

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AMENDING THE CITY'S OFFICIAL LAND USE PLAN MAP BY PROVIDING THE LAND USE DESIGNATION OF RESIDENTIAL LOW (RL) FOR CERTAIN LANDS GENERALLY LOCATED AT 5944 107TH TERRACE N. AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", WHICH IS ATTACHED HERETO AND MADE A PART HEREOF; CERTIFYING CONSISTENCY WITH THE CITY'S ADOPTED COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR AN EFFECTIVE DATE. (LUPA-0123-00006, Kyle Nagy and Karen McCaffrey)

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**WHEREAS**, the City of Pinellas Park, Florida, finds that it is in the public's interest to amend the City's Land Use Plan Map and designate certain lands generally located at 5944 107th Terrace N. and more particularly described and depicted in Exhibit "A" attached hereto and made a part hereof as Residential Low (RL); and

**WHEREAS**, the Planning and Zoning Commission, sitting as the Local Planning Agency, and the City Council for the City of Pinellas Park, Florida have reviewed and held public hearings on said request.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AS FOLLOWS:**

**SECTION ONE:** That the City Council of the City of Pinellas Park hereby amends the City's Official Land Use Plan Map and designates the following described property Residential Low (RL):

THAT PARCEL LEGALLY DESCRIBED IN EXHIBIT "A" WHICH IS ATTACHED HERETO AND MADE A PART HEREOF.

**SECTION TWO:** That the City Council does hereby certify that this Ordinance is consistent with the City's Comprehensive Plan and elements thereof adopted pursuant to the Community Planning Act.

**SECTION THREE:** That all Ordinances, or parts of Ordinances, in conflict with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

**SECTION FOUR:** That this Ordinance shall become effective immediately upon its final passage.

PUBLISHED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

FIRST READING \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

PUBLIC HEARING THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

AYES:

NAYES:

ABSENT:

ABSTAIN:

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
Sandra L. Bradbury  
MAYOR

ATTEST:

\_\_\_\_\_  
Diane M. Corna, MMC  
CITY CLERK

Exhibit "A"

THIS IS NOT A SURVEY.

THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

SEC. 17, TWP. 30 S., RNG. 16 E.  
PINELLAS COUNTY, FLORIDA

**DESCRIPTION:**

LOT 37 TOGETHER WITH THE SOUTHERLY HALF OF THE RIGHT-OF-WAY OF 107TH TERRACE NORTH (107TH TERRACE PER PLAT) LYING NORTH OF AND ABUTTING LOTS 35 THROUGH 37, ALL AS SHOWN ON THE PLAT OF COUNTRY HAVEN, RECORDED IN PLAT BOOK 97, PAGE 42, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF LOT 37, COUNTRY HAVEN, AS SHOWN ON THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 97, PAGE 42, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE N00°19'06"E, ALONG THE WESTERLY LINE OF SAID LOT 37 AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 165.00 FEET TO A POINT ON THE CENTERLINE OF THE RIGHT-OF-WAY OF 107TH TERRACE NORTH (107TH TERRACE PER PLAT); THENCE S89°40'54"E, ALONG SAID CENTERLINE, A DISTANCE OF 240.00 FEET; THENCE DEPARTING SAID CENTERLINE, S00°19'06"W, ALONG THE NORTHERLY EXTENSION OF THE EASTERLY LINE OF LOT 35 OF SAID COUNTRY HAVEN, A DISTANCE OF 25.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 35; THENCE N89°40'54"W, ALONG THE NORTHERLY LINES OF LOTS 35 AND 36 OF SAID COUNTRY HAVEN, ALSO BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID 107TH TERRACE NORTH, A DISTANCE OF 160.00 FEET TO THE NORTHEAST CORNER OF AFOREMENTIONED LOT 37; THENCE S00°19'06"W, ALONG THE EASTERLY LINE OF SAID LOT 37, A DISTANCE OF 140.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 37; THENCE N89°40'54"W, ALONG THE SOUTHERLY LINE OF SAID LOT 37, A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 17,200 SQUARE FEET (0.39 ACRE), MORE OR LESS.

**NOTES:**

1. BEARINGS FOR THIS SKETCH OF DESCRIPTION ARE BASED ON THE CENTERLINE OF 107TH TERRACE NORTH (107TH TERRACE PER PLAT), ACCORDING TO THE MAP OR PLAT OF COUNTRY HAVEN, AS RECORDED IN PLAT BOOK 97, PAGE 42, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, HAVING A BEARING OF S89°40'54"E.
2. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED.
3. THIS SKETCH OF DESCRIPTION IS BASED ON U.S. SURVEY FEET.
4. THIS SKETCH OF DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND MAY BE SUBJECT TO EASEMENTS, RESTRICTIONS, RIGHTS-OF-WAY AND OTHER MATTERS OF RECORD. THE GEOMETRY AS DESCRIBED ON THE RECORDED DOCUMENTS AS NOTED HEREIN AND IS SUBJECT TO AN ACCURATE FIELD BOUNDARY SURVEY.

**TRANSYSTEMS**

565 SOUTH HERCULES AVENUE  
CLEARWATER, FL 33764  
PHONE: 727.822.4151  
WWW.TRANSYSTEMS.COM  
LICENSED BUSINESS NUMBER B103

THIS DOCUMENT IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OR THE DIGITAL SIGNATURE OF THE FLORIDA LICENSED SURVEYOR AND MAPPER SHOWN HEREON.



Frederick S  
Bachmann  
2023.01.27  
10:34:56 -05'00'

FREDERICK S. BACHMANN, PLS, LS 5174

**SKETCH OF DESCRIPTION**  
**5944 107TH TERRACE NORTH**  
**PINELLAS PARK**

PINELLAS COUNTY

FLORIDA

PROJECT NO.	SE22.491
DATE:	9/23/2022
DRAWN:	TBM
SCALE:	N/A
SHEET NO.	1 OF 3

Jan 25, 2023 -- 8:23am I:\CAD Projects\Projects\SEPI X Drive\2022\SE22.491.00 5944 107th Terrace North\Survey\Acad\SE22.491-LS rev1.dwg

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SEC. 17, TWP. 30 S., RNG. 16 E.  
PINELLAS COUNTY, FLORIDA

107TH TERRACE NORTH

50.00' RIGHT-OF-WAY(P)



**LEGEND**

(L) LEGAL DESCRIPTION  
LB LICENSED BUSINESS  
No. NUMBER  
OR OFFICIAL RECORD BOOK  
(P) PLAT BOOK 97, PAGE 42  
PB PLAT BOOK  
PG PAGE/PAGES  
POB POINT OF BEGINNING  
POC POINT OF COMMENCEMENT  
PLS PROFESSIONAL LICENSED SURVEYOR  
R/W RIGHT-OF-WAY  
RNG. RANGE  
SEC. SECTION  
TWP. TOWNSHIP

LANDS ANNEXED  
BY THE CITY OF  
PINELLAS PARK

**NOTES:**

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5. THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1/60 OR SMALLER.

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565 SOUTH HERCULES AVENUE  
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LICENSED BUSINESS NUMBER 8103

THIS DOCUMENT IS NOT VALID WITHOUT THE  
SIGNATURE AND ORIGINAL RAISED SEAL OR  
THE DIGITAL SIGNATURE OF THE FLORIDA  
LICENSED SURVEYOR AND MAPPER SHOWN  
HEREON.

I, FREDERICK S. BACHMANN, THE SURVEYOR IN RESPONSIBLE CHARGE, CERTIFY THAT THE SKETCH REPRESENTED HEREON, WAS MADE UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS AND MAPPERS, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES AS PRESCRIBED IN CHAPTER 5J-17.052(6) DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES. THIS DOCUMENT IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER EXCEPT THOSE WITH ELECTRONIC SIGNATURE AND ELECTRONIC SEAL.

**SKETCH OF DESCRIPTION**  
**5944 107TH TERRACE NORTH**  
**PINELLAS PARK**

PINELLAS COUNTY

FLORIDA

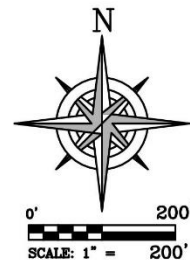
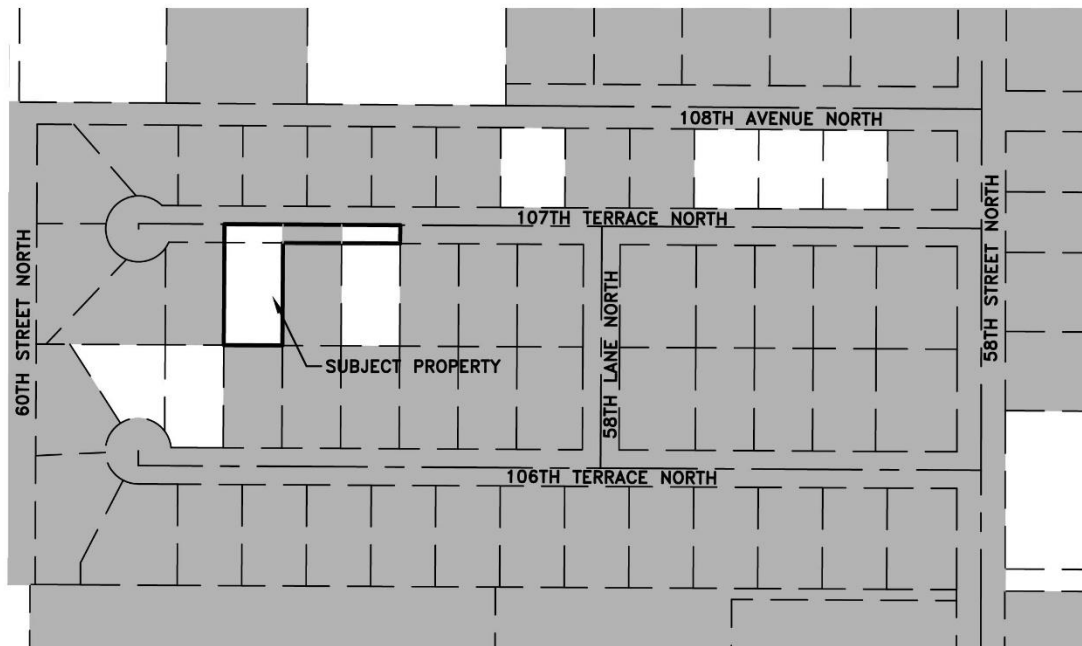
PROJECT NO. SE22.491  
DATE: 9/23/2022  
DRAWN: TBM  
SCALE: 1" = 60'  
SHEET NO. 2 OF 3

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SEC. 17, TWP. 30 S., RNG. 16 E.  
PINELLAS COUNTY, FLORIDA



LANDS ANNEXED  
BY THE CITY OF  
PINELLAS PARK

REV 1 UPDATED ANNEXATION MAP 1/25/2023 TBM

**NOTES:**

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5. THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1/200 OR SMALLER.

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**SKETCH OF DESCRIPTION**  
**5944 107TH TERRACE NORTH**  
**PINELLAS PARK**

PINELLAS COUNTY

FLORIDA

PROJECT NO.	SE22.491
DATE:	9/23/2022
DRAWN:	TBM
SCALE:	1" = 200'
SHEET NO.	3 OF 3

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CITY HALL - P.O.Box 1100  
PINELLAS PARK, FL 33780-1100

**Please Respond To:**

City Attorney's Office  
Lauren C. Rubenstein  
James W. Denhardt  
2700 First Avenue North  
St. Petersburg, Florida 33713  
(727) 327-3400 - Telephone  
(727) 323-0888 - Facsimile

March 7, 2023

Mr. Derek Reeves  
Long Range Planning Manager  
City of Pinellas Park  
P. O. Box 1100  
Pinellas Park, Florida 33780-1100

**RE: City Document #23-050**  
**Land Use Map Amendment Ordinance for LUPA-1123-00006**

Dear Mr. Reeves:

Our office has received and reviewed the above-mentioned Land Use Map Amendment Ordinance concerning the property located at 5944 107<sup>th</sup> Terrace North. At the end of the title of the Ordinance, LUPA-0123-00006 is listed rather than LUPA-1123-00006.

Once the above-mentioned correction has been made, our office would approve of the Land Use Map Amendment Ordinance as to form and correctness.

Very truly yours,

Lauren C. Rubenstein  
City Attorney

cc: Bart Diebold, City Manager  
Diane M. Corna, MMC, City Clerk  
Chief Michael Haworth, Asst. City Manager  
Nick Colonna, Community Development Administrator  
Aaron Petersen, Asst. Community Development Administrator  
Erica Lindquist, Planning & Development Services Director

LCR/pl  
23-050.03062023.LDR.LUPA 5944 107th Terrace.wpd

Prepared by: Derek Reeves, AICP, CFM  
Long Range Planning Manager

## I. APPLICATION DATA

A. **Case Number:** AX-2023-00004, LUPA-0123-00006

B. **Location:**

1. **Address:** 5944 107<sup>th</sup> Terrace N.
2. **Parcel Number:** 17-30-16-18623-000-0370

C. **Request:** Request for the Annexation of a parcel and adjacent right-of-way located at 5944 107<sup>th</sup> Terrace N. with associated Annexation Agreement and Future Land Use Map Amendment designating the parcel as Residential Low (RL).

D. **Applicant:** Kyle Nagy and Karen McCaffrey (Owners)

E. **PARC Meeting:** January 24, 2023

F. **Public Hearings:**

**Planning & Zoning Commission Hearing Date:** April 6, 2023  
**Advertising Date:** March 22, 2023

**City Council (1<sup>st</sup> Reading) Date:** May 11, 2023

**City Council (2<sup>nd</sup> Reading) Public Hearing Date:** May 25, 2023  
**Advertising Date:** May 10, 2023

## II. BACKGROUND INFORMATION

A. **Case Summary:** The subject property was developed in 1993 and is located in the Country Haven development. The property owner is requesting annexation into the City of Pinellas Park. The adjacent right-of-way on 107<sup>th</sup> Terrace N. will be included in the annexation. There are no proposed changes to the property or its current use as a part of this request.

B. **Site Area:**

1. Parcel Area: 11,200 square feet / 0.26 acres
2. Annexation Area: 17,200 square feet / 0.39 acres

C. **Property History:**

1. **Previous Land Use Plan or Zoning Amendments:** None on record.
2. **Permits and Development:** None on record.

**3. Previous Approvals:** None on record.

**D. Existing Use:** Single-Family Residential

**E. Proposed Use:** Single-Family Residential

**F. Current Future Land Use:** Residential Low (RL) (Pinellas County)

**G. Proposed Future Land Use:** Residential Low (RL)

**H. Current Zoning District:** Single-Family Residential District (R-1) (Pinellas County)

**I. Proposed Zoning District:** Single-Family Residential (R-3)

**J. Flood Zone:** The property is located in Flood Zone X, which is a low-risk flood zone.

**K. Evacuation Zone:** The subject property is in Evacuation Zone D, which is the fourth level to evacuate in preparation for a storm. Zone D is evacuated when storm surge height is predicted to be up to 28 feet.

**L. Vicinity Characteristics:**

	<b>Zoning</b>	<b>Land Use</b>	<b>Existing Use</b>
<b>North</b>	R-3	RL	Single-Family Home
<b>South</b>	R-3	RL	Single-Family Home
<b>East</b>	R-3	RL	Single-Family Home
<b>West</b>	R-3	RL	Single-Family Home

### III. APPLICABLE CRITERIA / CONSIDERATIONS

**A. Land Use Designation / Comprehensive Plan Policies:**

**1. Land Use Purpose / Intent:**

*It is the purpose of this category to depict those areas of the City that are now developed, or appropriate to be developed, in a low density residential manner, and to recognize such areas as primarily well-suited for residential uses that are consistent with the low density, non-intensive qualities and natural resource characteristics of such areas.*

**2. Key Standards:**

**Primary Uses** – Residential

**Secondary Uses** – Residential Equivalent; Institutional; Transportation/ Utility; Public Educational Facility; Ancillary Non-Residential; Recreation/Open Space

### **3. Relevant Policies:**

#### *POLICY LU.1 .1.2*

*Land use designations on the Future Land Use Map shall be compatible with adjacent and surrounding land uses.*

#### *POLICY LU.1.3.1*

*The City of Pinellas Park will continue to promote redevelopment and urban infill development that is compatible with and supports the integrity and viability of existing residential neighborhoods.*

#### *POLICY PW 1.3.1*

*The Public Works Department shall analyze the condition and adequacy of any water distribution system that the City may inherit through annexation and prepare cost estimates for upgrading those systems to meet City requirements.*

#### *POLICY SW.1.3.1*

*The City shall make available at the time of annexation solid waste collection service or require proof of existing service by a licensed solid waste collection service.*

#### *OBJECTIVE ICE.1.8*

*The City will identify, implement, and coordinate joint planning areas for annexation and provision of services.*

#### *POLICY ICE.1.8.1*

*The City will coordinate with the Pinellas Planning Council, and other jurisdictions as appropriate, to establish a more comprehensive and better-integrated annexation process that will include consideration of the following:*

- a. Advance Notices - a procedure that provides for advance notice of all annexations to the respective parties of interest;*
- b. Accurate Legal Descriptions - a means to review and validate the legal descriptions for annexations;*
- c. State Law Compliance - definitions and examples by which to determine compliance with the state law for contiguity, compactness, enclaves, and procedures for annexation agreements/indentures;*
- d. Ability to Serve - pre-determined or administrative means to establish a municipality's ability to serve the area;*
- e. Service Contracts - enabling provisions for Pinellas County and each municipality to enter into mutually acceptable agreements to provide selected services where it is beneficial to the citizenry and cost-effective to do so in lieu of annexation;*
- f. Consistency - a requirement for consistency with the Comprehensive Future Land Use Plan at the time of annexation; and*
- g. Coordination with State Plan Amendment Review Process - to establish eligibility for a waiver of the requirement for plan amendment pursuant to Section 163.3171(3) FS, at the time of annexation.*

### **4. Staff Analysis:**

The proposed City land use designation of RL provides for a density that is consistent with the current County Future Land Use category. The proposed Future Land Use designation (RL) has been found to be the most compatible with adjacent and surrounding land uses. Additionally, the subject property is located within the boundaries of the Annexation Planning Area Agreement as coordinated with Pinellas

County, and all procedures are being followed. The subject property is already served by public water, sewer, and solid waste services. Staff finds that the proposed annexation is consistent with the City's adopted Comprehensive Plan.

**B. Zoning District / Land Development Code Standards:**

**1. Zoning District Purpose / Intent:**

*The "R-3" Single-family Residential District is established to identify and to stabilize those geographic areas within the City of Pinellas Park that are appropriate for the development and maintenance of a low density, urban low density and low medium density, single-family residential environment. This district is limited primarily to single-family detached dwellings, together with accessory uses and public facilities customary for such an environment. This district is appropriate for areas designated on the Official Land Use Plan Map as Residential Low (RL), Residential Urban (RU) or Residential Low Medium (RLM).*

**2. Key Standards:**

**Sec. 18-1501.13. - ZONING OF ANNEXED PROPERTIES.**

*Property heretofore or hereafter annexed to the City shall be given the zoning classification which most closely relates to the Pinellas County zoning classification in effect at the time of such annexation, and the Official Zoning Map shall be amended or posted accordingly. Should a petition for annexation include a request for a zoning classification other than that which most closely relates to the Pinellas County zoning classification in effect for said property at the time said petition is filed, City Council may, in its sole discretion: refer said petition to the Planning and Zoning Commission for its recommendation; pass the proposal for said annexation of the property at the zoning requested in the petition; or deny the proposal. Any rezoning of an annexed area shall be consistent with F.S. § 171.062(2), as may be amended from time to time, which provides that if an annexed area was subject to a county land use plan and county zoning or subdivision regulations, these regulations remain in full force and effect until the municipality adopts a comprehensive plan amendment that includes the annexed area.*

**SECTION 18-1511. - "R-3" SINGLE-FAMILY RESIDENTIAL DISTRICT**

**Sec. 18-1511.1. - STATEMENT OF INTENT.**

*The "R-3" Single-family Residential District is established to identify and to stabilize those geographic areas within the City of Pinellas Park that are appropriate for the development and maintenance of a low density, urban low density and low medium density, single-family residential environment. This district is limited primarily to single-family detached dwellings, together with accessory uses and public facilities customary for such an environment. This district is appropriate for areas designated on the Official Land Use Plan Map as Residential Low (RL), Residential Urban (RU) or Residential Low Medium (RLM).*

*Table 18-1511.3: Authorized Land Uses in R-3 District*

Land Use	Approval Type	Conditions
<b>RESIDENTIAL AND ACCOMMODATION USES</b>		
<i>Dwellings, Single-family Detached</i>	<i>P</i>	

*Sec. 18-1511.4. - DIMENSIONAL AND AREA REGULATIONS.*

*(A) MINIMUM LOT REQUIREMENTS.*

- 1. Lot Area: Ten thousand (10,000) square feet.*
- 2. Lot Width: Eighty (80) feet, except on a corner ninety-five (95) feet is required.*
- 3. Lot Depth: One hundred (100) feet.*
- 4. Lots not meeting the lot area, width or depth requirements of this Section and having been of record prior to December 10, 1970 may be used for a permitted or conditional use provided that all other dimensional regulations will apply.*

*(B) MINIMUM YARD SETBACK REQUIREMENTS.*

- 1. Front Yard Setback: Twenty-five (25) feet.*
- 2. Secondary Front Yard Setback: Twenty-five (25) feet. Where the provisions of Section 18-1504.4, "Nonconforming Lots" apply, the secondary front yard may be reduced to a minimum of fifteen (15) feet.*
- 3. Side Yard Setback: Ten (10) feet. Where the provisions of Section 18-1504.4, "Nonconforming Lots" apply, side yards may be reduced to a minimum of ten (10) feet on one side and five (5) feet on the other side.*
- 4. Rear Yard Setback: Twenty (20) feet.*
- 5. For corner, double frontage and multiple frontage lots, see Section 18-1503.7, "Yard Determinations."*
- 6. Refer to Section 18-1503.8 for measurement of yard setbacks on lots adjacent to rights-of-way of insufficient width.*
- 7. Refer to Section 18-1504.3(G)(2) for special yard setbacks to apply for additions to buildings in existence as of August 14, 1997.*

*(C) MINIMUM LIVEABLE FLOOR AREA. One thousand (1,000) square feet.*

*(D) MAXIMUM BUILDING HEIGHT. Thirty-five (35) feet. See Section 18-1503.13, "Exclusion from Height Limits", for height limit exclusions.*

*(E) MAXIMUM LOT COVERAGE. Nonresidential Uses: Fifty-five (55) percent in RL or RU; sixty-five (65) percent in RLM.*

*(F) FLOOR AREA RATIO.*

- 1. Nonresidential Uses:*
  - (a) Thirty-hundredths (0.30) in RL or RU.*
  - (b) Forty-hundredths (0.40) in RLM.*

**3. Staff Analysis:**

The current zoning designation of the subject property within Pinellas County is Residential Single-Family (R-1), which is consistent with the City's "R-3" Single-Family Zoning District. Additionally, single family (detached) dwellings are permitted in the "R-3" Zoning District.

Based on the above, with consideration that the adjacent properties are zoned R-3, staff finds the "R-3" Single-Family Residential Zoning District to be the most appropriate and compatible zoning designation for the subject property.

**IV. SUMMARY**

**A. Findings**

Based on the information and analysis contained in this report, staff finds as follows:

1. The subject property has no outstanding code enforcement violations with Pinellas County.


2. The subject property is contiguous to the City and meets all of the annexation requirements set forth in Florida Statute 171.044.
3. The RL Future Land Use designation has been determined the most appropriate for this property
4. The proposed annexation is consistent with the Land Development Code and the Goals, Objectives, and Policies of the adopted Comprehensive Plan.

**B. Staff Recommendation**

Consistent with the above-identified findings, and subject to such additional findings of fact as are established at a public hearing, if applicable, staff recommends **APPROVAL** of case numbers AX-2023-00004 and LUPA-0123-00006.

  
Erica Lindquist, AICP, CFM  
Planning & Development Services Director

3/14/2023  
Date

  
Nick A. Colonna, AICP  
Community Development Administrator

3/27/2023  
Date

**V. ACTION:**

**PLANNING AND ZONING COMMISSION – MOVE TO:**

**A. RECOMMEND APPROVAL**

**B. RECOMMEND APPROVAL WITH THE FOLLOWING CONDITION(S):**

- That AX-2023-00004 is approved by City Council.

**C. RECOMMEND DENIAL**

**VI. ATTACHMENTS:**

**Exhibit A: Application with Legal Description**

**Exhibit B: Aerial Map**

**Exhibit C: Land Use Map**

**Exhibit D: Zoning Map**

**Exhibit E: FIRM Map**

**Exhibit F: Site Photographs**





## **ADDENDUM**

**Case Number:** LUPA-0123-00006

### **PLANNING AND ZONING COMMISSION**

On April 6, 2023, the Planning and Zoning Commission **RECOMMENDED APPROVAL** of Case No. LUPA-0123-00006, with the following condition:

- That AX-2023-00004 is approved by City Council.

### **V. ACTION**

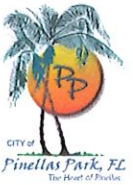
#### **CITY COUNCIL– MOVE TO:**

**1: APPROVE**

**2: APPROVE WITH CONDITIONS**

**3: DENY**

... of a request for Future Land Use Map Amendment designating a parcel as Residential Low (RL) at 5944 107<sup>th</sup> Ter N.



**CITY OF PINELLAS PARK**  
**PLANNING AND DEVELOPMENT**

**PETITION TO ANNEX APPLICATION**

**PROPERTY INFORMATION**

Street Address: 5944 107th Terrace North

City: Pinellas Park Zip Code: 33782 State: FL

Parcel ID: \_\_\_\_\_

Intended Use of Property: \_\_\_\_\_

**PROPERTY OWNER INFORMATION**

Owner Name(s): Kyle Shawn Nagy & Karen Elizabeth McCaffrey

Street Address: 5944 107th Terrace North

City: Pinellas Park Zip Code: 33782 State: FL

Phone Number: 727.501.2967 Email Address: ke 5944 @ yahoo.com  
KyleNagy33@yahoo.com

**AUTHORIZED AGENT**

**Note: The owner's authorization form must be signed and submitted**

Authorized Agent Name(s): \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip Code: \_\_\_\_\_ State: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

**ADDITIONAL INFORMATION**

Why do you wish to annex? \_\_\_\_\_

**CITY OF PINELLAS PARK  
AFFIDAVIT OF OWNERSHIP**

STATE OF FLORIDA - COUNTY OF PINELLAS:

NAMES OF ALL PROPERTY OWNERS:

Kyle Shawn Nagy & Karen Elizabeth McCaffrey

being first duly sworn, depose(s) and say(s):

1. That (I am / we are) the owner(s) and record title holder(s) of the following described property:

ADDRESS OR GENERAL LOCATION:

5944 107th Terrace N Pinellas Park, FL 33782

LEGAL DESCRIPTION OF PROPERTY: (Type legal directly on this sheet. If too lengthy, type on separate sheet titled "Exhibit A" and attach.)

2. That this property constitutes the property for which an application is being made to the City of Pinellas Park, Florida for (NATURE OF REQUEST):

3. That the undersigned (has / have) appointed and (does / do) appoint \_\_\_\_\_ as (his / their) agent(s) to execute any petitions or other documents necessary to affect such application.

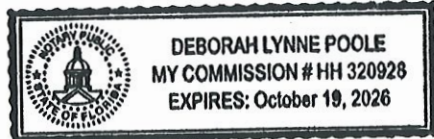
4. That this affidavit has been executed to induce the City of Pinellas Park, Florida, to consider and act on the above described property; to include City representatives entering upon the property to make inspections as are necessary to visualize site conditions and/or determine compatibility.

SIGNED (PROPERTY OWNER 1)

SIGNED (PROPERTY OWNER 2)

STATE OF FLORIDA

COUNTY OF Pinellas



(SEAL ABOVE)

The foregoing instrument was acknowledged before me by means of

☒ physical presence or ☐ online notarization, this 3rd day of December, 2022.

By Kyle Nagy & Karen McCaffrey, who is  
(Name of person acknowledging and title of position)

personally known to me or who has produced

personally known as identification and who DID / DID NOT  
(Type of identification) take an oath.

Notary Public, Commission No. HH 320928

Deborah Poole  
(Name of Notary- typed, printed or stamped)

THIS IS NOT A SURVEY.

SEC. 17, TWP. 30 S., RNG. 16 E.

PINELLAS COUNTY, FLORIDA

THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY  
THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

### DESCRIPTION:

LOT 37 TOGETHER WITH THE SOUTHERLY HALF OF THE RIGHT-OF-WAY OF 107TH TERRACE NORTH (107TH TERRACE PER PLAT) LYING NORTH OF AND ABUTTING LOTS 35 THROUGH 37, ALL AS SHOWN ON THE PLAT OF COUNTRY HAVEN, RECORDED IN PLAT BOOK 97, PAGE 42, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF LOT 37, COUNTRY HAVEN, AS SHOWN ON THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 97, PAGE 42, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE N00°19'06"E, ALONG THE WESTERLY LINE OF SAID LOT 37 AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 165.00 FEET TO A POINT ON THE CENTERLINE OF THE RIGHT-OF-WAY OF 107TH TERRACE NORTH (107TH TERRACE PER PLAT); THENCE S89°40'54"E, ALONG SAID CENTERLINE, A DISTANCE OF 240.00 FEET; THENCE DEPARTING SAID CENTERLINE, S00°19'06"W, ALONG THE NORTHERLY EXTENSION OF THE EASTERLY LINE OF LOT 35 OF SAID COUNTRY HAVEN, A DISTANCE OF 25.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 35; THENCE N89°40'54"W, ALONG THE NORTHERLY LINES OF LOTS 35 AND 36 OF SAID COUNTRY HAVEN, ALSO BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID 107TH TERRACE NORTH, A DISTANCE OF 160.00 FEET TO THE NORTHEAST CORNER OF AFOREMENTIONED LOT 37; THENCE S00°19'06"W, ALONG THE EASTERLY LINE OF SAID LOT 37, A DISTANCE OF 140.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 37; THENCE N89°40'54"W, ALONG THE SOUTHERLY LINE OF SAID LOT 37, A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 17,200 SQUARE FEET (0.39 ACRE), MORE OR LESS.

### NOTES:

1. BEARINGS FOR THIS SKETCH OF DESCRIPTION ARE BASED ON THE CENTERLINE OF 107TH TERRACE NORTH (107TH TERRACE PER PLAT), ACCORDING TO THE MAP OR PLAT OF COUNTRY HAVEN, AS RECORDED IN PLAT BOOK 97, PAGE 42, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA. HAVING A BEARING OF S89°40'54"E.
2. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED.
3. THIS SKETCH OF DESCRIPTION IS BASED ON U.S. SURVEY FEET.
4. THIS SKETCH OF DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND MAY BE SUBJECT TO EASEMENTS, RESTRICTIONS, RIGHTS-OF-WAY AND OTHER MATTERS OF RECORD. THE GEOMETRY AS DESCRIBED ON THE RECORDED DOCUMENTS AS NOTED HEREIN AND IS SUBJECT TO AN ACCURATE FIELD BOUNDARY SURVEY.

# TRANSYSTEMS

565 SOUTH HERCULES AVENUE  
CLEARWATER, FL 33764  
PHONE 727.822.4151  
WWW.TRANSYSTEMS.COM  
LICENSED BUSINESS NUMBER 8103

THIS DOCUMENT IS NOT VALID WITHOUT THE  
SIGNATURE AND ORIGINAL RAISED SEAL OR  
THE DIGITAL SIGNATURE OF THE FLORIDA  
LICENSED SURVEYOR AND MAPPER SHOWN  
HEREON.

## SKETCH OF DESCRIPTION 5944 107TH TERRACE NORTH PINELLAS PARK

FREDERICK S. BACHMANN, PLS, LS 5174

PINELLAS COUNTY

FLORIDA

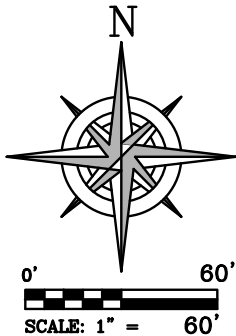
PROJECT NO.	SE22.491
DATE:	9/23/2022
DRAWN:	TBM
SCALE:	N/A
SHEET NO.	1 OF 3

THIS IS NOT A SURVEY.  
THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY  
THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

SEC. 17, TWP. 30 S., RNG. 16 E.  
PINELLAS COUNTY, FLORIDA

## 107TH TERRACE NORTH

50.00' RIGHT-OF-WAY(P)



### LEGEND

(L)	LEGAL DESCRIPTION
LB	LICENSED BUSINESS
No.	NUMBER
OR	OFFICIAL RECORD BOOK
(P)	PLAT BOOK 97, PAGE 42
PB	PLAT BOOK
PG	PAGE/PAGES
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
PLS	PROFESSIONAL LICENSED SURVEYOR
R/W	RIGHT-OF-WAY
RNG.	RANGE
SEC.	SECTION
TWP.	TOWNSHIP

LANDS ANNEXED  
BY THE CITY OF  
PINELLAS PARK

### NOTES:

- BEARINGS FOR THIS SKETCH OF DESCRIPTION ARE BASED ON THE CENTERLINE OF 107TH TERRACE NORTH (107TH TERRACE PER PLAT), ACCORDING TO THE MAP OR PLAT OF COUNTRY HAVEN, AS RECORDED IN PLAT BOOK 97, PAGE 42, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA. HAVING A BEARING OF S89°40'54"E.
- ADDITIONS OR DELETIONS TO THIS SKETCH OF DESCRIPTION OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED.
- THIS SKETCH OF DESCRIPTION IS BASED ON U.S. SURVEY FEET.
- THIS SKETCH OF DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND MAY BE SUBJECT TO EASEMENTS, RESTRICTIONS, RIGHTS-OF-WAY AND OTHER MATTERS OF RECORD. THE GEOMETRY AS DESCRIBED ON THE RECORDED DOCUMENTS AS NOTED HEREIN AND IS SUBJECT TO AN ACCURATE FIELD BOUNDARY SURVEY.
- THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1/60 OR SMALLER.

# TRANSYSTEMS

565 SOUTH HERCULES AVENUE  
CLEARWATER, FL 33764  
PHONE 727.822.4151  
WWW.TRANSYSTEMS.COM  
LICENSED BUSINESS NUMBER 8103

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SIGNATURE AND ORIGINAL RAISED SEAL OR  
THE DIGITAL SIGNATURE OF THE FLORIDA  
LICENSED SURVEYOR AND MAPPER SHOWN  
HEREON.

I, FREDERICK S. BACHMANN, THE SURVEYOR IN RESPONSIBLE CHARGE, CERTIFY THAT THE SKETCH REPRESENTED HEREON, WAS MADE UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS AND MAPPERS, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES AS PRESCRIBED IN CHAPTER 5J-17.052(6) DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES. THIS DOCUMENT IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER EXCEPT THOSE WITH ELECTRONIC SIGNATURE AND ELECTRONIC SEAL.

## SKETCH OF DESCRIPTION 5944 107TH TERRACE NORTH PINELLAS PARK

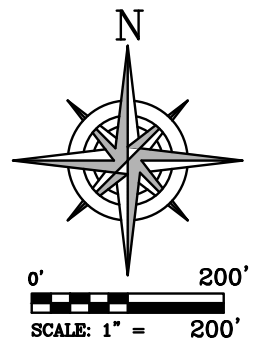
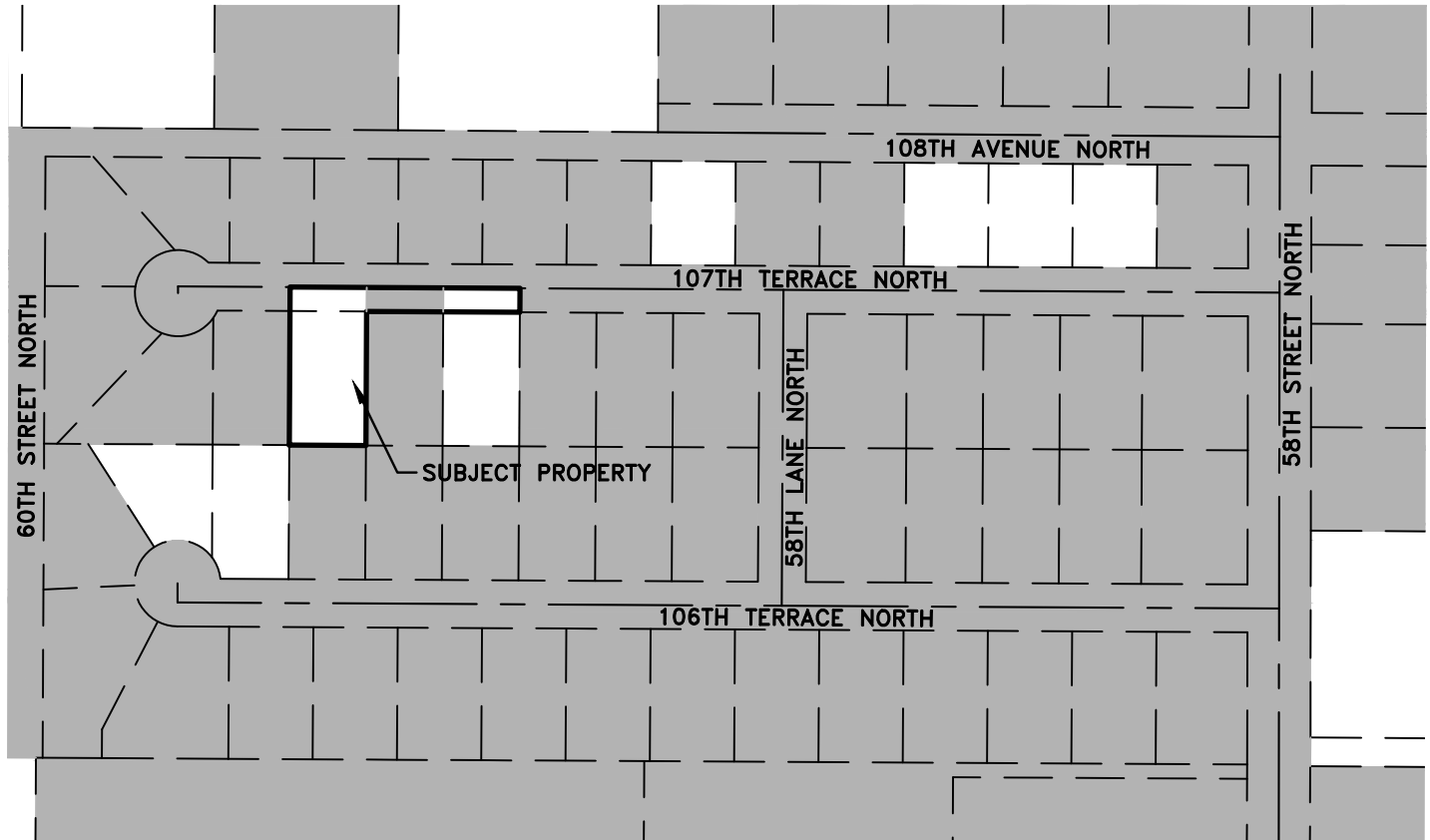
PINELLAS COUNTY

FLORIDA

PROJECT NO.	SE22.491
DATE:	9/23/2022
DRAWN:	TBM
SCALE:	1" = 60'
SHEET NO.	2 OF 3

THIS IS NOT A SURVEY.  
THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY  
THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

SEC. 17, TWP. 30 S., RNG. 16 E.  
PINELLAS COUNTY, FLORIDA



LANDS ANNEXED  
BY THE CITY OF  
PINELLAS PARK

REV 1 UPDATED ANNEXATION MAP 1/25/2023 TBM

**NOTES:**

1. BEARINGS FOR THIS SKETCH OF DESCRIPTION ARE BASED ON THE CENTERLINE OF 107TH TERRACE NORTH (107TH TERRACE PER PLAT), ACCORDING TO THE MAP OR PLAT OF COUNTRY HAVEN, AS RECORDED IN PLAT BOOK 97, PAGE 42, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA. HAVING A BEARING OF S89°40'54"E.
2. ADDITIONS OR DELETIONS TO THIS SKETCH OF DESCRIPTION OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED.
3. THIS SKETCH OF DESCRIPTION IS BASED ON U.S. SURVEY FEET.
4. THIS SKETCH OF DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND MAY BE SUBJECT TO EASEMENTS, RESTRICTIONS, RIGHTS-OF-WAY AND OTHER MATTERS OF RECORD. THE GEOMETRY AS DESCRIBED ON THE RECORDED DOCUMENTS AS NOTED HEREIN AND IS SUBJECT TO AN ACCURATE FIELD BOUNDARY SURVEY.
5. THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1/200 OR SMALLER.

# TRANSYSTEMS

565 SOUTH HERCULES AVENUE  
CLEARWATER, FL 33764  
PHONE 727.822.4151  
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HEREON.

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**SKETCH OF DESCRIPTION**  
**5944 107TH TERRACE NORTH**  
**PINELLAS PARK**

PINELLAS COUNTY

FLORIDA

PROJECT NO.	SE22.491
DATE:	9/23/2022
DRAWN:	TBM
SCALE:	1" = 200'
SHEET NO.	3 OF 3



# 5944 107th Terrace N Aerial

- Legend
- Master Address Points
  - Parcel Lines
  - Centerlines
  - Private Roads
  - Pinellas Park
  - Rights of Way



Notes:



1: 1,128

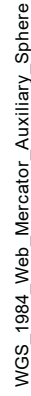
94.0 0 47.02 94.04 Feet

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

### Legend



Notes:

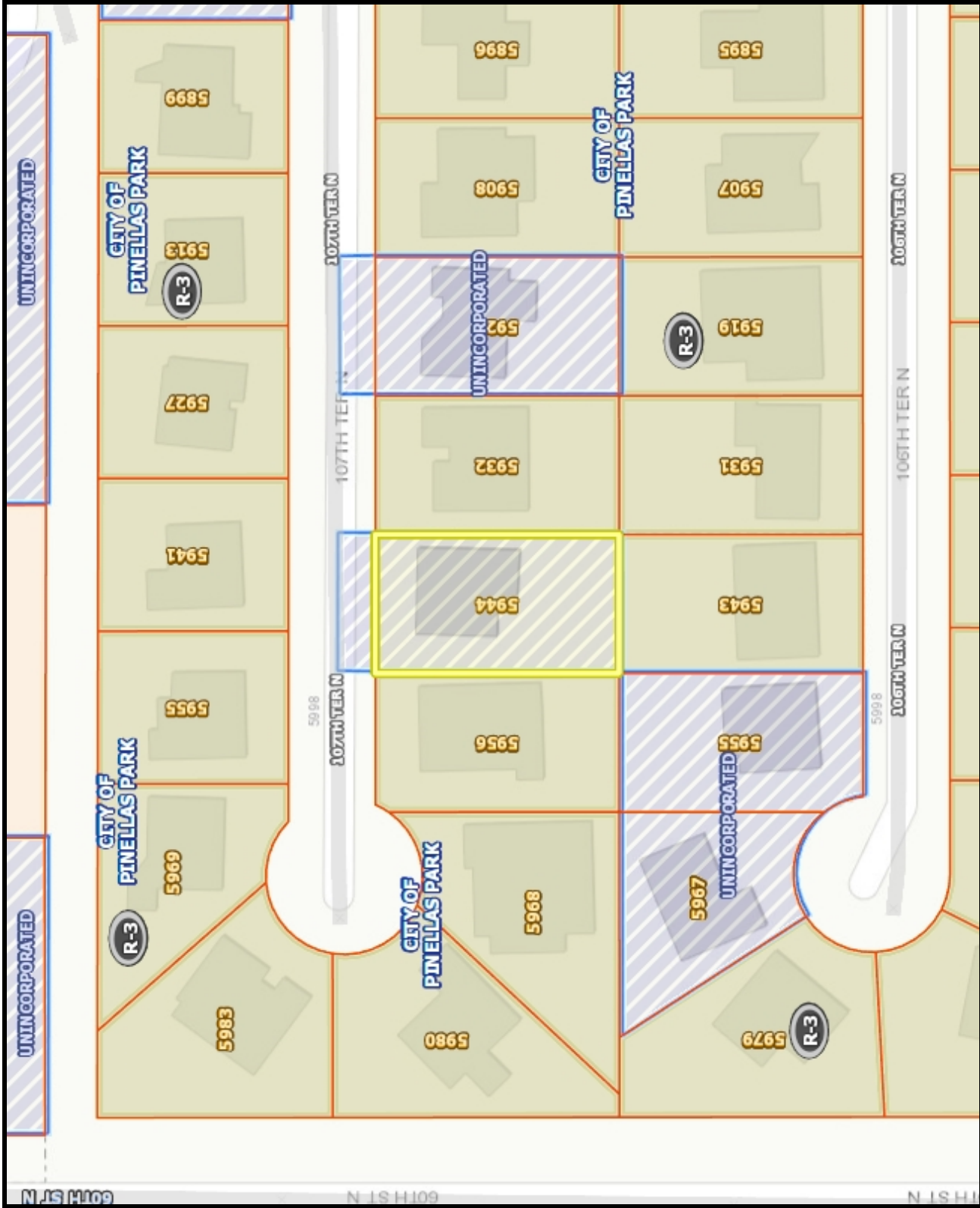




# 5944 107th Terrace N Zoning

## Legend

- Master Address Points
- Parcel Lines
- Centerlines
- Pinellas Park
- Zoning Borders
- General Commercial - B-1
- Heavy Commercial - CH
- Commercial Neighborhood - CN
- Commercial Planned Unit Development - C-PD
- Farm - F
- General Office - GO
- Heavy Industrial - IH
- Industrial Planned Unit Development - I-PUD
- IN REVIEW
- Light Industrial - M-1
- Residential / Office / Retail - ROR
- Mixed Use Development - MXD
- Mixed Unit Development - MXD-2
- Mixed Use Planned Unit Development - MU
- Open Space - O/S
- Public - P
- Preservation - PRES.
- Single Family Residential - R-1
- Single Family Residential - R-2
- Single Family Residential - R-3
- Duplex Residential - R-4
- Multifamily Residential - R-5
- Multifamily Residential/Commercial - R-6
- Single Family Residential Estate - R-E
- Residential Planned Unit Development - RP
- Rural Residential - RR
- Mobile Home Subdivision - T-1
- Mobile Home Park - T-2
- Town Center - TC
- Zoning Fill
- General Commercial - B-1
- Heavy Commercial - CH
- Commercial Neighborhood - CN
- Commercial Planned Unit Development - C-PD
- Farm - F



Notes:

1: 1,128

94.0

0

47.02

94.0

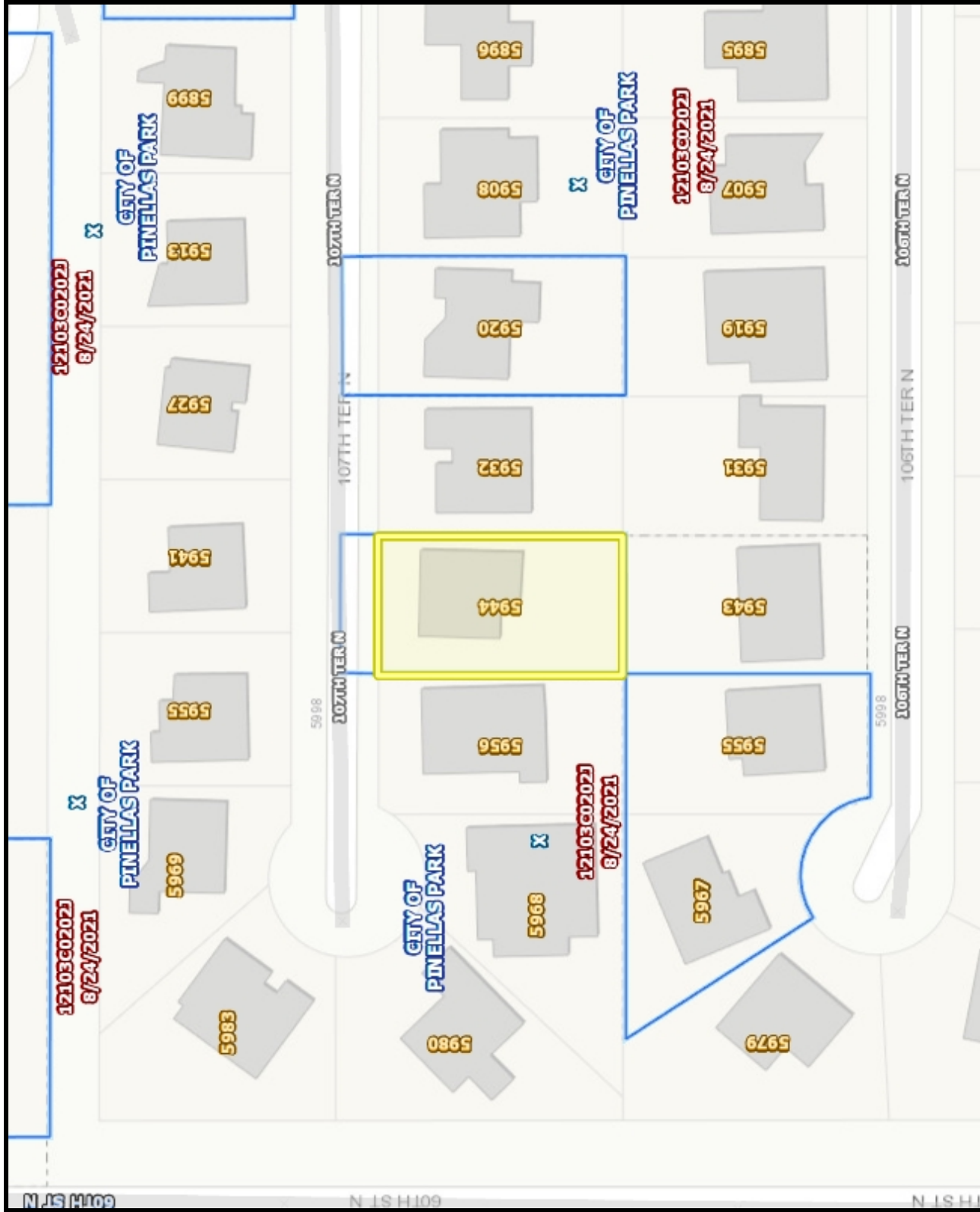
Feet

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

5944 107th Terrace N FEMA Digital FIRMS

Legend

- Master Address Points
- Centerlines
- Pinellas Park
- City Grid
- Letter of Map Amendment
- Cross Sections
- Hydraulic Structures
  - Bridge
  - Culvert
  - Weir
  - Wing Wall
- Base Flood Elevation
- Letter of Map Revision
- FIRM Panels
- Flood Hazard Lines
  - LIMIT LINES
  - SFHA / FLOOD ZONE BOUNDARY
- Flood Hazard Areas
  - <all other values>
  - 1% Annual Chance Flood Hazard (A, AE, AI)
  - Combined Riverine and Coastal Floodplain
  - Coastal Floodplain (AE)
  - 0.2% Annual Chance Flood Hazard in Cont Coastal Zone (X)
  - 0.2% Annual Chance Flood Hazard (X)
  - 0.2% Annual Chance Flood Hazard in Coas
  - Area of Minimal Flood Hazard (X)
  - Riverine Floodway in Combined Riverine an (AE)
  - Floodway (AE)



Notes:

1: 1,128

94.0 Feet

47.02 Feet

0

94.0





