

**AGENDA**  
**Planning Review Committee**  
**Pinellas County Planning Department**  
**310 Court Street, 1<sup>st</sup> Floor Conference Room**  
**January 11, 2016 – 10:00 AM**

**Case Summary Review:**

1. (Q) [DA-4-2-16](#) (GIB Properties, LLC)
2. (Q) [Z/LU-5-2-16](#) (Janet O'Harrow & Stephen O'Harrow)

*Note: Q = Quasi-Judicial*

CASE SUMMARY  
CASE NO. DA-4-2-16  
(Quasi-Judicial)

PRC MEETING: January 11, 2016 @ 10:00 AM-1<sup>st</sup> Floor, Planning Conf Room

LPA HEARING: February 11, 2016 @ 9:00 AM-5<sup>th</sup> Floor, Board Assembly Room

BCC HEARING: March 29, 2016 @ 6:00 PM-5<sup>th</sup> Floor, Board Assembly Room

APPLICANT'S NAME: GIB Properties, LLC

REQUEST: Modification of an existing development agreement by increasing the maximum number of beds from 39 to 58, allowing for the enlargement of the existing building, limiting the building height to 16 feet, and removing the parking variance. The prohibition of mental health and drug rehabilitation services shall remain in effect.

CASE DESCRIPTION: Approximately 1.6 acres located at 7770 128th Street in the unincorporated area of Seminole (29/30/15/70794/400/0501). A legal description is available in file upon request.

APPLICANT/ADDRESS: GIB Properties, LLC  
c/o Todd Pressman  
Pressman & Associates, Inc  
334 East Lake Road, #102  
Palm Harbor, FL 34677

REP/ADDRESS: Todd Pressman  
Pressman & Associates, Inc  
334 East Lake Road, #102  
Palm Harbor, FL 34677

NOTICES SENT TO: GIB Properties, c/o Todd Pressman, Seminole, Mike Meidel-Economic Development Council, DOT, Clint Herbic-Pinellas County School Board, BCC Office & Surrounding Owners

EXISTING USE: Assisted Living Facility

PROPOSED USE: Assisted Living Facility

LAND USE: Institutional

ZONING: IL

# LOCATION MAP

DA-4-2-16



MAP-1

**DA-4-2-16**

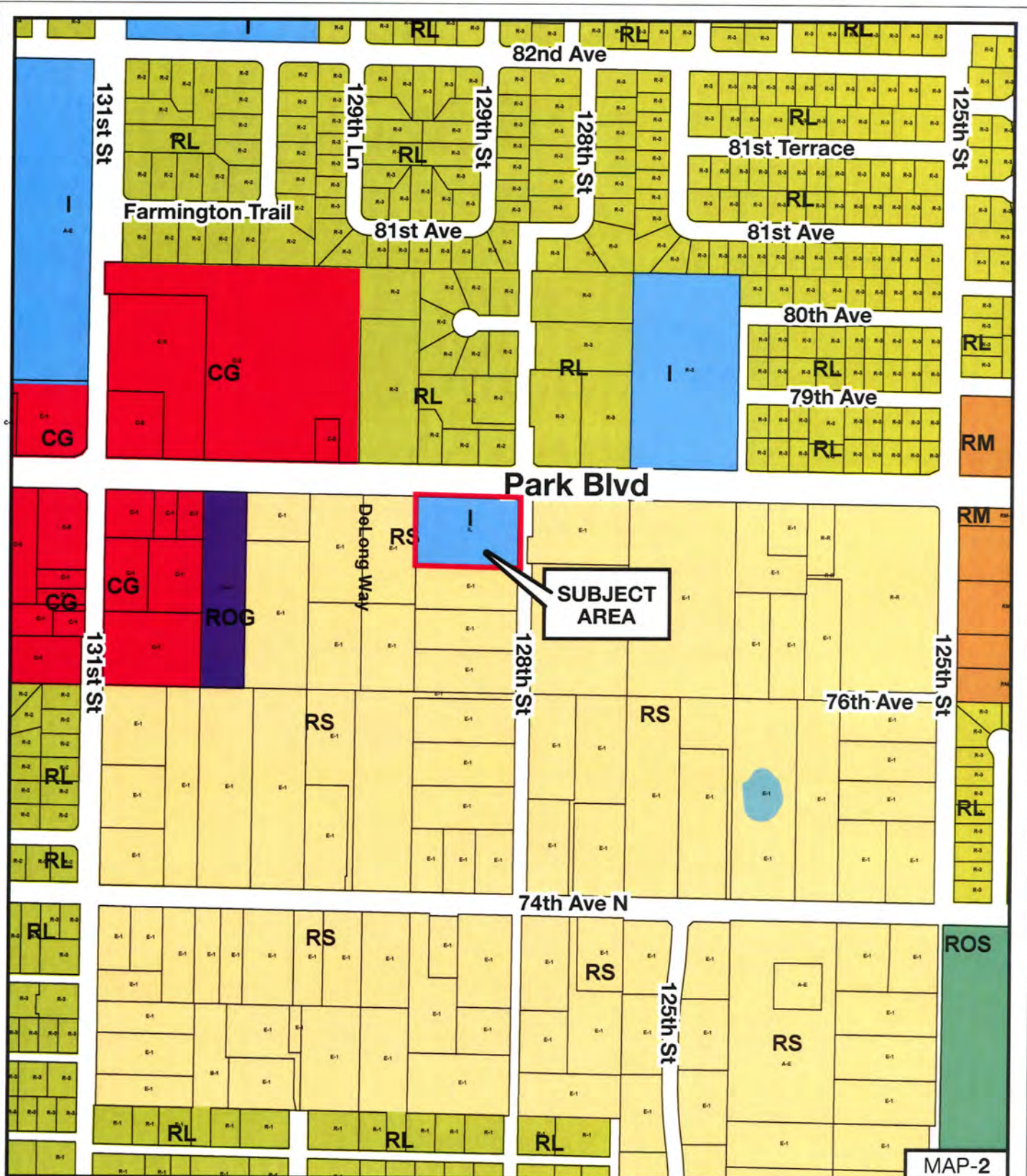
Modification of an existing Development Agreement for an assisted living facility by increasing the maximum number of beds from 39 to 58, allowing for the enlargement of the existing building, limiting the building height to 16 feet and one story, and removing the parking variance.

Parcel I.D. 29/30/15/70794/400/0501

Prepared by: Pinellas County Planning Department December 2015







**DA-4-2-16**

Modification of an existing Development Agreement for an assisted living facility by increasing the maximum number of beds from 39 to 58, allowing for the enlargement of the existing building, limiting the building height to 16 feet and one story, and removing the parking variance.

Parcel I.D. 29/30/15/70794/400/0501

Prepared by: Pinellas County Planning Department December 2015







**DA-4-2-16**

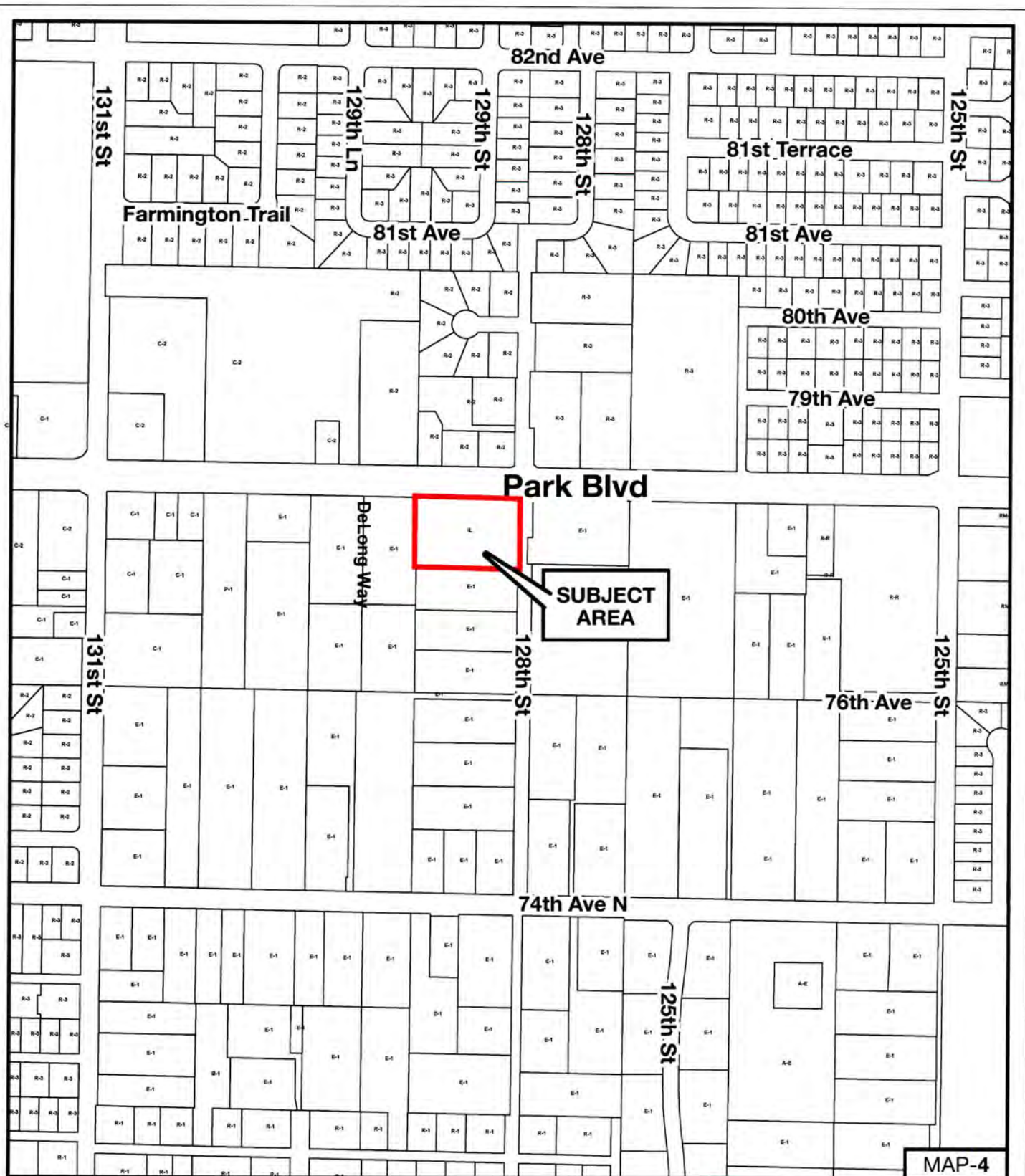
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Parcel I.D. 29/30/15/70794/400/0501

Prepared by: Pinellas County Planning Department December 2015







**DA-4-2-16**

Modification of an existing Development Agreement for an assisted living facility by increasing the maximum number of beds from 39 to 58, allowing for the enlargement of the existing building, limiting the building height to 16 feet and one story, and removing the parking variance.

Parcel I.D. 29/30/15/70794/400/0501

Prepared by: Pinellas County Planning Department December 2015



Prepared by and Return to:  
Brian J. Aungst, Jr., Esq.  
Macfarlane Ferguson & McMullen, P.A.  
P. O. Box 1669  
Clearwater, Florida 33756  
Telephone: 727-441-8966

### **THIRD AMENDMENT TO DEVELOPMENT AGREEMENT**

THIS THIRD AMENDMENT TO DEVELOPMENT AGREEMENT ("THIRD AMENDMENT") is dated \_\_\_\_\_, 201\_\_, and entered into by and between GIB PROPERTIES, LLC, a Florida limited liability company ("OWNER"), and PINELLAS COUNTY, FLORIDA, a political subdivision of the State of Florida, acting through its Board of County Commissioners, the governing body thereof (the "COUNTY").

#### **Recitals**

A. On January 17, 2008, OWNER and the COUNTY entered into that certain Development Agreement, recorded in O.R. Book 16124, Page 1090, in the Public Records of Pinellas County, Florida, as amended by that certain First Amendment to Development Agreement dated October 20, 2009, recorded in O.R. Book 16735, Page 217, in the Public Records of Pinellas County, Florida, as amended by that certain Second Amendment to Development Agreement dated February 29, 2012, recorded in O.R. Book 17503, Page 1916, in the Public Records of Pinellas County, Florida (collectively, the "DEVELOPMENT AGREEMENT") concerning the real property more particularly described in Exhibit "A" attached hereto and incorporated herein ("PROPERTY").

B. The DEVELOPMENT AGREEMENT sets forth the conditions and limitations, and development parameters for the development of the PROPERTY.

C. OWNER has requested a revision of the development restrictions set forth in the Development Agreement, as more particularly described here in below.

D. OWNER and COUNTY desire to amend the Development Agreement as more particularly set forth herein below.

E. The COUNTY has found that the terms of this THIRD AMENDMENT are consistent with the Pinellas County Comprehensive Plan and the CODE.

In consideration of and in reliance upon the promises, the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto intending to be legally bound and in accordance with the Act, agree as follows:

1. Recitals. The above recitals are true and correct and are a part of this THIRD AMENDMENT.

2. Ratification and Reaffirmation of Development Agreement. Except as specifically modified herein, all terms and conditions of the DEVELOPMENT AGREEMENT are hereby ratified and reaffirmed by the parties hereto. In addition, any defined term in the DEVELOPMENT AGREEMENT shall have the same meaning in this THIRD AMENDMENT.

3. Effective Date. This THIRD AMENDMENT to DEVELOPMENT AGREEMENT shall become effective as provided for by the Act.

4. Duration of Development Agreement. The DEVELOPMENT AGREEMENT, as modified by this THIRD AMENDMENT, shall be extended and continue in effect until terminated as defined in the DEVELOPMENT AGREEMENT, but for a period not to exceed five (5) years from the Effective Date of this THIRD AMENDMENT.

5. Development Restrictions. Section 6.1.3 of the DEVELOPMENT AGREEMENT shall be deleted and replaced in its entirety as follows:

6.1.3. Development Restriction. The following restrictions shall apply to development of the PROPERTY:

6.1.3.1 No structure related to the assisted living facility shall exceed sixteen (16) feet or one (1) story in height.

6.1.3.2 The assisted living facility located on the PROPERTY shall only accept elderly residents and shall not accept residents with drug or alcohol dependency.

6.1.3.3 The assisted living facility located on the PROPERTY shall neither operate as a mental health facility nor accept residents with severe mental illness.

6.1.3.4 No commercial or delivery vehicles assisted living facility on the PROPERTY shall make use of Delong Way.

6.1.3.5 A maximum of 58 beds shall be permitted on the PROPERTY.

6.1.3.6 Recording of Deed Process. Prior to the addition of any additional beds on the PROPERTY, OWNER shall record a deed restriction encumbering the PROPERTY, which deed restriction shall be approved as to form by the County Attorney (which approval shall not be unreasonably withheld) and which will generally describe the development limitations of the AGREEMENT. The deed restrictions shall be perpetual and may be amended or terminated only with the consent of the COUNTY, which consent shall not be reasonably withheld.



6. Section 6.2.4 of the DEVELOPMENT AGREEMENT is hereby deleted.

7. Notice. For purposes of notice, all correspondence directed to OWNER shall be delivered to OWNER at:

GIB Properties, LLC Attn: Christine Gibree  
1114 181  
Street SW  
Largo, FL 33770

With a copy to: Macfarlane Ferguson & McMullen, P.A.  
ATTN: Brian J. Aungst, Jr., Esq.  
625 Court Street, Suite 200  
Clearwater, FL 33756

IN WITNESS WHEREOF, the Parties have executed this Third Amendment to Development Agreement the date and year first above written.

WITNESSES:

OWNER:

GIB PROPERTIES, LLC,  
A Florida limited liability company

\_\_\_\_\_  
Printed Name: \_\_\_\_\_

By: \_\_\_\_\_  
Christine Gibree, Manager

\_\_\_\_\_  
Printed Name: \_\_\_\_\_

STATE OF FLORIDA        )

COUNTY OF PINELLAS    )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 201\_, by Christine Gibree, Manager of GIB Properties, LLC, a Florida limited liability company, on behalf of the company. She \_\_\_ is personally known to me or \_\_\_ has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Print Notary Name  
My Commission Expires:

KEN BURKE  
Clerk of the Circuit Court

PINELLAS COUNTY, FLORIDA by and  
through its Board of County

Commissioners

By: \_\_\_\_\_  
Deputy Clerk

(OFFICIAL SEAL)

By: \_\_\_\_\_  
John Morroni, Chairman

APPROVED AS TO FORM BY  
OFFICE OF THE COUNTY ATTORNEY

By: \_\_\_\_\_  
Assistant County Attorney





1. Owner: GIB Properties, LLC  
Mailing Address: Please use agent  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Daytime Phone: (\_\_\_\_) \_\_\_\_\_  
Email: Please use agent

2. Representative's Name: Todd Pressman  
Company Name: Pressman & Associates, Inc.  
Mailing Address: 334 East Lake Rd., #102  
City: Palm Harbor, FL State: \_\_\_\_\_ Zip Code: 34677 Daytime Phone: (727) 804-1760  
Email: Todd@Pressmaninc.com

3. Disclosure information (This information must be supplied pursuant to County Ordinance No. 74-15):

- A. If the owner is a corporation, partnership, or trust, list all persons (i.e. partners, corporate officers, all members of the trust) who are a party to such as well as anyone who may have a beneficial interest in the property which would be affected by any ruling on their application.

Christine M. Gibree, Robert W. Gibree

Specify interest held: Managers

- B. Is there an existing contract for sale of subject property: \_\_\_\_\_ Yes ☒ No  
If yes, list names of all parties to the contract including all partners, corporate officers, and members of any trust:

Is contract conditional or absolute? \_\_\_\_\_ Conditional \_\_\_\_\_ Absolute

- C. Are there any options to purchase on subject property? ☐ Yes ☒ No  
If so, list names of all parties to option including all partners, corporate officers and members of any trust:



4. This hearing is being requested to consider: Changes to a Development Agreement  
7770 128th street/ 29-30-15-70794-400-0501
5. Location of subject property (street address): \_\_\_\_\_

6. Legal Description of Property: (attach additional documents if necessary)

PINELLAS GROVES SE 1/4, N 249FT OF LOT 5 LESS N 35FT FOR R/W

7. Size of Property: 1.56 acres feet by 318 feet, 214 acres

8. Present zoning classification: IL

9. Present Land Use Map designation: I

10. Date subject property acquired: 2/2006

11. Existing structures and improvements on subject property:

ALF Facility

12. Proposed structures and improvements will be:

ALF structure and parking lot

- Amending Development Agreement  
to bring the site to today's code levels

13. I/We believe this application should be granted because (include in your statement sufficient reasons in law and fact to sustain your position.) (If this request is for a determination of Vested Rights/Appeal Determination, applicants are advised to review the procedural and substantive requirements of Pinellas County Ordinances 89-32 and 89-69) (Attach a separate sheet if necessary).

The applicant seeks only to be what is allowed by code - to be entitled to the same density per beds per this property that anyone else in the County is allowed. Unlike prior applications by this applicant, this submittal does not include any additional lots then what is existing - so there is no expansion onto other lands abutting or contiguous. This application contains only a modification of a prior Development Agreement which will allow the property to have the same density, again, as any other similar used property in the County. There is no re-zoning or Land Use Amendment included with this submittal.

14. Has any previous application relating to zoning or land use on this property been filed within the last year?

☐ Yes ☒ No When? \_\_\_\_\_ In whose name? \_\_\_\_\_

Briefly state the nature and outcome of the hearing:

15. Does applicant own any property contiguous to subject property? ☒ Yes ☐ No

If so, give complete legal description of contiguous property:

(But stating again that the contiguous property is not a part of this application:

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DE LONG WAY SUB LOT 2

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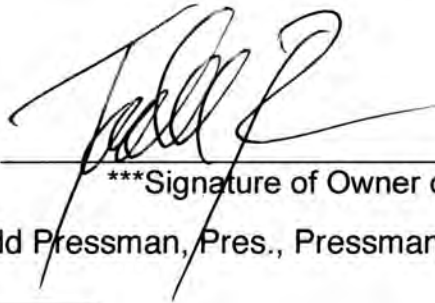
16. The following data and exhibits must be submitted with this application and they become a permanent part of the public records:

- a) Plat, if it will have particular bearing on the subject application.
- b) Certification of Ownership: submit a certificate of a duly licensed title or abstract company, or a licensed attorney-at-law, showing that each applicant is the present title holder of record.  
(*Warranty deeds, title insurance documents, tax receipts, etc. are not acceptable as proof of ownership.*)
- c) Preliminary site plan will be required for conditional use applications only (as specified in the Zoning Ordinance, Section 605.301 - see attached).



### CERTIFICATION OF OWNERSHIP

I hereby certify that I have read and understand the contents of this application, and that this application together with all supplemental data and information is a true representation of the facts concerning this request, that this application is made with my approval, as owners and applicant, as evidenced by my signature appearing below. It is hereby acknowledged that the filing of this application does not constitute automatic approval of the request and further that if the request is approved, I will obtain all necessary permits and comply with all applicable orders, codes, conditions and rules and regulations pertaining to the use of the subject property, while under my ownership. I am aware that attendance by me or my authorized representative at all public hearings relative to this request is required and that failure to attend may result in a denial of the request. It shall be my responsibility to determine time and location of all hearings.



\*\*\*Signature of Owner or Trustee

Date:

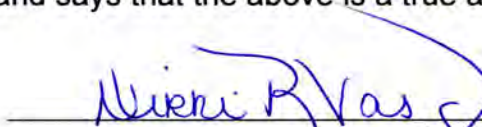
12/9/15

Signed by Todd Pressman, Pres., Pressman & Assoc., Inc., AGENT

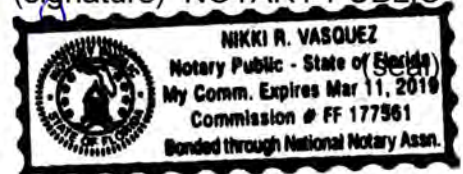
STATE OF FLORIDA, COUNTY OF PINELLAS

Before me this 2nd day of December, 2015

personally appeared TODD PRESSMAN  
who, being duly sworn, deposes and says that the above is a true and correct certification.



(signature) NOTARY PUBLIC



\*\*\*Applications which are filed by corporations must bear the seal of the corporation over the signature of an officer authorized act on behalf of the corporation (Please note question #3).

# MACFARLANE FERGUSON & McMULLEN

ATTORNEYS AND COUNSELORS AT LAW

ONE TAMPA CITY CENTER, SUITE 2000  
201 NORTH FRANKLIN STREET  
P.O. BOX 1531 (ZIP 33601)  
TAMPA, FLORIDA 33602  
(813) 273-4200 FAX (813) 273-4396

[www.mfmlegal.com](http://www.mfmlegal.com)  
EMAIL: [info@mfmlegal.com](mailto:info@mfmlegal.com)

625 COURT STREET  
P.O. BOX 1669 (ZIP 33757)  
CLEARWATER, FLORIDA 33756  
(727) 441-8966 FAX (727) 442-8470

IN REPLY REFER TO:

December 3, 2015

Pinellas County Development Review Services  
310 Court St.  
Clearwater, FL 33756

**RE: Proposed Land Use Application  
GIB Properties, LLC  
7770 128<sup>th</sup> Street  
Seminole, FL 33776**

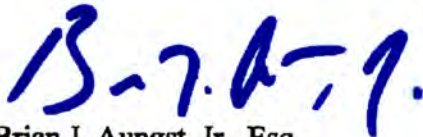
To Whom It May Concern:

Based upon my personal knowledge and review of the Pinellas County Property Appraiser's records, attached hereto as Exhibit "A", I certify that the below described parcel is owned by GIB Properties, LLC:

Parcel ID 29-30-15-70794-400-0501  
Address 7770 128th Street

Do not hesitate to contact me in the event I am able to provide you with additional information. As always, thank you for your consideration in this matter.

Sincerely,



Brian J. Aungst, Jr., Esq.



[Interactive Map of this parcel](#) [Sales Query](#) [Back to Query Results](#) [New Search](#) [Tax Collector Home Page](#) [Contact Us](#) WM

**29-30-15-70794-400-0501**

**Compact Property Record Card**

[Portability  
Calculator](#)

**Data Current as of**  
**December 03, 2015**

[Email](#) [Print](#) [Radius  
Search](#)

[Improvement Value  
per F.S. 553.844](#)

<b>Ownership/Mailing Address</b> <a href="#">Change</a> <b>Mailing Address</b>	<b>Site Address</b>
GIB PROPERTIES LLC 1114 18TH ST SW LARGO FL 33770-4800	7770 128TH ST (Unincorporated)



[Property Use:](#) 7456 (ALF (10 or more units), Home for Aged)

Living Units:  
0

[\[click here to hide\]](#) **Legal Description**

PINELLAS GROVES SE 1/4, N 249FT OF LOT 5 LESS N 35FT FOR R/W

<b><u>File for Homestead Exemption</u></b>			<b>2015 Parcel Use</b>
<b>Exemption</b>	<b>2015</b>	<b>2016</b>	
Homestead:	No	No	Homestead Use Percentage: 0.00%
Government:	No	No	Non-Homestead Use Percentage: 100.00%
Institutional:	No	No	Classified Agricultural: No
Historic:	No	No	

**Parcel Information** [Latest Notice of Proposed Property Taxes \(TRIM Notice\)](#)

<b>Most Recent Recording</b>	<a href="#">Sales Comparison</a>	<a href="#">Census Tract</a>	<b>Evacuation Zone</b> (NOT the same as a FEMA Flood Zone)	<b>Plat Book/Page</b>
14962/1168	<a href="#">Sales Query</a>	121030251101	NON EVAC	001/055

**2015 Interim Value Information**

Year	<a href="#">Just/Market Value</a>	<a href="#">Assessed Value/ SOH Cap</a>	<a href="#">County Taxable Value</a>	<a href="#">School Taxable Value</a>	<a href="#">Municipal Taxable Value</a>
2015	\$740,992	\$740,992	\$740,992	\$740,992	\$740,992

[\[click here to hide\]](#) **Value History as Certified (yellow indicates correction on file)**

Year	<a href="#">Homestead Exemption</a>	<a href="#">Just/Market Value</a>	<a href="#">Assessed Value/ SOH Cap</a>	<a href="#">County Taxable Value</a>	<a href="#">School Taxable Value</a>	<a href="#">Municipal Taxable Value</a>
2015	No	\$740,992	\$740,992	\$740,992	\$740,992	\$740,992
2014	No	\$737,683	\$737,683	\$737,683	\$737,683	\$737,683
2013	No	\$706,210	\$706,210	\$706,210	\$706,210	\$706,210



2012	No	\$688,174	\$688,174	\$688,174	\$688,174	\$688,174
2011	No	\$649,995	\$649,995	\$649,995	\$649,995	\$649,995
2010	No	\$650,000	\$650,000	\$650,000	\$650,000	\$650,000
2009	No	\$685,000	\$685,000	\$685,000	\$685,000	\$685,000
2008	No	\$800,000	\$800,000	\$800,000	\$800,000	\$800,000
2007	No	\$775,000	\$775,000	\$775,000	N/A	\$775,000
2006	No	\$765,000	\$765,000	\$765,000	N/A	\$765,000
2005	No	\$700,000	\$700,000	\$700,000	N/A	\$700,000
2004	No	\$630,000	\$630,000	\$630,000	N/A	\$630,000
2003	No	\$600,000	\$600,000	\$600,000	N/A	\$600,000
2002	No	\$538,000	\$538,000	\$538,000	N/A	\$538,000
2001	No	\$524,800	\$524,800	\$524,800	N/A	\$524,800
2000	No	\$496,300	\$496,300	\$496,300	N/A	\$496,300
1999	No	\$487,900	\$487,900	\$487,900	N/A	\$487,900
1998	No	\$52,100	\$52,100	\$52,100	N/A	\$52,100
1997	No	\$54,200	\$54,200	\$54,200	N/A	\$54,200
1996	No	\$57,500	\$57,500	\$57,500	N/A	\$57,500

**2015 Tax Information**[Click Here for 2015 Tax Bill](#)

Tax Collector Mails 2015 Tax Bills October 31

Tax District: [STF](#)

2015 Final Millage Rate 20.5607

2015 Est Taxes w/o Cap or Exemptions \$15,235.31

**A significant change in taxable value may occur when sold due to changes in the market or the removal of exemptions. [Click here for more information.](#)**

**Ranked Sales** [\(What are Ranked Sales?\)](#) [See all transactions](#)

Sale Date	Book/Page	Price	Q/U	V/I
26 Sep 1997	09852 / 0915	\$145,000	U	V
	03566 / 0925	\$7,000	Q	

**2015 Land Information**

Seawall: No

Frontage: None

View:

<a href="#">Land Use</a>	<a href="#">Land Size</a>	<a href="#">Unit Value</a>	<a href="#">Units</a>	<a href="#">Total Adjustments</a>	<a href="#">Adjusted Value</a>	<a href="#">Method</a>
Homes For The Aged (74)	318x214	100000.00	1.5600	1.0000	\$156,000	AC

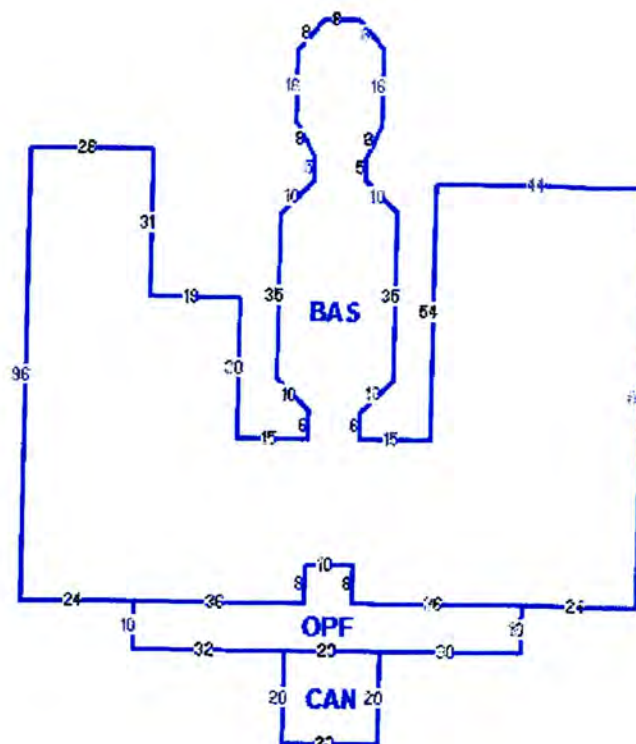
[\[click here to hide\]](#) **2015 Building 1 Structural Elements** [Back to Top](#)

Site Address: 7770 128TH ST

Quality:  
Average  
Square  
Footage:  
12018.00

[Compact  
Property  
Record  
Card](#)

Foundation:  
Continuous  
Footing  
Floor  
System:  
Slab On  
Grade  
Exterior  
Wall:  
Concrete  
Blk/Stucco  
Roof Frame:  
Gable Or  
Hip  
Roof Cover:  
Composition  
Shingle  
Stories: 1  
Living units:  
0  
Floor Finish:  
Carpet  
Combination  
Interior  
Finish: Dry  
Wall  
Fixtures: 56  
Year Built:  
1998  
Effective  
Age: 18  
Cooling:  
Heat &  
Cooling Pkg



### Building 1 Sub Area Information

Description	<u>Building Finished Ft<sup>2</sup></u>	<u>Gross Area Ft<sup>2</sup></u>	<u>Factor</u>	<u>Effective Ft<sup>2</sup></u>
<u>Open Porch</u>	0	900	0.30	270
<u>Canopy(only or loading platform)</u>	0	400	0.25	100
<u>Base</u>	10,718	10,718	1.00	10,718
Total Building finished SF: 10,718 Total Gross SF: 12,018 Total Effective SF: 11,088				

### [click here to hide] 2015 Extra Features

Description	Value/Unit	Units	Total Value as New	Depreciated Value	Year
FIRESPRINK	\$2.30	10,195.00	\$23,448.50	\$16,414.00	1998



CONC PAVE	\$6.00	2,250.00	\$13,500.00	\$13,500.00	0
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**[click here to hide] Permit Data**

Permit information is received from the County and Cities. This data may be incomplete and may exclude permits that do not result in field reviews (for example for water heater replacement permits). We are required to list all improvements, which may include unpermitted construction. Any questions regarding permits, or the status of non-permitted improvements, should be directed to the permitting office in which the structure is located.

Permit Number	Description	Issue Date	Estimated Value
<a href="#">CB14-00782</a>	ROOF	06 Feb 2014	\$10,000
<a href="#">CB13-00003</a>	ROOF	02 Jan 2013	\$5,600
<a href="#">CB10-08419</a>	COMMERCIAL ADD	03 Dec 2010	\$95,000
<a href="#">CB249720</a>	COMMERCIAL ADD	19 Feb 2002	\$49,595
<a href="#">CB167912</a>	NEW COMMERCIAL	14 Nov 1997	\$502,805

[Interactive Map of this parcel](#)  
[Legend](#)

[Map](#)

[Sales](#)  
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[Tax Collector Home](#)  
[Page](#)

[Contact](#)  
[Us](#)



CASE SUMMARY  
CASE NO. Z/LU-5-2-16  
(Quasi-Judicial)

PRC MEETING: January 11, 2016 @ 10:00 AM-1<sup>st</sup> Floor, Planning Conf Room

LPA HEARING: February 11, 2016 @ 9:00 AM-5<sup>th</sup> Floor, Board Assembly Room

BCC HEARING: March 29, 2016 @ 6:00 PM-5<sup>th</sup> Floor, Board Assembly Room

PPC HEARING: May 11, 2016 @ 3:00 PM-5<sup>th</sup> Floor, Board Assembly Room

FINAL DETERMINATION BY: June 7, 2016

APPLICANT'S NAME: Janet O'Harrow

REQUEST: Zone change from: R-3, Single Family Residential  
to: P-1, General Professional Office

Land Use change from: Residential Urban  
to: Residential/Office-General

CASE DESCRIPTION: Approximately 0.7 acre located at 1003 Virginia Avenue in Palm Harbor (01/28/15/88560/148/0001). A legal description is available in file upon request.

APPLICANT/ADDRESS: Janet O'Harrow  
2204 Clarine Way N  
Dunedin, FL 34698

REP/ADDRESS: Stephen O'Harrow  
2204 Clarine Way N  
Dunedin, FL 34698

NOTICES SENT TO: Janet & Stephen O'Harrow, OVIS, Hidden Brook Cons Assoc., Mike Meidel-Economic Development Council, DOT, Clint Herbic-Pinellas County School Board, BCC Office & Surrounding Owners

EXISTING USE: Single Family Home

PROPOSED USE: Future Office

LAND USE: Residential Urban

ZONING: R-3

Z15-000034

# LOCATION MAP

**Z/LU-5-2-16**



MAP-1

**Z/LU-5-2-16**

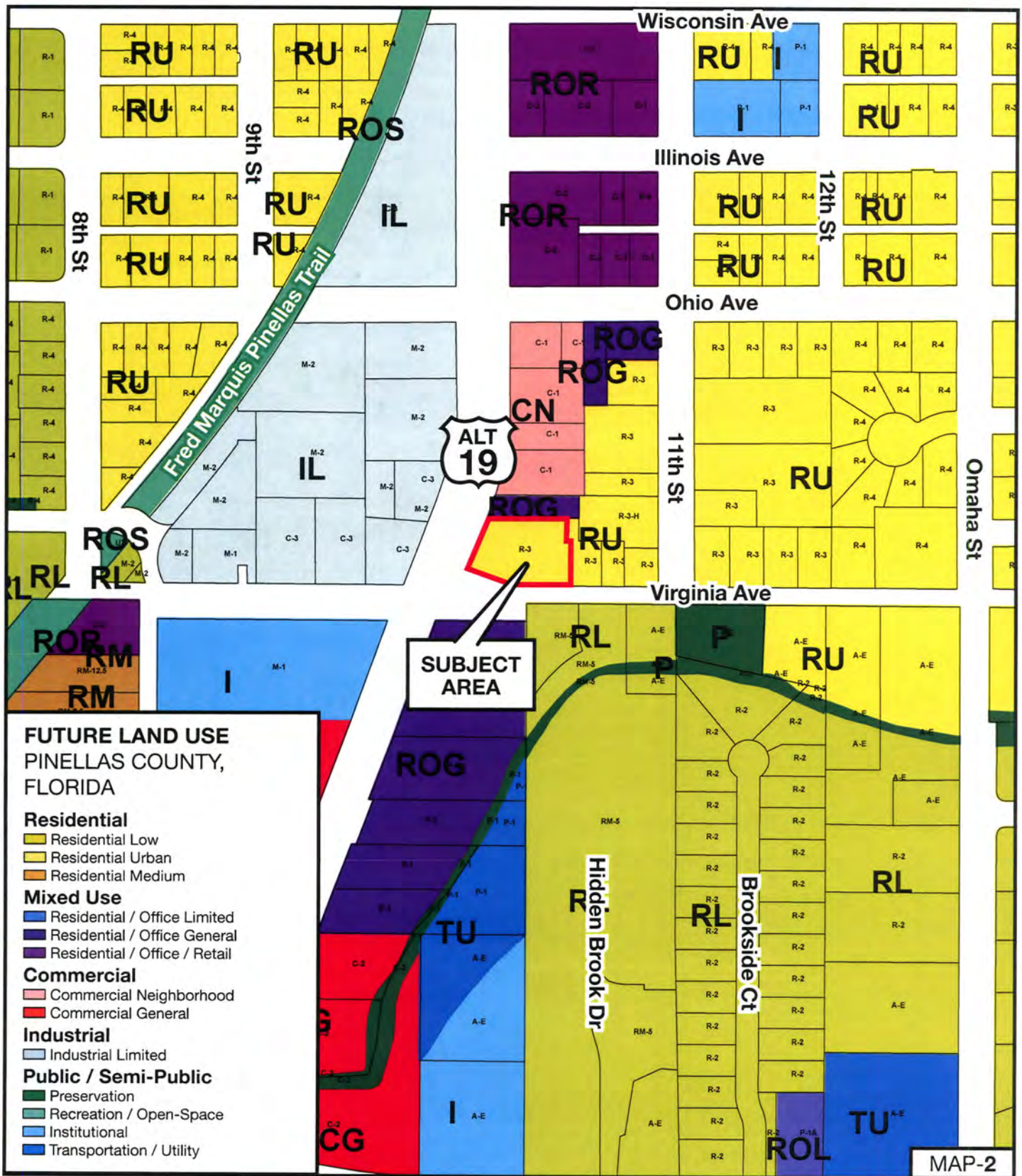
**Zoning** From: R-3, Single Family Residential  
To: P-1, General Professional Office  
**Land Use** From: Residential Urban  
To: Residential/Office-General

Parcel I.D. 01/28/15/88560/148/0001

Prepared by: Pinellas County Planning Department December 2015







**Z/LU-5-2-16**

**Zoning** From: R-3, Single Family Residential  
To: P-1, General Professional Office

**Land Use** From: Residential Urban  
To: Residential/Office-General

Parcel I.D. 01/28/15/88560/148/0001

Prepared by: Pinellas County Planning Department December 2015







MAP-3

**Z/LU-5-2-16**

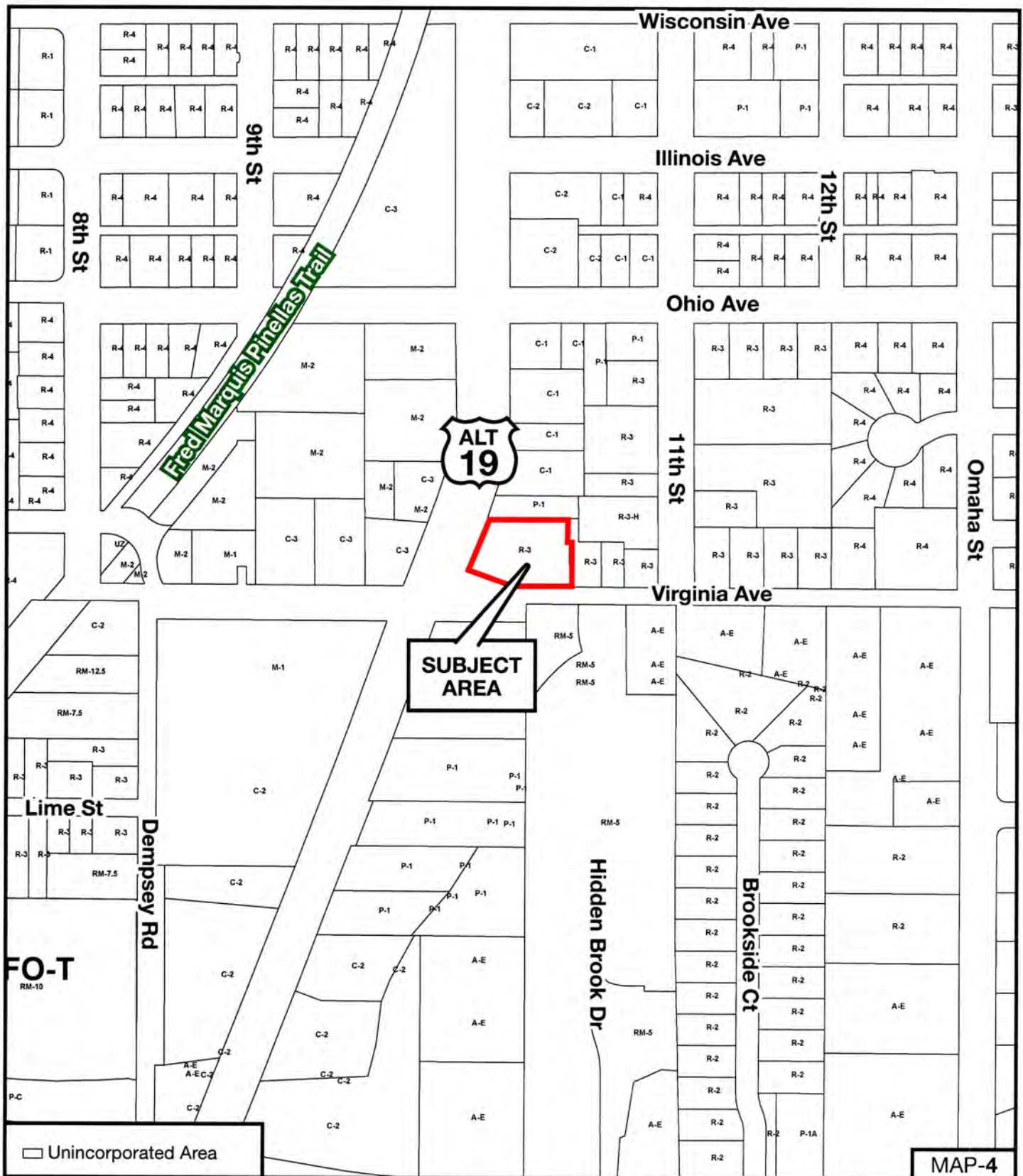
Zoning From: R-3, Single Family Residential  
To: P-1, General Professional Office  
Land Use From: Residential Urban  
To: Residential/Office-General

Parcel I.D. 01/28/15/88560/148/0001

Prepared by: Pinellas County Planning Department December 2015







**Z/LU-5-2-16**

**Zoning** From: R-3, Single Family Residential  
To: P-1, General Professional Office

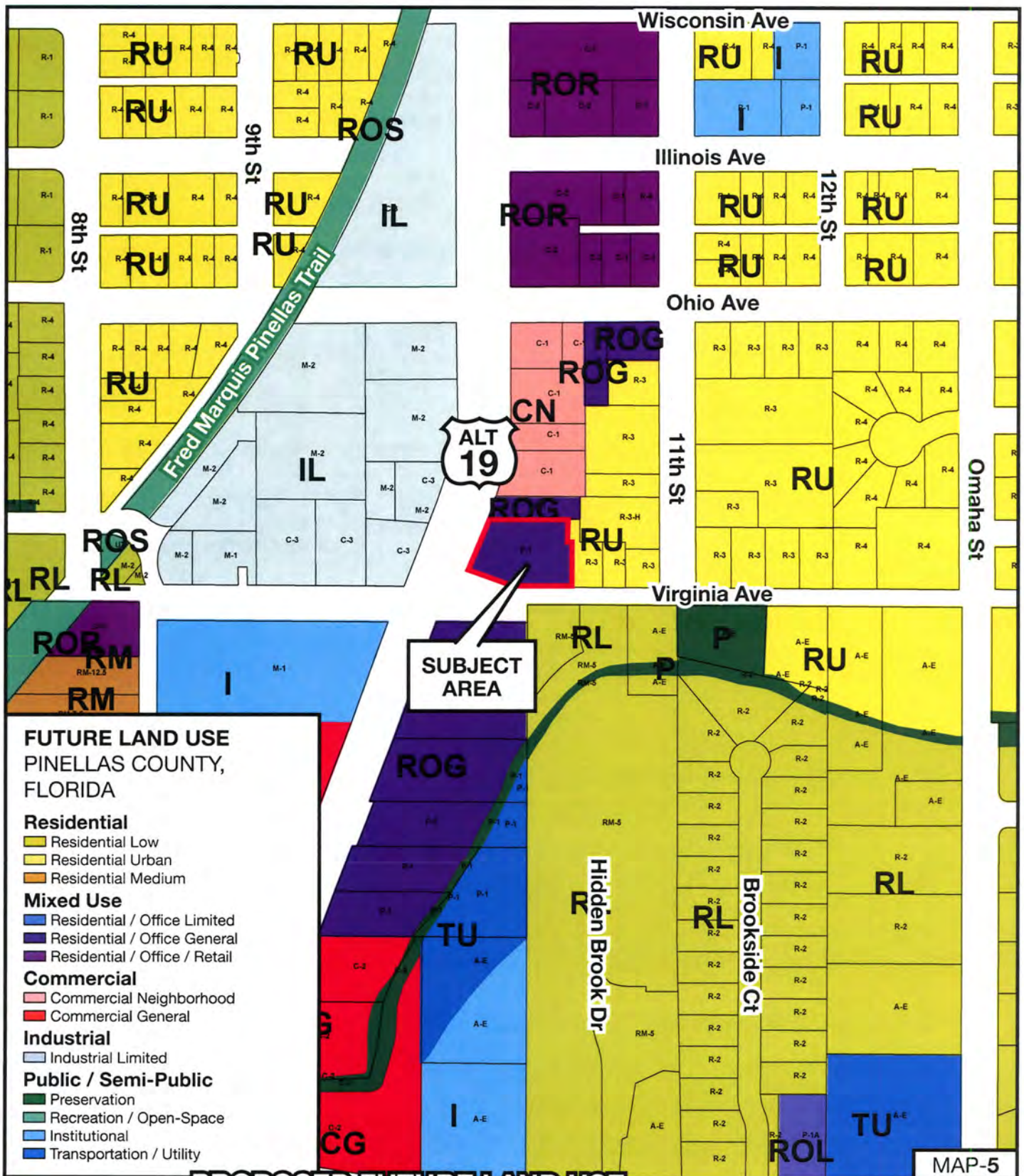
**Land Use** From: Residential Urban  
To: Residential/Office-General

Parcel I.D. 01/28/15/88560/148/0001

Prepared by: Pinellas County Planning Department December 2015







**Z/LU-5-2-16**

Zoning From: R-3, Single Family Residential  
To: P-1, General Professional Office

Land Use From: Residential Urban  
To: Residential/Office-General

Parcel I.D. 01/28/15/88560/148/0001

Prepared by: Pinellas County Planning Department December 2015





1. Owner: Janet O'Harrow  
Mailing Address: 2204 Clarine Way N  
City: Dunedin State: FL Zip Code: 34698 Daytime Phone: (727) 482-4243  
Email: jomama@tampabay.rr.com

2. Representative's Name: Stephen O'Harrow  
Company Name: N/A  
Mailing Address: 2204 Clarine Way N  
City: Dunedin State: FL Zip Code: 34698 Daytime Phone: (813) 505-9740  
Email: spoharrow@gmail.com

3. Disclosure information (This information must be supplied pursuant to County Ordinance No. 74-15):

- A. If the owner is a corporation, partnership, or trust, list all persons (i.e. partners, corporate officers, all members of the trust) who are a party to such as well as anyone who may have a beneficial interest in the property which would be affected by any ruling on their application.

Rosanne Scott

Specify interest held: equal beneficiary of the estate once sold

- B. Is there an existing contract for sale of subject property: ☐ Yes ☒ No  
If yes, list names of all parties to the contract including all partners, corporate officers, and members of any trust:

Is contract conditional or absolute? ☐ Conditional ☐ Absolute

- C. Are there any options to purchase on subject property? ☐ Yes ☐ No  
If so, list names of all parties to option including all partners, corporate officers and members of any trust:

4. This hearing is being requested to consider: Rezone and Land Use Change

5. Location of subject property (street address): 1003 Virginia Ave, Palm Harbor  
FL, 34682

6. Legal Description of Property: (attach additional documents if necessary)

SUTHERLAND, TOWN OF BLK 148, W 125FT OF S 150 FT & E 5FT OF W 130FT OF S

100FT AND PART VAC ST ON W DESC IN OR BK 5190 PG 1340 (SEE S02-28-15)

7. Size of Property: 211 feet by 150 feet, 1.40 acres

8. Present zoning classification:

9. Present Land Use Map designation: 0110

10. Date subject property acquired: 3/21/95 1947 *JS*

**11. Existing structures and improvements on subject property:**

2506 SQFT SINGLE FAMILY HOME WITH ENCLOSED PORCH; 2 CARPORTS

**12. Proposed structures and improvements will be:**

## Zoning change to P-1 (General Professional Office District)

13. I/We believe this application should be granted because (include in your statement sufficient reasons in law and fact to sustain your position.) (If this request is for a determination of Vested Rights/Appeal Determination, applicants are advised to review the procedural and substantive requirements of Pinellas County Ordinances 89-32 and 89-69) (Attach a separate sheet if necessary).

### Highest and best use of the property

14. Has any previous application relating to zoning or land use on this property been filed within the last year?  
 Yes ☐ No ☒ When? \_\_\_\_\_ In whose name? \_\_\_\_\_

**Briefly state the nature and outcome of the hearing:**

15. Does applicant own any property contiguous to subject property? \_\_\_\_\_ Yes ☒ No  
If so, give complete legal description of contiguous property:

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16. The following data and exhibits must be submitted with this application and they become a permanent part of the public records:

- a) Plat, if it will have particular bearing on the subject application.
- b) Certification of Ownership: submit a certificate of a duly licensed title or abstract company, or a licensed attorney-at-law, showing that each applicant is the present title holder of record.  
*(Warranty deeds, title insurance documents, tax receipts, etc. are not acceptable as proof of ownership.)*
- c) Preliminary site plan will be required for conditional use applications only (as specified in the Zoning Ordinance, Section 605.301 - see attached).



**CERTIFICATION OF OWNERSHIP**

I hereby certify that I have read and understand the contents of this application, and that this application together with all supplemental data and information is a true representation of the facts concerning this request, that this application is made with my approval, as owners and applicant, as evidenced by my signature appearing below. It is hereby acknowledged that the filing of this application does not constitute automatic approval of the request and further that if the request is approved, I will obtain all necessary permits and comply with all applicable orders, codes, conditions and rules and regulations pertaining to the use of the subject property, while under my ownership. I am aware that attendance by me or my authorized representative at all public hearings relative to this request is required and that failure to attend may result in a denial of the request. It shall be my responsibility to determine time and location of all hearings.

  
\*\*\*Signature of Owner or Trustee

Date: December 3, 2015

STATE OF FLORIDA, COUNTY OF PINELLAS

Before me this ~~20~~ 3 day of ~~November~~ December, 20 15

personally appeared Janet O'Harrow  
who, being duly sworn, deposes and says that the above is a true and correct certification.





(signature) NOTARY PUBLIC

(seal)

\*\*\*Applications which are filed by corporations must bear the seal of the corporation over the signature of an officer authorized act on behalf of the corporation (Please note question #3).

JOSEPH R. PARK  
MARK A. OSSIAN  
J. BRENT BARNAKY  
MICHAEL J. PARK

◊ BOARD CERTIFIED IN CIVIL TRIAL  
◊ BOARD CERTIFIED IN MARITAL AND FAMILY LAW  
◊ CERTIFIED FAMILY MEDIATOR  
◊ CERTIFIED PUBLIC ACCOUNTANT  
◊ BOARD CERTIFIED IN APPELLATE PRACTICE

---

# PARK, OSSIAN, BARNAKY & PARK, P.A.

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TRIAL AND APPELLATE ATTORNEYS

PLEASE REPLY TO:  
P.O. Box 5088  
CLEARWATER, FLORIDA 33758

PHONE : (727) 726-3777  
FAX : (727) 797-6463  
www.parklawgroup.com

December 2, 2015

Pinellas County Planning Department  
310 Court Street  
Clearwater, FL 33756

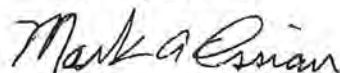
**Re: SUTHERLAND, TOWN OF BLK 148, W 125 FT OF S 150 FT & E 5 FT OF  
S 100 FT AND PART VAC ST ON W DESC IN OR BK 5190 PG 1340 (SEE  
S02-28-15)**

Dear Sir or Madam:

By way of introduction, I represent Ms. Janet J. O'Harrow in her capacity as Personal Representative of the Estate of James M. Jenkins, which probate is currently pending in Pinellas County Circuit Court. My client, Ms. O'Harrow, and her sister, Rozanne Scott, are the sole heirs to the real property referenced above. My client's father, James M. Jenkins, the owner of record of the above-referenced parcel, passed away on October 20, 2012. My client, Ms. O'Harrow, and her sister, Rozanne Scott, will become joint owners of the subject property once the probate of their father's estate has been completed. This correspondence shall serve to confirm that my client and her sister have applied for a zoning and land use change of the above-referenced property.

If you require any further or additional information, please let me know.

Very truly yours,



Mark A. Ossian

MAO/hb

FILED 10/2/2015 9:26:02 AM KEN BURKE CLERK OF THE CIRCUIT COURT & COMPTROLLER

IN THE CIRCUIT COURT FOR PINELLAS COUNTY,  
FLORIDA PROBATE DIVISION

IN RE: ESTATE OF

JAMES M. JENKINS,  
Deceased.

File No.:

Division: 03

UCN:

522012CP006755XXESXX

Ref. number: 12006755ES

**LETTERS OF ADMINISTRATION  
(single personal representative)**

TO ALL WHOM IT MAY CONCERN

WHEREAS, James M. Jenkins, a resident of Pinellas County, Florida, died on October 20, 2012, owning assets in the State of Florida, and

WHEREAS, Janet O'Harrow has been appointed personal representative of the estate of the decedent and has performed all acts prerequisite to issuance of Letters of Administration in the estate,

NOW, THEREFORE, I, the undersigned circuit judge, declare Janet O'Harrow duly qualified under the laws of the State of Florida to act as personal representative of the estate of James M. Jenkins, deceased, with full power to administer the estate according to law; to ask, demand, sue for, recover and receive the property of the decedent; to pay the debts of the decedent as far as the assets of the estate will permit and the law directs; and to make distribution of the estate according to law.

ORDERED on October 1, 2015

*Linda R. Allan*

Linda R. Allan, Circuit Judge

STATE OF FLORIDA, PINELLAS COUNTY  
I hereby certify that the foregoing is a true  
photostatic copy as the same appears  
among the files and records of this court  
and the same is in full force and effect.



This 2 day of October, 2015  
KEN BURKE  
Clerk of Circuit Court

BY: *Kathy D. Quora*  
Deputy Clerk



2015 01-28-15-88560-148-0001

Map Id: 1907.0 1.00 1.00 1.00 AREA = 19; NEB = 7

BY jbyrkit

PRINTED 09/15/2015

Page 1 of 2

JENKINS, JAMES M EST  
PO BOX 113  
PALM HARBOR, FL 34682-0113

SUTHERLAND, TOWN OF  
BLK 148, W 125FT OF S 150  
FT & E 5FT OF W 130FT OF S  
100FT AND PART VAC ST ON W  
1003 VIRGINIA AVE, PALM HARBOR 34683-

** VALUE SUBJECT TO CHANGE **	Pinellas County Property Appraiser Office	PHMT
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## le Family Home

BUILDING CHARACTERISTICS	0110
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Fair										Fair									
CATEGORY	QUALITY	TYPE	%	PTS	CATEGORY	QUALITY	TYPE	%	PTS	CATEGORY	QUALITY	TYPE	%	PTS	CATEGORY	QUALITY	TYPE	%	PTS
FOUNDATION	1PIERS	100	3.00	100	FOUNDATION	1PIERS	100	3.00	100	FOUNDATION	1PIERS	100	3.00	100	FOUNDATION	1PIERS	100	3.00	100
FLOOR	3WOOD	100	12.0	100	FLOOR	3WOOD	100	12.0	100	FLOOR	3WOOD	100	12.0	100	FLOOR	3WOOD	100	12.0	100
EXTERIOR	2FRAME -	100	23.0	100	EXTERIOR	2FRAME -	100	23.0	100	EXTERIOR	2FRAME -	100	23.0	100	EXTERIOR	2FRAME -	100	23.0	100
ROOF	1GABLE OR	100	6.00	100	ROOF	1GABLE OR	100	6.00	100	ROOF	1GABLE OR	100	6.00	100	ROOF	1GABLE OR	100	6.00	100
ROOF	3SHINGLE	100	5.00	100	ROOF	3SHINGLE	100	5.00	100	ROOF	3SHINGLE	100	5.00	100	ROOF	3SHINGLE	100	5.00	100
FLOOR	2CARPET/	100	5.00	100	FLOOR	2CARPET/	100	5.00	100	FLOOR	2CARPET/	100	5.00	100	FLOOR	2CARPET/	100	5.00	100
INTERIOR	1WOOD/WALLBO	100	29.0	100	INTERIOR	1WOOD/WALLBO	100	29.0	100	INTERIOR	1WOOD/WALLBO	100	29.0	100	INTERIOR	1WOOD/WALLBO	100	29.0	100
HEATING	0 NONE	100	0.00	100	HEATING	0 NONE	100	0.00	100	HEATING	0 NONE	100	0.00	100	HEATING	0 NONE	100	0.00	100
COOLING	NONE	100	0.00	100	COOLING	NONE	100	0.00	100	COOLING	NONE	100	0.00	100	COOLING	NONE	100	0.00	100

BUILDING: 1													
L	OFFICIAL	BOOK	PAGE	DATE OF SALE	INSTR	Q	V	REASON	SALES PRICE	M	SELLER	BUYER	SALES NOTE
1	08941	1587	03/21/1995	DD	U	I	S		300	N	GEROCK CECIL K	JENKINS, JAMES M.	

TAXING DISTRICT PM JUST VALUE/SF 101.31									
L	EXTRA	DESCRIPTION	BD	NHX	HX/	AREA	%	B	EFF. AREA
1	0700	SHED	8	16.00	0.00	1,152	100		1,152
2	0700	SHED	10	90.00	0.00	322	25		80
3	0902	CARPORT	11	88.00	0.00	256	60		154
4	0902	CARPORT	20	240.00	13.00	24	20		5
5	0502	FIREPLACE	0	1.00	3.000.00	96	25		24
						2,506			1,743

BUILDING NOTES									

VALUE SUMMARY									
PRIOR JUST MARKET VALUE	CURRENT JUST MARKET VALUE	ASSESSED VALUE	HX/NHX CAP BASE YEAR	TAXABLE VALUE	HX	% HX	TOT EXEMPTIONS VALUE	EST VAL	ISSUE DATE
127,988	149,934	125,892	0	125,892	No	0.00	0		

APPRaisal DATES									
REVIEW DATE	FIELD NUMBER	REVIEW TYPE	OTHER ADJ AND NOTES						
05/30/2014	156	General							

SUTHERLAND, TOWN OF  
BLK 148, W 125FT OF S 150  
FT & E 5FT OF W 130FT OF S  
100FT AND PART VAC ST ON W  
1003 VIRGINIA AVE, PALM HARBOR 34683-  
JENKINS, JAMES M EST  
PO BOX 113  
PALM HARBOR, FL 34682-0113

BUILDING CHARACTERISTICS		0110 Single Family Home		** VALUE SUBJECT TO CHANGE **		Pinellas County Property Appraiser Office		PBMPT	
QUALITY	Fair	QUALITY	Fair	VALUE SUMMARY		VALUE SUMMARY		VALUE SUMMARY	

CATEGORY	TYPE	%	PTS
PRIOR JUST MARKET VALUE			127,988
CURRENT JUST MARKET VALUE			149,934
ASSESSED VALUE			125,892
HX/INHX CAP BASE YEAR			0
TAXABLE VALUE			125,892
HX			NO
% HX			0.00
TOT EXEMPTIONS VALUE			0

CATEGORY		UNITS
TOTAL LIVING UNITS		1
DEPRECIATION ADJ		ADJ
		0
		3.5

BUILDING NOTES			

L N		OFFICIAL	PAGE	DATE OF SALE	INSTR	Q V	REASON	SALES PRICE	M	SELLER	BUYER	SALES NOTE
1	08941	1587		03/21/1995	DD	V	S	300	N	GEROCK CECIL K	JENKINS, JAMES M.	
2,506												
1,743												
AXING DISTRICT		PER	JUST VALUE/SF	101.31								

[illegible]

NOTES	APPRAISAL DATES	
	REVIEW DATE	05/30/2014
	FIELD NUMBER	156
	REVIEW TYPE	General