



## Staff Report

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**File #:** 15-995, **Version:** 1

**Agenda Date:** 1/26/2016

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**Subject:**

Case No. Q Z-32-12-15 (Stewart Wittel)

A request for a zoning change from R-3, Single Family Residential to M-1, Light Manufacturing & Industry on approximately 0.6 acre located on the east side of Faxton Street, 500 feet south of Ulmerton Road in the unincorporated area of Largo.

**Recommended Action:**

Adoption of Case No. Q Z-32-12-15: A resolution approving the application of Stewart Wittel for a change in zoning from R-3, Single Family Residential to M-1, Light Manufacturing & Industry on approximately 0.6 acre located on the east side of Faxton Street 500 feet south of Ulmerton Road

**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 responsive stewards of the public's resources

**Summary:**

The subject area consists of two parcels totaling 0.6 acre on the east side of Faxton Street that are currently designed R-3, Single Family Residential on the Zoning Atlas. This residential designation is inconsistent and incompatible with the underlying Industrial Limited (IL) Future Land Use Map (FLUM) category that has been in place on the property since the 1970s. The applicant is requesting a zoning amendment to M-1, Light Manufacturing and Industry district that will eliminate the inconsistency with the FLUM and allow the future redevelopment of the property for light industrial uses.

The subject site currently contains a work shop and mobile home on the north parcel while the south parcel is used for storage. The storage use is not permitted under the current R-3 zoning and is the impetus behind the zoning request. The applicant is not proposing any immediate changes concerning the use of the property and would like the existing mobile home to be used as an accessory caretaker's residence. All of the current uses on the site are permitted within the M-1 district.

The subject property is located within an industrial area that is approximately 80 acres of consolidated IL as designated on the FLUM. Residential is a remnant use in the area that is transitioning to light industrial over time. Over the years, multiple other properties along Faxton Street have been amended from R-3 to M-1. No significant new impacts are anticipated as a result of this request, and the proposed M-1 zoning district is highly desirable for this location.

**Background Information:**

The Local Planning Agency (LPA) unanimously recommended approval of the request during its December 10, 2015 public hearing (Vote 6-0).

**Fiscal Impact:**

N/A

**Staff Member Responsible:**

Gordon Beardslee, Director, Planning

**Partners:**

N/A

**Attachments:**

LPA Report

Case Maps

Resolution

Ad

Ad Map

Power Point Presentation

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



**Regarding: Case No. Z-32-12-15**

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: December 10, 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.
- **Staff further 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:** Stewart Wittel

**DISCLOSURE:** N/A

**REPRESENTED BY:** N/A

<b>ZONING CHANGE</b>	
<b>FROM:</b>	R-3 - Single Family Residential
<b>TO:</b>	M-1 - Light Manufacturing & Industry

**PROPERTY DESCRIPTION:** Approximately 0.6 acre located on the east side of Faxton Street 500 feet south of Ulmerton Road in the unincorporated area of Largo.

**PARCEL ID(S):** 08/30/16/93366/000/0070 & 0060

**PROPOSED BCC HEARING DATE:** January 26, 2016

**CORRESPONDENCE RECEIVED TO DATE:**

No correspondence received.

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

No one appeared.

**SURROUNDING ZONING AND LAND USE FACTS:**

	<b>Land Use Category</b>	<b>Zoning Designation</b>	<b>Existing Use</b>
<b>Subject Property:</b>	Industrial Limited	R-3	Storage, Work Shop, Accessory Dwelling
<b>Adjacent Properties:</b>			
<b>North</b>	Industrial Limited	R-3	Single Family Home
<b>East</b>	Industrial Limited	M-1	Light Manufacturing Crematory
<b>South</b>	Industrial Limited	M-1	Construction Office Accessory Dwelling
<b>West</b>	Industrial Limited	M-1	Outdoor Storage Accessory Dwelling

**STAFF DISCUSSION AND ANALYSIS**

**BACKGROUND AND COMPATIBILITY WITH SURROUNDING LAND USES**

The subject area consists of two parcels on the east side of Faxton Street that are currently designed R-3, Single Family Residential on the Zoning Atlas. This residential designation is inconsistent and incompatible with the underlying Industrial Limited (IL) Future Land Use Map (FLUM) category that has been in place on the property since the 1970s. The applicant is requesting a zoning amendment to M-1, Light Manufacturing and Industry district that will eliminate the inconsistency with the FLUM and allow the future redevelopment of the property for light industrial uses.

The subject site currently contains a work shop and mobile home on the north parcel while the south parcel is used for storage. The storage use is not permitted under the current R-3 zoning and is the impetus behind the zoning request. The applicant is not proposing any immediate changes concerning the use of the property and would like the existing mobile home to be used as an accessory caretaker’s residence. All of the current uses on the site are permitted within the M-1 district.

The subject property is located within the High Point industrial area which is approximately 80 acres of consolidated IL as designated on the FLUM. Some commercial uses exist to the north along Ulmerton Road. Residential is a remnant use in the area that is transitioning to light industrial over time. A few standalone residences remain along Faxton Street, most notably the two lots directly to the north of the subject area that have the same R-3 residential zoning. All other properties along Faxton Street, with the exception of C-2 retail commercial adjacent to Ulmerton Road, are zoned M-1. Over the years, multiple other properties along Faxton Street

have been amended from R-3 to M-1. No significant new impacts are anticipated as a result of this request, and the proposed M-1 zoning district is highly desirable for this location.

## **SUMMARY**

Approval of the requested amendment will eliminate an undesirable inconsistency between the Zoning Atlas and FLUM. It is staff's conclusion that the proposed M-1, Light Manufacturing & Industry, zoning district is compatible with the surrounding land uses and is appropriate for this location.

## **IMPLEMENTATION OF THE PINELLAS COUNTY COMPREHENSIVE PLAN**

Staff finds that the proposed amendments to the Pinellas County Comprehensive Plan are consistent with the following adopted objectives, policies, of the Comprehensive Plan:

### **FUTURE LAND USE AND QUALITY COMMUNITIES ELEMENT**

GOAL ONE: THE PATTERN OF LAND USE IN PINELLAS COUNTY SHALL PROVIDE A VARIETY OF URBAN ENVIRONMENTS TO MEET THE NEEDS OF A DIVERSE POPULATION AND THE LOCAL ECONOMY, CONSERVE AND LIMIT DEMANDS ON NATURAL AND ECONOMIC RESOURCES TO ENSURE SUSTAINABLE BUILT AND NATURAL ENVIRONMENTS, BE IN THE OVERALL PUBLIC INTEREST, AND EFFECTIVELY SERVE THE COMMUNITY AND ENVIRONMENTAL NEEDS OF THE POPULATION.

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 1.2.2 The Local Planning Agency (LPA) of the Board shall ensure that zoning provisions within the Land Development Code are in conformance with the density, intensity and other relevant standards contained within the Future Land Use and Quality Communities Element.

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 1.2.5 The Board shall implement land development regulations that are compatible with the density, intensity and other relevant standards of those land use categories defined in the Future Land Use and Quality Communities Element.

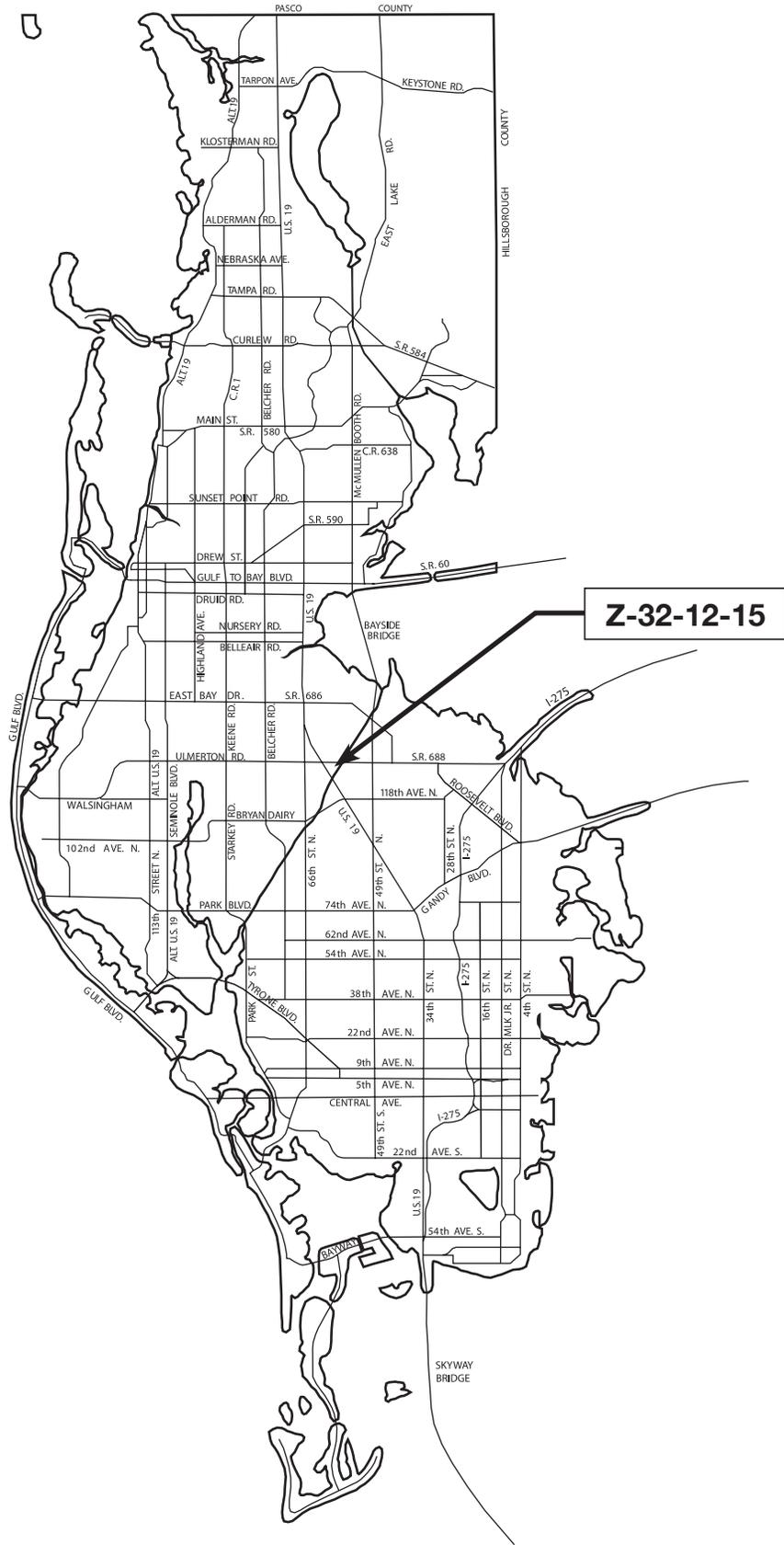
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**COUNTY DEVELOPMENT REGULATIONS**

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

Attachment (Maps)

**LOCATION MAP**

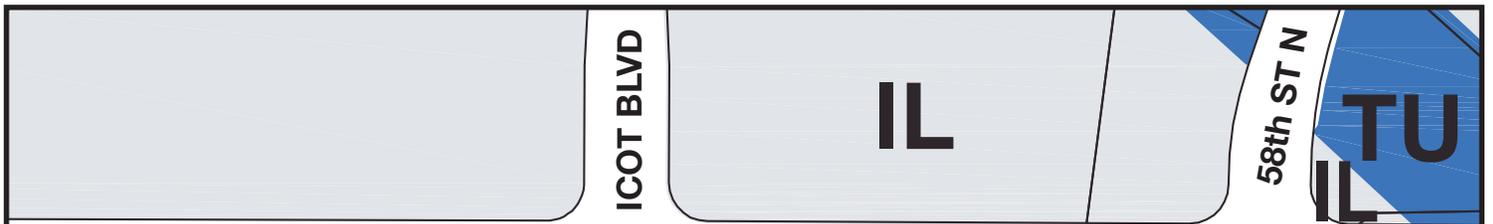


**MAP-1**

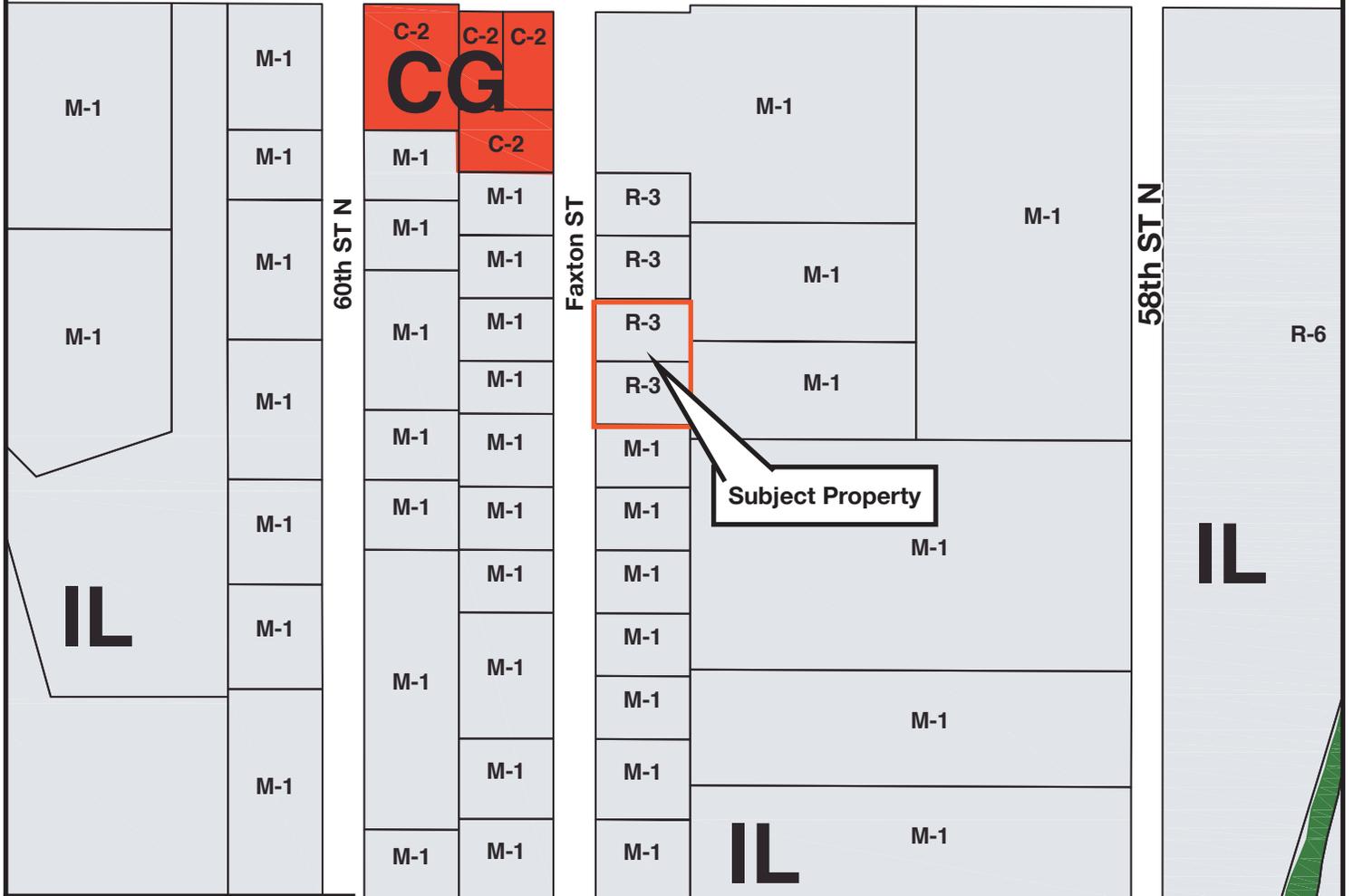
**Z-32-12-15**      **Zone From:** R-3 , Single Family Residential  
**To:** M-1, Light Manufacturing & Industry

Parcel I.D. 08/30116/93366/000/0070 & 0060  
 Prepared by: Pinellas County Planning Department October 2015





**Ulmerton RD**



**Subject Property**

**FUTURE LAND USE**  
 PINELLAS COUNTY,  
 FLORIDA

**Commercial**  
 Commercial General

**Industrial**  
 Industrial Limited

**Public / Semi-Public**  
 Preservation  
 Transportation / Utility

MAP-2

**Z-32-12-15**    **Zone From:** R-3 , Single Family Residential  
**To:** M-1, Light Manufacturing & Industry

Parcel I.D. 08/30116/93366/000/0070 & 0060  
 Prepared by: Pinellas County Planning Department October 2015



**Z-32-12-15**

**Zone From:** R-3 , Single Family Residential  
**To:** M-1, Light Manufacturing & Industry

Parcel I.D. 08/30116/93366/000/0070 & 0060  
Prepared by: Pinellas County Planning Department October 2015





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

RESOLUTION CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 0.6 ACRE LOCATED ON THE EAST SIDE OF FAXTON STREET 500 FEET SOUTH OF ULMERTON ROAD IN THE UNINCORPORATED AREA OF LARGO; PAGE 731 OF THE ZONING ATLAS, AS BEING IN SECTION 08, TOWNSHIP 30, RANGE 16; FROM R-3, SINGLE FAMILY RESIDENTIAL TO M-1, LIGHT MANUFACTURING & INDUSTRY; UPON APPLICATION OF STEWART WITTEL, Z-32-12-15

WHEREAS, Stewart Wittel, 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 R-3, Single Family Residential to M-1, Light Manufacturing & Industry; 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 26<sup>th</sup> day of January 2016, that the zone classification of the following described real property in Pinellas County, Florida, to wit:

ULMERTON BABY FARMS SUB – LOT 6 & LOT 7

be, and the same is hereby changed from R-3, Single Family Residential to M-1, Light Manufacturing & Industry, Case Number Z-32-12-15.

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:

# **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 **January 26, 2016 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. Q Z/LU-25-10-15**

Resolution changing the Zoning classification of approximately 1.1 acres located at the southwest corner of the intersection of 135th Place N and Palm Way in the unincorporated area of Largo; Page 218 of the Zoning Atlas, as being in Section 01, Township 30, Range 15; from C-3, Commercial, Wholesale, Warehousing & Industrial to R-4-CO, One, Two & Three Family Residential-Conditional Overlay with a Conditional Overlay limiting the use to a single family home and related accessory uses; upon application of Ralph M. Wescott through Teresa Wescott Lavrinc, Representative,

and

An Ordinance amending the Future Land Use Map of Pinellas County, Florida by changing the Land Use designation of approximately 1.1 acres located at the southwest corner of the intersection of 135th Place N and Palm Way in the unincorporated area of Largo located in Section 01, Township 30, Range 15; from Industrial Limited to Residential Low Medium, 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-32-12-15**

Resolution changing the Zoning classification of approximately 0.6 acre located on the east side of Faxton Street 500 feet south of Ulmerton Road in the unincorporated area of Largo; Page 731 of the Zoning Atlas, as being in Section 08, Township 30, Range 16; from R-3, Single Family Residential to M-1, Light Manufacturing & Industry; upon application of Stewart Wittel.

### **3. Q Z-33-12-15**

Resolution changing the Zoning classification of approximately 10.3 acres located at 29582 US Highway 19 North in the unincorporated area of Dunedin; Page 609 of the Zoning Atlas, as being in Section 19, Township 28, Range 16; from A-E, Agricultural Estate Residential to P/SP, Public/Semi-Public; upon application of Pinellas County through Gordon Beardslee, Planning Department, Representative.

### **4. Q Z/LU-18-9-15 (Final Adoption)**

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, 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 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](mailto: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 (January 26, 2016 BCC Hearing)

DATE: January 5, 2016

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AD COPY ATTACHED: Yes X No      WITH MAP

REQUIRES SPECIAL HANDLING: Yes      No X

NEWSPAPER: St. Petersburg Times X

DATE(S) TO APPEAR: **January 15, 2016**

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**

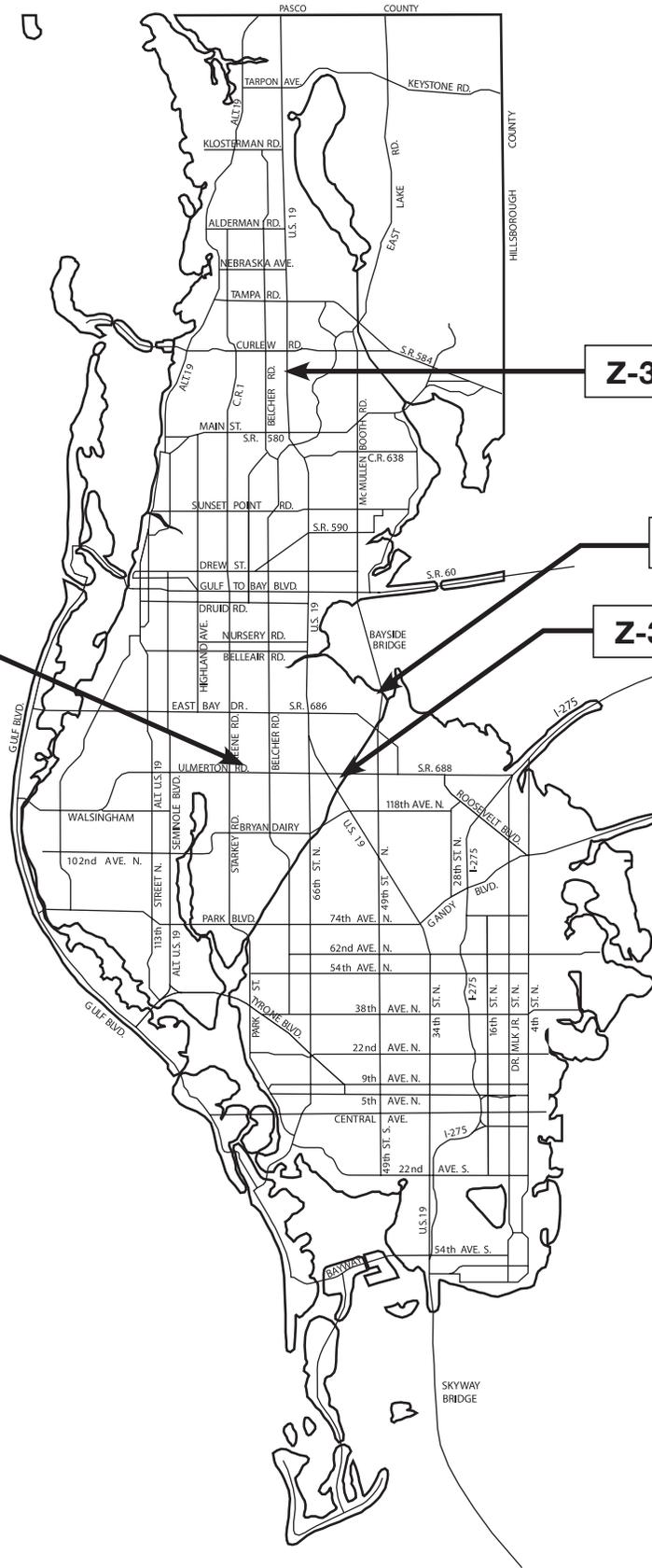
cc: Glenn Bailey, Planning Department  
Gordon Beardslee, Planning Department  
Tammy Swinton, Planning Department

**Z/LU-25-10-15**

**Z-33-12-15**

**Z/LU-18-9-15**

**Z-32-12-15**



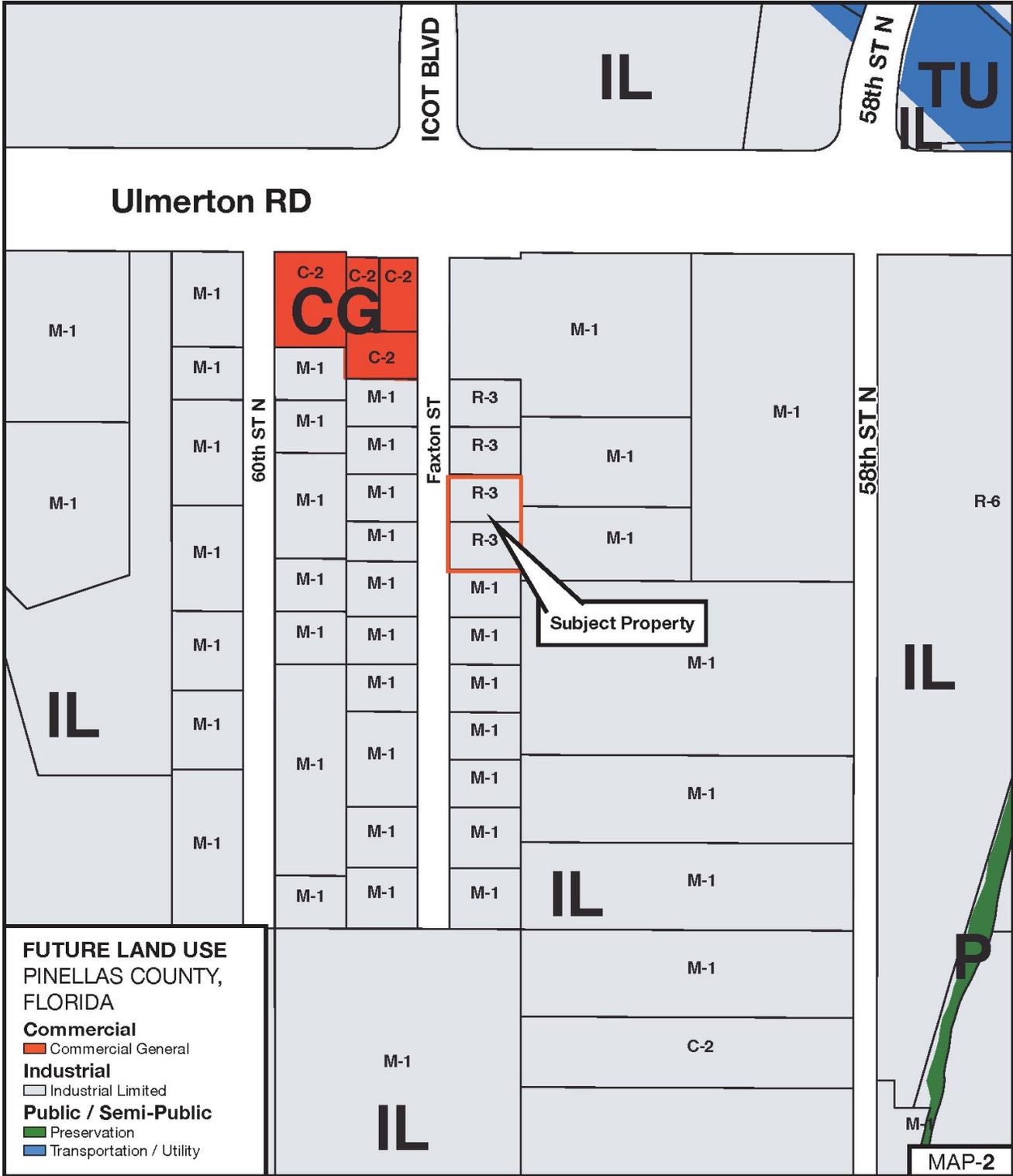
**PINELLAS COUNTY  
PLANNING DEPARTMENT ZONING DIVISION**

# Proposed Amendment to the Pinellas County Zoning Atlas (Z-32-11-15)

Board of County Commissioners  
January 26, 2016

# Request

- Subject Area
  - Two parcels covering 0.6 acre
  - East side of Faxton Street, 500 feet south of Ulmerton Road
- Zoning Atlas Amendment
  - From: R-3, Single Family Residential
  - To: M-1, Light Manufacturing & Industry
- Future Land Use Map: Industrial Limited
- Existing Uses:
  - North parcel: workshop, accessory dwelling
  - South parcel: storage
- Proposal seeks to eliminate a Land Use-Zoning inconsistency



<b>Z-32-12-15</b>	<b>Zone From:</b> R-3 , Single Family Residential		
	<b>To:</b> M-1, Light Manufacturing & Industry		
Parcel I.D. 08/30116/93366/000/0070 & 0060			
Prepared by: Pinellas County Planning Department October 2015			



**Z-32-12-15**

**Zone From:** R-3 , Single Family Residential  
**To:** M-1, Light Manufacturing & Industry

Parcel I.D. 08/30116/93366/000/0070 & 0060  
 Prepared by: Pinellas County Planning Department October 2015





# Staff Findings and Recommendation

- Proposed amendment is appropriate
  - Compatible with and similar to nearby uses
  - Consistent with the Comprehensive Plan
  - Eliminates an inconsistency
- Other properties along Faxton Street have had identical requests approved
- Staff recommends approval
- Local Planning Agency (LPA):
  - Recommended approval at their December 10, 2015 public hearing (6-0 vote)

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

RESOLUTION CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 0.6 ACRE LOCATED ON THE EAST SIDE OF FAXTON STREET 500 FEET SOUTH OF ULMERTON ROAD IN THE UNINCORPORATED AREA OF LARGO; PAGE 731 OF THE ZONING ATLAS, AS BEING IN SECTION 08, TOWNSHIP 30, RANGE 16; FROM R-3, SINGLE FAMILY RESIDENTIAL TO M-1, LIGHT MANUFACTURING & INDUSTRY; UPON APPLICATION OF STEWART WITTEL, Z-32-12-15

WHEREAS, Stewart Wittel, 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 R-3, Single Family Residential to M-1, Light Manufacturing & Industry; 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.

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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