

BOARD OF ADJUSTMENT AND APPEALS
May 31, 2023
Pinellas County Courthouse
County Commissioners Assembly Room - Fifth Floor
315 Court Street
Clearwater, FL
9:00 A.M.

- I. **CALL TO ORDER**
- II. **APPROVAL OF MINUTES FOR THE MAY 3, 2023, BOAA Meeting.**
- III. **QUASI JUDICIAL STATEMENT – County Attorney**
- IV. **HEARING ITEMS – ACTION BY THE BOAA REGARDING THE FOLLOWING ITEMS:**

- 1. **NCU-23-01 (Continuance Approved to the July 5, 2023, BOAA meeting)**
Application of Embassy Mobile Park Inc., through Mark Bentley and Ryan Manasse, Johnson Pope, Representatives, for a Non-Conforming Use modification to permit 25 additional travel trailer sites in a RMH zone, for the property located at 16416 US Highway 19 North in unincorporated Largo.
- 2. **VAR-23-09**
This application is being deferred to the July 5, 2023, Board of Adjustment and Appeals public hearing to allow for required plan corrections by the applicant, additional review by the Development Review Committee, and for re-notification to the surrounding property owners advertising the revised and corrected setback measurements and requests submitted by the applicant after the original DRC review.
- 3. **TY2-23-06 (Conditional Approval)**
Application of Pinellas County, through Bruce Bussey, Community Development Manager, Housing and Community Development, Representative for a Type-2 Use to allow for the construction of 10 single-family detached homes in an RM zone, for the properties located at 4500 43rd Street North and 4312 46th Avenue North in Lealman.
- 4. **TY2-23-07 (Conditional Approval)**
Application of YMCA of the Suncoast, Inc., through Brian Aungst, Jr., MacFarlane, Ferguson & McMullen, P.A., Representative for reinstatement and modification of a previously approved Type-2 Use to allow a 9,302 square foot addition for a community service club (YMCA) in an R-A zone, for the property located at 1600 16th Street in Palm Harbor.
- 5. **TY2-22-11 (Conditional Approval)**
Application of Christ the King Lutheran Church, Inc Largo Florida, Pinellas County, through Alan Ruiz, Vertex Development, LLC, Representative for a Type-2 Use to allow the construction of a 120-foot-tall, camouflaged communication tower and related support facilities, for the R-2 zoned property located at 11220 Oakhurst Road in unincorporated Largo.

V. ADJOURNMENT

SPECIAL ACCOMODATIONS: Persons with disabilities who need reasonable accommodations to effectively participate in this meeting are asked to contact Pinellas County’s Office of Human Rights by e-mailing such requests to accommodations@pinellas.gov at least three (3) business days before the need for reasonable accommodation. You may also call (727) 464-4882.

NOTICE: The matters heard by the Board of Adjustment and Appeals are quasi-judicial in nature. Please note that only competent, substantial, fact-based testimony or evidence may be considered by the board in deciding the matters before it. Pure speculation or opinion, not based on competent facts, cannot be legally considered by the board. Lay testimony with fact-based support (including but not limited to meeting minutes, surveys, engineering

reports, etc.) may be considered competent and substantial evidence. The county attorney's office represents and advises the board and county staff but cannot give legal advice to the applicant or other interested parties.

Written correspondence may be directed to the Pinellas County Housing and Community Development Department, Zoning Section, 440 Court Street, 4th Floor, Clearwater, Florida 33756, or you may email us at zoning@pinellas.gov.

Failure by the applicant or an authorized representative of the applicant to appear at the scheduled public hearings may result in an automatic denial of the request.

Appeals of any final decision made at this hearing must be filed in circuit court within 30 calendar days of the decision. This time period is jurisdictional in nature and cannot be extended. Persons are advised that if they decide to file an appeal, they will need to seek independent legal counsel and a record of the proceedings. It is the appellant's responsibility to ensure that a verbatim record of the proceedings is created if needed for purposes of appeal.