



# Pinellas County

## Legislation Details (With Text)

|                      |   |                      |                               |
|----------------------|---|----------------------|-------------------------------|
| <b>File #:</b>       | 21-1039A  | <b>Version:</b>      | 1                             |
| <b>Type:</b>         | Zoning / Land Use and Related Item  | <b>Status:</b>       | Passed                        |
| <b>File created:</b> | 5/17/2021   | <b>In control:</b>   | Board of County Commissioners |
| <b>On agenda:</b>    | 6/22/2021   | <b>Final action:</b> | 6/22/2021                     |
| <b>Title:</b>        | Case No. Q ZON-21-03 (Z & N Properties VI, LLC - f/k/a Belcher Place, LLC)<br>A request for a zoning change 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 of a Development Agreement (DA-10-5-15 and DVA -20-3) on approximately 2.11 acres located on the east side of Belcher Road, approximately 400 feet north of Montclair Road, in unincorporated Clearwater. |                      |                               |

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Recorded Termination of Development Agreement, 2. executed\_Termination\_Development\_Agreement, 3. Adopted RES 21-42, 4. LPA Staff Report, 5. Case Maps, 6. Termination-Release Development Agreement, 7. First Amendment & Existing Development Agreements, 8. Response to Question 13\_ZON-21-03, 9. Resolution-AATF, 10. Resolution, 11. Sketch Map & Legal, 12. Aerial FLUM & Concept Plan.pdf, 13. City of Clearwater\_no objection, 14. Public Notification, 15. Presentation, 16. Legal Ad, 17. Legal Map\_June\_2021, 18. Electronic Affidavit of Publication, 19. Affidavit of Publication, 20. Public Hearing Comment Card\_For

| Date      | Ver. | Action By                     | Action   | Result |
|-----------|------|-------------------------------|----------|--------|
| 6/22/2021 | 1    | Board of County Commissioners | approved | Pass   |

### Subject:

Case No. Q ZON-21-03 (Z & N Properties VI, LLC - f/k/a Belcher Place, LLC)  
A request for a zoning change 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 of a Development Agreement (DA-10-5-15 and DVA -20-3) on approximately 2.11 acres located on the east side of Belcher Road, approximately 400 feet north of Montclair Road, in unincorporated Clearwater.

### Recommended Action:

Based upon evidence and findings contained in the staff report and attachments, Case No. ZON-21-03 is recommended for approval.

A Resolution approving the application of Z&N Properties VI, LLC - f/k/a Belcher Place, LLC for a change in zoning from 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 of a Development Agreement.

- The applicant is seeking a zoning change on a vacant 2.11-acre site.
- The proposed use is 10 single-family attached residential dwellings as limited by the Conditional Overlay.

- The existing Development Agreement restricts the use on the subject property to certain office uses. Terminating it would eliminate those restrictions, allowing for residential development.
- The Local Planning Agency unanimously recommended approval of the request (vote 7-0). No one appeared in favor or in opposition.
- One letter of no objection was received from the City of Clearwater.

### **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 subject site consists of 16 vacant parcels under common ownership totaling approximately 2.11 acres. It is designated Residential/Office General (R/OG) on the Future Land Use Map (FLUM), which allows up to 15 residential units per acre. The site is zoned GO, which allows office uses, but does not permit residential uses. There is also an active Development Agreement which limits the use on the site to office, along with additional site development restrictions.

The applicants wish to develop the property as a 10-unit single-family attached residential subdivision. They are proposing a change to R-5-CO, Urban Residential - Conditional Overlay, which allows compact, urban-style dwelling units typically comprised of smaller living spaces on smaller lots. The request, with the Conditional Overlay, would limit the density and use to 10 single-family attached residential units. By comparison, the R/OG category at the current 2.11 acres would allow up to 30 residential units.

The request also includes the termination request for the Development Agreement approved via Case #Z/LU-2-06-05 and reinstated via Case #DA-10-5-15 and extended via Case #DVA-20-3. The active Development Agreement allows the property to be developed with certain office uses, mandates certain buffers, screening and other requirements aimed at minimizing the potential impacts on the neighboring residential area. The Board of County Commissioners (Board) originally approved the Development Agreement in 2005 but no development activity has commenced, and the property remains vacant. The current approval is good for Five (5) years and will not expire until 2025. The applicant wishes to terminate the Agreement to free the property from its obligations, which will provide flexibility for residential development options.

The subject property is within a predominately medium-density residential area. The area contains a mixture of single-family and multifamily uses and zoning districts. Belcher Road, adjacent to the site, is a Scenic Noncommercial Corridor (SNCC), which the requested zoning is consistent with.

Staff is of the opinion that the proposed Zoning Atlas amendment and Development Agreement termination is appropriate for the subject property. The R-5-CO zoning will provide for single-family development at a density that is compatible with the surrounding development pattern. The maximum residential density, which is based on the FLUM and restricted by the Conditional Overlay, is not increasing, therefore additional impacts to infrastructure are not anticipated. 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 13, 2021 public hearing (Vote Seven (7)-0).

Surrounding property owners within 600 feet of the subject site were notified by mail. A sign advertising the public hearings was posted on the subject site.

**Fiscal Impact:**

N/A

**Staff Member Responsible:**

Carol Stricklin, Director, Housing Community Development

**Partners:**

N/A

**Attachments:**

LPA Report  
Case Maps  
Termination and Release of Development Agreement  
First Amendment and Existing Development Agreements  
Resolution  
Response to Question # 13  
Sketch Plan & Legal  
Aerial Photo, FLU Map & Concept Plan A  
Correspondence  
Public Notification Map  
Power Point Presentation  
Legal Ad  
Legal Ad Map