

LOCAL PLANNING AGENCY (LPA) RECOMMENDATION to the
BOARD OF COUNTY COMMISSIONERS



Regarding: Case No. Z-21-9-16

LPA Recommendation: The LPA finds that the proposed amendment is consistent with the Pinellas County Comprehensive Plan, and recommends: (1) Approval of the Zoning amendment and (2) approval of the requested variances to (a) allow a single family subdivision with up to 10 lots fronting a private road where frontage along a publicly accessible right-of-way is required, and (b) to allow six-foot front setbacks for structures on the east side of proposed lot 9 and the west side of proposed lot 10 adjacent to the T-type turnaround where 10 feet is required in an R-5 zone, subject to the following conditions: 1) all required permits shall be obtained and applicable fees paid; 2) Full site plan review; and 3) the development shall maintain substantial conformance with the submitted concept plan. (The vote was 5-0, in favor)

LPA Public Hearing: September 15, 2016

PLANNING STAFF RECOMMENDATION:

- **Staff recommends** that the LPA find the proposed amendment to the Pinellas County Zoning Atlas consistent with the Pinellas County Comprehensive Plan, based on the findings in this report.
- **Staff further recommends** that the LPA recommend approval of the proposed Zoning Atlas amendment to the Pinellas County Board of County Commissioners.
- **Staff further recommends** that the LPA recommend that the Board approve the requested variance to allow a single family subdivision with up to 10 lots fronting a private road where frontage along a publicly accessible right-of-way is required, and the requested variance to allow six-foot front setbacks for structures on the east side of proposed lot 9 and the west side of proposed lot 10 adjacent to the T-type turnaround where 10 feet is required in an R-5 zone, subject to the following conditions: 1) all required permits shall be obtained and applicable fees paid; 2) full site plan review; and 3) the development shall maintain substantial conformance with the submitted concept plan.

CASE SUMMARY

APPLICANT'S NAME: Paul W. & Nancy J. Guilmette

DISCLOSURE: **Owners:** Paul W. Guilmette Nancy J. Guilmette (50/50)
Existing Contract: Abby Building Corporation, Inc., Christopher Strong as President/Owner

REPRESENTED BY: Joseph Gilberti, P. E.

ZONING CHANGE	
FROM:	RPD-7.5, Residential Planned Development, 7.5 units per acre
TO:	R-5, Urban Residential
And variances to allow: 1) a single family subdivision with up to 10 lots fronting a private road where frontage along a publicly accessible right-of-way is required, and 2) six-foot front setbacks for structures on the east side of proposed lot 9 and the west side of proposed lot 10 adjacent to the T-type turnaround where 10 feet is required in an R-5 zone.	

PROPERTY DESCRIPTION: Approximately 2 acres located at 2881 Summerdale Drive in the unincorporated area of Clearwater.

PARCEL ID(S): 30/28/16/07236/000/0080

PROPOSED BCC HEARING DATE: October 25, 2016

CORRESPONDENCE RECEIVED TO DATE:

One letter received in favor. Five letters received in opposition.

PERSONS APPEARING AT THE LOCAL PLANNING AGENCY HEARING:

No one appeared.

SURROUNDING ZONING AND LAND USE FACTS:

	Land Use Category	Zoning Designation	Existing Use
Subject Property:	Residential Urban & Transportation/Utility	RPD-7.5	Single Family Home
Adjacent Properties:			
North	Residential Urban & Transportation/Utility	A-E	Vacant County Land
East	Residential Urban	R-6	Mobile Home Park
South	Residential Urban & Transportation/Utility	A-E	Single Family Home
West	Residential Urban	RPD-7.5	Single Family Homes

PLANNING REVIEW COMMITTEE:

The Planning Review Committee (PRC) reviewed this application on August 8, 2016. The PRC Staff summary discussion and analysis follows:

PRC DISCUSSION AND ANALYSIS

BACKGROUND AND COMPATIBILITY WITH SURROUNDING LAND USES

The subject property is currently designated Residential Urban (RU) and Transportation/Utility (T/U) on the Future Land Use Map (FLUM), and is zoned RPD-7.5, Residential Planned Development, 7.5 units per acre throughout. The T/U area coincides with the Duke Energy power line easement on the westernmost (front) 85 feet of the property. There is currently one single family residence on the property. Much of the site is heavily vegetated.

In December 2015 the Board of County Commissioners (Board) approved a zoning change on the subject property from A-E, Agricultural Estate Residential to the current RPD-7.5 district. Under A-E, the subject property could only accommodate one single family home. The RPD-7.5 district could potentially allow for the construction of up to 14 residential units, based on the property's acreage. These units could be either single-family, multi-family or a combination of both. After the zoning was changed to RPD-7.5, the applicants discovered that multiple variances and waivers would be required

to construct a single family subdivision, primarily due to the narrowness of the property (approximately 130 feet) not being able to accommodate individual lot depth in addition to the various components of the required access road. The R-5, Residential Urban district currently proposed for the subject property is a relatively new option adopted by the Board in August 2015. The R-5 district facilitates compact infill (re)development by allowing housing types with small lots and minor structural setbacks. It permits single family homes, townhomes, duplexes and triplexes. Its flexibility and smaller lot size requirements would allow the development of the proposed 10-unit single family subdivision with fewer requested variances than would be the case under the current RPD-7.5 zoning. This is the first R-5 rezoning application the County has processed.

The subject property is adjacent to single-family residential homes to the south and to the west across Summerdale Drive. A mobile home park is to the east and vacant County-owned land is to the north. The neighboring subdivision to the west is zoned RPD-7.5. Developments similar to the single family subdivision proposed exist a few parcels to the south. The requested R-5 zoning is consistent with the RU FLUM category density limitations. As mentioned previously, the R-5 zoning district has more flexible development standards than other residential zoning districts, which should enhance the applicant's ability to preserve additional trees and other native vegetation. During the site development phase, staff hopes to work with the applicant to help maximize tree preservation as practicable, and would support doing so via additional variance requests if necessary.

It should be noted that during the previous rezoning process some residents from the Hammock Pines multifamily development to the north raised concerns about the maintenance of sanitary sewer service in the area, specifically with regard to repair costs of the system within their own development. Their concern was that additional development along Summerdale Drive will cause additional sewer problems. Sewer service within the area is provided by a private utility. The LPA and the Board determined that the repair problems experienced within the Hammock Pines Community are an internal private matter between the community and the utility and should not prevent the rezoning of the subject property. Along with other infrastructure, the provision of sanitary sewer service to the proposed development will be addressed during administrative site plan review. The private utility has affirmed its capacity to service the proposed development.

Variances

The applicants are requesting two variances to go along with the zoning amendment application: 1) to allow for the construction of a single family subdivision with up to 10 lots fronting a private road where frontage along a publicly accessible right-of-way is required, and 2) to allow for six-foot front setbacks for structures on the east side of proposed lot 9 and the west side of proposed lot 10 adjacent to the T-type turnaround where 10 feet is required in an R-5 zone.

If approved, the proposed subdivision will be accessed via a private road. The Pinellas County Land Development Code requires all lots (except those within an RPD district subject to a master development plan) to have frontage along a publicly accessible right-of-way. Granting this variance with the condition of full site plan review will provide staff the opportunity to ensure the new homes would be adequately accessible to emergency vehicles, which is a primary concern. The applicant is also requesting six-foot setbacks for structures from the property lines of proposed lots 9 and 10 adjacent to the proposed T-type turnaround. The T-type turnaround is an alternative to a more traditional cul-de-sac that requires less space. Both proposed lots 9 and 10 would be considered double frontage lots.

In addition to their frontage along the primary east-west private drive, they will also have frontage along the north-south spur of the T-type turnaround. The Land Development Code requires double frontage lots to maintain the typically wider front setbacks on both frontages. The applicant is requesting setback relief for the 'secondary' frontage along the sides adjacent to the north-south spur.

Staff has no objection with the proposed variances, subject to the conditions that 1) all required permits are obtained and all applicable fees are paid; 2) the project goes through full site plan review; and 3) the development of the subdivision maintains substantial conformance with the submitted concept plan. The variance requests are internal to the development and will have no impacts on surrounding properties. The proposed conditions will ensure adequate access for emergency vehicles. The requested setback relief is on a 'secondary' frontage and the proposed six-foot setbacks will maintain continuity with the side setback distances of the other proposed single frontage lots.

It should be noted that concurrently with this request, the applicants have submitted waiver requests to the Department of Public Works to: 1) eliminate the sidewalk requirement on the south side to the proposed roadway where no homes will be built; 2) reduce the required right-of-way width based on the elimination of the sidewalk; and 3) to utilize the aforementioned T-turnaround instead of a more traditional cul-de-sac approach. All of these waivers are anticipated for approval.

SUMMARY

The requested zoning amendment and associated variance proposals are appropriate based on the surrounding land uses and development pattern. The R-5 district also provides more flexibility for creative site development. The proposal is consistent with the Pinellas County Comprehensive Plan and is appropriate for this location. Staff recommends approval of all components of the request, subject to the aforementioned variance conditions.

IMPLEMENTATION OF THE PINELLAS COUNTY COMPREHENSIVE PLAN

Staff finds that the proposed amendments are consistent with the following adopted objectives and policies of the Pinellas County Comprehensive Plan:

FUTURE LAND USE AND QUALITY COMMUNITIES ELEMENT

Objective 1.2 Establish development regulations that respond to the challenges of a mature urban county with established communities that are experiencing infill development and redevelopment activity.

Policy 1.2.3 Plan designations on the Future Land Use Map shall be compatible with the natural environment, support facilities and services, and the land uses in the surrounding area.

Policy 1.2.4 Recognizing that successful neighborhoods are central to the quality of life in Pinellas County, redevelopment and urban infill development should be compatible with and support the integrity and viability of existing residential neighborhoods.

COUNTY DEVELOPMENT REGULATIONS

Approval of this request does not ensure that the site can meet County development regulations, including concurrency management regulations, which apply at the time of site plan review.

Attachment (Maps)