

AGENDA
Planning Review Committee
Pinellas County Planning Department
310 Court Street, 1st Floor Conference Room
August 8, 2016 – 10:00 AM

Case Summary Review:

1. [\(Q\) Z/LU-12-5-16 \(Martin Rosato\)](#)
2. [\(Q\) CU-17-7-16 \(Renee' Letosky-Smith\) \(Briggs\)](#)
3. [\(Q\) Z-19-9-16 \(Marguerite F. Freeborn, Emil & Melinda Pratesi and Richard LaBelle\)](#)
4. [\(Q\) Z-21-9-16 \(Paul W. & Nancy J. Gilmette\)](#)
5. [\(Q\) CU-22-9-16 \(Pinellas County\)](#)

Note: Q = Quasi-Judicial

CASE SUMMARY
CASE NO. Z/LU-12-5-16
(Quasi-Judicial)

PRC MEETING: August 8, 2016 @ 10:00 AM-1st Floor, Planning Conf Room

LPA HEARING: September 15, 2016 @ 9:00 AM-5th Floor, Board Assembly Room

BCC HEARING: October 25, 2016 @ 6:00 PM-5th Floor, Board Assembly Room

PPC HEARING: December 14, 2016 @ 1:00 PM-5th Floor, Board Assembly Room

FINAL DETERMINATION BY: January 10, 2017

APPLICANT'S NAME: Martin Rosato

REQUEST: Zone change from: A-E, Agricultural Estate Residential
to: P/SP-CO, Public/Semi-Public-Conditional Overlay

Land Use change from: Recreation/Open Space
to: Institutional

A Conditional Overlay limiting the use of the property to a medical clinic with a maximum 0.2 floor area ratio (FAR).

CASE DESCRIPTION: Approximately two acres located on the east side of McMullen Booth Road approximately 700 feet north of Curlew Road in Palm Harbor. (16/28/16/00000/240/0130). A legal description is available in file upon request.

APPLICANT/ADDRESS: Martin Rosato
P. O. Box 348
Largo, FL 33779

REP/ADDRESS: Cynthia Tarapani
Florida Design Consultants, Inc.
3030 Starkey Boulevard
New Port Richey, FL 34655

NOTICES SENT TO: Martin Rosato, Cynthia Tarapani, Oldsmar, Landmark Oaks, COA, The Oaks @ Countryside, Mike Meidel-Economic Development Council, DOT, Clint Herb-Pinellas County School Board, Surrounding Owners

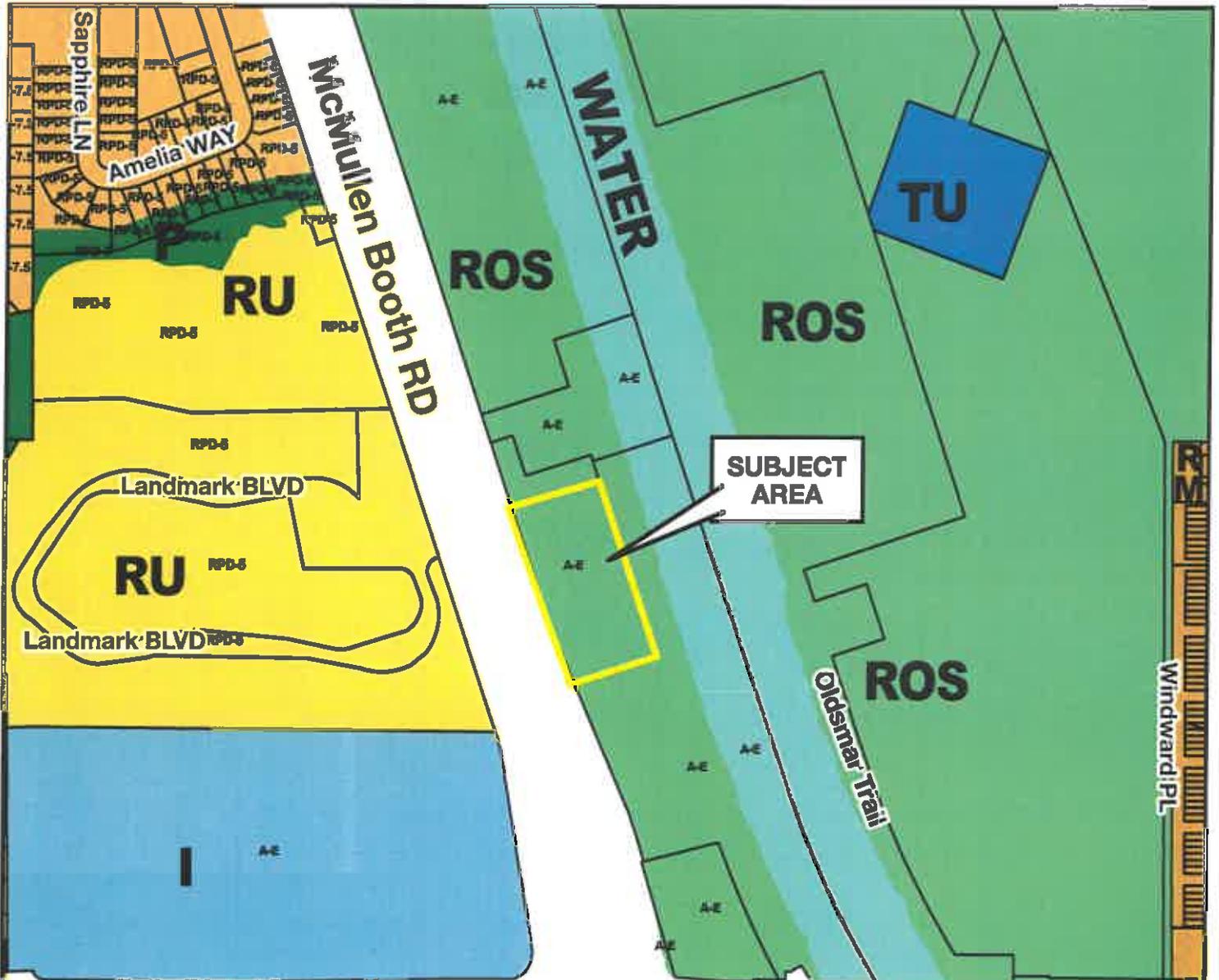
EXISTING USE: Vacant

PROPOSED USE: Medical Clinic

LAND USE: Recreation/Open Space

ZONING: A-E
Revised 7/14/16

Z16-000005



Curlew RD

**FUTURE LAND USE
PINELLAS COUNTY, FLORIDA**

Residential

- Residential Estate
- Residential Urban
- Residential Low Medium
- Residential Medium

Mixed Use

- Residential / Office General

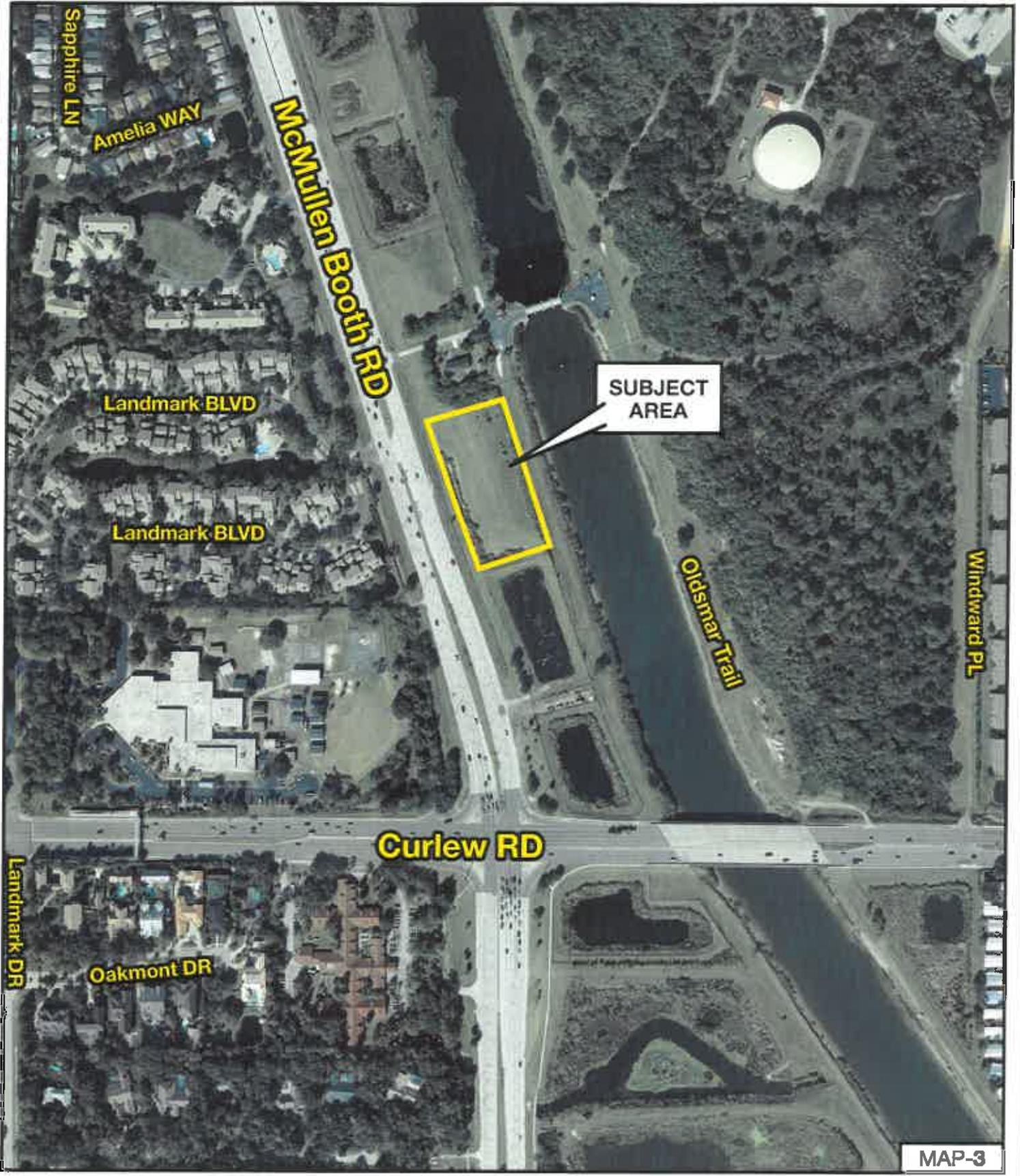
Public / Semi-Public

- Preservation
- Recreation / Open-Space
- Institutional
- Transportation / Utility

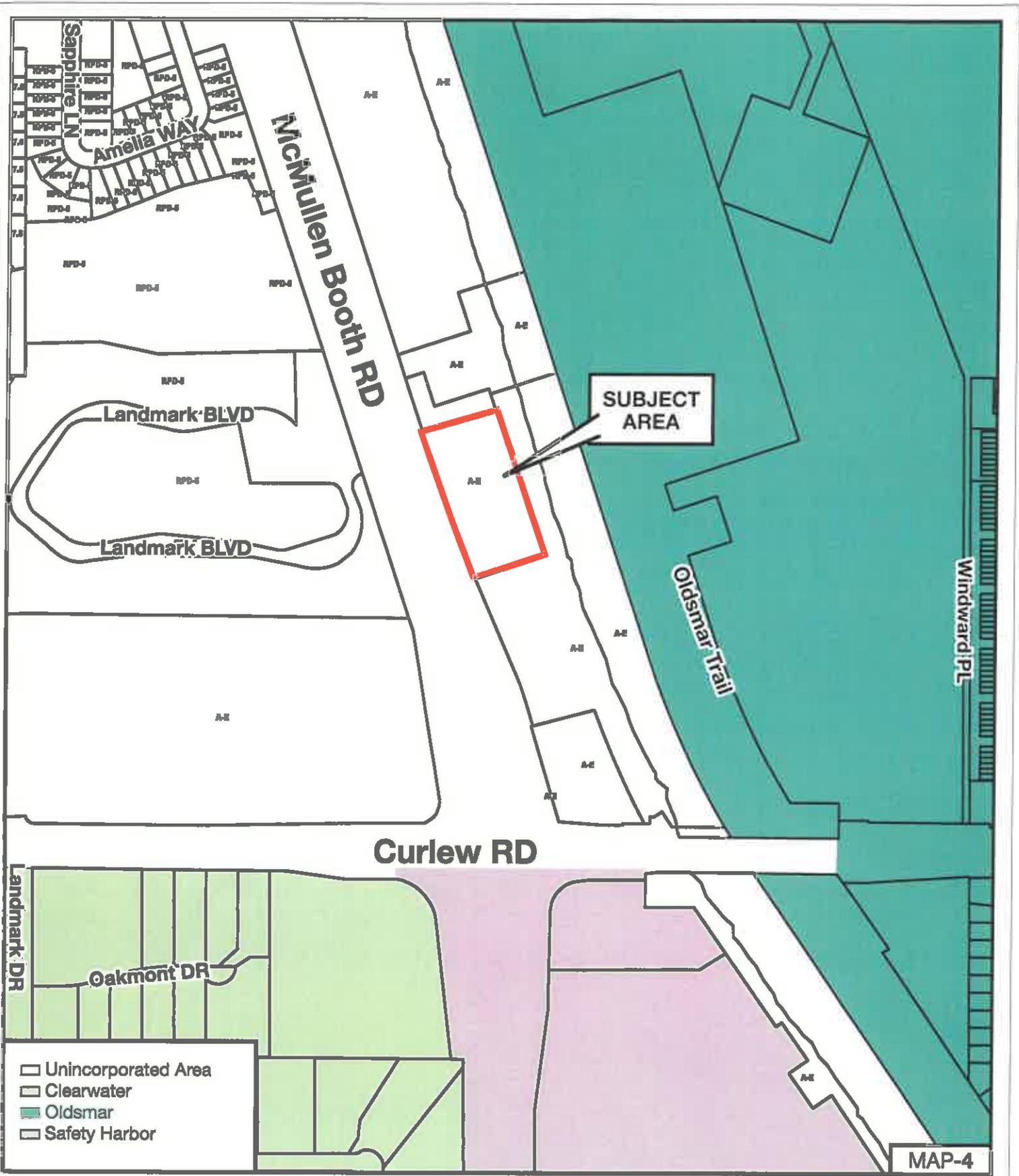
MAP-2

Z/LU-12-5-16	Zoning	From: A-E, Agricultural Estate Residential To: PSP-CO, Public/Semi-Public - Conditional Overlay Conditional Overlay limiting the use to a medical clinic with a max 0.2 FAR
	Land Use	From: Recreation/Open Space To: Institutional





Z/LU-12-5-16	Zoning	From: A-E, Agricultural Estate Residential To: PSP-CO, Public/Semi-Public - Conditional Overlay Conditional Overlay limiting the use to a medical clinic with a max 0.2 FAR	
	Land Use	From: Recreation/Open Space To: Institutional	
Parcel I.D. 16/28/16/00000/240/0140 Prepared by: Pinellas County Planning Department July 2016			

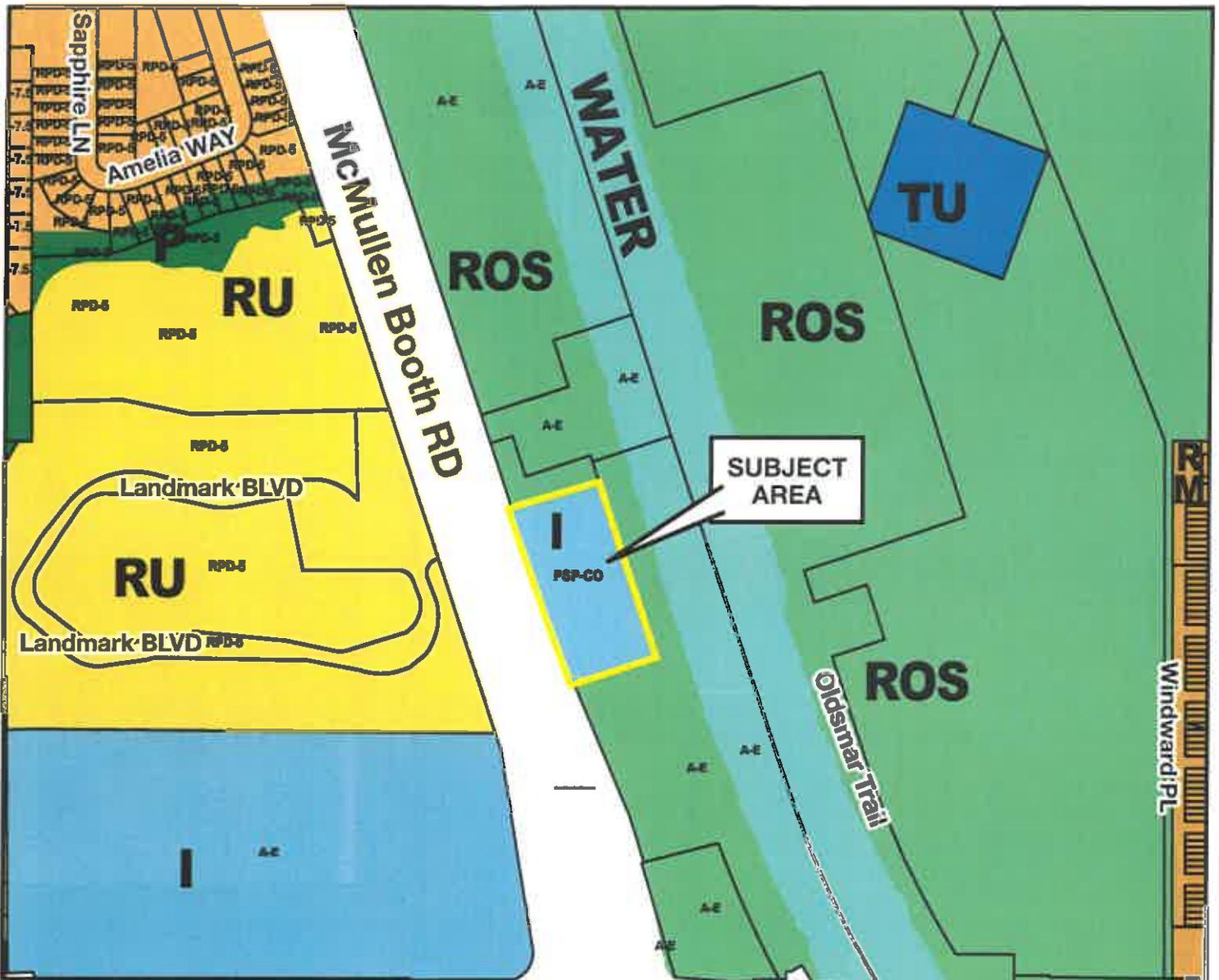


Z/LU-12-5-16

Zoning From: A-E, Agricultural Estate Residential
 To: PSP-CO, Public/Semi-Public - Conditional Overlay
 Conditional Overlay limiting the use to a medical clinic with a max 0.2 FAR

Land Use From: Recreation/Open Space
 To: Institutional





**FUTURE LAND USE
PINELLAS COUNTY, FLORIDA**

Residential

- Residential Estate
- Residential Urban
- Residential Low Medium
- Residential Medium

Mixed Use

- Residential / Office Limited

Mixed Use

- Residential / Office General

Public / Semi-Public

- Preservation
- Recreation / Open-Space
- Institutional
- Transportation / Utility

Curlew RD

MAP-5

PROPOSED FUTURE LAND USE

Z/LU-12-5-16

Zoning From: A-E, Agricultural Estate Residential
To: PSP-CO, Public/Semi-Public - Conditional Overlay
Conditional Overlay limiting the use to a medical clinic with a max 0.2 FAR

Land Use From: Recreation/Open Space
To: Institutional



20th Anniversary



**FLORIDA DESIGN
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New Port Richey, FL 34655

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July 14, 2016

VIA HAND DELIVERY

Mr. Glenn Bailey, Zoning Manager
Pinellas County Planning Department
440 Court Street, 3rd Floor
Clearwater, Florida 33756



**Re: McMullen Booth Plan Amendment and Rezoning Applications
Case Z/LU 12-5-16**

Dear Glenn:

On behalf of the property owner, Martin Rosato, and my client, Dr. Michael Pikos, I enclose the amended Plan Amendment and Rezoning Applications for the site located on the east side of McMullen Booth Road and north of Curlew Road. The enclosed applications amend the applications to request a different Plan Category and Zoning District than the original request. The amended request is a Plan Amendment from R/OL Plan Category to I, Institutional Plan Category and a Rezoning from AE Zoning District to the PSP Zoning District. Additionally, my client is requesting the Conditional Overlay to limit the use for the site to medical clinic only and to limit the intensity to an FAR of 0.2.

In addition to the amended applications, I also enclose the advertising fee in the amount of \$350.00 payable to Pinellas County. I understand that this amendment will necessitate the rescheduling of the public hearings to September 8, 2016 for the Local Planning Agency and October 25, 2016 for the Board of County Commissioners.

Please feel free to contact me should you have any questions. Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Cynthia Tarapani". The signature is written in a cursive, flowing style.

Cynthia Tarapani
Vice President, Planning

Enclosures

c: Martin Rosato, w/ encls.
Dr. Michael Pikos, Coastal Jaw Surgery, w/ encls.
John Tarapani, Investment Florida Realty, w/ encls.
File No. 2016-0014-10.06



PLANNING DEPARTMENT



Application for a Zoning and/or Land Use Change or for Consideration of a Development Agreement

for office use only:

CASE NO. _____ FILED: _____ BY: _____

PARCEL ID NO. _____ FILING FEE: \$ _____ FILING DEADLINE: _____

PRC MTG: _____ LPA HEARING: _____ BCC HEARING: _____

Notice to applicant: Please read the following:

To assist you in completing this application and providing sufficient information upon which to base a decision on your request, please read the following:

1. Read the Application and instructions thoroughly; prior to filing this Application, the applicant and/or authorized representative is encouraged to call (727-464-3401) or visit the Zoning Division (located at 440 Court Street, 3rd Floor, downtown Clearwater, FL) to review the application and proposal with staff.
2. All items in the Application must be completed. Additional documents (see item 16 in the application) and a filing fee are required. Checks may be made payable to the Board of County Commissioners. Note that once the application is advertised, filing fees will not be returned. (information on filing fees is online at <http://www.pinellascounty.org/Plan>).
3. The current owner of the property for which the Application is being made must sign the Application. If the owner is a corporation, a corporate officer must sign under the corporate seal. These signatures must be notarized prior to submittal.
4. The applicant is encouraged to file the application well in advance of the filing deadline. Note that Applications received past the deadline will be processed on the next scheduled cycle. Deadlines, hearing schedules, filing fees and other information are available online at <http://www.pinellascounty.org/Plan> or call (727) 464-3401 for more information.
5. The applicant or their authorized representative must be present at the public hearing(s). Failure to appear may result in a denial of the request.

All information and documents required in the application, as well as the filing fee must be submitted at the time of application. Incomplete applications will not be accepted by the Planning Department for processing. Please contact a Zoning Technician at (727) 464-3401 if you need additional assistance or information in order to complete the application.

Thank you!

received
7-14-16

1. Owner: Martin Rosato
Mailing Address: P.O. Box 348
City: Largo State: FL Zip Code: 33779 Daytime Phone: (727) 771-3000
Email: flalandno1@yahoo.com

2. Representative's Name: Cynthia Tarapani, Vice President, Planning
Company Name: Florida Design Consultants, Inc.
Mailing Address: 3030 Starkey Blvd.
City: New Port Richey State: FL Zip Code: 34655 Daytime Phone: (727) 849-7588
Email: ctarapani@fldesign.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.

N/A

Specify interest held: _____

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:

Seller- Martin Rosato

Buyer- Dr. Michael Pikos

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: _____

5. Location of subject property (street address): East side of McMullen Booth Rd & North of Curlew Rd

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



See Attached Exhibit A

7. Size of Property: 409 feet by 214 feet, 2.0 acres

8. Present zoning classification: AE

9. Present Land Use Map designation: ROS

10. Date subject property acquired: April 26, 2014

11. Existing structures and improvements on subject property:

Vacant

12. Proposed structures and improvements will be:

Medical Office Buildings

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).

See Attached Exhibit B

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:

N.A.

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

If so, give complete legal description of contiguous property:



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).

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7-14-16

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 tot 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.

Martin Rosato

***Signature of Owner or Trustee

Date: July 12, 2016

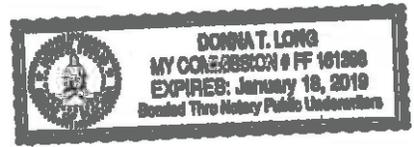
STATE OF FLORIDA, COUNTY OF PINELLAS

Before me this 12 day of July, 20 16

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

Donna T. Long

DONNA T. LONG (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 o the corporation (Please note question #3).

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7-14-10

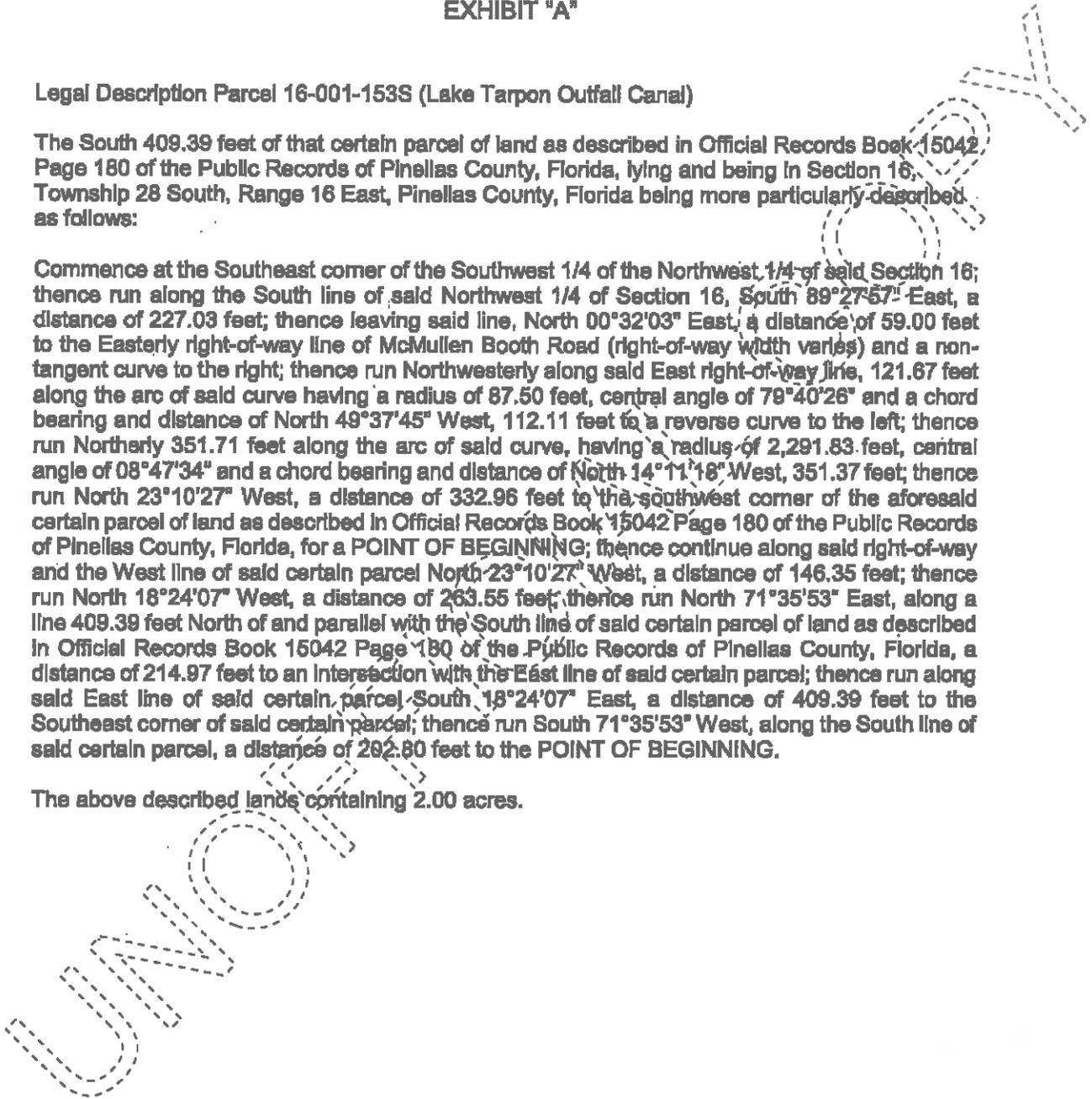
EXHIBIT "A"

Legal Description Parcel 16-001-153S (Lake Tarpon Outfall Canal)

The South 409.39 feet of that certain parcel of land as described in Official Records Book 15042 Page 180 of the Public Records of Pinellas County, Florida, lying and being in Section 16, Township 28 South, Range 16 East, Pinellas County, Florida being more particularly described as follows:

Commence at the Southeast corner of the Southwest 1/4 of the Northwest 1/4 of said Section 16; thence run along the South line of said Northwest 1/4 of Section 16, South 89°27'57" East, a distance of 227.03 feet; thence leaving said line, North 00°32'03" East, a distance of 59.00 feet to the Easterly right-of-way line of McMullen Booth Road (right-of-way width varies) and a non-tangent curve to the right; thence run Northwesterly along said East right-of-way line, 121.67 feet along the arc of said curve having a radius of 87.50 feet, central angle of 79°40'26" and a chord bearing and distance of North 49°37'45" West, 112.11 feet to a reverse curve to the left; thence run Northerly 351.71 feet along the arc of said curve, having a radius of 2,291.83 feet, central angle of 08°47'34" and a chord bearing and distance of North 14°11'18" West, 351.37 feet; thence run North 23°10'27" West, a distance of 332.96 feet to the southwest corner of the aforesaid certain parcel of land as described in Official Records Book 15042 Page 180 of the Public Records of Pinellas County, Florida, for a POINT OF BEGINNING; thence continue along said right-of-way and the West line of said certain parcel North 23°10'27" West, a distance of 146.35 feet; thence run North 18°24'07" West, a distance of 263.55 feet; thence run North 71°35'53" East, along a line 409.39 feet North of and parallel with the South line of said certain parcel of land as described in Official Records Book 15042 Page 180 of the Public Records of Pinellas County, Florida, a distance of 214.97 feet to an intersection with the East line of said certain parcel; thence run along said East line of said certain parcel South 18°24'07" East, a distance of 409.39 feet to the Southeast corner of said certain parcel; thence run South 71°35'53" West, along the South line of said certain parcel, a distance of 292.80 feet to the POINT OF BEGINNING.

The above described lands containing 2.00 acres.



**MCMULLEN BOOTH ROAD
PLAN AMENDMENT & REZONING APPLICATION**



EXHIBIT B

I. INTRODUCTION

Request:

- Plan Amendment from R/OS, Recreation/ Open Space to I, Institutional,
- Rezoning from A-E, Agricultural Estate Residential to P/SP, Public/ Semi-Public, and
- Conditional Overlay to limit the site to medical clinic only and a maximum 0.2 FAR.

The property proposed for a plan amendment and rezoning is located on the east side of McMullen Booth Road and approximately 600 feet north of Curlew Road. This two- acre vacant property was previously owned by Pinellas County who exchanged this property for another parcel owned by Southwest Florida Water Management District (SWFWMD) in April, 2006 (OR Book 15042, Page 0180). In 2014, SWFWMD declared the property surplus and sold it to Martin Rosato, the current property owner (OR Book 18522, Page 0180). Due to the property being owned for many years by these two public entities, the site is designated as R/OS, Recreation/ Open Space on Pinellas County's *Future Land Use Map* and is currently zoned A-E, Agricultural Estate Residential District.

In January, 2016, Mr. Rosato entered into a contract to sell the property to Dr. Michael Pikos so that Dr. Pikos could construct his oral surgery medical practice on this site. Dr. Pikos established Coastal Jaw Surgery in Palm Harbor in 1983 and has become an internationally known oral surgeon who has pioneered new oral surgery techniques. In addition to his oral surgery practice, in 1990, Dr. Pikos created the Pikos Institute to train oral surgeons on advanced surgical techniques and he has trained over 3,100 oral surgeons from all 50 states and 43 countries. Dr. Pikos' office is currently located on the north side of Tampa Road at its intersection with Lake Drive. Due to the growth of his business, Dr. Pikos wishes to construct a new larger office that will accommodate his expanded practice. As with most medical practices, a new office must be located relatively close to the existing office to continue to conveniently serve his patients. The McMullen Booth Road site is ideal for Dr. Pikos' office since it is located proximate to the current office and will provide a smooth transition for his patient base.

Since medical clinics are not allowed in the site's current plan category or zoning district, a plan amendment and rezoning will be necessary to develop. The request is to change the site's plan category from R/OS to I, Institutional, and to rezone from the A-E Zoning District to the P/SP, Public/ Semi-Public Zoning District. Additionally, the Applicant requests the Conditional Overlay to limit the site to medical clinic use only with a maximum FAR of 0.2.

It is recognized that the site is located on McMullen Booth Road, designated as a scenic, non-commercial corridor according to the Pinellas Planning Council (PPC) *Countywide Rules*. The request's compliance with the County's policies on scenic non-commercial corridors are described in **Section III** below.



II. REVIEW CRITERIA

Section 134-339 of the Pinellas County *Land Development Code* establishes the following evidence to be reviewed in evaluating a plan amendment and rezoning application:

“Sec. 134-339 (c) Supporting evidence submitted. All evidence and testimony necessary to support the application shall be presented, including but not limited to the following:

- (1) Existing conditions and uses in the surrounding area.
- (2) Justification for the proposed uses, designations or densities.
- (3) Impacts on surrounding properties and community.
- (4) Impacts on public facilities and services.
- (5) Consistency with the comprehensive plan.
- (6) Impacts on the flood plain and how the impact will be mitigated.”

The following section of this report will demonstrate how the proposed plan amendment and rezoning are consistent with each of the above criteria.

III. ANALYSIS OF THE REQUEST'S CONSISTENCY WITH THE REVIEW CRITERIA

The review criteria are shown below in bold following by the Applicant's response as to how the proposed application complies with each criterion.

(1) **Existing conditions and uses in the surrounding area.**

Response: The site is a rectangular shaped site with approximately 409 feet of frontage on McMullen Booth Road and approximately 214 feet deep. The east border of the site is close to the Lake Tarpon Canal that connects Lake Tarpon to the north with the Safety Harbor waterbody, and ultimately to Old Tampa Bay. To the east of the canal is Oldsmar's Canal Park that fronts on Tampa Road.

All of the remaining properties on the east side of McMullen Booth Road between Tampa Road and Curlew Road in the immediate vicinity of the plan amendment/ rezoning site are owned by public entities. There is a small property immediately north of the plan amendment site that is owned by SWFWMD. The stormwater pond at the northeast corner of McMullen Booth Road and Curlew Road is owned by Florida Department of Transportation. Other than these two parcels, the rest of the property on the east side of McMullen Booth Road is owned by Pinellas County.

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The west side of McMullen Booth Road between Tampa Road and Curlew Road contains a wide variety of urban residential and commercial uses that are typical of this principal arterial and its intersections with two additional major roads, Tampa Road and Curlew Road. Additionally, both Tampa Road and Curlew Road serve as east/ west minor arterials that connect the Palm Harbor area of Pinellas County to Oldsmar and ultimately to Hillsborough County.

The intersection of McMullen Booth Road and Tampa Road contains two shopping centers and an office development with ten buildings at the northeast corner; a bank at the southeast corner; a large multi- story adult congregate facility at the northwest corner; and a five- building office complex and apartment development at the southwest corner. Moving south on McMullen Booth Road along the west side of the road is the Countryside Rehabilitation Center whose sole access is via the Countryside Boulevard off-ramp. The Countryside Palms single family subdivision is located on the south side of Countryside Boulevard, which road is also its sole access. Immediately south of this subdivision are two multifamily developments, Oaks at Countryside and Landmark Oaks, each of which has a driveway on McMullen Booth Road. South of these developments at the northwest corner of McMullen Booth Road and Curlew Road is the site of Curlew Creek Elementary School which does not have access to either of these roads. The sole access to the school is to travel west on Curlew Road from McMullen Booth Road and then turning north on Landmark Boulevard to the school entrance.

At the intersection of McMullen Booth Road and Curlew Road, the southeast corner is developed as a stormwater pond; and the southwest corner is developed with an assisted living facility. Both sites are located within the jurisdiction of the City of Clearwater.

In summary, the west side of this segment of McMullen Booth Road is completely built out with a variety of single family and multifamily residential developments, shopping centers, health care facilities, offices and a school, all of which demonstrates its urban development character. Since all of the property on the east side, except for the subject property, is under public ownership, this plan amendment request is unusual since it will not create additional development pressures along the east side of the road.

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**Table 1
McMullen Booth Plan Amendment & Rezoning Site
Land Use Characteristics of Site and Vicinity**

	Existing Use	Plan Category	Zoning District
Site	<i>Vacant</i>	<i>R/OS (Existing) I (Proposed)</i>	<i>AE (Existing) PSP (Proposed)</i>
North	Vacant, Multifamily & Single Family, Rehabilitation Center, Commercial, Offices,	R/OS, RLM, R/OG, ROR, CG	AE, RPD-7.5, P-1, C-2
South	Vacant, Elementary School, Stormwater Ponds, Assisted living facility	R/OS, Institutional	AE
East	Lake Tarpon Canal, Oldsmar's Canal Park, Multifamily	Water, R/OS, RM	AE Oldsmar Zoning
West	Multifamily, Single Family	RU	RPD-5

The proposed use of the site as a medical clinic will be consistent with the existing residential and commercial uses and will be an asset to the community. Since the site is bordered on the north, south and east with property that is either vacant or used for utility purposes (the SWFWMD site), there will not be any negative impact on adjacent uses. The multifamily residential uses on the west side of McMullen Booth Road are separated from the site by a major road at such a significantly large distance that no negative impacts are anticipated. Additionally, through the Conditional Overlay, the site will be limited to medical clinic only with a low Floor Area Ratio of 0.20 which will result in a low level of development that is not expected to create any negative impacts on the existing uses.

Although McMullen Booth Road is designated as a scenic/ non-commercial corridor, the entire corridor from its origin at State Road 60 north to the Pinellas/ Pasco County line has historically developed with retail, office and hospital uses. Specifically, in the immediate area of the proposed amendment site, there is a major retail and office node located less than ½ mile north of the site at the intersection of McMullen Booth Road and Tampa Road. At the McMullen Booth Road/ Tampa Road intersection, the existing commercial, office and multifamily development is designated with the R/OG, CG and R/O/R plan categories consistent with the development pattern. Less than one mile to the south of the site is a major health care center located on both sides of McMullen Booth Road. This major health care center includes the Mease Countryside Hospital, day surgery centers, medical clinics,



medical testing facilities and other health care support uses and these uses are designated as Institutional on the FLUM.

Within the last ten months, there have been three plan amendments located along McMullen Booth Road approved by Pinellas County for the Institutional Plan Category. It should be noted that Pinellas County's plan category of Institutional is considered to be part of the Public/ Semi-Public Plan category under the new Countywide Rules. For convenience in this report, Pinellas County's plan category of Institutional is referenced in this summary.

- Case Z/LU 34-12-15 is a 2.5 acre parcel located on the west side of McMullen Booth Road approximately 680 feet north of Union Street. On May 10, 2016, the CPA approved the Institutional Plan Category and Institutional Limited Zoning District for the site. The proposed use is for an Assisted Living Facility which was limited through the Conditional Overlay to a maximum of 60 beds.
- Case Z/LU 30-11-15 is a 4.2 acre parcel located at the northeast corner of East Lake Road (McMullen Booth Road) and Foxwood Lane. On March 15, 2016, the CPA approved the Institutional Plan Category and the Institutional Limited Zoning District for the site. The proposed use is for an Assisted Living Facility which was limited through the Conditional Overlay to a maximum of 64 beds with the building height limited to one story/ 30 feet.
- Case Z/LU 11-5-15 is a 2.46 acre parcel located at 721 East Lake Road (McMullen Booth Road), on the east side of East Lake Road and south of Forelock Road. On October 6, 2015, the CPA approved the Institutional Plan Category and Institutional Limited Zoning District for the site. The proposed use is for an Assisted Living Facility which also received a variance to reduce the required amount of parking and a variance to the separation requirement to reduce the distance from an existing Assisted Living Facility.

It should be noted that the Institutional Plan category has two zoning districts that are consistent: the Institutional Limited district and the Public/Semi-Public district. The Institutional Limited district does not allow a medical clinic; however, the Public/Semi-Public district does allow medical clinic. Therefore, the Applicant has requested the Institutional Plan category and the Public/ Semi-Public Zoning district to allow medical clinic on the site.

These three cases demonstrate that the Institutional Plan category has recently been approved on the McMullen Booth Road scenic non-commercial corridor at limited site sizes with the Conditional Overlay tool used to further refine the allowable use and intensity. The Applicant's plan amendment requests the same Plan Category as the three recently approved requests with similarly sized sites and using the Conditional Overlay to limit the land use and development potential of the site.



(2) Justification for the proposed uses, designations or densities.

Response: The current Recreation/ Open Space (R/OS) plan category is not suitable for this site for several reasons. First, the ownership of the site has changed from a public entity to a private citizen and the currently allowable recreational uses are not viable as a private development. Secondly, the primary uses in the current R/OS category of public/ private open space or park, public recreation facility, public beach or golf course are not suitable for this site due to its small size and lack of amenities to attract people to the site as a park or recreational facility. Additionally, the County's decision in 2006 to exchange this property with SWFWMD indicates that the County does not intend to use the property for a recreational or open space use.

The requested Institutional Plan category and the Public/Semi- Public Zoning (PSP) district are very limited districts which are further limited by the Applicant's request for the Conditional Overlay. The Applicant has agreed to further limit the development of this site to use as solely a medical clinic and to limit the maximum development potential to a 0.2 FAR. The effect of these requests will result in a significant reduction in the allowable uses and development potential from the 0.65 FAR allowed in the Public/ Semi-Public district.

(3) Impacts on surrounding properties and community.

Response: The proposed medical clinic is not expected to create any negative impacts on surrounding properties and the community as described in detail in the Response to Criterion No. 1 above, beginning on Page 2.

(4) Impacts on public facilities and services.

Response: Please see the detailed analysis of the project's impact on and compliance with public facilities and services in the analysis of the *Future Land Use and Quality Communities Element*, beginning on Page 8.

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(5) Consistency with the *Comprehensive Plan*.

Response: Based on the analysis described below, this request is consistent with the following Goals, Objectives and Policies of the Pinellas County *Comprehensive Plan*.

PLANNING TO STAY ELEMENT

Sustain a Quality Urban Community and Promote Strong Neighborhoods and Diverse Housing Opportunities

Principle 5: Pinellas County recognizes that successful neighborhoods are central to the quality of life in Pinellas County. Therefore, redevelopment and urban infill should not compromise the integrity and viability of existing residential neighborhoods.

Analysis: The proposed Institutional plan category and PSP zoning district are very limited in both the type of allowable uses and the intensity of use. Additionally, the Applicant has agreed to further limit the site to solely medical clinic use and a maximum FAR of 0.2. Both the characteristics of the proposed medical clinic and the very low intensity of the development will ensure that it is compatible with the existing multifamily developments on the west side of McMullen Booth Road. The proposed medical clinic will also positively contribute to the mixed use area by providing a medical clinic conveniently located for the community.

Maintain a Competitive Edge by Promoting a Sustainable Economy

Principle 2: Achieving a sustainable community and the quality of life desired by the County's citizens is dependent upon continued growth in both the size and quality of the local economy. In order to attain this level of economic growth, Pinellas County will take steps to retain and recruit clean and green industries and businesses that provide high-wage jobs that bring money into the local economy from outside the County.

Analysis: The proposed plan amendment and rezoning will allow an established periodontist to expand his business and remain in Pinellas County serving its citizens. Additionally, the proposed medical business employs dentists, periodontists and professional support staff whose wages reflect their high level of education, training and expertise. The approval of this plan amendment and rezoning is consistent with the County's principle to continue to grow its local economy.

FUTURE LAND USE AND QUALITY COMMUNITIES ELEMENT

Received
7/14/16

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 1.2.4: 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.

Analysis: This plan amendment and rezoning request represents an urban infill project and due to the low scale of the Institutional Plan category and the PSP Zoning district as well as the significant separation of this use from residential uses, the development will be consistent and compatible with the residential and commercial development along this segment of McMullen Booth Road.

Objective 1.10: The scenic/ non-commercial corridor policies adopted in the Comprehensive Plan shall continue to be enforced to preserve the scenic/non-commercial designations approved by resolution by the Board of County Commissioners for specific transportation corridors, and to protect their traffic carrying capacity.

Policy 1.10.1: Land uses along designated scenic/ non-commercial corridors shall be managed to protect the traffic carrying capacity and the scenic nature of these developments.

Analysis: McMullen Booth Road is currently operating at Level of Service (LOS) C which is better than the County's adopted LOS D. The medical clinic proposed on this site will be restricted to a maximum FAR of 0.20. The trip generation for the site has been estimated by two methods: **Table 2** calculates the trips based on the ITE Handbook; **Table 3** calculated the trips based on the *Countywide Rules*.



Table 2
McMullen Booth Plan Amendment & Rezoning Site
ITE Handbook- Estimated Trip Generation

Use	ITE Code	Weekday Trip Rate	ADT	% of Current McMullen Booth Rd. Trips
Existing Recreational/ Open Space				
• Tennis Courts (assumes 4 courts)	490	31.04/ court	124 trips	0.2%
• Racquet/ Tennis Club (assumes 4,000 sf)	491	14.03/ 1,000 sf	56 trips	0.1%
• Health/ Fitness Club (assumes 8,000 sf)	492	32.93/ 1,000 sf	263 trips	0.4%
Proposed Use- Medical Clinic	720	36.13/ 1,000 sf	289 trips	0.5%

Table 2 Notes:

1. The Trip generation rates are based on *Trip Generation*, an ITE Informational Report, 8th Edition.
2. The Table reflects Recreational uses that will fit on the site and for which ADT rates are available in *Trip Generation*. It should be noted that use of the weekday trip rate most likely underestimates the amount of traffic to be generated since the peak period for these uses will be the weekend.
3. The proposed medical clinic is assumed to be 8,000 square feet.
4. The current AADT for the segment of McMullen Booth adjacent to the site is 55,500 trips (Source: *Year 2040 Long Range Transportation Plan Traffic Forecast and Level of Service Analysis of Pinellas County*, Prepared by Pinellas Metropolitan Planning Organization, December, 2015).

Table 3
McMullen Booth Plan Amendment & Rezoning Site
Countywide Rules- Estimated Trip Generation

Plan Category	Trip Rate	ADT	% of Current Trips
Existing Recreational/ Open Space Plan Category	3 trips/ acre	6 trips	≤ 0.1%
Proposed I Plan Category (PSP in Countywide Rules)	173 trips/ acre	346 trips	0.6%
Difference- <u>Increase</u> or (Decrease)		<u>340 trips</u>	<u>0.6%</u>

Table 3 Notes:

1. The Trip generation for both existing and proposed plan categories is based on the two acre size of the site.
2. The current AADT for the segment of McMullen Booth adjacent to the site is 55,500 trips (Source: *Year 2040 Long Range Transportation Plan Traffic Forecast and Level of Service Analysis of Pinellas County*, Prepared by Pinellas Metropolitan Planning Organization, December, 2015).

In both methods of analysis outlined above, the proposed project will generate new trips that are less than 1% of the current volume of McMullen Booth Road. It should also be noted that the MPO's LOS Analysis states that the V/C Ratio, (Volume to Capacity Ratio) for McMullen Booth Road is 0.513, meaning that the road is operating at 51% of its capacity with a substantial amount of available capacity. Due to the extremely small number of new trips from the project and the currently available capacity on McMullen Booth Road, the proposed plan amendment will protect the travel carrying capacity of McMullen Booth Road and the road is expected to remain at a LOS C.

It is recognized that due to the site's location on McMullen Booth Road, additional landscaping will be required along the road frontage consistent with the County's *LDC*. The Applicant will demonstrate compliance with this landscaping requirement at the time of site plan review.

Goal Four: Pinellas County shall work toward a land use pattern that can be supported by the available community and public facilities that would be required to serve that development.

Objective 4.1: The Pinellas County Concurrency Management System will insure the compatibility of all proposed development with the capacities of the existing and planned support facilities for which a level of service standard has been adopted in this plan.

Policy 4.1.1: The Concurrency Management System will ensure proposed development to be considered for approval shall be in conformance with existing and planned support facilities and that such facilities and services be available, at the adopted level of service standards, concurrent with the impacts of development.

Objective 4.2: The Concurrency Management System, applicable policies within the Pinellas County Comprehensive Plan, and the standards and the locational and use characteristics as set out in the Future Land Use Category Descriptions and rules of the Future Land Use and Quality Communities Element comprise the County's program in which development shall be coordinated with the availability of public and private utilities.

Policy 4.2.1: Land use location and intensity shall be accurately defined and monitored through the concurrency Management System, the Future Land Use and Quality Communities Element, including Policy 1.2.1, to ensure coordination with the availability of facilities and services.

Policy 4.2.2: Pinellas County's Land Development Regulations shall require developers to submit their proposed development plans to the affected public utilities, who will in turn submit to the County, prior to the County's issuance of development orders or building permits, a statement of their ability to serve the proposed development.

Objective 4.4: The Pinellas County Concurrency Management System shall insure that building permits and development orders for development of regional impact are not authorized unless the needed support facilities and services are available or such authorization is conditioned on the availability of the facilities and services necessary to serve that development at the time it is needed.

Policy 4.4.1: Pinellas County's Concurrency Management System shall include, as a minimum, level of service standards for roadways, potable water, sanitary sewer, solid waste, drainage and recreation and open space.

Analysis: Pinellas County maintains concurrency requirements for the following seven services: Roadways, Potable Water, Wastewater, Solid Waste, Stormwater, Recreation and Mass Transit. With regard to roadways, as described in detail in the Response to *Future Land Use and Quality Communities Element* Objective 1.10 and Policy 1.10.1 immediately above, the adopted LOS for McMullen Booth Road is C Average Daily. The current LOS for this road is C and will remain at C including the project's traffic. Therefore, the proposed amendment is consistent with this Goal, Objectives and Policies regarding Road Concurrency.

According to Ordinance 15-15, adopted by the Board of County Commissioners on March 24, 2015, the level of service for Potable Water, Wastewater, Solid Waste, Recreation and Mass Transit are at an acceptable level. With regard to Stormwater, concurrency is determined for each site at time of site plan review. It is recognized that the proposed plan amendment site must demonstrate this compliance at that time.

Therefore, in summary, the proposed plan amendment is consistent with this Goal, Objectives and Policies and the proposed plan amendment is concurrent for all services.

TRANSPORTATION ELEMENT

GOAL ONE: Provide for a safe, convenient, and energy efficient multimodal transportation system that serves to increase mobility, reduce the incidence of single-occupant vehicles, protect roadway capacity, reduce the contribution to air pollution from motorized vehicles and improve the quality of life for the citizens of Pinellas County.

Objective 1.1: All county and State roadways within Pinellas County, not including those identified in the Concurrency Management System as concurrency corridors (e.g., long term concurrency management, constrained and congestion containment corridors) shall operate at level of service C average daily/ D peak hour and a volume- to-capacity ratio of less than 0.9. Florida Intrastate Highway System (FIHS) facilities, with the exception of US Highway 19 for an interim period described in Policy 1.1.7 and roads funded through the Transportation Regional Incentive Program (TRIP) shall operate at a level of service that is consistent with Rule 14-94, F.A.C.

Policy 1.1.3: Pinellas County shall minimize the impacts of development on concurrency and management corridors through the implementation of land development restrictions and transportation management plan (TMP) strategies through the application of the Concurrency Management System.

Analysis: It is recognized that the County will review the project's access point on McMullen Booth Road during the site plan review process. It is also recognized that even though the adjacent roadway operates at an acceptable LOS C, the site is located within ½ mile of a constrained corridor, East Lake Road at Woodlands Parkway and, therefore, a Transportation Management Plan (TMP) will be established for the project to develop at the 0.20 FAR. The Applicant is committed to working with Pinellas County to develop an acceptable Transportation Management Plan during the site plan review process. Therefore, based on compliance with the TMP process, the proposed amendment is consistent with this Goal, Objective and Policy.

Objective 1.3: The Transportation Element shall be coordinated with the goals, objectives and policies of the Future Land Use and Quality Communities Element in guiding population distribution, economic growth, and the overall pattern of urban development.

Policy 1.3.1: Pinellas County shall coordinate decisions on Future Land Use Map (FLUM) amendments with the need to protect the traffic carrying capacity of roads designated as concurrency management corridors in the Concurrency Test Statement.

Analysis: The proposed amendment will continue to protect the traffic carrying capacity of McMullen Booth due to the small number of new trips and with development of a TMP. Please also see the detailed traffic analysis in the *Future Land Use and Quality Communities Element*, Response to Goal One, Objective 1.10 and Policy 1.10.1, beginning on Page 8.

received
7.14.16

RECREATION, OPEN SPACE & CULTURE ELEMENT

Goal One: To administer outstanding countywide recreational, open space and environmental systems that provide, through acquisition, development and maintenance, sufficient resource-based regional parks and environmental lands that are environmentally sustainable, foster environmental stewardship, and enhance the County's economic vitality and the quality of life for residents and visitors.

Objective 1.1: Pinellas County shall continue to provide a system of regional resource-based County parks and environmental lands to adequately meet the needs of Pinellas county residents through the Year 2025.

Policy 1.1.1: Pinellas County shall maintain a minimum level of service standard of 14.0 acres of parks and environmental lands, in combination, for every 1,000 residents within the County through the Year 2025.

Analysis: According to this Element, the proposed plan amendment site is not a part of the County's regional resource-based parks or environmental lands. Additionally, in 2006, with the sale of this property to SWFWMD, the County determined that the site is not necessary to meet the recreational needs of the County. Therefore, this plan amendment will not have any effect on the County's ability to continue to provide regional resource-based parks and environmental lands and the amendment is consistent with this Goal, Objective and Policy.

Objective 1.5: In recognition of the limited amount of available open space remaining within the county, Pinellas County shall prohibit the conversion of dedicated recreation/ open space land uses, and encourage the retention of non-dedicated recreation/ open space land uses.

Policy 1.5.1: By December 2012, Pinellas County will evaluate whether additional policies, regulations, and/or incentives are required to support the retention of recreation/ open space land use designations on golf course properties, small parks and other similarly designated privately-owned open space properties.

Analysis: With the exchange of this land in 2006 to SWFWMD, the County determined that this site is not part of the County's dedicated recreation/ open space land uses. Further, the site is not identified in this Element as contributing to any of the County's recreation facilities. The site's small size, lack of waterfront access and little to no recreational attractiveness reveals that the site has none of the characteristics generally associated with a valuable and useful recreational site. Therefore, the proposed plan amendment is consistent with this Goal, Objective and Policy.

POTABLE WATER SUPPLY, WASTEWATER & REUSE ELEMENT



Goal One: High quality and affordable potable water will be available to meet the existing and projected demands of Pinellas County utility customers.

Objective 1.1: Pinellas County shall continue to cooperate on a regional level to ensure that adequate and dependable supplies of potable water are available to meet existing and projected potable water demands, and shall coordinate the issuance of building permits and development orders with the availability of potable water. Policies 1.1.1 through 1.1.4 represent the adopted level of services standards for potable water systems serving Pinellas County.

Policy 1.1.6: Pinellas County will continue to utilize its Concurrency Management System and Groundwater Protection program as one means of linking land and water management, and assuring the availability and reliability of the potable water resource.

Analysis: As described in the *Future Land Use and Quality Communities Element*, Response to Goal 4, Objectives 4.1, 4.2, 4.4 and Policies 4.1.1, 4.2.2 and 4.4.1, there is available capacity of Potable Water to serve the site; and, therefore, this amendment is consistent with this Goal, Objective and Policy. Additionally, there is an existing water line in the McMullen Booth Road right-of-way available to serve the project. Please see the detailed Response beginning on Page 10 above.

Goal Two: Wastewater collection, treatment, reuse and disposal facilities are available to safely meet existing and future demands, in a manner that contributes to water conservation, and does not degrade the surrounding natural environment.

Objective 2.1: Pinellas County Utilities (PCU) shall provide the levels of service necessary for proper wastewater treatment, reuse and disposal in order to ensure the protection of its citizens and the environment and to provide adequate wastewater treatment capacity for all current and projected wastewater facility demands of Pinellas County Utility customers.

Policy 2.1.1: Wastewater flows associated with existing and permitted development cannot exceed the wastewater treatment plant's permitted design capacity.

Policy 2.1.3: Pinellas County will, for concurrency management purposes, annually compare wastewater flows to permitted treatment capacity to determine the percentage of available capacity and assess whether permitted treatment capacity exceeds the needs of existing and committed development. If available treatment capacity meets this standard development can be permitted.



Analysis: As described in the *Future Land Use and Quality Communities Element*, Response to Goal 4, Objectives 4.1, 4.2, 4.4 and Policies 4.1.1, 4.2.2 and 4.4.1, there is available capacity of Wastewater to serve the site; and, therefore, this amendment is consistent with this Goal, Objective and Policy. Additionally, there is an existing wastewater line in the McMullen Booth Road right-of-way available to serve the project. Please see the detailed Response beginning on Page 10 above.

SOLID WASTE AND RESOURCE RECOVERY ELEMENT

Goal Three: Regulate in the most economically feasible, cost-effective, and environmentally safe manner, the processing, source reduction, recycling and disposal of solid and hazardous waste in order to protect the public health and safety.

Objective 3.2: The County shall establish a level of service standard for disposal of refuse countywide.

Policy 3.2.1: the level of service standard shall be to dispose of 1.30 tons per person per year.

Analysis: As described in the *Future Land Use and Quality Communities Element*, Response to Goal 4, Objectives 4.1, 4.2, 4.4 and Policies 4.1.1, 4.2.2 and 4.4.1, there is available capacity of Solid Waste to serve the site; and, therefore, the proposed amendment is consistent with this Goal, Objective and Policy. Please see the detailed Response beginning on Page 10 above.

ECONOMIC ELEMENT

Goal One: To facilitate a strong and robust local economy that provides growth opportunities for existing businesses, attracts new high-wage primary employers and promotes a diverse range of industries through innovative, sustainable methods that, in a responsible manner, enhance the County's vitality and the quality of life for residents and visitors.

Objective 1.1: To strengthen the local economy by attracting 50,000 new high-wage primary jobs to Pinellas County by 2030.

Policy 1.1.1: Pinellas County will continue to actively recruit identified Target Industry businesses.

Policy 1.1.2: Particular emphasis will be placed on attracting and retaining businesses that specialize in innovation, research and development, as such organizations often serve as catalysts for creating new high-wage spin-off companies, and attracting complementary industries.



Objective 1.4: To achieve a business climate that promotes and supports local business retention, expansion and diversity.

Policy 1.4.2: Pinellas County will support and encourage a diversified local economy that is less susceptible to economic downturns and the fluctuations of a particular industry.

Policy 1.4.3: Pinellas County will encourage exports to outside of Pinellas County and internationally.

Analysis: The proposed amendment will allow an existing periodontist business to expand and remain in Pinellas County, thus contributing to the strengthening of the local economy. Additionally, the proposed business can be considered as one of the Target Industry Businesses in the sector of Life Sciences/ Medical Technologies since the business has developed advanced surgical procedures and computer guided surgery for periodontal issues. The Applicant, Dr. Michael Pikos, has pioneered computer guided surgery and has been teaching advance surgical procedures to other implant dentists from all 50 states and 43 countries since 1990. Therefore, the proposed amendment will allow the retention and expansion of a business that will continue to positively contribute to the community and is consistent with this Goal, Objectives and Policies.

(6) Impacts on the flood plain and how the impact will be mitigated.

Response: The site is not located within a flood zone or within the flood plain and therefore, no impacts are expected. However, the applicant is aware that the Lake Tarpon Canal in close proximity to the site is within the flood plain. The design of the site will comply with the applicable County regulations regarding the flood plain when construction plans are developed.



IV. SUMMARY

Based on the analysis provided, the proposed plan amendment and rezoning application should be approved for the following reasons:

1. There is no viable marketable recreational use for this site under the current R/OS plan category due to the site's small size, location and lack of recreational attractiveness.
2. The County's exchange of this property with SWFWMD in 2006 confirms that the site is not part of the County's recreational system and is not needed to meet the recreational needs of the County.
3. The proposed use as a medical clinic in the proposed Institutional plan category and PSP Zoning district is consistent with the existing mixed use corridor in the vicinity of the site.
4. The proposed use as a low scale medical clinic use is compatible with the existing multifamily residential development to the west due to the large distance separating these two uses and the low intensity allowed by the requested plan category and zoning district.
5. McMullen Booth Road is a designated scenic non-commercial corridor and historically, there has been a development pattern of retail, office, medical and institutional uses along this roadway. The proposed Institutional Plan Category (called Public/Semi-Public category in the Countywide Rules) is consistent with the Scenic Non-Commercial Corridor provisions of the Countywide Rules.
6. Pinellas County's recent approval of three plan amendments for Institutional on McMullen Booth Road demonstrate that the Institutional category is consistent at limited site sizes and the Applicant requests the same Institutional Plan category as has recently been approved.
7. The analysis for this proposed plan amendment and rezoning has demonstrated that the proposed use will generate trips that are less than 1% of the current McMullen Booth Road volume which is operating at LOS C both before and after the plan amendment.
8. This analysis has documented that the proposed plan amendment and rezoning are consistent with the review criteria listed in Section 134-339 of the Pinellas County *Land Development Code*.

ANCLOTE TITLE SERVICES, INC
38868 US Highway 19 North
Tarpon Springs, Florida 34689
Phone 727-934-5453 Fax 727-934-8862

received
7-14-10

March 18, 2016

Pinellas County Board of County Commissioners

Re: Our File No.: 16-192

Property Address: 0 McMullen Booth Rd., Oldsmar, Florida 34677

Parcel Number: 16-28-16-00000-240-0140

Dear Sir / Madam:

Please find the copy of the latest deed to the above referenced property. This letter is to state that the current owner of the subject property is Martin Rosato.

If further information is required please advise.

Sincerely,



Julie T. Holt
President



Prepared by and return to:
Southwest Florida Water Management District
2379 Broad Street
Brooksville, FL 34602

SWF Parcel No. 16-001-153S

QUIT CLAIM DEED

This Indenture, made this 26th day of August, 2014, by and between the Southwest Florida Water Management District, a public corporation, having an address of 2379 Broad Street, Brooksville, Florida 34604-8899, hereinafter called "the Grantor" and Martin Rosato, an individual, having an address of P.O. Box 348, Largo, Florida 33779, hereinafter called "the Grantee".

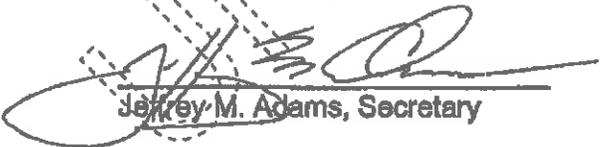
Witnesseth, that the Grantor, for and in consideration of ten dollars and no cents (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, by these presents does remise, release and quitclaim to the Grantee and its successors and assigns forever all the right, title, interest, claim and demand which the Grantor has in and to the following real property lying and being in the County of Pinellas County, State of Florida, and described in Exhibit "A" attached hereto and incorporated herein by reference.

Together with all the tenements, hereditaments and appurtenances thereto belonging or anywise appertaining.

In Witness Whereof, the Grantor has caused these presents to be executed the date and year first above written.

Attest:

Southwest Florida Water
Management District


Jeffrey M. Adams, Secretary


Michael A. Babb, Chair

(Seal)

received
8-14-14

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 24 day of August, 2014, by Michael A. Babb and Jeffrey M. Adams of the Southwest Florida Water Management District. They are personally known to me.

Cara S. Martin
Notary Public

Cara S. Martin
(Name of Notary typed, printed or stamped)
Commission No. FF 019823
My Commission Expires: May 1, 2017



UNOFFICIAL

APPROVED BY:	INITIALS	DATE
Attorney	<u>CMF</u>	<u>8/1/14</u>
Real Estate Manager	<u>[Signature]</u>	<u>8/21/14</u>
OPS Bureau Chief	<u>[Signature]</u>	<u>8/1/14</u>
Division Director	<u>[Signature]</u>	<u>8/21/14</u>

received
7/14/10

EXHIBIT "A"

Legal Description Parcel 16-001-153S (Lake Tarpon Outfall Canal)

The South 409.39 feet of that certain parcel of land as described in Official Records Book 15042 Page 180 of the Public Records of Pinellas County, Florida, lying and being in Section 16, Township 28 South, Range 16 East, Pinellas County, Florida being more particularly described as follows:

Commence at the Southeast corner of the Southwest 1/4 of the Northwest 1/4 of said Section 16; thence run along the South line of said Northwest 1/4 of Section 16, South 89°27'57" East, a distance of 227.03 feet; thence leaving said line, North 00°32'03" East, a distance of 59.00 feet to the Easterly right-of-way line of McMullen Booth Road (right-of-way width varies) and a non-tangent curve to the right; thence run Northwesterly along said East right-of-way line, 121.67 feet along the arc of said curve having a radius of 87.50 feet, central angle of 79°40'26" and a chord bearing and distance of North 49°37'45" West, 112.11 feet to a reverse curve to the left; thence run Northerly 351.71 feet along the arc of said curve, having a radius of 2,291.83 feet, central angle of 08°47'34" and a chord bearing and distance of North 14°11'18" West, 351.37 feet; thence run North 23°10'27" West, a distance of 332.96 feet to the southwest corner of the aforesaid certain parcel of land as described in Official Records Book 15042 Page 180 of the Public Records of Pinellas County, Florida, for a POINT OF BEGINNING; thence continue along said right-of-way and the West line of said certain parcel North 23°10'27" West, a distance of 146.35 feet; thence run North 18°24'07" West, a distance of 263.55 feet; thence run North 71°35'53" East, along a line 409.39 feet North of and parallel with the South line of said certain parcel of land as described in Official Records Book 15042 Page 180 of the Public Records of Pinellas County, Florida, a distance of 214.97 feet to an intersection with the East line of said certain parcel; thence run along said East line of said certain parcel South 18°24'07" East, a distance of 409.39 feet to the Southeast corner of said certain parcel; thence run South 71°35'53" West, along the South line of said certain parcel, a distance of 292.80 feet to the POINT OF BEGINNING.

The above described lands containing 2.00 acres.

UNNOTED

CASE SUMMARY
CASE NO. CU-17-7-16
(Quasi-Judicial)

PRC MEETING: August 8, 2016 @ 10:00 AM-1st Floor, Planning Conf Room

LPA HEARING: September 15, 2016 @ 9:00 AM-5th Floor, Board Assembly Room

BCC HEARING: October 25, 2016 @ 6:00 PM-5th Floor, Board Assembly Room

APPLICANT'S NAME: Renee' Letosky- Smith (Briggs)

REQUEST: A modification of an existing conditional use to allow for the day care, training, grooming and overnight boarding of up to 100 dogs and to allow for the boarding of up to three horses on a property without a primary residential use. A variance to allow an existing 6-foot high fence to remain with a 0-foot front setback where 50 feet is required in an A-E zone and a variance to allow for the construction of a 48 square foot sign where a maximum 24 square foot sign is permitted in a residential district.

CASE DESCRIPTION: Approximately 1.3 acres located at 2845 Belcher Road in the unincorporated area of Dunedin. (30/28/16/07254/000/3600). A legal description is available in file upon request.

APPLICANT/ADDRESS: Renee' Letosky- Smith (Briggs)
2845 Belcher Road
Dunedin, FL 34698

REP/ADDRESS: Housh Ghovae, CEO
Northside Engineering
300 South Belcher Road
Clearwater, FL 33765

NOTICES SENT TO: Renee' Letosky- Smith (Briggs), Housh Ghovae, Mike Meidel-Economic Development Council, DOT, Clint Herbic-Pinellas County School Board, BCC Office & Surrounding Owners

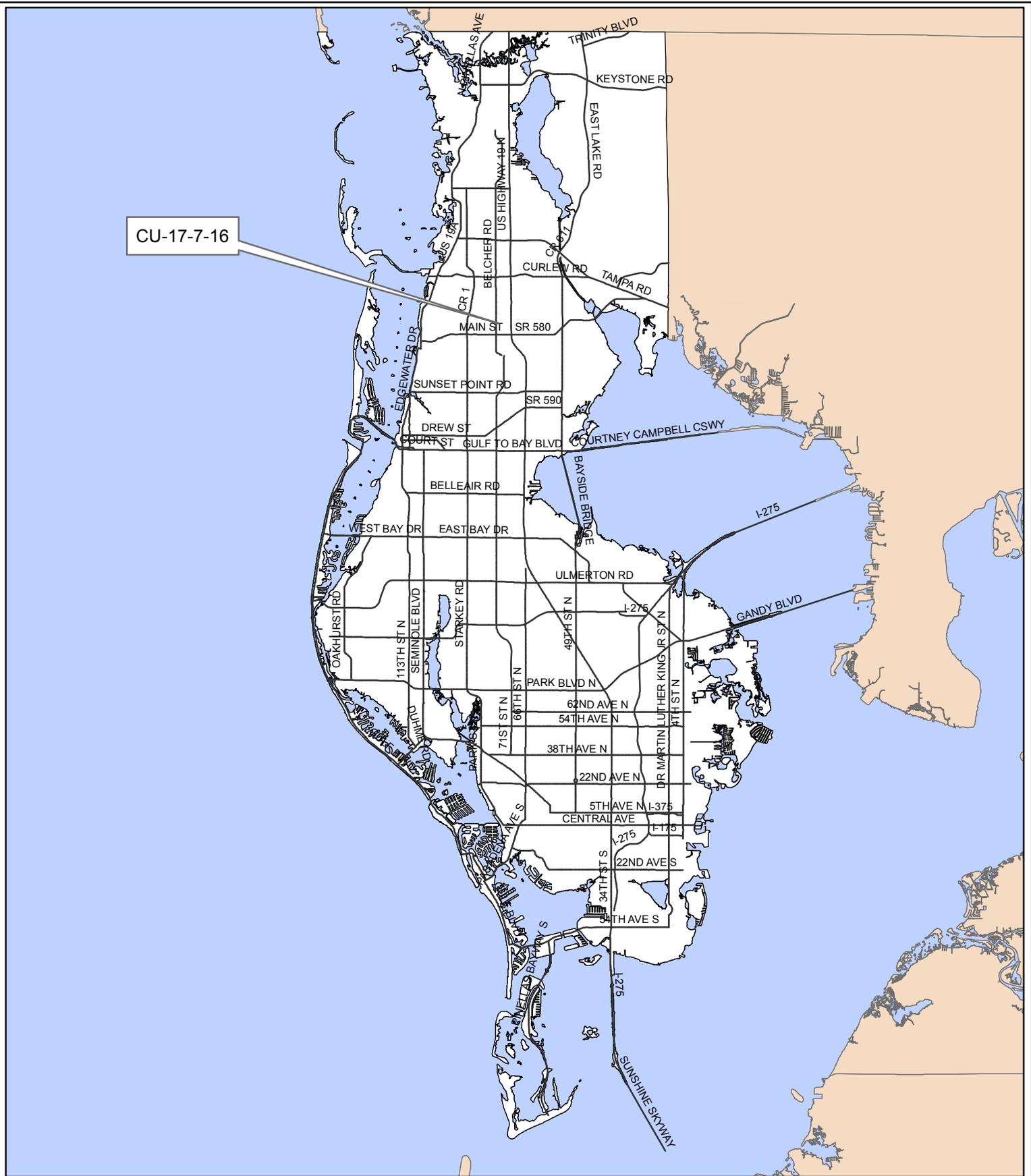
EXISTING USE: Kennel and the boarding of two horses

PROPOSED USE: Expanded Kennel and the boarding of three horses

LAND USE: Residential Low Medium

ZONING: A-E
Revised 7/22/16

Z16-000011



LOCATION MAP

CU-17-7-16

A modification of an existing conditional use to allow for the day care, training, grooming and overnight boarding of up to 100 dogs and to allow for the boarding of three horses on a property without a primary residential use. A variance to an existing 6-foot high fence to remain with a 0-foot front setback where 50 feet is required in an A-E zone and a variance to allow for the construction of a 48 square foot sign where a maximum 24 square foot sign is permitted in a residential district.

30/28/16/07254/000/3600

Prepared by: Pinellas County Planning Department



Date: 7/22/2016



1 inch = 4.5 miles



AERIAL MAP

CU-17-7-16

A modification of an existing conditional use to allow for the day care, training, grooming and overnight boarding of up to 100 dogs and to allow for the boarding of three horses on a property without a primary residential use. A variance to an existing 6-foot high fence to remain with a 0-foot front setback where 50 feet is required in an A-E zone and a variance to allow for the construction of a 48 square foot sign where a maximum 24 square foot sign is permitted in a residential district.

30/28/16/07254/000/3600

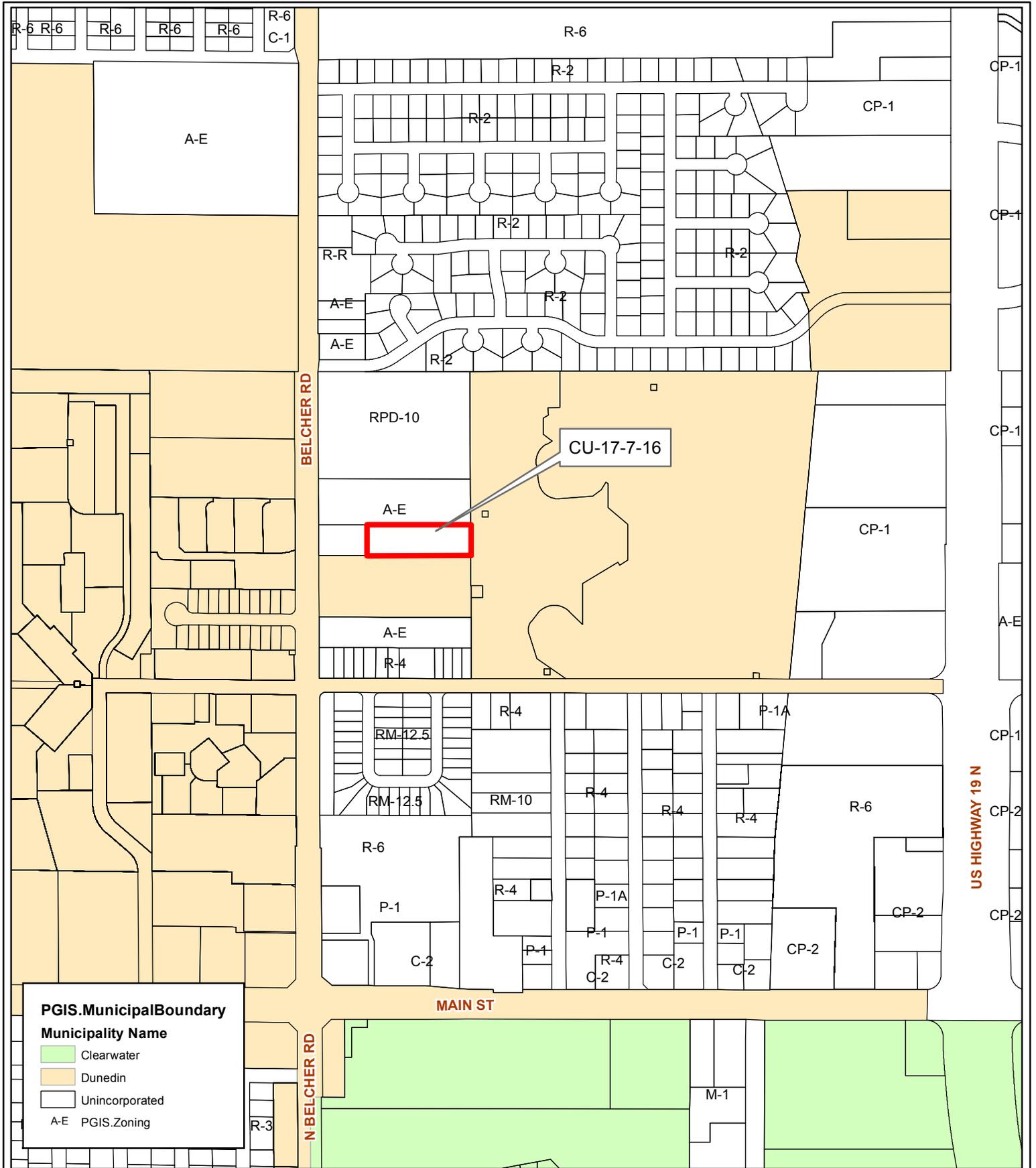
Prepared by: Pinellas County Planning Department



Date: 7/25/2016



1 inch = 0.1 miles



PGIS.MunicipalBoundary
Municipality Name
 Clearwater
 Dunedin
 Unincorporated
 A-E PGIS.Zoning

MUNICIPAL MAP
CU-17-7-16

A modification of an existing conditional use to allow for the day care, training, grooming and overnight boarding of up to 100 dogs and to allow for the boarding of three horses on a property without a primary residential use. A variance to an existing 6-foot high fence to remain with a 0-foot front setback where 50 feet is required in an A-E zone and a variance to allow for the construction of a 48 square foot sign where a maximum 24 square foot sign is permitted in a residential district.

30/28/16/07254/000/3600

Prepared by: Pinellas County Planning Department



Date: 7/25/2016



1 inch = 0.1 miles

1. Owner: Renee' Briggs (Renee' Letosky-Smith)

Mailing Address: 2845 Belcher Road

City: Dunedin State: Florida Zip Code: 34698 Telephone No: (727) 421 - 5541

Email:ppldr@verizon.net

2. Representative's Name: Housh Ghovae CEO

Company Name: Northside Engineering, Inc.

Mailing Address: 300 South Belcher Road

City: Clearwater State: Florida Zip Code: 33765 Daytime Phone: (727)443 – 2869

Fax No: 727-446-8036 Email: housh@northsideengineering.net

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.

N/A

Specify interest held: Renee' Briggs, Owner (Renee' Letosky-Smith)

B. Is there an existing contract for sale of subject property: ----- Yes ---**X**-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 ---**X**-No

If so, list names of all parties to option including all partners, corporate officers and members of any trust:

4. This Conditional Use is being requested to consider: : Variance

To allow the following: Conditional use modification for 100 dog Kennel, boarding, grooming daycare and boarding for 3 horses without primary residence. Illuminatate signage at entrance 48 sf, with fencing 6 feet at property also Dog Carton at Mail Box. See Exhibit "B".

5. Location of subject property (street address): 2845 Belcher Road Dunedin, Florida 34698

6. Legal Description of Property: See Site Plan

7. Size of Property: 130 feet by 440' feet, 1.32 acres
8. Present zoning classification: AE
9. Present Land Use Map designation: RLM
10. Date subject property acquired: 08.20.03
11. Existing structures and improvements on subject property: Existing Building for Dog Day Care, Boarding and Grooming, Agility Training with Parking and Pond.
12. Proposed structures and improvements will be: Dog Day Care, Grooming and boarding, the owner also has 3 horses.
13. I/We believe this application should be granted because (include in your statement the reasons why the request meets or exceeds the General Standards of Section 138-269 1 - 7) (Attach a separate sheet if necessary).

Please See Attached Exhibit "A"

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:

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) A detailed plot plan drawn to scale showing the location and dimensions of all existing and proposed structures, setbacks from all property lines, signs, provisions for off-street parking, and a detailed statement of use. Ten (10) copies shall be required if the plan is larger than 11 inches by 17 inches.
 - d) Metes and Bounds parcels shall require a survey.
 - e) Additional information may be required by Staff, such as, but not limited to, verification of adequate access to the subject area, documentation that the mandatory rules regarding transferable development rights or density/intensity averaging are being adhered to and compliance with Airport zoning regulations, etc.

CERTIFICATION

I hereby certify that I am the owner and record title holder or trustee of the property described herein; 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 owner 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; that the burden is on the undersigned to provide substantial and competent evidence to show that relevant criteria is met prior to any approval being granted; 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. I further understand that any misrepresentation of the facts contained herein may render action on this request by Pinellas County to be null and void.

The issuance of a Flood Variance to construct a structure below the base flood level will result in an increase in insurance coverage premiums as well as increase risk to life and property. This information is provided to insure your awareness of the potential cost factors involved prior to your investment of time and money. It is suggested you contact your insurance agent to determine the effects a variance to the flood elevation requirements might have on flood insurance premiums.

Renee L. Hootky

Signature of Owner or Trustee

*(See note below)

Date: 5/25/2016

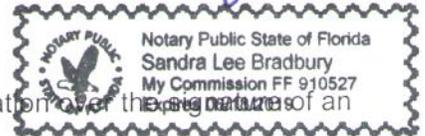
STATE OF FLORIDA; COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this 25 day of May,

20 16 by Renee (Biggs) Hootky-Smith who is known to me or has produced Drivers License as identification and who did (did not) take an oath. L322-132-68-770-0

Sandra Lee Bradbury

Notary Public (seal)



*Applications which are filed by corporations must bear the seal of the corporation or the signature of an officer authorized to act on behalf of the corporation.

July 19th, 2016

Attachment A

Precious Pets Luxury Dog Resort is located approximately 200' east of Belcher Road Enclosed with fence and trees that buffer the property from public view and neighborhood. Site is surrounded by Clearwater Community Church to the North, Guardian Angel Catholic School to the East, Dunedin Fire Department to the South and Investment Property to the West. Access to the site is through an existing ingress/egress easement.

There is an existing building with a dog play area to the north and west of the building that is buffered by heavy vegetation trees and fence. There is an existing vehicular use on site that is being expanded to provide adequate parking and turn around. An existing 4 foot fence just east of the parking separates the site and provides a pasture for 2 horses that belong to the owner.

Site currently provides day care and boarding for an average of 45 dogs. Although there will be care 24 hours for boarding, the business operation hours will be from 7 am to 10 pm. This business provides a unique service to neighbors and the residents in the area by providing day care and boarding. The property is isolated and does not impact the surrounding neighbors.

There was an existing 6 foot high fence that was in poor condition as was recently replaced with a 6 foot high PVC fence.

Exhibit B

Projected break down of dogs per services:

Agility Training:

Projected Hours: 9am – 11am & 5pm – 7pm, 156 days per year (Three days per week)

Maximum five dogs per class. Two 45 minute classes per day.

Doggie Daycare / Grooming:

Hours: 7am – 10pm, 365 days per year

Maximum 60 dogs per day during prime season (opposite to Boarding season)

Boarding Dogs:

Hours: 7am – 10pm, 365 days per year

Staffed 24 hours a day 365 days per year

Maximum 85 dogs per during prime season (opposite to doggie daycare season)

Due to the multiple variables and seasonal demands to consider no more than a maximum combination of a 100 dogs at anyone given time.

Estimated Traffic Flow:

Approximately 28% percent of our **overall** clientele has two or more dogs per household.

Approximately 42% of our **Doggie Daycare** clientele has two or more dogs per household.

After reviewing the monitoring systems over a three week span:

During **morning** peak Doggie Daycare hours from 7am – 9:30am the average drop off was every eight minutes with the maximum of two cars in the loop during this time, in which 80% of these cars followed each other in and out at the same time. Rarely during this time were there three cars in the loop but occasionally would occur due to a dog needing special attention.

During **evening** peak Doggie Daycare hours from 4pm – 7:30pm the average drop off was every 13 minutes with the maximum of two cars in the loop during this time, in which 60% of these cars followed each other in and out at the same time. Rarely during this time were there three cars in the loop but occasionally would occur due to a dog needing special attention.

Boarding drop off and pick up is scheduled by reservation only with four appointments available per hour.

CASE SUMMARY
CASE NO. Z-19-9-16
(Quasi-Judicial)

PRC MEETING: August 8, 2016 @ 10:00 AM-1st Floor, Planning Conf Room

LPA HEARING: September 15, 2016 @ 9:00 AM-5th Floor, Board Assembly Room

BCC HEARING: October 25, 2016 @ 6:00 PM-5th Floor, Board Assembly Room

APPLICANT'S NAME: Marguerite F. Freeborn, Emil & Melinda Pratesi & Richard LaBelle

REQUEST: Zone change from: E-1, Estate Residential
to: R-3, Single Family Residential

CASE DESCRIPTION: Approximately 5.1 acres located at 3436 Fisher Road, 3440 Fisher Road and 3446 Lake Drive in the unincorporated area of Dunedin (18/28/16/00000/320/0400, 0500 & 0600). A legal description is available in file upon request.

APPLICANT/ADDRESS: Marguerite F. Freeborn
360 Monroe Street
Dunedin, FL 34698

Emil & Melinda Pratesi
3440 Fisher Road
Dunedin, FL 34698

Richard LaBelle
3446 Lake Drive
Dunedin, FL 34698

REP/ADDRESS: Robert Pergolizzi, AICP/PTP
Gulf Coast Consulting, Inc.
13825 ICOT Boulevard, Suite 605
Clearwater, FL 33760

NOTICES SENT TO: Marguerite F. Freeborn, Emil & Melinda Pratesi & Richard LaBelle, City of Dunedin, Mike Meidel-Economic Development Council, DOT, Clint Herbic-Pinellas County School Board, BCC Office & Surrounding Owners

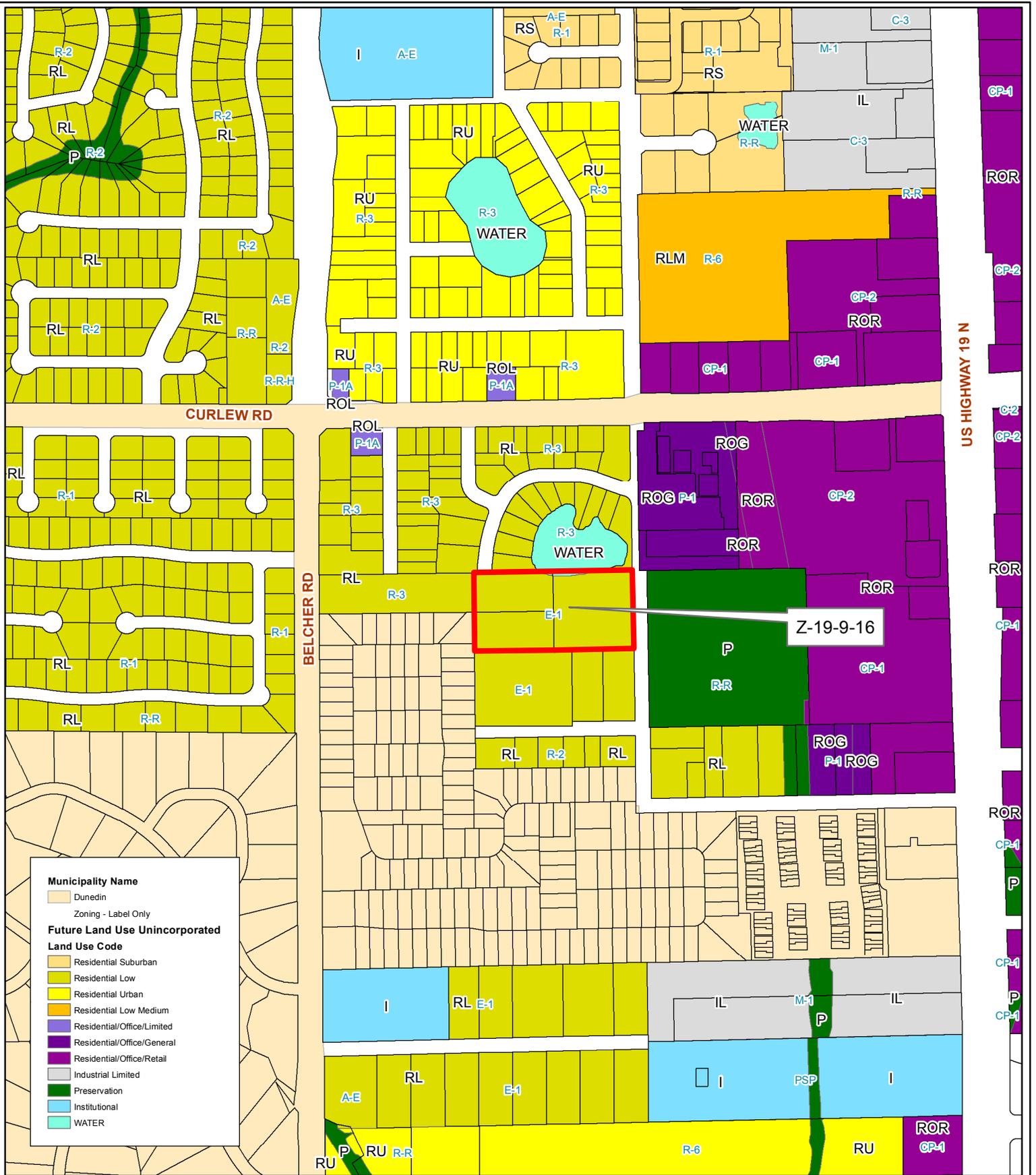
EXISTING USE: 3 single family homes

PROPOSED USE: 17-unit single family subdivision

LAND USE: Residential Low

ZONING: E-1

Z16-000013



Z-19-9-16
ZONING MAP

Zoning **From:** E-1, Estate Residential
 To: R-3, Single Family Residential

18/28/16/000000/320/0400, 0500 & 0600

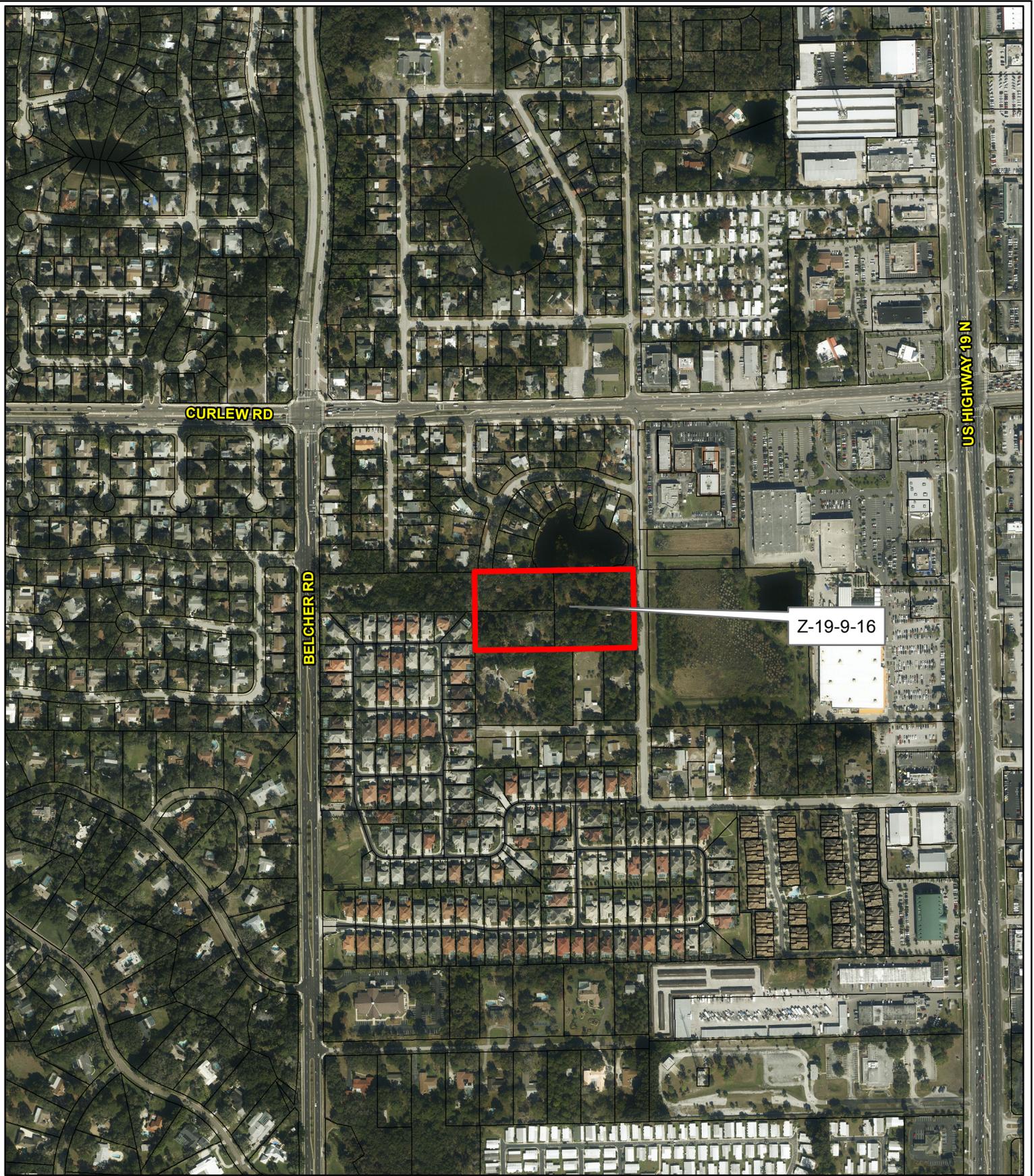
Prepared by: Pinellas County Planning Department



Date: 6/23/2016



1 inch = 0.1 miles



Z-19-9-16

AERIAL MAP

Zoning

From: E-1, Estate Residential

To: R-3, Single Family Residential

18/28/16/000000/320/0400, 0500 & 0600

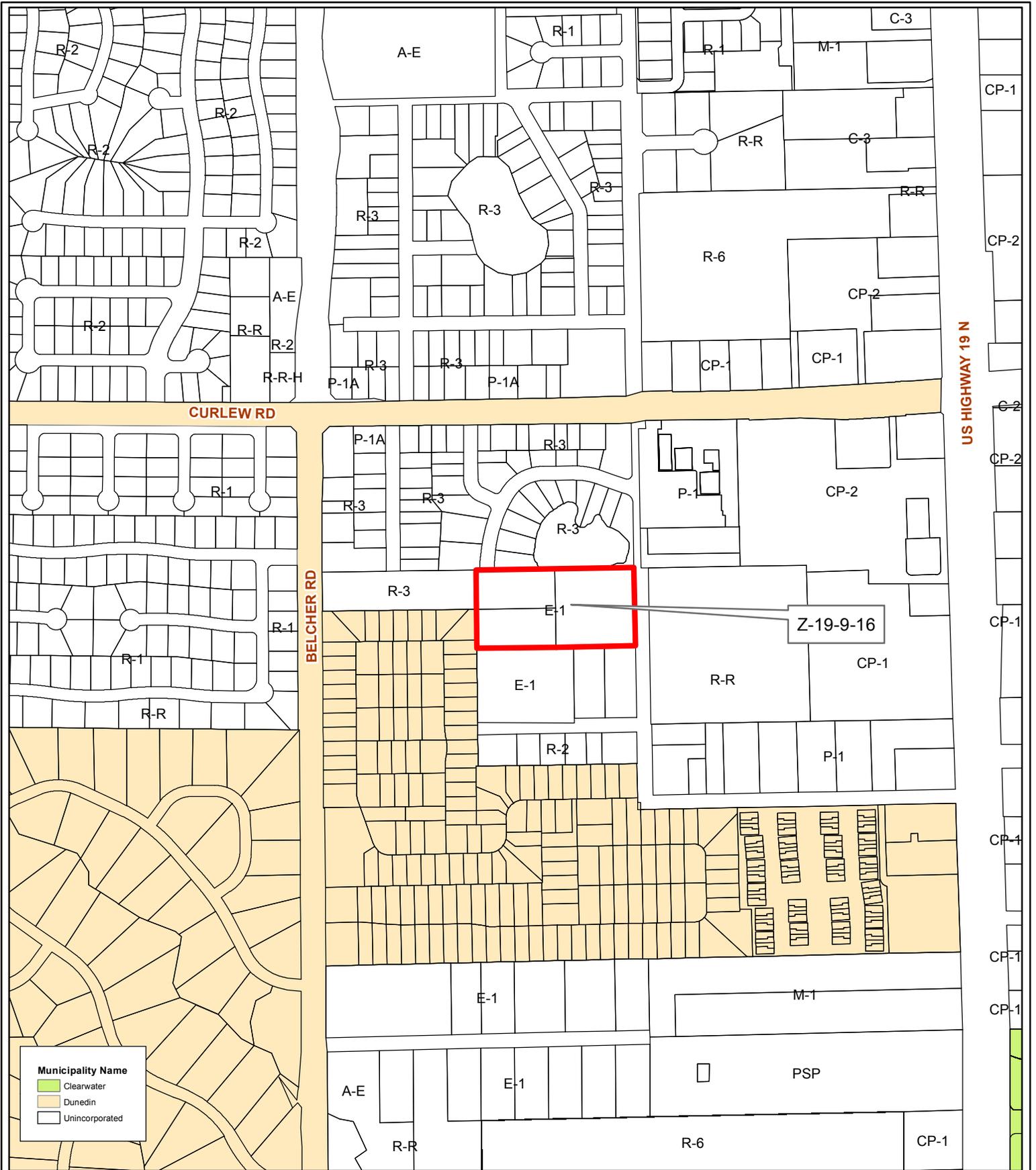
Prepared by: Pinellas County Planning Department



Date: 6/23/2016



1 inch = 0.1 miles



Z-19-9-16

MUNICIPAL MAP

Zoning

From: E-1, Estate Residential

To: R-3, Single Family Residential

18/28/16/000000/320/0400, 0500 & 0600

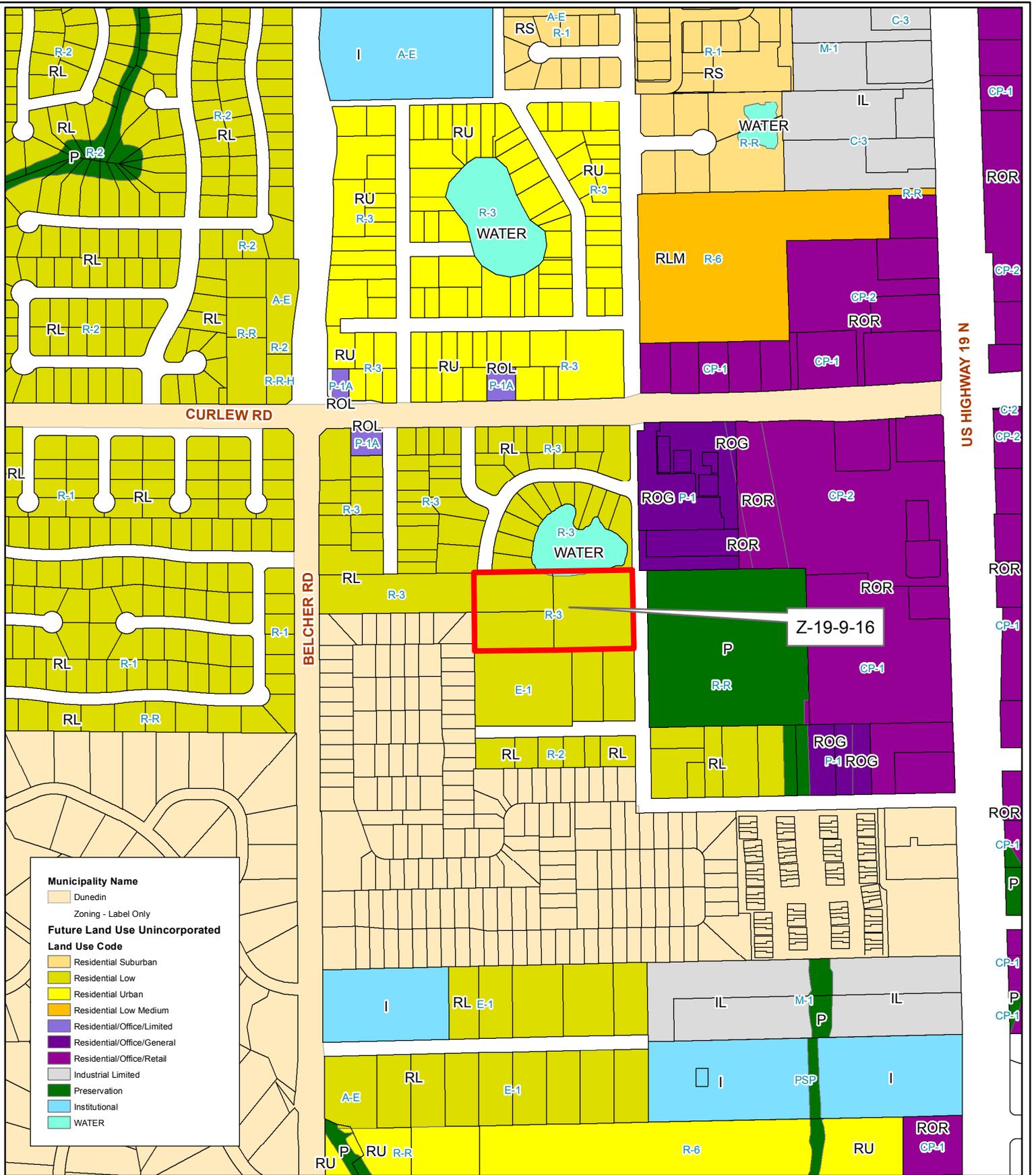
Prepared by: Pinellas County Planning Department



Date: 6/23/2016



1 inch = 0.1 miles



Z-19-9-16

PROPOSED MAP

Zoning

From: E-1, Estate Residential

To: R-3, Single Family Residential

18/28/16/000000/320/0400, 0500 & 0600

Prepared by: Pinellas County Planning Department



Date: 6/23/2016



1 inch = 0.1 miles

1. Owner: Multiple Owner - See attached
Mailing Address: _____
City: _____ State: _____ Zip Code: _____ Daytime Phone: (____) _____
Email: _____

2. Representative's Name: Mr. Robert Pergolizzi, AICP/PTP
Company Name: Gulf Coast Consulting, Inc.
Mailing Address: 13825 Icot Blvd., Suite 605
City: Clearwater State: FL Zip Code: 33760 Daytime Phone: (727) 524-1818
Email: pergo@gulfcoastconsultinginc.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.

Marquerite Freeborn, Trustee, c/o Freeborn Trust (Parcel #18/28/16/00000/320/0600)
Emil & Melinda Pratesi (Parcel # 18/28/16/00000/320/0500)
Richard LaBelle (Parcel #18/28/16/00000/320/0400)

Specify interest held: Owner

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:
Contract Purchaser: Gulfwind Contracting, LLC (Attn: Michael Willenbacher, President)

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: Rezoning from E-1 to R-3

5. Location of subject property (street address): 3446 Fisher Rd, 3440 Fisher Rd, 3446 Lake Drive

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

Parcel ID# 18/28/16-00000/320/0400, 18/28/16/00000/320/0500, 18/28/16/00000/320/0400 - See attached

7. Size of Property: 332+/- feet by 664+/- feet, 5.08 acres

8. Present zoning classification: E-1(Estate Residential)

9. Present Land Use Map designation: Residential Low

10. Date subject property acquired: varies

11. Existing structures and improvements on subject property:

Three single-family homes exist

12. Proposed structures and improvements will be:

Seventeen (17) single family detached lots meeting R-3 lot requirements.

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).

See attached narrative.

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:

N/A

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

Gulfwind Contracting currently owns, Highwood Estates subdivision to the west which is being developed with single-family detached homes meeting R-3 requirements.

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 tot 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.

Emil G. Pratesi + Melinda D. Pratesi
***Signature of Owner or Trustee

Date: 6-8-2016

STATE OF FLORIDA, COUNTY OF PINELLAS

Before me this 8th day of June, 20 16

personally appeared Emil G. Pratesi + Melinda D. Pratesi
who, being duly sworn, deposes and says that the above is a true and correct certification.



Debbie S Smyth
(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 o the corporation (Please note question #3).

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 tot 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]
***Signature of Owner or Trustee

John F. Freeborn, Personal Representative

Date: 4/9/16

[Signature]
Alison K. Freeborn, Pers. Rep

STATE OF FLORIDA, COUNTY OF PINELLAS

Before me this 9th day of June, 20 16

personally appeared John F. Freeborn and Alison K. Freeborn, Personal Representatives* who, being duly sworn, deposes and says that the above is a true and correct certification.

*of Estate of Marguerite F. Freeborn

[Signature]
(signature) NOTARY PUBLIC



CYNTHIA M. JANSSEN
MY COMMISSION # FF 967149
EXPIRES: March 4, 2020
Bonded Thru Budget Notary Services

(seal)

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

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 tot 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.

Richard D Labelle Sr
***Signature of Owner or Trustee

Date: JUNE 10, 2016

STATE OF FLORIDA, COUNTY OF PINELLAS

Before me this 10th day of JUNE, 20 16

personally appeared RICHARD D. LABELLE SR
who, being duly sworn, deposes and says that the above is a true and correct certification.

H. J. [Signature]
(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 o the corporation (Please note question #3).

NARRATIVE SUMMARY
REZONING FOR HIGHWOOD ESTATES ADDITIONAL PARCELS

Owners: Marguerite Freeborn
 360 Monroe Street
 Dunedin, FL 34698 (Parcel # 18/28/16/00000/320/0600)

 Emil Pratesi & Melinda Pratesi
 3440 Fisher Road
 Dunedin, FL 34698 (Parcel # 18/28/16/00000/320/0500)

 Richard LaBelle
 3446 Lake Drive
 Dunedin, FL 34698 (Parcel # 18/28/16/00000/320/0400)

Contract Purchaser/Developer:

Gulfwind Contracting, LLC (dba Gulfwind Homes)
1817 Cypress Brook Drive, #104
Trinity, FL 34655

Representative: Robert Pergolizzi, AICP / PTP
 Gulf Coast Consulting, Inc.
 13825 ICOT Boulevard, Suite 605
 Clearwater, FL 33760

Parcel ID # #18/28/16/00000/320/0400 (1.27 acres)
 #18/28/16/00000/320/0500 (1.27 acres)
 #18/28/16/00000/320/0600 (2.54 acres)

I. INTRODUCTION

The subject properties contain a total of 5.08 acres and are located on the west side of Fisher Road south of Curlew Road in unincorporated Pinellas County. The developer of Highwood Estates, located immediately to the west is purchasing a these 5.08 acres to expand the Highwood Estates development and provide a through roadway connection so residents may access both Fisher Road and Belcher Road. The Highwood Estates property was rezoned to R-3 in March 2014 (Z-4-2-14) and has Residential Low (RL) Land Use.

The existing land use designation of the subject properties per the Future Land Use Plan is Residential Low (RL) and the existing zoning is E-1. The applicant seeks to rezone these E-1 parcels to R-3 consistent with that of the Highwood Estates parcel.

II. LAND USE / ZONING

The subject site is presently developed with homes and the surrounding uses are as follows:

North: Single-Family homes with R-3 zoning and RL land use unincorporated Pinellas County.

South: Immediately south of the subject property are single-family homes with E-1 zoning and RL land use in unincorporated Pinellas County. Also, the Highland Woods subdivision in the City of Dunedin has RL land use and PR-1 zoning.

East: To the east is the Fisher Road ROW.

West: To the west is the Highwood Estates subdivision under construction with single-family homes and R-3 zoning and RL land use in unincorporated Pinellas County.

The rezoning to R-3 is consistent with the underlying RL land use designation. Therefore a plan amendment is not necessary

IV. AVAILABILITY OF PUBLIC UTILITIES

Water and sewer service to this property is provided by Pinellas County and can easily be modified upon development as needed. Utilities are being constructed in the Highwood Estates subdivision and can easily be extended to this site.

V. FLOOD ZONE / HURRICANE EVACUATION ZONE

Based on FEMA data the site lies within Flood Zone X which is out of the 500-year floodplain, it is not in an evacuation zone.

VI. CONCLUSION

The rezoning of the property from E-1 to R-3 is consistent with the Future Land Use Plan and compatible with adjacent zoning districts. The development of this property with single-family detached homes would not affect adversely nearby properties which are also developed with residential homes.

EXHIBIT "A"

Legal Description:

A tract of land being a part of the East ½ of the South ½ of the North ½ of the South ½ of the Northwest ¼ of the Southwest ¼ of Section 18, Township 28 South, Range 16 East, Pinellas County Florida, and being more particularly described as follows:

COMMENCE at the Northeast corner of the Northwest ¼ of the Southwest ¼ of said Section 18; thence run South 1° 05' 55" East, along the East line of said Northwest ¼ of the Southwest ¼ for 826.92 feet to the POINT OF BEGINNING; thence continue South 1° 05' 55" East for 165.38 feet; thence South 89° 06' 14" West for 365.05 feet; thence North 0° 55' 06" West for 165.69 feet; thence North 89° 09' 08" East for 364.53 feet to the POINT OF BEGINNING.

And

A tract of land being a part of the East ½ of the South ½ of the North ½ of the South ½ of the Northwest ¼ of the Southwest ¼ of Section 18, Township 28 South, Range 16 East, Pinellas County Florida, and being more particularly described as follows:

COMMENCE at the Northeast corner of the Northwest ¼ of the Southwest ¼ of said Section 18; thence run South 1° 05' 55" East, along the East line of said Northwest ¼ of the Southwest ¼ for 661.54 feet to the POINT OF BEGINNING; thence continue South 1° 05' 55" East, for 165.38 feet; thence South 89° 09' 08" West for 699.05 feet; thence North 0° 55' 06" West for 165.98 feet; thence North 89° 12' 03" East for 698.01 feet to the POINT OF BEGINNING.

LESS AND EXCEPT those portions contained in Quit Claim Deeds recorded in O.R. Book 4660, Page 1438, O.R. Book 5053, Page 304 and Warranty Deed in O.R. Book 4981, Page 1148, Public Records of Pinellas County, Florida.

Address: 3436 Fisher Road, Dunedin, Florida 34698

Parcel ID Number: 18/28/16/00000/320/0600

FREEBORN
LEGAL DESCRIPTION

LEGAL DESCRIPTION

A tract of land being a part of the East 1/2 of the South 1/2 of the North 1/2 of the South 1/2 of the Northwest 1/4 of the Southwest 1/4 of Section 18, Township 28 South, Range 16 East, Pinellas County, Florida and being more particularly described as follows:

COMMENCE at the NE Corner of the NW 1/4 of the SW 1/4 of said Section 18; thence run S 1° 05' 55" E, along the East line of said NW 1/4 of the SW 1/4, for 826.92 feet; thence S 89° 09' 08" W for 364.53 feet to the POINT OF BEGINNING; thence continue S 89° 09' 08" W for 334.52 feet; thence S 0° 44' 17" E for 165.98 feet; thence N 89° 06' 14" E for 335.04 feet; thence N 0° 55' 06" W for 165.69 feet to the POINT OF BEGINNING.

Pratesi Legal Description

A tract of land being a part of the East ½ of the North ½ of the North ½ of the North ½ of the South ½ of the Northwest 1/4 of the Southwest 1/4 of Section 18, Township 28 South, Range 16 East, Pinellas County, Florida, and being more particularly described as follows: Commence at the Northeast corner of the Northwest 1/4 of the Southwest 1/4 of said Section 18, thence run South 1°05'55" East along the East line of said Northwest 1/4 of the Southwest 1/4 for 826.92 feet; thence South 89°09'08" West for 364.64 feet to the Point of Beginning; thence continue South 89°09'08" West for 334.64 feet; thence North 0°55'06" West for 165.98 feet; thence North 89°12'03" East for 334.12 feet; thence South 00°55'03" East for 165.66 feet to the Point of Beginning,

LaBelle Legal Description

Law Offices of

WILLIAM J. KIMPTON, PA

605 Palm Boulevard, Suite B
Dunedin, FL 34698

Telephone: (727) 733-7500
FAX: (727) 733-7511
email: bill@kimptonlaw.com

June 13, 2016

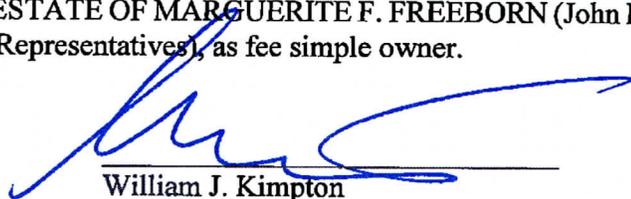
ATTORNEY'S CERTIFICATION OF TITLE

STATE OF FLORIDA
COUNTY OF PINELLAS

Personally appeared before me, the undersigned authority, WILLIAM J. KIMPTON, who, upon being duly sworn, deposes and says:

1. That he is a practicing Florida attorney with offices located at 605 Palm Boulevard, Suite B, Dunedin, Florida 34698.

2. That he has examined the public records in the Office of the Clerk of Circuit Court for Pinellas County, and determined that as of the 13th day of June, 2016, the real estate described in the attached Exhibit "A" is owned by the ESTATE OF MARGUERITE F. FREEBORN (John F. Freeborn and Alison K. Freeborn, Personal Representatives), as fee simple owner.



William J. Kimpton

Sworn to and subscribed
before me this 13th day of
June, 2016.



Notary Public

My Commission Expires:



EXHIBIT "A"

Legal Description:

A tract of land being a part of the East ½ of the South ½ of the North ½ of the South ½ of the Northwest ¼ of the Southwest ¼ of Section 18, Township 28 South, Range 16 East, Pinellas County Florida, and being more particularly described as follows:

COMMENCE at the Northeast corner of the Northwest ¼ of the Southwest ¼ of said Section 18; thence run South 1° 05' 55" East, along the East line of said Northwest ¼ of the Southwest ¼ for 826.92 feet to the POINT OF BEGINNING; thence continue South 1° 05' 55" East for 165.38 feet; thence South 89° 06' 14" West for 365.05 feet; thence North 0° 55' 06" West for 165.69 feet; thence North 89° 09' 08" East for 364.53 feet to the POINT OF BEGINNING.

And

A tract of land being a part of the East ½ of the South ½ of the North ½ of the South ½ of the Northwest ¼ of the Southwest ¼ of Section 18, Township 28 South, Range 16 East, Pinellas County Florida, and being more particularly described as follows:

COMMENCE at the Northeast corner of the Northwest ¼ of the Southwest ¼ of said Section 18; thence run South 1° 05' 55" East, along the East line of said Northwest ¼ of the Southwest ¼ for 661.54 feet to the POINT OF BEGINNING; thence continue South 1° 05' 55" East, for 165.38 feet; thence South 89° 09' 08" West for 699.05 feet; thence North 0° 55' 06" West for 165.98 feet; thence North 89° 12' 03" East for 698.01 feet to the POINT OF BEGINNING.

LESS AND EXCEPT those portions contained in Quit Claim Deeds recorded in O.R. Book 4660, Page 1438, O.R. Book 5053, Page 304 and Warranty Deed in O.R. Book 4981, Page 1148, Public Records of Pinellas County, Florida.

Address: 3436 Fisher Road, Dunedin, Florida 34698

Parcel ID Number: 18/28/16/00000/320/0600

Law Offices of

WILLIAM J. KIMPTON, PA

605 Palm Boulevard, Suite B
Dunedin, FL 34698

Telephone: (727) 733-7500
FAX: (727) 733-7511
email: bill@kimptonlaw.com

June 13, 2016

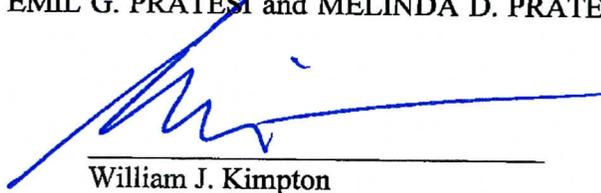
ATTORNEY'S CERTIFICATION OF TITLE

STATE OF FLORIDA
COUNTY OF PINELLAS

Personally appeared before me, the undersigned authority, WILLIAM J. KIMPTON, who, upon being duly sworn, deposes and says:

1. That he is a practicing Florida attorney with offices located at 605 Palm Boulevard, Suite B, Dunedin, Florida 34698.

2. That he has examined the public records in the Office of the Clerk of Circuit Court for Pinellas County, and determined that as of the 13th day of June, 2016, the real estate described in the attached Exhibit "A" is owned by the EMIL G. PRATESI and MELINDA D. PRATESI, husband and wife, as fee simple owners.



William J. Kimpton

Sworn to and subscribed
before me this 13th day of
June, 2016.



Notary Public

My Commission Expires:

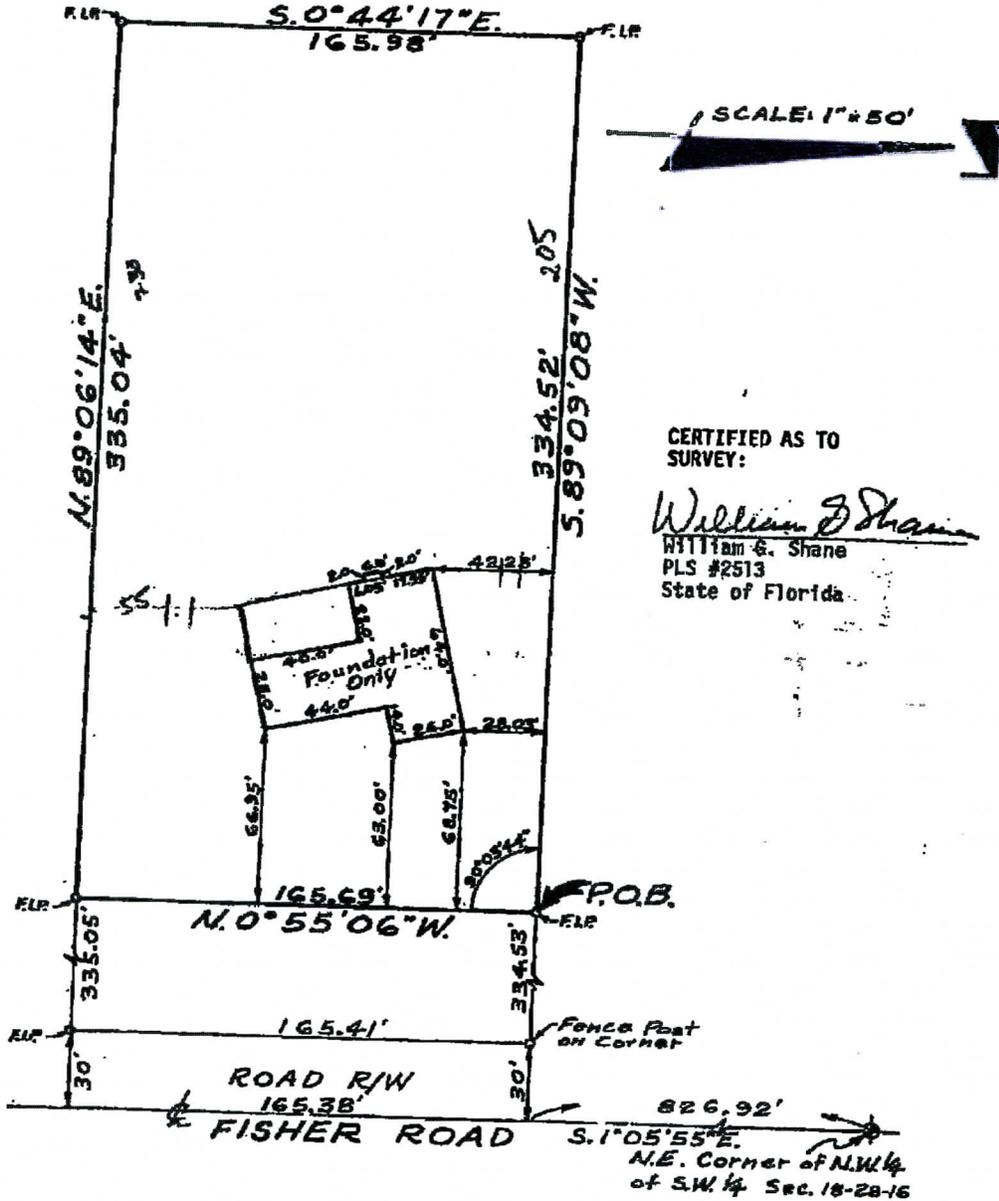


P B
S J
ST. BUCKLEY, SCHUH & JERNIGAN, INC.
CONSULTING ENGINEERS AND PLANNERS

MIAMI-CLEARWATER-HOLLYWOOD-HOMESTEAD
FT. MYERS-ORLANDO-TALLAHASSEE-ATLANTA

SUBJECT Foundation Location Survey

COMP. BY W.S.
CHK. BY W.G.S.
DATE 1/6/78
SHEET No. 1 of 1
JOB No. 590-096.20



LEGAL DESCRIPTION

A tract of land being a part of the East 1/2 of the South 1/2 of the North 1/2 of the South 1/2 of the Northwest 1/4 of the Southwest 1/4 of Section 18, Township 28 South, Range 16 East, Pinellas County, Florida and being more particularly described as follows:

COMMENCE at the NE Corner of the NW 1/4 of the SW 1/4 of said Section 18; thence run S 7° 05' 55" E, along the East line of said NW 1/4 of the SW 1/4, for 826.92 feet; thence S 89° 09' 08" W for 364.53 feet to the POINT OF BEGINNING; thence continue S 89° 09' 08" W for 334.52 feet; thence S 0° 44' 17" E for 165.98 feet; thence N 89° 06' 14" E for 335.04 feet; thence N 0° 55' 06" W for 165.69 feet to the POINT OF BEGINNING.

EXHIBIT A

Law Offices of

WILLIAM J. KIMPTON, PA

605 Palm Boulevard, Suite B
Dunedin, FL 34698

Telephone: (727) 733-7500
FAX: (727) 733-7511
email: bill@kimptonlaw.com

June 13, 2016

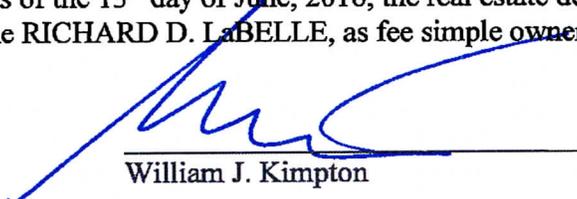
ATTORNEY'S CERTIFICATION OF TITLE

STATE OF FLORIDA
COUNTY OF PINELLAS

Personally appeared before me, the undersigned authority, WILLIAM J. KIMPTON, who, upon being duly sworn, deposes and says:

1. That he is a practicing Florida attorney with offices located at 605 Palm Boulevard, Suite B, Dunedin, Florida 34698.

2. That he has examined the public records in the Office of the Clerk of Circuit Court for Pinellas County, and determined that as of the 13th day of June, 2016, the real estate described in the attached Exhibit "A" is owned by the RICHARD D. LABELLE, as fee simple owner.



William J. Kimpton

Sworn to and subscribed
before me this 13th day of
June, 2016.



Notary Public

My Commission Expires:



Return To:

Courtland Title Services, Inc.
2189 Cleveland Street, Suite 211
Clearwater, FL 33765

Prepared by ~~and Return to:~~
Le Anne C. Lake, Esquire
1465 S. Ft. Harrison Ave., Ste. 209
Clearwater, FL 33756

Property Appraisers Parcel
Identification (Folio) ~~18-28-16-00000-~~
Number(s) ~~320-0400~~

Space Above This Line for
Processing Data

Space Above This Line for Recording

QUIT CLAIM DEED

THIS QUIT CLAIM DEED, executed this 14th day of ~~November~~, 2013, by RICHARD D. LABELLE, a single man, and VIRGINIA M. LABELLE, a single woman, first party to: RICHARD D. LABELLE, a single man, whose post office address is: 3446 Lake Drive, Palm Harbor, FL 34683, second party:

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, that the said first party, for and in consideration of the sum of \$10.00 in hand paid by the second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Pinellas State of Florida, to wit:

A tract of land being a part of the East ½ of the North ½ of the North ½ of the North ½ of the South ½ of the Northwest 1/4 of the Southwest 1/4 of Section 18, Township 28 South, Range 16 East, Pinellas County, Florida, and being more particularly described as follows: Commence at the Northeast corner of the Northwest 1/4 of the Southwest 1/4 of said Section 18, thence run South 1°05'55" East along the East line of said Northwest 1/4 of the Southwest 1/4 for 826.92 feet; thence South 89°09'08" West for 364.64 feet to the Point of Beginning; thence continue South


R. D. L.

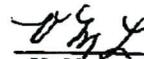

V. M. L.

EXHIBIT A

89°09'08" West for 334.64 feet; thence North 0°55'06" West for 165.98 feet; thence North 89°12'03" East for 334.12 feet; thence South 00°55'03" East for 165.66 feet to the Point of Beginning.

Subject to covenants, restrictions, easements of record and taxes for the current year.

This Quit Claim Deed is entered into pursuant to a certain Marital Settlement Agreement entered into between the parties, Pinellas County Case No. 13-1538-FD-22.

TO HAVE AND TO HOLD the same together with all and the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

IN WITNESS WHEREOF, the said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of:



Debby L. Evans

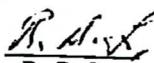


RICHARD D. LABELLE, A Single Man, Individually

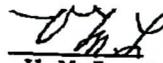
print or type name of witness here



print or type name of witness here



R. D. L.



V. M. L.

Mary D Jonap

Mary D Jonap
print or type name of witness here

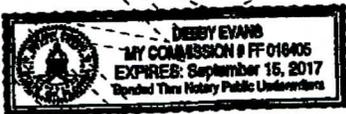
Virginia M Labelle L.S.
VIRGINIA M. LABELLE, A Single
Woman, Individually

Leslie Tucker

Leslie Tucker
print or type name of witness here

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this 14th day of
November, 2013, by RICHARD D. LABELLE, who is personally known to me or who has
produced Drivers License as identification and who did take an oath.



Notary Public Debby L. Evans
State of Florida at Large (Seal)
My Commission Expires:

R.D.L.
R.D.L.

V.M.L.
V.M.L.

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this 24th day of October, 2013, by VIRGINIA M. LABELLE, who is personally known to me or who has produced _____ as identification and who did take an oath.

Leslie Tucker

Notary Public
State of Florida at Large (Seal)
My Commission Expires:



R.D.L.
R.D.L.

V.M.L.
V.M.L.

**BOARD OF COUNTY
COMMISSIONERS**

Charlie Justice
Susan Latvala
Janet C. Long
John Morrone
Norm Roche
Karen Williams Seel
Kenneth T. Welch



REZONING APPROVAL
OF ADJACENT PROPERTY
(HIGHWOOD ESTATES)

March 19, 2014

Jessalyn Robinson Estate
c/o Maurice Larue Robinson
3709 Blairmoor Street
North Las Vegas, NV 89032

Re: Case Number. Z-4-2-14
Parcel ID Number: 18/28/16/00000/320/0100

Dear Property Owner,

Please be advised that by action of the Board of County Commissioners on March 18, 2014, your request for a change of Zoning from A-E, Agricultural Estate Residential to R-3, Single Family Residential on the above referenced case was approved.

Any right-of-way requirements pertaining to further development of this property will be addressed during site plan review. Please contact the Engineering Department of specific right-of-way requirements.

If you have any questions, please do not hesitate to contact this office at 727-464-5047.

Sincerely,

John F. Cueva, Zoning Manager
Pinellas County Planning and Development Services

cc: Mr. Robert Pergolizzi, AICP/PTP



CASE SUMMARY
CASE NO. Z-21-9-16
(Quasi-Judicial)

PRC MEETING: August 8, 2016 @ 10:00 AM-1st Floor, Planning Conf Room
EXAMINER'S HEARING: September 15, 2016 @ 9:00 AM-5th Floor, Board Assembly Room
BCC HEARING: October 25, 2016 @ 6:00 PM-5th Floor, Board Assembly Room
APPLICANT'S NAME: Paul W. & Nancy J. Guilmette
REQUEST: Zone change from: RM-7.5, Residential, Multiple Family, 7.5 units per acre
to: R-5, Urban Residential District

A variance to allow a single family subdivision with up to 10 lots fronting a private road where frontage along a publicly-accessible right-of-way is required, and a variance to allow a six-foot front setback for structures on the east side of proposed lot 9 and the west side of proposed lot 10 adjacent to the T-type turnaround where 10 feet is required in an R-5 zone.

CASE DESCRIPTION: Approximately 2 acres located at 2881 Summerdale Drive in the unincorporated area of Clearwater (30/28/16/07236/000/0080). A legal description is available in file upon request.

APPLICANT/ADDRESS: Paul W. & Nancy J. Guilmette
2881 Summerdale Drive
Clearwater, FL 337612938

REP/ADDRESS: Joseph Gilberti, P. E.
Landtech Design Group, Inc.
385 Donora Boulevard
Ft. Myers Beach, FL 33931

NOTICES SENT TO: Paul W. & Nancy J. Guilmette, Joseph Gilberti, P. E., Mike Meidel-Economic Development Council, DOT, Clint Herbic-Pinellas County School Board, Surrounding Owners

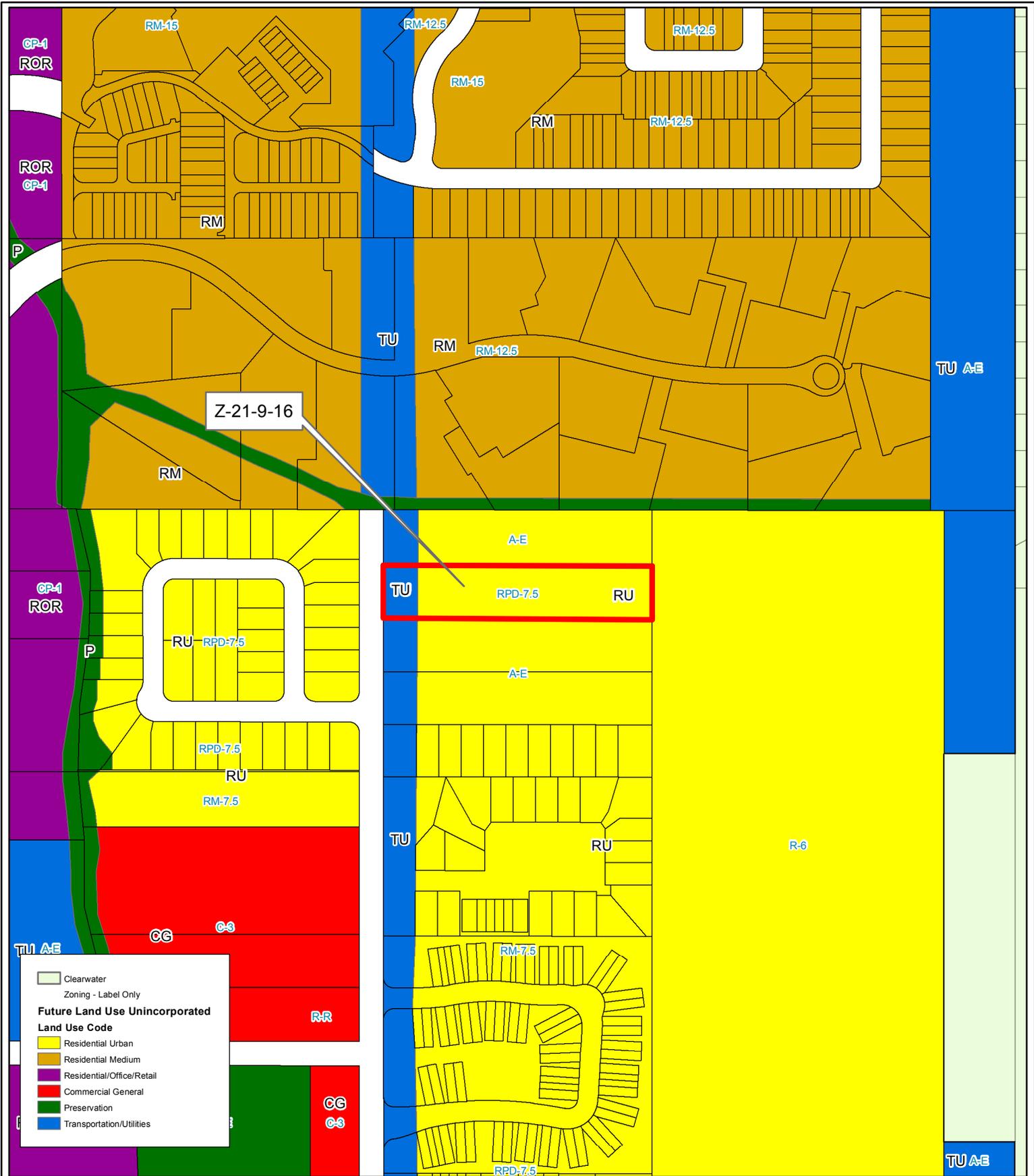
EXISTING USE: Single Family Home

PROPOSED USE: 10-unit single family subdivision

LAND USE: Residential Urban

ZONING: RM-7.5, Residential, Multiple Family

Z16-000014



Z-21-9-16

Zoning Map

Zoning From: RPD-7.5, Residential Multi Family, 7.5 units per acre
To: R-5, Urban Residential District

With variances to allow: 1) a 10-lot single family subdivision accessed via a private road, and 2) six-foot front setbacks for structures on the east side of proposed lot 9 and the west side of proposed lot 10.

30/28/16/07236/000/0080

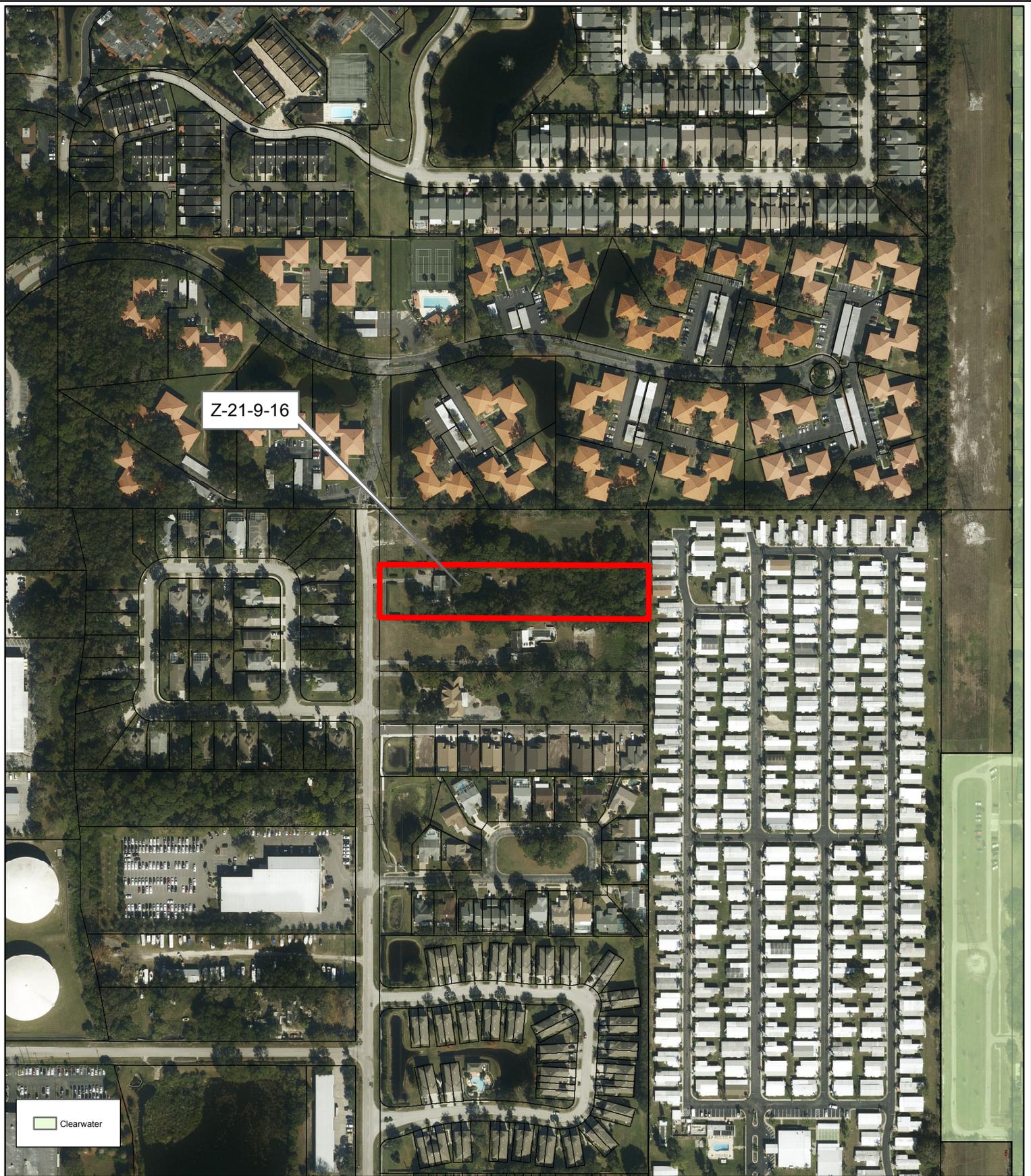
Prepared by: Pinellas County Planning Department



Date: 7/5/2016



1 inch = 0.06 miles



Z-21-9-16
Aerial Map

Zoning From: RPD-7.5, Residential Multi Family, 7.5 units per acre
To: R-5, Urban Residential District
 With variances to allow: 1) a 10-lot single family subdivision accessed via a private road, and 2) six-foot front setbacks for structures on the east side of proposed lot 9 and the west side of proposed lot 10.



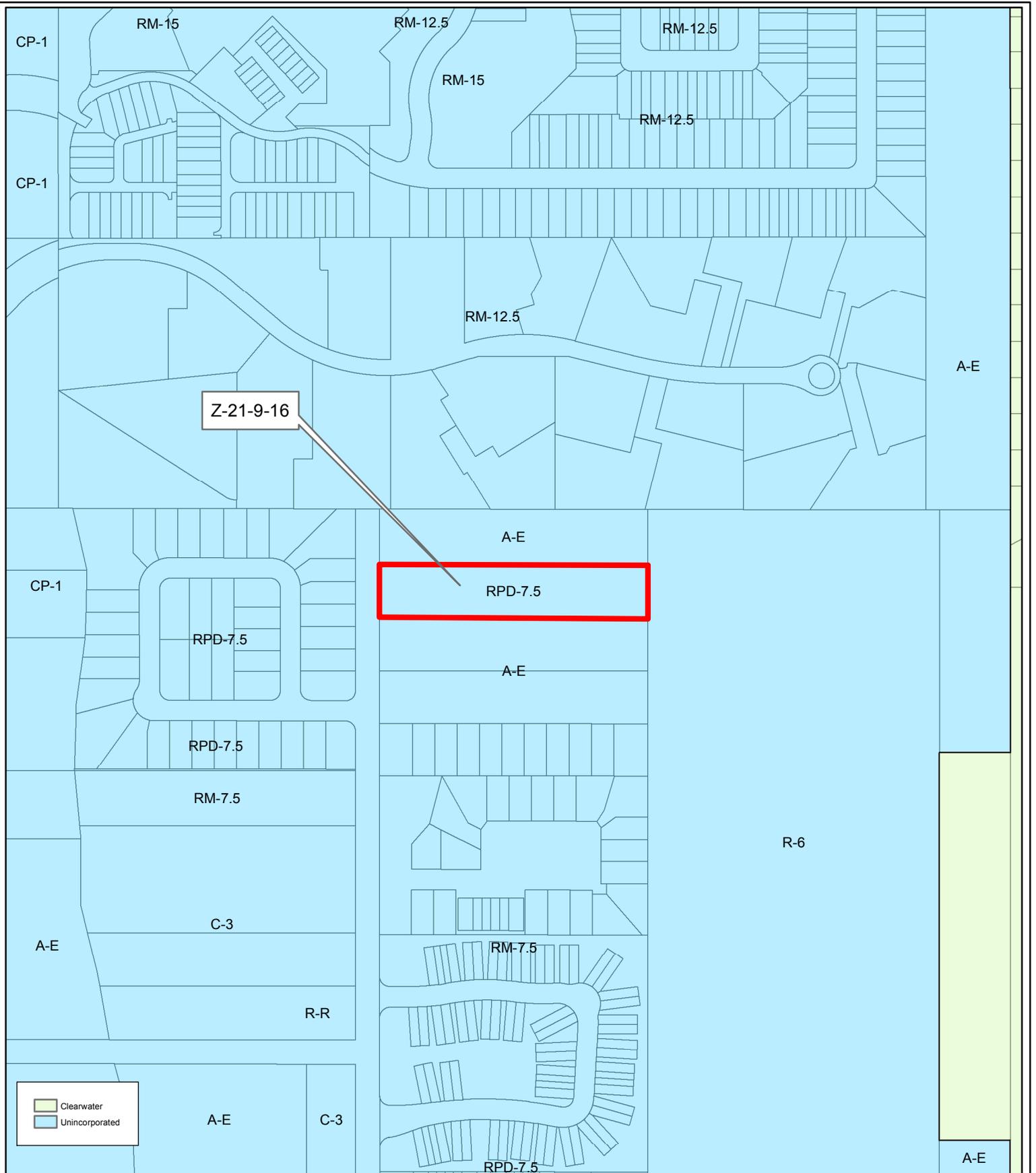
30/28/16/07236/000/0080

Prepared by: Pinellas County Planning Department



Date: 7/5/2016

1 inch = 0.06 miles



Z-21-9-16
Municipality Map

Zoning From: RPD-7.5, Residential Multi Family, 7.5 units per acre
To: R-5, Urban Residential District
 With variances to allow: 1) a 10-lot single family subdivision accessed via a private road, and 2) six-foot front setbacks for structures on the east side of proposed lot 9 and the west side of proposed lot 10.



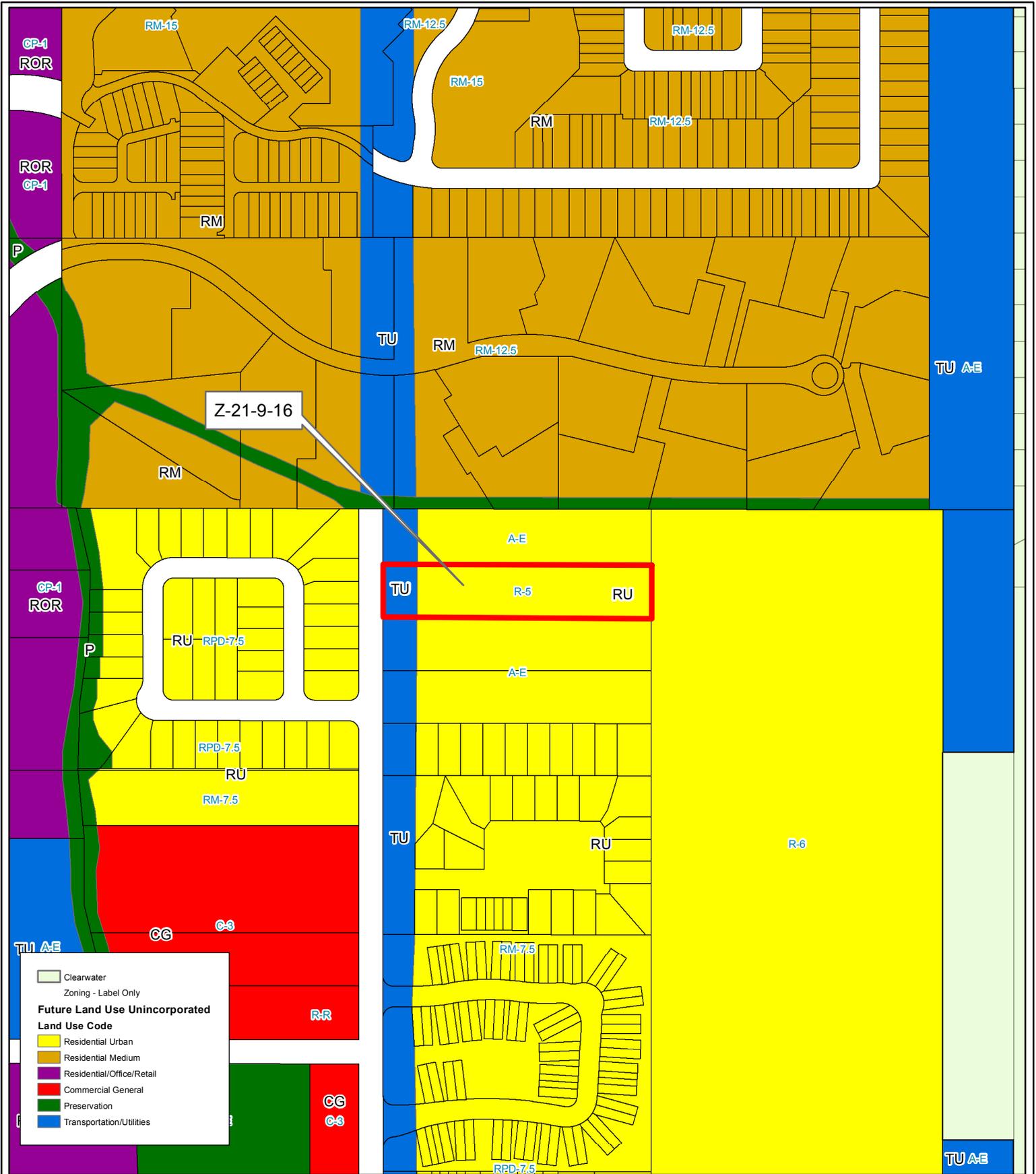
30/28/16/07236/000/0080

Prepared by: Pinellas County Planning Department



Date: 7/5/2016

1 inch = 0.06 miles



Z-21-9-16
Proposed Map

Zoning From: RPD-7.5, Residential Multi Family, 7.5 units per acre
To: R-5, Urban Residential District
 With variances to allow: 1) a 10-lot single family subdivision accessed via a private road, and 2) six-foot front setbacks for structures on the east side of proposed lot 9 and the west side of proposed lot 10.

30/28/16/07236/000/0080

Prepared by: Pinellas County Planning Department



Date: 7/5/2016



1 inch = 0.06 miles

1. Owner: Paul W. Guilmette & Nancy J. Guilmette
Mailing Address: 2881 Summerdale Drive
City: Clearwater State: FL Zip Code: 33761 Daytime Phone: (727) 501-4390
Email: paulguilmette@tampabay.rr.com

2. Representative's Name: Joseph Gilberti, P.E.
Company Name: Landtech Design Group, Inc.
Mailing Address: 385 Donora Blvd.
City: Ft. Myers Beach State: FL Zip Code: 33931 Daytime Phone: (813) 470-6000
Email: joe@landtechdesigngroup.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.

Paul W. Guilmette & Nancy J. Guilmette

Specify interest held: 50% / 50%

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:

Paul W. Guilmette & Nancy J. Guilmette as owners - Sellers
Abby Building Corporation, Inc. - Christopher C. Strong as President/Owner - Buyer

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:

Paul W. Guilmette & Nancy J. Guilmette as Owners - Sellers
Abby Building Corporation, Inc. - Christopher C. Strong as President/Owner - Buyer

4. This hearing is being requested to consider: Re-Zoning To R-5, and related

5. Location of subject property (street address): 2881 Summerdale Drive, Clearwater, FL 33761

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

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 28 South, Range 16 East, Pinellas County, Florida.

7. Size of Property: 130 feet by 660 feet, 2 mol acres

8. Present zoning classification: RPD-7.5

9. Present Land Use Map designation: RU

10. Date subject property acquired: 1996

11. Existing structures and improvements on subject property:

Single Family Dwelling Unit, Single Story, 3 Bedroom / 2 Bathroom / 3 Car Garage with detached rear yard shed. 1790 sq.ft. of Living / 2925 sq. ft. Gross.

12. Proposed structures and improvements will be:

Single Family Dwelling Units / Lots -
consistant and similar to what is existing along Summerdale Drive.

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).

10 Single Family Dwelling Units / Lots - consistant and similar to what is existing all along Summerdale Drive.

14. Has any previous application relating to zoning or land use on this property been filed within the last year?
 Yes No When? NOV 12/15 In whose name? Same as Above

Briefly state the nature and outcome of the hearing:

Rezoning Approved on Dec 15, 2015
FROM AE to RPA-7.5

for a 6' front setback on proposed lots 9 and 10 adjacent to the T-intersect where 10-ft is required in an R-5 zone. + a variance for access to the 10 proposed lots via a private road.

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

N / A .

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

I hereby certify that I am the owner and record title holder or trustee of the property described herein; 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 owner 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; that the burden is on the undersigned to provide substantial and competent evidence to show that relevant criteria is met prior to any approval being granted; 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. I further understand that any misrepresentation of the facts contained herein may render action on this request by Pinellas County to be null and void.

The issuance of a Flood Variance to construct a structure below the base flood level will result in an increase in insurance coverage premiums as well as increase risk to life and property. This information is provided to insure your awareness of the potential cost factors involved prior to your investment of time and money. It is suggested you contact your insurance agent to determine the effects a variance to the flood elevation requirements might have on flood insurance premiums.



Signature of Owner or Trustee

*(See note below)

Date: 06-27-2016

STATE OF FLORIDA; COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this 27 day of June,

20 16 by Paul Guilmette who is known to me or has produced FLORIDA DRIVERS License as identification and who did (did not) take an oath.



Scott Toweson
Notary Public
State of Florida
My Commission Expires 5/24/2020
Commission No. FF 967755


Notary Public
(seal)

*Applications which are filed by corporations must bear the seal of the corporation over the signature of an officer authorized to act on behalf of the corporation.

CASE SUMMARY
CASE NO. CU-22-9-16
(Quasi-Judicial)

PRC MEETING: August 8, 2016 @ 10:00 AM-1st Floor, Planning Conf Room

LPA HEARING: September 15, 2016 @ 9:00 AM-5th Floor, Board Assembly Room

BCC HEARING: October 25, 2016 @ 6:00 PM-5th Floor, Board Assembly Room

APPLICANT'S NAME: Pinellas County

REQUEST: A Conditional Use for the construction of a stormwater treatment facility.

CASE DESCRIPTION: Approximately 0.25 acre located at 11805 104th Street North in the unincorporated area of Largo (15/30/15/64404/000/0325). A legal description is available in file upon request.

APPLICANT/ADDRESS: Pinellas County
Attn: Real Property Division
315 Court St
Clearwater, FL 33765

REP/ADDRESS: Kelli Hammer Levy
Pinellas County Public Works
22211 US Hwy 19 N, Bldg 10
Clearwater, FL 33765

NOTICES SENT TO: Pinellas County, Kelli Hammer Levy, Mike Meidel-Economic Development Council, DOT, Clint Herbic-Pinellas County School Board, Surrounding Owners

EXISTING USE: Vacant

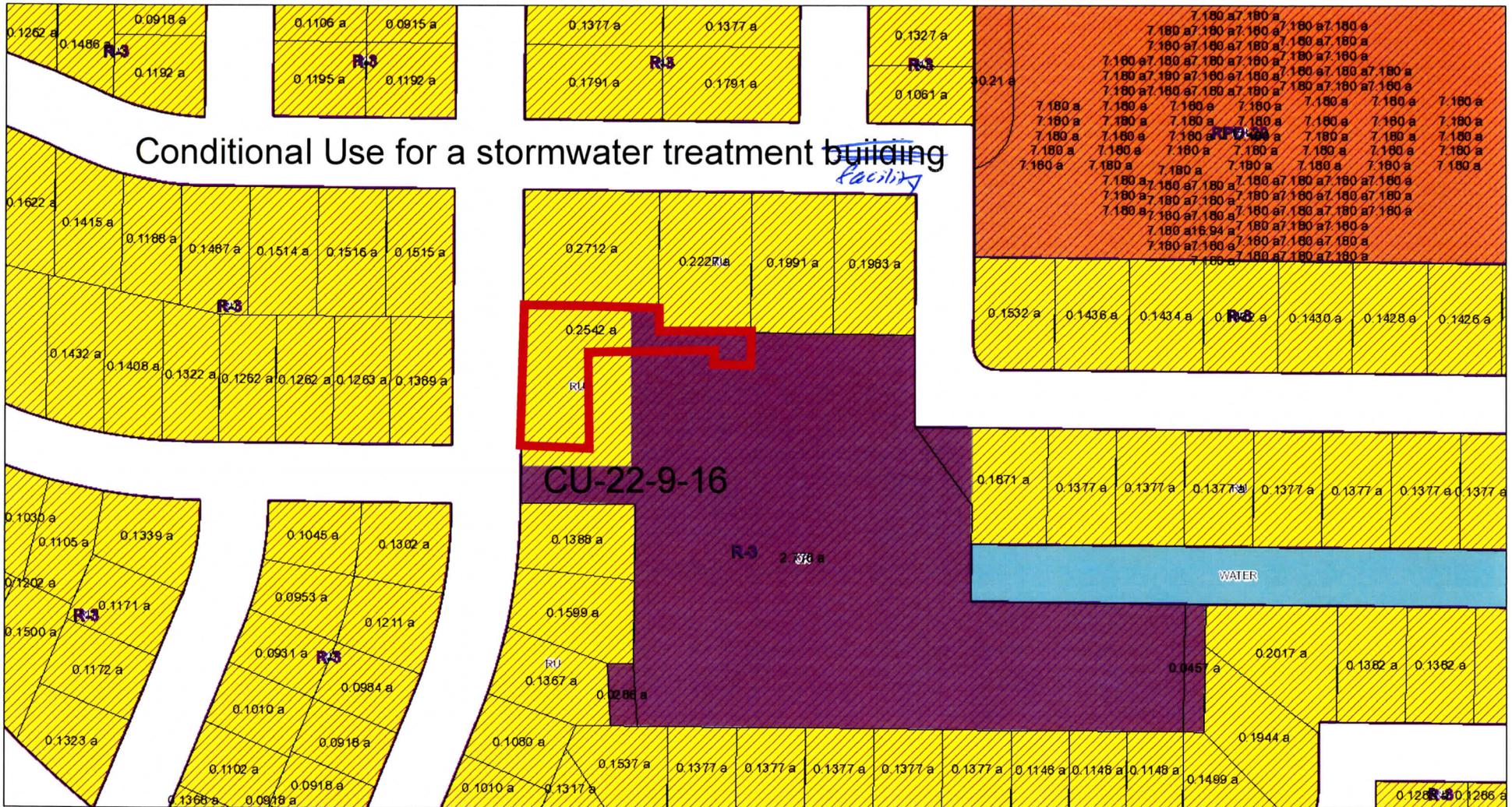
PROPOSED USE: Stormwater Treatment Facility

LAND USE: Residential Urban

ZONING: R-3

Z16-000016

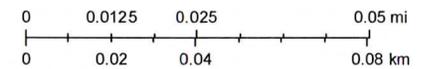
CU-22-9-16



July 15, 2016

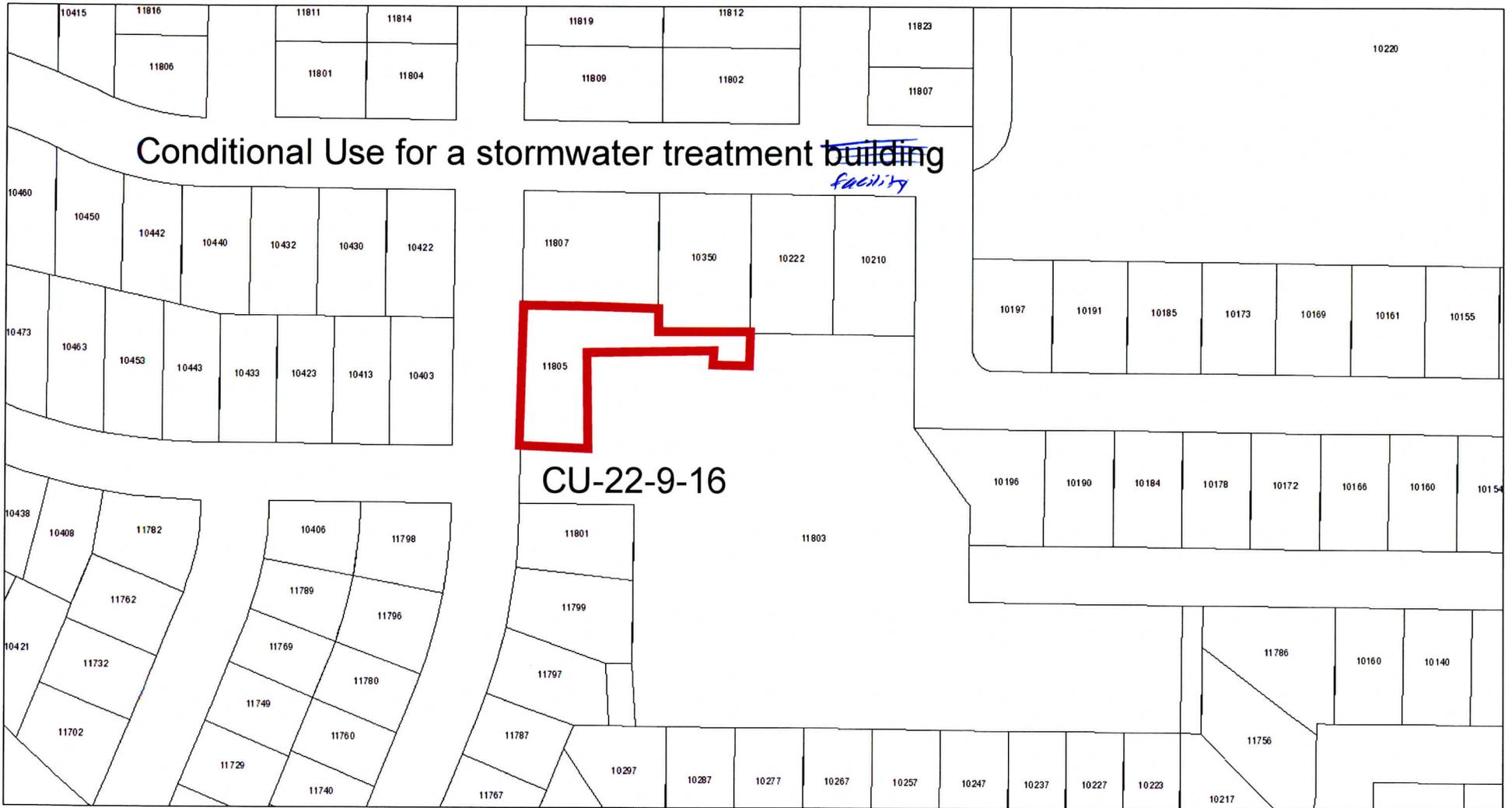
- Parcels
- Zoning

1:1,128



Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community

CU-22-9-16

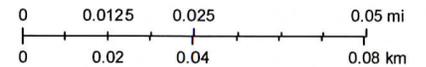


July 15, 2016

Parcels

Site Address

1:1,128



Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community

1. Owner: Pinellas County BOCC
Mailing Address: 315 Court St
City: Clearwater State: FL Zip Code: 33756 Daytime Phone: (727) 464-3000
Email: _____

2. Representative's Name: Kelli Hammer Levy
Company Name: Pinellas County Public Works
Mailing Address: 22211 US Hwy 19 N Bldg 10
City: Clearwater State: FL Zip Code: 33765 Daytime Phone: (727) 464-3317
Email: klevy@pinellascounty.org

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.

N/A

Specify interest held: _____

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: Conditional Use Approval

5. Location of subject property (street address): 11805 104th Street North, Largo, FL 33773

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

ORANGE LAKE VILLAGE REPLAT PART OF TRACT 1 DESC COM NW COR OF SD TRACT 1 TH ALG W BNDRY S00D52'01"W 100FT TO SW COR OF LOT 3 OF ORANGE LAKE VILLAGE 2ND REPLAT & POB TH S89D07'59"E 120FT TO SE COR OF LOT 4 OF ORANGE LAKE

VILLAGE 2ND REPLAT TH S00D40'46"W 20FT TH S89D 07'59"E 80.5FT TH S00D40' 46"W 27FT TH N89D07'59"W 30.78FT TH N00D57'56"E 9FT TH N89D07'59"W 109.88FT TH S00D52'01"W 82FT TH N89D 07'59"W 60FT TO W BNDRY OF SD TRACT 1 TH ALG SD W BNDRY N00D52'01"E 120FT TO POB. Please see attachment A for Description.

7. Size of Property: 60 feet by 120 feet, 0.25 acres

8. Present zoning classification: R-3

9. Present Land Use Map designation: Vacant Commercial (10)

10. Date subject property acquired: 02/24/2014

11. Existing structures and improvements on subject property:

No structures currently exist on the property

12. Proposed structures and improvements will be:

An alum stormwater treatment building is proposed to be constructed on the site (see attachment B)

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).

We believe we should be granted a conditional use approval for the building as its goal is to increase water quality of the stormwater as it enters Lake Seminole. This project is outlined in the Lake Seminole Watershed Management Plan.

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:

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.

Kelli Hammen Levy
***Signature of Owner or Trustee

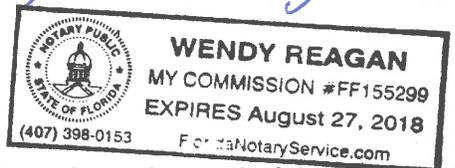
Date: 7/15/2016

STATE OF FLORIDA, COUNTY OF PINELLAS

Before me this 15 day of July, 20 2016

personally appeared Kelli Hammen Levy
who, being duly sworn, deposes and says that the above is a true and correct certification.

[Signature]
(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 o the corporation (Please note question #3).

This Instrument Prepared By:
Aaron Blair
American Government Services Corporation
3812 W. Linebaugh Avenue
Tampa, Florida 33618
AGS # 25755

Project Name: Lake Seminole Alum Injection
PID Number: 829

**WARRANTY DEED
(STATUTORY FORM - SECTION 689.02, F.S.)**

THIS INDENTURE, made this 14th day of February, 2014, between Orange Lake Civic Center, Inc., a Florida not for profit corporation, whose address is 11803 104th Street North, Largo, Florida 33773 grantor, to PINELLAS COUNTY, a political subdivision of the State of Florida, whose address is c/o Real Property Division, 509 East Avenue South, Clearwater, Florida 33756, grantee,

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and their heirs, legal representatives, successors and assigns. "Grantor" and "grantee" are used for singular and plural, as the context requires and the use of any gender shall include all genders.)

WITNESSETH: That the said grantor, for and in consideration of the sum of Ten Dollars and other good and valuable considerations, to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's successors and assigns forever, the following described land situate, lying and being in Pinellas County, Florida, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF

This conveyance is subject to easements, restrictions, limitations, and conditions of record if any now exist, but any such interests that may have been terminated are not hereby re-imposed.

AND the said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF the grantor has hereunto set grantor's hand and seal, the day and year first above written.

(This space intentionally left blank)

Signed, sealed and delivered in the presence of:

[Signature]
(Signature of First Witness)

Robin Giove
(Printed Name of First Witness)

[Signature]
(Signature of Second Witness)

SEAN GRIFFIN
(Printed Name of Second Witness)

Orange Lake Civic Center, Inc., a Florida not for profit corporation

BY: [Signature]
John Spadafora, as President

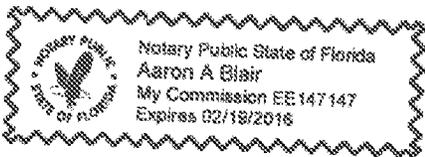
STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this 14th day of February, 2014, by John Spadafora, a President of Orange Lake Civic Center, Inc., a Florida not for profit corporation, and on behalf of said corporation. Such person (Notary Public must check applicable box):

- () is personally known to me.
- produced a driver license.
- () produced _____ as identification.

(NOTARY PUBLIC SEAL)

[Signature]
Aaron A. Blair, Notary Public – State of Florida
Commission Number: EE147147
My commission Expires: February 19, 2016



LEGAL DESCRIPTION

A PORTION OF TRACT ONE, ORANGE LAKE VILLAGE REPLAT, AS RECORDED IN PLAT BOOK 43, PAGE 54, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

FROM THE NORTHWEST CORNER OF SAID TRACT ONE AS A POINT OF REFERENCE, THENCE ALONG THE WEST LINE THEREOF S00°52'01"W, 100.00 FEET TO THE SOUTHWEST CORNER OF LOT 3, ORANGE LAKE VILLAGE 2ND REPLAT, AS RECORDED IN PLAT BOOK 56, PAGE 40, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE ALONG THE SOUTH LINE THEREOF AND ALONG THE SOUTH LINE OF LOT 4 OF SAID PLAT, S89°07'59"E, 120.00 FEET TO A POINT ON THE WEST BOUNDARY OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 6328, PAGE 514, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE ALONG THE BOUNDARY THEREOF THE FOLLOWING TWO COURSES: S00°40'46"W, 20.00 FEET; THENCE S89°07'59"E, 80.50 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE LEAVING SAID BOUNDARY, ALONG THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LANDS S00°40'46"W, 27.00 FEET; THENCE N89°07'59"W 30.78 FEET; THENCE N00°57'56"E 9.00 FEET; THENCE N89°07'59"W, 109.88 FEET; THENCE S00°52'01"W, 82.00 FEET; THENCE N89°07'59"W, 60.00 FEET TO A POINT ON THE WEST BOUNDARY OF SAID TRACT ONE; THENCE ALONG SAID WEST BOUNDARY N00°52'01"E, 120.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 11,208 SQUARE FEET OR 0.26 ACRE, MORE OR LESS.

LEGEND

PINELLAS COUNTY, FLORIDA

- LB LICENSED BUSINESS
- LS LICENSED SURVEYOR
- O.R. OFFICIAL RECORDS BOOK
- PG. PG.
- PSM PROFESSIONAL SURVEYOR AND MAPPER

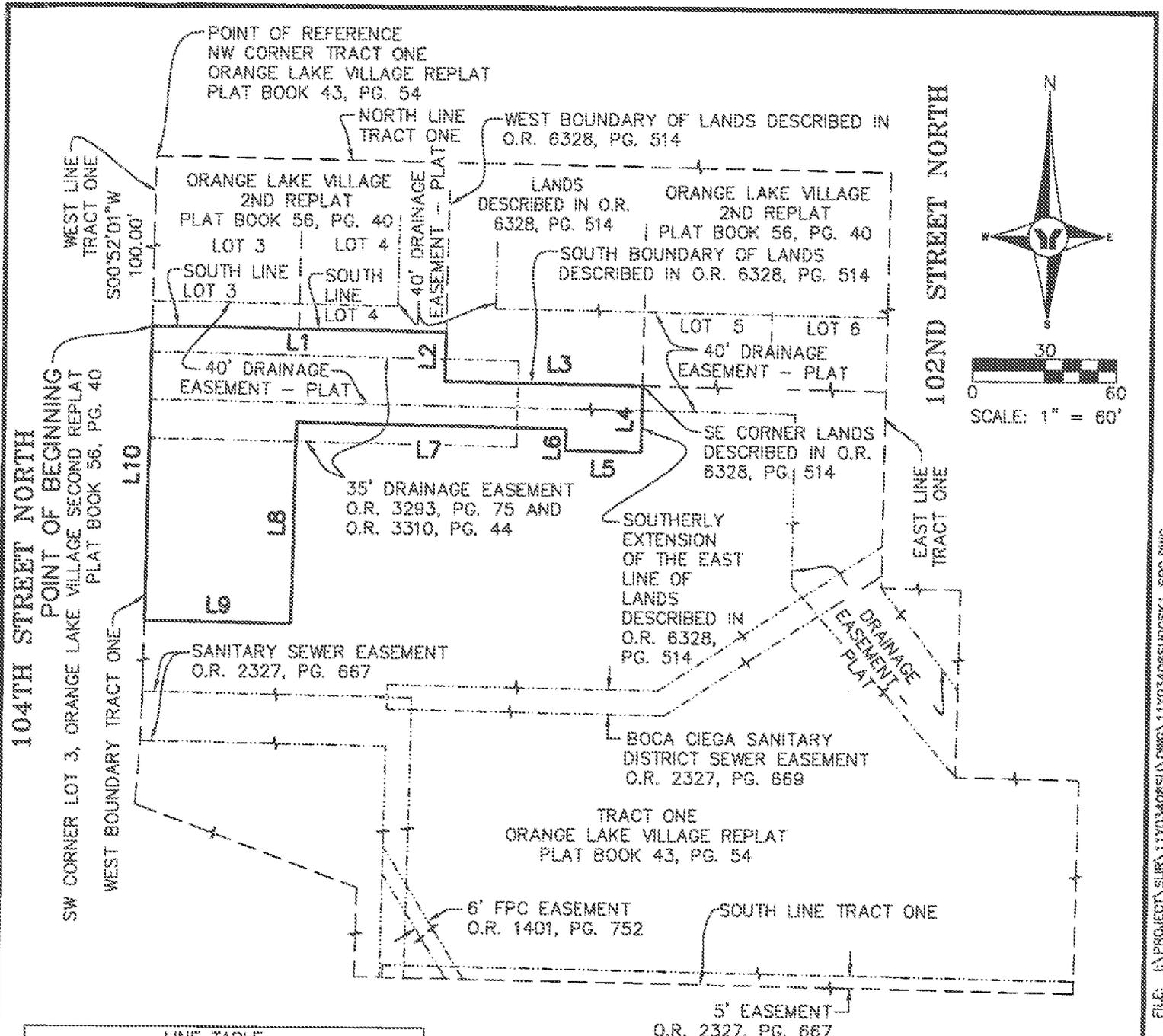
Handwritten: 12/20/14
 11/2/2003
Signatures: [Illegible]

NOTES

1. BASIS OF BEARINGS: COORDINATES AND BEARINGS SHOWN HEREON ARE IN U.S. SURVEY FEET AND ARE REFERENCED TO GRID NORTH, BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983, 1990 ADJUSTMENT. HORIZONTAL POSITIONS WERE DERIVED FROM GPS OBSERVATIONS UTILIZING A R8 GNSS RECEIVER, RECEIVING CORRECTIONS FROM TRIMBLE'S GNSS RTN (REAL-TIME NETWORK) AS COOPERATIVELY TIED TO THE FDOT FPRN. POSITIONS WERE CALIBRATED USING CONTROL POINT "STARKEY R" WITH PUBLISHED COORDINATES OF 1,282,058.81 NORTH, 401,803.27 EAST (INFORMATION OBTAINED FROM THE NGS DATA SHEET, PID AG7002) AND CONTROL POINT "STARKEY U" WITH PUBLISHED COORDINATES OF 1,289,941.46 NORTH, 401,948.67 EAST (INFORMATION OBTAINED FROM THE NGS DATA SHEET, PID AG7005). THE BEARING BETWEEN SAID POINTS BEING N01°03'24"E.
2. THIS SKETCH IS A GRAPHIC ILLUSTRATION FOR INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED TO REPRESENT A FIELD SURVEY.
3. NOT A BOUNDARY SURVEY.
4. MAP ON SHEET 2 IS INTENDED TO BE DISPLAYED AT A SCALE OF 1"=60' OR SMALLER.
5. ADDITIONS OR DELETIONS TO SURVEY MAPS AND REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES ARE PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
6. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

PREPARED FOR: PINELLAS COUNTY		LAKE SEMINOLE ALUM INJECTION BASIN 2 DESCRIPTION & SKETCH SECTION 15 TOWNSHIP 30 S RANGE 15 E		BY JLS	DATE 1/20/14	DESCRIPTION REVISED TO FEET AND ADDED IN DESCRIPTION
CREW CHIEF	INITIALS	DATE		George F. Young, Inc. 299 DR. MARTIN LUTHER KING JR. STREET, N. ST. PETERSBURG, FLORIDA 33701 PHONE (727) 822-6317 FAX (727) 822-2919 BUSINESS ENTITY 1821		JOB NO. 11Y034085U
DRAWN	JLS	12/10/13		ARCHITECTURE-ENGINEERING-ENVIRONMENTAL-LANDSCAPE-PLANNING-SURVEYING-UTILITIES GAINESVILLE-LAKEWOOD RANCH-ORLANDO-PALM BEACH GARDENS-ST. PETERSBURG-TAMPA-VENICE		SHEET NO.
CHECKED	CAB	12/12/13				1 of 2
FIELD BOOK	CATHERINE A. BOSCO PSM 15 6257					
FIELD DATE	DECEMBER 12, 2013					

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 LOGIN: JLSMITH



LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°07'59"E	120.00'
L2	S00°40'46"W	20.00'
L3	S89°07'59"E	80.50'
L4	S00°40'46"W	27.00'
L5	N89°07'59"W	30.78'
L6	N00°57'56"E	9.00'
L7	N89°07'59"W	109.88'
L8	S00°52'01"W	82.00'
L9	N89°07'59"W	60.00'
L10	N00°52'01"E	120.00'

PREPARED FOR:
PINELLAS COUNTY

LAKE SEMINOLE ALUM INJECTION BASIN 2
DESCRIPTION & SKETCH
SECTION 15, TOWNSHIP 30 S., RANGE 15 E.

BY	DATE	DESCRIPTION
JLS	1/20/14	REVISED TO FEET AND ADDED IN DESCRIPTION

INITIALS	DATE
CREW CHIEF	
DRAWN	JLS 12/10/13
CHECKED	CAB 12/12/13
FIELD BOOK	
FIELD DATE	

SEE SHEET 1 OF 2
FOR SIGNATURE
AND SEAL



George F. Young, Inc.
299 DR. MARTIN LUTHER KING JR. STREET N. ST. PETERSBURG, FLORIDA 33701
PHONE (727) 822-4317 FAX (727) 822-2919
BUSINESS ENTITY LB21
ARCHITECTURE-ENGINEERING-ENVIRONMENTAL-LANDSCAPE-PLANNING-SURVEYING-UTILITIES
GAINESVILLE-LAKELAND-RANDOLPH-ORLANDO-PALM BEACH GARDENS-ST. PETERSBURG-TAMPA-VENICE

JOB NO.
11Y03408SU
SHEET NO.
2 of 2

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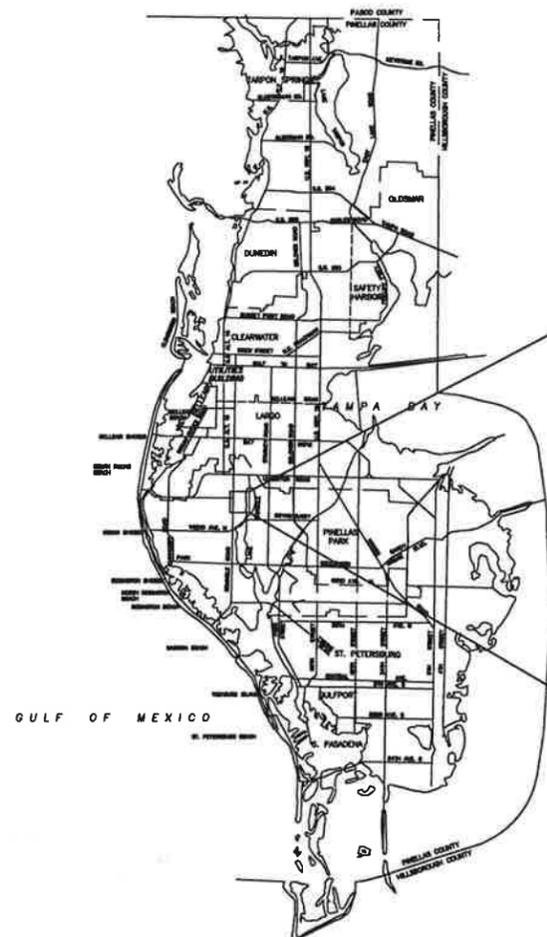
PINELLAS COUNTY PUBLIC WORKS

LAKE SEMINOLE REGIONAL STORMWATER TREATMENT FACILITIES BASIN 2



PID No. 829

100% PLANS



LOCATION MAP



SECTION 15, TOWNSHIP 30 SOUTH, RANGE 16 EAST

KEY MAP
NOT TO SCALE

Page	Sheet	Description
1	-	COVER
2	C-1	PINELLAS COUNTY GENERAL NOTES I
3	C-2	PINELLAS COUNTY GENERAL NOTES II
4	C-3	STANDARDS, ABBREVIATIONS AND GENERAL CONSTRUCTION NOTES
5	G-4	SURVEY INFORMATION
6	G-5	STORMWATER POLLUTION PREVENTION PLAN
7	G-6	EROSION AND SEDIMENTATION CONTROL NOTES
8	G-7	EROSION AND SEDIMENTATION CONTROL DETAILS
9	G-8	EROSION AND SEDIMENTATION CONTROL PLAN
10	G-9	EXISTING CONDITIONS
11	C-1	SITE LAYOUT PLAN KEY
12	C-2	TREATMENT SYSTEM SITE LAYOUT PLAN I
13	C-3	TREATMENT SYSTEM SITE LAYOUT PLAN II
14	C-4	TREATMENT SYSTEM SITE LAYOUT PLAN III
15	CS-1	CANAL CROSS SECTIONS
16	M-1	BUILDING PIPING PLAN
17	M-2	BUILDING PIPING DETAILS AND NOTES
18	M-3	WATER PUMP / DRY WELL PLAN
19	D-1	EROSION/TURBIDITY CONTROL DETAILS
20	D-2	CHEMICAL TREATMENT SYSTEM DETAILS
21	D-3	MISCELLANEOUS DETAILS
22	S-1	BUILDING PLANS, SCHEDULES & DETAILS
23	S-2	BUILDING ELEVATIONS, DETAILS & NOTES
24	S-3	BUILDING SECTIONS
25	S-4	REMOTE PANEL COVER STRUCTURE
26	E-1	ELECTRICAL SITE PLAN
27	E-2	ALUM BUILDING ELECTRICAL PLAN
28	E-3	ELECTRICAL RISER DIAGRAM AND PANEL SCHEDULE

PINELLAS COUNTY
DEPARTMENT OF PUBLIC WORKS
DIVISION OF ENGINEERING AND TECHNICAL SUPPORT
14 SOUTH FORT HARRISON AVENUE
CLEARWATER, FLORIDA 33756
PHONE: (727)464-3588

PROJECT MANAGER: PAUL N. BERLAGE

SUBMITTED BY:

KELLY H. LEVY
NATURAL RESOURCE MANAGER

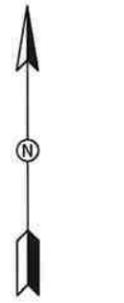
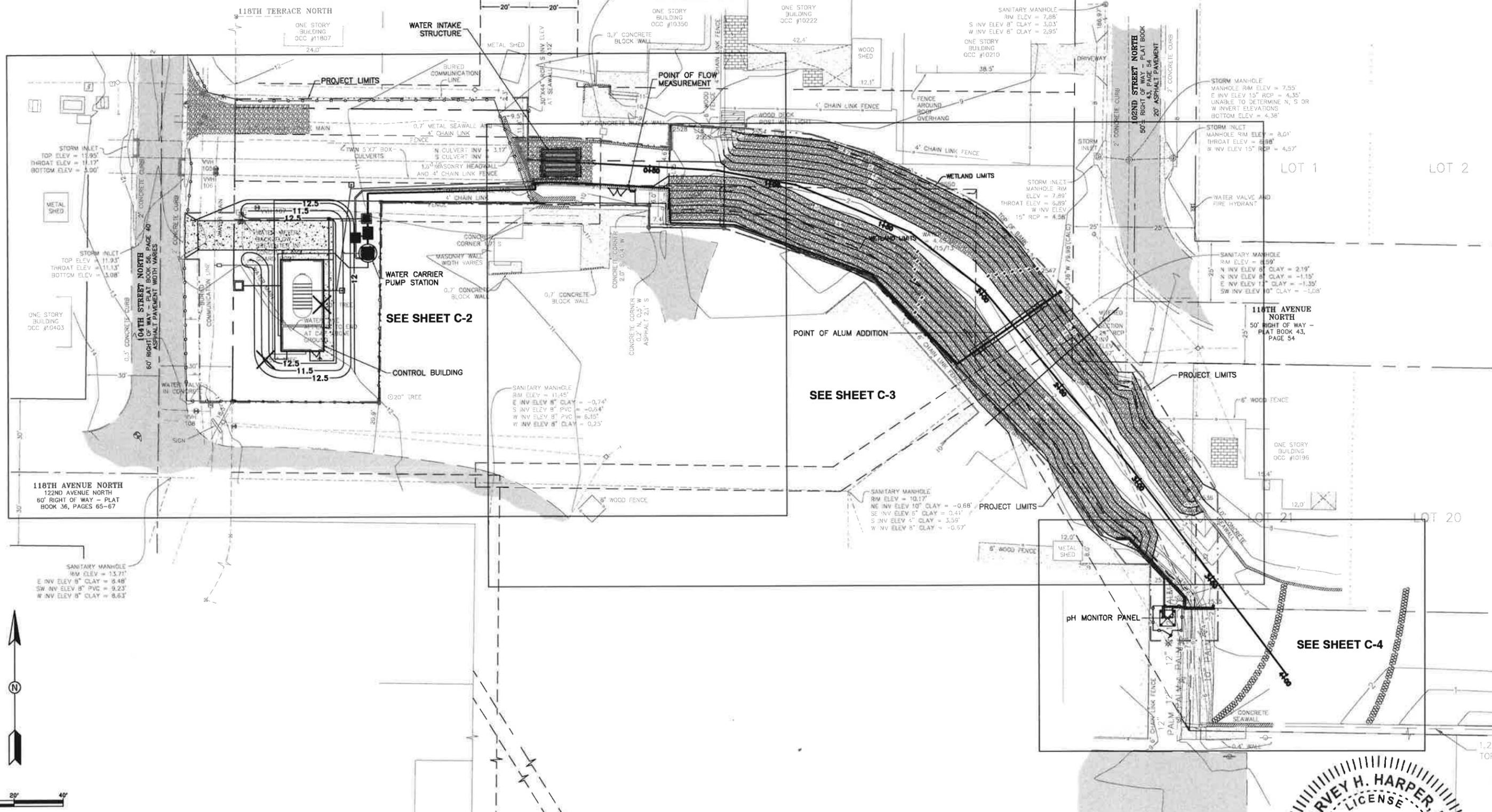
APPROVED BY:

RICHARD L. V. COATES III
PUBLIC WORKS DIRECTOR

PREPARED BY: ENVIRONMENTAL RESEARCH & DESIGN, INC.
3415 TRENTWOOD BLVD., SUITE 100
ORLANDO, FL 32835
PHONE: (407) 855-9485
ENGINEERING BUSINESS No. 02

No 32595
STATE OF
FLORIDA
PROFESSIONAL ENGINEER
Harvey H. Harper
HARVEY H. HARPER, P.E., No. 33306
DATE 1/2/16

Tue, 14 Jun 2016 - 3:35pm D:\My Documents\DWG\Lake Seminole\1.Basht 2103-03BSE02.dwg Les



DESIGNED BY:	REV.	DATE	DESCRIPTION	APP'D. BY
H. H. HARPER				
DRAWN BY:				
L. E. HEIGHT				
CHECKED BY:				
H. H. HARPER				
APPROVED BY:				
H. H. HARPER				
DATE: May., 2016				
SCALE: AS SHOWN				

ERD
Water Quality Engineering
ENVIRONMENTAL RESEARCH & DESIGN, INC.
ENGINEERING • SCIENCE • CHEMISTRY • RESEARCH
3419 TRENTWOOD BLVD., SUITE 102, ORLANDO, FL 32812
TELEPHONE 407-855-9465 • FAX 407-828-0419
ENGINEERING BUSINESS No. 6244

LAKE SEMINOLE REGIONAL STORMWATER TREATMENT FACILITIES BASIN 2

PINELLAS COUNTY, FLORIDA

SITE LAYOUT PLAN KEY

PROJECT No. 829

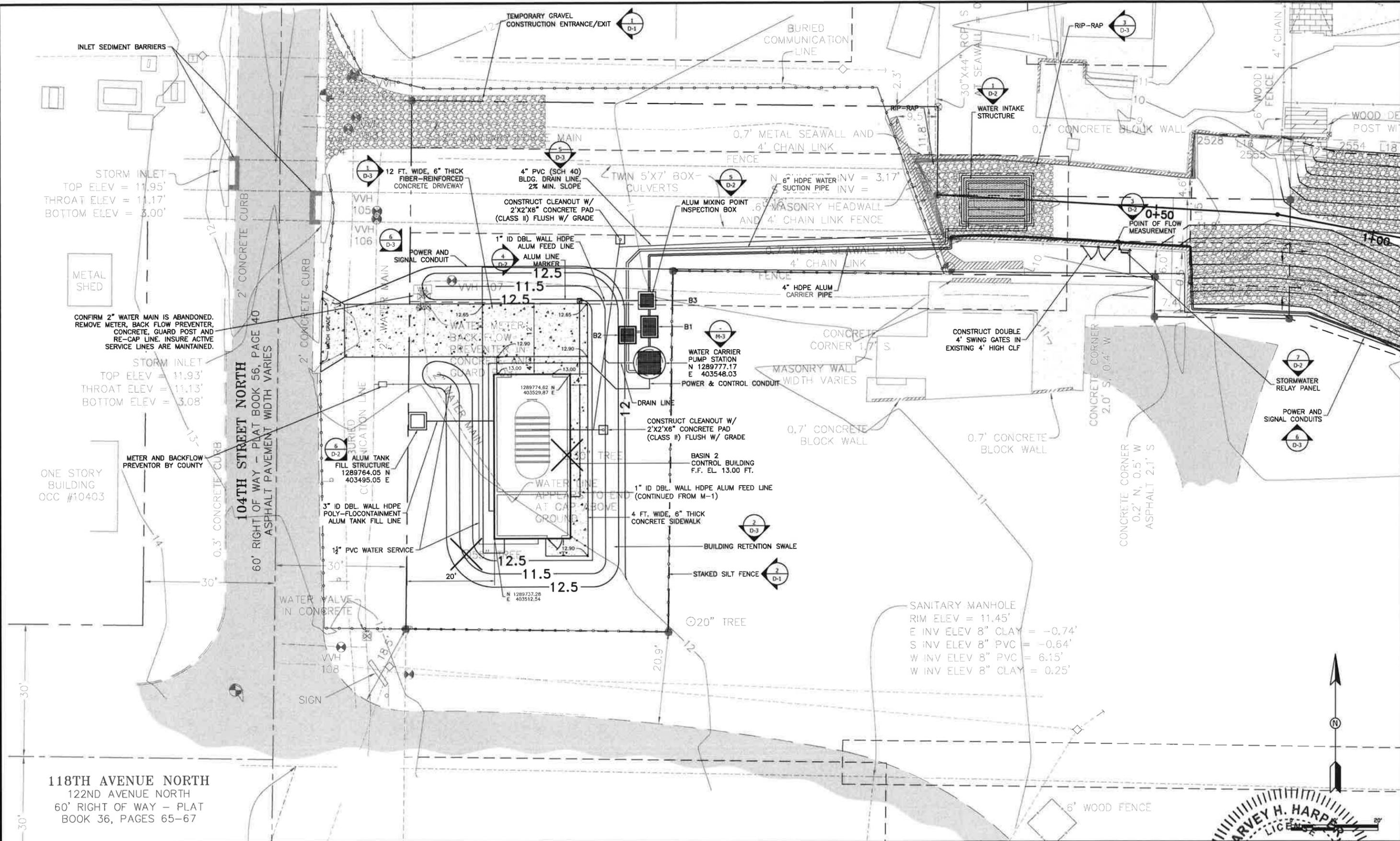
PROFESSIONAL ENGINEER

STATE OF FLORIDA

Harvey H. Harper, P.E.
No. 32595

SHEET 11 OF 28

Tue, 14 Jun 2016 - 3:56pm D:\My Documents\DWG\Lake Seminole\Basin 2\03-03B2c2.dwg Les



118TH AVENUE NORTH
122ND AVENUE NORTH
60' RIGHT OF WAY - PLAT
BOOK 36, PAGES 65-67

SANITARY MANHOLE
RIM ELEV = 11.45'
E INV ELEV 8" CLAY = -0.74'
S INV ELEV 8" PVC = -0.64'
W INV ELEV 8" PVC = 6.15'
W INV ELEV 8" CLAY = 0.25'

DESIGNED BY:	REV.	DATE	DESCRIPTION	APP'D. BY
H. H. HARPER				
DRAWN BY:				
L. E. HEIGHT				
CHECKED BY:				
H. H. HARPER				
APPROVED BY:				
H. H. HARPER				
DATE: May., 2016				
SCALE: AS SHOWN				

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TELEPHONE: 407-855-9485 • FAX: 407-820-0419
ENGINEERING BUSINESS No. 6244

**LAKE SEMINOLE REGIONAL STORMWATER
TREATMENT FACILITIES BASIN 2**

PINELLAS COUNTY, FLORIDA

**TREATMENT SYSTEM
SITE LAYOUT PLAN I**

PROJECT No. 829
PID No. 829

No 32595
Harvey H. Harper
6/15/16
STATE OF FLORIDA
PROFESSIONAL ENGINEER
HARVEY H. HARPER, P.E.
STATE LICENSE NO. 32595

SHEET 12 OF 28