

**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 (Conditional Approval)**  
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 (Conditional Approval)**  
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 (Conditional Approval)**  
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 (Denied)**  
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 (Denied)**  
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 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](mailto: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, 4<sup>th</sup> Floor, Clearwater, Florida 33756, or you may email us at [zoning@pinellas.gov](mailto: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.