Board of Adjustment and Appeals
Pinellas County
October 7, 2026 Meeting Minutes

The Board of Adjustment and Appeals (BAA) met in regular session at 9:01 AM on this date in the County Commission Assembly Room at the Pinellas County Courthouse, 315 Court Street, Clearwater, Florida.

Present

Alan C. Bomstein, Chair
Jason Holloway, Vice-Chair
Jose Bello
Andrew Hunsicker
Alonda Vaughan
Deborah J. White

Not Present

Robert Warner

Others Present

Michael Schoderbock, Division Manager, Zoning and Project Management
Kirby Kreider, Assistant County Attorney
Eric Jewett, Code Enforcement Supervisor
Franchesca DiNapoli, 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

Chair Bomstein called the meeting to order at 9:01 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-26-13

APPLICATION OF GEORGE SINN, TRE. AND RITA SINN, TRE. THROUGH MARK ASARO, REPRESENTATIVE, FOR A VARIANCE

A public hearing was held on the above application for a variance to allow for the construction of a 3,123-square-foot detached accessory dwelling unit where 1,000 square feet is the maximum size allowed, for the property located at 11225 131st Street North in unincorporated Largo. No correspondence relative to the application has been received.

Mr. Schoderbock introduced the case and presented the following staff recommendation:

> Recommend Denial. Staff recommends denial of this request as it does not meet the Criteria for Granting Variances found in Section 138-231 of the Pinellas County Land Development Code.
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> The subject property consists of four lots of record totaling approximately 3.74 acres and developed with a detached single-family residence and accessory structures. The applicant would like to construct a new one-story 3,123 square foot detached accessory dwelling unit which would consist of two bedrooms, 2.5 bathrooms, a covered lanai and entry, and a three-car garage. A portion of the McKay Creek Non-Tidal Floodplain extends across the front of the property; however, no development associated with this request is proposed within that area. The site is also outside of any hurricane evacuation zone.
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> 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. It is recognized that accessory dwelling units are commonly used to mitigate the shortage of affordable housing by providing smaller dwelling units that are ancillary to the principal residence. In accordance with Sec. 138-3210 (a) of the Land Development Code, an accessory dwelling unit shall not exceed 1,000 square feet. Unconditioned space that is connected to and serves the

accessory dwelling unit (e.g., garage or storage space for the accessory dwelling unit) is counted toward the size calculation of the accessory dwelling unit. The proposed accessory dwelling unit exceeds this code requirement by 2,123 square feet which necessitates a variance.

During the Development Review Committee meeting, staff noted that the variance request does not demonstrate a site-specific hardship. The property could be subdivided, allowing a new single-family home to be constructed on the vacant lot using the existing ingress/egress easement for access purposes. Staff had also advised the applicant that under the Land Development Code, the existing single-family home may construct an addition with a second kitchen provided there is only one primary entrance, the dwelling maintains a single address, utilities are not separately metered. There would be no size limitation associated with that type of activity provided that all minimum building setback requirements are met. Therefore, staff believe there are alternative development options available to the applicant that would allow for a comparable project with adequate living space to meet their needs.

In response to a query by Chair Bomstein, Mr. Schoderbock confirmed that the 1,000-square-foot size limitation for accessory dwelling units (ADUs) is consistent regardless of the size of the property; whereupon, in response to a query by Ms. White, he, with input by Chair Bomstein, briefly discussed the characteristics which distinguish an ADU from a house.

Upon the Chair's call for the applicant, George Sinn, Largo, and Mark Asaro, Seminole, appeared; whereupon, Mr. Sinn indicated that he is the property owner, and Mr. Asaro indicated that he is the contractor. Mr. Sinn provided background information regarding the request, including that the proposed ADU is intended to serve as a residence for himself and his wife as they age; that his daughter and two granddaughters will inhabit the existing house and assist with any necessary care; and that he wishes to create a multi-generational estate on the property rather than to subdivide it.

Mr. Asaro noted that the 1,000-square-foot size limitation for ADUs is unreasonable considering that the parcel is 3.74 acres in size; that surrounding properties are of comparable size to the subject property and also contain accessory structures; and that similar requests have received approval in the past.

Responding to a comment by Mr. Sinn, Mr. Schoderbock confirmed that 2.5 houses per acre would be allowed under the property's current land use and zoning designations.

No one appeared following the Chair's call for objectors; whereupon, Chair Bomstein opined that approval of the variance would result in the same outcome as subdividing the property and inquired whether subdivision of the property is necessary.

Mr. Hunsicker disclosed that he visited the site, noting that he is aware of multiple estate properties located in the area; whereupon, in response to his query, Mr. Schoderbock provided brief information regarding a similar property in Clearwater, where a request for a 2,372-square-foot ADU was previously approved.

Attorney Kreider reminded the members that approval or denial must be based on the Pinellas County Land Development Code criteria as outlined in the staff report; whereupon, following brief discussion, Mr. Hunsicker made a motion for conditional approval, noting that the Code does not contemplate the property's size or the ability to subdivide the parcel to achieve the same feat, which constitutes an unnecessary hardship.

Chair Bomstein clarified that Mr. Hunsicker's motion is a motion to approve, with the findings of fact that the practical difficulty required to subdivide the property and the excessive burden of the Code justifies the action; whereupon, the motion was seconded by Ms. White.

Mr. Schoderbock suggested that conditions be included regarding permits, fees, adherence with the ADU criteria in Section 138-3210, except for size, and architectural compatibility with the primary residence.

Chair Bomstein confirmed that Mr. Hunsicker accepted the conditions appended to the motion; whereupon, following the Chair's call for the vote, the motion carried unanimously.

MINUTES OF THE SEPTEMBER 2, 2026 MEETING

Chair Bomstein indicated that the next agenda item is the minutes from the September meeting; whereupon, Ms. White made a motion to approve, which was seconded by Mr. Holloway and carried unanimously.

ADJOURNMENT

Chair Bomstein indicated that this may be Mr. Bello's final Board meeting; whereupon, Mr. Bello provided brief comments regarding his time serving on the Board.

Thereupon, the meeting was adjourned at 9:29 AM.