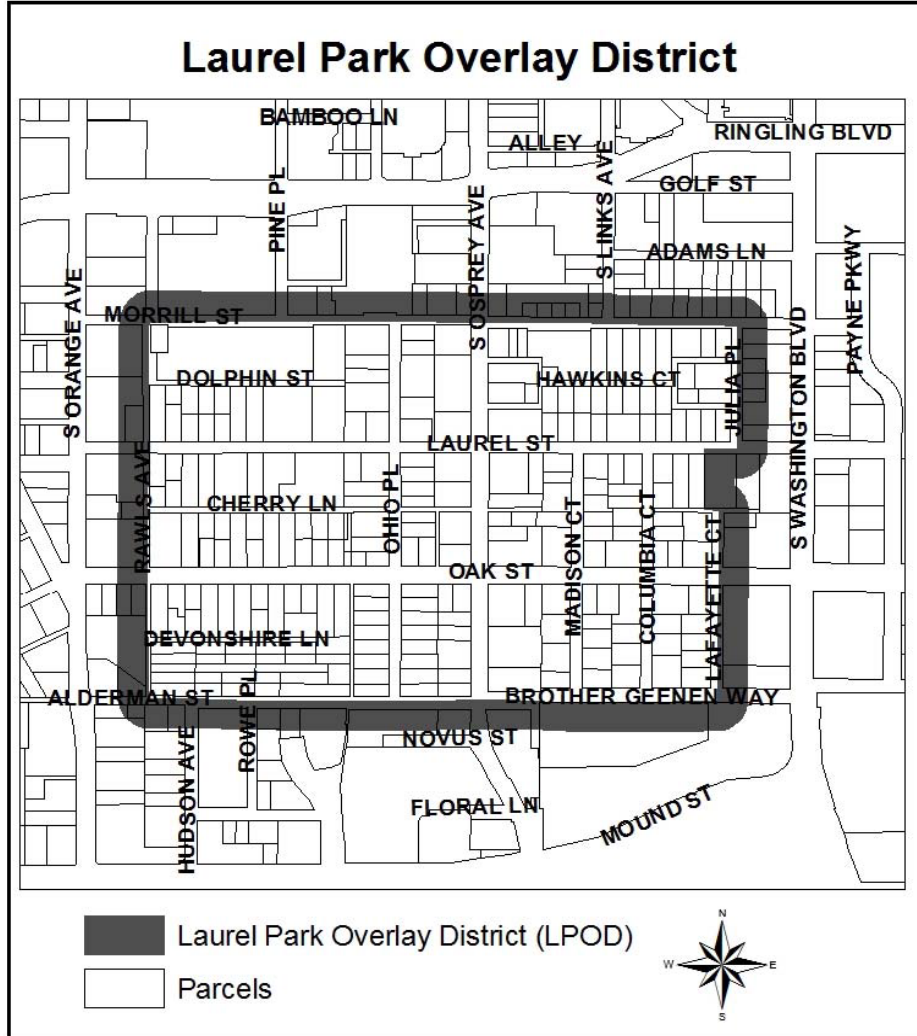


Sec. VI-911. - Laurel Park overlay district.



- (a) *Intent and purpose.* The Laurel Park overlay district (LPOD) is intended to enhance communication between a developer or landowner and residents within the Laurel Park neighborhood when a building permit or administrative site plan is proposed within the overlay district that meets or exceeds the thresholds of subsection IV-501(c). This section applies to all applications for administrative site plan approval which may be processed in advance of a building permit or in conjunction with a building permit which meet or exceed the thresholds set out in subsection IV-501(c). However, if two community workshops have been held on an administrative site plan application as required by subsections VI-911(c) and (e); then no additional community workshops are required if a subsequent application for a building permit is filed to allow construction in accordance with a previously approved and currently valid site plan.
- (b) *Establishment of the boundaries.* The application of the Laurel Park overlay district shall be restricted to those geographical areas that are designated on the official zone district map of the City of Sarasota. However, the geographical areas that are subject to the requirements of this section may change over time as properties are assembled or partially transferred because the requirements of this section apply to all parcels that are located within or intersect the Laurel Park overlay district at the time of building permit or administrative site plan application.

- (c) *First community workshop requirement.* Prior to submitting an application for a building permit or administrative site plan that meets or exceeds the thresholds of subsection IV-501(c) on a parcel of land that is located entirely or partially within the Laurel Park overlay district, a community workshop shall be held. The purpose of this workshop will be to inform attendees about the development proposal and to generate discussion/feedback about the proposed development, including uses, building dimensions (height, bulk, etc.), number of dwelling units or size of nonresidential uses, traffic patterns, location of trash receptacles, and other pertinent information. After the community workshop, the developer may submit a building permit or administrative site plan application. The developer may, but is not required to incorporate comments or issues raised during the community workshop into the development plan(s). The time period between the community workshop and submittal of a building permit or administrative site plan application shall not exceed 365 calendar days.

Notice shall be mailed by the city at least 14 days prior to the date of the community workshop to each owner of record of any land within 500 feet of a parcel of land that is located entirely or partially within the Laurel Park overlay district for which a building permit or administrative site plan approval is sought and to the Laurel Park neighborhood association and to affected neighborhood associations or persons who have registered with the neighborhood and development services department to receive notice of Laurel Park overlay district applications. The notice of community workshop shall include at a minimum the following: the applicant's name and telephone number; the street address of the site with an identification map; a clear, factual explanation of what the applicant is proposing; and the date, time, and location of the community workshop. This notice requirement does not mean that all persons receiving the notice must attend the community workshop.

- (d) *Notice of filing for a building permit or administrative site plan.* Within five working days of building permit or administrative site plan application submittal which meets or exceeds the thresholds of subsection IV-501(c) regarding a parcel of land located entirely or partially within the Laurel Park overlay district, the city shall send a notice of filing to owners of record of properties located within 500 feet of the subject property, to the Laurel Park neighborhood association, to affected neighborhood associations or persons who have registered with the neighborhood and development services department to receive notice, and to those who attended the community workshop. The notice of filing will be published on the city's website.
- (e) *Second community workshop requirement.* A second community workshop shall be held between 30 and 45 calendar days after the initial submittal of a building permit or administrative site plan application which meets or exceeds the thresholds of subsection IV-501(c) regarding a parcel of land located entirely or partially within the Laurel Park overlay district. The purpose of this workshop will be to inform attendees about the building permit or administrative site plan application that was submitted and to report the course of action, if any, in which the building permit or administrative site plan addressed issues or comments that were made at the first community workshop. Neighborhood and development services staff will present an analysis of how the building permit or administrative site plan application meets applicable city codes. The second community workshop shall be held prior to issuance of a building permit or administrative site plan decision.

Notice of the second community workshop shall follow the same procedures identified in Sec. VI-911 (c).

- (f) *Notice of issuance for a building permit or administrative site plan.* Within five working days of a building permit issuance or administrative site plan approval which meets or exceeds the thresholds of subsection IV-501(c) regarding a parcel of land located entirely or partially within the Laurel Park overlay district, the city shall send a notice of issuance to owners of properties located within 500 feet of the subject property, to the Laurel Park neighborhood association, to affected neighborhood associations or persons who have registered with the neighborhood and development services department to receive notice of Laurel Park overlay district applications, and to those who attended either of the community workshops. The notice of issuance will be published on the city's website.
- (g) *Appeal of an administrative decision.* The following persons may appeal an administrative decision to approve or deny a building permit or a site plan which meets or exceeds the thresholds of subsection IV-501(c) regarding a parcel of land located entirely or partially within the Laurel Park

overlay district to the planning board by filing a notice of appeal with the office of city auditor and clerk within 20 working days of the decision:

- (1) The applicant, or
- (2) An owner, resident or other occupant of real property located within 500 feet of the subject property; the owner's, resident's, or occupant's designated representative; or a neighborhood association having one or more of such owners, residents or occupants as members and which represents an area within 500 feet of the subject property.

The planning board shall hold a de novo public hearing to consider the appeal and shall grant, grant with conditions, or deny the application for a building permit or site plan approval. The planning board shall use and be guided by the criteria located in section IV-506, standards for review, in evaluating a site plan that has been appealed.

In lieu of an appeal to the planning board, an appeal of a technical matter regulated by the state building code shall be made to the board of rules and appeals in accordance with chapter 11 of the Code of the City of Sarasota. Technical matter refers to laws and rules which pertain to and govern the design, construction, erection, alteration, modification, repair, and demolition of public and private buildings, structures, and facilities and enforcement of such laws and rules as described in F.S. § 553.73, Florida Building Code. Subsection 11-10(a) of the Code of the City of Sarasota limits filing an appeal of a decision of the building official to a property owner or duly authorized agent of the property owner.

- (h) *Appeal of planning board decision.* A person described in subsection VI-911(g) above, may appeal a planning board decision to approve or deny a building permit or a site plan which meets or exceeds the thresholds of subsection IV-501(c) regarding a parcel of land located entirely or partially within the Laurel Park overlay district to the city commission by filing a notice of appeal with the office of city auditor and clerk within 20 working days of the decision. The city commission shall hold a de novo public hearing to consider the appeal and shall grant, grant with conditions, or deny the application for a building permit or site plan approval. The city commission shall use and be guided by the criteria located in section IV-506, standards for review, in evaluating a site plan that has been appealed.
- (i) *[Failure to notify not cause for invalidation.]* Failure to notify an owner of record of any land located within 500 feet of a parcel of land that is located entirely or partially within the Laurel Park overlay district for which a building permit or administrative site plan approval which meets or exceeds the thresholds of subsection IV-501(c) is sought, the Laurel Park neighborhood association, or affected neighborhood associations or persons who have registered with the neighborhood and development services department to receive notice of Laurel Park overlay district applications, and those who attended either of the community workshops as provided in subsection VI-911(c), (d), (e) or (f), shall not invalidate:
 - (1) A building permit or administrative site plan application, or
 - (2) A building permit issuance or administrative site plan approval.

(Ord. No. 13-5054, § 2(Exh. A), 8-19-13)