

RESOLUTION NO. 16-91

RESOLUTION CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 149.7 ACRES LOCATED 135 FEET WEST OF THE NORTHWEST CORNER OF THE INTERSECTION OF RACE TRACK ROAD AND FOREST LAKES BOULEVARD IN THE UNINCORPORATED AREA OF OLDSMAR; PAGE 596 OF THE ZONING ATLAS, AS BEING IN SECTION 12, TOWNSHIP 28, RANGE 16; FROM: A-E, AGRICULTURAL ESTATE RESIDENTIAL (75.4 ACRES) AND A-E-W, AGRICULTURAL ESTATE RESIDENTIAL-WELLHEAD PROTECTION OVERLAY (74.3 ACRES) TO: M-1-CO, LIGHT MANUFACTURING & INDUSTRY-CONDITIONAL OVERLAY (75.4 ACRES), M-1-W-CO, LIGHT MANUFACTURING & INDUSTRY-WELLHEAD PROTECTION OVERLAY-CONDITIONAL OVERLAY (47.9 ACRES), AND PC-W, PRESERVATION CONSERVATION-WELLHEAD PROTECTION OVERLAY (26.4 ACRES) WITH THE CONDITIONAL OVERLAY LIMITING THE USES TO A UTILITY SUBSTATION, TELECOMMUNICATION REGENERATOR, CELL TOWER, AND MICROWAVE TOWER; UPON APPLICATION OF DUKE ENERGY FLORIDA, C/O DAN HENDRICKS THROUGH JAMIE POULOS, P. E., POULOS & BENNETT, LLC, REPRESENTATIVE, Z-23-10-16

WHEREAS, Duke Energy Florida, owner of the property hereinafter described, has petitioned the Board of County Commissioners of Pinellas County to change the zone classification of the real property hereinafter described from A-E, Agricultural Estate Residential (75.4 acres) and A-E-W, Agricultural Estate Residential-Wellhead Protection Overlay (74.3 acres) to M-1-CO, Light Manufacturing & Industry-Conditional Overlay (75.4 acres), M-1-W-CO, Light Manufacturing & Industry-Wellhead Protection Overlay-Conditional Overlay (47.9 acres), and PC-W, Preservation Conservation-Wellhead Protection Overlay (26.4 acres) with the Conditional Overlay limiting the uses to a utility substation, telecommunication regenerator, cell tower, and microwave tower; and

WHEREAS, legal notice of public hearing on such proposed change of zone classification was duly published as required by law, as evidenced by publisher's affidavit filed with the Clerk; and

WHEREAS, said public hearing has been held on the date and at the time specified in said published notice at which citizens and interested persons have been given opportunity to be heard, and all requirements of law and of rules promulgated by this Board have been complied with; and

WHEREAS, this Board has determined that the zone classification of said property should be changed.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pinellas County in regular session duly assembled this 13<sup>th</sup> day of December 2016 that the zone classification of the following described real property in Pinellas County, Florida, to wit:

See Attached Exhibit "A"

be, and the same is hereby changed from A-E, Agricultural Estate Residential (75.4 acres), and A-E-W, Agricultural Estate Residential-Wellhead Protection Overlay (74.3 acres) to M-1-CO, Light Manufacturing & Industry-Conditional Overlay (75.4 acres), M-1-W-CO, Light Manufacturing & Industry-Wellhead Protection Overlay-Conditional Overlay (47.9 acres), and PC-W, Preservation Conservation-Wellhead Protection Overlay (26.4 acres) with the Conditional Overlay limiting the uses to a utility substation, telecommunication regenerator, cell tower, and microwave tower, Z-23-10-16.

Commissioner       Eggers       offered the foregoing resolution and moved its adoption, which was seconded by Commissioner       Welch       upon the roll call the vote was:

Ayes: Justice, Long, Welch, Eggers, Gerard, and Seel.

Nays: None.

Absent and Not Voting: Morrioni.

APPROVED AS TO FORM

By:           *Donald Selousky*            
          Office of the County Attorney

Lake Tarpon Substation

Exhibit "A"

Z-23-10-16

Legal Description

DESCRIPTION:

The parcels of land as described in Official Records Book 3213, Pages 102-103, a portion of Official Records Book 2115, Pages 335-337 and a portion of Parcel NO. 1 of Official Records Book 1589, Pages 263-266, all of the Public Records of Pinellas County, Florida, being more particularly described as follows:

COMMENCE at the Southeast corner of Section 12, Township 28 South, Range 16 East, Pinellas County Florida; thence South 89°54'13" West along the South line of the Southeast 1/4 of said Section 12, a distance of 132.00 feet to the POINT OF BEGINNING; thence continue South 89°54'13" West along said South line, 2,403.85 feet to the Southwest corner of said Southeast 1/4; thence North 00°25'41" West along the West line of said Southeast 1/4, a distance of 2,697.15 feet to the Northwest corner of said Southeast 1/4; thence North 89°52'25" East along the North line of said Southeast 1/4, a distance of 2,432.47 feet; thence South 00°10'47" West, 2,698.41 feet to the POINT OF BEGINNING, containing 149.76 acres, more or less.