

RESOLUTION NO. 19-24

RESOLUTION DENYING THE APPLICATION FOR AMENDING THE ZONING CLASSIFICATION ON APPROXIMATELY 5.4 ACRES LOCATED AT 600 PENNSYLVANIA AVENUE IN PALM HARBOR WITH THE CONDITIONAL OVERLAY LIMITING THE USE TO SINGLE FAMILY ATTACHED DWELLINGS (TOWNHOUSES) AND THEIR CUSTOMARY ACCESSORY USES; PAGE 75 OF THE ZONING ATLAS, AND BEING IN SECTION 02, TOWNSHIP 28, RANGE 15; FROM R-3, SINGLE FAMILY RESIDENTIAL TO RM-CO, MULTI-FAMILY RESIDENTIAL-CONDITIONAL OVERLAY (5.1 ACRES) & PC, PRESERVATION/CONSERVATION (0.32 ACRE); UPON APPLICATION OF JOYCE M. COUTURE THROUGH JESSIC FLAMMER KOCH, ESQ., COPE, ZEBRO & CRAWFORD, P. L., REPRESENTATIVE, Z-05-03-19

WHEREAS, Joyce M. Couture, owner of the property hereinafter described, has petitioned the Board of County Commissioners of Pinellas County to change the zone classification from R-3, Single Family Residential to RM-CO, Multi-Family Residential-Conditional Overlay (5.1 acres) & PC, Preservation/Conservation (0.32 acre) with the Conditional Overlay limiting the use to single family attached dwellings (townhouses) and their customary accessory uses, of the property described as:

See Exhibit "A"

WHEREAS, legal notice of public hearing on such proposed change of zone classification, with the conditional overlay, 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 time 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 zoning classification of the subject property described in Exhibit "A", should not be changed, and that the conditional overlay should be denied.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pinellas County in regular session duly assembled this 23rd day of April 2019 that the zoning classification of the property not be changed, the conditional overlay for the property described is denied, and that the application Z-05-03-19 in its totality is hereby denied.

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

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

Nays: Peters.

Absent and not voting: None.

APPROVED AS TO FORM

By: 

Office of the County Attorney

Exhibit "A"

LEGAL DESCRIPTION OF PROPERTY

The East Two Hundred and Fifty (250) feet of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section Two (2), Township Twenty-Eight (28) South, Range Fifteen (15) East, less the South Two Hundred and Ten (210) feet-thereof,

TOGETHER with the grant of permanent easements over the following described parcels of lands only for the purposes stated:

(1) An easement over the North 50' of the West 60' of the East 310' of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section 2, Township 28 South, Range 15 East to be used for road or highway purposes by owners of land adjacent thereto. A dock for-small boats may be constructed at the West end of the above described property.

(2) An easement over the North 50' of the West 311.57' of the East 621.57' of the said Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section 2, Township 28 South, Range 15 East, to be used either for a roadway or for a ditch deep enough for small boats, or both, but for no other purpose, all construction to be done at the expense of the grantees of said easements.

PROPOSED WETLAND REZONING

Additionally, the owners propose that certain wetland areas indicated on the attached Boundary and Topographic Survey be designated as Preservation/Conservation under the 2019 Development Code. The following areas would be zoned as P-C: Wetland 1: .020 acres, Wetland 3: .177 acres, and Wetland 4: .122 acres, as indicated on the attached Survey.