

**Board of Adjustment and Appeals
Pinellas County
December 4, 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
Jason Holloway
Alonda Vaughan
Robert Warner (alternate)

Others Present

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

All documents received by the Clerk have been made a part of the record.

CALL TO ORDER

Chairman Bello called the meeting to order at 9:00 AM and provided an overview of the hearing process.

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.

PUBLIC HEARING ITEMS

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

Case No. TY2-24-09

APPLICATION OF GULF SHORES BAPTIST CHURCH CORP., THROUGH SEAN CASHEN, REPRESENTATIVE, FOR A TYPE-2 USE

A public hearing was held on the above application for a Type-2 Use to allow for an overflow parking lot in an R-1 zone for the adjacent place of worship, for the property located at 1220 Espina Court in unincorporated Dunedin. Eleven letters in opposition to the application have been received by the Clerk.

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

Recommend Conditional Approval. 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 subject property is vacant and owned by the Gulf Shores Baptist Church Corp. This site is approximately 0.40 acres and is located on the corner of Curlew Road and Espina Court. Historically, the Gulf Shores Baptist Church received special exception approval (Case No. BA11-2-97) on their adjacent parcel for a place of worship in an R-A zone. In 2004, the existing place of worship received Board approval (Case No. BA8-1-04) to expand its existing sanctuary and modify the existing parking layout.

Recently, the Gulf Shores Baptist Church went to the Board of Adjustment and Appeals in September of 2024 to request the addition of two 1,056-sq. ft. modular classroom buildings on the R-1 zoned property for the adjacent place of worship, at 1220 Espina Court. This request was unanimously denied based on the findings that the proposed use did not fit within the character of the neighborhood, the proposed portable classroom buildings would negatively affect the character of the neighborhood, and there was not adequate separation from adjacent properties.

At this time, the Gulf Shores Baptist Church would like to proceed without adding the portable classroom buildings and instead add a grass overflow parking area to the vacant Espina Court for church services on Sundays and Wednesdays and other church functions when additional parking is

needed. A Type-2 Use approval is required for a stand-alone parking lot on a residentially zoned property. The proposed parking area will be set back a minimum of 10 feet from the southern residential property. In addition, the applicant intends to install a 5-foot to 6-foot-high opaque fence along the southern portion of the parcel to act as a visual buffer from the adjoining residence to the south of the subject property. Traffic impacts are anticipated to be small, and drainage requirements will be addressed during the site plan review process. 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.

Upon the Chairman's call for the applicant, Sean Cashen, Clearwater, appeared and discussed details regarding the layout of the proposed parking lot, noting that it will include a ten-foot-wide landscape buffer and fence. Responding to queries by Ms. White and Mr. Bomstein, Mr. Cashen, with input from Tim Delaney, Palm Harbor, discussed details related to pavement, drainage, potential plans for building expansion, and the proposed fence; whereupon, he provided further information related to the configuration of the proposed parking lot.

Upon the Chairman's call for opponents, the following individuals appeared, expressed their concerns, and responded to comments and queries by the members, with input from Mr. Schoderbock and Attorney McAteer:

William Krench, Dunedin
Mary Attardo Krench, Dunedin
Charles L. Attardo, Tarpon Springs
Jean Hand, Weeki Wachee
Gabriele Chidichimo, Dunedin
Ralph Caouette, Dunedin

In rebuttal, Mr. Cashen discussed use of the proposed parking lot, noting that landscaping will adhere to the County Code; and that there will be no parking directly adjacent to the fence. Following a query by Mr. Bomstein, Mr. Cashen provided information related to the surface material of the proposed drive aisle, drainage concerns, and efforts to preserve a tree on-site; whereupon, with input from Mr. Schoderbock, he responded to comments and queries by the members and provided clarifying information regarding landscaping, handicapped parking, and considerations related to parking configuration and drive aisle access.

Chairman Bello closed the public hearing and discussion ensued wherein Attorney McAteer, in response to a comment by Mr. Bomstein, confirmed that preservation of the tree may be added as a condition for approval if the applicant agrees to the addition on the record; whereupon, following comments by Mr. Delaney, Attorney McAteer indicated that the applicant assented to the condition.

Mr. Bomstein made a motion to approve staff's recommendation for conditional approval in accordance with the findings of fact as outlined in the staff report, with the addition of a condition that the applicant will make efforts to preserve the aforementioned tree. The motion was seconded by Ms. White and carried unanimously.

Case No. TY2-24-10

APPLICATION OF WANDA MCCAATHAN, FRIENDS OF RIDGECREST, INC., THROUGH JOE RIDDLE, REPRESENTATIVE, FOR A TYPE-2 USE

A public hearing was held on the above application for a Type-2 Use to allow for an overflow parking lot in an R-4 zone for the adjacent community center, for the property located at 1598 Gooden Crossing 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. 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 subject site is a corner lot in the Baskins Subdivision of the Greater Ridgecrest Area. The subject area is predominantly characterized by single-family development with a community center (owned by the applicant) to the south of the subject property. This property serves as the Tasker Beal Community Center which provides social services and programs to the area's residents. The applicant would like to utilize the 0.17-acre vacant parcel to allow for formalized parking for the adjacent community center. Per the applicant, the additional parking would assist with meetings and events that occur at the community center and would reduce the amount of illegal parking that normally occurs on the street. The proposed parking area would result in 15 additional parking spaces for the adjacent community center. It is the staff's opinion that the surplus of parking will accommodate the community center's future events and further improve public safety. 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.

Upon the Chairman's call for the applicant, Housing and Community Development Planning Section Manager Joe Riddle appeared and provided information regarding the request.

Chairman Bello indicated that there is no opposition; whereupon, Mr. Bomstein made a motion to approve staff's recommendation for conditional approval in accordance with the findings of fact as outlined in the staff report. The motion was seconded by Ms. White and carried unanimously.

MINUTES OF THE NOVEMBER 6, 2024 MEETING

Mr. Bomstein made a motion to approve the minutes of the November 6 meeting. The motion was seconded by Ms. White and carried unanimously.

ADJOURNMENT

Mr. Bomstein welcomed new members Ms. Vaughan and Mr. Holloway and requested that they introduce themselves; whereupon, following brief discussion, the meeting was adjourned at 10:09 AM.