

**Board of Adjustment and Appeals  
Pinellas County  
July 1, 2026 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**

Alan C. Bomstein, Chair  
Jason Holloway, Vice-Chair  
Jose Bello  
Andrew Hunsicker  
Luis Serna (alternate)  
Alonda Vaughan  
Deborah J. White

**Not Present**

Robert Warner

**Others Present**

Michael Schoderbock, Division Manager, Zoning and Project Management  
Kirby Kreider, Assistant County Attorney  
Eric Jewett, Code Enforcement Supervisor  
Ashley Pabilonia, 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 9:00 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 Kreider 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, she 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, public hearings were held for the following applications. All persons planning to give testimony were duly sworn by a Deputy Clerk.

### Case No. VAR-26-07

#### **APPLICATION OF JOSE TORRES, THROUGH JOSEPH KNIGHT, REPRESENTATIVE, FOR A VARIANCE**

A public hearing was held on the above application for a variance to allow for the construction of a screen enclosure having a 2.6-foot rear setback from the eastern property line where 5 feet is required, for the RPD zoned property located at 1742 Wood Haven Street in unincorporated Tarpon Springs. One letter in opposition of the application has been received.

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 Variances found in Section 138-231 of the Pinellas County Land Development Code.

The subject property contains a single-family home located within the Forest Ridge residential master-planned community, a single-family detached subdivision.

The owner would like to construct a new screen enclosure at the rear of the property, utilizing the existing concrete slab. The proposed enclosure would be situated approximately 2.6 feet from the rear property line, where a minimum setback of 5 feet is required for this development. The existing patio slab is allowed to encroach into the rear setback per Sec. 138-3505(a)(8), since there is not a rear neighbor and no issues with violation of privacy. The applicant has a swim spa that he indicated is utilized daily for rehabilitation of injuries. The proposed screen enclosure would help protect the spa from bugs and leaves.

At the Development Review Committee meeting staff discussed alternatives to the variance, including rotating or moving the spa to allow room for the screen enclosure to be built meeting the 5-foot setback. The applicant indicated there are difficulties with these options, including the size of the swim spa makes it extremely difficult to move.

The owner has obtained approval from the HOA for the screen enclosure. No other setback reductions are being requested by the applicant. Additionally, the request does not conflict with the existing development master plan. Approval should be subject to the following condition:

1. The applicant shall obtain all required permits and pay all applicable fees.

In response to Chair Bomstein's call for the applicant, Jose Torres and Sylvia Ruiz-Torres, Tarpon Springs, appeared; whereupon, no one appeared upon the Chair's call for objectors.

Upon Chair Bomstein's call for a motion, Ms. White made a motion to accept the application according to the findings of fact and recommendations, as detailed in the staff report; whereupon, the motion was seconded by Mr. Bello.

Responding to a query by Mr. Serna, Mr. Schoderbock indicated that two adjoining properties to the subject property have screen enclosures in the rear; that he does not believe that the adjoining properties encroach into the setback; and that he believes that the adjoining properties meet the five-foot setback requirement since he is unaware of any cases involving those properties having been presented to the Board.

Upon the Chair's call for the vote, the motion carried unanimously.

#### Case No. VAR-26-08

#### APPLICATION OF SEAN KANE, THROUGH CRAIG BOYLE, REPRESENTATIVE, FOR A VARIANCE

A public hearing was held on the above application for a variance to allow for the construction of a screen room with a composite roof having a 6.5-foot rear setback from the eastern property line where 10 feet is required, for the RPD zoned property located at 2609 Bentley Drive in Palm Harbor. No correspondence relative to the application has been received.

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 Variances found in Section 138-231 of the Pinellas County Land Development Code.

The subject property contains a single-family attached home located within the Cobb's Landing residential master-planned community, a single-family subdivision.

The owner would like to construct a new screen room with a composite roof at the rear of the property, utilizing the existing deck. The proposed screen room would be situated approximately 6.5 feet from the rear property line, where a minimum setback of 10 feet is required for this development. The existing deck is allowed to encroach into the rear setback per Sec. 138-3505(a)(8), since there is not a rear neighbor and no issues with violation of privacy. The proposed screen room would be attached to the home.

The owner has obtained approval from the HOA for the screen room. No other setback reductions are being requested by the applicant. Additionally, the request does not conflict with the existing development master plan. Approval should be subject to the following conditions:

1. The applicant shall obtain all required permits and pay all applicable fees.
2. The screen room cannot be enclosed and converted into an air-conditioned space.

Upon Chair Bomstein's call, Craig Boyle, Tarpon Springs, and Daniele Serata, Port Richey, appeared and indicated that they are with Boyle's Aluminum; whereupon, Mr. Boyle introduced the applicant, Sean Kane, Palm Harbor.

No one appeared following the Chair's call for objectors to the application; whereupon, Ms. White made a motion to accept the application according to the findings of facts and recommendations, as detailed in the staff report. The motion was seconded by Ms. Vaughan and carried unanimously.

Case No. TY2-26-02

APPLICATION OF PINELLAS COUNTY, THROUGH IVAN TAMAYO ARTEAGA AND ANTHONY TRANT, REPRESENTATIVES, FOR A TYPE 2 USE

A public hearing was held on the above application for a Type 2 Use to allow a government building (emergency operations center) in an R-A-W zone, for the property located at 3655 Keller Circle in East Lake Tarpon. No correspondence relative to the application has been received.

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 covers approximately 99.26 acres and is owned by Pinellas County. The site includes developed areas currently used by the Pinellas County Utilities Department as the Keller Operations Center, which occupies about 7.5 acres and is zoned Residential Agriculture with Wellhead Protection Overlay (R-A-W). The project area contains an administration building, parking areas, a lift station, and accessory storage buildings. The remainder of the 91.76-acre property features recreational fields managed by East Lake Recreation, a subsidiary of Palm Harbor Community Services, Inc and passive open space.

Pinellas County is proposing to construct a new one-story, 4,800-square-foot Emergency Operations Center (EOC) facility on the R-A-W zoned portion of the subject property. This facility will be used on a temporary/emergency basis to support emergency operations and include bunk rooms, storage, and space for the staff to shelter during storm events. Due to this portion of the property being zoned R-A-W, building a stand-alone EOC for government use requires Type 2 Use approval from the Board of Adjustment and Appeals.

The proposed EOC will not be open to the public and will not require new staff, as it will be staffed by current employees from the existing Keller Operations Center. As a result, the existing parking areas will be shared by both facilities and are sufficient to accommodate their needs. Additionally, access will remain restricted through the existing controlled entrance along Old Keystone Road. It is the staff's opinion that the Type-2 use approval

with the recommended conditions will further accommodate Pinellas County's needs to provide a critical facility that can function and manage disaster response and recovery. 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 Chair Bomstein's call, Anthony Trant, St. Petersburg, appeared and confirmed that he is the engineer representative for the design firm; whereupon, following the Chair's call for opponents, Tony Ringelspaugh, Palm Harbor, also appeared and indicated that he is representing his daughter, who lives across the street from the proposed project.

Responding to comments and queries by Mr. Ringelspaugh, Chair Bomstein clarified that the proposed facility is intended to house personnel during times of emergency or storm; whereupon, Mr. Trant displayed a concept plan of existing conditions on the subject property and related that no changes are being made at the property's front. Mr. Schoderbock also indicated that new driveways will not be added to Old Keystone Road; and that existing driveways will continue to be utilized.

In response to additional concerns and queries by Mr. Ringelspaugh, Mr. Trant indicated that the project will not impact wetlands; that the final footing elevation will be six inches higher than the existing building on the property; that the site is not located within the 500-year floodplain; and that stormwater runoff will be managed through an existing retention pond with sufficient capacity. Responding to a query by Mr. Bomstein, Mr. Trant also clarified that he believes the facility will have an occupancy of up to 20 individuals.

At Chair Bomstein's request, Mr. Schoderbock explained the rationale for the location of the proposed project, including that staff must be stationed at the Keller Operations Center during emergencies; and that the condition of existing buildings on the property is inadequate; whereupon, he confirmed that staff members already working at Keller would be utilizing the proposed building.

Responding to comments and a query by Ms. Vaughan and Chair Bomstein, Mr. Trant indicated that while the use case is temporary, the building is permanent, with a warehouse for storage purposes and bunk rooms available for cases of emergency.

Upon the Chair's call for a motion, Mr. Hunsicker made a motion to approve the application based on the conditional approval, facts, and findings of the staff

recommendation; whereupon, the motion was seconded by Mr. Holloway and carried unanimously.

Case Nos. TY2-26-03 and VAR-26-09

APPLICATION OF OZONA VILLAGE IMPROVEMENT SOCIETY, INC., THROUGH MATT SYLVERAIN, REPRESENTATIVE, FOR THE FOLLOWING:

- (TY2-26-03) A TYPE 2 USE

and

- (VAR-26-09) TWO VARIANCES

A public hearing was held on the above applications for the property located at 341 Bay Street in Ozona, which includes the following Type 2 Use and variance requests:

1. A Type 2 Use to allow for the relocation of an existing historic community assembly building in an R-4 zone.
2. A variance to allow for the relocation of the existing historic community assembly building having a 14-foot front setback to the northern property line, where 20 feet is required.
3. A variance to allow for the construction of an exterior, unenclosed wooden stairway as part of relocating the existing historic community assembly building, having a 6.5-foot front setback to the northern property line, where exterior, unenclosed stairways can only extend four feet into any required yard setback.

No correspondence relative to these cases has been received.

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

Recommend Conditional Approval of Both the Type 2 Use and Associated Variances. Staff have no objection to the conditional approval of this Type 2 Use request as it appears to meet the criteria for granting Type 2 uses per Section 138-241 of the Pinellas County Land Development Code (LDC). Additionally, staff does not object to the conditional approval of the variance requests as it appears to meet the Criteria for Granting Variances found in Section 138-231 of the Pinellas County LDC.

The subject property is a 75-foot-wide by 271-foot-deep residentially zoned lot that currently contains the Ozona Village Hall, which is designated as a historical structure. Additionally, the property is located within the Coastal Storm Area (CSA). For historical context, the Ozona Village Hall is considered one of the oldest structures in continual community ownership in Pinellas County and was designated as a Historic Local Landmark by the Pinellas County Board of County Commissioners on November 10, 2015, due to its significance in Pinellas County's history and culture.

During Hurricane Helene in 2024, the historical building suffered significant water damage from flood waters entering the building that destroyed flooring, electrical systems, and furnishings. The Ozona Village Improvement Society has proposed rehabilitation/improvements to the existing historic village hall within the Ozona community. The intent of this project is to preserve the character and historical significance of the structure while allowing it to continue to serve as a community-oriented gathering place. The Ozona Village Hall has received a Certificate of Appropriateness (COA) from the Historical Preservation Board to accommodate the improvements that will need to be made. Under the proposed project, the Ozona Village Hall would be elevated and relocated to the eastern portion of the property to remove the building outside of the existing drainage swale. Additionally, the project includes the addition of seven parking spaces, a crushed shell drive aisle, accessible ramps, stairway, and additional screening. The project would also incorporate the necessary drainage improvements that would need to occur.

Since the project involves the relocation of the community assembly structure with the addition of formalized parking on a residentially zoned property, a Type 2 Use approval from the Board of Adjustment and Appeals is required. Additionally, with the relocation of the historical building, it will also require a variance, as the structure would not meet the minimum front setback requirement of 20 feet; the building would be positioned approximately 14 feet from the front property line. A second variance is also requested to allow for the construction of an exterior, unenclosed wooden stairway as part of the relocation of the historical structure, having a 6.5-foot front setback to the northern front property line, where exterior, unenclosed stairways can only extend four feet into any required yard setback.

Staff find that the requested Type 2 Use and variances for the proposed development appropriate, as the structure is historically designated and

serves a vital community function. These improvements are critical to support the rehabilitation of the historic building and to help mitigate potential future storm-related impacts. Additionally, the historical structure and associated stairway will be relocated along the eastern portion of the property within the same nonconforming building line and will not encroach further into the front setback, which has remained unchanged since 1930. Therefore, 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.

Mr. Schoderbock noted that staff has queries regarding the subject property's flood zone and elevation requirements, including that the historic building may need to be raised higher due to its relocation; that while building codes may have provisions related to historic buildings not needing to meet elevation requirements, relocation of the building may still present an elevation issue, which would not be addressed by the BAA; and that, if the applicant wishes to request a variance from floodplain elevations, the case would not be presented to this Board.

Upon Chair Bomstein's call, Matt Sylverain, Clearwater, Todd Guarino, Palm Harbor, and Brian Smith, Palm Harbor, appeared; whereupon, Mr. Smith indicated that he is President of the Ozona Village Improvement Society (OVIS). In response to a query by the Chair, Mr. Smith also confirmed that both he and Mr. Guarino are present on behalf of OVIS. No one appeared in response to the Chair's call for opponents.

In response to comments and queries by Chair Bomstein, Mr. Sylverain explained that the applicant does not wish to accommodate the necessary setback and elevation requirements to comply with the Code due to concerns that, in doing so, the building would lose its historical character; that the intent is to protect the building and improve the site plan situation without impacting the historical character; and that, as one of the oldest buildings in Pinellas County, it should be preserved; whereupon, he related that modern setback requirements for residentially zoned properties are farther away to allow for parking in a driveway; and that preservation of the building's historical character would entail locating the structure as close in proximity to the road as it was historically.

Responding to queries by Chair Bomstein, Mr. Schoderbock, with input from Attorney Kreider, recommended that the Board make two motions, including one for the Type 2 Use request and one for the variance requests; whereupon, Mr. Hunsicker made a motion to approve the conditional approval of the Type 2 Use and variances. At the Chair's

direction, Mr. Hunsicker restated his motion to conditionally approve based on the facts and findings and staff recommendation for the Type 2 Use. The motion was seconded by Mr. Bello and carried unanimously.

Upon Chair Bomstein's call for a motion regarding the variance requests, Mr. Bello made a motion to approve both variances under Case No. VAR-26-09 based on the applicant's information and staff's findings and conditional recommendations. The motion was seconded by Mr. Holloway and carried unanimously.

### **MINUTES OF THE JUNE 3, 2026 MEETING**

Chair Bomstein indicated that the next agenda item is the minutes from the last BAA meeting; whereupon, Mr. Holloway made a motion to approve, which was seconded by Ms. White and carried unanimously.

### **ADJOURNMENT**

In response to comments and queries by the Chair, Mr. Schoderbock indicated that staff is in the process of transitioning from paper to electronic agendas; that the members will no longer receive a mailed copy of the agenda; and that tablets will be made available to the members during meetings to access case-related information.

Thereupon, the meeting was adjourned at 9:28 AM.