



Pinellas County

Legislation Details (With Text)

File #: 23-1978A **Version:** 1

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

File created: 12/13/2023 **In control:** Board of County Commissioners

On agenda: 1/30/2024 **Final action:** 1/30/2024

Title: Case No. ZON-22-08 (Cypress Run of FL, LLC)
 A request for a change of zoning on approximately 5.46 acres located on the east side of East Lake Drive across from the intersection of North Highland Avenue in East Lake Tarpon from Residential Agriculture, R-A, Residential Planned Development, RPD, (5.46 acres) and from RPD to R-A, (0.05 acre) with a Development Master Plan, DMP, modification on an RPD zoned property to allow for the addition of 5.41 net acres to the DMP, three residential units, and two multi-use (maintenance/recreation/self-storage) buildings. (Quasi-Judicial)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Adopted RES 24-6, 2. Cypress Run BCC Presentation 1-30-24 PPT, 3. Cypress Run BCC Presentation 1-30-24 pdf, 4. Cypress Run Response to Whetzel Ltr 1-24, 5. LPA Report, 6. Case Maps, 7. AATF - Resolution, 8. Legal & Sketch RR Parcel, 9. Legal & Sketch Warren Parcel, 10. Planning Report, 11. Framework Plans, 12. Cypress Run DMP, 13. Title Certification, 14. Written Consent, 15. Support Correspondence, 16. Opposition Correspondence, 17. Legal Ad, 18. Legal Ad Map, 19. PowerPoint Presentation, 20. Electronic Affidavit of Publication, 21. Affidavit of Publication, 22. Correspondence Rec'd (Support), 23. Correspondence Rec'd (Oppose), 24. Late Filed - (Support), 25. Late Filed - (Oppose), 26. 31_Citizen Comment Cards, 27. 31_Jane Graham

Date	Ver.	Action By	Action	Result
1/30/2024	1	Board of County Commissioners	approved	Pass

Subject:

Case No. ZON-22-08 (Cypress Run of FL, LLC)
 A request for a change of zoning on approximately 5.46 acres located on the east side of East Lake Drive across from the intersection of North Highland Avenue in East Lake Tarpon from Residential Agriculture, R-A, Residential Planned Development, RPD, (5.46 acres) and from RPD to R-A, (0.05 acre) with a Development Master Plan, DMP, modification on an RPD zoned property to allow for the addition of 5.41 net acres to the DMP, three residential units, and two multi-use (maintenance/recreation/self-storage) buildings. (Quasi-Judicial)

Recommended Action:

Based upon the evidence and findings contained in the staff report and attachments, Case No. ZON-22-08 is recommended for approval:

A resolution approving the application of Cypress Run of FL, LLC for a change in zoning from R-A to RPD, (5.46 acres) and from RPD, to R-A, (0.05 acre) with an associated DMP modification.

- On November 14, 2023, the Board of County Commissioners continued this case to the January 30, 2024, public hearing at the applicant's request to give the applicant time to review materials recently submitted in opposition.

- The applicant's representative has indicated an intent to submit a response prior to the rescheduled public hearing date.
- A zoning change on 5.46 acres and a modification of the Cypress Run DMP is requested.
- The proposed future use is three residential units and two multi-use buildings.
- A related Land Use amendment was approved earlier in 2023.
- The Local Planning Agency recommended approval of the current request (vote 4-0). No one spoke at the hearing and one letter of concern was 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:

There are multiple components to this request, including Zoning Atlas amendments at two (2) separate locations and a DMP modification. The subject area is located on the north side of the Cypress Run master planned development and consists of a portion of the existing Cypress Run golf course parcel and another nearby parcel that is the remnant of an abandoned CSX railroad corridor. The area within the golf course parcel currently contains a golf course maintenance facility and the railroad parcel is vacant. The applicant wishes to redevelop the maintenance facility area with three (3) attached or detached single family homes and a multi-use building that could be utilized for indoor recreation purposes, as a maintenance facility, and/or as a self-storage facility for residents of Cypress Run. A second similar multi-use building is proposed on the railroad parcel. In addition, the applicant wishes to carve out a small piece of the maintenance facility area and add it to a small adjacent residential parcel to the north to make room for a proposed homesite expansion on that residential parcel.

Cypress Run was established in 1981. It was approved for a total of 164 single family detached and attached homes along and includes the Cypress Run Golf Course, a clubhouse and tennis courts for use by residents and golf club members. In order to develop the three (3) new residential units, the applicant has purchased and is proposing to incorporate the railroad parcel into the Cypress Run DMP. The railroad parcel contains 5.46 acres, which would allow for three (3) residential units based on the maximum density potential of the underlying Residential Rural Future Land Use Map (FLUM) category (0.5 residential units per acre). Those three units would be transferred to the existing maintenance facility area via the DMP modification. The railroad parcel is currently zoned R-A. To facilitate the inclusion of the railroad parcel into the DMP and the transfer of its three (3) residential units, a zoning change to RPD is required. Notably, the Board approved a FLUM amendment of the maintenance facility area from Transportation/Utility (T/U) to Residential Rural (RR) earlier this year (Case # FLU-22-06). This change allowed for the siting of the proposed residential units, as the former T/U designation did not permit residential uses.

In addition to providing for the inclusion of the railroad parcel into the DMP and the transfer of its residential entitlements, the DMP modification request also establishes the development parameters for the new development areas, such as building type, building setbacks, and building height. Importantly, a 100-foot-wide Duke Energy easement bisects the subject area. The three (3)

residential units are proposed to be located on the south side of the easement, while the multi-use buildings are proposed on the north side. The structures will utilize the existing access point off East Lake Drive. The proposed multi-use buildings are separated from the properties to the north outside of Cypress Run by landscape buffers and must adhere to required setbacks. The areas immediately to the north of the proposed multi-use buildings are heavily vegetated, which creates additional buffering to existing homes. The maximum height for all buildings would be 35 feet, the same as the rest of Cypress Run.

Cypress Run is within the East Lake Community Overlay as recognized by the Pinellas County Comprehensive Plan. The Overlay describes the community's desire to maintain its low-density residential character, expansive open spaces, and limited commercial development. Staff finds that the requested zoning amendment and DMP modification are in keeping with the parameters of the Overlay as the residential density remains low and a significant portion of the railroad parcel will remain open space. The proposed multi-use buildings are in line with the existing maintenance and recreation facilities within Cypress Run and will be amenities for its residents.

Overall, Staff finds that the proposed zoning changes and DMP modifications are appropriate. The planned incorporation of the railroad parcel into the Cypress Run development and the associated transfer of its three residential unit entitlements, along with the planned multi-use buildings, are consistent with the RR land use category and is allowable within the RPD zoning district. In addition, buffering is proposed at appropriate locations along the north property line, no additional development is planned for flood sensitive areas, and a significant portion of the railroad parcel will remain open space. In general, the proposal is compatible with the surrounding uses and is consistent with the Pinellas County Comprehensive Plan and the East Lake Tarpon Community Overlay.

Background Information:

The LPA recommended approval of the request during its October 11, 2023, public hearing (Vote 4-0).

On November 14, 2023, the Board continued the case to January 30, 2024, at the applicant's request to give the applicant time to review materials recently submitted in opposition.

Fiscal Impact:

N/A

Staff Member Responsible:

Carol Stricklin, Director, Housing and Community Development

Partners:

N/A

Attachments:

LPA Report
Case Maps
Resolution
Development Master Plan
Framework Plans
Planning Report

Certification of Ownership
Written Consent
Legal Descriptions
PowerPoint Presentation
Legal Ad
Legal Ad Map
Correspondence in Support
Correspondence in Opposition