

BOARD OF COUNTY COMMISSIONERS

DATE: January 28, 2014
AGENDA ITEM NO. 28

Consent Agenda ☐

Regular Agenda ☐

Public Hearing ☒

County Administrator's Signature:

Subject:

Zoning Case No.(Q) Z-25-12-13 (Despina & Theodore Demertzis)

Department:

Department of Planning and Development Services

Staff Member Responsible:

Larry Arrington, Executive Director

Recommended Action:

I RECOMMEND THAT THE BOARD OF COUNTY COMMISSIONERS (BOARD) APPROVE THE ZONING REQUEST.

Summary Explanation/Background:

The applicant desires to change the zoning of this property from P-1, General Professional Offices to R-4, One, Two & Three Family Residential for the purpose of building a single family residence. As Pinellas County currently does not allow a residential use in a P-1 zone, the applicant is requesting the zone change. It is important to note that the land use designation does allow residential uses as a secondary use thereby negating the need to amend the Future Land Use Map and keeping the Residential/Office General designation intact. The neighboring property to the north, which is located in the City of Tarpon Springs, is occupied with a single family residence and is zoned professional office; however, the city allows residential uses in their professional office district.

Fiscal Impact/Cost/Revenue Summary:

N/A

Exhibits/Attachments Attached:

Staff Report with LPA Recommendation, Zoning Maps, Resolutions, Site Plan & Correspondence

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



Regarding: Case No. Z-25-12-13

LPA Recommendation: The LPA finds that the proposed amendment is consistent with the Pinellas County Comprehensive Plan, and recommends Approval of the zoning amendment. (The vote was 7-0, in favor).

LPA Public Hearing: December 12, 2013

PLANNING STAFF RECOMMENDATION:

Staff recommends that the LPA find the proposed amendment to the Zoning Atlas to be consistent with the Pinellas County Comprehensive Plan, based on the findings in this Report.

Staff further recommends that the LPA recommend to the Pinellas County Board of County Commissioners approval of the zoning amendment.

CASE SUMMARY

APPLICANT'S NAME: Despina & Theodore Demertzis

DISCLOSURE: N/A

REPRESENTED BY: Spiros Labropoulos

| ZONING CHANGE | |
|---------------|--|
| FROM: | P-1, Professional Office |
| TO: | R-4, One, Two & Three Family Residential |

PROPERTY DESCRIPTION:

Approximately 0.54 acre located on the west side of N. Pinellas Avenue (Alt. U. S. Highway 19) 270 ft. north of Anclote Road, in the unincorporated area of Tarpon Springs.

PARCEL ID(S): 01/27/15/27072/011/0160

PROPOSED BCC HEARING DATE: January 28, 2014

CORRESPONDENCE RECEIVED TO DATE:

One letter received in favor.

PERSONS APPEARING AT THE LOCAL PLANNING AGENCY HEARING:

One person appeared in favor.

| | Land Use Category | Zoning Designation | Existing Use |
|-----------------------------|-----------------------------|--------------------|-----------------------------------|
| Subject Property: | Residential/Office General | P-1 | Unoccupied Single Family Dwelling |
| Adjacent Properties: | | | |
| North | Residential/Office General\ | Tarpon Springs | Single Family Dwelling |
| East | Commercial General | Tarpon Springs | Retail Sales |
| South | Residential/Office General | P-1 | Vacant |
| West | Residential Urban | R-4 | Vacant |

STAFF DISCUSSION AND ANALYSIS

COMPATIBILITY WITH SURROUNDING LAND USES

The subject property lies in an area located north of the Anclote River and north of the Tarpon Springs Sponge dock commercial area. The subject property was rezoned from C-2, General Retail Commercial & Limited Services & R-4, One, Two & Three Family Residential to P-1, General Professional Office in 1984 in anticipation of the lots on the west of Alt. U. S. Highway 19 being developed with office uses. The desired results have not occurred; in fact the opposite apparently is occurring as the property located to the north of the subject lot is a residential lot, which is being enhanced to further its longevity as a residential use. A further indication of the stagnation of P-1, General Professional Office development in this area, (i.e., within the block of 12 lots fronting the west side of Alt. U. S. Highway 19 and bounded by Fulton Street and Anclote Road, which is also designated as Residential/Office General), is that only one lot is being used as a professional office use and that building has been used as such since 1961. By rezoning the subject property to R-4, Residential, One, Two or Three Family District, the owner will be afforded a reasonable use of the land in keeping with the neighboring residential property to the north, and will also retain the goal of the Future Land Use Map by retaining the land use designation of Residential/Office General in the event the need for office uses arises in the future. It should be noted that the adjacent residential property to the north is zoned professional office in the City of Tarpon Springs; however, their professional office district also allows a residential use whereas the County currently does not have that provision.

SUMMARY

In summary, it is recommended that the requested zone change from P-1, General Professional Office to R-4, One, Two & Three Family Residential be approved to allow residential uses on the property, as staff believes residential uses are compatible with the adjacent use to the north and with the Residential/Office General Future Land Use Map designation.

**IMPLEMENTATION OF
THE PINELLAS COUNTY COMPREHENSIVE PLAN**

Staff finds that the proposed amendment is consistent with the following adopted objective and policies of the Pinellas County Comprehensive Plan:

FUTURE LAND USE

- 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 1.2.3 Plan designations on the Future Land Use Map shall be compatible with the natural environment, support facilities and services, and the land uses in the surrounding area.
- Objective 1.11 Pinellas County shall implement its land use policies in a manner that clearly defines the future land use categories and the regulations pertaining to them that manage growth in Pinellas County.
- Policy 1.11.2 Zoning, signage, subdivision, and other existing County land development regulations that are discussed in any element of the *Pinellas County Comprehensive Plan* or have been approved by the Board of County Commissioners shall be consistent with the Plan and include additional regulations that are specified by and based upon the Plan.

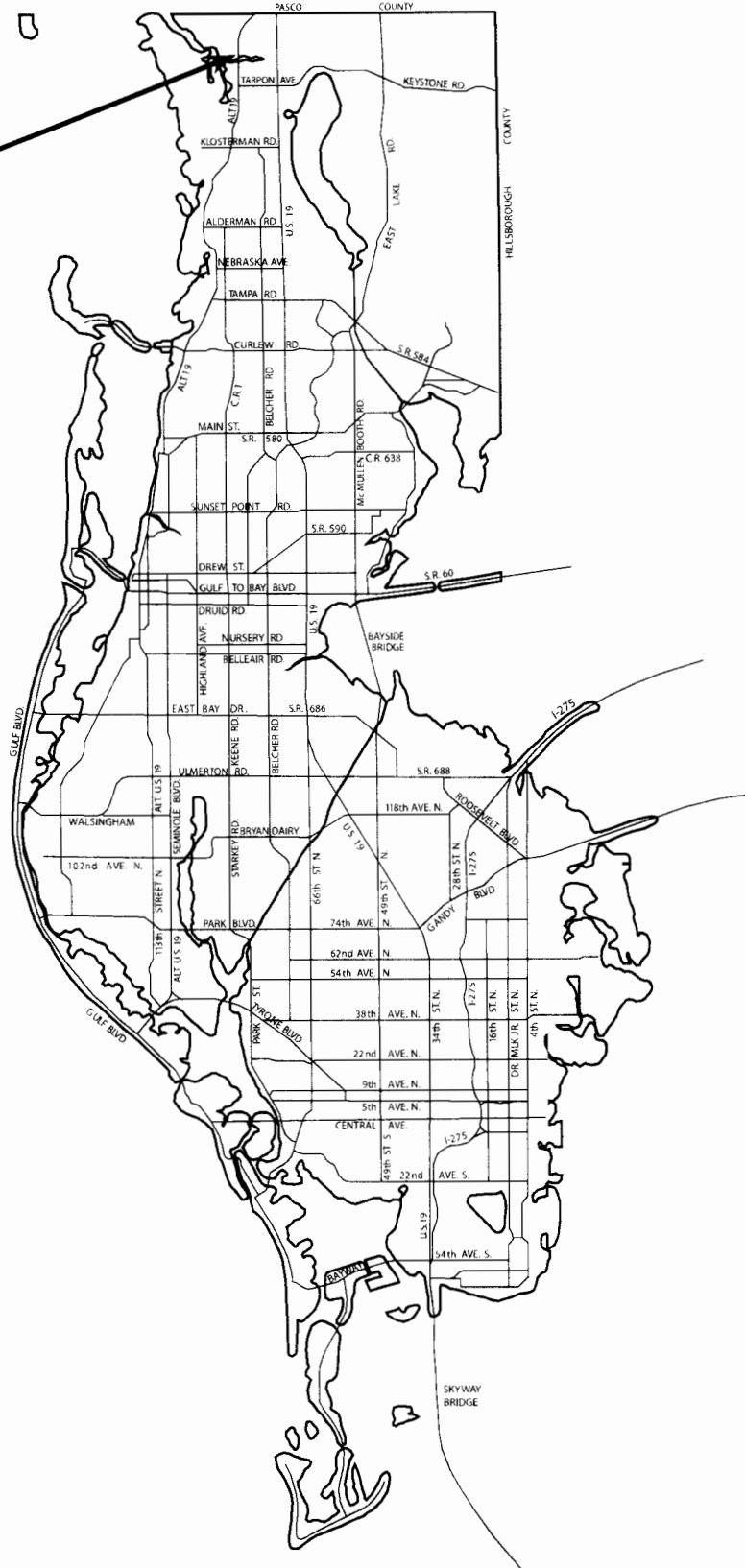
COUNTY DEVELOPMENT REGULATIONS

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)

LOCATION MAP

Z-25-12-13



MAP-1

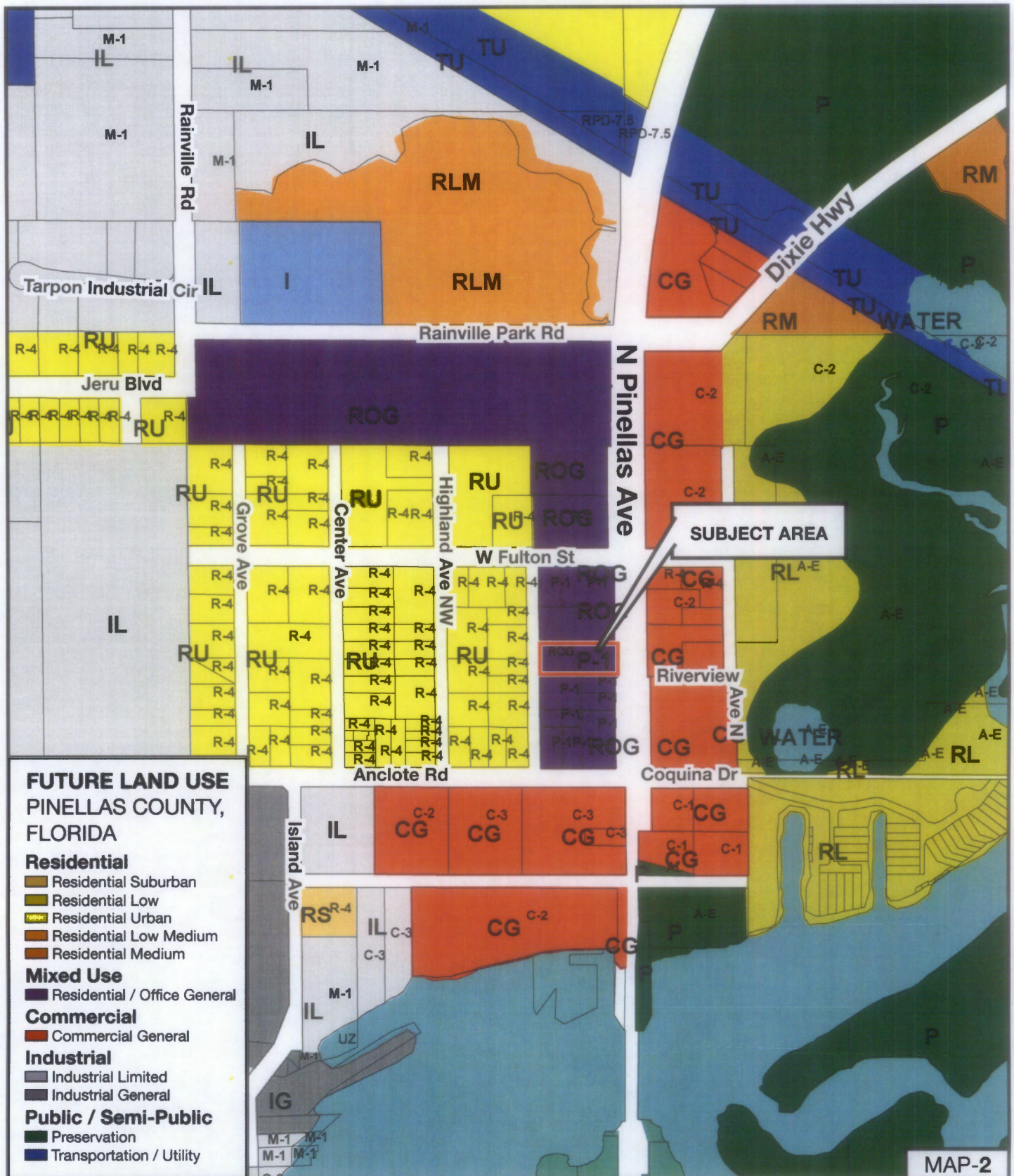
Z-25-12-13

Zoning From: P-1, Professional Offices
To: R-4, One, Two & Three Family Residential

Parcel I.D. 01/27/15/27072/011/0160

Prepared by: Pinellas County Strategic Planning & Initiatives September 2013





Z-25-12-13

Zoning From: P-1, Professional Offices
To: R-4, One, Two & Three Family Residential

Parcel I.D. 01/27/15/27072/011/0160

Prepared by: Pinellas County Strategic Planning & Initiatives September 2013





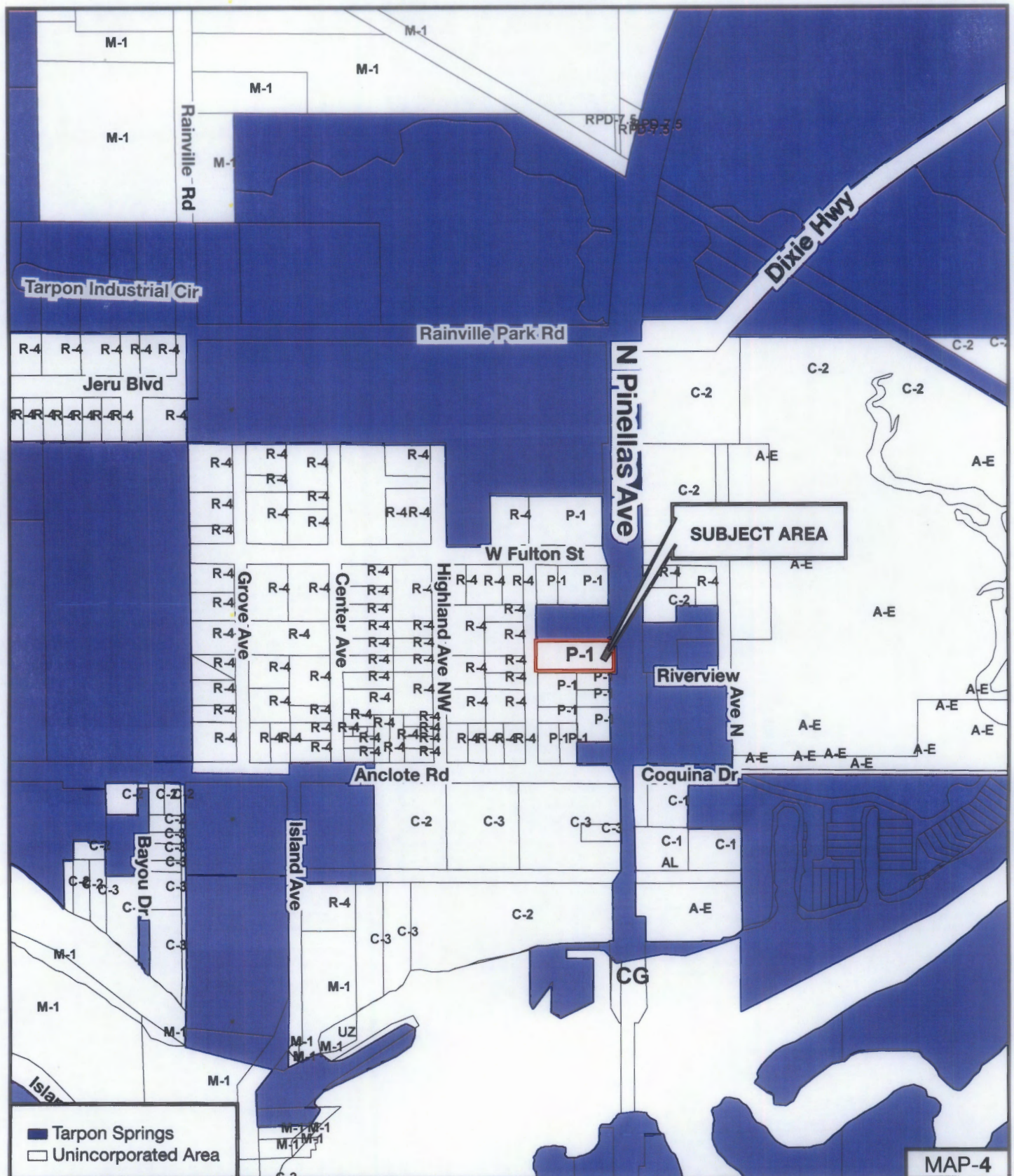
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Prepared by: Pinellas County Strategic Planning & Initiatives September 2013



RESOLUTION NO. _____

RESOLUTION CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 0.54 ACRE LOCATED ON THE WEST SIDE OF N. PINELLAS AVENUE (ALT. 19) 270 FT. NORTH OF ANCLOTE ROAD, IN THE UNINCORPORATED AREA OF TARPON SPRINGS; PAGE 1 OF THE ZONING ATLAS, AS BEING IN SECTION 01, TOWNSHIP 27, RANGE 15; FROM P-1, GENERAL PROFESSIONAL OFFICES TO R-4, ONE, TWO & THREE FAMILY RESIDENTIAL; UPON APPLICATION OF DESPINA & THEODORE DEMERTZIS THROUGH SPIROS LABROPOULOS, REPRESENTATIVE, Z-25-12-13

WHEREAS, Despina & Theodore Demertzis, Owners 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-1, General Professional Office to R-4, One, Two & Three Family Residential; 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 28th day of January 2014 that the zone classification of the following described real property in Pinellas County, Florida, to wit:

LOTS 6, 7, 16 AND 17, BLOCK 11, FAIRVIEW SUBDIVISION

be, and the same is hereby changed from P-1, General Professional Office to R-4, One, Two & Three Family Residential, Z-25-12-13.


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

DESCRIPTION: (AS FURNISHED)
LOTS 16 AND 17, BLOCK 11, FAIRVIEW
SUBDIVISION AS RECORDED IN PLAT
BOOK 9, PAGE 18 OF THE PUBLIC
RECORDS OF PINELLAS COUNTY, FLORIDA,
EXCEPT THAT PART OF LOT 16 TAKEN FOR
HIGHWAY PURPOSES UNDER AN ORDER OF
TAKING AS RECORDED IN O.R. BOOK 197,
PAGE 106 DESCRIBED AS FOLLOWS: THAT
PART OF LOT 16 OF BLOCK 11 OF
FAIRVIEW SUBDIVISION AS RECORDED IN
PLAT BOOK 9, PAGE 18 OF THE PUBLIC
RECORDS OF PINELLAS COUNTY, FLORIDA,
LYING WESTERLY OF AND WITHIN 45 FEET
OF THE SURVEY LINE OF STATE ROAD 595,
SECTION 1502, SAID SURVEY LINE BEING
DESCRIBED AS FOLLOWS: BEGIN ON THE
SOUTH BOUNDARY OF SECTION 1, TOWNSHIP
27 SOUTH, RANGE 15 EAST AT A POINT
0.27 FEET EAST OF THE SOUTHWEST CORNER
OF THE SOUTHEAST 1/4 OF SAID SECTION;
RUN THENCE NORTH 00°37' WEST 1186.41
FEET TO THE BEGINNING OF A CURVE
CONCAVE TO THE NORTHEAST HAVING A
RADIUS OF 2864.79 FEET; THENCE
NORTHEASTERLY 2226.50 FEET ALONG SAID
CURVE THROUGH A CENTRAL ANGLE OF
44°32' TO END OF SAID CURVE; THENCE
NORTH 43°55' EAST 2180.83 FEET TO
THE NORTH BOUNDARY OF SAID SECTION 1
AT A POINT 300.90 FEET WESTERLY OF
THE NORTHEAST CORNER OF SECTION 1.
TOGETHER WITH LOTS 6 AND 7, BLOCK 11,
OF SAID FAIRVIEW SUBDIVISION.

THESE LOTS APPEAR TO LIE IN FLOOD ZONE
"A-12" (BFE=11) PER FLOOD INSURANCE
RATE MAP, COMMUNITY PANEL NO'S.
125139 0017 C AND 120259 0002 B, MAPS
REVISED JUNE 1, 1983, NATIONAL FLOOD
INSURANCE PROGRAM, FEDERAL EMERGENCY
MANAGEMENT AGENCY.

THIS SURVEY PREPARED WITHOUT THE
BENEFIT OF A COMPLETE AND UP-TO-DATE
TITLE REPORT. EASEMENTS AND OTHER
ENCUMBRANCES MAY EXIST THAT ARE NOT
SHOWN HEREON.

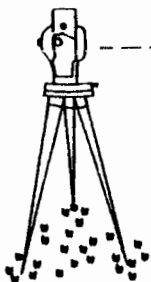
REFERENCE: STATE OF FLORIDA STATE
ROAD DEPARTMENT RIGHT-OF-WAY MAP OF
S.R. 595, JOB NUMBER 1502-115,
SHEET NO. 1, DATED 1/02/57, LAST
REVISED 5/30/57.

CERTIFIED TO:
THEODORE DEMERTZIS
DESPINE DEMERTZIS
HERB ELLIOTT, ESQ.
ATTORNEY'S TITLE INSURANCE FUND, INC.

Z-25-12-13

LEGEND AND ABBREVIATIONS

CB = CHORD BEARING, (P) = PLAT DIMENSION, (M) = MEASURED DIMENSION, PRM = PERMANENT REFERENCE MONUMENT, N = NORTH
C/S = CONCRETE SLAB, SN&D = SET NAIL & DISK No.4019, R = RADIUS, CH = CHORD, CBS = CONCRETE BLOCK STRUCTURE
PCP = PERMANENT CONTROL POINT, R/W = RIGHT-OF-WAY, S = SOUTH, E = EAST, W = WEST, CONC. = CONCRETE, A = ARC
SIR = SET 1/2" IRON ROD #4086, FIR = FOUND IRON ROD, FCM = FOUND CONCRETE MONUMENT, FIP = FOUND IRON PIPE
Δ = CENTRAL ANGLE, C = CENTERLINE, X 0.00 = EXISTING ELEVATION, EL = ELEVATION, LFE = LOWEST FLOOR ELEVATION



MICHAEL BAKER ASSOCIATES, INC.

LAND SURVEYORS and PLANNERS

9 SOUTH SAFFORD AVENUE
TARPON SPRINGS, FLORIDA 34689
(813) 938-5026 FAX# (813) 938-2568
AUTHORIZATION # L.B. 4019



FIELD DATE:

SCALE: 1" = 40'

11-05-97 Boundary

SURVEYED BY: RFK

F.B.544 PG.57,58

DRAWN BY: I.C.

NOTE: "NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER".

I HEREBY CERTIFY THAT THE ATTACHED SKETCH
OF SURVEY IS TRUE AND CORRECT AND THAT IT
MEETS THE MINIMUM TECHNICAL STANDARDS SET
FORTH BY THE FLORIDA STATE BOARD OF SURVEYORS
AND MAPPERS AND CHAPTER 61G17-6, FLORIDA
ADMINISTRATIVE CODE.

MICHAEL J. BAKER, P.S. & M. - FLORIDA REG. No. 4086

DATE SIGNED 11/06/97

Swinton, Tammy M

Subject: FW: case no Z-25-12-13

From: Sunrise Elevator Co. Inc. [<mailto:t.slater@verizon.net>]

Sent: Tuesday, November 05, 2013 12:08 PM

To: Zoning

Subject: re: case no Z-25-12-13

LAND USE ACTION re: case no Z-25-12-13

We don't have a problem with the zone change if it is only for a **single family zone- R1**

I have talked to the owner and he said that he will be living there- so he should not have a problem with **single family zone- R1.**

Anything other than R1 we are against.

Thank You

Fred Slater

1267 North Pinellas Ave

mail: 433- Plaza Drive

Tarpon Springs, FL 34689

cell (727) 234-5212

work (727) 934-8280; 934-8700 Fax

t.slater@verizon.net