

Local Planning Agency
Pinellas County
April 9, 2025 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 9:00 AM on this date in the County Commission Assembly Room at the Pinellas County Courthouse, 315 Court Street, Clearwater, Florida.

Present

Mattaniah Jahn, Chairman
Carlos Brito
Stanley Cataldo
Hoyt Hamilton
John Hendricks
Lari Johnson
Trish Johnson (non-voting School Board Representative)

Not Present

Rodney Collman, Vice-Chairman

Others Present

Michael Schoderbock, Division Manager, Zoning and Project Management
Joe Morrissey, Senior Assistant County Attorney
Jessica Oakes, Board Reporter
Other interested individuals

CALL TO ORDER

Chairman Jahn called the meeting to order and reviewed the procedure for public hearings, indicating that today's case will be heard by the Board of County Commissioners (BCC) on May 20, 2025; and that any documents needing to be reviewed by the BCC should be submitted to the Zoning Section 15 days prior to the BCC meeting.

MINUTES OF THE MARCH 12, 2025 MEETING

In response to Chairman Jahn's call for a motion, Ms. Johnson made a motion, which was seconded by Mr. Hamilton and carried unanimously.

QUASI-JUDICIAL STATEMENT

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

Later in the meeting, Planning Section Manager Scott Swearengen clarified that the case before the LPA is not quasi-judicial.

PUBLIC HEARING ITEMS

Legal notice having been published for the item on the agenda, as evidenced by affidavit of publication filed with the Clerk, a public hearing was held on the following item. 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

Case No. FLU-25-01

APPLICATION OF MILA MANIA PROPERTIES, INC. FOR A FUTURE LAND USE MAP (FLUM) AMENDMENT FROM RESIDENTIAL URBAN (RU) TO RESIDENTIAL MEDIUM (RM)

A public hearing was held for the above application regarding approximately 0.21 acre located at 4500 40th Street North in Lealman.

Referring to a PowerPoint presentation containing photographs and maps, Mr. Swearengen pointed out the location of the subject property and described surrounding land uses and zoning designations, noting that it is part of the Lealman Community Redevelopment Area. He indicated that two dwelling units exist on the subject property; and that the applicant intends to build an additional dwelling unit; whereupon, in response to a query by Chairman Jahn, Mr. Swearengen, with input from Mr. Schoderbock, related that no development application or agreement has been submitted; and that the concept plans presented to the LPA are not binding.

Mr. Swearengen reviewed current and proposed land uses, zoning information, and impacts as they relate to density and traffic increases and indicated that the land use change is inappropriate for the subject property and the surrounding area; that it would allow for an increase of density from 7.5 dwelling units to 15 dwelling units per acre; and

that a Countywide Plan Map amendment would be required following approval by the BCC; whereupon, he noted that staff recommends denial.

Responding to queries by Ms. Johnson, Mr. Swearengen provided information related to Countywide Plan Map amendments; whereupon, he indicated that the land use makeup of the surrounding neighborhood is the primary reason for staff's recommendation of denial.

Upon the Chairman's call for the applicant, Jennifer Mila Ortiz, Tampa, appeared. Referring to a PowerPoint presentation and multiple documents, Ms. Ortiz provided information regarding the request, her professional background, and the history of the subject property, noting that she intends to convert existing garages on the site into a dwelling unit; whereupon, she provided detailed information regarding the current land uses and parcel sizes of surrounding properties, various rules and constraints related to the proposed site plan, and the intent of the requested land use amendment.

Ms. Ortiz indicated that the County previously denied a full renovation permit for the subject property due to its status as legally non-conforming; whereupon, she pointed out that a nearby property underwent changes to accommodate 17 additional units; and that she hopes that the LPA is open to changes for this property as well.

Responding to queries by the members, Mr. Schoderbock, with input from Ms. Ortiz, discussed multiple topics, including the following:

- Legally nonconforming properties
- Accessory dwelling units
- Zoning and density
- The Comprehensive Plan
- Remediation of the property for residential use
- Permitting process
- Affordable housing bonuses

Upon the Chairman's call for opponents, Tony Clark and David Lee, St. Petersburg, appeared and expressed their concerns.

In rebuttal, Ms. Ortiz indicated that the site plan caters to proper parking guidelines; that it is consistent with the Comprehensive Plan; and that the concrete footprint of the buildings will not be increased; whereupon, in response to a query by Ms. Johnson, she briefly discussed other possible uses for the site within the existing land use.

Messrs. Swearngen and Schoderbock, with input by Attorney Morrissey, responded to queries and comments by the members regarding various topics, including the following:

- Short-term rentals
- Commercial uses
- Constraints related to imposing various restrictions
- Establishment of conditions through a development agreement

In response to comments by Mr. Hendricks, Ms. Ortiz indicated that she has received six letters of support from neighboring property owners; whereupon, she noted that she signed a property management agreement, which would allow no more than two cars per unit.

Following a query by Mr. Cataldo, Mr. Swearngen and Chairman Jahn provided information related to affordable housing.

Upon the Chairman's call for a motion, Mr. Hendricks made a motion to approve the land use change from RU to RM on the property located at 4500 40th Street North in Lealman. The motion was seconded by Ms. Johnson. Upon call for the vote, the motion carried 4 to 2, with Chairman Jahn and Mr. Cataldo dissenting.

Thereupon, Chairman Jahn cited her concerns related to development agreements as the reasoning for her dissenting vote.

ADJOURNMENT

In response to a query by Chairman Jahn, Mr. Schoderbock indicated that there will be a meeting next month.

Upon the Chairman's call for a motion to adjourn, Mr. Brito made a motion, which was seconded by Ms. Johnson and carried unanimously; whereupon, the meeting was adjourned at 10:42 AM.