

**Board of Adjustment and Appeals
Pinellas County
January 3, 2024 Meeting Minutes**

The Board of Adjustment and Appeals (BAA) met in regular session at 9:00 AM on this date in the County Commission Assembly Room at the Pinellas County Courthouse, 315 Court Street, Clearwater, Florida.

Present

Jose Bello, Chairman
Deborah J. White, Vice-Chairman
Alan C. Bomstein
Joe Burdette
Vincent Cocks
John Doran (appeared virtually)
Cliff Gephart

Others Present

Michael Schoderbock, Division Manager, Zoning and Project Management
Derrill McAteer, Senior Assistant County Attorney
Keith Vargus, Code Enforcement Operations Manager
Shirley Westfall, Board Reporter, Deputy Clerk
Other interested individuals

CALL TO ORDER

Chairman Bello called the meeting to order at 9:00 AM and provided an overview of the hearing process. Later in the meeting, Mr. Burdette made a motion, which was seconded by Ms. White and carried unanimously, that Mr. Doran be allowed to participate virtually.

QUASI-JUDICIAL STATEMENT

Attorney McAteer noted that the following hearing is quasi-judicial; and that only competent substantial fact-based testimony or evidence may be considered in the decisions by the Board; whereupon, he provided information regarding the types of evidence that are considered as such.

PUBLIC HEARING ITEM

Due notice having been given to interested persons pursuant to Comprehensive Zoning Ordinance No. 90-1, a public hearing was held on the following application. All persons planning to give testimony were duly sworn by a Deputy Clerk.

Case No. TY2-23-17

APPLICATION OF XLT HOLDINGS LLC THROUGH ANNE POLLACK,
REPRESENTATIVE, FOR A TYPE 2 USE

A public hearing was held on the above application for a Type 2 Use to allow a fitness center in an Employment-1 (E-1) zone for the property located at 12481 Creekside Drive in unincorporated Largo. No correspondence relative to the application has been received by the Clerk.

Mr. Schoderbock introduced the case and presented the following staff recommendation:

Recommend Conditional Approval. The Development Review Committee staff has no objection to the conditional approval of this request as it appears to meet the criteria for granting Type 2 Uses found in Section 138-241 of the Pinellas County Land Development Code. The request is to allow a fitness center in the eastern portion of an existing warehouse that will share access, parking, and stormwater retention with the existing industrial complex. The subject site previously received a Type 2 Use approval for a kennel (Case No. TY2-23-01) granted by the Board in March of 2023. The application has been withdrawn due to financial complications.

The new tenant intends to retrofit 4,375 square feet of the eastern half of the existing 8,750 square-foot warehouse building for their business operations as a CrossFit gym. No new structures will be built to accommodate this use. No exterior improvements to the warehouse are proposed. Additionally, the uses on the other portions of the site would remain unchanged. Approval should be subject to the following conditions:

1. Appropriate site plan review.
2. The applicant shall obtain all required permits and pay all applicable fees.

Tina Fischer, St. Petersburg, appeared and indicated that she represents the applicant; and that the applicant is in agreement with the staff report and conditions for approval.

In response to a query by Mr. Bomstein, Mr. Schoderbock indicated that sufficient parking would be available for all of the warehouse's uses.

No one appeared upon call for opponents; whereupon, Mr. Bomstein made a motion, which was seconded by Mr. Burdette and carried unanimously, that the Type 2 Use be granted as recommended in accordance with the findings of fact outlined in the staff report.

ADJOURNMENT

The meeting was adjourned at 9:07 AM.