

BOARD OF COUNTY COMMISSIONERS

DATE: February 25, 2014

AGENDA ITEM NO. 19a.

Consent Agenda ☐

Regular Agenda ☐

Public Hearing ☒

County Administrator's Signature

Subject:

Zoning Case No.(Q) Z-1-1-14 (Menorah Manor Senior Living)

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 subject site, located in Palm Harbor, contains approximately 3.6 acres currently zoned A-E, Agricultural Estate Residential, and is vacant. The proposed change to the R-1, Residential Single Family District is consistent with current zoning to the south and east of the subject area. The adjacent property to the south is also owned by the applicant and the requested rezoning to R-1 would permit this adjacent property and the subject site to be developed as a single project under the R-1 zoning designation. At the Local Planning Agency public hearing, some adjacent property owners expressed concern that the proposed rezoning would permit additional residences to be constructed on the site. It was acknowledged at the hearing, however, that the site's Residential Suburban Future Land Use Map designation limits development to no more than 9 residential units.

Fiscal Impact/Cost/Revenue Summary:

N/A

Exhibits/Attachments Attached:

Staff Report with LPA Recommendation, Zoning Maps & Resolution

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



Regarding: Case No. Z-1-1-14

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 6-1, in favor).

LPA Public Hearing: January 9, 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.

Staff further recommends that the site plan process give special consideration to incorporating any specimen-value trees into the landscape/development plan.

CASE SUMMARY

APPLICANT'S NAME: Menorah Manor Senior Living, LLC

DISCLOSURE: Seth D. Levy, CEO; Saul Schecter, Chairman; Scott Daniels, Secretary; Phyllis Schoenberg, Treasurer & Dell Krug, Director

REPRESENTED BY: Katherine E. Cole, Esq.

	ZONING CHANGE
FROM:	A-E, Agricultural Estate, Residential
TO:	R-1, Single Family Residential

PROPERTY DESCRIPTION:

Approximately 3.6 acres located on the west side of Belcher Road 640 ft. south of Nebraska Avenue, Palm Harbor.

PARCEL ID(S): 01/28/15/88560/122/0001

PROPOSED BCC HEARING DATE: February 25, 2014

CORRESPONDENCE RECEIVED TO DATE:

No correspondence received.

PERSONS APPEARING AT THE LOCAL PLANNING AGENCY HEARING:

Two persons appeared in opposition.

SURROUNDING ZONING AND LAND USE FACTS:

	Land Use Category	Zoning Designation	Existing Use
Subject Property:	Residential Suburban	A-E	Vacant
Adjacent Properties:			
North	Residential Suburban & Preservation	A-E	Single Family Dwelling
East	Residential Suburban	R-1	Single Family Dwelling Subdivision
South	Residential Suburban & Preservation	R-1	Vacant
West	Residential Suburban	A-E	Single Family Dwelling

STAFF DISCUSSION AND ANALYSIS

The subject property is designated as Residential Suburban on the Future Land Use Map, and is zoned A-E, Agricultural Estate Residential. The A-E zoning designation requires a minimum lot size of 2 acres with a minimum width of 90 ft. As this is a rural residential district, it permits general agricultural activities (including up to three farm animals per acre on two acre lots). The applicant is requesting a zoning change from A-E, Agricultural Estate Residential to R-1, Single Family Residential in order to allow for low density residential development of the site with minimum lot sizes of 9,500 sq. ft.

Single family residential development is located to the north of the subject property, with A-E zoning. Single family development is also located to the west with A-E zoning, and R-1 zoning to the south and east, respectively.

The subject property is heavily wooded and is bisected by a creek whose channel is designated as Preservation. The site, therefore, may have trees that meet the County's criteria for designation as "specimen" trees. Any trees of "specimen" quality that are identified will be given special consideration during the site plan process for incorporation into the development plan.

SUMMARY

In summary, staff finds that the proposed R-1 zoning district is compatible with the existing zoning pattern for the area. Staff also believes that the site plan process and habitat management provisions in the Code will recognize the value of the vegetation that exists on this site.

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

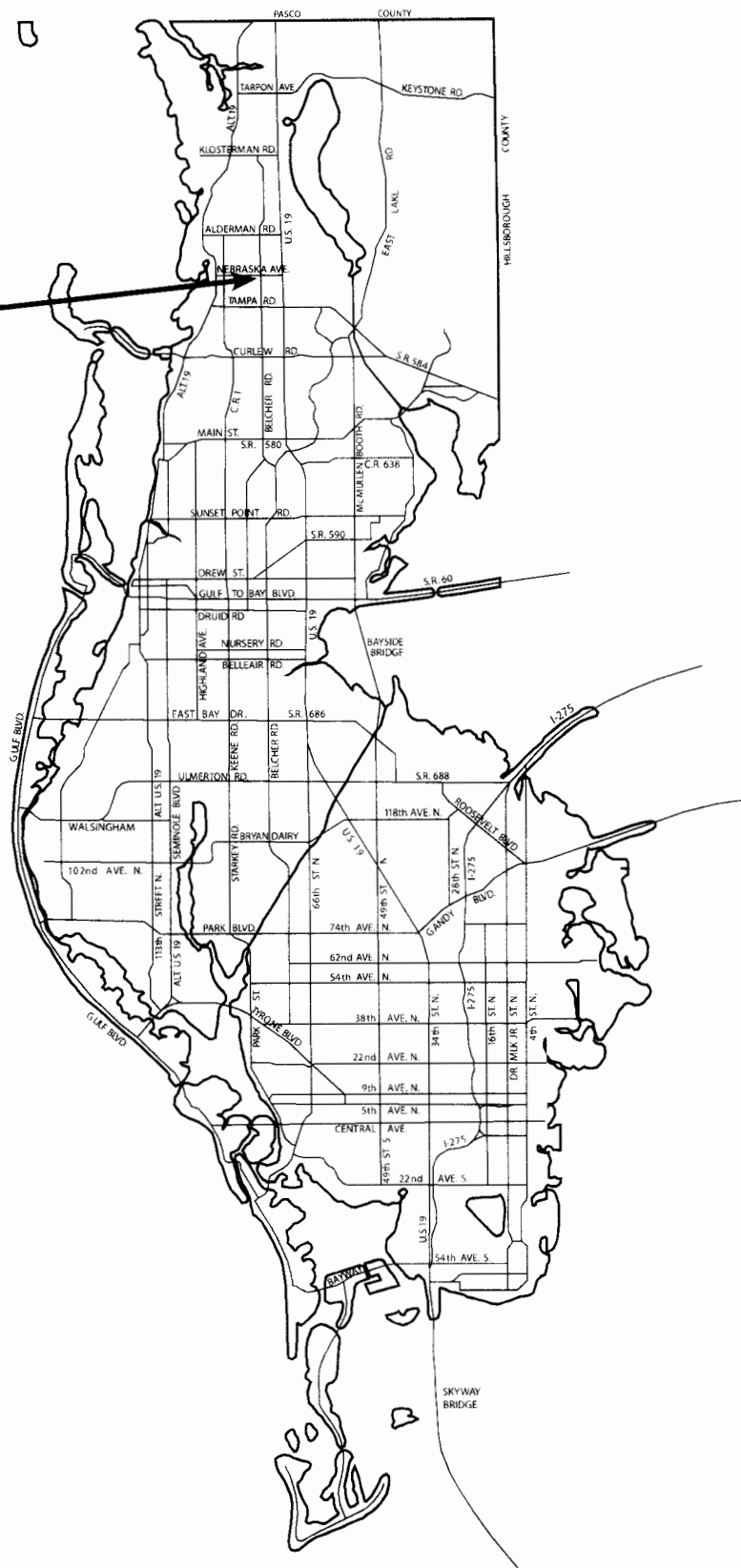
- Objective 1.2 Establish development regulations that respond to the challenges of a mature urban county with established communities that are experiencing infill development and redevelopment activity.
- Policy 1.2.3 Plan designations on the Future Land Use Map shall be compatible with the natural environment, support facilities and services, and the land uses in the surrounding area.
- Policy 1. 2.4. 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.

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)

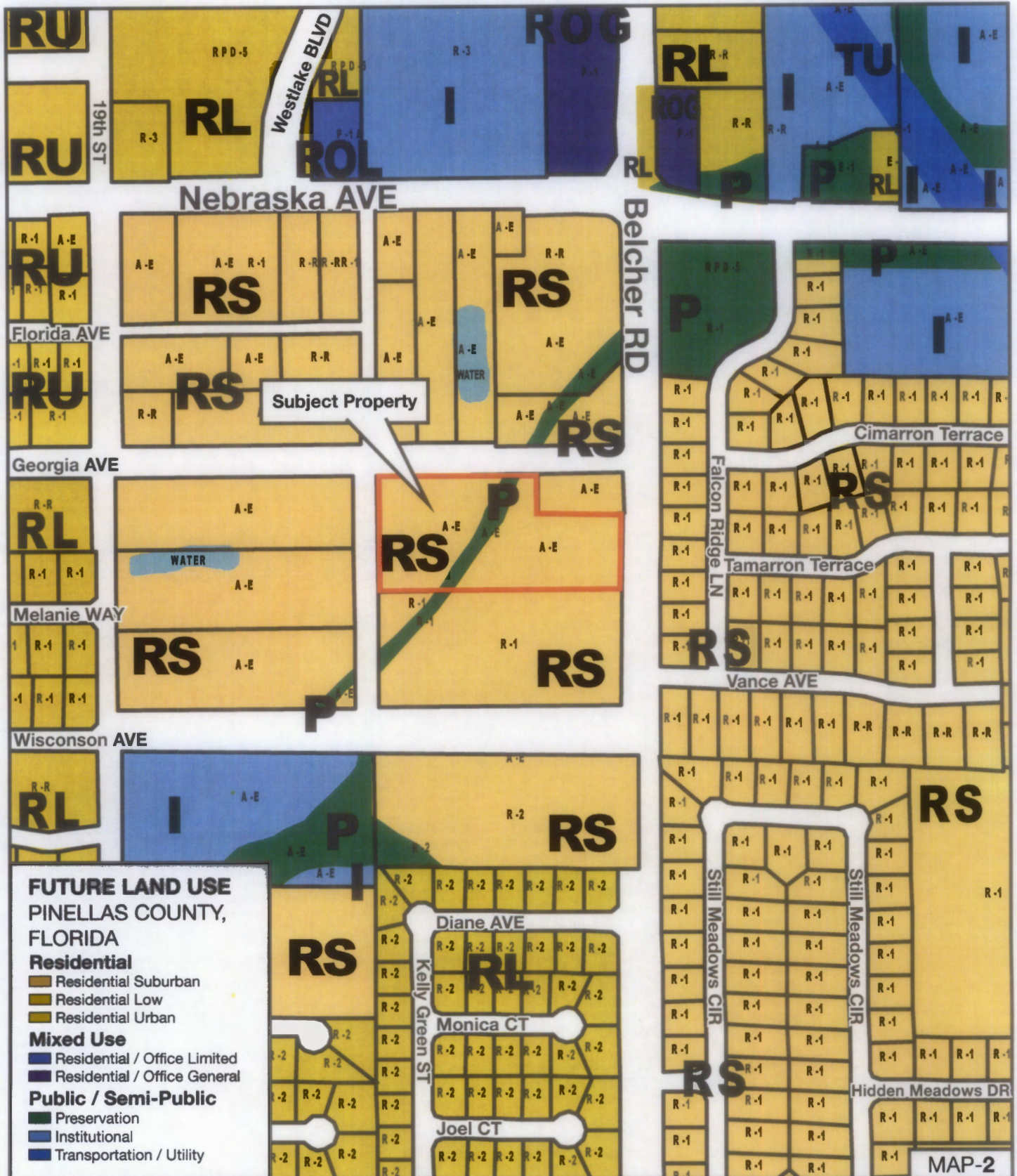
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Z-1-1-14



Prepared by: Pinellas County Department of Planning and Development Services November 2013



Z-1-1-14

Zone From: A-E, Agricultural Estate, Residential
To: R-1, Single Family Residential

Parcel I.D. 01/28/15/88560/122/0001

Prepared by: Pinellas County Department of Planning and Development Services November 2013





Z-1-1-14

Zone From: A-E, Agricultural Estate, Residential
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Z-1-1-14

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RESOLUTION NO. _____

RESOLUTION CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 3.6 ACRES LOCATED ON THE WEST SIDE OF BELCHER ROAD 640 FT. SOUTH OF NEBRASKA AVENUE, PALM HARBOR; PAGE 74 OF THE ZONING ATLAS, AS BEING IN SECTION 01, TOWNSHIP 28, RANGE 15; FROM A-E, AGRICULTURAL ESTATE, RESIDENTIAL TO R-1, SINGLE FAMILY RESIDENTIAL; UPON APPLICATION OF MENORAH MANORAH SENIOR LIVING, LLC THROUGH KATHERINE E. COLE, ESQ., HILL WARD HENDERSON, REPRESENTATIVE, Z-1-1-14

WHEREAS, Menorah Manor Senior Living, LLC, Owner of the property hereinafter described, has petitioned the Board of County Commissioners of Pinellas County to change the zone classification of said real property from A-E, Agricultural Estate, Residential to R-1, Single 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 25th day of February 2014 that the zone classification of the following described real property in Pinellas County, Florida, to wit:

The North one-half (1/2) of Block 122, of the unrecorded plat of the MAP OF SUTHERLAND, as filed in Plat Book 1, Page 1, of the Public Records of Hillsborough County, of which Pinellas County, Florida, was formerly a part, LESS the North 100.00 feet of the East 217.00 feet; AND LESS that part deeded to Pinellas County by Warranty Deed recorded in O. R. Book 10831, Page 776, of the Public Records of Pinellas County, Florida

be, and the same is hereby changed from A-E, Agricultural Estate, Residential to R-1. Single Family Residential, Z-1-1-14.

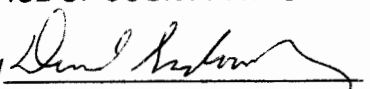
Commissioner _____ offered the foregoing resolution and moved its adoption, which was seconded by Commissioner _____ upon the roll call the vote was:

Ayes:

Nays:

Absent and not voting:

APPROVED AS TO FORM
OFFICE OF COUNTY ATTORNEY

By 
Attorney