

BOARD OF COUNTY COMMISSIONERS

DATE: June 18, 2013

AGENDA ITEM NO. 25a.

Consent Agenda ☐

Regular Agenda ☐

Public Hearing ☒

County Administrator's Signature

Subject:

Zoning Case No. (Q) Z-4-2-13 (La Mirage Beauty Salon, Inc.)

Department:

Strategic Planning and Initiatives

Staff Member Responsible:

Larry Arrington, Director

Recommended Action:

I RECOMMEND THAT THE BOARD OF COUNTY COMMISSIONERS (BOARD) APPROVE THE ZONING REQUEST OF P-1 FOR THE UPLAND PORTION (3.3 ACRES) OF THE SUBJECT SITE, P/C (PRESERVATION/CONSERVATION) FOR THE WETLAND PORTION (1.7 ACRES) OF THE SITE, AND THE AMENDED DEVELOPMENT AGREEMENT TO ALLOW A MAXIMUM OF 14,690 SQ. FT OF DEVELOPMENT WHERE 10,454 SQ. FT. IS CURRENTLY ALLOWED, AND THAT THE AUTHORITY BE GRANTED FOR THE CHAIRMAN TO SIGN THE DEVELOPMENT AGREEMENT AND THE CLERK TO ATTEST AND RECORD.

Summary Explanation/Background:

The request is to change the zoning to P-1, General Professional Office from P-1A, Limited Office and Professional to allow for the expansion of up to 14,690 sq. ft. of development. The applicant initially requested a variance for a side setback variance however the variance is no longer being requested. Additionally, the applicant has also agreed to designate the environmentally sensitive portion of the site to the PC, Preservation Conservation district to recognize the environmentally sensitive area of the site. The property is designated as R/OG, Residential/Office General, and as such, the request is compatible with the Future Land Use Map. All proposed development will meet the required setbacks.

Fiscal Impact/Cost/Revenue Summary:

N/A

Exhibits/Attachments Attached:

Staff Report with LPA Recommendation, Zoning Maps, Development Agreement, Site Plan and Resolution

**LOCAL PLANNING AGENCY (LPA) RECOMMENDATION to the
BOARD OF COUNTY COMMISSIONERS**



Regarding: Case No. Z-4-2-13

LPA Recommendation: The LPA finds that the proposed amendment and Development Agreement as modified below are consistent with the Pinellas County Comprehensive Plan, and recommends Approval of the zoning amendment and Development Agreement with the following modifications: (The vote was 6-0, in favor)

- 1) That the requested zone change of P-1 apply only to the **upland portion of the site** (3.3 acres).
- 2) That the **wetland portion of the site** (1.7 acres) be designated as P/C.
- 3) That the amended Development Agreement allow a maximum of 14,690 sq. ft. of development where 10,454 sq. ft. is currently allowed.

The applicant withdrew the variance request prior to the LPA hearing.

LPA Public Hearing: May 8, 2013

PLANNING STAFF RECOMMENDATION:

Staff recommends that the LPA find that (1) the proposed amendment to the Zoning Atlas for the **upland** portion of the subject area is **CONSISTENT** with the Pinellas County Comprehensive Plan subject to the limitations contained in a modified development agreement (with the modification recommended by staff below), and that (2) the proposed amendment to the Zoning Atlas for the **wetland** portion of the subject area is **INCONSISTENT** with the Pinellas County Comprehensive Plan.

Staff further recommends that the LPA recommend to the Pinellas County Board of County Commissioners the following:

1. That the requested zone change of P-1 for the **upland** portion of the subject area and the requested setback variance be approved,
2. That the requested zone change of P-1 for the **wetland** portion of the subject area be denied and that the wetland portion of the site be designated as PC; and
3. That the proposed development agreement be approved with the modification that the development rights on the subject area be limited to a maximum of 14,690 square feet, for the reasons explained in this report.

CASE SUMMARY

APPLICANT'S NAME: La Mirage Beauty Salon, Inc.

DISCLOSURE: Owners: Olga and Danny Boudreau

REPRESENTED BY: Todd Pressman & Katherine E. Cole

ZONING CHANGE	
FROM:	P-1A, Limited Office and Professional
TO:	P-1, General Professional Office
And a variance to allow a 10 ft. side setback where a 15 ft. side setback is required in a P-1 zone. With a Development Agreement to allow an 18,650 sq. ft. building addition for office space not to exceed one-story in height as shown on the concept plan.	

PROPERTY DESCRIPTION:

Approximately 5.00 acres located on the south side of Tampa Road, 390 feet north of Calibre Downs Lane (Street address being: 3730 Tampa Road, Palm Harbor).

PARCEL ID(S): 08/28/16/47437/000/0010 & 0020

PROPOSED BCC HEARING DATE: June 18, 2013

CORRESPONDENCE RECEIVED TO DATE:

No correspondence received.

PERSONS APPEARING AT THE LOCAL PLANNING AGENCY HEARING:

No one appeared.

SURROUNDING ZONING AND LAND USE FACTS:

	Land Use Category	Zoning Designation	Existing Use
Subject Property:	Residential/Office General	P-1A	Personal Service (Salon and Offices)
Adjacent Properties:			
North	Residential Low	RPD-5	Multi-Family Residential
East	Residential Urban	RPD-7.5	Multi-Family Residential
South	Residential Urban	RPD-7.5	Multi-Family Residential
West	Residential Low	RPD-7.5	Multi-Family Residential

STAFF DISCUSSION AND ANALYSIS**BACKGROUND DISCUSSION**

This subject area was before the Board of County Commissioners in 1998 to amend the Future Land Use Map from Institutional to Residential/Office General and to amend the Zoning Atlas from Residential Planned Development-7.5 units per acre (RPD-7.5) District to the Limited Office (P-1A) District to allow for limited office and professional service uses on the site. These proposed amendments were approved along with a development agreement that limited the amount of development to a maximum of 10,454 sq. ft. of office space that could occur on the site, recognizing that 76% of the development rights for this site had already been transferred off the property and used on surrounding parcels of land. The subject area was initially part of a larger development project when this transfer occurred. Approximately one-third of the site (1.70 acres) consists of wetlands (which are part of a larger wetland area that extends to the west).

COMPATIBILITY WITH NATURAL ENVIRONMENT AND SURROUNDING LAND USES

The applicant is now requesting that the site's zoning be amended to the General Professional Office (P-1) zoning district, along with a development agreement that would increase the development potential on the site from 10,454 square feet to 18,650 square feet, which is an increase of 78%. This proposal would designate not only the uplands but also the wetlands with the more intense P-1 zoning district, which would establish the same development potential for the wetlands as for the upland portion of the property; under the applicant's proposal, the resulting additional development rights on the wetlands would be moved to the uplands. Under current County policy, however, the 1.70 acres of wetlands on the site should be designated with the Preservation/Conservation (PC) zoning district with limited development rights, consistent with the environmental sensitivity of this portion of the site. Areas zoned PC ordinarily have a nonresidential floor area credit of 0.05 that may be used on adjacent uplands for development purposes. Since 76% of the development rights have already been transferred from the site, including the wetlands, the nonresidential floor area credit for the wetlands located on this subject site if a PC zoning designation is applied would be $0.05 \times 24\%$ or 0.012. Therefore, if the freshwater wetlands are zoned PC, consistent with the Comprehensive Plan and the Zoning Code, the maximum development on the site would be 14,690 square feet (a 41% increase) rather than the requested 18,650 square feet.

The previous Board decision in 1998 to place the P-1A zoning on the subject area even though the Future Land Use Map designation of Residential/Office General would have permitted the P-1 zoning district recognized that there were concerns at the time about the amount of office development that would be appropriate for this site. Based upon its evaluation of the proposal, staff recommends approval of the requested P-1 zoning for the upland portion of the subject area, but recommends that the 1.70 acres of wetlands on the site be designated as PC on the Zoning Atlas. As noted above, this would increase the development potential on the subject area by 41%. This increase is felt to be reasonable given the environmental sensitivity of one third of the site, the adjacent residential uses, and the relatively small area identified on the concept plan where the additional office development would occur. This recommended modification to the proposal would necessitate revisions to the proposed development agreement to state that the development rights on the subject area shall be limited to a maximum of 14,690 square feet.

REQUESTED VARIANCE

The applicant has also requested a variance to Section 138-745(d)(2) of the Zoning Code to reduce the northeast side setback from 15 feet to 10 feet as shown on the concept plan that is included as part of the development agreement. Staff supports the requested variance due to the unusual triangular shape of the area where an office structure would be constructed if the proposed rezoning is approved, and the constraints that an existing sewer line places on the location for an additional office building. The concept plan limits any future building on this portion of the site to one story, which along with adequate landscaping and buffering, should result in office development that is compatible with the adjacent multi-family residential use.

<p style="text-align: center;">IMPLEMENTATION OF THE PINELLAS COUNTY COMPREHENSIVE PLAN</p>
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Staff finds that the proposed amendment for the wetland portion of the site is inconsistent with the following adopted objectives and policies of the Pinellas County Comprehensive Plan:

Future Land Use and Quality Communities Element

- Objective 1.2 Establish development regulations that respond to the challenges of a mature urban county with established communities that are experiencing infill development and redevelopment activity.
- Policy 1.2.6 Land development regulations that implement the Comprehensive Plan may be more restrictive than the land use standards contained within the Plan.
- Objective 3.1 The Pinellas County Land Development Code shall be applied in a manner that ensures compatibility between the Future Land Use Map, existing environmental conditions and constraints, as well as environmental management goals.
- Policy 3.1.3 The natural environment shall be both preserved and enhanced by a sensitive land use program which will include adherence to, but not be limited to, the following chapters of the Land Development Code: Habitat Management and Landscaping; Floodplain Management; Flood Damage Prevention; Site Development and Platting; Comprehensive Zoning Regulations; and any other applicable regulations that deal with on-site environmental concerns but also with surrounding land uses.

Staff finds that the proposed amendment for the upland portion of the site is consistent with the following adopted objectives and policies of the Pinellas County Comprehensive Plan:

Future Land Use and Quality Communities Element

- Objective 1.2 Establish development regulations that respond to the challenges of a mature urban county with established communities that are experiencing infill development and redevelopment activity.
1. 2.4. Policy: Recognizing that successful neighborhoods are central to the quality of life in Pinellas County, redevelopment and urban infill development should be compatible with and support the integrity and viability of existing residential neighborhoods.
- 1.2. 5. Policy: The Board shall implement land development regulations that are compatible with the density, intensity, and other relevant standards of those land use categories defined in the Future Land Use and Quality Communities Element.

COUNTY DEVELOPMENT REGULATIONS

Approval of this request does not ensure that the site can meet County development regulations, including concurrency management regulations, which apply at the time of site plan review.

Attachment (Maps)

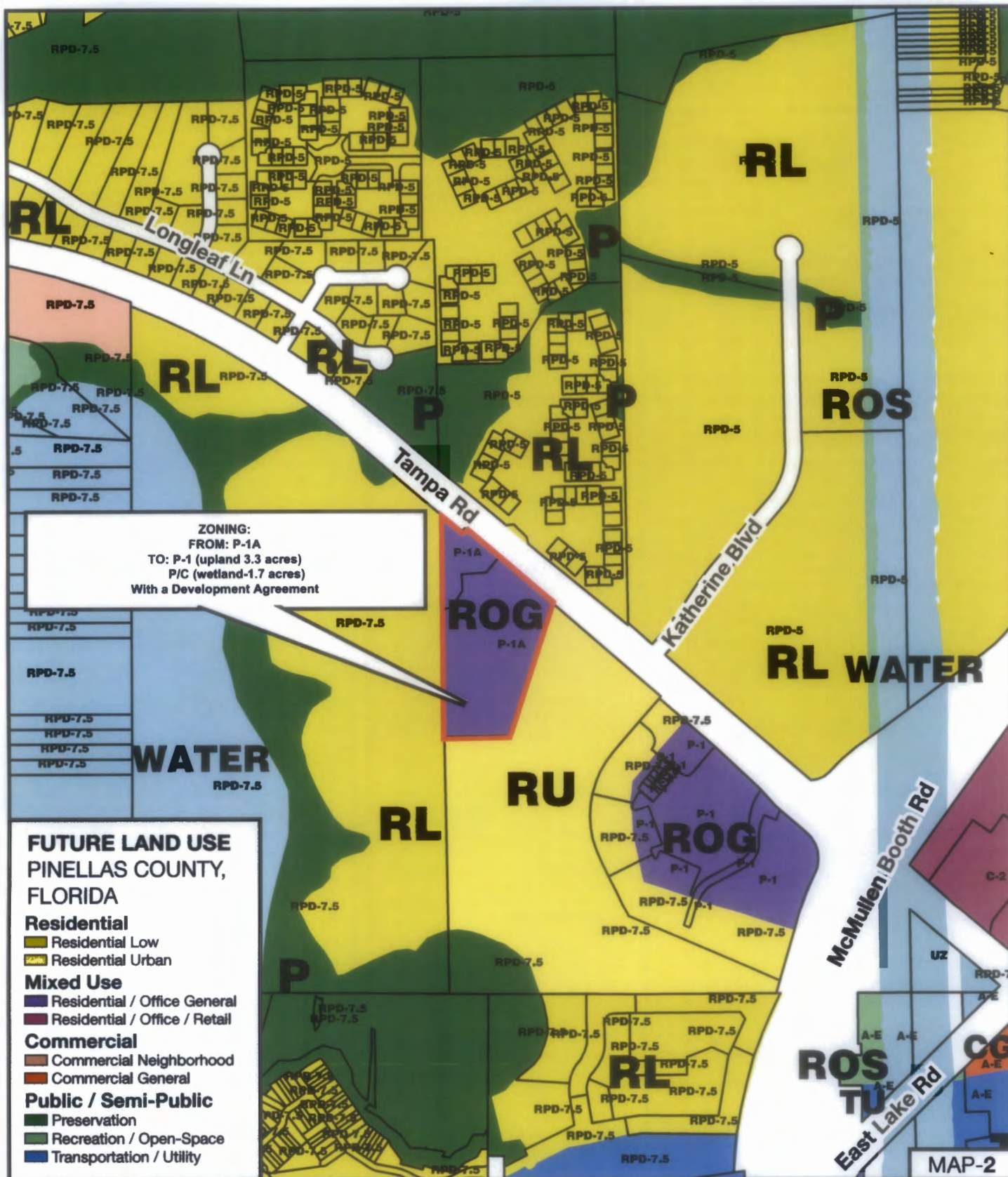
Z-4-2-13

Zone change FROM: P-1A, Limited Office and Professional, TO: P-1, General Professional Office (upland-3.3 acres) AND P/C, Preservation/Conservation (wetland- 1.7 acres) AND a Development Agreement for a modification to allow the maximum of 14,690 sq. ft. of development where 10,454 sq. ft. is currently allowed.

Parcel I.D. 08/28/16/47437/000/0010 & 0020

Prepared by: Pinellas County Strategic Planning & Initiatives - May 2013





Z-4-2-13

Zone change FROM: P-1A, Limited Office and Professional, TO: P-1, General Professional Office (upland-3.3 acres) AND P/C, Preservation/Conservation (wetland- 1.7 acres) AND a Development Agreement for a modification to allow the maximum of 14,690 sq. ft. of development where 10,454 sq. ft. is currently allowed.

Parcel I.D. 08/28/16/47437/000/0010 & 0020

Prepared by: Pinellas County Strategic Planning & Initiatives - May 2013





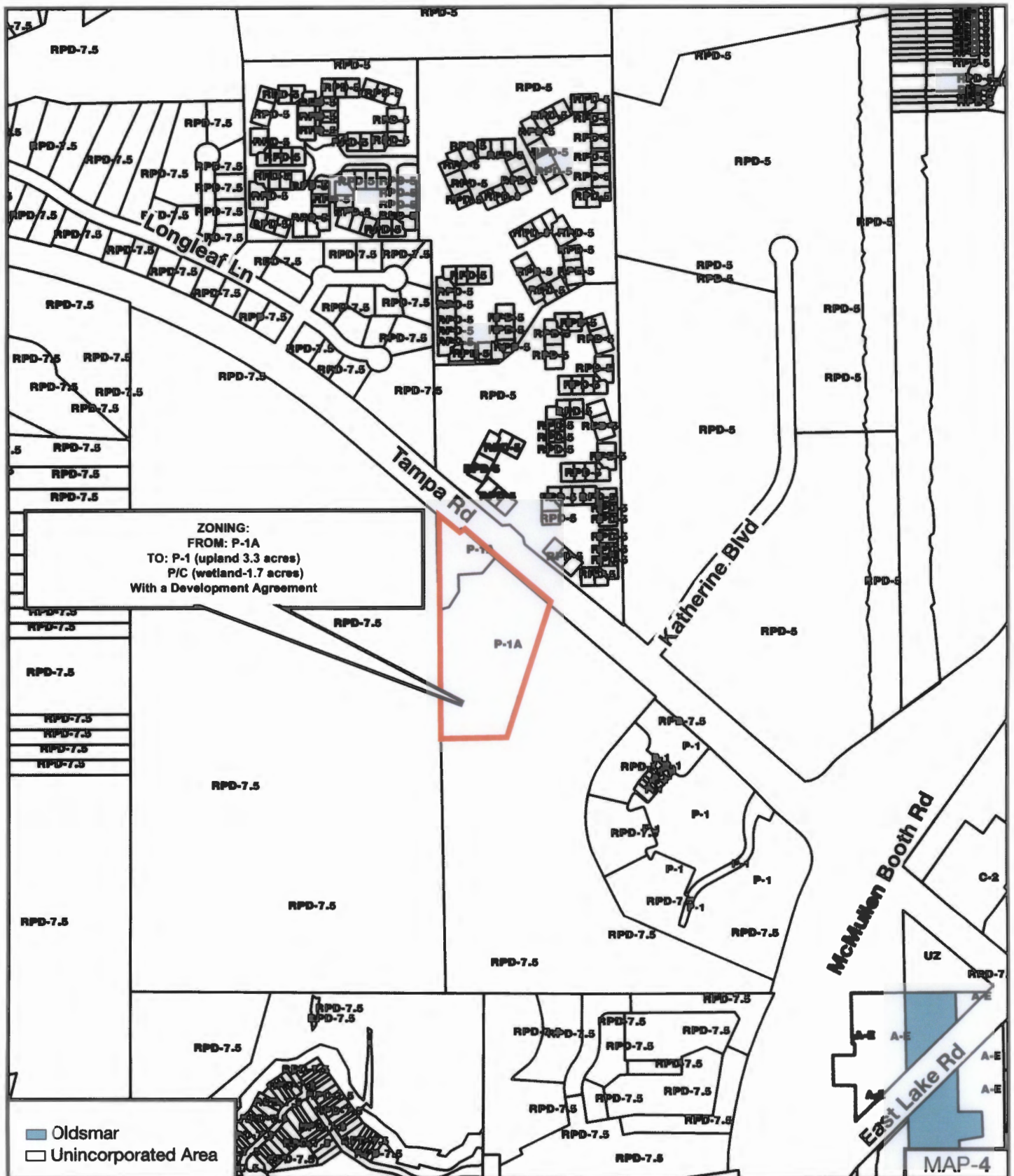
Z-4-2-13

Zone change FROM: P-1A, Limited Office and Professional, TO: P-1, General Professional Office (upland-3.3 acres) AND P/C, Preservation/Conservation (wetland- 1.7 acres) AND a Development Agreement for a modification to allow the maximum of 14,690 sq. ft. of development where 10,454 sq. ft. is currently allowed.

Parcel I.D. 08/28/16/47437/000/0010 & 0020

Prepared by: Pinellas County Strategic Planning & Initiatives - May 2013





Z-4-2-13

Zone change FROM: P-1A, Limited Office and Professional, TO: P-1, General Professional Office (upland-3.3 acres) AND P/C, Preservation/Conservation (wetland- 1.7 acres) AND a Development Agreement for a modification to allow the maximum of 14,690 sq. ft. of development where 10,454 sq. ft. is currently allowed.

Parcel I.D. 08/28/16/47437/000/0010 & 0020

Prepared by: Pinellas County Strategic Planning & Initiatives - May 2013



REINSTATED, REAFFIRMED AND AMENDED DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT ("Agreement") is dated May __, 2013, and entered into by and among LA MIRAGE BEAUTY SALON, INC, a Florida corporation ("Owner"), as successor in title to Community Presbyterian Church of Tampa, Inc., a Florida not-for-profit corporation ("Former Owner") and PINELLAS COUNTY, FLORIDA, a political subdivision of the State of Florida, acting through its Board of County Commissioners, the governing body thereof (the "County").

Recitals

A. On February 9, 1999, Former Owner and the County entered into that certain Development Agreement recorded in the public records of Pinellas County at OR Book 10402, Page 1563 ("Original Development Agreement") concerning the real property more particularly described on Exhibit "A" attached hereto and incorporated herein ("Real Property").

B. The Original Development Agreement expired after five years pursuant to the terms therein.

C. The County and the Owner desire to reinstate their mutual obligations as stated in the Original Development Agreement, subject to the changes contained herein.

D. The Development Agreement sets forth the conditions and limitations, and development parameters for the development of the Real Property.

E. Owner has requested an amendment to the zoning category to P-1 (General Professional Office) for approximately 3.3 acres of uplands on the Real Property and to P/C (Preservation/Conservation) for approximately 1.7 acres of wetlands on the Real Property, as shown on the concept plan attached hereto as "Exhibit "B" ("Concept Plan").

F. The Owner and County desire to modify the Original Development Agreement as more particularly set forth herein below.

STATEMENT OF THE AGREEMENT

In consideration of and in reliance upon the promises, the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto intending to be legally bound and in accordance with the Act, agree as follows:

1. Recitals. The above recitals are true and correct and are a part of this Agreement.

2. Ratification and Reaffirmation of Development Agreement. Except as specifically modified herein, all terms and conditions of the Original Development Agreement are hereby ratified and reaffirmed by the parties hereto and incorporated herein. In addition, any defined term in the Original Development Agreement shall have the same meaning in this Agreement.

3. Effective Date; Duration of Agreement. This Agreement shall become effective as provided for by the Act and shall remain effective for five years from the Effective Date.

4. Zoning and Land Use Designation Changes. Notwithstanding anything to the contrary in the Agreement, concurrent with the approval of this Agreement, the zoning category shall be amended to General Professional Office (P-1) and to Preservation/Conservation (P/C) and the future land use category shall be Residential/Office General (R/OG). All references to the P-1A zoning category shall be deleted and replaced with P-1. Any reference to R/OL land use category shall be deleted and replaced with R/OG.¹

5. Obligations of the County and Developer.

a. Section 6.1.1 shall be deleted in its entirety and replaced with:

6.1.1 The obligations under this Agreement shall be binding on the Owner, its successor or assigns. Notwithstanding the zoning and land use designations established pursuant to Section 6.2.1.A of this Agreement, the development rights on the Real Property shall be limited to a maximum of 14,690 sq. ft. and only for those uses as permitted by P-1 zoning.

b. Section 6.1.1.1 shall be inserted into the agreement:

6.1.1.1 Any development on the Real Property shall be limited to the areas shown on the Concept Plan. No buildings or parking areas shall be located outside of the areas shown on the Concept Plan.

c. Section 6.2.2 of the Agreement shall be deleted and replaced in its entirety:

6.2.2 Concurrent with the approval of this agreement, the Board approves the use of 14,690 sq. ft. of floor area. Considering that 38 units have been transferred from the Real Property, and the church and day care cease, then under the new zoning and land use designation 76% of the development rights have been used. The new zoning and land use designation allows 50 units on the Real Property. Thus, 38 transferred units divided by 50 allowed units, equals 76 percent of the density used.

¹ The County granted a land use plan amendment in 1999 to the R/OG (Residential/Office General) category concurrent with the approval of the Original Development Agreement; however, the Original Development Agreement includes inadvertent references to the R/OL land use category. This Agreement shall act to correct those scrivener's errors.

Under the new zoning and land use designation, the Floor Area Ratio (FAR) is .40 which would normally allow 61,202 sq. ft. of floor area [.40 x 43,560 x 3.3 acres plus .05 x 43,560 x 1.70]. Under the new zoning and land use designations, 14,690 sq. ft. of floor space would be allowed given the previous transfer of units and the transfer of FAR from P/C lands. This is found by taking the 61,202 sq. ft. permitted under the new designations and multiplying it by 24%, the amount of entitlements left after the original transfer of density rights.

6. Notwithstanding anything contained in this Agreement or in the Original Development Agreement to the contrary, the 4,236 sq. ft. of new floor area authorized by this Agreement, 3,296 sq. ft. shall be limited to a use permitted in P-1 zoning category but not include Personal Service or Office Support Use (as defined in the Pinellas County Comprehensive Plan) so that at no time shall the Real Property have more than 11,394 sq. ft. of Personal Service or Office Support use.

7. The parties acknowledge that the Owner constructed an additional 940 sq. ft. of floor area after the approval of the Original Development Agreement that was not contemplated in the Original Development Agreement ("Additional Space"). Owner agrees to submit the proper plans for approval of the Additional Space within three months of the effective date of this Agreement so that the total, approved and permitted space is no more than 14,690 sq. ft with no more than 11,394 sq. ft. of Personal Service or Office Support use. In the event the 940 sq. ft. of Additional Space is moved from its existing location to the new building contemplated on the Concept Plan, the maximum square feet of Personal Service or Office Support use is 10,454 as approved by the Original Development Agreement.

8. Notice. For purposes of notice, all correspondence directed to the parties at the addresses listed below:

If to Owner: La Mirage Beauty Salon, Inc.
ATTN: Daniel Boudreau
3730 Tampa Road
Palm Harbor, FL 34684

With a copy to: Todd Pressman
PO Box 6015
Palm Harbor FL 34684
Email: todd@pressmaninc.com
Tel: 727-804-1760

If to County: Pinellas County Board of County Commissioners
c/o County Attorney
315 Court Street
Clearwater, FL 33756

[End of Substantive Provisions, Signature Page to Follow]

IN WITNESS WHEREOF, the parties have executed this Second Amendment to Development Agreement the date and year first above written.

WITNESSES:

OWNER:

Jarah Stewart
Printed Name: Jarah Stewart

Daniel Boudreau
Printed Name: Daniel Boudreau

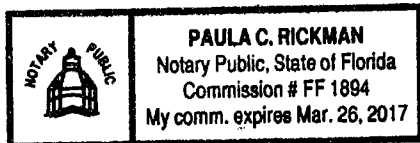
La Mirage Beauty Salon, Inc.,
a Florida corporation

By: Daniel Boudreau, Pres.
Daniel Boudreau, President

STATE OF FLORIDA)

COUNTY OF PINELLAS)

The foregoing instrument was acknowledged before me this 3rd day of June, 2013, by Daniel Boudreau, as President of La Mirage Beauty Salon, Inc., a Florida corporation, on behalf of the company. He FORMCHECKBOX is personally known to me or FORMCHECKBOX has produced LI DL as identification.



Paula C. Rickman
Notary Public

Print Notary Name

My Commission Expires: 3/26/17

KEN BURKE
Clerk of the Circuit Court

PINELLAS COUNTY, FLORIDA, by and
through its Board of County Commissioners

By: _____
Deputy Clerk

By: _____
Kenneth Welch, Chairman

(OFFICIAL SEAL)

APPROVED AS TO FORM BY
OFFICE OF THE COUNTY ATTORNEY

By: [Signature]
Assistant County Attorney

EXHIBIT "A"

Legal Description

Church Parcel:

A tract of land lying within the East 1/2 of the Northeast 1/4 of the Southeast 1/4 and the East 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 8, Township 28 South, Range 16 East, Pinellas County, Florida and being more particularly described as follows:

Commence at the Southwest corner of the East 1/2 of the Northeast 1/4 of the Southeast 1/4 of said Section 8; thence North 00 deg. 59'52" West, along the West line of the East 1/2 of the Northeast 1/4 of the Southeast 1/4 of said Section 8, for 925.07 feet to the Point of Beginning; thence continue along said West line, North 00 deg. 59'52" West, for 410.00 feet; thence North 01 deg. 01'21" West, along the West line of the East 1/2 of the Southeast 1/4 of the Northeast 1/4 of said Section 8, for 389.63 feet to the Southwesterly right of way line of State Road 584 as recorded in Deed Book 1286, page 513, of the Public Records of Pinellas County, Florida; thence South 49 deg. 21'45" East along said right of way line, for 101.71 feet; thence North 40 deg. 38'15" East, for 20.00 feet; thence leaving the right of way dedicated in said Deed Book but continuing along said right of way line South 49 deg. 21'45" East, for 414.54 feet; thence leaving said right of way line South 18 deg. 16'37" West for 499.60 feet; thence South 89 deg. 00'08" West for 234.04 feet to the Point of Beginning.

And

Lot 2, LA MIRAGE OFFICE COMPLEX, as recorded in Plat Book 129, Pages 9 and 10, of the Public Records of Pinellas County, Florida. Together with all the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining.

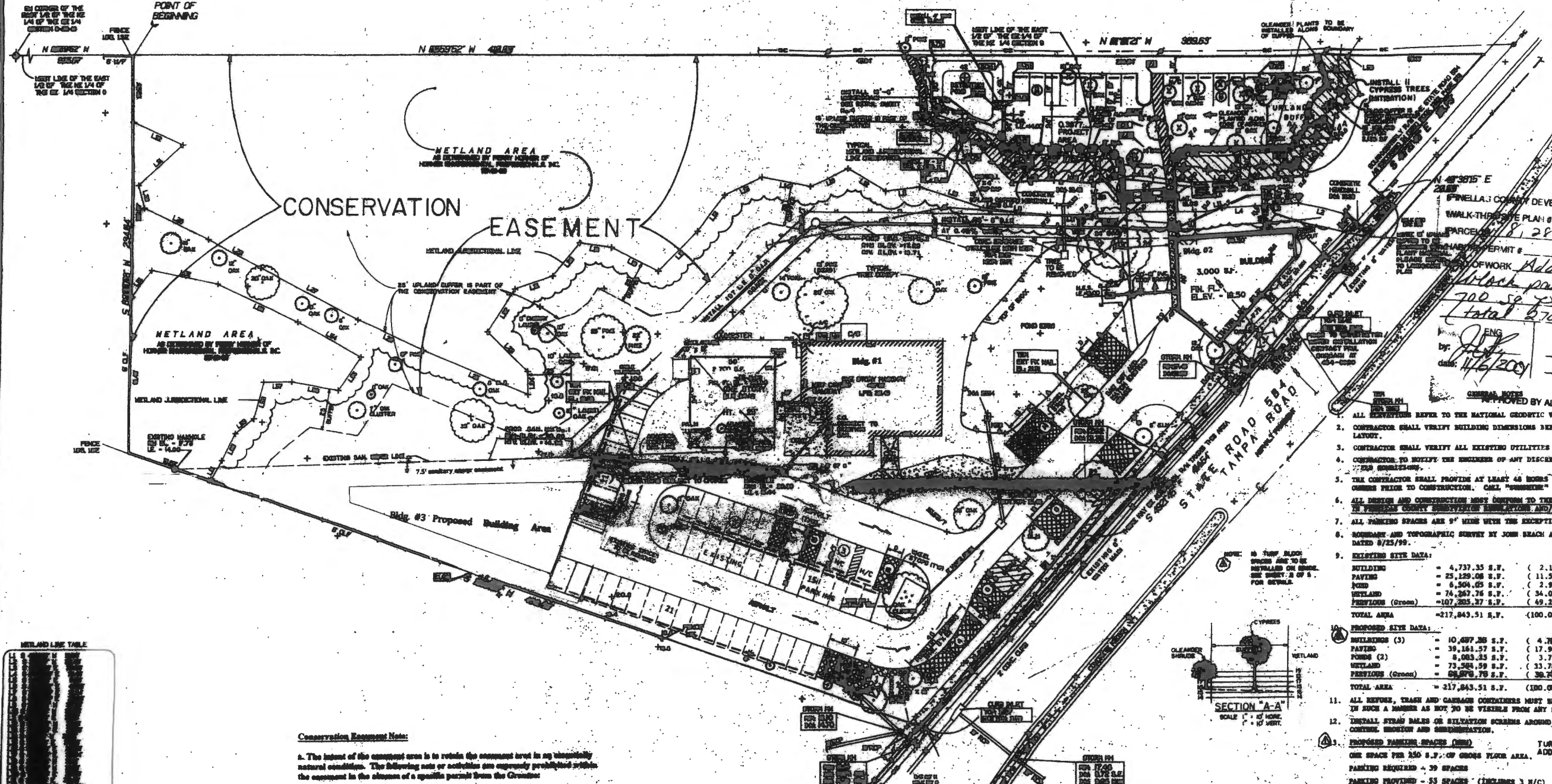
Exhibit “B”

Concept Plan

24.2.13

NOTE: PRIOR TO THE INSTALLATION OF THE ELEVEN (11) CYPRESS TREES FOR MITIGATION, CONTACT WILLIAM SOWA (TEL. 484-3800), PINELLAS COUNTY D.R.S. TO DETERMINE PLACEMENT OF TREES.

SCALE 1" = 20'



PINELLAS COUNTY DEVELOPMENT REVIEW SERVICES
WALK-THROUGH PLAN # 5622
PARCELS 8128, 161-1140, 010
WORK OFWORK Additional turf
Block parking Area
700 SF to Slag
Total 5700 SF
by: [Signature]
date: 11/6/2009
ENV 85
11/7/1
11-6-0

- APPROVED BY ALL DEPARTMENTS
- ALL CONSTRUCTION SHALL BE TO THE NATIONAL GEODETIC VERTICAL DATUM, N.G.V.D. 1929.
 - CONTRACTOR SHALL VERIFY BUILDING DIMENSIONS BEFORE COMMENCING CONSTRUCTION LAYOUT.
 - CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES BEFORE COMMENCING CONSTRUCTION.
 - CONTRACTOR TO NOTIFY THE ENGINEER OF ANY DISCREPANCIES BETWEEN THIS PLAN AND THE RECORD PLANS.
 - THE CONTRACTOR SHALL PROVIDE AT LEAST 48 HOURS NOTICE TO THE VARIOUS UTILITY OWNERS PRIOR TO CONSTRUCTION. CALL "TERRA" 1-800-363-4861.
 - ALL DESIGN AND CONSTRUCTION SHALL CONFORM TO THE MINIMUM STANDARDS SET FORTH IN PINELLAS COUNTY SUBDIVISION REGULATIONS AND/OR BUILDING REGULATIONS.
 - ALL PARKING SPACES ARE 9' WIDE WITH THE EXCEPTION OF HANDICAPPED SPACES.
 - BOUNDARY AND TOPOGRAPHIC SURVEY BY JOHN BEACH AND ASSOCIATES, L.L.C. NO. 2984 DATED 8/25/99.
 - EXISTING SITE DATA:

BUILDING	= 4,737.35 S.F.	(2.17%)
PAVING	= 25,129.08 S.F.	(11.54%)
FORD	= 6,504.05 S.F.	(2.99%)
WETLAND	= 74,267.76 S.F.	(34.09%)
PREVIOUS (Gross)	= 107,305.27 S.F.	(49.21%)
TOTAL AREA	= 217,843.51 S.F.	(100.00%)
 - PROPOSED SITE DATA:

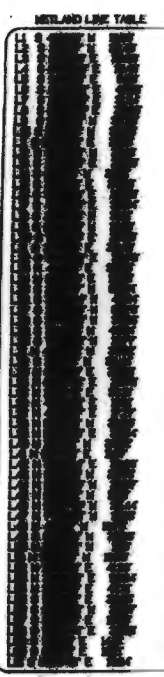
BUILDINGS (3)	= 10,497.36 S.F.	(4.78%)
PAVING	= 39,161.57 S.F.	(17.98%)
FORDS (2)	= 8,003.35 S.F.	(3.71%)
WETLAND	= 73,549.59 S.F.	(33.78%)
PREVIOUS (Gross)	= 66,670.70 S.F.	(30.74%)
TOTAL AREA	= 217,843.51 S.F.	(100.00%)
 - ALL REFUSE, TRASH AND CANNED CONTAINERS MUST BE SCREENED FROM SIGHT OR LOCATED IN SUCH A MANNER AS NOT TO BE VISIBLE FROM ANY STREET.
 - INSTALL STRIP BARS OR SIMILATION SCREENS AROUND PERIMETER OF WORK AREA TO CONTROL EROSION AND SEDIMENTATION.
 - PROPOSED PARKING SPACES (MIN)

ONE SPACE PER 250 S.F. OF GROSS FLOOR AREA.	TURF BLOCK PARKING TO BE ADDED = 14 SPACES
PARKING REQUIRED - 39 SPACES	
PARKING PROVIDED - 53 SPACES (INCLUDES 3 H/C)	
 - TRAFFIC CONTROL DEVICES TO BE INSTALLED ACCORDING TO MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) 1A-115-010) FAC.
 - TRANSPORTATION IMPACT FEE IS \$12,355.00 (\$2,471.11,000 S.F.)
 - NOTE TO CONTRACTOR: TREE BARRICADES & EROSION CONTROL REQUIRED. TREE BARRICADES AND EROSION CONTROL MEASURES MUST REMAIN INTACT THROUGHOUT CONSTRUCTION. REINFORCEMENT INTO OR FAILURE TO MAINTAIN TREE BARRICADES WILL BECAUSE THE SUBSEQUENT ACTION WHICH MAY INCLUDE CITATIONS AND/OR PERMIT REVOCATION AS PROVIDED BY CHAPTER 156 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE.
 - "ALL DISTURBED AREAS IN F.D.O.T. RIGHT-OF-WAY WILL BE SOBBED".
 - F.A.S. = D.044

REVISIONS (CONTINUED)
0-25-01 CHANGE FROM OLD EDITION
0-30-01 REUSE OLD SIZE

LA MIRAGE BUILDING ADDITION
BY: [Signature]
VOELLER CONSTRUCTION, INC.
3408 U.S. 9 N. SUITE 207
P.O. BOX 10000, FLORIDA 34604
TEL. 725-8222

RECEIVED 8-24-09 REVISED 8-24-09
LA MIRAGE BUILDING ADDITION
BY: [Signature]
VOELLER CONSTRUCTION, INC.
3408 U.S. 9 N. SUITE 207
P.O. BOX 10000, FLORIDA 34604
TEL. 725-8222



- Conservation Easement Note:**
- a. The intent of the easement is to retain the easement land in its original natural condition. The following uses or activities are expressly prohibited within the easement in the absence of a specific permit from the Grantor:
- Construction or the placing of any structure or materials on or above the ground.
 - Construction or placing of utilities, drainage facilities, irrigation canals, or the planting of vegetation.
 - The placement of any material such as trash or waste which is inconsistent with the intent of the conservation easement.
 - Placement, removal or destruction of trees, shrubs or other vegetation, including mowing, pesticides and herbicide use.
 - Excavation or other removal of material.
 - Uses except for the purposes that permit the area defined by the easement to remain in its essentially natural condition.
 - Any activity detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation.
- b. The following rights are conveyed to the Grantee by this easement:
- To enter upon the Property at reasonable times to enforce the rights herein granted upon prior notice to the Grantor, its heirs, successors or assigns at the time of such entry.

2013 RE-ZONING PLAN STATISTICS

1) Building Square Footage:	
Existing building square footage:	
Building #1:	7,429 SF
Building #2:	2,817 SF
Building #1 Landing:	1,168 SF
Total Existing SF:	11,394 SF
Total square footage now proposed for building #3 (new):	
	3,296 SF
Total proposed square footage of site with this 2013 re-zoning plan:	
	14,690 SF
2) Parking:	
One parking space per 250 SF of gross floor area required.	
Parking Required: 59	Parking provided: up to 75 (3 Handicapped)

- LEGEND**
- TURF BLOCK
 - EXISTING GRADE
 - PROPOSED GRADE
 - DIRECTION OF FLOW
 - TREE TO BE REMOVED
 - SOIL TEST
 - S.A.M. SLP 8/40
 - GROUND EL. = 15.40
 - SLY SHOWN FOR 8/40
 - SLY SHOWN FOR 8/40

SITE PLAN

RESOLUTION NO. _____

RESOLUTION CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 5.00 ACRES LOCATED ON THE SOUTH SIDE OF TAMPA ROAD, 390 FEET NORTH OF CALIBRE DOWNS LANE (STREET ADDRESS BEING: 3730 TAMPA ROAD, PALM HARBOR); PAGE 587 OF THE ZONING ATLAS, AS BEING IN SECTION 08, TOWNSHIP 28, RANGE 16; FROM P-1A, LIMITED OFFICE AND PROFESSIONAL TO P-1, GENERAL PROFESSIONAL OFFICE (UPLAND-3.3 ACRES) & P/C, PRESERVATION/CONSERVATION (WETLAND-1.7 ACRES) WITH A DEVELOPMENT AGREEMENT FOR A MODIFICATION TO ALLOW THE MAXIMUM OF 14,690 SQ. FT. OF DEVELOPMENT WHERE 10,454 SQ. FT. IS CURRENTLY ALLOWED; UPON APPLICATION OF LA MIRAGE BEAUTY SALON, INC., THROUGH TODD PRESSMAN, REPRESENTATIVE, Z-4-2-13

WHEREAS, La Mirage Beauty Salon, Inc., Owner(s) of the property hereinafter described, has petitioned the Board of County Commissioners of Pinellas County to change the zone classification of the real property hereinafter described from P-1A, Limited Office and Professional to P-1, General Professional Office (upland-3.3 acres) and P/C, Preservation/Conservation (wetland-1.7 acres) with a Development Agreement for a modification to allow the maximum of 14,690 sq. ft. of development where 10,454 sq. ft. is currently allowed; and

WHEREAS, legal notice of public hearing on such proposed change of zone classification was duly published as required by law, as evidenced by publisher's affidavit filed with the Clerk; and

WHEREAS, said public hearing has been held on the date and at the time specified in said published notice at which citizens and interested persons have been given opportunity to be heard, and all requirements of law and of rules promulgated by this Board have been complied with; and

WHEREAS, this Board has determined that the zone classification of said property should be changed.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pinellas County in regular session duly assembled this 18th day of June 2013 that the zone classification of the following described real property in Pinellas County, Florida, to wit:

See Attached Exhibit "A"

be, and the same is hereby changed from P-1A, Limited Office and Professional to P-1, General Professional Office (upland-3.3 acres) and P/C, Preservation/Conservation (wetland-1.7 acres) with a Development Agreement for a modification to allow the maximum of 14,690 sq. ft. of development where 10,454 sq. ft. is currently allowed, Z-4-2-13.

Commissioner _____ offered the foregoing resolution and moved its adoption, which was seconded by Commissioner _____ upon the roll call the vote was:

Ayes:

Nays:

Absent and not voting:

APPROVED AS TO FORM
OFFICE OF COUNTY ATTORNEY

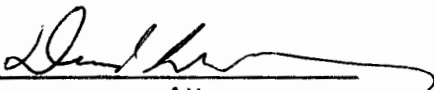
By 
Attorney

EXHIBIT "A"

Legal Description

Church Parcel:

A tract of land lying within the East 1/2 of the Northeast 1/4 of the Southeast 1/4 and the East 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 8, Township 28 South, Range 16 East, Pinellas County, Florida and being more particularly described as follows:

Commence at the Southwest corner of the East 1/2 of the Northeast 1/4 of the Southeast 1/4 of said Section 8; thence North 00 deg. 59'52" West, along the West line of the East 1/2 of the Northeast 1/4 of the Southeast 1/4 of said Section 8, for 925.07 feet to the Point of Beginning; thence continue along said West line, North 00 deg. 59'52" West, for 410.00 feet; thence North 01 deg. 01'21" West, along the West line of the East 1/2 of the Southeast 1/4 of the Northeast 1/4 of said Section 8, for 389.63 feet to the Southwesterly right of way line of State Road 584 as recorded in Deed Book 1286, page 533, of the Public Records of Pinellas County, Florida; thence South 49 deg. 21'45" East along said right of way line, for 101.71 feet; thence North 40 deg. 38'15" East, for 20.00 feet; thence leaving the right of way dedicated in said Deed Book but continuing along said right of way line South 49 deg. 21'45" East, for 414.54 feet; thence leaving said right of way line South 18 deg. 16'37" West for 499.60 feet; thence South 89 deg. 00'08" West for 234.04 feet to the Point of Beginning.

And

Lot 2, LA MIRAGE OFFICE COMPLEX, as recorded in Plat Book 129, Pages 9 and 10, of the Public Records of Pinellas County, Florida. Together with all the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining.