

Local Planning Agency
Pinellas County
February 8, 2023 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 9:05 AM on this date in the County Commission Assembly Room at the Pinellas County Courthouse, 315 Court Street, Clearwater, Florida.

Present

Mattaniah Jahn, Chairman
Duggan Cooley, Vice-Chairman
Stanley A. Cataldo
John Cueva
Audrey Henson
Lari Johnson
Trish Johnson (non-voting School Board Representative)

Not Present

Rodney Collman

Others Present

Glenn Bailey, Planning Department Zoning Manager
Maria White, 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 March 28, 2023; and that any documents needed to be reviewed by the BCC should be submitted to staff prior to March 10.

MINUTES OF JANUARY 11, 2023 MEETING

Ms. Johnson made a motion, which was seconded by Mr. Cueva 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 AND ZONING ATLAS

Case No. FLU-22-07

APPLICATION OF RIDGEMOOR MASTER ASSOCIATION, INC. THROUGH ALAN RUIZ, REPRESENTATIVE, FOR A FUTURE LAND USE MAP (FLUM) AMENDMENT FROM RECREATION/OPEN SPACE (R/OS) TO TRANSPORTATION/UTILITY (T/U)

A public hearing was held on the application of Ridgemoor Master Association, Inc., through Alan Ruiz, for the above amendment regarding approximately 0.116 acre on the east side of Ridgemoor Drive, 300 feet north of Ridgemoor Boulevard in East Lake Tarpon.

Referring to a PowerPoint presentation containing photographs and maps, Long Range Planning Manager Scott Swarengen presented information regarding the location of the subject property, surrounding land uses, traffic impacts, and flood risks, indicating that the subject property is part of a 6.5-acre tract that is utilized as a neighborhood park within the Ridgemoor community; and that it is part of the East Lake Tarpon Community Overlay.

Mr. Swarengen indicated that the applicant plans to construct a 150-foot monopole telecommunication tower that will include an enclosure, landscape buffering, and an access drive; and that although a telecommunications tower is permissible under the current zoning, the R/OS land use designation does not permit it. He related that additional steps will be required during the site plan review process to ensure that groundwater is not impacted; that a Type 2 Use approval will be required by the Board of Adjustment and Appeals due to the proposed height; and that staff recommends approval, finding the request consistent with the Comprehensive Plan.

Alan Ruiz, Tampa, appeared and introduced attorney Mary Solik, Orlando, who appeared virtually and thanked the members for continuing the case from the January meeting to allow the applicant time to update the application. He indicated that the request for a tower is the result of a solicitation by the Ridgemoor Master Association to meet the demand of the neighborhood for better service.

No one appeared in response to the Chairman's call for proponents or opponents of the application; whereupon, Mr. Cueva made a motion, which was seconded by Mr. Cataldo and carried unanimously, that the LPA recommend approval of the application to the BCC.

Case No. ZON-22-09

APPLICATION OF 12199 SEMINOLE, LLC. THROUGH BRIAN AUNGST, JR., REPRESENTATIVE, FOR A ZONING ATLAS AMENDMENT FROM NEIGHBORHOOD COMMERCIAL DISTRICT (C-1) TO GENERAL COMMERCIAL AND SERVICES DISTRICT (C-2)

A public hearing was held on the application of 12199 Seminole, LLC through Brian Aungst, Jr., for the above zoning change, regarding approximately 0.52 acre located at 12081 Seminole Boulevard in unincorporated Largo.

Referring to a PowerPoint presentation containing maps and photographs, Principal Planner Molly Cord provided information regarding the location of the subject property and surrounding land uses and related that the site is currently vacant; and that no legal permitted use has been established. She indicated that the applicant owns a parcel north of the subject property, which is already zoned C-2 and has been utilized for an existing auto sales business; and that the C-1-zoned subject property has been utilized for the same purpose without obtaining zoning approval, which resulted in issuance of a violation. She related that the amendment would bring the entire parcel under the same zoning district; that the FLUM supports the proposed use of vehicle sales; and that staff recommends approval, finding it consistent with the Comprehensive Plan.

Brian Aungst, Jr., Clearwater, appeared and referred to photographs showing vehicles on the subject property since the 1960s, noting that the rezoning would allow to legally establish the historical use; that the previous owner had abandoned the use, which eliminated the legally-established nonconformity; and that once the applicant was made aware of the situation, he obtained counsel immediately to resolve the issue.

No one appeared in response to the Chairman's call for proponents or opponents of the application.

Mr. Cueva expressed concerns regarding impact of the rezoning on residential neighbors, including the impact from other potential uses, such as auto repair, in addition to sales, absent a development agreement or a conditional overlay. Ms. Cord, with input from Mr. Bailey, related that setbacks and buffering would be addressed as part of the site plan review process; that no speaker-amplified announcement devices would be allowed; and that any auto repair services would need to be provided in a fully enclosed building.

Mr. Aungst informed the members that a legally established repair shop has been operating on the C-2-zoned parcel to the north of the subject property since the 1960's; that a harmonious relationship exists between the neighbors, and some have provided letters in support of the request; that the site plan requirements will bring the property up to code; and that no new structures or uses are being proposed.

Following discussion, Ms. Johnson made a motion, which was seconded by Mr. Cooley, that the LPA recommend approval of Case No. ZON-22-09 to the BCC. The motion was approved 4-2, with Messrs. Cataldo and Cueva dissenting.

Case No. ZON-22-10

APPLICATION OF 2754 SUMMERDALE, LLC, THROUGH CLAY A. GILMAN, REPRESENTATIVE, FOR A ZONING ATLAS AMENDMENT FROM RESIDENTIAL AGRICULTURE (R-A) TO EMPLOYMENT-2 (E-2)

A public hearing was held on the application of 2754 Summerdale, LLC through Clay Gilman for the above zoning change, regarding approximately 0.34 acre located at 2754 Summerdale Drive in unincorporated Clearwater.

Referring to a PowerPoint presentation containing maps and photographs, Mr. Bailey presented information regarding the location of the subject property and surrounding land uses and related that the existing use is a nonconforming duplex; and that the proposed use is for a 4-unit warehouse. He indicated that staff recommends approval of the zoning change as it will eliminate nonconformities with regard to use and size; that it will allow a wide range of zoning designations, such as commercial, office, and residential; that the future land use category, Commercial General, supports the proposed use; and that the request is consistent with the Comprehensive Plan.

Brian Aungst, Jr., Clearwater, appeared and related that the applicant owns the parcel north of the subject property that contains a warehouse, making it compatible with the proposed use; and that there is no public opposition to the application.

No one appeared in response to the Chairman's call for proponents or opponents of the application.

Mr. Cueva made a motion, which was seconded by Mr. Cooley and carried unanimously, that the LPA recommend approval of Case No. ZON-22-10 to the BCC.

ADJOURNMENT

The meeting was adjourned at 9:49 AM.