Protection Division must be submitted prior to the issuance of the building permit authorizing construction approved by Site Plan Application No. 17-SP-15.
- B. On-site parking shall be provided by a valet service at all times except when otherwise required by the Americans With Disabilities Act.
- C. The Site Plan and all related development and construction plans for the proposed building shall be in compliance with those labeled "Sandcastle Resort at Lido Beach," received by the Development Services Department on September 5, 2018. All final

DEPARTMENT OF DEVELOPMENT SERVICES
Current Planning Division
1565 First Street
Sarasota, FL 34236
Tel. 941-365-2200 • Fax 941-954-4179

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construction plans shall be subject to a full review for compliance with all other applicable codes by the Director of the Development Services department.

- D. Pursuant to Section 166.033, Florida Statutes, the issuance of a development permit by the City of Sarasota does not in any way create any right on the part of an application to obtain a permit from any state or federal agency and does not create any liability on the part of the City of Sarasota for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in violations of state or federal law. The development approval granted herein are subject to the condition that all other applicable state and federal permits be obtained before commencement of the development.

In addition, on October 10, 2018 the Planning Board approved your application for Minor Conditional Use approval with the following conditions:

- A. Approval is contingent upon City Commission approval of Rezone Application 17-RE-03, Major Conditional Use Application 17-CU-06 and Site Plan Application 17-SP-15.
- B. All beach equipment, including but not limited to, cabanas, daybeds, Hobie sailboats, umbrellas, lounge chairs, paddle boards and cabana hoods must be placed in the two roped-off areas shown on the Site Plan on a nightly basis during non-turtle nesting season. Approval from the Sarasota County Planning and Development Services, Environmental Protection Division is required for the location of the placement of the beach equipment during turtle nesting season. Evidence of approval by the Sarasota County Planning and Development Services, Environmental Protection Division must be submitted prior to the issuance of the building permit authorizing construction approved by Site Plan Application No. 17-SP-15.
- C. On-site parking shall be provided by a valet service at all times except when otherwise required by the Americans With Disabilities Act.
- D. The Site Plan and all related development and construction plans for the proposed building shall be in compliance with those labeled "Sandcastle Resort at Lido Beach," received by the Development Services Department on September 5, 2018. All final construction plans shall be subject to a full review for compliance with all other applicable codes by the Director of the Development Services department.
- E. Pursuant to Section 166.033, Florida Statutes, the issuance of a development permit by the City of Sarasota does not in any way create any right on the part of an application to obtain a permit from any state or federal agency and does not create any liability on the part of the City of Sarasota for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in violations of state or federal law. The development approval granted herein are subject to the condition that all other applicable state and federal permits be obtained before commencement of the development.

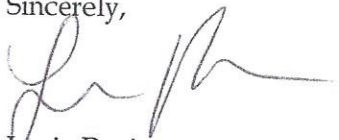
Bruce E. Franklin
January 15, 2019
Page 3

Please note that your Site Plan approval expires on November 19, 2020 [two (2) years after the date of the approval] if a building permit for construction on the site has not yet been issued, and that any request for extension pursuant to Section IV-509(b) of the Zoning Code must be submitted to the City Auditor and Clerk's Office at least 30 calendar days prior to that expiration date.

A copy of the approved Site Plans with the approval date perforated on the plans, a signed copy of Ordinance No. 19-5270, and signed copies of the Planning Board Resolutions are enclosed.

Should you have any questions, please contact me at 941.365.2200 ext. 4359 or e-mail lucia.panica@sarasotaFL.gov.

Sincerely,



Lucia Panica
Chief Planner

Cc: Lori Rivers, Development Review Coordinator
File

RECEIVED
June 25, 2019
DIVISION OF WATER
RESOURCE MANAGEMENT
ST-2209