

**ORDINANCE NO. 9101-18**

AN ORDINANCE OF THE CITY OF CLEARWATER, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY, TO CHANGE THE LAND USE DESIGNATION FOR CERTAIN REAL PROPERTY LOCATED ON THE WEST SIDE OF SOUTH DUNCAN AVENUE APPROXIMATELY 280 FEET NORTH OF GULF TO BAY BOULEVARD, WHOSE POST OFFICE ADDRESS IS 300 SOUTH DUNCAN AVENUE, CLEARWATER, FLORIDA 33755, FROM RESIDENTIAL/OFFICE GENERAL (R/OG) TO COMMERCIAL GENERAL (CG); 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 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<br><br>(LUP2017-10011) | From: Residential/Office General (R/OG)<br><br>To: Commercial General (CG) |

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 change 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 Plan 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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Camilo A. Soto  
Assistant City Attorney

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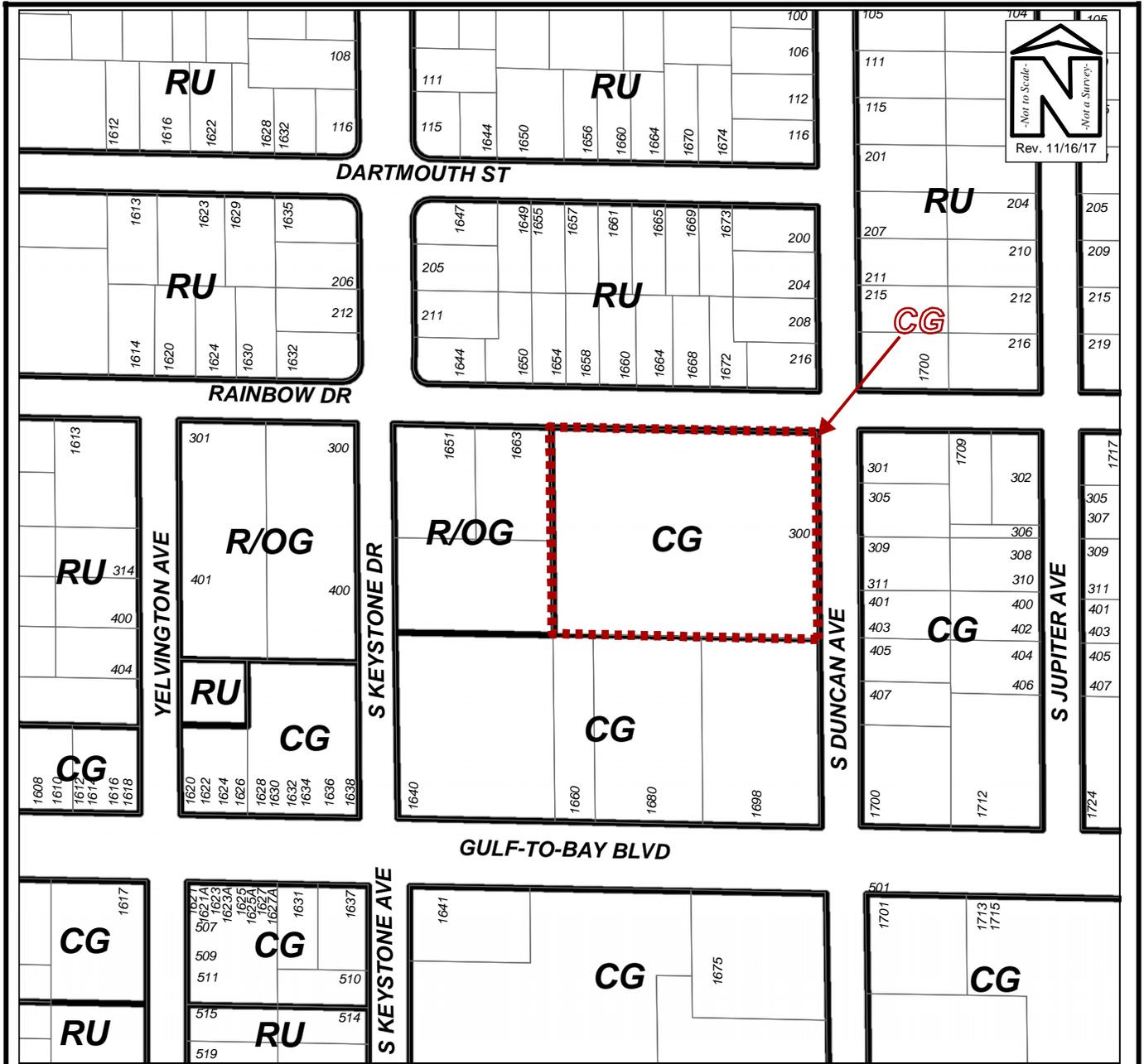
Rosemarie Call  
City Clerk

## Exhibit "A"

### Legal Description

A parcel of land in the SW 1/4 of the NE 1/4 of Section 14, Township 29 South, Range 15 East, Pinellas County, Florida, further described as follows:

Start at the SE corner of the SE 1/4 of the SW 1/4 of the NE 1/4 of Section 14, Township 29 South, Range 15 East, and go N 01 degrees 11' 31" W, along the 40 acre line, 50.14 feet; thence go N 88 degrees 47' 06" W, 58.31 feet to the point of intersection of the West right-of-way line of Duncan Avenue and the North right-of-way line of Gulf to Bay Boulevard; thence N 00 degrees 33' 28" W, along the West right-of-way line of Duncan Avenue, 280.00 feet to the Point of Beginning of this description; thence N 88 degrees 47' 06" W, 395.63 feet; thence N 00 degrees 39' 25" W, 308.52 feet to a point on the South right-of-way line of Rainbow Drive; thence S 88 degrees 56' 09" E, along the South right-of-way line of Rainbow Drive, 396.14 feet to a point of intersection with the West right-of-way line of Duncan Avenue; thence S 00 degrees 33' 28" E, along the West right-of-way line-of Duncan Avenue 309.54 feet to the Point of Beginning.



## FUTURE LAND USE MAP

|  |                       |                                |
|--|-----------------------|--------------------------------|
| Owner(s): Rental Houses, LLC               | Case:                 | LUP2017-10011<br>REZ2017-10012 |
| Site: 300 South Duncan Avenue              | Property Size(Acres): | 2.807 acres                    |
| Land Use                                   | Zoning                | PIN: 14-29-15-00000-130-0200   |
| From: Residential/Office<br>General (R/OG) | Office (O)            |                                |
| To: Commercial<br>General (CG)             | Commercial (C)        | Atlas Page: 288B               |