

RESOLUTION NO. 15-107

RESOLUTION CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 5.7 ACRES LOCATED AT THE WESTERN TERMINUS OF 113TH AVENUE NORTH IN THE UNINCORPORATED AREA OF LARGO (STREET ADDRESS: 15151 113TH AVENUE NORTH); PAGE 232 OF THE ZONING ATLAS, AS BEING IN SECTION 13, TOWNSHIP 30, RANGE 14; FROM CR, COMMERCIAL RECREATION TO C-3, COMMERCIAL, WHOLESALE, WAREHOUSING & INDUSTRIAL SUPPORT AND A VARIANCE TO ALLOW A MAXIMUM BUILDING HEIGHT OF 50 FEET WITHIN 50 FEET OF RESIDENTIALLY ZONED LAND; UPON APPLICATION OF INDIAN SPRINGS MARINA, INC. THROUGH HOUSH GHOVAEE & MITCH RILEY, P. E., REPRESENTATIVE, Z/LU-20-9-15

WHEREAS, Indian Springs Marina, Inc., Owner(s) 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 CR, Commercial Recreation to C-3, Commercial, Wholesale, Warehousing & Industrial Support and a variance to allow a maximum building height of 50 feet within 50 feet of residentially zoned land; 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 20th day of October 2015 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 CR, Commercial Recreation to C-3, Commercial, Wholesale, Warehousing & Industrial Support, and a variance to allow a maximum building height of 50 feet within 50 feet of residentially zoned land, subject to an amendment to the Pinellas County Future Land Use Map from Commercial Recreation to Commercial General, Z/LU-20-9-15.

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

Ayes: **Morronei, Long, Welch, Eggers, and Gerard.**

Nays: **None.**

Absent and not voting: **Justice and Seel.**

APPROVED AS TO FORM

By: 
Office of the County Attorney

LEGAL DESCRIPTION

PARCEL A:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 13, TOWNSHIP 30 SOUTH, RANGE 14 EAST; THENCE RUN ALONG THE EAST LINE OF SAID SECTION 13, S00°07'41"W, 989.43 FEET; THENCE N62°07'58"W, 495.26 FEET; THENCE S00°07'41"W, 328.77 FEET; THENCE N88°58'06"W, 35.00 FEET; THENCE S00°07'41"W, 374.40 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 113th AVENUE NORTH; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF 113th AVENUE NORTH, N89°54'31"W, 501.55 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF THE EXTENSION OF CAMMACK STREET; SAID STREET HAVING A TOTAL RIGHT-OF-WAY WIDTH OF 60 FEET, RUN THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF SAID EXTENSION OF CAMMACK STREET, N00°05'29"E, 100.75 FEET; CONTINUE THENCE STILL ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF SAID EXTENSION OF CAMMACK STREET ON A CURVE TO THE RIGHT HAVING A RADIUS OF 535.00 FEET, A CENTRAL ANGLE OF 26°13'05", AN ARC DISTANCE OF 244.81 FEET, CHORD DISTANCE OF 242.68 FEET, AND A CHORD BEARING OF N13°12'02"E, CONTINUE THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF SAID EXTENSION OF CAMMACK STREET, N26°18'34"E, 390.00 FEET; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE, THENCE N63°41'26"W, 312.71 FEET TO THE BULKHEAD LINE RECORDED IN BULKHEAD BOOK 1, PAGE 105; THENCE ALONG SAID BULKHEAD LINE ALONG THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) THENCE S26°18'34"W, 420.69 FEET; (2) THENCE S12°16'14"W, 387.94 FEET; (3) THENCE S01°45'58"E, 67.80 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 113th AVENUE NORTH; THENCE LEAVING SAID BULKHEAD LINE RUN ALONG THE SAID NORTHERLY LINE OF 113th AVENUE NORTH, S89°54'31"E, 318.90 FEET TO THE POINT OF BEGINNING.

PARCEL B:

A PARCEL OF SUBMERGED LAND IN THE NARROWS IN SECTION 13, TOWNSHIP 30 SOUTH, RANGE 14 EAST, PINELLAS COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF SAID SECTION 13 AND RUN THENCE S58°28'24"W, ALONG THE ORIGINAL U.S. MEANDER LINE A DISTANCE OF 924.24 FEET; THENCE CONTINUE ALONG SAID U.S. MEANDER LINE S28°58'23"W, A DISTANCE OF 334.87 FEET; THENCE CONTINUE ALONG THE SAID U.S. MEANDER LINE S25°58'22"W, A DISTANCE OF 923.12 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE S25°58'22"W, 48.67 FEET TO A POINT IN THE BULKHEAD LINE AS ESTABLISHED BY THE PINELLAS COUNTY WATER AND NAVIGATION CONTROL AUTHORITY IN MEETING ON DECEMBER 11, 1958; THENCE N02°39'02"W, ALONG SAID BULKHEAD LINE A DISTANCE OF 190.77 FEET TO AN INTERSECTION WITH THE EAST LINE OR THE RIGHT-OF-WAY OF THE INTRACOASTAL WATERWAY; THENCE N26°33'54"E, ALONG SAID BULKHEAD LINE, SAID LINE BEING ALSO THE EAST LINE OF THE RIGHT-OF-WAY OF THE INTRACOASTAL WATERWAY, A DISTANCE OF 245.64 FEET; THENCE S12°16'14"W, 375.09 FEET ALONG SAID BULKHEAD LINE TO THE POINT OF BEGINNING.

PARCEL C:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 13, TOWNSHIP 30 SOUTH, RANGE 14 EAST; RUN THENCE ALONG THE EAST LINE OF SAID SECTION 13, S00°07'41"W, 989.43 FEET; RUN THENCE N89°07'58"W, 495.26 FEET; RUN THENCE S00°07'41"W, 328.77 FEET; RUN THENCE N88°58'06"W, 35.00 FEET; RUN THENCE S00°07'41"W, 374.40 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 113th AVENUE NORTH, RUN THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF 113th AVENUE NORTH, N89°54'31"W, 441.55 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF THE EXTENSION OF CAMMACK STREET; RUN THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF SAID EXTENSION OF CAMMACK STREET; N00°05'29"E, 100.00 FEET; CONTINUE THENCE STILL ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF SAID EXTENSION OF CAMMACK STREET ON A CURVE TO THE RIGHT HAVING A RADIUS OF 475.00 FEET, A CENTRAL ANGLE OF 26°13'05", AN ARC DISTANCE OF 217.36 FEET, A CHORD DISTANCE OF 215.46 FEET, AND A CHORD BEARING OF N13°12'02"E; CONTINUE THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF SAID EXTENSION OF CAMMACK STREET, N26°18'34"E, 390 FEET; RUN THENCE N63°41'26"W, 60.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID EXTENSION OF CAMMACK STREET; RUN THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF SAID EXTENSION OF CAMMACK STREET; S26°18'34"W, 390 FEET; CONTINUE THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF SAID EXTENSION OF CAMMACK STREET ON A CURVE TO THE LEFT HAVING A RADIUS OF 535.00 FEET, A CENTRAL ANGLE OF 26°13'05", AN ARC DISTANCE OF 244.81 FEET, A CHORD DISTANCE OF 242.68 FEET, AND A CHORD BEARING OF S13°12'02"W; CONTINUE THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF SAID EXTENSION OF CAMMACK STREET, S00°05'29"W, 100.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 113th AVENUE NORTH; RUN THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF SAID 113th AVENUE NORTH, S89°54'31"E, 60.00 FEET TO THE POINT OF BEGINNING.