



## Legislation Text

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**File #:** ANX2018-09017, **Version:** 1

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### **SUBJECT/RECOMMENDATION:**

WITHDRAWN: Approve the annexation, initial Future Land Use Map designation of Residential Low (RL) and initial Zoning Atlas designation of Low Medium Density Residential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 2101 North Hercules Avenue, together with abutting right-of-way of North Hercules Avenue and pass Ordinances 9204-18, 9205-18, and 9206-18 on first reading. (ANX2018-09017)

### **SUMMARY:**

This voluntary annexation petition involves 0.181 acres of property occupied by a single-family dwelling. The parcel is located on the southeast corner of North Hercules Avenue and Lake Citrus Drive. The applicant is requesting annexation in order to receive solid waste and sanitary sewer service from the City. The property is located within an enclave and is contiguous to existing city limits to the south. The Development Review Committee is also proposing that the 0.125 acres of abutting North Hercules Avenue not currently within the City also be annexed. It is proposed that the property be assigned a Future Land Use Map designation of Residential Low (RL) and be assigned 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 Clearwater Community Development Code Section 4-604.E as follows:

- The property currently receives water service from Pinellas County. The closest sanitary sewer line is located in the adjacent Lake Citrus Drive right-of-way. The applicant has not paid the sewer impact and assessment fees but is aware that they must be paid in full prior to connection and of the additional costs to extend to the City sewer system. Collection of solid waste will be provided to the property by the City. The property is located within Police District III and service will be administered through the district headquarters located at 2851 N. McMullen Booth Road. Fire and emergency medical services will be provided to this property by Station 48 located at 1700 North Belcher Road. The City has adequate capacity to serve this property with sanitary sewer, solid waste, police, fire and EMS service. 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 objective and policy 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.

- The proposed Residential Low (RL) Future Land Use Map category to be assigned to the property is

consistent with the Countywide Plan designation. 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 Low Medium Density Residential (LMDR). The property exceeds the District's minimum dimensional requirements, but the applicant is currently operating a real estate office out of the house in a manner that is inconsistent with Pinellas County's home occupation regulations. While home occupations are allowed in residential districts in both the County and the City, each jurisdiction has established similar development standards to preserve the residential nature of a property. The applicant is aware that upon annexation the use of the property must comply with the City's Community Development Code, including the home occupation standards contained in Section 3-1102. 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 contiguous to existing city limits to the south; therefore, the annexation is consistent with Florida Statutes Chapter 171.044.

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

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