

Request Withdrawn On Rezoning Application

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A local lawyer's decision to withdraw a rezoning application takes the city council off the hook - for now.

In March, lawyer Jack Townsend became the first person to challenge Temple Terrace's efforts to encourage planned development in its revitalization area. He sought to have the former Prevatt CE Funeral Home, 9750 N. 56th St., which he purchased in June for \$880,000, rezoned from "commercial office" to "commercial general." Townsend's goal was to expand the potential uses of the property that is smaller than 1 acre.

At Tuesday's Temple Terrace City Council meeting, Community Services Director Ralph Bosek submitted Townsend's request to withdraw his rezoning application. He also requested that the city council waive the mandatory 180-day waiting period before filing another rezoning request. Council members unanimously approved both requests.

The move postpones a decision from the council on how to handle rezoning requests such as Townsend's. His was contrary to steps the city took in the summer to ensure that development or substantial renovation of properties within its community redevelopment area, a 225-acre tract along North 56th Street, would fall in line with Temple Terrace's vision of a mixed-use, pedestrian-friendly downtown.

To accomplish that, the land-use designation of all 225 acres was changed to "designated mixed use." The zoning was limited to "planned development" for properties 2 acres and larger. In February, the city agreed to change that to 1 acre to accommodate owners of smaller parcels, with the intention of encouraging them to buy adjacent properties and create larger-scale projects.

In March, after hearing from Townsend and city and county planners, who recommended denial, the council postponed a decision on the rezoning application until June 20. At the time, council members expressed concerns about tying the hands of landowners. They also expressed uncertainty at how to handle Townsend's situation, after Bosek said the only way to address the issue beyond a hardship variance was to amend the city's comprehensive plan.

The discussion highlighted the challenges the city council will face on land issues, including zoning and aesthetic restrictions, in the coming months. The city council has the final word on projects and is the only body that can issue a hardship variance.

Townsend could become the first property owner to seek a hardship variance, if he asks to have the property rezoned to "planned development." The council must then decide whether the property qualifies, since it's smaller than 1 acre.

At the March meeting, Townsend said he has been approached by companies interested in developing the property. He has considered moving his law practice to the site, as well as selling the land for projects including a bank, which is not allowed under the current zoning.