



Staff Report

File #: 15-153, **Version:** 1

Agenda Date: 10/20/2015

Subject:

Case No. Q Z-17-7-15 (Mary Elizabeth McCraney and Robert & Bonnie Shell)

A request for a zoning change from A-E, Agricultural Estate Residential to RPD-2.5, Residential Planned Development, 2.5 units per acre on approximately 8.32 acres located on the south side of Virginia Street 450 feet west of Keene Road in the unincorporated area of Dunedin.

Recommended Action

Adoption of Case No. Z-17-7-15; resolution approving the application of Mary Elizabeth McCraney and Robert and Bonnie Shell through C. Reed Haydon, Representative, for a change of zoning from A-E, Agricultural Estate Residential to RPD-2.5, Residential Planned Development, 2.5 units per acre, regarding approximately 8.32 acres located on the south side of Virginia Street 450 feet west of Keene Road in the unincorporated area of Dunedin.

Strategic Plan:

Foster Continual Economic Growth and Vitality.

4.3 Catalyze redevelopment through planning and regulatory programs.

Deliver First Class Services to the Public and Our Customers.

5.2 Be responsible stewards of the public's resources.

Summary:

This is a request to amend the Zoning Atlas from A-E, Agricultural Estate Residential district to RPD-2.5, Residential Planned Development district, 2.5 units per acre. The subject area consists of approximately 8.32 acres covering two parcels. Each parcel currently contains a single family home. The applicant is proposing a 20-unit single family subdivision. The zoning amendment is necessary to allow the additional units, as the current A-E zoning would only allow one unit per two acres (four homes total). A Future Land Use Map amendment is unnecessary because the Residential Suburban future land use category currently in place allows the proposed density. The proposal is consistent with much of the existing development in the surrounding area. There are no anticipated issues with this request.

Background Information:

The Local Planning Agency (LPA) unanimously recommended approval of the request during their September 10, 2015 public hearing (6-0 vote).

Fiscal Impact:

N/A

Staff Member Responsible:

Gordon Beardslee, Director, Planning

Partners:

N/A

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



Regarding: Case No. Z-17-7-15

LPA Recommendation: At the July 9, 2015, the Local Planning Agency continued the proposed zoning amendment for 60 days to the September LPA meeting. (The vote was 7-0, in favor)

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: September 10, 2015 & July 9, 2015

PLANNING STAFF RECOMMENDATION:

- Staff recommends that the LPA find the proposed amendment to the Pinellas County Zoning Atlas consistent with the Pinellas County Comprehensive Plan, based on the findings in this report.
- And further, staff recommends that the LPA recommend approval of the proposed Zoning Atlas amendment to the Pinellas County Board of County Commissioners.

CASE SUMMARY

APPLICANT'S NAME: Mary Elizabeth McCraney and Robert & Bonnie Shell

DISCLOSURE: Mary Elizabeth McCraney, David Alvin McCraney, Robert & Bonnie Shell
Mary Elizabeth McCraney, David Alvin McCraney, Robert & Bonnie Shell
Haydon Development Group, LLC

REPRESENTED BY: C. Reed Haydon

ZONING CHANGE	
FROM:	A-E, Agricultural Estate Residential
TO:	RPD-2.5, Residential Planned Development, 2.5 units per acre

PROPERTY DESCRIPTION: Approximately 8.32 acres located on the south side of Virginia Street 450 feet west of Keene Road in the unincorporated area of Dunedin.

PARCEL ID(S): 35/28/15/00000/110/0100 & 0400

PROPOSED BCC HEARING DATE: October 20, 2015

CORRESPONDENCE RECEIVED TO DATE:

No correspondence received.

PERSONS APPEARING AT THE LOCAL PLANNING AGENCY HEARING:

Two persons appeared in favor.

SURROUNDING ZONING AND LAND USE FACTS:

	Land Use Category	Zoning Designation	Existing Use
Subject Property:	Residential Suburban & Preservation	A-E	Two Single Family Homes
Adjacent Properties:			
North	Residential Low & Preservation	City of Dunedin & A-E	Single Family & Preservation
East	Residential Suburban	City of Dunedin	Single Family
South	Residential Urban	City of Dunedin	Single Family
West	Residential Suburban & Preservation	A-E	Single Family

STAFF DISCUSSION AND ANALYSIS

COMPATIBILITY WITH SURROUNDING LAND USES

The subject property is currently designated Residential Suburban and Preservation on the Future Land Use Map (FLUM), and is zoned A-E, Agricultural Estate Residential throughout. The narrow strip of Preservation follows a drainage feature that crosses the property. The site contains two parcels, each having one single family residence. Much of the site is heavily vegetated. The A-E zoning district requires a minimum lot size of two acres with a minimum lot width of 90 feet. Under A-E, the subject area could accommodate four single family homes. In addition to single family residential, A-E permits agricultural activities (including up to three hoofed animals per acre) for personal use. The applicant is requesting a zoning change to RPD-2.5, Residential Planned Development, 2.5 units per acre that would allow for the construction of up to 20 residential units, based on the property's acreage. These units could be either single-family, multi-family or a combination of both. The applicant is proposing all 20 units as single family residences.

The subject property is adjacent to single-family residential subdivisions on three sides, located to the northwest across Virginia Street, and to the immediate east and south. These neighboring subdivisions are developed between 2.5 and 7.5 units per acre. Abutting the subject area to the west is a large property (9.8 acres) zoned A-E that contains one single family home. While there are no other RDP-zoned parcels within the immediate area, the request is consistent with the Residential Suburban FLUM category density limitations. The RPD district requires a certain amount of open space and has more flexible development standards than traditional residential zoning districts, which should give the applicant the ability to preserve additional trees and other native vegetation. During the site development phase, staff hopes to work with the applicant to preserve the existing trees as much as practicable.

SUMMARY

It is staff's conclusion that the proposed RPD-2.5 zoning district is generally compatible with nearby land uses and the surrounding development pattern. It also provides flexibility for designing around some of the site's natural features, including trees and other native vegetation. The proposal is consistent with the Pinellas County Comprehensive Plan and is appropriate for this location.

IMPLEMENTATION OF THE PINELLAS COUNTY COMPREHENSIVE PLAN

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

FUTURE LAND USE AND QUALITY COMMUNITIES ELEMENT

Objective 1.2 Establish development regulations that respond to the challenges of a mature urban county with established communities that are experiencing infill development and redevelopment activity.

Policy 1.2.3 Plan designations on the Future Land Use Map shall be compatible with the natural environment, support facilities and services, and the land uses in the surrounding area.

Policy 1. 2.4 Recognizing that successful neighborhoods are central to the quality of life in Pinellas County, redevelopment and urban infill development should be compatible with and support the integrity and viability of existing residential neighborhoods.

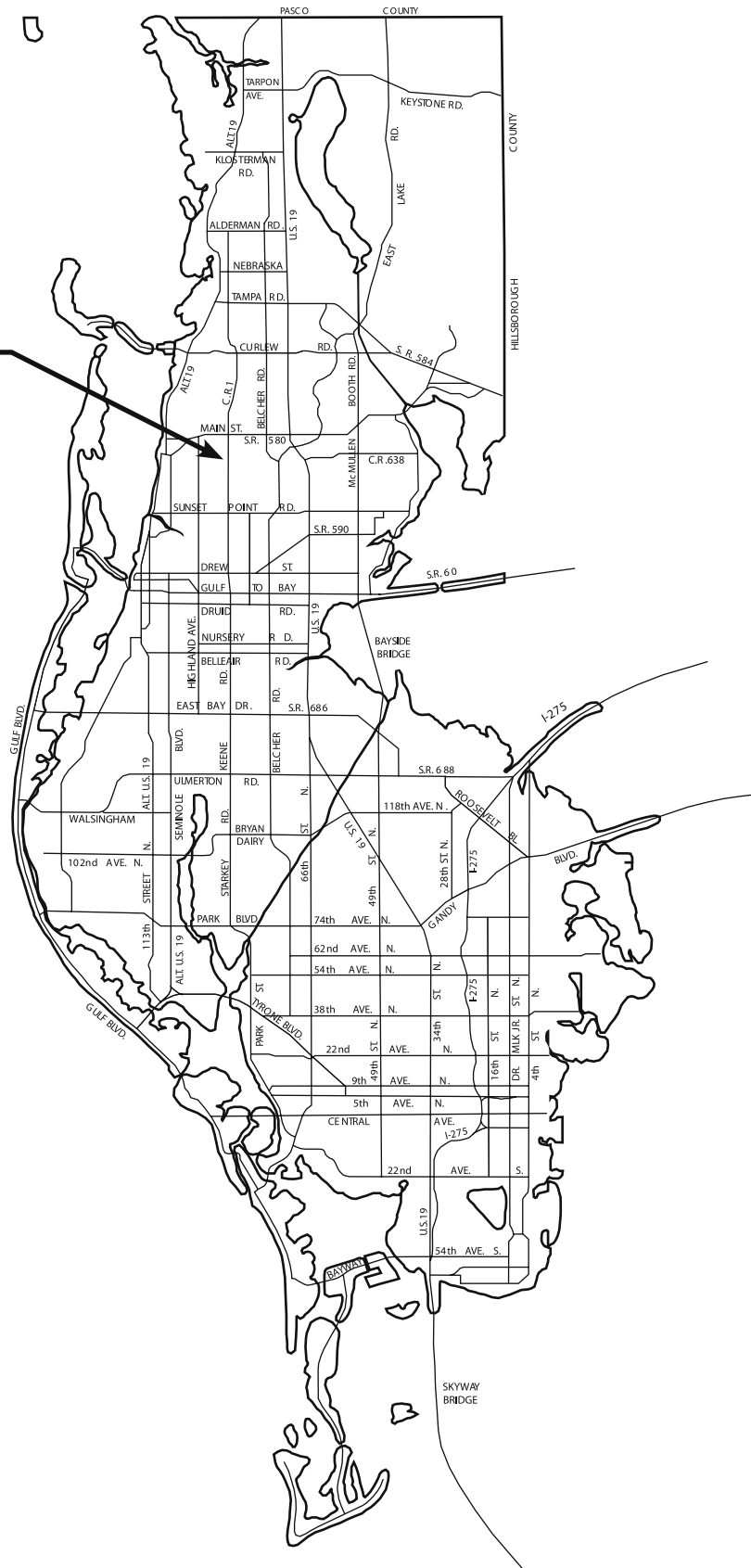
COUNTY DEVELOPMENT REGULATIONS

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

Attachment (Maps)

LOCATION MAP

Z-17-7-15



MAP-1

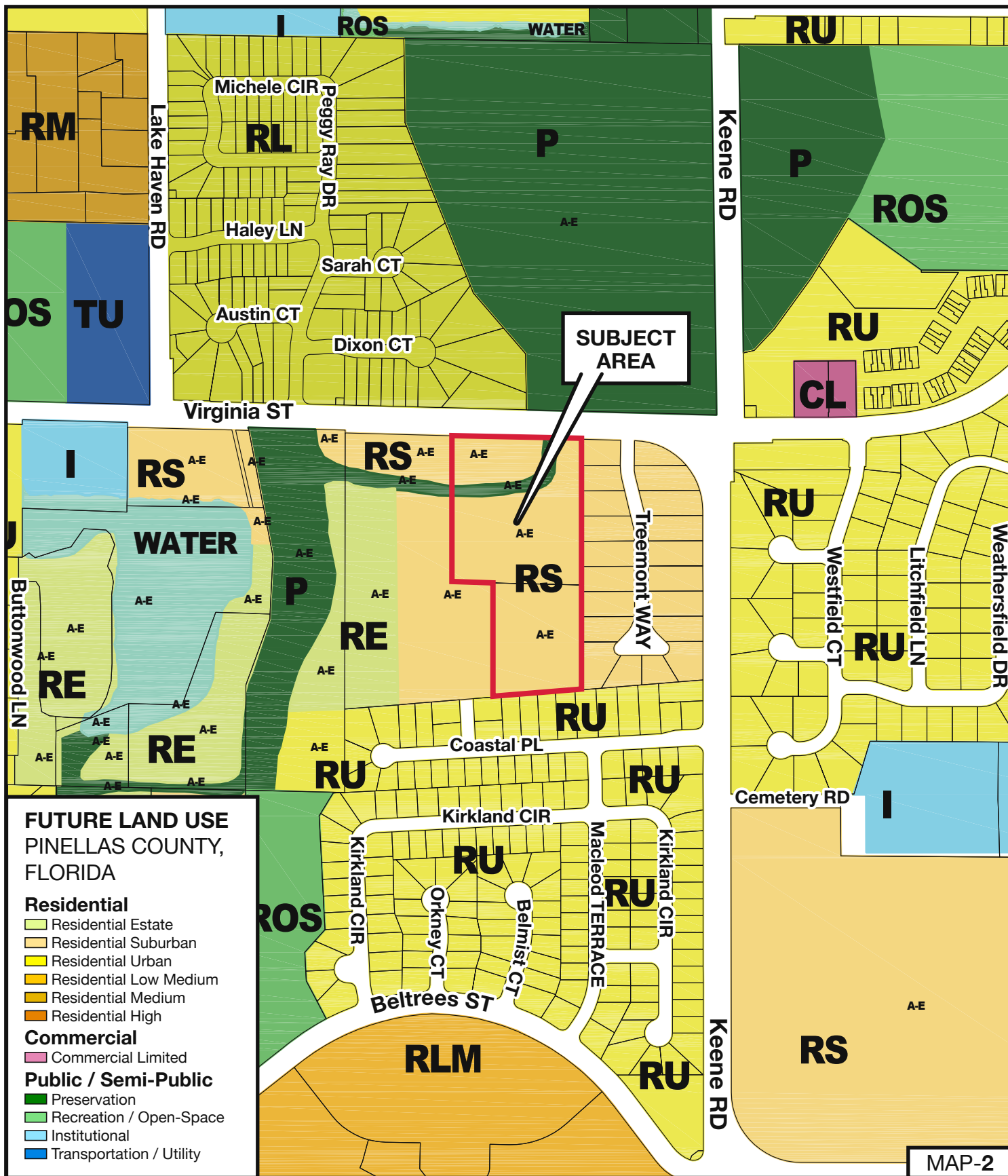
Z-17-7-15

Zoning From: A-E, Agricultural Estate Residential
To: RPD-2.5, Residential Planned Development,
2.5 units per acre

Parcel I.D. 35/28/15/00000/110/0100 & 0400

Prepared by: Pinellas County Planning Department June 2015





MAP-2

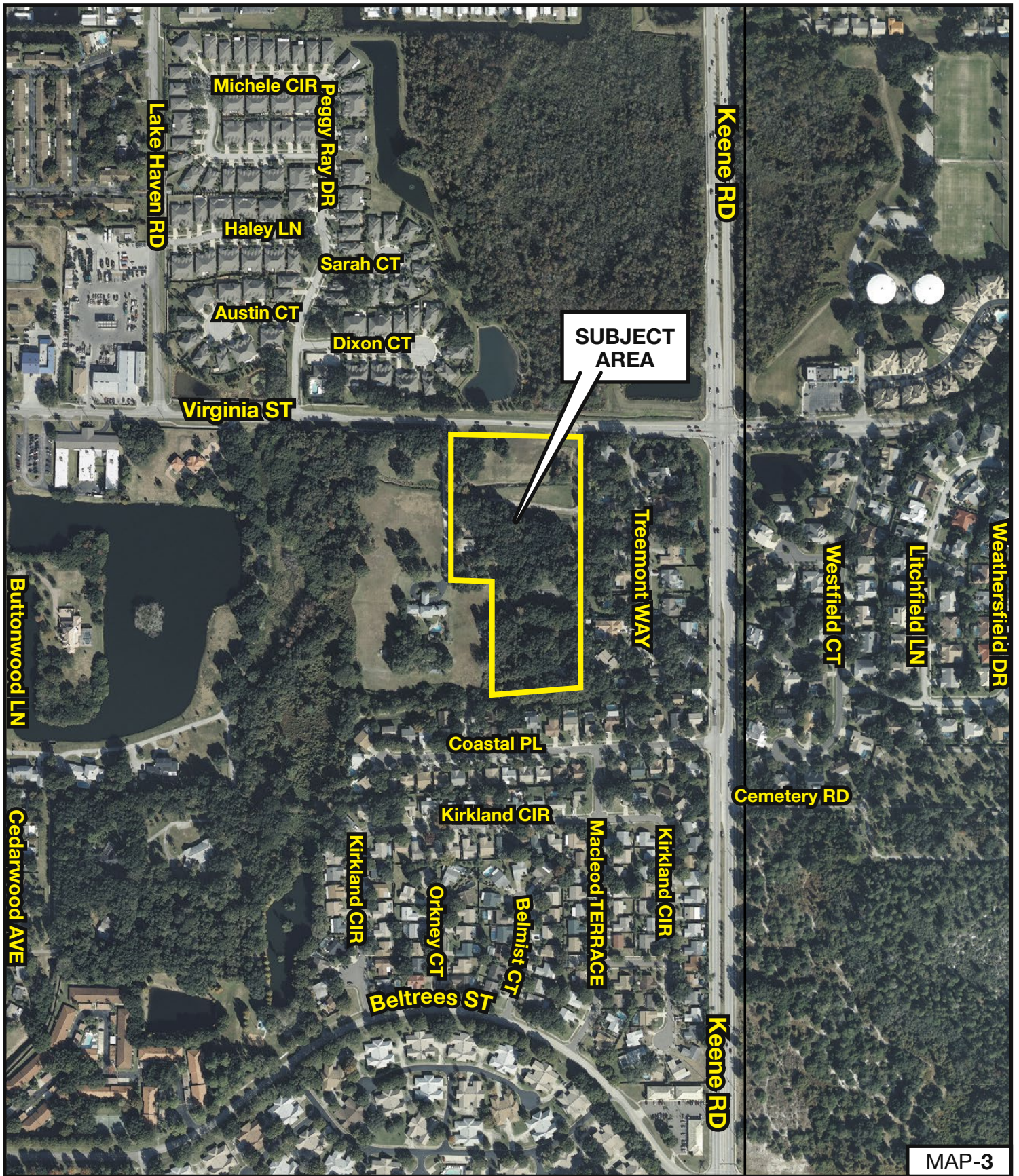
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Zoning From: A-E, Agricultural Estate Residential
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Parcel I.D. 35/28/15/00000/110/0100 & 0400

Prepared by: Pinellas County Planning Department June 2015





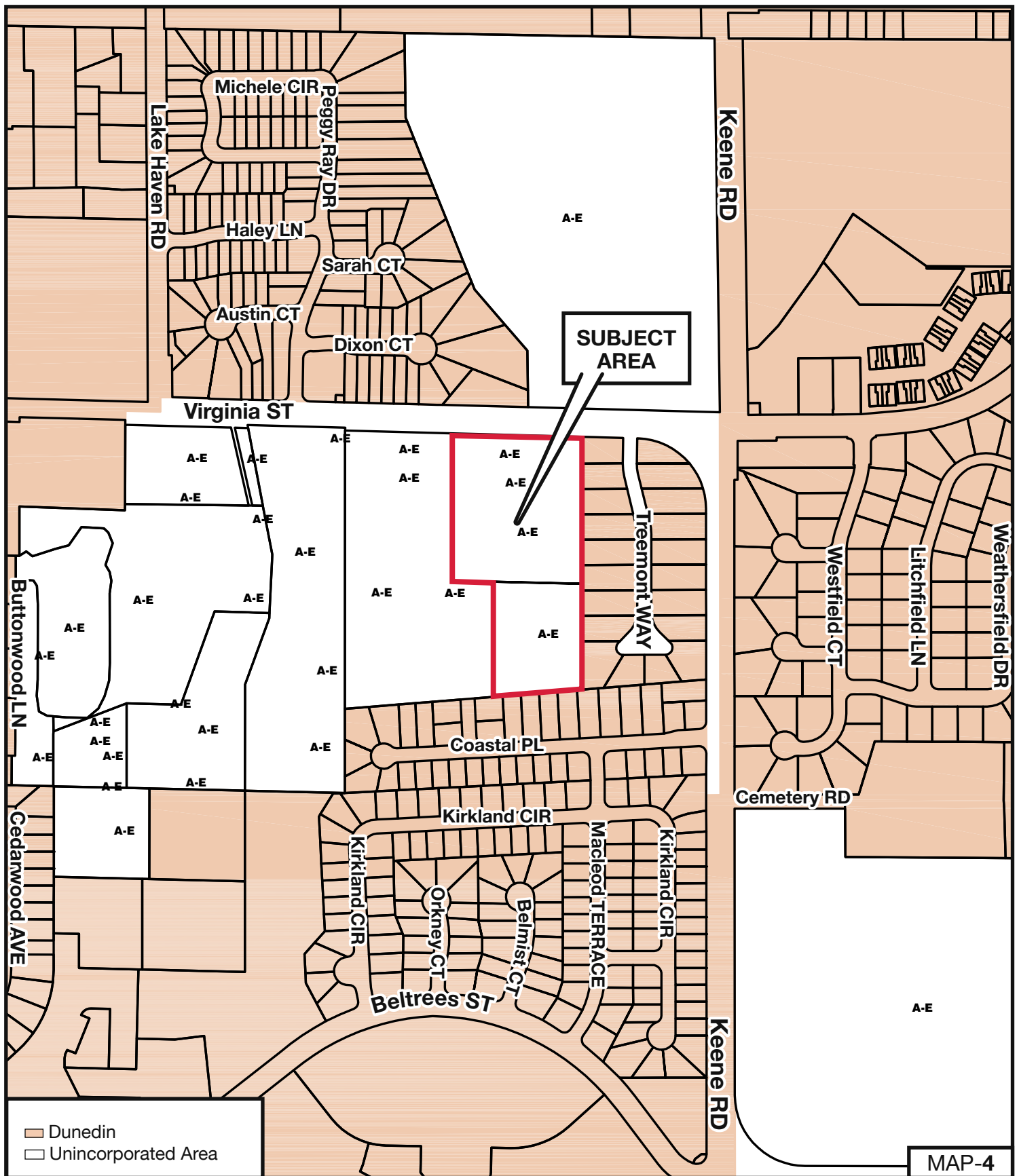
MAP-3

Z-17-7-15

Zoning From: A-E, Agricultural Estate Residential
To: RPD-2.5, Residential Planned Development,
2.5 units per acre

Parcel I.D. 35/28/15/00000/110/0100 & 0400
Prepared by: Pinellas County Planning Department June 2015





Z-17-7-15

Zoning From: A-E, Agricultural Estate Residential
To: RPD-2.5, Residential Planned Development,
2.5 units per acre

Parcel I.D. 35/28/15/00000/110/0100 & 0400

Prepared by: Pinellas County Planning Department June 2015



RESOLUTION NO. _____

RESOLUTION CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 8.32 ACRES LOCATED ON THE SOUTH SIDE OF VIRGINIA STREET 450 FEET WEST OF KEENE ROAD IN THE UNINCORPORATED AREA OF DUNEDIN; PAGE 141 OF THE ZONING ATLAS, AS BEING IN SECTION 35, TOWNSHIP 28, RANGE 15; FROM A-E, AGRICULTURAL ESTATE RESIDENTIAL TO RPD-2.5, RESIDENTIAL PLANNED DEVELOPMENT, 2.5 UNITS PER ACRE; UPON APPLICATION OF MARY ELIZABETH MCCRANEY AND ROBERT & BONNIE SHELL THROUGH C. REED HAYDON, HAYDON ENGINEERING & DESIGN, INC., REPRESENTATIVE, Z-17-7-15

WHEREAS, Mary Elizabeth McCraney and Robert & Bonnie Shell, Owner(s) of the property hereinafter described, has petitioned the Board of County Commissioners of Pinellas County to change the zone classification of the real property hereinafter described from A-E, Agricultural Estate Residential to RPD-2.5, Residential Planned Development, 2.5 units per acre; 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 20th day of October 2015 that the zone classification of the following described real property in Pinellas County, Florida, to wit:

(See Attached Exhibit "A")

be, and the same is hereby changed from A-E, Agricultural Estate Residential to RPD-2.5, Residential Planned Development, 2.5 units per acre, Z-17-7-15.

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

By: 
Office of the County Attorney

Z-17-7-15

EXHIBIT "A"

SELLER: Mary Elizabeth McCraney, as Successor Trustee under the Revocable Living Trust of Alvin M. McCraney dated 10/12/1995

Commence at the Northeast corner of Section 35, Township 28 South, Range 15 East, Pinellas County, Florida; thence N 88 deg. 29' 16" W, along the North boundary of said Section 35, 490.00 feet for a Point of Beginning; thence S 00 deg. 07' 46" E, 571.93 feet; thence N 88 deg. 29' 16" W, 459.16 feet; thence N 00 deg. 02' 54" E, parallel to the west boundary of the NE 1/4 of the NE 1/4 of said Section 35, 571.89 feet; thence S 88 deg. 29' 16" E, along the North boundary of said Section 35, 457.38 feet to the Point of Beginning. (LESS THAT PART OF THE ABOVE DESCRIBED TRACT OCCUPIED BY COUNTY ROAD NO. 34 [VIRGINIA STREET] AND SUBJECT TO AN EASEMENT FOR INGRESS AND EGRESS ACROSS THE EASTERLY 20 FEET THEREOF).

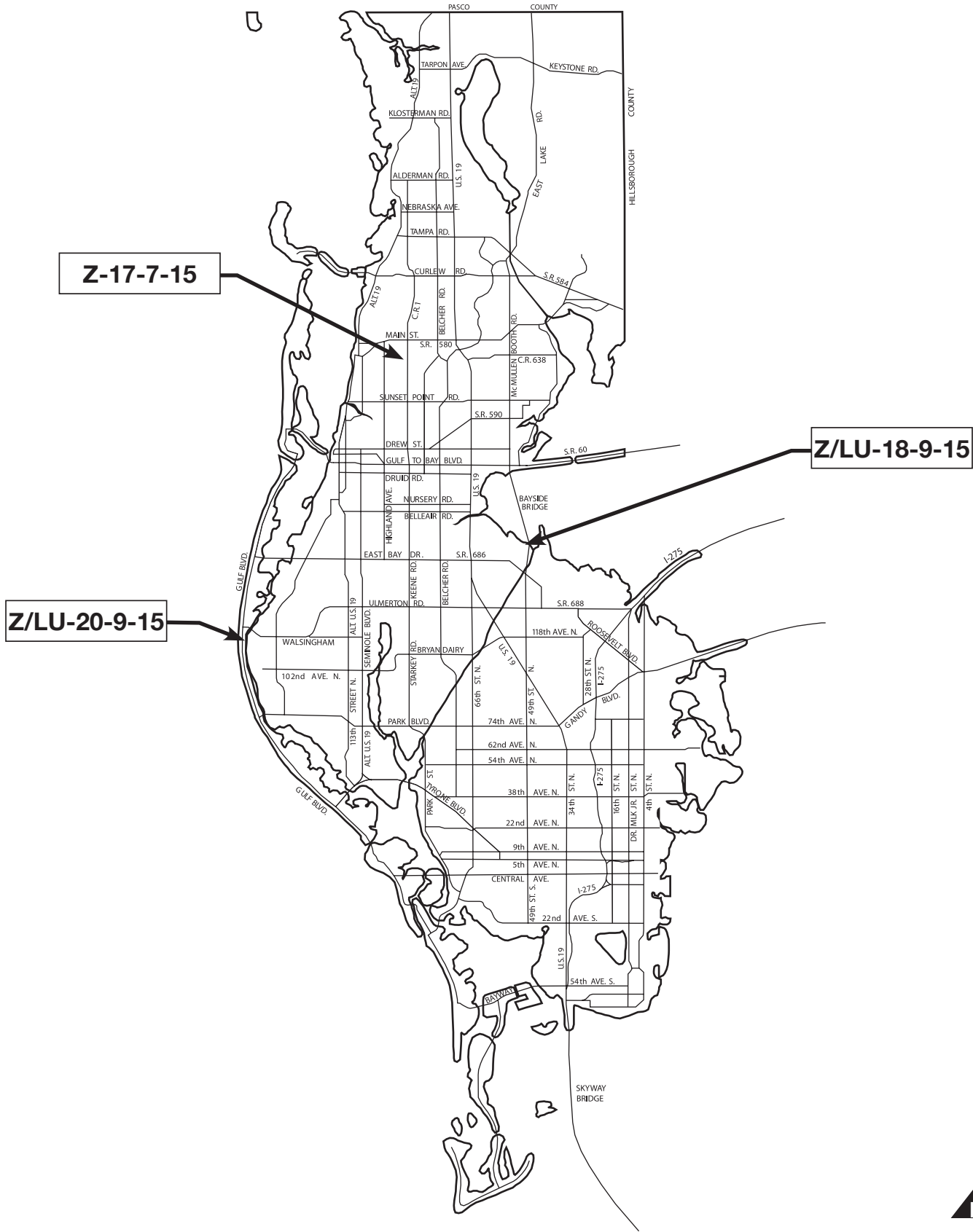
PARCEL NO. 35/28/15/00000/110/0100

SELLER: Mary Elizabeth McCraney, as Successor Trustee under the Revocable Living Trust of Alvin M. McCraney dated 10/12/1995 (as to an undivided 1/2 interest)
AND David Alvin McCraney, as Successor Trustee under the Revocable Living Trust of Sarah L. McCraney dated 10/12/1995 (as to an undivided 1/2 interest)
AND Robert Shell and Bonnie Shell, husband and wife (as to a Life Estate)

Commence at the Northeast corner of Section 35, Township 28 South, Range 15 East, Pinellas County, Florida; thence N 88 deg. 29' 16" W, along the North boundary of said Section 35, 490.00 feet; thence S 00 deg. 07' 47" E, 571.93 feet for a Point of Beginning; thence continue S 00 deg. 07' 46" E, 375.47 feet; thence S 85 deg. 29' 20" W, 316.44 feet; thence N 00 deg. 02' 54" E, parallel to the West boundary of the NE 1/4 of the NE 1/4 of said Section 35, 408.66 feet; thence S 88 deg. 29' 16" E, 314.38 feet to the Point of Beginning. TOGETHER WITH a 20 foot wide easement for ingress and egress described as follows: Commence at the NE corner of Section 35, Township 28 South, Range 15 East, Pinellas County, Florida; thence N 88 deg. 29' 16" W, along the North boundary of said section 35, 490.00 feet for a Point of Beginning; thence S 00 deg. 07' 46" E, 571.93 feet; thence N 88 deg. 29' 16" W, 20.00 feet; thence N 00 deg. 07' 46" W, 571.93 feet; thence S 88 deg. 29' 16" E, 20.00 feet to the Point of Beginning.

PARCEL NO. 35/28/15/00000/110/0400





PINELLAS COUNTY
PLANNING DEPARTMENT ZONING DIVISION

PROPOSED AMENDMENTS TO THE PINELLAS COUNTY FUTURE LAND USE MAP AND ZONING ATLAS AND THE COMPREHENSIVE PLAN

The Pinellas County Board of County Commissioners proposes to adopt the following amendments to the Pinellas County Future Land Use Map and Zoning Atlas, and an amendment to the Pinellas County Comprehensive Plan. A public hearing on the Resolutions and Ordinances will be held **October 20, 2015 at 6:00 p.m.** in the County Commission Assembly Room, Fifth Floor, Pinellas County Courthouse, 315 Court Street, Clearwater FL 33756.

Interested parties may appear at the hearing and be heard regarding the proposed Resolutions and Ordinances and Conditional Use:

A. PROPOSED RESOLUTIONS AND ORDINANCES AMENDING THE FUTURE LAND USE MAP AND ZONING ATLAS

1. Q Z-17-7-15

Resolution changing the Zoning classification of approximately 8.32 acres located on the south side of Virginia Street 450 feet west of Keene Road in the unincorporated area of Dunedin; Page 141 of the Zoning Atlas, as being in Section 35, Township 28, Range 15; from A-E, Agricultural Estate Residential to RPD-2.5, Residential Planned Development, 2.5 units per acre; upon application of Mary Elizabeth McCraney and Robert & Bonnie Shell through C. Reed Haydon, Haydon Engineering & Design, Inc., Representative.

2. Q Z/LU-18-9-15

Resolution changing the Zoning classification of approximately 19.2 acres located at the northern terminus of 49th Street North, being west of the western terminus of 164th Avenue North in the unincorporated area of Largo; Page 709 of the Zoning Atlas, as being in Section 33, Township 29, Range 16; from RPD-10, Residential Planned Development, 10 units per acre & RPD-5, Residential Planned Development, 5 units per acre to A-E, Agricultural Estate Residential (3.8 acres), R-2, Single Family Residential (3.9 acres), R-3, Single Family Residential (2.8 acres) & RPD-5, Residential Planned Development, 5 units per acre (7.2 acres); retaining RPD-5 on 1.5 acres; upon application of Pinellas County, C1 Bank & Pinellas CNTY Surplus Land Trust-Bayside Pinellas Community Housing FDTN, Inc., TRE through Pinellas County Planning Director, Representative,
and

An Ordinance amending the Future Land Use Map of Pinellas County, Florida by changing the Land Use designation of approximately 11.8 acres located at the northern terminus of 49th Street North, being west of the western terminus of 164th Avenue North in the unincorporated area of Largo, Located in Section 33, Township 29, Range 16 from Residential Low Medium to Residential Low.

3. Q Z/LU-20-9-15

Resolution changing the Zoning classification of approximately 5.7 acres located at the western terminus of 113th Avenue North in the unincorporated area of Largo (street address: 15151 113th Avenue North); Page 232 of the Zoning Atlas, as being in Section 13, Township 30, Range 14; from CR, Commercial Recreation to C-3, Commercial, Wholesale, Warehousing & Industrial Support and a variance to allow a maximum building height of 50 feet within 50 feet of residentially zoned land; upon application of Indian Springs Marina, Inc. through Housh Ghovae & Mitch Riley, P. E., Representative,
and

An Ordinance amending the Future Land Use Map of Pinellas County, Florida by changing the Land Use designation of approximately 5.7 acres located at the western terminus of 113th Avenue North in the unincorporated area of Largo (street address: 15151 113th Avenue North) located in Section 13, Township 30, Range 14, from Commercial Recreation to Commercial General, 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.

Any written arguments, evidence, explanations, studies, reports, petitions or other documentation that an applicant, proponent or opponent wishes to be provided to the Board of County Commissioners for their consideration in support of, or in opposition to, any of the applications proposed above should be submitted to the attention of the Pinellas County Zoning Manager, 440 Court Street, Fourth Floor, Clearwater, Florida 33756. Materials must be submitted at least one week (7 days) in advance of the advertised hearing. Hard copy written comments must be submitted on 8½ × 11-inch paper.

The proposed Resolutions and Ordinance amending the Zoning Atlas and the Future Land Use Map can be inspected by the public in the Pinellas County Planning Department; Land use and Zoning Division located at the address above, or at the Pinellas County Board Records located at 315 Court Street, Fifth Floor, Clearwater, Florida 33756. You can contact the Zoning Division at (727) 464-5047 with any questions, or email them at zoning@pinellascounty.org.

The proposed amendment to the Pinellas County Comprehensive Plan can be inspected at the Pinellas County Planning Department located at 310 Court Street, First Floor, Clearwater, Florida 33756. Send comments to this address or call the Long Range Planning Division at (727) 464-8200. The amendments can also be inspected at Pinellas County Board Records Department, 315 Court Street, Fifth Floor, Clearwater, Florida, 33756.

Persons are advised that, if they decide to appeal any decision made at this meeting/hearing, they will need a record of the proceedings, and, for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE WITHIN TWO (2) WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE, PLEASE CONTACT THE OFFICE OF HUMAN RIGHTS, 400 SOUTH FORT HARRISON AVENUE, SUITE 500, CLEARWATER, FLORIDA 33756 (727) 464-4880 (VOICE) (727) 464-4062 (TDD).

KEN BURKE, CLERK TO THE
BOARD OF COUNTY COMMISSIONERS
By Norman D. Loy, Deputy Clerk

REQUEST FOR ADVERTISING FORM

Phone No. 464-8200

Fax No. 464-8201

To: Board Records

FROM: Tammy Swinton, Planning Department (**October 20, 2015 BCC Hearing**)

DATE: September 29, 2015

AD COPY ATTACHED: Yes X No WITH MAP

REQUIRES SPECIAL HANDLING: Yes No X

NEWSPAPER: St. Petersburg Times X

DATE(S) TO APPEAR: October 9, 2015

SIZE OF AD: 2 COLUMN BY 10 INCH AD (or quarter-page ad if necessary for legibility)

SIZE OF HEADER: 18 Point Header

SIZE OF PRINT: N/A

SPECIAL INSTRUCTIONS: Do Not Print in Legal/Classified Section

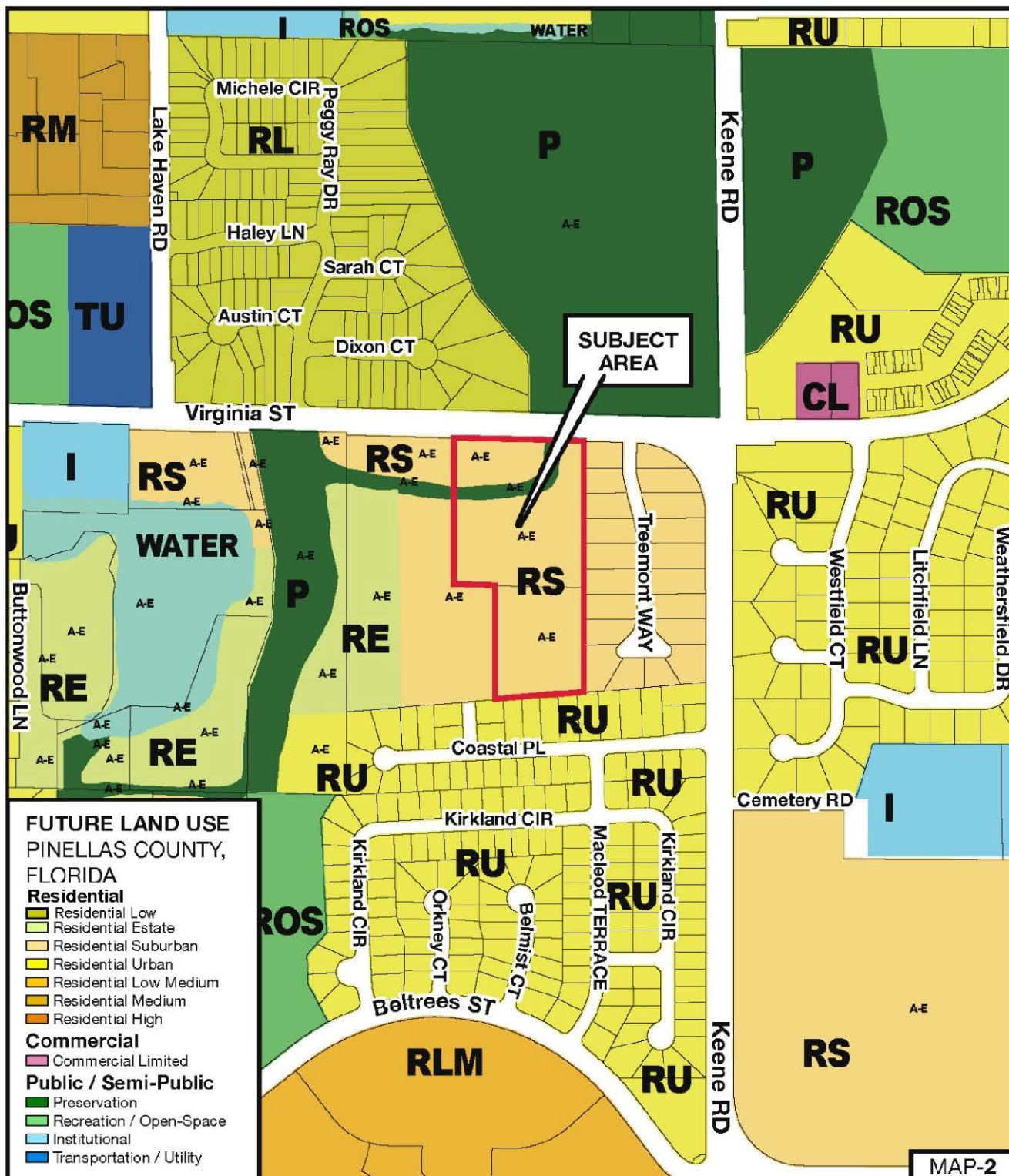
cc: Glenn Bailey, Planning Department
Gordon Beardslee, Planning Department
Liz Freeman, Planning Department
Tammy Swinton, Planning Department

Proposed Amendment to the Pinellas County Zoning Atlas (Z-17-7-15)

Board of County Commissioners
October 20, 2015

Request

- Zoning Atlas Amendment
 - From: A-E, Agricultural Estate Residential
 - To: RPD-2.5, Residential Planned Development, 2.5 units per acre
- 8.3 acres across two parcels located west of the intersection of Virginia St. and Keene Rd. in the unincorporated area of Dunedin
- Proposed use is a 20-unit single-family subdivision. The existing A-E zoning would allow up to four homes
- The site currently contains one home on each parcel. Much of the property is heavily vegetated
- The subject area is Residential Suburban on the Future Land Use Map



Z-17-7-15

Zoning From: A-E, Agricultural Estate Residential
To: RPD-2.5, Residential Planned Development,
2.5 units per acre

Parcel I.D. 35/28/15/00000/110/0100 & 0400
Prepared by: Pinellas County Planning Department June 2015





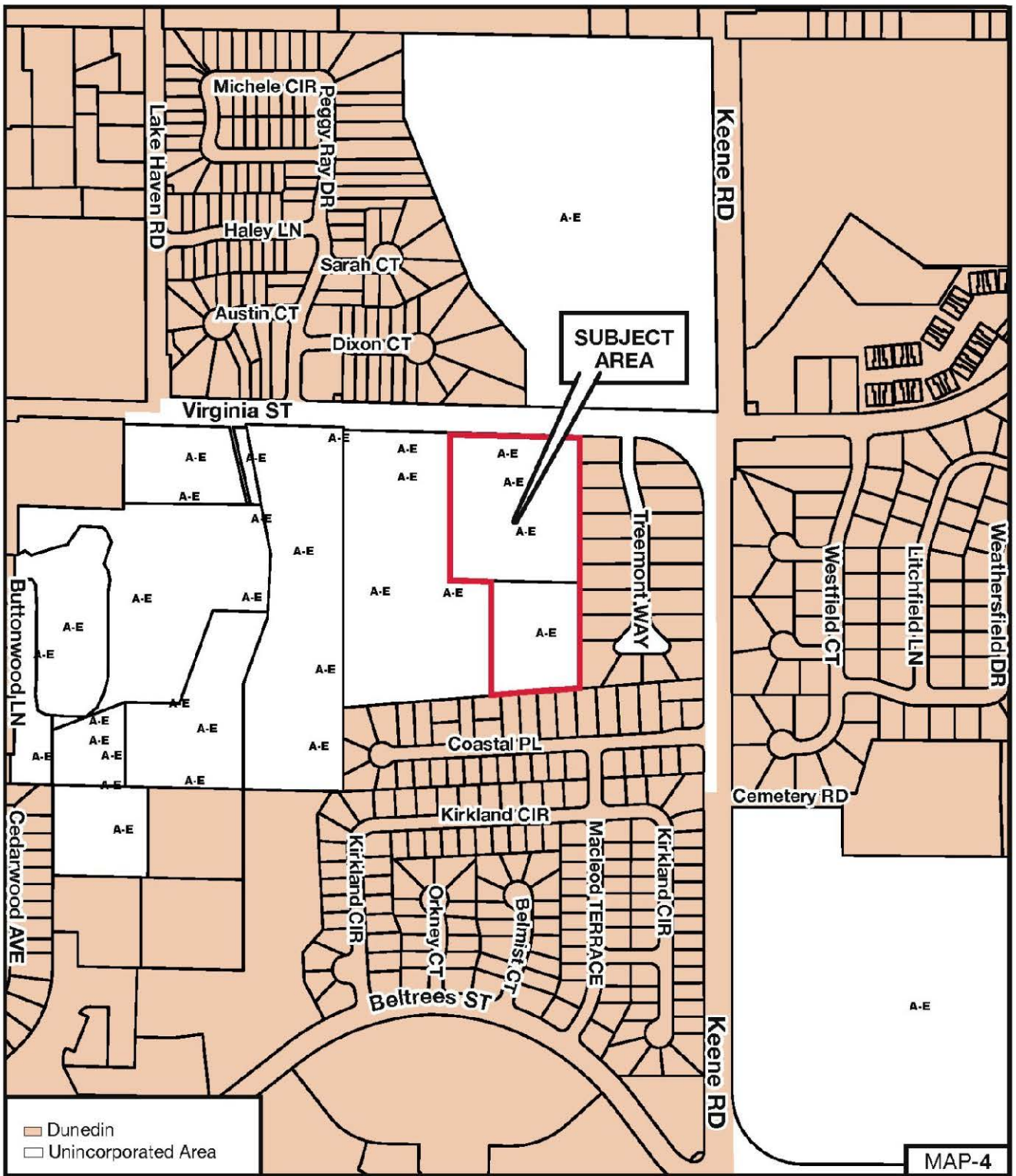
Z-17-7-15

Zoning From: A-E, Agricultural Estate Residential
To: RPD-2.5, Residential Planned Development,
2.5 units per acre

Parcel I.D. 35/28/15/00000/110/0100 & 0400
Prepared by: Pinellas County Planning Department June 2015

Google Maps





Staff Findings

- RPD-2.5 zoning would allow residential development at a density and pattern similar to existing subdivisions in the area
- RPD districts require a certain amount of open space and have flexible development standards that enhance the ability to preserve trees and other natural features
- Staff will work with the applicant during the development stage to preserve some of the existing native vegetation

Staff Recommendation

- Staff finds that the proposal is consistent with the Pinellas County Comprehensive Plan and recommends approval of the requested zoning amendment
- Local Planning Agency recommended approval (6-0 vote) during their September 10, 2015 public hearing