

Board of Adjustment and Appeals
Pinellas County
February 4, 2026 Meeting Minutes

The Board of Adjustment and Appeals (BAA) met in regular session at 9:08 AM on this date in the County Commission Assembly Room at the Pinellas County Courthouse, 315 Court Street, Clearwater, Florida.

Present

Alan C. Bomstein, Chair
Jose Bello
Andrew Hunsicker
Luis Serna (alternate)
Robert Warner
Deborah J. White

Not Present

Jason Holloway, Vice-Chair
Alonda Vaughan

Others Present

Michael Schoderbock, Division Manager, Zoning and Project Management
Derrill McAteer, Senior Assistant County Attorney
Eric Jewett, Code Enforcement Supervisor
Jessica Oakes, Board Reporter, Deputy Clerk
Other interested individuals

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

CALL TO ORDER

Chair Bomstein called the meeting to order at 9:08 AM and provided an overview of the hearing process; whereupon, he requested that the members disclose if they have visited the subject property as each public hearing begins.

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 HEARINGS

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

Case No. TY2-25-12

APPLICATION OF NORTHSTAR CEMETERY OF FL., LLC., THROUGH JESUS PEREA, REPRESENTATIVE, FOR A TYPE 2 USE

A public hearing was held on the above application for a modification of a previously approved Type 2 Use to allow the addition of a 1,079-square-foot mausoleum to an existing cemetery in an R-A zone, for the property located at 5750 49th Street North in Lealman.

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, Memorial Park Cemetery, was established approximately 80 years ago and consists of approximately 35 acres within a larger cemetery that overall spans approximately 104 acres within the nearby area. The Memorial Park Cemetery includes mausoleums, a funeral home, cremation gardens, columbarium, multiple garden sections, and maintenance buildings.

The applicant is proposing to construct a new mausoleum for the existing cemetery, approximately 1,079 square feet in area and 20 feet in height. The mausoleum addition would accommodate approximately 360 crypts. The Pinellas County Land Development Code allows mausoleums as accessory structures within cemeteries. However, because the existing cemetery is located within a residential zoning district, any expansion that occurs would require a Type 2 Use approval from the Board of Adjustment and Appeals.

The applicant has stated that the new mausoleum will be constructed in alignment with the existing mausoleum along 58th Avenue North, which is already situated within the cluster of mausoleum structures in the memorial gardens. The Pinellas County Land Development Code requires that all graves and burial crypts must be located at least 50 feet from any adjacent

parcel; this code requirement is satisfied in the provided concept plan. The applicant has stated that the mausoleum addition is not expected to generate excessive traffic, will utilize the existing nearby drainage system, and will have adequate parking to accommodate the addition to the cemetery. Additionally, the applicant plans to provide landscaping along the 58th Avenue North frontage and enhance landscaping along the internal drive to serve as effective screening device for both the new and existing mausoleum buildings. Approval should be subject to the following conditions:

1. The applicant shall obtain all required permits and pay any applicable fees.
2. Appropriate site plan review.

Upon the Chair's call for the applicant, Jesus Perea and Alejandro Ramirez, Miami, appeared. In response to a query by Chair Bomstein, Mr. Perea confirmed that the applicant plans to place a mausoleum in an existing cemetery where other mausoleums are already present; whereupon, Ms. White made a motion for staff's recommendation of conditional approval in accordance with the findings of fact as outlined in the staff report. The motion was seconded by Mr. Bello and carried unanimously.

MINUTES OF THE JANUARY 7, 2026 MEETING

Mr. Bello made a motion to approve the minutes, which was seconded by Mr. Hunsicker and carried unanimously.

In response to a query by Chair Bomstein, Mr. Schoderbock indicated that the Board will likely meet next month.

Thereupon, deviating from the agenda, Attorney McAteer explained that waivers related to sidewalks and parking for the Florida Dream Center were denied; and that he expects that the denied waivers will be appealed to the BAA as the appellate body. He advised that the members should refrain from discussing the matter outside of a public hearing; whereupon, responding to queries by Chair Bomstein, Attorney McAteer provided clarifying details regarding the administrative denial of the waivers, the Board's previous conditional approval of the Florida Dream Center case, and the process for appealing waiver denials.

ADJOURNMENT

The meeting was adjourned at 9:18 AM.