

BOARD OF COUNTY COMMISSIONERS

DATE: February 12, 2013

AGENDA ITEM NO. 15a.

Consent Agenda ☐

Regular Agenda ☒

Public Hearing ☐

County Administrator's Signature:

Subject:

Proposed Dunedin Annexations in Golf View Estates

Department:

Strategic Planning and Initiatives

Staff Member Responsible:

Larry Arrington, Director

Recommended Action:

I RECOMMEND THAT THE BOARD OF COUNTY COMMISSIONERS (BOARD), UNDER THE AUTHORITY GIVEN THE BOARD IN SECTION 14(2) OF CHAPTER 2000-386, LAWS OF FLORIDA, APPROVE THE PROPOSED ANNEXATIONS BY THE CITY OF DUNEDIN OF THE FOLLOWING TWO PARCELS IN THE GOLF VIEW ESTATES SUBDIVISION:

- 1) 8 BIRDIE LANE; AND
- 2) 30 BOGIE LANE.

Summary Explanation/Background:

The City of Dunedin has initiated voluntary annexations of two single-family residential parcels located at 8 Birdie Lane and at 30 Bogie Lane in the Golf View Estates Subdivision (see Attachments 1 and 2). In this vicinity, approximately 60% of the parcels have been annexed over the years into the City of Dunedin. The owners/residents of the subject parcels have received an advisory from the Florida Department of Environmental Protection that tests conducted on their potable water system (well water) indicate that their well water does not meet Florida drinking water standards. Drinking water from their wells is not recommended. The owners/residents desires to connect to the City potable water service. Therefore, the owners/residents have petitioned the City for annexation into the municipality and to connect to the City's potable water system.

The subject parcels are within the Palm Harbor Special Fire Control and Rescue District (Palm Harbor Fire District). The Palm Harbor Fire District is an independent district that is separate and apart from the dependent districts funded by the Board. The Palm Harbor Fire District and the City of Dunedin entered into an interlocal agreement in October 1986 (see Attachment 3) that delineated fire control and suppression service responsibilities for a defined area north of Curlew Road. The interlocal agreement states that fire control and suppression services will be conducted by the City of Dunedin on lands which have been or in the future are annexed into the corporate limits of the City that lie within the boundaries of the defined area of the interlocal agreement. The subject parcels are within this defined area. However, according to the Special Act (Chapter 2000-386, Laws of Florida, see Attachment 4) that recreated the Palm Harbor Fire District, no municipality may annex any territory within the boundaries of the Fire District unless the annexation is first approved by the Board of County Commissioners. That restriction on annexation within the Fire District is why these proposed annexations by the City of Dunedin are before the Board for consideration.

The City of Dunedin will be conducting public hearings, scheduled for March 7, 2013 and March 21, 2013, for annexing these parcels, subject to the Board's approval. If the annexations are approved, the City is proposing to

maintain the present Residential Suburban (RS) future land use designation on the parcels.

County staff recommends that the Board approve the proposed annexations. The 1986 Interlocal Agreement anticipated additional annexations by the City of Dunedin within Golf View Estates, and currently about 60 percent of the subdivision has been annexed. In addition, the annexation would allow the subject sites to connect to the City's potable water system. The City has notified the Palm Harbor Fire District of the proposed annexations. As the subject properties are covered by the October 1986 interlocal agreement, the Chief of the Palm Harbor Fire District states that there is no opposition or comment.

Fiscal Impact/Cost/Revenue Summary:

None

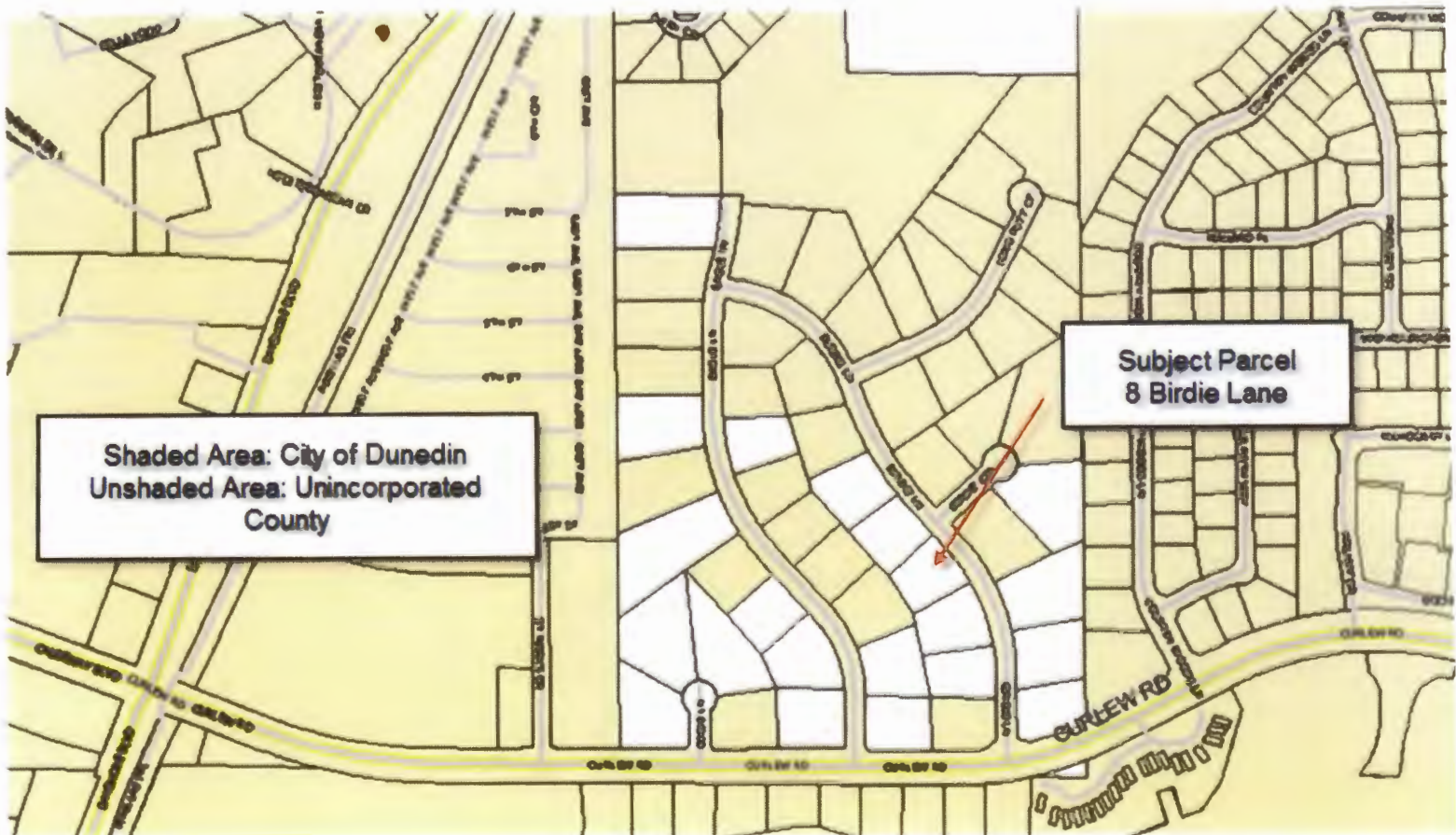
Exhibits/Attachments Attached:

Attachment 1 - Map of 8 Birdie Lane and incorporated and unincorporated parcels of Golf View Estates, and City of Dunedin staff report

Attachment 2 - Map of 30 Bogie Lane and incorporated and unincorporated parcels of Golf View Estates, and City of Dunedin staff report

Attachment 3- October 1, 1986 Interlocal Agreement between Palm Harbor Special Fire Control District and the City of Dunedin

Attachment 4 - Section 14(2) of Chapter 2000-386, Laws of Florida



MEMORANDUM

TO: City Manager (w/o encl.)
City Attorney (w/o encl.)
City Clerk (w/o encl.)
Assistant City Clerk (w/o encl.)
Project Coordinator
Director of Planning & Development
Director of Public Works
Engineering
Fire

FROM: Jennette Duncan, Planning & Development Analyst

DATE: January 8, 2013

SUBJECT: **AN-LUP-Zo 13-50.00 Z/C**
Request for Annexation, Land Use Plan designation to RS (Residential Suburban) and Zoning designation to R-200 (Single-family Residential). Property located at 8 Birdie Lane (Parcel No. 14-28-15-31986-000-0630). Owner/Applicant: Michelle & Keith Vossberg
Annexation, Ordinance No. 13-01
Land Use Plan, Ordinance No. 13-02
Zoning, Ordinance No. 13-03

Staffing Schedule:

1. Planning & Development submit letter to Pinellas Planning Council, Board of County Commission regarding petition for Annexation; notice to Palm Harbor Fire District Wednesday, January 9, 2013
2. Copy of NOTICE OF PROPOSED ANNEXATION AND NOTICE OF PROPOSED ORDINANCE ADOPTION ad sent to County Commissioners, certified mail Wednesday, January 15, 2013
3. City Attorney provide copies of *Ordinances 13-01, 13-02 and 13-03* to Planning & Development Analyst Tuesday, January 22, 2013
4. Fire and Engineering comments regarding request due; Engineering review legal description of property to be annexed to insure accuracy Tuesday, January 22, 2013
5. Planning & Development Analyst publishes legal ad regarding LPA hearing – LUP Amendment (publication date, Saturday, January 26, 2013) Tuesday, January 22, 2013
6. Applicant to advise abutting property owners and submit certificate of mailing to Planning & Development Analyst Monday, January 28, 2013
7. Planning & Development compile all staff comments & forward to City Manager for LPA hearing Friday, February 1, 2013
8. City Manager & staff comments due to Planning & Development Analyst Wednesday, February 6, 2013
9. Planning & Development Analyst distribute application to Local Planning Agency Thursday, February 7, 2013

10. Board of County Commission consider annexation request, pursuant to Chapter 2000-386, Laws of Florida Tuesday, February 12, 2013
11. Local Planning Agency consider Land Use and Zoning Wednesday, February 13, 2013
12. Clerk's Office include announcement of Public Hearing on Commission February 21, 2013 agenda (for hearing on 3/7/13) Friday, February 15, 2013
13. Planning & Development submit NOTICE OF PROPOSED ANNEXATION AND NOTICE OF PROPOSED ORDINANCE ADOPTION for publication on Saturday, February 23, 2013 and March 2, 2013 Monday, February 18, 2013
14. Planning & Development publish NOTICE OF LAND USE PLAN AMENDMENT on Saturday, February 23, 2013 and March 16, 2013 Monday, February 18, 2013
15. Planning & Development compile all staff comments, LPA minutes, County action and forward to City Manager for first reading. Friday, February 22, 2013
16. Planning & Development Analyst distribute application and staffing to City Commission for first reading Friday, March 1, 2013
17. City Commission conduct Public Hearing: Thursday, March 7, 2013
 - A. First reading of *Annexation Ordinance 13-01*
 - B. First reading of *LUP Ordinance 13-02*
 - C. First reading of *Zoning Ordinance 13-03*
 - D. Announce second reading hearing on 3/21/13
18. Planning & Development compile all staffing and forward to City Manager for second reading. Friday, March 8, 2013
19. Planning & Development Analyst distribute application and staffing to City Commission for second reading Friday, March 15, 2013
20. City Commission conduct Public Hearing: Thursday, March 21, 2013
 - A. Second reading of *Annexation Ordinance 13-01*
 - B. Second reading of *LUP Ordinance 13-02*
 - C. Second reading of *Zoning Ordinance 13-03*

cc: Michelle & Keith Vossberg (via email)



Zoning – Land Use – Annex Application

Completion Review

Rezoning – refer to Section 104-23, LDC
Land Use Plan Amendment – refer to Section 104-31, LDC
Annexation – refer to Section 104-34, LDC

Application No.	AN-LUP-2013-50.002/C
Property Address	8 Birdie Ln.
Received	12/11/12

REQUESTED ACTION:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Annexation | <input checked="" type="checkbox"/> Rezoning |
| <input checked="" type="checkbox"/> Land Use Plan Amendment | <input type="checkbox"/> Design Review
(Preliminary Concept Plan and Final Design Review) |
| <input type="checkbox"/> Plat | <input type="checkbox"/> Parkland Dedication (LDO) |
| <input type="checkbox"/> Concurrency | |
| <input type="checkbox"/> Other: _____ | |

- Signed, notarized Application Form
- Signed, notarized Application Submittal Acknowledgement
- Application Fee
- Proof of Ownership
- Property Survey
- Easement Documents
- Legal Description
- Justification Letter (Emergency Connection Request)

SUBMITTED NOT SUBMITTED NOT APPLICABLE

- | | | |
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LPA/CC or County/State Review Comments

ADDRESSED

NOT ADDRESSED

☐

☐

- BOCC Approval required - 2/12/13 hearing date
- Notice to Palm Harbor Special Fire District

☒ The application is complete, public hearing dates are as follows:

Local Planning Agency - February 13, 2013

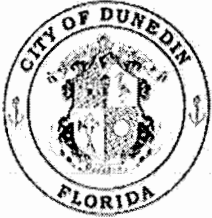
City Commission - March 7 + 21, 2013

☐ The application is incomplete, and will not be scheduled for review until all missing items are provided as indicated above.
Please provide the information as soon as possible in order to meet the next public hearing deadline.

James H. Duncan
Planning & Development Analyst

1/8/2013
Date

Ord. 13-01 Annexation
Ord. 13-02 Land Use Plan Amnd.
Ord. 13-03 Zoning



Application Form

FOR OFFICE USE ONLY

APPLICATION NO. AN-LUP-2013-50.002/C DATE REC'D 12/11/2012 FEE N/A
☐ CONCEPTUAL PLAN REVIEW ☐ FINAL DESIGN REVIEW ☒ ANNEXATION
☒ LAND USE PLAN AMENDMENT ☒ REZONING ☐ OTHER: _____

PROJECT NAME: _____

NAME Keith and Michelle Vossberg
 ADDRESS 8 Birdie Lane CITY Palm Harbor STATE FL
 ZIP CODE 34683 PHONE (1) 813 610-3351 (2) 813-493-2326

NAME Keith and Michelle Vossberg COMPANY _____
 ADDRESS 8 Birdie Lane CITY Palm Harbor STATE FL
 ZIP CODE 34683 PHONE (1) 813 610 3351 (2) 813 493 2326

NAME _____ COMPANY _____
 ADDRESS _____ CITY _____ STATE _____
 ZIP CODE _____ PHONE (1) _____ (2) _____
 E-MAIL _____ FAX _____

PROPERTY LOCATION 8 Birdie Lane, Palm Harbor PARCEL ID 14/28/15/31986/000/0630
 GROSS ACRES .6 DOES THE APPLICANT/OWNER HAVE ANY OWNERSHIP INTEREST IN CONTIGUOUS PROPERTY? ☐ YES ☐ NO

INTENT OF THIS REQUEST (attach additional sheet if necessary)

Requesting annexation to allow for the property to be
provided with city water and hook up.

LIST ALL INDIVIDUALS AND ENTITIES WITH AN OWNERSHIP INTEREST IN THE PROPERTY. LIST SHOULD INCLUDE, WITHOUT LIMITATION, ANY AND ALL GENERAL PARTNERS, CORPORATE OFFICERS, AND MANAGERS OF LIMITED LIABILITY COMPANIES. PLEASE DISCLOSE ANY INTEREST FOR A CONTRACT OF SALE. Keith Vossberg, Michelle Vossberg

I certify that this application and all supplemental data is a true representation of the facts concerning this request. In the event that the applicant/representative is different from the owner, I hereby authorize Keith or Michelle Vossberg to act on my behalf in representing this petition.

The filing of this application does not constitute automatic approval. Approval of this application by the LPA and City Commission, if granted, is not the final approval of the project. The purpose of design review is to quickly gain support for the project before it enters the more costly technical site infrastructure permit process. If the request is approved, I will obtain all necessary permits and comply with all applicable codes and regulations pertaining to the use of the subject property.

DATE 12-10-12 SIGNATURE OF OWNER/TRUSTEE Michelle Vossberg and Keith Vossberg

The foregoing instrument was acknowledged before me on this 10th day of December 2012 by Michelle Vossberg (applicant), who is personally known to me or has produced FL Drivers License V216-544-68-507-0 as identification.

(SEAL)



JENNETTE DUNCAN
 NOTARY PUBLIC
 STATE OF FLORIDA
 Comm# EE023604
 Expires 9/6/2014

(Signature of Notary)

RECEIVED
1/3/13

DOUGLAS L. HILKERT P.A.

Attorney At Law

2557 Nursery Road Suite A
Clearwater, Florida 33764

www.hilkert.com
email: info@hilkert.com

Fax: 727.507.9779
Phone: 727.507.9559

December 14, 2012

File No. 2378-8000

To Whom It May Concern:

We have searched the Public Records of Pinellas County, Florida through November 8, 2012 pertaining to the following described property lying and being in Pinellas County, Florida:

Lot 63, UNIT 2 GOLF VIEW ESTATES, according to the map or plat thereof in Plat Book 49, Page(s) 10, Public Records of Pinellas County, Florida.

a/k/a 8 Birdie Lane; Palm Harbor, Florida 34683

Based on a search of the public records we find title by virtue of the last deed of record recorded in OR Book 17774, page 937, vested in Keith M. Vossberg and Michelle D. Vossberg.

THIS IS A LETTER OF OWNERSHIP ONLY.

Sincerely,

DOUGLAS L. HILKERT P.A.



Douglas L. Hilkert

Date: December 10, 2012
To: City of Dunedin, Manager's office
From: Keith and Michelle Vossberg, 8 Birdie Lane, Palm Harbor
Re: Request for Emergency Water hook up

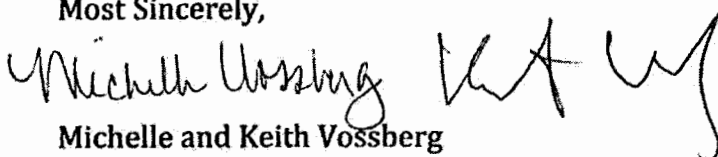
To Who it May Concern,

This is a request for emergency water hook up to 8 Birdie Lane, Palm Harbor, FL 34683. We have recently purchased the new home with the understanding that city water would be available. Our request is due to concerns that there are unsafe levels of arsenic in the surrounding well areas.

Per request, we are submitting our application for annexation to the city as well.

We appreciate your prompt attention to this matter. Should you have any questions or concerns, please contact us at the phone numbers below.

Most Sincerely,


Michelle and Keith Vossberg

8 Birdie Lane, Palm Harbor, FL 34683

(813) 610-3351 or (813) 493-2326

OK,  1.7.13
 1/7/13



CITY OF DUNEDIN

"Dedicated to Quality Service"

P.O. BOX 1348
DUNEDIN, FLORIDA 34697-1348
(727) 298-3000
WEB SITE: www.dunedingov.com

January 15, 2013

Mr. Robert LaSala
Pinellas County Administrator
315 Court Street
Clearwater, FL 33756

RE: Request for Board of County Commission Approval

Dear Mr. LaSala,

The City of Dunedin received a petition for voluntary annexation for property currently within unincorporated Pinellas County at 8 Birdie Lane (Parcel No. 14-28-15-31986-000-0630).

This particular property is within the Palm Harbor Fire District, as created by Special Act of the Legislature, and is therefore subject to Chapter 2000-386, Laws of Florida, whereby no municipality may annex territory within the District "unless the annexation of such territory by the municipality is first approved by the board of county commissioners of Pinellas County" (Section 14, 2).

The City of Dunedin public hearings for annexation have been scheduled for March 7, 2013 and March 21, 2013, subject to the County's approval. Published notice for the City's consideration of annexation is included with this correspondence as required by Chapter 171.044(6), Florida Statutes. Also enclosed is a copy of the notice of annexation addressed to the Palm Harbor Fire District, pursuant to the October 1, 1986 Interlocal Agreement made between the Palm Harbor Special Fire Control District and the City of Dunedin.

Please accept this letter and accompanying documentation as a request for the Board of County Commission's consideration of approving the annexation of property at 8 Birdie Lane into the corporate limits of Dunedin. I respectfully request the item be placed on the February 12, 2013 Board of County Commission agenda for consideration.

Should you have any questions regarding this information, please contact me at (727) 298-3199.

Sincerely Yours,

A handwritten signature in black ink, appearing to read "Gregory A. Rice", is written over a printed name.

Gregory A. Rice

Director of Planning & Development

Encl.

cc: Gordon Beardslee, Pinellas County Planning Division Manager
Michael Crawford, Pinellas Planning Council Interim Executive Director

"The City of Dunedin does not discriminate on the basis of race, color, national origin, sex, religion, age, political affiliation, marital status, sexual orientation and disabled status in employment or the provision of services"

CITY OF DUNEDIN

P. O. BOX 1348
DUNEDIN, FLORIDA 34697-1348
(727) 298-3000

February 18, 2013

Tampa Bay Times
Legal Advertisement Department
lphillips@tampabay.com

Dear Lori,

It is requested that you publish the following Notice of Proposed Annexation and Notice of Proposed Ordinance Adoption with map, two (2) consecutive weeks in the "ROP" section of the Clearwater-North Pinellas edition of the Tampa Bay Times, specifically on Saturday, February 23, 2013 and Saturday, March 2, 2013.

NOTICE OF PROPOSED ANNEXATION AND NOTICE OF PROPOSED ORDINANCE ADOPTION

The Dunedin City Commission will hold a Public Hearing at Dunedin City Hall, 542 Main Street, on Thursday, March 7, 2013 and Thursday, March 21, 2013 at 6:30 P.M. (or as soon thereafter as it may be heard) to hear comments for a request to annex property located at 8 Birdie Lane (Parcel No. 14-28-15-31986-000-0630).

The Dunedin City Commission proposes adoption of Ordinance No. 13-01 entitled, "AN ORDINANCE DECLARING THE INTENTION OF THE CITY OF DUNEDIN, FLORIDA, TO ANNEX CERTAIN REAL PROPERTY LOCATED AT 8 BIRDIE LANE WITH DESIGNATED METES AND BOUNDS AND TOTALING APPROXIMATELY 0.64 ACRES, INTO THE CORPORATE LIMITS OF THE CITY OF DUNEDIN AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE."

Interested parties may appear at the meeting and be heard with respect to this ordinance. All persons are hereby advised that any presentation they make to the Dunedin City Commission will be encouraged to be as concise as possible and that the Commission may limit the time of each individual to permit maximum participation by the public at large.

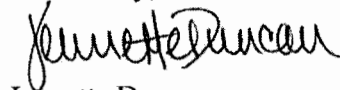
A copy of the proposed ordinance, with complete legal description by metes and bounds or plat reference, is available to the public at the City Clerk's Office, 750 Milwaukee Avenue, during regular business hours. Any person who decides to appeal any decision of the Dunedin City Commission with respect to any matter considered at this hearing will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based - per Florida Statute 286.0105.

The City of Dunedin does not discriminate on the basis of race, color, national origin, sex, religion, age, political affiliation, marital status, sexual orientation, and disabled status in employment or the provision of services.

City of Dunedin, Florida
Denise Schlegel, CMC, City Clerk

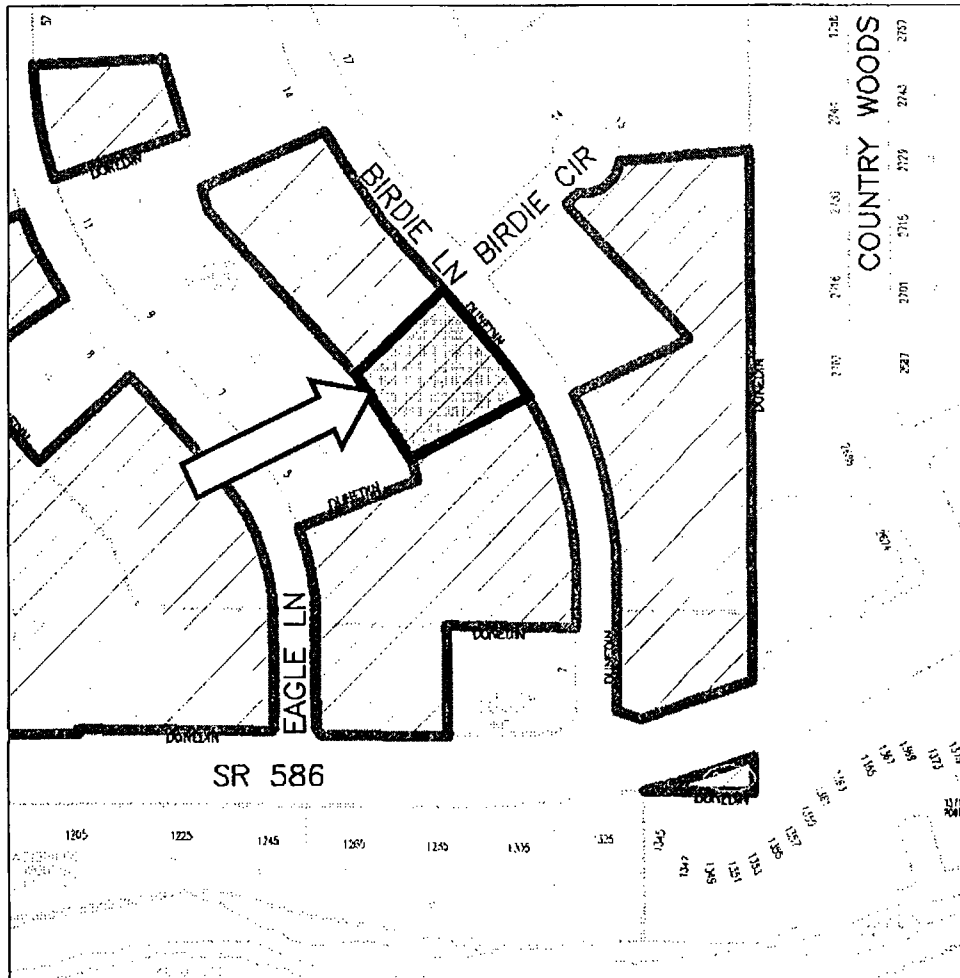
Your attention to this matter is greatly appreciated.

Yours truly,

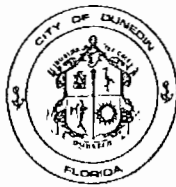
A handwritten signature in black ink, appearing to read "Jennette Duncan". The signature is fluid and cursive, with the first name "Jennette" written in a larger, more prominent script than the last name "Duncan".

Jennette Duncan

Planning & Development Analyst



Application No.
AN-LUP-Zo 13-50.00 Z/C
Property at 8 Birdie Ln.



CITY OF DUNEDIN

"Dedicated to Quality Service"

P.O. BOX 1348
DUNEDIN, FLORIDA 34697-1348
(727) 298-3000
WEB SITE: www.dunedingov.com

January 15, 2013

Secretary/Treasurer
Palm Harbor Fire District
250 West Lake Road
Palm Harbor, FL 34684

RE: Annexation of Property at 8 Birdie Lane (Parcel No. 14-28-15-31986-000-0630)

To Whom It May Concern:

The City of Dunedin received a petition for voluntary annexation for property at 8 Birdie Lane (Parcel No. 14-28-15-31986-000-0630), which is currently within unincorporated Pinellas County and within the Palm Harbor Fire District.

Pursuant to the October 1, 1986 Interlocal Agreement made between the Palm Harbor Special Fire Control District and the City of Dunedin, please accept this letter as written notice for annexation of property at 8 Birdie Lane into the corporate limits of Dunedin. This notification is at least 30 days prior to the passage of the annexation ordinance, as specified in the Agreement (attached).

We have requested the Pinellas County Board of County Commission to consider approval of this annexation on February 12, 2013. The Dunedin City Commission will subsequently consider annexation on March 7, 2013 and March 21, 2013.

Should you have any questions regarding this information, please contact me at (727) 298-3199.

Sincerely Yours,

A handwritten signature in black ink, appearing to read "Gregory A. Rice", is written over a horizontal line.

Gregory A. Rice

Director of Planning & Development

Encl.

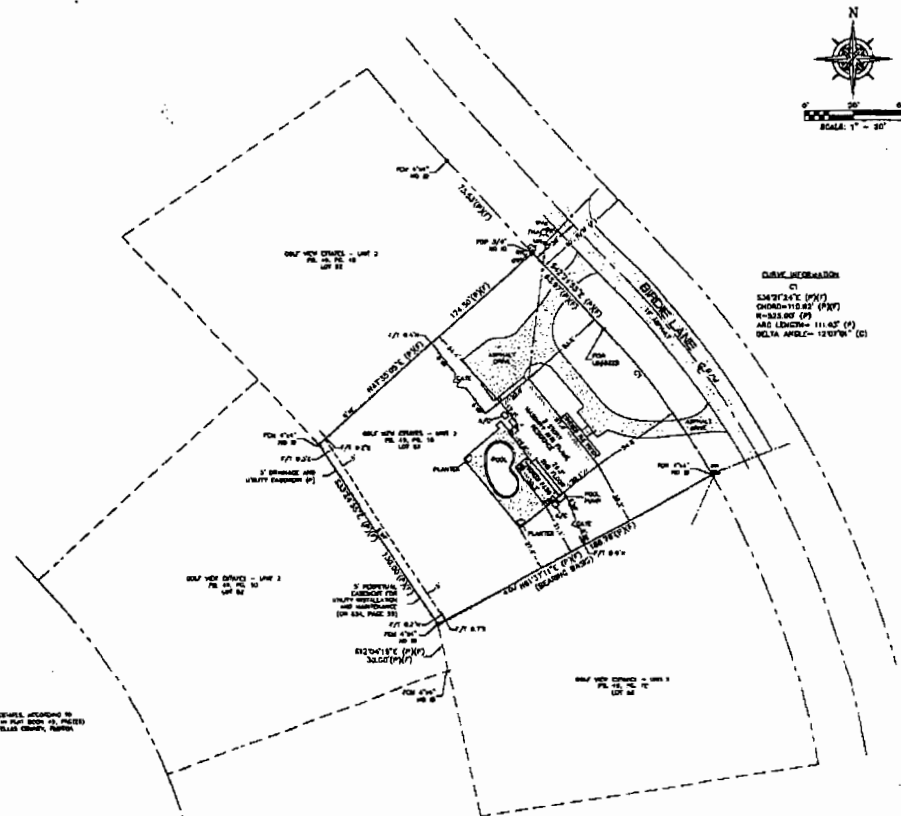
"The City of Dunedin does not discriminate on the basis of race, color, national origin, sex, religion, age, political affiliation, marital status, sexual orientation and disabled status in employment or the provision of services"

1. NAME
 2. DATE OF COMPLETION
 3. NAME OF CONTRACTOR
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97	97	97
98	98	98
99	99	99
100	100	100

[illegible]

48 PWS SYNDROME IS LINKED ON A 9.3-MB-PTV RFLP



LAB. DESCRIPTION

101 AA LANE 2 ONLY WITH SAMPLES. ACCORDING TO THE MAP ON PLAT THEREIN IN PLAT BOOK 49, PAGE 111 IS PUBLIC HIGHWAY OR PUBLIC UTILITY RIGHT-OF-WAY.

DOZET, RUFUS P.
 68 BIRCHMOUNT AVENUE, THE HYDRAULIC CLEANING
 CO. & ROSSMAN AND MICHELL, 8 ROSSMAN
 CO. F-10000

DEUEL & ASSOCIATES

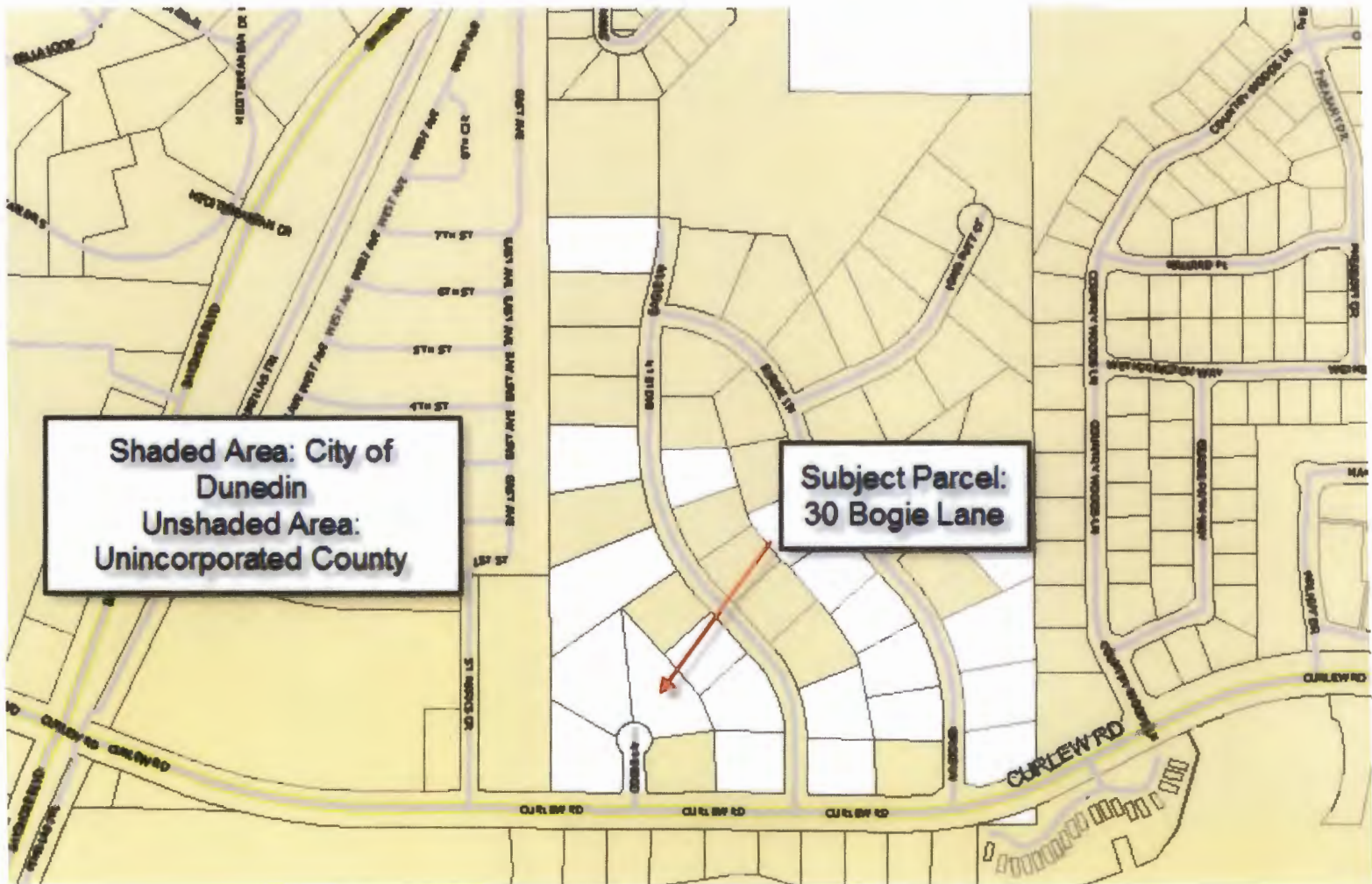
888 SOUTH HOLLAND AVENUE
EL CAJON, CA 92021
PH 760/442-4181 FAX 760/442-7886
WWW.DUKEUNIVERSITY.EDU
CORPORATE OF AUTHORITY TO MANAGE ALL
US-100-100-100-100-100-100

BOUNDARY SURVEY
© 1982 LINT, PALM HARBOR, FL 33653

PREPARED FOR
OZARKAS L. HARRIS, INC.

WFOA WFOA no.	2012-178
Acct #	401
Field Date	OCT. 12, 2012
Stage	1 - JO

AN-WUP-ZD 13-50.00 Z/C



MEMORANDUM

TO: City Manager (w/o encl.)
City Attorney (w/o encl.)
City Clerk (w/o encl.)
Assistant City Clerk (w/o encl.)
Project Coordinator
Director of Planning & Development
Director of Public Works
Engineering
Fire

FROM: Jennette Duncan, Planning & Development Analyst

DATE: January 16, 2013

SUBJECT: AN-LUP-Zo 13-51.00 Z/C

Request for Annexation, Land Use Plan designation to RS (Residential Suburban) and Zoning designation to R-200 (Single-family Residential). Property located at 30 Bogie Lane (Parcel No. 14-28-15-31968-000-0030). Owner/Applicant: Keith Herbrand & Glenn Woods
Annexation, Ordinance No. 13-06
Land Use Plan, Ordinance No. 13-07
Zoning, Ordinance No. 13-08

Staffing Schedule:

1. Planning & Development submit letter to Pinellas Planning Council, Board of County Commission regarding petition for Annexation; notice to Palm Harbor Fire District Wednesday, January 16, 2013
2. Copy of NOTICE OF PROPOSED ANNEXATION AND NOTICE OF PROPOSED ORDINANCE ADOPTION ad sent to County Commissioners, certified mail Wednesday, January 16, 2013
3. City Attorney provide copies of *Ordinances 13-06, 13-07 and 13-08* to Planning & Development Analyst Tuesday, January 22, 2013
4. Fire and Engineering comments regarding request due; Engineering review legal description of property to be annexed to insure accuracy Tuesday, January 22, 2013
5. Planning & Development Analyst publishes legal ad regarding LPA hearing – LUP Amendment (publication date, Saturday, January 26, 2013) Tuesday, January 22, 2013
6. Applicant to advise abutting property owners and submit certificate of mailing to Planning & Development Analyst Monday, January 28, 2013
7. Planning & Development compile all staff comments & forward to City Manager for LPA hearing Friday, February 1, 2013
8. City Manager & staff comments due to Planning & Development Analyst Wednesday, February 6, 2013
9. Planning & Development Analyst distribute application to Local Planning Agency Thursday, February 7, 2013

10. Board of County Commission consider annexation request, pursuant to Chapter 2000-386, Laws of Florida Tuesday, February 12, 2013
11. Local Planning Agency consider Land Use and Zoning Wednesday, February 13, 2013
12. Clerk's Office include announcement of Public Hearing on Commission February 21, 2013 agenda (for hearing on 3/7/13) Friday, February 15, 2013
13. Planning & Development submit NOTICE OF PROPOSED ANNEXATION AND NOTICE OF PROPOSED ORDINANCE ADOPTION for publication on Saturday, February 23, 2013 and March 2, 2013 Monday, February 18, 2013
14. Planning & Development publish NOTICE OF LAND USE PLAN AMENDMENT on Saturday, February 23, 2013 and March 16, 2013 Monday, February 18, 2013
15. Planning & Development compile all staff comments, LPA minutes, County action and forward to City Manager for first reading. Friday, February 22, 2013
16. Planning & Development Analyst distribute application and staffing to City Commission for first reading Friday, March 1, 2013
17. City Commission conduct Public Hearing: Thursday, March 7, 2013
 - A. First reading of *Annexation Ordinance 13-06*
 - B. First reading of *LUP Ordinance 13-07*
 - C. First reading of *Zoning Ordinance 13-08*
 - D. Announce second reading hearing on 3/21/13
18. Planning & Development compile all staffing and forward to City Manager for second reading. Friday, March 8, 2013
19. Planning & Development Analyst distribute application and staffing to City Commission for second reading Friday, March 15, 2013
20. City Commission conduct Public Hearing: Thursday, March 21, 2013
 - A. Second reading of *Annexation Ordinance 13-06*
 - B. Second reading of *LUP Ordinance 13-07*
 - C. Second reading of *Zoning Ordinance 13-08*

cc: Keith Herbrand & Glenn Woods (via email)



Zoning – Land Use – Annex Application

Completion Review

Rezoning – refer to Section 104-23, LDC
Land Use Plan Amendment – refer to Section 104-31, LDC
Annexation – refer to Section 104-34, LDC

Application No.	AN-LUP-2013-51.00 Z/C
Property Address	30 Bogie Lane
Received	1/9/2013

REQUESTED ACTION:

- ☒ Annexation
☒ Land Use Plan Amendment
☐ Plat
☐ Concurrency
☐ Other: _____

- ☒ Rezoning
☐ Design Review
(Preliminary Concept Plan and Final Design Review)
☐ Parkland Dedication (LDO)

- Signed, notarized Application Form
- Signed, notarized Application Submittal Acknowledgement
- Application Fee
- Proof of Ownership
- Property Survey
- Easement Documents
- Legal Description
- Justification Letter

SUBMITTED	NOT SUBMITTED	NOT APPLICABLE
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

LPA/CC or County/State Review Comments

ADDRESSED	NOT ADDRESSED
<input type="checkbox"/>	<input type="checkbox"/>

- BOCC Approval Required
- Notice to Palm Harbor Special Fire District
- DEP paying for water service connection

- ☒ The application is complete, public hearing dates are as follows:

Local Planning Agency February 21, 2013

City Commission - March 7 + 21, 2013

- ☐ The application is incomplete, and will not be scheduled for review until all missing items are provided as indicated above. Please provide the information as soon as possible in order to meet the next public hearing deadline.

Janette Duncan
Planning & Development Analyst

1/15/2013
Date

Ordinance 13-06, Annexation
Ordinance 13-07, Land Use Plan map Amendment
Ordinance 13-08, Zoning Designation



Application Form

FOR OFFICE USE ONLY

APPLICATION NO. AN-WP-2013-51.007/C DATE REC'D 1/9/2013 FEE N/A☐ CONCEPTUAL PLAN REVIEW ☐ DESIGN REVIEW ☒ ANNEXATION☒ LAND USE PLAN ☒ ZONING ☐ OTHER: _____

PROJECT NAME: _____

OWNER

NAME Keith Herbrand & Glenn Woods
ADDRESS 30 Bogie Lane CITY Palm Harbor STATE FL
ZIP CODE 34683 PHONE (1) 727-736-4870 (2) 727-504-6200

APPLICANT

NAME Keith Herbrand & Glenn Woods COMPANY _____
ADDRESS 30 Bogie Lane CITY Palm Harbor STATE FL
ZIP CODE 34683 PHONE (1) 727-736-4870 (2) 727-504-6200

REPRESENTATIVE

NAME _____ COMPANY _____
ADDRESS _____ CITY _____ STATE _____
ZIP CODE _____ PHONE (1) _____ (2) _____
E-MAIL _____ FAX _____PROPERTY LOCATION 30 Bogie Lane PARCEL ID 14-28-15-31968-000-0030GROSS ACRES .19 ACRES ANY OWNERSHIP INTEREST IN CONTIGUOUS PROPERTY? NO

ZONING

CURRENT R-1 Single-family PROPOSED Same

LAND USE

CURRENT County RS - Residential Sub PROPOSED _____

PROPOSED BUILDING(S)

USE _____ SQUARE FOOTAGE _____ HEIGHT _____
USE _____ SQUARE FOOTAGE _____ HEIGHT _____INTENT OF THIS REQUEST Annex into the City of DunedinPLEASE LIST ALL INDIVIDUALS AND ENTITIES WITH AN OWNERSHIP INTEREST IN THE PROPERTY. LIST SHOULD INCLUDE, WITHOUT LIMITATION, ANY AND ALL GENERAL PARTNERS, CORPORATE OFFICERS, AND MANAGERS OF LIMITED LIABILITY COMPANIES. PLEASE DISCLOSE ANY INTEREST FOR A CONTRACT OF SALE. Keith Herbrand & Glenn Woods

I certify that this application and all supplemental data is a true representation of the facts concerning this request. In the event that the applicant/representative is different from the owner, I hereby authorize _____ to act on my behalf in representing this petition.

The filing of this application does not constitute automatic approval. Approval of this application by the LPA and City Commission, if granted, is not the final approval of the project. The purpose of design review is to quickly gain support for the project before it enters the more costly technical site infrastructure permit process. If the request is approved, I will obtain all necessary permits and comply with all applicable codes and regulations pertaining to the use of the subject property.

DATE 1/9/13 SIGNATURE OF OWNER/TRUSTEE Keith Herbrand & Glenn Woods

NOTARY

The foregoing instrument was acknowledge before me on this 9th day of January, 20 13 by Keith Sylvester and Glenn Woods, Jr. (applicant), who is personally known to me or has produced FL Driver's License H016-517-63-251-0 as identification.(SEAL) and W320-292-57-229-0

JENNETTE DUNCAN

NOTARY PUBLIC

STATE OF FLORIDA

Comm# EE023604

Expires 9/6/2014

(Signature of Notary)

SPIRO J. VERRAS

ATTORNEY AT LAW

ATTORNEYS CERTIFICATION OF TITLE

Spiro J. Verras, P.A.
spiro@verras-law.com

January 8, 2012

To Whom This May Concern:

I, Spiro J. Verras, I am an Attorney licensed to practice law in the state of Florida. I have examined a copy of the Deed from Maya Shannon Malloy to Keith S. Herbrand and Glenn L. Woods recorded in Book 11442, Page 1308, Official Records of Pinellas County, Florida that fully warrants the title in the following described property:

Lot 3, Unit 1 GOLF VIEW ESTATES, according to the map or plat thereof,
as recorded in Plat Book 44, Pages 60 and 61, public Records of Pinellas County, Florida.

I have also examined a document showing that this property is listed on the tax rolls as belonging to Keith S. Herbrand and Glenn L. Woods, and that all taxes are paid. Finally, I have also examined such documents and records a necessary for this certification.

I certify that Keith S. Herbrand and Glenn L. Woods, have in fact owned this property since June 22, 2001.

Sincerely,



Spiro J. Verras

Tampa Office

1509 W. Swann Ave., Suite 240A
Tampa, FL 33606
Telephone: 813.228.6800
Telecopier: 813.228.6802

Verras-Law.com

Please reply to Palm Harbor Office

Palm Harbor Office

31640 U.S. Hwy. 19 N., Suite 4
Palm Harbor, FL 34684
Telephone: 727.493.2900
Telecopier (toll-free): 888.908.5750

RE: Emergency water hook up
30 Bogie Lane, Palm Harbor, FL 34683
Property owners: Glenn Woods and Keith Herbrand

1/9/13

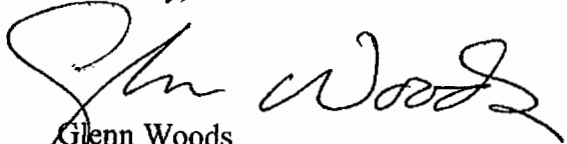
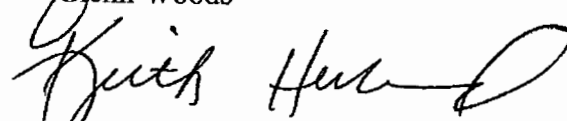
To Whom It May Concern:

Last May 2012, we had our water tested by the EPA and were surprised at their findings.

After learning that our well water contains levels of arsenic which, according to the EPA are unsafe for consumption, we are requesting water hook up for the above property from the city of Dunedin.

We are officially in Palm Harbor and Dunedin's water supply is the only means for our home to have quality water, so I am asking that the City of Dunedin supply us with water as soon as possible. We are also submitting the application for annexation into the city of Dunedin.

Sincerely,


Glenn Woods

Keith Herbrand

*Emergency
connection
request pending.

Memo

From
Office of Planning & Development

1/16/13

To: Rob / Doug

RE: Application No. AN-LUP-Zo 13-51.00 Z/C

Attached please find a request for emergency service connection at 30 Bogie Lane. An application for annexation was submitted as complete last week.

After your consideration, please return the original to me for the official file. Please forward a copy to the Water Division, for service connection.

Thank you!

Jenna



CITY OF DUNEDIN

"Dedicated to Quality Service"

P.O. BOX 1348
DUNEDIN, FLORIDA 34697-1348
(727) 298-3000
WEB SITE: www.dunedingov.com

January 16, 2013

Mr. Robert LaSala
Pinellas County Administrator
315 Court Street
Clearwater, FL 33756

RE: Request for Board of County Commission Approval

Dear Mr. LaSala,

The City of Dunedin received a petition for voluntary annexation for property currently within unincorporated Pinellas County at 30 Bogie Lane (Parcel No. 14-28-15-31986-000-0030).

This particular property is within the Palm Harbor Fire District, as created by Special Act of the Legislature, and is therefore subject to Chapter 2000-386, Laws of Florida, whereby no municipality may annex territory within the District "unless the annexation of such territory by the municipality is first approved by the board of county commissioners of Pinellas County" (Section 14, 2).

The City of Dunedin public hearings for annexation have been scheduled for March 7, 2013 and March 21, 2013, subject to the County's approval. Published notice for the City's consideration of annexation is included with this correspondence as required by Chapter 171.044(6), Florida Statutes. Also enclosed is a copy of the notice of annexation addressed to the Palm Harbor Fire District, pursuant to the October 1, 1986 Interlocal Agreement made between the Palm Harbor Special Fire Control District and the City of Dunedin.

Please accept this letter and accompanying documentation as a request for the Board of County Commission's consideration of approving the annexation of property at 30 Bogie Lane into the corporate limits of Dunedin. I respectfully request the item be placed on the February 12, 2013 Board of County Commission agenda for consideration.

Should you have any questions regarding this information, please contact me at (727) 298-3199.

Sincerely Yours,

A handwritten signature in black ink, appearing to read "Gregory A. Rice".

Gregory A. Rice

Director of Planning & Development

Encl.

cc: Gordon Beardslee, Pinellas County Planning Division Manager (w/o encl.)
Michael Crawford, Pinellas Planning Council Interim Executive Director (w/o encl.)

"The City of Dunedin does not discriminate on the basis of race, color, national origin, sex, religion, age, political affiliation, marital status, sexual orientation and disabled status in employment or the provision of services"

CITY OF DUNEDIN

**P. O. BOX 1348
DUNEDIN, FLORIDA 34697-1348
(727) 298-3000**

February 18, 2013

Tampa Bay Times
Legal Advertisement Department
lphillips@tampabay.com

Dear Lori,

It is requested that you publish the following Notice of Proposed Annexation and Notice of Proposed Ordinance Adoption with map, two (2) consecutive weeks in the "ROP" section of the Clearwater-North Pinellas edition of the Tampa Bay Times, specifically on Saturday, February 23, 2013 and Saturday, March 2, 2013.

NOTICE OF PROPOSED ANNEXATION AND NOTICE OF PROPOSED ORDINANCE ADOPTION

The Dunedin City Commission will hold a Public Hearing at Dunedin City Hall, 542 Main Street, on Thursday, March 7, 2013 and Thursday, March 21, 2013 at 6:30 P.M. (or as soon thereafter as it may be heard) to hear comments for a request to annex property located at 8 Bogie Lane (Parcel No. 14-28-15-31986-000-0030).

The Dunedin City Commission proposes adoption of Ordinance No. 13-06 entitled, "AN ORDINANCE DECLARING THE INTENTION OF THE CITY OF DUNEDIN, FLORIDA, TO ANNEX CERTAIN REAL PROPERTY LOCATED AT 30 BOGIE LANE WITH DESIGNATED METES AND BOUNDS AND TOTALING APPROXIMATELY 1.03 ACRES, INTO THE CORPORATE LIMITS OF THE CITY OF DUNEDIN AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE."

Interested parties may appear at the meeting and be heard with respect to this ordinance. All persons are hereby advised that any presentation they make to the Dunedin City Commission will be encouraged to be as concise as possible and that the Commission may limit the time of each individual to permit maximum participation by the public at large.

A copy of the proposed ordinance, with complete legal description by metes and bounds or plat reference, is available to the public at the City Clerk's Office, 750 Milwaukee Avenue, during regular business hours. Any person who decides to appeal any decision of the Dunedin City Commission with respect to any matter considered at this hearing will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based - per Florida Statute 286.0105.

The City of Dunedin does not discriminate on the basis of race, color, national origin, sex, religion, age, political affiliation, marital status, sexual orientation, and disabled status in employment or the provision of services.

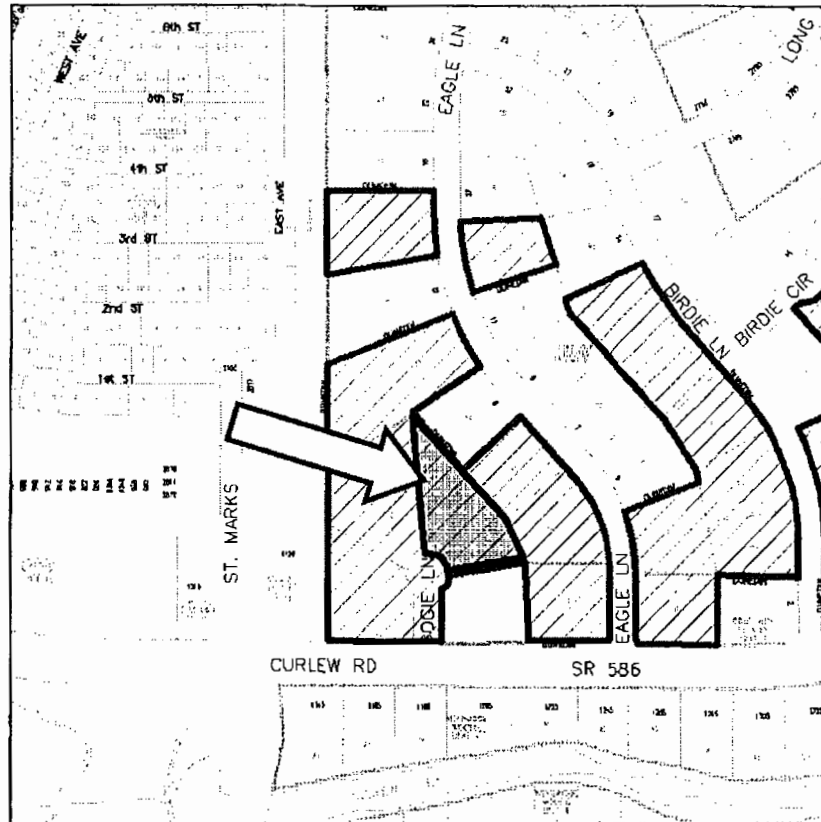
City of Dunedin, Florida
Denise Schlegel, CMC, City Clerk

Your attention to this matter is greatly appreciated.

Yours truly,

A handwritten signature in black ink, appearing to read "Jennette Duncan". The signature is written in a cursive, flowing style.

Jennette Duncan
Planning & Development Analyst



Application No.
AN-LUP-Zo 13-51.00 Z/C
Property at 30 Bogie Ln.



CITY OF DUNEDIN

"Dedicated to Quality Service"

P.O. BOX 1348
DUNEDIN, FLORIDA 34697-1348
(727) 298-3000
WEB SITE: www.dunedingov.com

January 16, 2013

Secretary/Treasurer
Palm Harbor Fire District
250 West Lake Road
Palm Harbor, FL 34684

RE: Annexation of Property at 30 Bogie Lane (Parcel No. 14-28-15-31986-000-0030)

To Whom It May Concern:

The City of Dunedin received a petition for voluntary annexation for property at 30 Bogie Lane (Parcel No. 14-28-15-31986-000-0030), which is currently within unincorporated Pinellas County and within the Palm Harbor Fire District.

Pursuant to the October 1, 1986 Interlocal Agreement made between the Palm Harbor Special Fire Control District and the City of Dunedin, please accept this letter as written notice for annexation of property at 30 Bogie Lane into the corporate limits of Dunedin. This notification is at least 30 days prior to the passage of the annexation ordinance, as specified in the Agreement.

We have requested the Pinellas County Board of County Commission to consider approval of this annexation on February 12, 2013. The Dunedin City Commission will subsequently consider annexation on March 7, 2013 and March 21, 2013.

Should you have any questions regarding this information, please contact me at (727) 298-3199.

Sincerely Yours,

A handwritten signature in black ink, appearing to read "Gregory A. Rice", is written over a printed name.

Gregory A. Rice

Director of Planning & Development

Encl.

"The City of Dunedin does not discriminate on the basis of race, color, national origin, sex, religion, age, political affiliation, marital status, sexual orientation and disabled status in employment or the provision of services"

AS-BUILT SURVEY

LEGEND		
WOOD FENCE	Δ	CENTRAL ANGLE DELTA
WIRE FENCE	D.B.	DEED BOOK
P.N.	D.	DESCRIPTION ON DEED
M	D.H.	DEED HOLE
PROPERTY CORNER	D.W.	DRIVEWAY
RECORD	EASMT	EASEMENT
FIELD MEASURED	EL	ELEVATION
CALCULATED	FF	FINISHED FLOOR
CLEAR	F.C.M.	FOUND CONCRETE MONUMENT
ENCROACHMENT	F.P.K.	FOUND PARKER MONUMENT
ENCLOSURE	L	LENGTH
ENCLOSURE	L.A.E.	LIMITED ACCESS EASEMENT
PROPERTY LINE	M.M.	MANHOLE
CONCRETE MONUMENT	N.T.S.	NOT TO SCALE
FOUND IRON ROD	O.R.	OFFICIAL RECORDS
FOUND IRON PIPE	O.R.B.	OFFICIAL RECORDS BOOK
RIGHT OF WAY	P.C.P.	PERMANENT CONTROL POINT
NAL & DSC	P.R.M.	PERMANENT REFERENCE MONUMENT
DRAINAGE EASEMENT	PA	PAGE
UTILITY EASEMENT	P.W.C.	PWENT
ROAD	P.B.	PLAT BOOK
PLAT	P.O.B.	POINT OF BEGINNING
ASPHALT	P.O.C.	POINT OF COMMENCEMENT
OVERHEAD UTILITIES	P.O.L.	POINT ON LINE
POWER POLE	P.O.C.	POINT OF CURVATURE
TRANSFORMER	P.R.C.	POINT OF REVERSE CURVE
CABLE BENDER	P.T.	POINT OF TANGENCY
WATER METER	R	RADIUS (RADIAL)
TELEPHONE FACILITIES	R.D.E.	ROOF OVERHANG EASEMENT
COVERED AREA	S.A.L.	SET IRON ROD & CAP
BEARING REFERENCE	S.W.	SEWAGE
CHORD	T.B.M.	TEMPORARY BENCH MARK
RADIAL	T.O.B.	TOP OF BANK
NON RADIAL	TYP.	TYPICAL
AIR CONDITIONER	W.C.	WITNESS CORNER
BENCH MARK	10.00	EXISTING ELEVATION
CATCH BASIN	E.O.W.	EDGE OF WATER
CALCULATED		

GENERAL NOTES:

- LEGAL DESCRIPTION PROVIDED BY OTHERS
- THE LINES SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT
- UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED
- WALL TIES ARE TO THE FACE OF THE WALL
- NOT VALID UNLESS SIGNED WITH THE ENGRAVED SURVEYORS SEAL
- ONLY VISIBLE ENCROACHMENTS LOCATED
- NO IDENTIFICATION FOUND ON PROPERTY CORNERS UNLESS NOTED
- DIMENSIONS SHOWN ARE PLAT AND MEASURED UNLESS OTHERWISE SHOWN
- FENCE OWNERSHIP NOT DETERMINED
- ELEVATIONS IF SHOWN ARE BASED UPON M.G.D. UNLESS OTHERWISE NOTED
- BEARINGS REFERENCED TO LINE NOTED AS B.L.R.

I HEREBY CERTIFY THAT THIS AS-BUILT SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION

SIGNED CARL MICHAEL SMITH STATE OF FLORIDA
LAND SURVEYOR & MAPPER NO. 1762

SIGNED GADALY'S G. BELLO-IZINGA STATE OF FLORIDA
LAND SURVEYOR & MAPPER NO. 6169

SIGNED HOE AGUIAR STATE OF FLORIDA
LAND SURVEYOR & MAPPER NO. 3571

THIS SURVEY IS INTENDED FOR MORTGAGE OR REFERENCE PURPOSES ONLY. EXCLUSIVELY FOR THOSE TO WHOM IT IS CERTIFIED. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION, PERMITTING, DESIGN OR ANY OTHER USE WITHOUT THE WRITTEN CONSENT OF FIRST FINANCIAL SURVEYORS, INC.

First Financial Surveyors, Inc.

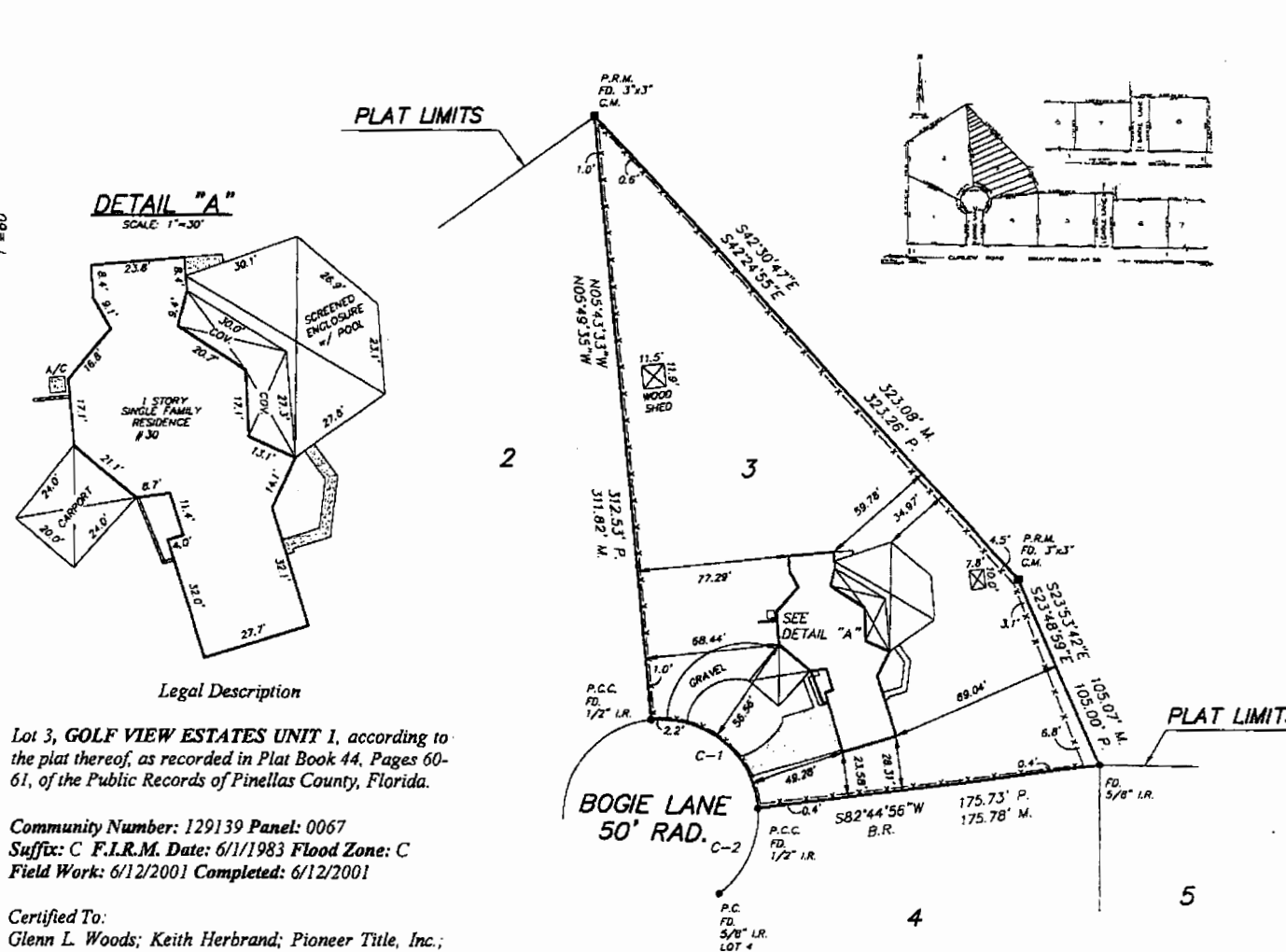
AND AFFILIATED COMPANIES
L.R. 5287

355 Auto America
Ocala, Florida 32765
(407) 877-7010 Fax: (407) 877-7020

6520 SW 12th Street, Suite 8-304
Miami, Florida 33155
(305) 271-3653 Fax: (305) 271-4688

870 Anthony Road Drive
Maitland, Florida 32751
(407) 263-4782 Fax: (407) 263-4781

Internet: 1-800-787-4265 Fax: 1-800-787-4789



Legal Description

Lot 3, GOLF VIEW ESTATES UNIT 1, according to the plat thereof, as recorded in Plat Book 44, Pages 60-61, of the Public Records of Pinellas County, Florida.

Community Number: 129139 Panel: 0067
Suffix: C F.I.R.M. Date: 6/1/1983 Flood Zone: C
Field Work: 6/12/2001 Completed: 6/12/2001

Certified To:
Glenn L. Woods; Keith Herbrand; Pioneer Title, Inc.;
American Pioneer Title Insurance Company; Prizm
Mortgage Company, its successors and/or assigns.

Property Address:
30 Bogie Lane
Palm Harbor, Florida 34683

Survey Number: O-79927

C-1 (P.)	C-1 (M.)	C-2 (P.)	C-2 (M.)
Δ = 91°27'03"	Δ = 91°38'14"	Δ = 57°17'45"	Δ = 57°07'13"
R = 50.00'	R = 50.00'	R = 50.00'	R = 50.00'
L = 79.81'	L = 79.97'	L = 50.00'	L = 49.85'
C = 71.60'	C = 71.71'	C = 47.94'	C = 47.81'
CB = N50°06'45"W	CB = N49°54'08"W	CB = S24°15'44"W	CB = S24°09'38"W

Application No. AN-LUP-20 13-51.00 z/c

COPY

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT made and entered into this 1st day of October, 1986, by and between the PALM HARBOR SPECIAL FIRE CONTROL DISTRICT, a Special District of the State of Florida, hereinafter referred to as "District", and the CITY OF DUNEDIN, Florida, a Florida municipal corporation, hereinafter referred to as "City".

W I T N E S S E T H:

WHEREAS, the District is a public municipal corporation located in Pinellas County created by Chapter 61-2661, Laws of Florida, as amended (the "Act"), to provide fire control services to the residents within the boundaries of the District as defined by the Act; and

WHEREAS, the City, a Florida municipal corporation located in Pinellas County, possesses those powers provided in its charter and granted to municipalities by general law, including the power to render municipal services such as fire control services; and

WHEREAS, the City has annexed certain parcels which lie within the boundaries of the District and are depicted in Exhibit "A" attached hereto; and

WHEREAS, differences have arisen between the parties relative to the provision of fire control services in the annexed areas; and

WHEREAS, the District, pursuant to the Act and general laws, and the City, pursuant to general law, are authorized to enter into an interlocal agreement relating to the provision of fire control services and each desires to enter into this Interlocal Agreement to clarify their respective rights and responsibilities with regards to the provision of fire control services.

NOW, THEREFORE, for and in consideration of the mutual promises and agreements herein made and covenanted and in accordance with the provisions of Florida Statutes Chapter 163, the District and the City do hereby agree as follows:

1. The parties agree that:

A. All lands which have been or in the future are annexed into the corporate limits of the City of Dunedin that lie within the boundary described in Exhibit "A", attached hereto and incorporated herein by reference (hereinafter the "City Fire Control Area"), shall be provided all fire control and suppression services exclusively by the City of Dunedin and will not be subject to the taxing power of the District pursuant to the Act, for the provision of fire services to the inhabitants thereof; and

B. All lands within the District and not lying within the boundary described in Exhibit "A" (hereinafter the "District Fire Control Area"), shall be provided all fire control and suppression services exclusively by the District and shall be subject to the taxing authority of the District as defined by law.

2. Each party shall be obligated to provide fire services to the lands over which it has taxing authority and for which it is responsible for the provision of such fire services, except as is agreed to between the parties in mutual assistance agreements or otherwise.

3. The City and District will jointly provide fire service on a first response basis in the subdivision known as Golfview Estates, with the first unit on the fire scene serving as the site commander; however, no portion of Golfview Estates will be subject to the taxing authority of the City of Dunedin unless and until such lands are annexed into the City of Dunedin. In the event that the District, in the future, desires to exclusively provide first response service to areas of Golfview Estates not yet annexed into the City, it shall notify the City of such desire in writing and shall, thereafter, have the right and obligation to provide fire service on a first response basis to that subdivision.

4. The parties agree that the annexation of any parcel of land into the City which is located within the City Fire Control Area shall be subject to the following:

A. The City shall provide written notice of the annexation to the District at least 30 days prior to the passage of the annexation ordinance.

B. The taxing power of the District will terminate on December 31 following the date of approval of the annexation ordinance.

5. The parties agree that the annexation of any parcel of land into the City which is located within the District Fire Control Area, shall be subject to the following:

A. The City shall provide written notice of the annexation to the District at least 30 days prior to the passage of the annexation ordinance.

B. The City will, in the negotiation and/or approval of any annexation agreements with owners of parcels to be annexed, obtain acknowledgement from said owners that the District is exclusively responsible for the fire services and that the owners will continue to be subject to the taxing authority of the District.

6. The City agrees that the District retains and reserves all rights as a "party affected" as defined in §171.081 to appeal any City annexation in accordance with the provisions of Chapter 171, Florida Statutes, and that approval of this Agreement does not constitute any waiver, or estoppel, of the exercise of any rights of appeal of the District.

7. The provisions of this Agreement relative to the taxing authority of the parties shall become effective as of January 1, 1987, and the provision of this Agreement relative to the requirement of the provision of fire control services shall become effective as of the date of this Agreement.

8. This Agreement shall continue in perpetuity or until otherwise modified by the mutual agreement of the parties.

9. The provision of the services called for to be made hereunder to the inhabitants of the City of Dunedin and to the inhabitants of the District shall be as is otherwise provided by law relative to the taxing authority of the parties and the

lawful expenditures of those tax funds for the public purposes of the parties.

10. The provisions of this Agreement shall not establish an agency relationship between the parties and is intended only to specify the lands on which the taxing authority of each party shall exist and the lands as to which each party shall have the primary obligation of the provision of fire control services.

11. The parties may agree by separate contract, should such contract be authorized by the governing body of each, to provide certain services on behalf of the other party and to be compensated therefor as is further specifically provided for in such contractual agreement.

12. Each party shall be solely responsible for the administration of fire control services within the lands assigned to it under the terms of this Agreement.

13. The terms of this Agreement shall be administered so as to comply with the requirements of Chapter 163, Florida Statutes, in all material respects and the parties agree to cooperate with each other for the accomplishment of this purpose.

14. This Agreement and all subsequent amendments thereto shall be filed with the Clerk of the Circuit Court of Pinellas County and a copy thereof shall be filed with the Secretary of State of the State of Florida.

15. Notices required hereunder shall be sent to:

For the District: Secretary/Treasurer
1123 Illinois Avenue
Post Office Box 246
Palm Harbor, FL 34273-0246

For the City: CITY OF DUNEDIN
Office of the City Manager
City Hall
Dunedin, Florida 33528

16. This Agreement contains the entire understanding between the parties and any amendment hereto shall be in writing, approved by the governing body of each party, and shall be executed with the same formality as this Agreement is executed and filed with the Clerk of the Court of Pinellas County and the Secretary of State of the State of Florida.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

Witnesses as to District:

Herman R. Etherton
Dem. Secy

PALM HARBOR SPECIAL FIRE
CONTROL DISTRICT

By Arnold R. Anson
Chairman

ATTEST:

Butch Pickney
City Clerk
(CITY SEAL)

CITY OF DUNEDIN

By Mary Bonner
Mayor/Commissioner

By John A. Anson
City Manager

Approved as to form:
John A. Anson
City Attorney

STATE OF FLORIDA

COUNTY OF PINELLAS

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgements, Arnold R. Anson, as Chairman of the Palm Harbor Special Fire Control District, to me well known and known to be the person described in and who executed the foregoing Agreement and he acknowledged before me that he executed the same for the purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal at Palm Harbor, said County and State, this 17th day of September, 1986.

Arnold A. Navickas
Notary Public

My commission expires:

NOTARY PUBLIC
MY COMMISSION EXPIRES DEC. 28, 1989.
DONOR: THOMAS NOTARY PUBLIC UNDERWRITERS.

STATE OF FLORIDA

COUNTY OF PINELLAS

I HEREBY CERTIFY that on this day personally appeared before

me, an officer duly authorized to administer oaths and take acknowledgements, MARY BONNER, as Mayor/Commissioner, and JOHN LAWRENCE, as City Manager, of the City of Dunedin, to me well known and known to be the persons described in and who executed the foregoing Agreement and they acknowledged before me that they executed the same for the purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal at Dunedin, said County and State, this 8th day of October, 1986.

Charles A. Deschner
Notary Public

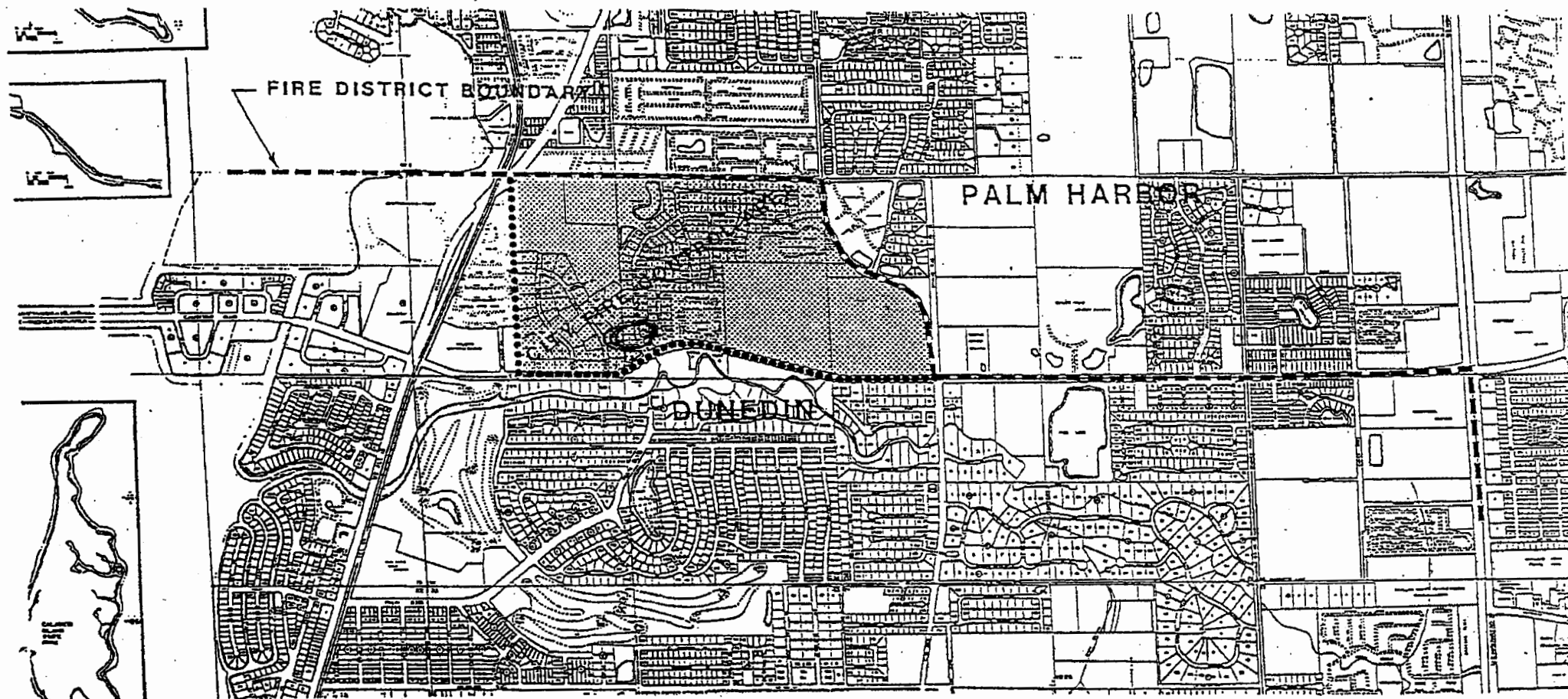
My commission expires:

NOTARY PUBLIC, STATE OF FLORIDA.
MY COMMISSION EXPIRES DEC. 8, 1989.
BONDED THRU NOTARY PUBLIC UNDERWRITER

CITY FIRE CONTROL AREA

Begin at the northeast corner of Section 14, Township 28 South, Range 15 East, Pinellas County Florida; thence run southerly along the centerline of county Road No. 1 to the centerline of State Road # 586 (Curlew Road); thence run westerly along the centerline of said State Road # 586 (Curlew Road) to the extension of the western boundary of Golf View Estates Unit 1 according to plat thereof as recorded in Plat Book 44 pages 60-61 of the Public Records of Pinellas County, Florida; thence run northerly along the west boundary of said Golf View Estates Unit 1 and continuing along the west boundary of Golf View Estates Unit 2 as recorded in Plat Book 49 page 10 to the northwest corner of said Golf View Estates Unit 2, said point being on the east line of the Honeymoon Mobile Home Park; thence continue along the east line of the Honeymoon Mobil Home Park and the extension thereof to the north line of Section 14, Township 28 South, Range 15 East, Pinellas County, Florida; thence run east along the north line of said Section 14 to the POINT OF BEGINNING.

EXHIBIT "A"



LEGEND



FIRE DISTRICT BOUNDARY



CITY FIRE CONTROL AREA

Ch. 2000-386

LAWS OF FLORIDA

Ch. 2000-386

(2) The board of commissioners may adopt such policies, and regulations, and ordinances as it may deem necessary to carry out the transaction of its business and the provisions of this act. The board shall have the right, power, and authority to enact and enforce a fire prevention ordinance in the same manner that other ordinances of the District are adopted.

(3) The board of commissioners shall adopt uniform ordinance procedures. Ordinances shall be signed, dated, and recorded with the clerk of the court of Pinellas County, and published as provided by Florida law. Ordinances shall be effective after publication, which constitutes legal notice of same.

(4) The board may specify, by rule, civil penalties for violations of such ordinances and a maximum daily fine of \$1,000.

(5) In any civil action brought by the Palm Harbor Special Fire Control and Rescue District to enforce the provisions of its charter or its duly enacted ordinances, including, but not limited to, actions brought to collect fees, taxes, or other moneys owed to the Palm Harbor Special Fire Control and Rescue District, the party in whose favor a judgment or decree has been rendered may recover reasonable court costs and attorney's fees from the nonprevailing party.

Section 13. Public disclosure.—Requirements for financial disclosure, meeting notices, reporting, public records maintenance, and per diem expenses for officers and employees shall be as set forth in chapters 112, 119, 189, 191, and 286, Florida Statutes, as they may be amended from time to time.

Section 14. Dissolution and annexation of District.—

(1) The special fire control District shall exist until dissolved by law. Should any municipality, city, village, town, or other fire control District, or any other municipal corporation, annex or cause to be annexed to its territorial limits any part or portion of land included in the District, said fire control District shall continue as the sole taxing authority for fire control purposes. However, this shall not preclude an interlocal agreement between the entity initiating the annexation and the District, as it relates to fire control.

(2) Notwithstanding any other provision of law, no municipality in Pinellas County may annex any unincorporated territory situated on the effective date of this act within the boundaries of the Palm Harbor Special Fire Control and Rescue District unless the annexation of such territory by the municipality is first approved by the board of county commissioners of Pinellas County.

Section 15. Definitions.—For purposes of this act, unless the context clearly requires otherwise, the word "District" means the Palm Harbor Special Fire Control and Rescue District hereby established, and the terms "board," "commissioners," and "board of commissioners" mean the Board of Commissioners of the Palm Harbor Special Fire Control and Rescue District as created and organized in this act.

Ch. 2000-386

Section 16. I.

(1) It is herel service within t should be borne construction req tive intent of thi a fair share of facilities.

(2) The Distr within the Distr amount of such

(3) No person dwelling units c trict, or issue o developments lo paid any applica tive; however, u before issuance the District.

(4) The impa be kept as a sep used exclusively ties or portions construction. "N cluding, but not fees shall not be ties which must district. The bo ensure that imp

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