

Local Planning Agency
Pinellas County
October 11, 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 9:01 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
John Cueva
James Everett (alternate)
Trish Johnson (non-voting School Board Representative)

Not Present

Stanley A. Cataldo
Rodney Collman
Audrey Henson
Lari Johnson

Others Present

Glenn Bailey, Planning Division Manager/Zoning Manager
Derrill McAteer, Senior 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 November 14, 2023; that any documents needing to be reviewed by the BCC should be submitted to the Planning Department 15 days prior to the BCC meeting; and that BCC meetings will be held in the Palm Room located at 333 Chestnut Street, Clearwater, until further notice.

MINUTES OF SEPTEMBER 13, 2023, MEETING

Mr. Cooley 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 the Deputy Clerk.

PROPOSED RESOLUTIONS AMENDING THE ZONING ATLAS

Case No. ZON-23-08

APPLICATION OF JESSICA ALVAREZ FOR A ZONING ATLAS AMENDMENT FROM RESIDENTIAL PLANNED DEVELOPMENT (RPD) TO SINGLE-FAMILY RESIDENTIAL (R-2)

A public hearing was held on the above zoning change to construct a single-family home with a detached garage on approximately 1.88 acres located on the southeast corner of West Lake Road and Backus Road in Palm Harbor.

Referring to a PowerPoint presentation containing photographs and maps, Principal Planner Ryan Brinson presented information regarding the location of the subject property and surrounding land uses, indicating that the existing Future Land Use Map (FLUM) allows for five units per acre; that the RPD zoning allows for a wide variety of lot sizes and housing types; that any development on the site would require a Development Master Plan; that the request is compatible with the surrounding area; and that the Development Review Committee recommends approval of the application.

In response to the Chairman's call for the applicant, Jessica Alvarez, Palm Harbor, appeared and offered to answer any questions.

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. Cooley and carried unanimously, that the LPA recommend approval of Case No. ZON-23-08 to the BCC, as recommended in the staff report.

Case No. ZON-22-08

APPLICATION OF CYPRESS RUN OF FLORIDA, LLC THROUGH CYNTHIA H. TARAPANI, REPRESENTATIVE, FOR A ZONING ATLAS AMENDMENT FROM RESIDENTIAL AGRICULTURE (R-A) TO RESIDENTIAL PLANNED DEVELOPMENT (RPD) (5.46 ACRES) AND FROM RPD TO R-A (0.05 ACRES) WITH A DEVELOPMENT MASTER PLAN (DMP) MODIFICATION TO ALLOW FOR THE ADDITION OF 5.41 NET ACRES TO THE DMP

A public hearing was held on the above zoning change and DMP modification to allow for the addition of 5.41 net acres to the Cypress Run DMP to construct three residential units and two multi-use maintenance/recreation/self-storage buildings. The subject property is approximately 9.67 acres and is located on the east side of East Lake Drive across from the intersection of North Highland Avenue in East Lake Tarpon.

Mr. Bailey related that a companion case associated with the subject property was amended earlier this year; and that the LPA continued this case to allow the applicant time to address issues regarding a Duke Energy power easement.

Referring to a PowerPoint presentation containing photographs and maps, Mr. Bailey presented information regarding the location of the subject property and surrounding land uses, indicating that the Cypress Run DMP covers approximately 328 acres; that the golf resort and residential community was approved in 1981; and that it consists of 164 residential units with a mixture of single-family detached and attached homes with an 18-hole golf course, clubhouse, and tennis courts. He related that the proposed RPD zoning would allow for a full range of residential dwelling types, complementing non-residential uses, and flexible development parameters.

Mr. Bailey related that the zoning change for the 5.46-acre parcel would allow for the transfer of three residential units and two multi-use buildings into the DMP; and that the zoning change for the 0.50-acre parcel would provide space for a home addition. He provided further information on the subject property, including flood risk and the community overlay; whereupon, he stated that staff recommends approval, finding it consistent with the Comprehensive Plan.

Ed Armstrong, Clearwater, appeared and indicated that he represents the applicant; whereupon, he introduced Cyndi Tarapani, Tarpon Springs, who provided background information on the subject property and the Cypress Run DMP, responded to previous concerns by neighboring property owners, and elaborated on a detailed overview of the proposed project, noting that it is consistent with the residential rural plan category and complies with the goals of the RPD zoning.

Responding to queries by the members, Ms. Tarapani related that meetings have been conducted with nearby property owners and the property owner's association to gather feedback; that no negative feedback has been received thus far; and that there are no errors in the calculations of the number of units being proposed.

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-22-08 to the BCC, as recommended in the staff report.

COUNTY ATTORNEY OVERVIEW - SUNSHINE LAW AND PROCEDURES

Referring to a PowerPoint presentation, Attorney McAteer provided an overview of the Sunshine Law, voting conflicts, public records, and the role of the LPA which included the following topics:

- Sunshine Law requirements related to public notice and access to meetings, minutes, public comment, and penalties for violations
- Process for land use applications
- Public hearing procedures
- Future Land Use Map amendments
- Zoning Atlas amendments
- Quasi-judicial hearings and competent substantial evidence

Responding to a query by Mr. Cooley, Attorney McAteer provided clarifying comments regarding competent substantial evidence.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:51 AM.