

BOARD OF COUNTY COMMISSIONERS

DATE: February 25, 2014

AGENDA ITEM NO. 19c.

Consent Agenda ☐

Regular Agenda ☐

Public Hearing ☒

County Administrator's Signature

Subject:

Zoning and Land Use Case No. Z/LU-3-1-14 (BVK – Foxwood Estates, LLC)

Department:

Strategic Planning and Initiatives

Staff Member Responsible:

Larry Arrington, Executive Director

Recommended Action:

I RECOMMEND THAT THE BOARD OF COUNTY COMMISSIONERS (BOARD) APPROVE THE REQUEST TO AMEND THE ZONING AND FUTURE LAND USE MAP AND APPROVE THE PARKING VARIANCE SUBJECT TO THE FOLLOWING FOUR (4) CONDITIONS: 1) THAT THE ASSISTED LIVING FACILITY IS CONSTRUCTED SUBSTANTIALLY IN CONFORMANCE WITH THE BUILDING ELEVATIONS INCLUDED IN THE APPLICATION; 2) THE ASSISTED LIVING FACILITY DOES NOT EXCEED 68 BEDS; 3) THAT ADDITIONAL LANDSCAPING WILL BE REQUIRED FOR THE PORTION OF THE PROPERTY FRONTING EAST LAKE ROAD THAT EXCEEDS THE MINIMUM CODE REQUIREMENTS CONSISTENT WITH THE SITE'S LOCATION ALONG A SCENIC/NON-COMMERCIAL CORRIDOR; AND 4) THE USE ON THE SUBJECT SITE SHALL BE LIMITED TO AN ASSISTED LIVING FACILITY, AND OTHER PERMITTED USES IN THE INSTITUTIONAL LIMITED ZONING DISTRICT SHALL NOT BE PERMITTED.

Summary Explanation/Background:

This application is part of a larger tract of land that was rezoned last year (Z-6-2-13) from A-E-W, Agricultural Estate, Residential-Wellhead Protection to RPD-0.5-W, Residential Planned Development, 0.5 unit per acre-Wellhead Protection Overlay, and also had a special exception approval for a 5,000 sq. ft. office/medical building. The application rezoned 22 acres to RPD-0.5-W, and approximately 3.66 acres of the original request are proposed for this amendment. Approval of the zoning and land use amendments would allow for the construction of an assisted living facility having a height of 35 feet. The applicant has also requested a variance to reduce the parking requirement from 68 spaces to 45 spaces for the proposed 68-bed assisted living facility. If approved with the companion conditions, the Assisted Living Facility will be the only use allowed on this site unless it is varied at a public hearing.

Fiscal Impact/Cost/Revenue Summary:

N/A

Exhibits/Attachments Attached:

Staff Report with Addendum, LPA Recommendation, Zoning Maps, Resolution, Ordinance, Concept Plan & Correspondence

ADDENDUM TO CASE NO. Z/LU-3-1-14

BVK-Foxwood Estates, LLC

This case was before the LPA on January 9, 2014, for a zone change from RPD-0.5-W, Residential Planned Development, 0.5 unit per acre-Wellhead Protection Overlay to Institutional Limited-Wellhead Protection Overlay and a Future Land Use Map amendment from Residential Rural (0.5 unit per acre) to Institutional, along with a variance request to increase the maximum building height on the subject property from 35 feet to 47 feet and a variance request to reduce the minimum required number of parking space from 84 spaces to 46 spaces. An assisted living/memory care facility is proposed to be constructed on the subject site if the proposed amendments are approved. After the January 9th LPA hearing, the applicant's representatives met with surrounding homeowner associations and individual residents in an open forum. As a result of that community meeting, the application has been amended to decrease the maximum number of beds in the proposed assisted living facility from 84 beds to 68 beds. Based on this reduction in the size of the facility, the applicant is now requesting a parking variance to reduce the minimum required number of parking spaces from 68 spaces to 45 spaces. Furthermore, the amended application has eliminated the requested height variance that would have permitted a structure up to 47 feet tall; consequently, the proposed facility will not exceed 35 feet in height. Since the applicant is requesting a parking variance, the Board may prescribe appropriate conditions and safeguards to ensure proper compliance with the general spirit, purpose and intent of the Zoning Code. County staff is recommending that approval of the requested parking variance include the following conditions: 1) that the assisted living facility is constructed substantially in conformance with the building elevations included in the application; 2) the assisted living facility does not exceed 68 beds; 3) that additional landscaping will be required for the portion of the property fronting East Lake Road that exceeds the minimum code requirements consistent with the site's location along a scenic/non-commercial corridor; and 4) the use on the subject site shall be limited to an assisted living facility, and other permitted uses in the Institutional Limited zoning district shall not be permitted.

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



Regarding: Case No. Z/LU-3-1-14

LPA Recommendation: The LPA finds that the proposed amendment is consistent with the Pinellas County Comprehensive Plan, and recommends Approval of the zoning amendment and land use amendment, the variance to allow 46 parking spaces where a minimum of 84 spaces are required and the variance of 47 ft. where 35 ft. height is allowed, with the following conditions:

- 1) That the assisted living facility is constructed substantially in conformance with the building elevations included in the application.
- 2) The assisted living facility does not exceed 84 beds and the height of the building does not exceed 47 ft.
- 3) That additional landscaping will be required for the portion of the property fronting East Lake Road that exceeds the minimum code requirements consistent with the site's location along a scenic/non-commercial corridor.
- 4) The use shall be for an ALF facility only, other uses listed in the Institutional Limited zoning district shall not be permitted.

(The vote was 4-3, in favor).

LPA Public Hearing: January 9, 2014

PLANNING STAFF RECOMMENDATION:

Staff recommends that the LPA find that the proposed amendments to the Future Land Use Map and the Zoning Atlas are consistent with the Pinellas County Comprehensive Plan, based on the findings in this Report; and

Staff further recommends that the LPA recommend approval of the proposed amendments to the Pinellas County Board of County Commissioners; and

Staff further recommends that the LPA recommend that the Board approve the requested variance for a proposed assisted living/memory care facility to allow 46 parking spaces where a minimum of 84 spaces are required, and approve the requested variance to allow a building height of 47 feet where a maximum height of 35 feet is allowed, subject to the following conditions: 1) that the assisted living facility is constructed substantially in conformance with the building elevations included in the application; 2) the assisted living facility does not exceed 84 beds; and 3) that additional landscaping will be required for the portion of the property fronting East Lake Road that exceeds the minimum code requirements consistent with the site's location along a scenic/non-commercial corridor.

STAFF DISCUSSION AND ANALYSIS

COMPATIBILITY WITH SURROUNDING LAND USES

The applicant's request is to amend the Pinellas County Future Land Use Map for an approximately 3.36 acre site from Residential Rural (up to 0.5 unit per acre) to Institutional and to amend the Zoning Atlas from RPD-0.5-W, Residential Planned Development 0.5 unit per acre-Wellhead Protection to IL-W Institutional Limited-Wellhead Protection Overlay. The application is also requesting variances to allow 46 parking spaces where 84 parking spaces are required and a variance to allow the proposed building to be 47 feet in height where a building 35 feet in height is allowed. The subject property is currently occupied with a single family residence that will be removed as this site and the adjacent property to the east are planned to be developed with an assisted living facility and a 10-lot single family subdivision, respectively. This site was recently rezoned by the Board of County Commissioners on March 19, 2013 from A-E-W, Agricultural Estate Residential-Wellhead Protection Overlay to RPD-0.5-W, Residential Planned Development 0.5 unit per acre-Wellhead Protection Overlay with a special exception and a variance for a 5,000 sq. ft. medical clinic. If the subject request is approved, the clinic would not be constructed; however, the previously approved single family subdivision to the east would continue to be developed as approved.

The proposed zoning and companion Institutional land use designation are felt to be appropriate and compatible at this location since the proposed Institutional Limited zoning district will permit institutional uses that are necessary or desirable to serve the surrounding community. The application states that an assisted living/memory care facility is proposed to be constructed on the subject site if the proposed amendments are approved. Additionally, as the proposed building will be developed with access to East Lake Road, no adverse impact to local residential streets will be realized. It is also important to note that the properties immediately south of the subject site contain a animal veterinarian clinic that was approved by the Board of County Commissioners as a conditional use under the A-E zoning district (CU-8-5-99) and a church, which is designated as Institutional on the FLUM.

TRANSPORTATION IMPACTS

When comparing the development potential of the previously approved 5,000 square foot medical clinic with the proposed 84 bed assisted living facility, the proposed assisted living facility could generate approximately 46 additional average daily trips on the section of East Lake Road from Keystone Road to Trinity Boulevard. These additional trips are not expected to degrade the level of service conditions or operational characteristics of East Lake Road.

OTHER INFRASTRUCTURE IMPACTS

The subject site is located within the Pinellas County Water Demand Planning Area and the William E. Dunn Wastewater Reclamation Facility Service Area. Amending the subject site to Institutional could increase potable water and wastewater demand by approximately 7,870 gallons per day, respectively. With respect to solid waste disposal, approval of the amendment could increase the amount of solid waste generated by approximately 490 tons per year.

ADDITIONAL CONSIDERATIONS:

The proposed FLUM amendment, if approved, would permit construction of institutional uses (the proposed use is an assisted living facility) along East Lake Road, which has been designated a scenic/non-commercial corridor in the Pinellas County Comprehensive Plan and on the Countywide Scenic/Non-Commercial Corridor Map. Similarly, Keystone Road has also been designated a scenic/non-commercial corridor. The purpose of these designations is to protect the traffic-carrying capacity and aesthetic qualities of roadways considered most important in terms of traffic circulation and scenic value. These designated corridors are protected by policies and regulations that restrict nonresidential development, encourage

lower density residential development, and encourage additional landscaping along the roadway. Consistent with this policy direction, only limited opportunities for non-residential development have been permitted along these road corridors in the East Lake Tarpon community. Institutional uses, however, have been permitted at certain locations along East Lake Road and Keystone Road to serve the large residential areas in the East Lake Tarpon community. For example, approximately 375 feet south of the subject area is a church located on property designated as Institutional on the FLUM. On the Countywide Map, this section of East Lake Road has been classified as a Rural/Open Space segment of the scenic/non-commercial corridor. The Countywide Rules do not identify the Institutional category as being compatible with the Rural/Open Space classification; therefore, approval of Institutional on the Countywide Plan Map would require approval of a concurrent change to the Rural/Open Space classification or granting an exception to allow approval of the Institutional designation within the Rural/Open Space classification at this location.

REQUESTED VARIANCES:

The variance to the minimum parking requirement for the proposed assisted living facility in this case is warranted as the residents using this facility for the most part will not be driving their own vehicles but rather be transported using buses or vans. Based on an evaluation of the requested height variance using the variance criteria listed below, staff supports the requested variance with the following conditions: 1) that the assisted living facility is constructed substantially in conformance with the building elevations included in the application; 2) the assisted living facility does not exceed 84 beds; and 3) that additional landscaping will be required for the portion of the property fronting East Lake Road that exceeds the minimum code requirements consistent with the site's location along a scenic/non-commercial corridor.

- (1) *Special conditions.* That special conditions and circumstances exist which are peculiar to the land, structure, or building involved, including the nature of and to what extent these special conditions and circumstances may exist as direct results from actions by the applicant.

The Code allows buildings up to 50 feet in height in the Institutional Limited zoning district unless the district abuts a single-family residential area. In those situations, the maximum height allowed is 35 feet. Although the subject area abuts property designated on the FLUM and Zoning Atlas for single-family development, these abutting properties actually contain a golf course to the north, a future stormwater treatment facility and subdivision common open space area to the northeast and east, and a veterinarian clinic to the south. The nearest single-family residential lot is approximately 250 feet to the southeast of the proposed assisted living facility. The nearest single-family lot to the north would be more than 500 feet distant from the subject area on the other side of the golf course. The site, therefore, exhibits special circumstances in that there is substantial open space between the proposed assisted living facility and the nearest existing and planned residential homes.

- (2) *No special privilege.* That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other similar lands, buildings, or structures in the same zoning district.

The requested maximum height of 47 feet is less than the maximum height of 50 feet permitted within the IL district.

- (3) *Unnecessary hardship.* That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter.

The literal interpretation of the IL district height provisions would not deprive the applicant of rights commonly enjoyed by other properties within the IL district.

- (4) *Minimum variance necessary.* That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.

The requested maximum height of 47 feet is less than the maximum height of 50 feet permitted within the IL district.

- (5) *Purpose and intent compliance.* That the grant of the variance will be in harmony with the general intent, purpose, and spirit of this code.

The proposed building height of 47 feet is consistent with the Code's spirit and intent, which allows building heights of up to 50 feet unless an institutional building is to be constructed in close proximity to single-family homes and potentially have an adverse impact on their occupants. As noted above, there is considerable common open space between the proposed new structure and the nearest existing and planned single-family homes alleviating concerns about the new structure's impact on these homes and their occupants.

- (6) *Detriment to public welfare.* That such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Approval of the proposed variance would not be injurious to the area or the public welfare. The maximum height of residences to the east that would be developed as part of a new 10-lot subdivision are allowed a maximum height of 45 feet, therefore, it is not anticipated that the proposed height of 47 feet as shown on the submitted concept plan for the assisted living facility will pose an adverse impact to the surrounding properties in the area.

The proposed assisted living facility would be located within the East Lake Tarpon Community Overlay. One purpose of the Overlay is to assist Pinellas County in making decisions that support the local vision, community character and the natural environment of East Lake Tarpon. Policy 1.22.3 of the Future Land Use and Quality Communities Element states that all future development in East Lake Tarpon should be compatible with the community and fit within the community's characteristic land use types, density, height, and scale. The applicant has requested a height variance to be able to construct a three story building along a section of East Lake Road where most of the existing structures are single story. The proposed building, therefore, might be considered to be incompatible with the characteristic building heights located in the surrounding area. The applicant has submitted a conceptual site plan and building elevations as part of the application with the intent of demonstrating how the proposed building would be consistent with the residential architectural style of the surrounding area and how its design is intended to reduce the visual bulk and scale of the building so that the structure would be compatible with the surrounding community characteristics.

- (7) *Increasing floor area, lot coverage restrictions.* Any variance to the floor area or lot coverage restrictions of this chapter shall be limited to an increase of no more than ten percent of the applicable requirement. (Example: 0.20 floor area ratio may be varied to no more than 0.22.)

N.A.

(8) *May not constitute amendment.* The variance, if allowed, shall not constitute an amendment of this chapter, the comprehensive land use plan or the countywide comprehensive plan.

Approval of the requested variance would not constitute an amendment of this chapter, the comprehensive land use plan or the countywide comprehensive plan.

(9) *Consideration of rezoning.* A rezoning or, where applicable, an amendment to another future land use map category has been considered and determined not to meet the objective of the variance and would not be appropriate.

The requested Institutional FLUM designation and Institutional Limited zoning district are the most appropriate categories for the proposed assisted living facility use.

IMPLEMENTATION OF THE PINELLAS COUNTY COMPREHENSIVE PLAN

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

FUTURE LAND USE 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 1.2.3 | 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 1.2.7 | Special exception land uses when authorized by the Board of Adjustment after a determination of compliance with the standards specified in the Zoning Chapter of the Pinellas County Land Development Code shall be consistent with the Zoning Chapter of the Pinellas County Land Development Code. |
| Objective 1.10 | The scenic/non-commercial corridor policies adopted in the Comprehensive Plan shall continue to be enforced to preserve the scenic/non-commercial designations approved by resolution by the Board of County Commissioners for specific transportation corridors, and to protect their traffic carrying capacity. |
| Policy 1.22.3 | All future development in East Lake Tarpon should be compatible with the community and fit within the community's characteristic land use types, density, height, and scale. |
| Policy 1.22.4 | Pinellas County will consider the residential and scenic use of East Lake Tarpon when making land use, zoning and conditional use decisions in the community to preserve the green space that helps define the quality of life. |
| Policy 1.22.8 | The County will strive to maintain the scenic corridor designation of East Lake Road (County Road 611) and Keystone Road (County Road 582), and consider this residential-oriented scenic corridor designation when evaluating land use and zoning changes within the corridors or expansion of commercial zones in the East Lake Tarpon area. |
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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.

Attachments:

Maps

Concept Plan and Building Elevations

LOCATION MAP



MAP-1

Z/LU-3-1-14

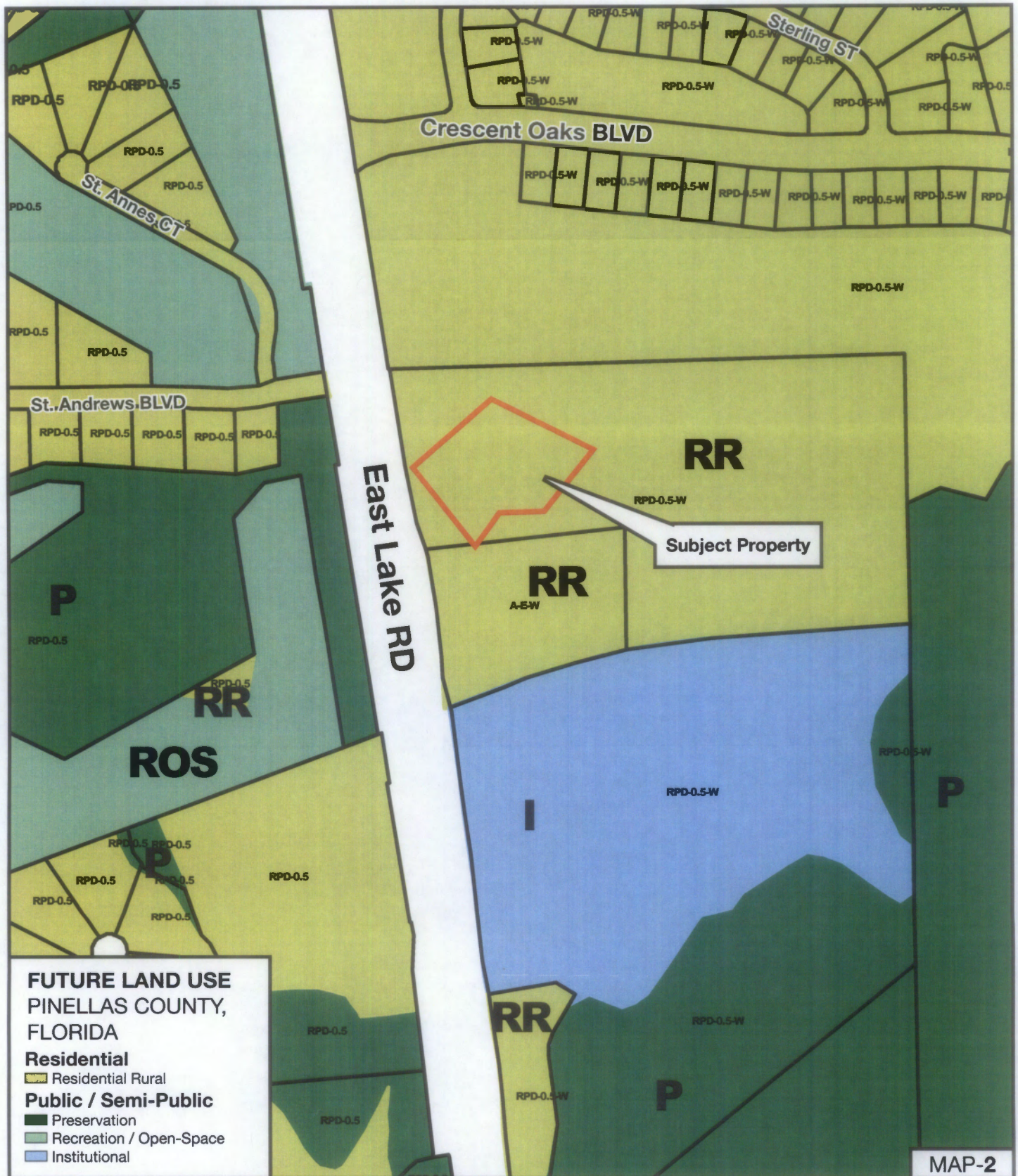
Zone From: RPD-0.5-W, Residential Planned Development, 0.5 unit per acre-Wellhead Protection Overlay
To: IL, Institutional Limited, W-Wellhead Protection Overlay
Land Use From: Residential Rural
To: Institutional

And a variance for parking to allow 45 spaces where a minimum of 68 spaces are required



Parcel I.D. 10/27/16/00000/210/0100
Prepared by: Pinellas County Department of Planning and Development Services January 2014





Z/LU-3-1-14

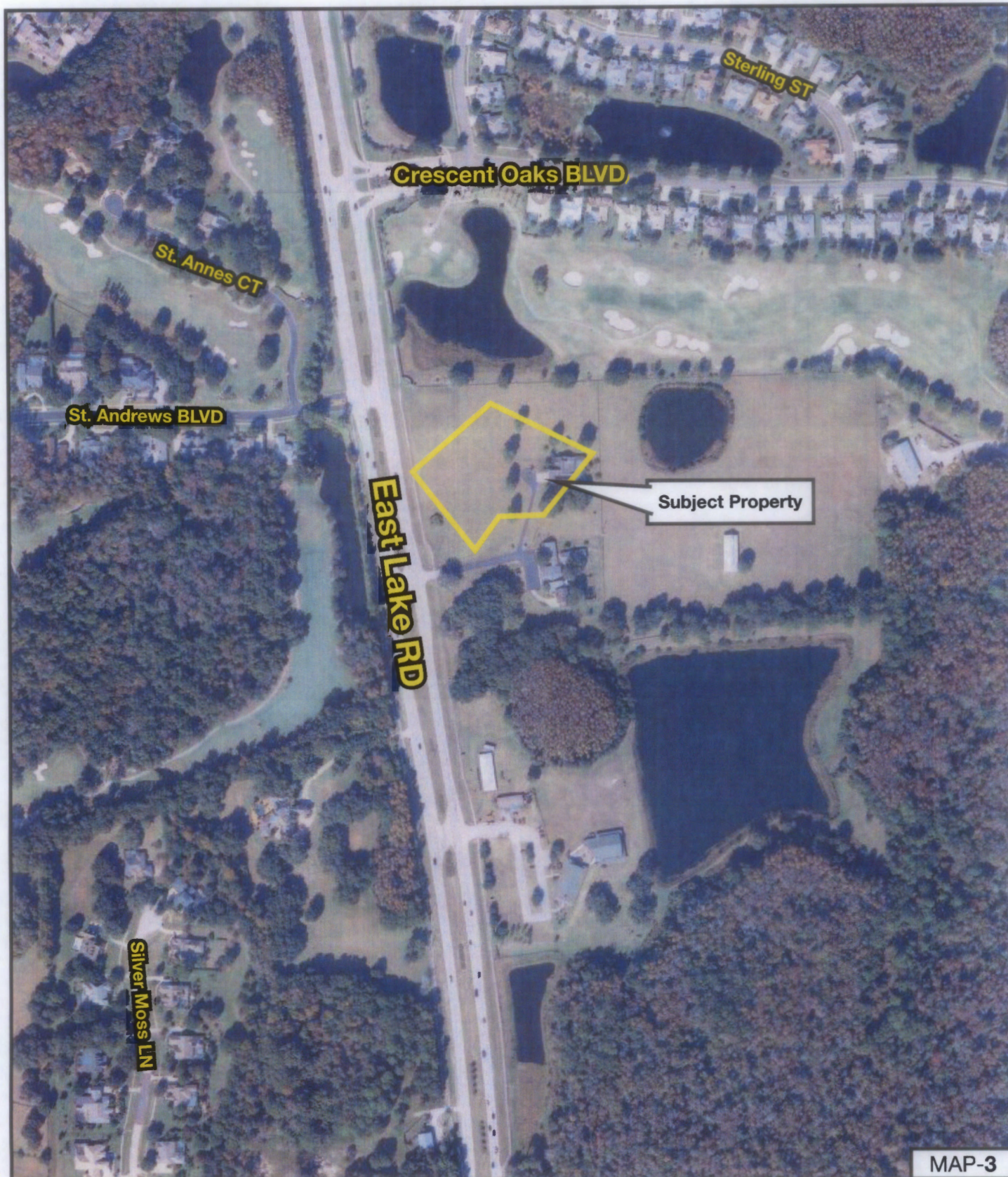
Zone From: RPD-0.5-W, Residential Planned Development, 0.5 unit per acre-Wellhead Protection Overlay
 To: IL, Institutional Limited, W-Wellhead Protection Overlay
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And a variance for parking to allow 45 spaces where a minimum of 68 spaces are required



Parcel I.D. 10/27/16/00000/210/0100
 Prepared by: Pinellas County Department of Planning and Development Services January 2014





MAP-3

Z/LU-3-1-14

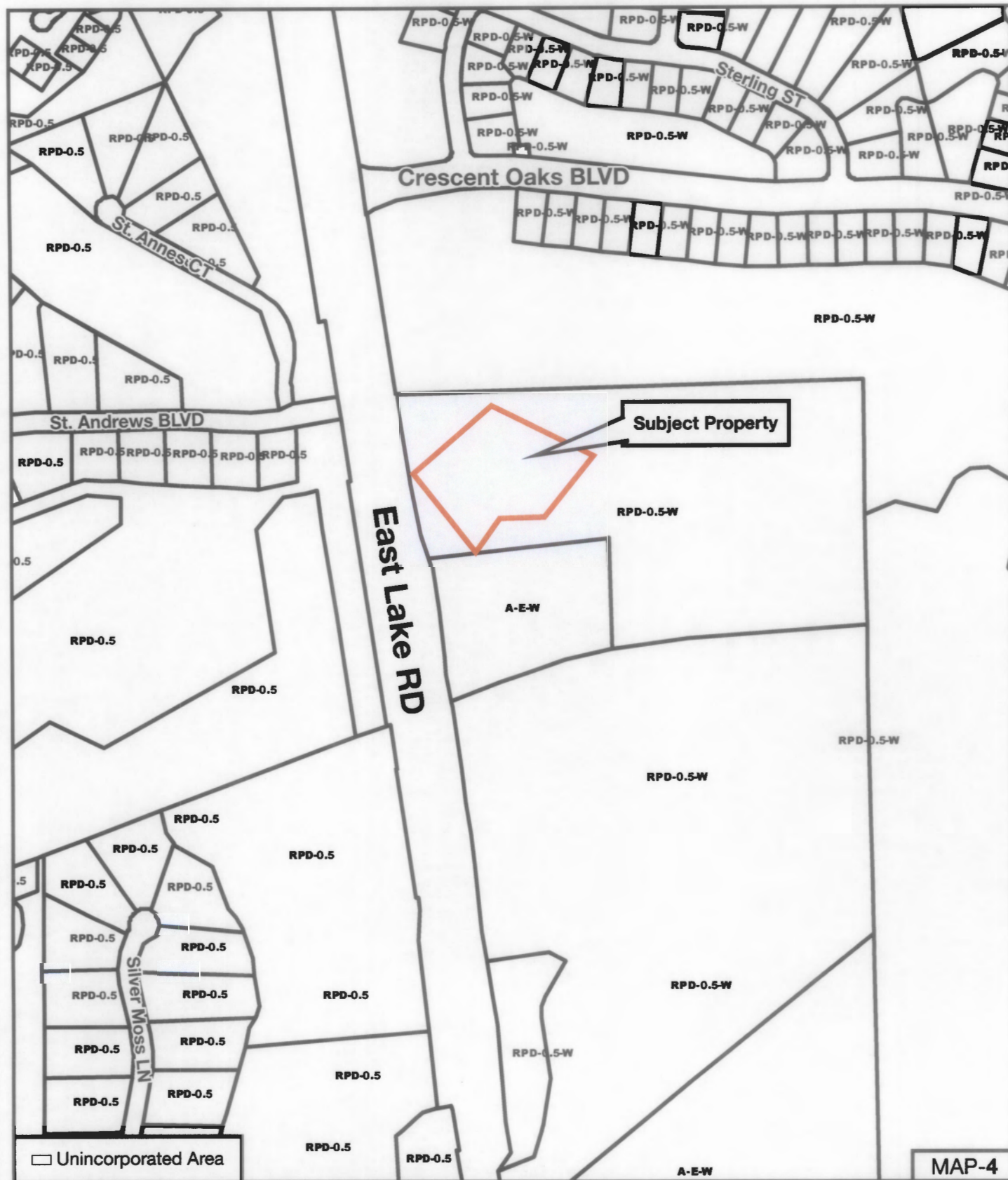
Zone From: RPD-0.5-W, Residential Planned Development, 0.5 unit per acre-Wellhead Protection Overlay
To: IL, Institutional Limited, W-Wellhead Protection Overlay
Land Use From: Residential Rural
To: Institutional

And a variance for parking to allow 45 spaces where a minimum of 68 spaces are required



Parcel I.D. 10/27/16/00000/210/0100
 Prepared by: Pinellas County Department of Planning and Development Services January 2014





Z/LU-3-1-14

Zone From: RPD-0.5-W, Residential Planned Development, 0.5 unit per acre-Wellhead Protection Overlay
To: IL, Institutional Limited, W-Wellhead Protection Overlay
Land Use From: Residential Rural
To: Institutional

And a variance for parking to allow 45 spaces where a minimum of 68 spaces are required



Parcel I.D. 10/27/16/00000/210/0100
Prepared by: Pinellas County Department of Planning and Development Services January 2014



RESOLUTION NO. _____

RESOLUTION CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 3.36 ACRES LOCATED ON THE EAST SIDE OF EAST LAKE ROAD 640 FT. SOUTH OF CRESCENT OAKS BOULEVARD LOCATED IN THE UNINCORPORATED AREA OF TARPON SPRINGS (STREET ADDRESS BEING 833 EAST LAKE ROAD NORTH); PAGE 519 OF THE ZONING ATLAS, AS BEING IN SECTION 10, TOWNSHIP 27, RANGE 16; FROM RPD-0.5-W, RESIDENTIAL PLANNED DEVELOPMENT, 0.5 UNIT PER ACRE-WELLHEAD PROTECTION OVERLAY TO IL-W, INSTITUTIONAL LIMITED-WELLHEAD PROTECTION OVERLAY AND A VARIANCE FOR PARKING TO ALLOW 45 SPACES WHERE A MINIMUM OF 68 SPACES ARE REQUIRED; UPON APPLICATION OF BVK-FOXWOOD ESTATES, LLC, C/O CHRIS KONCAL AND/OR PETER R. PENZA, AICP, REPRESENTATIVE, Z/LU-3-1-14

WHEREAS, BVK - Foxwood Estates, LLC, Owner 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 RPD-0.5-W, Residential Planned Development, 0.5 unit per acre-Wellhead Protection Overlay to IL-W, Institutional Limited-Wellhead Protection Overlay and a variance for parking to allow 45 spaces where a minimum of 68 spaces are required;

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;

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:

"See Attached Legal Description"

be, and the same is hereby changed from RPD-0.5-W, Residential Planned Development, 0.5 unit per acre-Wellhead Protection Overlay to IL-W, Institutional Limited-Wellhead Protection Overlay and a variance for parking to allow 45 spaces where a minimum of 68 spaces are required, is hereby granted to the variance in case Z/LU-3-1-14, with the following conditions:

- 1) That the assisted living facility is constructed substantially in conformance with the building elevations included in the application.
- 2) The assisted living facility does not exceed 68 beds.
- 3) That additional landscaping will be required for the portion of the property fronting East Lake Road that exceeds the minimum code requirements consistent with the site's location along a scenic/non-commercial corridor.
- 4) The use shall be for an ALF facility only. Other uses listed in the Institutional Limited zoning district shall not be permitted.

The zoning amendment and the variance are granted subject to an amendment to the Pinellas County Future Land Use Map from Residential Rural to Institutional.

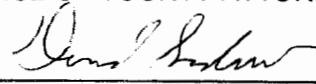
Commissioner _____ offered the foregoing resolution and moved its adoption, which was seconded by Commissioner _____ upon the roll call the vote was:

Ayes:

Nays:

Absent and not voting:

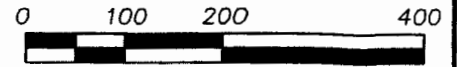
APPROVED AS TO FORM
OFFICE OF COUNTY ATTORNEY

By 
Attorney

THIS IS NOT A SURVEY

NOTES: THIS LEGAL DESCRIPTION AND SKETCH WAS PREPARED WITHOUT THE BENEFIT OF A TITLE POLICY.
THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
BASIS OF BEARINGS: THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 10 BEING N 88°32'40"E AS SHOWN ON DRAWING.
SEE SHEET 1 OF 2 FOR SKETCH TO ACCOMPANY DESCRIPTION, FOR CURVE TABLE AND LINE TABLES. SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION AND LEGEND.

Z/LU-3-1-14



SCALE: 1" = 200'
GRAPHIC SCALE IN FEET

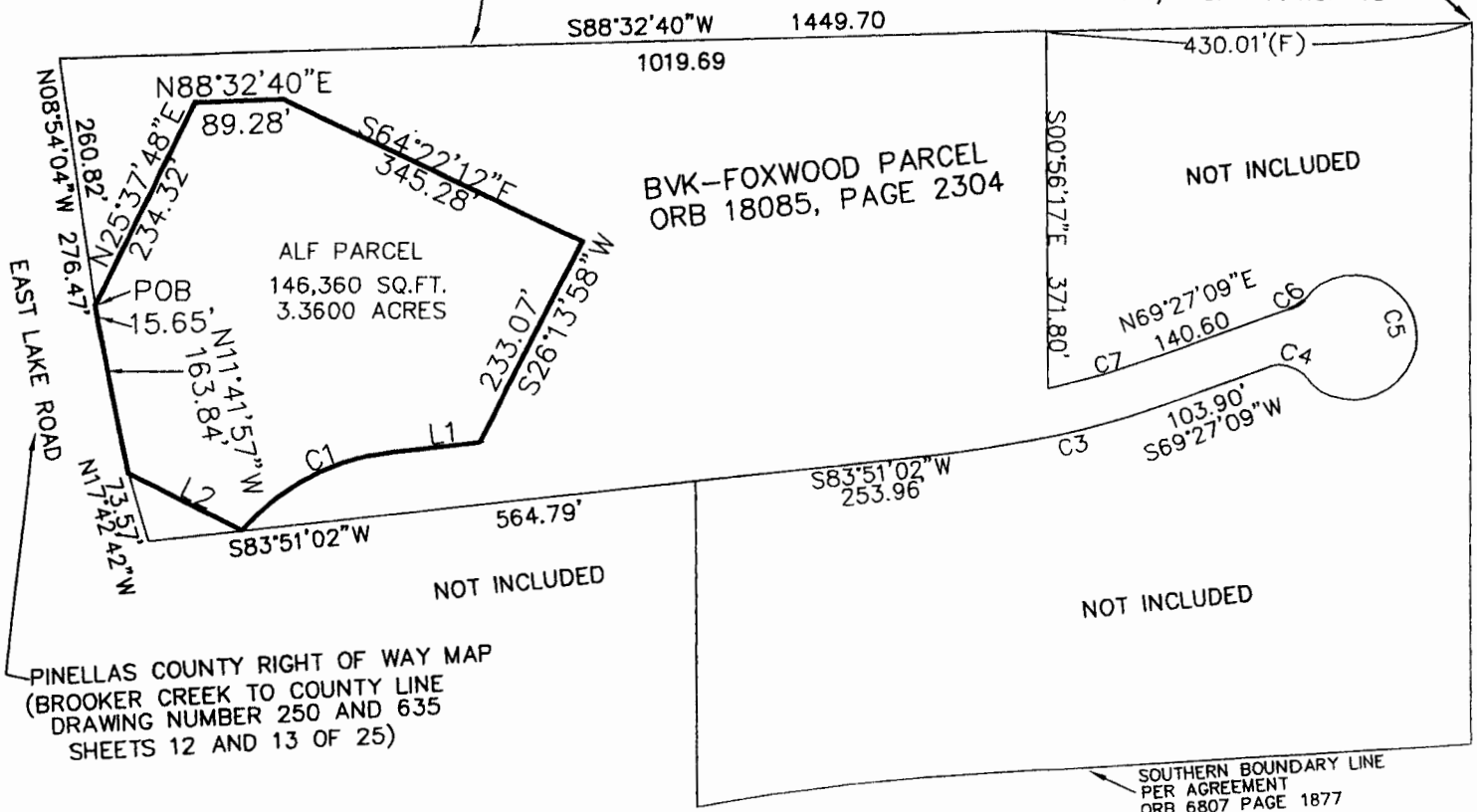
CURVE TABLE					
CURVE	RADIUS	CENTRAL ANGLE	ARC LENGTH	CHORD BEARING	CHORD
C1	239.00'	42°55'39"	179.06'	S62°23'13"W	174.91'
C3	1000.00'	14°23'53"	251.29'	S76°39'06"W	250.63'
C4	25.00'	73°52'21"	32.23'	N73°36'41"W	30.05'
C5	65.00'	287°25'47"	326.08'	S00°23'24"E	76.93'
C6	25.00'	33°33'26"	14.64'	N52°40'26"E	14.43'
C7	950.00'	7°08'56"	118.53'	N73°01'37"E	118.46'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S83°51'02"W	90.23'
L2	N63°15'56"W	132.75'

BASIS OF BEARINGS
NORTH LINE SECTION 10

TRACT B
CRESCENT OAKS COUNTRY CLUB
PB 104 PAGE 1

POINT OF COMMENCEMENT
NORTHEAST CORNER
NW 1/4 OF SECTION 10



NOTE: THE GEOMETRY PERTAINING TO THE PARCEL OF LAND BEING DESCRIBED HEREIN (THE DESCRIPTION) SOLELY BASED UPON A BOUNDARY SURVEY OF FOXWOOD DATED 10/18/12 BY AVID GROUP.

PREPARED FOR: BGV LIMITED, LLLC

SHEET DESCRIPTION: ALF PARCEL

SCALE: 1"=200'	DRAWN: JLW	CHECKED: JLW	COUNTY: PINELLAS
BOOK NO. 007072	DATE: 10/08/13	SECTION: 10	TOWNSHIP: 27S RANGE: 16E



CIVIL ENGINEERING 2300 CURLEW ROAD STE 201
LAND PLANNING PALM HARBOR, FLORIDA
TRAFFIC/TRANSPORTATION 34683
ENVIRONMENTAL SCIENCES PHONE (727) 789-9500
SURVEYING FAX (727) 784-6662
GIS AVIDGROUP.COM

CERTIFIED AS TO SKETCH AND LEGAL DESCRIPTION
SKETCH AND LEGAL DESCRIPTION OR THE COPIES
THEREOF ARE NOT VALID WITHOUT THE
SIGNATURE AND ORIGINAL RAISED SEAL OF A
FLORIDA LICENSED SURVEYOR AND MAPPER
FLORIDA CERTIFICATE OF AUTHORIZATION No. 7345

JOHN L. WABY
PROFESSIONAL LAND SURVEYOR
LICENSE NUMBER #4270
STATE OF FLORIDA

THIS IS NOT A SURVEY

NOTES: THIS LEGAL DESCRIPTION AND SKETCH WAS PREPARED WITHOUT THE BENEFIT OF A TITLE POLICY.

THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

BASIS OF BEARINGS: THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 10 BEING N 88°32'40"E AS SHOWN ON DRAWING.

SEE SHEET 1 OF 2 FOR SKETCH TO ACCOMPANY DESCRIPTION, FOR CURVE TABLE AND LINE TABLES. SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION AND LEGEND.

Z/24-3-1-14

LEGAL DESCRIPTION: ALF PARCEL

A PARCEL OF LAND IN A PORTION THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 27 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE FROM THE NORTH EAST CORNER OF THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 27 SOUTH, RANGE 16 EAST; THENCE SOUTH 88°32'40" WEST ALONG THE NORTH LINE OF SAID NORTHWEST 1/4 FOR 1449.70 FEET TO INTERSECT THE EASTERN RIGHT OF WAY OF EAST LAKE ROAD AS SHOWN ON PINELLAS COUNTY RIGHT OF WAY MAP- BROOKER CREEK TO COUNTY LINE, DRAWING NUMBERS 250 AND 635, SHEET 12 AND 13 OF 25; THENCE SOUTH 08°54'04" EAST ALONG SAID EASTERN RIGHT OF WAY FOR 260.82 FEET TO THE POINT OF BEGINNING; THENCE NORTH 25°37'48" EAST FOR 234.32 FEET; THENCE NORTH 88°32'40" EAST FOR 89.28 FEET; THENCE SOUTH 64°22'12" EAST FOR 345.28 FEET; THENCE SOUTH 26°13'58" WEST FOR 233.07 FEET; THENCE SOUTH 83°51'02" WEST FOR 90.23 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 239.00 FEET, A CENTRAL ANGLE OF 42°55'39", AN ARC LENGTH OF 179.06 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 62°23'13" WEST 174.91 FEET; THENCE NORTH 63°15'56" WEST FOR 132.75 FEET TO INTERSECT THE AFORESAID EASTERN RIGHT OF WAY; THENCE ALONG SAID EASTERN RIGHT OF WAY THE FOLLOWING TWO (2) COURSES: (1) NORTH 11°41'57" WEST FOR 163.84 FEET; (2) NORTH 08°54'04" WEST FOR 15.65 FEET TO THE POINT OF BEGINNING.

CONTAINING 146,360 SQUARE FEET OR 3.3600 ACRES, MORE OR LESS.

LEGEND

AC = Acres	PB = Plat Book	SQ = Square
ARC = Arc length	PG(S) = Pages	TWP = Township
(C) = Calculated	PLS = Professional Land Surveyor	W = West
CB = Chord Bearing	POB = Point of Beginning	xx° = Degrees
CH = Chord	POC = Point of Commencement	xx' = Minutes (Bearings)
E = East	RNG = Range	xx" = Seconds (Bearing)
(F) = Field Data	R = Radius	xx' = Feet (Distances)
FT = Feet	R/W = Right of Way	
(L) = Legal Description	S = South	
LB = Licensed Business Number	SEC = Section	
LF = Linear Feet		
LS = Licensed Surveyor		
N = North		
O/A = Overall		
ORB = Official Record Book		
(P) = Plat		

PREPARED FOR: BGV LIMITED, LLLC

SHEET DESCRIPTION: ALF PARCEL



ORDINANCE NO. _____

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF PINELLAS COUNTY, FLORIDA BY CHANGING THE LAND USE DESIGNATION OF APPROXIMATELY 3.36 ACRES LOCATED ON THE EAST SIDE OF EAST LAKE ROAD 640 FT. SOUTH OF CRESCENT OAKS BOULEVARD WITH THE STREET ADDRESS BEING 833 EAST LAKE ROAD NORTH IN THE UNINCORPORATED AREA OF TARPON SPRINGS LOCATED IN SECTION 10, TOWNSHIP 27, RANGE 16, FROM RESIDENTIAL RURAL TO INSTITUTIONAL, PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THIS ORDINANCE AT THE PUBLIC HEARING AND/OR WITH OTHER RESPONSIBLE PARTIES; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the application for an amendment to the Future Land Use map of Pinellas County, Florida, hereinafter listed, has been presented to the Board of County Commissioners of Pinellas County;

WHEREAS, notice of public hearings and advertisements have been given as required by Florida Law;

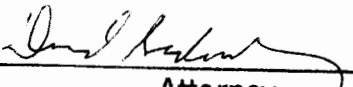
WHEREAS, the comments and recommendation of the Local Planning Agency have been received and considered; and

WHEREAS, this is a small-scale development amendment, as defined by Section 163.3187(1), F.S.

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Pinellas County, Florida in regular meeting duly assembled this 25th day of February 2014 that:

- Section 1. The Future Land Use Map of Pinellas County, Florida is amended by redesignating the property described as: Approximately 3.36 acres located on the east side of East Lake Road 640 ft. south of Crescent Oaks Boulevard with the street address being 833 East Lake Road North in the unincorporated area of Tarpon Springs. Referenced as Case Z/LU-3-1-14, and owned by BVK - Foxwood Estates, LLC, from Residential Rural to Institutional. See attached legal description.
- Section 2. This amendment shall be transmitted to the Pinellas Planning Council for action to amend the Countywide Future Land Use Plan, from Residential Rural to Institutional to maintain consistency with the said Plan.
- Section 3. This Ordinance shall take effect upon:
 - a) Receipt of notice from the Secretary of State that the Ordinance has been filed is received; and
 - b) Approval by the Countywide Planning Authority of the requisite amendment of the Countywide Future Land Use Plan submitted herein pursuant to Chapter 88-464, Laws of Florida, as amended.
 - c) Pursuant to Section 163.3187(5)(c), Florida Statutes, this amendment shall become effective upon 31 days following its adoption. If timely challenged, this amendment shall not become effective until the state land planning agency or the Administration Commission issues a final order determining the adopted small scale amendment is in compliance. No development orders, development permits, or land uses dependent on this Amendment may be issued or commence before the amendment has become effective.

APPROVED AS TO FORM
OFFICE OF COUNTY ATTORNEY

By 
Attorney

THIS IS NOT A SURVEY

NOTES: THIS LEGAL DESCRIPTION AND SKETCH WAS PREPARED WITHOUT THE BENEFIT OF A TITLE POLICY.
THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
BASIS OF BEARINGS: THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 10 BEING N 88°32'40"E AS SHOWN ON DRAWING.
SEE SHEET 1 OF 2 FOR SKETCH TO ACCOMPANY DESCRIPTION, FOR CURVE TABLE AND LINE TABLES. SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION AND LEGEND.

Z/LU-3-1-14

0 100 200 400

SCALE: 1" = 200'
GRAPHIC SCALE IN FEET

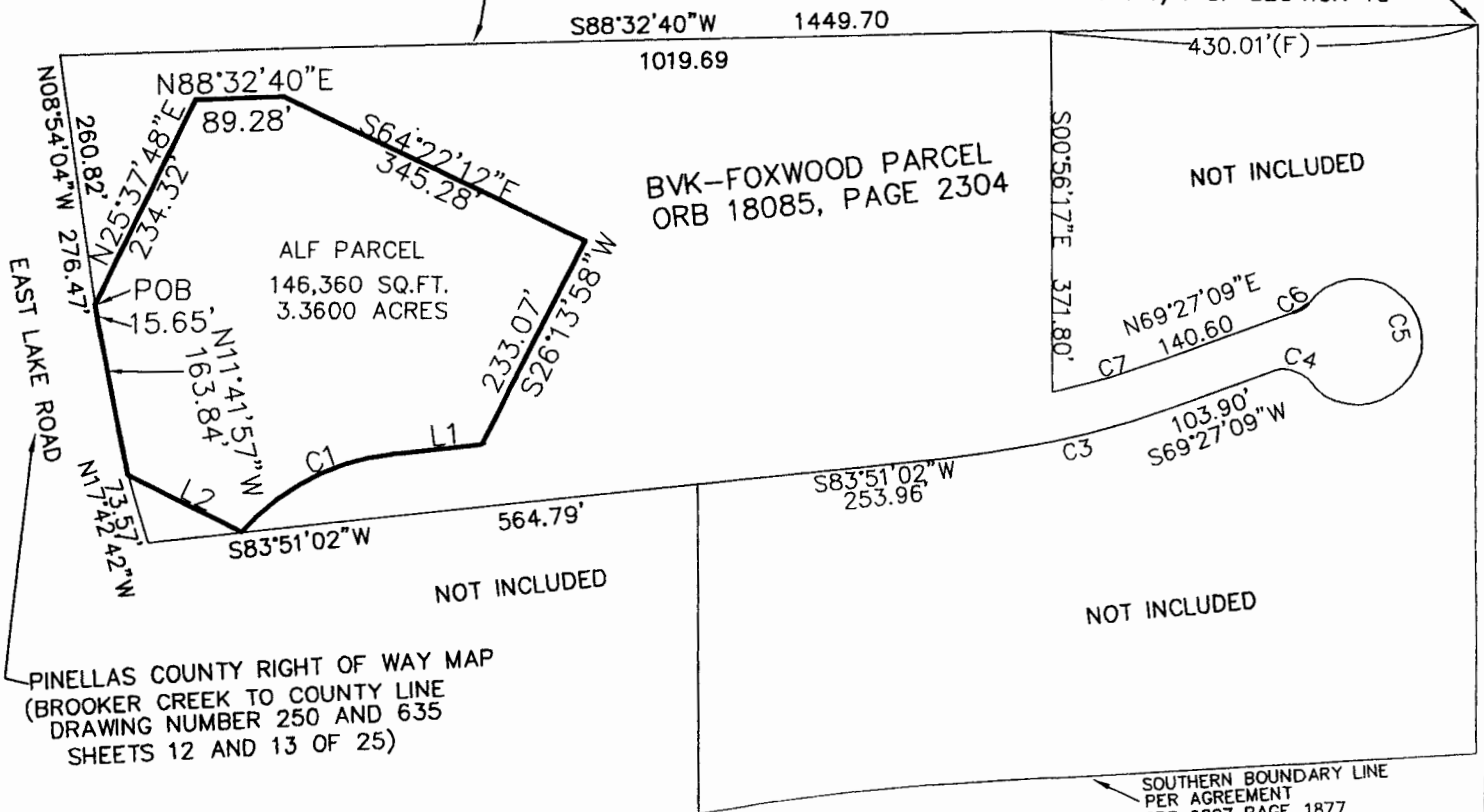
CURVE TABLE					
CURVE	RADIUS	CENTRAL ANGLE	ARC LENGTH	CHORD BEARING	CHORD
C1	239.00'	42°55'39"	179.06'	S62°23'13"W	174.91'
C3	1000.00'	14°23'53"	251.29'	S76°39'06"W	250.63'
C4	25.00'	73°52'21"	32.23'	N73°36'41"W	30.05'
C5	65.00'	287°25'47"	326.08'	S00°23'24"E	76.93'
C6	25.00'	33°33'26"	14.64'	N52°40'26"E	14.43'
C7	950.00'	7°08'56"	118.53'	N73°01'37"E	118.46'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S83°51'02"W	90.23'
L2	N63°15'56"W	132.75'

BASIS OF BEARINGS
NORTH LINE SECTION 10

TRACT B
CRESCENT OAKS COUNTRY CLUB
PB 104 PAGE 1

POINT OF COMMENCEMENT
NORTHEAST CORNER
NW 1/4 OF SECTION 10



NOTE: THE GEOMETRY PERTAINING TO THE PARCEL OF LAND BEING DESCRIBED HEREIN (THE DESCRIPTION) IS SOLELY BASED UPON A BOUNDARY SURVEY OF FOXWOOD DATED 10/18/12 BY AVID GROUP.

PREPARED FOR:

BGV LIMITED, LLLC

SHEET DESCRIPTION:

ALF PARCEL

SCALE: 1"=200' DRAWN: JLW CHECKED: JLW COUNTY: PINELLAS
JOB NO. 007072 DATE: 10/08/13 SECTION: 10 TOWNSHIP: 27S RANGE: 16E

CERTIFIED AS TO SKETCH AND LEGAL DESCRIPTION
SKETCH AND LEGAL DESCRIPTION OR THE COPIES
THEREOF ARE NOT VALID WITHOUT THE
SIGNATURE AND ORIGINAL RAISED SEAL OF A
FLORIDA LICENSED SURVEYOR AND MAPPER
FLORIDA CERTIFICATE OF AUTHORIZATION No. 7345



CIVIL ENGINEERING 2300 CURLEW ROAD STE 201
LAND PLANNING PALM HARBOR, FLORIDA
TRAFFIC/TRANSPORTATION 34683
ENVIRONMENTAL SCIENCES PHONE (727) 789-9500
SURVEYING FAX (727) 784-6662
GIS AVIDGROUP.COM

JOHN L. WABY
PROFESSIONAL LAND SURVEYOR
LICENSE NUMBER #4270
STATE OF FLORIDA

THIS IS NOT A SURVEY

NOTES: THIS LEGAL DESCRIPTION AND SKETCH WAS PREPARED WITHOUT THE BENEFIT OF A TITLE POLICY.

THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

BASIS OF BEARINGS: THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 10 BEING N 88°32'40"E AS SHOWN ON DRAWING.

SEE SHEET 1 OF 2 FOR SKETCH TO ACCOMPANY DESCRIPTION, FOR CURVE TABLE AND LINE TABLES. SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION AND LEGEND.

Z/LL-3-1-14

LEGAL DESCRIPTION: ALF PARCEL

A PARCEL OF LAND IN A PORTION THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 27 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE FROM THE NORTH EAST CORNER OF THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 27 SOUTH, RANGE 16 EAST; THENCE SOUTH 88°32'40" WEST ALONG THE NORTH LINE OF SAID NORTHWEST 1/4 FOR 1449.70 FEET TO INTERSECT THE EASTERN RIGHT OF WAY OF EAST LAKE ROAD AS SHOWN ON PINELLAS COUNTY RIGHT OF WAY MAP- BROOKER CREEK TO COUNTY LINE, DRAWING NUMBERS 250 AND 635, SHEET 12 AND 13 OF 25; THENCE SOUTH 08°54'04" EAST ALONG SAID EASTERN RIGHT OF WAY FOR 260.82 FEET TO THE POINT OF BEGINNING; THENCE NORTH 25°37'48" EAST FOR 234.32 FEET; THENCE NORTH 88°32'40" EAST FOR 89.28 FEET; THENCE SOUTH 64°22'12" EAST FOR 345.28 FEET; THENCE SOUTH 26°13'58" WEST FOR 233.07 FEET; THENCE SOUTH 83°51'02" WEST FOR 90.23 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 239.00 FEET, A CENTRAL ANGLE OF 42°55'39", AN ARC LENGTH OF 179.06 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 62°23'13" WEST 174.91 FEET; THENCE NORTH 63°15'56" WEST FOR 132.75 FEET TO INTERSECT THE AFORESAID EASTERN RIGHT OF WAY; THENCE ALONG SAID EASTERN RIGHT OF WAY THE FOLLOWING TWO (2) COURSES: (1) NORTH 11°41'57" WEST FOR 163.84 FEET; (2) NORTH 08°54'04" WEST FOR 15.65 FEET TO THE POINT OF BEGINNING.

CONTAINING 146,360 SQUARE FEET OR 3.3600 ACRES, MORE OR LESS.

LEGEND

AC = Acres
ARC = Arc length
(C) = Calculated
CB = Chord Bearing
CH = Chord
E = East
(F) = Field Data
FT = Feet
(L) = Legal Description
LB = Licensed Business Number
LF = Linear Feet
LS = Licensed Surveyor
N = North
O/A = Overall
ORB = Official Record Book
(P) = Plat

PB = Plat Book
PG(S) = Pages
PLS = Professional Land Surveyor
POB = Point of Beginning
POC = Point of Commencement
RNG = Range
R = Radius
R/W = Right of Way
S = South
SEC = Section

SQ = Square
TWP = Township
W = West
xx° = Degrees
xx' = Minutes (Bearings)
xx" = Seconds (Bearing)
xx' = Feet (Distances)

PREPARED FOR:

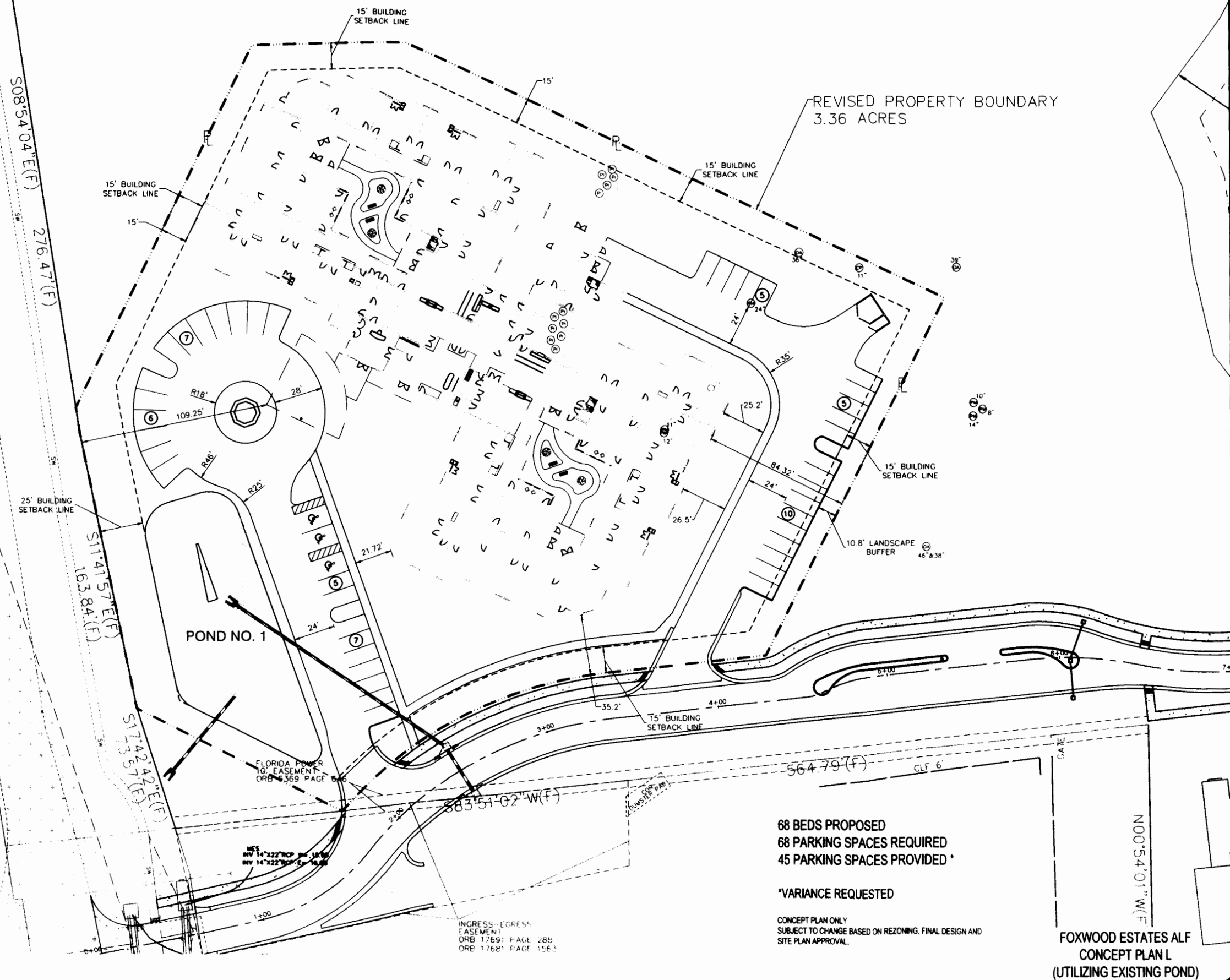
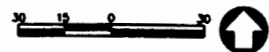
BGV LIMITED, LLLC

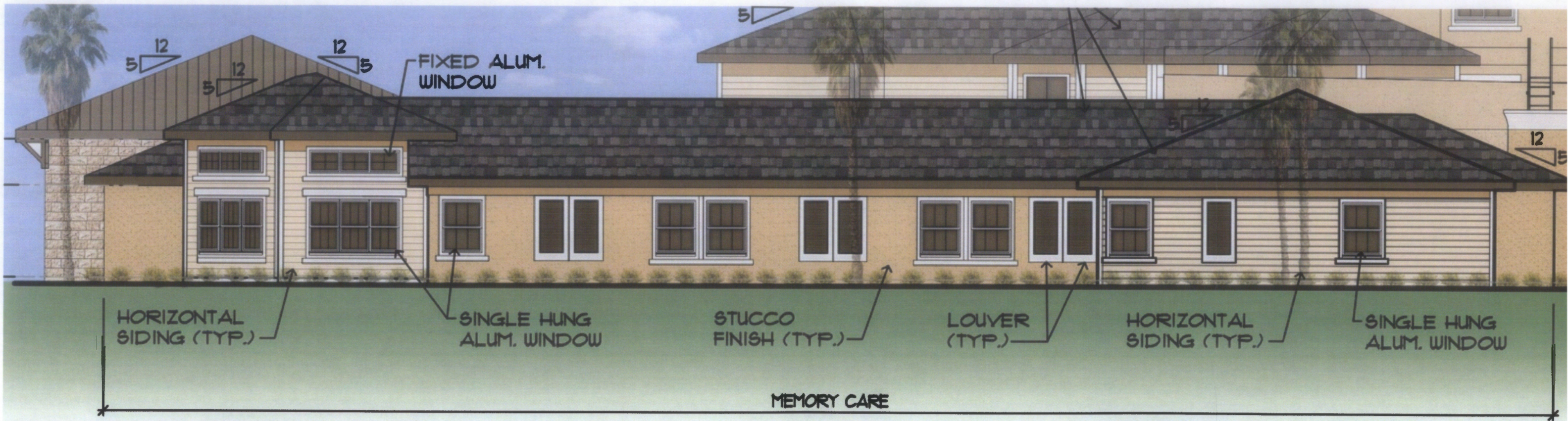
SHEET DESCRIPTION:

ALF PARCEL



REUSE OF DOCUMENT:





Swinton, Tammy M

Subject: FW: Proposed ALF at Foxwood Estates

From: Meinck, Cyndi M
Sent: Wednesday, January 29, 2014 3:27 PM
To: Bill Place / Ace Golf
Cc: Loy, Norman; Cueva, John; Stumpf, Cheryl; Hardwick, Mary Scott; Herring, Darlina; Lowack, Brian; Powell, Angela E; Reid, Ralph
Subject: RE: Proposed ALF at Foxwood Estates

On behalf of the County Commission, thank you for sharing your concerns. I know that each Commissioner will carefully consider your input.

Most sincerely,
Karen

Cyndi Meinck, Executive Assistant
Office of Karen Williams Seel, County Commissioner
315 Court Street, 5th floor
Clearwater, FL 33756

727-464-3278

www.pinellascounty.org

All email is subject to public records law.

From: Bill Place / Ace Golf [<mailto:acegolf@verizon.net>]
Sent: Wednesday, January 29, 2014 11:40 AM
To: Seel, Karen
Subject: FW: Proposed ALF at Foxwood Estates

Dear Commissioner Seel,

As owner of two businesses (Crescent Oaks Country Club and Wentworth Golf Club) in the East Lake Tarpon Community, I oppose the proposed Assisted Living Facility at Foxwood Estates immediately adjacent to our golf course. We supported the Barclay Group's initial proposal for a single story medical office building because it was in compliance with the County-approved East Lake Tarpon Community Overlay. It is disturbing that this developer quickly changed his plans after gaining our support to one that clearly violates the overlay. A multi-story building with only half the required parking (45 instead of 84 spaces) is against the future land use plan as approved by residents and planners.

I grew up in Dunedin and through the last 40 years have seen how ad-hoc development has minimized the natural beauty, quality of life, and community potential of our area. The Overlay was produced by community leaders and planners to ensure the optimal development of one of the few remaining areas largely unaffected by sprawl. To approve the Foxwood ALF that so clearly violates the Overlay seems both illegal and a dangerous precedent.

I generally support development in our area and would support this developer's plans if it were in compliance with the Overlay. Please send this developer and others the message that our community plans should be respected.

Sincerely,

Bill Place
President, Ace Golf
(813) 763-2654 - cell
Ace Golf Ranges
www.ace-golf.com

Pebble Creek Golf Club
www.pebblecreekclub.com

Wentworth Golf Club
www.wentworthgolfclub.org

Crescent Oaks Country Club
www.crescentoaksgolf.com



This email is free from viruses and malware because avast! Antivirus protection is active.

2/24-3-1-14

Swinton, Tammy M

From: Seel, Karen
Sent: Monday, January 20, 2014 11:15 AM
To: Roxan Bovee
Cc: Long, Janet C; Roche, Norm T; Justice, Charlie; Latvala, Susan; Morroni, John; Welch, Kenneth; irvin rosen; Meinck, Cyndi M
Subject: Re: Foxwood Estates Proposed Changes

Dear Mr. and Mrs. Bovee,

On behalf of the County Commission, thank you for contacting us with your concerns about this proposed project. I am sure that each Commissioner will carefully consider your input.

Most sincerely,

Karen Seel
Chair

Sent from my iPad

On Jan 19, 2014, at 12:07 PM, "Roxan Bovee" <roxanbovee@gmail.com> wrote:

Dear People,

As new residents of Crescent Oaks, we are saddened to hear of the proposed changes to the plans for Foxwood Estates; and we are writing to say that WE ARE NOT IN SUPPORT OF THEM.

It is upsetting that you are considering making choices that are in conflict with the Eastlake Community Overlay approved by you in the recent past, which reflects the desires of the citizens of the Eastlake corridor to maintain an atmosphere of quiet residence. We feel that the "homey" atmosphere of our new community will suffer under the burdens of population density dictated by institutional land use and zoning . . . congestion, traffic, noise, and a structure inconsistent with the feel of single-family residence.

We can't help but wonder about the factors that are motivating your change of heart.

Respectfully,

✓ Barry and Roxan Bovee
1024 Dartford Drive
Tarpon Springs, FL 34688
970-379-4358
roxanbovee@gmail.com

Swinton, Tammy M

2/44-3-1-14

Subject: FW: foxwood east lake blvd 84 bed proposal

From: Seel, Karen

Sent: Monday, January 20, 2014 10:06 PM

To: Bob Burke

Cc: Long, Janet C; Roche, Norm T; Justice, Charlie; Latvala, Susan; Morroni, John; Welch, Kenneth; Meinck, Cyndi M

Subject: Re: foxwood east lake blvd 84 bed proposal

Dear Mr. Burke,

On behalf of the County Commission, thank you for contacting us with your concerns on this project. I know that each one of us will carefully consider this proposed project.

Most sincerely,
Karen Seel
Chair

Sent from my iPad

On Jan 20, 2014, at 11:15 AM, "Bob Burke" <bob@rcburkepa.com> wrote:

There are time and locations both good and bad for development. The proposal for an 84 bed facility yards away from the entrance to both cypress run development and crescent oaks development make NO SENSE WHATSOEVER. I DON'T HAVE ENOUGH FINGERS AND TOES TO COUNT THE REASONS TO DENY SUCH PROPOSAL. I HOPE THAT YOU AGREE.

✓ Bob Burke
bob@rcburkepa.com
Robert C. Burke, Jr., P.A.
412 E. Tarpon Avenue
Tarpon Springs, FL 34689
Telephone: 727-939-4900
Facsimile: 727-939-4966

CIRCULAR 230 DISCLOSURE: To ensure compliance with the requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for purposes of (1) avoiding penalties under the Internal Revenue Code or (2) promoting, marketing, or recommending to another party any transaction or tax-related matter addressed herein.

The information contained in this transmission may be attorney privileged and confidential. It is intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, disclosure, or copying of this communication is strictly prohibited by law. If you have received this communication in error, please notify us at the above-stated telephone number.

Swinton, Tammy M

2/14-3-1-14

From: Seel, Karen
Sent: Monday, January 20, 2014 11:15 AM
To: Meinck, Cyndi M
Subject: Fwd: Foxwood Estate Variance

Sent from my iPad

Begin forwarded message:

From: "Seel, Karen" <kseel@co.pinellas.fl.us>
Date: January 20, 2014 11:11:50 AM EST
To: Pete and Gail Hekkema <pega@compuserve.com>
Cc: "Long, Janet C" <JanetCLong@co.pinellas.fl.us>, "Roche, Norm T" <nroche@co.pinellas.fl.us>, "Justice, Charlie" <cjustice@co.pinellas.fl.us>, "Latvala, Susan" <slatvala@co.pinellas.fl.us>, "Morrone, John" <jmorrone@co.pinellas.fl.us>, "Welch, Kenneth" <kwelch@co.pinellas.fl.us>
Subject: Re: Foxwood Estate Variance

Dear Mr. and Mrs. Hekkema,
On behalf of the County Commission, thank you for sharing your concerns. I know that each Commissioner will carefully consider your input.
Most sincerely,
Karen Seel
Chair

Sent from my iPad

On Jan 17, 2014, at 10:13 PM, "Pete and Gail Hekkema" <pega@compuserve.com> wrote:

Dear Pinellas County Commissioners,

RE: Foxwood Estates

We are writing this e-mail to you because it has come to our attention that the developer of the above project has changed his original plans from constructing 11 luxury homes and a 5,000 square foot medical building to a 3 story, 38000 foot institutional building. This would mean he would have to ask the county for a variance because of height restrictions and residential zoning. If this new project is allowed to proceed, it would set a precedent for future commercial development in the area. Our concern would be that it would increase traffic and noise as well as demeaning the look of the residential zoned area. Please vote against allowing this company to change the plan that has already been agreed to. As commissioners, you voted a year ago to adopt the "East Lake Community Overlay" which prevented commercial development in the East Lake residential corridor. Please uphold this document and do not allow commercial development in our residentially zoned area.

Thank you for your attention to this very important matter,

/ Peter and Gail Hekkema
Cypress Run

1079- Royal Troon
Tarpon Springs, 34688

Swinton, Tammy M

2/24-3-1-14

From: Seel, Karen
Sent: Monday, January 20, 2014 11:15 AM
To: Meinck, Cyndi M
Subject: Fwd: Foxwood Estates

Sent from my iPad

Begin forwarded message:

From: "Seel, Karen" <kseel@co.pinellas.fl.us>
Date: January 20, 2014 11:13:08 AM EST
To: JACK KATCHUK <jkatchuk@msn.com>
Subject: Re: Foxwood Estates

Dear Mr. and Mrs. Katchuk,
Thank you for sharing your concerns about this proposed project. I know that I will carefully consider your input.
Most sincerely,
Karen

Sent from my iPad

On Jan 19, 2014, at 11:02 AM, "JACK KATCHUK" <jkatchuk@msn.com> wrote:

RE: Foxwood Estates

Dear Commissioner Steel,

We are 33 year residents of Pinellas County who vote in every election and primary.

The commission voted to adopt the "East Lake Community Overlay" which prevents commercial development in the East Lake residential corridor. Please uphold this document and do not allow commercial development in our residentially zoned area and do not allow commercial development in our residentially zoned area.

The developer of the above project has changed his original plans to include a 3 story, 38000 foot institutional building, which would require a variance from the county because of height restrictions and residential zoning.

Our concern would be that it would increase traffic and noise as well as demeaning the look of the residential zoned area and would set a precedent for future commercial development in the area.

Please vote against allowing this company to change the plan that has already been agreed to.

Thank you for your attention to this very important matter.

Jack and Victoria Katchuk
1085 Royal Troon Ct
Tarpon Springs Fl 34688

jkatchuk@msn.com

Swinton, Tammy M

2/11-3-1-14

Subject: FW: [BULK] ALF PROPOSAL FOR FOXWOOD ESTATES VIOLATES 2012 EASTLAKE COMMUNITY OVERLAY

From: Seel, Karen

Sent: Monday, January 20, 2014 10:03 PM

To: sjk3030@gmail.com

Cc: Long, Janet C; Roche, Norm T; Justice, Charlie; Latvala, Susan; Morroni, John; Welch, Kenneth; Meinck, Cyndi M

Subject: Re: [BULK] ALF PROPOSAL FOR FOXWOOD ESTATES VIOLATES 2012 EASTLAKE COMMUNITY OVERLAY

Dear Dr. Kasser, ✓

On behalf of the County Commission, thank you for sharing your concerns with us. I know that each of us will carefully consider your input as well as the many e-mails from your neighbors.

We do treasure our County and will do our due diligence on this matter.

Most sincerely,

Karen Seel

Chair

Sent from my iPad

On Jan 20, 2014, at 7:41 PM, "SJK" <sjk3030@gmail.com> wrote:

Dear Commissioners:

I am writing to express my disapproval of the proposed ALF at Foxwood Estates. I believe this view is shared by virtually all residents of Crescent Oaks, our 440-dwelling-unit development -- and to the best of my knowledge, by virtually all residents of the Eastlake Corridor.

The ALF would clearly violate the Regional Overlay's stipulation to be "compatible with established residential development patterns." It would not fit within our existing community's characteristic land use in terms of type, density and scale, and will ruin our residential-oriented scenic corridor.

It would also place a heavy burden on our local water, sewer and road systems and could destabilize the terrain in a sinkhole-prone area.

I know you take your responsibility to the communities you serve very seriously, just as we take our duty as vigilant citizens very seriously. So we are following this process very closely and attempting to gain as much knowledge as we can of the process by which this has progressed as far as it has.

We are fiercely loyal to the best interests of the county and its residents, and are determined to maintain the quality of life we so value here -- as I'm sure you are.

And those of us who have spent decades in public and political communications are also interested in this issue from the standpoint of public responsibility.

If you wish to discuss this issue or present me with additional information, I'd be happy to take a call at 908-797-6880 or would read a reply email with great interest.

Sincerely,

Stephen Kasser

Stephen J. Kasser, Ph.D.
3234 Crescent Oaks Blvd
Tarpon Springs, FL 34688

Stephen J. Kasser, Ph.D.
PRSA Counselors Academy
Communication Leadership Exchange
Board - Einstein's Alley Business Initiative
Ph.D. - Honors - University of Pennsylvania

Swinton, Tammy M

Z/ku-3-1-14

Subject: FW: Foxwood Estates Proposed changes

From: Meinck, Cyndi M
Sent: Tuesday, January 07, 2014 11:12 AM
To: Karen Vommaro
Cc: Loy, Norman; Cueva, John; Stumpf, Cheryl; Hardwick, Mary Scott; Herring, Darlina; Lowack, Brian; Powell, Angela E; Reid, Ralph
Subject: RE: Foxwood Estates Proposed changes

On behalf of the County Commission, thank you for your diligence and caring about your neighborhoods. When it comes to the Commission, we will carefully consider all comments.

Most sincerely,
Karen Seel, Chair

Cyndi Meinck, Executive Assistant
Office of Karen Williams Seel, County Commissioner
315 Court Street, 5th floor
Clearwater, FL 33756

727-464-3278

www.pinellascounty.org

All email is subject to public records law.

✓ **From:** Karen Vommaro [<mailto:kvommaro@gmail.com>]
Sent: Monday, January 06, 2014 1:18 PM
To: Long, Janet C; Roche, Norm T; Justice, Charlie; slatvala@pinellascounty.org; Seel, Karen; Morroni, John; Welch, Kenneth
Subject: Foxwood Estates Proposed changes

Dear County Commissioners,

I am a resident of Crescent Oaks Subdivision, a 440 residential community adjacent to the Foxwood Estates currently under development. I have lived in the East Lake Corridor since 1987 and I have witnessed its transformation firsthand as a community member and realtor.

That being said, I am vehemently opposed to the Foxwood Estates developers request for change in zoning from residential to institutional and furthermore the request for a change in height variance from 35 to 45 ft.

I can see how surrounding neighborhoods would benefit from a medical/office park, but I do not see the benefit to our community for an 84 bedroom assisted living facility that is 3 stories high, especially when Allegro is 2 miles down the road.

Even though we are North of Keystone Road, we are an extension of the East Lake Corridor and as such want to maintain a consistent feel from Tampa Road to Trinity Blvd. Furthermore, our community has battled severe traffic issues and

other issues in the past. Allowing a change in the variance and zoning, I feel, will have a negative impact on the community and surrounding area.

Thank you for your time and consideration in this matter.

Sincerely,

Karen Vommaro, Broker-Associate

Karen Vommaro & Co.

Re/Max Realtec Group, Inc.

4175 Woodlands Parkway

Palm Harbor, FL 34685

ReMax Hall of Fame

Featured on HGTV's House Hunters # HNT-5503H

727-224-1234 "The Number You'll Never Forget"

kvommaro@remax.net

www.KarenVommaro.com

Swinton, Tammy M

Z/lu-3-1-14

Subject: FW: SAVE THE TIDES GOLF COURSE CASE # Z/LU-19-8-13

From: Meinck, Cyndi M
Sent: Tuesday, January 07, 2014 11:15 AM
To: Joyce Cooney
Cc: Loy, Norman; Cueva, John; Stumpf, Cheryl; Hardwick, Mary Scott; Herring, Darlina; Lowack, Brian; Powell, Angela E; Reid, Ralph
Subject: RE: SAVE THE TIDES GOLF COURSE CASE # Z/LU-19-8-13

On behalf of the County Commission, thank you for your diligence and caring about your neighborhoods. When it comes to the Commission, we will carefully consider all comments.

Most sincerely,
Karen Seel, Chair

Cyndi Meinck, Executive Assistant
Office of Karen Williams Seel, County Commissioner
315 Court Street, 5th floor
Clearwater, FL 33756

727-464-3278

www.pinellascounty.org

All email is subject to public records law.

From: Joyce Cooney [<mailto:joycecooney@hotmail.com>]
Sent: Monday, January 06, 2014 12:41 PM
To: cathyharrelson@gmail.com; david@brandonconstruction.net; Walker, David; Bailey, Glenn; Beardslee, Gordon R; jparker@krauss-company.com; Cueva, John; Levy, Kelli H; lwestine@westinelaw.com; Freeman, Lisa S; bessettem@pcsb.org; Berlage, Paul N; RAKardash@gmail.com; rs@futuregear.com; Brinson, Ryan; Robinson, Stephen; steve@klarklar.com; sreiterhome@gmail.com; Washburn, Thomas E; LaSala, Robert; Justice, Charlie; Long, Janet C; Morroni, John; Seel, Karen; Welch, Kenneth; Roche, Norm T; Latvala, Susan
Subject: FW: SAVE THE TIDES GOLF COURSE CASE # Z/LU-19-8-13

Date: Sat, 4 Jan 2014 20:37:33 -0500

Subject: SAVE THE TIDES GOLF COURSE CASE # Z/LU-19-8-13

To: cathyharrelson@gmail.com; david@brandonconstruction.net; dwalker@pinellascounty.org; gbailey@pinellascounty.org; gbeardsl@pinellascounty.org; jparker@krauss-company.com; jcueva@pinellascounty.org; klevy@pinellascounty.org; lwestine@westinelaw.com; lfreeman@pinellascounty.org; bessettem@pcsb.org; pberlage@pinellascounty.org; RAKardash@gmail.com; rs@futuregear.com; rbrinson@pinellascounty.org; srobinson@pinellascounty.org; steve@klarklar.com; sreiterhome@gmail.com; twashburn@pinellascounty.org; rlasala@pinellascounty.org;

cJustice@pinellascounty.org; JanetCLong@pinellascounty.org; jMorrone@pinellascounty.org;
kSeel@pinellascounty.org; kWelch@pinellascounty.org; nRoche@pinellascounty.org;
sLatvala@pinellascounty.org

Dear County Commissioners and Ladies and Gentlemen of the LPA Board:

This coming Thursday Morning at 9:00AM Our Pinellas County LPA Board will meet in the Annex Conference Center on St. Petersburg College Seminole Campus to hear our case on the Tides Golf Course!

Please vote NO, No, No on the zoning change. We are overloaded with Condo and the areas that they want to build more on is not geared for that.

The Tide's golf course has many, many wet and low spots and it would take tons and tons of dirt and would not be safe for condos.

It is a beautiful area and we need to preserve it for our future generations. If Florida is going to have the most population in the future we need to act now.

Vote No on the zoning change.

✓ Joyce Cooney

Treasurer of the Tides Women's Golf Association.

Swinton, Tammy M

z/lu-3-1-14

Subject: FW: Proposed Zoning Change - Foxwood Estates

From: Jmiolla [<mailto:jmiolla@tampabay.rr.com>]
Sent: Tuesday, January 07, 2014 9:17 AM
To: Beardslee, Gordon R
Subject: Re: Proposed Zoning Change - Foxwood Estates

Thanks Gordon I as a Rep of Crescent Oaks and as a Board member of C.N.C.N. I and C.N.C.N. president Don Ewing will attend . Because of the time and location many residents are unable to attend. My question of staff is how they could recommend approval when it violates so many aspects the newly approved Eastlake Tarpon Overlay. This Overlay is part of the County comprehensive plan and this proposal is not consistent with the intent and spirit of the Overlay. We also question lack of notification to CNCN and Crescent Oaks community. as is required. I was contacted by Barkley group when the original site was proposed and the County required a letter from Crescent Oaks community approving the original site plan which we provided. This plan is totally outside the entire characteristics of the surrounding area and it's architecture designs and again violates the Overlay. Please provide this e-mail to the LPA

From: Beardslee, Gordon R
Sent: Tuesday, January 07, 2014 8:35 AM
To: Jmiolla ; Planner
Subject: RE: Proposed Zoning Change - Foxwood Estates

Thank you John for your comments. I just wanted to remind you that the LPA public hearing on January 9th is at the St. Petersburg College-Seminole campus. The attached information provides more specifics. Please distribute to others if they are planning to attend the hearing. We are meeting in this larger venue due to the expected large crowd for the Tides land use/rezoning case.

The County staff report on this application can be found at:
http://www.pinellascounty.org/Plan/pdf_files/lpa-agenda.pdf

Gordon Beardslee
Pinellas County Planning
(727) 464-8200
gbeardsl@pinellascounty.org

All government correspondence is subject to the public records law.



From: Jmiolla [<mailto:jmiolla@tampabay.rr.com>]
Sent: Monday, January 06, 2014 9:00 PM
To: Planner
Subject: Fw: Proposed Zoning Change - Foxwood Estates

Good Evening. My name is John Miolla, I am president of the Crescent Oaks H.O.A. in North Pinellas . I am sending you this e-mail to request you recommend denying the land use/zoning request submitted for the Fox Wood estates property.(case No. z/lu-3-1-14) The request violates the intents of the approved Eastlake overly which was approved by the County Commission in 2012. There are numerous sections of that overlay that this request violates.(Para 1.22 sub Para1.22.2 Sub Para 1.22.3 Just to name a few. The portion of Eastlake road from Keystone Rd to trinity Blvd already has significant density problems, approving this Zoning change will

significantly add to those problems. I urge you to compare the request with the existing overlay and see approval of this request clearly violates the intent and spirit of the overlay. The proposed building is most certainly not compatible with the single family architecture, and scenic designation of the corridor. The Crescent Oaks Community appeals to you to deny the request. Below is one of many e-mails that have been sent to the County commission

From: [irvin rosen](#)
Sent: Saturday, January 04, 2014 4:14 PM
To: [john miolla](#) ; [don ewing](#)
Subject: FW: Proposed Zoning Change - Foxwood Estates

From: mikecohen@mikecohenod.com
To: fossil517@hotmail.com
Subject: FW: Proposed Zoning Change - Foxwood Estates
Date: Sat, 4 Jan 2014 15:41:00 -0500



From: Michael Cohen [<mailto:mikecohen@mikecohenod.com>]

Sent: Saturday, January 04, 2014 3:26 PM

To: 'kwelch@pinellascounty.org'

Subject: Proposed Zoning Change - Foxwood Estates

Dear Mr. Welch - Dear Mr. Morroni – The proposed 84 bed, 38,674 square foot assisted living facility on the property of Foxwood Estates, clearly violates the County's Wellhead Protection Ordinance. The comparatively small Wellhead is already limited in relation to the overall size of Pinellas County.

I have worked in private practice and hospital administration all of my professional life. Because of that experience, I questioned the prior approval of a 5000 square foot medical building on the same property, as did Al Navaroli, Director of Pinellas County Development Services.

The 5000 square foot medical facility was approved. Now comes one that is 8 times that size, with 84 beds, staff, maintenance and visitors – 7 days a week, 24 hours a day. Approval is implausible. The negative impact on the Waterhead from a facility that size, sitting right on top of the protected area, would be huge.

We need to protect a most precious natural resource.

Please vote “No” to the zoning change.

Dr. Michael L. Cohen
1107 Dartford Drive
Tarpon Springs, Florida 34688
(O) 7279393457
(M) 8018670169
(F) 7279393457

Swinton, Tammy M

Z/LU-3-1-14

Subject: FW: Important Announcement about Our New Neighbors at Foxwood Estates

From: Meinck, Cyndi M

Sent: Monday, January 06, 2014 12:44 PM

To: Loy, Norman; Cueva, John; Stumpf, Cheryl; Hardwick, Mary Scott; Herring, Darlina; Lowack, Brian; Powell, Angela E; Reid, Ralph

Subject: FW: Important Announcement about Our New Neighbors at Foxwood Estates

FYI.

Cyndi Meinck, Executive Assistant
Office of Karen Williams Seel, County Commissioner
315 Court Street, 5th floor
Clearwater, FL 33756

727-464-3278

www.pinellascounty.org

All email is subject to public records law.

From: Seel, Karen

Sent: Sunday, January 05, 2014 12:41 PM

To: Jmiolla

Cc: Justice, Charlie; Welch, Kenneth; Seel, Karen; Long, Janet C; Morroni, John; Roche, Norm T; Latvala, Susan

Subject: Re: Important Announcement about Our New Neighbors at Foxwood Estates

Dear John,

On behalf of the County Commission, thank you as always for your diligence and caring about your neighborhoods.

When it comes to the Commission, we will carefully consider all comments.

Most sincerely,

Karen Seel

Chair

Sent from my iPhone

(Duplicate Name)

On Jan 4, 2014, at 3:46 PM, "Jmiolla" <jmiolla@tampabay.rr.com> wrote:

Commissioners let me wish you all a very Happy and Healthy New Year. I am forwarding you this e-mail from a concerned resident of Crescent Oaks on the land use change that is being presented to the LPA this week and will come before the Commission in Feb. There are many issues beyond those stated in this e-mail. I as Crescent oaks H.O.A. president and a member of the C.N.C.N. board will stay engaged with this proposal and would hope the requested zone change to institutional is denied.

From: [irvin rosen](#)

Sent: Saturday, January 04, 2014 2:55 PM

To: don ewing ; john miolla

Cc: michael cohen

Subject: Fwd: Important Announcement about Our New Neighbors at Foxwood Estates

Worth a read and appropriate follow up.

Mike is a neighbor of mine

Irv

Sent from my iPhone

Begin forwarded message:

Duplicate Name

***From:** "Michael Cohen" <mikecohen@mikecohenod.com>

Date: January 4, 2014 at 2:27:32 PM EST

To: "irvin rosen" <fossil517@hotmail.com>

Subject: RE: Important Announcement about Our New Neighbors at Foxwood Estates

Irv – I have been a hospital department administrator and know to carefully vet the state statues before responding. In Florida, Pinellas County included, institutional land use zoning does not limit the developer; Deeb Family Homes, who have not run assisted living facilities, or any future owners they sell to. Don't buy the "elderly" assisted living facilities BS.

Assisted Living Facilities in Florida may provide assistance with personal care services including medications. Facilities may hold one of three licenses: an extended congregate care license which allows facilities to provide more extensive day to day living assistance and nursing services to residents; a limited nursing services license which allows certain nursing services set forth with state regulations; and a limited mental health license that allows facilities to serve low-income, chronically mentally ill residents.

With a Medicaid home and community-based services waiver, and the Medicaid Assistive Care Services program under Medicaid will cover services for long-term low-income residents.

In 2012, an assisted living facility in Florida was permitted to add drug/alcohol rehabilitation to the services.

Mentally ill, drug/alcohol addicted and long-term low income neighbors?
Institutional zoning? Really?

In response to just a 5000 ft medical building, Al Navaroli, director of Pinellas County Development Services, said the 22-acre parcel is in the county's wellhead protection zone. Developments in the area, he said, must properly dispose of waste products to avoid underground water pollution. "The single-family homes are not a major concern. They don't typically have hazardous substances," he said. "The medical building will be scrutinized. Are you adequately containing materials? What's your methodology in dealing with those materials? It's important to prevent spills from going off-site into the soil."

My call? This requires more than a few emails. We need to hire a lawyer(s).

Mike

Michael L. Cohen, O.D., F.A.A.O.
OD2OD Consulting, LLC
1107 Dartford Drive
Tarpon Springs, Florida 34688
(O) 7279393457
(M) 8018670169
(F) 7279393457



From: irvin rosen [<mailto:fossil517@hotmail.com>]

Sent: Saturday, January 04, 2014 11:13 AM

To: crescent oaks

Subject: Important Announcement about Our New Neighbors at Foxwood Estates

There has been an unexpected proposed change in the plans for Foxwood Estates, the development being built directly south of Crescent Oaks, abutting the golf course. Foxwood was originally approved for 11 single family homes and a 5,000 square foot medical building with 45 parking spaces.

The requested changes are as follows:

- 10 single family homes, and the demolition of the existing home
- elimination of the 5,000 sq. ft. medical office
- **carving out a 3.36 acre plot bordering East Lake Road and the golf course for a 3 story 38,674 sq. ft. 84 bed Assisted Living Facility**
- change the entry road from the north property line (across from the Cypress Run median cut), to the south side of the property to use the veterinarian office drive and median cut.

In order to make these changes, the developer has submitted requests to the County for the following variances for the 3.36 acre plot:

- change the land use from residential to institutional land use
- zoning change from residential to institutional
- if the land use and zoning change is granted, they are requesting a variance from the allowed 35 foot height to 47 feet (to accommodate a 3 story building)
- if the land use and zoning change is granted, they are requesting a variance from the required 84 parking spaces to 47 spaces

CNCN (Council of North County Neighborhoods) will be meeting with the County Commissioners to try and prevent the building from being increased to 47 feet in height and will make additional arguments against the requested changes.

The Board of the Crescent Oaks Homeowners Association is not in favor of the

requested changes. It is our understanding that Cypress Run is similarly opposed.

The County Commissioners will meet on February 25th to discuss this request. Prior to that, the Local Planning Board (of which CNCN has a member) will meet on February 9th to formulate their recommendations to the Commission.

WHAT CAN YOU DO TO EXPRESS YOUR OPINIONS ON THE PROPOSED CHANGES?

You can and should email all the County Commissioners. In your emails, you need to state reasons for your opinions, such as traffic volume, density, appropriateness of the proposed land use/zoning changes. Stress that you live in Crescent Oaks, a community of 440 homes. The Commissioners can be reached as follows:

Janet C. Long	mailto:janetclong@pinellascounty.org
Norm Roche	nroche@pinellascounty.org
Charlie Justice	cjustice@pinellascounty.org
Susan Latvala	slatvala@pinellascounty.org
Karen Williams Seel	kseel@pinellascounty.org
John Morroni	jmorroni@pinellascounty.org
Kenneth Welch	kwelch@pinellascounty.org

These changes are not a done deal. Please make your voices known.

Thanks

Irv

Swinton, Tammy M

Z/LU-3-1-14

Subject: FW: Proposed Land Use Change for Foxwood Estates

From: Meinck, Cyndi M

Sent: Monday, January 06, 2014 12:45 PM

To: Loy, Norman; Cueva, John; Stumpf, Cheryl; Hardwick, Mary Scott; Herring, Darlina; Lowack, Brian; Powell, Angela E; Reid, Ralph

Subject: FW: Proposed Land Use Change for Foxwood Estates

FYI.

Cyndi Meinck, Executive Assistant
Office of Karen Williams Seel, County Commissioner
315 Court Street, 5th floor
Clearwater, FL 33756

727-464-3278

www.pinellascounty.org

All email is subject to public records law.

From: Seel, Karen

Sent: Sunday, January 05, 2014 12:35 PM

To: David Litz

Cc: Roche, Norm T; Justice, Charlie; Long, Janet C; slatvla@pinellascounty.org; Seel, Karen; Morroni, John; Welch, Kenneth; irvin rosen

Subject: Re: Proposed Land Use Change for Foxwood Estates

Dear Mr. Litz,

On behalf of the County Commissioners, we appreciate your concerns and your message. This will be given careful consideration.

Sincerely ,

Karen Seel

Chair

Sent from my iPhone

* On Jan 4, 2014, at 1:15 PM, "David Litz" <dwlitz@hotmail.com> wrote:

Dear County Commissioners:

I want to voice my objection to the developers of Foxwood Estates, a new neighborhood which originally was approved for 11 single family homes and a 5,000 sq. ft. , one level, medical building with 45 parking spaces. The developer is now requesting a change to 10 single family homes an a 3 story 38,674 sq. ft. assisted living facility with 84 beds.

I live in Crescent Oaks which is directly adjacent to this new neighborhood. Crescent Oaks consists of 440 single family homes in a beautiful golf course community. I certainly don't want

to see an eyesore commercial building next to my community along with the additional in and out traffic an assisted living facility would bring. It is already extremely difficult to enter and exit our own development during peak period traffic without a control traffic light of which we have been begging the county for over the last several years. This facility would make traffic problems even worse.

Therefore, I strongly urge the County to deny the developers request to include the construction of the assisted living facility.

Thank you,

David W. Litz
1187 Dartford Dr.
Tarpon Springs, Fl. 34688

Swinton, Tammy M

Z/lu-3-1-14

Subject: FW: Foxwood Estates request to change land use zoning

From: Meinck, Cyndi M

Sent: Monday, January 06, 2014 12:44 PM

To: Pat Grady

Cc: Loy, Norman; Cueva, John; Stumpf, Cheryl; Hardwick, Mary Scott; Herring, Darlina; Lowack, Brian; Powell, Angela E; Reid, Ralph

Subject: RE: Foxwood Estates request to change land use zoning

Dear Pat,

On behalf of the County Commission, thank you for your diligence and caring about your neighborhoods. When it comes to the Commission, we will carefully consider all comments.

Most sincerely,

Karen Seel

Chair

Cyndi Meinck, Executive Assistant
Office of Karen Williams Seel, County Commissioner
315 Court Street, 5th floor
Clearwater, FL 33756

727-464-3278

www.pinellascounty.org

All email is subject to public records law.

*✓

From: Pat Grady [mailto:casemgr14@gmail.com]

Sent: Sunday, January 05, 2014 9:37 PM

To: Seel, Karen

Subject: Foxwood Estates request to change land use zoning

Dear Karen,

We are writing to voice our opposition to the request by Foxwood Estates to change the land use zoning from residential to Industrial on East Lake Road adjacent to the Crescent Oaks Community. We are a thriving community of 440 homes that would be adversely affected in many ways if this was to take place. A 3 story institutional building would be an eyesore. It will negatively affect the property values of all surrounding communities.

Crescent Oaks is a residential neighborhood. Multiple story buildings do not belong in this area. The traffic volume is already very high and would increase dramatically because of increased use of Vans, ambulances, & taxi's to transport residents to and from physician appointments, shopping etc. An assisted living with 84 residents will be very busy.

Unless it is a high end assisted living facility requiring monthly fees in excess of \$2500/month it would attract a different level of resident to the area. Some facilities accept Medicaid /SSI disability to fill their beds which would bring difficult to place individuals with multiple problems including criminal histories and mental illness.

Assisted living facilities have a large institutional kitchen, cooking 3 meals a day creating increased waste and traffic for deliveries and pick ups. Medical waste is common from assisted living facilities requiring pick up and delivery of receptacles. Residents receive their medications from staff at the facility which also requires delivery by a pharmaceutical company.

The rate of vehicular accidents has increased over the years I have lived at Crescent Oaks. Placing an industrial building on East Lake road would only add to the amount of accidents.

We appreciate your careful review of the request and consideration of those that reside here now.
Sincerely,
Patricia and Roland Grady
1225 Dartford Dr.
Tarpon Springs

Swinton, Tammy M

2/20-3-1-14

Subject:

FW:

From: Meinck, Cyndi M

Sent: Monday, January 06, 2014 12:47 PM

To: David Brown

Cc: Loy, Norman; Cueva, John; Stumpf, Cheryl; Hardwick, Mary Scott; Herring, Darlina; Lowack, Brian; Powell, Angela E; Reid, Ralph

Subject: RE:

On behalf of the County Commission, thank you for your diligence and caring about your neighborhoods. When it comes to the Commission, we will carefully consider all comments.

Most sincerely,

Karen Seel

Chair

Cyndi Meinck, Executive Assistant
Office of Karen Williams Seel, County Commissioner
315 Court Street, 5th floor
Clearwater, FL 33756

727-464-3278

www.pinellascounty.org

All email is subject to public records law.

*
From: David Brown [<mailto:dblopa@hotmail.com>]
Sent: Saturday, January 04, 2014 3:46 PM
To: Seel, Karen
Subject:

Dear Ms. Williams-Seel:

I presently own a home in the Crescent Oaks Community and **am opposed** to the following changes to the Foxwood Estates development plan:

- 10 single family homes, and the demolition of the existing home
- elimination of the 5,000 sq. ft. medical office
- **carving out a 3.36 acre plot bordering East Lake Road and the golf course for a 3 story 38,674 sq. ft. 84 bed Assisted Living Facility**
- change the entry road from the north property line (across from the Cypress Run median cut), to the south side of the property to use the veterinarian office drive and median cut.

As I understand the changes, the developer has submitted requests to the County for the following variances for the 3.36 acre plot:

- change the land use from residential to institutional land use
- zoning change from residential to institutional
- if the land use and zoning change is granted, they are requesting a variance from the allowed 35 foot height to 47 feet (to accommodate a 3 story building)
- if the land use and zoning change is granted, they are requesting a variance from the required 84 parking spaces to 47 spaces

Again, **I am opposed** to these changes because the additions will create additional traffic volume, density, appropriateness of the proposed land use/zoning changes. Again, I own a home in Crescent Oaks with a community of 440 homes. Thanks, in advance, for your consideration.

David L. Brown
1270 Kings Way Lane
Tarpon Springs, Florida 34688

Swinton, Tammy M

Z/44-3-1-14

Subject: FW: Foxwood Estates

From: Meinck, Cyndi M

Sent: Thursday, January 16, 2014 10:20 AM

To: William Beardsley

Cc: Loy, Norman; Cueva, John; Stumpf, Cheryl; Hardwick, Mary Scott; Herring, Darlina; Lowack, Brian; Powell, Angela E; Reid, Ralph

Subject: RE: Foxwood Estates

On behalf of the County Commissioners, thank you for your e-mail detailing your concerns.

I know that each Commissioner will carefully consider your issues.

Most sincerely,

Karen Seel

Chair

Cyndi Meinck, Executive Assistant

Office of Karen Williams Seel, County Commissioner

315 Court Street, 5th floor

Clearwater, FL 33756

727-464-3278

www.pinellascounty.org

All email is subject to public records law.

✓ **From:** William Beardsley [<mailto:whbgbb@msn.com>]

Sent: Monday, January 13, 2014 9:07 PM

To: Seel, Karen

Subject: FW: Foxwood Estates

From: whbgbb@msn.com

To: kseel@pinellascounty.org

Subject: Foxwood Estates

Date: Tue, 14 Jan 2014 01:49:50 +0000

Ms. Seel,

We have just become aware of the proposal for a change to the zoning on the Fox Run property next to Crescent Oaks in the unincorporated area of Tarpon Springs. We would like to take this opportunity to submit

our comments on the subject.

We are now and plan on being long term renters within Crescent Oaks. Prior to initiating this correspondence we contacted our landlord in California and obtained his authorization to speak for him.

When we first viewed the Crescent Oaks area in 2012, we were impressed by the lack of commercial establishments. We did note the sign stating that the front part of the property was available for a 5,000 square foot medical facility. In our estimation, a building of that size, in that location, would most likely be a one story structure and would not be visually offensive to passing drivers or to people living within any of the two country clubs located close to the property or to people purchasing new homes to the East of the originally proposed building.

This new request to change the zoning to accommodate a three story building, in our opinion, goes against the present atmosphere of the area. People that have bought into the new houses located to the East of this proposed building may suddenly see their property values fall. The same could be true of many of the houses located on the South side of Crescent Oaks Blvd.

For these reasons and many more too numerous to mention here, we would appreciate your negative vote on any change to the present zoning.

Sincerely,

William and Gail Beardsley
1163 Dartford Dr.
Tarpon Springs, FL 34688

E-mail: whbgbb@msn.com
Phone: 727-939-9214

Swinton, Tammy M

Subject: FW: Foxwood Estates Assisted Living Center

From: Meinck, Cyndi M

Sent: Thursday, January 16, 2014 10:25 AM

To: Mike Gravino

Cc: Loy, Norman; Cueva, John; Stumpf, Cheryl; Hardwick, Mary Scott; Herring, Darlina; Lowack, Brian; Powell, Angela E; Reid, Ralph

Subject: RE: Foxwood Estates Assisted Living Center

On behalf of the County Commissioners, thank you for your e-mail detailing your concerns.

I know that each Commissioner will carefully consider your issues.

Most sincerely,

Karen Seel

Chair

Cyndi Meinck, Executive Assistant

Office of Karen Williams Seel, County Commissioner

315 Court Street, 5th floor

Clearwater, FL 33756

727-464-3278

www.pinellascounty.org

All email is subject to public records law.

From: Mike Gravino [<mailto:MGravino@schwob.com>]

Sent: Wednesday, January 15, 2014 9:46 AM

To: Seel, Karen

Subject: Foxwood Estates Assisted Living Center

Dear Ms. Seel

I am writing to express my deepest opposition to approval of the bait and switch scenario presented by the Developer of Foxwood Estates. This is positively no place for a multi-story commercial structure rather it be an office building, assisted living center or any other business. Why do I feel it has always been the intent of this Developer, LPA and Commissioners to approve this project based on the original single story medical office plan and then push the multistory through after the fact?

It is not just my opinion that this proposed revision conflicts directly with the Eastlake Community Overlay approved by the Commissioners last year. It is a black and white conflict. Once again the residents of Crescent Oaks are being completely ignored. First you jeopardize our safety and waste our tax money on a left turn lane that is completely useless in lieu of funding a proper traffic signal at our entrance. Now, the fact you would even consider approval of a multistory commercial building next door illustrates there is no concern for the quality of life (let alone the property values) of your Crescent Oaks constituents.

This one is a deal breaker!

Regards,
Mike

Mike Gravino
Business Development Manager
Schwob Building Company, Ltd.
1027 Berkshire Lane
Tarpon Springs, FL 34688
mgravino@schwob.com
Office 727-934-6805
Mobile 214-557-6191
www.schwob.com

Swinton, Tammy M

Subject: FW: Proposed Zoning change at Foxwoods Estates

From: Meinck, Cyndi M

Sent: Thursday, January 16, 2014 10:24 AM

To: Mike Rauh

Cc: Loy, Norman; Cueva, John; Stumpf, Cheryl; Hardwick, Mary Scott; Herring, Darlina; Lowack, Brian; Powell, Angela E; Reid, Ralph

Subject: RE: Proposed Zoning change at Foxwoods Estates

On behalf of the County Commissioners, thank you for your e-mail detailing your concerns.

I know that each Commissioner will carefully consider your issues.

Most sincerely,

Karen Seel

Chair

Cyndi Meinck, Executive Assistant
Office of Karen Williams Seel, County Commissioner
315 Court Street, 5th floor
Clearwater, FL 33756

727-464-3278

www.pinellascounty.org

All email is subject to public records law.

From: Mike Rauh [<mailto:rauh8@aol.com>]

Sent: Wednesday, January 15, 2014 9:45 AM

To: Seel, Karen

Subject: Proposed Zoning change at Foxwoods Estates

Dear Ms. Williams Seel,

We are writing to urge that you vote against the proposed Zoning change that would allow the developer of the Foxwoods Estates to build the proposed Assisted Living Facility.

The requested Zoning change violates the East Lake Community Overlay document which was approved by the County Commissions in 2012. This document clearly outlined the wishes of the East Lake residents for future development of this corridor. As residents of the Crescent Oaks community, we would be directly impacted by the proposed facility, which is clearly oversized and out of character for the neighborhood where it is looking to locate.

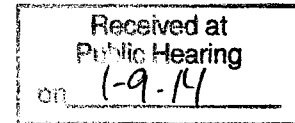
We have significant traffic problems on East Lake Road which are increasing every year as development blossoms to our North-East. The future development of the Tarpon/Keystone Road and East Lake intersections, as well as the other undeveloped properties in the nearby area, needs careful consideration.

Stick to the plan that you agreed to in 2012.

Regards,

Michael and Marna Rauh
1044 Dartford Drive

Tarpon Springs FL
727-935-5849



COMMUNITY OVERLAYS...

2/11-3-1-14

As a Way to Recognize and Protect Local Community Character

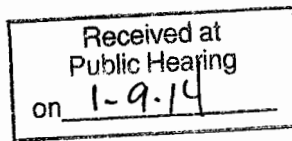
With the exception of one community in north Pinellas, the Pinellas County Comprehensive Plan does not distinguish among communities in the goals, objectives and policies that guide development decisions and County programs in the unincorporated area. Over the past few years, however, discussions between County staff and unincorporated residents increasingly evidenced that policies applied uniformly throughout the County may not always recognize the diversity evident throughout the various communities and neighborhoods in the County.

At a Board workshop in 2006, the Board of County Commissioners discussed the idea of establishing the ability to identify specific unincorporated communities on the Future Land Use Map of the Comprehensive Plan. In addition, the Board supported the idea of working with communities to identify complementary principles, policies, strategies or other appropriate provisions for inclusion in the Comprehensive Plan. The purpose was to enable unincorporated communities to better participate in planning for their future, by identifying a specific community boundary, by developing a local vision, and by establishing policies that the Board would use in decision-making and planning that affects their community's future. To date, one community in Pinellas County has taken advantage of the Overlay process as a means to protect their low density rural character (the Alderman Rural Residential Community Overlay).

Essentially, an Overlay is intended to become what the community makes of it. There is no set requirement for what must be in an Overlay, or what is should address, other than a geographic boundary must be defined as a starting place, or focal area.

The **COMMUNITY OVERLAY PLANNING PROCESS** is intended to:

- Geographically define a specific unincorporated community in the Pinellas County Comprehensive Plan (and on the Future Land Use Map).
- Provide an area of focus for a community-based vision and goals.
- Provide for an inclusive planning process that enables community stakeholders to work together on identifying, protecting or enhancing, special features, characteristics, and attributes that are unique to the community or important to its residents.
- Allow for change and improvement that further a community's vision and goals.
- Represent, upon its inclusion in the Comprehensive Plan, the Board's policy with regard to decisions and commitments that will have both short and long term effects on the community.
- Ultimately, provide for the incorporation of community-based policies into the overall long-range comprehensive planning program of the County so that County decision-making better recognizes and considers local community desires and local characteristics.

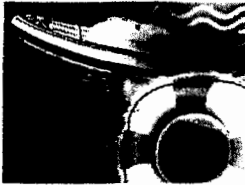


DON EWING - CNCN

Submitted 1/9/14

LPA

2/14-3-1-14



EAST LAKE TARPON COMMUNITY OVERLAY

East Lake Tarpon in Pinellas County Florida physical area is defined by the boundaries of the as shown in the map below and legal description in Appendix A.

VISION: East Lake Tarpon is a beautiful, predominately family-oriented residential area in the unincorporated area of northern Pinellas County. It is generally bordered to the west by Lake Tarpon, to the east by the Brooker Creek Preserve, to the north by the Pasco County boundary and to the south by Tampa Road, excluding the City of Oldsmar. Small businesses and limited commercial uses serve to support the residents of the community. Lake Tarpon to the west provides recreational boating activities and the community's natural lands provides many passive resource-based recreation opportunities to the residents. This area is known for its quiet, scenic neighborhoods of unique residential communities and limited small businesses providing a safe and fun place to grow up.

ORDINANCE 12 -

AN ORDINANCE OF THE COUNTY OF PINELLAS, AMENDING THE FUTURE LAND USE AND QUALITY COMMUNITIES ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN TO ADOPT THE EAST LAKE TARPON COMMUNITY OVERLAY; PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THIS ORDINANCE AT THE PUBLIC HEARING AND/OR WITH OTHER RESPONSIBLE PARTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR LOCATION OF RECORDS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Section 163, Part II, Florida Statutes, establishes the Local Government Comprehensive Planning and Land Development Act; and

WHEREAS, Pinellas County adopted its Comprehensive Plan on August 8, 1989, and significantly amended the Plan on March 18, 2008, based on the adopted Evaluation and Appraisal Report and following review by the State Department of Community Affairs; and

WHEREAS, in 2008 the Comprehensive Plan was also amended to provide for the development and application of Community Overlays as a means of recognizing distinct communities in Pinellas County; and

WHEREAS, the Board of County Commissioners determined that Community Overlays allow citizens to better participate in planning for their future, as well as enabling the Board of County Commissioners to understand and better plan for a community by recognizing and understanding its existing and desired characteristics and features; and

WHEREAS, the Alderman Rural Residential Community, the Tierra Verde Community and the Ozona Community all requested, and were recognized with, a Community Overlay by the Board of County Commissioners; and

WHEREAS, the Council of North County Neighborhoods (CNCN) has requested, following a collaborative community process that included public meetings, news articles and presentations, to have the East

Lake Tarpon Community recognized in the Pinellas County Comprehensive Plan by adoption of a Community Overlay; and

WHEREAS, the recommendations from the Pinellas County Local Planning Agency have been received and considered.

NOW THEREFORE BE IT ORDAINED, by the Board of County Commissioners of Pinellas County, Florida, in its regular meeting duly assembled on this day 24th of January, 2012, that:

SECTION I: PURPOSE AND INTENT

The purpose of this amendment is to add the East Lake Tarpon Community Vision, Objective 1.22 and associated Policies 1.22.1, 1.22.2, 1.22.3, 1.22.4, 1.22.5, 1.22.6, 1.22.7, and 1.22.8, and Objective 1.23 and associated Policies 1.23.1 and 1.23.2 to the Future Land Use and Quality Communities Element of the Pinellas County Comprehensive Plan, and to adopt a Community Overlay for the East Lake Tarpon Community that defines the boundary of, and recognizes the distinctive character of this local community. Renumbering is provided for as needed.

SECTION II: THE FUTURE LAND USE AND QUALITY COMMUNITIES ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN IS AMENDED BY ADDING THE EAST LAKE TARPON COMMUNITY VISION, OBJECTIVE 1.22 AND ASSOCIATED POLICIES 1.22.1, 1.22.2, 1.22.3, 1.22.4, 1.22.5, 1.22.6, 1.22.7, and 1.22.8, AND OBJECTIVE 1.23 AND ASSOCIATED POLICIES 1.23.1 AND 1.23.2 AS FOLLOWS:

East Lake Tarpon Community Overlay

Objective 1.22: The Board of County Commissioners will utilize a community overlay to define East Lake Tarpon as a cohesive community and their decisions will support the local vision, community character and natural environment. Small businesses support the residential character of the community. Maintaining the community's quality of life, low density residential character, and expansive open spaces is to be considered before any zoning changes or increased densities are considered.



Policy 1.22.1: Land use, zoning and conditional use decisions by Pinellas County that affect properties in East Lake Tarpon should be compatible with the established residential development pattern and passive recreation areas, allow for recreational boating, fishing and water activities consistent with the character of East Lake Tarpon, and/or enhance the viability of local businesses that serve the community.

Policy 1.22.2: The quality of life and the residential character of the East Lake Tarpon community will be protected by retaining sufficient acreage on the Future Land Use Map (FLUM) for businesses that serve the local residents, by supporting local boating, by establishing local gathering places, and by protecting the natural environment that defines the character of the community.

Policy 1.22.3: All future development in East Lake Tarpon should be compatible with the community and fit within the community's characteristic land use types, density, height, and scale.

Policy 1.22.4: Pinellas County will consider the residential and scenic use of East Lake Tarpon when making land use, zoning and conditional use decisions in the community to preserve the green space that helps define the quality of life.

Policy 1.22.5: Pinellas County will work to enhance strong communications between the County and East Lake Tarpon businesses and residents.

Policy 1.22.6: The natural areas within East Lake Tarpon will be protected or enhanced, as they provide boating and resource-based recreation functions for the residents who choose to live near these scenic lands.

Policy 1.22.7: Land use, zoning, conditional use and project decisions by Pinellas County and other agencies will place a priority on the protection of natural land resources, lake and estuary habitats and dependent species.



Policy 1.22.8: The County will strive to maintain the scenic corridor designation of East Lake Road (County Road 611) and Keystone Road (County Road 582), and consider this residential-oriented scenic corridor designation when evaluating land use and zoning changes within the corridors or expansion of commercial zones in the East Lake Tarpon area.

Objective 1.23: Identify and prioritize infrastructure improvements necessary to maintain public safety and quality of life of East Lake Tarpon.

Policy 1.23.1: Pinellas County will identify infrastructure improvements that support the Vision for East Lake Tarpon and include them within the Capital Improvements Element of the Pinellas County Comprehensive Plan and/or in other applicable implementing plans or programs, if financially feasible.

Policy 1.23.2: In determining priorities for infrastructure improvements, Pinellas County will consider input from the community.

SECTION III: THE FUTURE LAND USE MAP SERIES OF THE FUTURE LAND USE AND QUALITY COMMUNITIES ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN IS AMENDED BY ADDING THE EAST LAKE TARPON COMMUNITY OVERLAY, AS DEPICTED IN EXHIBIT A OF THIS ORDINANCE.

SECTION IV: OBJECTIVE 1.22 AND POLICIES 1.22.1 AND 1.22.2 OF THE FUTURE LAND USE AND QUALITY COMMUNITIES ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN ARE RE-NUMBERED TO READ AS FOLLOWS:

Objective 1.24 Pinellas County shall continue to pursue an overall beautification program for landscaping the County's roadway corridors and shall provide funds for implementing this program.

Policy 1.24.1 Pinellas County shall continue implementation of a landscaping program for the public rights-of-way along the arterial and collector roadways of the County. This program shall use native and drought-tolerant trees and plants where feasible.

Policy 1.24.2 Pinellas County's overall beautification program shall further other applicable objectives and policies of the Comprehensive Plan as they relate to such goals as water conservation and the use of native and drought-tolerant vegetation.

SECTION V: SEVERABILITY

If any section, paragraph, clause, sentence, or provision of the Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of this Ordinance, but the effect therefore shall be confined to the section, paragraph, clause, sentence, or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

SECTION VI: LOCATION OF RECORDS

Pursuant to requirements of Section 125.68, Florida Statutes, this Ordinance to amend the Pinellas County Comprehensive Plan is incorporated into the Future Land Use and Quality Communities Element of the Pinellas County Comprehensive Plan, located at, and maintained by, the Clerk of the Pinellas County Board of County Commissioners.

SECTION VII: FILING OF ORDINANCE: ESTABLISHING AN EFFECTIVE DATE

Pursuant to Section 163.3184(3), Florida Statutes, if not timely challenged, an amendment adopted under the expedited provisions of this section shall not become effective until 31 days after adoption. If timely challenged, the amendment shall not become effective until the state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this Amendment may be issued or commence before the amendment has become effective.

For more information or to comment or contribute to this document please contact:

Council of North County Neighborhoods, Inc. (CNCN)

John Miolla johnm@cncnpc.org

Don Ewing done@cncnpc.org

Or visit our website www.cncnpc.org for more information

Appendix A – Legal description of East Lake Tarpon physical area

Legal description; East Lake Tarpon Community.—All those lands situate, lying, and being within the herein described parcel:

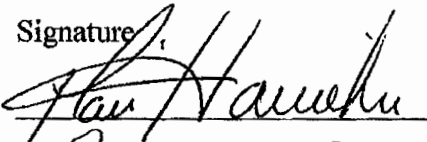
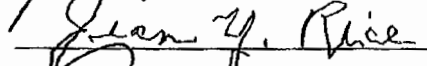
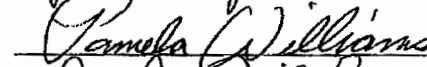


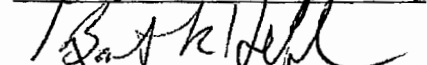
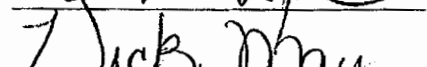
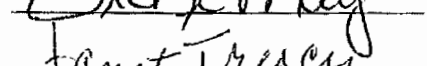
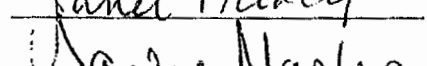

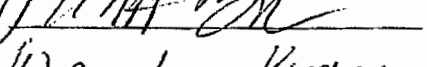
Begin at the Northeast Corner of Section 1, Township 27 South, Range 16 East, Pinellas County, Florida; thence run south along the said East Section Line (Hillsborough/Pinellas County Line) to the East-West Half Section Line of Section 1, Township 28 South, Range 16 East; thence West along said Half Section Line to the Easterly right-of-way Line of Florida Power Corporation; thence South along said right-of-way Line to the East-West Half Section Line of Section 12, Township 28 South, Range 16 East; thence East along said Half Section Line to the Northeast Corner of Florida Power Corporation Substation; thence South along the East Line of said Substation to the South Section Line of said Section 12; thence West along said South Section Line to the North-South Center Section Line of said Section 12; thence North along said Center Section Line to the South Right-of-way line of Florida Power Corporation; thence West along said right-of-way Line to the West Line of Section 11, Township 28 South, Range 16 East; thence North along said West Line to the North right-of-way Line of said Florida Power Corporation; thence East along said right-of-way Line to the East Line of the Northwest 1/4 of the Southwest 1/4 of said Section 12; thence North along said Easterly Line to the East-West Centerline of said Section 12, thence East along said Centerline to the West Line of the East 1/2 of the East 1/2 of the Northwest 1/4 of said Section 12; thence North along said line to the North Section Line of said Section 12; thence East along said line to the North-South Centerline of Section 1, Township 28 South, Range 16 East; thence North along said line a distance of 491.97 feet; thence North 75 00'00" east to the West right-of-way Line of Florida Power Corporation; thence North along said right-of-way Line to the East-West Centerline of said Section 1; thence West along said line a distance of 1,837.78 feet; thence North to the South Line of the Northeast 1/4 of the Northwest 1/4 of said Section 1; thence West along said line to the West Line of the Northeast 1/4 of the Northwest 1/4 of said Section 1; thence North along said line to the North Line of the Southwest 1/4 of the Southwest 1/4 of Section 36, Township 27 South, Range 16 East; thence West along said line to the North-South Centerline of Section 35, Township 27 South, Range 16 East; thence South along said line to the South Section Line of said Section 35; thence West along said Section Line to the Southwest corner of said Section 35; thence South along the West Section Line of Sections 2 and Section 11, Township 28 South, Range 16 East to the North Section Line of Section 15, Township 28 South, Range 16 East; thence West along the North Line of said Section 15 to the North-South Centerline of said Section; thence South along said Section 15 North-South Centerline to the Northwest corner of that parcel described in Official Records Book 8989, Page 918 of the Public Records of Pinellas County, Florida; thence along the Northerly boundary line of said parcel to the Northeast property corner thereof; thence along the Easterly boundary line of said parcel to the Northerly right-of-way line of Tampa Road (S.R. 584); thence in a Northwesterly direction along said right-of-way line to the Southerly Line of Florida Power Corporation; thence Southwesterly along said Southerly Line to the centerline of the Lake Tarpon Outfall Canal; thence Northerly along the centerline of the Lake Tarpon Outfall Canal into Lake Tarpon to its North-South Centerline; thence Northerly along the North-South Centerline of Lake Tarpon to the City Limit Line of the City of Tarpon Springs on the Northern shoreline of Lake Tarpon; thence along the City Limit Line of Tarpon Springs around its Easterly point above Lake Tarpon and then Westerly to the North-South Centerline of Salt Lake; thence northerly along the North-South Centerline of Salt Lake to the Centerline of the Anclote River; thence Northeasterly along the Centerline of the Anclote River to the Pasco-Pinellas County Line; thence East along the Pasco/Pinellas County Line to the Point of Beginning.

CASE No. Z/LU-3-1-14, BVK – Foxwood Estates, Proposed ALF

BCC Public Hearing February 28, 2014

We the undersigned residents of Cypress Run oppose the zoning and land use application for an 84 bed ALF proposed to be built on 3.36 acres located at 833 East Lake Road North, known as CASE No. Z/LU-3-1-14.

This application does not comply or conform to the East Lake Community Overlay plan adopted by the Board of County Commissioners on April 24, 2012. As residents living in the East Lake Community overlay area, we object to this application and respectfully request the Board deny this application based upon the Overlay's vision of "...being compatible with the established residential development pattern and passive recreation areas." Furthermore, Policy 1.22.3 states "All future development in East Lake Tarpon should be compatible with the community and fit within the community's characteristic land use types, density, height, and scale." The Ordinance outlines ten policies along with two comprehensive plan objectives that further provide justification for denial of this application. A land use change from rural residential to institutional for a proposed ~~three-story~~, 84 bed ALF is not consistent with the surrounding residential and recreational communities.

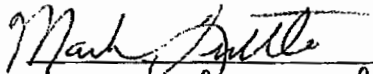
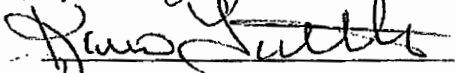
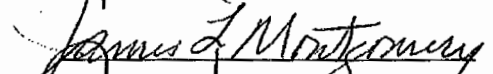
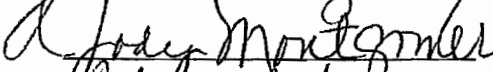
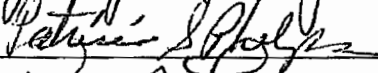
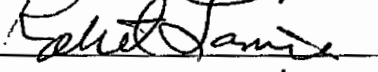
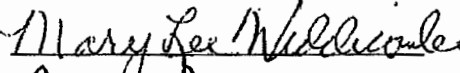
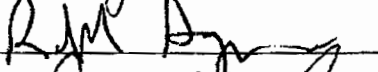

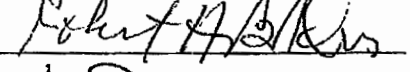

Signature	Print Name	Address
	MAIE HAMILTON	623 ROYAL DORNOCCT CT
	JEAN Y. RICE	891 ROYAL BIRKDALE DR
	Pamela Williams	887 Royal Birkdale Dr.
	JOHN RITCHIE	888 ROYAL BIRKDALE
	Jean Dempster	900 Royal Birkdale
	BART K. WEFLIN	940 Royal Birkdale Dr.
	Vicki May	932 Royal Birkdale Dr
	JANET TREACY	1081 MURFIELD CT.
	Janine Nardon	972 Royal Birkdale Dr.
	Patricia Beebe	980 Royal Birkdale Dr.
	Wanda Kimsey	894 Royal Birkdale Dr.

CASE No. Z/LU-3-1-14, BVK – Foxwood Estates, Proposed ALF

BCC Public Hearing February 25, 2014

We the undersigned residents of Cypress Run oppose the zoning and land use application for an 84 bed ALF proposed to be built on 3.36 acres located at 833 East Lake Road North, known as CASE No. Z/LU-3-1-14.

This application does not comply or conform to the East Lake Community Overlay plan adopted by the Board of County Commissioners on April 24, 2012. As residents living in the East Lake Community overlay area, we object to this application and respectfully request the Board deny this application based upon the Overlay's vision of "...being compatible with the established residential development pattern and passive recreation areas." Furthermore, Policy 1.22.3 states "All future development in East Lake Tarpon should be compatible with the community and fit within the community's characteristic land use types, density, height, and scale." The Ordinance outlines ten policies along with two comprehensive plan objectives that further provide justification for denial of this application. A land use change from rural residential to institutional for a proposed ~~three-story~~, 84 bed ALF is not consistent with the surrounding residential and recreational communities.

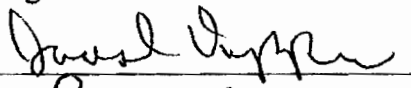
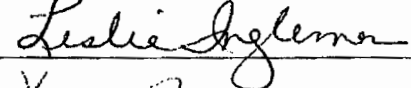
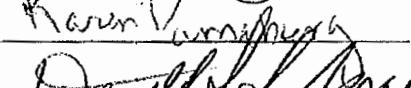
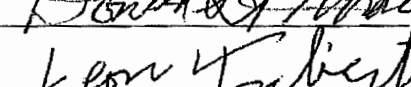
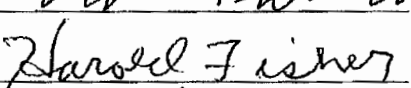
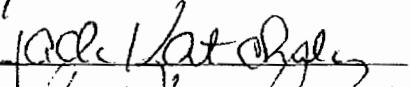
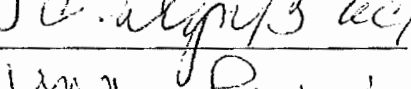
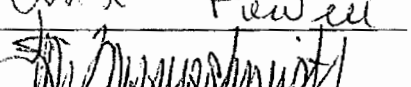
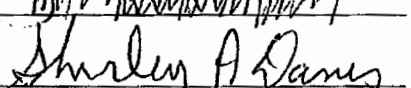


Signature	Print Name	Address
	MARK TUTTLE	1033 ROYAL BIRKDALE DR
	KAREN TUTTLE	1033 Royal Birkdale Dr
	JAMES L. MONTGOMERY	890 ROYAL BIRKDALE DR
	Jody Montgomery	890 Royal Birkdale Dr
	PATRICIA PHELPS	2742 St. Andrews Blvd
	ROBERT LAURINE	2741 St. Andrew Blvd
	MaryLee Widdicombe	1032 Royal Birkdale
	Ralph Sgroi	2781 St Andrews Blvd
	RUSSELL F. BURR	2755 St Andrews Blvd
	ROBERT BOLDUS	2778 St. ANDREWS
	T. R. UNICE, JR	853 Royal Birkdale Dr T.C.

CASE No. Z/LU-3-1-14, BVK -- Foxwood Estates, Proposed ALF

BCC Public Hearing February 25, 2014

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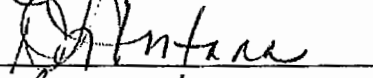
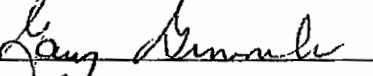
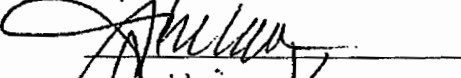
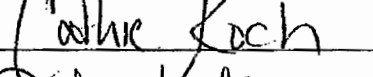
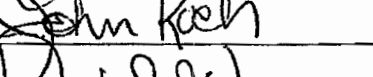
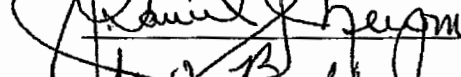
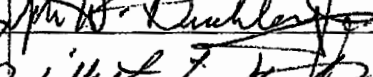

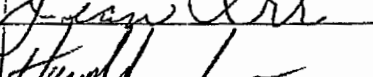

Signature	Print Name	Address
	JOSEPH DIPPRE	2602 ROYAL LIVERPOOL
	LESLIE INGLENAN	2601 Royal Liverpool Dr.
	KARIN DANNENBERG	1019 Royal Tron Ct
	DONALD ST. AMANT	1057 Royal Tron Ct
	LEON TRIBERTI	1069 ROYAL TRON
	HAROLD FISHER	1063 Royal Tron
	JACK KATCHUK	1085 Royal Tron Ct
	CAROLYN	1103 Payne Tron
	UNA POWELL	1109 Royal Tron Ct.
	STEVE MESSERSCHMIDT	1093 MUIRFIELD CT.
	SHIRLEY A. DAVIS	1100 MUIR FIELD CT

CASE No. Z/LU-3-1-14, BVK – Foxwood Estates, Proposed ALF

BCC Public Hearing February 25, 2014

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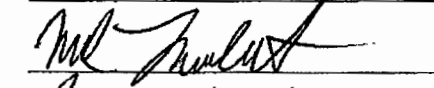
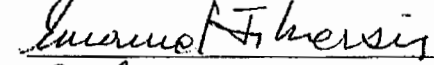
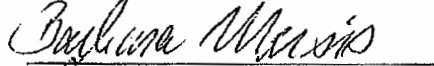

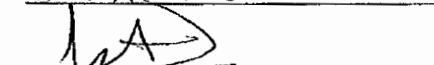
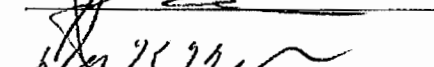
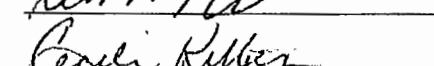
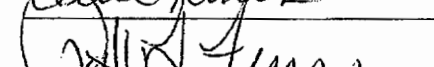
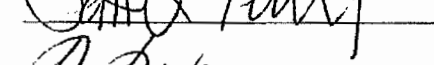
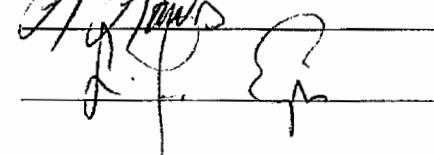
Signature	Print Name	Address
	CHARLES FONTANA	941 StAnnes Ct
	Debra Fontana	941 StAnnes Ct.
	GARY GUNNELS	953 St. Annes Ct.
	ANN LARSEN	2934 St Andrews Blvd
	Cathie Koch	1041 Royal Birkdale Dr.
	John Koch	1041 Royal Birkdale Dr.
	DANIEL J. NEWMAN	1001 Royal Birkdale Dr
	Joseph W. Bultrey Jr	1008 Royal Birkdale Dr
	WILBERT L. STRICKLAND	1017 Royal Birkdale Dr
	JEAN FERR	1016 Royal Birkdale Dr
	HAROLD JONES	2826 Saint Michaels

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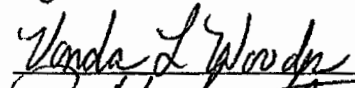
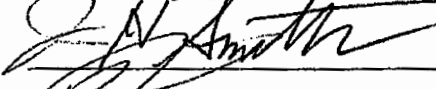
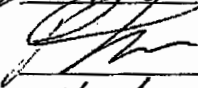
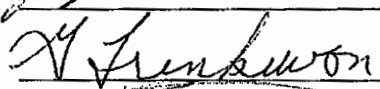
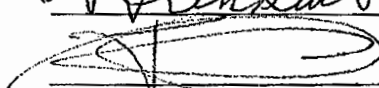
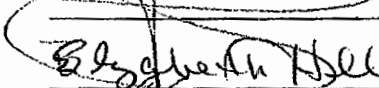
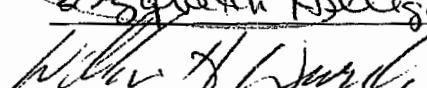
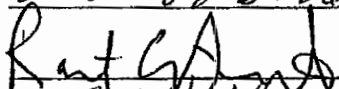
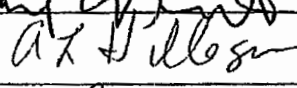
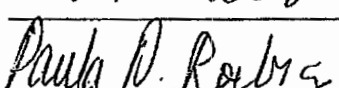
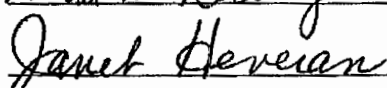
Signature	Print Name	Address
	Deborah Lambert	896 Royal Birkdale
	Mark Lambert	896 Royal Birkdale Dr
	EMANUEL J. MERIS	868 ROYAL BIRKDALE DR.
	Barbara Mersis	868 Royal Birkdale Dr.
	Debra A Donovan	867 Royal Birkdale Dr
	James A Donovan	867 ROYAL BIRKDALE DR
	Dennis K Kitterman	2819 St Andrew Blvd.
	Cecilio M. Kitterman	2819 St. Andrews Blvd.
	Patti Finney	2818 St. Andrews Blvd.
	Loretta Laws	8822 Saint Andrews Blvd.
	LEON ESPINO	901 ST ANNES COURT

CASE No. Z/LU-3-1-14, BVK – Foxwood Estates, Proposed ALF

BCC Public Hearing February 25, 2014

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Signature	Print Name	Address
	Vonda L Woods	894 Royal Baldock Dr TS
	JAMES H. SMITH	2950 St. Andrews Blvd T.S.
	PAUL TRINKWON	2942 ST. ANDREWS BLVD
	GAIL TRINKWON	2942 ST ANDREWS BLVD
	JENNIFER ALESSI	2911 St. andrews Blvd
	ELIZABETH HILLCASS	663 Turnberry Ct.
	WILLIAM D. RUPP	6041 TURNBERRY CT
	Robert & Deb August	681 Turnberry
	A.L. HILLCASS	663 TURNBERRY
	Paula D. Roebig	603 Royal Dornoch Ct.
	Janet Heveran	611 Royal Dornoch Ct

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Signature

Print Name

Address

Mary Ann

MERIE Ann

2830 ST ANDREWS

John Heagney

JOHN HEAGNEY

1057 ROYAL BIRKDALE

Michelle Rydell

Michelle Rydell

948 Royal Birkdale

Anne Whelan

Anne WHELAN

680 TURNBERRY CT

Pat Whelan

PAT WHELAN

680 TURNBERRY CT

William R Jr

William R Jr

887 Royal Birkdale Dr Tarpon Springs FL 34688

William R Jr

William R. IRR

1016 Royal Birkdale Tarpon Springs Dr

Chay McCarthy

Chay McCarthy

1043 Royal Troon Ct. T.S. FL 34688

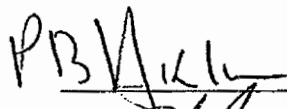

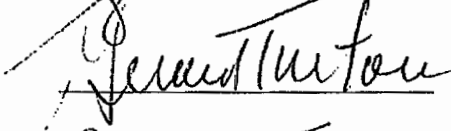
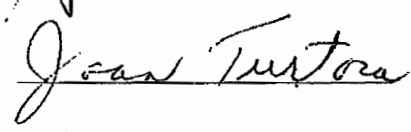
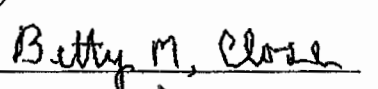
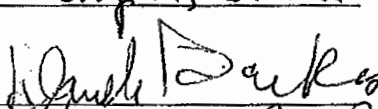
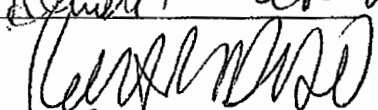
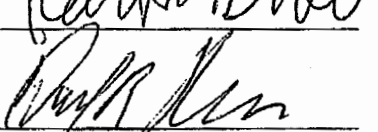
What are you nuts? What is with a change-up at the last minute? *Chay McCarthy*

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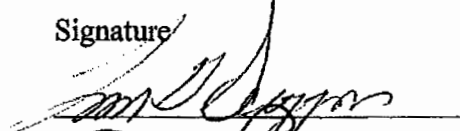
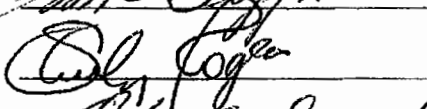
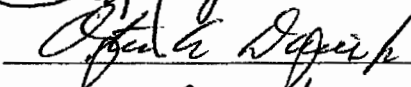
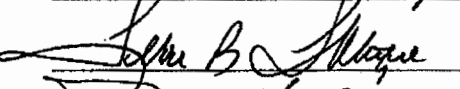
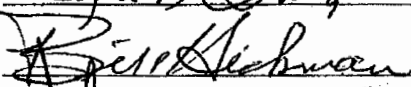
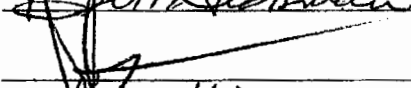
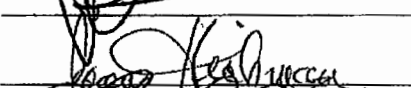
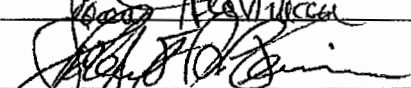
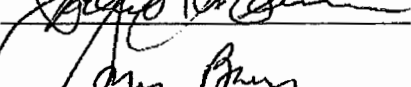
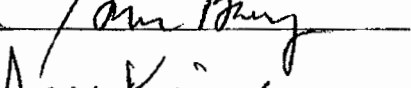
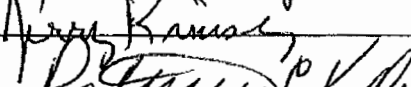
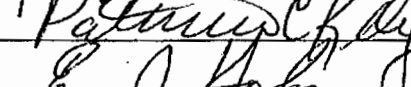
Signature	Print Name	Address
	PETER B. HEKKEMA	1079-ROYAL TROON CT. TARPO SPRINGS 34682
	GAIL S. HEKKEMA	1079-ROYAL TROON CT TARPO SPRINGS 34682
	GERARD TORTORA	2610 ST ANDREWS TARPO SPRINGS 34682
	Joan Tortora	2610 ST Andrews Blvd.
	Betty M. Close	3620 St. Andrews Blvd
	Glenda Benker	902 Gilliland Dr
	Dr Robert O'Amis	2629 Royal Lavenport Dr
	DARIC MORRIS	2619 Royal Lavenport Dr

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Signature	Print Name	Address
	Tom C. Jojpon	1118 Muirfield Ct TS
	Shelly S. Rogers	2605 St Andrews Blvd TS
	Otis A. Davis Jr	1115 Royal Troop Ct.
	Terry Wehner	2545 Royal Liverpool Dr
	Bill Hickman	1049 Royal Birkdale Dr. TS
	Joan Hickman	2909 St Andrews Blvd TS
	JOAN HICKMAN	1049 ROYAL BIRKDALE
	ROBERT LAFERRIERE	2769 SAINT ANDREWS BLVD
	Susan M Barry	2621 Royal Liverpool
	TERRY KINSEY	844 ROYAL BIRKDALE DR
	Patricia C. Kelly	886 Royal Birkdale Dr.
	Patricia C. Kelly	1202 Muirfield Ct.

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Signature	Print Name	Address
<u>Victoria M. Katchuk</u>	<u>Victoria M. Katchuk</u>	<u>1085 Royal Troon Court</u> <u>Tarpon Springs, FL 34688</u>
<u>Kathleen T. Miller</u>	<u>Kathleen T. Miller</u>	<u>2611 Royal Liverpool</u> <u>Tarpon Sp. FL 34688</u>
<u>Samuel G. Volini</u>	<u>Samuel G. Volini</u>	<u>2604 Royal Liverpool</u>
<u>Alfred Volini</u>	<u>Alfred Volini</u>	<u>2604 Royal Liverpool</u>
<u>Judy Mitchell</u>	<u>JUDY MITCHELL</u>	<u>2585 ROYAL LIVERPOOL</u>
<u>Walter Biersley</u>	<u>WALTER BIERSELY</u>	<u>2575 ROYAL LIVERPOOL</u>
<u>Maria Kavouklis</u>	<u>Maria Kavouklis</u>	<u>2555 Royal Liverpool</u>
<u>Robert Bingham</u>	<u>Robert Bingham</u>	<u>2600 ST ANDREW St</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Watercrest Senior Living Group, LLC
c/o Mark Chilcott
445 24th Street, Suite 300
Vero Beach, Florida 32960
(269) 998-6147
mchilcott@chilcottdevelopmentgroup.com

February 18, 2014

Pinellas County Planning Department
Attn: John Cueva
600 Cleveland Street, Suite 750
Clearwater, Florida 33755

**Re: Traffic Signal at the intersection of East Lake Road (County Road 611) and
Crescent Oaks Boulevard (the "Traffic Signal")**

Dear Mr. Cueva:

Watercrest Senior Living Group, LLC ("Watercrest") looks forward to the opportunity to develop a senior living facility on East Lake Road (the "Project"). To that end, Watercrest has submitted various applications to Pinellas County (the "County") seeking certain approvals needed to develop the Project.

In connection with those efforts, Watercrest has engaged with the Crescent Oaks Community Association ("COCA") and learned of COCA's desire for the Traffic Signal. Watercrest is familiar with the December 12, 2006 decision of the Board of County Commissioners ("BCC") regarding the Traffic Signal. At that time, the BCC approved the Traffic Signal to be located in a private community with the cost of the Traffic Signal to be borne by COCA and the maintenance costs included in the County's Public Works budget.

Notwithstanding the prior approval of the Traffic Signal and the fact that the Project generates fewer trips than the use that is currently approved for the property, in the interest of being a good neighbor, and as a separate independent item from the pending Project approvals, should the Project proceed forward, Watercrest wishes to advise the County of its willingness to contribute \$150,000.00 toward the Traffic Signal. COCA has expressed a willingness to pay an additional \$100,000.00 toward the Traffic Signal. Following Watercrest's contribution, Watercrest would have no further responsibility or obligation regarding the Traffic Signal. Watercrest has advised COCA in this regard as well.

Please let me know if you have any questions or wish to discuss this letter.

Sincerely,

Mark Chilcott

CONCEPT PLANT SCHEDULE

- AGENCY TREES**
Banksia laevis / River Birch
Cercis canadensis / Eastern Redbud
Illex opaca 'Tand' / American Holly
Illex vomitoria 'Pendula' / Herring Yew
Lagerstroemia indica 'Natchez' / Natchez Crape Myrtle
Liquidambar styraciflua / Sweetgum Tree
Magnolia grandiflora 'Little Gem' / Little Gem Mag.
- DECIDUOUS TREES**
Platanus occidentalis / W. Sycamore
- CANOPY / STREET TREES**
Acacia saligna / Black Wattle
Magnolia grandiflora 'S.S. Blanchard' TH / DO B Magnolia
Pinus strobus 'Densata' / Short Pine
Quercus virginiana / Live Oak
Taxodium distichum / Bald Cypress
Ulmus americana 'Pendula' / Florida Elm
- PALE**
Salix palmata / Salix Palm
Synedra monantha / Green Palm
Washingtonia robusta / Washingtonia Palm
- AGENCY PALM**
Magnolia grandiflora / Florida Elm
- AGENCY SHRUBS**
Duranta erecta 'Gold Mound' / Gold Mound Duranta
Leptodermis cuneata / Tropicana
Quercus laevis / Live Oak
Hamamelis virginica / Sweetgum Tree
Laropetalum obtusum / Sweetgum Tree
Rosa rugosa / Rugosa Rose
- LAGERSTROMIA TREES**
Illex vomitoria 'Schilling's Dwarf' / Dwarf Schilling's Holly
Juniperus chinensis 'Purpurea' / Pur. Juniper
Rhus glabra 'Velvet' / Vel. S. Mag.
Viburnum acerifolium 'Miss Shillars Delight' / Miss Shillars Viburnum
- LAGERSTROMIA TREES**
Myrsine laevis / Myrsine
Myrsine laevis / Myrsine
Viburnum acerifolium / Sweetgum Tree
Viburnum acerifolium / Sweetgum Tree
- AGENCY GRASSES**
Heteropogon capillaris / Hairy Grass
Pennisetum setaceum / Purple Fountain Grass
Tripidium dactyloides / Purple Fountain Grass
- AGENCY GRASSES**
Andropogon glaucus / Ornamental Peanut Grass
Bambusa nana / Dwarf Bamboo
Bambusa nana / Dwarf Bamboo
Trachypogon distachyus 'Tender Sweet' / Tender Tricolor Aetide Jasmine
Zamia integrifolia / Zamia
- AGENCY GRASSES**
Juniperus chinensis / Shore Juniper
Lythrum roseum 'Therid' / Therid Lythrum
Trachypogon distachyus / Dwarf Confid. Jasmine



ENGINEERING & LAND PLANNING
 BASE INFORMATION PREPARED BY
 Gulf Coast Consulting, Inc.
 13800 1st St., Suite 100
 Clearwater, Florida 34615
 Phone - (727) 534-1515

Roberson Resource Group, LLC
 Landscape Architectural Design & Consulting
 3152 Little Road # 125, Trinity, Florida 34625
 Phone - 727-225-0255 Email - info@RRGonline.net Web - RRGonline.net

Project
WATERCREST
 SENIOR LIVING GROUP - ALF
 EAST LAKE ROAD LANDSCAPE CONCEPT
 Pinellas County, Florida

CONCEPTUAL PLAN SUBJECT TO
 CHANGE AND REVISION POSSIBLE
 DUE TO THE DESIGN DEVELOPMENT
 AND PERMITTING PROCESS
 THESE CONCEPTUAL PLANS ARE
 NOT FOR CONSTRUCTION

Project No. 14-003
 Date 08/17/14
 Sheet A



A201

**EXTERIOR
ELEVATIONS**