

ORDINANCE NO. 04-2019

AN ORDINANCE OF THE CITY OF SEMINOLE, FLORIDA, GRANDFATHERING A CERTAIN NON-CONFORMING RESIDENTIAL USE KNOWN AS THE PORPOISE MOBILE HOME PARK LOCATED AT 8701 SEMINOLE BOULEVARD; FINDING THE GRANDFATHERING CONSISTENT WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, per Section 50-264 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. 03-99, as amended; and,

WHEREAS, the site contains the Porpoise mobile home park, a thirty-two (32) unit mobile home park, which 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 existing thirty-two (32) mobile home units, and directed that an ordinance grandfathering the Porpoise mobile home park use be prepared; and

WHEREAS, the proposed ordinance will allow for the grandfathering of a non-conforming mobile home park use 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 area, as shown located in Exhibit A and as more particularly described below, is hereby grandfathered subject to the following limitations:

- (1) The grandfathered residential use may not be expanded, i.e., no expansion of additional units is allowed.
- (2) Should a structure containing a grandfathered residential use be destroyed, it may be reconstructed in compliance with the requirements of the Florida Building Code, the Florida Fire Protection Code, and FEMA regulations, as may be applicable.
- (3) Repairs and maintenance of the structures containing a grandfathered 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) The following area, as identified by address, property ID number, and legal descriptions is hereby grandfathered as to thirty-two (32) mobile home units located within the mobile home park:

8701 Seminole Boulevard: PIN #: 22/30/15-000000-430/0900: Legal: A portion of: THE SOUTH 171 FEET OF THE NORTH ½ OF THE SOUTH ½ OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 22, TOWNSHIP 30 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA, LESS THE WEST 50 FEET THEREOF FOR RIGHT OF WAY PURPOSES. SAID PORTION BEING SHOWN HEREON AS PARCEL 1, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH ¼ CORNER OF SAID SECTION 22, RUN NORTH 00°49'09" EAST, ALONG THE NORTH-SOUTH CENTER LINE OF SAID SECTION 22, A DISTANCE OF 339.62 FEET; THENCE LEAVING SAID CENTER LINE, SOUTH 87°16'20" EAST A DISTANCE OF 50.03 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF SEMINOLE BOULEVARD; THENCE LEAVING SAID RIGHT OF WAY LINE, AND CONTINUING SOUTH 87°16'20" EAST A DISTANCE OF 268.40 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 87°16'20" EAST, A DISTANCE OF 1039.80 FEET TO THE EAST BOUNDARY LINE OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SAID SECTION 22; THENCE ALONG SAID EAST BOUNDARY LINE, NORTH 00°22'33" EAST, A DISTANCE OF 170.95 FEET; THENCE LEAVING SAID EAST BOUNDARY LINE, NORTH 87°16'20" WEST, A DISTANCE OF 1040.92 FEET; THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 171.00 FEET, BACK TO THE POINT OF BEGINNING.

CONTAINING 177,700 SQUARE FEET OR 4.08 ACRES, MORE OR LESS.

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 affect 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 9, 2019

PUBLISHED: August 2, 2019

PASSED AND ADOPTED ON
SECOND AND FINAL READING AT PUBLIC HEARING: August 13, 2019


LESLIE WATERS, MAYOR

I, Ann Marie Mancuso, 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. 04-2019 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 26 day of August, 2019.


Ann Marie Mancuso, City Clerk



