

**Board of Adjustment and Appeals
Pinellas County
June 3, 2026 Meeting Minutes**

The Board of Adjustment and Appeals (BAA) met in regular session at 9:09 AM on this date in the County Commission Assembly Room at the Pinellas County Courthouse, 315 Court Street, Clearwater, Florida.

Present

Jason Holloway, Vice-Chair
Jose Bello
Andrew Hunsicker
Luis Serna (alternate)
Alonda Vaughan
Robert Warner

Not Present

Alan C. Bomstein, Chair
Deborah J. White

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

Acting Chair Holloway called the meeting to order at 9:09 AM and provided an overview of the hearing process; whereupon, he requested that the members disclose if they have visited the subject property as the public hearing begins.

QUASI-JUDICIAL STATEMENT

Attorney Kreider noted that the following hearing is 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 HEARING

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

Case No. VAR-26-06

APPLICATION OF JAMES CUOMO, TRE., MUST BE NICE, TRUST, THROUGH KURT GLEESON AND MARC WEINTRAUB, REPRESENTATIVES, FOR A VARIANCE

A public hearing was held on the above application for a variance to allow the construction of a 2,372-square-foot detached accessory dwelling unit where 750 square feet is the maximum size allowed within the Coastal Storm Area or flood hazard area, for the property located at 2850 Sunstream Lane in unincorporated Clearwater. Fourteen letters in support of the application have 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 is 5.8 acres and is developed with a detached single-family home and accessory garage. The applicant plans to demolish the current structures on the property and construct a new 13,000-square-foot single-family residence and a 2,372-square foot detached accessory dwelling unit and a 3,200 accessory building (proposed gym). The property is in Flood Zone A and borders Lake Chautauqua which is part of the Alligator Creek 100-year floodplain. The property is not in a hurricane evacuation zone.

In residential districts, accessory apartments, garage apartments, and guest houses may be permitted as accessory uses to any single-family detached home. An accessory dwelling unit must have an entrance that is separate from the primary unit, and it must contain sleeping quarters, a bathroom, and a full kitchen with a sink, cooking unit, and refrigerator. The proposed ADU contains a full kitchen, 2 bedrooms and 3 bathrooms.

The Land Development Code states that an accessory dwelling unit shall not exceed 750 square feet in size if the property is within the CSA or flood hazard area established in Land Development Code Section 158-23. This proposed structure exceeds the size limit by 1,622 square feet.

During the Development Review Committee meeting discussion, staff discussed the following alternatives to a variance: That the size of the property could allow the parcel to be split and a new home built upon the second lot instead of an ADU, or the plans could be modified to have the ADU structure attached/integrated into the main house. These options were determined to not be viable for the applicant.

The scale and size of the detached ADU is appropriately sized in proportion to the proposed primary home and the property. Approval should be subject to the following conditions:

1. Obtain all required permits and pay all applicable fees.
2. Meet the standards, other than size, of Section 138-3210(c) for the ADU.
3. ADU is to be architecturally compatible with the primary home.

Mr. Schoderbock noted that staff received an email from the City of Clearwater which indicated that the subject property is in an enclave and is surrounded by property under the City's jurisdiction; that the City will be the provider of utilities such as water and sewer; and that concerns were raised that, if the property was annexed into the City, the proposed ADU may become non-conforming due to its size.

In response to acting Chair Holloway's call for the applicant, Marc Weintraub, Tampa, appeared and indicated that he is representing the applicant. Mr. Weintraub related that while the County ordinance limiting ADUs to 750 square feet is reasonable for typical lots, the ordinance would restrict the applicant's ability to construct an ADU that fits the scale of the subject property; that the applicant has made an effort to ensure that neighbors are not impacted by the proposed ADU; that the applicant accepts the conditions put forth by staff; and that the BAA has previously granted similar ADU variance requests of up to 9.7% of a property's total square footage, whereas the applicant's request represents less than 1% of the subject property's square footage.

Upon acting Chair Holloway's call for a motion, Mr. Hunsicker made a motion to approve, which was seconded by Ms. Vaughan; whereupon, at the acting Chair's request, Mr. Hunsicker restated that he is making a motion to approve the application according to the

findings of fact and recommendations as detailed in the staff report. Upon the acting Chair's call for the vote, the motion carried unanimously.

MINUTES OF THE APRIL 1, 2026 MEETING

Mr. Warner made a motion to approve the minutes, which was seconded by Mr. Bello and carried unanimously.

ADJOURNMENT

Mr. Schoderbock indicated that there will be a BAA meeting next month. He also explained that, as part of the Department's budget request for the upcoming fiscal year, staff has proposed transitioning from paper to electronic agendas in order to reduce costs and improve process efficiency; that, if approved, BAA members would receive agenda materials electronically in advance of meetings; and that staff also hopes to make tablets available to the members during meetings to access case-related information; whereupon, responding to a query by acting Chair Holloway, Mr. Schoderbock confirmed that parking passes will still be mailed to the members.

Thereupon, the meeting was adjourned at 9:22 AM.