

Re: Case No. Z / LU – 20 – 12

Received Feb 16, 2021

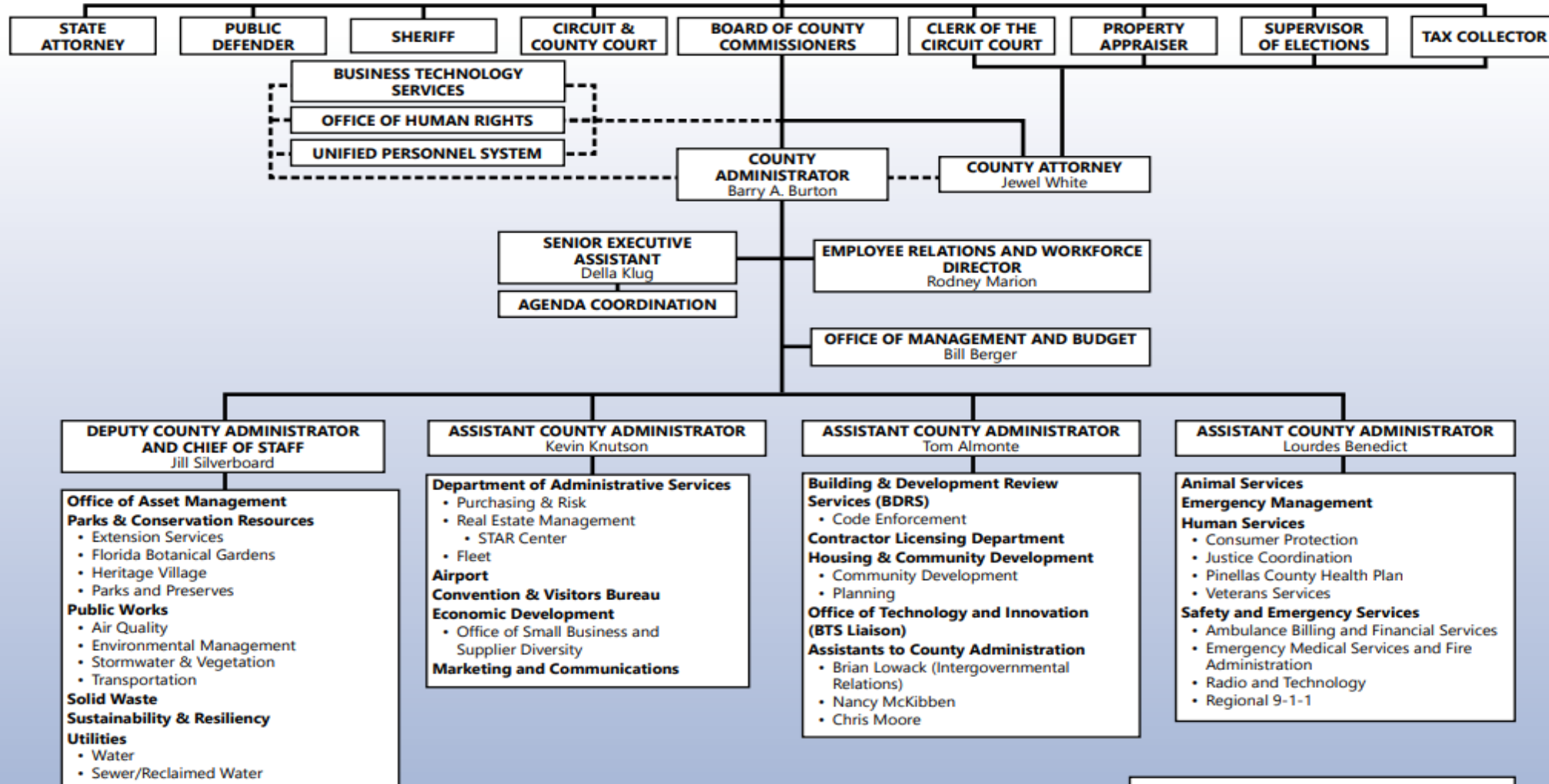
All evidence presented in this record, including all statements of fact, documents, maps, photographs, charts, policies, objectives, case summaries, reports, applications, quotes, correspondence and so forth, noted in this presentation are public record.

All evidence presented in this record was provided by or selected for this presentation, by the Pinellas County Planning Department; The Pinellas County Government web site (pinellascounty.org); The Pinellas County Board of County Commissioner's Office; Pinellas County Administration Department; Pinellas County Property Appraiser's Office; egis-pinellascounty.org.



Government Organizational Chart

CITIZENS



LEGEND
 ——— DIRECT AUTHORITY
 - - - - - COORDINATION RESPONSIBILITY

This Org Chart is not meant to be flippant or disrespectful. Understood that the BOCC are responsible for the well being of the entire county and not just the 200 or so families that will be adversely affected if this case is approved. You are all outstanding citizens who have dedicated your lives to public service. It is an honor to be before you tonight. I am confident that after presenting our case you will make the correct decision.

RE: Org Chart - The leader of Pinellas County Govt. are not Developers, Real Estate professional, contractors or "Citizens" with resources.

We ARE NOT trying to deny any property owner / citizen their inherent and legal right to properly develop their purchased land. We all know that at one time this whole area was once nothing but pastureland and citrus groves. We all know that, over time, developers and citizens requested from past Board of County Commission the right to properly develop, and were granted the right to properly develop, in order to build all of our beautiful homes. We request that the BOCC remain as consistent as past Commissions in their assessment and in upholding the current laws and to *continue to recognize that the successful neighborhoods are central to the quality of life on Pinellas County and that infill development should be compatible with and support the integrity and viability of existing residential neighborhoods in the area. * (Pinellas County Comprehensive Plan / goals / policy/objectives /1.2 OBJECTIVE / 1.2.3 POLICY)

Today you will hear many citizen's concerns about diminished quality of life and safety issues. Valid concerns about increased traffic, noise, water, air, light pollution, crime and environmental issues. Their concerns are not due to denying the right to properly build on undeveloped land. Their concerns are in the context of this case - which is requesting to build **DOUBLE** the amount of already approved dwellings. **This case is about LOT sizes not home sizes,** as he wants to plat **10 LOTS** where he is already approved to plat **five LOTS**. If this case is approved it would set a precedent that would defy the past 50 years of consistent BOCC assessments regarding compatible **LOT sizes for continued** infill development of all of this area's undeveloped neighborhoods in order to keep each area's neighborhood integrity and viability.

NIMBY



This is not a NIMBY issue where typically zero development is the issue. 100% of citizens who responded to this case **OPPOSE** the requested land use change. People purposely move to this area for the tranquility and LOT sizes.

INTENSITY

OF

DENSITY

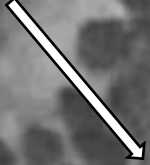
COMPATIBILITY

- 1.2.3. Policy: Plan designations on the Future Land Use Map shall be compatible with the natural environment, support facilities and services, and the land uses in the surrounding area.
- 1.2.4. Policy: Recognizing that successful neighborhoods are central to the quality of life in Pinellas County, redevelopment and urban infill development should be compatible with and support the integrity and viability of existing residential neighborhoods.
- 1.2.5. Policy: The Board shall implement land development regulations that are compatible with the density, intensity, and other relevant standards of those land use categories defined in the Future Land Use and Quality Communities Element.
- 1.1. Objective: Pinellas County shall, on a case by case basis, evaluate the use of sector planning and the use of more localized sector plans that can be responsive to the circumstances and issues affecting the various unincorporated communities throughout the County.

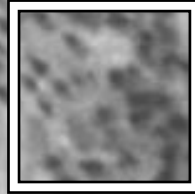
For each FLUM category, the compatible zoning districts in the Pinellas County Land Development Code are identified. For a specific parcel of land, however, an additional zoning district may be determined by the Pinellas County Local Planning Agency (LPA) to be compatible with a particular FLUM category based on findings of the LPA for that particular situation. Such findings would not have general applications throughout the unincorporated areas of Pinellas County and would be determined on a case-by-case basis.

FLUM is one of the means to ensure that development is compatible with adjacent land uses, the natural environment, and support services and facilities. The FLUM is also used to protect natural resources, restrict the proliferation of strip commercial development, control densities in the coastal storm area, promote economic development, encourage redevelopment efforts in

BELCHER RD



1951

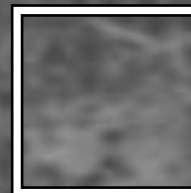


This aerial photo is to demonstrate the, at one time, totally undeveloped area related to Case No. Z/LU - 20-12. The square represents the approximate location of the property requested for zoning and land use change.

BELCHER RD



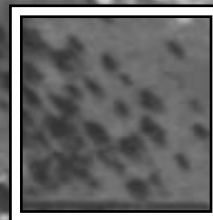
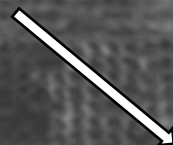
1957



This next available aerial photo was six years later. Note that the very first residential development (in the entire area) was Lawton Dr. (center with 20 lots/homes). Note the large lot sizes. There was also beginning of a development directly east with the streets perpendicular to Lawton and parallel to Belcher Rd. These lots would be smaller/higher density lots. The square represents the exact location of the property requested for zoning and land use change.

1965

BELCHER RD



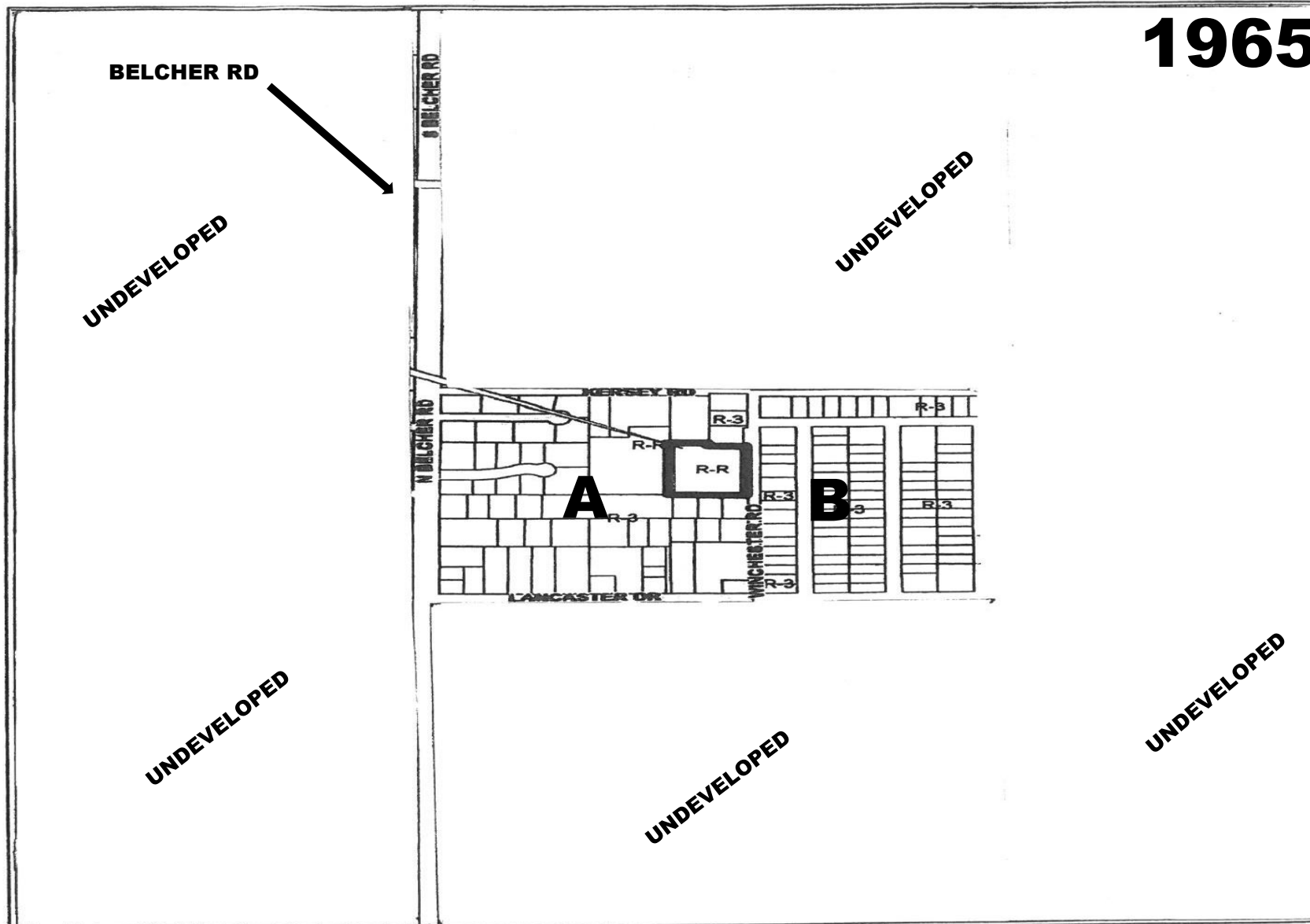
The next available aerial photo was eight years later. Note minimal residential development had just occurred within the large lot as well smaller lot neighborhoods. Within the next five - ten years infill in the two neighborhoods had been significantly completed. The square represents the exact location of the property requested for zoning and land use change.

1965

In 1955, due to rampant and uncontrolled growth, primarily in South Pinellas, the Pinellas BOCC first adopted zoning regulations, Bldg. permit procedures and land use planning as means to manage growth..

In 1965, **BEFORE** there was any significant residential development North of East Bay Rd; South of Nursery Rd; East of Keene Rd and West of US 19, (four square miles) there existed only two basic, prototype residential lot density models. Both were located in the almost exact center of the 4 sq. miles and also the exact center of the area containing the undeveloped lot in question, related to Case No Z/LU-20-12. Both were platted subdivisions. Both models were in/of stark contrast.

MODEL A represented low lot density with LOTS from 12,000 sq ft to over 20,000 sq ft. **MODEL B** represented high lot density with LOTS 6,000 sq. ft.



Z/LU-20-12 Municipality Map	Zoning	From: R-R, Rural Residential To: R-3, Single Family Residential
	Land Use	From: Residential Suburban To: Residential Low
30/29/16/70326/200/2100 Prepared by: Pinellas County Planning Department		

Pinellas County
PLANNING
1 inch = 0.12

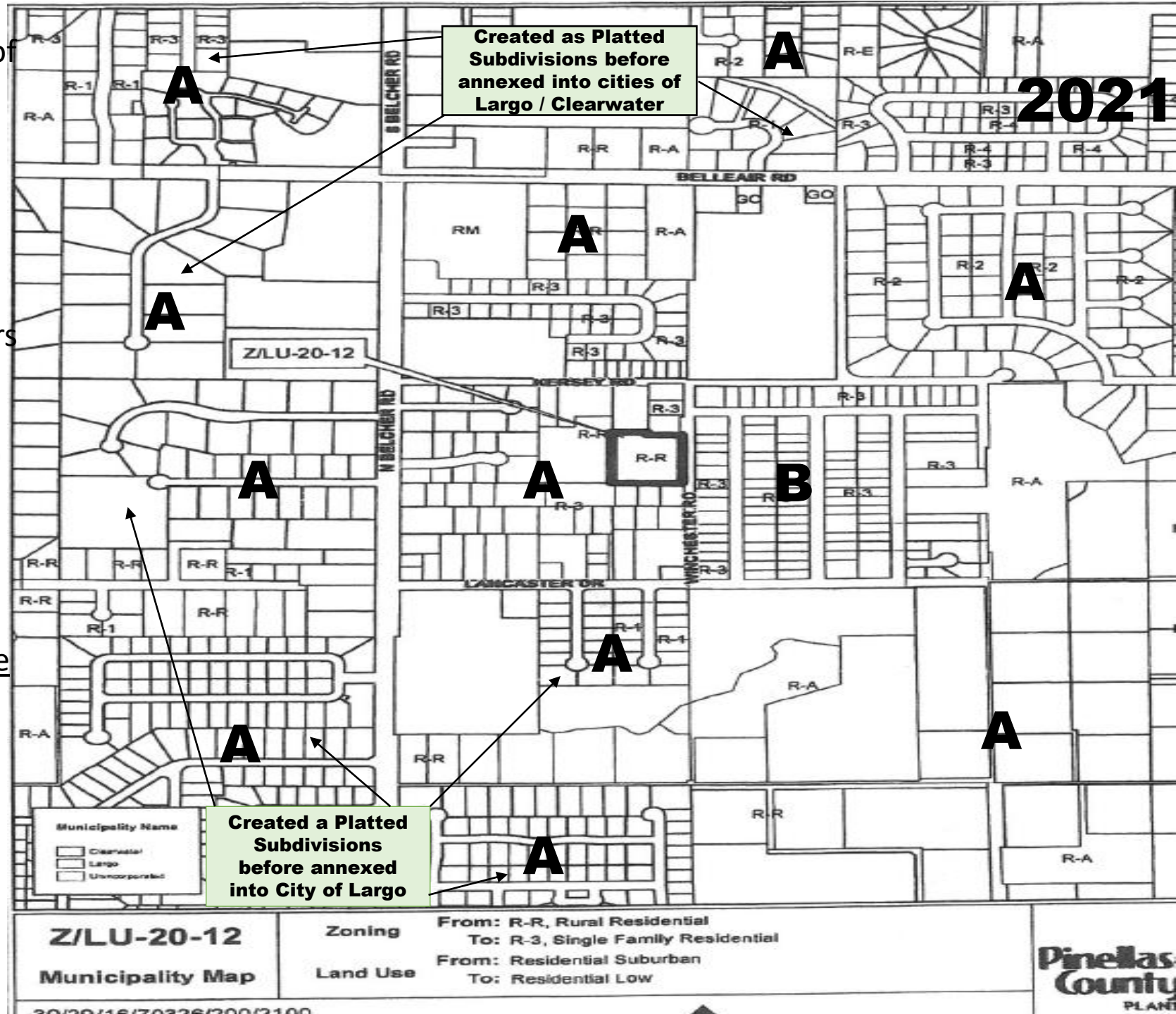


Date: 10/27/2020

This map provides empirical evidence (lot density) documenting consistent application of property development assessments over the past **50-60** years.

This map notes that nearly every past, consecutive, diverse and community minded Pinellas County Board of County Commissioners, Planning & Zoning, Developers as well as citizens, nearly without exception, **CONSISTENTLY** requested and were approved to develop LOTS that were in excess of 12,000 sq. ft. with a majority of LOTS in excess of 16,000 sq. ft. (the current allowed LOT size for this case). The citizens request that this last infill be developed in the same consistent manner and should continue to be compatible with 90% of the existing, developed lots.

NOTE: this map is accurate dimensionally but not to perfect scale. A few LOTS that do not have an **A** indication may appear relative in size to the **B** lots but all those lots are, in fact larger and range in size from - 7,500, 8,500, 10k or 12k sq. ft.

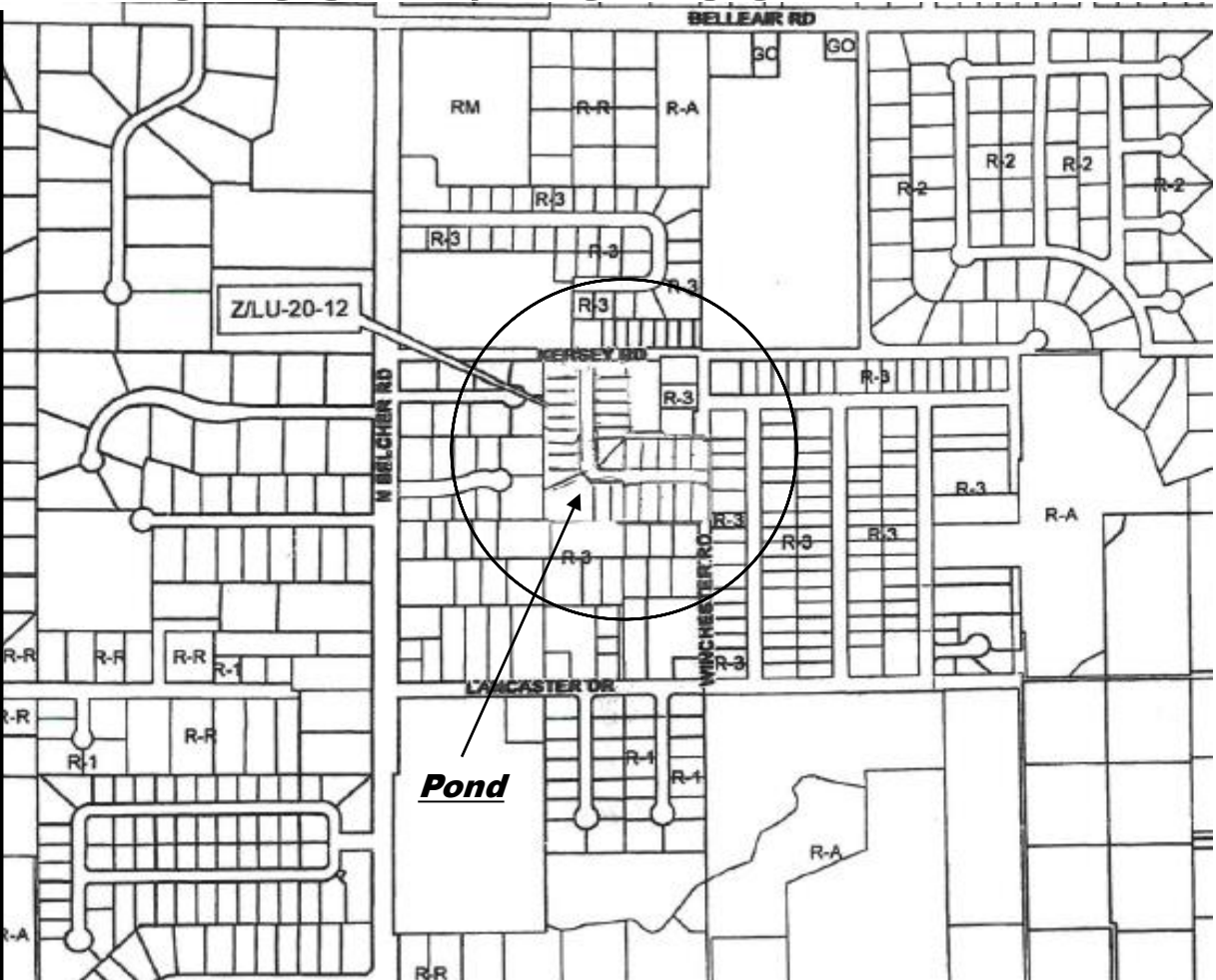
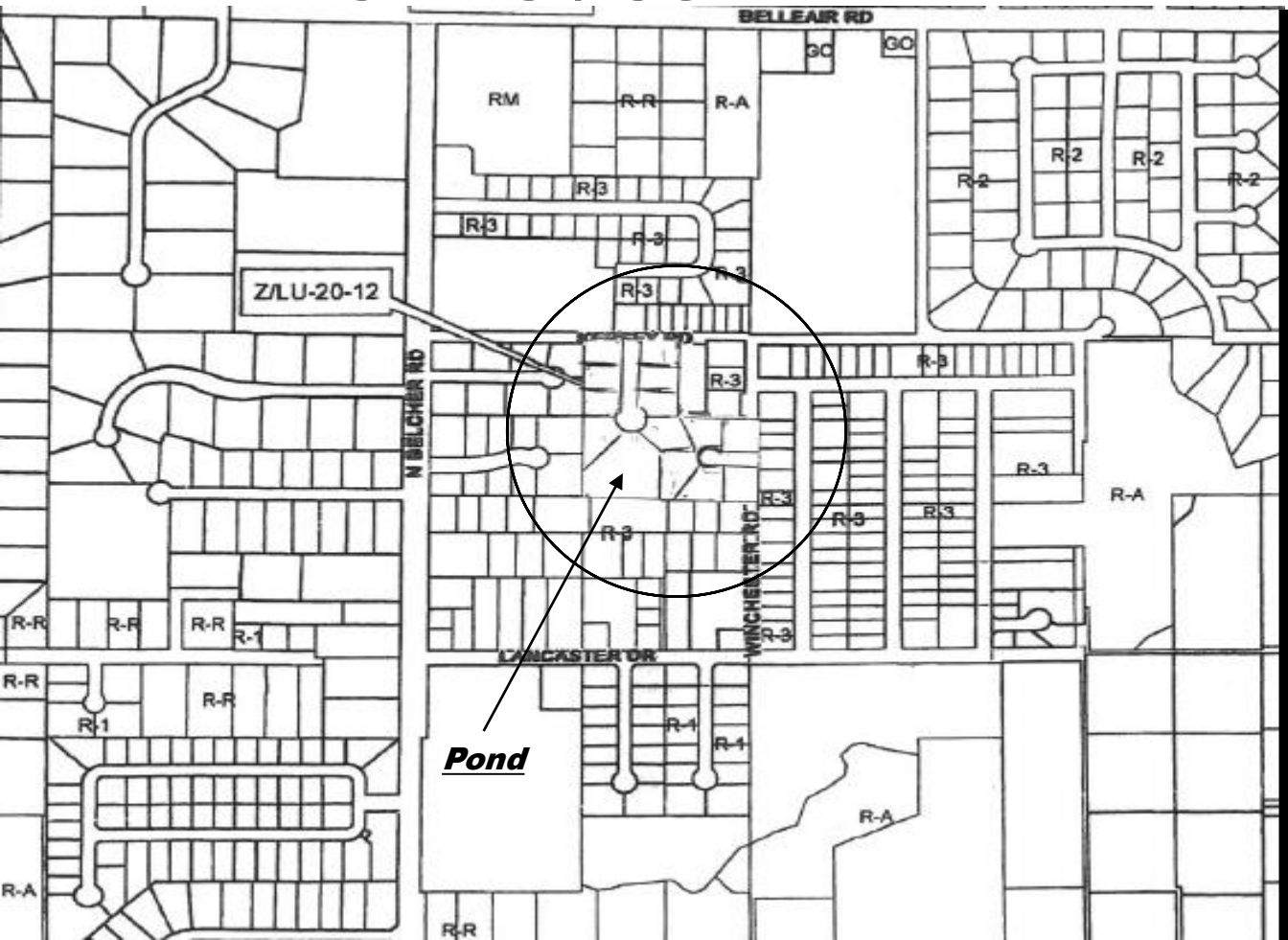


The neighborhood's overriding concern is the precedent that would be established if this case is approved to increase the existing allowed development of five lots to the requested allowed development of ten lots. There is a larger/adjacent lot that is currently allowed development of 8-10 lots. It will be for sale at anytime and the precedent will have been set for another case to change zoning and land use to accommodate 17 lots! Zoning could be changed from R-R to R-3 as long as the "land use" is NOT changed from 'Residential - Suburban' to 'Residential - Low' and still allow the eventual development of 13-15 homes versus 26-28 homes.

Below is a proposed rendering of what the two models would eventually approximate in lots size and density and compatibility.

EXISTING / COMPATIBLE

PROPOSED / NOT COMPATIBLE



Belcher Elementary School (two blocks from lot) is approaching full capacity. There are currently 111 more students living in the Belcher school zone (793) than the allotted school capacity (682) Some obviously attend private or charter/home school. Currently under construction or completed within the past six- 12 months are nearly 1,000 homes / condos / townhouses / apartments, located around Bellaire Road and US 19. Including 'The Towns of Belleair Grove', 'VUE at Bellaire', 'ALTA Clearwater', etc. These units are assigned to Belcher Elementary School. A traffic study of Bellaire Rd. is needed. All area residents note recent traffic congestion uncommon to the area. Approving the high density 'Land Use' change request, in this lot currently allocated to build low density housing (compatible to the existing area) will potentially impact on the student population and present additional pressure to the school.

Misstatements and misinformation throughout Property Owner's application:

Exhibit 2

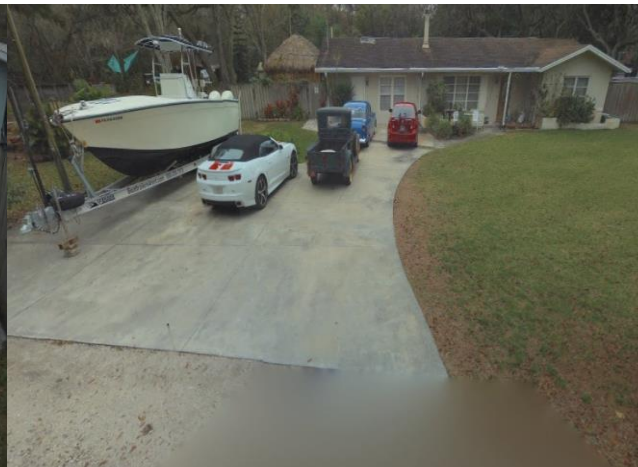
Application for a Zoning and Land Use Change

Question # 13: I/We believe this application should be granted because (include in your statement sufficient reasons in law and fact to sustain your position.

RESPONSE

On the East side of Winchester Road, there are 15 detached single-family homes. The Zoning Code for all 15 parcels is R-3 and the Land Use code is RL (Attachment 2). These 15 homes have a frontage on Dorchester Road. **These residents do not use Winchester Road for access.**

Highlighted response noted above is FALSE as there are at least five residences on Dorchester Rd that regularly use Winchester Road for access to the rear of their property (two shown, below left). Property owner does not mention that four residences on west side of Winchester Road regularly use for access to front/side of their property (two shown, below right).



Misstatements and misinformation throughout Property Owner's application CONT'D:

The entire community between Kersey and Lancaster Roads is low-density residential.

Highlighted response noted above is FALSE. Per staff report Residential – Suburban is the current Land Use Designation. Over 95% of all LOTS between Kersey Rd. and Lancaster Rd are minimum 14,000 sq. ft., with many lots over 27,000 sq. ft. and even more LOTS over 16,000 sq. ft. Property owner is comparing the term 'low-density residential' to the current designation of 6,000 sq. ft. LOTS. If new LOTS are platted at 6,000 sq. ft. they would not be compatible nor support the viability and integrity of the existing neighborhoods between Kersey and Lancaster roads.

Rationale: Going back – 50 or more years, the land between Kersey and Lancaster Roads was presumably rural – suited for agricultural use, that was consistent with its rural and ex-urban qualities. Now, the "1736 Winchester land parcel" is the only undeveloped site. That is why it

Highlighted response noted above is MISINFORMATION. As prior slides demonstrated, 90% of the approximately 32 acres of the land between Kersey and Lancaster has been completely developed by 2010 with most of the LOTS developed in the 1960's through 2000. Most of the Lots, for decades, were consistently platted as residential LOTS in excess of 14,000 sq. ft. Not platted as 6,000 sq. ft. LOTS as proposed.

Misstatements and misinformation throughout Property Owner's application CONT'D:

Today, my property is no longer suited for its current zoning. My request to amend the zoning to R-3 and land use to RL – fully aligns with surrounding land uses. I am proposing to develop no more than five (5) detached dwelling units per acre. Each permitted dwelling shall not exceed an equivalent of 3 bedrooms.

Highlighted responses noted above is FALSE. His LOT is already, currently and lawfully suited to develop 4-5 stately homes with LOTS that will be compatible to ensure the vitality and integrity of the surrounding neighborhood. His current alignment with surrounding land uses will be compatible with Over 95% of all LOTS between Kersey Rd. and Lancaster Rd that are minimum 14,000 sq. ft., with many lots over 27,000 sq. ft. and even more LOTS over 16,000 sq. ft. If new LOTS are platted at 6,000 sq. ft. they would not be compatible nor align and support the viability and integrity of the existing neighborhoods between Kersey and Lancaster roads.

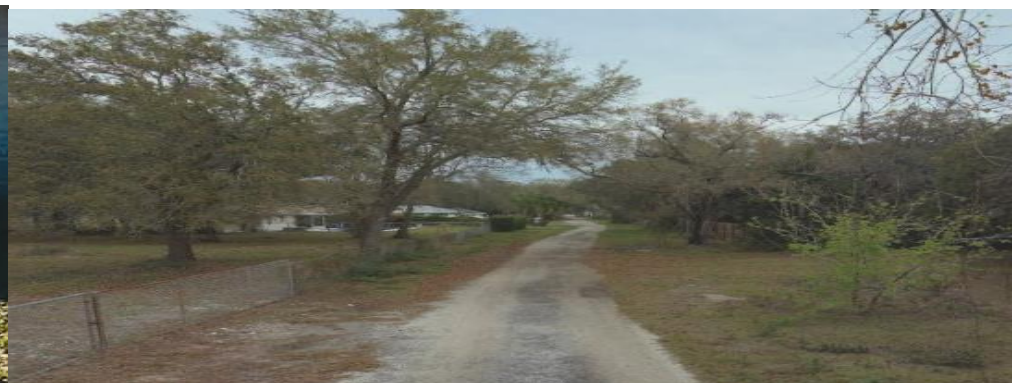
Winchester Road is equipped to handle the corresponding traffic without any impact on the local traffic. There is a traffic signal at the corner of Lancaster Road and Belcher Road for safe exit.

Highlighted response noted above is MISINFORMATION. Statement is conjecture. No traffic studies have been performed on any of the four residential roads closest to property. Lawton Rd will be adversely affected the most and it is a private road. Lawton already affected by elementary school traffic speed to evade drop off/ pick up lines on Lancaster Rd. Lancaster Rd had to put signs to control the excess traffic.



Misstatements and misinformation throughout Property Owner's application/LPA hearing CONT'D:

Inferred in his application as well as stated before the LPA hearing, the property owner claimed alley (Winchester Rd.) was dangerous and contained abandoned vehicles and his development would improve / safer. Although he did not label the two vehicles as abandoned in the alley, the inclusion of these pictures is misleading and infers his statements are true. The two vehicles shown are not in the alley and both have valid registrations (per owner). The real alley condition is pictured below.



*****This case is about LOT size(s), not about amount of homes or home size(s). Property owner's application for zoning & land use change includes a "Response" section that is 1.5 pages. The property owner lists the words "home" or "homes" 15 times. He listed the word lot (size) one time. This could be considered to have a tactic effect to persuade or mislead what the actual results would be should the case be approved for changing existing laws.**

There are many more instances of misinformation that apparently persuaded the LPA Board to approve the rezoning and land use change requested. Some of these mistakes made it on to the LPA Staff Report (BELOW-STAFF REPORT EXCEPTS).

trips on the surrounding roads. The change in average daily trips is not expected to significantly impact the operational characteristics of area roadways. The nearest level of service (LOS) regulated

Statement is conjecture. No traffic studies have been performed on any of the four residential roads closest to property. Lawton Rd will be adversely affected the most and it is a private road. Lancaster/Winchester Roads also...

b.) The applicant stated that he sent letters seeking feedback to 45 surrounding property owners regarding his proposal and received one response.

Highlighted response noted above is MISINFORMATION. This statement, and as presented at LPA hearing infers that a lack of response could be considered as tactic approval of the change requested. Also, could be inferred that lack of response show neighborhood apathy (not caring about requested changes to zoning/land use laws). In fact all neighbors who received the letter purposefully decide to NOT RESPOND.

Staff is of the opinion that the proposed RL land use category and R-3 zoning district are appropriate based on the subject property's adjacency to existing areas with the same designations, anticipated

Statement above is FALSE to statement below. It states "proposed RL & R-3 are appropriate with existing areas with same designations".

Statement below is FALSE to statement above. It states "zoned RS & RR" are surrounding land use designations.

properties to the northeast, south and east across Winchester Road are all zoned R-3. The parcels to the northwest and west are zoned R-R. The surrounding land use designations are RS to the north, south and west and RL to the east. Many of the lots to the east are 60 feet wide, which is consistent

- Property owner purchased lot for \$225k in 2019. Lot one block north sold for over three times that amount two years earlier. The fair market value of the parcel estimated at nearly \$1m at the time of purchase. Property owner estimated to receive a PROFIT significantly in excess of normal transaction.
- As noted in property owner application; *'perceived increase in adding new parcels to the County to 'boost' the local economic tax revenue'* could be, an actual potential LOSS of revenue stream for the county. By providing upgraded residential plats, the city of Largo, is it has in all surrounding (once unincorporated plats), will probably annex the area for its future revenue stream.
- Contrary to conclusion in the Staff Report there are many concerns related to infrastructure impact of the higher density proposal. Current stormwater conditions result in flooding at several areas including, but not limited to, East end of Kersey Rd; east end of Pembroke Dr.; east end of Lancaster Dr. Note these areas all drain into Allen creek watershed/preserve. Sewer lines and pump stations in this area have also required repairs in the past year.

The two pictures below represent the current aesthetic of 90% of all existing LOTS/homes of the adjacent neighborhood. It also represents every other neighborhood within a one mile radius of the infill Lot that is requesting zoning and land use changes to current law. Note the large LOTS ranging from 12,000 to over 25,000 sq. ft. Note the yard space and limited vehicle spacing / parking requirements.

The picture below represents the type of LOT sizing/spacing that allowing rezoning and land use changes for 6,000 sq. ft LOTS would result. Basically no yard space and vehicle spacing / parking intrusion.

