

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP BY PROVIDING FOR A CHANGE IN THE ZONING DISTRICT FROM HEAVY COMMERCIAL (CH) TO LIGHT INDUSTRIAL (M-1) FOR A CERTAIN PARCEL OF LAND GENERALLY LOCATED EAST OF US HIGHWAY 19, APPROXIMATELY 200 FEET SOUTH OF 126<sup>TH</sup> AVENUE AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", WHICH IS ATTACHED HERETO AND MADE A PART THEREOF; 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. (Z 2019-3, City of Pinellas Park)

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

**WHEREAS**, the City of Pinellas Park, Florida, finds that it is in the public's interest to change the City's Official Zoning Map designation from Heavy Commercial (CH) to Light Industrial (M-1) for a certain parcel of land generally located east of US Highway 19, approximately 200 feet south of 126<sup>th</sup> Avenue and more particularly described in Exhibit "A" attached hereto and made a part thereof; and

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

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

**SECTION ONE:** That the City Council of the City of Pinellas  
1 Ordinance No. \_\_\_\_\_

Park hereby amends the City's Official Zoning Map and changes the following described property from Heavy Commercial (CH) to Light Industrial (M-1):

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

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

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THREE:** That all Ordinances, or parts of Ordinances, in conflict with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

**SECTION FOUR:** That this Ordinance shall become effective immediately upon approval hereof by the Countywide Planning Authority, unless challenged as hereinafter provided. If challenged within 30 days after adoption, the Ordinance shall not become effective until (i) the date that a final order is issued by the Administrative Law Judge through the State Division of Administrative Hearings finding the same to be in compliance in accordance with Section 163.3187, Florida Statutes, and (ii) the adoption of Ordinance \_\_\_\_ by the Countywide Planning Authority.

PUBLISHED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

FIRST READING \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

PUBLIC HEARING THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

AYES:

NAYES:

ABSENT:

ABSTAIN:

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

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Sandra L. Bradbury  
MAYOR

ATTEST:

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Diane M. Corna, MMC  
CITY CLERK

Exhibit "A"

## Legal Description

GENERALLY LOCATED EAST OF US HIGHWAY 19 APPROXIMATELY 200 FEET SOUTH OF 126<sup>TH</sup> AVENUE, BEING FURTHER DESCRIBED AS FOLLOWS:

THAT PART OF FARM 3 (LOT 3) IN THE SE  $\frac{1}{4}$  OF SECTION 8, TOWNSHIP 30 SOUTH, RANGE 16 EAST, AS SHOWN ON PLAT OF PINELLAS GROVES, AS RECORDED IN PLAT BOOK 1, PAGE 55, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, LYING NORTH AND EAST OF STATE ROAD #55, (U.S. HIGHWAY #19) LESS THE FOLLOWING DESCRIBED PORTIONS:

BEGIN AT THE NW CORNER OF SAID FARM 3 (LOT 3), A DISTANCE OF 142.86 FEET TO THE INTERSECTION OF THE EAST BOUNDARY OF STATE ROAD #55 (U.S. #19); THENCE RUN SE'LY A DISTANCE OF 23.85 FEET ALONG THE SAID EAST BOUNDARY OF STATE ROAD #55; THENCE RUN EASTERLY ON A LINE PARALLEL WITH THE NORTH BOUNDARY OF SAID FARM 3 (LOT 3), A DISTANCE OF 317.35 FEET TO THE EAST BOUNDARY OF SAID FARM 3 (LOT 3); THENCE RUN NORTHERLY ALONG SAID EAST BOUNDARY OF FARM 3 (LOT 3), 163.04 FEET TO THE NORTH BOUNDARY OF FARM 3 (LOT 3); THENCE RUN WESTERLY TO THE POINT OF BEGINNING; AND LESS:

FROM THE POINT OF BEGINNING AT THE INTERSECTION OF THE EAST BOUNDARY OF SAID FARM 3 (LOT 3), IN THE SE  $\frac{1}{4}$  OF SECTION 8, WITH THE EASTERLY BOUNDARY OF STATE ROAD #55 (U.S. #19) (A 200 FOOT RIGHT-OF-WAY) RUN NW'LY ALONG SAID EAST BOUNDARY OF STATE ROAD #55, 500.00 FEET; THENCE RUN EASTERLY, PARALLEL WITH THE NORTH BOUNDARY OF SAID FARM 3, TO THE SAID EAST BOUNDARY OF FARM 3 (LOT 3); THENCE SOUTHERLY ALONG THE SAID EAST BOUNDARY OF FARM 3 (LOT 3), 423.28 FEET TO THE POINT OF BEGINNING.

AND LESS:

THAT PART OF FARM 3 (LOT 3) IN THE SE  $\frac{1}{4}$  OF SECTION 8, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS GROVES, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 55, AS PER PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, LYING NORTH AND EAST OF STATE ROAD #55. BEING DESCRIBED AS FOLLOWS: COMMENCE ON THE EASTERLY BOUNDARY OF THE SE  $\frac{1}{4}$  OF SECTION 8, TOWNSHIP 30 SOUTH, RANGE 16 EAST, AT A POINT 195.59 FEET N00°26'09"W OF THE SE CORNER OF SAID SECTION 8; RUN THENCE N32°24'09"W, 2,589.94 FEET; THENCE N89°43'11"E, 118.25 FEET TO A POINT OF BEGINNING; THENCE N32°24'09"W, 99.96 FEET; THENCE N89°42'21"E, 29.25 FEET; THENCE S31°07'46"E, 98.62 FEET; THENCE N89°43'11"W, 26.67 FEET TO THE POINT OF BEGINNING.





## I. APPLICATION DATA

A. **Case Number:** LUPA 2019-2, Z 2019-3

B. **Location:**

1. **Address:** 12551 US Hwy 19 N
2. **Parcel Number:** 08-30-16-70974-400-0302

C. **Request:** Request to change the Future Land Use category from Commercial General (CG) to Industrial Limited (IL) with a request to rezone from "CH" Heavy Commercial to "M-1" Light Industrial Zoning District for the use of outdoor storage of construction dumpsters and associated vehicles.

D. **Applicant:** Katherine Lallamant

E. **Agent:** Steven Lallamant

F. **Legal Ad Text:** Request to change the Future Land Use category from Commercial General (CG) to Industrial Limited (IL) with a request to rezone from "CH" Heavy Commercial to "M-1" Light Industrial Zoning District at 12551 US Highway 19 N for the use of outdoor storage of construction dumpsters and associated vehicles.

G. **Public Hearings:**

Planning and Zoning Commission Hearing Date: October 3, 2019

Deadline to send public hearing notices: September 13, 2019

Advertising deadline: Sent September 9, 2019 / Published September 20, 2019

City Council Hearing Date: November 14, 2019

Deadline to send public hearing notices: October 28, 2019

Advertising deadline: Sent October 25, 2019 / Published November 1, 2019

## II. BACKGROUND INFORMATION

A. **Site Area:** 19,572 square feet / 0.45 acres

B. **Property History:**

1. **Land Use Plan or Zoning Amendments:** The property was annexed in 1999 as part of Ordinance No. 2606 and was designated as CH at that time.
2. **Previous Permits and Development:** None
3. **Previous Variances, Waivers:** None
4. **Violations:** A Notice of Violation for the subject property was issued by Neighborhood Services on January 30, 2019. The notice indicated that Big Yellow Dumpster did not have a Business Tax Receipt and that all inoperative vehicles, dumpsters, and other items being stored outdoors must be removed from the property. On June 26, 2019, the property owner was ordered by the Pinellas Park Special Magistrate to remove all vehicles and outdoor storage items.

On June 27, 2019, the owner rented space on another property in the City and moved their items to that location. They also received a Business Tax Receipt allowing storage of empty dumpsters and vehicles on the rented property.

The property owner is now requesting the future land use and zoning changes so that they can legally return their dumpsters and vehicles to the subject property.

- C. **Existing Use:** Vacant
- D. **Proposed Uses:** Outside Storage of Construction Dumpsters
- E. **Current Zoning District:** "CH" Heavy Commercial
- F. **Proposed Zoning District:** "M-1" Light Industrial

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

*Section 18-1523. - "CH" HEAVY COMMERCIAL DISTRICT*

*Sec. 18-1523.1. - STATEMENT OF INTENT. The "CH" Heavy Commercial District is established in order to identify and provide those geographic areas within the City of Pinellas Park that are appropriate for the development and maintenance of a heavy commercial/light manufacturing and warehousing environment. This district is intended primarily for compatible retail, wholesale, distribution and light manufacturing operations, none of which require large areas for outdoor storage or display, and that do not involve the use of materials, processes, or machinery likely to cause undesirable effects upon neighboring properties, together with accessory uses and public facilities, customary to or required for such an environment.*

2. **Staff Analysis:**

Outdoor storage is a permitted use in the "CH" District if the Future Land Use category is IL. However, outdoor storage is limited to an accessory use and 35% of the lot coverage. The proposed "M-1" District would allow outdoor storage as a principal use. To rezone to "M-1", the Future Land Use category must be IL.

Staff finds that the proposed "M-1" Zoning District is consistent with several properties to the west of the subject property across U.S. Highway 19 and to the north of the subject property across 126<sup>th</sup> Avenue. The proposed "M-1" Zoning would also be compatible with abutting properties, which are zoned "CH" and have been developed with fairly intensive uses. As such, staff finds the proposed rezoning to "M-1" would be appropriate if the Future Land Use is also changed to "IL".

- G. **Current Future Land Use:** Commercial General (CG)
- H. **Proposed Future Land Use:** Industrial Limited (IL)

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

*It is the purpose of this category to depict those areas of the City that are now developed, or appropriate to be developed, in a limited industrial manner; and so as to encourage the reservation and use of consolidated areas for industrial and industrial/mixed use in a manner and location consistent with surrounding use, transportation facilities, and natural resource characteristics.*

2. **Key Standards:**

**Primary Uses** - Office; Research/Development; Light Manufacturing/Assembly (Class A) and (Class B); Wholesale/Distribution (Class A) and (Class B); Storage/Warehouse (Class A) and (Class B).

**Secondary Uses** - Residential (limited to locations in Gateway Centre developed prior to August 7, 2015, pursuant to Section 2.3.3.14(E) of the Countywide Plan Rules (2018); Retail Commercial; Personal Service/Office Support; Commercial/Business Service; Commercial Recreation; Temporary Lodging; Institutional; Transportation/Utility; Recreation/Open Space; Transfer/Recycling; Incinerator Facility; Agricultural.

**Density/Intensity** - Temporary Lodging Use – Shall not exceed: (1) fifty (50) units per acre; or (2) in the alternative, upon adoption of an approved Development Agreement and local comprehensive plan



amendment, the alternative densities set forth in Table I.C. at the end of this section, consistent with Section 5.2.1.3 of the Countywide Plan Rules (2018).

*All Other Uses* – Shall not exceed a floor area ratio (FAR) of .65 nor an impervious surface ratio (ISR) of .85, except as provided for in the Countywide Plan Rules (2018). The standard for the purpose of establishing relative intensity and potential impacts shall be a FAR of .39 and an ISR of .65.

**3. Staff Analysis:**

The proposed use, outdoor storage, is a primary use in the IL Future Land Use category. The applicant is not proposing to increase the current FAR or ISR on the property. The proposed rezoning to "M-1" requires the Future Land Use category to be IL.

The proposed IL Future Land Use category is consistent with the abutting property to the south and functionally abutting properties to the west of the subject property. As such, staff finds that the proposed change in Future Land Use to IL would be appropriate.

**I. Flood Zone:** The property is located in Flood Zones X, which is a low-risk flood zone, and X-Shaded, which is a moderate-risk flood zone.

**J. Evacuation Zone:** This property is in Evacuation Zone B, which is the second level to evacuate in preparation for a storm. Zone B is evacuated when storm surge height is predicted to be up to 15 feet.

**K. Vicinity Characteristics:**

	<b>Zoning</b>	<b>Land Use</b>	<b>Existing Use</b>
<b>North</b>	CH	CG	Proturf Landscapes
<b>South</b>	CH	IL	Vacant
<b>East</b>	CH	IL/CG	Vacant, Proturf Landscapes
<b>West</b>	M-1/CH	IL	Forty Millimeter Screen Printing, Butterfly Lodge Motel

**III. APPLICABLE CRITERIA / CONSIDERATIONS**

**A. Comprehensive Plan Policies:**

**1. Relevant Policies:**

*OBJECTIVE T.1.7*

*Facilitate the effective movement of goods in the City of Pinellas Park.*

*POLICY T.1.7.1*

*Coordinate with Pinellas County to identify roadways for truck movements in the Transportation Element.*

*OBJECTIVE LU.1.16*

*Continue to provide for site plan review of all industrial development.*

*POLICY LU.1.16.1*

*Maintain a sufficient supply of industrial land with a minimum of adverse effects on abutting properties.*

*POLICY LU.1.16.3*

*Industrial uses shall be concentrated in suitable existing locations to prevent a spread of negative effects on the community.*

*POLICY LU.1.16.4*

*Industrial development shall be separated from adjacent incompatible uses, and from residential uses permitted under special area plans, by transition zones, landscaping, parks, open space, or other buffering areas, for the mutual protection of industrial and non-industrial land uses.*

**2. Staff Analysis:**

Under the current zoning of Heavy Commercial and Future Land Use of Commercial General, outdoor storage is not a permitted use. In response to code enforcement actions, the outdoor storage of construction dumpsters has relocated. If the request is approved, the outdoor storage could return to the site as a conforming use.

The site is surrounded by properties zoned Heavy Commercial and Light Industrial with Future Land Use designations of Commercial General and Industrial Limited, which is one step to the next level of intensity in the City's land use categories. The site is generally surrounded by high intensity commercial, light industrial and some heavy industrial. The nearest residential uses are an RV park located across US 19 and manufactured home communities about a quarter mile away. The site is located on a truck route identified by Forward Pinellas. Staff finds that the proposed request is consistent with the Comprehensive Plan.

**B. Land Development Code Standards:**

**1. Key Standards:**

**SECTION 18-1538. - AMENDMENTS TO THE LAND USE PLAN MAP**

**Sec. 18-1538.1. - AUTHORITY.**

*The City Council shall have the authority to amend the Land Use Plan Map of the Comprehensive Plan in accordance with F.S. ch. 163, pt. II, and the following regulations.*

**Sec. 18-1538.2. - PROCEDURE.**

*The general procedure for the amendment of the Land Use Plan Map is as follows:*

(A) **FILING OF APPLICATION.** *Petitions for Land Use Plan Map amendments shall be filed on forms provided by the City and shall be submitted to the Zoning Division. Applications for map amendments of ten (10) or more acres or to a classification that permits ten (10) or more units per gross acre shall be accepted and processed twice per calendar year, with filing windows to be established by administrative policy. There shall be an application fee for each petition for Land Use Plan Map amendment. The amount of the fee shall be set by Resolution of the City Council, as may be amended from time to time. The application fee shall be paid upon filing of the application. Such applications may be filed by:*

- 1. City Council.*
- 2. City Manager.*
- 3. Community Redevelopment Agency.*
- 4. Any person(s) that own real property within the City.*

(B) **PUBLIC NOTICE.** *Notice of the public hearing shall be given as provided under Section 18-1534, "Public Notice Requirements".*

(C) **PUBLIC HEARING PROCEDURE.**

- 1. The Planning and Zoning Commission shall hear the application at a public hearing, acting in an advisory capacity to the City Council as the Local Planning Agency for purposes of F.S. ch. 163, pt. II.*
- 2. The City Council shall hear the application during a public hearing and shall consider the recommendation of the Local Planning Agency in its decision to approve or deny the application. Approval of a map amendment application may incorporate voluntary and enforceable stipulations made by the applicant for the purpose of addressing amendment impacts on the community.*
- 3. Amendments to the future land use plan map are considered legislative, and need not be subject to quasi-judicial hearing procedure.*

**Sec. 18-1538.3. - REVIEW CRITERIA.**

*Review and disposition of petitions for amendment to the Land Use Plan Map shall be based upon the consistency of the proposed amendment with the goals, objectives, and policies of the Comprehensive Plan.*

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

**Sec. 18-1539.1. - APPLICABILITY.**

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

**Sec. 18-1539.2. - PROCEDURE.**



- (A) **APPLICATION FILING.** Petitions for amendment to Article 15 and the Official Zoning Map shall be filed on forms provided by the City and shall be submitted to the Zoning Division.
1. An application for amendment to the text of Article 15 may be filed only by the City Council or the City Manager. The CRA, Board of Adjustment and Planning and Zoning Commission may make recommendations to the City Council for amendment to Article 15.
  2. An application for amendment to the Official Zoning Map may be filed only by the City Council, City Manager, or by an owner of real property that is located within the City. The CRA, Board of Adjustment and Planning and Zoning Commission may make recommendations to the City Council for amendment to the Official Zoning Map.
- (B) **PUBLIC NOTICE.** Notice of the public hearing shall be given as provided under Section 18-1534, "Public Notice Requirements".
- (C) **PUBLIC HEARING PROCEDURE.**
1. The Planning and Zoning Commission shall hear the application at a public hearing, acting in an advisory capacity to the City Council as the Local Planning Agency when required by F.S. ch. 163, pt. II. The Planning and Zoning Commission shall submit written reasons for its recommendations, and its determinations related to the application review criteria listed in Section 18-1539.3, "Review Criteria", below.
  2. The City Council shall hear the application during a separate public hearing and shall consider the recommendation of the Local Planning Agency if applicable in its decision to approve or deny the application.
  3. Public hearings for map amendments shall be conducted pursuant to the quasi-judicial procedures set forth in Resolution No. 94-65 unless otherwise determined by the City Attorney. Public hearings for text amendments are legislative in nature, and are not subject to quasi-judicial procedures.
- (D) **BURDEN OF PROOF.** The applicant shall bear the burden of demonstrating, by competent substantial evidence, that the evidence on the record demonstrates that a map amendment should be granted.
- (E) **ADOPTION.** Amendments to the Official Zoning Map and to Article 15 shall be by Ordinance of the City Council.
- Sec. 18-1539.3. - REVIEW CRITERIA.
- (A) For amendments to Article 15, the Planning and Zoning Commission and City Council shall be guided by the requirement that the amendment be consistent with the Comprehensive Plan.
- (B) For map amendments, the Planning and Zoning Commission and City Council shall be guided by the following considerations:
1. Whether the available uses to which the property may be put are appropriate to the property under accepted planning practices in question and compatible with existing land uses and planned uses in the area.
  2. Whether the numerical and dimensional development requirements which govern the development of the property will sufficiently safeguard the integrity and character of the area.
  3. Whether the amendment will constitute a grant of special privilege to an individual owner.
  4. Whether there are adequate provisions for water supply and treatment, sanitary sewer collection, transmission and treatment, drainage, and solid waste collection and disposal within the service area involved.
  5. Whether there are adequate provisions for traffic movement and safety, both vehicular and pedestrian, in the area.
  6. Whether there are adequate provisions for schools, parks, and mass transit within the service area involved.
  7. Whether the district boundaries are appropriately drawn with due regard to locations and classifications of streets, ownership lines, and existing improvements, or whether there is another error or ambiguity that must be corrected.
  8. Whether changed or changing conditions make the adoption of the proposed amendment necessary or appropriate, including but not limited to, substantial reasons that the property cannot be used in accordance with the existing zoning.
  9. Whether the amendment will be likely to have an adverse effect on the existing natural environment and natural resources.
  10. Whether the proposed amendment is consistent with the Comprehensive Plan and, if applicable, the Community Redevelopment Plan.

## 2. **Staff Analysis:**

This Staff Report is being prepared for the City Council under their authority to amend the Future Land Use Map of the Comprehensive Plan and the Official Zoning Map based on the application by the property owner with proper public notice for the public hearings required by these sections.

The Code requires amendments to the Future Land Use Map to be consistent with the Goals, Objectives, and Policies of the Comprehensive Plan. Staff finds that the proposed amendment is consistent, as provided above.

For amendments to the Official Zoning Map, the code provides a list of criteria to guide the City Council's decision. Staff finds the following concerning those criteria:

1. The proposed map amendments are compatible with the existing and planned uses in the area;
2. The proposed use of the property will comply with the requirements of the zoning district;
3. There is no special privilege to be granted;
4. This was a previously occupied site and the City of Pinellas Park Public Works Department has expressed no concerns over the availability of services for the proposed use;
5. The site has direct access to US Highway 19 and easy access for trucks returning from the landfill on 28<sup>th</sup> Street via 118<sup>th</sup> Avenue in an area with minimal pedestrian activity;
6. Schools and parks are not required for light industrial uses, but mass transit is available along US Highway 19 as well as Bryan Dairy/118<sup>th</sup> Avenue;
7. The district boundaries are appropriate;
8. Access to the property is limited for customer based retail and services uses permitted within the existing Heavy Commercial zoning district where primarily employee based traffic of light industrial uses is more appropriate;
9. The site is not located within designated wetland areas; and,
10. Staff finds that the proposed request is consistent with the Comprehensive Plan.

## C. **Essential Services Review:**

The requested Future Land Use Map and Zoning Map amendments have been reviewed by all relevant departments/divisions. No negative concerns were raised with regard to the proposed amendments.

## IV. **SUMMARY**

### A. **Findings:**

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



1. The subject property is 0.45 acres in size and located along US Highway 19 south of 126<sup>th</sup> Avenue;
2. The subject property is currently zoned "CH" Heavy Commercial with a Future Land Use designation of Commercial General (CG);
3. The applicant is requesting to amend the Official Zoning Map and Future Land Use Map to "M-1" Light Industrial and Industrial Limited (IL) respectively; and,
4. The requested map amendments are consistent with the Goals, Objectives, and Policies of the adopted Comprehensive Plan as well as the regulations of the Land Development Code.

### B. **Staff Recommendation:**

Consistent with the above findings, staff recommends **APPROVAL** of case numbers LUPA 2019-2 and Z 2019-3.

Planning & Development Services Director /  
Assistant Community Development Administrator:

Community Development Administrator:

 9/25/19  
 9/25/19

**V. ACTION**

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

- A. RECOMMEND APPROVAL
- B. RECOMMEND APPROVAL WITH THE FOLLOWING CONDITION(S):
- C. RECOMMEND DENIAL

**VI. ATTACHMENTS**

**Exhibit A: Applications**

**Exhibit B: Survey**

**Exhibit C: Aerial Map**

**Exhibit D: Future Land Use Map**

**Exhibit E: Zoning Map**

**Exhibit F: FIRM Map**

**Exhibit G: Site Photos**





## **ADDENDUM**

**Case Numbers:** Z 2019-3

### **PLANNING AND ZONING COMMISSION**

On October 3, 2019, the Planning and Zoning Commission **RECOMMENDED APPROVAL** of Case #s LUPA 2019-2 and Z 2019-3.

#### **VI. ACTION**

##### **CITY COUNCIL– MOVE TO:**

**1: APPROVE**

**2: APPROVE WITH CONDITIONS**

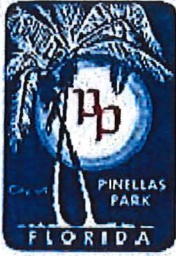
**3: DENY**

an ordinance amending the City's Official Zoning Map providing for a change from Heavy Commercial (CH) to Light Industrial (M-1) for a property located at 12551 US Highway 19 N.



IL

Exhibit A: Applications



Land Use Plan Map Amendment Application

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

Paid  
8/1/19  
GAL

FOR OFFICE USE ONLY

CASE # LUPA 2019-2  
Date Received: 8/1/2019  
Plat Sheet: \_\_\_\_\_  
Related Cases: Z 2019-3  
Receipt Number: \_\_\_\_\_  
Land Use Designation: \_\_\_\_\_  
Zoning District: \_\_\_\_\_  
Public Meetings Required: Yes No  
(If yes, please provide dates)  
PZ: 10/3/19 CRA/CC: 11/14/19

REQUEST AND PROPERTY INFORMATION

Specific Request: <u>CHANGE MY LAND USE TO "IL"</u>		
General Location of Property or Address: <u>12551 US HWY 19 N,</u>		
Property Size:	Current Use: <u>NOUE</u>	
Parcel Number(s): <u>08-30-16-70994-400-0302</u>		
Legal Description: Lot: _____ Block: _____ Subdivision: _____ or Metes and Bounds Description (attach if lengthy): <u>PINELLAS GROVES SE 1/4, SEC 8-30-16 THAT PART OF LOT 3</u> <u>LYING WITHIN S 70 FT(S) OF N 248 FT(S) OF SE 1/4 LESS</u> <u>R/W FOR US HWY 19</u>		

OWNER/APPLICANT INFORMATION

Property Owner: <u>KATHERINE LALLAMANT (FORMERLY MITCHELL)</u>	Phone: <u>(727) 515-9130</u>
Mailing Address (include city, state, zip code): <u>2441 18<sup>th</sup> AVE N, ST. PETER, FL 33713</u>	Attn to:
Email Address: <u>KM1QB@YAHOO.COM</u>	
Authorized Agent Name): <u>STEVEN LALLAMANT</u>	Relationship to Owner: <u>HUSBAND</u>
Email Address: <u>KM1QB@YAHOO.COM</u>	Phone: <u>(727) 320-5958</u>
Authorized Agent Address (include city, state, zip code): <u>2441 18<sup>th</sup> AVE N, ST. PETER, FL 33713</u>	

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

[Signature]  
Signature of Property Owner

[Signature]  
Signature of Agent

## AFFIDAVIT OF OWNERSHIP

STATE OF FLORIDA - COUNTY OF PINELLAS:

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

KATHERINE LALLAMANT (FORMERLY MITCHELL)

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

ADDRESS OR GENERAL LOCATION:

12551 US HWY 19 N, CLEARWATER, FL 337

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

PINELLAS GROVES SE 1/4, SEC 8-30-16 THAT PART OF LOT 3 LYING WITHIN S 70' OF  
OF N 248 FT(S) OF SE 1/4 LESS R/W FOR US HWY 19

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

FILING FOR CONDITIONAL USE

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

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

[Signature]

SIGNED (PROPERTY OWNER)

N/A

SIGNED (PROPERTY OWNER)

STATE OF FLORIDA  
COUNTY OF Pinellas

The foregoing instrument was acknowledged before me this 3/14/2019

(Date)

By Katherine L. Lallamant / CEO

(Name of person acknowledging and title of position)

who is personally known to me or who has produced FL DRIVER LICENSE

(Type of identification)

as identification and who did (did not) take an oath.



(SEAL ABOVE)

[Signature]

Notary Public, Commission No. GG 52036

Name of Notary typed, printed or stamped)





Rezoning Application  
City of Pinellas Park  
Planning and Development Services  
6051 78<sup>th</sup> Avenue North  
Pinellas Park, FL 33781  
(727) 369-5631

M1.  
Paid  
8/1/19  
EAL

FOR OFFICE USE ONLY	
CASE #Z	2019-3
Date Received:	
Plat Sheet:	
Related Cases:	LWPA 2019-2
Receipt Number:	
Land Use Designation:	
Zoning District:	
Public Meetings Required	(Yes) No
(If yes, please provide dates)	
PZ:	10/3/19
CRA/CC:	11/14/19

#### REQUEST AND PROPERTY INFORMATION

Specific Request: CHANGE ZONING TO M1	
General Location of property or address: 12551 US HWY 19 N	
Property Size:	Current Use: NQD2
Parcel Number(s): 08-30-16-70974-400-0302	
Legal Description: Lot: _____ Block: _____ Subdivision: _____	
Or	
Metes and Bounds Description (attach if lengthy): PINELLAS GROVES SE 1/4, SEC 8-30-16 THAT PART OF LOT 3 LYING WITHIN S 70 FT(S) OF N 248 FT(S) OF SE 1/4 LESS R/W FOR US HWY 19	

#### OWNER/APPLICANT INFORMATION

Property Owner:	KATHERINE LALLAMANT (FORMERLY MITCHELL)	Phone:	(727) 515-9630
Mailing Address (include city, state, zip code):	2441 18 <sup>th</sup> AVE N, ST. PETERS, FL 33713	Attn to:	
Email Address:	KML10B@YAHOO.COM		
Authorized Agent Name:	STEVEN LALLAMANT	Relationship to Owner:	HUSBAND
Email Address:	KML10B@YAHOO.COM	Phone:	(727) 320-5958
Authorized Agent Address (include city, state, zip code):	2441 18 <sup>th</sup> AVE N, ST. PETERS, FL 33713		

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

Signature of Property Owner

Signature of Agent

## AFFIDAVIT OF OWNERSHIP

STATE OF FLORIDA - COUNTY OF PINELLAS:

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

KATHERINE LALLAMANT (FORMERLY MITCHELL)

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

ADDRESS OR GENERAL LOCATION:

12551 US HWY 19 N, CLEARWATER, FL 337

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

PINELLAS GROVES SE 1/4, SEC 8-30-16 THAT PART OF LOT 3 LYING WITHIN S 70 FT(S) OF N 248 FT(S) OF SE 1/4 LESS R/W FOR US HWY 19

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

FILING FOR CONDITIONAL USE

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

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

[Signature]  
SIGNED (PROPERTY OWNER)

N/A  
SIGNED (PROPERTY OWNER)

STATE OF FLORIDA  
COUNTY OF Pinellas

The foregoing instrument was acknowledged before me this

3/14/2019

(Date)

By Katherine L. Lallamant / CEO.  
(Name of person acknowledging and title of position)

who is personally known to me or who has produced

FL DRIVER LICENSE

(Type of identification)

as identification and who did (did not) take an oath.



(SEAL ABOVE)

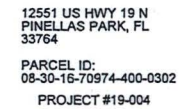
Notary Public, Commission No. GG 52036

[Signature]

Name of Notary typed, printed or stamped)



## MAP OF BOUNDARY & TOPOGRAPHIC SURVEY

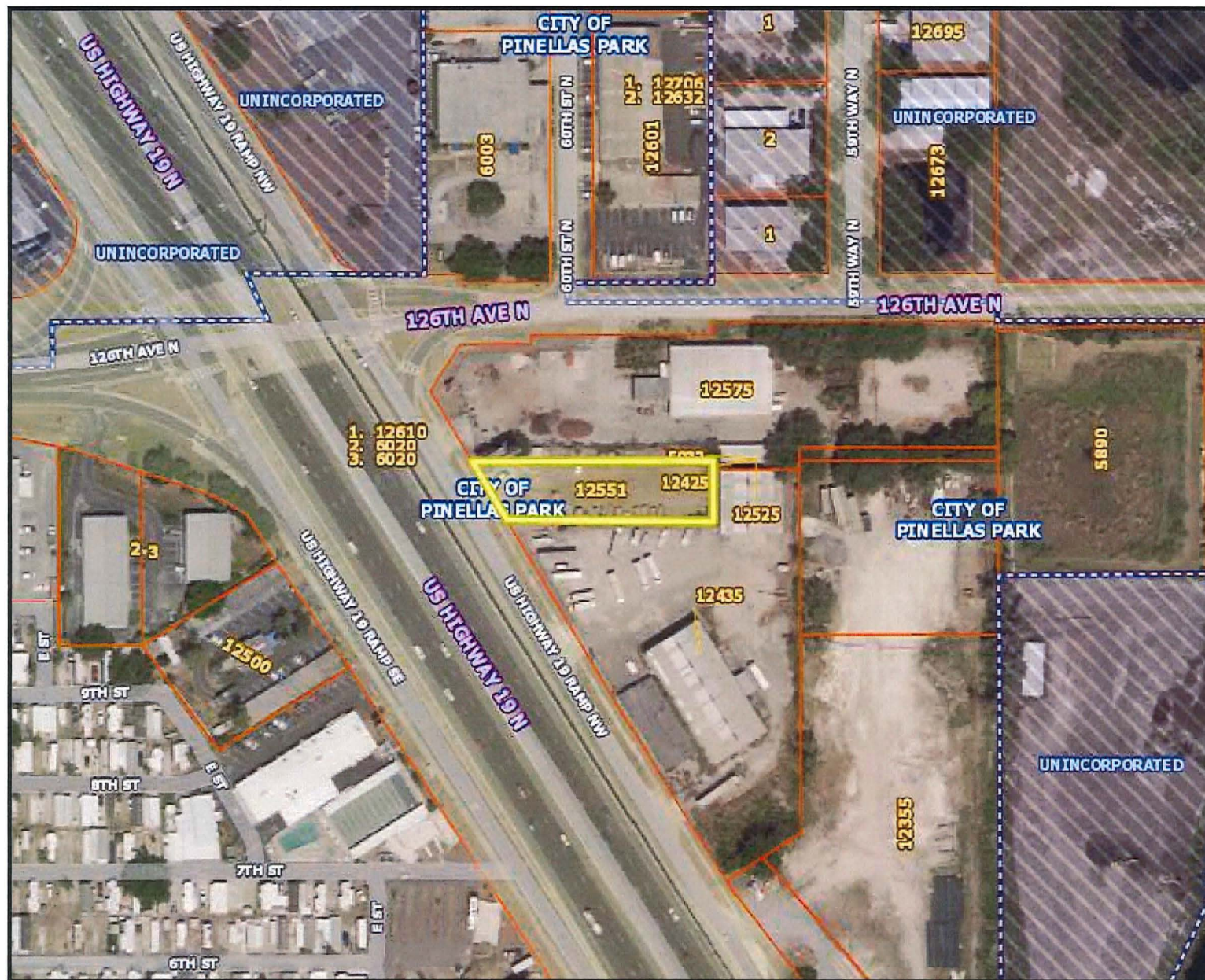


**LEGAL DESCRIPTION:**  
THAT PART OF EARNINGS

<b>SILVER KING SURVEYORS, INC.</b> <b>PROFESSIONAL SURVEYORS &amp; MAPPERS LB 7933</b> <b>4831 8TH ST. N. ST. PETERSBURG, FL 33703</b>		
DATE: 01/22/2019	SCALE: 1" = 30'	DRAWN BY: TH



# Exhibit C: 12551 US HWY 19 Aerial Map



## Legend

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

188.1 0 94.04 188.1 Feet

1: 2,257

Notes:

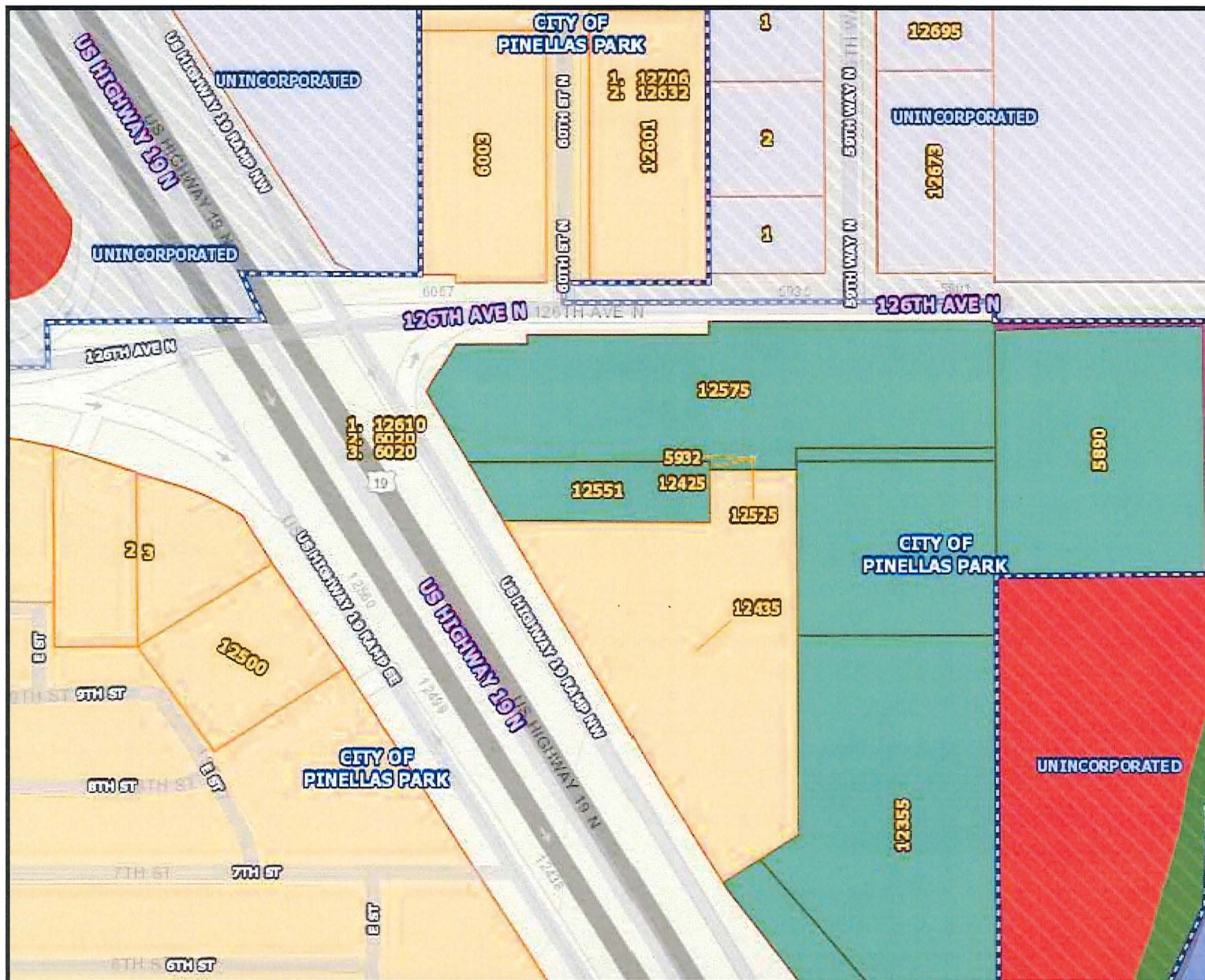
WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere



Exhibit C: Aerial Map



## Exhibit D: 12551 US HWY 19 Land Use Map



188.1	0	94.04	188.1 Feet
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WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere





1: 2,257

Notes:
























Legend













- Master Address Points**

  -  Centerlines
  -  Private Roads
  -  Pinellas Park
  -  Rights of Way

**Land Use Fill**

  -  Commercial General - CG
  -  Commercial General (Residential Medium) -
  -  Commercial Neighborhood - CN
  -  Commercial Recreation - CR
  -  Community Redevelopment District - CRD
  -  Industrial General - IG
  -  Industrial Limited - IL
  -  Institutional - INS
  -  Preservation - P
  -  Residential/Office/Retail - R/O/R
  -  Residential/Office General - R/OG
  -  Recreation/Open Space - R/OS
  -  Residential Facilities High - RFH
  -  Residential Low - RL
  -  Residential Low Medium - RLM
  -  Residential Medium - RM
  -  Residential Suburban - RS
  -  Residential Urban - RU
  -  Residential Urban (Commercial General) - F
  -  Residential Urban (Residential Low) - RU(R
  -  Transportation/Utility - T/U

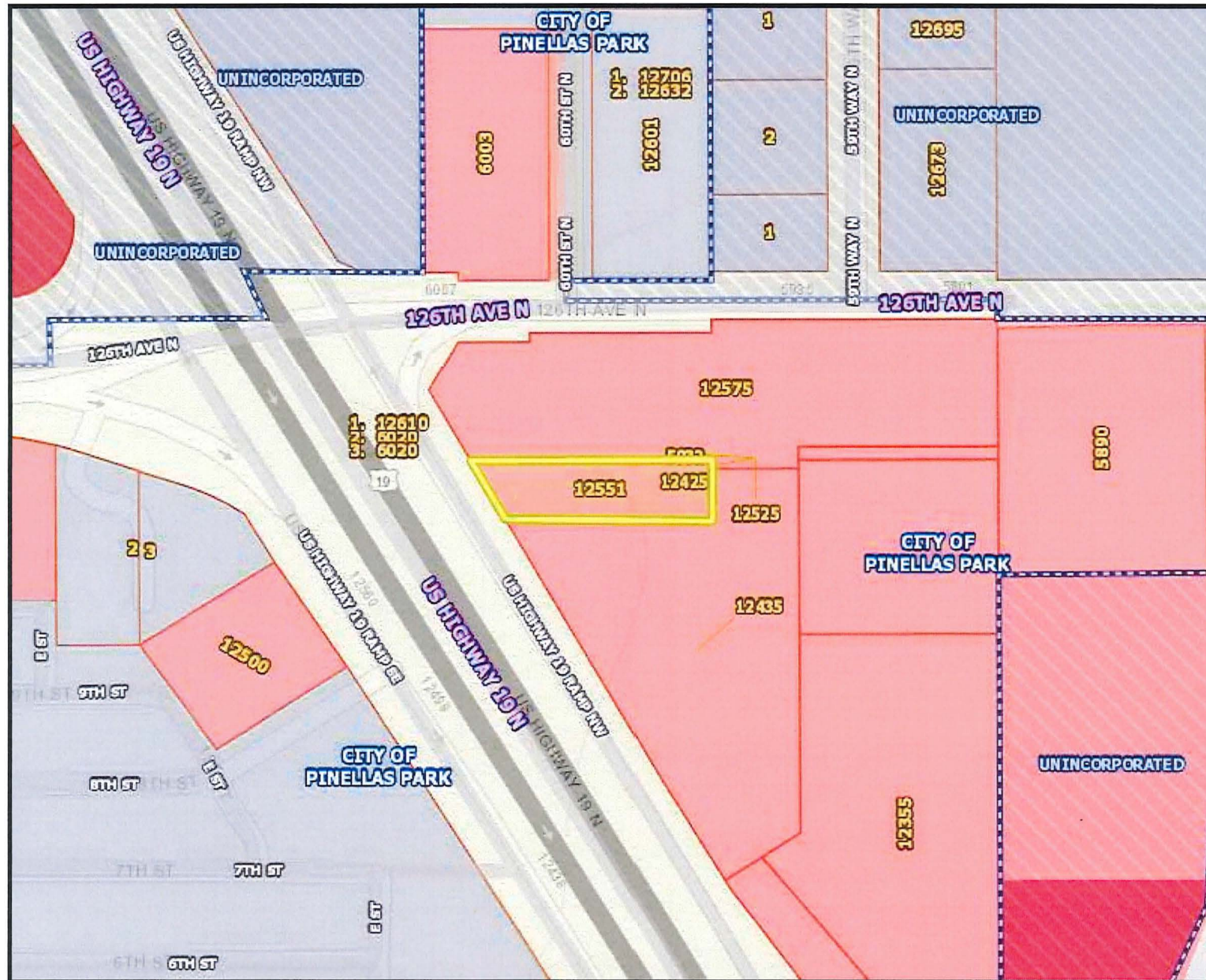
**Unincorporated Land Use Fill**

  -  Residential Rural - RR
  -  Residential Estate - RE
  -  Residential Suburban - RS
  -  Residential Low - RL
  -  Residential Urban - RU
  -  Residential Low Medium - RLM
  -  Residential Medium - RM
  -  Residential High - RH
  -  Residential/Office/Limited - ROL
  -  Residential/Office/General - ROG
  -  Residential/Office/Retail - ROR
  -  Commercial Neighborhood - CN

## Exhibit D: Land Use Map



# Exhibit E: 12551 US HWY 19 Zoning Map



## Legend

- Master Address Points
- Centerlines
- Private Roads
- Pinellas Park
- Rights of Way
- Zoning Fill
  - General Commercial - B-1
  - Heavy Commercial - CH
  - Commercial Neighborhood - CN
  - Commercial Planned Unit Development - C1
  - Farm - F
  - General Office - GO
  - Heavy Industrial - IH
  - Industrial Planned Unit Development - IPUC
  - Light Industrial - M-1
  - Residential / Office / Retail - ROR
  - Mixed Use Development - MXD
  - Mixed Use Development - MXD-2
  - Open Space - O/S
  - Public - P
  - Preservation - PRES.
  - Single Family Residential - R-1
  - Single Family Residential - R-2
  - Single Family Residential - R-3
  - Duplex Residential - R-4
  - Multifamily Residential - R-5
  - Multifamily Residential/Commercial - R-6
  - Single Family Residential Estate - R-E
  - Residential Planned Unit Development - RP
  - Rural Residential - RR
  - Mobile Home Subdivision - T-1
  - Mobile Home Park - T-2
  - Town Center - TC
- Unincorporated Zoning Fill
  - Unknown
  - Commercial Parkway - CP
  - Commercial Recreation - CR
  - General Retail Commercial And Limited Service - RC
  - Employment-2 - E-2
  - Neighborhood Commercial - C-1

188.1 0 94.04 188.1 Feet

1: 2,257

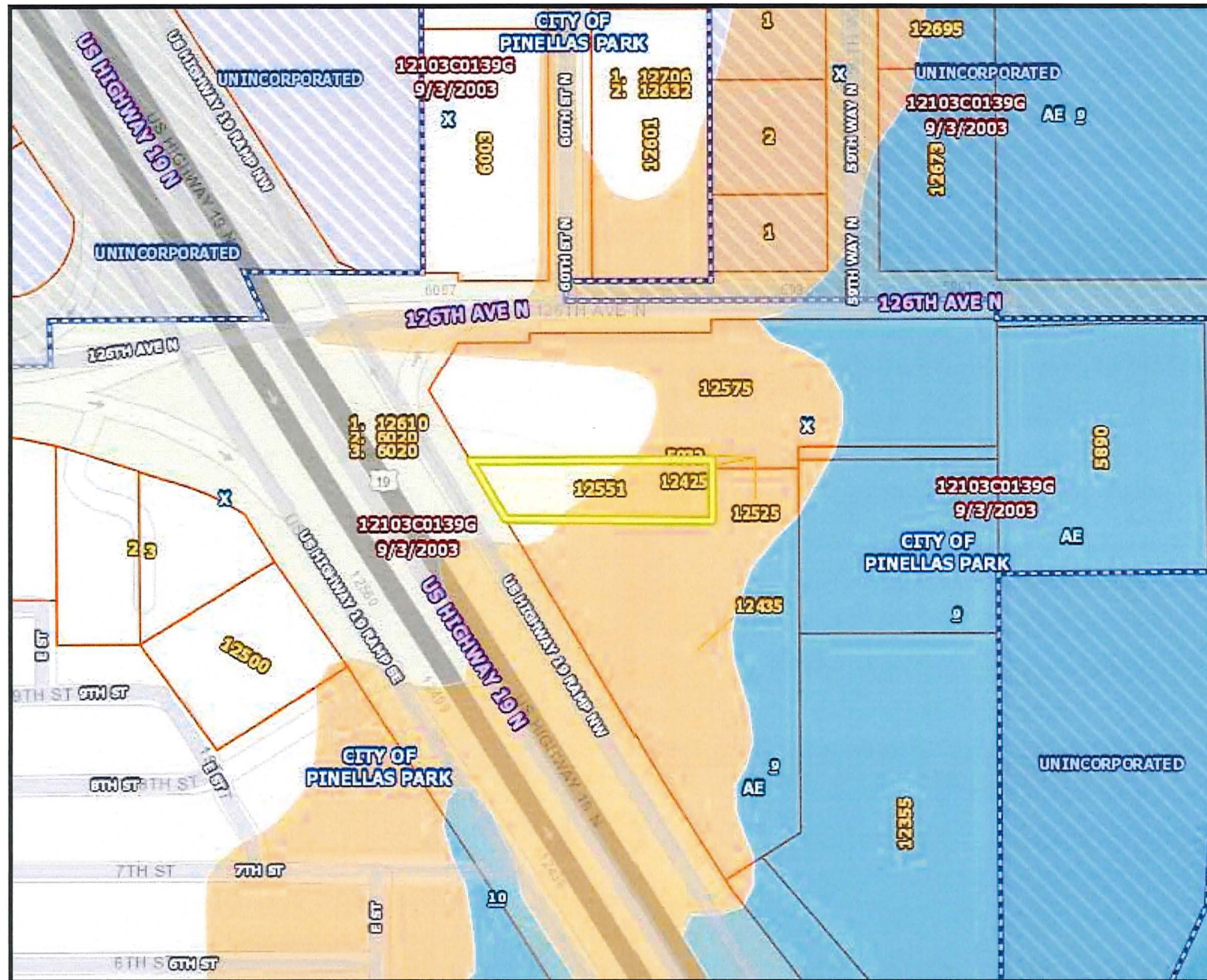
Notes:

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere





# Exhibit F: 12551 US HWY 19 FIRM Map



## Legend

- Master Address Points
- Centerlines
- Private Roads
- Pinellas Park
- Rights of Way
- Unincorporated
- FIRM Panels
- Flood Hazard Areas
  - <all other values>
  - 1% Annual Chance Flood Hazard (A, AE, AI)
  - 0.2% Annual Chance Flood Hazard (X)
  - Area of Minimal Flood Hazard (X)
  - Floodway (AE)
- Parcel Lines

188.1 0 94.04 188.1 Feet

1: 2,257

Notes:

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere



Exhibit F: FIRM Map



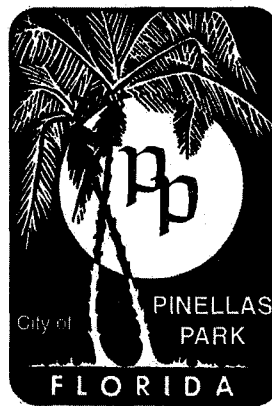


City of  
**PINELLAS PARK**

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

**Please Respond To:**

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

October 22, 2019

Ms. Erica Lindquist  
Planning & Development Review Manager  
City of Pinellas Park  
P. O. Box 1100  
Pinellas Park, Florida 33780-1100

**RE: City Document #19-316**  
**Ordinance for Z 2019-3, Big Yellow Dumpster**

Dear Ms. Lindquist:

I have received and reviewed the above-referenced Ordinance. Please update the title to include a comma after the phrase "located east of US HIGHWAY 19." Once that change is made, and assuming the legal description in Exhibit A is correct, I would approve of the Ordinance 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, Deputy City Manager  
Susan Walker, Community Development Administrator  
Benjamin Ziskal, Planning & Development Services Director

JWD/dh

19-316.10222019.LEL.Ord for Z 2019-3 Big Yellow Dumpster.wpd



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