



# Pinellas County

## Legislation Details (With Text)

**File #:** 22-2017A **Version:** 1

**Type:** Zoning / Land Use and Related Item **Status:** Passed

**File created:** 11/1/2022 **In control:** Board of County Commissioners

**On agenda:** 12/13/2022 **Final action:** 12/13/2022

**Title:** Case No. ZON 22-07 (Joey K's LLC)  
A request for a change of Zoning from C-1, Neighborhood Commercial to C-2-CO, General Commercial and Services - Conditional Overlay with the Conditional Overlay limiting the uses to motor vehicle sales and all uses allowed within the C-1 zoning district on approximately 0.45 acre located at 530 Alternate U.S. 19 in Palm Harbor. (Quasi-Judicial)

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Adopted RES 22-113, 2. AATF - Resolution.pdf, 3. Case Maps.pdf, 4. Response to Question 13.pdf, 5. Certificate of Ownership.pdf, 6. Survey and Concept Plan.pdf, 7. Conditional Overlay Letter.pdf, 8. Correspondence.pdf, 9. Public Notification Map.pdf, 10. PowerPoint Presentation.pdf, 11. BCC Legal Ad.pdf, 12. BCC Legal Ad Map.pdf, 13. Electronic Affidavit of Publication, 14. Affidavit of Publication

Date	Ver.	Action By	Action	Result
12/13/2022	1	Board of County Commissioners	approved	Pass

### Subject:

Case No. ZON 22-07 (Joey K's LLC)

A request for a change of Zoning from C-1, Neighborhood Commercial to C-2-CO, General Commercial and Services - Conditional Overlay with the Conditional Overlay limiting the uses to motor vehicle sales and all uses allowed within the C-1 zoning district on approximately 0.45 acre located at 530 Alternate U.S. 19 in Palm Harbor. (Quasi-Judicial)

### Recommended Action:

Based upon the evidence and findings contained in the staff report and attachments, Case No. ZON-22-07 is recommended for approval:

A resolution approving the application of Joey K's LLC for a change in zoning from Neighborhood Commercial (C-1) to General Commercial and Services - Conditional Overlay (C-2-CO), with the Conditional Overlay (CO) limiting the uses to motor vehicle sales and all uses allowed within the C-1 zoning district.

- The applicant is seeking a zoning change on a 0.45-acre parcel.
- The proposed C-2-CO zoning is consistent with the parcel's Commercial Neighborhood Future Land Use Map category.
- The subject property is located in an area with a variety of uses.
- The CO will limit future uses to what is allowed now plus motor vehicle sales. Golf cart sales are proposed.
- The Local Planning Agency recommended approval of the request (4-1 vote). No

reason was given for the dissenting vote. No one appeared in opposition to the CO case and two emails of support have been received.

**Strategic Plan:**

Foster Continual Economic Growth and Vitality

4.3 Catalyze redevelopment through planning and regulatory programs

Deliver First Class Services to the Public and our Customers

5.2 Be responsible stewards of the public's resources

**Summary:**

The subject property is a 0.45-acre parcel located at 530 Alternate 19 in Palm Harbor. The property is designated Commercial Neighborhood (CN) on the Future Land Use Map (FLUM) and is zoned C-1. The site currently contains a building where the previous use consisted of the retail sales of antiques. The applicant wishes to sell golf carts on the property, which are considered motor vehicles by the Pinellas County Land Development Code. The existing C-1 zoning does not allow motor vehicle sales. The applicant originally proposed a zoning amendment to C-2, which would allow golf cart sales in addition to a much broader range of commercial uses. This raised concerns with some of the surrounding neighbors. To help alleviate those concerns, the applicant added a CO to limit the potential uses to only motor vehicle sales and those uses already allowed by the existing C-1 zoning district.

The US-19 Alternate corridor in this area of Palm Harbor contains a variety of uses that consist of retail, offices, and some residential uses within the subject property's vicinity. There is a chiropractic office to the north and a coffee shop is directly south. To the east abuts a pet grooming salon and a small cluster of single-family homes. Across Alternate US-19 to the west there is an office building housing a business that specializes in technology and marketing-based solutions.

Staff is of the opinion that the proposed zoning amendment to C-2-CO is appropriate. The change would provide the opportunity to establish a golf cart sales business while maintaining the potential to have future uses that are currently allowed under C-1 district. The request is compatible with the surrounding development pattern, the CN FLUM category, and the Comprehensive Plan in general.

**Background Information:**

The LPA recommended approval of the request during its November 9, 2022, public hearing (Vote 4-1).

Surrounding property owners within 350 feet of the subject site were notified by mail. A sign advertising the public hearings was posted on the subject site.

**Fiscal Impact:**

N/A

**Staff Member Responsible:**

Carol Stricklin, Director, Housing and Community Development

**Partners:**

N/A

**Attachments:**

LPA Report  
Case Maps  
Resolution  
Response to Question #13  
Certification of Ownership  
Survey and Concept Plan  
Conditional Overlay Letter  
Correspondence  
Public Notification Map  
PowerPoint Presentation  
Legal Ad  
Legal Ad Map