

RESOLUTION NO. 21-46

RESOLUTION CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 21.5 ACRES LOCATED AT AND TO THE SOUTH OF 4706 PLEASANT AVENUE IN PALM HARBOR; PAGE 48 OF THE ZONING ATLAS, AS BEING IN SECTION 24, TOWNSHIP 27, RANGE 15; FROM R-A, RESIDENTIAL AGRICULTURAL & R-3, SINGLE FAMILY RESIDENTIAL TO R-5-CO, URBAN RESIDENTIAL-CONDITIONAL OVERLAY (15.2 ACRES) & PC, PRESERVATION/CONSERVATION (6.3 ACRES) WITH THE CONDITIONAL OVERLAY LIMITING THE NUMBER OF RESIDENTIAL UNITS TO EITHER 64 ONE-STORY VILLAS OR 64 TWO-STORY TOWNHOMES, REQUIRING A MINIMUM 20 FOOT BUILDING SETBACK FROM THE WESTERN PROPERTY LINE, AND REQUIRING AN EIGHT-FOOT HIGH OPAQUE FENCE AND A MINIMUM FIVE-FOOT WIDE LANDSCAPE BUFFER AT A MINIMUM 30 PERCENT OPACITY ALONG THE WESTERN PROPERTY LINE; UPON APPLICATION OF NOELL FAMILY, LLC, ATTN: CHRIS NOELL THROUGH ROBERT PERGOLIZZI, GULF COAST CONSULTING, INC., REPRESENTATIVE, ZLU-21-01

WHEREAS, Noell Family, LLC, Attn: Chris Noell, 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 R-A, Residential Agricultural & R-3, Single Family Residential to R-5-CO, Urban Residential-Conditional Overlay (15.2 acres) & PC, Preservation/Conservation (6.3 acres) with the Conditional Overlay limiting the number of residential units to either 68 one-story villas or 68 two-story townhomes, requiring a minimum 20 foot building setback from the western property line, and requiring an eight-foot high opaque fence and a minimum five-foot wide landscape buffer at a minimum 30 percent opacity along the western property line;

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;

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 Board rules have been complied with;

WHEREAS, this Board has determined that the zone classification of said property should be changed, and that the Conditional Overlay should limit the number of residential units to either 64 one-story villas or 64 two-story townhomes.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pinellas County in regular session duly assembled this 13th day of July 2021, 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 R-A, Residential Agricultural & R-3, Single Family Residential to R-5-CO, Urban Residential-Conditional Overlay (15.2 acres) & PC, Preservation/Conservation (6.3 acres) with the Conditional Overlay limiting the number of residential units to either 64 one-story villas or 64 two-story townhomes, requiring a minimum 20 foot building setback from the western property line, and requiring an eight-foot high opaque fence and a minimum five-foot wide landscape buffer at a minimum 30 percent opacity along the western property line, subject to an amendment to the Pinellas County Future Land Use Map from Residential Suburban & Preservation to Residential Low (15.2 acres) & Preservation (6.3 acres), Case Number Z/LU-21-01.

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

Ayes: Eggers, Flowers, Gerard, and Long.

Nays: Justice.

Absent and not voting: Peters and Seel.

Exhibit "A"

LEGAL DESCRIPTION FOR LAND USE PLAN AMENDMENT & REZONING

Parcel 1:

Lots 4, 5 and 6, Block 2, Pleasant Valley Addition, according to the Plat thereof, as recorded in Plat Book 14, Page 12, of the Public Records of Pinellas County, Florida.

Parcel 2:

That part of Tract 61 lying East of the Atlantic Coast Line Railroad Right of Way, Tampa and Tarpon Springs Land Company Subdivision of the SW 1/4 of Section 24, Township 27 South, Range 15 East, according to the Plat of said Section, recorded in Plat Book 1, Page 116, of the Public Records of Hillsborough County, Florida, of which Pinellas county was formerly a part; LESS however, lands described in Deed Book 1111, page 184 and Deed Book 1249, Page 599, of the Public Record of Pinellas County, Florida.

Subject to that certain Easement described as follows:

Part of the Lot 61 of the Tampa and Tarpon Springs Land Company Subdivision of the SW 1/4 of Section 24, Township 27 South, Range 15 East, as recorded in Plat Book 1, Page 116, of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part, more particularly described as follows:

Commence at the Northeast corner of said Lot 61; thence N89°46'02" W (assumed bearing and basis of bearing for this description), along the North boundary of said Lot 61, 310.59 feet for a Point of Beginning; thence S 00°13'18" E Parallel to the East Boundary of said Lot 61, 75.00 feet; thence S 89°46'02" E parallel to the North boundary of said Lot 61, 0.59 feet; thence S 09°11'23" E along a line that, if projected, would intersect the South boundary of said Lot 61 at a point 270.00 feet Westerly of the Southeast corner of said Lot 61, 15.00 feet; thence N 65°00'00" W 36.00 feet; thence N 00°13'18" W 75.00 feet; thence S 89°46'02" E along the North boundary of said Lot 61 34.00 feet to the Point of Beginning.

Parcel 3:

The North 1/2 of Tracts 63 and 64, Tampa and Tarpon Springs Land Company Subdivision in Section 24, Township 27 South, Range 15 East, according to the Plat thereof, as recorded in Plat Book 1, Page 116, of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part, lying easterly of the Railroad Right of Way.

Parcel 5:

The South 1/2 of Tracts 63 and 64, Tampa and Tarpon Springs Land Company Subdivision in the SW 1/4 of Section 24, Township 27 South, Range 15 East, according to the Plat thereof, as recorded in Plat Book 1, Page 116, of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part, LESS railroad right of way and less road right of way.