

Clearwater, Florida, February 6, 2020

The Board of Adjustment and Appeals (BAA) met in regular session in the County Commission Assembly Room, Fifth Floor, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida on this date with the following members present: Deborah J. White, Chairman; Alan C. Bomstein, Vice-Chairman; Jose Bello; Joe C. Burdette; Vincent Cocks; John Doran; and Cliff Gephart.

Also Present: Glenn Bailey, Zoning Manager; Gina Berutti, Code Enforcement Manager; Chelsea Hardy, Assistant County Attorney; other interested individuals; and Krissie Lawson, Board Reporter.

CALL TO ORDER

Chairman White called the meeting to order at 9:00 A.M. and provided an overview of the hearing process.

PUBLIC HEARING ITEMS

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

#1 APPLICATION OF HABITAT FOR HUMANITY OF PINELLAS COUNTY, INC. THROUGH KEN RUSH, REPRESENTATIVE, FOR A VARIANCE (BAA-20-3) — GRANTED AS PER STAFF RECOMMENDATION

Public hearing was held on the application of Habitat for Humanity of Pinellas County, Inc. through Ken Rush for a variance to allow for the construction of a single-family home on each of the two 4,320-square-foot, 40-foot-wide platted lots of record under common ownership where a minimum lot size of 6,000 square feet and a minimum width of 60 feet is required, re property located at 6398 67th Lane North in unincorporated Pinellas Park (BAA-20-3). No correspondence relative to the application has been received by the Clerk.

Mr. Bailey presented the following staff recommendation:

Recommend Conditional Approval. Staff has no objection to the conditional approval of the 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 lots are platted lots of record that predate the zoning code. In addition, there are other similarly sized developed lots within the immediate vicinity within the same subdivision. Approval should be subject to the following conditions:

1. The applicant shall obtain all required permits and pay all applicable fees.
2. All setback requirements shall be met.

Ken Rush, Clearwater, appeared and indicated that he represents the applicant. No one appeared in response to the Chairman's call for objectors to the application.

Mr. Bomstein moved, seconded by Mr. Doran and carried unanimously, that the variance be granted as recommended, based upon the written findings of fact set forth in the staff report.

#2 APPLICATION OF MICHELLE COLEMAN FOR A TYPE 2 USE (BAA-20-2) — GRANTED AS PER STAFF RECOMMENDATION

Public hearing was held on the application of Michelle Coleman for a Type 2 Use to allow an Adult Daycare facility in an R-3 zone, re property located at 1259 Belleair Road in unincorporated Largo (BAA-20-2). No correspondence relative to the application has been received by the Clerk.

Mr. Bailey presented the following staff recommendation:

Recommend Conditional Approval. Staff has no objection to the conditional approval of the 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 request is to allow an adult daycare facility on a property that once housed a child daycare center. The adult daycare use would utilize the existing building, and a new parking area would be installed to eliminate parking within the adjacent rights-of-way. Approval should be subject to the following conditions:

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1. The applicant shall obtain all required permits and pay all applicable fees.
2. Appropriate site plan review.
3. The maximum number of clients shall be 30.
4. Days of operation shall be limited to Monday through Friday.
5. Adjacent public rights-of-way shall not be used for parking.

Michelle Coleman, Clearwater, appeared and indicated that she is the applicant. No one appeared in response to the Chairman's call for objectors to the application.

Responding to query by Mr. Bomstein, Mr. Bailey stated that tandem parking is allowable for staff and employees. In response to queries by Mr. Cocks, Ms. Coleman indicated that the clientele would be disabled adults with Down Syndrome; that she owns an assisted living facility in Safety Harbor; and that a wheelchair van would bring the individuals to the subject location and return to the other facility; whereupon, she confirmed that the daycare facility would operate Monday through Friday with a maximum of 30 clients.

Mr. Bomstein moved, seconded by Mr. Cocks and carried unanimously, that the Type 2 Use be granted as recommended, based upon the written findings of fact set forth in the staff report.

#3 APPLICATION OF FLORWATER INVESTMENT GROUP, LLC THROUGH JAMIE MANFRA, REPRESENTATIVE, FOR A TYPE 2 USE (BAA-20-4) — GRANTED AS PER STAFF RECOMMENDATION

Public hearing was held on the application of Florwater Investment Group, LLC through Jaime Manfra for a Type 2 Use to allow a private school in an RPD zone, re property located at 1950 Virginia Avenue in unincorporated Clearwater (BAA-20-4). No correspondence relative to the application has been received by the Clerk.

Mr. Bailey presented the following staff recommendation:

Recommend Conditional Approval. Staff has no objection to the conditional approval of the 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 request is to allow the operation of a small private school within an existing building that once housed a thrift store. The use is separate from and should have no impact on the assisted living facility that exists on the other side of the subject property. Approval should be subject to the following conditions:

1. The applicant shall obtain all required permits and pay all applicable fees.
2. Appropriate site plan review.
3. The maximum number of students shall be 50.

Jaime Manfra, Clearwater, appeared and indicated that she is the applicant. No one appeared in response to the Chairman's call for objectors to the application.

Mr. Bomstein expressed concern regarding the condition of the buildings on the property. In response, Ms. Manfra stated that the owner of The Preserve at Clearwater had the modular building taken down; and that the other building's interior has been completely renovated; whereupon, she described the history of the school, noting that she has owned it for six years.

Responding to further queries by Mr. Bomstein, Ms. Manfra stated that there are currently 38 K-12 students of all ages, including several siblings; that due to demographics and carpooling, traffic in the area will not be impacted; and that the school is funded through the Florida School Choice program for private schools.

Mr. Bomstein moved, seconded by Mr. Gephart and carried unanimously, that the Type 2 Use be granted as recommended, based upon the written findings of fact set forth in the staff report.

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MINUTES OF THE JANUARY 2, 2020 MEETING – APPROVED AS AMENDED

Chairman White noted that Mr. Gephart's name is misspelled in the minutes; and that they should be amended to reflect the correct spelling; whereupon, Mr. Doran moved, seconded by Mr. Burdette and carried unanimously, that the minutes of the January 2, 2020 meeting be approved as amended.

ADJOURNMENT

The meeting was adjourned at 9:14 A.M.

Chairman