

Clearwater, Florida, December 13, 2018

The Pinellas County Local Planning Agency (LPA) (as established by Section 134-12 of the Pinellas County Land Development Code, as amended) met in regular session in the County Commission Assembly Room, Fifth Floor, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida at 9:00 A.M. on this date with the following members present:

Ronald Schultz, Chairman  
Gerald Figurski, Vice-Chairman  
Lari Johnson  
Regina Kardash  
Steve Klar  
Paul Wikle  
Valerie Hibbard (alternate)  
Charlene Beyer (non-voting School Board Representative)

Not Present:  
Susan M. Reiter

Also Present:  
Glenn Bailey, Planning Department Zoning Manager  
Michael Schoderbock, Principal Planner  
Chelsea D. Hardy, Assistant County Attorney  
David S. Sadowsky, Senior Assistant County Attorney  
Other interested individuals  
Michael P. Schmidt, Senior Board Reporter, Deputy Clerk  
*Minutes by Teresa Adkins, Board Reporter*

### CALL TO ORDER

Chairman Schultz called the meeting to order at 9:00 A.M. and reviewed the procedure for the public hearings; whereupon, he announced that today's cases will be heard by the Board of County Commissioners (BCC) on January 22, 2019, and any documents to be reviewed by the BCC should be submitted to staff by January 8.

### PUBLIC HEARING ITEMS

Legal notice having been published for the items on the agenda, as evidenced by affidavit of publication filed with the Clerk, public hearings were held on the following items. 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 the Deputy Clerk.

PROPOSED AMENDMENTS TO THE PINELLAS COUNTY FUTURE LAND USE MAP AND ZONING ATLAS AND A DEVELOPMENT AGREEMENT

1. APPLICATION OF SHERYL M. HAYNES AND PATRICK SHAUGHNESSY THROUGH TODD PRESSMAN, REPRESENTATIVE, FOR A ZONING CHANGE FROM R-2, SINGLE FAMILY RESIDENTIAL, TO C-2, GENERAL RETAIL COMMERCIAL AND LIMITED SERVICES; A LAND USE CHANGE FROM RESIDENTIAL LOW TO COMMERCIAL GENERAL; AND A DEVELOPMENT AGREEMENT (Z/LU-22-09-18) – RECOMMEND DENIAL

Public hearing was held on the application of Sheryl M. Haynes and Patrick Shaughnessy through Todd Pressman for the above zoning and land use changes, and a Development Agreement limiting the use on the property to a self-storage facility with a maximum height of 15 feet and intensity limited to that allowed by the property's land use and zoning designations, along with additional requirements involving site illumination, access, buffering, security, and building design (Z/LU-22-09-18), re approximately 1.92 acres located at 12909 Park Boulevard in unincorporated Seminole.

Referring to a PowerPoint presentation containing various maps and photographs, Mr. Bailey pointed out the location of the subject property, described surrounding land uses, and provided an overview of the request, indicating that the request was before the Board in September with a Conditional Overlay imposing certain limitations; whereupon, he reviewed the limitations and requirements set forth in the newly proposed Development Agreement. He provided additional background information, noting that the Development Agreement does not include a concept plan or building elevation; and that staff recommends denial of the request due to concerns of commercial encroachment into a single-family residential neighborhood and disruption to the balance of uses and designations in the area.

Upon the Chairman's call for the applicant, Todd Pressman, Palm Harbor, related that he represents the applicant, and referring to a PowerPoint presentation, the zoning and land use map, and various photographs, discussed the request. He indicated that the property being situated adjacent to an arterial road and a Winn Dixie shopping center is impacting its sale for residential use; that the proposed mini-storage facility is consistent with the surrounding area; and that significant changes have been made to the application through

December 13, 2018

the Development Agreement in response to concerns expressed by the Board and residents at the previous meeting.

In response to query by Chairman Schultz, Mr. Pressman related that the neighboring house is approximately 20 feet tall.

No one responded to the Chairman's call for proponents. Upon his call for opponents, the following persons appeared and stated their concerns:

Dan Babbitt, Seminole

Glen Getchell, Seminole

Barbara Krall, Seminole (referred to document showing storage facilities in the area)

Genny Pettyjohn, Seminole

Patty Gaston, Seminole (referred to petition)

Concerns expressed by the objectors included the following:

- Existing similar facilities within a five-mile radius
- War of attrition
- Property was clear cut
- Inflated asking price
- Home is in need of repair
- Incompatibility with the neighborhood's character
- Inconsistency with the Comprehensive and Strategic Plans

Responding to the concerns of the objectors, Mr. Pressman indicated that the existing storage facilities referenced had embellishments that do not apply to what is being proposed; that the clearing of the property primarily involved Brazilian peppers; and that market conditions are not part of today's decision.

In response to queries by the members, Mr. Pressman provided further information regarding the Development Agreement and the Pinellas County Land Development Code, including building dimensions, setback restrictions, buffering requirements, and floor area ratio considerations; whereupon, Mr. Bailey discussed allowable uses under the C-2 zoning category, relating that in addition to general retail and office uses, multi-family residential uses will be allowed under the new Land Development Code to take effect on January 1, 2019.

Responding to query by Ms. Kardash, Mr. Bailey provided information regarding what would need to occur if the property were no longer used as a storage facility, indicating that the applicant would be required to have the Development Agreement vacated and a determination made regarding the underlying land use and zoning.

Mr. Figurski moved, seconded by Ms. Hibbard and carried unanimously, that the LPA find the proposed land use and zoning amendments and the Development Agreement inconsistent with the Pinellas County Comprehensive Plan, based on the staff report; and that the LPA recommend denial of the proposed land use and zoning amendments and Development Agreement to the Board of County Commissioners.

2. APPLICATION OF VELMA J. MARIANI REVOCABLE TRUST AND PAULA MARIANI OSAWA TRE THROUGH ROBERT PERGOLIZZI, REPRESENTATIVE, FOR A ZONING CHANGE FROM R-R, RURAL RESIDENTIAL, TO R-2, SINGLE FAMILY RESIDENTIAL (Z-28-12-18) – RECOMMEND APPROVAL AS PER STAFF RECOMMENDATION

Public hearing was held on the application of Velma J. Mariani Revocable Trust and Paula Mariani Osawa Tre through Robert Pergolizzi for the above zoning change (Z-28-12-18), re approximately 5.97 acres located at 7180 123rd Street North in unincorporated Seminole.

Referring to a PowerPoint presentation containing various maps and photographs, Mr. Schoderbock pointed out the location of the subject property, described surrounding land uses, and provided background information. He related that staff finds the R-2 zoning appropriate to the location; that there is adequate infrastructure available; that the project is compatible with the surrounding uses; that it is consistent with the Comprehensive Plan; and that staff recommends approval of the request.

In response to queries by Ms. Hibbard and Kardash, Mr. Schoderbock indicated that the subject parcel is approximately 200 feet deep by 1,300 feet long; that the applicant wishes to construct 15 homes; and that a similar number of homes are on the other side of the street.

Responding to the Chairman's call for the applicant, Robert Pergolizzi, Gulf Coast Consulting, Clearwater, indicated that he represents Gulfwind Homes President Michael Willenbacher, who has a contract to purchase the property from the owner/applicant; whereupon, Mr. Pergolizzi provided further information regarding the subject property

location and surrounding land uses, and discussed matters relating to local infrastructure, transportation impacts, utility availability, and lot width.

In response to queries by the members, Mr. Pergolizzi stated that because the parcel has a significant slope from north to south, the developer plans to relocate the pond to the southern end of the property; whereupon, he related that the adjacent parcel is part of Millennium Park; and that all 15 homes would face 123rd Street.

No one responded to the Chairman's call for proponents. Upon his call for opponents, the following persons appeared and stated their concerns:

Janet Fass, Seminole  
Mark Johlic, Seminole  
Charlotte Gear, Seminole  
Dave Neumann, Seminole

Concerns expressed by the objectors included the following:

- Reduction of wildlife habitat
- Relocation of the pond
- Relocation of the alligator
- Number of homes to be built
- Increased traffic
- Noise pollution
- Size of lots

Responding to the concerns of the objectors, Mr. Pergolizzi provided information pertaining to lot widths on 122nd and 123rd Streets; whereupon, he indicated that street width and right-of-way issues would be addressed during the site plan review process; that no more than 15 homes could be built; that relocating the alligator would be under the purview of the County; and that traffic impacts would be minimal.

Responding to queries by the members, Mr. Bailey indicated that townhomes are not allowed under the R-2 zoning category, and Mr. Willenbacher related that the price of the homes will range from \$500,000 to \$700,000. Mr. Pergolizzi related that the property owner has provided an affidavit indicating that her father dug the pond approximately 50 years ago; that if the zoning is approved, various tests will be conducted to determine if the pond can be moved; and that if the pond is determined to be spring fed and cannot be relocated, the internal concept plans will be modified.

In response to concerns expressed by Mr. Neumann, Mr. Bailey acknowledged that if the pond is spring fed, it would affect the number of homes that could be built.

Mr. Klar moved, seconded by Mr. Wikle, that the LPA recommend approval of the application to the BCC in accordance with the staff recommendation. Upon call for the vote, the motion carried 6 to 1, with Ms. Hibbard dissenting.

3. APPLICATION OF J&J CRANES, INC. AND JAMES G. LACINA THROUGH SHAUN AMARNANI, REPRESENTATIVE, FOR A ZONING CHANGE FROM M-1, LIGHT MANUFACTURING AND INDUSTRY, AND C-3, COMMERCIAL, WHOLESALE, WAREHOUSING, AND INDUSTRIAL SUPPORT, TO M-1-C-T, LIGHT MANUFACTURING AND INDUSTRY-TRANSIENT ACCOMMODATION OVERLAY; A DEVELOPMENT AGREEMENT; AND A SPECIAL EXCEPTION (Z-29-12-18) – RECOMMEND APPROVAL AS PER STAFF RECOMMENDATION

Public hearing was held on the application of J&J Cranes, Inc. and James G. Lacina through Shaun Amarnani for the above zoning change, a Development Agreement limiting uses to a five-story hotel and separate one-story restaurant with development density and intensity as allowed by the property's land use and zoning designations, along with additional requirements as mandated by the Transient Accommodation Overlay, and a Special Exception to allow a restaurant with 75 seats or fewer (Z-29-12-18), re approximately 2.54 acres located on the north side of Ulmerton Road, approximately 360 feet east of Automobile Boulevard in unincorporated Largo.

Referring to a PowerPoint presentation containing various maps and photographs, Mr. Bailey pointed out the location of the subject property, described surrounding land uses, and provided background information regarding the application, noting that the existing use is a warehouse and the proposed use is a hotel and drive-through restaurant. He provided details of the Development Agreement and the need for the special exception; whereupon, he indicated that the proposed zoning change is appropriate and consistent with the Comprehensive Plan; and that staff recommends approval of the request.

In response to query by Ms. Kardash, Mr. Bailey reiterated that the drive-through restaurant would be a special exception via the Development Agreement; and that compatibility and traffic impacts have been addressed; whereupon, Attorney Hardy clarified that the same requirements apply for a special exception whether inside or outside of a Development Agreement.

Upon the Chairman's call for the applicant, Shaun Amarnani, St. Petersburg, referred to aerial photographs and discussed the request.

Mr. Wikle moved, seconded by Ms. Johnson and carried unanimously, that the LPA recommend approval of the application to the BCC in accordance with the staff recommendation.

4. APPLICATION OF CLEARWATER CAR WASH, LLC THROUGH HOUSH GHOVAEE, REPRESENTATIVE, FOR A LAND USE CHANGE FROM RESIDENTIAL LOW AND PRESERVATION TO COMMERCIAL GENERAL AND PRESERVATION (LU-30-12-18) – RECOMMEND APPROVAL AS PER STAFF RECOMMENDATION

Public hearing was held on the application of Clearwater Car Wash, LLC through Housh Ghovae for the above land use change (LU-30-12-18), re approximately 1.13 acres located at 1408 North Betty Lane in unincorporated Clearwater.

Referring to a PowerPoint presentation containing various maps and photographs, Mr. Schoderbock pointed out the location of the subject property, described surrounding land uses, and provided background information regarding the application, noting that the majority of the surrounding area is in the City of Clearwater; and that Clearwater staff had no objection to the request; whereupon, he indicated that the proposed amendment is appropriate and consistent with the Comprehensive Plan; and that staff recommends approval of the request.

Responding to queries by the members, Mr. Schoderbock indicated that the land use and zoning designations have been inconsistent for decades, and discussed the rationale for revising the land use rather than the zoning; whereupon, he discussed the prospect of the applicant conducting a wetland jurisdictional survey regarding the commercial and preservation areas of the parcel.

Upon the Chairman's call for the applicant, Housh Ghovae, Northside Engineering, Clearwater, indicated that he represents the applicant and provided a brief history of the project proceedings, noting that a wetlands delineation has been completed; that upon approval of the wetland line, the preservation line will be modified; and that the existing use will not change.

Mr. Klar moved, seconded by Ms. Kardash and carried unanimously, that the LPA recommend approval of the application to the BCC in accordance with the staff recommendation.

5. APPLICATION OF PINELLAS COUNTY AND GIRL SCOUTS OF WEST CENTRAL FLORIDA THROUGH RENEA VINCENT AND CHRIS DINKLAGE, REPRESENTATIVES, FOR A ZONING CHANGE FROM A-E, AGRICULTURAL ESTATE RESIDENTIAL, R-R, RURAL RESIDENTIAL, R-2, SINGLE FAMILY RESIDENTIAL, R-3, SINGLE FAMILY RESIDENTIAL, RM-5, RESIDENTIAL MULTIPLE FAMILY-5 UNITS PER ACRE, RPD-2.5, RESIDENTIAL PLANNED DEVELOPMENT-2.5 UNITS PER ACRE, RPD-5, RESIDENTIAL PLANNED DEVELOPMENT-5 UNITS PER ACRE, P-RM, PRESERVATION-RESOURCE MANAGEMENT, AND AL, AQUATIC LANDS (245 ACRES), TO P-RM, PRESERVATION-RESOURCE MANAGEMENT, P/C, PRESERVATION CONSERVATION, RBR, RESOURCE BASED RECREATION, FBR, FACILITIES BASED RECREATION, AND AL, AQUATIC LANDS; AND A LAND USE CHANGE FROM RESIDENTIAL LOW AND PRESERVATION-RESOURCE MANAGEMENT TO RECREATION/OPEN SPACE (1.61 ACRES) (Z/LU-31-12-18) – RECOMMEND APPROVAL AS PER STAFF RECOMMENDATION
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Public hearing was held on the application of Pinellas County and Girl Scouts of West Central Florida through Renea Vincent and Chris Dinklage for the above zoning and land use changes (Z/LU-31-12-18), re approximately 245 acres consisting of Wall Springs Park and 500 Wai Lani Lane, located west of Alternate U.S. Highway 19 North in Palm Harbor.

Referring to a PowerPoint presentation containing various maps and photographs, Mr. Bailey pointed out the location of the subject property, described surrounding land uses, and provided background information regarding the application, noting that there is no change to the proposed use; and that the proposal is to accurately reflect the existing and intended County Park and Girl Scout Camp uses; whereupon, he indicated that the proposed change is appropriate and consistent with the Comprehensive Plan; and that staff recommends approval of the request.

In response to the Chairman's call for persons wishing to be heard, Eric Swauger, Palm Harbor, asked for clarification of the future use and plans for the northernmost part of the park; whereupon, Mr. Bailey explained the differences and locations of recreation space, and related that the northernmost part of the park will be zoned Resource Based Recreation, which will comprise passive recreation uses such as trails.

December 13, 2018

Mr. Wikle moved, seconded by Ms. Kardash and carried unanimously, that the LPA recommend approval of the application to the BCC in accordance with the staff recommendation.

MINUTES OF NOVEMBER 8, 2018 MEETING – APPROVED

Mr. Figurski moved, seconded by Ms. Johnson and carried unanimously, that the minutes of the November 8, 2018 meeting be approved.

OTHER ITEM

SELECTION OF 2019 OFFICERS – MR. KLAR ELECTED CHAIRMAN AND MR. FIGURSKI RE-ELECTED VICE-CHAIRMAN

Upon the Chairman’s call for nominations, Ms. Kardash moved, seconded by Ms. Johnson and carried, that Mr. Klar be elected Chairman for 2019; whereupon, Ms. Hibbard moved, seconded by Ms. Kardash and carried, that Mr. Figurski be re-elected Vice-Chairman.

ADJOURNMENT

Chairman Schultz adjourned the meeting at 10:38 A.M.

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Chairman