

ORDINANCE NO. 9127-18

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 FOR CERTAIN REAL PROPERTIES LOCATED ON THE WEST SIDE OF NORTH MCMULLEN BOOTH ROAD APPROXIMATELY 500 FEET SOUTH OF UNION STREET, WHOSE POST OFFICE ADDRESSES ARE BOTH 1990 NORTH MCMULLEN BOOTH ROAD, TOGETHER WITH ONE UNADDRESSED PARCEL LOCATED ON THE SOUTH SIDE OF UNION STREET APPROXIMATELY 500 FEET WEST OF NORTH MCMULLEN BOOTH ROAD AND ONE UNADDRESSED PARCEL LOCATED ON THE WEST SIDE OF NORTH MCMULLEN BOOTH ROAD APPROXIMATELY 500 FEET SOUTH OF UNION STREET, UPON ANNEXATION INTO THE CITY OF CLEARWATER, AS RESIDENTIAL LOW MEDIUM (RLM); 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 category for the hereinafter described properties, upon annexation into the City of Clearwater, as follows:

<u>Property</u>	<u>Land Use Category</u>
See attached Exhibit A for Legal Description	From: Residential Suburban (RS)
(LUP2017-09009)	To: Residential Low Medium (RLM)

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. 9126-18 (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 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. Cretelos
Mayor

Approved as to form:

Attest:

Pamela K. Akin
City Attorney

Rosemarie Call
City Clerk

LEGAL DESCRIPTIONS

ANX2017-09020

No.	Parcel ID	Legal Description	Address
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1. 04-29-16-00000-220-0100

Unaddressed McMullen Booth

PARCEL 4 (per Deed Book 942, Page 185):

Beginning at a Point 539 ft. S. of N.E. Corner of NW 1/4 of NW 1/4, Section 4-29-16, Run thence South 131 ft., thence North 131 ft., thence East 333 ft. to Point of Beginning less a strip on the east side 33 ft. wide for road, all lying and being in Section 4, Township 29 South, Range 16 East.

LESS AND EXCEPT (per Official Records Book 8337, page 1422):

The West 233 ft. of the East 333 ft. of the North 569 ft. of said Northeast 1/4 of the Northwest 1/4 of the Northwest 1/4 of Section 4, LESS that portion thereof lying North of the South line of the North 539 ft. of said Northeast 1/4.

AND ALSO LESS (per Official Records Book 8337, Page 1422):

The East 100 ft. of the Northeast 1/4 of said Northwest 1/4 of Section 4, LESS that portion thereof lying North of the South line of the North 539 ft. of said Northeast 1/4, ALSO LESS existing right-of-way.

LESS AND EXCEPT RIGHT-OF-WAY FOR McMULLEN BOOTH ROAD AND RIGHT-OF-WAY FOR UNION STREET.

ALL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

A PARCEL OF LAND BEING A PART OF THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 29 SOUTH, RANGE 16 EAST, BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 4, TOWNSHIP 29 SOUTH, RANGE 16 EAST; THENCE N 89°59'14" E, ALONG THE NORTH BOUNDARY LINE OF THE NORTHWEST 1/4 OF SAID SECTION 4, 842.84 FEET; THENCE S 00°03'35" W, 48.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 00°03'35" W, 521.00 FEET; THENCE N 89°59'14" E, PARALLEL TO THE NORTH BOUNDARY LINE OF THE NORTHWEST 1/4 OF SAID SECTION 4, 389.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF MCMULLEN-BOOTH ROAD; THENCE S 00°03'35" W, ALONG SAID WEST RIGHT-OF-WAY LINE, 450.66 FEET; THENCE N 89°55'03" W, 565.66 FEET TO A POINT ON THE WEST BOUNDARY LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 4; THENCE N 00°02'43" E, ALONG THE WEST BOUNDARY LINES OF THE SOUTHEAST 1/4 AND THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 4, 970.72 FEET; THENCE N 89°59'14" E, PARALLEL TO THE AFORESAID NORTH BOUNDARY LINE OF THE NORTHWEST 1/4 OF SECTION 4, 176.91 FEET TO THE POINT OF BEGINNING.

THE PARCEL CONTAINS 346,817.83 SQUARE FEET OR 7.96 ACRES, MORE OR LESS.

No.	Parcel ID	Legal Description	Address
2.	04-29-16-00000-220-0210		Unaddressed Union Street

PARCEL 2 (referred to as "Parcel 4" per Official Records Book 14116, Pages 2092–2094:

The West one-half (W 1/2) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of Section 4, Township 29 south, Range 16 east, less a strip of land 33 feet wide on the north side for county highway, containing 4.87 acres net.

LESS AND EXCEPT (per Official Records Book 9613, Page 36)

A tract of land lying in Section 4, Township 29 South, Range 16 East, Pinellas County, Florida, being more particularly described as follows:

Commence at the Northwest corner of said Section 4; thence S 00°02'35" W, 33.00 feet to the Southerly right-of-way of C.R. 194; thence S 89°58'53" E along said Southerly right-of-way, 666.26 feet to the Point of Beginning; thence S 00°03'34" W, 15.00 feet; thence S 89°58'53" E, 176.69 feet; thence N 00°03'34" E, 33.00 feet; thence N 89°58'53" W, 176.69 feet; thence S 00°03'34" W, 18.00 feet to the Point of Beginning.

No.	Parcel ID	Legal Description	Address
3.	04-29-16-00000-220-0310		1990 North McMullen Booth Road

PARCEL 1 (referred to as "Parcel 2" per Official Records Book 14116, Pages 2092–2094):

The North two hundred–nine and one-half feet (209 1/2 feet) of the south–east quarter (SE 1/4) of the northwest quarter (NW 1/4) of the northwest quarter (NW 1/4), Section Four (4), Township twenty–nine, south (29S) Range sixteen east (16E) being three acres more or less, in Pinellas County, Florida.

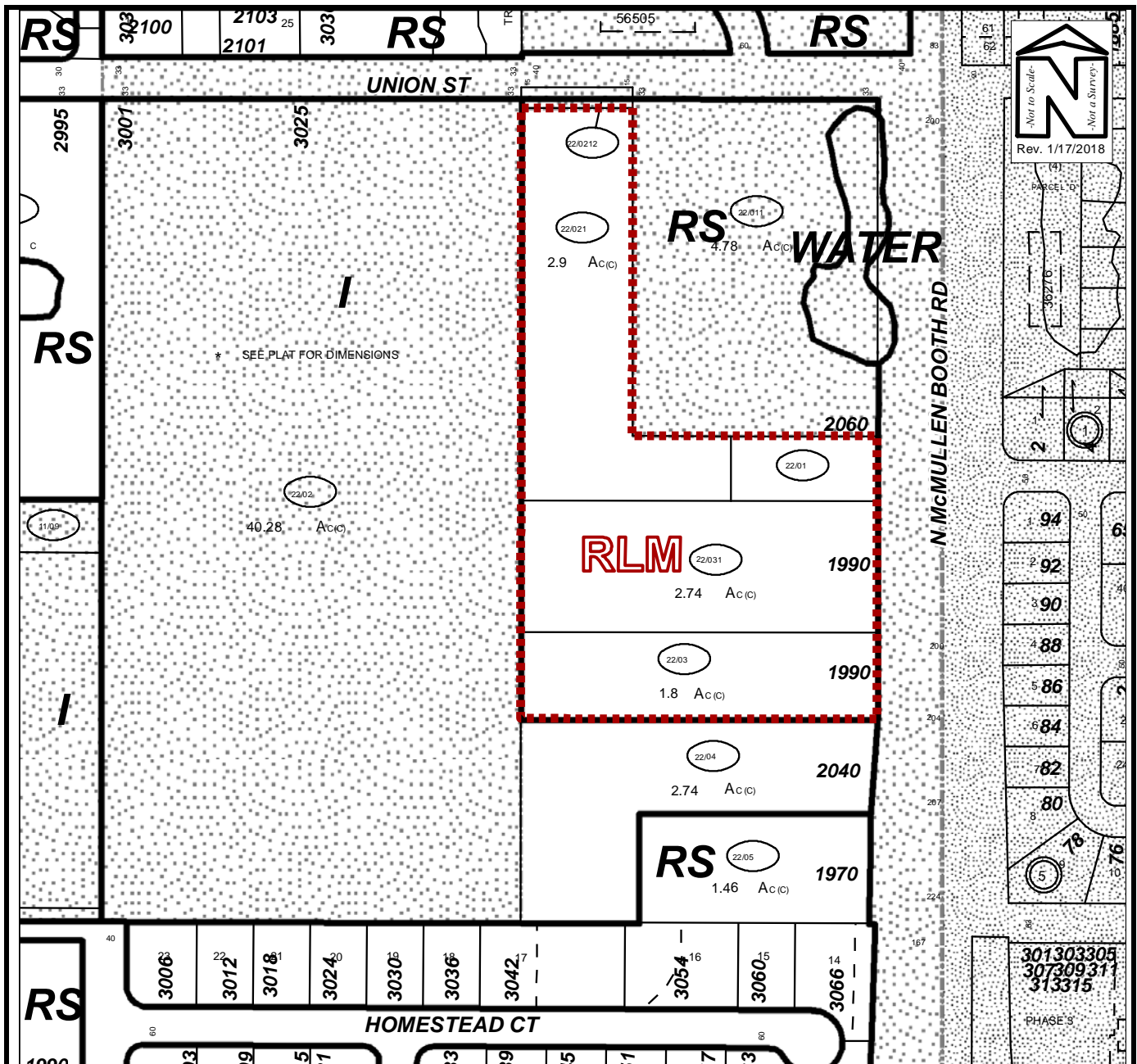
LESS AND EXCEPT (per Official Records Book 8337, Page 1422)

The North 569 ft. of the West 156 ft. of the East 489 ft. of said Northwest 1/4 of the Northwest 1/4 of Section 4, LESS existing right-of-way.

No.	Parcel ID	Legal Description	Address
4.	04-29-16-00000-220-0300		1990 North McMullen Booth Road

PARCEL 3 (per Official Records Book 17939, Page 626):

The South 138.25 feet of the North 347.75 feet of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of Section Four (4), Township Twenty–nine (29) Range Sixteen (16) Pinellas County, Florida.



FUTURE LAND USE MAP

Owner(s): M B Investments LTD, Laura L. Weikel, Sarah M. Davidson, Paul M. McMullen Sr.		Case:	ANX2017-09020, LUP2017-09009, REZ2017-09009
Site: 1990 N McMullen Booth Road		Property Size(Acres):	7.96
		ROW (Acres):	
Land Use		PIN:	04-29-16-00000-220-0100 04-29-16-00000-220-0210 04-29-16-00000-220-0310 04-29-16-00000-220-0300
From :	Residential Suburban (RS)		
To:	Residential Low Medium (RLM)	Atlas Page:	256A
	Agricultural Estate (AE)		
	Medium Density Residential (MDR)		