



## CITY OF PINELLAS PARK

Community Development Department  
Planning & Development Services Division

# Staff Report

### I. APPLICATION DATA

- A. **Case Number:** AX19-12
- B. **Location:**
  - 1. **Address:** 6118 105<sup>th</sup> Terrace
  - 2. **Parcel Number:** 17-30-16-60822-000-0730
- C. **Request:** Applicant is contiguous and eligible to annex
- D. **Applicant:** Nga Nguyen 727-452-3582 or ntn001@gmail.com
- E. **Agent:** Not applicable
- F. **Legal Ad Text:** Not applicable
- G. **Public Hearings:**
  - Board of Adjustment Hearing Date:** Not applicable
  - Planning and Zoning Commission Hearing Date:** Not applicable
  - City Council Hearing Date(s):** 11/14/2019 and 11/26/2019
  - Deadline to send public hearing notices:** 10/25/2019
  - Advertising deadline:** 10/25/2019

### II. BACKGROUND INFORMATION

- A. **Site Area:** 0.14 acres
- B. **Property History:**
  - 1. **Previous Land Use Plan or Zoning Amendments:** None on record
  - 2. **Permits and Development:** None on record
  - 3. **Previous Approvals:** None on record
- C. **Existing Use:** Residential
- D. **Proposed Use:** Residential
- E. **Current Zoning District:** RMH, (County)
- F. **Proposed Zoning District:** "T-1" Manufactured Home Subdivision
  - 1. **Zoning District Purpose / Intent:**

*The "T-1" Manufactured Home Subdivision District is established to identify and stabilize those geographic areas within the City of Pinellas Park that are presently platted or developed as manufactured home subdivisions. The district is intended to be used primarily for manufactured home dwellings for residential occupancy upon lots owned by the resident or designated tenant, but*

conversion of these sites to standard single-family detached dwellings is encouraged as a means of improving these areas over time. It is the intent of the City to strictly limit further rezonings of land into this zoning category. Criteria for acceptance of rezoning petitions are stated in Section 18-1515.6, "Criteria for Acceptance of Rezoning Petitions to "T-1", below. This district is appropriate for areas designated on the Official Land Use Plan Map as Residential Low Medium (RLM), Residential Medium (RM), Transportation/Utility (T/U) and Community Redevelopment District (CRD).

**2. Staff Analysis:**

The subject property is currently developed with a manufactured home and the "T-1" Zoning District is the only district that allows a single manufacture home on a lot. Additionally, all of the properties in this neighborhood are zoned "T-1" or RMH, which is the County's equivalent district for manufactured homes.

Staff finds that the proposed "T-1" Zoning District is consistent with what is currently developed on the subject property as wells as the surrounding area.

**G. Current Land Use:** Residential Limited (RL), (County)

**H. Proposed Land Use:** Residential Low (RL)

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

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

**2. Key Standards:**

**Primary Uses - Residential**

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

**Density / Intensity - Shall include the following:**

*Residential Use - Shall not exceed five (5) dwelling units per acre.*

*Residential Equivalent Use – Shall not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit at 5 dwelling units per acre. The standard for the purpose of establishing relative intensity and potential impacts shall be the equivalent of 2.5 beds per dwelling unit.*

*Non-Residential Use – Shall not exceed a floor area ratio (FAR) of .40, nor an impervious surface ratio (ISR) of .65. The standard for the purpose of establishing relative intensity and potential impacts shall be a FAR of .24 and an ISR of .50.*

**3. Staff Analysis:**

The subject property is developed with a residential use consistent with the proposed Residential Low (RL) Future Land Use designation. Additionally, all of the properties in this neighborhood are designated RL or the County's equivalent designation.

Staff finds that the proposed RL Future Land Use designation is consistent with the surrounding area.

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

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

**J. Vicinity Characteristics:**

	<b>Zoning</b>	<b>Land Use</b>	<b>Existing Use</b>
<b>North</b>	RMH (County)	RL (County)	Mobile Home
<b>South</b>	T-1	RL	Mobile Home



<b>East</b>	RMH (County)	RL (County)	Mobile Home
<b>West</b>	T-1	RL	Mobile Home

### III. APPLICABLE CRITERIA / CONSIDERATIONS

#### A. Comprehensive Plan Policies:

##### 1. **Relevant Policies:**

###### *POLICY PW 1.3.1*

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

###### *POLICY SW.1.3.1*

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

###### *OBJECTIVE ICE.1.8*

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

###### *POLICY ICE.1.8.1*

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

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

##### 2. **Staff Analysis:**

The subject property is located within the Annexation Amendment Agreement Area as coordinated with Pinellas County and all procedures are being followed. Additionally, the subject property is already served by City water and sewer services.

Staff finds that the proposed annexation is consistent with the City's adopted Comprehensive Plan.

#### B. Land Development Code Standards:

##### 1. **Key Standards:**

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

*Property heretofore or hereafter annexed to the City shall be given the zoning classification which most closely relates to the Pinellas County zoning classification in effect at the time of such annexation, and the Official Zoning Map shall be amended or posted accordingly. Should a petition for annexation include a request for a zoning classification other than that which most closely relates*

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

**Sec. 18-1515.3. - PERMITTED AND CONDITIONAL USES.**

No building or land in the "T-1" District shall be used, and no building shall be hereafter erected, structurally altered or enlarged, except for the permitted and conditional uses listed below. The uses listed as conditional uses may be permitted if their site locations and proposed development site plans are first approved, as provided in the procedure for approval of conditional uses under Section 18-1531, "Conditional Use Regulations", of this Article. Permitted (P) and conditional (C) uses shall be subject to the conditions established in the following Table 18-1515.3 and other applicable conditions of this district and Article.

Table 18-1515.3: Authorized Land Uses in T-1 District

Land Use	Approval Type	Conditions
RESIDENTIAL AND ACCOMMODATION USES		
Dwellings, Manufactured Home	P	1 per lot

**Sec. 18-1515.4. - DIMENSIONAL AND AREA REGULATIONS.**

**(A) MINIMUM LOT REQUIREMENTS.**

1. For lots platted prior to November 24, 1992, the following dimensional regulations shall apply:
  - (a) Lot Area: Five thousand (5,000) square feet.
  - (b) Lot Width: Fifty (50) feet.
  - (c) Lot Depth: Ninety (90) feet.
2. For lots platted on or after November 24, 1992, the following shall apply:
  - (a) Lot Area: Seven thousand five hundred (7,500) feet.
  - (b) Lot Width: Seventy-five (75) feet, except on a corner ninety (90) feet is required.
  - (c) Lot Depth: Ninety (90) feet.
3. Lots not meeting the lot area, width or depth requirements of this Section and having been of record prior to June 12, 1986 may be used for a permitted or conditional use provided that all other dimensional regulations will apply.

**(B) MINIMUM YARD SETBACK REQUIREMENTS.**

1. For lots platted prior to November 24, 1992, the following shall apply:
  - (a) Front Yard Setback: Twenty (20) feet.
  - (b) Secondary Front Yard Setback: Ten (10) feet.
  - (c) Side Yard Setback: Five (5) feet.
  - (d) Rear Yard Setback: Fifteen (15) feet, or ten (10) feet if abutting an alley.
2. For lots platted on or after November 24, 1992, the following shall apply:
  - (a) Front Yard Setback: Twenty-five (25) feet.
  - (b) Secondary Front Yard Setback: Twenty-five (25) feet.



- (c) *Side Yard Setback: Ten (10) feet.*
- (d) *Rear Yard Setback: Fifteen (15) feet.*
- 3. *For corner, double frontage and multiple frontage lots, see Section 18-1503.7, "Yard Determinations."*
- 4. *Refer to Section 18-1503.8 for measurement of yard setbacks on lots adjacent to rights-of-way of insufficient width.*
- 5. *Refer to Section 18-1504.3(G)(2) for special yard setbacks for additions to buildings in existence as of August 14, 1997.*

(C) **MINIMUM LIVEABLE FLOOR AREA.**

- 1. *Manufactured Home Dwellings: Four hundred fifty (450) square feet.*
- 2. *Single-family Detached Dwellings: Eight hundred (800) square feet.*

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

(E) **MAXIMUM LOT COVERAGE.** *Nonresidential Uses: Sixty-five (65) percent in RLM; seventy-five (75) percent in RM land use.*

(F) **FLOOR AREA RATIO.**

- 1. *Nonresidential Uses:*
  - (a) *Forty-hundredths (0.40) in RLM or RM.*

**2. Staff Analysis:**

As required by Section 1501-13 the proposed "T-1" Zoning District is consistent with the County's RMH district for mobile/manufactured homes, which are a permitted use in the T-1 district. The subject property is 60 feet by 100 feet with 6,000 square feet, exceeding all of the dimensional requirements of the T-1 district for lots platted prior to November 24, 1992.

Staff finds that the proposed "T-1" Zoning District is consistent with the Land Development Code.

**C. Essential Services Issues:**

**1. Essential Services Review**

Community Development Administrator:

*[Signature]* 11/1/19

**2. Staff Analysis:**

This proposed annexation has been reviewed by all relevant divisions/departments with no objections. The Building Official has indicated that the existing structure on the property is in need of repairs.

**IV. SUMMARY**

**A. Findings:**

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

- 1. That the subject property is 0.14 acres in size and located west of 61st Street N, on 108<sup>th</sup> Terrace;
- 2. That the subject property is currently within Unincorporated Pinellas County and zoned RMH;
- 3. That the applicant has requested to be annexed into the City of Pinellas Park, Florida;
- 4. That the subject property, upon annexation, would be assigned a zoning designation of "T-1" Manufactured Home Subdivision;
- 5. That the subject property currently has a Land Use Plan designation of Residential Low (RL), which will not be changed upon annexation into the City;

6. That the proposed annexation is consistent with the applicable Goals, Objectives and Policies of the Comprehensive Plan.

**B. Staff Recommendation:**

Consistent with the above identified findings, and subject to such additional findings of fact as are established at a public hearing, if applicable, staff recommends **APPROVAL** of case number AX19-12.

**V. ACTION:**

**CITY COUNCIL** – MOVE TO:

- A. APPROVE
- B. APPROVE WITH THE FOLLOWING CONDITIONS:
- C. DENY

**VI. ATTACHMENTS:**

Exhibit A: Application with Legal Description

Exhibit B: Aerial Map

Exhibit C: Land Use Map

Exhibit D: Zoning Map

Exhibit E: FIRM Map

Exhibit F: Data Sheet

Exhibit G: Revenue Analysis

Exhibit H: Site Photographs

AX19-12

**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: 17-30-16-60822-000-0730**  
(Located at 6118 105<sup>th</sup> Terrace)

**LOT 73, NORTHFIELD MANOR SECTION A-2, ACCORDING TO THE PLAT THEREOF,  
AS RECORDED IN PLATBOOK 62, PAGE 58, OF THE PUBLIC RECORDS OF  
PINELLAS COUNTY, FLORIDA. PARCEL# 17-30-16-60822-000-0730**

Containing 0.14 acres MOL

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

**Nga Nguyen**  
**7921 N. Campbell Road**  
**Lakeland, FL 33810**

**OWNER'S SIGNATURE:**

  
\_\_\_\_\_  
Witness Signature

  
\_\_\_\_\_  
NGA NGUYEN, OWNER

  
\_\_\_\_\_  
Witness Printed Name

  
\_\_\_\_\_  
Witness Signature

  
\_\_\_\_\_  
Witness Printed Name





**SUBJECT**  
**PROPERTY**

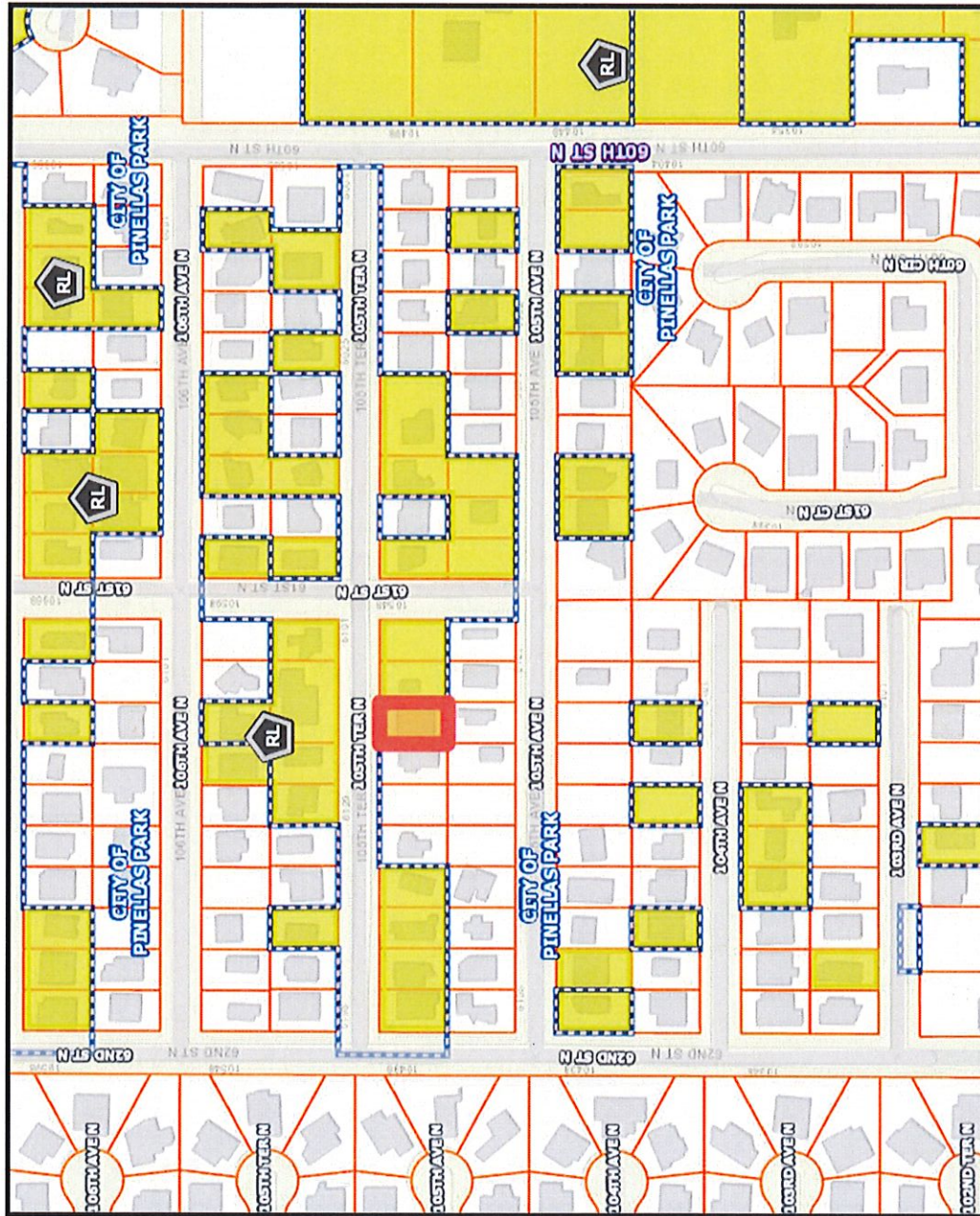
CITY OF  
PINELLAS PARK



# Exhibit "C" Land Use Map

## 6118 105th Terrace North - Unincorporated Land Use

- Legend**
- Centerlines
  - Private Roads
  - Pinellas Park
  - Rights of Way
  - Unincorporated Land Use Borders
  - 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
  - Commercial General - CG
  - Commercial Recreation - CR
  - Industrial Limited - IL
  - Industrial General - IG
  - Preservation - P
  - Preservation - Resource Management - P-RI
  - Recreation/Open Space - ROS
  - Institutional - I
  - Transportation/Utilities - TU
  - Water
  - Road
  - 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



Notes:

1: 2,874

239.5 0 119.73 239.5 Feet

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

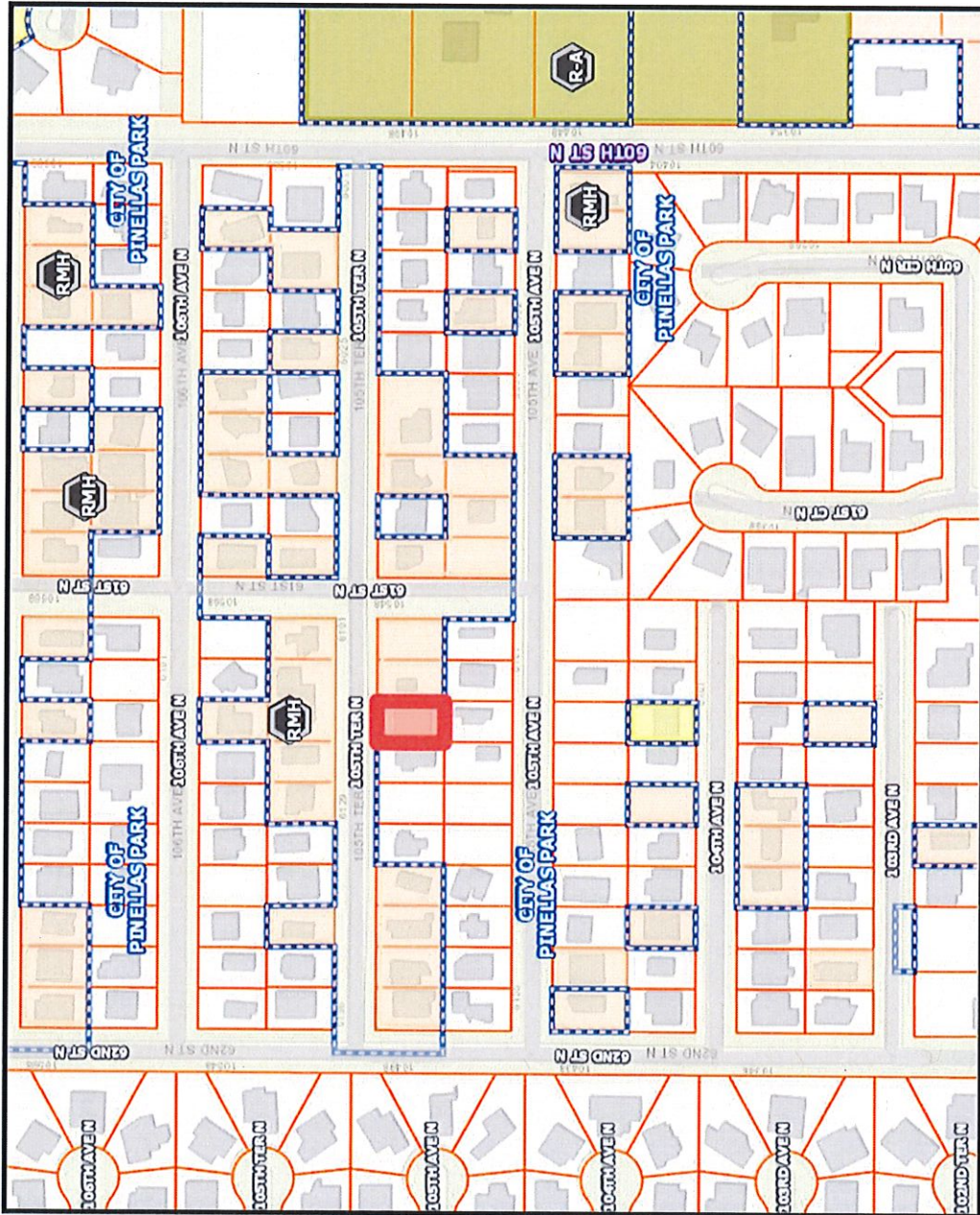




# Exhibit "D" Zoning Map

## 6118 105th Terrace North - Unincorporated Zoning

- Legend**
- Centerlines
  - Private Roads
  - Pinellas Park
  - Rights of Way
  - Unincorporated Zoning Border
  - Commercial Parkway - CP
  - Commercial Recreation - CR
  - General Retail Commercial And Limited Serv
  - Employment-2 - E-2
  - Neighborhood Commercial - C-1
  - Residential Agriculture - R-A
  - General Office - GO
  - Limited Office - LO
  - P.C. AIRPORT
  - Heavy Industry - I
  - Industrial Planned Development - IPD
  - Employment-1 - E-1
  - One, Two, Three Family Residential - R-4
  - Facilities-Based Recreation - FBR
  - Limited Institutional - LI
  - General Institutional - GI
  - Preservation Conservation - P-C
  - Aquatic Lands - AL
  - Single Family Residential (6,000 SF MIN) - F
  - Residential (7,500 SF MIN) - R-2, Single Far (9,500 SF MIN) - R-1
  - Multi-family Residential - RM
  - Residential Estate - R-E
  - Residential Planned Development - RPD
  - Rural Residential - R-R
  - Residential Mobile Home/Manufactured Hom
  - Unincorporated Zoning Fill
  - Unknown
  - Commercial Parkway - CP
  - Commercial Recreation - CR
  - General Retail Commercial And Limited Serv
  - Employment-2 - E-2
  - Neighborhood Commercial - C-1
  - Residential Agriculture
  - General Office - GO
  - Limited Office - LO



Notes:



1: 2,874

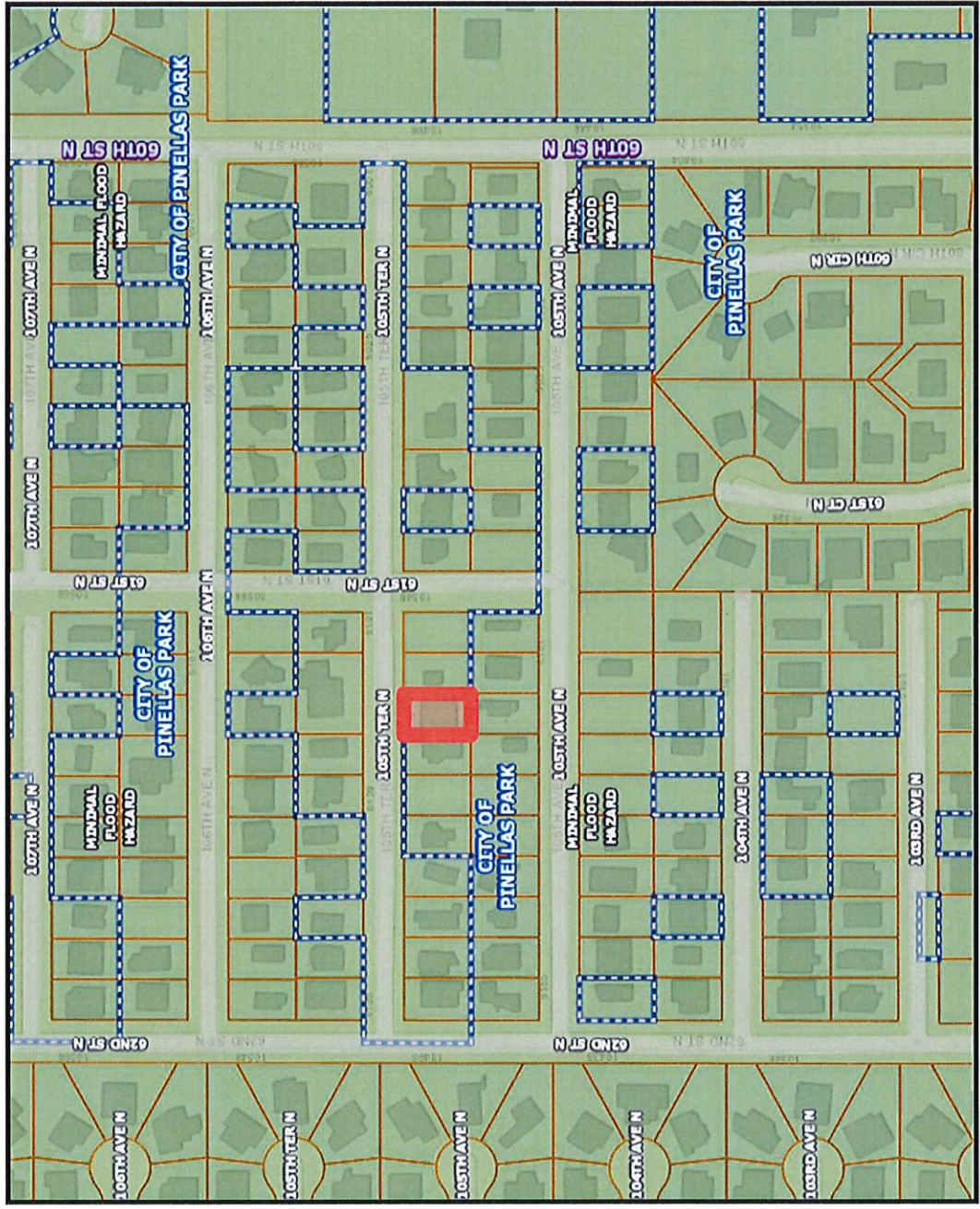
239.5 0 119.73 239.5 Feet

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere



6118 105th Terrace North - Digital FIRMS

- Legend**
- Centerlines
  - Private Roads
  - Pinellas Park
  - Rights of Way
  - Floodplain Delineations
    - Minimal Flood Hazard
    - 500 Year Floodplain (0.2% Annual Risk)
    - 100 Year Floodplain (1% Annual Risk)
    - Floodway
  - Coastal High Hazard Area
  - Parcel Lines



Notes:



1:2,874

239.5 Feet

119.75

0

239.5

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

**ANNEXATION DATA SHEET**

- 1. PARCEL:**  
17-30-16-60822-000-0730
- 2. OWNER:**  
Nga Nguyen
- 3. STREET ADDRESS OF PROPERTY:**  
Located at 6118 105<sup>th</sup> Terrace
- 4. SIZE OF PROPERTY:**  
Petition = 0.14 Acres MOL  
Ordinance = 0.14 Acres MOL
- 5. COUNTY ZONING / LAND USE:**  
RMH/RL
- 6. CITY ZONING / LAND USE:**  
T-1/RL
- 7. EXISTING PROPERTY IMPROVEMENTS:**  
A manufactured home is currently on the site
- 8. EXISTING BUSINESS ON PROPERTY:**  
N/A
- 9. EXISTING PROPERTY USE:**  
Residential
- 10. ANNEXATION AGREEMENT PROVISIONS:**
  - ♦ The City agrees that as part of the consideration of this Agreement, for a period of five (5) years from the date of this Agreement, the City shall waive all City land development fees applicable for the redevelopment of the subject Property, in an amount not to exceed Three Thousand Dollars (\$3,000). This waiver of fees does not include a waiver of traffic impact fees.
- 11. OTHER PERTINENT INFORMATION:**  
Contiguous
- 12. PROPOSED PROPERTY USE:**  
Same
- 13. PROPOSED PROPERTY IMPROVEMENTS:**  
Demo the existing trailer and build a single-family home on the site



## Annexation Revenue Analysis Residential

Annexation No. AX19-12		Date: October 9, 2019
Owner's Name: Nga Nguyen		
Property Address: 6118 105th Terrace		
<b>Ad Valorem Taxes:</b>	<b>Millage</b>	<b>Amount</b>
Assessed Value (cap value)	NA	\$25,520.00
Homestead Exemption	NA	\$0.00
Taxable Value	NA	\$25,520.00
Anticipated Taxes Received by City	0.0054900	\$140.10
<i>*Information obtained from the Pinellas County Property Appraiser's records.</i>		
<b>Franchise Fees and/or Utility Taxes:</b>		
Water (10% Utility Tax)		\$110.00
Electric (based on \$175 avg. monthly bill) <b>ESTIMATE</b>		\$310.00
Stormwater Fees (4.00 per month)		\$48.00
Communication Services Tax <b>ESTIMATE</b>		\$35.00
Anticipated Franchise Fees and/or Utility Taxes Received by the City		\$503.00
<b>Anticipated Taxes Received by City</b>		<b>\$140.10</b>
<b>Anticipated Franchise Fees and/or Utility Taxes Received by City</b>		<b>\$503.00</b>
<b>Anticipated Annual Revenues to be Received by City</b>		<b>\$643.10</b>

<b>Current Est. Annual Revenues to Pinellas Park as Unincorporated Property:</b>		
PF Fire District Tax	0.0031976	\$81.60
25% Water & Sewer Surcharge		\$150.00
<b>Anticipated Total Est. Annual Revenues to City as Unincorporated Property</b>		<b>\$231.60</b>
<b>Anticipated New Money (est.) to City Received Thru Annexation - Current Millage</b>		
		<b>\$411.50</b>



Exhibit "H"  
Site Photograph

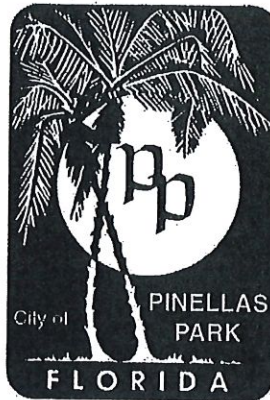


City of  
**PINELLAS PARK**

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. Shannon Coughlin  
Economic Development Manager  
City of Pinellas Park  
P. O. Box 1100  
Pinellas Park, Florida 33780-1100

**RE: City Document #19-320**  
**Annexation Agreement AX19-12, Nguyen**

Dear Ms. Coughlin:

I have received and reviewed the above-referenced Annexation Agreement. Assuming that the property is owned in the legal name of the Petitioner, and that the legal description provided for in Exhibit A is correct, I would approve of the Annexation Agreement 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

19-320.10222019.LSC.Annex Agmt AX19-12 Nguyen.wpd



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