

**BOARD OF ADJUSTMENT AND APPEALS**  
**September 6, 2023**  
**Pinellas County Courthouse**  
**County Commissioners Assembly Room - Fifth Floor**  
**315 Court Street**  
**Clearwater, FL**  
**9:00 A.M.**  
**RESULTS**

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

**1. VAR-23-10 (Conditional Approval)**

Application of Michael Bartoletti, through Jordan Nichols, Firehawk Construction, Representative for a variance to allow for the construction of a 6-foot-high masonry wall with columns along the south property line where four feet is the maximum height allowed within the required front setback and a 5-foot-2-inch high chain link rolling gate where three feet is the maximum allowed within the required front setback, for the property located at 2219 Tampa Road in Palm Harbor.

**2. TY2-23-11 (Conditional Approval)**

Application of Green Acres Child Care, through Alycia Foley (Owner), for a modification of a previously approved Type-2 Use to allow a daycare in an R-R zone, for the property located at 9110 102<sup>nd</sup> Avenue in unincorporated Seminole.

**3. VAR-23-14 (Conditional Approval)**

Application of Speckled Trout Boatyard, Inc., through Jaime Maier and Katie Cole, Hill Ward Henderson, Representatives for a variance to allow for the construction of a bed and breakfast having a 6.9-foot front setback from the eastern property line, where 10 feet is required and a 10.7-foot side setback from the northern property line, where 20 feet is required for the CR zoned property located at 370 Bayshore Drive in Ozone.

**IV. APPROVAL OF MINUTES FOR THE AUGUST 2, 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.