

Local Planning Agency  
Pinellas County  
April 14, 2022 Meeting Minutes

The Pinellas County Local Planning Agency (LPA) met in regular session (pursuant to Section 134-12 of the Pinellas County Land Development Code, as amended) at 9:00 AM on this date in the County Commission Assembly Room at the Pinellas County Courthouse, 315 Court Street, Clearwater, Florida.

Present

Mattaniah Jahn, Chairman  
Rodney Collman  
Duggan Cooley  
Susan M. Reiter

Not Present

Lari Johnson, Vice-Chairman  
Stanley A. Cataldo  
Valerie Hibbard (alternate)  
Trish Johnson (non-voting School Board Representative)  
Ronald Schultz

Others Present

Glenn Bailey, Planning Department Zoning Manager  
Anne Morris, Assistant County Attorney  
Shirley Westfall, Board Reporter, Deputy Clerk  
Other interested individuals

**CALL TO ORDER**

Chairman Jahn called the meeting to order and reviewed the procedure for public hearings, indicating that today's cases will be heard by the Board of County Commissioners (BCC) on May 24, 2022; and that any documents needed to be reviewed by the BCC should be submitted to staff prior to May 10.

**MINUTES OF FEBRUARY 10, 2022 MEETING**

Mr. Collman made a motion, which was seconded by Mr. Cooley and carried unanimously, that the minutes be approved.

## **PUBLIC HEARING ITEMS**

Legal notice having been published for the items on the agenda, as evidenced by affidavit of publication filed with the Clerk, public hearings were held on the following items. All correspondence provided to the Clerk's Office has been filed and made a part of the record. All persons planning to give testimony were duly sworn by a Deputy Clerk.

## **PROPOSED ORDINANCE AND RESOLUTIONS AMENDING THE FUTURE LAND USE MAP, ZONING ATLAS, AND A DEVELOPMENT MASTER PLAN**

### Case No. ZON-21-11

APPLICATION OF WILLIAM J. AND JOAN KIMPTON FOR A ZONING ATLAS AMENDMENT FROM RESIDENTIAL AGRICULTURE (RA) TO RESIDENTIAL RURAL – CONDITIONAL OVERLAY (R-R-CO)

A public hearing was held on the application of William J. and Joan Kimpton for the above zoning change and a Conditional Overlay limiting the number of primary residential units to a maximum of two single-family dwellings, regarding 2.12 acres located at 1645 Chaplene Court in unincorporated Dunedin.

Referring to a PowerPoint presentation containing maps and photographs, Mr. Bailey provided information regarding the location of the property, discussed surrounding land uses, and related that the LPA continued this case in January 2022 to provide the applicant an opportunity to pursue a conditional overlay to limit the number of units and to address drainage issues.

Mr. Bailey related that the conditional overlay reduces the five potential units requested in January to two units; that existing drainage issues will be addressed during the permitting process; and that the Future Land Use of the property will remain residential suburban. He stated that the request is consistent with the County's Comprehensive Plan; and that staff is recommending approval.

William Kimpton, Dunedin, appeared, addressed drainage issues, and responded to queries from the board members, noting that the existing structure is beyond repair; and that he intends to build a second home on the property to live in while the existing structure is demolished and a new home can be built in its place, and Mr. Bailey provided input.

In response to the Chairman's call for opponents, the following individuals appeared and expressed their concerns regarding drainage issues:

Penny Hajduk, Dunedin (virtual)  
Neil Kirschman, Dunedin  
Karen Hunter, Dunedin  
Betsy Cannan, Dunedin  
Pam Schultz, Dunedin  
John Davis, Dunedin  
Kevin Jones, Dunedin (virtual)  
Loreen Jones, Dunedin (virtual)

In response to queries and concerns by the members, Pinellas County Development Review Services Engineer Randy Ayers provided background information and indicated that the County has been working with the City of Dunedin to develop a joint solution for the shared water flow. He related that the zoning request will not resolve the drainage issues; that as part of the permitting process, the County will require that drainage from the property is not blocked or diverted to the detriment of the neighbors; and that as the water would flow to properties located within the City, an easement might help make it possible to fully resolve certain issues.

Responding to a query by Chairman Jahn, Mr. Ayers confirmed that development on the property will have to comply with the County's development regulations; and that there is a similar review process that applies to accessory dwelling units, if any are desired; whereupon, Mr. Baily provided information regarding accessory buildings, and Mr. Ayers provided input.

Upon the Chairman's request, Attorney Morris stated that the Board's decision must be based on competent and substantial evidence; that the evidence may include testimony from experts; and that Mr. Ayers qualifies as an expert as does the County's planning staff, and discussion ensued.

In rebuttal, Mr. Kimpton related that he has met with City of Dunedin officials and they have offered no solution to the drainage issues surrounding the neighborhood; that when the second structure is built, the City of Dunedin will assist with the necessary pipes to Brady Road to connect into the drainage system; and that he is willing to work with his neighbors to establish an easement with the necessary infrastructure to resolve the drainage issues.

Mr. Collman made a motion, which was seconded by Ms. Reiter, that the LPA recommend approval of the zoning change to the BCC. Upon call for the vote, the motion carried 3 to 1, with Mr. Cooley dissenting.

Case No. ZON-22-01

APPLICATION OF CHRISTOPHER R. LICEA FOR A ZONING ATLAS AMENDMENT FROM SINGLE FAMILY RESIDENTIAL (R-3) TO GENERAL COMMERCIAL AND SERVICES (C-2)

A public hearing was held on the application of Christopher R. Licea for the above zoning change, regarding approximately 0.09 acre located at 9659 66th Way North in West Lealman.

Referring to a PowerPoint presentation containing maps and photographs, Mr. Bailey provided information regarding the location of the subject property and the surrounding land uses, indicating that it is the last parcel on the block that retains a residential and not commercial zoning; that the future land use of the property is designated Commercial General and would not change; and that granting the zoning change will consolidate the entire block as C-2. He related that the proposed amendment is consistent with the Pinellas County Comprehensive Plan and that staff recommends approval of the application.

Christopher Licea, Lealman, was in the audience and available to answer questions.

No one appeared in response to the Chairman's call for proponents or opponents; whereupon, Ms. Reiter made a motion, which was seconded by Mr. Cooley and carried unanimously, that the LPA recommend approval of the application to the BCC, finding it consistent with the Comprehensive Plan.

*Meeting Recessed: 10:07 AM.*

*Meeting Reconvened: 10:16 AM.*

Case No. FLU-21-06 and DMP-21-02

APPLICATION OF SALAMANDER INNISBROOK, LLC THROUGH CYNTHIA H. TARAPANI, REPRESENTATIVE, FOR THE FOLLOWING:

A. FUTURE LAND USE MAP AMENDMENTS (FLU-21-06):

1. A Land Use change from Residential Suburban (RS), Residential Low Medium (RLM), and Recreation/Open Space (R/OS) to Residential Low (RL); establishing new Parcel L (L-1, L-3, L-4, and L-5) of the existing, associated Development Master Plan (DMP).

2. A Land Use change from Residential Estate (RE) and Residential Low Medium (RLM) to Recreation/Open Space (R/OS) on Parcels B, D, E, G and H of the existing, associated DMP.
3. A Land Use change from Residential Suburban (RS) and Residential Low Medium (RLM) to Recreation/Open Space (R/OS) on new Parcel L (L-6, L-7, L-8, L-9, and L-10) of the existing, associated DMP.

and

- B. A MODIFICATION OF A DMP ON A RESIDENTIAL PLANNED DEVELOPMENT (RPD) ZONED PROPERTY TO TRANSFER EXISTING UNUSED RESIDENTIAL DENSITY FROM VARIOUS AREAS OF THE 844.55-ACRE DMP TO A NEWLY DESIGNATED 53.71-ACRE PARCEL, ALLOWING FOR THE DEVELOPMENT OF UP TO 180 RESIDENTIAL UNITS CONSISTING OF SINGLE-FAMILY DETACHED HOMES AND TOWNHOMES ON A PROPERTY LOCATED AT 36750 UNITED STATES HIGHWAY 19 NORTH IN PALM HARBOR. (DMP-21-02)

At the request of the applicant and by agreement of the Chairman, a combined public hearing was held on the above applications.

Referring to a PowerPoint presentation containing maps and photographs, Mr. Bailey provided background information regarding the proposed parcel configurations, amenities, and buffer areas related to creating the new Parcel L. He indicated that the original DMP was approved for 2,305 residential units; and that only 1,876 units have been built. He stated that the applicant is proposing to modify one of its four golf courses, the Osprey North Golf Course, into a short course, allowing for the development of 180 residential units, which requires a Future Land Use Map amendment and a DMP modification.

Long Range Planning Manager Scott Swearengen reviewed the proposed changes, noting that a small portion of Parcel L would be within the Coastal High Hazard Area (CHHA); that the current zoning within the CHHA allows for 10 dwelling units per acre; and that the proposed zoning changes would allow only five units per acre, making it consistent with the Comprehensive Plan. He related that the applicant has proposed several commitments to the DMP, such as habitable buildings would be constructed two feet above elevation, roadways would be designed to meet current base flood elevation, and existing drainage patterns would be maintained underneath the roadway.

Mr. Swearengen stated that 73% of the 845 acres is designated recreation open space; and that the proposal includes a net reduction of 11.35 acres, reducing recreation open space to 72%. He related that the applicant has committed to removing invasive species

and replant native hardwood and palm trees in various locations throughout the resort, phased over a five-year period.

Mr. Bailey indicated that no new residential entitlements are being proposed and that the DMP modification transfers existing entitlements from six other areas of Innisbrook to a newly created Parcel L. He further reviewed enhanced buffering, emergency access points, a new gatehouse, internal roadways, and traffic impacts.

Mr. Bailey presented the following staff recommendations:

FLU-21-06 - Approval: Staff recommends approval of the proposed Land Use changes, finding the changes are consistent with the Pinellas County Comprehensive Plan.

DMP-21-02 – Approval: Staff recommends approval of the proposed modification of the DMP, finding it consistent with the Pinellas County Comprehensive Plan.

In response to queries by Mr. Cooley, Mr. Swearngen related that before the current proposal to lose 11.35 acres of recreation open space, the original proposal included a higher loss of over 20 acres.

On behalf of the applicant, Ed Armstrong, Clearwater, appeared and recognized the collaborative efforts of County staff; whereupon, he introduced Innisbrook Managing Director Mike Williams.

Mr. Williams, Palm Harbor, provided historical information, noting that Innisbrook is recognized as one of the nation's premier golf destinations; that the industry has embraced the use of short courses, creating enhanced experiences for members and guests that can be completed in an hour or less; and that creating a short course at Innisbrook will help to sustain its long history of community involvement, allowing it to provide jobs, increase tourism, and generate tax revenue. He related that Innisbrook has hosted several outreach meetings within the community in an effort to be transparent and inform the residents of the proposed projects.

Cynthia Tarapani, Tarpon Springs, appeared and provided her professional background and qualifications. She referred to documents and photographs and discussed the different parcels and the related changes that involve the new Parcel L. She related that Parcel L will be created to minimize impacts on existing residents; that there are no wetlands within the parcel; that there will be open space between it and the two areas of nearby condominiums; and that the entitlement to build 2,305 total units will remain the same, as previously approved.

Ms. Tarapani discussed other aspects of Parcel L regarding road access, landscaping, potential sea level rise, and building roads at or above base flood elevation; whereupon, she and Messrs. Williams and Armstrong responded to queries by the members.

Responding to the Chairman's call for opponents, the following individuals appeared and expressed their concerns:

John Hadden, Palm Harbor  
Lynn Hipp, Palm Harbor  
Cynthia Wellman, Pam Harbor  
Mike Willey, Palm Harbor  
Bonnie Perkins, Palm Harbor  
Christopher Rhodes, Palm Harbor  
Bethany Miracle, Palm Harbor  
Sally Smith, Palm Harbor  
Janet Byard, Palm Harbor  
Andrew Liucci, Palm Harbor

At the direction of Chairman Jahn, Mr. Bailey related that there would remain approximately 240 units that could be built in the future; and that a public hearing would be required in order to do so.

In rebuttal, Ms. Tarapani and Mr. Armstrong provided details and addressed the opponent's concerns, noting that many of the issues will be worked out during site plan review.

Responding to a query by Mr. Collman regarding traffic impacts, Addie Clark, Tampa, appeared on behalf of the applicant and stated that she is a registered professional engineer in the State of Florida; that she conducted traffic studies utilizing methodology reviewed and approved by County staff; and that traffic generated by the project is less than 5% of the surrounding service volume, deeming the projected traffic impact as minimal, and discussion ensued.

Upon the Chairman's request, Attorney Morris discussed the legal standards related to the case.

Ms. Reiter made a motion that the Board recommend approval of Case No. FLU-21-06 as set forth in the staff report to the BCC. The motion was seconded by Mr. Cooley and was carried unanimously.

Mr. Collman made a motion that the Board recommend approval of Case No. DMP-21-02 to the BCC. The motion was seconded by Mr. Cooley and was carried unanimously.

## **ADJOURNMENT**

The meeting was adjourned at 11:55 AM.