



## Legislation Details (With Text)

**File #:** ANX2019-09020      **Version:** 1      **Name:** Ord. 9331-19, 9332-19, 9333-19; ANX2019-09020; 2765 Avocado Drive; Peter Bakhit  
**Type:** Planning Case      **Status:** Passed  
**File created:** 10/17/2019      **In control:** Planning & Development  
**On agenda:** 11/21/2019      **Final action:** 11/21/2019  
**Title:** Approve the annexation, initial Future Land Use Map designation of Residential Low (RL) and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 2765 Avocado Drive, and pass Ordinances 9331-19, 9332-19, and 9333-19 on first reading. (ANX2019-09020)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 9331-19 ANX Ord+Exh.pdf, 2. 9332-19 FLU Ord+Exh.pdf, 3. 9333-19 ZON Ord+Exh.pdf, 4. ANX2019-09020 - Maps+Photos.pdf

Date	Ver.	Action By	Action	Result
11/21/2019	1	City Council		
11/18/2019	1	Council Work Session		

**SUBJECT/RECOMMENDATION:**

Approve the annexation, initial Future Land Use Map designation of Residential Low (RL) and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 2765 Avocado Drive, and pass Ordinances 9331-19, 9332-19, and 9333-19 on first reading. (ANX2019-09020)

**SUMMARY:**

This voluntary annexation petition involves a 0.205-acre property consisting of one parcel of land occupied by a single-family dwelling. The property is located on the south side of Avocado Drive approximately 190 feet west of Calamondin Lane. The applicant is requesting annexation in order to receive solid waste service from the City. The property is not contiguous to existing city boundaries; however, it is in an enclave which is surrounded by properties within the City's jurisdiction on all sides (Type A) and is eligible for annexation pursuant to the Interlocal Service Boundary Agreement with Pinellas County. It is proposed that the property be assigned a Future Land Use Map designation of Residential Low (RL) and a Zoning Atlas designation of Low Medium Density Residential (LMDR).

The Planning and Development Department determined that the proposed annexation is consistent with the provisions of Community Development Code Section 4-604.E as follows:

- The property currently receives water service from Pinellas County and sanitary sewer service from the City of Clearwater. Collection of solid waste will be provided by the City of Clearwater. The property is located within Police District III and service will be administered through the district headquarters located at 2851 McMullen Booth Road. Fire and emergency medical services will be provided to this property by Station #49 located at 565 Sky Harbor Drive. The City has adequate capacity to serve this property with solid waste, police, fire and EMS service. The property will continue to receive water service from Pinellas County. The proposed annexation will not have an adverse effect on public facilities and their levels of service; and

- The proposed annexation is consistent with and promotes the following objectives and policies of the Clearwater Comprehensive Plan:

Objective A.6.4 Due to the built-out character of the City of Clearwater, compact urban development within the urban service area shall be promoted through application of the Clearwater Community Development Code.

Objective A.7.2 Diversify and expand the City's tax base through the annexation of a variety of land uses located within the Clearwater Planning Area.

Policy A.7.2.3 Continue to process voluntary annexations for single-family residential properties upon request.

Policy A.7.2.4. Allow voluntary annexations for noncontiguous properties that are within an enclave as define by Section 171.031(13)(a), Florida Statutes (Type A enclaves) and as authorized by the 2014 Interlocal Service Boundary Agreement (ISBA) between Pinellas County and municipalities, including the City of Clearwater.

- The proposed Residential Low (RL) Future Land Use Map category is consistent with the current Countywide Plan designation of the property. This designation primarily permits residential uses at a density of 5 units per acre. The proposed zoning district to be assigned to the property is the Low Medium Density Residential (LMDR) District. The use of the subject property is consistent with the uses allowed in the District and the property exceeds the District's minimum dimensional requirements. The proposed annexation is therefore consistent with the Countywide Plan and the City's Comprehensive Plan and Community Development Code; and
- The property proposed for annexation is not contiguous to city boundaries but is located in a Type A enclave and is therefore consistent with the Interlocal Service Boundary Agreement authorized by Florida Statutes Section 171.203.

**APPROPRIATION CODE AND AMOUNT: N/A**

**USE OF RESERVE FUNDS: N/A**