

RESOLUTION NO. \_\_\_\_\_

RESOLUTION CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 1.55 ACRES LOCATED AT 3901 46<sup>TH</sup> AVENUE NORTH IN LEALMAN; PAGE 793 OF THE ZONING ATLAS, AS BEING IN SECTION 03, TOWNSHIP 31, RANGE 16; FROM RMH, RESIDENTIAL MOBILE/MANUFACTURED HOME TO R-5-CO, URBAN RESIDENTIAL-CONDITIONAL OVERLAY WITH THE CONDITIONAL OVERLAY LIMITING THE MAXIMUM BUILDING HEIGHT TO 35 FEET AND REQUIRING A MINIMUM 20-FOOT SETBACK FROM 46<sup>TH</sup> AVENUE NORTH, EXCLUDING FRONT PORCHES, DECKS AND COVERED ENTRYWAYS, WHICH WILL REQUIRE A MINIMUM OF 15 FEET FROM 46<sup>TH</sup> AVENUE NORTH; UPON APPLICATION OF PINELLAS COUNTY THROUGH PINELLAS COUNTY HOUSING AND COMMUNITY DEVELOPMENT, C/O MARK VAN LUE, REPRESENTATIVE, ZON-21-08

WHEREAS, Pinellas County, 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 from RMH, Residential Mobile/Manufactured Home to R-5-CO, Urban Residential-Conditional Overlay with the Conditional Overlay limiting the maximum building height to 35 feet and requiring a minimum 20-foot setback from 46<sup>th</sup> Avenue North, excluding front porches, decks, and covered entryways, which will require a minimum of 15 feet from 46<sup>th</sup> Avenue North; 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 22<sup>nd</sup> day of February 2022, 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 RMH, Residential Mobile/Manufactured Home to R-5-CO, Urban Residential-Conditional Overlay with the Conditional Overlay limiting the maximum building height to 35 feet and requiring a minimum 20-foot setback from 46<sup>th</sup> Avenue North, excluding front porches, decks, and covered entryways, which will require a minimum of 15 feet from 46<sup>th</sup> Avenue North, Case No. ZON-21-08.

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

Ayes:

Nays:

Absent and not voting:

**APPROVED AS TO FORM**  
By: David S. Sadowsky  
Office of the County Attorney

**EXHIBIT A TO DEED**

**Legal Description**

Lots 1 to 25 inclusive, Block 25, Second Section of Lellman Heights, together with vacated 16 foot alleys through said Block 25, according to the map or plat thereof, as recorded in Plat Book 14, Page 68, of the Public Records of Pinellas County, Florida.

LESS a portion of Lots 1 and 2, Block 25, Second Section of Lellman Heights, as recorded in Plat Book 14, Page 68, Public Records of Pinellas County, Florida, being more particularly described as follows:

From the Southeast corner of Lot 1, as the Point of Beginning, thence S 89°44'00" W along the South line of said Lot 1, 79.15 feet; thence N 00°25'20" W, 57.22 feet; thence S 89°53'35" E 23.36 feet; thence S 44°39'00" E along the Northeasterly line of said Lot 1, 79.87 feet to the Point of Beginning.