

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP BY PROVIDING FOR A CHANGE IN THE ZONING DISTRICT FOR A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT PARCEL NO. 17-30-16-69750-100-3102 AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", WHICH IS ATTACHED HERETO AND MADE A PART HEREOF; CHANGING THE ZONING DISTRICT FROM RURAL RESIDENTIAL (RR) TO SINGLE-FAMILY RESIDENTIAL (R-3) AND ADOPTING A MASTER PLAN AND SUPPORTING DOCUMENTATION FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) OVERLAY WITH UNDERLYING SINGLE-FAMILY RESIDENTIAL (R-3) ZONING FOR A FIVE (5) LOT SINGLE-FAMILY SUBDIVISION; 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. (REZ-2023-00001 and PUD-1223-00006; Northside Engineering, Inc.)

WHEREAS, the City of Pinellas Park, Florida, finds that it is in the public's interest to change the City's Official Zoning Map designation from Rural Residential (RR) to Single-Family Residential (R-3) and adopt a Master Plan and supporting documentation for a Residential Planned Unit Development (RPUD) overlay for a five (5) lot single-family subdivision for a certain parcel of land generally located at parcel no. 17-30-16-69750-100-3102 and more particularly described in Exhibit "A" attached hereto and made a part hereof; 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 Zoning Map and changes the following described property from Rural Residential (RR) to Single-Family Residential (R-3) with a Residential Planned Unit Development (RPUD) overlay:

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

For the purposes of Section 18-1529, Planned Unit Development District, of the City's Land Development Code, the Single-Family Residential (R-3) Zoning District shall be considered the underlying zoning on the aforementioned property at the time of rezoning to Residential Planned Unit Development (RPUD).

SECTION TWO: That the Master Plan and Supporting Documentation for the Residential Planned Unit Development (RPUD) are adopted for the purpose of controlling development on the 1.779 acres MOL parcel of land described as follows:

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

The following attached Exhibit "B" shall be controlling as to the development of said residential development, and is adopted as part of this ordinance as:

EXHIBIT "B" - MASTER PLAN

And, that the following conditions of approval be adopted:

1. Development controls are established through the development order, consisting of the application, staff report, and preliminary and final site plans along with any accompanying text or graphics constituting land development regulations applicable to the subject site. The submitted site plan, prepared by Northside Engineering, Inc., and last revised January 17, 2023 and as may be directed by City Council to revise as a result of their review, shall be accepted as the controlling site plan for the development. All regulations not addressed in the site plan and supporting documentation shall default to the Code in effect at the time of Residential Planned Unit Development (RPUD) adoption.
2. Upon written request prior to the expiration of a development phase, the Planning and Development Services Director may approve an extension of up to one year.

SECTION THREE: 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 Local Government Comprehensive Planning and Land Development Regulation Act.

SECTION FOUR: 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 FIVE: That this ordinance shall become effective immediately upon its final passage and adoption.

PUBLISHED THE _____ DAY OF _____, 2023.

FIRST READING _____ DAY OF _____, 2023.

PUBLIC HEARING THE _____ DAY OF _____, 2023.

ADOPTED THIS _____ DAY OF _____, 2023.

AYES:

NAYES:

ABSENT:

ABSTAIN:

APPROVED THIS _____ DAY OF _____, 2023.

ATTEST:

Sandra L. Bradbury
MAYOR

Diane M. Corna, MMC
CITY CLERK

EXHIBIT "A"

LEGAL DESCRIPTION

THE NORTH 1/2 OF THE SOUTH 3/5THS OF FARM 31 IN SECTION 17, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS FARMS, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, PAGE 4 AND 5, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA OF WHICH PINELLAS COUNTY WAS FORMERLY A PART, LESS AND EXCEPT THE WEST 243.00 FEET THEREOF; BEING THOSE PARTS DESCRIBED IN DEEDS RECORDED IN OFFICIAL RECORDS BOOK 6451, PAGE 810 AND IN OFFICIAL RECORDS BOOK 6714, PAGE 886 AND LESS AND EXCEPT THAT PORTION DESCRIBED IN OFFICIAL RECORDS BOOK 19558, PAGE 2048, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

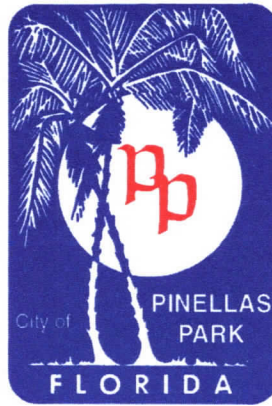
Exhibit "B"

MASTER SITE PLAN

(Prepared and submitted by Northside Engineering, Inc.
and last revised on January 17, 2023)

City of
PINELLAS PARK

5141 78TH AVE. • P.O. BOX 1100
PINELLAS PARK, FL 33780-1100



FLORIDA

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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

February 2, 2023

Ms. Megan Montesino
Development Review Manager
City of Pinellas Park
P. O. Box 1100
Pinellas Park, Florida 33780-1100

RE: City Document #23-023
Ordinance for Case No. REZ-2023-00001 and PUD-1223-00006

Dear Ms. Montesino:

Our office has received and reviewed the above-referenced proposed Ordinance to rezone property with an RPUD Overlay.

It appears that the third "Whereas" paragraph contained at the top of page 2 is a repeat of and does not state anything that is not already contained in the opening "Whereas" paragraph on page 1. If so, the paragraph at the top of page 2 should be eliminated.

At the top of page 3 where the sentence starts "Where the following," we would suggest that the word "Where" be eliminated and the sentence start with "The following"

Additionally, in comparing the legal description as set forth on Exhibit "A" with the legal description on Exhibit "B," it appears that in the second line of the legal description on Exhibit "A" there may be a typographical error, in that the phrase "\ '84" should not be included in the legal description.

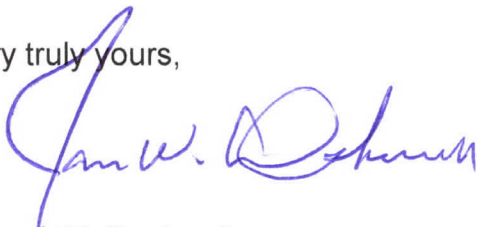


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Ms. Megan Montesino
February 2, 2023
Page 2

With consideration and correction of the above items, we would otherwise approve of the proposed Ordinance as to form and correctness.

Very truly yours,



James W. Denhardt
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

JWD/dh

23-023.02022023.LMM.Ord for Cases REZ-2023-0001 & PUD-1223-00006.wpd



Prepared by: Megan Montesino
Development Review Manager

I. APPLICATION DATA

A. **Case Number:** REZ-2023-00001 and PUD-1223-00006

B. **Location:** 0 59th Street N. (Parcel No. 17-30-16-69750-100-3102)

C. **Request:**

REZ-2023-00001: Rezone from Rural Residential (RR) to Single-Family Residential (R-3) Zoning District for a proposed five-lot single-family subdivision.

PUD-1223-00006: Residential Planned Unit Development (RPUD) overlay to develop a five-lot single-family subdivision.

D. **Applicant:** Northside Engineering, Inc. and Suncoast Custom Developers, LLC

E. **Authorized Agent:** Northside Engineering, Inc. and Suncoast Custom Developers, LLC

F. **Property Owner:** Nang Nguyen

G. **Legal Ad Text:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP BY PROVIDING FOR A CHANGE IN THE ZONING DISTRICT FOR A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT PARCEL NO. 17-30-16-69750-100-3102 AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", WHICH IS ATTACHED HERETO AND MADE A PART HEREOF; CHANGING THE ZONING DISTRICT FROM RURAL RESIDENTIAL (RR) TO SINGLE-FAMILY RESIDENTIAL (R-3) AND ADOPTING A MASTER PLAN AND SUPPORTING DOCUMENTATION FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) OVERLAY WITH UNDERLYING SINGLE-FAMILY RESIDENTIAL (R-3) ZONING FOR A FIVE (5) LOT SINGLE-FAMILY SUBDIVISION; 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. (REZ-2023-00001 and PUD-1223-00006; Northside Engineering, Inc.)

H. **PARC Meeting:** January 10, 2023

I. **Public Hearings:**

Planning & Zoning Commission Hearing Date: March 2, 2023

Advertising Date: February 14, 2023

City Council Hearing Date (1st Reading): April 13, 2023

City Council Hearing Date: April 27, 2023

Advertising Date: April 12, 2023

II. BACKGROUND INFORMATION

A. Case Summary:

The applicant is requesting to rezone the 1.779-acre parcel from Rural Residential (RR) to Single-Family Residential (R-3) with a Residential Planned Unit Development (RPUD) overlay to develop a five-lot single-family subdivision. The existing land use designation is Residential Low (RL), which is compatible with the proposed R-3 zoning.

The subject property is surrounded by single-family lots of various sizes and zoning, with Single-Family Residential (R-2) zoning to the north; Rural Residential (RR) zoning to the south and west; and County One, Two, or Three Family Residential (R-4) zoning to the east.

The existing RR zoning has a maximum density of 2.1 units per acre, which would allow for 3 units. The applicant is proposing to rezone the property to R-3, which has a density of 4.3 units per acre, and would allow for a maximum of 7 units; however, the applicant is only proposing 5 units.

Single-Family Residential (R-3) requires a secondary front yard setback of 25 feet. The applicant is proposing the secondary front yard setback on Lot One to be 15 feet due to the required 20-foot right-of-way dedication.

The applicant is also requesting relief, through the PUD, to lot area, lot width, and secondary setback requirements. Single-Family Residential (R-3) requires a minimum lot area of 10,000 square feet and minimum lot width of 80 feet, or 95 feet for corner lots. The applicant is proposing the following:

Lot One

- Lot Area: 10,667 square feet
- Lot Width: 85 feet *

Lot Two

- Lot Area: 8,798 square feet *
- Lot Width: 80 feet

Lot Three

- Lot Area: 8,165 square feet *
- Lot Width: 80 feet

Lot Four

- Lot Area: 14,801.8 square feet
- Lot Width: 68.8 feet *

Lot Five

- Lot Area: 10,262.6 square feet
- Lot Width: 80 feet

** The width of Lot One and Lot Four and the area of Lot Two and Lot Three do not meet Code requirements, but can be approved through the PUD.*

B. Site Area: 79,482 square feet / 1.779 acres

C. Property History:

In 1991, the subject property was annexed into the City of Pinellas Park from Pinellas County. In January 2022, the applicant submitted a Rezoning and PUD application (case nos. REZ-2022-00001 and PUD-0122-00004). However, the cases were denied at the April 28, 2022 City Council meeting.

D. Existing Use: Vacant

E. Proposed Uses: Single-Family Residential (5 units)

- F. **Current Land Use:** Residential Low (RL)
- G. **Current Zoning District:** Rural Residential (RR)
- H. **Proposed Zoning District:** Single-Family Residential (R-3) with RPUD Overlay
- I. **Flood Zone:** The subject property is located in Flood Zone X, which is a low-risk flood zone.
- J. **Evacuation Zone:** This 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.
- K. **Vicinity Characteristics:**

	Zoning	Land Use	Existing Use
North	R-2 (City)	RL (City)	Single-Family Residential
South	RR (City)	RL (City)	Single-Family Residential
East	R-4 (County)	RL (County)	Single-Family Residential
West	RR (City)	RL (City)	Single-Family Residential

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:**

Use Characteristics – Those uses appropriate to and consistent with this category include:

Primary Uses – Residential

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

Locational Characteristics – This category is generally appropriate to locations outside urban activity centers; in areas where use and development characteristics are low density residential in nature; and in areas serving as a transition between more suburban and more urban residential areas. These areas are generally served by and accessed from minor and collector roadways that connect to the arterial and thoroughfare highway network.

Traffic Generation Characteristics – The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 50 trips per day per acre.

Density/Intensity Standards – Residential Use - Shall not exceed five (5) dwelling units per acre

3. **Relevant Policies:**

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.

OBJECTIVE LU.1.12

The City shall continue to encourage innovative land development techniques, including planned unit developments and other mixed-use development and redevelopment techniques, in order to achieve the following objectives:

- a. Encourage development that is compatible with the natural environment and the overall vision of the community*
- b. Provide vibrant and safe walkable areas*
- c. Concentrate growth in relatively discrete areas that are compatible with the community character*
- d. Place housing in proximity to employment opportunities, services, and amenities*
- e. Establish urban areas that support transportation choices other than privately-owned vehicles and are more efficiently served by transit*
- f. Establish well-designed urban environments that create vibrant, livable places*
- g. Provide locations that create a range of housing opportunities and choices, including the provision of affordable housing*
- h. Provide urban areas that incorporate well-designed open and public spaces*
- i. Encourage a pattern of land use that is more efficient in the use of energy and reduces the emission of greenhouse gases.*

POLICY LU.1.12.2

Through the application of innovative land development regulations, the City will support planned residential developments and mixed land use development techniques that include intensity and use restrictions designed to make these developments more livable and compatible with the natural and built environments.

POLICY LU.1.13.6

Encourage infill residential development that is consistent and compatible with surrounding land uses.

POLICY LU.1.14.2

Encourage the use of transfers of development rights (TDRs), Planned Unit Developments, and other innovative development techniques to support mixed use development and livable communities.

POLICY H.1.1.2

Through utilization of Planned Unit Developments, subdivision regulations, and other provisions of the Land Development Code, the City shall continue to encourage innovative housing development techniques that contribute to livability, mobility, cost efficiency, sustainability, and sound construction principles.

POLICY H.1.1.3

The City shall continue to encourage redevelopment and urban infill residential development that are compatible with and support the integrity and viability of existing residential neighborhoods

4. Staff Analysis:

The proposed rezoning and PUD would promote development that is compatible with the neighborhood and surrounding uses. Rezoning to R-3 with a RPUD overlay is consistent with the current land use designation and with the Goals, Objectives, and Policies of the adopted Comprehensive Plan.

B. Zoning District / Land Development Code Standards:

1. Proposed 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).

The Planned Unit Development District (PUD) serves as an overlay to existing zoning classifications. In this role, the PUD provides an alternative to conventional zoning districts, at the property owner's option. The PUD may be established at appropriate locations and in accordance with the Comprehensive Plan

and Land Development Regulations of the City of Pinellas Park. In fulfillment of this intent, the PUD provides standards and guidelines by which flexibility may be accomplished so that:

- (A) A creative approach may be taken for the development of large tracts of land and the redevelopment of older, smaller areas.
- (B) More open space may be accomplished than would be possible through the strict application of the provisions of this Article.
- (C) Land may be used more efficiently, resulting in smaller networks of utilities and streets, consequently reducing construction and maintenance costs.
- (D) Harmonious development of the site and the surrounding areas, community facilities, and traffic circulation can be encouraged.
- (E) Non-traditional lot layout or site design may be permitted.

The development guidelines are provided as a basis from which a typical PUD can proceed. However, City Council retains the absolute authority to establish limitations and regulations thereon for the benefit of the public health, welfare and safety, and may modify these guidelines based on the merits of the project, the character of the surrounding area and potential adverse impacts on this area, size, configuration, and natural features of the land to be developed, adequacy of off-site improvements, traffic impact and nature of the proposed development. Where there are conflicts between these PUD regulations and general zoning, subdivision, or other applicable regulations of the City of Pinellas Park, those adopted by and shown on an adopted Master Plan, as defined herein, shall govern.

2. Key Standards:

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

Sec. 18-1511.2. - DENSITY REGULATIONS.

A maximum of four and three-tenths (4.3) dwelling units per net acre shall be permitted in the "R-3" Single-family Residential District.

For lots located within the Residential Low (RL), Residential Urban (RU) and Residential Low Medium (RLM) Land Use Plan Map categories, public/semi-public uses (except Public Educational Facilities) shall not exceed a maximum area of five (5) gross acres. Ancillary nonresidential or Transportation/Utility uses shall not exceed three (3) acres. Any such use, alone or when added to existing abutting or functionally abutting like uses, which exceeds the threshold stated above shall require a Land Use Plan Map amendment to Institutional (I), Transportation/Utility (T/U), or other future land use plan category (as appropriate), which shall include such use and all abutting or functionally abutting like uses.

Sec. 18-1511.3. - PERMITTED AND CONDITIONAL USES.

Land Use	Approval Type	Conditions
Dwellings, Single-family Detached	P	

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.

SECTION 18-1529. - PLANNED UNIT DEVELOPMENT DISTRICT

Sec. 18-1529.8. - RESIDENTIAL PUD.

- (A) **LOCATION.** The Residential PUD (RPUD) overlay shall only be assigned to those areas where the underlying zoning district(s) permit residential development and the primary intended use of the property is residential.
- (B) **USES.** The uses permitted in RPUD districts shall be limited to those "permitted" or "conditional uses" allowed by the underlying zoning district and Land Use Plan Map designation existing on the subject property at the time of application to rezone to RPUD. In addition to those "permitted" and "conditional uses", the following uses may be approved:
1. Duplex dwellings.
 2. Multifamily dwellings.
 3. Zero lot line dwellings.
 4. Nursing homes, convalescent homes and sanitariums.
 5. Community Residential Home (more than fourteen (14) residents).
 6. Attached singled family dwellings.
 7. Conditional uses shall adhere to the applicable provisions of Section 18-1531 of this Article.
 8. Nonresidential uses are permitted only in RPUD's of five (5) acres or more and shall include only those uses allowed as a permitted or conditional use by the underlying zoning district and Land Use Plan Map category. For parcels located within the Residential/Office/Retail (ROR) land use plan map category, public/semi-public uses shall not exceed a maximum area of three (3) acres for "Transportation/Utility Uses" and five (5) acres for "Institutional Uses" (except that Public Educational Facilities are not subject to this threshold).
- (C) **DIMENSIONAL REGULATIONS.**
1. Lot Area, Lot Depth and Width, Setback Regulations, Height Requirements. See underlying Zoning District for dimensional regulation guidelines.
 2. Should the established regulations be inappropriate for non-traditional lot layout or site design (i.e. mixed use development, cluster homes, zero lot line, etc.) the following guidelines are established.
 - (a) No minimum lot size. However, justification for the deviation from established regulations of the underlying zoning district shall be provided. In addition, residential developments which propose lot areas less than the minimum lot sizes shall provide usable open space based on the difference between the stated minimum lot area and the proposed lot area, said open space to be located within said plat or phase where the alternative style is proposed.
 - (b) Structural setbacks. In determining flexible setbacks, a variety of criteria will be considered including, but not limited to, the character of the surrounding area (zoning and existing land uses), size, configuration and natural features of the land to be developed, potential impact on abutting development, and the nature of the proposed development.
- Exception: Zero lot line development shall meet the following minimum setback requirements:
- (1) Side Yard Setbacks: Zero (0) feet on one side and five (5) feet on the other.
 - (2) No openings may be located in the on-the-line-wall.
 - (3) The on-the-line-wall shall be constructed with low maintenance decorative masonry or masonry veneer, or any other material as permitted by the adopted Florida Building Code based on type of construction.

- (4) The on-the-line wall shall not be located adjacent to a public right-of-way.
- (5) An easement for maintenance purposes shall be provided.
- (c) Height. Flexibility in building height will be allowed provided that the proposed height is compatible with the surrounding neighborhood. Increased setbacks and buffering to compensate for added building height may be considered to reduce the impact on abutting properties.
- (d) Minimum Livable Floor Area.

Single-family Attached		Multifamily	
# of bedrooms	Req. interior floor space	# of bedrooms	Req. interior floor space
Efficiency	650	Efficiency	500
One (1)	750	One (1)	650
Two (2)	850	Two (2)	750
Three (3) or more	1,000	Three (3)	900

Single-Family Detached: One thousand (1,000) square feet.

Zero Lot Line: Eight hundred fifty (850) square feet.

- (D) DENSITY. The net density of the PUD shall not exceed that allowed by the underlying zoning districts unless subject to a density bonus authorized by this Chapter in conformance with the comprehensive plan.

(E) RECREATIONAL FACILITIES.

1. At the time of consideration of the Master Plan for an RPUD, City Council will review the suitability of any recreational facilities proposed for the development. This review will be based on the size of the development, the demographics of the anticipated population, and proximity to existing or proposed public recreational facilities.
2. The location, type, and size of the proposed recreational facilities as well as their development schedule shall be incorporated into the Master Plan.
3. After review of the proposed recreational facilities, City Council may approve the recreational facilities as proposed or may approve alternative types and locations of recreational facilities.
4. Parkland dedication credit for any recreational facilities provided as part of the RPUD shall be calculated pursuant to Article 3 of this Land Development Code.
5. Onsite Meeting Hall.
 - (a) In any RPUD of eighty (80) residential units or more and which has a homeowners or condominium association which requires an annual meeting, an onsite meeting hall shall be provided.
 - (b) The meeting hall shall be large enough to accommodate the number of unit owners which constitute a quorum as established in Florida Statutes or by the bylaws of the homeowners association or condominium.
 - (c) The requirement for an onsite meeting hall may be waived by City Council upon a finding that the size and nature of the development, the demographics of the anticipated population, and the availability of adequate alternative meeting locations render the requirement of an onsite meeting hall unnecessary.

Section 18-1539. - AMENDMENTS TO ARTICLE 15, "ZONING CODE" & OFFICIAL ZONING MAP

Sec. 18-1539.1. - APPLICABILITY.

The regulations, restrictions, and boundaries set forth in this Article 15 "Zoning Code" may from time to time be amended, supplemented, changed, or repealed in accordance with the following regulations.

Sec. 18-1539.2. - PROCEDURE.

- (A) APPLICATION FILING. Petitions for amendment to Article 15 and the Official Zoning Map shall be filed on forms provided by the City and shall be submitted to the Zoning Division.
 1. An application for amendment to the text of Article 15 may be filed only by the City Council or the City Manager. The CRA, Board of Adjustment and Planning and Zoning Commission may make recommendations to the City Council for amendment to Article 15.
 2. An application for amendment to the Official Zoning Map may be filed only by the City Council, City Manager, or by an owner of real property that is located within the City. The CRA, Board of Adjustment and Planning and Zoning Commission may make recommendations to the City Council for amendment to the Official Zoning Map.
- (B) PUBLIC NOTICE. Notice of the public hearing shall be given as provided under Section 18-1534, "Public Notice Requirements".
- (C) PUBLIC HEARING PROCEDURE.

1. *The Planning and Zoning Commission shall hear the application at a public hearing, acting in an advisory capacity to the City Council as the Local Planning Agency when required by F.S. ch. 163, pt. II. The Planning and Zoning Commission shall submit written reasons for its recommendations, and its determinations related to the application review criteria listed in Section 18-1539.3, "Review Criteria", below.*
 2. *The City Council shall hear the application during a separate public hearing and shall consider the recommendation of the Local Planning Agency if applicable in its decision to approve or deny the application.*
 3. *Public hearings for map amendments shall be conducted pursuant to the quasi-judicial procedures set forth in Resolution No. 94-65 unless otherwise determined by the City Attorney. Public hearings for text amendments are legislative in nature, and are not subject to quasi-judicial procedures.*
- (D) *BURDEN OF PROOF. The applicant shall bear the burden of demonstrating, by competent substantial evidence that the evidence on the record demonstrates that a map amendment should be granted.*
- (E) *ADOPTION. Amendments to the Official Zoning Map and to Article 15 shall be by Ordinance of the City Council.*

Sec. 18-1539.3. - REVIEW CRITERIA.

- (A) *For amendments to Article 15, the Planning and Zoning Commission and City Council shall be guided by the requirement that the amendment be consistent with the Comprehensive Plan.*
- (B) *For map amendments, the Planning and Zoning Commission and City Council shall be guided by the following considerations:*
1. *Whether the available uses to which the property may be put are appropriate to the property under accepted planning practices in question and compatible with existing land uses and planned uses in the area.*
 2. *Whether the numerical and dimensional development requirements which govern the development of the property will sufficiently safeguard the integrity and character of the area.*
 3. *Whether the amendment will constitute a grant of special privilege to an individual owner.*
 4. *Whether there are adequate provisions for water supply and treatment, sanitary sewer collection, transmission and treatment, drainage, and solid waste collection and disposal within the service area involved.*
 5. *Whether there are adequate provisions for traffic movement and safety, both vehicular and pedestrian, in the area.*
 6. *Whether there are adequate provisions for schools, parks, and mass transit within the service area involved.*
 7. *Whether the district boundaries are appropriately drawn with due regard to locations and classifications of streets, ownership lines, and existing improvements, or whether there is another error or ambiguity that must be corrected.*
 8. *Whether changed or changing conditions make the adoption of the proposed amendment necessary or appropriate, including but not limited to, substantial reasons that the property cannot be used in accordance with the existing zoning.*
 9. *Whether the amendment will be likely to have an adverse effect on the existing natural environment and natural resources.*
 10. *Whether the proposed amendment is consistent with the Comprehensive Plan and, if applicable, the Community Redevelopment Plan.*

3. Staff Analysis:

The proposed R-3 Zoning District allows single-family detached homes as a permitted use, with a density of 4.3 dwelling units per acre. The applicant is proposing five units, which meets the density of the underlying zoning district and is below the maximum allowed density of 7 units.

Section 18-1539 of the Land Development Code provides criteria to guide amendments to the Official Zoning Map. Staff finds the following concerning those criteria:

1. The proposed zoning map amendment is compatible with the existing and planned uses in the area.
2. The proposed use will comply with the requirements of the Single-Family Residential (R-3) Zoning District.

3. There is no special privilege to be granted.
4. The Pinellas Park Public Works Department has expressed no concerns over the availability of services for the proposed use.
5. Vehicular access to the site is from 59th Street N., with 110th Ave N. approximately 175 feet (0.03 miles) south of the subject property.
6. Helen Howarth Community Park, Freedom Lake Park, and Granada Circle Park are approximately 1 mile from the subject property. Mass transit (bus) is available along US Highway 19, approximately 0.50 feet from the site. The Pinellas County School District does not foresee an issue providing services for the proposed five single-family lots. The three zoned schools are Cross Bayou Elementary, Fitzgerald Middle School, and Pinellas Park High School, which all have sufficient existing capacity to absorb new students.
7. District boundaries are appropriate based on locations and classifications of streets, ownership lines, and existing improvements, or whether there is another error or ambiguity that must be corrected.
8. Changing conditions of the neighborhood necessitate the amendment. In order to increase density and allow the proposed 5 single-family dwellings, it would be necessary for the applicant to rezone. The subject property is surrounded by single-family lots of various sizes, with R-2 (Single-Family) Zoning to the north; County R-4 (One, Two, Three Family Residential) Zoning to the east; and RR (Rural Residential) Zoning to the south and west.
9. The site is not located within designated wetland or preservation areas.
10. Staff finds that the proposed rezoning request is consistent with the Comprehensive Plan.

C. Project Application Review Committee (PARC) Comments:

The application was discussed at the January 10, 2023 PARC meeting by all relevant departments/divisions. All comments have been satisfied.

IV. SUMMARY

A. Findings:

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

1. Rezoning from Rural Residential (RR) to Single-Family Residential (R-3) with a Residential Planned Unit Development (RPUD) overlay is appropriate based on surrounding zoning;
2. The proposal meets the intent of the proposed Single-Family Residential (R-3) Zoning per the Land Development Code;
3. The requested map amendment is consistent with the Goals, Objectives, and Policies of the adopted Comprehensive Plan, as well as the regulations of the Land Development Code.

B. Staff Recommendation:

Consistent with the above findings, staff recommends **APPROVAL** of case numbers REZ-2023-00001 and PUD-1223-00006.


 Erica Lindquist, AICP, CFM
 Planning & Development Services Director


 Date


 Nick A. Colonna, AICP, Community Development Administrator
 or Aaron Petersen, Asst. Community Development Administrator


 Date

V. ACTION

PLANNING & ZONING COMMISSION – MOVE TO:

A. RECOMMEND APPROVAL

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

C. RECOMMEND DENIAL

... of a request to rezone from Rural Residential (RR) to Single-Family Residential (R-3) Zoning District with a Residential Use Planned Unit Development (RPUD) overlay to develop a five-lot single-family subdivision.

VI. ATTACHMENTS

Exhibit A: Rezoning and PUD Applications with Legal Description

Exhibit B: PUD Master Plan

Exhibit C: Survey

Exhibit D: Aerial Map

Exhibit E: Land Use Map

Exhibit F: Zoning Map

Exhibit G: Flood Insurance Rate Map



Rezoning Application

City of Pinellas Park
Planning and Development Services
6051 78th Avenue North
Pinellas Park, FL 33781
(727) 369-5631

FOR OFFICE USE ONLY

CASE # Z REZ-2023-00001

Date Received: 12/21/2022

Plat Sheet: _____

Related Cases: PUD-1223-00006

Receipt Number: _____

Land Use Designation: Residential Low (RL)

Zoning District: Rural Residential (RR)

Public Meetings Required: Yes No

Dates: PZ: 3/2/23 CRA/CC: 4/27/23

REQUEST AND PROPERTY INFORMATION

Specific Request:

Requesting Site Plan Approval for Re-zoning and PUD Overlay for Parkview Terrace Subdivision.

General Location of property or address:

Just North of 110th Avenue on 59th Street West side of the road.

Property Size:

1.778 acres/77,482 square feet

Current Use:

Vacant Land

Parcel Number(s):

17-30-16-69750-100-3102

Legal Description: Lot: _____ Block: _____ Subdivision: _____

or

Metes and Bounds Description (attach if lengthy):

**PINELLAS FARMS NE 1/4, SEC 17-30-16 N 1/2 OF S 3/5 OF FARM 31 LESS W 243FT & LESS
THOSE PARTS DESC IN O.R. 6451/810, O.R. 6714/886 & O.R. 19558/2048**

OWNER/APPLICANT INFORMATION

Property Owner:

Nang Nguyen

Phone: _____

Mailing Address (include city, state, zip code):

7780 49th Street North, Suite 282, Pinellas Park, Florida 33781

Attn to: _____

Email Address:

ntn001@gmail.com

Authorized Agent Name:

Housh Ghovae, CEO ~ Northside Engineering, Inc.

Relationship to Owner:

Authorized Agent

Email Address:

housh@northsideengineeeng.net

Phone:

727-443-2869

Authorized Agent Address (include city, state, zip code):

300 South Belcher Road, Clearwater, Florida 33765

I (we) the undersigned do certify that the information contained in this application is true and correct to the best of my (our) knowledge.

Signature of Property Owner

Signature of Agent

Housh Ghovae, CEO ~ Northside Engineering, Inc.



Planned Unit Development Application

City of Pinellas Park
Planning and Development Services
6051 78th Avenue North
Pinellas Park, FL 33781
(727) 369-5631

FOR OFFICE USE ONLY

CASE # **PUD -1223-00006**
Date Received: **12/21/2022**
Plat Sheet: _____
Receipt Number: _____
Land Use Designation: **Residential Low (RL)**
Zoning District: **Rural Residential (RR)**
Public Meetings Required: **P&Z and CC**
Related Cases: **REZ-2023-00001**

REQUEST AND PROPERTY INFORMATION

Specific Request: Requesting Site Plan Approval for Re-zoning and PUD Overlay for Parkview Terrace Subdivision.	
General Location of property or address: Just North of 110th Avenue on 59th Street West side of the road.	
Property Size (Acreage or Square Feet): 1.778 acres/77,482 square feet	Current Use, Number and Type of Buildings: Vacant Land
Parcel Number(s): 17-30-16-69750-100-3102	
Legal Description: Lot: _____ Block: _____ Subdivision: _____ Or Metes and Bounds Description (attach if lengthy): PINELLAS FARMS NE 1/4, SEC 17-30-16 N 1/2 OF S 3/5 OF FARM 31 LESS W 243FT & LESS THOSE PARTS DESC IN O.R. 6451/810, O.R. 6714/886 & O.R. 19558/2048	

OWNER/APPLICANT INFORMATION

Property Owner: Nang Nguyen	Phone:
Address (include city, state, zip code): 7780 49th Street North, Suite 282, Pinellas Park, Florida 33781	
Authorized Agent: Housh Ghovae, CEO ~ Northside Engineering, Inc.	Phone: 727-443-2869
Address (include city, state, zip code): 300 South Belcher Road, Clearwater, Florida 33765	
Other Representative: Suncoast Custom Developers, LLC ~ Wayne Drash	Phone: 727-342-9146
Address (include city, state, zip code): 5901 Mangrove Street North, St. Petersburg, Florida 33703	

I (we) the undersigned do certify that the information contained in this application is true and correct to the best of my (our) knowledge.

Signature of Owner

Signature of Agent
Housh Ghovae, CEO ~ Northside Engineering, Inc.

****COMPLETE THE CHECKLIST ON PAGE 2 PRIOR TO SUBMITTING APPLICATION. ****

CITY OF PINELLAS PARK
AFFIDAVIT OF OWNERSHIP

STATE OF FLORIDA - COUNTY OF PINELLAS:

NAMES OF ALL PROPERTY OWNERS:

Nang Nguyen

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:

59th Street, Pinellas Park

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

PINELLAS FARMS NE 1/4, SEC 17-30-16 N 1/2 OF S 3/5 OF FARM 31 LESS W 243FT &
LESS THOSE PARTS DESC IN O.R. 6451/810, O.R. 6714/886 & O.R. 19558/2048

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):

Park View Terrace - 5 lot subdivision

3. That the undersigned (has) have appointed and (does) do appoint Northside Engineering, Inc. 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.

[Signature]
SIGNED (PROPERTY OWNER 1)

SIGNED (PROPERTY OWNER 2)

STATE OF FLORIDA

COUNTY OF Pinellas

The foregoing instrument was acknowledged before me by means of

☐ physical presence or ☐ online notarization, this 10th day of January, 2023.

By Nang T. Nguyen, who is
(Name of person acknowledging and title of position)

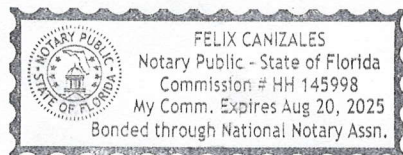
personally known to me or who has produced Florida DL
(Type of identification)

as identification and who DID / DID NOT take an oath.

Notary Public, Commission No. HH/45998

Felix Canizales

(Name of Notary- typed, printed or stamped)



(SEAL ABOVE)

LETTER OF AUTHORIZATION

This letter will serve as authorization for **Housh Ghovae** with Northside Engineering, Inc. to act as an agent for: **Park View Terrace** and to execute any and all documents related to securing permits and approvals for the construction on the property generally located: **59th Street North** (City of Pinellas Park) lying within PINELLAS County, State of FLORIDA.

[Signature]
Signature of Property Owner

7780 49th Street North, Suite 282
Address of Property Owner

Pinellas Park, Florida 33781
City/State/Zip Code

Nang Nguyen
Print Name of Property Owner

Owner
Title

727-452-3582
Telephone Number

State of Florida

County of Pinellas

The foregoing instrument was acknowledged before me this 10th day
of January, 2022, by Nang T. Nguyen, as Owner
F.C.
who is personally known to me or who has produced Florida DL
as identification and who did (did not) take an oath.



(SEAL ABOVE)

[Signature]
(Signature)
Commission # HH 145998

Notary Public
Expires: 08/20/2025

Felix Canizales (Name of Notary Typed, Printed or Stamped)

Prepared by:
Jackie Gaskins
Jem Title Services, LLC dba Crimmins Title
6245 Fourth Street North
St. Petersburg, Florida 33702

File Number: 00-21107

Schedule "A"

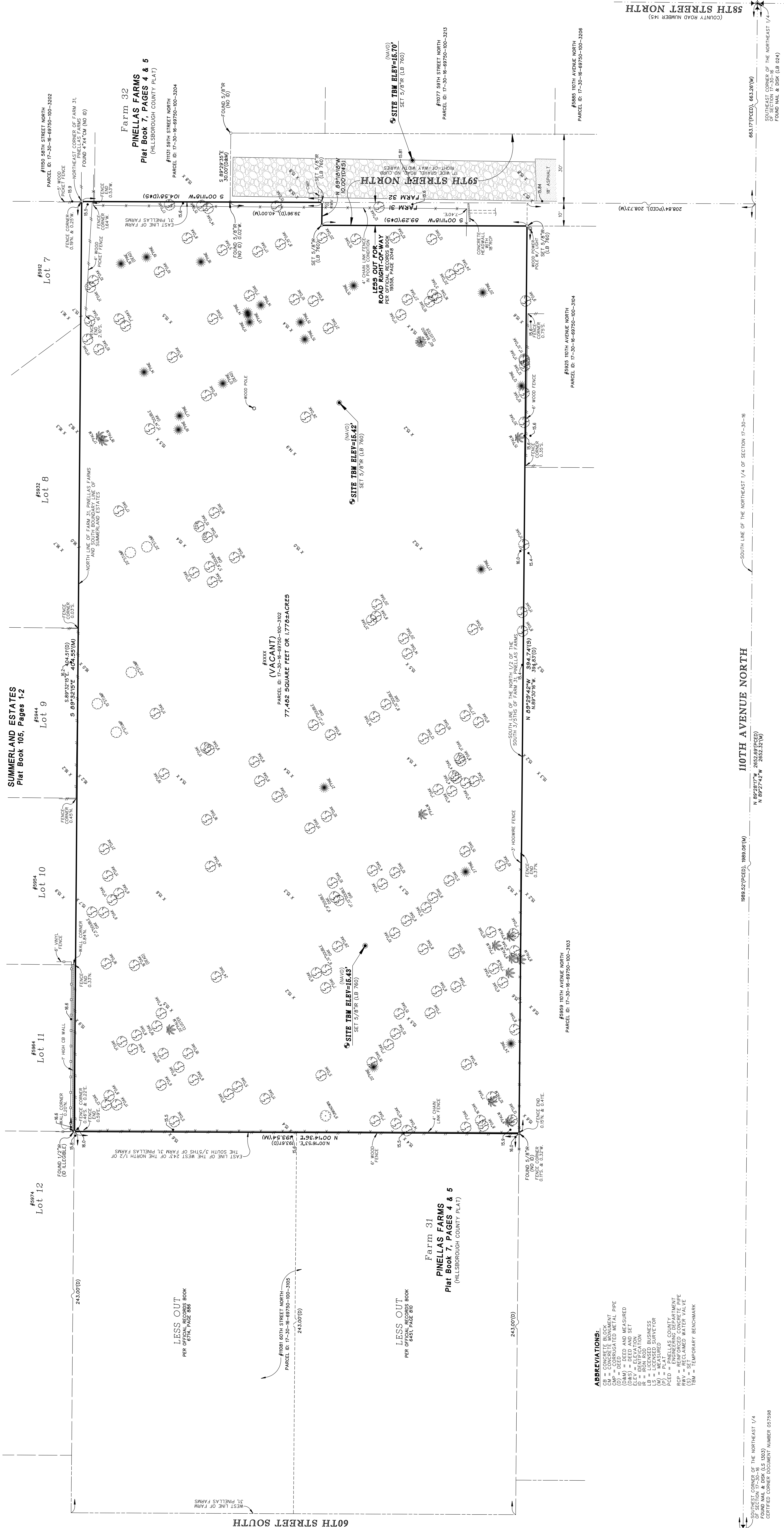
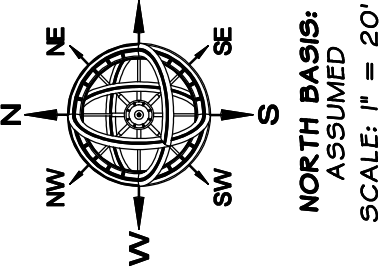
THE NORTH 1/2 OF THE SOUTH 3/5THS OF FARM 31 IN SECTION 17, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS FARMS\84 ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, PAGE 4 AND 5, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA OF WHICH PINELLAS COUNTY WAS FORMERLY A PART, LESS AND EXCEPT THE WEST 243.00 FEET THEREOF; BEING THOSE PARTS DESCRIBED IN DEEDS RECORDED IN OFFICIAL RECORDS BOOK 6451, PAGE 810 AND IN OFFICIAL RECORDS BOOK 6714, PAGE 886 AND LESS AND EXCEPT THAT PORTION DESCRIBED IN OFFICIAL RECORDS BOOK 19558, PAGE 2048, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 30 SOUTH, RANGE 16 EAST

LEGAL DESCRIPTION:
THE NORTH 1/2 OF THE SOUTH 3/4THS OF FARM 31 IN SECTION 17, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS FARMS, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 7, PAGE 4, AND 5 OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA OF WHICH PINELLAS COUNTY WAS FORMERLY A PART, LESS AND EXCEPT THE WEST 243.00 FEET THEREOF, BEING THOSE PARTS DESCRIBED IN DEEDS RECORDED IN OR BOOK 6451, PAGE 810 AND RECORDED IN OR BOOK 6714, PAGE 886 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

LESS THAT PORTION DEEDED FOR PUBLIC RIGHT--OF-WAY ACCORDING TO OFFICIAL RECORDS BOOK 19558, PAGE 2048 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

CERTIFIED TO:
NANG NGUYEN
NANG NGUYEN SERVICES, DBA CRIMMINS TITLE
FIDELITY NATIONAL TITLE INSURANCE COMPANY



FLMA Flood Zone Data:
FLOOD ZONE(S):
COMMUNITY PANEL #120251 1210300202 J
REVISED 8/24/21
Assumed Basis of Bearings:
NORTH LINE OF FARM 31, PINELLAS FARMS AS BEING THE SOUTH, PER PLAT
Reference Benchmark:
PINELLAS COUNTY MAP #8271 (HONEY G)
ELEV=15.599' NGVD, ADJUSTED TO
ELEV=14.77' NAVD, MSL=0.00'

NOTE:
This survey was prepared without the benefit of a title search and is subject to all easements, rights-of-way and other matters of record. Survey not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper.
This survey is made for the exclusive use of the current owners of the property and also those who purchase, mortgage or guarantee the title thereto within one (1) year from latest date shown hereon.

CERTIFICATION
I hereby certify that the survey presented hereon meets the requirements of Chapter 173, Florida Administrative Code.

JOHN C. BRENDLA
Florida Registered Professional Surveyor No. 4601
Certification Number No. 780

JOHN C. BRENDLA AND ASSOCIATES, INC.
Professional Land Surveyors and Mappers
JCB
4015 82nd Avenue North
Pinellas Park, Florida 33781
Telephone (727) 576-7346
Facsimile (727) 577-9932
2105-100.CRD LB 760

BOUNDARY SURVEY

REVISIONS			
No.	DESCRIPTION	DATE	
1.	ADDED TOPO AND TREES	12/21/21	

FB: 969 Pg: 19
FB: 971 Pg: 51
Job Number: 2105-100
Survey Date: 7/14/21
Drawn: DS
Checked: JOB

Aerial Map

Legend

- Master Address Points
- Parcel Lines
- Centerlines
- Private Roads
- Pinellas Park
- Medical District
- Community Redevelopment Area 20;
- Rights of Way
- Annexation Amendment Agreement
- Holes
- Fairways
- Greens
- Course
- Unincorporated



Notes:

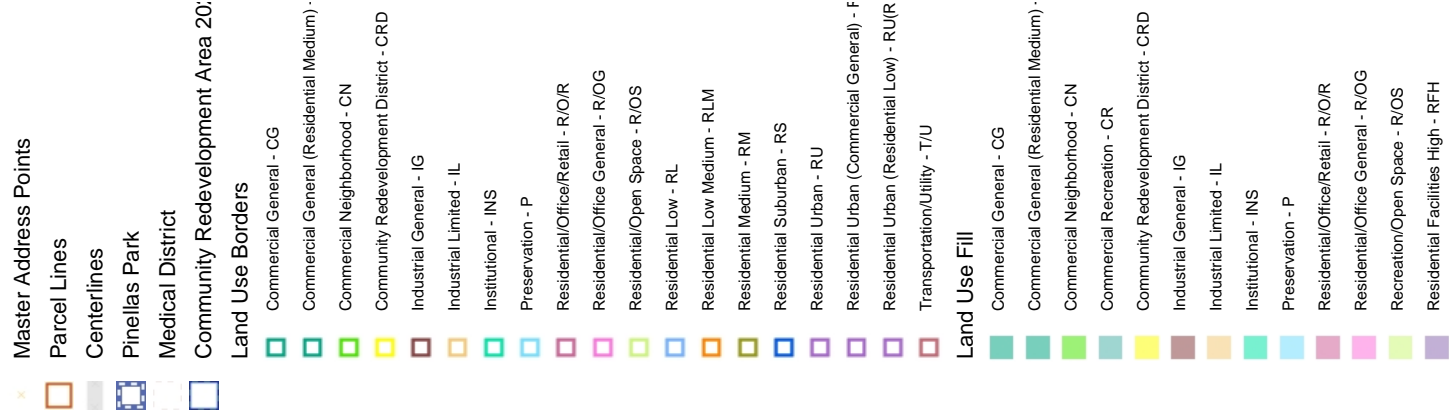


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94.0 0 47.02 94.0 Feet

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Legend



1: 2,257

188.1 Feet

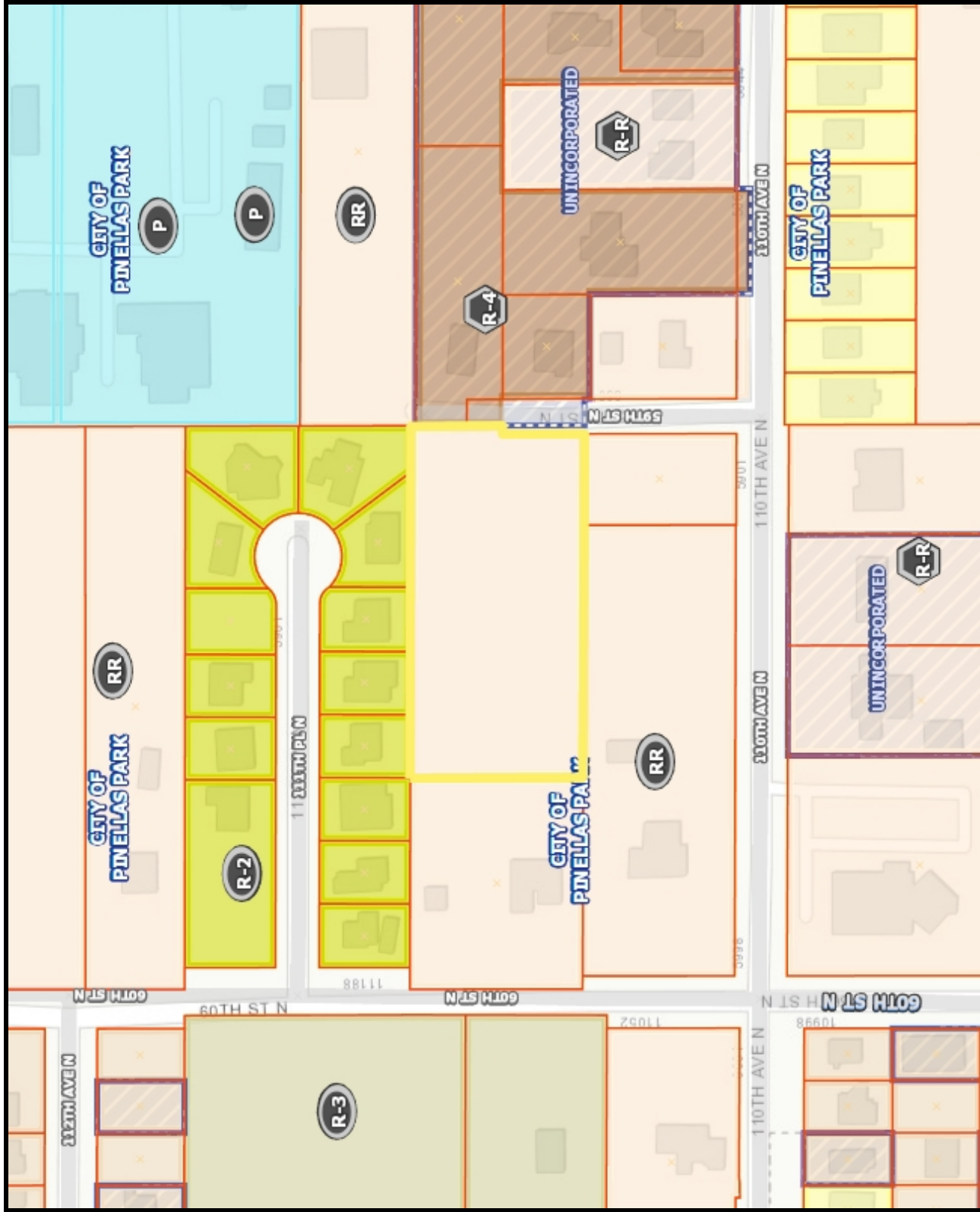


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Zoning Map

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 - Ci
- Farm - F
- General Office - GO
- Heavy Industrial - IH
- Industrial Planned Unit Development - IPUC
- 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 - Ci
- Farm - F



Notes:

1: 2,257

188.1 Feet

94.04

0

188.1

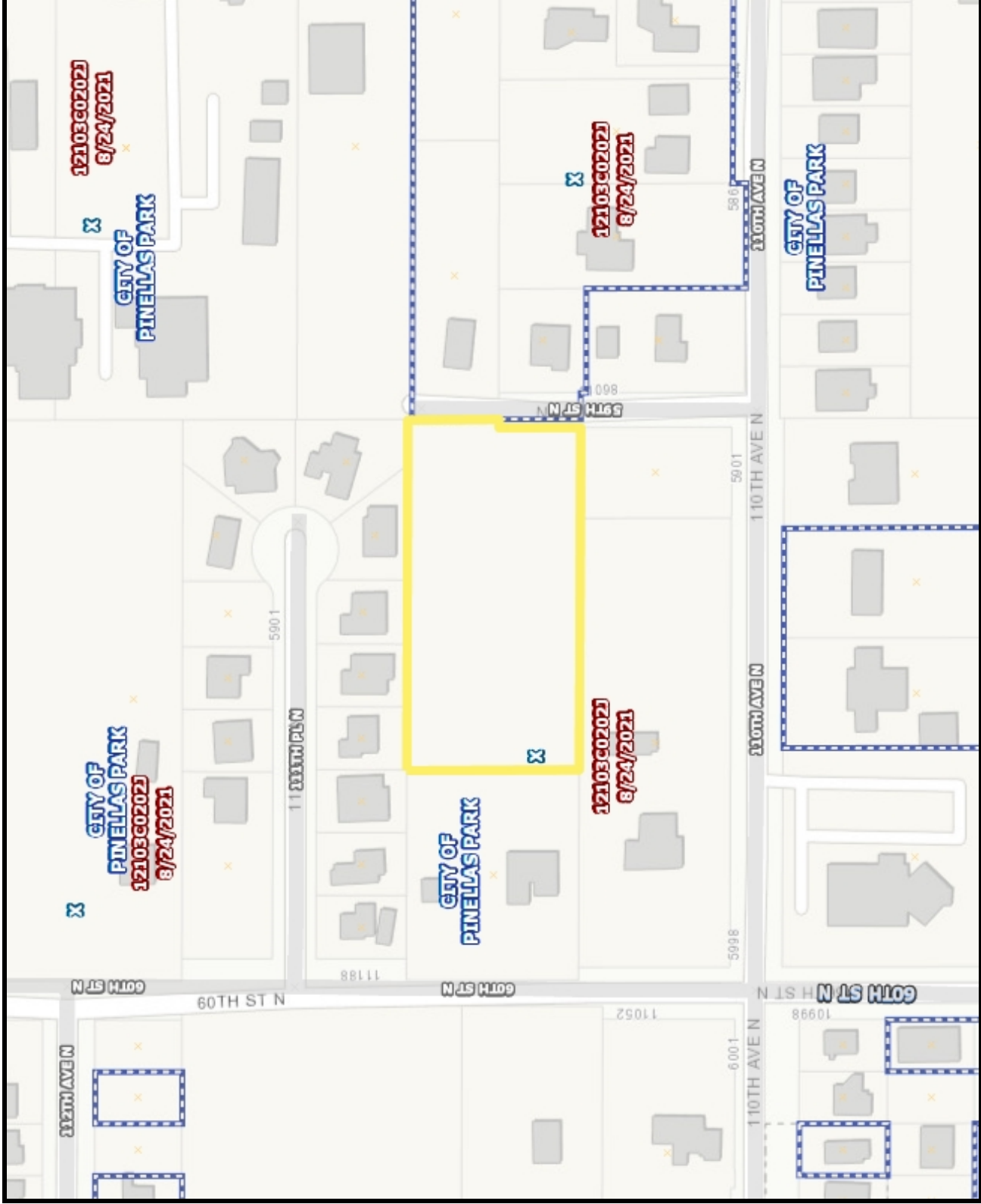
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NORTH

Flood Insurance Rate Map

Legend

- Master Address Points
- Centerlines
- Pinellas Park
- 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)
- Coastal High Hazard Area



Notes:



1: 2,257

188.1 0 94.04 188.1 Feet

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