

**BOARD OF COUNTY COMMISSIONERS**


**DATE:** November 18, 2014

**AGENDA ITEM NO.** 3c.

**Consent Agenda** ☐

**Regular Agenda** ☐

**Public Hearing** ☒

 **County Administrator's Signature:**

**Subject:**

Public Hearing for Zoning Case No. (Q) Z-19-10-14 (Andy Badaro)

**Department:**

Planning and Development Services

**Staff Member Responsible:**

Jacob Stowers, Executive Director

**Recommended Action:**

I RECOMMEND THAT THE BOARD OF COUNTY COMMISSIONERS (BOARD) HEAR PUBLIC COMMENT AND APPROVE THE ZONING REQUEST.

**Summary Explanation/Background:**

This is a zone change request from C-2, General Retail Commercial and Limited Services District and M-1, Light Manufacturing and Industry District, to C-3, Commercial, Wholesale, Warehousing, and Industrial Support District. The applicant desires to change the zoning on the subject property to allow for the use of the site for warehousing. The request would also remove a conflict between the Zoning and Future Land Use Map as a portion of the site is zoned M-1, Light Manufacturing and Industry District, which is inconsistent with the Commercial General land use designation that exists on the site. The proposed C-3 District request is consistent with the Future Land Use Map designation of Commercial General. The current C-2 zoning allows retail uses, which would tend to generate more vehicular traffic compared to the requested C-3 zoning which would generate less traffic on Ulmerton Road.

**Fiscal Impact/Cost/Revenue Summary:**

N/A

**Exhibits/Attachments Attached:**

Staff Report with LPA Recommendation, Maps, Resolution, Correspondence & Site Plan

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



**Regarding: Case No. Z-19-10-14**

**LPA Recommendation:** The LPA finds that the proposed amendment is consistent with the Pinellas County Comprehensive Plan, and recommends Approval of the zoning amendment. (The vote was 6-0, in favor)

***LPA Public Hearing: October 9, 2014***

**PLANNING STAFF RECOMMENDATION:**

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

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

**CASE SUMMARY**

**APPLICANT'S NAME:** Andy Badaro

**DISCLOSURE:** N/A

**REPRESENTED BY:** Hugh Palmer

	<b>ZONING CHANGE</b>
<b>FROM:</b>	C-2, General Retail Commercial & Limited Services & M-1, Light Manufacturing & Industry
<b>TO:</b>	C-3, Commercial, Wholesale, Warehousing & Industrial

**PROPERTY DESCRIPTION:** Approximately 3.35 acres located on the east side of 62nd Street North, 320 ft. south of Ulmerton Road in the unincorporated area of Pinellas Park (street address being: 13285 62nd Street North).

**PARCEL ID(S):** A portion of parcel 08/30/16/70974/100/0605, specifically the E ½ of the North 100 ft. of the South 300 ft. of the West ½ of Lot 6, Pinellas Groves and parcels 08/30/16/70974/100/0606 & 0602.

**PROPOSED BCC HEARING DATE:** November 18, 2014

**CORRESPONDENCE RECEIVED TO DATE:**

Letter of no objection received from the City of Pinellas Park.

**PERSONS APPEARING AT THE LOCAL PLANNING AGENCY HEARING:**

No one appeared.

**SURROUNDING ZONING AND LAND USE FACTS:**

	Land Use Category	Zoning Designation	Existing Use
<b>Subject Property:</b>	Commercial General	C-2 & M-1	Laboratory
<b>Adjacent Properties:</b>			
<b>North</b>	Commercial General	C-2	Shopping Center
<b>East</b>	Commercial General & Industrial Limited	C-2 & M-1	Retail bldg
<b>South</b>	Commercial General & Industrial Limited	C-3 & M-1	Vacant
<b>West</b>	Commercial General	C-2	Vacant

**STAFF DISCUSSION AND ANALYSIS**

**COMPATIBILITY WITH SURROUNDING LAND USES**

The subject site has two zoning districts as it exists today, the C-2, General Retail Commercial & Limited Services zoning district and the M-1, Light Manufacturing and Industry district. The latter zoning district, M-1 is currently non-conforming as it pertains to its compatibility with the Future Land Use Map designation of Commercial General. As the predominant land use designation on the properties surrounding the subject parcel is Commercial General, staff is of the opinion that the appropriate zoning designation for this site is the requested C-3, Commercial, Wholesale, Warehousing & Industrial zoning. The C-3 zoning is compatible with this area as the C-3 allows uses such as warehousing, wholesale distribution etc., and its location to major transportation corridors such as US Highway 19 and Ulmerton Road enhance the site's location for the uses mentioned. Additionally, as the uses associated with C-3 zoning are not retail-related, the anticipated number of vehicle trips per day will be reduced on the aforementioned arterial roadways.

In conclusion, the requested C-3 zoning is appropriate at this location and is consistent with the Future Land Use Map designation of Commercial General. Additionally, it should be noted that the rezoning of the M-1 portion of the site is appropriate due to the current zoning's conflict with the Future Land Use Map designation of Commercial General.

**IMPLEMENTATION OF  
THE PINELLAS COUNTY COMPREHENSIVE PLAN**

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

- Objective 1.2      Establish development regulations that respond to the challenges of a mature urban county with established communities that are experiencing infill development and redevelopment activity.
- Policy 1.2.3      Plan designations on the Future Land Use Map shall be compatible with the natural environment, support facilities and services, and the land uses in the surrounding area.
- Objective 1.7      The LPA of the Board of County Commissioners shall identify existing land uses that are inconsistent with characteristics of the surrounding area on a case by case basis or through the completion of specific area studies.
- Policy 1.7.1      Pinellas County's program for eliminating or reducing these inconsistent land uses shall be based upon the regulations for nonconforming uses contained in the Pinellas County Land Development Code and any other applicable ordinances which may be developed.
- Objective 1.11      Pinellas County shall implement its land use policies in a manner that clearly defines the future land use categories and the regulations pertaining to them that manage growth in Pinellas County.
- Policy 1.11.2      Zoning, signage, subdivision, and other existing County land development regulations that are discussed in any element of the *Pinellas County Comprehensive Plan* or have been approved by the Board of County Commissioners shall be consistent with the Plan and include additional regulations that are specified by and based upon the Plan.

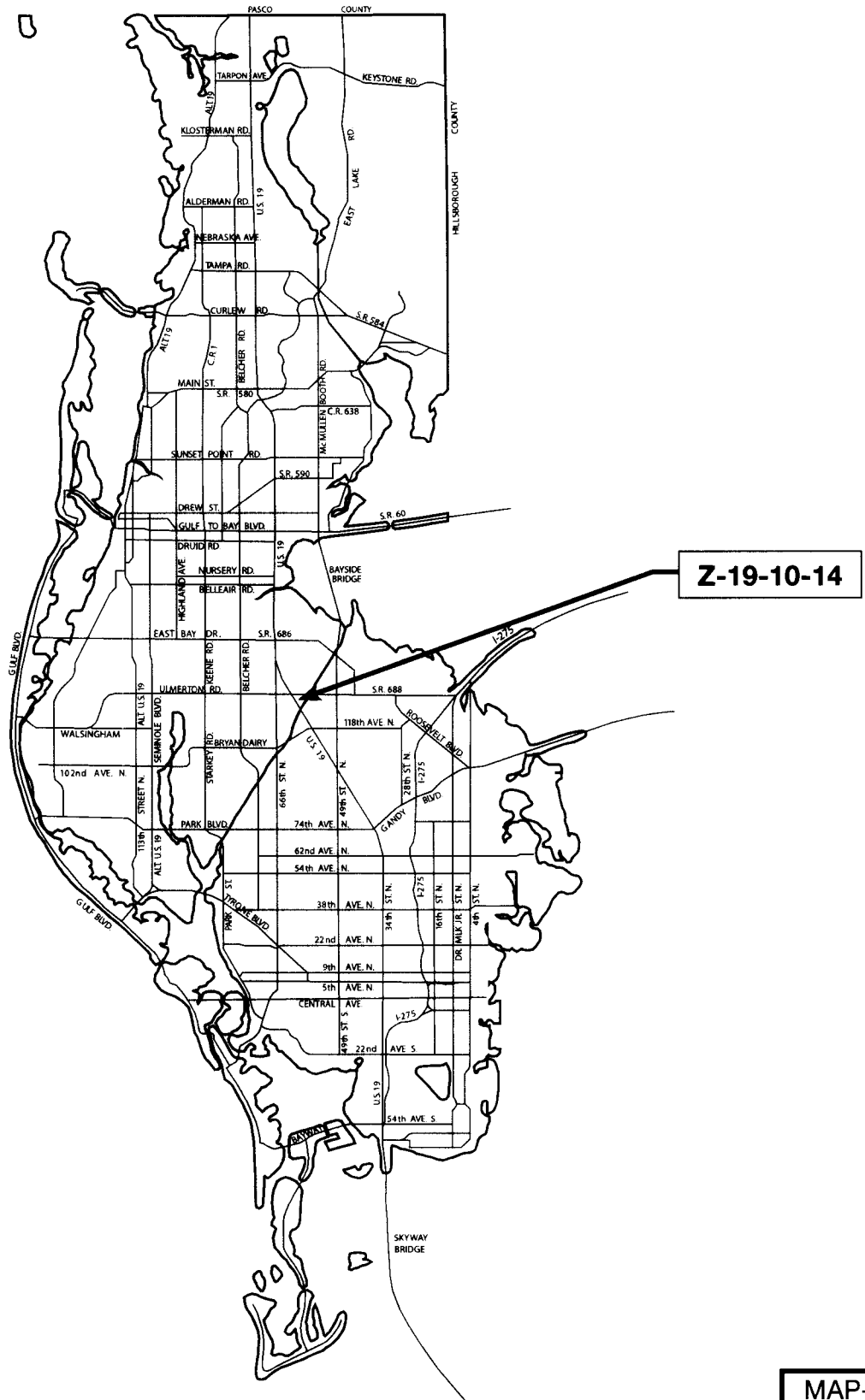
---

## COUNTY DEVELOPMENT REGULATIONS

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

Attachment (Maps)

# LOCATION MAP



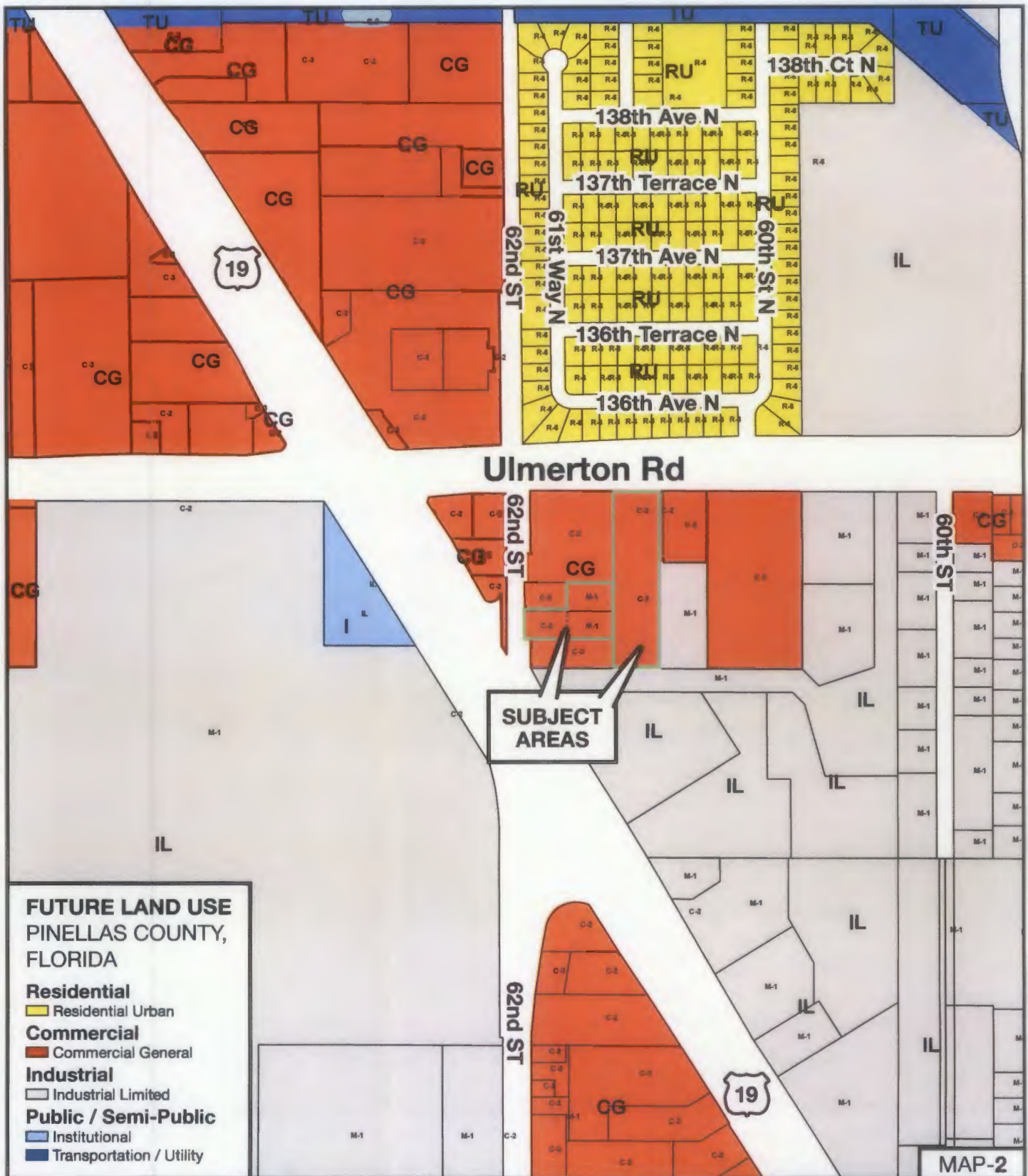
MAP-1

**Z-19-10-14**

Zoning From: C-2, General Retail Commercial & Limited Services & M-1, Light Manufacturing & Industry  
To: C-3, Commercial, Wholesale, Warehousing & Industrial

A portion of parcel 08/30/16/70974/100/0605 and parcels 08/30/16/70974/100/0606 & 0602  
Prepared by: Pinellas County Department of Planning and Development Services August 2014





**Z-19-10-14**

**Zoning** From: C-2, General Retail Commercial & Limited Services & M-1, Light Manufacturing & Industry  
 To: C-3, Commercial, Wholesale, Warehousing & Industrial

A portion of parcel 08/30/16/70974/100/0605 and parcels 08/30/16/70974/100/0606 & 0602  
 Prepared by: Pinellas County Department of Planning and Development Services August 2014







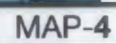
**Z-19-10-14**

Zoning From: C-2, General Retail Commercial & Limited Services &  
M-1, Light Manufacturing & Industry  
To: C-3, Commercial, Wholesale, Warehousing & Industrial

A portion of parcel 08/30/16/70974/100/0605 and parcels 08/30/16/70974/100/0606 & 0602  
Prepared by: Pinellas County Department of Planning and Development Services August 2014









RESOLUTION NO. \_\_\_\_\_

RESOLUTION CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 3.35 ACRES LOCATED ON THE EAST SIDE OF 62ND STREET NORTH, 320 FT. SOUTH OF ULMERTON ROAD IN THE UNINCORPORATED AREA OF PINELLAS PARK (STREET ADDRESS BEING: 13285 62ND STREET NORTH); PAGE 731 OF THE ZONING ATLAS, AS BEING IN SECTION 08, TOWNSHIP 30, RANGE 16; FROM C-2, GENERAL RETAIL COMMERCIAL & LIMITED SERVICES AND M-1, LIGHT MANUFACTURING & INDUSTRY TO C-3, COMMERCIAL, WHOLESALE, WAREHOUSING & INDUSTRIAL; UPON APPLICATION OF ANDY BADARO THROUGH HUGH PALMER, REPRESENTATIVE, Z-19-10-14

WHEREAS, Andy Badaro, 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 C-2, General Retail Commercial & Limited Services & M-1, Light Manufacturing & Industry to C-3, Commercial, Wholesale, Warehousing & Industrial; and

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

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

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

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pinellas County in regular session duly assembled this 18<sup>th</sup> day of November 2014 that the zone classification of the following described real properties in Pinellas County, Florida, to wit:

PARCEL 08/30/16/70974/100/0606  
PINELLAS GROVES NE ¼, N 100 FT OF S 300 FT OF W ½ OF LOT 6 LESS  
RD

&

PARCEL 08/30/16/70974/100/0602  
PINELLAS GROVES NE ¼, 2 ½ OF E ½ OF LOT LESS ROAD

be, and the same are hereby changed from C-2, General Retail Commercial & Limited Services  
& M-1, Light Manufacturing & Industry to C-3, Commercial, Wholesale, Warehousing &  
Industrial.

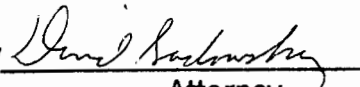
Commissioner \_\_\_\_\_ offered the foregoing resolution and moved its  
adoption, which was seconded by Commissioner \_\_\_\_\_ upon the roll call the  
vote was:

Ayes:

Nays:

Absent and not voting:

APPROVED AS TO FORM  
OFFICE OF COUNTY ATTORNEY

By   
Attorney

---

**Subject:** FW: Z-19-10-14

**From:** Dean Neal [<mailto:dneal@pinellas-park.com>]

**Sent:** Wednesday, September 24, 2014 10:34 AM

**To:** Zoning

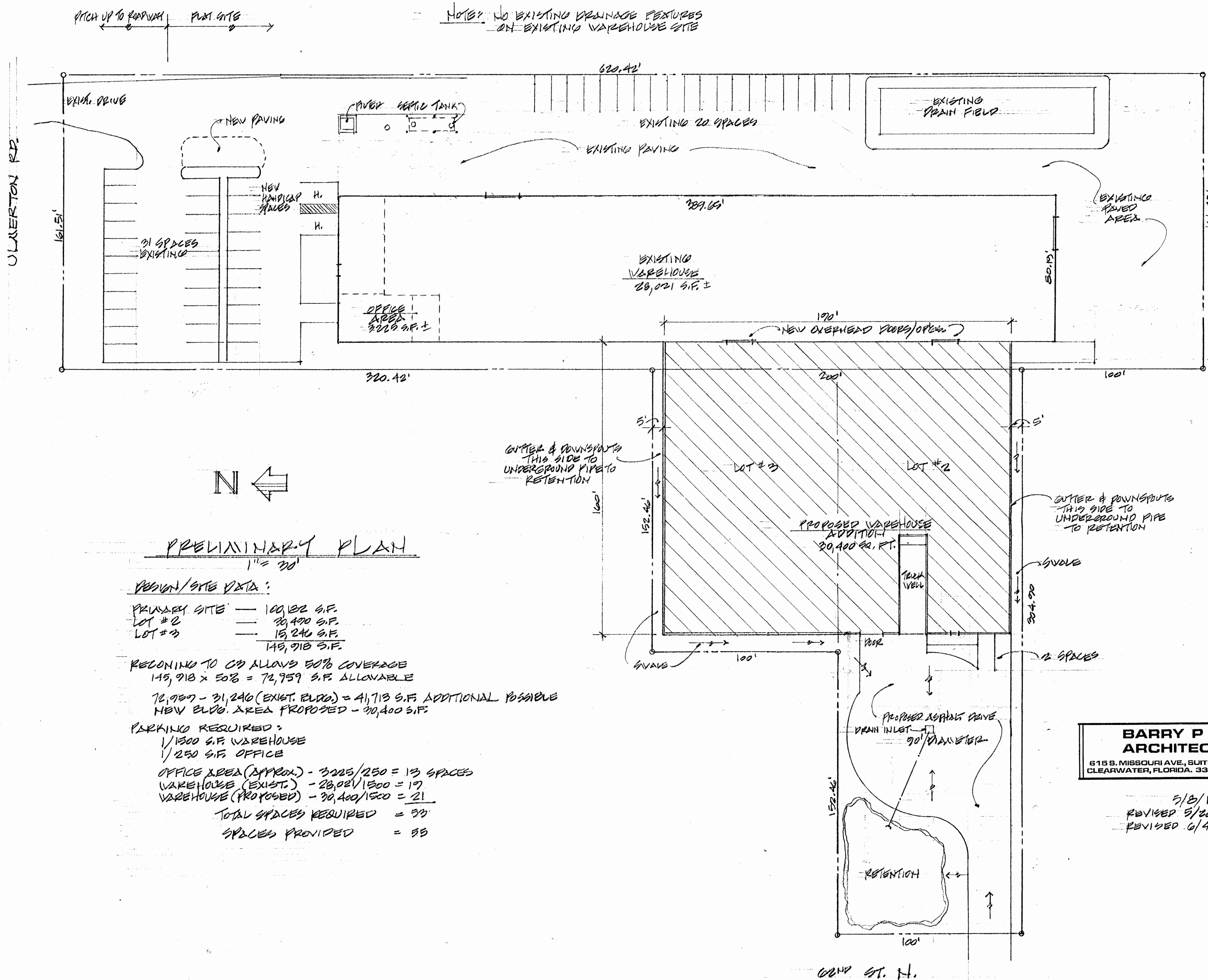
**Subject:** Z-19-10-14

It appears that the address given is not inclusive of other subject parcels with the listed area of 3.35 acres although I can see the other 2+ acre parcel under the same ownership. The city of Pinellas Park has no objection to the requested change in zoning.

--

Dean R. Neal, AICP  
Zoning Director





Z-19-10-14

Ullmann  
7/7/14