

RESOLUTION NO. _____

RESOLUTION CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 0.55 ACRE LOCATED ON THE SOUTH SIDE PARK BOULEVARD APPROXIMATELY 110 FEET WEST OF OAKHURST ROAD IN THE UNINCORPORATED AREA OF SEMINOLE; PAGE 284 OF THE ZONING ATLAS, AS BEING IN SECTION 30, TOWNSHIP 30, RANGE 15; FROM C-1, NEIGHBORHOOD COMMERCIAL TO C-2, GENERAL RETAIL COMMERCIAL & LIMITED SERVICES, AND A DEVELOPMENT AGREEMENT LIMITING THE USE TO A SMALL RESTAURANT (50 SEATING OR LESS) WITH THE OPTION OF A DRIVE-THRU, PROHIBITING ACCESS TO 77TH AVENUE NORTH, LIMITING THE REAR (SOUTH) 25 FEET OF THE PROPERTY TO DRAINAGE RETENTION, SCREENING AND BUFFERING, DIRECTING EXTERIOR LIGHTING AND AMPLIFIED NOISE AWAY FROM NEARBY RESIDENTIAL PROPERTIES, LIMITING BUILDING INTENSITIES AND HEIGHT TO THOSE PERMITTED BY THE PROPERTY'S LAND USE AND ZONING DESIGNATIONS, AND ENSURING DEVELOPMENT OCCURS IN SUBSTANTIAL CONFORMANCE WITH THE SUBMITTED CONCEPT PLAN; UPON APPLICATION OF GAETANO AND GRACE CRITELLI THROUGH KATIE COLE, HILL WARD HENDERSON & JAKE SEATON, CSC PROPERTIES, LLC, REPRESENTATIVES, Z-10-06-17

WHEREAS, Gaetano and Grace Critelli, owners 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 C-1, Neighborhood Commercial to C-2, General Retail Commercial & Limited Services and a Development Agreement limiting the use to a small restaurant (50 seating or less) with the option of a drive-thru, prohibiting access to 77th Avenue North, limiting the rear (south) 25 feet of the property to drainage retention, screening and buffering, directing exterior lighting and amplified noise away from nearby residential properties, limiting building intensities and height to those permitted by the property's land use and zoning designations, allowing vehicular access to the property only via the driveway located on the adjacent property to the west, and ensuring development occurs in substantial conformance with the submitted concept plan; and

WHEREAS, legal notice of public hearing on such proposed change of zone classification with a development agreement 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 should be changed and the development agreement of said property should be approved.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pinellas County in regular session duly assembled this 18th day of July 2017, 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 C-1, Neighborhood Commercial to C-2, General Retail Commercial & Limited Services and the Development Agreement is approved limiting the use to a small restaurant (50 seating or less) with the option of a drive-thru, prohibiting access to 77th Avenue North, limiting the rear (south) 25 feet of the property to drainage retention, screening and buffering, directing exterior lighting and amplified noise away from nearby residential properties, limiting building intensities and height to those permitted by the property's land use and zoning designations, allowing vehicular access to the property only via the driveway located on the adjacent property to the west, and ensuring development occurs in substantial conformance with the submitted concept plan, Z-10-06-17.

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: 

Office of the County Attorney

Z-10-06-17

EXHIBIT "A"

PARCEL 1:

Lot 153, HARBOR VIEW #4, according to the map or plat thereof as recorded in Plat Book 6, Page 9, of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part.

TOGETHER WITH the non-exclusive easement rights created by the Ingress and Egress Easement Agreement recorded in Official Records Book 18424, Page 901, Public Records of Pinellas County, Florida, more particularly described as an easement for ingress and egress over the East 32 feet of Lot 161, LESS that part of Lot 161 which lies within 50 feet South of the East/West half section line of Section 30, Township 30 South, Range 15 East, and the East 32 feet of the North 30 feet of Lot 152, HARBOR VIEW #4, as recorded in Plat Book 6, Page 9, of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part.

PARCEL 2:

Lot 154, HARBOR VIEW #4, according to the map or plat thereof as recorded in Plat Book 6, Page 9, of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly apart.

PARCEL 3:

Lots 159 and 160, HARBOR VIEW #4, according to the map or plat thereof as recorded in Plat Book 6, Page 9, of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part; LESS those portions of said lots that lie within 50 feet South of the East/West half Section line of Section 30, Township 30 South, Range 15 East.