



CITY OF PINELLAS PARK

Community Development Department
Planning & Development Services Division

Staff Report

I. APPLICATION DATA

- A. **Case Number:** AX20-13
- B. **Location:**
1. **Address:** 6114 105th Terrace
 2. **Parcel Number:** 17-30-16-60822-000-0720
- C. **Request:** The Applicant desires to join the City of Pinellas Park. The property is contiguous to the City and meets all of the annexation requirements set forth in Florida Statute 171.044.
- D. **Applicant:** Nga Nguyen, nang.nguyen@gmail.com
- E. **Agent:** Not applicable.
- F. **Legal Ad Text:** Not applicable. For Agreement only. Ordinance to be advertised.
- G. **Public Hearings:**
- City Council Hearing Date(s):** October 8, 2020 and October 22, 2020
Advertising Date: September 28, 2020 (Ordinance only)

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:** Single-family detached dwelling.
- E. **Current Land Use:** RL, Residential Low (Pinellas County)
- F. **Proposed Land Use:** RL (Residential Low)
1. **Land Use Purpose:**
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.

Those uses appropriate to and consistent with this category include:

Primary Uses – Residential

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

2. Key Standards:

Density/Intensity Standards - *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.

G. Current Zoning District: "RMH" Residential Mobile Home (Pinellas County)

H. 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.

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

- J. **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 at least 28 feet.

K. **Vicinity Characteristics:**

	Zoning	Land Use	Existing Use
North	RMH (Unincorporated)	RL (Unincorporated)	Manufactured Home
South	T-1	RL	Manufactured Home
East	RMH (Unincorporated)	RL (Unincorporated)	Manufactured Home
West	T-1	RL	Manufactured 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:

- Advance Notices - a procedure that provides for advance notice of all annexations to the respective parties of interest;*
- Accurate Legal Descriptions - a means to review and validate the legal descriptions for annexations;*
- 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;*
- Ability to Serve - pre-determined or administrative means to establish a municipality's ability to serve the area;*
- 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;*
- Consistency - a requirement for consistency with the Comprehensive Future Land Use Plan at the time of annexation; and*
- 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 properties are located within the Annexation Amendment Agreement Area as coordinated with Pinellas County and all procedures are being followed. Additionally, the subject properties are already served by public water, sewer and solid waste services.

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

B. 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.

- For lots platted prior to November 24, 1992, the following dimensional regulations shall apply:*
 - Lot Area: Five thousand (5,000) square feet.*
 - Lot Width: Fifty (50) feet.*
 - Lot Depth: Ninety (90) feet.*
- For lots platted on or after November 24, 1992, the following shall apply:*
 - Lot Area: Seven thousand five hundred (7,500) feet.*
 - Lot Width: Seventy-five (75) feet, except on a corner ninety (90) feet is required.*
 - Lot Depth: Ninety (90) feet.*
- 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.

- For lots platted prior to November 24, 1992, the following shall apply:*
 - 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" Zoning District for mobile/manufactured homes, which are a permitted use in the "T-1" Zoning 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" Zoning 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.

IV. SUMMARY

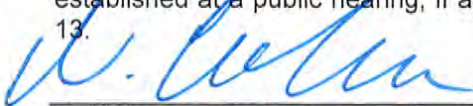
A. **Findings**

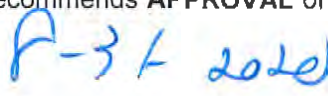
Based on the information and analysis contained in this report, staff finds as follows:

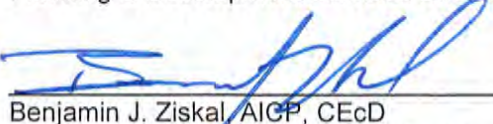
- 1. The property has no outstanding code enforcement violations with Pinellas County.
- 2. The parcel is contiguous to the City and meets all of the annexation requirements set forth in Florida Statute 171.044.

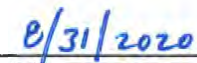
B. **Staff Recommendation**

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 AX20-13.


 Nick A. Colonna, AICP
 Planning & Development Services Director


 Date


 Benjamin J. Ziskal, AICP, CEcD
 Community Development Administrator


 Date

V. 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

Exhibit I: Attorney Letter

AX20-13

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: 17-30-16-60822-000-0720
(Located at 6114 105th Terrace)

NORTHFIELD MANOR SECTION A-2, LOT 72

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
3717 105th Avenue North
Clearwater, FL 33762

OWNER'S SIGNATURE:



Witness Signature



NGA NGUYEN, OWNER

KHANH NGUYEN.

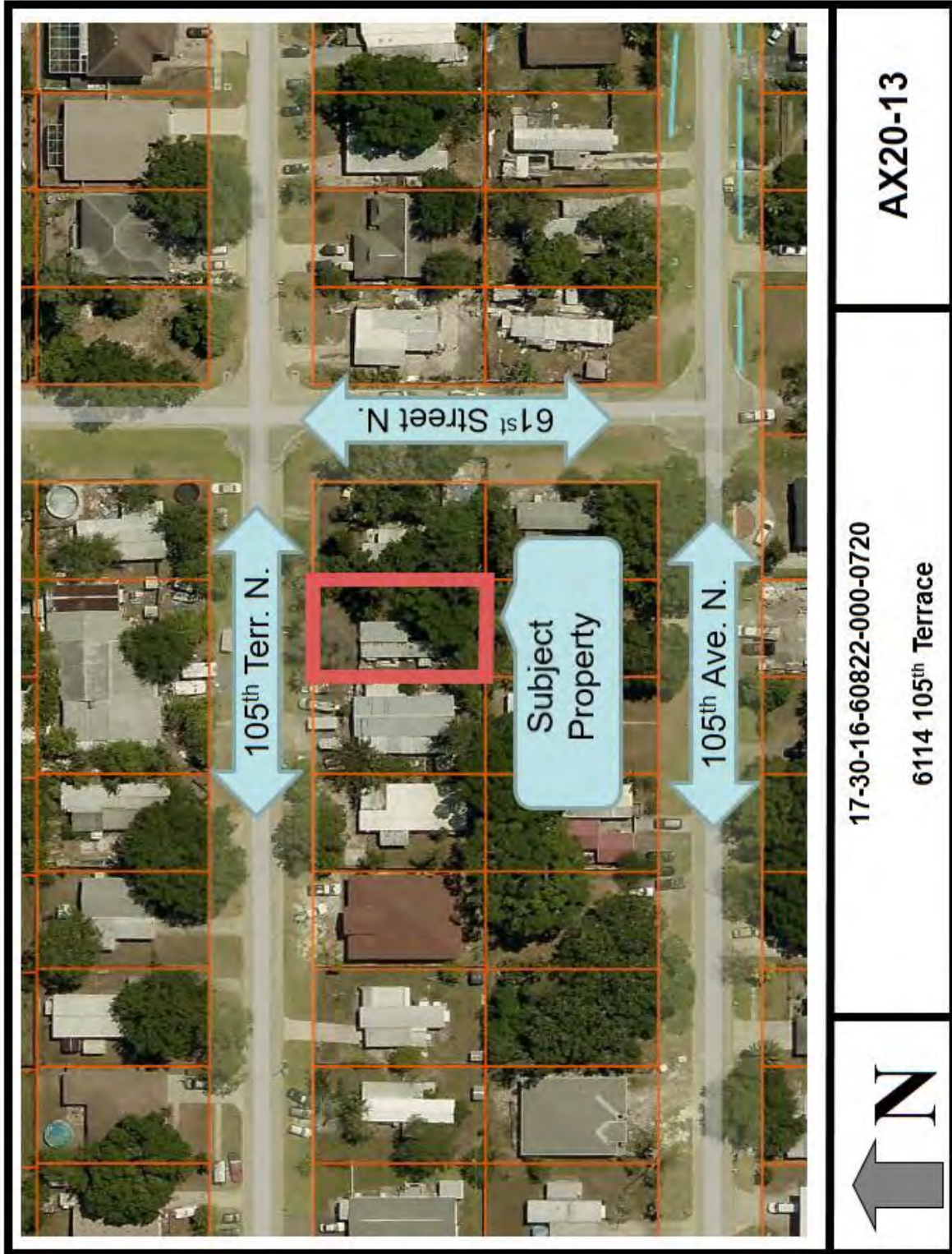
Witness Printed Name



Witness Signature

Ba Dinh Tran

Witness Printed Name



Land Use Map AX20-13

Legend

- Centerlines
- Private Roads
- Rights of Way
- Land Use Borders
- Commercial General - CG
- Commercial General (Residential Medium) - CG(R)
- Commercial Neighborhood - CN
- 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
- Residential/Open Space - R/OS
- Residential Low - RL
- Residential Low Medium - RLM
- Residential Medium - RM
- Residential Suburban - RS
- Residential Urban - RU
- Residential Urban (Commercial General) - RU(CG)
- Residential Urban (Residential Low) - RU(RL)
- Transportation/Utility - T/U
- Land Use Fill
- Commercial General - CG
- Commercial General (Residential Medium) - CG(R)
- 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

Exhibit "C"
Land Use Map



Notes:

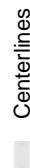


1:2,257

188.1 0 94.04 188.1 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

Legend



Unincorporated Zoning Border

- Commercial Parkway - CP
 - Commercial Recreation - CR
 - General Retail Commercial And Limited Ser
 - 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-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) - I-1
 - Residential (7,500 SF MIN) - R-2, Single Fa (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 Hor
 - Unincorporated Zoning Fill
 - Unknown
 - Commercial Parkway - CP
 - Commercial Recreation - CR
 - General Retail Commercial And Limited Ser
 - Employment-2 - E-2
 - Neighborhood Commercial - C-1
 - Residential Agriculture
 - General Office - GO
 - Limited Office - LO
 - P.C.AIRPORT
 - Heavy Industry - I
 - Industrial Planned Development - IPD
 - Employment-1 - E-1

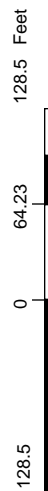
Exhibit "D" Zoning Map



Notes:



1:1,541



WGS_1984_Web_Mercator_Auxiliary_Sphere

- Legend
- Centerlines
 - National Wetland Inventory (NWI)
 - Riverine
 - Lacustrine
 - Palustrine
 - Estuarine
 - 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: 1,541

128.5 Feet



ANNEXATION DATA SHEET

- 1. PARCEL:**
17-30-16-60822-000-0720
- 2. OWNER:**
Nga Nguyen
- 3. STREET ADDRESS OF PROPERTY:**
Located at 6114 105th 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 Number: AX20-13		Date: June 26, 2020
Owner's Name: Nga Nguyen		
Property Address: 6114 105th Terrace		
	<u>Millage</u>	<u>Amount</u>
Ad Valorem Taxes:		
Current Assessed Value (cap value)	NA	\$21,007.00
Homestead Exemption	NA	\$0.00
Taxable Value	NA	\$21,007.00
Taxes Received by the City	0.00549	\$115.33
Est. Assessed Value After Development of a Single-Family Home	NA	\$225,000.00
Est. Homestead Exemption	NA	\$50,000.00
Est. Taxable Value After Development	NA	\$175,000.00
Anticipated Taxes Received After Development	0.00549	\$960.75
Est. Franchise Fees and/or Utility Taxes After Development		
Water (10% Utility Tax) (Estimate)		\$110.00
Electric (Estimate)		\$310.00
Gas		\$48.00
Communication Services Tax (Estimate)		\$35.00
Stormwater Fees (\$4.00 per month)		\$48.00
Anticipated Franchise Fees and/or Utility Taxes After Development		\$551.00
Anticipated Taxes Received by the City After Development		\$960.75
Anticipated Franchise Fees and/or Utility Taxes Received After Development		\$551.00
Anticipated Annual Revenues to be Received by the City		\$1,511.75

Current Est. Annual Revenues to Pinellas Park as Unincorporated Property:		
PF (PFW) Fire District Tax (est. currently received)	0.0031976	\$67.17
25% Water and Sewer Surcharge (est. currently received)		\$150.00
Anticipated Total Annual Revenues to the City as Unincorporated Property		\$217.17

Anticipated New Money (est.) to the City Received Thru Annexation	\$1,294.58
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Exhibit "H"
Site Photographs

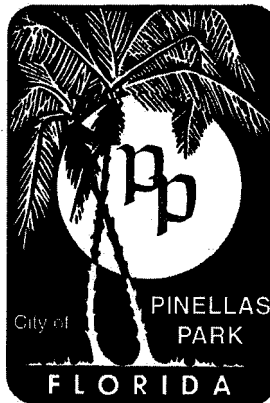


City of

PINELLAS PARK

5141 78TH AVE. • P.O. BOX 1100

PINELLAS PARK, FL 33780-1100



FLORIDA

PHONE • (727) 369-0700

FAX • (727) 544-7448

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

August 12, 2020

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

RE: City Document #20-184
Annexation Agreement AX20-13, Nga Nguyen

Dear Ms. Coughlin:

I have received and reviewed the above-referenced Annexation Agreement and corresponding Petition for Annexation, and would approve of the same 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
Ben Ziskal, Community Development Administrator
Nick Colonna, Planning & Development Services Director

JWD/dh

20-184.08122020.LSC.Annex Agmt AX20-13 Nga Nguyen.wpd

