

BOARD OF ADJUSTMENT AND APPEALS
February 5, 2025
Pinellas County Courthouse
County Commissioners Assembly Room - Fifth Floor
315 Court Street
Clearwater, FL
9:00 A.M.
RESULTS AGENDA

- I. CALL TO ORDER
- II. QUASI JUDICIAL STATEMENT – County Attorney
- III. HEARING ITEMS – ACTION BY THE BOAA REGARDING THE FOLLOWING ITEMS:

1. TY2-24-12 (Conditional Approval)

Application of Pinellas County, Real Estate Management, through Erica Lynford, Palm Harbor Parks and Recreation and Derek Weaver, Pinellas County, Dept. of Construction Services, for a modification of a previously approved Type-2 Use to allow a 27,562 square foot community recreation center in an R-A zone, for the property located at 1550 16th Street in Palm Harbor.

2. TY2-24-11 (Conditional Approval)

Application of Crossroads Chapel, Church of God of Prophecy of Palm Harbor, through Sean Cashen, Gulf Coast Consulting, Inc., for a Type-2 Use to allow for a place of worship in an R-A zone, for the property located at 1040 Tampa Road in Palm Harbor.

3. VAR-24-06 (Conditional Approval)

Application of Elisabeth Worth Bird, through Woodrow Beckelhimer, for a variance to allow for the conversion of an unconditioned space (screen room) to a conditioned space (closet) having a 5.8-foot side setback from the eastern property line where 6 feet is required and a 6.8-foot rear setback from the southern property line where 10 feet is required in a R-3 zone, for the property located at 1334 Michigan Avenue in Palm Harbor.

4. VAR-24-28 (Conditional Approval)

The applicants, Carolyn K Brown TRE and Richard T Brown TRE (“the Applicants”) own the property at 418 8th Avenue North, Tierra Verde, FL 33715 (the “Subject Property”). The Applicants applied for a County Permit, Application No. WND-24-00806, on August 16, 2024. The application proposes the construction of a 104-foot fixed dock consisting of a 4’ x 88’ walkout, 14’ x 6’ dock head, 2’ x 6’ lower landing, and 15’10” x 16’, 20,000-pound boatlift to the right of the dock head (the “Docking Facilities”).

Section 58-555(b)(1) sets forth length requirements for private single-family docking facilities in unincorporated County; these requirements are based upon waterfront property width. Specifically, Section 58-555(b)(1) requires that the length of the Docking Facilities not exceed 50% of the waterfront property width. This requirement may be waived by Staff if signed statements of no objection from both adjacent (waterfront) property owners are provided. The Applicants were able to obtain a signed statement of no objection from the adjacent property owner to the north; however, the Applicants were not able to obtain a signed statement of no objection from the adjacent property owner to the south.

The waterfront width of the Subject Property is 70 feet. Accordingly, Section 58-555(b)(1) requires that the length of the Docking Facilities be 35 feet. As established above, the total length is proposed at 104 feet. Therefore, a variance of 69 feet to Section 58-555(b)(1) is required for the dock to be approved by the County. County Code Section 58-539(a)(1) authorizes the Board of Adjustments and Appeals to approve a variance to Section 58-555(b)(1).

IV. APPROVAL OF MINUTES FOR THE JANUARY 2, 2025, BOAA Hearing (Minutes Approved)

V. ADJOURNMENT

SPECIAL ACCOMODATIONS: Persons with disabilities who need reasonable accommodations to effectively participate in this meeting are asked to contact Pinellas County's Office of Human Rights by e-mailing such requests to accommodations@pinellas.gov at least three (3) business days before the need for reasonable accommodation. You may also call (727) 464-4882.

NOTICE: The matters heard by the Board of Adjustment and Appeals are quasi-judicial in nature. Please note that only competent, substantial, fact-based testimony or evidence may be considered by the board in deciding the matters before it. Pure speculation or opinion, not based on competent facts, cannot be legally considered by the board. Lay testimony with fact-based support (including but not limited to meeting minutes, surveys, engineering reports, etc.) may be considered competent and substantial evidence. The county attorney's office represents and advises the board and county staff but cannot give legal advice to the applicant or other interested parties.

Letters of opposition or support, written arguments, evidence, explanations, studies, reports, petitions or other documentation to be provided for consideration by the boards must be submitted at least one week (7 days) in advance of the advertised hearing and may be directed to the Pinellas County Building and Development Review Services Department, Zoning Division, 440 Court Street, 4th Floor, Clearwater, FL 33756, or email us at zoning@pinellas.gov.

Failure by the applicant or an authorized representative of the applicant to appear at the scheduled public hearings may result in an automatic denial of the request.

Appeals of any final decision made at this hearing must be filed in circuit court within 30 calendar days of the decision. This time period is jurisdictional in nature and cannot be extended. Persons are advised that if they decide to file an appeal, they will need to seek independent legal counsel and a record of the proceedings. It is the appellant's responsibility to ensure that a verbatim record of the proceedings is created if needed for purposes of appeal.

The public hearing may be streamed live at <https://youtube.com/pcctv1> and <https://pinellas.gov/pinellas-county-connection-television-pcc-tv/>, and broadcast on the Pinellas County cable public access channels: Spectrum Channel 637, Frontier Channel 44 or WOW! Channel 18.