



Staff Report

File #: 15-834, **Version:** 1

Agenda Date: 12/15/2015

Subject:

Case No. Q Z-31-11-15 (Paul W. & Nancy J. Guilmette)

A request for a zoning change from A-E, Agricultural Estate Residential to RPD-7.5, Residential Planned Development, 7.5 units per acre on approximately 2 acres located on the east side of Summerdale Drive, approximately 460 feet south of Hammock Pine Boulevard in the unincorporated area of Clearwater.

Recommended Action:

Adoption of Case No. Q Z-31-11-15: A resolution approving the application of Paul W. & Nancy J. Guilmette for a change of zoning from A-E, Agricultural Estate Residential to RPD-7.5, Residential Planned Development, 7.5 units per acre regarding approximately 2 acres located on the east side of Summerdale Drive 460 feet south of Hammock Pine Boulevard.

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:

The subject property is currently designated Residential Urban (RU) and Transportation/Utility (T/U) on the Future Land Use Map (FLUM), and is zoned A-E, Agricultural Estate Residential. The T/U area coincides with the Duke Energy power line easement on the westernmost (front) 85 feet of the property. This area can be used for ingress and egress but little else. There is currently one single family residence on the property. Much of the site is heavily vegetated. Under A-E zoning, the subject area could only accommodate one single family home. The applicant is requesting a zoning change to RPD-7.5 that would allow for the construction of up to 14 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 units as single family residences. There is no guarantee, however, that the maximum number of units could be constructed due to potential environmental, stormwater management and/or other constraints that will be addressed during site plan review.

The subject property is adjacent to single-family residential homes to the south and to the west across Summerdale Drive. A mobile home park is to the east and vacant County-owned land is to the north. The neighboring subdivision to the west is zoned RPD-7.5 and developments similar to the one proposed exist a short distance to the south. The RPD district requires a certain amount of open space and has more flexible development standards than traditional residential zoning districts, which should enhance the applicant's ability to preserve additional trees and other native vegetation. It is staff's conclusion that the proposal is consistent with the Pinellas County Comprehensive Plan, and there are no anticipated issues with the request.

Background Information:

The Local Planning Agency (LPA) unanimously recommended approval of the request during its November 12, 2015 public hearing (Vote: 6-0).

At the LPA meeting some residents from the Hammock Pine multifamily development to the north raised a concern about the maintenance of sanitary sewer service in the area, specifically with regard to repair costs of the system within their own development. This issue was also voiced via correspondence to staff. Their concern is that additional development along Summerdale Drive will cause additional sewer problems. Sewer service within the area is provided by a private utility. The LPA determined that the repair problems experienced within the Hammock Pine Community are an internal private matter between the community and the utility and should not prevent the rezoning of the subject area. Along with other infrastructure, the provision of sanitary sewer service to the proposed development will be addressed during site plan review.

Fiscal Impact:

N/A

Staff Member Responsible:

Gordon Beardslee, Director, Planning

Partners:

N/A

Attachments:

LPA Report
Case Maps
Resolution
Correspondence
Ad
Ad Map

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



Regarding: Case No. Z-31-11-15

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: November 12, 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: Paul W. & Nancy J. Guilmette

DISCLOSURE: **Sellers:** Paul W. Guilmette & Nancy J. Guilmette (50/50)
 Buyer: Abby Building Corporation, Inc. - Christopher Strong-President/Owner

REPRESENTED BY: P. E. Joseph Gilbertie

	ZONING CHANGE
FROM:	A-E, Agricultural Estate Residential
TO:	RPD-7.5, Residential Planned Development, 7.5 units

PROPERTY DESCRIPTION: Approximately 2 acres located on the east side of Summerdale Drive approximately 460 feet south of Hammock Pines Boulevard in the unincorporated area of Clearwater.

PARCEL ID(S): 30/28/16/07236/000/0080

PROPOSED BCC HEARING DATE: December 15, 2015

CORRESPONDENCE RECEIVED TO DATE:

Three letters received in opposition.

PERSONS APPEARING AT THE LOCAL PLANNING AGENCY HEARING:

Three persons appeared in favor. Two persons appeared in opposition.

SURROUNDING ZONING AND LAND USE FACTS:

	Land Use Category	Zoning Designation	Existing Use
Subject Property:	Residential Urban & Transportation/Utility	A-E	Single Family Home
Adjacent Properties:			
North	Residential Urban & Transportation/Utility	A-E	Vacant County Land
East	Residential Urban	R-6	Mobile Home Park
South	Residential Urban & Transportation/Utility	A-E	Single Family Home
West	Residential Urban	RPD-7.5	Single Family Homes

STAFF DISCUSSION AND ANALYSIS

BACKGROUND AND COMPATIBILITY WITH SURROUNDING LAND USES

The subject property is currently designated Residential Urban (RU) and Transportation/Utility (T/U) on the Future Land Use Map (FLUM), and is zoned A-E, Agricultural Estate Residential throughout. The T/U area coincides with the Duke Energy power line easement on the westernmost (front) 85 feet of the property. This area can be used for ingress and egress but little else. There is currently one single family residence on the property. 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 only accommodate one single family home. In addition to single family residential, A-E permits agricultural activities (including up to three hooved animals per acre) for personal use. The applicant is requesting a zoning change to RPD-7.5, Residential Planned Development, 7.5 units per acre that would allow for the construction of up to 14 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 units as single family residences. It should be noted, however, that even if the request is approved there is no guarantee that the maximum number of units can be constructed due to potential environmental, stormwater management and/or other constraints that will be addressed during site plan review at the administrative level.

The subject property is adjacent to single-family residential homes to the south and to the west across Summerdale Drive. A mobile home park is to the east and vacant County-owned land is to the north. The neighboring subdivision to the west is zoned RPD-7.5, which is the same zoning district the applicant is requesting. Developments similar to the one proposed also exist a few parcels to the south. The requested RPD-7.5 zoning is consistent with the RU 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 enhance the applicant's ability to preserve additional trees and other native vegetation. During the site development phase, staff hopes to work with the applicant to help maximize tree preservation as practicable, and would support doing so via the variance process if necessary.

SUMMARY

It is staff's conclusion that the proposed RPD-7.5 zoning district is generally compatible with nearby land uses and the surrounding development pattern. It also provides more flexibility for creative site development. 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 amendments are consistent with the following adopted objectives 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



MAP-1

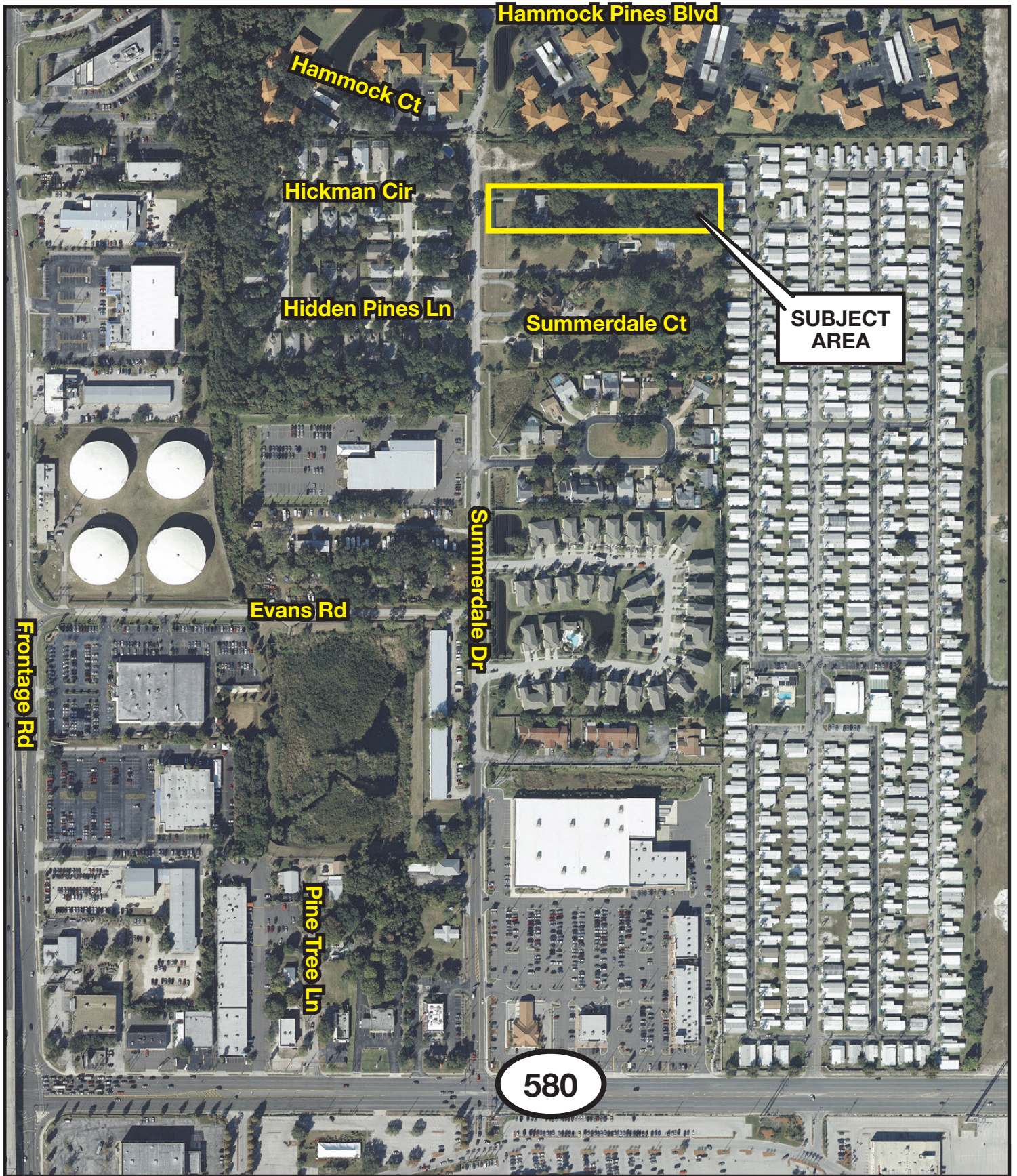
Z-31-11-15

Zone From: A-E, Agricultural Estate Residential
To: RPD-7.5, Residential Planned Development, 7.5 units

Parcel I.D. 30/28/16/07236/000/0080

Prepared by: Pinellas County Planning Department September 2015





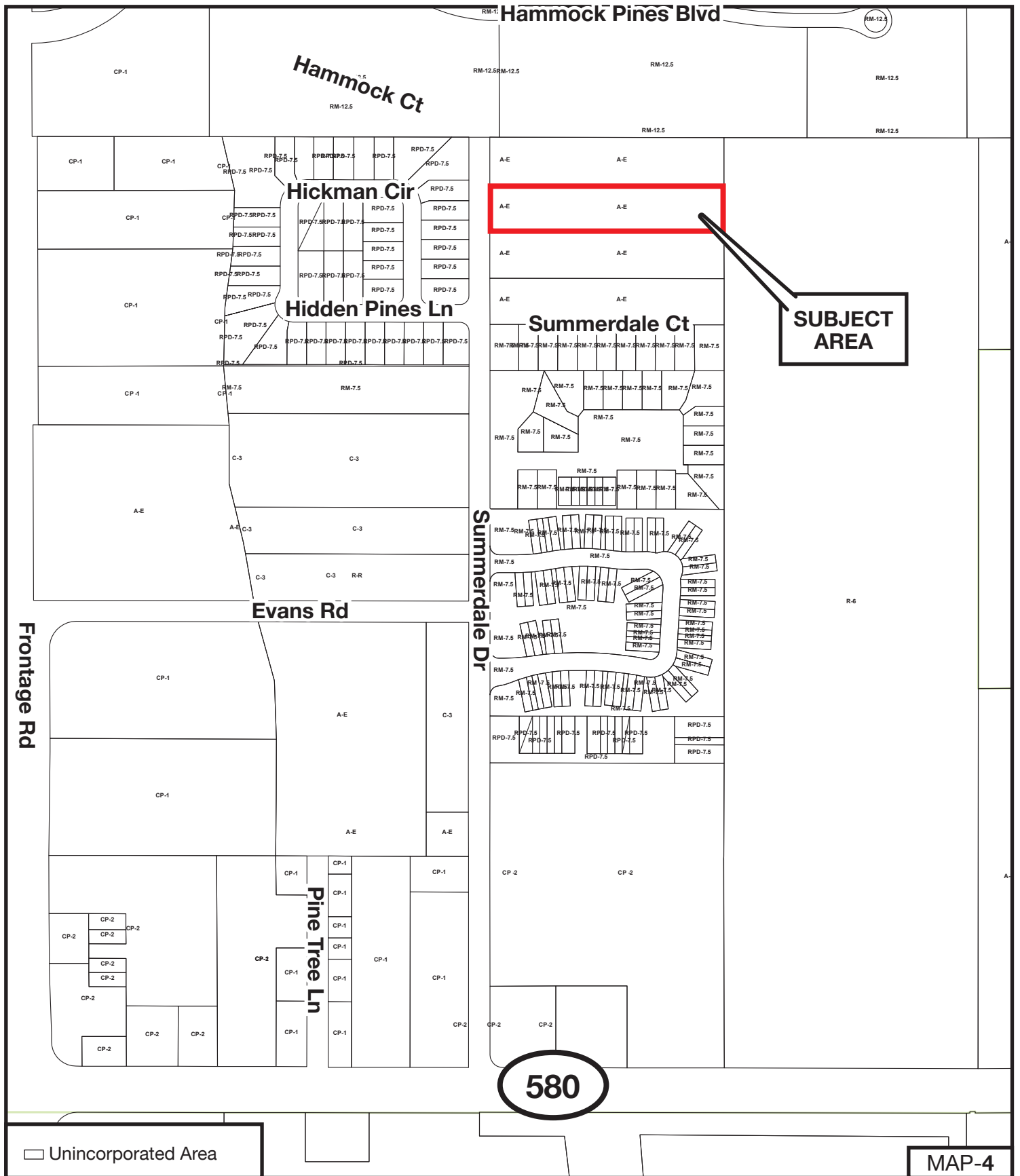
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Prepared by: Pinellas County Planning Department September 2015





Z-31-11-15

Zone From: A-E, Agricultural Estate Residential
To: RPD-7.5, Residential Planned Development, 7.5 units

Parcel I.D. 30/28/16/07236/000/0080
 Prepared by: Pinellas County Planning Department September 2015



RESOLUTION NO. _____

RESOLUTION CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 2 ACRES LOCATED ON THE EAST SIDE OF SUMMERDALE DRIVE APPROXIMATELY 460 FEET SOUTH OF HAMMOCK PINE BOULEVARD IN THE UNINCORPORATED AREA OF CLEARWATER; PAGE 631 OF THE ZONING ATLAS, AS BEING IN SECTION 30, TOWNSHIP 28, RANGE 16; FROM A-E, AGRICULTURAL ESTATE RESIDENTIAL TO RPD-7.5, RESIDENTIAL PLANNED DEVELOPMENT, 7.5 UNITS PER ACRE; UPON APPLICATION OF PAUL W. & NANCY J. GUILMETTE THROUGH JOSEPH GILBERTIE, P. E., LANDTECH DESIGN GROUP, INC., REPRESENTATIVE, Z-31-11-15

WHEREAS, Paul W. & Nancy J. Guilmette, owners of the property hereinafter described, have 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-7.5, Residential Planned Development, 7.5 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 15th day of December 2015, that the zone classification of the following described real property in Pinellas County, Florida, to wit:

Belle Haven, Unit A, Lot 8, according to the map or plat thereof as recorded in Plat Book 025, page (s) 059 of the public records of Pinellas County, Florida, A portion of Section 30, Township 28S, Range 16E, Pinellas County, Florida

be, and the same is hereby changed from A-E, Agricultural Estate Residential to RPD-7.5, Residential Planned Development, 7.5 units per acre.

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

2-31-11-15

From: David Parsons [dparsons@tampabay.rr.com]
Sent: Wednesday, October 28, 2015 4:33 PM
To: Zoning
Subject: [BULK] SUMMERDALE DRIVE RE-ZONING
Attachments: Scan0009.pdf
Importance: Low

Dear Sir or Madam,

I have lived in Hammock Pine condominiums since March 1992. During the last year, all four villages of Hammock Pine have had to pay special assessments for shoring up and repairing the storm sewer system on our property which also gets run off from Summerdale Drive properties. There are 280 units in Hammock Pine, and none of us should have to pay a dime for continued repairs to the system when properties on Summerdale also use this system and don't have to pay a cent for any repairs or maintenance. This is unfair and an atrocity. This should have never been allowed.

Our main association for all of Hammock Pine is called HPPQ, and Resource Property Management handles all our general management, etc. Each village has its own HOA and management company, but we are all part of HPPQ. In a recent meeting of HPPQ, open to all residents of Hammock Pine, the discussion of the drainage situation was addressed. Engineers said we would continue to have to pay for repairs to the overall system in spite of all the properties who use it and pay nothing. We all agree that allowing anymore development on Summerdale Drive without addressing this drainage situation is essential. We do not want to bear the brunt of paying even more assessments because of unbridled developments on Summerdale Drive. There isn't a person in here who hasn't had it with special assessments for repairs. I live in a small unit, and pay the lowest assessments. I paid over \$660 last year for repairs, and now more repairs are needed and I have to fork over another \$225. This trend will continue and only get worse if more development is permitted on Summerdale without those parties being made to help pay for maintenance of the drainage system.

I strongly oppose any further rezoning until this issue is resolved. You will be hearing from more of us in Hammock Pine if you haven't already. We should not have to bear these expenses.

Enclosed attachment is notice of meeting for our part of the assessment, which was approved, and is due on December 1.

Please take this matter into serious consideration

Sincerely,

David F. Parsons
1511 Hammock Pine Blvd
Clearwater, FL 33761



HAMMOCK PINE VILLAGE III ASSOCIATION, INC.

NOTICE OF SPECIAL ASSESSMENT MEETING

NOTICE IS HEREBY GIVEN that a Board of Directors Meeting will be held on Tuesday October 6, 2015 at 6:30 p.m. This special assessment is being levied by Hammock Pines Property Owners Association (HPPO) against all villages within Hammock Pines. The meeting will be held at the Hammock Pine Pool, Clearwater, FL 33761.

The agenda is as follows:

1. Roll Call
2. Proof of Notice of Meeting or Waiver of Notice
3. Approval of special assessment
4. Adjournment

The purpose of the meeting will be specifically for the formal recording of the vote for the approval of a special assessment totaling \$31,250.00 levied to Hammock Pine Village III for repairs to infrastructure pertaining to the sewer system of the Hammock Pine Villages.

A notice will be sent to all owners after the special assessment has been approved and will include instructions for submitting payments.

The breakdown of the individual amounts to be approved per unit is noted below in this notice.

Total amount for the assessment is as follows:

Unit A - \$382.81	Unit C - \$262.19
Unit B - \$358.44	Unit D - \$225.31

Should you have any questions, please contact Citadel Property Management Group, Inc.

Board of Director Hammock Pine Village III
Citadel Property Management Group, Inc.

From: Zoning
Subject: FW: SUMMERDALE DRIVE RE-ZONING

From: Norma Fox [mailto:nfox@fscadvisor.com]
Sent: Monday, November 09, 2015 1:19 PM
To: Zoning
Subject: SUMMERDALE DRIVE RE-ZONING

To All Commissioners:

RE: Case # Z-31-11-15

I am a property owner in Hammock Pine Condominiums since 1996. There are four (4) Villages in the complex, totaling two hundred eighty (280) units.

We have been assessed twice to shore up and repair to the storm sewer system on our property, which also is subject to run off from Summerdale Drive properties. Those property owners did not and have not been required to pay toward any repairs or maintenance, which demonstrates favoritism, and results in an atrocity.

Any further development of Summerdale Drive MUST be ceased, the overpopulation, destruction of wildlife habitat and loss of GREEN LAND has to be the primary concern.

I strongly oppose any further re-zoning, the area is OVERDEVELOPED AND UNDER SERVICED.

Norma A. Fox
Assistant
Cathy A. Wagner, CFP
Phone 727-789-3691
Fax 727-786-5162

**Securities and investment advisory services offered through FSC SECURITIES CORPORATION, member FINRA/SIPC.
Additional investment advisory services offered through Cathy A. Wagner, a Registered Investment Advisor, not affiliated
with FSC Securities Corporation.**

**AIG Advisor Group, Inc. is a marketing designation for the wholly owned subsidiary broker-dealer members of American International Group, Inc. (AIG).
Registered Representatives offering securities through FSC SECURITIES CORPORATION, member FINRA/SIPC.**

This message and any attachments contain information, which may be confidential and/or privileged, and is intended for use only by the intended recipient, any review; copying, distribution or use of this transmission is strictly prohibited. If you have received this transmission in error, please (i) notify the sender immediately and (ii) destroy all copies of this message.

11/02/2015

Pinellas County Planning Dept.

Zoning Division

Development Review Services Dept.

440 Court St., 4th Fl.

Clearwater, FL 33756



Re: Case No. Z-31-11-15

To: Zoning Division Board

My husband and I do not approve of
a zoning request/change!

We live at 2402 Hammock Pine Blvd.,
Clearwater, FL 33761. We feel that this zoning
change will only cause additional ^{traffic} problems
and sewer expenses for our Hammock Pine
Condo residence. Additional traffic will
impact on our gated community and our
sewer system that is at capacity volume
presently! Also, ^{illegally} using our gate to get to 19 has been a problem,
breaking the gate, traffic and additional expenses.

The county has failed to help us!
The county should mandate septic systems, independent
of the sewer lines and not impact on our
Hammock Pine Community!

We bought at Hammock Pines because
of the surrounding estate and tree views,

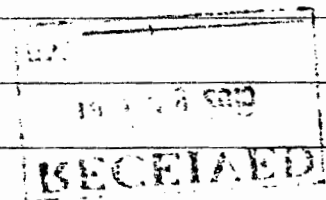
Please DO NOT approve a zoning change!

Thank you.

Sincerely,

Theresa A. Jacob

Herman C. Jacob, Jr.



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

The Pinellas County Board of County Commissioners proposes to adopt the following amendments to the Pinellas County Future Land Use Map and Zoning Atlas. A public hearing on the Resolutions and Ordinances will be held **December 15, 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:

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

1. LU-28-11-15

An Ordinance amending the Future Land Use Map of Pinellas County, Florida by changing the Land Use designation of approximately 0.7 acre located at the southwest corner of the intersection of Seminole Boulevard and 20th Terrace SW in the unincorporated area of Largo located in Section 03, Township 30, Range 15; from Commercial Neighborhood & Residential Low 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.

2. Q Z/LU-29-11-15

Resolution changing the Zoning classification of approximately 0.2 acre located 160 feet west of the southwest corner of the intersection of Tampa Road and CR-1 in Palm Harbor; Page 93 of the Zoning Atlas, as being in Section 11, Township 28, Range 15; from R-4, One, Two & Three Family Residential to P-1A, Limited Office; upon application of Barry R. Berger, TRE, James J. Dowling, TRE & Holly S. Dowling, TRE through James Dowling, Representative, and

An Ordinance amending the Future Land Use Map of Pinellas County, Florida by changing the Land Use designation of approximately 0.2 acre located 160 feet west of the southwest corner of the intersection of Tampa Road and CR-1 in Palm Harbor, located in Section 11, Township 28, Range 15; from Residential Low to Residential/Office-Limited, 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.

3. Q Z/LU-30-11-15

Resolution changing the Zoning classification of approximately 4.2 acres located at northeast corner of the intersection of East Lake Road and Foxwood Lane in East Lake Tarpon; 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 units per acre-Wellhead Protection Overlay to IL-CO-W, Institutional Limited-Conditional Overlay-Wellhead Protection Overlay with the Conditional Overlay restricting the use of the property to an assisted living/memory care facility, limiting the maximum number of beds to 64 and limiting the building to one story at a maximum height to 30 feet; upon application of Senior Development Partners, LLC through Joel Tew, Esquire, Tew & Associates Attorneys at Law, and

An Ordinance amending the Future Land Use Map of Pinellas County, Florida by changing the Land Use designation of approximately 4.2 acres located at northeast corner of the intersection of East Lake Road and Foxwood Lane in East Lake Tarpon 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.

4. Q Z-31-11-15

Resolution changing the Zoning classification of approximately 2 acres located on the east side of Summerdale Drive approximately 460 feet south of Hammock Pine Boulevard in the unincorporated area of Clearwater; page 631 of the Zoning Atlas, as being in Section 30, Township 28, Range 16; from A-E, Agricultural Estate Residential to RPD-7.5, Residential Planned Development, 7.5 units per acre; upon application of Paul W. & Nancy J. Guilmette through Joseph Gilbertie, P. E., Landtech Design Group, inc., Representative.

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 Ordinances 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.

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 (**December 15, 2015 BCC Hearing**)

DATE: November 19, 2015

AD COPY ATTACHED: Yes X No WITH MAP

REQUIRES SPECIAL HANDLING: Yes No X

NEWSPAPER: St. Petersburg Times X

DATE(S) TO APPEAR: **December 4, 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
Tammy Swinton, Planning Department



PINELLAS COUNTY
PLANNING DEPARTMENT ZONING DIVISION