

ORDINANCE NO. 21-2017

AN ORDINANCE OF THE CITY OF SEMINOLE, FLORIDA, GRANDFATHERING A CERTAIN NON-CONFORMING NON-RESIDENTIAL USE LOCATED IN THE LAKE SEMINOLE ESTATES MOBILE HOME PARK; FINDING THE GRANDFATHERING CONSISTENT WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, per Section 50-65 of the Land Development Code, the City Council is authorized to adopt an ordinance to grandfather any site specific use that was rendered non-conforming through the adoption of the Comprehensive Plan, by Ordinance No. 3-99; and,

WHEREAS, the non-residential building and site that contained the former Express Jewelers store, which was located on an area in the Lake Seminole Estates mobile home park, has been found to qualify for site specific grandfathering; and,

WHEREAS, the City Council reviewed the issue of providing for the specific grandfathering of the non-residential building and site, and directed that an ordinance grandfathering non-residential use capability and site be prepared; and

WHEREAS, the proposed ordinance will allow for the grandfathering of a non-conforming non-residential use capability and the associated building and site to protect private property rights and to further compliance with Policy 1.7.1 of the Future Land Use Element of the Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Seminole, Florida, that an ordinance is adopted as follows:

Section 1. The structure and area, as shown located in Exhibit A and as more particularly described below, are hereby grandfathered subject to the following limitations:

- (1) A grandfathered non-residential use to be located within the existing building is permitted but may not be expanded, i.e., no expansion of additional non-residential capacity is allowed.
- (2) Should the structure containing a grandfathered non-residential use be destroyed, it shall be reconstructed in compliance with the requirements of the Florida Building Code.
- (3) Repairs and maintenance of the structure containing a grandfathered non-residential use are permitted irrespective of the cost of such repairs or maintenance. Nothing in this Ordinance shall be deemed to prevent the

strengthening, altering or restoring to a safe condition of any structure, or part thereof, containing a grandfathered non-conforming use.

- (4) Prior to the reuse of the building and site with a non-residential use, the building and parking area will be brought up to current standards to meet the Americans with Disabilities (ADA) act; a landscaping plan will be reviewed and approved by the City; Any existing or proposed freestanding signage shall require a building permit and shall meet the Code for a residential use classification for a permanent monument sign; and, Any proposed attached building signage shall require a permit and shall meet the Code for signage located with a mixed use classification.

Section 2. Severability.

If for any reason a provision of this Ordinance or the application thereof to any person, group of persons, or circumstances is held invalid, the invalidity shall not effect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of the Ordinance are severable.

Section 3. Effective Date.

This Ordinance shall take effect immediately upon its adoption.

APPROVED ON FIRST READING: July 11, 2017

PUBLISHED: July 28, 2017


PASSED AND ADOPTED ON

SECOND AND FINAL READING AT PUBLIC HEARING: August 8, 2017


LESLIE WATERS, MAYOR

I, Patricia Beliveau, City Clerk of the City of Seminole, Florida, County of Pinellas, State of Florida, a municipal corporation do hereby certify the foregoing and hereto attached is a true and correct copy of Ordinance No. 21-2017 which is on file in the City Clerk's Office:

IN WITNESS WHEREOF, I hereunto set my hand and affixed the seal of the City of Seminole, Pinellas County, Florida, this 14 day of August, 2017.


Patricia Beliveau, City Clerk

SKETCH & DESCRIPTION

LAKE SEMINOLE SQUARE
CONDOMINIUM BOOK 105, PAGE 70



GRAPHIC SCALE

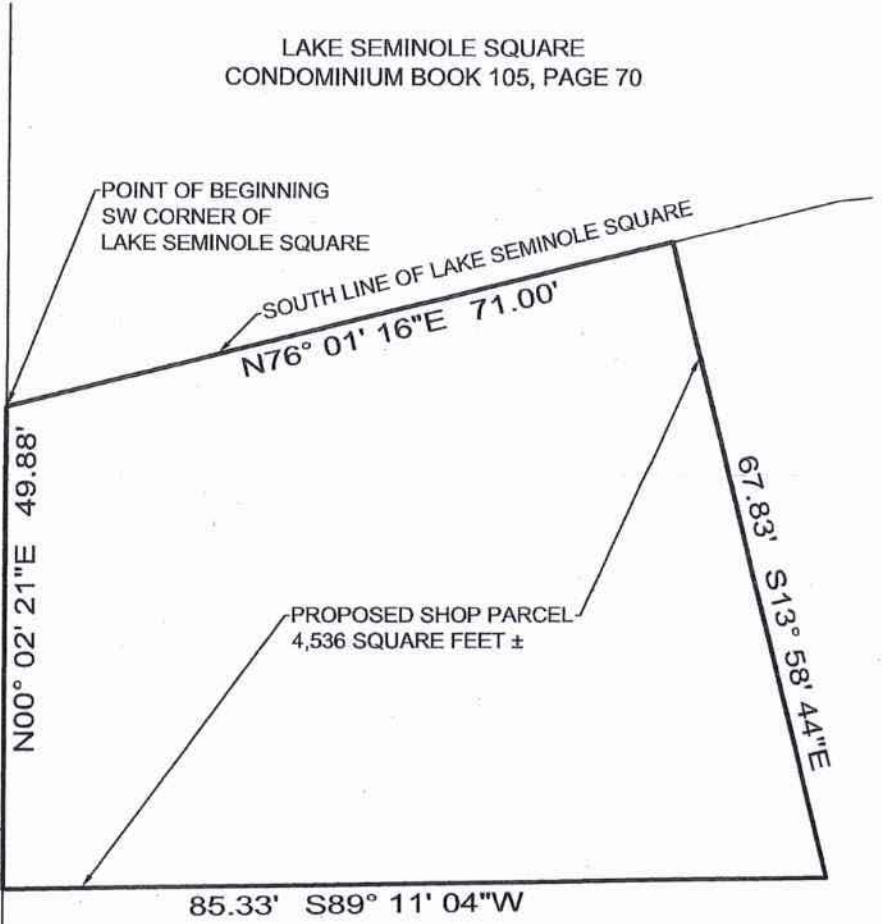


(IN FEET)

1 inch = 20 ft.

SEMINOLE BLVD.
(100' RIGHT-OF-WAY)

EAST RIGHT-OF-WAY LINE
OF SEMINOLE BOULEVARD
(BASIS OF BEARING)



LAKE SEMINOLE ESTATES
OFFICIAL RECORDS BOOK 6677, PAGE 0355

DESCRIPTION:

BEGIN AT THE SOUTHWEST CORNER OF LAKE SEMINOLE SQUARE AS RECORDED IN CONDOMINIUM BOOK 105, PAGE 70 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE N76°01'16"E ALONG THE SOUTH LINE OF SAID LAKE SEMINOLE SQUARE, A DISTANCE OF 71.00 FEET; THENCE S13°58'44"E, A DISTANCE OF 67.83 FEET; THENCE S89°11'04"W, A DISTANCE OF 85.33 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF SEMINOLE BOULEVARD; THE N00°02'21"E ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 49.88 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 4,536 SQUARE FEET, MORE OR LESS.

1. BEARINGS ARE BASED ON THE EAST RIGHT-OF-WAY LINE OF SEMINOLE BOULEVARD BEARING: N00°02'21"E PER CONDOMINIUM BOOK 105, PAGE 70.
2. THERE MAY BE ADDITIONAL EASEMENTS, RESTRICTIONS, AND/OR MATTERS NOT SHOWN ON THIS SKETCH WHICH MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
3. THIS SKETCH AND LEGAL DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. THIS IS NOT A BOUNDARY SURVEY.

NO.	DATE	DESCRIPTION	BY

SKETCH & LEGAL DESCRIPTION	
PROJECT NO.	17019
DRAWING#	17019SD.DWG
SCALE	1"=20'
DRAWN	KKM
DATE	4/5/17
CHECKED/QC	KKM
FIELD CREW	N/A
BK. / PG.	N/A
SURVEY DATE	N/A

SURVEYOR'S CERTIFICATE

I hereby certify that the SKETCH AND DESCRIPTION depicted hereon was prepared under my RESPONSIBLE CHARGE on the date(s) shown, and meets the STANDARDS OF PRACTICE set forth by the FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS in Chapter 5J-17, FLORIDA ADMINISTRATIVE CODE pursuant to Section 472.027, FLORIDA STATUTES.

Kelly O. McClung
KELLY O. McCLUNG
PROFESSIONAL SURVEYOR and MAPPER #4032

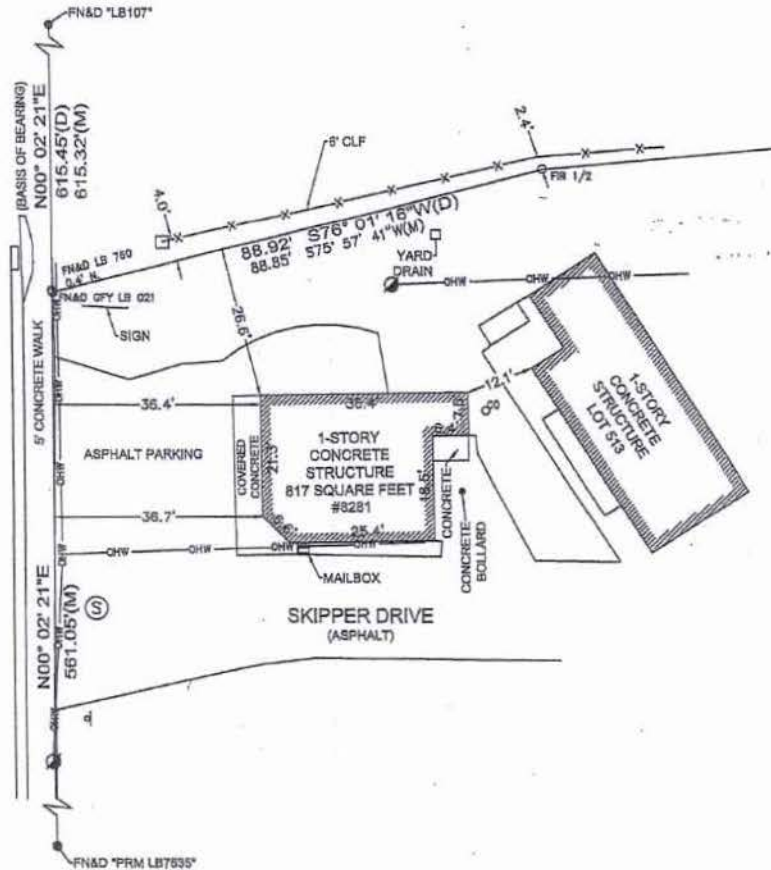
STATE OF FLORIDA
APR 5 2017

SUNCOAST LAND SURVEYING, INC.
111 FOREST LAKES BOULEVARD
OLDSMAR, FLORIDA 34677

BOUNDARY - TOPOGRAPHIC - CONSTRUCTION STAKEOUT
PH: (813) 854-1342 SL.SURVEY@TAMPABAY.RR.COM

LB 4513

SEMINOLE BLVD.
(100' RIGHT-OF-WAY)



LEGEND

- NOT TO SCALE
- PRM PERMANENT REFERENCE MONUMENT
 - FIR FOUND IRON ROD (SIZE NOTED)
 - FN&D FOUND NAIL & BRASS DISK
 - LB LICENSED BUSINESS
 - (D) DESCRIPTION
 - (M) MEASURED
 - CLF CHAIN LINK FENCE
 - OHW OVERHEAD WIRES
 - CD CLEANOUT
 - WU WOOD UTILITY POLE



NOTE: DRAWING SCALE MAY BE ADJUSTED DUE TO REPRODUCTION

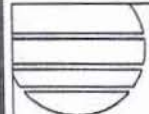
GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft

NOTES:

1. SURVEY CREW: DINO SPENDL
2. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN.
3. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT OF WAY AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS SHOWN.
4. THIS SURVEY DOES NOT REFLECT OR DETERMINE OWNERSHIP.
5. USE OF THIS SURVEY BY ANYONE OTHER THAN THOSE PREPARED FOR WILL BE THE RE-USERS SOLE RISK WITHOUT LIABILITY TO THE SURVEYOR.
6. THERE MAY BE ITEMS DRAWN OUT OF SCALE TO GRAPHICALLY SHOW THEIR LOCATION.
7. THE SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT AND IS SUBJECT TO EASEMENTS, RIGHTS-OF-WAY AND SIMILAR MATTERS OF TITLE.
8. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
9. THIS SURVEY IS TO SHOW THE VISIBLE IMPROVEMENTS AND IS NOT A BOUNDARY SURVEY.
10. SURVEY DATE: MARCH 22, 2017.



SUNCOAST LAND SURVEYING, Inc.

111 FOREST LAKES BOULEVARD
OLDSMAR, FLA. 34677

LB 4513

BOUNDARY - TOPOGRAPHIC - CONSTRUCTION STAKEOUT
PH: (813) 854-1342 SLSURVEY@TAMPABAY.RR.COM

SURVEYOR'S CERTIFICATE
I hereby certify that the SURVEY depicted herein was prepared under my RESPONSIBLE CHARGE on the date(s) shown, and meets the STANDARDS OF PRACTICE set forth by the FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS in Chapter 33-17, FLORIDA ADMINISTRATIVE CODE pursuant to Section 472.002, FLORIDA STATUTES.
NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

3-22-17

KELLY G. MCGLING, PLS No.4032 DATE OF FIELD SURVEY

SPECIFIC PURPOSE SURVEY
LAKE SEMINOLE RESORTS

PREPARED FOR: CH2M & HILL

DATE OF FIELD SURVEY: 3-22-17

Revisions	No.	DATE	DESCRIPTION	BY
	4			
	3			
	2			
	1			

DRAWING#	17019.DWG	Project No.	17019
CHECKED BY	KKM	Field Book	Page
DRAWN BY	KKM	203	6