

Local Planning Agency
Pinellas County
May 8, 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
Duggan Cooley
John Cueva
James Everett (alternate)
Trish Johnson (non-voting School Board Representative)

Not Present

Rodney Collman
Audrey Henson
Lari Johnson

Others Present

Molly Cord, Principal Planner
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 June 11, 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 are now being held in the Palm Room located at 333 Chestnut Street, Clearwater.

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 APRIL 10, 2024 MEETING

Mr. Cueva made a motion to approve the minutes. The motion was seconded by Mr. Cooley and carried unanimously.

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

Cases No. FLU-24-01 and ZON-24-01

APPLICATIONS OF JOSE E. PAGAN GUZMAN THROUGH ANGEL RIVERA, REPRESENTATIVE, FOR THE FOLLOWING:

- (FLU-24-01) FUTURE LAND USE MAP (FLUM) AMENDMENT FROM RESIDENTIAL LOW (RL) TO COMMERCIAL GENERAL (CG)

and

- (ZON-24-01) A ZONING ATLAS AMENDMENT FROM ONE, TWO, AND THREE-FAMILY RESIDENTIAL (R-4) TO GENERAL COMMERCIAL AND SERVICES (C-2) WITH A VARIANCE

A public hearing was held for the above amendments regarding approximately 0.15 acre located at 2520 55th Avenue North in Lealman.

Referring to a PowerPoint presentation containing photographs and maps, Planning Section Manager Scott Swearingen presented information regarding the location of the subject property, surrounding land uses, and zoning designations, indicating that the

existing use of the property is a single-family residence, which the applicant wishes to convert into an office. He indicated that the subject property is adjacent to and abuts the recently implemented Lealman Form-Based Code district; that property owners within 300 feet of the subject property were notified of today's hearing; and that one email in opposition has been received.

Mr. Swearngen related that the Development Review Committee recommends approval of the proposed amendments, which are consistent with the Comprehensive Plan; that the FLUM amendment would allow the site to be redeveloped in a more appropriate manner with its surrounding land uses; and that the zoning amendment would bring redevelopment and related improvements into the Community Redevelopment Area.

Upon the Chairman's call for the applicant, Angel Rivera, Tampa, appeared virtually, noted that he is the Engineer of Record, and informed the members that the applicant owns an adjacent commercial property; and that the applicant wishes to relocate an office from the adjacent property to the subject property, which should not increase traffic to the area. At the Chairman's request, Mr. Swearngen pointed out the adjacent parcel on a map; whereupon, Messrs. Swearngen and Rivera and Attorney McAteer responded to queries by Mr. Cueva.

Upon the Chairman's call for opponents, Robert Lostumo, Lealman, appeared virtually and expressed his concerns. Later in the meeting, Chairman Jahn requested that Ms. Cord provide Mr. Lostumo with contact information for the County's Public Works Department to allow him to address some of his concerns.

In rebuttal, Mr. Rivera provided brief comments and explained that the opponent's comments refer to the adjacent property, not the subject property.

Upon the Chairman's call for a motion, Mr. Cueva made a motion to approve Case No. FLU-24-01 based on staff's recommendation, noting that the request is consistent with the FLUM for the area. The motion was seconded by Mr. Cooley and carried unanimously.

Thereupon, Mr. Cueva made a motion to approve Case No. ZON-24-01. The motion was seconded by Mr. Cataldo and carried unanimously.

Case No. ZON-24-02

APPLICATION OF THUC TRI CAO FOR A ZONING ATLAS AMENDMENT FROM LIMITED OFFICE (LO) TO SINGLE-FAMILY RESIDENTIAL (R-3)

A public hearing was held for the above application regarding approximately 0.29 acre located at 4940 41st Avenue North in Lealman.

Referring to a PowerPoint presentation containing photographs and maps, Ms. Cord presented information regarding the location of the subject property, surrounding land uses, and zoning history, indicating that the property is currently developed with a medical office building; and that the applicant wishes to split the property back to its originally platted lots and construct one detached single-family home on each lot.

Ms. Cord indicated that, per Florida Statute, surrounding property owners within 300 feet of the subject property were notified of the hearing; and that no correspondence has been received. She related that the amendment is compatible with development in the surrounding area and is consistent with the Comprehensive Plan; and that the Development Review Committee recommended approval of the request.

Upon the Chairman's call for the applicant, Thuc Tri Cao, St. Petersburg, appeared virtually and provided brief comments.

No one appeared in response to the Chairman's call for proponents or opponents to the application; whereupon, Mr. Cueva made a motion to approve Case No. ZON-24-02, based on staff's recommendation. The motion was seconded by Mr. Cataldo and carried unanimously.

ADJOURNMENT

Upon the Chair's request, a motion was made to adjourn the meeting. The motion was seconded and carried unanimously; whereupon, there being no further business, the meeting was adjourned at 9:41 AM.