

RESOLUTION NO. 21-42

RESOLUTION CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 2.11 ACRES LOCATED ON THE EAST SIDE OF BELCHER ROAD, APPROXIMATELY 400 FEET NORTH OF MONTCLAIR ROAD, IN UNINCORPORATED CLEARWATER; PAGE 655 OF THE ZONING ATLAS, AS BEING IN SECTION 06, TOWNSHIP 29, RANGE 16; FROM GO, GENERAL OFFICE TO R-5-CO, URBAN RESIDENTIAL-CONDITIONAL OVERLAY WITH THE CONDITIONAL OVERLAY LIMITING THE NUMBER OF RESIDENTIAL UNITS TO 10 SINGLE-FAMILY ATTACHED DWELLINGS AND TERMINATING A DEVELOPMENT AGREEMENT; UPON APPLICATION OF Z & N PROPERTIES VI, LLC (FKA: BELCHER PLACE, LLC) ATTN: EDWARD ZBELLA THROUGH ROBERT PERGOLIZZI, AICP/PTP, GULF COAST CONSULTING, INC., ZON-21-03

WHEREAS, Z & N Properties VI, LLC, 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 GO, General Office to R-5-CO, Urban Residential-Conditional Overlay with the Conditional Overlay limiting the number of residential units to 10 single-family attached dwellings, and to terminate a Development Agreement (DA-10-5-15 & DVA-20-3); and

WHEREAS, Z & N Properties VI, LLC and Pinellas County are parties to that certain Development Agreement and First Amendment to Development Agreement recorded at Official Records Book 18829, Pages 3-11 and Book 21225, Pages 1884-1895, Public Records of Pinellas County, Florida (together referred to as "Development Agreement") and, as a successor are subject to the Declaration of Covenants, Conditions and Restrictions of Sun Glo Park recorded at Official Records Book 15738 Pages 2309-2310, Public Records of Pinellas County, Florida("CC&R"); and

WHEREAS, the subject property in the Development Agreement is located in unincorporated Pinellas County with General Office (GO) zoning (formerly known as P-1 zoning) to specifically allow offices with certain restrictions; and whereas the current request for rezoning to R-5-CO for

residential uses with a Conditional Overlay is inconsistent with the Development Agreement and CC&R. Therefore, the parties agree to terminate the Development Agreement and the CC&R; and

WHEREAS, legal notice of public hearing on such proposed change of zone classification and termination and release of a Development Agreement 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 and the termination and release of the Development Agreement should be approved.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pinellas County in regular session duly assembled this 22<sup>nd</sup> day of June 2021, that the zone classification of the following described real property in Pinellas County, Florida, to wit:

See Attached Legal Description "Exhibit A"

be, and the same is hereby changed from GO, General Office to R-5-CO, Urban Residential-Conditional Overlay with the Conditional Overlay limiting the number of residential units to 10 single-family attached dwellings, and the termination and release of the Development Agreement (DA-10-5-15 & DVA-20-3) is approved, in case no. ZON-21-03.

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

Ayes: Eggers, Justice, Flowers, Gerard, Long, Peters, and Seel.

Nays: None.

Absent and not voting: None.

Exhibit "A"

SECTION 6, TOWNSHIP 29S, RANGE 16E  
PINELLAS COUNTY, FLORIDA  
PROJECT NUMBER 01-5254

D E S C R I P T I O N

THE SOUTH 35 FEET OF LOT 8, AND ALL OF LOTS 9, 10, 11, 12, 13, 14, 15, 16, 23, 24, 25, 26, 27, 28 AND THE SOUTH 35 FEET OF LOT 29, SUN GLO PARK, ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 54, PAGE 64, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF LOT 16 ALSO BEING A POINT ON THE EAST EIGHT-OF-WAY LIEU OF BELCHER ROAD, THENCE ALONG SAID LINE N00°05'27"E, 515.00 FEET; THENCE LEAVING SAID LINE N89°54'33"E, 102.48; THENCE S89°57'41"E, 100.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF SYDNEY STREET; THENCE ALONG SAID LINE S00°13'13"W, 395.00 FEET; THENCE LEAVING SAID LINE N89°57'41"W, 100.00 FEET; S00°13'13"W, 120.00; THENCE S89°54'33"W, 101.32 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.11 ACRES, MORE OR LESS