

RESOLUTION NO. 16-15

RESOLUTION CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 2.5 ACRES LOCATED 680 FEET NORTH OF UNION STREET ON THE WEST SIDE OF MCMULLEN BOOTH ROAD IN THE UNINCORPORATED AREA OF CLEARWATER (STREET ADDRESSES BEING: 2159, 2167, AND 2175 MCMULLEN BOOTH ROAD); PAGE 638 OF THE ZONING ATLAS, AS BEING IN SECTION 33, TOWNSHIP 28, RANGE 16; FROM A-E, AGRICULTURAL ESTATE RESIDENTIAL & R-R, RURAL RESIDENTIAL TO IL-CO, INSTITUTIONAL LIMITED-CONDITIONAL OVERLAY WITH A CONDITIONAL OVERLAY LIMITING THE USE OF THE PROPERTY TO AN ASSISTED LIVING FACILITY WITH A MAXIMUM OF 60 BEDS, INCLUSIVE OF SERVICES DEFINED BY THE STATE AS INDEPENDENT LIVING, ASSISTED LIVING CARE, SKILLED NURSING CARE, EXTENDED CONGREGATE CARE, LONG-TERM CARE AND/OR MEMORY CARE, AND INCLUDING PHYSICAL REHABILITATIVE AND PHYSICIAN SUPPORT SERVICES FOR OCCUPANTS OF THE 60 BEDS OF THE FACILITY; PROVIDED, HOWEVER, THAT NO SUCH SERVICES SHALL BE PROVIDED FOR EXTERNAL PATIENTS WHO ARE NOT OCCUPANTS OF THE 60 BEDS OF THE FACILITY; UPON APPLICATION OF KAMRAN & DORI ROUHANI & PARVIZ ROUHANI, A. E. C. 2159 LLC, AND EMERALD GARDEN REAL ESTATE, INC. THROUGH KAMRAN ROUHANI, REPRESENTATIVE, Z/LU-34-12-15

WHEREAS, Kamran & Dori Rouhani, Parviz Rouhani, A.E.C. 2159 LLC, and Emerald Garden Real Estate, owners of the property hereinafter described, have petitioned the Board of County Commissioners of Pinellas County to change the zone classification of the real property hereinafter described from A-E, Agricultural Estate Residential & R-R, Rural Residential to IL-CO, Institutional Limited- Conditional Overlay with a Conditional Overlay limiting the use of the property to an assisted living facility with a maximum of 60 beds, inclusive of services defined by the state as independent living, assisted living care, skilled nursing care, extended congregate care, long-term care and/or memory care, and including physical rehabilitative and physician support services for occupants of the 60 beds of the facility; provided, however, that no such services shall be provided for external patients who are not occupants of the 60 beds of the facility; 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 23rd day of February 2016, 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 A-E, Agricultural Estate Residential & R-R, Rural Residential to IL-CO, Institutional Limited – Conditional Overlay with a Conditional Overlay limiting the use of the property to an assisted living facility with a maximum of 60 beds, inclusive of services defined by the state as independent living, assisted living care, skilled nursing care, extended congregate care, long-term care and/or memory care, and including physical rehabilitative and physician support services for occupants of the 60 beds of the facility; provided, however, that no such services shall be provided for external patients who are not occupants of the 60 beds of the facility, subject to an amendment to the Pinellas County Future Land Use Map from Residential Suburban to Institutional, Z/LU-34-12-15.

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

Ayes: Justice, Long, Welch, Eggers, Gerard, and Seel.

Nays: None.

Absent and not voting: Morroni.

APPROVED AS TO FORM

By: 

Office of the County Attorney