



CITY OF PINELLAS PARK

Community Development Department
Planning & Development Services Division

Staff Report

I. APPLICATION DATA

- A. **Case Number:** AX20-05
- B. **Location:**
1. **Address:** 6036 110th Avenue
 2. **Parcel Number:** 17-30-16-33403-000-0970
- C. **Request:** The Applicant desires to join the City of Pinellas Park in order to receive the benefits of specific City services. The property is contiguous to the City and meets all of the annexation requirements set forth in Florida Statute 171.044.
- D. **Applicant:** Donald Denick, Joanne Denick and Daniel Denick
- E. **Agent:** Not applicable
- F. **Legal Ad Text:** Not applicable
- G. **Public Hearings:**
- City Council or CRA Hearing Date(s): 10/22/2020 and 11/12/2020
Deadline to send public hearing notices: 10/21/2020
Advertising deadline: 10/21/2020

II. BACKGROUND INFORMATION

- A. **Site Area:** 0.36 acres
- B. **Property History:**
- B. **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 Land Use:** "RLM" (Residential Low Medium) 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.

2. Key Standards:

Primary Uses- Residential

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

Staff Analysis: The Primary Use for this designation is Residential. The existing use of the property as a manufactured home is consistent with the RLM Land Use category.

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

H. Proposed Zoning District: "T-1" (Manufactured Home Subdivision)

1. Zoning District Purpose / Intent:

SECTION 18-1515. - "T-1" MANUFACTURED HOME SUBDIVISION DISTRICT

Sec. 18-1515.1. - STATEMENT OF 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:

Manufactured homes and single-family detached dwellings are permitted uses in the T-1 district. The existing manufactured home use is consistent with the intent of the T-1 district.

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 4th level to evacuate in preparation for a storm. Zone D is evacuated when storm surge height is predicted to be 28 feet or more. However, due to the manufactured home on the property, occupants would be required to evacuate first.

K. Vicinity Characteristics:

	Zoning	Land Use	Existing Use
North	RR	RL	Single Family Residential
South	T-1	RL	Single Family Residential
East	Pinellas County RMH	RL Pinellas County	Single Family Residential
West	T-1	RL	Single Family Residential

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 boundaries of the Annexation Planning Area Agreement 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.

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.

IV. SUMMARY

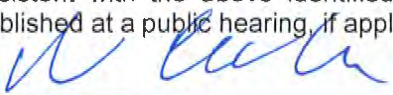
A. Findings:

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

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

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 AX20-5.



Nick A. Colonna, AICP
Planning & Development Services Director



Date



Benjamin J. Ziskal, AICP, CEcD
Community Development Administrator



Date

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

Exhibit I: Attorney Letter

AX20-05

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:

DONALD DENICK, JOANNE DENICK AND DANIEL DENICK

PARCEL: 17-30-16-33403-000-0970

LOCATED AT: 6036 110th Avenue North

LOT 97, GREENTREE MANOR 3RD ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLATBOOK 68, PAGE 96, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, PARCEL# 17-30-16-33403-000-0970, ALONG WITH THAT PORTION OF 110TH AVENUE, BEING FURTHER DESCRIBED AS FOLLOWS:

FROM THE NORTHEAST CORNER OF AFOREMENTIONED LOT 97, SAID POINT BEING THE POINT OF BEGINNING, RUN SOUTH 00°17'07" WEST 101.84 FEET; THENCE NORTH 89°41'01" WEST 60.00 FEET; THENCE NORTH 00°17'07" EAST 102.05 FEET; THENCE NORTH 89°28'30" WEST 69.13 FEET; THENCE NORTH 00°17'07" EAST 50.00 FEET; THENCE SOUTH 89°28'30" EAST 189.13 FEET; THENCE SOUTH 00°17'07" WEST 50.00 FEET; THENCE NORTH 89°28'30" WEST 60.00 FEET TO THE POINT OF BEGINNING.

Containing 0.36 acres MOL

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

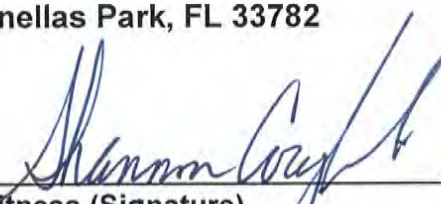
DONALD DENICK, JOANNE DENICK AND

DANIEL DENICK

11000 60th Street North

Pinellas Park, FL 33782

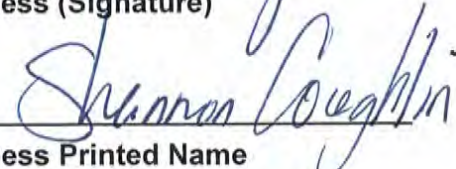
OWNERS' SIGNATURES:



Witness (Signature)



DONALD DENICK, OWNER



Witness Printed Name



JOANNE DENICK, OWNER



Witness (Signature)



DANIEL DENICK, OWNER



Witness Printed Name

Exhibit “B”
Aerial Map



AX20-05 Land Use

Legend

- Centerlines
- Private Roads
- Rights of Way

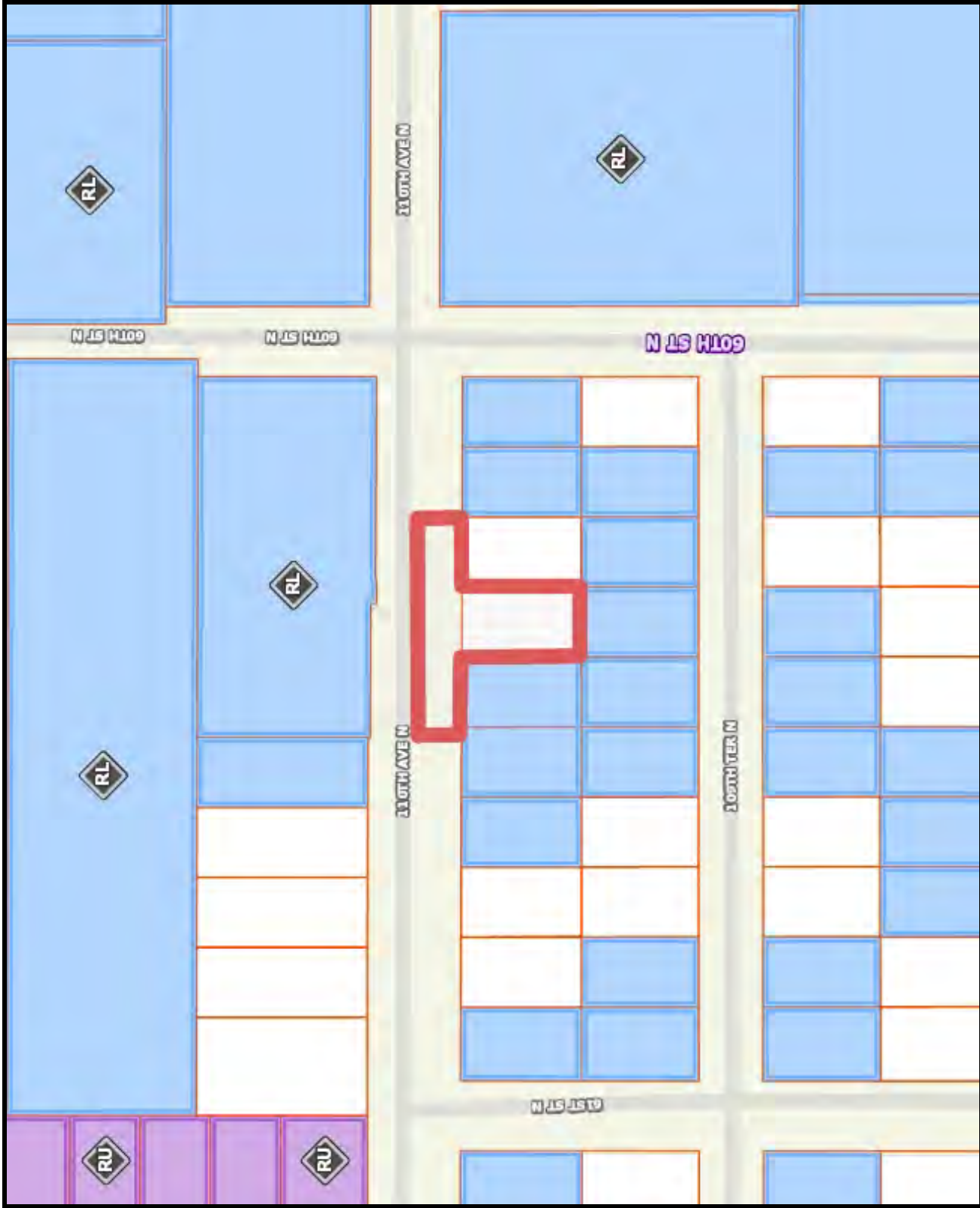
Land Use Borders

- 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: 1,677

139.8 0 69.8 139.8 Feet

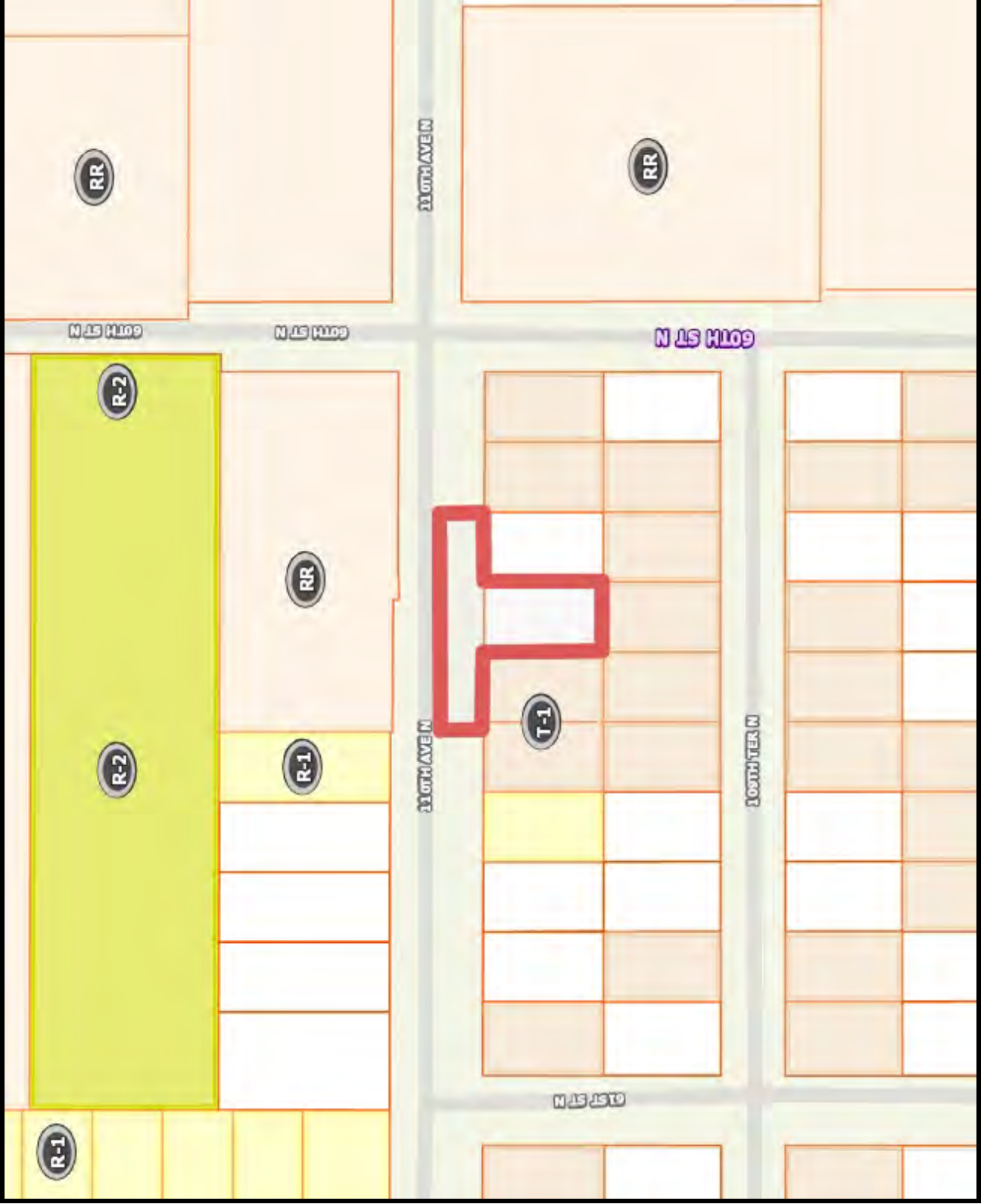
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AX20-05 Zoning

Legend

- Centerlines
- Private Roads
- Rights of Way
- Zoning Borders
- General Commercial - B-1
- Heavy Commercial - CH
- Commercial Neighborhood - CN
- Commercial Planned Unit Development - CPUD
- Farm - F
- General Office - GO
- Heavy Industrial - IH
- Industrial Planned Unit Development - IPUD
- Light Industrial - M-1
- Residential / Office / Retail - ROR
- Mixed Use Development - MXD
- Mixed Unit 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 - RPUD
- Rural Residential - RR
- Mobile Home Subdivision - T-1
- Mobile Home Park - T-2
- Town Center - TC
- Zoning Fill
- General Commercial - B-1
- Heavy Commercial - CH
- Commercial Neighborhood - CN
- Commercial Planned Unit Development - CPUD
- Farm - F
- General Office - GO
- Heavy Industrial - IH
- Industrial Planned Unit Development - IPUD
- Light Industrial - M-1

Exhibit "D" Zoning Map



Notes:



1: 1,677

139.8 0 69.8 139.8 Feet

Legend

- Centerlines
- Private Roads
- 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: 1,677

139.8 Feet



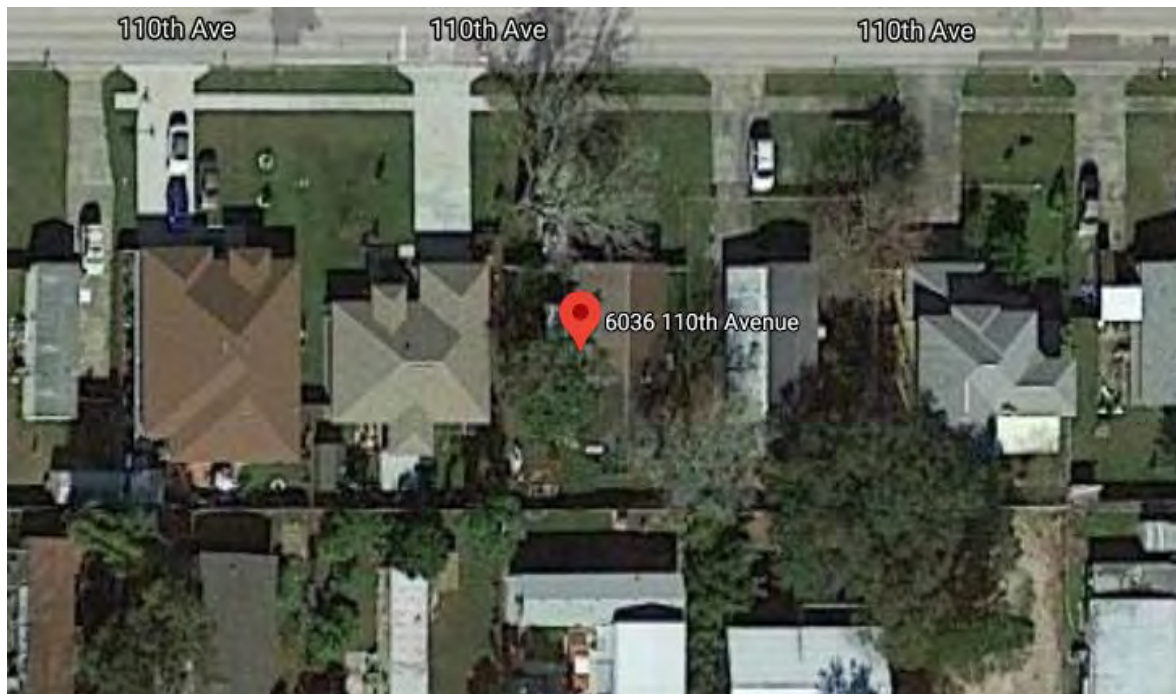
ANNEXATION DATA SHEET

- 1. PARCEL:**
17-30-16-33403-000-0970
- 2. OWNERS:**
Donald Denick, Joanne Denick and Daniel Denick
- 3. STREET ADDRESS OF PROPERTY:**
6036 110th Avenue North
- 4. SIZE OF PROPERTY:**
Agreement = 0.36 Acres MOL
Ordinance = 0.36 Acres MOL
- 5. COUNTY ZONING - LAND USE:**
RMH / RL
- 6. CITY ZONING - LAND USE:**
R-1 / RL
- 7. EXISTING PROPERTY IMPROVEMENTS:**
Mobile home
- 8. EXISTING BUSINESS ON PROPERTY:**
None
- 9. EXISTING PROPERTY USE:**
Residential
- 10. ANNEXATION AGREEMENT PROVISIONS:**
 - ♦ For a period of sixty (60) months from the date of execution of this Agreement, the CITY agrees to waive a portion of the CITY land development fees, applicable for expansion of buildings, and further redevelopment of the properties located at 6036 110th Avenue North (17-30-16-33403-000-0970) and 11000 60th Street North (17-30-16-69750-100-3004). This waiver of fees shall not exceed Five Thousand Dollars (\$5,000.00), will include any variance and/or waiver application fees if applicable, but will not include a waiver of traffic impact fees.
- 11. OTHER PERTINENT INFORMATION:**
Contiguous
- 12. PROPOSED PROPERTY USE:**
Residential
- 13. PROPOSED PROPERTY IMPROVEMENTS:**
Construct 1 single family home.

Annexation Revenue Analysis Residential		
Annexation No. AX20-05	Date: July 28, 2020	
Owner's Name: Donald, Joane & Daniel Denick		
Property Address: 6036 110th Avenue		
	<u>Millage</u>	<u>Amount</u>
Ad Valorem Taxes:		
Assessed Value (cap value)	NA	\$66,937.00
Homestead Exemption	NA	\$25,000.00
Taxable Value	NA	\$41,937.00
Anticipated Taxes Received by City	0.0054900	\$230.23
<i>*Information obtained from the Pinellas County Property Appraiser's records.</i>		
Franchise Fees and/or Utility Taxes:		
Water (10% Utility Tax)		\$110.00
Electric (based on \$175 avg. monthly bill) ESTIMATE		\$310.00
Stormwater Fees (4.00 per month)		\$48.00
Communication Services Tax ESTIMATE		\$35.00
Anticipated Franchise Fees and/or Utility Taxes Received by the City		\$503.00
Anticipated Taxes Received by City		\$230.23
Anticipated Franchise Fees and/or Utility Taxes Received by City		\$503.00
Anticipated Annual Revenues to be Received by City		\$733.23

Current Est. Annual Revenues to Pinellas Park as Unincorporated Property:		
PF Fire District Tax	0.0031976	\$134.10
25% Water & Sewer Surcharge		\$150.00
Anticipated Total Est. Annual Revenues to City as Unincorporated Property		\$284.10
Anticipated New Money (est.) to City Received Thru Annexation - Current Millage		
		\$449.14

Exhibit "H"
Site Photographs



City of
PINELLAS PARK

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

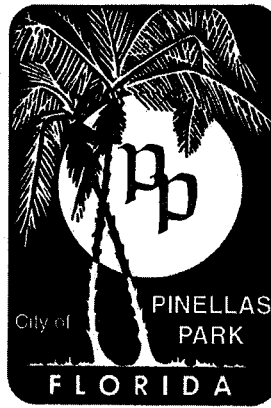


Exhibit "I"
Attorney Letter

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

September 11, 2020

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

RE: City Document #20-230
Annexation Agreement AX20-05 Denick

Dear Ms. Coughlin:

I have received and reviewed the above-referenced Annexation Agreement. I would approve of the Agreement as to form and correctness.

Very truly yours,

Lauren C. Rubenstein
Assistant 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

LCR/dh

20-230.09112020.LSC.Annex Agmt AX20-05 Denick.wpd



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