

**CITY OF PINELLAS PARK, FLORIDA
CITY COUNCIL AGENDA
MAY 10, 2007**

**CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE**

I. PRESENTATIONS

PROCLAMATIONS

PLAQUE

Phillip England, Board of Adjustment

SPECIAL PRESENTATION — TEAMWORK AWARD

Nineteen Members of the Fire Department

SPECIAL PRESENTATION — Kiwanis

Doug Parker, Pres. To Police Explorers (\$250), Fire Explorers (\$250) and Fire Union 2193 for MDA (\$500) (profits raised from Country in the Park/Chili Blaze)

CITIZENS COMMENTS ARE INVITED ON ITEMS OR CONCERNS NOT ALREADY SCHEDULED ON TONIGHT'S AGENDA. PLEASE LIMIT COMMENTS TO THREE MINUTES.

AT THIS TIME STAFF MEMBERS WILL BE SWORN IN IF THERE ARE ITEMS THAT ARE QUASI-JUDICIAL

II. APPROVAL OF MINUTES

Approval of Regular Council Minutes of April 26, 2007.

III. PUBLIC HEARINGS

◆ **COMMUNITY DEVELOPMENT**

P1 ORDINANCE NO. 3553. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6537 123RD AVENUE NORTH (Douglas G. and Louissette L. Denson AX07-30)

PUBLIC HEARING, SECOND AND FINAL READING

NOTE: This is a voluntary annexation of 1.38 acres MOL of contiguous commercial property eligible for annexation, located in the Potterfield Miniature Farms subdivision. The Owners' business, Tip Top Tree Service, is located on this site.

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- P1** (reference material — ordinance, petition, map, Attorney approval letter, *C5 on 4/26/2007 Council agenda*)
- P2** **ORDINANCE NO. 3554. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6053 109TH AVENUE NORTH (Brian I. Puma AX06-31)**

PUBLIC HEARING, SECOND AND FINAL READING

NOTE: This is a voluntary annexation of 0.14 acres MOL of contiguous residential property, eligible for annexation, located in the Greentree Manor subdivision. The Owner's mobile home is located on this site.

(reference material — ordinance, petition, map, Attorney approval letter, *C6 on 4/26/2007 Council agenda*)

- P3** **ORDINANCE NO. 3552. AN ORDINANCE AMENDING CHAPTER 18 (LAND DEVELOPMENT CODE), ARTICLE 15 "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF PINELLAS PARK, FLORIDA, BY AMENDING SECTION 18-1506.23(I) PRELIMINARY SITE PLAN APPROVAL REQUIREMENTS, BY ESTABLISHING NEW REQUIREMENTS FOR SITES AND STRUCTURES IN THE "M-1" LIGHT INDUSTRIAL DISTRICT WHERE AN "M-1" PARCEL ABUTS OR FUNCTIONALLY ABUTS A RESIDENTIAL OR MIXED USE ZONING DISTRICT APPLICABLE TO PARCELS BEING DEVELOPED OR REDEVELOPED AFTER THE EFFECTIVE DATE OF THIS AMENDMENT AND PROVISIONS FOR WAIVERS OR VARIANCES FROM THE REQUIREMENTS OF THIS ARTICLE; PROVIDING FOR CERTIFICATION BY THE CITY COUNCIL THAT THIS ORDINANCE IS IN CONFORMANCE WITH THE COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR AN EFFECTIVE DATE. (LDC 2007-03)**

SECOND PUBLIC HEARING, SECOND AND FINAL READING

NOTE: The proposed amendment provides stricter standards for the development or redevelopment of "M-1" Light Industrial District parcels when abutting or functionally abutting residential districts as discussed at the City Council Workshop of March 6, 2007. At its meeting of April 5, 2007, the Planning and Zoning Commission recommended approval of the proposed ordinance.

(reference material — ordinance, Attorney approval letter, memo, excerpts from 04/05/07 P & Z Meeting, ordinance matrix, *P6 on 4/26/2007 Council agenda*)

- P4 **CONSIDERATION OF A REQUEST FOR A CONDITIONAL USE TO ALLOW A “SECURE CLIMATE CONTROLLED STORAGE FACILITY” IN THE “B-1” GENERAL COMMERCIAL ZONING DISTRICT WITH WAIVERS TO THE CONDITIONAL USE REQUIREMENTS FOR LANDSCAPE BUFFERS AND AN ONSITE CARETAKER DWELLING AND A REQUEST FOR VARIANCE TO INCREASE THE MAXIMUM PERMITTED, ONE-WAY DRIVE AISLE WIDTH FROM 16 FEET TO 20 FEET FOR A PROPERTY GENERALLY LOCATED AT 7750 PARK BOULEVARD.** (CU 2007-14/BOA 2007-26 – Kathleen T. Schuckert/Henry Hart/Peter Schuckert)

PUBLIC HEARING (QUASI-JUDICIAL)

NOTE: The applicant requests a Conditional Use to allow a “Secure Climate Controlled Storage Facility” in the “B-1” General Commercial Zoning District with waivers to the Conditional Use requirements for landscape buffers (The applicant is requesting a waiver to the requirement of a 35-foot-wide landscaped buffer along Park Boulevard in order to meet the parking requirement. The applicant will be providing a 10-foot-wide landscape buffer along 78th Street; however, a waiver will be requested near the southwest corner of the property because the buffer will be reduced to approximately five feet to accommodate the drive aisle necessary to provide access around the proposed addition.), an onsite caretaker dwelling (The applicant is not providing a caretaker dwelling on the property. The applicant will utilize a keypad entry system with a fully fenced facility for security.), and a request for variance to increase the maximum permitted, one-way drive aisle width from 16 feet to 20 feet (With this type of use, large trucks will require the ability to maneuver around the site with as much ease as possible. A larger drive aisle should allow for easier movement on the site as well as make the area safer for customers.) on a 1.3 acres (MOL) parcel of land generally located at 7750 Park Boulevard.

The site is presently used as retail sales, Vintage Antiques. Surrounding land uses are: to the north, JD Byrider Auto Sales; to the south, single family dwellings; to the east, Citgo and vacant commercial land; and to the west, vacant commercial land and single family dwellings. The proposal appears to be consistent with the Comprehensive Plan and should have no adverse effect on adopted levels of service for City infrastructure. At its meeting of March 1, 2007, the Planning and Zoning Commission recommended APPROVAL for the above request.

ACTION: (Approve – Deny) A request for a Conditional Use to allow a “Secure Climate Controlled Storage Facility” in the “B-1” General Commercial Zoning District with waivers to the Conditional Use requirements for landscape buffers and an onsite caretaker dwelling and a request for variance to increase the maximum permitted, one-way drive aisle width from 16 feet to 20 feet on a 1.3 acres (MOL) parcel of land generally located at 7750 Park Boulevard based on the staff report and the criteria found in Section 18-1509.4(B) & (C) subject to the following:

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1. The maximum permitted, one-way drive aisle width will be 20 feet.
2. The variance is for the one-way drive aisle only.

(reference material — staff report, excerpt from the 04/05/07 Planning & Zoning meeting minutes, application, map, and site plan)

P5

CONSIDERATION OF A REQUEST TO ALLOW AN “AUTOMOBILE DEALER-USED CARS” IN THE “B-1” GENERAL COMMERCIAL ZONING DISTRICT, WITH WAIVERS TO THE CONDITIONAL USE REQUIREMENTS FOR LOT AREA AND LANDSCAPE BUFFERS AND VARIANCES TO THE FOLLOWING: LOT COVERAGE, INTERIOR GREENSPACE REQUIREMENTS, AND DRIVE AISLE MINIMUMS AND MAXIMUMS, FOR A PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF 66TH STREET AND 87TH AVENUE. (CU 2007-16/BOA 2007-32 Sergio and Natella Muradian)

PUBLIC HEARING (QUASI-JUDICIAL)

NOTE: The applicant is requesting the consideration of an “Automobile Dealer-Used Cars”, a Conditional Use in the “B-1” General Commercial Zoning District, on a parcel of land generally located on the northeast corner of 66th Street and 87th Avenue. The applicant also intends to use the property for Auto Repair (minor). The applicant has requested the following waivers and variances: lot area from 20,000 square feet to 14,786 square feet, landscape buffer along 87th Avenue from ten-foot-wide to six-foot-wide, lot coverage from 75% to 77%, interior greenspace requirements from 8% to 6%, and drive aisle requirements for a one-way drive aisle from 16 feet to 17 feet and minimum drive aisle width requirements for two-way from 24 feet to 20 feet and one-way from 12 feet to 10 feet. Surrounding land uses are: to the north, BP gas station; to the south, chiropractor office; to the east, single family dwelling; to the west, single family dwellings, Joyer Car Sales, and N.L. Construction LLC. The proposal appears to be consistent with the Comprehensive Plan and should have no adverse effect on adopted levels of service for City infrastructure. At its meeting on April 5, 2007, the Planning and Zoning Commission recommended approval of the above request with conditions.

ACTION: (Approve – Deny) Approve a Conditional Use request to establish an “Automobile Dealer-Used Cars” in the “B-1” General Commercial Zoning District with waivers to the Conditional Use requirements for lot area and landscape buffers and variances to the following: lot coverage, interior greenspace requirements, and drive aisle minimums and maximums for a parcel of land generally located on the northeast corner of 66th Street and 87th Avenue, based on the staff report and the criteria found in Section 18-1509.4(B) & (C) subject to the following conditions:

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1. There shall be no outdoor loud speaker/public address or outdoor phone ringer systems allowed.
2. All automotive repair work shall be performed only in an enclosed building.
3. Designated signage for customer and employee parking spaces shall be displayed.

(reference material — staff report, excerpts from the P & Z minutes of 4/5/07, application, site map, site plan)

P6

CONSIDERATION OF A REQUEST FOR A WAIVER TO SECTION 18-1505.11 “NONCONFORMING LOTS” TO ALLOW A LOT LINE ADJUSTMENT TO CREATE TWO, APPROXIMATELY 48-FOOT-WIDE LOTS IN THE “R-1” SINGLE FAMILY RESIDENTIAL ZONING DISTRICT FOR A PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF 78TH AVENUE AND 55TH STREET. (NC 2007-4 Jason Braun)

PUBLIC HEARING (QUASI-JUDICIAL)

NOTE: The applicant is requesting a waiver to Section 18-1505.11 “Nonconforming Lots” to allow a Lot Line Adjustment to create two, approximately 48-foot-wide lots in the “R-1” Single Family Residential Zoning District for a property generally located at the southwest corner of 78th Avenue and 55th Street. This site is currently vacant residential land. The applicant has filed a Lot Line Adjustment to create a conforming lot in the rear of the existing nonconforming lots. Additionally, a Board of Adjustment (variance) application has been filed to request a variance to reduce the secondary front yard setback from 12 feet to 5 feet to construct a single family dwelling on the proposed corner lot. The hearing date for this case is May 22, 2007 and is pending the approval of this case. The lots in Block 42 along 55th Street were platted with lot widths of 48.7 feet, except for the lot on the corner of 55th and 78th Avenue which was platted with a width of 49.4 feet. The lots facing 55th Street are developed with single family dwellings on 48.7 feet wide lots, except for lots 7 and 8 which were combined and then split to create a 97.5-foot-wide by 125.2-foot long lot and a 64.8-foot-wide by 97.5-foot-long lot both developed with single family dwellings. The other lots (1-6) are the same width as proposed by the applicant. The applicant is proposing the development of two, affordable, single family dwellings. Surrounding land uses are: to the north, south, and east, single family dwellings; and to the west, vacant residential land. The proposal appears to be consistent with the Comprehensive Plan and should have no adverse effect on adopted levels of service for City infrastructure.

ACTION: (Approve – Deny) Approve a waiver to Section 18-1505.11 “Nonconforming Lots” to allow a Lot Line Adjustment to create two, approximately 48-foot-wide lots in the “R-1” Single Family Zoning District for a parcel of land

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- P6** generally located at the southwest corner of 78th Avenue and 55th Street based on the staff report and the criteria found in Section 18-1505.11(B).

(reference material — staff report, application, site map)

- P7** **RESOLUTION NO. 07-13. A RESOLUTION VACATING A 10-FEET-WIDE BY 291.12-FEET-LONG (MOL) NORTH/SOUTH, INGRESS/EGRESS EASEMENT GENERALLY LOCATED BETWEEN 70TH AND 71ST AVENUES AND BETWEEN 65TH WAY AND 66TH STREET, SECTION 29, TOWNSHIP 30 SOUTH, RANGE 16 EAST; AND VACATING A 10-FEET-WIDE BY 99-FEET-LONG (MOL) INGRESS/EGRESS EASEMENT FROM THE SOUTH RIGHT-OF-WAY LINE OF 71ST AVENUE NORTH APPROXIMATELY 99 FEET TO THE SOUTH. (V 2007-3 MacSub IV, David McComas)**

PUBLIC HEARING, FIRST AND FINAL READING

NOTE: The applicant is requesting vacation a 10-foot-wide by 291.12-foot-long (MOL) north/south utility easement and a 10-foot-wide by 99-foot-long north/south, ingress/egress easement, generally located between 70th and 71st Avenues and between 65th Way and 66th Street. The private utilities and City Divisions have no objections to the proposal. The applicant states the vacation of the north 99 feet of the easement is necessary to construct a 5,712 square foot retail center. The following Findings of Fact are pertinent to this request:

1. The vacation is consistent with the policies of the Comprehensive Plan.
2. The various utility agencies and City divisions have no objection to the vacation provided that either easements are retained or utilities are relocated at the expense of the applicant.

(reference material — resolution, City Attorney approval letter, staff report, application, and map)

IV. CONSENT AGENDA

◆ POLICE

- C1** **AUTHORIZATION TO TRANSFER OWNERSHIP OF RETIRED POLICE DOG K9 “ROY” TO OFFICER MICHAEL ERWIN**

NOTE: In accordance with Administrative Regulation 13.42(D) “Donation of City Property,” the police department has declared K9 “Roy” surplus property. Roy will be replaced with a new police K9. Roy’s handler, Officer Michael Erwin has requested that Roy be donated to him for use as a family pet. The Chief is requesting that the City donate Roy to Officer Erwin at no charge. Roy has been in service since April 23, 2003.

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- C1** ACTION: (Approve - Deny) Authorization to donate retired K9 Roy to Officer Michael Erwin.

(reference material — none)

- C2** **RESOLUTION NO. 07-12. LOT MOWING LIENS, PROGRAM #209.**

FIRST READING PRIOR TO PUBLIC HEARING

NOTE: This resolution is pursuant to the City of Pinellas Park lot mowing/land clearing program. The properties listed on the assessment roll have been cleared by the City after due notice to the owners went unheeded. The owners are being billed for the work done, and this resolution authorizes the City Clerk to record a lien against the properties whose owners have failed to pay.

(reference material — resolution, assessment roll, notice of public hearing)

◆ **COMMUNITY ACTIVITIES**

- C3** **AWARD OF BID 07/015 – DESIGN & INSTALLATION OF FIRE SPRINKLER AT THE CITY OF PINELLAS PARK’S PERFORMING ARTS CENTER – Piper Fire Protection, Inc.**

NOTE: Bids were legally advertised and bid invitations were mailed to 13 prospective bidders. One bid was received by Piper Fire Protection (521 Commerce Dr. S., Largo, Florida 33770) with a bid submittal of \$44,861.50 to be charged to account 301-175-5-736-75. The amount budgeted for this project is \$75,000.

ACTION: (Approve - Deny) Authorization to award Bid 07/015 for the Design & Installation of the Fire Sprinkler at the City of Pinellas Park’s Performing Arts Center to Piper Fire Protection, Inc., Largo, FL, in the amount of \$44,861.50 to be charged to the appropriate account.

(reference material — city attorney’s approval letter, bid book available for review)

- C4** **AUTHORIZATION FOR PURCHASE OF RECYCLED RUBBER TILES – PLAY & PARK STRUCTURES C/O AMERICAN PARK & PLAY**

NOTE: This authorizes the Parks and Recreation Division to purchase recycled rubber tiles for playground resurfacing, under Palm Beach County Contract #05-074/MP at a cost of \$75,000.00 from Play and Park Structures c/o American Park and Play, Inc. (12298 Wiles Road, Coral Springs, FL 33076). The budgeted amount for Account 301-781-5-789-14 is \$75,000.00.

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- C4** ACTION: (Approve - Deny) Authorization to purchase recycled rubber tiles from Play and Park Structures c/o American Park and Play, Inc. (Coral Springs, FL) at a total cost of \$75,000.00 to be charged to the appropriate account.

(reference material — quotation; memo from Purchasing Director)

◆ **COMMUNITY DEVELOPMENT**

- C5** **ORDINANCE NO. 3556. AN ORDINANCE AMENDING THE FUTURE LAND USE PLAN MAP FOR THE CITY OF PINELLAS PARK BY PROVIDING FOR A CHANGE IN THE LAND USE FROM RESIDENTIAL URBAN (RU) TO RESIDENTIAL/OFFICE GENERAL (R/OG) ON A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6645 68TH AVENUE. (LUPA 2007-2 – Jerry Bednarski/Michael Bednarski)**

**FIRST READING PRIOR TO PUBLIC HEARING
(PUBLIC HEARING MAY 24, 2007 - QUASI-JUDICIAL)**

NOTE: The applicant is proposing a Future Land Use Plan Map Amendment from Residential Urban (RU) to Residential/Office General (R/OG) or a Land Use designation of a lesser intensity as identified in the City's adopted Comprehensive Plan for a 0.286 acre (MOL) parcel of land generally located at 6645 68th Avenue. The Future Land Use Map Amendment is requested in order to establish an office use, which is not a permitted use under the current Land Use designation of Residential Urban (RU). The applicant has also submitted a companion case for a rezoning (Z 2007-2) from "R-4" Duplex Residential District to "GO" General Office District. The proposal appears to be consistent with the Comprehensive Plan and should not lower adopted levels of service for City infrastructure. At their meeting of April 5, 2007, the Planning and Zoning Commission recommended APPROVAL of the application, based on the "Relevant Considerations for Future Land Use Plan Map Amendment." The relevant considerations found that:

1. The amendment is consistent with the policies of the Comprehensive Plan.
2. The amendment would not adversely affect service levels.

The Future Land Use Plan Map designations and uses for the parcels surrounding the property are: to the north: Residential Urban (RU) (County) and contains a lake; to the east: Residential Urban (RU) (County), developed with a single family dwelling; to the south: Commercial General (CG), developed as the Juvenile Welfare Board; and to the west: Commercial General (CG) (County), developed with an automotive repair facility.

(reference material — Ordinance, City Attorney approval letter, excerpts of P&Z minutes of 4/05/07, staff report, application, Annexation Agreement, map)

- C6 ORDINANCE NO. 3557. AN ORDINANCE AMENDING CHAPTER 18, SECTION 18-1503.3, LAND DEVELOPMENT CODE OF THE CITY OF PINELLAS PARK CODE OF ORDINANCES AND CITY ZONING MAP BY REZONING A CERTAIN PARCEL OF LAND FROM “R-4” DUPLEX RESIDENTIAL DISTRICT TO “GO” GENERAL OFFICE DISTRICT, FOR A PARCEL OF LAND GENERALLY LOCATED AT 6645 68TH AVENUE. (Z 2007-2 – Jerry Bednarski/ Michael Bednarski)**

**FIRST READING PRIOR TO PUBLIC HEARING
(Public Hearing, May 24, 2007 - QUASI- JUDICIAL)**

NOTE: The applicant is proposing a rezoning from “R-4” Duplex Residential District to “GO” General Office District on approximately 0.286 acres of land generally located at 6645 68th Avenue to establish an office. The applicant has also submitted a companion case for a Future Land Use Plan Map Amendment (LUPA 2007-2) from Residential Urban (RU) to Residential/Office General (R/OG). At its meeting on April 5, 2007, the Planning and Zoning Commission recommended APPROVAL of the rezoning based on the “Responses of Relevant Considerations for Rezoning.” The Relevant Considerations found that:

1. The rezoning is consistent with the City’s Comprehensive Plan Policies.
2. The rezoning would not adversely affect the neighborhood.

The abutting Zoning Districts surrounding the property are: to the north and east, “R-4” One, Two and Three Family Residential District (County); to the west, “C-2” General Retail Commercial and Limited Services District (County); and to the south, functionally abutting is “B-1” General Commercial District (City).

(reference material — Ordinance, City Attorney approval letter, excerpts of P&Z minutes of 4/05/07, staff report, application, Annexation Agreement, map)

- C7 ORDINANCE NO. 3555. ANNEXING INTO THE CITY OF PINELLAS PARK CERTAIN PARCELS OF LAND GENERALLY LOCATED AT 7737 72ND AVENUE NORTH, AND VACANT ABUTTING PARCEL TO THE EAST, (PETER AND KATHY SCHUCKERT AX07-23)**

FIRST READING PRIOR TO PUBLIC HEARING

NOTE: This is a voluntary annexation of 0.73 acres MOL of contiguous commercial property. The Owners plan to construct a secure climate controlled storage facility on this property, and the abutting property, which is already in the City of Pinellas Park. The Antique Emporium is located on the abutting property.

(reference material — ordinance, petition, map, Attorney approval letter)

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◆ CITY CLERK

- C8 RESOLUTION NO. 07-14. A RESOLUTION DELETING LAND CLEARING LIEN NO. 17066 AS CONTAINED IN RESOLUTION NO. 95-56.**

FIRST AND FINAL READING

NOTE: Land Clearing Lien No. 17066 as contained in Resolution No. 95-56 adopted October 26, 1995, has been extinguished as a result of the purchase of the property by the City.

(reference material — resolution)

- C9 RESOLUTION NO. 07-15. A RESOLUTION DELETING LAND CLEARING LIEN NO. 17100 AS CONTAINED IN RESOLUTION NO. 96-57.**

FIRST AND FINAL READING

NOTE: Land Clearing Lien No. 17100 as contained in Resolution No. 96-57 adopted November 14, 1996, has been extinguished as a result of the purchase of the property by the City.

(reference material — resolution)

- C10 RESOLUTION NO. 07-16. A RESOLUTION DELETING LAND CLEARING LIEN NO. 17151 AS CONTAINED IN RESOLUTION NO. 98-24.**

FIRST AND FINAL READING

NOTE: Land Clearing Lien No. 17100 as contained in Resolution No. 98-24 adopted April 9, 1998, has been extinguished as a result of the purchase of the property by the City.

(reference material — resolution)

◆ CITY COUNCIL

- C11 RESOLUTION NO. 07-17. EXPRESSING THE CITY OF PINELLAS PARK'S SUPPORT ADMINISTRATION OF AN EXPEDITED PERMITTING PROCESS FOR AFFORDABLE HOUSING.**

FIRST AND FINAL READING

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- C11** NOTE: It was recommended that this item be brought forth for Council approval as it would provide for expediting the City of Pinellas Park's permitting process for affordable housing.

(reference material — resolution)

V. REGULAR AGENDA

◆ **FINANCE**

R1 RECEIPT OF THE 2005-2006 FINANCIAL AUDIT – Cherry, Bekaert and Holland, St. Petersburg

NOTE: Representatives from the City's independent auditors, Cherry, Bekaert and Holland, will present the 2005-2006 Auditor's Report. The Finance Administrator will present a brief summary of the City's fiscal year 2005-2006 Financial Statements.

ACTION: (Accept-Refuse) The 2005-2006 Financial Statement and Auditor's Report as presented by Cherry, Bekaert and Holland.

(reference material — 2005-2006 Financial Statements which included the Auditor's Report; Client Advisory Comments, SAS 61 Letter, Single Audit which includes internal control comments.)

◆ **POLICE**

R2 CONSIDERATION FOR A CODE ENFORCEMENT BOARD LIEN REDUCTION – For Ca Le and the property located at 7751 46th Street, Pinellas Park, FL

NOTE: The owner, Ca Le, requests a reduction of the lien on his property. The current outstanding lien is \$6,300. After careful review of the case, the Code Enforcement Board recommends approval of the request for a reduction of this lien to the amount of \$630, payable within sixty days from any action approved by City Council. If the \$630 is not paid by the date specified, the lien amount will revert back to \$6,300

ACTION: (Approve-Deny) the Code Enforcement lien reduction request against Ca Le and the property located at 7751 46th Street, Pinellas Park, FL, be reduced from \$6,300 to _____.

(reference material — Code Enforcement Board recommendation)

R3 CONSIDERATION FOR A CODE ENFORCEMENT BOARD LIEN REDUCTION – For Ca Le and the property located at 7821 45th Street, Pinellas Park, FL

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- R3** NOTE: The owner, Ca Le, requests a reduction of the lien on his property. The current outstanding lien is \$6,200. After careful review of the case, the Code Enforcement Board recommends approval of the request for a reduction of this lien to the amount of \$620, payable within sixty days from any action approved by City Council. If the \$620 is not paid by the date specified, the lien amount will revert back to \$6,200

ACTION: (Approve-Deny) the Code Enforcement lien reduction request against Ca Le and the property located at 7821 45th Street, Pinellas Park, FL, be reduced from \$6,200 to _____.

(reference material — Code Enforcement Board recommendation)

- R4** **CONSIDERATION FOR A SPECIAL HEARING MASTER LIEN REDUCTION – For Michael J. Ouellette and the property located at 4356 71st Avenue, Pinellas Park, FL**

NOTE: The owner, Michael J. Ouellette, requests a reduction of the lien on his property. The current outstanding lien is \$1,350. After careful review of the case, the Special Hearing Master recommends approval of the request for a reduction of this lien to the amount of \$350, payable by June 30, 2007. If \$350 is not paid on or before June 30, 2007, the lien amount will revert back to the original amount owed of \$1,350.

ACTION: (Approve-Deny) the Special Hearing Master Lien reduction request against Michael J. Ouellette and the property located at 4356 71st Avenue, Pinellas Park, FL, be reduced from \$1,350 to _____.

(reference material — Special Hearing Master recommendation)

◆ **COMMUNITY ACTIVITIES**

- R5** **RECEIPT OF RESIGNATION FROM RECREATION BOARD — Gerald Popejoy**

NOTE: Gerald Popejoy has resigned from the Recreation Board effective immediately due to health concerns. Mr. Popejoy has been an active member of the Board since February 2003 and his participation and dedication will be greatly missed.

ACTION: (Accept-Refuse) With regret, the resignation of Gerald Popejoy as a regular member of the Recreation Board.

(reference material — none)

◆ **COMMUNITY DEVELOPMENT**

R6 APPOINTMENT TO THE PINELLAS COUNTY AIRCRAFT NOISE ABATEMENT TASK FORCE — Barbara Markley

NOTE: A vacancy in the Pinellas County Aircraft Noise Abatement Task Force exists due to the resignation of Tim Robinson. Barbara Markley, a resident of the Lakes, has volunteered to serve on the Board.

ACTION: (Approve – Deny) The appointment of Barbara Markley to serve on the Pinellas County Aircraft Noise Abatement Task Force.

(reference material — application)

R7 RECEIPT OF RESIGNATION FROM THE BOARD OF ADJUSTMENT — Phillip England

NOTE: Mr. Phillip England, a Regular Member of the Board of Adjustment, has submitted a letter of resignation from the Board effective May, 2007.

ACTION: (Accept – Refuse) With regret, the resignation of Phillip England as a Regular Member of the Board of Adjustment.

(reference material — letter of resignation)

R8 REAPPOINTMENT TO BOARD OF ADJUSTMENT — Charles Murray

NOTE: The term for Charles Murray will expire on May 31, 2007. Mr. Murray has expressed an interest in continuing to serve on the Board.

ACTION: (Approve – Deny) The reappointment of Charles Murray to serve as a member of the Board of Adjustment with term to expire May 2010.

(reference material — attendance record)

R9 REAPPOINTMENT TO THE PLANNING & ZONING COMMISSION — Dennis Shelley and William DeLong

NOTE: The terms for Dennis Shelley and William DeLong will expire on May 31, 2007. Mr. Shelley and Mr. DeLong have expressed an interest in continuing to serve on the Board.

ACTION: (Approve – Deny) The reappointment of Dennis Shelley and William DeLong to serve as members of the Planning and Zoning Commission with terms to expire May 2010.

R9 (reference material — attendance record)

R10 **CONSIDERATION OF A REQUEST FOR WAIVERS TO THE FOLLOWING: SECTION 18-1507.16, "MEASUREMENT OF YARD SETBACKS ON LOTS ADJACENT TO RIGHTS-OF-WAY OF INSUFFICIENT WIDTH" TO ALLOW THE SETBACK TO BE MEASURED AT THE PROPERTY LINE AND NOT THE ULTIMATE RIGHT-OF-WAY LINE AND SECTION 18-1507.10 (E) "OUTDOOR STORAGE" WHICH REQUIRES THAT "OUTDOOR STORAGE AREAS OR AREAS OF INDUSTRIAL ACTIVITY SHALL BE SHIELDED FROM VIEW FROM ANY PUBLIC RIGHT-OF-WAY . . . BY SOLID WALLS AT LEAST SIX FEET IN HEIGHT, WHICH SHALL BE PAINTED." TO ALLOW THE ELIMINATION OF THE SOLID WALL FOR A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6795 114TH AVENUE. (MS 2007-33 David Juneja/Ron Sinclair)**

QUASI-JUDICIAL

NOTE: In any case where a lot abuts a planned or existing right-of-way which does not meet the standards of Article 1, Subdivision Code, or as required by the governmental agency having jurisdiction over the right-of-way, the yard setbacks for such properties for all improvements, including but not limited to buildings, structures, signs, landscaping, drainage ponds and buffers, shall be measured from the ultimate right-of-way lines. An applicant may request a waiver of the right-of-way width requirement by making written application for a waiver to the City Council. 68th Street varies in width from 45 feet to 30 feet adjacent to the applicants parcel. Thirty feet was dedicated with the Plat of Pinellas Farms. An additional 15 feet was dedicated by the parcel to the west of the right-of-way. The right-of-way is a dead-end street as a central portion of it was vacated in 2004. The City currently has no plan to improve this right-of-way. The applicant is proposing development of a commercial use on the property. The City Council shall grant or deny the application based on the following factors:

1. The impact that the applicant's proposal would have on the existing and proposed right-of-way in the area;
2. The location of the applicant's property;
3. Traffic patterns in the area;
4. The character and age of the neighborhood and;
5. Any other factor that is relevant and material to the waiver request.

The applicant has also requested the elimination of the requirement for a solid wall to shield outdoor storage. The applicant proposes outdoor storage of granite slabs utilized in his granite distributing business. Review of the existing properties in the neighborhood revealed multiple outdoor storage areas of varying intensities. Shielding of these areas is accomplished with chain link fencing, wood fencing, and in some instances, no shielding was present. City Council approved similar waivers on other industrial zoned properties, Case No. MS 1999-2, for storage of trucks and

CITY COUNCIL AGENDA

MAY 10, 2007

PAGE 15

- R10** Case No. MS 2004-41, for storage of trailers. In determining whether or not to grant a request, City Council shall consider the following criteria: use of abutting properties, right-of-way classifications, extent of existing solid fencing within the surrounding area, fence or alternative shielding device materials proposed, length of proposed fence/wall, and type of materials being stored.

ACTION: (This is a two part action)

1. (Approve - Deny) Waiver to the requirement of Section 18-1507.16 “Measurement of Yard Setbacks on Lots Adjacent to Rights-of-Way of Insufficient Width” to allow the setback to be measured at the property line and not the ultimate right-of-way line on a property generally located at 6795 114th Avenue.
2. (Approve - Deny) Waiver to the requirement of Section 18-1507.10(E), Outdoor Storage to waive the requirement for a six-foot-high solid wall to shield outdoor storage, on a property generally located at 6795 114th Avenue.

(reference material — staff report, application, site plan and map)

- R11** **AUTHORIZATION FOR MAYOR TO SIGN ANNEXATION AGREEMENT WITH PETER AND KATHY SCHUCKERT (AX07-23) — Annexation of 0.73 acres MOL located at 7737 72nd Avenue North, and vacant abutting parcel to the east**

NOTE: This is a voluntary annexation of 0.73 acres MOL of contiguous commercial property. The Owners plan to construct a secure climate controlled storage facility on this property, and the abutting property, which is already in the City of Pinellas Park. The Antique Emporium is located on the abutting property.

CITY COUNCIL AGENDA

MAY 10, 2007

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R11

Peter and Kathy Schuckert 7737 72 nd Ave. N.	City Projected Annual Revenue	City Funds Expended	City Fees Waived
1-Year Projected Total	\$10,122.31	\$0	\$15,675.00
New construction only	\$5,061.00		
<p>The Annexation Agreement special provisions are:</p> <ul style="list-style-type: none"> ◆ The City shall approve the Owners application to the City for the vacation of the alleys located between 7750 Park Boulevard, and 7737 72nd Avenue North. The Owners shall have no obligation to pay the City application fee of Two Hundred and Twenty Five Dollars (\$225.00) associated with the vacations. ◆ The City shall approve the Owners Conditional Use application as controlled by the preliminary site plan attached hereto as Exhibit “B”, made a part hereof and incorporated herein by reference, to use the real property located at 7750 Park Boulevard, 7737 72nd Avenue North, and the property described in Exhibit "A", as a "secure climate controlled storage facility" pursuant to the Land Development Code of the City. If approved by the Pinellas Park City Council, the Conditional Use will be phased for a period of thirty six (36) months from the date of execution of this Annexation Agreement, to allow the Owners to complete Phase II of the project. The Owners shall have no obligation to pay the City application fee of Four Hundred and Fifty Dollars (\$450.00) associated with the application. ◆ As shown in Exhibit “B”, the City shall grant a variance from the City’s 20-foot setback requirement to allow the secondary front yard setback, applicable to lot 30/30/16/71100/153/0110, to be ten feet, and grant a variance from the City’s maximum sixteen (16) foot one way drive aisle requirement to allow for a twenty (20) foot one way drive aisle. ◆ The Owners shall provide to the City a Unity of Title, acceptable to the City Attorney, tying together all parcels of the real property associated with the proposed development. Such Unity of Title shall be provided prior to the issuance of any permits for development or redevelopment of the properties. ◆ For a period of thirty six (36) months from the date of execution of this Annexation Agreement, the City shall waive all City land development fees, applicable for the renovation of the two existing buildings located at 7750 Park Boulevard, and 7737 72nd Avenue North, and the construction of a new building (approximately 14,238 sq. ft.) on the property described in Exhibit “A”. The waiver of fees is estimated to be, and not to exceed, the sum of Fifteen Thousand Dollars (\$15,000.00), and does not include the County Traffic Impact Fee. 			

ACTION: (Approve - Deny) Authorization for Mayor to sign an Annexation Agreement with Peter and Kathy Schuckert for annexation of 0.73 acres MOL located at 7737 72nd Avenue North, and the vacant abutting parcel to the east.

CITY COUNCIL AGENDA

MAY 10, 2007

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R11 (reference material — agreement, petition, data sheet, comment sheet, revenue sheet, map, Attorney approval letter)

**QUESTIONS – COUNCIL TO COUNCIL
ADJOURNMENT**

PLEASE NOTE that if a person decides to appeal any decision made by City Council with respect to any matter considered at the above-cited meeting, the person will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City maintains a tape recording of all public hearings. In the event that you wish to appeal a decision, the tape may or may not adequately insure a verbatim record of the proceedings; therefore, you may wish to provide a court reporter at your own expense (Section 286.0105, Florida Statutes).

FOR PERSONS WITH HEARING IMPAIRMENT — An interpreter for persons with hearing impairment will be made available upon requests made at least 72 hours in advance. Also, an Assistive Hearing Device (amplifier) is available from the City Clerk for use in Council Chambers and all meeting rooms throughout the City. This agenda document is available in the following accessible formats: Braille, Large Print, Audio Tape, and Electronic File on Computer Disks.

May 2007

See Inside Back Cover
for Frequently Called Telephone Numbers

City Council Workshops are Subject to Cancellation

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

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National Preservation
Month
www.nationaltrust.org

National
Arthritis Month
www.arthritis.com

National Get Caught
Reading Month
www.getcaughtreading.org

First Skyscraper
Anniversary:
(Home Ins. Co. Bldg.)
May 1, 1884

The goal of the Fire Department is to protect the public by reducing or preventing personal injury or property damage due to fire, medical emergency, disaster, or other life hazards by providing public education, prevention, and emergency response services.

Televised LIVE on Channel 15



Keep up with Pinellas Park events on Bright House Channel 15

June 2007

See Inside Back Cover
for Frequently Called Telephone Numbers

City Council Workshops are Subject to Cancellation

Sunday

Monday

Tuesday

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Thursday

Friday

Saturday

MAY 2007							JULY 2007							1	2														
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Father's Day																					Summer Begins			*7:00 PM "Meet Your Mayor & Council"					
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National Turkey Lovers' Month
www.eatturkey.com

National Vision Research Month
www.preventblindness.org

National Fireworks Safety Month
www.preventblindness.org

US Department of Justice Established:
June 22, 1870

The Parks & Recreation Division provides and maintains quality recreation and leisure facilities for all citizens by promoting growth, accessibility, and professional consistency of programs. Year-round recreation opportunities are available for residents of all ages. Pinellas Park provides innovative after-school and athletic programs, and a wide range of services for active seniors in safe and pleasant surroundings.

Televised LIVE on Channel 15



Keep up with Pinellas Park events on Bright House Channel 15