

From: Todd Palmer <todd@fixmyquack.com>
Sent: Wednesday, September 13, 2017 2:27:45 PM
To: jangovan@govanlawgroup.com
Cc: Bailey, Glenn; Rob Arnold
Subject: C/LU-3-2-17 Pam and Clay LLC

received
10-12-17

Mr. Govan,

I have reviewed the plan that Pam and Clay LLC have revised and submitted to the county for use of the land in question. I now remove my objection to the change in land use. I have copied MR. Bailey with the County and go on record as now supporting the land use change.

Please extend my apologies to the County Land Use and Planning Board for my absence at the hearing but recent weather events have effected my business and can't make it.

Please feel free to contact me with any other needs you, MR. Bailey or the Board may need from me.

Respectfully,

Todd Palmer
Managing Member
Mobile Auto Glass Repair, LLC
dba Mr. Auto Glass
925 Florida Ave
Palm Harbor, FL 34683
todd@fixmyquack.com
813-802-2516

I AGREE:

The vacant lot used by Day's Collision Painting and Repair, Inc. is not a desirable location for single family homes or other residential use.

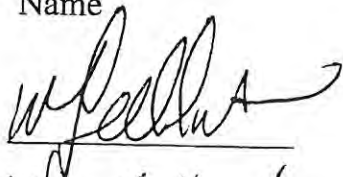
That vacant lot is an essential part of that business and should continue to be used as it has been used to support that business and to save the jobs of those people working there.

I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone



1003 Florida Ave

727-251-6300

Wm. Gallant

Please Print Name.



I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name	Address	Telephone
<u>Stephanie Moore</u> Please Print Name.	<u>839 Florida Ave</u> Palm Harbor FL 34683	<u>(518) 209-8533</u>



I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone

Joanne M Tenney
JOANNE M. TENNEY
Please Print Name.

827 Florida Ave Palm Harbor 727-787-0897




I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name	Address	Telephone
	<u>808 FLORIDA AVE</u>	<u>727 249-5527</u>
<u>Dave Davidson</u>		
Please Print Name.		



I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone

Carol Wittey

1246 Florida Ave - P.H.

727-785-3383

Carol Wittey

Please Print Name.



I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone

Kendra Kubichko

1246 Florida Ave.
Palm Harbor, FL 34683

727-785-3383

Kendra Kubichko
Please Print Name.



I AGREE:

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Name

Address

Telephone

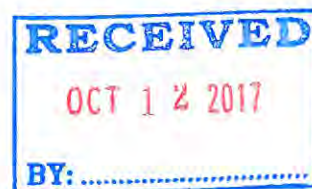
[Handwritten Signature]

1246 Ford Ave

27-641-9998

Eril Williams

Please Print Name.



I AGREE:

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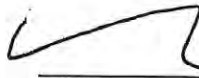
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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone

	1246 Florida Ave	727-785-3383
CARLY NASTASIUK Please Print Name.	Port Harbor, FL 34683	




I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name	Address	Telephone
	1305 Nebraska ave	727-418- 844 8982
Mike Wysibewski		
Please Print Name.		



I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone



930 FLORIDA AVE.

(727) 781-4543

PALM HARBOR, FL 34683

GINO ANTONUCCI - OWNER PALM HARBOR SIGN & DESIGN INC.

Please Print Name.



I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone

Gino Antovelli

KUT N KLIP Lawn Service

PO BOX 2744 Dunedin

FL 34697

727-432-2507

GINO ANTOVELLI

Please Print Name.



I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone



1040 A1119
Palm Harbor
FL 34683

727-224-8342

Please Print Name.

William R. Jones



owner Bill's Supergas

I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone

LIAS VAVOVLARIS
OWNER

EMILY'S FAMILY REST
2609 ALT 19N

727 7867407

Please Print Name.



I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name

ANTHONY SIBIRID

Address

2983 PINE FOREST DR

PHENIX PARK LA 70684

Telephone

717-38-3452

Anthony Sibirid
Please Print Name.



I AGREE:

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Name

Address

Telephone

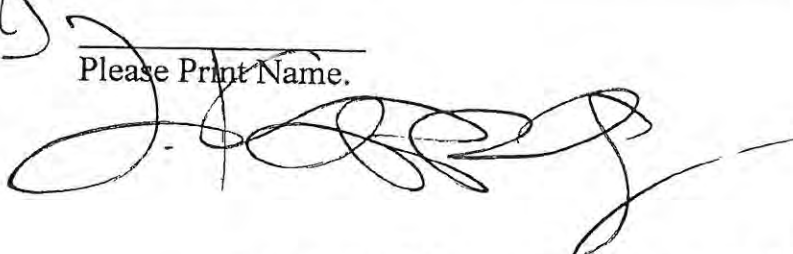
JOSEPH

KAPPAS

600 AVE 19, P.H., FL

777-642-0451

Please Print Name.



OWNER MAGNOLIA GRILLE



I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone

DAY'S COLLISION PAINTING AND REPAIR, INC.

1127 FLORIDA AVE

813-351-0381

TERENCE HARRIS

Please Print Name.

507 W 27th



I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone

Anne Lanni

1122 Florida Ave

727-776-0807

727-789-5977

Anne Lanni

Please Print Name.

Palm Harbor Barber Shop.



I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name	Address	Telephone
<u>John M. Miller</u>	<u>1626 Florida Ave.</u> <u>ALB.</u>	<u>727 351-3652</u>
<u>John M. Miller</u>	<u>John Miller FL</u> <u>34683</u>	

Please Print Name.

Peggy Co. Kuchner Day's



I AGREE:

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Name	Address	Telephone
<u>Leila Barbara</u>	<u>1124 11th St Pt A.</u>	<u>727-786-2645</u>
<u>Leila Barbara</u>		
Please Print Name.		
owner Coolside Gelato Bar		



I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone

Emily Johnson

1001 Omaha Circle
Palm Harbor

727-780 7955

Graphic Solutions

Please Print Name.



I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone

Bruce Brown

Frisaw Fwy
1126 Francis Ave

727-785-8861

Bruce Brown

PH

Please Print Name.



Billy R. Coleman
Owner

1010 Alternate 19
Palm Harbor, FL 34683

Phone: 727-789-1756 phas1010@tampabay.rr.com
Fax: 727-781-5271
Mobile: 727-543-3650



Palm Harbor Auto Service, Inc.

Bailey Guy, BOA

September 27, 2017

Mr. Guy,

I am in support of changing the zoning for the piece of property that is zoned R4 to M1 for Day's Collision, Painting and Repairs, Inc.

I have worked with Clayton and Pam Miller for 20 years with no problems whatsoever. They run a very profession business, the shop is very well kept and I have no doubt the property in question will be taken care of the same way.

Thank you for your time. If you have any further questions, please contact me at 727-789-1756.

Sincerely,

A handwritten signature in black ink that reads 'Billy R. Coleman'.

Billy R Coleman
President

BC/rs



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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone

Linda Quiroga

29081 US HWY 19N
Lot 338

1-630-290-2292

Please Print Name.



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Name

Address

Telephone

Jeffrey L. Tomser

2606 Big Pine Dr
Holiday, FL 34691

727-365-5168

Jeffrey L. Tomser
Please Print Name.



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Name

Address

Telephone

Alyssa Delisa 160 Woodcutter Lane 727-612-1262

Alyssa Delisa
Please Print Name.



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Name

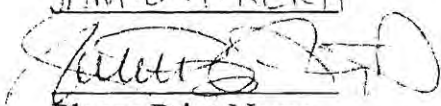
Address

Telephone

JAMIE A. REICH

1415 OHIO AVENUE

727 482 9010


Please Print Name.



I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone



695 Newton Ave S.

239-470-1750

Daniel Canestraro

St. Pete Fl 33701

Please Print Name.



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I support the change of zoning and land use to reflect the current actual use.

Name	Address	Telephone
<u><i>Em Ryker</i></u>	<u>14390 Troopers Ave</u>	_____
<u><i>Ever Rockwell</i></u>	<u>Congo</u>	

Please Print Name.



I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone



2502 Rellin, Oak Dr.

727-542-7291

Dustin Miller

Please Print Name.



I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone

Jessica Miller

1512 Georgia Ave
P.H. FL 34683

727-424-1283

Jessie Miller
Please Print Name.



I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone



2502 Rellin, Oak Dr.

727-542-7291

Dustin Miller

Please Print Name.



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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone

Jessica Miller

1512 Georgia Ave
P.H. FL 34683

727-424-1283

Jessie Miller
Please Print Name.



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I support the change of zoning and land use to reflect the current actual use.

Name	Address	Telephone
<u>Beth Miller</u>	<u>2502 Rolling Oaks Dr</u>	<u>727 542-2745</u>
<u>Bethanne Miller</u> Please Print Name.	Palm Harbour, FL 34683	



I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone

Jim Atwood

1231 Illinois Ave

727-557-9846

Jill Atwood

Please Print Name.

I work at Palm Harbor Barber



I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name	Address	Telephone
<u>Brian Caye</u>	<u>455 Alt 19, South</u>	<u>27-656-3416</u>
<u>Brian Caye</u>	Palm Harbor	
Please Print Name.		



I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name	Address	Telephone
<u>Kenny Nieves</u>	<u>622 Timberbas</u>	<u>(813) 900-1797</u>
<u>Kenny Nieves</u>	Circ. e	
Please Print Name.	Oldsmar	

I work at FL
the barbershop Down by
Day's



I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone

Keith Kehler

1166 Sparrow Lane

727 639-3112

Keith Kehler

Temper Springs Ct

34689

Please Print Name.

Palmer Barber shop (Barber)



I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone

Tim Albright

722 16th St P.H. Fl.

321-443-5242

Tim Albright
Please Print Name.



I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone

Joy Love

36750 US Hwy 19 N
Palm Harbor, FL 34684

Joy Love
Please Print Name.



I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone

Gregory
Gregory
Please Print Name.

3480 W. Palm Beach Blvd
Bldg
Palm Beach, FL
34655

561-631-5510



I AGREE:

The vacant lot used by Day's Collision Painting and Repair, Inc. is not a desirable location for single family homes or other residential use.

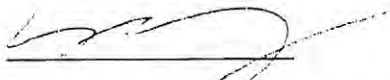
That vacant lot is an essential part of that business and should continue to be used as it has been used to support that business and to save the jobs of those people working there.

I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone


Helvey L. Robinson
Please Print Name.

1403 Pennsylvania (1/2 mile BLVD)
CONISTOTA 35536

(813-247-6547)



I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone

Sam Meli
Sam Meli
Please Print Name.

659 Cohn Lane
Safety Harbor, 34695

727-639-7194



I AGREE:

The vacant lot used by Day's Collision Painting and Repair, Inc. is not a desirable location for single family homes or other residential use.

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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone

[Signature]

7101 Leeward Cir New Bedford

727-269-0900

Justin A. Desjardins

Please Print Name.



I AGREE:

The vacant lot used by Day's Collision Painting and Repair, Inc. is not a desirable location for single family homes or other residential use.

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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone

Daryl Baker

1001 Omaha Circle

(727) 786-7955

Daryl Baker
Please Print Name.



I AGREE:

The vacant lot used by Day's Collision Painting and Repair, Inc. is not a desirable location for single family homes or other residential use.

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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone

Francisco

1611 Municipal St.

727 437 7733

Francisco

727 437 7733

Please Print Name.



I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone

Clayton Hamilton

1636 St Mary St
P. H

Clayton Hamilton
Please Print Name.



I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone

Edwin P. Salgado
Edwin P. Salgado
Please Print Name.

785 SAN SALVADOR DR



I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone

Michael McDavid

12434 Chestnut St.

Michael McDavid

Please Print Name.



I AGREE:

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I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone



291 CAUSEWAY Blvd.
DUNEDIN FL.

727-657-3147

JOE HAAS
Please Print Name.

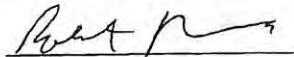


I AGREE:

The vacant lot used by Day's Collision Painting and Repair, Inc. is not a desirable location for single family homes or other residential use.

That vacant lot is an essential part of that business and should continue to be used as it has been used to support that business and to save the jobs of those people working there.

I support the change of zoning and land use to reflect the current actual use.

Name	Address	Telephone
<u>Robert Pisano</u>	<u>5621 James Street</u> <u>PR 34052</u>	<u>727-286-1705</u>
<u></u> Please Print Name.		



I AGREE:

The vacant lot used by Day's Collision Painting and Repair, Inc. is not a desirable location for single family homes or other residential use.

That vacant lot is an essential part of that business and should continue to be used as it has been used to support that business and to save the jobs of those people working there.

I support the change of zoning and land use to reflect the current actual use.

Name	Address	Telephone
<u>Stephen Diaz</u> <u><i>Stephen Diaz</i></u> Please Print Name.	<u>209 Morgan Crt.</u> Palm Harbor, FL 34684	<u>813-842-0212</u>



I AGREE:

The vacant lot used by Day's Collision Painting and Repair, Inc. is not a desirable location for single family homes or other residential use.

That vacant lot is an essential part of that business and should continue to be used as it has been used to support that business and to save the jobs of those people working there.

I support the change of zoning and land use to reflect the current actual use.

Name

Address

Telephone

Adam Arnold

5424 James St

727-237-6004


Please Print Name.



PCPRC meeting.

(Ord. No. 09-7, § 12, 2-17-09)

Sec. 134-339. - Local planning agency public hearing.

- (a) *Purpose.* The local planning agency public hearing provides for staff, applicant and public testimony, and provides for the LPA to subsequently review and make a recommendation for consideration by the board of county commissioners on each proposal for a change in land use or zoning (including any associated request for a density bonus), for a proposed or amended development agreement, and for a request for a conditional use.
- (b) *Sworn testimony.* All testimony at the LPA hearing under this chapter shall be given under oath.
- (c) *Supporting evidence submitted.* All evidence and testimony necessary to support the application shall be presented, including but not limited to the following:
 - (1) Existing conditions and uses in the surrounding area.
 - (2) Justification for the proposed uses, designations or densities
 - (3) Impacts on surrounding properties and community.
 - (4) Impacts on public facilities and services.
 - (5) Consistency with the comprehensive plan.
 - (6) Impacts on the floodplain and how the impacts will be mitigated.
- (d) *Continuance.* The LPA may continue an application if necessary to obtain additional information on the request.
- (e) *Alternatives discussed at the LPA hearing.* Alternatives to the original application/request may be considered at the LPA hearing if the density and intensity of the proposal is less than the original and is within the same land use classification (e.g., residential). Otherwise, a proposal must be treated as a new application. The LPA may recommend a less intense alternative provided it is discussed during the hearing.

(Ord. No. 09-7, § 12, 2-17-09)

Sec. 134-340. - Staff report and local planning agency recommendation.

Written reports and recommendations. The staff report and the LPA recommendation shall be presented to the board of county commissioners at a scheduled public hearing of the board.

(Ord. No. 09-7, § 12, 2-17-09)

Sec. 134-341. - Procedure at board of county commissioners' hearings.

- (a) *Review of staff report and LPA recommendation.* At a public hearing, subsequent to the LPA hearing, the board of county commissioners shall consider, and take action on, the request that was considered at the LPA hearing, or the board may consider and approve an alternative proposal at their hearing, provided:
 - (1) the density and intensity of the proposal is less than the original, and
 - (2) the proposal is consistent with the advertised future land use category.If this is not the case, an alternative proposal must be treated as a new application. Any amendments to an application must be made in writing from the applicant. All persons so desiring shall be given the opportunity to be heard on the matter at the public hearing.
- (b) *Requests for continuance.* All requests for continuance of an application after the LPA hearing shall be received no later than ten days prior to the scheduled county commission meeting and shall be accompanied by a written statement outlining the reason for such continuance. The applicant shall be

charged a fee sufficient to cover the cost of notifying adjacent property owners of such continuance and the cost of additional public notice, if required.

(Ord. No. 09-7, § 12, 2-17-09)

ec. 134-342. - Records of proceedings.

- (a) *Records maintained by clerk.* All records of any proceeding before the LPA and the board of county commissioners (BCC) shall be filed with the clerk of the circuit court, board of county commissioners' records division, to be held as a part of the public records of the county.
- (b) *Official minutes and summaries.* LPA and BCC minutes shall be kept by the clerk, and any recommendations, determinations or decisions shall be recorded.
- (c) *Use of recording devices.* Wherever possible, all proceedings before the LPA or the board of county commissioners shall be electronically recorded.
- (d) *Applications maintained.* Application forms and all information submitted with that application shall be maintained by the planning department and as provided by state law.

(Ord. No. 09-7, § 12, 2-17-09)

Sec. 134-343. - Rezoning contingent on amendment to land use plan.

Any zoning change or conditional use which is contingent on an amendment to the future land use map of the county's comprehensive plan shall not become effective until such amendment to the future land use map has been approved in accordance with the provisions of state law.

(Ord. No. 09-7, § 12, 2-17-09)

Secs. 134-303—134-332. - Reserved.

ARTICLE VIII. - CHANGE OF ZONING OR LAND USE BOUNDARIES OR CLASSIFICATION, OR CONSIDERATION OF A CONDITIONAL USE

Sec. 134-333. - Review, recommendation and decision-making authority.

- (a) *Authority of board of county commissioners.* The board of county commissioners may, upon the proper filing of notice, change the zoning or land use boundary/classification of any parcel of land, or portion thereof.
- (b) *Authority of the Pinellas County Planning Review Committee.* The Pinellas County Planning Review Committee (PCPRC) is a staff fact-finding committee, coordinated by the planning department, whose purpose is to review petitions to change zoning designations, land use designations or to consider conditional use applications.
- (c) *Authority of the local planning agency related to changes in land use and/or zoning, and consideration of conditional use applications.* Pertinent to this section of the Code, the Pinellas County Local Planning Agency (LPA) is responsible for review of changes in land use and zoning and conditional use applications, and has the responsibility to make subsequent recommendations to the board of county commissioners.

(Ord. No. 09-7, § 12, 2-17-09)

Sec. 134-334. - Application procedures and process for changes in zoning, land use, and for consideration of a conditional use

- (a) *Authority to petition.* Any property owner, their appointed agent, or the county planning director, may apply for a change of zoning or land use, or consideration of a conditional use by filing an application with the planning department. The application shall be signed by the owner of the subject property or, in the case of a planning director's application, by the county planning director.
- (b) *Fact-finding and informational meeting(s).* Following a finding by planning staff that the application is sufficient, the application will be reviewed by the Pinellas County Planning Review Committee (PCPRC) at a regularly scheduled PCPRC meeting, the PCPRC meeting is open to the public. The applicant, or their representative, is expected to attend the fact-finding meeting. Based on this meeting, the planning department will prepare a report for consideration by the LPA at a subsequent public hearing.
- (c) *Local planning agency public hearing(s).* At a noticed public hearing, consistent with the requirements of F.S. § 163.3174, the local planning agency will review and make a recommendation regarding each application for a future land use change, zoning change or conditional use request.
- (d) *Board of county commissioners public hearing(s).* At a noticed public hearing(s), the board of county commissioners will consider applicant and citizen testimony and correspondence, the staff report, and the LPA recommendation, and any other relevant information, and will render a decision(s) with regard to the proposed change in land use, zoning and/or or with regard to the development agreement or conditional use.
- (e) *[Requests for rezoning.]* All requests for rezoning and/or future land use map amendments associated with an existing mobile home park shall be heard by the board of county commissioners no sooner than 90 days after the scheduled PCPRC meeting. In no case shall such a request be scheduled to be heard unless the applicant has given notice to the tenants as required by F.S. §§ 723.061(1)(d) or 723.081, as appropriate. Documentation of such notice shall be provided at the time of application for rezoning and/or land use change.
- (f) *Failure to appear.* An applicant's failure to appear or to be represented at a scheduled LPA or BCC

hearing under this division may be sufficient cause to deny the applicant's request on the strength of lack of evidence.

- (g) *Withdrawal.* A withdrawal of an application for a land use or zoning change, or conditional use application shall be in writing, signed by the applicant or designated representative, and shall be delivered to the county planning department at least ten days prior to the scheduled hearing before the board of county commissioners. The applicant shall be charged a fee sufficient to pay the cost of mailing a notice to surrounding property owners to advise of such withdrawal. Except for extraordinary circumstances related to life, requests for withdrawal after this date shall result in an automatic denial of the application.
- (h) *Resubmittal.* No new application for an identical rezoning or land use change, or conditional use on the same parcel shall be accepted for consideration by the planning department within a period of six months following a board of county commissioners' decision of denial (unless denied without prejudice).
- (i) *Existing litigation.* If at the time of the application there is presently existing litigation involving:
 - (1) The same parties or successors in interest to those parties;
 - (2) The same or essentially the same usage, zoning request or land use designation or agreement; and
 - (3) The same or essentially the same parcel of land; the board of county commissioners may, in its discretion, continue the application or may deny the application without prejudice to the applicant's right to refile the application after resolution of all or a portion of the litigation.

(Ord. No. 09-7, § 12, 2-17-09)

Sec. 134-335. - Contents of application.

The applicant for a land use change or a rezoning or conditional use shall supply all information as specified on the application form, which at a minimum shall contain:

- (1) The name and address of the current property owner.
 - (2) An accurate legal description of the property in question, and an accurate description of the acreage(s) proposed to be changed, including how many acres are going from what category to what category.
- (3) The nature of the application, including the reason for requesting the change.
 - (4) The application shall be signed by the current property owner except in the case of applications initiated by the planning director.
- (5) A certificate of title of the property by an attorney or licensed title insurance company, except applications submitted by the planning director.
- (6) Full disclosure of ownership, options or contracts on subject property pursuant to section 170-1 (except planning director application).
- (7) For all requests for rezoning or change of land use for lands containing existing mobile home parks, the applicant shall provide information in compliance with the provisions of Pinellas County Code sections 42-401 through 42-408, the mobile home transition program. Such information will be used by the board of county commissioners in making a finding as may be required by F.S. § 723.083 that suitable mobile home parks or other suitable facilities exist for the relocation of the mobile home owners; however, where such finding cannot be made the applicant shall comply with the relocation provisions of Pinellas County Code Sections 42-401 through 42-408 should the application be approved.
- (8) If the applicant is requesting a land use or zoning designation that would increase the maximum allowable impervious surface ratio, above what is currently allowed on the subject property, and is within the 100-year floodplain, or if the applicant is requesting an increase in density above five dwelling units per acre in the 100-year floodplain in an area of documented flooding or repetitive flood claim losses, the applicant will need to provide adequate information in their application demonstrating how the floodplain management objectives of the Pinellas County Code and the floodplain management goals, objectives and policies of the Pinellas County Comprehensive Plan

will be met. The applicant is required to meet with the departments of planning, public works, environmental management and building and development review services to review their proposal, and a development agreement may be required to formalize floodplain management commitments. Applicants should consider that the county must ensure compliance of development approvals with FEMA and community rating system (CRS) program requirements, and other applicable regulations.

- (9) If the applicant is requesting an increase in density over five dwelling units per acre on the future land use map within the 100-year floodplain, where the property is also located within that area defined by the SLOSH model to be inundated by a category 3 hurricane, the applicant will be required to provide adequate information with the application demonstrating how they will mitigate the potential impacts on the demand for emergency shelter space associated with the proposed density greater than five dwelling units per acre.
- (10) In the case of a request for a land use and/or zoning change with an affordable housing density bonus, a residential density bonus may be granted up to 50 percent of the existing maximum allowable dwelling unit density as an incentive to provide increased opportunity for affordable housing. Any such bonus shall only be granted in a manner that does not negatively impact the surrounding neighborhood or the natural environment. A meeting(s) with county staff will be arranged by the county planning department with the applicant to discuss the affordable housing proposal, and additional information may be required as a part of the review process. A development agreement may be required to address commitments. No density bonus shall be granted when such development does not comply with the county's concurrency management ordinance.

(Ord. No. 09-7, § 12, 2-17-09)

Sec. 134-336. - Filing fee.

A filing fee, as specified by the board of county commissioners, shall be submitted with the application to cover the cost of advertising and administration.

(Ord. No. 09-7, § 12, 2-17-09)

Sec. 134-337. - Notice of public meetings and public hearings.

- (a) Notice of public hearing shall be as required by law. The board of county commissioners, however, recognizes the importance of community involvement in these proceedings. Therefore, it will be standard practice to provide the following additional notification:
 - (1) Owners of property, as listed by the county property appraiser's office, located within 200 feet of the subject property will be mailed a notice of the upcoming public meeting and public hearings.
 - (2) A sign giving notice of public hearings should be posted in a prominent location on the subject property.
- (b) Any request pertaining to residential zoning shall be forwarded to the county school district for comment.
- (c) Any adjacent local government and/or affected government agency will be informed of the proposal.

(Ord. No. 09-7, § 12, 2-17-09)

Sec 134-338. - Pinellas County Planning Review Committee (PCPRC).

- (a) *Purpose.* The PCPRC meeting is informational, interactive and fact-finding in nature. It is the responsibility of the applicant to present relevant facts, and the purpose and intent of their proposal to this staff committee for discussion. The PCPRC meeting is a public meeting.
- (b) *Written report and recommendation.* Subsequently, the planning department will prepare a staff report with staff findings and recommendations, based on the final sufficient application reviewed at the

PINELLAS COUNTY BOARD OF ADJUSTMENT MEETING: September 3, 2015

Clearwater, Florida, September 3, 2015

The Board of Adjustment met in regular session in the County Commission Assembly Room, Fifth Floor, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida on this date with the following members present: Stephen G. Watts, Chairman; Cliff Gephart, Vice-Chairman; Alan C. Bomstein; Joe C. Burdette; John Doran; Gregory R. Pierce; and Deborah J. White. Also present: Chelsea D. Hardy, Assistant County Attorney; Glenn Bailey, Planning Department Zoning Manager; Todd F. Myers, Environmental Code Enforcement Director; other interested individuals; and Michael P. Schmidt, Board Reporter, Deputy Clerk.

CALL TO ORDER

Chairman Watts called the meeting to order at 9:01 A.M.

PUBLIC HEARING ITEMS

Due notice having been given to interested persons pursuant to Comprehensive Zoning Ordinance No. 90-1, public hearings were held on the following applications. All persons planning to give testimony were duly sworn by the Deputy Clerk.

* * * *

Deviating from the agenda, Chairman Watts indicated that Item No. 10 would be heard at this time.

* * * *

#10 APPLICATION OF DAVID L. JACKAWAY THROUGH BRIAN O'CONNELL, REPRESENTATIVE, FOR A VARIANCE (BA-3-9-15) – WITHDRAWN

2 APPLICATION OF SCHWARTZ REAL ESTATE HOLDINGS, LLC THROUGH GREG DEICHMAN, REPRESENTATIVE, FOR A VARIANCE (BA-11-9-15) – PORTION OF APPLICATION RE CHURCH WITHDRAWN; PORTION RE RESIDENTIAL ZONING DISTRICT BOUNDARY LINE GRANTED AS PER STAFF RECOMMENDATION

Mr. Bailey referred to the application of Schwartz Real Estate Holdings, LLC through Greg Deichman for a variance to allow for the dispensing of alcoholic beverages within 150 feet of a residential zoning district boundary line and within 750 feet of a church, re property located at 993 Florida Avenue, Palm Harbor (BA-11-9-15), and reported that because the distance requirement from the church no longer requires a variance, due to changes in the County Code, only the distance from the residential district boundary line is being considered.

Mr. Bailey indicated that no correspondence relative to the application has been received, and presented the following staff recommendation:

Recommend Conditional Approval. Staff has no objection to the conditional approval of the request. The nearby residentially-zoned land is currently being used for commercial purposes. The request will pose no detrimental impact to the use. Approval of the request should be subject to the following conditions:

1. The applicant shall obtain all required permits and pay the appropriate impact and/or other fees.

2. The hours for alcohol service shall be as established in Chapter 6, Article II, of the Pinellas County Code, or as deemed appropriate by the Board.

In response to the Chairman's call for the applicant, Greg Deichman, Palm Harbor, and Benjamin Nichols, Dunedin, appeared. Mr. Deichman stated that he wishes to open a microbrewery at the subject location; and that while the main goal of the business is to brew and sell craft beer, there will be an onsite tasting bar for the patrons. He related that there will be no outdoor seating, amplified music, or food served; that the business will likely be open from 2:00 P.M to 1:00 A.M. six days a week; that he anticipates there will be no more than 50 people on the premises at any one time; that sufficient parking exists; and that he has a site permit.

In response to the Chairman's call for objectors to the application, Dennis Shiels, Palm Harbor, stated his concerns relating to parking and noise and responded to queries by the members. Mr. Bomstein pointed out that the members are not considering a parking variance or the site plan, only issues regarding the proximity of the business to the residential neighborhood; whereupon, he suggested that Mr. Shiels contact Code Enforcement if he continues to have problems regarding parking and noise.

Messrs. Diechman and Nichols responded to the concerns of the objector and queries by the members, relating that there are 41 parking spaces allotted for brewery patrons and employees; that the most recent use of the building was as a golf cart warehouse; and that Mr. Shiels can contact either of them regarding any problems.

Thereupon, Mr. Bomstein moved, seconded by Mr. Doran, that the variance be granted as recommended by staff. Upon call for the vote, the motion carried unanimously.

THE FUTURE LAND USE MAP (FLUM) DESIGNATION

Industrial / Employment Classification (E) :

There is no R-4 zoning referred to in the (E) classification

INDUSTRIAL/EMPLOYMENT CLASSIFICATION

Category/Symbol – Employment (E)

Purpose – It is the purpose of this category to depict those areas of the County that are now developed, or appropriate to be developed, with a broad range of employment uses; and so to encourage the reservation and use of areas for industrial use in a manner and location consistent with surrounding use, transportation facilities, and natural resource characteristics.

Use Characteristics – Those uses appropriate to and consistent with this category include:

- Primary Uses – Research/Development-Light; Research/Development-Heavy; Manufacturing- Medium; Manufacturing-Light; Wholesale/Distribution; Storage/Warehouse;
- Secondary Uses – Office; Retail Commercial; Personal Service/Office Support; Commercial/Business Service; Transient Accommodations within Permanent Structures; Marina Facilities; Institutional; Transportation/Utility.

Locational Characteristics – This category is generally appropriate to locations with sufficient size to encourage an industrial park type arrangement with provision for internal service access in locations suitable for light industrial use with minimal adverse impact on adjoining uses, and with good access to transportation and utility facilities such as the major collector arterial and thoroughfare highway network, rail facilities, water transport facilities, airports, and mass transit.

Standards – Shall include the following:

- Transient Accommodation Use – Shall not exceed: (1) fifty (50) units per acre; or (2) in the alternative, if designated on the Zoning Atlas with the Transient Accommodation Use Overlay, the following density and intensity standards shall apply to permanent transient accommodation uses, subject to a project meeting the requirements of the Pinellas County Land Development Code pertaining to the Transient Accommodation Use Overlay (which include execution of a development agreement): seventy-five (75) units per acre, a floor area ratio (FAR) of 1.5 and an impervious surface ratio (ISR) of 0.85.
- All Other Uses – Shall not exceed a floor area (FAR) of 0.65, nor an impervious surface ratio (ISR) of .85.
- Industrial: Residential Use – An appropriate buffer as determined by the Pinellas County Land Development Regulations shall be provided in and between the Employment category and an adjoining Residential classification.
- Mixed Use – Shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the total lot area.
- See 'Additional Standards' section of this table.

Zoning Compatibility - The following zoning districts are compatible with the **Employment (E)** land use category:

- M-1 Light Manufacturing and Industry District
- C-3 Commercial, Wholesale and Warehousing District.
- IPD Industrial Planned Development District.
- C-T Overlay Transient Accommodation Use Overlay

INDUSTRIAL/EMPLOYMENT CLASSIFICATION – (cont'd)

Category/Symbol – Industrial General (IG)

Purpose – It is the purpose of this category to depict those areas of the County that are now developed, or appropriate to be developed, in a general industrial manner, and so as to encourage the reservation and uses of consolidated areas for industrial use in a manner and location consistent with surrounding use, transportation facilities, and natural resource characteristics. **Use Characteristics**

- Primary Uses – Research/Development-Light; Research/Development-Heavy; Manufacturing- Light; Manufacturing-Heavy; Wholesale/Distribution; Storage/Warehouse; Agricultural Processing; Vehicular Salvage.

- Secondary Uses – Institutional; Transportation/Utility; Solid Waste/Refuse Disposal, Transfer, Recycling Facility; Electric Power Generation Plant.

Locational Characteristics – This category is generally appropriate to locations with sufficient size to encourage an industrial park type arrangement with provision for internal service access and adequate buffering of adverse noise, odor, or emissions; with good access to transportation and utility facilities such as the arterial and thoroughfare highway network, rail facilities, mass transit, airports, and water transport facilities.

Standards – Shall include the following:

- No use shall exceed a floor area ratio (FAR) of 0.50, nor an impervious surface ratio (ISR) of 0.95. When a project is located in an area where more intensive development is appropriate, the maximum FAR may be increased to 0.75.

- Office; Retail Commercial; Personal/Business Service; and Commercial/Business Service – Shall be allowed only as accessory uses, located within the structure to which it is accessory, and not exceed twenty-five (25) percent of the floor area of the principal use to which it is accessory.

- Industrial; Other Use – An appropriate buffer shall be provided in and between the Industrial General category and an adjoining plan classification other than Industrial or Transportation/Utility.

- See 'Additional Standards' section of this table.

Zoning Compatibility – the following zoning districts are compatible with the Industrial General (IG) land use category:

- M-1 Light Manufacturing and Industry District
- M-2 Heavy Manufacturing and Industry District
- IPD Industrial Planned Development District