

ORDINANCE NO. 8895-16

AN ORDINANCE OF THE CITY OF CLEARWATER, FLORIDA, AMENDING THE FUTURE LAND USE PLAN ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY, TO DESIGNATE THE LAND USE FOR CERTAIN REAL PROPERTY LOCATED ON THE NORTH SIDE OF GULF-TO-BAY BOULEVARD, APPROXIMATELY 900 FEET EAST OF SOUTH BAYSHORE BOULEVARD, WHOSE POST OFFICE ADDRESS IS 3400 GULF-TO-BAY BOULEVARD, CLEARWATER, FLORIDA 33759, AS INSTITUTIONAL (I), COMMERCIAL GENERAL (CG), PRESERVATION (P), RECREATION/OPEN SPACE (R/OS), RESIDENTIAL LOW (RL), AND WATER/DRAINAGE FEATURE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the amendment to the future land use plan 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 plan element of the comprehensive plan of the City of Clearwater is amended by designating the land use category for the hereinafter described property as follows:

<u>Property</u>	<u>Land Use Category</u>
See attached Exhibit A for Legal Description	From: Institutional (I), Preservation (P), Recreation/Open Space (R/OS) and Water/Drainage Feature To: Institutional (I), Commercial General (CG), Preservation (P), Recreation/Open Space (R/OS), Residential Low (RL), and Water/Drainage Feature

(LUP2016-03003)

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 approval of the land use designations by the Pinellas County Board of Commissioners 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 the Pinellas Planning Council an application to amend the Countywide Plan in order to achieve consistency with the Future Land Use Plan Element of the City's Comprehensive Plan as amended by this ordinance.

PASSED ON FIRST READING

PASSED ON SECOND AND FINAL
READING AND ADOPTED

George N. Cretekos
Mayor

Approved as to form:

Attest:

Camilo A. Soto
Assistant City Attorney

Rosemarie Call
City Clerk

EXHIBIT "A"

LEGAL DESCRIPTION: (PROVIDED BY OTHERS, EDITED BY THE UNDERSIGNED)

THE NORTH 1/2 OF THE NE 1/4 OF SECTION 16, TOWNSHIP 29 SOUTH, RANGE 16 EAST, AND THAT PART OF GOVERNMENT LOTS 3 AND 4 OF SAID SECTION, WHICH LIES NORTH OF A LINE BEGINNING IN THE WEST BOUNDARY OF SAID GOVERNMENT LOT 3, AT A POINT 250 FEET NORTH OF ITS SOUTHWEST CORNER EXTENDING NORTH 87° EAST TO NAVIGABLE WATER IN OLD TAMPA BAY, AND LESS RIGHT-OF-WAY OF DAVIS CAUSEWAY, PINELLAS COUNTY, FLORIDA;

AND

ALL LAND LYING BETWEEN THE ABOVE DESCRIBED PARCEL AND THE RIGHT-OF-WAY OF STATE ROAD 60, OTHERWISE KNOWN AS COURTNEY CAMPBELL CAUSEWAY.

AND PARCEL 5

AND ALL THAT PART OF GOVERNMENT LOT 1 IN SECTION 15, TOWNSHIP 29 SOUTH, RANGE 16 EAST, LYING SOUTH OF AN EASTERLY PROJECTION OF THE NORTH LINE OF GOVERNMENT LOT 4 IN SECTION 16, TOWNSHIP 29 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA, WHICH PROJECTION IS EXTENDED TO THE DEEP WATER CHANNEL OF TAMPA BAY.

LESS AND EXCEPT A 100' RIGHT-OF-WAY FOR BAYSHORE BOULEVARD AS DESCRIBED IN COUNTY PETITION NO. 80 DATED AUGUST 4, 1925.

LESS AND EXCEPT A RIGHT-OF-WAY ACROSS GOVERNMENT LOT 4 OF SAID SECTION 16, DESCRIBED IN CITY OF CLEARWATER RESOLUTION 64-90, FILED IN OFFICIAL RECORD 1936 PAGES 522-524, OF THE PUBLIC RECORDS OF PINELLAS COUNTY FLORIDA.

LESS AND EXCEPT PARCEL 1

THAT PORTION THEREOF DEEDED TO ROBERT D. WINN AND MARY S. WINN, HUSBAND AND WIFE, ON NOVEMBER 16, 1992, BY DEED RECORDED IN O.R. BOOK 8094, PAGE 1155, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: THAT PORTION OF THE NW 1/4 OF SECTION 16, TOWNSHIP 29S, RANGE 16E, LYING SOUTH OF DREW STREET, EAST OF UNIT 1 OF CRYSTAL HEIGHTS SUBDIVISION, AND NORTHWESTERLY OF BAYSHORE BOULEVARD - TOGETHER WITH THE RIPARIAN RIGHTS THERETO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE NE CORNER OF THE NW 1/4 OF SECTION 16, TOWNSHIP 29S, RANGE 16E, AS A POINT OF REFERENCE, THENCE 500°37'03"W ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 16 A DISTANCE OF 33.0' TO THE NORTHEAST CORNER OF LOT 9, UNIT 1 OF CRYSTAL HEIGHTS SUBDIVISION AS A POINT OF BEGINNING; THENCE CONTINUE 500°37'03"W ALONG SAID CENTERLINE (BEING ALSO THE EASTERLY BOUNDARY OF SAID UNIT 1 OF CRYSTAL HEIGHTS SUBDIVISION, AS RECORDED IN PLAT BOOK 28, PAGE 64, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA), A DISTANCE OF 222.47' TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF BAYSHORE BOULEVARD (A 100' RIGHT-OF-WAY); THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 368.31', A CHORD BEARING OF N41°35'48"E, AND A CHORD DISTANCE OF 146.17' TO A POINT OF TANGENCY; THENCE N61°02'31"E ALONG SAID TANGENT RIGHT-OF-WAY, A DISTANCE OF 184.66' TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY OF DREW STREET (CURRENTLY A 33' RIGHT-OF-WAY); THENCE N89°29'50"W ALONG SAID SOUTHERLY RIGHT-OF-WAY (33' FROM AND PARALLEL TO THE NORTH LINE OF SAID SECTION 16), A DISTANCE OF 242.21' TO THE POINT OF BEGINNING. CONTAINING 23.549 SQUARE FEET (0.54 ACRES) M.O.L.

TOGETHER WITH THE RIPARIAN RIGHTS TO THE LANDS LYING DIRECTLY EAST, ACROSS THE 100' RIGHT-OF-WAY FOR BAYSHORE BOULEVARD (AS RECORDED IN COUNTY PETITION NO. 80, DATED AUGUST 4, 1925) BEING FURTHER DESCRIBED AS FOLLOWS:

THE NORTH 222.47' OF THE NORTH/EAST 1/4 OF SECTION 16, TOWNSHIP 29S, RANGE 16E, LYING BETWEEN THE EASTERLY LINE OF UNIT 1 OF CRYSTAL HEIGHTS SUBDIVISION AS RECORDED IN PLAT BOOK 28, PAGE 64, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, AND EXTENDING EASTERLY TO THE MEAN HIGH WATER MARK OF OLD TAMPA BAY - LESS A 100' RIGHT-OF-WAY FOR BAYSHORE BOULEVARD - AS DESCRIBED IN COUNTY PETITION NO. 80 DATED AUGUST 4, 1925.

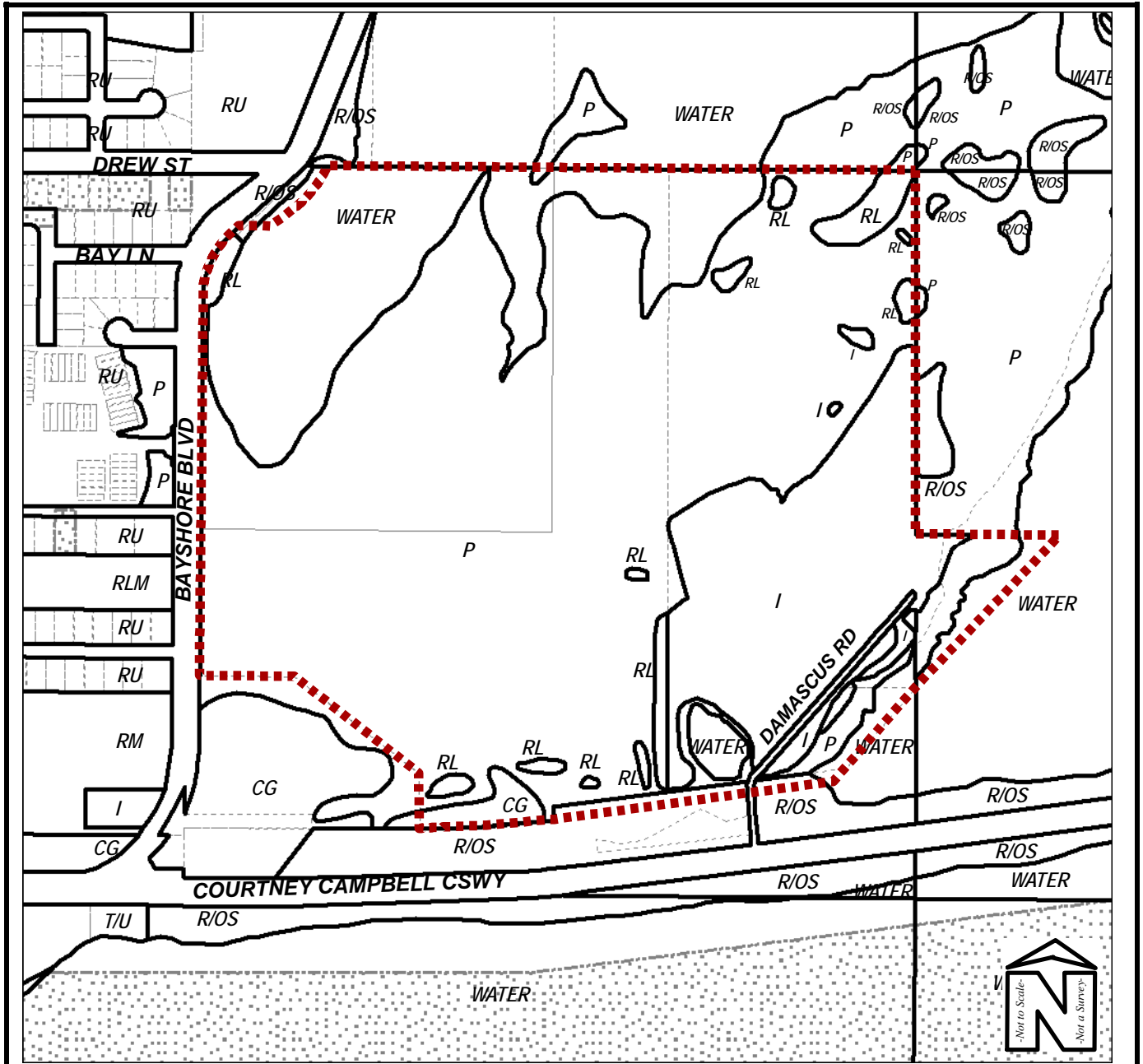
RIPARIAN RIGHTS GRANTED ARE LIMITED TO THE LESSER OF: (A) FIFTY (50') FEET FROM THE UPLAND, OR (B) THE MAXIMUM DOCK LENGTH PERMITTED BY LAW, WHICHEVER IS THE LEAST.

LESS AND EXCEPT:

LANDS KNOWN AS THE "EASTER" TRACT, RECORDED IN OFFICIAL RECORDS BOOK 16135, PAGE 2664 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

TOTAL AREA: 131.05 ACRES, MORE OR LESS

THERE IS APPARENTLY TWO SCRIVENER ERRORS IN THE ABOVE DESCRIBED LEGAL DESCRIPTION, SHOWN WITH AN ASTERICK. BOTH SHOULD BE CHANGED TO SHOW "NORTHEAST" OR "NE" INSTEAD OF NORTHWEST (NW).



FUTURE LAND USE MAP

Owners: Clearwater Christian College	Case:	DVA2010-06001 LUP2016-03003 REZ2016-03003
Site: 3400 Gulf-to-Bay Boulevard	Property Size(Acres):	131.05
Land Use	Zoning	PIN: 16-29-16-00000-120-0100 16-29-16-00000-140-0100 16-29-16-00000-130-0200 16-29-16-00000-110-0100
From : I, P, R/OS, & Water/Drainage Feature	I, P, & OS/R	
To: I, CG, P, R/OS, RL, & Water/Drainage Feature	I, C, P, LDR, & OS/R	Atlas Page: 292B