City of Pinellas Park<br>City Council<br>Agenda

Tuesday, November 20, 2018
6:00 PM
City Council Chambers

## CALL TO ORDER

## INVOCATION

## PLEDGE OF ALLEGIANCE

## I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS

## SPECIAL PRESENTATION

## PUBLIC COMMENT AND CORRESPONDENCE

CITIZENS COMMENTS ARE INVITED ON ITEMS OR CONCERNS NOT ALREADY SCHEDULED ON TONIGHT'S AGENDA. PLEASE LIMIT COMMENTS TO THREE MINUTES.

## AT THIS TIME STAFF MEMBERS AND CITIZENS WILL BE SWORN IN IF THERE ARE ITEMS THAT ARE QUASI-JUDICIAL

## II. APPROVAL OF MINUTES

Approval of Regular Council Minutes of November 8, 2018, as on file in the City Clerk's office.

## III. PUBLIC HEARINGS

P1 ORDINANCE NO. 4073. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 11510 66TH STREET (JGN PROPERTIES, LLC AX18-39)

## PUBLIC HEARING SECOND AND FINAL READING

(Speaker - Shannon Coughlin, Economic Development Manager)

NOTE: This is a voluntary annexation of 0.95 acres MOL of contiguous residential property located at 11510 66th Street.

C4 on 11/8/18 Council agenda.

ACTION: (Pass - Deny) Ordinance No. 4073. Public hearing second and final reading.
Department: Community Development
Reference Material: AX18-39 JGN Properties LLC Ordinance, Petition, Map and Attorney Letter.pdf

ORDINANCE NO. 4074. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 11109 66TH STREET (KRIKOR \& JANICE MOURADIAN AX18-40)

PUBLIC HEARING SECOND AND FINAL READING
(Speaker - Shannon Coughlin, Economic Development Manager)

NOTE: This is a voluntary annexation of 2.26 acres MOL of contiguous commercial property located at 11109 66th Street.

C6 on 11/8/18 Council agenda.

ACTION: (Pass - Deny) Ordinance No. 4074. Public hearing second and final reading.
Department: $\quad$ Community Development
Reference Material: $\quad$ AX18-40 Mouradian Ordinance, Petition, Map and Attorney Letter.pdf

P3 ORDINANCE NO. 4075. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, ADOPTING AN AMENDED MASTER PLAN CONTROLLING DEVELOPMENT OF A RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) WITH UNDERLYING R-6 (MULTI-FAMILY RESIDENTIAL/COMMERCIAL) ZONING ON A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 4190 78TH AVENUE AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" WHICH IS ATTACHED HERETO AND MADE A PART THEREOF; ADOPTING A REVISED MASTER PLAN AND SUPPORTING DOCUMENTATION FOR THE DEVELOPMENT OF A 21 LOT SINGLE FAMILY ATTACHED SUBDIVISION; IMPOSING CONDITIONS OF DEVELOPMENT; 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 - (PUD 2018-2R, Nineteen60 Captial Fund, LLC)

## PUBLIC HEARING SECOND AND FINAL READING (QUASI-JUDICIAL)

(Speaker - Erica Lindquist - Planning and Development Review Manager)

NOTE: In April 2018, City Council approved the adoption of a Master Plan for a Residential Planned Unit Development (RPUD) for the development of 21 single family attached townhomes. The applicant is requesting a minor amendment to the Master Site Plan with a variance to reduce the rear

## Page 3

(east) setback from 15 feet to 12.5 feet to allow for perpendicular 2 foot wall extensions. The 2 foot wall extensions are necessary to meet fire code to allow for the installation of sliding glass patio doors on the rear walls of the units.

C7 on 11/8/18 Council agenda.

ACTION: (Pass - Deny) Ordinance No. 4075. Public hearing second and final reading -quasi-judicial.

| Department: | Community Development |
| :--- | :--- |
| Reference Material: | Staff Report, Ordinance, Atty Ltr, Zoning Map, Backup, Application- PUD 2018-2R |

P4 CONSIDERATION OF A PROPOSED DIVISION OF A LOT OF RECORD INTO TWO SUBSTANDARD LOTS WITH VARIANCES TO LOT WIDTH, LOT DEPTH, AND LOT AREA; A VARIANCE TO THE SUBDIVISION DENSITY REQUIREMENT; AND A WAIVER TO THE SETBACK FOR A LOT ADJACENT TO A RIGHT-OF-WAY OF INSUFFICIENT WIDTH IN THE T-1 MOBILE HOME SUBDIVISION ZONING DISTRICT - (MS 2019-1/MS 2019-5/VAR 2019-1, Marko Melojevic)

## PUBLIC HEARING FIRST AND FINAL READING (QUASI- JUDICIAL)

## (Speaker - Erica Lindquist, Planning \& Development Review Manager)

NOTE: The applicant proposes a Division of a Lot of Record for a parcel of land in the T-1 (Mobile Home Subdivision) Zoning District into two substandard $52^{\prime} \times 80^{\prime}$ lots with a waiver to the required setback for a Lot Adjacent to a Right-of-Way of Insufficient Width to allow a 20 ' front yard setback. The Land Use is RLM (Residential Low Medium), which allows a density of up to 10 dwelling units per acre. The proposed density is 10.47 dwelling units per acre.

ACTION: (Approve - Deny) MS 2019-1/MS 2019-5/VAR 2019-1, the Division of a Lot of Record into two substandard $52^{\prime} \times 80^{\prime}$ lots with a variance to the density requirement and a waiver to the required setback for a Lot Adjacent to a Right-of-Way of Insufficient Width to allow a 20 ' front yard setback. Public hearing first and final reading - quasi-judicial

| Department: | Community Development |
| :--- | :--- |
| Reference Material: | Staff Report, Applications, Map, Site Plans, Backup- MS 2019-1, MS 2019-5, VAR 2019-1 |

P5 RESOLUTION NO. 18-31. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, VACATING A PORTION OF A DRAINAGE EASEMENT ON A PARCEL OF LAND GENERALLY LOCATED AT $5260113 T H$ AVENUE IN SECTION 16, TOWNSHIP 30 SOUTH, RANGE 16 EAST; VACATING A PORTION OF A UTILITY EASEMENT ON A PARCEL OF LAND GENERALLY LOCATED AT 11346 53RD STREET IN SECTION 16, TOWNSHIP 30 SOUTH, RANGE 16 EAST; PROVIDING FOR AN EFFECTIVE DATE (V 2018-8, TSE Industries, Inc.)

PUBLIC HEARING FIRST AND FINAL READING
(Speaker - Erica Lindquist, Planning \& Development Review Manager)

NOTE: TSE Industries is requesting the vacation of a 168 foot long portion of a 10 foot wide drainage easement located under an existing building generally located at 5260113 th Avenue between Lots 28 and 29 and the vacation of a 279 foot long portion of a 5 foot wide utility easement generally located at 11346 53rd Street to the north of Lot 27.

ACTION: (Adopt - Deny) Resolution No. 18-31. Public hearing first and final reading.
Department: Community Development
Reference Material: $\quad$ Staff report, Resolution, Attorney Ltr, Minutes, Application, Map- V 2018-8

## IV. CONSENT AGENDA

## C1 REAPPOINTMENT TO BOARD OF ADJUSTMENT - Gary Mygdal

NOTE: The term of Gary Mygdal's current appointment will expire on November, 30, 2018. Mr. Mygdal has expressed a desire to continue to serve on the Board of Adjustment for a three-year term, expiring on November 30, 2021.

ACTION: (Approve - Deny) The reappointment of Gary Mygdal to serve on the Board of Adjustment for a three year-term to expire on November 30, 2021.

Department: Community Development
Reference Material: INTEREST TO CONTINUE LETTER, ATTENDANCE RECORD- Mygdal

Page 5

## C2 REAPPOINTMENT TO BOARD OF ADJUSTMENT - Deborah Jean "DJ" Schladweiler

NOTE: The term of Deborah Jean "DJ" Schladweiler's current appointment will expire on November, 30, 2018. Ms. Schladweiler has expressed a desire to continue to serve on the Board of Adjustment for a three-year term, expiring on November 30, 2021.

ACTION: (Approve - Deny) The reappointment of Deborah Jean "DJ" Schladweiler to serve on the Board of Adjustment for a three year-term to expire on November 30, 2021.
Department: Community Development
Reference Material: INTEREST TO CONTINUE LETTER, ATTENDANCE RECORD- Schladweiler

## C3 RESOLUTION NO. 18-32. APPROVING PROJECT \#B7121437441 AS A QUALIFIED APPLICANT FOR THE QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM PURSUANT TO SECTION 288.106, FLORIDA STATUTES; IDENTIFYING LOCAL GOVERNMENT FINANCIAL SUPPORT

## FIRST AND FINAL READING

NOTE: Project \#B7121437441 is a business service firm that would like to expand within Pinellas Park and projects hiring sixty (60) employees in qualified value-added jobs. The company plans to purchase and remodel an existing building. A tax refund has been requested of $\$ 180,000$. Eighty percent $(\$ 144,000)$ will be funded by the State. The $20 \%$ local match $(\$ 36,000)$ is being requested locally $-50 \%$ from Pinellas County $(\$ 18,000)$ and $50 \%$ from the City $(\$ 18,000)$. This incentive returns a portion of taxes paid by the business after the company meets its job creation and wage commitments. No more than $12.5 \%(\$ 1,500)$ of the total refund approved by the City may be taken in any single fiscal year. The tax refund will be paid over a series of fiscal years as determined by the State.

When relocated, they will be hiring 60 employees from the local workforce with annual pay scales above $115 \%$ of the average wage in the State of Florida. These wages would result in an economic impact of approximately $\$ 14,315,000$ as calculated by the U.S. Bureau of Economic Analysis Regional Input-Output Model for Pinellas County. The total estimated impact of this company relocating to Pinellas Park is a positive $\$ 16,511,894$ on the local economy. This is achieved through the creation of 60 higher paying jobs and expenditures related to the renovation of the building, and purchase of new equipment.

ACTION: (Adopt - Deny) Resolution No. 18-32.
Department: Community Development
Reference Material: B7121437441 Resolution and Attorney Letter.pdf

## Page 6

## C4 AUTHORIZATION FOR THE POLICE CHIEF TO SIGN PINELLAS COUNTY JUVENILE OFFENDERS INTERAGENCY AGREEMENT

NOTE: This Interagency Agreement establishes a contract between all Pinellas law enforcement agencies and the Pinellas County School Board. It addresses procedures for the sharing of information between the entities related to juvenile offenders that are consistent with the requirements of Florida State Statute.

ACTION: (Approve - Deny) Authorization for the Police Chief to sign the Pinellas County Juvenile Offender Interagency Agreement.

Department: $\quad$ Police
Reference Material: atty letter, rm email, agreement

## C5 AUTHORIZATION FOR THE CITY OF PINELLAS PARK TO ACCEPT A RIGHT-OF-WAY EASEMENT FROM TERRY SCOTT RYAN - 4180 70TH AVENUE

NOTE: The City of Pinellas Park has requested a right-of-way easement from Terry Scott Ryan to increase the right-of-way width to the required width and for the installation of a potable water main, and for the future maintenance and operation of said equipment at 4180 70th Avenue.

ACTION: (Approve - Deny) Authorization for the Mayor to accept a right-of-way easement from Terry Scott Ryan at 4180 70th Avenue.

Department: Public Works
Reference Material: 418070 th Ave Right of Way Easement backup
C6 AUTHORIZATION TO PURCHASE 475 AMR WATER METERS - Empire Pipe and Supply Company

NOTE: This authorizes the purchase of 475 AMR water meters from Empire Pipe and Supply Company, 250 Ram Boulevard, Ste. 3, Midway, Florida 32343. This purchase is part of the ongoing Electronic Water Meter Installation Program. Empire Pipe and Supply is a sole source purchase. The purchase of the meters is budgeted in account 301381-575662. Project String 19381/535 PROGRAM-IMPROVE, in the amount of $\$ 100,000.00$.

ACTION: (Approve - Deny) Authorization to purchase 475 AMR water meters from Empire Pipe and Supply Company, Midway, Florida in the amount of $\$ 99,750.00$ to be charged to the appropriate account.

## Page 7

## C7 AUTHORIZATION FOR THE CITY OF PINELLAS PARK TO ACCEPT A RIGHT-OF-WAY EASEMENT FROM LISA KIRBY SMALLWOOD - 4140 70TH AVENUE

NOTE: The City of Pinellas Park has requested a right-of-way easement from Lisa Kirby Smallwood to increase the right-of-way width to the required width and for the installation of a potable water main, and for the future maintenance and operation of said equipment at 414070 th Avenue.

ACTION: (Approve - Deny) Authorization for the Mayor to accept a right-of-way easement from Lisa Kirby Smallwood at 4140 70th Avenue.

Department: $\quad$ Public Works
Reference Material: 4140 70th Ave Right of Way Easement backup
C8 AUTHORIZATION FOR THE MAYOR TO SIGN AN ACCESS AGREEMENT WITH THE STATE OF FLORIDA, DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) FOR CONDUCTING AN ENVIRONMENTAL ASSESSMENT AT $\mathbf{6 1 0 1 7 8 T H}$ AVENUE NORTH

NOTE: The State of Florida, Department of Environmental Protection (FDEP) is conducting an environmental assessment at 6101 78th Avenue North as part of the Petroleum Restoration Program (PRP).

ACTION: (Approve - Deny) Authorization for the Mayor to sign an access agreement with the State of Florida, Department of Environmental Protection (FDEP) for conducting an environmental assessment at 6101 78th Avenue North.

Department: $\quad$ Public Works
Reference Material: Petroleum Restoration Access Agreement backup

## C9 AUTHORIZATION FOR NEGOTIATIONS - CONSULTANT FOR RFP 18/009, COMPREHENSIVE EMERGENCY MANAGEMENT PLAN (CEMP)

NOTE: The RFP Evaluation Committee, in accordance with Resolution 15-12, has reviewed the proposals submitted and recommends three consultants in the following order: 1) The Olson Group, LTD; 2) Advanced Planning Consultants, LLC; and 3) Disasters, Strategies \& Ideas Group, LLC. Upon Council's recommendation and authorization, the City Manager will negotiate competitively with the most qualified firm; and, should he fail to reach an agreement, he will then negotiate with the

## Page 8

remaining firms in order of preference, in accordance with Section 287.055, Florida Statutes.

ACTION: (Approve - Deny) Authorization for City Manager to negotiate with the firms recommended by the Evaluation Committee, in order of preference as recommended, for RFP 18/009.

Department: Fire
Reference Material: Final results from RFP

## V. REGULAR AGENDA

R1 CONSIDERATION OF A REQUEST TO ESTABLISH AN OUTDOOR STORAGE AREA WITH A WAIVER TO THE 6FOOT HIGH SOLID WALL REQUIREMENT FOR OUTDOOR STORAGE ADJACENT TO A RIGHT-OF-WAY FOR A PARCEL OF LAND GENERALLY LOCATED AT 8111 63RD STREET IN THE M-1 LIGHT INDUSTRIAL ZONING DISTRICT - (MS 2019-3, Thomas \& Christina Barber)

NOTE: The applicant proposes to establish an outdoor storage area for recreational vehicles and boat trailers. An existing double fence consisting of 6 foot high chain link with barbs inside a 6 foot high solid PVC fence would serve as a substitute for the required wall.

ACTION: (Approve - Deny) MS 2019-3 for a proposed outdoor storage area with a waiver to the required 6 foot high solid wall.

Department: Community Development
Reference Material: Staff report, application, map, site plan, photos- MS 2019-3

## VI. COMMENTS BY COUNCIL MEMBERS AND QUESTIONS - COUNCIL TO COUNCIL

## VII. ADJOURNMENT

PLEASE NOTE that if a person decides to appeal any decision made by City Council with respect to any matter considered at the above-cited meeting, the person will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City maintains a digital recording of all public hearings. In the event that you wish to appeal a decision, the digital recording may or may not adequately insure a verbatim record of the proceedings; therefore, you may wish to provide a court reporter at your own expense (Section 286.0105, Florida Statutes).

FOR THE HEARING IMPAIRED - An interpreter for the hearing impaired will be made available upon requests made at least 72 hours in advance.


| JANUARY |  |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| SUNDAY | MONDAY | TUESDAY | WEDNESDAY |  |  | THURSDAY |  | FRIDAY | SATURDAY |
|  |  | 1 <br> Brush Site Closed Kwanzaa Ends New Year's Day City Offices \& Library Closed | 2 |  | 3 |  |  | 4 | 5 <br> Elvis Tribute Concert Performing Arts Center |
| 6 <br> Partial Eclipse of the Sun <br> Epiphany <br> Orchestra Concert Performing Arts Center | 7 | 8 <br> 5:30 PM Council Workshop | 9 | Pancake Breakfast Senior Center |  | 5:30 PM Agenda Session 6:00 PM Council Meeting |  | 11 | 12 |
| 13 | 14 | 15 <br> Organ Concert City Auditorium | 16 |  | 1 |  | Florida Arbor Day |  | 19 |
| 20 | 21 <br> Total Eclipse of the Moon <br> Martin Luther King Jr Birthday (observed) City Offices \& Library Closed | 22 <br> 5:30 PM Council Workshop <br> CRA After Workshop | 23 |  |  | 5:30 PM Agenda Session 6:00 PM Council Meeting |  | 25 | Everly Brothers Tribute Concert Performing Arts Center Movies in the Park Fourth Saturday Art Walk |
| 27 | 28 | 29 | 30 |  |  |  |  | DECEMBER 2018       <br> S M T W T F S <br>       1 <br> 2 3 4 5 6 7 8 <br> 9 10 11 12 13 14 15 <br> 16 17 18 19 20 21 22 <br> 23 24 25 26 27 28 29 <br> 30 31      | FEBRUARY       <br> $s$ M T W T F S <br>     1 2  <br> 3 4 5 6 7 8 9 <br> 10 11 12 13 14 15 16 <br> 17 18 19 20 21 22 23 <br> 24 25 26 27 28   <br>        |

## City of Pinellas Park

Staff Report

File \#: 18-651, Version: 1

ORDINANCE NO. 4073. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 11510 66TH STREET (JGN PROPERTIES, LLC AX18-39)

PUBLIC HEARING SECOND AND FINAL READING
(Speaker - Shannon Coughlin, Economic Development Manager)

NOTE: This is a voluntary annexation of 0.95 acres MOL of contiguous residential property located at 11510 66th Street.

C4 on 11/8/18 Council agenda.

ACTION: (Pass - Deny) Ordinance No. 4073. Public hearing second and final reading.
$\qquad$
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, ANNEXING INTO THE CITY OF PINELLAS PARK, FLORIDA, CERTAIN PARCELS OF LAND GENERALLY LOCATED AT 11510 66TH STREET, LEGALLY DESCRIBED AS ATTACHED HERETO IN EXHIBIT "A" AND MADE A PART HEREOF, LYING WITHIN SECTION 18, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; PROVIDING FOR AMENDMENT OF THE LEGAL DESCRIPTION OF THE CORPORATE BOUNDARIES OF THE CITY OF PINELLAS PARK, FLORIDA; PROVIDING FOR THE ASSIGNMENT OF CITY ZONING CLASSIFICATION; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES CONFLICTING HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.
(JGN PROPERTIES, LLC AX18-39)

WHEREAS, the Owners of certain parcels of land lying in an unincorporated area of Pinellas County, Florida, and contiguous to the City of Pinellas Park have petitioned City Council requesting that said land be annexed into the City of Pinellas Park, Florida; and

WHEREAS, all requirements of Florida Statutes, Chapter 171, pertaining to the voluntary annexation have been complied with.

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 land lying in an unincorporated area of Pinellas County, Florida, and contiguous to the City of Pinellas Park, generally located at 11510 $66^{\text {th }}$ Street, and legally described as attached hereto in Exhibit " $A$ " and made a part hereof, lying within Section 18, Township 30 South, Range 16 East, Pinellas County, Florida, is hereby annexed into the City of Pinellas Park.

SECTION TWO: That the legal description of the corporate boundaries of the City of Pinellas Park, Florida, is hereby amended to include the land herein annexed. The legal description of the City of Pinellas Park, Florida, contained in the City Charter, and all official City maps and other official documents shall be amended accordingly.

SECTION THREE: That the land herein annexed shall be assigned the City zoning classification of $\mathrm{M}-1$ which is the closest compatible to the County $\mathrm{M}-1$ zoning on the subject parcels at the time of annexation.

SECTION FOUR: That the City Zoning Map is hereby amended to conform to the provisions of this Ordinance.

SECTION FIVE: That all Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance be, and they are hereby, repealed insofar as the same affects this Ordinance.

SECTION SIX: That this Ordinance shall become effective immediately upon its final passage and adoption.

FIRST READING
DAY OF $\qquad$ 2018

PUBLISHED MAP \& TITLE $\qquad$ DAY OF —, 2018

PUBLISHED MAP ONLY $\qquad$ DAY OF $\qquad$ 2018

PUBLIC HEARING __
DAY OF $\qquad$ , 2018

PASSED THIS
DAY OF . 2018

AYES:
NAYS:
ABSENT:
ABSTAIN:

## APPROVED THIS

DAY OF , 2018

## ATTEST:

DIANE M. CORNA, MMC, CITY CLERK

## ANNEXATION ORDINANCE LEGAL

## JGN PROPERTIES, LLC PARCEL: 18-30-16-69768-100-1601 LOCATED AT: 11510 66TH STREET

THE WEST 259.7' OF THE SOUTH $1 / 2$ OF THE NORTH $1 / 2$ OF FARM 16, PINELLAS FARMS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLATBOOK 7, PAGES 4 AND 5 OF THE PUBLIC RECORDS OF HILLSBOUROGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART, IN THE NORTHEAST $1 / 4$ OF SECTION 18, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PARCEL\#18/30/16/69768/100/1601.

A PARCEL CONTAINING 0.95 ACRES M.O.L.

## PETITION FOR ANNEXATION TO THE CITY OF PINELLAS PARK, FLORIDA

The undersigned, being the sole OWNER ("OWNER" is used herein for singular or plural, the singular shall include the plural, and any gender shall include all genders, as context requires) of the following described real property located within Pinellas County, Florida, hereby consents and agrees to annexation of such property by the City of Pinellas Park, Florida, and further requests the City of Pinellas Park to forthwith undertake annexation proceedings to annex the said real property:

## PARCEL: 18-30-16-69768-100-1601

(Located at $115106^{\text {th }}$ Street)
THE WEST 259.7' OF THE SOUTH $1 / 2$ OF THE NORTH $1 / 2$ OF FARM 16, PINELLAS FARMS. ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLATBOOK 7, PAGES 4 AND 5 OF THE PUBLIC RECORDS OF HILLSBOUROGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART, IN THE NORTHEAST $1 / 4$ OF SECTION 18, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PARCEL \#18/30/16/69768/100/1601.

CONTAINING 0.95 ACRES M.O.L.
The names and addresses of the undersigned representing all of the legal owners of the abovedescribed property are as follows:

JGN Properties, LLC
Care of: Jeffery J. Nasse
$63407^{\text {th }}$ Avenue North
Pinellas Park, FL 33781


JG PROPERTIES, LC:


Witness Signature

## Steruane Scales

Print Name



## City of <br> PINELLAS PARK

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


Plopase Respond To:
Jatmes W. Denhardt, City Attorney
Lauren Christ Rubenstein, Assistant City Attomey
Deninardt and Rubensteln, Attomeys at Law
2700 First Avenue North
St. Petersburg, Florida 33713
(727) 327-3400 - Telephone
(727) 323-0888 - Facsimile

October 23, 2018

Ms. Amanda Conte
Community Development Division
City of Pinellas Park
P. O. Box 1100

Pinellas Park, Florida 33780-1100

## RE: City Document \#18-329

Annexation Ordinance AX18-39, JGN Properties, LLC
Dear Ms. Conte:
I have received and reviewed the above-referenced Annexation Ordinance for parcels located at 11510 66th Street. Assuming that the correct legal description is inserted in Exhibit A and that the property is in the legal name of the Petitioner, I would approve of the Ordinance as to form and correctness.

Very fuly yours,

$w \cdot d$ henal
James W. Denhardt
City Attorney

$$
\begin{array}{ll}
\text { cc: } & \text { Doug Lewis, City Manager } \\
\text { Diane M. Corna, MMC, City Clerk } \\
\text { Patrick Murphy, Deputy City Manager } \\
\text { Susan Walker, Community Services Administrator } \\
\text { Tom Shevlin, Interim Planning \& Zoning Director }
\end{array}
$$

[^0]This page is left blank intentionally

## City of Pinellas Park

Staff Report

File \#: 18-653, Version: 1
Agenda Date: 11/20/2018

ORDINANCE NO. 4074. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 11109 66TH STREET (KRIKOR \& JANICE MOURADIAN AX18-40)

## PUBLIC HEARING SECOND AND FINAL READING

## (Speaker - Shannon Coughlin, Economic Development Manager)

NOTE: This is a voluntary annexation of 2.26 acres MOL of contiguous commercial property located at 11109 66th Street.

C6 on 11/8/18 Council agenda.

ACTION: (Pass - Deny) Ordinance No. 4074. Public hearing second and final reading.

ORDINANCE NO. $\qquad$
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, ANNEXING INTO THE CITY OF PINELLAS PARK, FLORIDA, CERTAIN PARCELS OF LAND GENERALLY LOCATED AT 11109 66TH STREET, LEGALLY DESCRIBED AS ATTACHED HERETO IN EXHIBIT "A" AND MADE A PART HEREOF, LYING WITHIN SECTION 17, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; PROVIDING FOR AMENDMENT OF THE LEGAL DESCRIPTION OF THE CORPORATE BOUNDARIES OF THE CITY OF PINELLAS PARK, FLORIDA; PROVIDING FOR THE ASSIGNMENT OF CITY ZONING CLASSIFICATION; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES CONFLICTING HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.
(KRIKOR \& JANICE MOURADIAN AX18-40)

WHEREAS, the Owners of certain parcels of land lying in an unincorporated area of Pinellas County, Florida, and contiguous to the City of Pinellas Park have petitioned City Council requesting that said land be annexed into the City of Pinellas Park, Florida; and

WHEREAS, all requirements of Florida Statutes, Chapter 171, pertaining to the voluntary annexation have been complied with.

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 land lying in an unincorporated area of Pinellas County, Florida, and contiguous to the City of Pinellas Park, generally located at 11109 $66^{\text {th }}$ Street, and legally described as attached hereto in Exhibit "A" and made a part hereof, lying within Section 17, Township 30 South, Range 16 East, Pinellas County, Florida, is hereby annexed into the City of Pinellas Park.

SECTION TWO: That the legal description of the corporate boundaries of the City of Pinellas Park, Florida, is hereby amended to include the land herein annexed. The legal description of the City of Pinellas Park, Florida, contained in the City Charter, and all official City maps and other official documents shall be amended
accordingly.
SECTION THREE: That the land herein annexed shall be assigned the City zoning classification of CH which is the closest compatible to the County $\mathrm{C}-3$ zoning on the subject parcels at the time of annexation.

SECTION FOUR: That the City Zoning Map is hereby amended to conform to the provisions of this Ordinance.

SECTION FIVE: That all Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance be, and they are hereby, repealed insofar as the same affects this Ordinance.

SECTION SIX: That this Ordinance shall become effective immediately upon its final passage and adoption.

| FIRST READING | DAY OF | 2018 |
| :---: | :---: | :---: |
| PUBLISHED MAP \& TITLE | DAY OF | _, 2018 |
| PUBLISHED MAP ONLY | DAY OF | _, 2018 |
| PUBLIC HEARING | DAY OF | 2018 |
| PASSED THIS | DAY OF | 2018 |
| AYES: NAYS: ABSENT: ABSTAIN: |  |  |
| APPROVED THIS | DAY OF | _, 2018 |

ATTEST:
SANDRA L. BRADBURY, MAYOR

DIANE M. CORNA, MMC, CITY CLERK

## ANNEXATION ORDINANCE LEGAL

Krikor \& Janice Mouradian
Parcel: 17-30-16-69750-200-2405
Located at: 11109 66th Street
THE NORTH $1 / 2$ OF THE SOUTH $1 / 2$ OF FARM 24, LESS THE ROAD RIGHT OF WAY ON THE WEST, PINELLAS FARMS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLATBOOK 7, PAGES 4 AND 5 OF THE PUBLIC RECORDS OF HILLSBOUROGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART, IN THE NORTHWEST $1 / 4$ OF SECTION 17, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PARCEL\#17/30/16/69750/200/2405.

A PARCEL CONTAINING 2.25 ACRES M.O.L.

## PETITION FOR ANNEXATION TO THE CITY OF PINELLAS PARK, FLORIDA

The undersigned, being the sole OWNER ("OWNER" is used herein for singular or plural, the singular shall include the plural, and any gender shall include all genders, as context requires) of the following described real property located within Pinellas County, Florida, hereby consents and agrees to annexation of such property by the City of Pinellas Park, Florida, and further requests the City of Pinellas Park to forthwith undertake annexation proceedings to annex the said real property:

## PARCEL: 17-30-16-69750-200-2405

## (Located at $111096^{\text {th }}$ Street)

THE NORTH $1 / 2$ OF THE SOUTH $1 / 2$ OF FARM 24 , LESS THE ROAD RIGHT OF WAY ON THE WEST, PINELLAS FARMS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLATBOOK 7, PAGES 4 AND 5 OF THE PUBLIC RECORDS OF HILLSBOUROGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART, IN THE NORTHWEST $1 / 4$ OF SECTION 17, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PARCEL\#17/30/16/69750/200/2405.

## CONTAINING 2.26 ACRES M.O.L.

The names and addresses of the undersigned representing all of the legal owners of the abovedescribed property are as follows:

Krikor \& Janice Mouradian $650090^{\text {th }}$ Avenue North
Pinellas Park, FL 33782-4713


Witness Signature


OWNERS' SIGNATURES:


KRIKOR MOURADIAN, OWNER



## City of

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

Plassa Raspond To:
James W, Denhardt, Clty Attorney Lauren Christ Rubenstein, Assiatant Clity Attomey Denhardt and Rubenstein, Attomays at Lew 2700 First Avenus North

## FLORIDA

$$
\begin{array}{ll}
\text { PHONE } & \cdot(727) 369-0700 \\
\text { FAX } & *[727) 544-7448
\end{array}
$$

Ms. Amanda Conte
Community Develapment Division
City of Pinellas Park

P. O. Box 1100

Pinellas Park, Florida 33780-1 100

## RE: City Document \#18-331

Annoxation Ordinance AX18-34, Mouradian
Dear Ms. Conte:
I have received and reviewed the above-referenced Annexation Ordinance. Assuming that the correct legal description is inserted in Exhibit A and that the property is in the legal name of the Petitioner, I would approve of the Annexation Ordinance as to form and correctness.
very truy/yours,


James W. Denhardt
City Attomey
cc: Doug Lewis, Clity Manager
Diane M. Corna, MMC, City Clerk
Patrick Murphy, Deputy City Manager Susan Walker, Community Services Administrator Tom Shevin, Interim Planning \& Zoning Direcior

JWD/dh
$18.431,10232010$ LAC. $A \times 19.40$ Mowrolen Ord.wpd

This page is left blank intentionally

## City of Pinellas Park

Staff Report

File \#: 18-657, Version: 1
Agenda Date: 11/20/2018

ORDINANCE NO. 4075. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, ADOPTING AN AMENDED MASTER PLAN CONTROLLING DEVELOPMENT OF A RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) WITH UNDERLYING R-6 (MULTI -FAMILY RESIDENTIAL/COMMERCIAL) ZONING ON A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT $419078^{\text {TH }}$ AVENUE AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" WHICH IS ATTACHED HERETO AND MADE A PART THEREOF; ADOPTING A REVISED MASTER PLAN AND SUPPORTING DOCUMENTATION FOR THE DEVELOPMENT OF A 21 LOT SINGLE FAMILY ATTACHED SUBDIVISION; IMPOSING CONDITIONS OF DEVELOPMENT; 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 - (PUD 2018-2R, NINETEEN60 CAPTIAL FUND, LLC)

## PUBLIC HEARING SECOND AND FINAL READING (QUASI-JUDICIAL)

## (Speaker - Erica Lindquist - Planning and Development Review Manager)

NOTE: In April 2018, City Council approved the adoption of a Master Plan for a Residential Planned Unit Development (RPUD) for the development of 21 single family attached townhomes. The applicant is requesting a minor amendment to the Master Site Plan with a variance to reduce the rear (east) setback from 15 feet to 12.5 feet to allow for perpendicular 2 foot wall extensions. The 2 foot wall extensions are necessary to meet fire code to allow for the installation of sliding glass patio doors on the rear walls of the units.

C7 on 11/8/18 Council agenda.

ACTION: (Pass - Deny) Ordinance No. 4075. Public hearing second and final reading - quasi-judicial.

#  STAFF REPORT 

Case Number: PUD 2018-2R
City Council (First Reading): November 8, 2018 City Council (Public Hearing): November 20, 2018

Owner: Nineteen60 Capital Fund LLC
Agent: Brian Barker, PE (Deuel \& Associates)

## I. GENERAL INFORMATION

A. Request:

A minor amendment to a Master Site Plan for a Residential Planned Unit Development (RPUD) overlay with underlying R-6 (Multi-family Residential/Commercial) Zoning for the development of single family attached townhomes and a variance to reduce the rear (east) setback from 15 feet to 12.5 feet to allow for perpendicular 2 foot wall extensions.
B. Proposed Use: The 2 foot wall extensions are necessary to meet fire code to allow for the installation of sliding glass patio doors on the rear walls of the units.
C. Location: $\quad 419078^{\text {th }}$ Ave (Located on $42^{\text {nd }}$ Lane between $76^{\text {th }}$ Ave and $7^{\text {th }}$ Ave)
D. Site Area: $\quad 1.4$ acres (M.O.L.)
E. Land Use Designation: CRD (Community Redevelopment District)

Zoning Classification: RPUD (Residential Planned Unit Development) overlay with underlying R-6 (Multi-family Residential/Commercial) Zoning
F. Public Notification: November 5, 2018
G. Legal Advertising: November 5, 2018
H. Legal Description:

THE EAST 100 FEET OF THE WEST 410.5 FEET OF THE NORTH ½ OF THE NORTHEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA, LESS 33 FEET OF THE NORTH END AND LESS 20 FEET OF THE SOUTH END FOR PUBLIC STREET PURPOSES ABOVE RECORDED TRACT OTHERWISE KNOWN AS LOT 18, BLOCK 2, ACCORDING TO THE UNRECORDED PLAT OF THE HAINES ROAD FARMS.

## II. SITE AND VICINITY CHARACTERISTICS

A. Zoning/Development History:

In April 2018, City Council approved the adoption of a Master Plan for an RPUD (Residential Planned Unit Development) for the development of 21 single family attached townhomes. The following items were approved concurrently:

1. Conditional Use to allow up to 15 dwelling units per acre;
2. Variance to create a substandard private right-of-way (a 20 foot wide one-way road running north to south in front of the townhomes);
3. Waiver to the requirement for sidewalks on both sides of the road to allow for a sidewalk on the east side only;
4. Variance to reduce minimum lot frontage on the private road from 40 feet to 18 feet;
5. Variance to reduce minimum lot width in the R-6 Zoning District from 100 feet to 18 feet;
6. Variance to increase maximum block length from 600 feet to 600.73 feet;
7. Variance to reduce minimum block width from two tiers of lots to one;
8. Variance to intersection design standards for a local street intersecting with a collector street;
9. Variance to improvements to an abutting right-of-way ( $7^{\text {th }}$ Avenue); and
10.Variance to building design standards for staggering of building facades.

In addition, the amended Master Site Plan adopted by City Council in April 2018 included a proposed rear (east) setback of 15 feet, which was less than the 20 foot required setback.
B. Site Characteristics:

The site is a rectangular shaped parcel with frontage on $76^{\text {th }}$ and $78^{\text {th }}$ Avenues. A permit application was submitted by the developer in September 2018 for site work including grading, stormwater management, landscaping, and utilities.
C. Vicinity Characteristics:

| AREA | ZONING | LAND USE | EXISTING CONDITIONS |
| :---: | :---: | :---: | :---: |
| NORTH | R-1 | RU | Single family dwellings |
| SOUTH | B-1 | CRD | Public Storage |
| EAST | R-6 | CRD | Sawgrass apartments |
| WEST | R-6 | CRD | Vacant, previously a day care center |

D. Essential Services Summary:

| Planning \& Zoning Director: | No objection |
| :--- | :--- |
| Building Development Director: | No objection |
| Life Safety Management: | No objection/Comment |
| Request approved. All development to comply with the Florida Fire Prevention Code. |  |
| Police Department Crime Prevention Officer: | No objection |
| Public Works Divisions: |  |
| Public Works Administrator: | No objection |
| Construction Services Director: | No objection |
| $\quad$ Utilities Director: | No objection |
| Transportation \& Stormwater Director: | No objection |
| PPWMD Executive Director: | No objection |
| Pinellas County Schools: | No response received |
| CRA Coordinator: | No objection |
| Community Development Administrator: | Sl)io/29/18 |

## III. MASTER PLAN REVIEW

(Only one aspect of Master Plan Review is relevant for the requested amendment.)
Sufficiency of setbacks, screens, buffers and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the proposed development and to control adverse effects of noise, lights, dust, fumes, and other nuisances.

Analysis: The applicant proposes to reduce the rear (east) setback from 15 feet to 12.5 feet to allow for construction of perpendicular 2 foot wall extensions. The 2 foot wall extensions are necessary to meet fire code to allow for the installation of sliding glass patio doors on the rear walls of the units.

## IV. MOTION

After reviewing the amended Master Plan, I move to APPROVE/DENY Case No. PUD 2018-2R for the acceptance of a minor amendment to the Master Plan within an RPUD (Residential Planned Unit Development) with underlying R-6 Multi-family Residential/Commercial Zoning to reduce the rear (east) setback from 15 feet to 12.5 feet to allow for perpendicular 2 foot wall extensions, subject to the following condition:

1. All previous conditions of the Master Site Plan, Conditional Uses, Variances, and Waivers approved for PUD 2018-2 shall remain in full force and effect.

ORDINANCE NO $\qquad$


#### Abstract

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, ADOPTING AN AMENDED MASTER PLAN CONTROLLING DEVELOPMENT OF A RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) WITH UNDERLYING R-6 (Multi-family Residential/Commercial) ZONING ON A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT $4190 \quad 78^{T H}$ AVENUE AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" WHICH IS ATTACHED HERETO AND MADE A PART THEREOF; ADOPTING A REVISED MASTER PLAN AND SUPPORTING DOCUMENTATION FOR THE DEVELOPMENT OF A 21-LOT SINGLE FAMILY ATTACHED SUBDIVISION; IMPOSING CONDITIONS OF DEVELOPMENT; 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. (PUD 2018-2R, Nineteen60 Capital Fund, LLC)


WHEREAS, the City Council reviewed Case No. PUD 2008-1 and adopted Ordinance No. 3613 on March 27, 2008, adopting a Residential Planned Unit Development (RPUD) and a supporting Master Site Plan on a property being 1.401 acres (MOL) in size and generally located at $419078^{\text {th }}$ Avenue;

WHEREAS, the City Council reviewed Case No. PUD 2018-2 and adopted Ordinance No. 4060 on April 12, 2018, adopting an amended Master Site Plan controlling development of a Residential Planned Unit Development (RPUD) on a property being 1.401 acres (MOL) in size and generally located at $419078^{\text {th }}$ Avenue and has received a revised Master Site Plan for review;

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

AS FOLLOWS:
$\qquad$

SECTION ONE: That the attached revised Master Plan, last revised on May 15, 2018, is hereby adopted as the Master Plan for the purpose of controlling development on the 1.401 acres MOL parcel of land generally located at $419078^{\text {th }}$ Avenue and more particularly described as follows:

THOSE PARCELS LEGALLY DESCRIBED IN EXHIBIT "A" WHICH IS ATTACHED HERETO AND MADE A PART HEREOF.

SECTION TWO: That the following attached Exhibit "B" shall be controlling as to the development of said RPUD, and is adopted as part of this ordinance as:

EXHIBIT "B"- MASTER PLAN
and, that the following conditions of approval be adopted:
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 that constitute land development regulations applicable to the subject site. The submitted site plan, prepared by Deuel and Associates, last revised on May 15, 2018, 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 Code in effect at the time of the "RPUD" Residential Planned Unit Development adoption.
$\qquad$

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 this Ordinance shall become effective immediately upon its final passage and adoption.

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

FIRST READING THE $\qquad$ DAY OF $\qquad$ , 20 $\qquad$ .

PUBLISHED THE $\qquad$ DAY OF $\qquad$ , 20 $\qquad$ .

PUBLIC HEARING THE $\qquad$ DAY OF $\qquad$ , 20 $\qquad$ .

PASSED THIS $\qquad$ DAY OF $\qquad$ , 20 $\qquad$ .

AYES:
NAYES:
ABSENT:
ABSTAIN:
APPROVED THIS $\qquad$ DAY OF $\qquad$ , 20 $\qquad$ .

Sandra L. Bradbury MAYOR

ATTEST:

[^1]$\qquad$

```
Exhibit "A"
```

THE EAST 100 FEET OF THE WEST 410.5 FEET OF THE NORTH $1 / 2$ OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY FLORIDA, LESS 33 FEET OF THE NORTH END AND LESS 20 FEET OF THE SOUTH END FOR PUBLIC STREET PURPOSES ABOVE RECORDED TRACT OTHERWISE KNOWN AS LOT 18, BLOCK 2, ACCORDING TO THE UNRECORDED PLAT OF THE HAINES ROAD FARMS.

## EXHIBIT "B"

MASTER SITE PLAN
(prepared by Deuel \& Associates, last revised on May 15, 2018)

## City of <br> PINELLAS PARK

5141 78TH AVE, * P.O. BOX 1100
PINELLLAS PARK, FL 33780-1100


FLORIDA
PHONE - (727) 369-0700
FAX - (727) 544-7448

Please Respond To:
James W. Denhardt, City Attomey
Lauren Christ Rubenstein, Assistant City Attorney
Denhardt and Rubenstein, Attorneys at Law
2700 First Avenue North
St. Petersburg, Florida 33713
(727) 327-3400-Telephone
(727) 323-0888-Facsimile

October 29, 2018

## Ms. Erica Lindquist

Planning and Zoning Coordinator
City of Pinellas Park
P. O. Box 1100

Pinellas Park, Florida 33780-1100

## RE: City Document \#18-333

Ordinance for PUD 2018-2R
Dear Ms. Lindquist:
I have received and reviewed the above-referenced Ordinance. I would approve of the Ordinance, as to form and correctness.


James W. Denhardt
City Attorney

cc: Doug Lewis, City Manager<br>Diane M. Corna, MMC, City Clerk<br>Patrick Murphy, Asst. City Manager<br>Susan Walker, Community Development Administrator

JWD/dh
18-333.102920t6.LEL.PLD2018-2R Ord,wpd
4190 78th Ave RPUD



 GENERAL LOCATION OF PROPERTY OR ADDRESS: Subject property is located west of Parkwood Townhomes community on
42nd Lane N. (Private Road) between 76th Avenue N. and 78th Avenue N. in Pinellas Park [4190-78th Avenue]
PROPERTY SIZE (Acreage or Square Feet): 1.40 Acres
CURRENT USE, NUMBER AND TYPE OF BUILDINGS: Condo Common Area - Open/Green Space (939) + Vacant PUD (0033)


OR METES AND BOUNDS DESCRIPTION (attach if lengthy):
Please refer to the Site Plan submitted.

## OWNERIAPPLICANT INFORMATION

PROPERTY OWNER: $\qquad$ PHONE: (303) 960-2284

ADDRESS/CITYIZIP: _P.O. Box 22, St. Petersburg, Florida 33731
AUTHORIZED AGENT: Brian A. Barker, PE [Deuel \& Associates]_ PHONE: (727) 822-4151 $\quad 1 \quad 203$
ADDRESS/CITYRZIP: 565 S. Hercules Avenue, Clearwater, Florida 33764
OTHER REPRESENTATIVE: $\qquad$ PHONE: (

ADDRESS/CITYRIP: $\qquad$

City of Pinellas Park, Florida
Application for Minor Amendment of Planned Unit Development (PUD)
Parkwood Townhomes PUD

## Minor Amendment Request and Property Information Narrative

Minor Amendment Request:
The minor amendment request is to reduce the rear yard setback from 15.0 -feet to 12.5 -feet to allow for construction of perpendicular 2 -foot wall extensions. The east facing walls will meet a minimum of 14.0 foot setback from the east property line. The 2 -foot perpendicular wall extensions allow for the construction of sliding glass doors at the rear of the units that would otherwise not be allowed to be installed due to fire code restrictions.

[^2]
## AFFIDAVIT OF OWNERSHIP

STATE OF FLORIDA - COUNTY OF PINELLAS:

NAME OF ALL PROPERTY OWNERS, being first duly swom, depose(s) and say(s):

## Ninetten60 Capital Fund LLC

1. That (l amie are) the owner (s) and record title holders) of the following described property, to wit

ADDRESS OR GENERAL LOCATION:
Pinellas County Parcel Numbers: 27-30-16-66869-000-0001 + 27-30-16-66869-001-0010 to 0070 + $27-30-16-66869-002-0010$ to $0070+27-30-16-66869-003-0010$ to 0070

LEGAL DESCRIPTION OF PROPERTY. Type legal directly on this sheet. If too lengthy, type on separate sheet titled "Ext bit $A$ " and a tach:

## See attached "Exhibit A"

2 That this property constitutes the property for which an application is being made to the City of Pinellas Park, Florida (NATURE OF REQUEST):
Minor Amendment to Residential Planned Unit Development (RPUD) located at 4190 78th Avenue,
Pinellas Park, FL to reduce the Rear [East] Setback from 15-feet to 12.5 -feet [see attached Request]
3. That the undersigned (hashave) appointed and (dosido) appoint Brian Barker, Deuel \& Assoc. necessary to affect such application.
4. That this affidavit has been executed to induce the City cf Pinellas Park, Florida, to consider and act on the above described property, to include City representatives b enter upon property to make inspections as are necessary to visualize site conditions and!cr determine compatibility.


SIGNED (PROPERTY OWNER)


PUD.APL - Revised 1993, 6/994, 11/05, 7108, 211, 5/15

City of Pinellas Park, Florida
Minor Amendment Request for Planned Unit Development (PUD)
Parkwood Townhomes PUD

## EXHIBIT "A"

THE EAST 100 FEET OF THE WEST 410.5 FEET OF THE NORTH $1 ⁄ 2$ OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY FLORIDA, LESS 33 FEET OF THE NORTH END AND LESS 20 FEET OF THE SOUTH END FOR PUBLIC STREET PURPOSES ABOVE RECORDED TRACT OTHERWISE KNOWN AS LOT 18, BLOCK 2, ACCORDING TO THE UNRECORDED PLAT OF THE HAINES ROAD FARMS.

This page is left blank intentionally

P3

## City of Pinellas Park

Staff Report

File \#: 18-674, Version: 1

# CONSIDERATION OF A PROPOSED DIVISION OF A LOT OF RECORD INTO TWO SUBSTANDARD LOTS WITH VARIANCES TO LOT WIDTH, LOT DEPTH, AND LOT AREA; A VARIANCE TO THE SUBDIVISION DENSITY REQUIREMENT; AND A WAIVER TO THE SETBACK FOR A LOT ADJACENT TO A RIGHT-OF-WAY OF INSUFFICIENT WIDTH IN THE T-1 MOBILE HOME SUBDIVISION ZONING DISTRICT - (MS 2019-1/MS 2019-5/VAR 2019-1, Marko Melojevic) 

## PUBLIC HEARING FIRST AND FINAL READING (QUASI- JUDICIAL)

## (Speaker - Erica Lindquist, Planning \& Development Review Manager)

NOTE: The applicant proposes a Division of a Lot of Record for a parcel of land in the T-1 (Mobile Home Subdivision) Zoning District into two substandard 52' x 80 ' lots with a waiver to the required setback for a Lot Adjacent to a Right-of-Way of Insufficient Width to allow a 20 ' front yard setback. The Land Use is RLM (Residential Low Medium), which allows a density of up to 10 dwelling units per acre. The proposed density is 10.47 dwelling units per acre.

ACTION: (Approve - Deny) MS 2019-1/MS 2019-5/VAR 2019-1, the Division of a Lot of Record into two substandard $52^{\prime}$ x $80^{\prime}$ lots with a variance to the density requirement and a waiver to the required setback for a Lot Adjacent to a Right-of-Way of Insufficient Width to allow a 20' front yard setback. Public hearing first and final reading - quasi-judicial

## I. GENERAL INFORMATION

A. Request:

A proposed Division of a Lot of Record into two substandard lots, with variances to lot width, lot depth, and lot area; a variance to the subdivision density requirement; and a waiver to the setback for a lot adjacent to a right-of-way of insufficient width.
B. Proposed use:

Subdivision of vacant parcel
C. Location:
$82^{\text {nd }}$ Avenue, West of $60^{\text {th }}$ Street
D. Site Area:
0.2 Acre (M.O.L.)
E. Land Use Plan Designation:

RLM (Residential Low Medium)
Zoning Classification:
T-1 (Mobile Home Subdivision)
F. Public Notification:

October 26, 2018
G. Legal Advertising:

October 26, 2018
H. Legal Description:

EVANS SUB NO. 1 S 80FT OF W 104FT OF RANCH F

## II. SITE AND VICINITY CHARACTERISTICS

A. Development History:

The subject property was platted in 1923 as the west 104 feet of Ranch " $F$," less the north 15 feet of Evans Subdivision No. 1 as recorded in the Official Record Book 6, page 30, according to Pinellas County records. In 1991, permit \# 1991-1514 was issued for the demolition of a wood frame mobile home. A new mobile home and fence were installed in 1991 under permit \# 1991-1660 and 1991-1792 respectively. The lot is now vacant with no record of a demolition permit for the mobile home.
B. Site Characteristics:

At the time of this submittal, the subject parcel is vacant. The parcel is located on 82nd Avenue, which is a collector road. The surrounding parcels vary in size and shape.
C. Vicinity Characteristics:

| AREA | LAND USE <br> PLAN MAP | ZONING | EXISTING CONDITIONS |
| :---: | :---: | :---: | :--- |
| NORTH | RLM | $\mathrm{T}-1$ | Mobile Homes |
| SOUTH | RLM | $\mathrm{T}-1$ | Mobile Homes and Single Family Homes |
| EAST | RLM | $\mathrm{T}-1$ | Mobile Homes and Single Family Homes |
| WEST | RLM | $\mathrm{T}-1$ | Mobile Homes and Single Family Homes |

D. Essential Services Summary:

Interim Planning \& Development Services Director:
Objection/Comments
Approval will set a precedent. Neighborhood is developed to the south with lots of a similar size as proposed lots. Lots to the north, west, and east are larger.

Building Division Director:
No objection/Comments Building has no concerns other than the construction of SFR to meet the requirements of the Florida Building Code.

Life Safety Management: No objection
Police Department Crime Prevention Officer:
No objection
Neighborhood Services Division Director:
No objection/Comments
We performed a site inspection and reviewed the plan for ESR Case No.: MS 2019-1/VAR 2019-1 on October 10, 2018 under CE Case\# 2018-2851 and found no violations at this time.

Public Works Divisions:
Public Works Administrator:
Engineering Services Director:

No objection
No objection/Comments

There will be an additional 10 ' setback due to insufficient right of way width per Section 18-1503.8.

Utilities Division Director:
Transportation \& Stormwater Director: PPWMD Executive Director:

Community Development Administrator:

No objection
No objection
No objection


## E. Applicable Codes:

## ARTICLE 1

## SECTION 18-108.1. - GENERAL REQUIREMENTS.

(A) Where topographical, technical, preservation or other conditions peculiar to this site exist; and where strict adherence to this code would cause unnecessary hardship, or where the City wishes to encourage a different development pattern or subdivision design, the City Council may authorize a variance or modification. (Ord. No. 2501, 9-10-1998)
The City Council may not grant a variance to the Subdivision Code which would also create a variance to density (residential dwelling units, transient units, or residential equivalent beds). (Ord. No. 626, 2-22-1973; Ord. No. 1382, 4-26-1984; Ord. No. 2216, 9-27-1993; Ord. No. 2501, 9-10-1998)

Analysis: The subject parcel is located in the " $\mathrm{T}-1$ " Mobile Home Subdivision Zoning District, which allows for development of single family dwellings at a maximum allowable density of 8.7 dwelling units per net acre. The Land Use is RLM - Residential Low Medium, which allows a density of up to 10 dwelling units per net acre. The proposed density is 10.47 , which is greater than the Land Use allows. The applicant proposes two substandard parcels, each measuring $52^{\prime} \times 80^{\prime}$. There are surrounding parcels to the south that measure $52^{\prime} \times 80^{\prime}$.
(B) Any request for a variance to the provisions of this Section shall be submitted in writing to the Planning \& Development Services Division. (Ord. No. 2501, 9-10-1998)
Analysis: The applicant has submitted an application to request a variance to the Subdivision Code and proposes to develop the lots with moderate sized single family dwellings. The "T-1" Mobile Home Subdivision regulations has a minimum floor area of 800 square feet.
(C) In determining whether variances should be wholly or partially granted, City Council shall consider the following criteria: character of the immediately surrounding development; size of the parent parcel; configuration and natural features of the land to be developed; adequacy of off-site improvements; traffic impacts; and nature of the proposed development. (Ord. No. 2501, 9-10-1998)

Analysis: The character of the immediate neighborhood consists of mobile homes and single family dwellings. According to Article 1 of the Subdivision Code, Section 108, City Council may not grant a variance to the Subdivision Code which would also create a variance to density. However, there are lots zoned for mobile homes to the south which have the same dimensions as the requested lots.

## SECTION 18-1503.5. - DIVISION OF LOTS/UNITY OF TITLE DOCUMENTS.

(B) The City may require owners of developed lots comprising: 1) more than one (1) lot of record; or 2) one (1) lot of record large enough to be subdivided in compliance with minimum required lot area and dimensions of this Article, to execute a "Lot Line Adjustment" or "Unity of Title" document pursuant to Section 18-101.5 of the Land Development Code, which shall be recorded through the City Clerk's Office. This shall be required when the City Manager determines it to be necessary in order to ensure that the lot(s) shall not subsequently be subdivided, transferred, conveyed or sold in any manner that creates or exacerbates a violation of the provisions of this Article.
(C) The recorded document required above shall stipulate that a lot or lots shall be held under single ownership, shall not be eligible for further subdivision and shall not be transferred, conveyed, sold or divided in any unit other than in its entirety. If a lot or lots are controlled by a Unity of Title, the City Manager may release the Unity of Title for justified cause. In any case where a waiver or variance, other than an administrative variance, of any provision of Chapter 18 would be necessary prior to release of the Unity of Title, then City Council shall approve or deny the release of the recorded Unity of Title. Lot(s) that are controlled by a Unity of Title document may be subdivided if the Unity of title is released and all requirements of this Article are met. (Ord. No. 3748, § 3, 10-28-2010)

## SECTION 18-1503.8. - MEASUREMENTS OF YARD SETBACKS ON LOTS ADJACENT TO RIGHTS-OF-WAY OF INSUFFICIENT WIDTH.

(A) In any case where a proposed or existing lot abuts a planned or existing right-of-way which does not yet have the full dedicated right-of-way width as presented in Article 1, Subdivision Code, the Comprehensive Plan, a City Thoroughfare Plan, or as required by another governmental agency having jurisdiction over the right-of-way, the yard setbacks for such properties for all improvements, including but not limited to buildings, structures, signs, landscaping, drainage ponds, and buffers, shall be measured from the ultimate right-of-way lines. This requirement shall not apply to developed parcels on existing local streets where the Future Traffic Circulation Plan does not indicate a change of functional classification to a higher classification that also requires a greater right-of-way width and the requirements of Section 18-105.5(A), (C) and (D) do not apply.
(B) An applicant may request a waiver of a City right-of-way width requirement by making written application for a waiver to the City Council. The City Council shall grant or deny the application based on the following factors:

1. The impact that the applicant's proposal would have on the existing and proposed right-ofway in the area;
2. The location of the applicant's property;
3. Traffic patterns in the area;
4. The character and age of the neighborhood; and
5. Any other factor that is relevant and material to the waiver request.

In granting such waivers, the City Council shall find that such waiver will not be contrary to the public interest and may prescribe appropriate conditions and safeguards. A violation of such conditions and safeguards shall be deemed a violation of this Article.

Analysis: According to Article 15, Section 18-1503.8, an additional 10 ' front yard setback is required for the property. The subject parcel is located on $82^{\text {nd }}$ Avenue, which is a collector road and has a required width of $80^{\prime}$. The actual width of $82^{\text {nd }}$ Avenue is $60^{\prime}$. The measurement for the front yard setback is taken from the actual right of way line; the front yard setback should be $30^{\prime}$ per Code.

This requirement would create a block face inconsistent with the existing subdivision development. The buildable area would be reduced significantly due to these requirements, which may make reasonable development impossible. The applicant has requested a waiver to this requirement in order to maintain a front yard setback of $20^{\prime}$; the rear yard setback would remain at 15 feet and the side yard setback would remain at 5 feet.

## SECTION 18-1537.1. - BOARD OF ADJUSTMENT.

(D) The City may grant variances from the following provisions of this Article:

1. Height.
2. Area requirements, including but not limited to those for open space, pervious area, lot coverage, and dwelling size. Variances may be granted for lot dimensions provided minimum area requirements are maintained.
3. Required quantities, including but not limited to, required landscape materials, parking spaces, vehicular stacking and loading spaces, and signs.
4. Required (including minimum or maximum) dimensions, separations and locations.

## III. SECTION 18-1503.5. - DIVISION OF LOTS/UNITY OF TITLE DOCUMENTS. (MS 2019-1)

(B) The City may require owners of developed lots comprising: 1) more than one (1) lot of record; or 2) one (1) lot of record large enough to be subdivided in compliance with minimum required lot area and dimensions of this Article, to execute a "Lot Line Adjustment" or "Unity of Title" document pursuant to Section 18-101.5 of the Land Development Code, which shall be recorded through the City Clerk's Office. This shall be required when the City Manager determines it to be necessary in order to ensure that the lot(s) shall not subsequently be subdivided, transferred, conveyed or sold in any manner that creates or exacerbates a violation of the provisions of this Article.
(C) The recorded document required above shall stipulate that a lot or lots shall be held under single ownership, shall not be eligible for further subdivision and shall not be transferred, conveyed, sold or divided in any unit other than in its entirety. If a lot or lots are controlled by a Unity of Title, the City Manager may release the Unity of Title for justified cause. In any case where a waiver or variance, other than an administrative variance, of any provision of Chapter 18 would be necessary prior to release of the Unity of Title, then City Council shall approve or deny the release of the recorded Unity of Title. Lot(s) that are controlled by a Unity of Title document may be subdivided if the Unity of title is released and all requirements of this Article are met.

Analysis: The applicant submitted an application to subdivide a parcel of land in the T-1 Mobile Home Subdivision Zoning District. The parcel is not large enough to meet minimum area requirements, minimum lot width, or minimum lot depth if subdivided.

## IV. ANALYSIS OF VARIANCE CRITERIA (VAR 2019-1)

A. Character of the immediately surrounding development.

Analysis: The subject parcel is located in the T-1 Mobile Home Subdivision Zoning District, which allows for development of single family dwellings at a maximum allowable density of 8.7 dwelling units per net acre. The Land Use is RLM - Residential Low Medium, which allows a density of up to 10 dwelling units per net acre. The proposed density is 10.47 , which is greater than the Land Use allows.
B. Size of the parent parcel

Analysis: The subject parcel is a lot of record $104^{\prime} \times 80^{\prime}$ or 8,320 square feet. Currently, the existing lot depth does not meet the minimum requirement of 90 feet. Because the applicant proposes a lot width of 52 feet, the minimum lot area per Code would not be met. Two substandard lots, each $52^{\prime} \times 80^{\prime}$ or 4,160 square feet, would be created. Several properties in the Evans Subdivision to the south are also 52 ' in width. The proposed lot width would be consistent with these properties.

The Land Development Code allows variances to lot width and depth, but does not allow variances to the required minimum lot area. According to Article 15, Section 18-1537-1, "Variances may be granted for lot dimensions provided minimum area requirements are maintained."
C. Configuration and natural features of the land to be developed

Analysis: The current parcel is $104^{\prime} \times 80^{\prime}$. Surrounding properties vary in size and shape.
D. Adequacy of off-site improvements

Analysis: The offsite improvements are adequate.
E. Traffic impacts

Analysis: There will be no significant traffic impacts.
F. Nature of the proposed development

Analysis: The nature of the proposed development would be consistent with the surrounding properties.

## V. DEVELOPMENT CONSIDERATIONS

1. Section $18-1537.4$ (A) of the Land Development Code requires building permits to be obtained within one (1) year of the date the variance is granted.
2. All previously recorded easements remain in effect.
3. All other T-1 Mobile Home Subdivision Zoning District regulations must be maintained.

## VI. MOTION

After review of Case No. MS 2019-1/MS 2019-5/VAR 2019-1, the variance criteria established in the Land Development Code, and the corresponding Findings of Fact identified in the staff report, I move to (Approve/Deny/Approve with Conditions) the Division of a Lot of Record into two substandard $52^{\prime}$ x $80^{\prime}$ ' lots with a waiver to the required setback for a Lot Adjacent to a Right-of-Way of Insufficient Width to allow a 20 ' front yard setback.

City of Pinellas Park, Florida
APPLICATION FOR MISCELLANEOUS CASES
FOR OFFICE USE ONLY
case ns e $2019-1$ Punemina $\qquad$ CC MEETING: $\qquad$ plat sheet: B-S related cases: $V$ LAR 2Oq-1 receipt number: 243182 ZONING DISTRICT: $\qquad$ $J-1$ LAND USE DESIGNATION: $\qquad$ RUM date received: $\qquad$ $+10|1| 18$
REQUEST AND PROPERTY INFORMATION
REQUEST (CHECK ONE):
$\qquad$ Preliminary site plan approval ("M-1" \& "HH" abutting or functionally abutting residentia/mixed use zoning districts)
$\qquad$ Preliminary site plan approval "T-2", "P", "OS", "PRES"
Alcoholic Beverage Waiver
Waiver of Separation Requirements for Clubs/Lodges
Landscape Waiver
Release of Unity of Title
Lot Line Adjustment / Division of Lot
Other Miscellaneous
SPECIFIC REQUEST: $\qquad$
$\qquad$
GENERAL LOCATION OF PROPERTY OR ADDRESS: $\frac{82 \text { nD AUE NOTTH, EVANS SUB NO } 15 \text { BOFT OF WIOYFt }}{\text { OF RANCH FF }}$ PROPERTY SIZE (Acreage / Square Feet): $104 \times 80<8,320\rangle$
CURRENT USE (Number and Type of Buildings): $\qquad$ VACANT
PARCEL NUMBER(S): EVANS Sub No 1 So 80 FT OF W 104 FT OF RANCH $F$ LEGAL DESCRIPTION: LOT $\qquad$ , BLOCK $\qquad$ , SUBDIVISION $\qquad$ OR METES AND BOUNDS DESCRIPTION (attach is lengthy):

OWNER/APPLICANT INFORMATION
PROPERTY OWNER: $\qquad$ Marko Milojevic PHONE: (I27) 656-2995 ADDRESS/CITYIZIP: 504971 st AVE N
$\qquad$ Joseph Chavez PHONE: (727) $\qquad$ 432-0967
AUTHORIZED AGENT: $\qquad$ ADDRESS/CITYIZIP: $490048^{81}$ Ave NO. ST. Perensburg, FL 33709 other representative: Dejam Mitrovic PHONE: (721) 656-2995 ADDRESS/CITYZIP: 4900 48 TH AVE No. ST. PETERSburg, FL

STATE OF FLORIDA - COUNTY OF PINELLAS:

NAME OF ALL PROPERTY OWNERS, being first duly sworn, deposes) and says):
Marko Milojevic
$\qquad$

1. That (l am/we are) the owners) and record title holders) of the following described property, to wit:

ADDRESS OR GENERAL LOCATION:
82 MD AVE Nortit pinellas park, fl

LEGAL DESCRIPTION OF PROPERTY. Type legal directly on this sheet. If too lengthy, type on separate sheet titled "Exhibit $A^{4}$ and attach:
EVANS SUB NO. IS $80 F F$ OF $W$ LOUT OF RANCH $F$
2. That this property constitutes the property for which an application is being made to the City of Pinellas Park, Florida (NATURE OF REQUEST):
 Aliowineq for two homes to be built 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 to enter upon property to make inspections as are necessary to visualize site conditions and/or determine compatibility.

STATE OF FLORIDA COUNTY OF


(Name of person acknowledging and bite of position)


City of Pinellas Park. Florida
APPLICATION FOR BOARD OF ADJUSTMENT
FOR OFFICE USE ONLY
CASE \#VAR $\qquad$ BOA MEETING: $\qquad$ ORA MEETING: $\qquad$
PLAT SHEET: $\qquad$ RELATED CASES: $\qquad$ DATE RECEIVED: $\qquad$ ZONING DISTRICT: $\qquad$ LAND USE DESIGNATION: $\qquad$ RECEIPT NUMBER: $\qquad$

REQUEST AND PROPERTY INFORMATION
request: to build two houses that will conform to the need, mast hols In this area are balt on $52 \times 80$ parcels. would request that two house beG cons tructed. To build owe house would no provide For a METUPM OM SMVESTRENt. GENERAL LOCATION OF PROPERTY ORADORESS: $: 82$ mo AVE $N$. paellas park

PROPERTY SIZE (Acreage / Square Feet): $\qquad$ $104 \times 80$
CURRENT USE, NUMBER AND TYPE OF BUILDINGS: No building or sprue tore of any kine on this property.
PARCEL NUMBERS): $29-30-16-26460-000-0061$
LEGAL DESCRIPTION: LOT $\qquad$ , BLOCK $\qquad$ , SUBDIVISION $\qquad$
OR METES AND BOUNDS DESCRIPTION (attach if lengthy):
$\qquad$
OWNER/APPLICANT INFORMATION - PLEASE PRINT CLEARLY
property owner: Mark Milojevic
$\qquad$ PHONE: 7221 , 656-2995 ADDRESSICITYIZIP 5049 713t AUE No
$\qquad$ attn: Joe Chavez? AUTHORIZED AGENT: Joseph Chavez
$\qquad$ PHONE: (727) 4320567 ADDRESSICITYIZIP: 4900 4rth AVE NO
$\qquad$ ADDRESSCITYIZP: L500 Lirdl AUE NO. St, petersburg, fl 3370 ,

THE APPLICANT BELIEVES THAT BOARD OF ADJUSTMENT SHOULD GRANT THIS REQUEST BECAUSE:
This would Allow for two confurining house to be built with w an area that the larges portion of houses are built (SEE Attached). To be limited to building only ONE house would not Allow for A return on Investment

VARIANCE: A variance from the terms of the Zoning Code shall not be granted until the applicant can justify the need for a variance by providing responses to the following criteria:

1. Describe the special conditions and circumstances that exist which are peculiar to the land, structure or building involved and are not applicable to other lands, buildings or structures in the same Zoning District.
Current vacant lot size $\ddagger 109 \times 80$, Apparently this was maven sptid as the case to nose of the Area. By allowing this parcel to be split you would beable to build two houses that will couperin to this Neighborhood.
2. Why would the literal interpretation of the provisions of the Zoning Code deprive you of rights commonly enjoyed by other properties in the same Zoning District under terms of the Code?
the current copse would deprive inc of development watch all other porculs being of same size.
3. Explain how the special conditions or circumstances of this case do not result from actions of the applicant.

Unoer contract to purchase this land, must have approval to move forward.
4. Will granting the variance requested confer on the applicant any special privilege that is denied by the Zoning Code to other lands, structures or buildings in the same Zoning District.
No, surrounding properties are same $A S$ III rousting.
BOA.APL - Revised 1993, 6/ 1994, $1 / 1996,8 / 2001,5 / 2002,11 / 2005,7 / 2008,2 / 2011,6 / 2013,5 / 2015$
5. Will this be the minimum variance that will make possible the reasonable use of the land, building or structure if granted?

6. How will the granting of the variance be in harmony with the general purpose and intent of the Zoning Code, not be injurious to the neighborhood, or be detrimental to the public welfare?

MS 2019-1 / MS 2019-5 / VAR 2019-1



LEGEND:

| $D$ | $=$ DEED |
| :--- | :--- |
| $P$ | $=$ PLAT |
| $R / W$ | $=$ RIGHT-OF-WAY |



NORTH BASIS: ASSUMED SCALE: $1^{\prime \prime}=30^{\prime}$


## SKETCH AND LEGAL DESCRIPTION:

PARCEL A
THE WEST 52 FEET OF RANCH " $F$ ", LESS THE NORTH 15 FEET THEREOF, EVANS SUBDIVSION NO. 1, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 6, PAGE 30 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

SKETCH AND LEGAL DESCRIPTION:
PARCEL B
THE EAST 52 FEET OF THE WEST 104 FEET OF RANCH " $F$ ", LESS THE NORTH 15 FEET THEREOF, EVANS SUBDIVISION No. 1, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 6, PAGE 30 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

PREPARED: SEPTEMBER 21, 2018

## THIS IS NOT A SURVEY

This Sketch ond Legal Description was prepored without the benefit of a title search and is subject to all easements, Rights-oi--way, and cther matters of record.

NOTE: Sketch ond Legal Description not volid without the signoture ond the original raised seal of a Florida Licensed Surveyor and Mapper.

## SECTION 29, TOWNSHIP 30 SOUTH, RANGE 16 EAST

CERTIFIED TO:
JOSEPH G. CHAVEZ


NORTH BASIS: ASSUMED
SCALE: $1^{\prime \prime}=20^{\prime}$


# City of Pinellas Park Comprehensive Plan <br> Housing Element <br> Goals, Objectives, and Policies 

HOUSING
GOAL H. 1
Provide safe, sanitary, and decent housing in a variety of types, sizes, locations and costs to meet the needs of current and future residents regardless of race, ethnic or national origin, religion, sex, age, disability, income, or familial status.

## OBJECTIVE H.1.1

The City will support the provision of an adequate supply of dwelling units in a variety of types, locations and costs to meet the current and projected housing needs of all residents.

## POLICY H.1.1.1

Through the land use plan and zoning regulations, the City shall continue to support a land use pattern and land use decisions that provide for diverse housing opportunities and choices at varying densities and locations, while ensuring the provision of adequate public services, utilities, and amenities.

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.

## City of Pinellas Park

Staff Report

File \#: 18-670, Version: 1
Agenda Date: 11/20/2018

CONSIDERATION OF A REQUEST TO ESTABLISH AN OUTDOOR STORAGE AREA WITH A WAIVER TO THE 6 FOOT HIGH SOLID WALL REQUIREMENT FOR OUTDOOR STORAGE ADJACENT TO A RIGHT-OF-WAY FOR A PARCEL OF LAND GENERALLY LOCATED AT 8111 63RD STREET IN THE M-1 LIGHT INDUSTRIAL ZONING DISTRICT - (MS 2019-3, Thomas \& Christina Barber)

PUBLIC HEARING FIRST AND FINAL READING (QUASI-JUDICIAL)
(Speaker - Erica Lindquist, Planning \& Development Review Manager)

NOTE: The applicant proposes to establish an outdoor storage area for recreational vehicles and boat trailers. An existing double fence consisting of 6 foot high chain link with barbs inside a 6 foot high solid PVC fence would serve as a substitute for the required wall.

ACTION: (Approve - Deny) MS 2019-3 for a proposed outdoor storage area with a waiver to the required 6 foot high solid wall. Public hearing first and final reading - quasi-judicial.

## CASE NUMBER: MS 2019-3

OWNER: Thomas \& Christina Barber

## City Council: November 20, 2018

## I. GENERAL INFORMATION

A. Request:

Establish an outdoor storage area with a waiver to the 6 ' solid wall requirement for outdoor storage adjacent to a right-of-way for a property located in the M-1 Light Industrial Zoning District. An existing double fence consisting of a $6^{\prime}$ chain link with barbs inside a 6 ' high solid PVC fence would serve as a substitute for the wall requirement.
B. Proposed use:

Commercial with Outdoor storage
C. Location:

8111 63rd Street, Pinellas Park FL 33781
D. Site Area:
0.82 acre MOL
E. Land Use Plan Designation:

IL (Industrial Limited)
Zoning Classification:
M-1 (Light Industrial)
F. Public Notification:

NA
G. Legal Advertising:

NA
H. Legal Description:

PINELLAS PARK INDUSTRIES LOT 6 \& S $1 / 2$ OF VAC PVT RW ADJ ON N PER O.R. 13580/895

## II. SITE AND VICINITY CHARACTERISTICS

A. Zoning/Development History:

This property is a lot of record and has not been platted according to the City's records. The original structure was demolished and a new 12,600 square foot commercial structure was built in 2006.
B. Site Characteristics:

The subject parcel is a corner lot located at the intersection of 63rd Street and $80^{\text {th }}$ Avenue. There is currently a 12,600 gross square foot building on the property with associated vehicular use area in the front.
C. Vicinity Characteristics:

| AREA | LAND USE <br> PLAN | ZONING | EXISTING CONDITIONS |
| :--- | :---: | :---: | :--- |
| NORTH | IL | $\mathrm{M}-1$ | Public Works Operations Center |
| SOUTH | RU | $\mathrm{R}-1$ | Single family residential |
| EAST | IL | $\mathrm{M}-1$ | Light Manufacturing |
| WEST | RU | $\mathrm{R}-1$ | Single family residential |

D. Essential Services Summary:

Interim Planning \& Zoning Director: No objection
Building Division Director:
No objection

Life Safety Management:
No objection/Comments Storage must still provide access to building, No portable refueling station system without a permit.

Police Department Crime Prevention Officer:
No objection/Comments
They are already storing vehicles. Recommend adequate lighting to deter break-ins and thefts at the location. Perhaps video surveillance if not already installed.

Public Works Divisions:
Public Works Administrator: No objection
Engineering Services Director: No objection
Utilities Division Director:
Transportation \& Stormwater Director:
No objection
No objection
PPWMD Executive Director:
Neighborhood Services
No objection
No objection/Comments

We performed a site inspection and reviewed the application and found no violations at this time.

Community Development Administrator:


## E. Applicable Codes:

Sec. 18-1530.11. - OUTDOOR STORAGE. (A)

| Zoning <br> District | Permitted? | Yards Where <br> Prohibited | \% Lot <br> Coverage | Enclosure Required | Accessory <br> Use Only? |
| :---: | :---: | :---: | :---: | :---: | :---: |
| M-1 | Yes | Front and <br> Secondary <br> Front | N/A | $6^{\prime}$ min. wall adjacent to R.O.W.. <br> residential, mixed-use, quasi-public <br> zoning; $6^{\prime}$ 'fence on other sides. | No |

## III. WAIVERREQUEST

Pursuant to Section 1530.11 (A)4, a waiver to the requirement for a solid wall may upon written request be considered by City Council, except where the property upon which the outdoor storage area is located abuts or functionally abuts residential, mixed use or public/semi-public zoned properties. In determining whether or not to grant a request to allow a solid fence, City Council shall consider the following criteria:

- Use of abutting properties
- Right-of-way classifications,
- Extent of existing solid fencing within the surrounding area,
- Fence material proposed, and
- Length of proposed fence/wall

Analysis: The primary business on the subject property is light manufacturing. The owners have had an active BTR since 1999 at a prior location in Pinellas Park and have recently transferred the BTR to the subject parcel. They would like to utilize the vacant area for storage of recreational vehicles and boats, which they say is a growing demand in the area.

The BTR for TBC Ventures, LLC DBA Integrity Industries states "no outdoor storage." Article 15 Section 18-1530-11 of the Land Development Code allows the establishment of outdoor storage in "M$1^{\prime \prime}$ Light Industrial Zoning District with a required 6 ' wall installed adjacent to right-of-way. The owner has requested a waiver to the wall requirement to allow the existing double fence consisting of a 6 ' chain link with barbs inside ab' high solid PVC fence along the south and the west property lines as a substitute for the wall requirement. The properties to the south and the west are residential.

In determining whether to grant a request to allow a solid fence in place of a wall, City Council shall consider the following criteria: use of abutting properties, right-of-way classifications, extent of existing solid fencing within the surrounding area, fence material proposed, and length of proposed fence/wall.

Analysis: Functionally abutting properties to the south and west are residential. The property to the east is light manufacturing. The property to the north is the Public Works Operations Center. The right-of-way classifications are local streets.

Along 80th Avenue, there is existing solid fence along the side yards of the residential lots. Along 63rd Street, the residential front yards are open with no shielding to the surrounding area.

## IV. DEVELOPMENT CONSIDERATIONS

1. A Building Permit is to be obtained within six months of approval.

## v. MOTION

(Approve - Deny) A request to establish an outdoor storage area with a waiver to the requirement for an enclosure to the outdoor storage area from a solid wall as required by Section 18-1530.11 "Outdoor Storage" to allow the existing double fence consisting of a 6 ' chain link with barbs inside a 6 ' high solid PVC fence to serve as a substitute for the wall requirement for a parcel of land generally located at 8111 63rd Street.

## City of Pinellas Park. Florida <br> APPLICATION FOR MISCELLANEOUS CASES


FOR OFFICE USE ONLY
CASE\#MS 2019 -3 PZMEETNG: NA CCMEETNG: $11 / 20 / 18$
plat sheet: A5 related cases:___ receipt number: 243185
zoning district: MI land use designation: Il date received: $10 / 9 / 18$
REQUEST AND PROPERTY INFORMATION
REQUEST (CHECK ONE):


SPECIFIC REQUEST: AUthorize IIARIANCE FOR USE OF Chainlink with PRivacy FENCing overt top instead of Concrete Block wall to Alow for RV and boat general location of property or address: $8 / 1163^{2 R P}$ ST, N, Pineunt fork Fl. 3378 , PROPERTY SIZE (Acreage / Square Feet): $\quad 80 \mathrm{AC}$ CURRENT USE (Number and Type of Buildings): Light MANUFACTunugg Assembly M-1 PARCEL NUMBERS): $29-30-16-71168-000-0060$ LEGAL DESCRIPTION: LOT $\qquad$ BLOCK $\qquad$ subdivision Pineluas park Iurustiles OR METES AND BOUNDS DESCRIPTION (attach is lengthy):

## OWNER/APPLICANT INFORMATION

 addressicityizip: 4738 leith TERRACE $N$ fineuos PANe k, FL. $3378 \%$ AUTHORIZED AGENT: $\qquad$ PHONE: (__) $\qquad$ ADDRESS/CITY/ZIP: $\qquad$
OTHER REPRESENTATVE: $\qquad$ PHONE: $\qquad$ L_ ADDRESS/CITYIZIP: $\qquad$

STATE OF FLORIDA - COUNTY OF PINELLAS:
NAME OF ALL PROPERTY OWNERS, being first duly sworn, deposes) and says):
$\qquad$

1. That (I am/we are) the owners) and record title holders) of the following described property, to wit:

ADDRESS OR GENERAL LOCATION:


LEGAL DESCRIPTION OF PROPERTY. Type legal directly on this sheet. If too lengthy, type on separate sheet titled "Exhibit A" and attach:
Piveuns fart Insustues Lot 6 q $51 / 2$ of Vac PUT R/W ALT ON N PER O.R.
2. That this property constitutes the property for which an application is being made to the City of Pinellas Park, Florida (NATURE OF REQUEST):

Authorize Variance to uticues Existing chanumeffurvacy fencing IN-LEIN of CONERETE Block WAFL.
3. That the undersigned (has'have) appointed and (does/do) appoint $\qquad$ as (his/their) agents) to execute any petitions or other documents necessary to affect such application.

MS 2019-3


[^3]



This page is left blank intentionally

P5

## City of Pinellas Park

Staff Report

File \#: 18-656, Version: 1
Agenda Date: 11/20/2018

## REAPPOINTMENT TO BOARD OF ADJUSTMENT - Gary Mygdal

NOTE: The term of Gary Mygdal's current appointment will expire on November, 30, 2018. Mr. Mygdal has expressed a desire to continue to serve on the Board of Adjustment for a three-year term, expiring on November 30, 2021.

ACTION: (Approve - Deny) The reappointment of Gary Mygdal to serve on the Board of Adjustment for a three year-term to expire on November 30, 2021.


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

FLORIDA

| PHONE | (727) 369-0700 |
| :--- | :--- |
| FAX | $\cdot(727) 544-7448$ |

PHONE - (727) 369-0700<br>FAX - (727) 544-7448

October 23, 2018

To: Nicole Tikkanen, Planning \& Zoning Staff Assistant

Subject: Interest in continuation to serve on the Board of Adjustment, Gary Mygdal

Ms. Tikkanen,

Please accept this letter as an expression of interest to continue to serve the community on the Board of Adjustment. My term expires on November 30, 2018 and I do wish to continue serving the City, Council, and the citizens of Pinellas Park.


## CITY OF PINELLAS PARK, FLORIDA

ATTENDANCE RECORD - 2017
BOARD OF ADJUSTMENT

| MEMBER | JAN | FEB | MAR | APR | MAY | JUNE | JULY | AUG | SEPT | OCT | NOV | DEC |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| CHARLES MURRAY | NM | P | NM | P | P | P | NM | NM | NM | NM | NM | NM |
| EDWARD KOSINSKI | NM | P | NM | P | P | P | NM | NM | NM | NM | NM | NM |
| WILLIAM HOLMES | NM | P | NM | P | P | P | NM | NM | NM | NM | NM | NM |
| ROBERT ANDOLINA | NM | P | NM | P | P | P | NM | NM | NM | NM | NM | NM |
| JOHN VONHOF | NM | P | NM | P | P | P | NM | NM | NM | NM | NM | NM |
| EDWARD CORRAO | NM | E | NM | E | E | R | R | R | R | R | R | R |
| MUNAF KAPADIA | NM | P | NM | E | P | P | NM | NM | NM | NM | NM | NM |
| GARY MYGDAL** | - | - | - | - | - | - | - | NM | NM | NM | NM | NM |

```
P = PRESENT
E = EXCUSED
U = UNEXCUSED
R = RESIGNED
NM = NO MEETING
** Newly appointed
```


## CITY OF PINELLAS PARK, FLORIDA

ATTENDANCE RECORD - 2018
BOARD OF ADJUSTMENT

| MEMBER | JAN | FEB | MAR | APR | MAY | JUNE | JULY | AUG | SEPT | OCT | NOV | DEC |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| CHARLES MURRAY | P | P | P | NM | P | P | NM | NM | P | P |  |  |
| WILLIAM HOLMES | P | P | P | NM | P | P | NM | NM | P | P |  |  |
| ROBERT ANDOLINA | P | P | P | NM | P | P | NM | NM | P | P |  |  |
| JOHN VONHOF | P | P | P | NM | P | P | NM | NM | P | P |  |  |
| GARY MYGDAL | P | P | P | NM | P | P | NM | NM | P | P |  |  |
| CAROL SINGLETON** | -- | -- | P | NM | P | P | NM | NM | P | P |  |  |
| DJ SCHLADWEILER** | -- | -- | -- | -- | -- | P | NM | NM | P | P |  |  |

```
P = PRESENT
E = EXCUSED
U = UNEXCUSED
R = RESIGNED
NM = NO MEETING
** Newly appointed
```


## City of Pinellas Park

Staff Report

File \#: 18-675, Version: 2
Agenda Date: 11/20/2018

## REAPPOINTMENT TO BOARD OF ADJUSTMENT - Deborah Jean "DJ" Schladweiler

NOTE: The term of Deborah Jean "DJ" Schladweiler's current appointment will expire on November, 30, 2018. Ms. Schladweiler has expressed a desire to continue to serve on the Board of Adjustment for a three-year term, expiring on November 30, 2021.

ACTION: (Approve - Deny) The reappointment of Deborah Jean "DJ" Schladweiler to serve on the Board of Adjustment for a three year-term to expire on November 30, 2021.

## City of <br> PINELLAS PARK

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


FLORIDA
PHONE

- (727) 369-0700
FAX - (727) 544-7448

October 23, 2018
To: Nicole Tikkanen, Planning \& Zoning Staff Assistant
Subject: Interest in continuation to serve on the Board of Adjustment, DJ Schladweiler
Ms. Tikkanen,
Please accept this letter as an expression of interest to continue to serve the community on the Board of Adjustment. My term expires on November 30, 2018 and I do wish to continue serving the City, Council, and the citizens of Pinellas Park.


## CITY OF PINELLAS PARK, FLORIDA

ATTENDANCE RECORD - 2017
BOARD OF ADJUSTMENT

| MEMBER | JAN | FEB | MAR | APR | MAY | JUNE | JULY | AUG | SEPT | OCT | NOV | DEC |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| CHARLES MURRAY | NM | P | NM | P | P | P | NM | NM | NM | NM | NM | NM |
| EDWARD KOSINSKI | NM | P | NM | P | P | P | NM | NM | NM | NM | NM | NM |
| WILLIAM HOLMES | NM | P | NM | P | P | P | NM | NM | NM | NM | NM | NM |
| ROBERT ANDOLINA | NM | P | NM | P | P | P | NM | NM | NM | NM | NM | NM |
| JOHN VONHOF | NM | P | NM | P | P | P | NM | NM | NM | NM | NM | NM |
| EDWARD CORRAO | NM | E | NM | E | E | R | R | R | R | R | R | R |
| MUNAF KAPADIA | NM | P | NM | E | P | P | NM | NM | NM | NM | NM | NM |
| GARY MYGDAL** | - | - | - | - | - | - | - | NM | NM | NM | NM | NM |

```
P = PRESENT
E = EXCUSED
U = UNEXCUSED
R = RESIGNED
NM = NO MEETING
** Newly appointed
```


## CITY OF PINELLAS PARK, FLORIDA

ATTENDANCE RECORD - 2018
BOARD OF ADJUSTMENT

| MEMBER | JAN | FEB | MAR | APR | MAY | JUNE | JULY | AUG | SEPT | OCT | NOV | DEC |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| CHARLES MURRAY | P | P | P | NM | P | P | NM | NM | P | P |  |  |
| WILLIAM HOLMES | P | P | P | NM | P | P | NM | NM | P | P |  |  |
| ROBERT ANDOLINA | P | P | P | NM | P | P | NM | NM | P | P |  |  |
| JOHN VONHOF | P | P | P | NM | P | P | NM | NM | P | P |  |  |
| GARY MYGDAL | P | P | P | NM | P | P | NM | NM | P | P |  |  |
| CAROL SINGLETON** | -- | -- | P | NM | P | P | NM | NM | P | P |  |  |
| DJ SCHLADWEILER** | -- | -- | -- | -- | -- | P | NM | NM | P | P |  |  |

```
P = PRESENT
E = EXCUSED
U = UNEXCUSED
R = RESIGNED
NM = NO MEETING
** Newly appointed
```

Staff Report

File \#: 18-668, Version: 1

## RESOLUTION NO. 18-32. APPROVING PROJECT \#B7121437441 AS A QUALIFIED APPLICANT FOR THE QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM PURSUANT TO SECTION 288.106, FLORIDA STATUTES; IDENTIFYING LOCAL GOVERNMENT FINANCIAL SUPPORT

## FIRST AND FINAL READING

NOTE: Project \#B7121437441 is a business service firm that would like to expand within Pinellas Park and projects hiring sixty (60) employees in qualified value-added jobs. The company plans to purchase and remodel an existing building. A tax refund has been requested of $\$ 180,000$. Eighty percent $(\$ 144,000)$ will be funded by the State. The $20 \%$ local match $(\$ 36,000)$ is being requested locally - $50 \%$ from Pinellas County $(\$ 18,000)$ and $50 \%$ from the City $(\$ 18,000)$. This incentive returns a portion of taxes paid by the business after the company meets its job creation and wage commitments. No more than $12.5 \%(\$ 1,500)$ of the total refund approved by the City may be taken in any single fiscal year. The tax refund will be paid over a series of fiscal years as determined by the State.

When relocated, they will be hiring 60 employees from the local workforce with annual pay scales above $115 \%$ of the average wage in the State of Florida. These wages would result in an economic impact of approximately $\$ 14,315,000$ as calculated by the U.S. Bureau of Economic Analysis Regional Input-Output Model for Pinellas County. The total estimated impact of this company relocating to Pinellas Park is a positive $\$ 16,511,894$ on the local economy. This is achieved through the creation of 60 higher paying jobs and expenditures related to the renovation of the building, and purchase of new equipment.

ACTION: (Adopt - Deny) Resolution No. 18-32.

RESOLUTION NO. $\qquad$
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA APPROVING PROJECT \#B7121437441 AS A QUALIFIED APPLICANT FOR THE QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM PURSUANT TO SECTION 288.106, FLORIDA STATUTES; IDENTIFYING LOCAL GOVERNMENT FINANCIAL SUPPORT FOR PROJECT \#B7121437441; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida established the Qualified Target Industry Business Tax Refund Program ("QTI Program") to encourage the growth of Florida's economy by creating high-wage, value-added employment opportunities, and authorized the Florida Department of Economic Opportunity to accept, review and approve applications for tax refunds to qualified target undustry businesses; and

WHEREAS, the QTI Program requires $20 \%$ local financial participation as tax refunds become due; and

WHEREAS, Project \#B7121437441 is a business service firm that would like to expand within Pinellas County and projects hiring 60 employees in qualified value-added jobs; and

WHEREAS, the Mayor and City Council of the City of Pinellas Park finds that providing QTI Program tax refunds to Project \#B7121437441 serves the public purpose of promoting positive impacts on and benefits to the City's economic vitality.
$\qquad$

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

SECTION ONE: Project \#B7121437441 is approved as a Qualified Target Industry Business pursuant to Section 288.106, Florida Statutes. This recommendation is based upon the creation of the specified jobs and is contingent upon Pinellas County's review and confirmation of Project \#B7121437441's final application.

SECTION TWO: Project \#B7121437441's average private sector wage commitment calculation shall be at least $115 \%$ of the State of Florida average annual wage.

SECTION THREE: The necessary commitment of local financial support for the Qualified Target Industry Business for the Qualified Target Industry Tax Refund Program has been identified in the total sum of $\$ 36,000$ with $50 \%$ of the local contribution to be paid by Pinellas County and $50 \%$ to be paid by the City of Pinellas Park subject to annual appropriations, and will be paid to the Florida Economic Development Trust Fund as tax refunds become due. The funding authorized herein is intended to represent the local financial support required by Section 288.106, Florida Statutes and is conditioned upon the applicant meeting all statutory requirements of the QTI Program. Nothing herein will prevent other jurisdictions or private sector entities from making or increasing their contributions. However, in no event will the total contribution of the City of Pinellas Park for Project \#B7121437441 exceed \$18,000
$\qquad$

SECTION FOUR: That this Resolution shall be in full force and effect immediately upon its adoption and approval in the manner provided by law.

```
ADOPTED THIS
```

$\qquad$

``` DAY OF
``` \(\qquad\)
``` 2018. AYES:
NAYS:
```


## ABSENT:

```
ABSTAIN:
APPROVED THIS
``` \(\qquad\)
``` DAY OF
``` \(\qquad\)
``` , 2018.
```


## Sandra L. Bradbury MAYOR

ATTEST:

Diane M. Corna, MMC CITY CLERK
$\qquad$

## City of <br> PINELLAS PARK

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

Please Respond Yo:
James W. Denhardt, City Attorney
Lauren Christ Rubenstein, Assistant City Attorney
Denhardt and Rubenstein, Attorneys at Law 2700 First Avenue North
St. Petersburg, Florida 33713
(727) 327-3400 - Telephone
(727) 323-0888 - Facsimile


FLORIDA
PHONE - (727) 369-0700
FAX - (727) 544-7448


Ms. Shannon Coughlin
Economic Development Manager
City of Pinellas Park
P. O. Box 1100

Pinellas Park, Florida 33780-1100

## RE: City Document \#18-348

QTI Resolution - Project B7121437441
Dear Ms. Coughlin:
I have received and reviewed the QTI Resolution. I would approve of the Resolution as to form and correctness.

Very truly yours,


Lauren C. Rubenstein
Assistant City Attorney
cc: Doug Lewis, City Manager
Diane M. Cornea, MMC, City Clerk
Patrick Murphy, Deputy City Manager
Susan Walker, Community Development Administrator
LCR/dh
18.348.11072018.LSC.QTI Rosolution.wpd

This page is left blank intentionally

## City of Pinellas Park

Staff Report

File \#: 18-664, Version: 1

## AUTHORIZATION FOR THE POLICE CHIEF TO SIGN PINELLAS COUNTY JUVENILE OFFENDERS INTERAGENCY AGREEMENT

NOTE: This Interagency Agreement establishes a contract between all Pinellas law enforcement agencies and the Pinellas County School Board. It addresses procedures for the sharing of information between the entities related to juvenile offenders that are consistent with the requirements of Florida State Statute.

ACTION: (Approve - Deny) Authorization for the Police Chief to sign the Pinellas County Juvenile Offender Interagency Agreement.

## City of PINELLAS PARK

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

## Please Respond To:

James W. Denthandt, City Attomey
Lauren Christ Rubenstein, Assistant City Attorney
Denhardt and Rubenstain, Attomeys at Law 2700 First Avenue North
St. Petersburg, Florlda $3 \$ 713$
(727) 327-3400 - Telephone
(727) 323-0888 - Facsimile

October 31, 2018


FLORIDA

$$
\begin{array}{ll}
\text { PHONE } & =(727) 369-0700 \\
\text { FAX } & =(727) 544-7448
\end{array}
$$



Sergeant Michael Linquist
Pinellas Park Police Department
City of Pinellas Park
P. O. Box 1100

Pinellas Park, Florida 33780-1100

## RE: City Document \#18-345 Pinellas County Juvenile Offenders Interagency Agreement

## Dear Sergeant Linquist:

I have received and reviewed the Interagency Agreement regarding sharing information about juvenile offenders. On page 15, where the Pinellas Park Police Department signature block appears, an additional signature block should appear as follows:

Approved as to form and correctness
James W. Denhardt, City Attorney

With that change, I would approve of the Agreement as to form and correctness. As this Agreement deals with protected information and could expose the City to some potential liability, this is the type of Agreement that City Council would need to approve.


Jannes W. Denhardt
City Attorney

[^4]
## Fwd: Atty Doc 18-345, Pinellas County Interagency Agreement for Juvenile Offenders

```
1 \text { message}
```

Matthew Pruitt [mpruitt@pinellas-park.com](mailto:mpruitt@pinellas-park.com)
Wed, Oct 31, 2018 at 9:03 AM
To: Nichole Strickland [nstrickland@pinellas-park.com](mailto:nstrickland@pinellas-park.com), Jennifer Carfagno [jcarfagno@pinellas-park.com](mailto:jcarfagno@pinellas-park.com), Diane Corna [DCorna@pinellas-park.com](mailto:DCorna@pinellas-park.com)
Cc: denhardtlaw [denhardtlaw@aol.com](mailto:denhardtlaw@aol.com), Michael Linquist [MLinquist@pinellas-park.com](mailto:MLinquist@pinellas-park.com), Lynn Ross [LRoss@pinellaspark.com](mailto:LRoss@pinellaspark.com), Matthew Pruitt [mpruitt@pinellas-park.com](mailto:mpruitt@pinellas-park.com)

Good Morning,
The attached Interagency Agreement has been reviewed by the Human Resources Department. There are no additions, changes, or comments offered; as they may pertain to the evaluation of risk exposures.

Thank you.
Matt Pruitt, RMPE
Risk Management \& Pension Director
p\#727-369-0634
www.pinellas-park.com
*This message may contain information which is part of a Human Resources File and may therefore be exempt from disclosure in accordance with F.S. 768.28. Please notify the sender and destroy this message if you have received in error.
$\qquad$ Forwarded message
From: Nichole Strickland [nstrickland@pinellas-park.com](mailto:nstrickland@pinellas-park.com)
Date: Tue, Oct 30, 2018 at 2:54 PM
Subject: Atty Doc 18-345, Pinellas County Interagency Agreement for Juvenile Offenders
To: Lynn Ross [LRoss@pinellas-park.com](mailto:LRoss@pinellas-park.com), Lisa Hendrickson [LHendrickson@pinellas-park.com](mailto:LHendrickson@pinellas-park.com), Matthew Pruitt [mpruitt@pinellas-park.com](mailto:mpruitt@pinellas-park.com)

For your review.
Thank you,
Nichole Strickland, MMC
Deputy City Clerk
City Clerks Office
City of Pinellas Park
(727) 369-0618

PLEASE NOTE: All electronic mail sent to and from the City of Pinellas Park is subject to the Public Records provision of the Florida Statutes, and may be released as part of a public records request.
---------- Forwarded message
From: Michael Linquist [MLinquist@pinellas-park.com](mailto:MLinquist@pinellas-park.com)
Date: Tue, Oct 30, 2018 at 2:37 PM
Subject: Pinellas County Interagency Agreement for Juvenile Offenders
To: Nichole Strickland [nstrickland@pinellas-park.com](mailto:nstrickland@pinellas-park.com)
Cc: Jennifer Carfagno [jcarfagno@pinellas-park.com](mailto:jcarfagno@pinellas-park.com)

Good afternoon,
May you please route for review and approval through RM and City Attorney?
Also, Chief Haworth is requesting we receive guidance from Mr Denhardt on if we can sign this without Council Approval.
Respectfully,
--
Sergeant Mike Linquist \#152
Special Services Sergeant
Pinellas Park Police Department
7700 59th St N
Pinellas Park, FL 33781
Office: (727) 369-7808

[^5]
## INTERAGENCY AGREEMENT REGARDING SHARING INFORMATION ABOUT JUVENILE OFFENDERS

THIS INTERAGENCY AGREEMENT (hereinafter referred to as "Interagency Agreement") is made this 4th day of October, 2018, by and between The Pinellas County School District Superintendent, or his or her designee, State of Florida, Department of Juvenile Justice Probation and Community Intervention (DJJC06), Pinellas County Sheriff's Office (PCSO) , Clearwater Police Department , Largo Police Department, Gulfport Police Department, Pinellas Park Police Department, St. Petersburg Police Department, Tarpon Springs Police Department, Belleair Police Department, Treasure Island Police Department, Indian Shores Police Department, Pinellas County School District Police Department, Kenneth City Police Department.

## 1. Agreement

A. The purpose of this agreement is to implement the requirements contained in paragraph (c) of subsection (1) of s. 985.04, Florida Statutes.
B. Personal identifiable information may be released without consent of the student or the student's parents to parties to this Interagency Agreement pursuant to Florida Statute 1002.221 (2)(c).
C. All parties agree to promote a coordinated effort among agencies and staff to implement the provisions of s .985 .04 (1)(c), Florida Statutes.
D. All parties agree to participate in Interagency planning meetings, as appropriate
E. All parties to this Interagency Agreement shall cooperate in the dissemination of information relating to students pursuant to any agreement entered into by the parties pursuant to Florida Statute 985.04(1)(c).
F. All parties are required to comply with all state and/or federal laws related to records use, security, dissemination, and retention/ destruction. Consequences for any violation shall be governed in accordance with the law.
G. All parties shall comply with Florida Statute 943.0525 and shall maintain confidentiality of information that is not otherwise exempt from Florida Statute 119.071(1), or as otherwise provided by law.

## Pinellas County Schools

A. Notify the appropriate school personnel in writing pursuant to section 985.04(4) and other applicable statutes in accordance with adopted school board policies.
B. Designate and inform all parties to this Agreement of the name, address, and telephone number or numbers of the contact person or persons by geographic region, to be responsible for receiving juvenile arrest information.
C. Request juvenile criminal history information only for purposes of assessment, placement, or school safety, security of persons and property, Florida Statute 985.04(1)(b)(2018).
D. Designate and inform the PCSO, and above listed police departments within Pinellas County, of the name, address, and telephone number or numbers of the contact person to be responsible for receiving confidential criminal history information, Florida Statute.
E. Ensure that information obtained through the criminal history database is disseminated only to appropriate Pinellas district school superintendent personnel and carries an appropriate warning regarding the reliability, confidentiality and control of further dissemination.
F. Provide notification to any classroom teacher of assignment to the teacher's classroom of a juvenile who has been placed in a probation or commitment program for a felony offense.

## Department of Juvenile Justice

A. Immediately notify the PCSO, above named Police Departments, and Pinellas district school superintendent, or his or her designee or their designees, upon learning of the move or other relocation into, out of, or within Pinellas County, of a juvenile offender who has been adjudicated delinquent or guilty of or had adjudication of delinquency or guilt withheld for, the commission of a violent misdemeanor or violent felony, Florida Statute 985.047(2)(b).
B. Share dispositional, placement and case management information with the appropriate agency or agencies, the district school superintendent, or his or her designee for purposes of assessment, placement and enhanced supervision of juveniles referred to the DJJ, Florida Statute 985.04(4)(d).
C. Ensure that information disseminated pursuant to this Agreement carries an appropriate warning regarding the reliability, confidentiality and control of further dissemination. Such warning shall be in accordance with the Florida Department of Law Enforcement Criminal Justice Information System User Agreement requirements.

## Pinellas County Sheriff's Department

A. Promptly provide notification to Pinellas district school superintendent, or his or her designee, of juveniles arrested within Pinellas County for crimes of violence or violations of law which would be a felony if committed by an adult, Florida Statute 985.04 (2018).
B. Provide Florida summary criminal history information to the Pinellas district school superintendent, or his or her designee or his or her designee(s), upon request, regarding juveniles who are students enrolled in or about to be enrolled in the school district of Pinellas County when necessary for assessment, placement or security of persons or property. Further, the Sheriff will establish, and forward to the Pinellas County district school superintendent the internal procedures of the PCSO for receiving, processing and providing information pursuant to such requests, Florida Statute 985.04 (2018).
C. Ensure that information disseminated pursuant to this Agreement carries an appropriate warning regarding the reliability, confidentiality and control of further dissemination. Such warning shall be in accordance with the Florida Department of Law Enforcement Criminal Justice Information System User Agreement requirements.
D. Provide information to the Pinellas district school superintendent or his or her designee concerning those students who meet the statutory definition under Florida Statute 874.03(2), as a criminal gang member.
E. Notify the Pinellas district school superintendent, or his or her designee the name and address of any employee of the school district who is arrested and/or charged with a felony or with a misdemeanor involving the abuse of a minor child or the sale or possession of a controlled substance. Notification to the Pinellas district school superintendent, or his or her designee shall be within 48 hours of the arrest or charge and shall include the specific charge for which the employee was arrested charged.

## Clearwater Police Department , Largo Police Department, Gulfport Police Department, Pinellas Park Police Department, St. Petersburg Police Department, Tarpon Springs Police Department, Belleair Police Department, Treasure Island Police Department, Indian Shores Police Department, Pinellas County School District Police Department, Kenneth City Police Department

A. Immediately provide notification to the Pinellas district school superintendent, or his or her designee, of juveniles within the School District of Pinellas County arrested or taken into custody for crimes of violence or violations of law which would be a felony if committed by an adult, Florida Statute 985.04 (2018).
B. Provide Florida summary criminal history information to the Pinellas district school superintendent or his or her designee(s), upon request, regarding juveniles who are students enrolled in or about to be enrolled in the school district of Pinellas County when necessary for assessment, placement or security of persons or property. Further, the Police Chief will establish, and forward to the district school superintendent the internal procedures of their agency for receiving, processing and providing information pursuant to such requests.
C. Ensure that information disseminated pursuant to this Agreement carries an appropriate warning regarding the reliability, confidentiality and control of further dissemination. Such warning shall be in accordance with the Florida Department of Law Enforcement Criminal Justice Information System User Agreement requirements.
D. Provide information to the Pinellas district school superintendent or his or her designee concerning those students who meet the statutory definition under Florida Statute 874.03(2), as a criminal gang member.
E. Notify the Pinellas district school superintendent, or his or her designee the name and address of any employee of the school district who is arrested and/or charged with a felony or with a misdemeanor involving the abuse of a minor child or the sale or possession of a controlled substance. Notification to the Pinellas district school superintendent, or his or her designee shall be within 48 hours of the arrest or charge and shall include the specific charge for which the employee was arrested/charged.
2. Term of Agreement The term of this Agreement shall take effect upon the date the last party executes the same ("Effective Date"). This Agreement shall renew every five years unless
terminated by either party by providing sixty (60) days advance written notice to the other party. This Agreement may be modified or amended upon written agreement of all parties.

## Notices

A. All notices, demands, or other writings required to be given or made or sent in this Agreement, or which may be given or made or sent, by either party to the other, shall be deemed to have been fully given or made or sent when in writing and addressed as follows:

Pinellas County Sheriff's Office

Clearwater Police Department

Largo Police Department

Gulfport Police Department

Pinellas Park Police Department

St. Petersburg Police Department

Tarpon Springs Police Department

Belleair Police Department

Treasure Island Police Department

Indian Shores Police Department

Pinellas County School District Police Department

Kenneth City Police Department
Department of Juvenile Justice Circuit 06

Pinellas District School Superintendent
B. All notices required, or which may be given hereunder, shall be considered properly given if
(1) personally delivered, (2) sent by certified United States mail, returned receipt requested, or
(3) sent by FedEx or other equivalent overnight letter delivery company, (4) sent by email.
C. The effective date of such notices shall be the date personally delivered, or if sent by mail, the date of the postmark, or if sent by overnight letter delivery company, the date the notice was picked up by the overnight delivery company.
D. Parties may designate other parties or address to which notices shall be sent by notifying, in writing, the other party in a manner designated for the filling of notice hereunder.
4. Entire Agreement This document embodies the entire agreement and understanding between the parties with respect to the subject matter hereto and supersedes all prior agreements, representation and understandings wither oral, written, or otherwise relating thereto. This Agreement may not be modified or terminated except as provided herein.
5. Counterparts This Agreement may be executed in counterparts to expedite its implementation and Effective Date.

IN WITNESS WHEREOF, this Interagency Agreement has been executed by and on behalf of the Pinellas district school superintendent, or his or her designee, a political subdivision of the State of Florida, PCSO, Clearwater Police Department, Largo Police Department, Gulfport Police Department, Pinellas Park Police Department, St. Petersburg Police Department, Tarpon Springs Police Department, Belleair Police Department, Treasure Island Police Department, Indian Shores Police Department, Pinellas County School District Police Department, Kenneth City Police Department, DJJ-C06, on this 4th day of October, 2018.

# PINELLAS PARK POLICE DEPARTMENT 

By:

## Chief

Date: $\qquad$

Approved as to form and correctness

James W. Denhardt, City Attorney

## City of Pinellas Park

Staff Report

File \#: 18-662, Version: 1

## AUTHORIZATION FOR THE CITY OF PINELLAS PARK TO ACCEPT A RIGHT-OF-WAY EASEMENT FROM TERRY SCOTT RYAN - 4180 70TH AVENUE

NOTE: The City of Pinellas Park has requested a right-of-way easement from Terry Scott Ryan to increase the right-of-way width to the required width and for the installation of a potable water main, and for the future maintenance and operation of said equipment at 418070 th Avenue.

ACTION: (Approve - Deny) Authorization for the Mayor to accept a right-of-way easement from Terry Scott Ryan at 4180 70th Avenue.

## RIGHT OF WAY EASEMENT

THIS INDENTURE, Made this $\qquad$ day of $\qquad$ A.D., 2018, between Terry Scott Ryan, Mailing Address 4180 70th Avenue North, Pinellas Park, Florida, 33781, Party of the First Part, and the City of Pinellas Park, located at 5141 78th Avenue North, Pinellas Park, Florida, 33781, Party of the Second Part. ("Party of the First Part" and "Party of the Second Part" are used herein for singular or plural, the singular shall include the plural, and any gender shall include all genders, as context requires.)
WITNESSETH, That the said Party of the First Part hereby grants for and in consideration of the sum of ten dollars (\$10.00), and other valuable considerations, in hand paid by the said Party of the Second Part, the receipt whereof is hereby acknowledged, hereby grants and releases unto the Party of the Second Part a Right Of Way Easement over, across and through that portion of Parcel ID\# 27/30/16/10530/006/0050, Property Address, 4180 70th Avenue North, Pinellas Park, Florida, 33781, as further described below and depicted in Exhibit "A" (Sketch of easement area) which is attached hereto and made a part hereof.

## A RIGHT OF WAY EASEMENT OVER, ACROSS AND THROUGH THE NORTH 10.00' OF LOT 5, BLOCK 6, BOULEVARD PARK NO.1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 17, PAGE 50, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

A PARCEL CONTAINING 0.01 ACRES M.O.L.

It is the intention of the said Party of the First Part that this easement shall run with the land described above. IN WITNESS WHEREOF, the said Party of the First Part has hereunto set his Hand and Seal the day and year first above written. SIGNED, SEALED, AND DELIVERED IN OUR PRESENCE:

## OWNER

(Wit.)
(print name below signature)
(Wit.)
(print name below signature)

STATE OF FLORIDA
The foregoing instrument was acknowledged before me this 2018 by

COUNTY OF PINELLAS $\qquad$
$\qquad$
$\qquad$ (Name of Notary typed, printed or stamped)

Personally known $\qquad$ or produced identification $\qquad$

Type of identification produced

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to an unauthorized document.

| THIS CERTIFICATE MUST BE | Title or Type of Document | RIGHT OF WAY EASEMENT |
| :--- | :--- | :--- |
| ATTACHED TO THE DOCUMENT | Number of Pages $\overline{\text { Date of Document }}$ |  |
| DESCRIBED AT RIGHT: | Signers Other than Named Above NONE |  |



# City of <br> PINELLAS PARK 

5141 78TH AVE. * PO. BOX 1100
PINELLAS PARK, FL 33780-1100

Plasase Respond To:
James W, Dephardt, City Altorney


FLORIDA
$\begin{array}{ll}\text { PHONE } & \text { - (727) 369-0700 } \\ \text { FAX } & \cdot(727) 544-7448\end{array}$

James W, Demhard, City Atormey
Lauren Christ Rubenstein, Assistant City Attorney
Denhardt and Rubenstein, Attomeys at Law 2700 First Avenue North
St. Petersburg, Florida 33713
(727) 327-3400 - Telephone
(727) 323-0888 - Facsimile

October 29, 2018

Mr. Aaron Petersen
Construction Services Director
City of Pinellas Park
P. O. Box 1100

Pinellas Park, Florida 33780-1100

## RE: City Document \#18-338

 Right-of-Way Easement for 4180 70th Avenue
## Dear Mr. Petersen:

I have received and reviewed the above-referenced Right-of-Way Easement. The notary jurat should be updated to include the venue, by including State of Florida, County of Pinellas, in the upper left hand corner of the box. Once that change is made, and assuming that the legal description is correct, I would approve of the Right-of-Way Easement as to form and correctness.

Very truly yours,


James W. Denhardt
City Attorney
cc: Doug Lewis, City Manager
Diane M. Corna, MMC, City Clerk
Patrick Murphy, Asst. City Manager
Bart Diebold, Public Works Administrator
JWD/dh
18-838.10292018.LAP.ROW Easement for 4380 701h Aye.wpd

## City of Pinellas Park

Staff Report

File \#: 18-663, Version: 1

## AUTHORIZATION TO PURCHASE 475 AMR WATER METERS - Empire Pipe and Supply Company

NOTE: This authorizes the purchase of 475 AMR water meters from Empire Pipe and Supply Company, 250 Ram Boulevard, Ste. 3, Midway, Florida 32343. This purchase is part of the ongoing Electronic Water Meter Installation Program. Empire Pipe and Supply is a sole source purchase. The purchase of the meters is budgeted in account 301381-575662. Project String 19381/535 PROGRAM-IMPROVE, in the amount of $\$ 100,000.00$.

ACTION: (Approve - Deny) Authorization to purchase 475 AMR water meters from Empire Pipe and Supply Company, Midway, Florida in the amount of $\$ 99,750.00$ to be charged to the appropriate account.


August 15, 2018
Mr. Marty Reich
Director of Public Utilities
City of Pinellas Park
$605178^{\text {th }}$ Avenue N .
Pinellas Park, FL 33781
Dear Mr. Reich:
Ref: Exclusive Distribution
Empire Pipe \& Supply is currently Master Meter's exclusive distributor in the State of Florida, which includes Pinellas County. Furthermore, Empire Pipe \& Supply is the only approved distributor within these territory lines of the State of Florida. All pricing inquiries and sales opportunities of Master Meter products must be handled through Empire Pipe \& Supply.

Empire Pipe \& Supply was selected as our exclusive distributor due to their location and willingness to maintain inventory, which allows them to better service Master Meter customers in that area. They have made a commitment to stocking products for the various customers in the area and to providing ongoing support and the sales effort needed to grow our business.

Exclusive agreements are very common in our industry today due to the complexity of the products being sold. The knowledge needed to properly support a product line such as water meters and electronics is essential to servicing our customers. Working exclusively with one distributor in an area makes it easier to properly track the movement of product and is critical to our ability to respond when a problem occurs.

Please feel free to contact me if you should have any questions. Master Meter and Empire Pipe \& Supply look forward to having the opportunity to work with you and thank you for your business.

Respectfully,


Brandon Foster
Regional Vice President of Sales
bfoster@mastermeter.com
(706) 594-5763


Telephone: 407-295-2400

| 9/26/18 |  | ID: 5 | 5001686 | POTABL | AND | REC | LAIM | MET |  | Page | 1 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Line | Quantity | $\begin{aligned} & \text { Sell } \\ & \text { Per } \end{aligned}$ | Des | cription |  |  |  |  | $\begin{aligned} & \text { Net } \\ & \text { Pric } \end{aligned}$ | $\begin{aligned} & \text { Exten } \\ & \text { Pri } \end{aligned}$ |  |
| 10 | 334 | EA | $\begin{aligned} & 5 / 8 \times \\ & \text { MTR } \end{aligned}$ | $\begin{aligned} & 143 \mathrm{GDS} \\ & \text { UC39 } \end{aligned}$ | USG | PLS | MAST |  | 210.00 | 70,1 | . 00 |
| 20 | 138 | EA | 5/8×3/ | REC3GMT | PLB |  |  |  | 210.00 | 28,9 | . 00 |
| 40 | 3 | EA | F11-AA <br> 3 G REG | $20101 \sim$ | 3/4" | FAM | MTR |  | 210.00 |  | . 00 |

Date: Thu, Nov 1, 2018, 8:51 AM
Subject: Re: Electronic Meter CIP
To: Will Herbert [wherbert@pinellas-park.com](mailto:wherbert@pinellas-park.com)

Good morning Will,
As this is part of an ongoing project that has specific software requirements, I confirm this purchase as sole source. Please obtain City Council approval and proceed with your purchase.

Thank you.
Gary Moskaluk
Purchasing Director
City of Pinellas Park (727)369-5711

On Wed, Oct 31, 2018 at 3:39 PM Will Herbert [wherbert@pinellas-park.com](mailto:wherbert@pinellas-park.com) wrote:
Gary,
Here is the info including the sole source for the purchase of electronic meters.
Pleáse look over and advise.
Thank you sir,
Will

Will Herbert
City of Pinellas Park
Utilities Supervisor
Office (727) 369-5737
Cell: (727) 214-7845
Fax: (727) 369-5797
wherbert@pinellas-park.com

## City of Pinellas Park

Staff Report

File \#: 18-665, Version: 1

## AUTHORIZATION FOR THE CITY OF PINELLAS PARK TO ACCEPT A RIGHT-OF-WAY EASEMENT FROM LISA KIRBY SMALLWOOD - 4140 70TH AVENUE

NOTE: The City of Pinellas Park has requested a right-of-way easement from Lisa Kirby Smallwood to increase the right-of-way width to the required width and for the installation of a potable water main, and for the future maintenance and operation of said equipment at 414070 th Avenue.

ACTION: (Approve - Deny) Authorization for the Mayor to accept a right-of-way easement from Lisa Kirby Smallwood at 4140 70th Avenue.

## RIGHT OF WAY EASEMENT

THIS INDENTURE, Made this $\qquad$ day of $\qquad$ A.D., 2018, between Lisa Kirby Smallwood, Mailing Address 1523 Planters Ridge Lane, Alpharetta, Georgia, 30004, Party of the First Part, and the City of Pinellas Park, located at 5141 78th Avenue North, Pinellas Park, Florida, 33781, Party of the Second Part. ("Party of the First Part" and "Party of the Second Part" are used herein for singular or plural, the singular shall include the plural, and any gender shall include all genders, as context requires.)
WITNESSETH, That the said Party of the First Part hereby grants for and in consideration of the sum of ten dollars (\$10.00), and other valuable considerations, in hand paid by the said Party of the Second Part, the receipt whereof is hereby acknowledged, hereby grants and releases unto the Party of the Second Part a Right Of Way Easement over, across and through that portion of Parcel ID\# 27/30/16/10530/006/0030, Property Address, 4140 70th Avenue North, Pinellas Park, Florida, 33781, as further described below and depicted in Exhibit "A" (Sketch of easement area) which is attached hereto and made a part hereof.

## A RIGHT OF WAY EASEMENT OVER, ACROSS AND THROUGH THE NORTH 10.00' OF LOT 3, BLOCK 6, BOULEVARD PARK NO.1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 17, PAGE 50, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

A PARCEL CONTAINING 0.01 ACRES M.O.L.

It is the intention of the said Party of the First Part that this easement shall run with the land described above. IN WITNESS WHEREOF, the said Party of the First Part has hereunto set his Hand and Seal the day and year first above written. SIGNED, SEALED, AND DELIVERED IN OUR PRESENCE:

## OWNER

(Wit.)
(print name below signature)
(Wit.)
(print name below signature)

State of Florida
The foregoing instrument was acknowledged before me this , 2018 by

County of Pinellas

|  | (Name of person acknowledging and title of position) |
| :---: | :---: |
|  | _ Notary Public signature |
|  | _ (Name of Notary typed, printed or stamped) |
| Personally known ___ or produced identification |  |
| Type of identification produced | , |

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to an unauthorized document.

| THIS CERTIFICATE MUST BE | Title or Type of Document $\quad$ RIGHT OF WAY EASEMENT |
| :--- | :--- |
| ATTACHED TO THE DOCUMENT | Number of Pages $\quad$ __ Date of Document |
| DESCRIBED AT RIGHT: | Signers Other than Named Above NONE |

## Exhibit "A"

## Clty of <br> PINELLAS PARK

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

Please Respond To:

James W. Denhardt, Clty Attorney Lauren Christ Rubenstain, Assistant City Attorney
Denhardt and Rubenstein, Attorneys at Law 2700 First Avenue North
St. Petersburg, Florida 33713
(727) 327-3400-Telephone
(727) 323-0888 - Facsimlie


| PHONE | - (727) 369-0700 |
| :--- | :--- |
| FAX | (727) 544-7448 |

## FLORIDA

PHONE - (727) 369-0700
FAX • (727) 544-7448


Mr. Aaron Petersen
Construction Services Director
City of Pinellas Park
P. O. Box 1100

Pinellas Park, Florida 33780-1100

## RE: City Document \#18-341 Right-of-Way Easement for 4140 70th Avenue

Dear Mr. Petersen:
I have received and reviewed the above-referenced Right-of-Way Easement and Exhibit A. Assuming that the legal description is correct, I would approve of the Easement as to form and correctness.

Very truby yours,


James W. Denhardt
City Attorney

## cc: Doug Lewis, City Manager

Diane M. Corna, MMC, City Clerk
Patrick Murphy, Asst. City Manager
Bart Diebold, Public Works Administrator
JWD/dh
18-341.10312018.LAP.ROW Easamant for 4140 70th Ave.wpd

## City of Pinellas Park

Staff Report

File \#: 18-667, Version: 1

AUTHORIZATION FOR THE MAYOR TO SIGN AN ACCESS AGREEMENT WITH THE STATE OF FLORIDA, DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) FOR CONDUCTING AN ENVIRONMENTAL ASSESSMENT AT 6101 78TH AVENUE NORTH

NOTE: The State of Florida, Department of Environmental Protection (FDEP) is conducting an environmental assessment at 6101 78th Avenue North as part of the Petroleum Restoration Program (PRP).

ACTION: (Approve - Deny) Authorization for the Mayor to sign an access agreement with the State of Florida, Department of Environmental Protection (FDEP) for conducting an environmental assessment at 6101 78th Avenue North.

## Petroleum Restoration Program

 SITE ACCESS AGREEMENT1. The Parties. The undersigned real property owner, City of Pinellas Park ("Owner"), hereby give(s) permission to the State of Florida, Department of Environmental Protection (FDEP) ("Department") and it's Contractor, subcontractors, and vendors ("Contractor"), to enter the Owner's property ("the Property") 6101 78th Ave N, Pinellas Park, Florida with FDEP Facility ID\# 528520551.

The Property. Owner owns the certain parcel(s) 29-30-16-79470-000-0010 of real property located at 6101 78th Ave N, Pinellas Park, Pinellas County, Florida (the "Property"), depicted on the attached legal description as Exhibit "A."
2. Permissible Activities. This Site Access Agreement ("Agreement") is limited to activities which may be performed by the Department or its Contractors pursuant to Chapter 62-780, Florida Administrative Code (F.A.C.), without cost to the Owner (unless required in a separate agreement or is statutorily required for FPLRIP or ATRP programs) to locate contamination, determine contamination levels and, when necessary, remove and remediate contamination which may be performed by the Department and its Contractor. This access is provided only for the contamination either eligible for a state-funded cleanup or is being investigated pursuant to a consent order with the Department. If the contamination is eligible for state funding, nothing herein is intended to modify the requirements and limitations of the eligibility program or order._ The following activities are included in this Agreement but are not limited to this list:

- conduct soil, surface, subsurface, and groundwater investigations, including but not limited to entry by a drill rig vehicle and/or support vehicles;
- install and remove groundwater monitoring wells;
- use geophysical equipment;
- use an auger for collecting soil and sediment samples;
- locate existing wells;
- collect waste, soil, and water samples;
- remove, treat and/or dispose of contaminated soils and water;
- remove contaminated soil by digging with backhoes, large diameter augers and similar equipment;
- install, operate, and remove remedial equipment;
- install and remove utility connections;
- trenching for connection of remediation wells to equipment; and
- conduct surveys, prepare site sketches, and take photographs.

3. Duration and Termination of Access. This Agreement is granted, without any fee or charge to the Department or Contractor, for so long as is necessary to assess, remove, monitor and remediate the contamination on the Property. Access shall be allowed for the Department (including its employees and contracted site managers with Teams 5 and 6 or local government, if applicable) immediately upon the execution of this Agreement. However, access for a Contractor can be contingent upon the Owner timely entering into a separate site access agreement with the Contractor (if the Owner wants a separate agreement with the Contractor please check the appropriate box at the end of this document). Such agreement with a Contractor is not binding upon the Department. This Agreement shall continue until the Department's entry of a site rehabilitation completion order pursuant to Rule 62-780.680, Florida Administrative Code, or low-scored site initiative no further
action order pursuant to Section 376.3071 (12)(b), Florida Statutes ("Order"). At which time the Owner shall be provided a copy of the Order and this Agreement shall be automatically terminated.
4. Work Performed during Business Hours. The Department and Contractor may enter the Property during normal business hours and may also make arrangements to enter the Property at other times after agreement from the Owner.
5. Environmental Infrastructure and Well Permits. The owner authorizes the Department and the Contractor to act as its authorized representative in signing all required forms and documents necessary for obtaining applicable permits related to environmental infrastructure improvements including well construction, repair, maintenance, modification, and abandonment pursuant to Chapter 373 F.S.
6. Activities Comply with Applicable Laws. The Department and Contractor agree that any and all work performed on the Property and in association with this Agreement shall be done in a good, safe, workmanlike manner, and in accordance with applicable federal and state statutes, rules and regulations.
7. Proper Disposal of Contaminated Media. The Department and Contractor shall ensure that soil cuttings, any work materials, and water generated shall be disposed of in accordance with Environmental Laws. All soil cuttings, waste materials and development water generated shall be promptly removed from the Property.
8. Property Restoration. The Department shall pay the reasonable costs of restoring the Property as nearly as practicable to the conditions which existed before activities associated with contamination assessment or remedial action were taken.
9. Owner's Non-Interference. The Owner shall not interfere with the Department or Contractor when performing the Permissible Activities. Owner shall not damage any equipment including wells, piping, and remediation system that may be located on the Property. Owner shall notify the Department 90 days prior to commencement of any construction, demolition or other work on the Property that may damage or destroy any part of the equipment installed under this Agreement. If the Department anticipates that the remediation equipment will not be used for over one calendar year, the Owner can request removal of the remediation equipment if it is interfering with the operation of the business or with planned construction activities.
10. Non-revocable. If Property is the source of the discharge that is eligible for State funded remediation pursuant to Chapter 376, Florida Statutes, access to the Property is required and Owner may not revoke this Agreement with the Department until the appropriate site rehabilitation completion order is issued under Chapter 62-780.680 or a low- scored site initiative order issued pursuant to Section 376.3071(12)(b), Florida Statutes, is final.
11. No Admission. The granting of this Agreement by the Owner is not intended, nor should it be construed, as an admission of liability on the part of the Owner for any contamination discovered on the Property.
12. Owner's Use of Property. The Owner retains the right to use the Property, and the Department and its Contractors will work with the Owner regarding minimizing activities that may interfere with the Owner's management and use of the Property. However, neither the

Department nor the Contractor are responsible for any inconvenience, economic injury, or business damage that Owner may suffer due to the performance of any Permissible Activity. This agreement does not modify any legal right the parties may have regarding negligent acts.
13. Owner's Release of Claim. If Owner selected a qualified contractor (not an agency term contractor), the Owner hereby releases the Department from any and all claims against the Department performed by the Owner's selected contractor arising from or by virtue of, the Permissible Activities.
14. Injury to Department. The Owner shall not be liable for any injury, damage or loss on the Property suffered by the Department, Department employees or Contractors not caused by the negligence or intentional acts of the Owner's agents or employees.
15. Indemnification. The Department does not indemnify the Owner, see paragraph 16. The Contractor has indemnified the Department. However, if the Owner chooses to enter into a separate access agreement with the Contractor, the Contractor is not prohibited from indemnifying Owner as long as such indemnification does not conflict with the Contractor's indemnification of the Department. Where no conflicts exist, any subsequent indemnification by the Contractor to any party associated with the Permissible Activities is subservient and subordinate to the Contractor's indemnification of the Department.
16. Sovereign Immunity. The Department acknowledges and accepts its responsibility under applicable law (Section 768.28, Florida Statutes) for damages caused by the acts of its employees while on the Property.
17. Public Records. All documents created or received associated with the Permissible activities are a public record pursuant to Chapter 119, Florida Statutes. The Owner may retrieve any documents or other information related to the Permissible Activities online using the facility number reference above. http://depedms.dep.state.fl.us/Oculus/servlet/login?action=login
18. Entire Agreement. This Agreement shall constitute the entire agreement between the Department and the Owner regarding this grant of access to the Department as stated herein. No modification, amendment or waiver of the terms and conditions of this Agreement shall be binding upon Department unless approved in writing by an authorized representative of Owner and Department.
19. Governing Law and Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. Venue for any action or proceeding arising from or relating to this Agreement shall be in the appropriate Florida court having jurisdiction located in Leon County, Florida.
20. Severability. Any provision of this Agreement that is prohibited or unenforceable shall be ineffective to the extent of such prohibition or unenforceability without invalidating the remaining provisions hereof.
21. No Third Party Beneficiaries. This Agreement is solely for the benefit of the parties hereto and their respective successors and assigns and shall not be deemed to confer upon third parties any remedy, claim, liability, or reimbursement, claim of action or other right.
A. Are additional requirements attached to this agreement? Note: Additional requirements must be on a separate page titled Exhibit B and include the facility ID\#, owner signature and date on the page.

B. Do you wish to participate or provide input with respect to rehabilitation of this facility?
Oyes
Ono
C. Do you wish to exercise the option to reject one Contractor prior to assignment of work?


ONO
D. Do you want the Contractor to contact you to obtain a separate site access agreement? Note: Additional site access agreements must be completed between the owner and Contractor within ninety (90) calendar days.
Oyes
ONO
22. Well Permits. The Owner authorizes the Department and its Contractor to act as its agent in signing all required forms and documents necessary for obtaining applicable permits related to well construction, repair, maintenance, modification, and abandonment pursuant to Chapter 373, Florida Statutes.
$\overline{\text { Print Name }} \overline{\text { Date }} \overline{\text { Print Name }}-\frac{\text { Date }}{}$

Property Owner Mailing Address

Property Owner Telephone or Cell Phone Number

Property Owner E-mail Address

Accepted by the State of Florida Department of Environmental Protection:

Austin Hofmeister
Program Administrator
Petroleum Restoration Program

Date

Attachments: Exhibit A- Legal description of the Property. FDEP
Coordinates (Degrees Minutes Seconds) for Facility ID\#: 528520551

Latitude $27^{\circ} 50^{\prime} 35.6794^{\prime \prime}$
Longitude $82^{\circ} 43^{\prime} 09.6749^{\prime \prime}$

## Exhibit A

Legal Description: SECURITY ACRES SEC A LOTS 1 THRU 7 \& VAC ST ON E LESS S 5FT FOR ST \& LOT 40 LESS S 5FT FOR ST \& LOTS 41 THRU 50 \& THAT PT OF MODEL FARM NO 1 LYING S \& W OF RR LESS S 30FT FOR 78TH AVE N TOGETHER WITH S 25 FT OF VAC PT OF 80 TH AVE N LYING E OF 62ND ST N \& W OF CSX RR PARCEL \& N OF SD LOT 50 (PER O.R. 16503 PG 276 \& O.R. 4033 PG 353

## Exhibit B

Paragraph 19 of the Agreement provides for the governing law and venue. Such paragraph is hereby amended and such amendment shall supersede paragraph 19 as it appears in the Agreement.
19. Governing Law and Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. Venue for any action of proceeding arising from or relating to this Agreement shall be in the appropriate Florida court having jurisdiction located in Pinellas County, Florida.

Signature of each Property Owner
$\overline{\text { Print Name }} \overline{\text { Date }}$

Signature of Witness
$\overline{\text { Print Name }} \overline{\text { Date }}$

Property Owner Mailing Address

Property Owner Telephone or Cell Phone Number

Property owner E-mail Address

Accepted by the State of Florida Department of Environmental Protection:

Austin Hofmeister
Program Administrator
Petroleum Restoration Program

Date

Signature of Witness

Print Name
Date

Coordinates (Degrees Minutes Seconds) for Facility ID\#: 528520551

Latitude $27^{\circ} 50^{\prime} 35.6794^{\prime \prime}$
Longitude $82^{\circ} 43^{\prime} 09.6749^{\prime \prime}$

# City of <br> PINELLAS PARK 

5141 78TH AVE * PO. BOX 1100

PINELLLAS PARK, FL 33780-1100

Please Respond To:
James W. Denhardt, City Attorney
Lauren Christ Rubenstein, Assistant City Attorney
Denhardt and Rubenstein, Attomeys at Law 2700 First Avenue North
St Petersburg, Florida 33713
(727) 327-3400 - Telephone
(727) 323-0888 - Facsimile


FLORIDA

$$
\text { PHONE } \quad-(727) 369-0700
$$

FAX - (727) 544-7448

October 29, 2018

Mr. Aaron Petersen
Construction Services Director


City of Pinellas Park
P.'O. Box 1100

Pinellas Park, Florida 33780-1100

## RE: City Document \#18-337

 Petroleum Restoration Program - Site Accesss_Agreement
## Dear Mr. Petersen:

I have received and reviewed the above-referenced Agreement. I note that paragraph 19 of the Agreement states that the venue for any action or proceeding arising from or relating to this Agreement shall be in Leon County, Florida. I would recommend this be changed to Pinellas County, Florida. If the Department of Environmental Protection is not willing to make such a change, it will be an administrative decision whether to enter into an agreement which may potentially expose the City to litigation in Leon County.

Additionally, page 4 of the Agreement has several questions that need to be answered. Question A allows for any additional requirements to be attached to the Agreement. I am not aware of any additional requirements that the City is seeking at this time, but if any should arise, this question should be answered in the affirmative and an Exhibit B will need to be created. The answers to questions $B$ through $D$ will not affect my legal opinion as to form and correctness, but should be carefully analyzed by the City and appropriately answered.

Mr. Aaron Petersen
October 29, 2018
Page 2

Subject to any changes or additions required by Risk Management, once the above items have been addressed, I would approve of the Agreement as to form and correctness.

Verytruly fours,


James W. Denhardt
City Attorney
cc: Doug Lewis, City Manager
Diane M. Corna, MMC, City Clerk
Patrick Murphy, Asst. City Manager
Bart Diebold, Public Works Administrator
JWD/dh
18-837. 1028201 .LAP. Petroleurn Rostoration Profrgm.wpd

5141 78TH AVE. * PO. BOX 1100
PINELLAS PARK, FL 33780-1100

Please Respond To:


## FLORIDA

$$
\begin{array}{ll}
\text { PHONE } & \cdot(727) 369-0700 \\
\text { FAX } & \cdot(727) 544-7448
\end{array}
$$

James W. Denhardt, City Attorney
Lauren Christ Rubenstein, Assistant City Attorney
Denhardt and Rubenstein, Attorneys at Law 2700 First Avenue North
St. Petersburg, Flonida 33713
(727) 327-3400-Telephone
(727) 323-0888 - Facsimile

October 31, 2018


Mr. Aaron Petersen
Construction Services Director
City of Pinellas Park
P. O. Box 1100

Pinellas Park, Florida 33780-1100

## RE: City Document \#18-340

 NorthStar Contracting Group Site Access Agreement RequestDear Mr. Petersen:
I have received and reviewed NorthStar Contracting Group's response to the proposed change in the Petroleum Restoration Program Site Access Agreement (City Document 18337). I would suggest that the following language be utilized for the proposed Exhibit $B$ :

Paragraph 19 of the Agreement provides for the governing law and venue. Such paragraph is hereby amended and such amendment shall supercede paragraph 19 as it appears in the Agreement.
19. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. Venue for any action or proceeding arising from or relating to this Agreement shall be in the appropriate Florida court having jurisdiction located in Pinellas County, Florida.

Mr. Aaron Petersen
October 31, 2018
Page 2

Make sure to also include the Facility ID and date on Exhibit $B$, as well as the signature block for the Mayor (who will also sign the Access Agreement).

Verytruly yours,


James W. Denhardt
City Attorney
cc: Doug Lewis, City Manager
Diane M. Corna, MMC, City Clerk
Patrick Murphy, Deputy City Manager
Bart Diebold, Public Works Administrator
JWD/dh
$18340,10312019.1$ AP. NorthEter Site Accass Agmi.wed

## City of Pinellas Park

## Staff Report

File \#: 18-679, Version: 1

## AUTHORIZATION FOR NEGOTIATIONS - CONSULTANT FOR RFP 18/009, COMPREHENSIVE EMERGENCY MANAGEMENT PLAN (CEMP)

NOTE: The RFP Evaluation Committee, in accordance with Resolution 15-12, has reviewed the proposals submitted and recommends three consultants in the following order: 1) The Olson Group, LTD; 2) Advanced Planning Consultants, LLC; and 3) Disasters, Strategies \& Ideas Group, LLC. Upon Council's recommendation and authorization, the City Manager will negotiate competitively with the most qualified firm; and, should he fail to reach an agreement, he will then negotiate with the remaining firms in order of preference, in accordance with Section 287.055, Florida Statutes.

ACTION: (Approve - Deny) Authorization for City Manager to negotiate with the firms recommended by the Evaluation Committee, in order of preference as recommended, for RFP 18/009.

| ORAL PRESENTATONS TOTALS |  |  |  |
| :---: | :---: | :---: | :---: |
| 1. Firm's or individual's capabilities to perform the work; <br> (20 points) | 69 | 62 | 86 |
| 2. Firm's or individual's adequacy of Personnel; <br> (10 points) | 24 | 30 | 42 |
| 3. Firm's or individual's past record; <br> (15 points) | 50 | 46 | 61 |
| 4. Firm's or individual's experience; <br> (15 points) | 51 | 47 | 61 |
| 5. Firm's or individual's willingness to meet required time and budget requirements; <br> (10 points) | 35 | 34 | 41 |
| 6. Firm's or individual's location; | 16 | 10 | 21 |
| 7. Firm's or Individual's projected work loads and work previously awarded by the City to all Firm's or Individuals submitting proposals, for the purpose of considering an equitable distribution of the award of contracts ; <br> ( 3 points) | 10 | 8 | 11 |
| 8. Firm's or individual's use of local labor or materials/supplies within the City of Pinellas Park; <br> (10 points) | 8 | 4 | 35 |
| 9. Firm's or individual's as an MBE (Minority Business Enterprise)/MWBE (Minority of Women Owned Business); <br> ( 3 points) | 0 | 0 | 8 |
| 10. Firm's or individual's familiarity with CEMP planning \& compliance; | 33 | 41 | 39 |
| TOTAL PURCHASING WILL COMPLETE THE CALCULATIONS | $296$ <br> (2) | 282 <br> (3) | $405$ (1) |

## City of Pinellas Park

Staff Report

File \#: 18-670, Version: 1
Agenda Date: 11/20/2018

CONSIDERATION OF A REQUEST TO ESTABLISH AN OUTDOOR STORAGE AREA WITH A
WAIVER TO THE 6 FOOT HIGH SOLID WALL REQUIREMENT FOR OUTDOOR STORAGE
ADJACENT TO A RIGHT-OF-WAY FOR A PARCEL OF LAND GENERALLY LOCATED AT 8111
63RD STREET IN THE M-1 LIGHT INDUSTRIAL ZONING DISTRICT - (MS 2019-3, Thomas \&
Christina Barber)

NOTE: The applicant proposes to establish an outdoor storage area for recreational vehicles and boat trailers. An existing double fence consisting of 6 foot high chain link with barbs inside a 6 foot high solid PVC fence would serve as a substitute for the required wall.

ACTION: (Approve - Deny) MS 2019-3 for a proposed outdoor storage area with a waiver to the required 6 foot high solid wall.

## CASE NUMBER: MS 2019-3

OWNER: Thomas \& Christina Barber

## City Council: November 20, 2018

## I. GENERAL INFORMATION

A. Request:

Establish an outdoor storage area with a waiver to the 6 ' solid wall requirement for outdoor storage adjacent to a right-of-way for a property located in the M-1 Light Industrial Zoning District. An existing double fence consisting of a $6^{\prime}$ chain link with barbs inside a 6 ' high solid PVC fence would serve as a substitute for the wall requirement.
B. Proposed use:

Commercial with Outdoor storage
C. Location:

8111 63rd Street, Pinellas Park FL 33781
D. Site Area:
0.82 acre MOL
E. Land Use Plan Designation:

IL (Industrial Limited)
Zoning Classification:
M-1 (Light Industrial)
F. Public Notification:

NA
G. Legal Advertising:

NA
H. Legal Description:

PINELLAS PARK INDUSTRIES LOT 6 \& $S 1 / 2$ OF VAC PVT RW ADJ ON N PER O.R. 13580/895

## II. SITE AND VICINITY CHARACTERISTICS

A. Zoning/Development History:

This property is a lot of record and has not been platted according to the City's records. The original structure was demolished and a new 12,600 square foot commercial structure was built in 2006.
B. Site Characteristics:

The subject parcel is a corner lot located at the intersection of 63rd Street and $80^{\text {th }}$ Avenue. There is currently a 12,600 gross square foot building on the property with associated vehicular use area in the front.
C. Vicinity Characteristics:

| AREA | LAND USE <br> PLAN | ZONING | EXISTING CONDITIONS |
| :--- | :---: | :---: | :--- |
| NORTH | IL | $\mathrm{M}-1$ | Public Works Operations Center |
| SOUTH | RU | $\mathrm{R}-1$ | Single family residential |
| EAST | IL | $\mathrm{M}-1$ | Light Manufacturing |
| WEST | RU | $\mathrm{R}-1$ | Single family residential |

D. Essential Services Summary:

Interim Planning \& Zoning Director: No objection
Building Division Director:
No objection

Life Safety Management:
No objection/Comments Storage must still provide access to building, No portable refueling station system without a permit.

Police Department Crime Prevention Officer:
No objection/Comments
They are already storing vehicles. Recommend adequate lighting to deter break-ins and thefts at the location. Perhaps video surveillance if not already installed.

Public Works Divisions:
Public Works Administrator: No objection
Engineering Services Director: No objection
Utilities Division Director:
Transportation \& Stormwater Director:
No objection
No objection
PPWMD Executive Director:
Neighborhood Services
No objection
No objection/Comments

We performed a site inspection and reviewed the application and found no violations at this time.

Community Development Administrator:


## E. Applicable Codes:

Sec. 18-1530.11. - OUTDOOR STORAGE. (A)

| Zoning <br> District | Permitted? | Yards Where <br> Prohibited | \% Lot <br> Coverage | Enclosure Required | Accessory <br> Use Only? |
| :---: | :---: | :---: | :---: | :---: | :---: |
| M-1 | Yes | Front and <br> Secondary <br> Front | N/A | $6^{\prime}$ min. wall adjacent to R.O.W.. <br> residential, mixed-use, quasi-public <br> zoning; $6^{\prime}$ 'fence on other sides. | No |

## III. WAIVERREQUEST

Pursuant to Section 1530.11 (A)4, a waiver to the requirement for a solid wall may upon written request be considered by City Council, except where the property upon which the outdoor storage area is located abuts or functionally abuts residential, mixed use or public/semi-public zoned properties. In determining whether or not to grant a request to allow a solid fence, City Council shall consider the following criteria:

- Use of abutting properties
- Right-of-way classifications,
- Extent of existing solid fencing within the surrounding area,
- Fence material proposed, and
- Length of proposed fence/wall

Analysis: The primary business on the subject property is light manufacturing. The owners have had an active BTR since 1999 at a prior location in Pinellas Park and have recently transferred the BTR to the subject parcel. They would like to utilize the vacant area for storage of recreational vehicles and boats, which they say is a growing demand in the area.

The BTR for TBC Ventures, LLC DBA Integrity Industries states "no outdoor storage." Article 15 Section 18-1530-11 of the Land Development Code allows the establishment of outdoor storage in "M$1^{\prime \prime}$ Light Industrial Zoning District with a required 6 ' wall installed adjacent to right-of-way. The owner has requested a waiver to the wall requirement to allow the existing double fence consisting of a 6 ' chain link with barbs inside ab' high solid PVC fence along the south and the west property lines as a substitute for the wall requirement. The properties to the south and the west are residential.

In determining whether to grant a request to allow a solid fence in place of a wall, City Council shall consider the following criteria: use of abutting properties, right-of-way classifications, extent of existing solid fencing within the surrounding area, fence material proposed, and length of proposed fence/wall.

Analysis: Functionally abutting properties to the south and west are residential. The property to the east is light manufacturing. The property to the north is the Public Works Operations Center. The right-of-way classifications are local streets.

Along 80th Avenue, there is existing solid fence along the side yards of the residential lots. Along 63rd Street, the residential front yards are open with no shielding to the surrounding area.

## IV. DEVELOPMENT CONSIDERATIONS

1. A Building Permit is to be obtained within six months of approval.

## v. MOTION

(Approve - Deny) A request to establish an outdoor storage area with a waiver to the requirement for an enclosure to the outdoor storage area from a solid wall as required by Section 18-1530.11 "Outdoor Storage" to allow the existing double fence consisting of a 6 ' chain link with barbs inside a 6 ' high solid PVC fence to serve as a substitute for the wall requirement for a parcel of land generally located at 8111 63rd Street.

## City of Pinellas Park. Florida <br> APPLICATION FOR MISCELLANEOUS CASES


FOR OFFICE USE ONLY
CASE\#MS 2019 -3 PZMEETNG: NA CCMEETNG: $11 / 20 / 18$
plat sheet: A5 related cases:___ receipt number: 243185
zoning district: MI land use designation: Il date received: $10 / 9 / 18$
REQUEST AND PROPERTY INFORMATION
REQUEST (CHECK ONE):


SPECIFIC REQUEST: AUthorize IIARIANCE FOR USE OF Chainlink with PRivacy FENCing overt top instead of Concrete Block wall to Alow for RV and boat general location of property or address: $8 / 1163^{2 R P}$ ST, N, Pineunt fork Fl. 3378 , PROPERTY SIZE (Acreage / Square Feet): $\quad 80 \mathrm{AC}$ CURRENT USE (Number and Type of Buildings): Light MANUFACTunugg Assembly M-1 PARCEL NUMBERS): $29-30-16-71168-000-0060$ LEGAL DESCRIPTION: LOT $\qquad$ BLOCK $\qquad$ subdivision Pineluas park Iurustiles OR METES AND BOUNDS DESCRIPTION (attach is lengthy):

## OWNER/APPLICANT INFORMATION

 addressicityizip: 4738 leith TERRACE $N$ fineuos PANe k, FL. $3378 \%$ AUTHORIZED AGENT: $\qquad$ PHONE: (__) $\qquad$ ADDRESS/CITY/ZIP: $\qquad$
OTHER REPRESENTATVE: $\qquad$ PHONE: $\qquad$ L_ ADDRESS/CITYIZIP: $\qquad$

STATE OF FLORIDA - COUNTY OF PINELLAS:

NAME OF ALL PROPERTY OWNERS, being first duly sworn, deposes) and says):
$\qquad$

1. That (I am/we are) the owners) and record title holders) of the following described property, to wit:

ADDRESS OR GENERAL LOCATION:


LEGAL DESCRIPTION OF PROPERTY. Type legal directly on this sheet. If too lengthy, type on separate sheet titled "Exhibit A" and attach:
Piveuns fart Insustues Lot 6 q $51 / 2$ of Vac PUT R/W ALT ON N PER O.R.
2. That this property constitutes the property for which an application is being made to the City of Pinellas Park, Florida (NATURE OF REQUEST):

Authorize Variance to uticizes Existing chanuwiffurvacy fencing IN-LEIN of CONERETE Block WAFL.
3. That the undersigned (has'have) appointed and (does/do) appoint $\qquad$ as (his/their) agents) to execute any petitions or other documents necessary to affect such application.

MS 2019-3


[^6]




[^0]:    JWD/dh
    48-329.10232018.LAG.AX 18-30 JGN Propartias Amex Ordiwpd

[^1]:    Diane M. Corna, MMC
    CITY CLERK

[^2]:    Owner / Applicant: Ninteen60 Capital Fund LLC
    Parcel Numbers: 27-30-16-66869-000-0001 +
    27-30-16-66869-001-0010 to 0070 +
    27-30-16-66869-002-0010 to 0070 +
    27-30-16-66869-003-0010 to 0070

[^3]:    rer 2018

[^4]:    cc: Doug Lewis, City Manager
    Diane M. Corna, MMC, City Clerk
    Patrick Murphy, Deputy City Manager
    Chief Michael Haworth
    Captain Brian Unmisig
    JWD/dh
    18-245.10312018.LSML.Pin Cty Juv Offenders Interagen a mit.mpd

[^5]:    PINELLAS School Safety Interagency Agreement_10_30_18_2 (1).pdf
    411K

[^6]:    

