

**ORDINANCE NO. 11-2020**

**AN ORDINANCE OF THE CITY OF SEMINOLE, FLORIDA, GRANDFATHERING A CERTAIN NON-CONFORMING NON-RESIDENTIAL USE LOCATED AT 10713 70<sup>TH</sup> AVENUE NORTH; 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; and,

**WHEREAS**, the non-residential building and site that contains the Seminole Upholstery business and 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) Upon a change of use, at a minimum the following shall apply: The parking area will be brought up to current standards to meet the Americans with Disabilities (ADA) act; Any missing landscaping on the previously approved landscaping plan will be reinstalled or a new landscaping plan will be submitted, reviewed, and approved by the City; Any proposed change to the existing freestanding signage shall require a building permit and shall meet the Code for an office 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 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: 1 December 2020

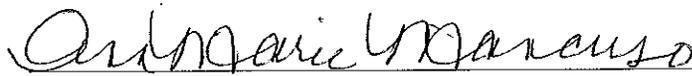
PUBLISHED: December 30, 2020

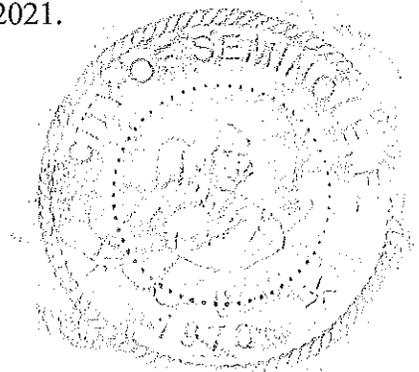
PASSED AND ADOPTED ON  
SECOND AND FINAL READING: 12 January 2021

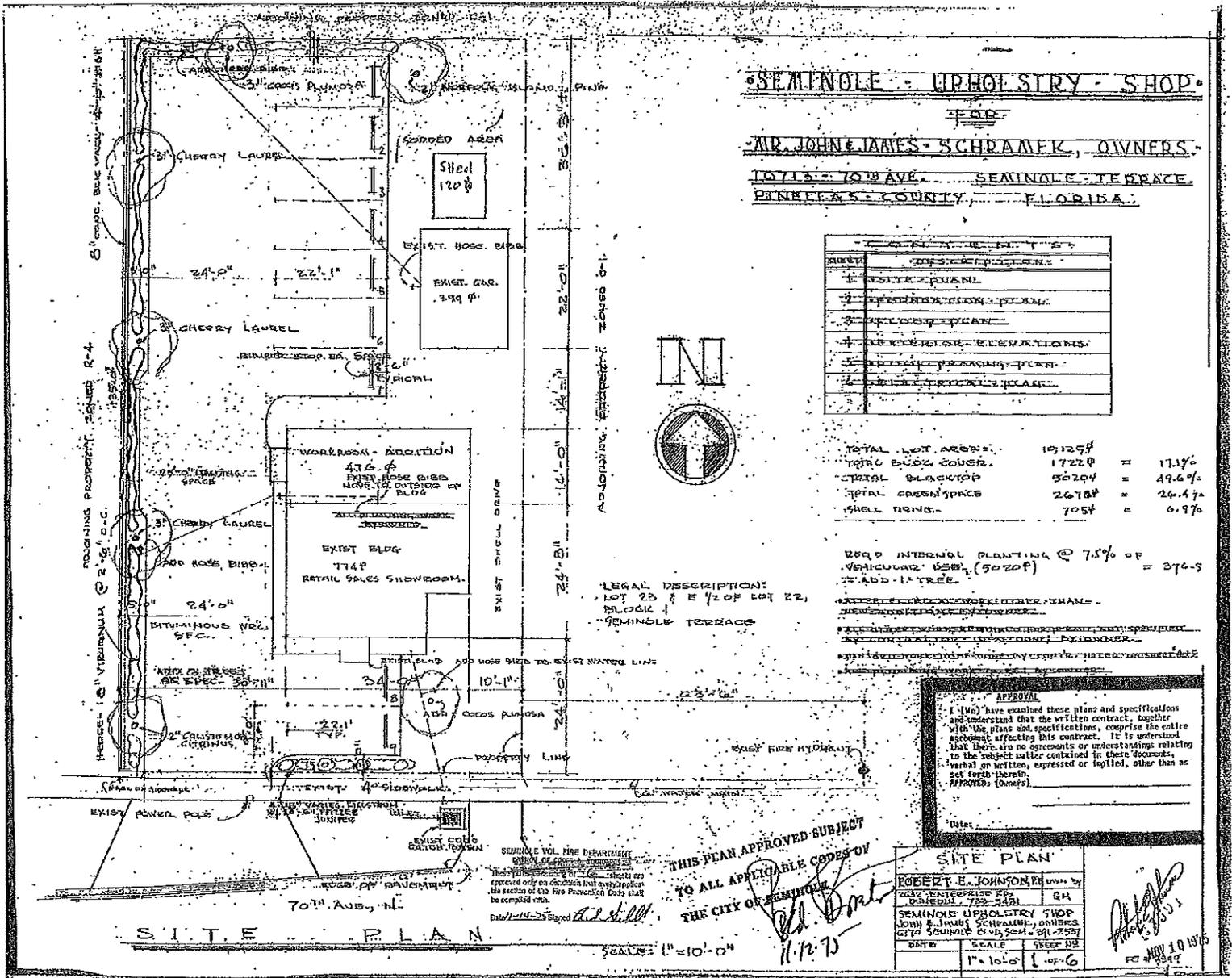
  
LESLIE WATERS, MAYOR

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. 11-2020 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 15 day of January, 2021.

  
Ann Marie Mancuso, City Clerk





**SEMINOLE - UPHOLSTRY - SHOP**

FOR

**MR. JOHN & JAMES - SCHRAMM, OWNERS**

**10715 - 70th AVE. SEMINOLE TERRACE  
PINELLAS COUNTY, FLORIDA**

NO.	DESCRIPTION	AMOUNT	PERCENT
1	VEGETATION COVER	1722	17.1%
2	TOTAL BLACKTOP	5020	49.6%
3	TOTAL CRACKING SPACE	2678	26.4%
4	SHELL AREA	705	6.9%

TOTAL LOT AREA: 10129  
 TOTAL BLACKTOP: 5020 = 49.6%  
 TOTAL CRACKING SPACE: 2678 = 26.4%  
 SHELL AREA: 705 = 6.9%

REQD INTERNAL PLANTING @ 7.5% OF  
 VEGETATION COVER (5020) = 376.5  
 1 ADD. 1" TREE

LEGAL DESCRIPTION:  
 LOT 23 & E 1/2 OF LOT 22,  
 BLOCK 1  
 SEMINOLE TERRACE

**APPROVAL**  
 I, (We) have examined these plans and specifications and understand that the written contract, together with the plans and specifications, comprise the entire agreement affecting this contract. It is understood that there are no agreements or understandings relating to the subject matter contained in these documents, verbal or written, expressed or implied, other than as set forth therein.  
 APPROVED: (Owners)  
 Date: \_\_\_\_\_

**THIS PLAN APPROVED SUBJECT  
 TO ALL APPLICABLE CODES OF  
 THE CITY OF SEMINOLE**  
 11/2/75

SITE PLAN	
ROBERT E. JOHNSON	OWNER
JOHN E. JAMES	OWNER
DATE	SCALE
11/2/75	1" = 10'-0"

**SITE PLAN**

SCALE: 1" = 10'-0"