



# Pinellas County

## Staff Report

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**File #:** 15-192, **Version:** 1

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### **Subject:**

Case No. Q Z/LU-20-9-15 (Indian Springs Marina, Inc.)

A request for a land use change from Commercial Recreation to Commercial General, a zoning change from CR, Commercial Recreation to C-3, Commercial, Wholesale, Warehousing & Industrial Support, and a variance to allow a maximum building height of 50 feet within 50 feet of residentially zoned land on approximately 5.7 acres located at the western terminus of 113th Avenue North in the unincorporated area of Largo.

### **Recommended Action:**

Case No Z/LU-20-9-15: adoption of a resolution approving the application of Indian Springs Marina, Inc. through Housh Ghovae & Mitch Riley, P. E., Representative, for a change of zoning from CR, Commercial Recreation to C-3, Commercial, Wholesale, Warehousing & Industrial Support, a variance to allow a maximum building height of 50 feet within 50 feet of residentially zoned land subject to the variance applying only to the area of the site identified on the attached concept plan, and an ordinance for approval of a change in land use designation from Commercial Recreation to Commercial General, regarding approximately 5.7 acres located at the western terminus of 113th Avenue North in the unincorporated area of Largo (street address: 15151 113th Avenue North).

### **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:**

This is a request to amend the Zoning Atlas from CR, Commercial Recreation district to C-3, Commercial, Wholesale, Warehousing and Industrial Support district and the Future Land Use Map (FLUM) from Commercial Recreation to Commercial General. There is an associated variance request to allow a maximum building height of 50 feet within 50 feet of residentially zoned land. The subject area is approximately 5.7 acres and contains the Indian Springs Marina. The applicant is proposing to replace a storm-damaged building with a somewhat larger building that is better equipped to meet changing market demand for the storage of larger boats. This is not possible under the current CR zoning due to Floor Area Ratio (FAR) restrictions. The Commercial Recreation FLUM category does not permit C-3 zoning, which is the reason behind the request for Commercial General. The variance proposal is due to the requested C-3 zoning district restricting the height of buildings within 50 feet of residentially zoned land to 35 feet. There are two existing 50-foot high buildings along the north side of the property that are approximately 20 feet from residentially zoned land. These were properly permitted under the existing CR zoning. Approval of the height variance will eliminate a potential nonconforming situation and allow the future replacement of the two buildings should that become necessary.

The subject area is adjacent to residential development on three sides, but the marina has existed on the site for over 50 years and largely predates the surrounding uses. There are no anticipated significant impacts with this request as the only planned change is the replacement of the storm-damaged building. Through Comprehensive Plan policy and other actions, the Board has given priority to the encouragement and support of water dependent uses such as marinas. Approval of this application will support the continuation of the use in a way that helps the marina meet changing customer needs.

**Background Information:**

The requested zoning amendment will also eliminate a nonconformity that was created by a 2001 Board action requiring conditional use approval for marinas in the CR zoning district. This was the result of an effort to consolidate upland site plan review for marinas with corresponding water and navigation permit review. That decision allows the Indian Springs Marina to continue operation as a nonconforming use, but any significant changes to the marina would require authorization by the Board through a public hearing. Importantly, the current proposal does not involve a dock permit nor require any action through the County's water and navigation regulations. Marinas are an administratively permitted use in the requested C-3 district.

Many of the Comprehensive Plan objectives and policies cited in the attached staff report were adopted by the Board in 2008 and are partially a result of recommendations from the ad hoc Boating Access Task Force (BATF). In 2005, Pinellas County convened the BATF in an effort to confront and address the issue of diminishing public access to area waters. The BATF recommendations included planning and regulatory considerations and strategies to better address the preservation of water dependent land uses.

The Local Planning Agency (LPA) unanimously recommended approval of all components of the request during their September 10, 2015 public hearing. (Vote 5-0)

**Fiscal Impact:**

N/A

**Staff Member Responsible:**

Gordon Beardslee, Director, Planning

**Partners:**

N/A