

Local Planning Agency  
Pinellas County  
February 14, 2024 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 9:02 AM on this date in the County Commission Assembly Room at the Pinellas County Courthouse, 315 Court Street, Clearwater, Florida.

Present

Mattaniah Jahn, Chairman  
Stanley A. Cataldo, Vice-Chairman  
Rodney Collman  
Duggan Cooley  
John Cueva  
Lari Johnson  
Trish Johnson (non-voting School Board Representative)

Not Present

Audrey Henson

Others Present

Michael Schoderbock, Division Manager, Zoning and Project Management  
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 March 26, 2024; 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.

**QUASI-JUDICIAL STATEMENT**

Attorney McAteer noted that the following hearings are 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.

### **MINUTES OF DECEMBER 13, 2023 MEETING**

Mr. Cueva made a motion, which was seconded by Ms. Johnson 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 a Deputy Clerk.

### **PROPOSED ORDINANCE AMENDING THE FUTURE LAND USE MAP AND PROPOSED RESOLUTIONS AMENDING THE ZONING ATLAS**

Case No. ZON-23-10

APPLICATION OF STORAGE AT ANCLOTE, LLC., THROUGH DONN SHARPE, REPRESENTATIVE, FOR A ZONING ATLAS AMENDMENT FROM RESIDENTIAL AGRICULTURE (R-A) TO EMPLOYMENT 1 (E-1)

A public hearing was held on the above application regarding approximately 0.37 acre located at the northeast corner of Anclote Road and North Bend Drive in unincorporated Tarpon Springs.

Referring to a PowerPoint presentation containing photographs and maps, Principal Planner Ryan Brinson presented information regarding the location of the subject property, surrounding land uses, and zoning designations, and indicated that the proposed zoning amendment would allow outdoor storage and other non-residential uses. He related that the subject property is currently vacant; and that the applicant wishes to utilize the site for outdoor boat storage.

Mr. Brinson indicated that the request is consistent with the existing Future Land Use Map category and the Comprehensive Plan; and that staff recommends approval.

Responding to queries by the members, Mr. Brinson, with input from Mr. Schoderbock, provided information regarding the public hearing notification process, noting that one neighbor inquired about the project; and that the adjacent property is zoned Industrial.

Upon the Chairman's call for the applicant, Principal Planner Molly Cord pointed out that she is having difficulty connecting to the applicant via Zoom; whereupon, Chairman Jahn suggested that the Board take a short recess to allow the opportunity to resolve the technology issue.

*The meeting recessed at 9:12 AM and reconvened at 9:14 AM.*

Ms. Cord indicated that the applicant has requested that the item be moved to the end of the agenda. Thereupon, Ms. Johnson made a motion, which was seconded by Mr. Cooley and carried unanimously, that Case No. ZON-23-10 be moved to the end of the agenda.

Later in the meeting, Donn Sharpe, Melbourne, appeared virtually and commended staff for the presentation.

No one appeared in response to the Chairman's call for proponents or opponents to the application; whereupon, Mr. Cueva made a motion, which was seconded by Ms. Johnson and carried unanimously, that the LPA recommend approval of Case No. ZON-23-10, based on staff's recommendation.

Cases Nos. FLU-23-06 and ZON-23-07

APPLICATIONS OF TEAM SAVAGE, INC., THROUGH LISA MOODY, REPRESENTATIVE, FOR THE FOLLOWING:

- (FLU-23-06) FUTURE LAND USE MAP (FLUM) AMENDMENT FROM PRESERVATION (P) (0.4 ACRES) AND RESIDENTIAL LOW (RL) (1.3 ACRES) TO RESIDENTIAL/OFFICE/RETAIL (R/O/R)

and

- (ZON-23-07) A ZONING ATLAS AMENDMENT FROM RESIDENTIAL MOBILE/MANUFACTURED HOME (RMH) (1.6 ACRES) AND COMMERCIAL PARKWAY (CP) (2.1 ACRES) TO COMMERCIAL PARKWAY – CONDITIONAL OVERLAY (CP-CO), WITH THE CONDITIONAL OVERLAY LIMITING THE ALLOWABLE USES TO MOTOR VEHICLE SALES, RECREATIONAL VEHICLE/BOAT SALES; AND VEHICLE STORAGE, MAINTENANCE, AND REPAIR; PROVIDING ENHANCED PERIMETER BUFFERING; AND LIMITING THE MAXIMUM BUILDING HEIGHT TO 45 FEET

A public hearing was held on the applications of Team Savage, Inc., for the above amendments regarding several parcels totaling approximately 3.7 acres located at 29703 US Highway 19 North in unincorporated Clearwater.

Referring to a PowerPoint presentation containing photographs and maps, Planning Section Manager Scott Swearingen pointed out the location of the subject property, described surrounding land uses and zoning designations, and provided an overview of the request. He related that the applicant wishes to keep the existing use of the property; and that the proposed request is to make improvements such as constructing a new sales building, service center, parking lot, inventory storage, stormwater system, and new driveways/circulation.

Mr. Swearingen related that the proposed FLUM and zoning amendment requests are considered an appropriate transition between US Highway 19 and residential; that the amendments recognize long-term use of the property and would allow the site to be redeveloped in a more appropriate manner; that the conditional overlay provides greater protection for neighboring properties; that the amendments are consistent with the Comprehensive Plan; and that the Development Review Committee recommends approval of both applications.

Mr. Swearingen informed the members that a well-attended neighborhood informational meeting was held on the proposed project, wherein the applicant's representative presented the conceptual site plan; and that five letters of concern have been received regarding privacy and encroachment; whereupon, with input from Mr. Schoderbock, he responded to queries by the members regarding floor area ratio, perimeter buffering, and canopy trees.

Upon the Chairman's call for the applicant, Katie Cole, Clearwater, appeared and indicated that Dimmitt Automotive Group has purchased Cycle Springs Powersports and is seeking to make much-needed improvements that will bring the parcels into compliance. She provided background information regarding the subject property, including prior uses and special exception permits.

Ms. Cole introduced Daniel Bergin, Civil On Demand; whereupon, he provided an overview of the concept plan, noting that enhancements will include increased setbacks; perimeter landscaping and buffering; consolidation of buildings, parking, and inventory storage areas; a circulation pattern driveway to improve ingress and egress; and beautification plans for Highland Acres Drive. He related that many of the proposed improvements are beyond what is required by the Code.

Responding to queries by the members, Ms. Cole, with input from Dimmitt Automotive Group Chief Executive Officer Scott Larguier, discussed the operating hours of the business' service department and noted that the special exceptions granted to the prior owner allowed for the expansion of operations, parking, and inventory storage on adjacent residential parcels.

Upon the Chairman's call for opponents, Susan Farrell, Clearwater, appeared and expressed her concerns regarding traffic patterns, blocked roadways, noise, and visibility intrusion on residential parcels; whereupon, she responded to queries by Chairman Jahn.

In rebuttal, Ms. Cole reviewed the current parking and ingress/egress of the subject property, noting that the proposed conditional overlay would allow the applicant to provide more appropriate site circulation to alleviate the opponent's concerns; and that the applicant would be willing to prohibit inventory parking within 30 feet of the easternmost property line.

Thereupon, Mr. Schoderbock responded to comments and queries by Chairman Jahn and provided a summary of the site plan review process.

In further rebuttal, Mr. Larguier reiterated that the goal is to shift the business' operations off the streets and onto the subject property; that much of the inventory will be stored at a warehouse in Oldsmar and inside the proposed new building; and that the project will be a great improvement to the area.

Following Attorney McAteer's review of the Code, Section 138-1202(h), the applicant offered the following additional setbacks and buffers to the conditional overlay regarding adjacent residential properties to lot number 2442:

1. Minimum 20-foot structure setback
2. Twenty-five feet on center canopy trees, two-inch caliber
3. Eight-foot buffer
4. Prohibiting inventory parking within 30 feet of the easternmost property line

Upon the Chairman's call for a motion, Mr. Cueva made a motion to approve Case No. FLU-23-06. The motion was seconded by Mr. Cooley and carried unanimously.

Mr. Cueva made a motion to approve Case No. ZON-23-07, with the addition of the four aforementioned conditions to the conditional overlay. The motion was seconded by Mr. Cooley and carried unanimously.

## **PROPOSED ORDINANCES AMENDING THE PINELLAS COUNTY LAND DEVELOPMENT CODE**

### Case No. LDR-24-01

A PROPOSED ORDINANCE TO AMEND THE PINELLAS COUNTY LAND DEVELOPMENT CODE, CHAPTER 138 – ZONING, RELATED TO DEFINITIONS AND STANDARDS FOR ACCESSORY DWELLING UNITS

At the request of staff, Mr. Cueva made a motion, which was seconded by Ms. Johnson and carried unanimously, that Case No. LDR-24-01 be continued to the next LPA meeting scheduled for April 10, 2024, date certain.

Case No. LDR-24-02

A PROPOSED ORDINANCE TO AMEND THE PINELLAS COUNTY LAND DEVELOPMENT CODE, CHAPTER 134 – GENERAL AND ADMINISTRATIVE PROVISIONS; CHAPTER 138 – ZONING; CHAPTER 142 – AIRPORT ZONING; CHAPTER 154 – SITE DEVELOPMENT, RIGHT-OF-WAY IMPROVEMENTS, SUBDIVISIONS, AND PLATTING; AND CHAPTER 158 – FLOODPLAIN MANAGEMENT

A public hearing was held regarding a proposed ordinance amending the chapters listed above to the Pinellas County Land Development Code pertaining to the Development Review Committee (DRC).

Mr. Schoderbock provided background information regarding the establishment of the DRC and the challenges that staff faces with its authority; whereupon, he highlighted the following proposed amendments regarding applications and decision-making authority:

- Administrative Adjustments and Waivers, and Vested Rights: authority moved to the County Administrator or designee
- Floodplain variances and Stormwater Manual waivers: authority moved to Public Works Special Magistrate
- Chapter 142 Airport Zoning variances: authority moved to the Board of Adjustment and Appeals

Mr. Schoderbock noted that a partial sentence in Chapter 134, Section 134-160(d)3 was accidentally struck out; and that staff is recommending that it be reinstated, as indicated in the staff report.

Mr. Schoderbock related that the proposed Code amendments, which have been reviewed by internal and external stakeholders, are intended to provide flexibility and enhance customer service; that the requested amendments are consistent with the Comprehensive Plan; and that the DRC recommends approval.

Attorney McAteer pointed out that the County Attorney's Office and staff have worked together to create a more traditional environment for staff where departments can work together and still provide transparency to the public; whereupon, with input from Mr. Schoderbock, he responded to queries by the members, noting that the DRC will no longer make recommendations and/or approvals.

No one appeared in response to the Chairman's call for proponents or opponents of the amendments.

Ms. Johnson made a motion to approve Case No. LDR-24-02, including the reinstatement to Chapter 134, Section 134-160(d)3. The motion was seconded by Mr. Cueva and carried unanimously.

Case No. LDR-24-03

A PROPOSED ORDINANCE TO ADOPT A REVISED PINELLAS COUNTY STORMWATER MANUAL, UPDATING PARTS "A", "B", AND "C" OF THE MANUAL FOR UNINCORPORATED AREAS

A public hearing was held regarding a proposed ordinance amending Parts A, B, and C of the Pinellas County Stormwater Manual for unincorporated areas within Pinellas County.

Building and Development Review Services Director Kevin McAndrew provided background information regarding the adoption of the amended Stormwater Manual in 2021, noting that subsequent feedback has described the updated manual as restrictive, inflexible, and burdensome by certain stakeholders. In response to stakeholder feedback, he related that a peer review of the manual was completed in July 2023 by Vanasse Hangen Brustlin, Inc. (VHB).

Mr. McAndrew reviewed the recommended updates by VHB, which includes new exemptions, expanded flexibility, incentivization of green infrastructure, and numerous technical updates; whereupon, he highlighted the following proposed updates to the Stormwater Manual:

- New small site exemption (parcels 1 acre or less)
- New single-family exemption for large properties (1 acre and larger)
- Expand and increase thresholds for administrative adjustments
- Modify standards for exfiltration systems and trench design
- Modify methodology for stormwater runoff calculations based on size of site

Mr. McAndrew related that the proposed updates to the Stormwater Manual are consistent with the VHB peer review recommendations and have been reviewed by internal and external stakeholders; that the updates would provide relief to small-scale land development projects and large lot single-family residential projects, while allowing for greater design and construction flexibility and construction cost savings; and that the updates are consistent with the Comprehensive Plan.

Mr. McAndrew, with input from Attorney McAteer, requested that the LPA approve an additional amendment to Section 154-52 of the Land Development Code (LDC), which is the Stormwater Manual, for an effective date of April 23, 2024.

Responding to queries by the members, Mr. McAndrew provided clarifying comments and indicated that the intent of the proposed updates is to provide a degree of flexibility which would bring meaningful relief to the development community, while continuing to protect natural resources.

No one appeared in response to the Chairman's call for proponents or opponents; whereupon, Mr. Cataldo made a motion to approve Case No. LDR-24-03, including the amendment to Section 154-52 of the LDC to reflect an effective date of April 23, 2024. The motion was seconded by Mr. Cueva and carried unanimously.

## **ADJOURNMENT**

The meeting was adjourned at 10:59 AM.