

RESOLUTION NO. 16-84

RESOLUTION FOR A MODIFICATION OF AN EXISTING CONDITIONAL USE TO ALLOW FOR THE DAY CARE, TRAINING, GROOMING AND OVERNIGHT BOARDING OF UP TO 100 DOGS AND TO ALLOW FOR THE BOARDING OF TWO HORSES ON A PROPERTY WITHOUT A PRIMARY RESIDENTIAL USE. A VARIANCE TO ALLOW AN EXISTING 6-FOOT HIGH FENCE TO REMAIN WITH A 0-FOOT FRONT SETBACK WHERE 50 FEET IS REQUIRED IN AN A-E ZONE AND A VARIANCE TO ALLOW FOR THE CONSTRUCTION OF A 36 SQUARE FOOT SIGN WHERE A MAXIMUM 24 SQUARE FOOT SIGN IS PERMITTED IN A RESIDENTIAL DISTRICT ON APPROXIMATELY 1.3 ACRES LOCATED AT 2845 BELCHER ROAD IN THE UNINCORPORATED AREA OF DUNEDIN; PAGE 631 OF THE ZONING ATLAS, AS BEING IN SECTION 30, TOWNSHIP 28, RANGE 16; UPON APPLICATION OF RENEE' LETOSKY-SMITH (BRIGGS) THROUGH HOUSH GHOVAEE, CEO, NORTHSIDE ENGINEERING, REPRESENTATIVE, CU-17-7-16

WHEREAS, Renee' Letosky-Smith (Briggs), owner of the property at 2845 Belcher Road, Dunedin, Florida, consisting of Parcel I. D. number 30/28/16/07254/000/3600, has petitioned the Board of County Commissioners of Pinellas County for a modification of an existing conditional use to allow for the day care, training, grooming, and overnight boarding of up to 100 dogs, and to allow for the boarding of up to two horses on a property without a primary residential use, along with a variance to allow an existing 6-foot high fence to remain with a 0-foot front setback where 50 feet is required in an A-E zone and a variance to allow for the construction of a 36 square foot sign where a maximum 24 square foot sign is permitted in a residential district on the parcel of real property described above; and

WHEREAS, legal notice of public hearing on such proposed conditional use 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 conditional use for said property should be granted.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pinellas County in regular session duly assembled this 22nd day of November 2016 that the conditional use and the variances for the above described real property in Pinellas County, Florida, are hereby granted in case #CU-17-7-16, with the following conditions:

1. Full site plan review, including a change of occupancy from residential to commercial for the kennel facility.
2. There shall be no more than 100 dogs on site an any given time. Overnight boarding shall be limited to 75 dogs at any given time.
3. Hours of business operation shall be between 7:00 AM and 10:00 PM, seven days per week.
4. Agility training shall be limited to two classes per day, three days per week during daylight hours only. No whistles or amplified sound devices shall be used for the operation of the classes.
5. All parking and setback requirements shall be met.
6. The existing 6-foot high fence is to remain with a 0-foot front setback.
7. The boarding of horses shall be for the property owner only and limited to two animals.
8. Dogs shall be boarded indoors only.
9. The identification sign shall not exceed 36 square feet in size and shall be non-digital.
10. All animal waste shall be disposed of properly.
11. All kennel areas shall be soundproofed and certified by a professional engineer or architect as per STC rating in keeping with the Pinellas County Noise Ordinance.
12. The kennel operation shall maintain compliance with Section 14-29 (a) through (g) of the Pinellas County Code, relating to pet dealerships and kennels.

13. No retail sales of pet related products is permitted.
14. The property and its uses shall maintain substantial conformance with the submitted concept plan, as modified to reflect the number of approved animals and approved uses.
15. Any changes to the conditions listed shall require approval of the Board of County Commissioners.
16. In the event any of the above conditions are not met or the conditional use becomes a nuisance, the Board of County Commissioners may rescind the conditional use permit.

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

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

Nays: None.

Absent and not voting: Seel.

APPROVED AS TO FORM

By:   
Office of the County Attorney