City of Clearwater

Main Library - Council Chambers
100 N. Osceola Avenue
Clearwater, FL 33755

Meeting Minutes

Tuesday, May 20, 2025

1:00 PM

Main Library - Council Chambers

Community Development Board

Roll Call

Present 6 – Chair Michael Boutzoukas, Board Member Diane Achinelli, Board Member Aubrey Haudricourt, Board Member Kurt Hinrichs, Board Member Michael Mastruserio, and Board Member Michelle Chenault
Absent 2 - Board Member Andrew Hupp, and Board Member Andrew Park
Also Present – Jay Daigneault – Attorney for the Board, Matthew Mytych – Assistant City Attorney, Lauren Matzke – Planning & Development Interim Director, and Nicole Sprague – Deputy City Clerk

1. Call To Order

1.1 Roll Call: (Chair) Boutzoukas; Members: Achinelli, Chenault, Haudricourt, (Alternate) Hinrichs, Hupp, Mastruserio, Park; Assistant City Attorney Matthew Mytych; Attorney Jay Daigneault; and City Staff

The meeting was called to order at 1:00 p.m.

2. Approval of Minutes

2.1 Approve the minutes of the April 15, 2025 CDB meeting.

Board Member Haudricourt moved to approve the minutes of the April 15, 2025 CDB meeting. The motion was duly seconded and carried unanimously.

3. Citizens to be Heard Regarding Items Not on the Agenda

Bill Jonson reviewed citizen survey results and provided statistics on how Clearwater residents view the community in comparison to other cities.

Alex Stein and Joseph Castellano reviewed matters unrelated to City business.

4. Consent Agenda: The following cases are not contested by the applicant or city staff. If no objections are raised by a member of the public, and member(s) of the Board do not request to remove an item from the Consent Agenda, items will be approved by a single vote at the beginning of the meeting.

4.1 FLD2024-04010: Flexible Development approval to construct a detached dwelling in the Commercial (C) District as a Comprehensive Infill Redevelopment Project for the property located at 848 Dempsey Street. The building will not exceed 25 feet in height and includes two parking spaces. Requested is flexibility to allow the use in the Commercial District. (Community Development Code Section 2-704.F.) (Level Two Application)

Case: FLD2024-04010 - 848 Dempsey Street
Owner(s): Matthew Vincent Raymond Tiernan

Applicant: Richard Badders, Shorelines Design Group; 793 San Christopher Drive, Dunedin, FL 34698; phone 727-736-7611; email: Rich@sdgfl.com
Location: North side of Dempsey Street approximately 140 feet west of Shore Avenue. (0.11 acres)
Request: Flexible Development approval to construct a detached dwelling in the Commercial (C) District as a Comprehensive Infill Redevelopment Project for the property located at 848 Dempsey Street. The building will not exceed 25 feet in height and includes two parking spaces. Requested is flexibility to allow the use in the Commercial District. (Community Development Code Section 2-704.F.)
Associations: Board of County Commissioners, Clearwater Neighborhood Coalition, Lake Belleview Neighborhood Association, MIMA (Milton Park / Magnolia Heights) Neighborhood Association, Pinellas County School Board
Assigned Planner: Ted Kozak, AICP, Development Review Manager; email: Ted.Kozak@MyClearwater.com; phone: 727-444-8941

Kevin Sexton said he received a copy of the meeting notice and requested party status.

Board Member Hinrichs moved to grant Kevin Sexton party status. The motion was duly seconded and carried unanimously.

Attorney Mytych requested to accept Ted Kozak as an expert witness in the fields of general planning, zoning, annexations, land use/rezoning amendments, demographics, site plan analysis land development code and land development code amendments, comprehensive planning, special area plans and overlay districts, tree rating and assessment/ inventory, tree preservation techniques, Florida grades and standards for landscape material and trees, International Society of Arboriculture standards, and land development code regarding trees and landscaping.

Board Member Haudricourt moved to accept Ted Kozak as an expert witness. The motion was duly seconded and carried unanimously.

Development Review Manager Ted Kozak provided a PowerPoint presentation.

In response to questions, Mr. Kozak said the Commercial zoning will remain. Residential usage is allowed in a Commercial zone so long as certain criteria is met i.e. does it meet the intent of the comprehensive plan and is the design compatible with the surrounding properties. The subject property is across the street from Medium Density Residential zoning.

Applicant Rich Badder reviewed the request. He said there is not enough square footage on this parcel for commercial development. Other single

family homes sit adjacent to this property in the Commercial zoning district. In response to questions, Mr. Badder said the community garden will go away and the new construction will be an income property for the owner. The community garden was created with good intentions to teach low-income families how to grow fresh produce.

Mr. Sexton spoke in opposition and said the community garden caretakers are homeless individuals and people gather on the vacant property causing chaos. He said he has called the police several times for homeless gathering and sleeping on his property.

In response to a question, Planning and Development Interim Director Lauren Matzke said short term rental is a permitted use in the Commercial zone.

One individual said any infill project should match the character of the neighborhood.

One individual expressed concern with a residential establishment in a Commercial zone.

Discussion ensued with comments made that a fence around the property may limit undesirable activity.

Board Member Achinelli moved to approve FLD2024-04010, 848 Dempsey St., based on the evidence and testimony presented in the application, the Staff Report and at today's hearing, and hereby adopt the Findings of Fact and Conclusions of Law stated int he Staff Report with conditions of approval as listed, including the installation of a non-opaque, six-foot fence along the east, north, and west boundaries from the front wall of the house facing Dempsey St. to the rear of the property. The motion was duly seconded and carried with the following vote:

Ayes: Chair Boutzoukas, Board Member Achinelli, Board Member Haudricourt, Board Member Mastruserio, and Board Member Chenault
Nays: Board Member Hinrichs

4.2 FLD2025-03002 Flexible Development approval to construct a two-unit Resort Attached Dwelling in the Tourist (T) District and the Old Florida Character District of Beach by Design for the property located at 633 Mandalay Avenue. The building will not exceed 65 feet in height and includes four parking spaces. Requested is flexibility from setbacks. (Community Development Code Section 2-803.L. and Beach by Design) (Level Two

Application)

Case: FLD2025-03002 - 633 Mandalay Ave
Owner(s): Clearwater JV V LLC
Applicant: Katherine E. Cole, Hill Ward Henderson, 600 Cleveland Street, Suite 800, Clearwater, FL 33755; phone: (727) 259-6791; email: katie.cole@hwhlaw.com
Location: Northeast corner of Mandalay Avenue and Royal Way. (0.28 acres)
Request: Flexible Development approval to construct a two-unit Resort Attached Dwelling in the Tourist (T) District and the Old Florida Character District of Beach by Design for the property located at 633 Mandalay Avenue. The building will not exceed 65 feet in height and includes four parking spaces. Requested is flexibility from setbacks. (Community Development Code Section 2-803.L. and Beach by Design)
Associations: Board of County Commissioners, Clearwater Beach Association, Clearwater Neighborhood Coalition, Pinellas County School Board
Assigned Planner: Austen Dole, Planner II; email: Austen.Dole@MyClearwater.com; phone: 727-444-7351

Member Hinrichs moved to approve Case FLD2025-03002 on today's Consent Agenda based on evidence in the record, including the application(s) and the Staff Report(s), and hereby adopt the Findings of Fact and Conclusions of Law stated in the Staff Report(s), with conditions of approval as listed.

5. Director's Report – None.

6. Board Members to be Heard – None.

7. Adjourn

The meeting adjourned at 2:25 p.m.

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Chair, Community Development Board

Attest:

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City Clerk