

**Board of Adjustment and Appeals  
Pinellas County  
February 5, 2025 Meeting Minutes**

The Board of Adjustment and Appeals (BAA) met in regular session at 9:03 AM on this date in the County Commission Assembly Room at the Pinellas County Courthouse, 315 Court Street, Clearwater, Florida.

**Present**

Deborah J. White, Chair  
Alan C. Bomstein, Vice-Chair  
Jose Bello  
Jason Holloway  
Andrew Hunsicker  
Alonda Vaughan  
Robert Warner (alternate)

**Others Present**

Michael Schoderbock, Division Manager, Zoning and Project Management  
Derrill McAteer, Senior Assistant County Attorney  
Keith Vargus, Code Enforcement Operations Manager  
Jessica Oakes, Board Reporter  
Other interested individuals

*All documents received by the Clerk have been filed and made a part of the record.*

**CALL TO ORDER**

Chair White called the meeting to order at 9:03 AM and provided an overview of the hearing process.

**QUASI-JUDICIAL STATEMENT**

Attorney McAteer noted that the following hearings are quasi-judicial; and that only competent substantial fact-based testimony or evidence may be considered in the decisions by the Board; whereupon, he provided information regarding the types of evidence that are considered as such.

## **PUBLIC HEARING ITEMS**

Due notice having been given to interested persons pursuant to Comprehensive Zoning Ordinance No. 90-1, public hearings were held on the following applications. All persons planning to give testimony were duly sworn by a Deputy Clerk.

### Case No. TY2-24-12

APPLICATION OF PINELLAS COUNTY, REAL ESTATE MANAGEMENT, THROUGH ERICA LYNFORD AND DEREK WEAVER, REPRESENTATIVES, FOR A MODIFICATION OF A PREVIOUSLY APPROVED TYPE 2 USE

A public hearing was held on the above application for a modification of a previously approved Type 2 Use to allow a 27,562-square-foot community recreation center in an R-A zone, for the property located at 1550 16th Street in Palm Harbor. No correspondence relative to the application has been received by the Clerk.

Mr. Schoderbock introduced the case and presented the following staff recommendation:

Recommend Conditional Approval. Staff has no objection to the modification of the previous Type 2 Use approval (Case No. BA-16-6-15) granted by the Board in 2015 subject to the recommended conditions, as the request appears to meet the criteria for granting Type 2 Uses found in Section 138-241 of the Pinellas County Land Development Code. The subject site has been historically utilized as a community center and recreation center, Palm Harbor Parks and Recreation. The prior BA approval allowed the vacant portion of this site to be utilized for recreational purposes. The conditions associated with the BA approval included the following: permits and fees, site plan review, the completion of any sidewalk within the public right-of-way of Pennsylvania Avenue, no lighting, parking and access to the site occurring through the existing access points and parking areas, no parking allowed in adjacent rights-of-way, buffers of 50 feet and 120 feet to be maintained on the east and south property lines, and the project would be in accordance with the submitted concept plan.

Palm Harbor Parks and Recreation intends to demolish the existing recreation center constructed in 1980 located on the northern portion of the site and construct a new 27,562-square-foot, two-story recreation center. The existing community center on the south side of the site, built in 1999, will remain. The existing parking lot on the western portion of the property will remain with the addition of parking and retention to the north. A Type 2

Use is required for a major modification of the existing recreation center/community center on a residentially zoned property.

The new community recreation center is intended to provide recreational activities such as an indoor basketball court with an elevated track, dance studios, and craft rooms. The building would also include office suites, a conference room, storage, a warming kitchen, and multipurpose rooms. In addition, the recreation center would also be utilized as a storm shelter. Based on the proposed concept plan, it appears that the proposed addition will meet all required setbacks, address stormwater retention, and parking requirements to serve its use. It is staff's opinion that the modification of the Type 2 Use approval with the recommended conditions will further accommodate the community center's needs for future enhancements and functionality to their existing institution. Approval should be subject to the following conditions:

1. A Development Review Committee (DRC) site plan.
2. The applicant shall obtain all required permits and pay all applicable fees.
3. The applicant must adhere to all conditions set forth by the Board in previous Type-2 Use, BA-16-6-15.

Responding to a query by Mr. Bomstein, Mr. Schoderbock explained that the Board previously approved the addition of outdoor recreation areas to the site, with restrictions related to distance, lighting, and time.

Upon the Chair's call for the applicant, Construction Services Senior Registered Architect Derek Weaver and Palm Harbor Community Services Agency Director Erica Lynford appeared.

No one appeared upon the Chair's call for opponents; whereupon, Mr. Bomstein made a motion for staff's recommendation of conditional approval. The motion was seconded by Mr. Bello and carried unanimously.

Case No. TY2-24-11

APPLICATION OF CROSSROADS CHAPEL, CHURCH OF GOD OF PROPHECY OF PALM HARBOR, THROUGH SEAN CASHEN, REPRESENTATIVE, FOR A TYPE 2 USE

A public hearing was held on the above application for a Type 2 Use to allow for a place of worship in an R-A zone, for the property located at 1040 Tampa Road in Palm Harbor. No correspondence relative to the application has been received by the Clerk

Mr. Schoderbock introduced the case and presented the following staff recommendation:

Recommend Conditional Approval. Staff has no objection to the conditional approval of this request as it appears to meet the criteria for granting Type 2 Uses found in Section 138-241 of the Pinellas County Land Development Code.

The subject property is owned by Crossroads Chapel, Church of God of Prophecy of Palm Harbor. The site is approximately 1.36 acres and is located on Tampa Road. The site is improved with a place of worship and a fellowship hall and has been in operation since 1968. The church would like to modernize its current facilities and infrastructure as they are antiquated. The applicant intends to demolish the existing place of worship, fellowship hall, and accessory structures and rebuild a new 9,600-square-foot place of worship and administration office building with associated parking and retention. A Type 2 Use approval is required for a place of worship on a residentially zoned property.

The proposed place of worship will meet all minimum development parameters and parking requirements to serve its use. Traffic impacts are anticipated to be minor, and drainage requirements will be addressed during the site plan review process. Separately, the applicant has provided conceptual architectural elevations of the proposed place of worship. The proposed design of the place of worship appears to meet the intent of the community assembly facilities uses section concerning architectural compatibility on a residentially zoned parcel as required within the Land Development Code. In addition, the proposed parking lot will be located adjacent to the primary building. Approval should be subject to the following conditions:

1. A Development Review Committee (DRC) site plan.

2. The applicant shall obtain all required permits and pay all applicable fees.
3. Maintenance of all existing easements on-site.

*Ms. Vaughan arrived at 9:11 AM.*

Upon the Chair's call for the applicant, Sean Cashen, Clearwater, appeared.

No one appeared upon the Chair's call for opponents; whereupon, Mr. Bomstein made a motion to approve staff's recommendation of conditional approval in accordance with the findings of fact as outlined in the staff report. The motion was seconded by Mr. Bello and carried unanimously.

Case No. VAR-24-06

APPLICATION OF ELISABETH WORTH BIRD THROUGH WOODROW BECKELHIMER, REPRESENTATIVE, FOR A VARIANCE

A public hearing was held on the above application for a variance to allow for the conversion of an unconditioned space (screen room) to a conditioned space (closet) having a 5.8-foot side setback from the eastern property line where six feet is required and a 6.8-foot rear setback from the southern property line where 10 feet is required in an R-3 zone, for the property located at 1334 Michigan Avenue in Palm Harbor. One letter in opposition to the application has been received by the Clerk

Mr. Schoderbock introduced the case and presented the following staff recommendation:

Recommend Conditional Approval. Staff has no objection to the conditional approval of this request as it appears to meet the criteria for granting variances found in Section 138-231 of the Pinellas County Land Development Code. The subject property is a 55-foot-wide by 115-foot-deep residential lot fronting Michigan Avenue in Palm Harbor developed with a single-family home with a covered screen room, screen enclosure, and utility shed. Additionally, the lot backs up to an unimproved 20-foot-wide alley. The unimproved alley appears to be accessible, but it remains unclear if it will be improved. The owner intends to renovate the existing single-family home, including enclosing a covered screen room (unconditioned space) approximately 134 square feet under the existing roof into a closet (conditioned space). The enclosed portion of the covered screen room would be closer to the eastern and southern property lines than what is normally allowed per Section 138-370.1 of the Land Development Code. No additional structures or exterior improvements are

being proposed by the applicant to increase the footprint of the existing single-family residence. The proposed renovation will occur under the existing roof. It is staff's opinion that the proposed renovations will have little impact on the neighboring properties as the proposed screen room conversion would back up to an unimproved alley. It is staff's opinion that the unimproved alley situated at the site's rear will act as an adequate buffer from the southern properties. Approval should be subject to the following conditions:

1. The applicant shall obtain all required permits and pay all applicable fees.
2. The applicant shall submit a right-of-way utilization permit to place a detached shed and fence in a utility easement.

Thereupon, Woodrow Beckelhimer, Palm Harbor, appeared.

No one appeared upon the Chair's call for opponents; whereupon, Mr. Bomstein made a motion for staff's recommendation of conditional approval in accordance with the findings of fact as outlined in the staff report. The motion was seconded by Mr. Bello and carried unanimously.

Case No. VAR-24-28

APPLICATION OF CAROLYN K. BROWN, TRE., AND RICHARD T. BROWN, TRE.,  
FOR A VARIANCE

A public hearing was held on the above application for a variance to allow for the construction of a 104-foot fixed dock consisting of a 4' x 88' walkout, 14' x 6' dock head, 2' x 6' lower landing, and 15'10" x 16', 20,000-pound boatlift to the right of the dock head, for the property located at 418 8th Avenue North in Tierra Verde. One letter in opposition to the application has been received by the Clerk.

Referring to a PowerPoint presentation containing photographs of the subject property, Environmental Program Manager Julee Sims indicated that Section 58-555(b)(1) of the Pinellas County Code includes that private docks shall be constructed so that the length of the dock, excluding tie poles, does not extend from the mean high water or seawall of the property further than one-half the width of the property at the waterfront; and that this requirement may be waived by the County if signed statements of no objection from both adjacent property owners encroached upon are submitted; whereupon, Julee Sims related that the applicant did not obtain a signed statement from their neighbor to the south.

Julee Sims also indicated that staff has made a positive finding of fact to all of the criteria set forth in Section 138-231 of the Land Development Code; and that staff recommends approval of the variance to Section 58-555(b)(1) of the Pinellas County Code.

Responding to queries and comments from Messrs. Bomstein and Hunsicker, Julee Sims provided information related to the previously permitted dock located on the site and the lengths of neighboring docks and confirmed that a public hearing would not be necessary if a signed statement from the property owner to the south had been received.

Upon the Chair's call for the applicant, Micah Thompson, Madeira Beach, indicated that he is the marine contractor who designed the dock and offered background information related to the dock's configuration.

Mr. Bomstein made a motion to approve the variance in accordance with the findings of fact as outlined in the staff report. The motion was seconded by Mr. Bello and carried unanimously.

#### **MINUTES OF THE JANUARY 2, 2025 MEETING**

Mr. Bomstein made a motion to approve the minutes of the January 2 meeting. The motion was seconded by Mr. Bello and carried unanimously.

Deviating from the agenda, and upon the Chair's request, Mr. Hunsicker introduced himself.

#### **ADJOURNMENT**

The meeting was adjourned at 9:25 AM.