

BOARD OF ADJUSTMENT AND APPEALS
August 2, 2023
Pinellas County Courthouse
County Commissioners Assembly Room - Fifth Floor
315 Court Street
Clearwater, FL
9:00 A.M.

CURRENTLY SCHEDULED APPLICATIONS

- I. CALL TO ORDER**
- II. QUASI JUDICIAL STATEMENT – County Attorney**
- III. HEARING ITEMS – ACTION BY THE BOAA REGARDING THE FOLLOWING ITEMS:**

1. TY2-23-09

Application of Rainmaker Innovations, LLC, through Robert Lewis, Representative for a Type 2 Use to allow for a medical office in an E-1 zone, for the property located at 8240 118th Avenue North in unincorporated Pinellas Park.

2. TY2-23-10

Application of Spring Valley School, Inc., through Anne Pollack, Fletcher, Fisher, Pollack P.L., Representative for a modification of a previously approved Type-2 Use to allow a 2,948 sq. ft. classroom addition for a private school in an R-R zone and to increase the maximum number of students from 65 to 80, for the property located at 2109 Nebraska Avenue in Palm Harbor.

3. VAR-23-11

Application of Cheryl Boyette, through Paul Purcell, PCS Pools, Representative for the following variances requested for the R-3 zoned property located at 1344 Marion Drive South in unincorporated Gulfport: (1) A variance to allow the construction of an in-ground pool having a 6-foot 3-inch side street setback from water's edge along the Dixie Lane right-of-way where 10-feet is required and a 7-foot 2-inch rear setback where 8-feet is required. (2) A variance to allow the construction of an aluminum patio cover having a 7-foot 10-inch setback from the rear property line where 10-feet is required.

4. VAR-23-17

Application of Robert Murray (Owner) for a variance to allow for the construction of a detached carport having a 10-foot front setback where 20 feet is required in an R-3 zone, for the property located at 5566 104th Way North in unincorporated Seminole.

5. VAR-23-18

Application of East Lake R2G Owner, LLC., through Mark Brenchley, Representative for a variance to allow a total of 252.59 square feet of wall signage where 150 square feet of wall signage is the maximum allowed, for the property located at 3400 East Lake Road in Palm Harbor.

- IV. APPROVAL OF MINUTES FOR THE JULY 5, 2023, BOAA Meeting.**

V. ADJOURNMENT

SPECIAL ACCOMMODATIONS: 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.

CHECKLIST AND WORKSHEET
BOARD OF ADJUSTMENT AND APPEALS HEARING
BA CASE NUMBER: TY2-23-09

DRC MEETING: July 10, 2023 @ 9:00 AM - 1st Floor, Housing & Community Development Conference Room

BOA HEARING: August 2, 2023 @ 9:00 AM - 5th Floor, Board Assembly Room

ATLAS PAGE: 245

OWNER/ADDRESS: Rainmaker Innovations, LLC.
8240 118th Avenue – Suite 350
Largo, FL. 33773

REP/ADDRESS: Robert Lewis
Rainmaker Innovations, LLC.
2045 Centre Stone Ct
Columbus, GA. 31904

PROPERTY ZONING: E-1, Employment-1

LAND USE DESIG: E, P and T/U, Employment, Preservation and Transportation/Utility

TYPE APPLICATION: Type-2 Use

CASE DESCRIPTION: A Type 2 Use to allow for a medical office in an E-1 zone, for the property located at 8240 118th Avenue North in unincorporated Pinellas Park.

PARCEL ID NUMBER: 13/30/15/63995/003/3500

DISCLOSURE: N/A

Reference #: TY2-23-00009

CHECKLIST AND WORKSHEET
BOARD OF ADJUSTMENT AND APPEALS HEARING
BA CASE NUMBER: TY2-23-10

DRC MEETING: July 10, 2023 @ 9:00 AM - 1st Floor, Housing & Community Development Conference Room

BOA HEARING: August 2, 2023 @ 9:00 AM - 5th Floor, Board Assembly Room

ATLAS PAGE: 583

OWNER/ADDRESS: Spring Valley School, Inc.
Atten: Rich Collins
2109 Nebraska Avenue
Palm Harbor, FL. 34683-3945

REP/ADDRESS: Anne Pollack, Fletcher, Fisher, Pollack P.L.
433 Central Avenue
St. Petersburg, FL. 33701

PROPERTY ZONING: R-R, Rural Residential

LAND USE DESIG: RL, Residential Low and P, Preservation

TYPE APPLICATION: Type-2 Use

CASE DESCRIPTION: Modification of a previously approved Type-2 Use to allow a 2,800 sq. ft. classroom addition for a private school in an R-R zone and to increase the maximum number of students from 65 to 80, for the property located at 2109 Nebraska Avenue in Palm Harbor.

PARCEL ID NUMBER: 06/28/16/00000/230/0600

NOTICES SENT TO: Spring Valley School, Inc. (Owner), Anne Pollack, Fletcher, Fisher, Pollack, P.L., Representative), Cynthia Johnson, Economic Development, Surrounding Owners (See Attached List) & BCC Office

DISCLOSURE: N/A

Reference #: TY2-23-00010

CHECKLIST AND WORKSHEET
BOARD OF ADJUSTMENT AND APPEALS HEARING
BA CASE NUMBER: VAR-23-11

DRC MEETING: June 12, 2023 @ 9:00 AM - 1st Floor, Housing & Community Development Conference Room

July 10, 2023 @ 9:00 AM - 1st Floor, Housing & Community Development Conference Room

BOA HEARING: August 2, 2023 @ 9:00 AM - 5th Floor, Board Assembly Room

ATLAS PAGE: 846

OWNER/ADDRESS: Cheryl Boyette
1344 Marion Drive South
St. Petersburg, Fl. 33707

REP/ADDRESS: Paul Purcell
PCS Pools
1210 Seminole Blvd.
Largo, FL. 33770

PROPERTY ZONING: R-3, Residential, Single Residential

LAND USE DESIG: RU, Residential Urban

TYPE APPLICATION: Variance

CASE DESCRIPTION: The following variances are requested for the R-3 zoned property located at 1344 Marion Drive South in unincorporated Gulfport: (1) A variance to allow the construction of an in-ground pool having a 6-foot 3-inch side street setback from water's edge along the Dixie Lane right-of-way where 10-feet is required and a 7-foot 2-inch rear setback where 8-feet is required. (2) A variance to allow the construction of an aluminum patio cover having a 7-foot 10-inch setback from the rear property line where 10-feet is required.

PARCEL ID NUMBER: 29/31/16/67356/002/0110

NOTICES SENT TO: Cheryl Boyette (Owner), Paul Purchell, PCS Pools (Representative), Cynthia Johnson, Economic Development, Surrounding Owners (See Attached List) & BCC Office

DISCLOSURE: N/A

Reference #: VAR-23-00015

CHECKLIST AND WORKSHEET
BOARD OF ADJUSTMENT AND APPEALS HEARING
BA CASE NUMBER: VAR-23-17

DRC MEETING: July 10, 2023 @ 9:00 AM - 1st Floor, Housing & Community Development Conference Room

BOA HEARING: August 2, 2023 @ 9:00 AM - 5th Floor, Board Assembly Room

ATLAS PAGE: 294

OWNER/ADDRESS: Robert Murray
5566 104th Way
Seminole, Fl. 33772

REP/ADDRESS: Same as Above

PROPERTY ZONING: R-3, Single Family Residential

LAND USE DESIG: RL, Residential Low

TYPE APPLICATION: Variance

CASE DESCRIPTION: A variance to allow for the construction of a detached carport having a 10-foot front setback where 20 feet is required in an R-3 zone, for the property located at 5566 104th Way North in unincorporated Seminole.

PARCEL ID NUMBER: 34/30/15/80010/000/0170

NOTICES SENT TO: Robert Murray (Owner), Cynthia Johnson, Economic Development, Surrounding Owners (See Attached List) & BCC Office

DISCLOSURE: N/A

Reference #: VAR-23-00021

CHECKLIST AND WORKSHEET
BOARD OF ADJUSTMENT AND APPEALS HEARING
BA CASE NUMBER: VAR-23-18

DRC MEETING: July 10, 2023 @ 9:00 AM - 1st Floor, Housing & Community Development Conference Room

BOA HEARING: August 2, 2023 @ 9:00 AM - 5th Floor, Board Assembly Room

ATLAS PAGE: 592

OWNER/ADDRESS: East Lake R2G Owner LLC c/o RPT Realty LP
P.O. Box 4900
Scottsdale, AZ. 85261-4900

REP/ADDRESS: Mark Brenchley
3790 Beacon Ridge Way
Clermont, FL. 34711

PROPERTY ZONING: RPD-W, Residential Planned Development-Wellhead Protection Overlay
C-2-W, General Commercial & Services-Wellhead Protection Overlay

LAND USE DESIG: CG, Commercial General, RL, Residential Low, Water and TU,
Transportation Utility

TYPE APPLICATION: Variance

CASE DESCRIPTION: A variance to allow a total of 252.59 square feet of wall signage where 150 square feet of wall signage is the maximum allowed, for the property located at 3400 East Lake Road in Palm Harbor.

PARCEL ID NUMBER: 09/28/16/00000/310/0100

NOTICES SENT TO: East Lake R2G Owner LLC c/o RPT Realty LP (Owner), Mark Brenchley (Representative), Cynthia Johnson, Economic Development, Surrounding Owners (See Attached List) & BCC Office

DISCLOSURE: N/A

Reference #: VAR-23-00022