

WORKSHEET AND RECOMMENDATION  
BOARD OF ADJUSTMENT AND APPEALS HEARING  
**BOAA CASE NUMBER: TY2-22-11**

DRC MEETING: July 11, 2022 @ 9:00 AM - 1<sup>st</sup> Floor, Housing & Community Dev. Conf Room

BOA HEARING: August 3, 2022 @ 9:00 AM - 5<sup>th</sup> Floor, Board Assembly Room

ATLAS PAGE: 255

OWNER/ADDRESS: Christ the King Lutheran Church Inc. Largo Florida  
11220 Oakhurst Rd.  
Largo, FL. 33774

REP/ADDRESS: Alan Ruiz, Vertex Development LLC  
3630 W. Kennedy Blvd.  
Tampa, FL. 33609

PROPERTY ZONING: R-2, Single Family Residential

LAND USE DESIG: RL/I, Residential Low/Institutional

TYPE APPLICATION: Type 2 Use

CASE DESCRIPTION: A Type-2 Use to allow the construction of a 120-foot-tall, camouflaged communication tower and related support facilities, for the R-2 zoned property located at 11220 Oakhurst Road in unincorporated Largo.

PARCEL ID NUMBER: 18/30/15/62635/004/0180

NOTICES SENT TO: Christ the King Lutheran Church Inc, Alan Ruiz, Vertex Development LLC., Cynthia Johnson, Economic Development, Surrounding Owners & BCC Office (See Attached List)

DISCLOSURE: Jon Boeche, BM, Kerry Rose, VC Director, Pauline Pereira, Secretary, Director, Dorothy Thomas, Chair, Director

**TY2-22-11                      RECOMMENDATION: CONDITIONAL APPROVAL**

The Development Review Committee 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, as described below. The Pinellas County Land Development Code (LDC) requires Type-2 Use approval for camouflaged communications towers in the R-2 zoning district that exceed 75 feet in height. The proposed tower is designed to resemble a cross and is 120 feet tall. Towers are also required to be set back from abutting residential property lines a distance equal to the height of the tower. That requirement is met in this case. 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. All other requirements in LDC Section 138-3313 shall be met.

<b>Criteria for Granting a Type 2 Use</b> Pinellas County Land Development Code Section 138-241	
a.	The proposed use is consistent with the Pinellas County Comprehensive Plan and with the purpose and intent of the applicable zoning district.  Staff response: <i>The proposed communications tower is consistent with the Comprehensive Plan, specifically Future Land Use &amp; Quality Communities Element Objective 1.2 and related policies and is consistent with the R-2 zoning district, via the Type 2 Use approval process.</i>
b.	There is adequate separation of the proposed use and related structures from adjacent and nearby uses by screening devices, buffer area, and/or other appropriate means.  Staff response: <i>The adjacent uses beyond the subject property are primarily single family residential. The proposed location of the tower is 148 feet from the nearest residential home. There are existing trees along parts of the subject property's perimeter that will help provide a buffer.</i>
c.	Adequate drives, walkways, and parking are available or proposed so that no vehicular circulation or parking problems are created.  Staff response: <i>Adequate drives, walkways and parking will be in place. The tower's proposed location will utilize existing paved access. A recommended condition of approval is appropriate site plan review, which will ensure that these elements will be addressed.</i>
d.	The proposed use will not create excessive vehicular traffic or other traffic problems.  Staff response: <i>The proposed use generates little traffic and is not anticipated to create excessive vehicular traffic or other traffic problems.</i>
e.	Drainage problems will not be created on the subject property or nearby properties.  Staff response: <i>The area of construction is relatively small and no drainage problems are anticipated. This issue will be addressed during site plan review.</i>
f.	All provisions and requirements of the applicable zoning district will be met, unless otherwise varied by the authorized reviewing body as authorized by the Code.  Staff response: <i>All provisions and requirements of the R-2 zoning district will be met, subject to this Type-2 Use approval.</i>

**Reference #:** TY2-22-00011