



**MINUTES
BOARD OF ADJUSTMENT
CITY OF TARPON SPRINGS, FLORIDA
JUNE 26, 2024**

THE Board of Adjustment OF THE CITY OF TARPON SPRINGS, FLORIDA, MET IN REGULAR SESSION IN THE CITY HALL AUDITORIUM/COMMISSION CHAMBERS, 324 E. PINE STREET, ON Wednesday, June 26, 2024 AT 6:30 PM WITH THE FOLLOWING PRESENT:

Chairperson Jacqui Turner
Vice-Chairperson Joanne Reich
Member George Bouris
Member Timothy Grossman
Alternate 1 Robert Wood
Alternate 2 Karl Fuchs

ABSENT/EXCUSED:

ALSO PRESENT: Allie Keen, AICP, Principal Planner
Andrew Salzman, Esq., Board Attorney
Kimberly Creighton, Board Secretary

1. CALL TO ORDER

Chairperson Turner called the meeting to order at 6:30 P.M.

2. ROLL CALL

Board Secretary Creighton called the roll.

3. QUASI-JUDICIAL ANNOUNCEMENT AND SWEARING IN OF SPEAKERS

Board Attorney Salzman read the Quasi-Judicial Announcement and swore in all who wished to testify. He asked if there was any ex parte communication; there was none.

4. APPLICATION(S)

a. #24-25 - Calistri

Variance to reduce the required side yard setback for the purpose of constructing a new single-family home.

Location: 1660 Seabreeze Drive

Staff:

Mrs. Keen gave background information, noted the findings-of-fact listed in the staff report, and indicated that, based on the evidence available at the time the report was prepared, staff recommended approval of the variance request.

Applicant:

The applicant was in the audience but noted that he did not want to speak.

MOTION: Vice-Chairperson Reich
SECOND: Member Grossman

Approve the application as presented.

Vote on Motion – Upon roll call vote, the motion Passed as follows:

Yes: Chairperson Turner
Vice-Chairperson Reich
Member Grossman
Alternate 1 Wood,
Alternate 2 Fuchs
No: None

b. **#24-26 - Sharpe**

Variance to reduce the side setback and to allow an increase in the allowable length for the construction of a new dock.

Location: 771 Chesapeake Drive

Staff:

Based on the information available at the time this report was prepared, staff recommends **approval** of the increased dock length variance. Staff recommends **denial** of the setback variance. It is of staff's opinion that the proposed dock could be modified to remove the second boat lift from the northwest side. The removal of the second boat lift would allow the proposed dock to comply with the setback standards.

Applicant:

Jay Listle, JKL Services Inc., of 617 and 625 Live Oak Street, noted that he represented the applicant. He read a letter that the applicant had provided, which was entered into the record as Exhibit "A".

Public:

Craig Lunt, of 743 Chesapeake Drive, noted that he lived on a curve too, and had a boat dock that was short, which restricted his boating. He further indicated this variance would not negatively affect the neighbors.

MOTION: Member Grossman
SECOND: Alternate 1 Wood

Approve dock as recommended by staff.

Vote on Motion – Upon roll call vote, the motion Passed as follows:

Yes: Vice-Chairperson Reich
Member Bouris
Alternate 1 Wood
Alternate 2 Fuchs
No: Member Grossman
Abstained: Chairperson Turner

c. **#24-28 - Long - Added Letter Retracting Letter of Support**

Variance to allow a fence to be taller than permitted in the front yard.

Location: 728 Chesapeake Drive

Staff:

Mrs. Keen gave background information, noted the findings-of-fact from the staff report, and indicated that based on the evidence available at the time this report was prepared, staff would recommend denial of the variance. Although the original design and intent of the existing fence is recognized, it is of staff's opinion that the need for the variance does not arise from a unique physical hardship specific to the property necessitating a taller fence.

If the Board chooses to approve the request, staff recommends the following conditions:

1. The fence must replicate the design of the existing fence on the property.
2. Any portion of the fence within the sight visibility triangle must comply with the requirements of LDC Section 37.00.

Applicant:

Mrs. Long noted that there was no issue with visibility and that people were able to see into their home, a 6-foot fence afforded them privacy and security, and their dog was able to jump over a 4-foot fence.

Mr. Donald Baker, noted that he was sworn in and that moving the fence out of the front yard setback was not an option.

Public Proponent:

Craig Lunt, noted that he was a rules-based person and further noted that this type of case was the reason we had variances, and that he wanted the variance to be approved. Mr. Lunt further noted that the fence was important to the architectural nature of the property.

Carol Micket, of 735 Chesapeake Drive, noted that this was the only house on the street that needed a 6-foot fence in the front yard.

Leslie McMurtrey, of 734 Chesapeake Drive, noted that she was in favor of the board granting this variance.

Board:

Ms. Reich read a letter from Tina Hinton, that was entered into the record as Exhibit "B".

Mr. Grossman noted that his opinion criteria number 3 and 4 were met. He indicated that with all the windows, the applicant did not have reasonable use of the property. If they did not have a 6-foot fence, they would not be able

MOTION: Member Grossman

SECOND: Alternate 1 Wood

Approve as requested to include the two conditions that were recommended by staff.

Vote on Motion – Upon roll call vote, the motion Passed as follows:

Yes: Vice-Chairperson Reich

Member Bouris

Member Grossman

Alternate 1 Wood

No: None

Abstained: Chairperson Turner

Alternate 2 Fuchs

5. APPROVAL OF MINUTES

- a. April 24, 2024, Minutes for Approval

MOTION: Vice-Chairperson Reich

SECOND: Member Bouris

Approve minutes from April 24, 2024, as presented.

Vote on Motion – Upon roll call vote, the motion Passed as follows:

Yes: Chairperson Turner
Vice-Chairperson Reich
Member Bouris
Member Grossman
Alternate 1 Wood

No: None

6. BOARD AND STAFF COMMENTS

There were no board or staff comments.

7. ADJOURNMENT

Chairperson Turner adjourned the meeting at 8:01 P.M.

 12/18/2024
Chairperson

***Secretary's Note:** The preceding are action minutes and are not the official meeting record.

TRANSCRIBED FROM BOARD OF ADJUSTMENT MEETING OF JUNE 26, 2024

Dear Tarpon Springs board members,

I apologize for not being available for this meeting. I'm on the West Coast currently visiting family. My mother is undergoing various procedures and is not the greatest of health. I'm requesting the variance for primary purpose of obtaining a draft of at least 18-in. Currently, I only own a Waverunner Sea-doo and even with its low draft, there are multiple hours that I can't leave or return. The plan is to install a composite dock that will last 50 years and bring value for my home in the neighborhood. I would then purchase a modest boat with 18in of draft from the main lift, and the other lift on the plans is for 1 or 2 sea-doos. My neighbors to the south. 767 Chesapeake approved the variance. Who are boaters with a lift, but unfortunately my neighbors to the north. 775 Chesapeake, who did not have a lift or a boat would not agree. The dock variance requested would build a similar dock to others in the neighborhood, including 783 and 789 Chesapeake, 783 Chesapeake Dock variance was approved in the past by our neighbors to the north, who don't approve of our variance. Now, I have no animosity towards any of my neighbors, and I just want to enjoy Florida's beauty. I think the new dock extended out to ensure 18in of draft is environmentally a better solution than if a resident struggles to depart in return.

Thank you for your consideration of this request. Ken Sharp.

EXHIBIT "A"

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Turner, Jacqui</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Board of Adjustments</i>	
MAILING ADDRESS <i>792 Chesapeake Dr</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Tarpon Springs</i>	COUNTY <i>Pinellas</i>	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <i>6/26/2024</i>		NAME OF POLITICAL SUBDIVISION:	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTEE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Jacqui Turner, hereby disclose that on 6/24/2024, 20 :

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____ ;
- ☐ inured to the special gain or loss of my relative, _____ ;
- ☐ inured to the special gain or loss of _____ , by
whom I am retained; or
- ☐ inured to the special gain or loss of _____ , which
is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

other: applicants are neighbors and
close personal friends

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Turner Jacqui</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Board of Adjustments</i>	
MAILING ADDRESS <i>192 Chesapeake Dr</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Tarpon Springs</i>	COUNTY <i>Pinellas</i>	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <i>6/24/2024</i>		NAME OF POLITICAL SUBDIVISION:	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

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For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

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APPOINTED OFFICERS (continued)

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DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Jacqui Turner, hereby disclose that on 6/26/2024, 20__ :

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____ ;
- ☐ inured to the special gain or loss of my relative, _____ ;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Other: applicants are neighbors and close personal friends

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Date Filed

6/26/2024

Signature

Jacqui Turner

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FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME FUCHS, KARL MICHAEL	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE BOARD OF ADJUSTMENT
MAILING ADDRESS 1235 LAGOON RD	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY TALPON SPRINGS	COUNTY PINELLAS
DATE ON WHICH VOTE OCCURRED 26 JUNE 2024	NAME OF POLITICAL SUBDIVISION: MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE

WHO MUST FILE FORM 8B

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For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

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PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

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APPOINTED OFFICERS (continued)

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DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, KARL M. FUCHS, hereby disclose that on 26 JUNE, 20 24:

(a) A measure came or will come before my agency which (check one or more)

- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

I AM NEIGHBORS W/ APPLICANT AND HAVE PERSONAL RELATIONSHIPS W/ APPLICANT AND WISH TO MAINTAIN ACTUAL & PERCEIVED IMPARTIALITY.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

26 JUNE 24
Date Filed

Karl M. Fuchs
Signature

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