

**ORDINANCE NO. 9124-18**

AN ORDINANCE OF THE CITY OF CLEARWATER, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY, TO DESIGNATE THE LAND USE FOR CERTAIN REAL PROPERTY LOCATED GENERALLY SOUTH OF CURLEW ROAD, WEST OF LAKE SHORE LANE AND EAST OF CURLEW CITY 1<sup>ST</sup> REPLAT SUBDIVISION AND NORTH OF TRAILS OF COUNTRYSIDE SUBDIVISION, WHOSE POST OFFICE ADDRESSES ARE 3474 ASPEN TRAIL, 3490 AND 3492 LAKE SHORE LANE, CLEARWATER, FLORIDA 33761, UPON ANNEXATION INTO THE CITY OF CLEARWATER, AS RESIDENTIAL LOW (RL) AND WATER/DRAINAGE FEATURE, AND TO CHANGE THE LAND USE FOR A 9.20-ACRE PORTION OF THE SAME REAL PROPERTY FROM TRANSPORTATION UTILITY (T/U) AND PRESERVATION (P) (IN PINELLAS COUNTY), TO RESIDENTIAL LOW (RL) AND TRANSPORTATION/UTILITY (T/U) OVERLAY (1.52 ACRES ONLY), UPON ANNEXATION INTO THE CITY OF CLEARWATER; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the amendment to the Future Land Use Element of the Comprehensive Plan of the City as set forth in this ordinance is found to be reasonable, proper and appropriate, and is consistent with the City's Comprehensive Plan; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLEARWATER, FLORIDA:

Section 1. The Future Land Use Element of the Comprehensive Plan of the City of Clearwater is changed by designating the land use categories for the hereinafter described property, upon annexation into the City of Clearwater, as follows:

<u>Property</u>	<u>Land Use Category</u>
See attached Exhibit A for Legal Description	15.26-acres Designated Residential Low (RL) & Water/Drainage Feature upon Annexation
	9.2-acre Portion Amended From: Transportation Utility (T/U) and Preservation (P) (Pinellas County)
(LUP2018-02001)	9.2-acre Portion Amended To: Residential Low (RL) and Transportation/Utility (T/U) Overlay upon Annexation

The map attached as Exhibit B is hereby incorporated by reference.

Section 2. The City Council does hereby certify that this ordinance is consistent with the City's Comprehensive Plan.

Section 3. This ordinance shall take effect contingent upon and subject to the adoption of Ordinance No. 9123-18 (annexation ordinance), approval of the land use designation by the Pinellas County Board of Commissioners, where applicable, and thirty-one (31) days post-adoption. If this ordinance is appealed within thirty (30) days after adoption, then this ordinance will take effect only after approval of the land use designation by the Pinellas County Board of Commissioners and upon issuance of a final order determining this amendment to be in compliance either by the Department of Economic Opportunity (DEO) or the Administration Commission, where applicable, pursuant to section 163.3187, Florida Statutes. The Community Development Coordinator is authorized to transmit to Forward Pinellas, in its role as the Pinellas Planning Council, an application to amend the Countywide Plan in order to achieve consistency with the Future Land Use Element of the City's Comprehensive Plan as amended by this ordinance.

PASSED ON FIRST READING

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PASSED ON SECOND AND FINAL  
READING AND ADOPTED

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George N. Cretekos  
Mayor

Approved as to form:

Attest:

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Michael P. Fuino  
Assistant City Attorney

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Rosemarie Call  
City Clerk

## **BEARING BASIS:**

REFERENCE BEARING OF N85°33'56"E, ALONG THE CENTER LINE OF SURVEY (FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 15009-2540), DERIVED FROM THE FLORIDA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR, WEST ZONE, NORTH AMERICAN DATUM 1983 ADJUSTMENT OF 1990, ORIGINATING FROM VALUES PUBLISHED FOR PINELLAS COUNTY CERTIFIED CORNER RECORD NO. 102294 AND 102294, PURSUANT TO FLORIDA STATUTE 177-151.

## **DESCRIPTION: (RE-WRITTEN TO RESOLVE AMBIGUITIES)**

FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 18, TOWNSHIP 28 SOUTH, RANGE 16 EAST, SAID POINT ALSO BEING THE POINT OF BEGINNING OF HEREIN DESCRIBED PARCEL; THENCE S00°24'05"E FOR A DISTANCE OF 404.83 FEET TO A POINT ON THE NORTHERLY BOUNDARY LINE OF TRAILS OF COUNTRYSIDE, PLAT BOOK 90, PAGE 49 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE S89°52'41"W, ALONG SAID NORTHERLY BOUNDARY LINE FOR A DISTANCE OF 452.36 FEET; THENCE CONTINUE ALONG SAID NORTHERLY BOUNDARY LINE, S84°41'31"W FOR A DISTANCE OF 941.50 FEET TO A POINT ON THE WEST BOUNDARY LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 AND THE WEST BOUNDARY LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 18; THENCE ALONG THE WEST BOUNDARY LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 AND THE WEST BOUNDARY LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 18 FOR A DISTANCE OF 718.29 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 586 (CURLEW ROAD) PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 15009-2540 AND A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHERLY HAVING A RADIUS OF 1832.86 FEET, A CHORD BEARING AND CHORD DISTANCE OF N71°52'05"E, 16.12 FEET; THENCE ALONG THE ARC OF THE CURVE AND SAID SOUTHERLY RIGHT OF WAY LINE, 16.12 FEET TO A POINT OF TANGENCY; THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY LINE, S64°00'52"E, 20.10 FEET; THENCE N72°26'33"E, 23.95 FEET; THENCE N27°53'29"E, 19.74 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHERLY HAVING A RADIUS OF 1832.86 FEET, A CHORD BEARING AND CHORD DISTANCE OF N74°51'00"E, 101.75 FEET; THENCE ALONG THE ARC OF THE CURVE, 101.77 FEET TO A POINT OF TANGENCY; THENCE N13°33'35"W, 5.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHERLY HAVING A RADIUS OF 1837.86 FEET, A CHORD BEARING AND CHORD DISTANCE OF N79°22'56"E, 188.65 FEET; THENCE ALONG THE ARC OF THE CURVE, 188.73 FEET TO A POINT OF TANGENCY; THENCE S07°40'33"E, 7.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHERLY HAVING A RADIUS OF 1830.86 FEET, A CHORD BEARING AND CHORD DISTANCE OF N83°56'42"E, 103.56 FEET; THENCE ALONG THE ARC OF THE CURVE, 103.57 FEET TO A POINT OF TANGENCY; THENCE N85°33'56"E, 593.93 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHERLY HAVING A RADIUS OF 1330.86 FEET, A CHORD BEARING AND CHORD DISTANCE OF N86°27'04"E, 56.63 FEET; THENCE ALONG THE ARC OF THE CURVE, 56.63 FEET TO A POINT OF TANGENCY; THENCE N02°39'43"W, 5.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHERLY HAVING A RADIUS OF 1835.86 FEET, A CHORD BEARING AND CHORD DISTANCE OF S88°00'19"E, 298.11 FEET; THENCE ALONG THE ARC OF THE CURVE, 298.44 FEET TO A POINT OF

TANGENCY AND THE EAST BOUNDARY LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 18; THENCE ALONG SAID EAST BOUNDARY LINE, S00°34'56"E, 360.40 FEET TO THE POINT OF BEGINNING.

