



# Pinellas County

## Legislation Details (With Text)

**File #:** 24-0913A      **Version:** 1

**Type:** Zoning / Land Use and Related Item      **Status:** Passed

**File created:** 5/11/2024      **In control:** Board of County Commissioners

**On agenda:** 6/11/2024      **Final action:** 6/11/2024

**Title:** Case No. ZON-24-01 (Jose E. Pagan Guzman)  
A request for a zoning change from R-4, One, Two, and Three Family Residential to C-2, General Commercial and Services with a variance on approximately 0.15 acre located at 2520 55th Avenue North in Lealman. (Quasi-Judicial) (Companion to Item No.10)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Adopted RES 24-34, 2. LPA Staff Report, 3. Case Maps, 4. AATF- Resolution, 5. Certification of Ownership, 6. Survey, 7. Citizen Correspondence, 8. Legal Ad, 9. Legal Ad Map, 10. Presentation, 11. Electronic Affidavit of Publication, 12. Affidavit of Publication

Date	Ver.	Action By	Action	Result
6/11/2024	1	Board of County Commissioners	approved	Pass

**Subject:**

Case No. ZON-24-01 (Jose E. Pagan Guzman)  
A request for a zoning change from R-4, One, Two, and Three Family Residential to C-2, General Commercial and Services with a variance on approximately 0.15 acre located at 2520 55<sup>th</sup> Avenue North in Lealman. (Quasi-Judicial) (Companion to Item No.10)

**Recommended Action:**

Based upon the evidence and findings contained in the staff report and attachments, Case No. ZON-24-01 is recommended for approval.

A resolution approving the application of Jose E. Pagan Guzman for a zoning change from One, Two, and Three Family Residential (R-4) to General Commercial and Services (C-2) with a variance.

- The applicant is seeking a zoning change on a 0.15-acre parcel, and the proposed use is office.
- The request includes a variance to allow a 6,420 square foot lot where 10,000 square feet is the minimum lot size required and allowing a minimum lot width of 60 feet where 80 feet is the minimum lot width required.
- The applicant is also seeking a Future Land Use Map amendment under a separate case number (FLU-24-01).
- The Local Planning Agency recommended approval of the request (vote 5-0). One person appeared in opposition, citing traffic, noise, and pollutant concerns. One letter in opposition has been received.

**Strategic Plan:**

## Foster Continual Economic Growth and Vitality

### 4.3 Catalyze redevelopment through planning and regulatory programs

## Deliver First Class Services to the Public and our Customers

### 5.2 Be responsible stewards of the public's resources.

#### **Summary:**

The amendment area is approximately 0.15 acres, located at 2520 55th Avenue North in Lealman. The property is designated Residential Low (RL) on the Future Land Use Map (FLUM), and it is zoned R-4, One, Two, & Three Family Residential. It currently contains a single-family home. The applicant wishes to have the ability to convert the existing single-family residence into an office for the business operations that are located on the adjacent property to the east, however, the existing R-4 zoning district does not allow office as a primary use. The R-4 district allows detached single-family, two-family, and three-family dwelling development. A zoning amendment to C-2 is therefore proposed, which would allow a range of uses (e.g., general office, retail commercial, commercial/business services, etc....). A change to C-2 would make the existing single-family home nonconforming, but it would be allowed to continue as a home until it is either abandoned or when the property is developed with an office use.

In addition to the zoning change request, the owner is requesting a variance to the minimum lot width and minimum lot area requirement in the C-2 zoning district. The subject property is a substandard platted lot of record and would not meet the minimum lot area requirements if rezoned to C-2. The variance would allow the establishment of a 6,420 square-foot lot where 10,000 square feet is the minimum lot size allowed and a reduction of the minimum lot width requirement from 80 feet to 60 feet in a C-2 zone. See attached LPA staff report for review of the variance.

Importantly, concurrently with this zoning change application, the applicant is also pursuing a Future Land Use Map (FLUM) amendment of the subject property from Residential Low (RL) to Commercial General (CG) (Case # FLU-24-01).

Effective May 2nd, 2024, a large portion of the area around the subject property including the contiguous parcel that occupies the applicant's existing business operations became part of the Lealman Form Based Code (L-FBC) District, which is designated on the District Map as Neighborhood Park (NP). The NP district encourages a mix of uses such as retail commercial and other office-based uses. Notably, the subject property does not fall within the L-FBC area, but the applicant's contiguous parcel does.

The subject property is located approximately 651 feet away from Haines Road and 590 feet away from I-275. The surrounding area contains a variety of uses that consist of a mix of retail, commercial/business services, and residential uses within the parcel's vicinity. Across 54<sup>th</sup> Avenue to the south of the subject parcel is a mobile home park, and retail commercial. 54<sup>th</sup> Avenue is an arterial roadway with a combination of commercial, office, and residential uses in its vicinity. To the west of the subject property is a single-family residence which is nonconforming with their C-2 commercial zoning district. Single-family homes are also to the north of the subject property. The subject property is not within the Coastal Storm Area and has a low flood risk.

While the subject property is located along the boundary of an established single-family neighborhood directly to the north, the subject property is within a block of C-2 zoned commercial parcels that are located on 55<sup>th</sup> Avenue. The subject parcel is the last one on the block to retain a

residential zoning district. The proposed C-2 zoning can be considered an appropriate transition in addition to the implementation of the Lealman Form-Based Code that would allow a variety of non-residential uses.

Staff is of the opinion that the proposed Zoning Atlas amendment with a variance is appropriate for the subject property and is compatible with the surrounding development pattern. In general, the proposal is consistent with the Pinellas County Comprehensive Plan and is appropriate for this location.

**Background Information:**

The LPA unanimously recommended approval of the request during its May 8, 2024, public hearing (Vote 5-0).

Surrounding property owners within 300 feet of the subject property were notified by mail. A sign advertising the public hearings was posted on the subject property.

**Fiscal Impact:**

N/A

**Staff Member Responsible:**

Kevin McAndrew, Director, Building and Development Review Services

**Partners:**

N/A

**Attachments:**

LPA Report  
Case Maps  
Resolution  
Certification of Ownership  
Survey  
Citizen Correspondence  
  
Legal Ad  
  
Legal Ad Map  
  
PowerPoint Presentation