



# Pinellas County

## Staff Report

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**File #:** 20-1767A, **Version:** 1

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### **Subject:**

Case No. Q Z/LU-20-07 (Robert & Julie Ferguson and Jerry Hemphill, c/o John M. Williams)  
A request for a zoning change from R-A, Residential Agriculture to R-1, Single Family Residential and a land use change from Residential Suburban and Preservation to Residential Low on approximately 6.45 acres located at the northeast corner of the intersection of 19th Street and Wisconsin Avenue in Palm Harbor.

### **Recommended Action:**

Based upon evidence and findings contained in the staff report and attachments, Case No. Z/LU-20-07 is recommended for approval:

- 1.) An Ordinance approving the application of Robert and Julie Ferguson and Jerry Hemphill, c/o John M. Williams for a land use change from Residential Suburban and Preservation to Residential Low, on approximately 6.45 acres located at the northeast corner of 19<sup>th</sup> Street and Wisconsin Avenue.
  - 2.) A Resolution approving a zoning change from R-A, Residential Agriculture to R-1, Single Family Residential.
- The applicant is seeking land use and zoning changes on 6.45 acres of land that consists of three parcels, one vacant, and two containing homes. If granted, the amendments will allow for single family homes.
  - The applicant is proposing to construct an 18-unit single family subdivision.
  - The Local Planning Agency recommended approval of the request (vote 6-1). The one no vote was concerned about the density increase. Four persons spoke in opposition and one spoke with questions and was undecided. Those in opposition cited various concerns, including traffic, increased density and flooding. They desire for the land use to remain the same.
  - Five letters in opposition have been received. The stated reasons for opposition include flooding concerns, traffic concerns and increased density.
    - a.) Development-related issues and concerns such as flooding will be addressed during the site plan review process and must meet code and permitting requirements.
    - b.) The applicant did not submit a formal traffic study; however, staff analysis indicates that the proposed development would have negligible impacts on area roadways, including Nebraska Avenue and Tampa Road, which are the nearest area roadways that are regulated for levels of service (19<sup>th</sup> Street is classified as a 'local roadway' and is not regulated for level of service).
    - c.) The requested density is consistent with other single-family residential development in the area and the proposed R-1 zoning is the same as the adjacent neighborhoods to the east and west.

### **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 property consists of three parcels totaling approximately 6.45 acres at the northeast corner of 19th Street and Wisconsin Avenue in Palm Harbor. The northern two parcels each contain a single-family home and the southern one is currently vacant. The parcels are primarily designated Residential Suburban (RS) (6.12 acres) on the Future Land Use Map (FLUM), which allows up to 2.5 residential units per acre. There is also a small area that is designated Preservation (P) (0.07 acre) and another small area of Water (0.26 acre). The property is wholly covered by the R-A, Residential Agriculture zoning district. The applicants wish to redevelop the site with an 18-unit single-family residential subdivision, which will require changes to the FLUM and Zoning Atlas. They are proposing a FLUM amendment to Residential Low (RL), which allows up to 5.0 residential units per acre, and a zoning change to R-1, Single-Family Residential (9,500 square foot minimum lots) for the entire subject property. While the proposed RL category could potentially allow up to 32 units on the property based on its acreage, the R-1 zoning district's minimum lot size and required infrastructure improvements for a new subdivision would limit the overall number of units built, which would be determined during site plan review.

The applicant has submitted an environmental report concluding that there are no wetlands on the property and that the onsite pond is artificial. Therefore, they are requesting the existing Preservation and Water designations be changed to RL along with the rest of the site.

Additionally, the subject area, as well as the surrounding area, is designated Residential Low Medium (RLM) on the Countywide Future Land Use Map, which allows up to 10.0 residential units per acre. This amendment would not require a Countywide Map amendment.

The surrounding area consists of a mixture of residential neighborhoods and a church. A large-lot R-A designated property with a single-family home is adjacent on the north, single-family neighborhoods are located to the west across 19th Street and to the east across the 20th Street right-of-way, and a church is to the south across the Wisconsin Avenue right-of-way. The adjacent neighborhoods to the east and west are both zoned R-1 while the church to the south has an Institutional land use. The residential land use designations in the general area are predominantly a mixture of RS and RL with developed densities ranging from 2.0 units per acre to 4.0 units per acre. The Board approved a zoning change from R-A to R-1 on the adjacent neighborhood to the east in 2014 (the same zoning districts involved in this current case).

Comparing the current development potential of the RS FLUM with the potential development potential with the requested RL FLUM designation, the proposal could generate approximately 163 additional average daily vehicle trips split evenly between Nebraska Avenue and Tampa Road. In this location, Nebraska Avenue is operating at a peak hour level of service (LOS) D with a volume to capacity (V/C) ratio of 0.465 and Tampa Road is operating at a peak hour level of service (LOS) C with a volume to capacity (V/C) ratio of 0.636. Neither of these roadways are considered deficient. This change in average daily trips is not expected to significantly impact the operational characteristics of area roadways. These numbers are based on the maximum number of units allowed by the RL land use. As mentioned above, the actual number of units requested is lower than

the maximum allowed due to minimum lot size and infrastructure requirements.

Staff is of the opinion that the proposed RL land use and R-1 zoning categories are appropriate based on the subject property's proximity to other similar uses and densities, general compatibility with the surrounding area, consistency with the Pinellas County Comprehensive Plan and consistency with the Countywide Plan.

**Background Information:**

The Local Planning Agency (LPA) recommended approval of the request during its September 9, 2020 public hearing (Vote 6-1).

Surrounding property owners within 500 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:**

Brian Lowack, Interim Director, Housing and Community Development

**Partners:**

N/A

**Attachments:**

LPA Report  
Maps  
Impact Assessment Report  
Traffic Analysis  
Resolution  
Ordinance  
Boundary & Site Aerial  
Applicant Narrative Summary  
Correspondence  
Power Point Presentation  
Map of Radius Search.