



City of Tarpon Springs, Florida

Board of Adjustment
324 East Pine Street
Tarpon Spring, Florida 34689
(727) 938-3711

<http://www.ctsfl.us/agenda.htm>

BOARD OF ADJUSTMENT AGENDA WEDNESDAY, AUGUST 27, 2025 6:30 PM - CITY HALL AUDITORIUM

1. CALL TO ORDER

2. ROLL CALL

3. QUASI-JUDICIAL ANNOUNCEMENT AND SWEARING IN OF SPEAKERS

4. APPLICATION(S)

a. #25-51 - Ullestad

Variance to reduce the required side yard setback for the purpose of constructing an addition onto an existing home.

Location: 696 Chesapeake Drive

b. #25-54 - Luscier

Variance to allow a dock to extend further than one-half (1/2) the waterfront width of the property for the purpose of modifying the existing dock.

Location: 1542 Riverside Drive

5. APPROVAL OF MINUTES

a. July 23, 2025, Minutes for Approval

6. BOARD AND STAFF COMMENTS

7. ADJOURNMENT

If a person decides to appeal any decision made by the Board of Adjustment with respect to any matter considered at this meeting or hearing, they will need a record of the proceedings and that, for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. You are invited to attend the meeting to express your views or to present facts in regard to the case. Written comments may be addressed to the Planning & Zoning Department, P.O. Box 5004, Tarpon Springs, Florida, 34688-5004, and will become part of the records. All documents submitted with the applications are on file and available for inspection in the Planning & Zoning Department, City Hall. Further information may be obtained from the Planning & Zoning Department, (727) 942-5611 or by email to pmcneese@ctsfl.us. Said hearing may be continued from time-to-time pending adjournment. Any person with a disability requiring reasonable accommodation in order to participate in this meeting should call (727) 942-5611 or email a written request to akeen@ctsfl.us.



CITY OF TARPON SPRINGS
BOARD OF ADJUSTMENT
[AUGUST 27, 2025]

STAFF REPORT

Application No. / Project Title: #25-51 (Ullestad)
Staff: Allie Keen, AICP, Principal Planner
Applicant / Owner: Timm Group Building and General Contractors (Carlos Rodrigues) / Todd Ullestad & Amy Elkins
Property Size: +/-13,517 square feet
Current Zoning: R-100 (Single Family Residential)
Current Land Use: RL (Residential Low)
Location / Parcel ID: 696 Chesapeake Drive / 11-27-15-00000-410-0400

BACKGROUND SUMMARY:

The applicant is requesting variance approval to reduce the required side yard setback to 7.58 feet, 4.42 feet less than required 10 foot minimum, and 7.42 feet less than the 25 foot total side yard setback in the R-100 zoning district. The applicant is proposing to construct an addition onto the existing home.

PRELIMINARY STAFF RECOMMENDATION:

Based on the information available at the time this report was prepared, staff recommends **approval** of this request.

LAND DEVELOPMENT CODE CONSIDERATIONS:

District Intent: The single family residential districts are established to provide for detached dwellings in a variety of districts with a full range of dimensional and density standards compatible with the established development of the area.

Development Standards: Per Land Development Code Section 25.02(D)(6)(b), the minimum side yard setback is 10 feet, with a total of 25 feet for both sides, in the R-100 zoning district.

CURRENT PROPERTY INFORMATION:

Use of Property:	Single Family Residential
Site Features:	Single family home, circular driveway, carport, pool, dock, and landscaping.
Vehicle Access:	This property is accessed from Chesapeake Drive.



SURROUNDING ZONING & LAND USE:

	Zoning:	Land Use:
North:	R-100 (Single Family Residential)	RL (Residential Low)
South:	R-100 (Single Family Residential)	RL (Residential Low)
East:	R-100 (Single Family Residential)	RL (Residential Low)
West:	R-100 (Single Family Residential)	RL (Residential Low)

PLANNING CONSIDERATIONS:

When considering this application, the following general site conditions, planning concepts, and other facts should be noted:

1. The applicant is proposing to construct an approximately 300 square foot addition onto the side of the existing home. An existing storage room will be removed in order for the addition to be constructed. The applicant has indicated that the addition is for a new ADA accessible bathroom and closet for a family member.
2. Per LDC Section 25.02(D)(6)(b), the R-100 zoning district requires a minimum side yard setback of 10 feet, with a total of 25 feet for both sides. According to the provided site plan, the addition will have a 7.58 foot side setback from the south property line and a total side yard setback of only 17.58 feet.
3. The R-100 zoning district requires a minimum lot width of 75 feet. The subject property is only 72 feet wide; therefore, it is nonconforming. Similar to other lots along Chesapeake Drive, this property has never been platted as a part of a subdivision. According to the Pinellas County Property Appraiser, the existing home was constructed in 1962, therefore it is assumed this property has been in existence since at least that time, which predates the current Land Development Code.
4. The existing storage room is currently nonconforming and does not meet the minimum side setback. Although the proposed addition will not meet the minimum side setback, it is lessening the existing nonconformity by approximately 1.5 feet. Further, the addition is located towards the rear of the home, over 80 feet back from the street.

REVIEW STANDARDS / PROVISIONAL FINDINGS OF FACT:

Section 215.02(B) of the Land Development Code provides that the Board of Adjustment shall grant no variance unless certain standards are met and proven by competent substantial evidence. These standards, along with planning staff’s provisional findings of fact are provided below:

1. **The need for the requested variance arises out of the physical surroundings, shape, topographical conditions, or other physical or environmental conditions that are unique to the specific property involved, and which do not apply generally to property located in the same zoning district.**

Provisional Findings: The need for the variance is due to the property being narrower than required under the R-100 standards and the layout of the existing home. Although the proposed addition does not meet the minimum side setback, it will replace an existing storage room that further encroaches the side yard. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard has been met.*

2. **The conditions or special circumstances peculiar to the property have not been self-created or have resulted from an action by the applicant or with prior knowledge or approval of the applicant.**



Provisional Findings: The special circumstances have not been self-created. The property, like other properties along Chesapeake Drive, has not been platted as a part of a subdivision and does not meet the minimum R-100 lot width requirements. The property has been in existence since at least 1962 when the home was constructed, prior to when the applicant obtained ownership of the property and the current Land Development Code going into effect. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard has been met.*

- 3. Literal enforcement of the requirements of the City of Tarpon Springs' Comprehensive Land Development Code would have the effect of denying the applicant of reasonable use of the property, or legally conforming buildings or other structures, and the requested variance is the minimum variance that will make possible the reasonable use of the property.**

Provisional Findings: Literal enforcement of the dimensional standards would limit development on the property due to the existing improvements and the nonconforming lot width. Allowing the reduction of the minimum required side yard setback will not confer any special privilege and the requested variance is the minimum needed to provide for reasonable use of the property with the proposed addition. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard has been met.*

- 4. Granting the variance will not confer any special privilege that is not allowed for other lands, buildings or structures in the same zoning district; no variance will be granted that extends to the applicant a use of property that is not commonly enjoyed by other persons in similar circumstances.**

Provisional Findings: Granting approval of reduced side yard setbacks for properties with nonconforming lot widths is common elsewhere in the R-100 district. Additionally, the proposed addition will reduce the current nonconforming setback of the storage room by approximately 1.5 feet, and the location of the addition is over 80 feet from the street. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard has been met.*

- 5. Granting the variance will not substantially diminish property values in the surrounding area, substantially interfere with, or injure the rights of others whose property would be affected by approval of the variance, alter the essential character of the neighborhood, or create a nuisance.**

Provisional Findings: The proposed addition will lessen the existing nonconforming storage room and is setback over 80 feet from the street. Approval of the requested variance is not expected to substantially diminish property values nor adversely impact surrounding properties. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard has been met.*

PUBLIC CORRESPONDENCE:

Notices were sent to property owners within 500 feet of the subject property; a legal notice was published in the Tampa Bay Times; and the property was posted. *Staff has not received any responses to these notices.*

ATTACHMENTS:

1. Staff Presentation
2. Application & Variance Addendum
3. Site Plan
4. Letter of Authorization

ULLESTAD #25-51

Board of Adjustment – August 27, 2025

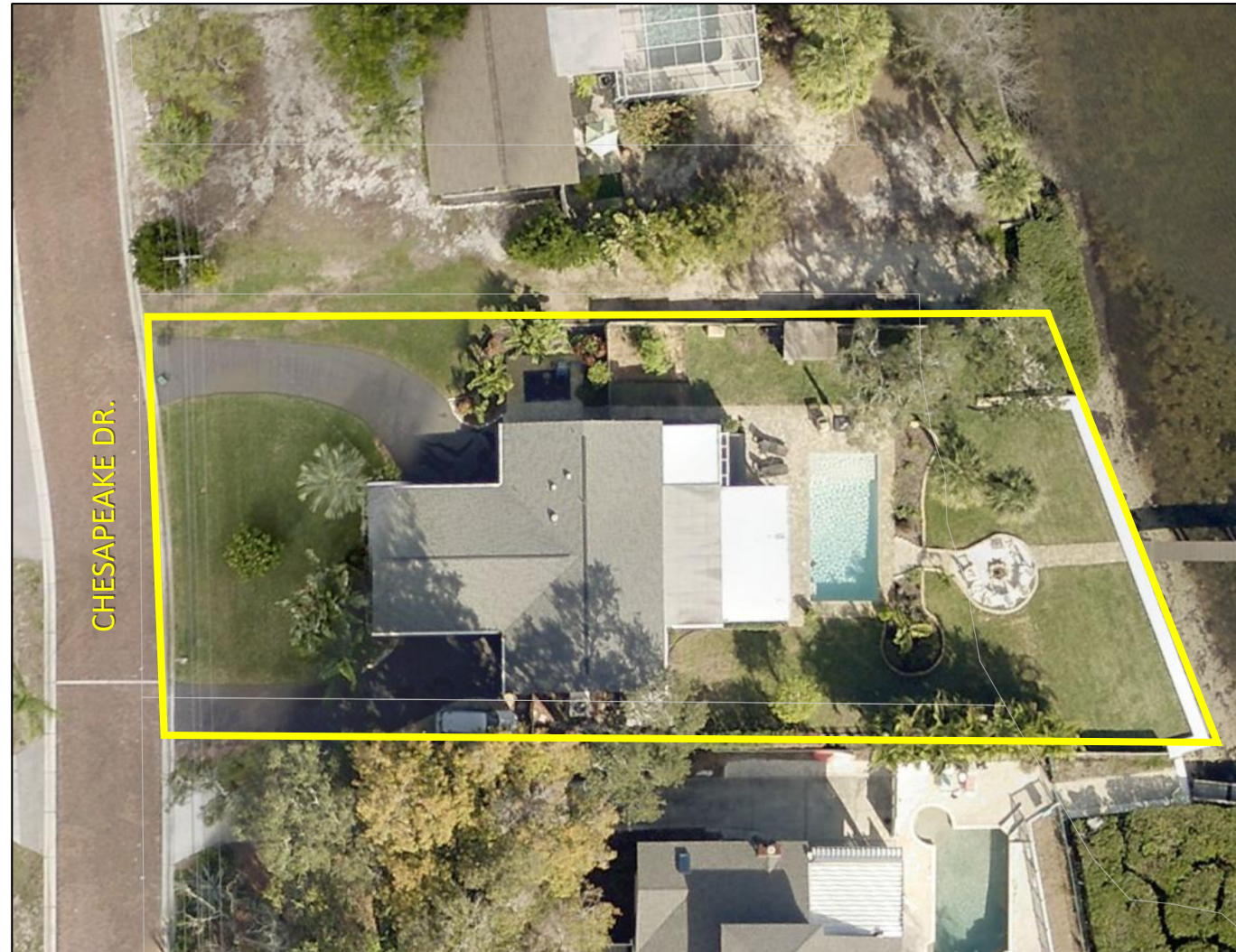


LOCATION & CONTEXT

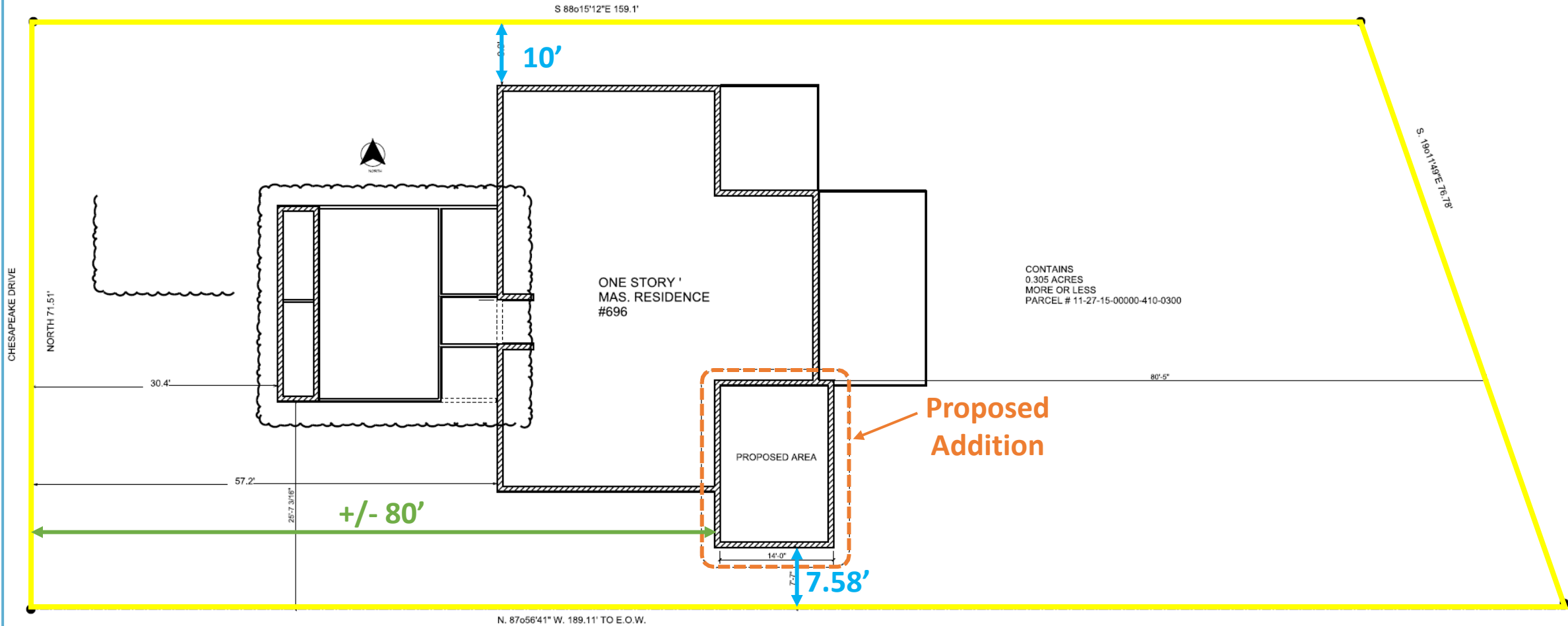


REQUEST

- **#25-51 – Side Yard Setback**
 - Required= Min. 10 feet, Total 25 feet
 - Proposed = 7.58 feet, Total 17.58 feet
- **Applicant:** Timm Group Building & General Contractors (Carlos Rodrigues)
- **Owner:** Todd Ullestad & Amy Elkins
- *Variance request to reduce the required side yard setback for the purpose of constructing an addition onto an existing home.*



SITE PLAN



LDC Section 25.02 – Min. Side Setback

- Required = Min. 10 feet, Total 25 feet
- Proposed = 7.58 feet, Total 17.58 feet



REVIEW STANDARDS - VARIANCE

- 1) The need for the requested variance arises out of the physical surroundings, shape, topographical conditions, or other physical or environmental conditions that are unique to the specific property involved, and which do not apply generally to property located in the same zoning district.
- 2) The conditions or special circumstances peculiar to the property have not been self-created or have resulted from an action by the applicant or with prior knowledge or approval of the applicant.
- 3) Literal enforcement of the requirements of the City of Tarpon Springs' Comprehensive Land Development Code would have the effect of denying the applicant or reasonable use of the property, or legally conforming buildings or other structures, and the requested variance is the minimum variance that will make possible the reasonable use of the property.
- 4) Granting the variance will not confer any special privilege that is not allowed for other lands, buildings or structures in the same zoning district; no variance will be granted that extends to the applicant a use of a property that is not commonly enjoyed by other persons in similar circumstances.
- 5) Granting the variance will not substantially diminish property values in the surrounding area, substantially interfere with, or injure the rights of others whose property would be affected by approval of the variance, alter the essential character of the neighborhood, or create a nuisance.

General Planning Application



**CITY OF TARPON SPRINGS
PLANNING & ZONING DEPARTMENT**
324 E. Pine Street, Tarpon Springs, FL 34689
(727) 942-5611 / planning@ctsfl.us

INSTRUCTIONS

Please complete the application fully and then **DOWNLOAD (print button)** the form to submit. This application, with all supporting materials and applicable application addendums, must be submitted **DIGITALLY** through the [Planning and Zoning goPost portal](#). If a project requires multiple application types, please complete this form only once and upload it into each separate application type in [goPost](#).

To verify which addendums apply to your project download the [Application Addendum Checklist \(PDF\)](#).

Prior to proceeding to public hearing an application must be deemed complete. All required application fees (see [Fee Schedule \(PDF\)](#)) **must be paid prior to the application being scheduled for Technical Review Committee (TRC)**. Fees can be paid in person or mailed.

Property Owner(s) Name*

Todd Ullestad and Amy Elkins

Property Owner(s) Email*

amyelkins725@gmail.com

Property Owner(s) Address*

696 Chesapeake Dr. Tarpon Springs FL 34689

Property Owner(s) Phone*

7276887597

Applicant(s) Name (If different than owner)

Carlos Rodrigues Timm Group Building & General Contractors Inc.

Applicant(s) Email

carlos@timmgroupcontractors.com

Applicant(s) Address

7810 Plathe Rd

Applicant(s) Phone

7276234980

Agent/Representative (If applicable)

First and Last Name

Agent/Representative Email

Email Address

Agent/Representative Address

Street, City, State, and Zip Code

Agent/Representative Phone

Phone Number

Application Type (Check all that apply)*

- | | |
|--|---|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Plat, Minor |
| <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Development Agreement | <input type="checkbox"/> Sidewalk Cafe |
| <input type="checkbox"/> Discussion Item | <input type="checkbox"/> Sidewalk Waiver |
| <input type="checkbox"/> Future Land Use Amendment | <input type="checkbox"/> Site Plan/Subdivision |
| <input type="checkbox"/> HPB, Certificate of Appropriateness | <input type="checkbox"/> Temporary Use* |
| <input type="checkbox"/> HPB, Designation of Historic Property | <input type="checkbox"/> Vacation, Plat or Property |
| <input type="checkbox"/> HPB, Economic Hardship Exemption | <input type="checkbox"/> Vacation, Right-of-Way |
| <input type="checkbox"/> HPB, Petition for Removal | <input checked="" type="checkbox"/> Variance |
| <input type="checkbox"/> Planned Development, Concept | <input type="checkbox"/> Variance, After-the-Fact |
| <input type="checkbox"/> Planned Development, Final | <input type="checkbox"/> Variance, De Minimis |
| <input type="checkbox"/> Planned Development, Preliminary | <input type="checkbox"/> Variance, FAR/ISR Adjustment |
| <input type="checkbox"/> Plat, Final | <input type="checkbox"/> Variance, Nonconforming Lot |

***Temporary Use Dates**

Dates Requested

Project Name*

Ullestad Residence

Tax Parcel ID(s)*

11 27 15 00000 410 0400

[Look Up Parcel ID](#)

Project Location

696 Chesapeake Dr

Flood Zone

Zone X

Zone AE

Zone VE

Not in a Flood Zone

Coastal High Hazard Area (CHHA)

Yes, property is in the CHHA

No, property not in the CHHA

Site Acreage*

0.31

Base Flood Elevation (BFE)

9

Current Land Use*

RL (Residential Low) ▼

(Choices are alphabetized)

[Lookup Land Use](#)

Current Zoning*

R-100 (Single Family Residen ▼

(Choices are alphabetized)

[Lookup Zoning](#)

Proposed Land Use

RL (Residential Low) ▼

(If applicable)

Proposed Zoning

R-100 (Single Family Residen ▼

(If applicable)

Summary / Purpose of Request*

existing property is built below bfe, need variance to allow construction of a bathroom addition at a similar height to the existing adjacent bedroom floor

Electronic Signature Agreement*

By checking the "I Agree" box below, you acknowledge that **1)** this form and other applicable application addendums will not be signed in the sense of a traditional paper document, **2)** by signing in this alternate manner, you authorize your signature on these forms to be valid and binding to the same force and effect as a handwritten signature, and **3)** the information included in and with these forms are completely true and correct to the best of your knowledge.

I Agree

Electronic Signature*

Carlos A Rodrigues

Date*

8/19/2025

Electronic Signature

I, as the property owner or as an authorized representative of the property owner, authorize the filing of this application and will allow the Planning and Zoning Department staff to visit this property if necessary for the purpose of analyzing this request. Further, I will allow a public notice sign (if required) to be placed and remain on the property until the processing of the request is complete.

Electronic Signature*

Todd Ullestad

Date*

8/19/2025

Steps to Download Form

1. Click the **'Print Only'** button below.
2. Your form will open in a new tab.
3. **Right click** on your mouse and **select 'Print'**.
4. Choose to print to **'PDF'**.
5. Save the form in your desired location.

Need help? Give the Planning Department a call at [727-942-5611](tel:727-942-5611).

Variance Application Form



**CITY OF TARPON SPRINGS
PLANNING & ZONING DEPARTMENT**
324 E. Pine Street, Tarpon Springs, FL 34689
(727) 942-5611 / planning@ctsfl.us

INSTRUCTIONS

Please complete this form fully and **DOWNLOAD (print button)** to submit with the associated development application. Applications must be submitted **DIGITALLY** through the [Planning and Zoning goPost portal](#).

Project Name*

Ullestad Residence

Project Location*

696 Chesapeake Dr

Variance Requested*

LDC Section 25.02(D)(6)(b)

Summary of Request*

Request to allow a side setback less than the required 10 feet in the R-100 zoning district.

Please describe the project and how it varies from the LDC.

(e.g., A side setback variance reduction from the required 10 feet to 7 feet for the purpose of constructing an addition onto an existing home)

Provide the Land Development Code (LDC), Section(s) reference that the variance is being requested from.

Board of Adjustment (BOA) Review Standards

Per LDC Section 215.02(B), the Board of Adjustment may only grant a variance when the following standards are determined to be met and proven by competent substantial evidence.

Please review each standard (numbered 1 through 5) on the following pages and provide a justification on how your request meets each standard.

Standard:

The need for the requested variance arises out of the physical surroundings, shape, topographical conditions, or other physical or environmental conditions that are unique to the specific property involved, and which do not apply generally to property located in the same zoning district. *(What are the physical hardships on the property that prevent you from meeting the requirements of the code?)*

- a. Preservation of a protected or native tree(s), but not an invasive(s), as defined in Sections 133 and 134 of the LDC, may be considered as a relevant environmental condition. *(If there are protected trees or native trees on the property, they could be considered a physical hardship if their preservation results in the need for the variance.)*
- b. Location of the property in the Historic District may be considered as a unique physical condition. However, any variance applied for within the Historic District shall be found to be compatible with the character of the properties within the Historic District before any variance may be granted. *(If the need for the variance is in response to the property being in the Historic District, it could be considered a physical hardship.)*

Justification:*

Lot is nonconforming (narrower than specified width for it's zoning code)

Standard:

The conditions or special circumstances peculiar to the property have not been self-created or have resulted from an action by the applicant or with prior knowledge or approval of the applicant. *(Is the variance in response to an action or situation in which you created? e.g. You installed a pool at the minimum setbacks, which prevents you from constructing a screen enclosure.)*

Justification:*

lot width preexisted current owner's purchase of property, proposed alteration reduces encroachment

Standard:

Literal enforcement of the requirements of the Code will have the effect of denying the applicant reasonable use of the property, or legally conforming buildings or structures, and the requested variance is the minimum variance that will make possible the reasonable use of the property. *(Does the variance result in reasonable use of the property and its structures?)*

Justification:*

planned bathroom addition is needed to accommodate an ADA family member, and is the least obtrusive way of expanding the existing bedroom area

Standard:

Granting the variance will not confer any special privilege that is not allowed for other lands, buildings, or structures in the same zoning district; no variance will be granted that extends to the applicant a use of property that is not commonly enjoyed by other persons in similar circumstances. *(Would approval of the variance request result in special privilege that is not commonly enjoyed by other properties within the same district?)*

Justification:*

no special privilege

Standard:

Granting the variance will not substantially diminish property values in the surrounding area, substantially interfere with, or injure the rights of others whose property would be affected by the approval of the variance, alter the essential character of the neighborhood, or create a nuisance. *(Would approval of this request have an adverse effect on surrounding properties?)*

Justification:*

no negative effect on surrounding property value, increasing the value of the subject property would likely make the comp price for adjacent lots higher.

Electronic Signature Agreement*

By checking the "I Agree" box below, you agree and acknowledge that **1)** this form will not be signed in the sense of a traditional paper document, **2)** by signing in this alternate manner, you authorize your signature on this form to be valid and binding to the same force and effect as a handwritten signature, and **3)** the information included in and with this form is completely true and correct to the best of your knowledge.

I Agree

Electronic Signature*

Carlos A Rodrigues

Date*

8/19/2025

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4. Choose to print to '**PDF**'.
5. Save the form in your desired location.

Need help? Give the Planning Department a call at [727-942-5611](tel:727-942-5611).

Letter of Authorization

5/22/2025

To whom it may concern,

Re: Authorized agent to submit permits for:

696 Chesapeake Dr.
Tarpon Springs 34689

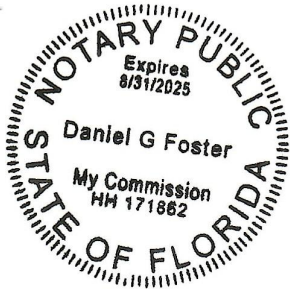
I Todd Ullestad, owner of the above-mentioned property authorizes Carlos Rodrigues president of Timm Group Building & General Contractors to inquire about, apply for, complete documentation associated with, and submit permits to the city or municipality on my behalf.

Sincerely,



The foregoing instrument was acknowledged before me this 23 day of may 2025 by Todd Ullestad Who is personally known to me or has produced identification in the form of: (type & number of identification produced) _____.

Notary Stamp or Seal: _____ Notary Signature 





CITY OF TARPON SPRINGS
BOARD OF ADJUSTMENT
[AUGUST 27, 2025]

STAFF REPORT

Application No. / Project Title: #25-54 (Luscier)
Staff: Allie Keen, AICP, Principal Planner
Applicant / Owner: Priority Marine Construction, LLC / Lee & Barbara Luscier
Property Size: +/- 9,531 square feet
Current Zoning: R-70 (One & Two Family Residential)
Current Land Use: RL (Residential Low)
Location / Parcel ID: 1542 Riverside Drive / 03-27-15-87858-000-1430

BACKGROUND SUMMARY:

The applicant is requesting a variance to allow a dock to be 105 feet in length, 74 feet longer than allowed for the width of the property’s waterfront, for the purpose of extending the existing dock and adding a boat lift.

PRELIMINARY STAFF RECOMMENDATION:

Based on the evidence available at the time this report was prepared, staff recommends **approval** of the dock length variance request.

LAND DEVELOPMENT CODE CONSIDERATIONS:

District Intent: The R-70 one and two family residential district is established to provide for a mixture of one and two family dwellings at a medium density where the mixture is determined to be compatible with development trends in the area.

Development Standards: Per Land Development Code Section 59.00(B)(1), private docks shall be constructed so that the length of the dock shall not extend from the mean high water line or center of the seawall of the property further than ½ the width of the property at the waterfront.

CURRENT PROPERTY INFORMATION:

Use of Property:	Single Family Residential
Site Features:	House, pool, driveway, dock, and landscaping.
Vehicle Access:	This property gains access from Riverside Drive.



SURROUNDING ZONING & LAND USE:

	Zoning:	Land Use:
North:	R-70 (One and Two Family Residential)	RL (Residential Low)
South:	RM (Residential Multifamily) R-100 (Single Family Residential)	RL (Residential Low)
East:	N/A	N/A
West:	R-70 (One and Two Family Residential) RM (Residential Multifamily)	RL (Residential Low)

PLANNING CONSIDERATIONS:

When considering this application, the following general site conditions, planning concepts, and other facts should be noted:

1. The applicant is proposing to extend the existing dock and add a boat lift on the subject property. The proposed dock configuration exceeds the permitted length established in the Land Development Code (LDC).
2. Per LDC Section 59.00(B)(1), the length of a private dock cannot extend from the seawall further than ½ the width of the property at the waterfront. The subject property is approximately 62 feet wide at the waterfront, which would allow for a maximum length of 31 feet. The applicant is proposing a dock length of 105 feet. According to the provided survey, the existing dock is approximately 62 feet in length, which also exceeds the maximum length permitted.
3. According to the applicant, the additional length is necessary due to the water depth at this location. The additional length allows for safe watercraft navigation and avoids sea grass beds. Further, Pinellas County Water and Navigation requires a minimum 18 inches of water depth at mean low tide. The applicant has provided a bathometric survey of this area that was utilized to help determine the best placement and length of the proposed dock extension.
4. Although the proposed dock exceeds what is allowed by the LDC, according to the site plan and the applicant it will not exceed the current length of the neighboring dock to the east, which is also 105 feet. At the time that dock was constructed, the property owner was able to provide letters of no objection from both adjacent property owners to allow the extended length. The adjacent property to the west of the subject site is a private boat ramp that does not include a docking facility.
5. The LDC allows the dimensional standards for a private dock to be waived by the City Manager if signed statements of no objection from the affected adjacent property owner(s) are provided. When these statements are not provided, the variance process is necessary to exceed what is permitted in the LDC. For this application, statements of no objection would be necessary from both adjacent property owners for the extended length. The applicant has provided a letter of no objection from the adjacent property owner to the east. The adjacent property to the west (the private boat ramp) has multiple owners, which includes the applicant. According to a deed provided by the applicant, there are 21 different owners of this property. Because of the numerous property owners, the applicant was unable to obtain statements of no objection from all 21 owners; therefore, the variance process is required.

REVIEW STANDARDS / PROVISIONAL FINDINGS OF FACT:

Section 215.02(B) of the Land Development Code provides that the Board of Adjustment shall grant no variance unless certain standards are met and proven by competent substantial evidence. These standards, along with planning staff’s provisional findings of fact are provided below:



- 1. The need for the requested variance arises out of the physical surroundings, shape, topographical conditions, or other physical or environmental conditions that are unique to the specific property involved, and which do not apply generally to property located in the same zoning district.**

Provisional Findings: The LDC limits a private docks' length based on the amount of water frontage the property has. Due to the water depth at this location, it warrants the dock to extend further than permitted. Although the length of the dock will exceed what is permitted for this particular property, it is consistent with other docks in the immediate area. The unique physical configuration of this lot and the water depth at this location results in the need for the variance. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard has been met.*

- 2. The conditions or special circumstances peculiar to the property have not been self-created or have resulted from an action by the applicant or with prior knowledge or approval of the applicant.**

Provisional Findings: The conditions peculiar to the property have not been self-created and the need for the variance is due to the water depth at this location. In order to comply with Pinellas County Water and Navigation regulations, the proposed dock needs to extend to the proposed 105 feet to allow for safe watercraft navigation and to avoid sea grass beds. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard has been met.*

- 3. Literal enforcement of the requirements of the City of Tarpon Springs' Comprehensive Land Development Code would have the effect of denying the applicant of reasonable use of the property, or legally conforming buildings or other structures, and the requested variance is the minimum variance that will make possible the reasonable use of the property.**

Provisional Findings: The proposed additional dock length is directly in response to the water depth at this location and requirements of Pinellas County. The requested variance is the minimum necessary to extend the dock to be usable and it is consistent with the neighboring property. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard has been met.*

- 4. Granting the variance will not confer any special privilege that is not allowed for other lands, buildings or structures in the same zoning district; no variance will be granted that extends to the applicant a use of property that is not commonly enjoyed by other persons in similar circumstances.**

Provisional Findings: Granting the dock length variance will allow for the extension of an existing docking facility for a waterfront property that is comparable to others in the immediate area. Other properties in similar situations would also need to meet the minimum water depth requirements, regardless of the limitations of the property's waterfront width. Typically, adjacent property owners can provide statements of no objection allowing these deviations, however, the unique circumstances of the adjacent property to the west necessitate the variance request. The additional dock length will not confer any special uses or privileges to the applicant that are not commonly enjoyed by other property owners in similar circumstances. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard has been met.*

- 5. Granting the variance will not substantially diminish property values in the surrounding area, substantially interfere with, or injure the rights of others whose property would be affected by approval of the variance, alter the essential character of the neighborhood, or create a nuisance.**

Provisional Findings: Approval of the dock length variance will not substantially diminish property values in the surrounding area, nor alter the essential character of the waterfront neighborhood. The proposed dock, although longer than permitted for the width of the property, is similar to other docks within the



immediate area and accommodates the necessary water depth for safe navigation. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard has been met.*

PUBLIC CORRESPONDENCE:

Notices were sent to property owners within 500 feet of the subject property; a legal notice was published in the Tampa Bay Times; and the property was posted. *Staff has not received any responses to these notices.*

ATTACHMENTS:

1. Staff Presentation
2. Application & Variance Addendum
3. Pinellas County Application & Dock Site Plan
4. Property Survey
5. Bathometric Survey

LUSCIER #25-54

Board of Adjustment – August 27, 2025



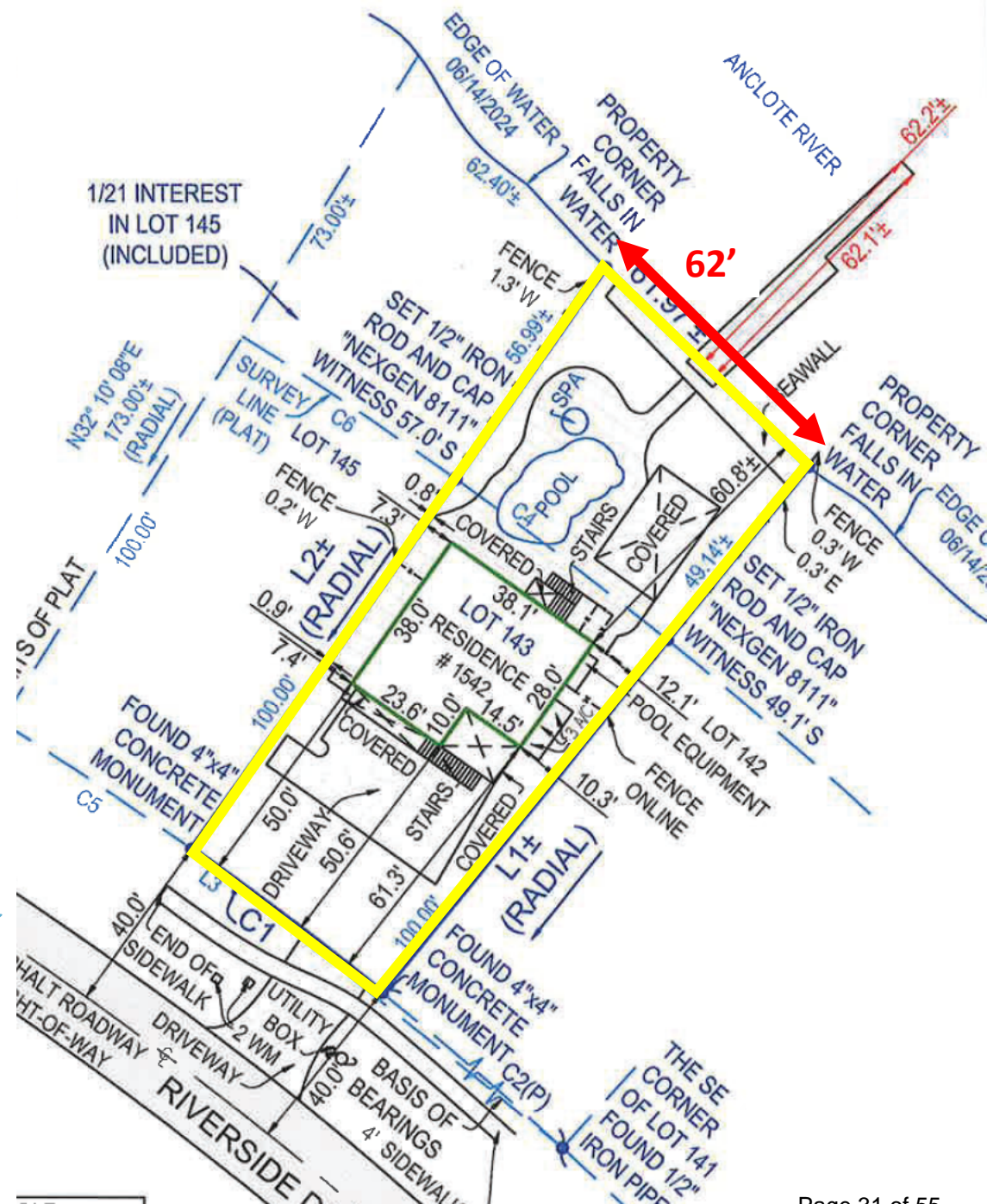
LOCATION & CONTEXT



REQUEST

• #25-54 – Dock Length Variance

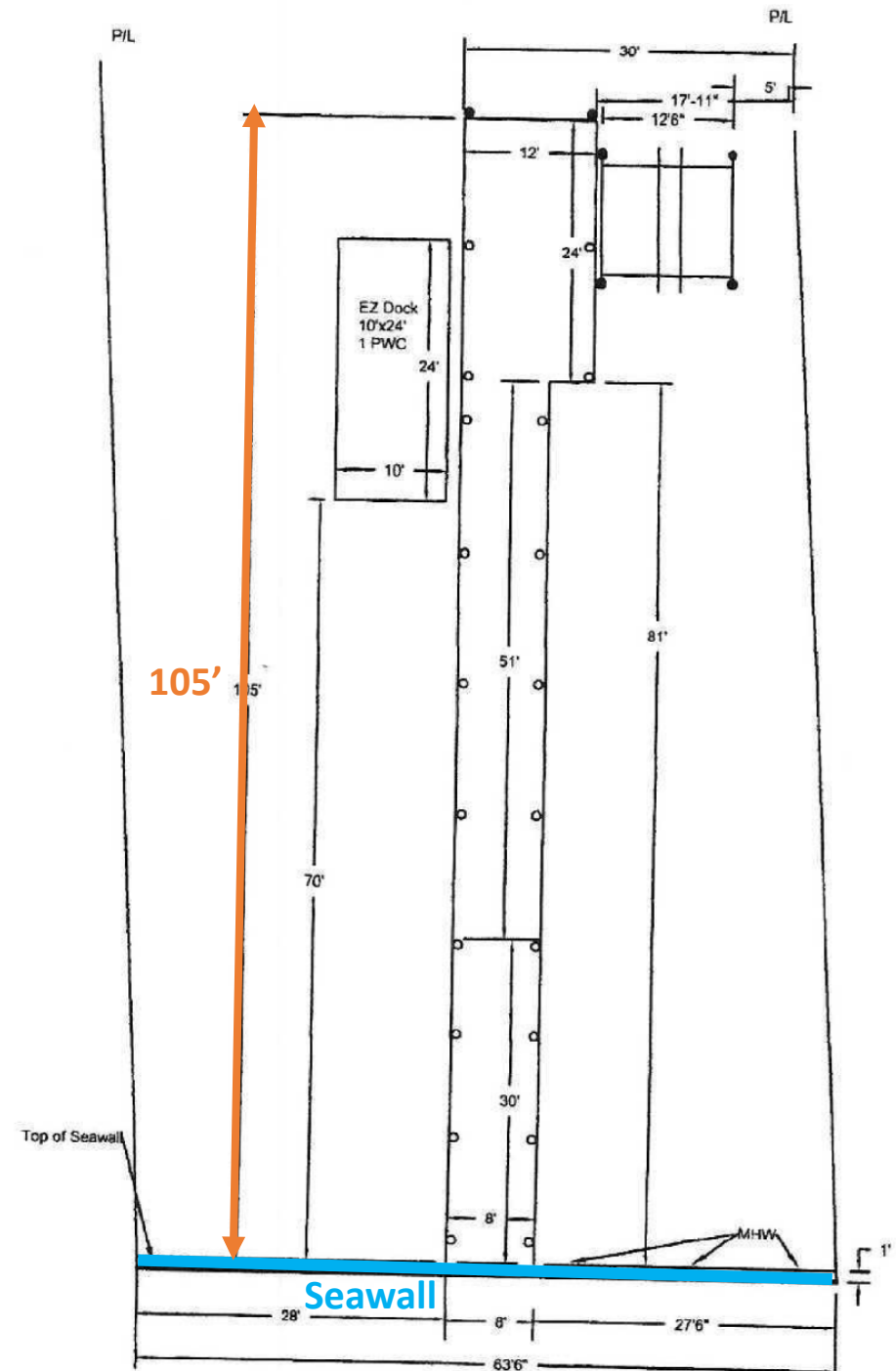
- LDC Section 59.00(B)(1) – The length of a private dock cannot extend from the seawall further than $\frac{1}{2}$ the width of the property at the waterfront.
 - **Permitted** = 31 feet
 - **Proposed** = 105 feet
-
- **Applicant:** Priority Marine Construction, LLC
 - **Owner:** Lee & Barbara Luscier
-
- *Requesting variance approval to allow a dock that exceeds the maximum length in order to modify the existing dock and add a boat lift.*





SITE PLAN

- Dock Length
 - LDC Section 59.00(B)(1) – The length of a private dock cannot extend from the mean high-water line further than $\frac{1}{2}$ the width of the property at the waterfront.
 - Proposed – 105 feet
 - Allowed – 31 feet





WATER DEPTH

- Pinellas Co. Water & Navigation:
 - Requires Min. 18"
- Applicant Obtained Bathometric Survey to determine best location and length to meet this requirement.
- Adequate water depth allows for safe watercraft navigation and protection/avoidance of sea grass beds.



PLANNING CONSIDERATIONS

Statement of No Objection

- Dock dimensional standards may be waived if statements of no objection are signed by affected adjacent property owners.
- Westside Adjacent Property – No Objection Provided.
- Eastside Adjacent Property (Private Boat Ramp)
 - Property has multiple owners (according to provided deed 21 owners)
 - Applicant was unable to obtain statements of no objection from all 21 owners.

Westside Adjacent Property

- Existing Dock Length = 105 feet.
- Statements of No Objection provided at the time this dock was constructed.



REVIEW STANDARDS - VARIANCE

- 1) The need for the requested variance arises out of the physical surroundings, shape, topographical conditions, or other physical or environmental conditions that are unique to the specific property involved, and which do not apply generally to property located in the same zoning district.
- 2) The conditions or special circumstances peculiar to the property have not been self-created or have resulted from an action by the applicant or with prior knowledge or approval of the applicant.
- 3) Literal enforcement of the requirements of the City of Tarpon Springs' Comprehensive Land Development Code would have the effect of denying the applicant or reasonable use of the property, or legally conforming buildings or other structures, and the requested variance is the minimum variance that will make possible the reasonable use of the property.
- 4) Granting the variance will not confer any special privilege that is not allowed for other lands, buildings or structures in the same zoning district; no variance will be granted that extends to the applicant a use of a property that is not commonly enjoyed by other persons in similar circumstances.
- 5) Granting the variance will not substantially diminish property values in the surrounding area, substantially interfere with, or injure the rights of others whose property would be affected by approval of the variance, alter the essential character of the neighborhood, or create a nuisance.

General Planning Application



CITY OF TARPON SPRINGS
PLANNING & ZONING DEPARTMENT
324 E. Pine Street, Tarpon Springs, FL 34689
(727) 942-5611 / planning@ctsfl.us

INSTRUCTIONS

Please complete the application fully and then **DOWNLOAD (print button)** the form to submit. This application, with all supporting materials and applicable application addendums, must be submitted **DIGITALLY** through the [Planning and Zoning goPost portal](#). If a project requires multiple application types, please complete this form only once and upload it into each separate application type in [goPost](#).

To verify which addendums apply to your project download the [Application Addendum Checklist \(PDF\)](#).

Prior to proceeding to public hearing an application must be deemed complete. All required application fees (see [Fee Schedule \(PDF\)](#)) **must be paid prior to the application being scheduled for Technical Review Committee (TRC)**. Fees can be paid in person or mailed.

Property Owner(s) Name*

Property Owner(s) Email*

Luscier, Lee T & Barbara A

lee.luscier@comcast.net

Property Owner(s) Address*

Property Owner(s) Phone*

1542 Riverside Drive, Tarpon Springs, Fl.

253-261-0302

Applicant(s) Name (If different than owner)

Applicant(s) Email

Priority Marine Construction LLC

bill@prioritymarine.com

Applicant(s) Address

Applicant(s) Phone

200 MIDWAY ISLAND, Clearwater, Fl. 33767

7276672094

Agent/Representative (If applicable)

First and Last Name

Agent/Representative Email

Email Address

Agent/Representative Address

Agent/Representative Phone

Street, City, State, and Zip Code

Phone Number

Application Type (Check all that apply)*

***Temporary Use Dates**

- | | |
|--|---|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Plat, Minor |
| <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Development Agreement | <input type="checkbox"/> Sidewalk Cafe |
| <input type="checkbox"/> Discussion Item | <input type="checkbox"/> Sidewalk Waiver |
| <input type="checkbox"/> Future Land Use Amendment | <input type="checkbox"/> Site Plan/Subdivision |
| <input type="checkbox"/> HPB, Certificate of Appropriateness | <input type="checkbox"/> Temporary Use* |
| <input type="checkbox"/> HPB, Designation of Historic Property | <input type="checkbox"/> Vacation, Plat or Property |
| <input type="checkbox"/> HPB, Economic Hardship Exemption | <input type="checkbox"/> Vacation, Right-of-Way |
| <input type="checkbox"/> HPB, Petition for Removal | <input checked="" type="checkbox"/> Variance |
| <input type="checkbox"/> Planned Development, Concept | <input type="checkbox"/> Variance, After-the-Fact |
| <input type="checkbox"/> Planned Development, Final | <input type="checkbox"/> Variance, De Minimis |
| <input type="checkbox"/> Planned Development, Preliminary | <input type="checkbox"/> Variance, FAR/ISR Adjustment |
| <input type="checkbox"/> Plat, Final | <input type="checkbox"/> Variance, Nonconforming Lot |

Dates Requested

Project Name*

Luscier Dock & Boat lift

Tax Parcel ID(s)*

Project Location

03 / 27 / 15 / 87585 / 000 / 143

1542 Riverside Drive, Tarpon Springs, FL. 34689

[Look Up Parcel ID](#)

Flood Zone

- Zone X
- Zone AE
- Zone VE
- Not if a Flood Zone

Coastal High Hazard Area (CHHA)

- Yes, property is in the CHHA
- No, property not in the CHHA

Site Acreage*
9.531 sf / .21 acres

Base Flood Elevation (BFE)

Elevation(s)

Current Land Use*

RL (Residential Low) ▾
(Choices are alphabetized)

[Lookup Land Use](#)

Current Zoning*

R-70 (One & Two Fam) ▾
(Choices are alphabetized)

[Lookup Zoning](#)

Proposed Land Use

RL (Residential Low) ▾
(If applicable)

Proposed Zoning

R-70 (One & Two Fam) ▾
(If applicable)

Summary / Purpose of Request*

Construct boat dock extension and install new boat lift. Dock needs to extend to 105' waterward of the seawall to conform to County Water & Navigation requirements for sufficient depth for boat in order to minimize the potential impacts to existing sea grasses. A bathometric survey was obtained to determine the parameters of the dock placement.

Neighbor to the East currently has approval for the dock to go out 105'.

Electronic Signature Agreement*

By checking the "I Agree" box below, you acknowledge that **1)** this form and other applicable application addendums will not be signed in the sense of a traditional paper document, **2)** by signing in this alternate manner, you authorize your signature on these forms to be valid and binding to the same force and effect as a handwritten signature, and **3)** the information included in and with these forms are completely true and correct to the best of your knowledge.

I Agree

Electronic Signature*

William Templeman

Date*

8/8/2025

Electronic Signature

I, as the property owner or as an authorized representative of the property owner, authorize the filing of this application and will allow the Planning and Zoning Department staff to visit this property if necessary for the purpose of analyzing this request. Further, I will allow a public notice sign (if required) to be placed and remain on the property until the processing of the request is complete.

Electronic Signature*

Date*

William Templeman

8/8/2025

Steps to Download Form

1. Click the '**Print Only**' button below.
2. Your form will open in a new tab.
3. **Right click** on your mouse and **select 'Print'**.
4. Choose to print to '**PDF**'.
5. Save the form in your desired location.

Need help? Give the Planning Department a call at [727-942-5611](tel:727-942-5611).

Variance Application Form



CITY OF TARPON SPRINGS
PLANNING & ZONING DEPARTMENT
 324 E. Pine Street, Tarpon Springs, FL 34689
 (727) 942-5611 / planning@ctsfl.us

INSTRUCTIONS

Please complete this form fully and **DOWNLOAD (print button)** to submit with the associated development application. Applications must be submitted **DIGITALLY** through the [Planning and Zoning goPost portal](#).

Project Name*

Project Location*

Luscier Dock & Boat lift	1542 Riverside Drive, Tarpon Springs
--------------------------	--------------------------------------

Variance Requested*

Summary of Request*

59.00 (B) (1)

Code allows dock to go out 50% of the property width which would be 30.5 feet. Request is to go out to 105 feet to attain sufficient water depth for operation of watercraft and remain clear of sea grass beds.

Provide the [Land Development Code \(LDC\)](#) Section(s) reference that the variance is being requested from.

Pinellas County Dock Building Code Sec. 58-543 (f) "Docks shall have at least 18 inches of water depth at the slip at mean low tide"

Code Sec. 58-531(c) "The County should have the option of requiring the analysis of alternative designs where such alternatives have the potential to reduce environmental impacts". The Lusciers hired a professional engineering firm to perform a bathometric survey to detail water depths in the surrounding area which was used to determine to distance out.

Please describe the project and how it varies from the LDC. *(e.g., A side setback variance reduction from the required 10 feet to 7 feet for the purpose of constructing an addition onto an existing home)*

Board of Adjustment (BOA) Review Standards

Per LDC [Section 215.02\(B\)](#), the Board of Adjustment may only grant a variance when the following standards are determined to be met and proven by competent substantial evidence.

Please review each standard (numbered 1 through 5) on the following pages and provide a justification on how your request meets each standard.

Standard:

The need for the requested variance arises out of the physical surroundings, shape, topographical conditions, or other physical or environmental conditions that are unique to the specific property involved, and which do not apply generally to property located in the same zoning district. *(What are the physical hardships on the property that prevent you from meeting the requirements of the code?)*

- a. Preservation of a protected or native tree(s), but not an invasive(s), as defined in Sections 133 and 134 of the LDC, may be considered as a relevant environmental condition. *(If there are protected trees or native trees on the property, they could be considered a physical hardship if their preservation results in the need for the variance.)*
- b. Location of the property in the Historic District may be considered as a unique physical condition. However, any variance applied for within the Historic District shall be found to be compatible with the character of the properties within the Historic District before any variance may be granted. *(If the need for the variance is in response to the property being in the Historic District, it could be considered a physical hardship.)*

Justification:*

Attaining sufficient water depth to prevent damage to sea bottom vegetation.

Standard:

The conditions or special circumstances peculiar to the property have not been self-created or have resulted from an action by the applicant or with prior knowledge or approval of the applicant. *(Is the variance in response to an action or situation in which you created? e.g. You installed a pool at the minimum setbacks, which prevents you from constructing a screen enclosure.)*

Justification:*

No self created special conditions exist.

Standard:

Literal enforcement of the requirements of the Code will have the effect of denying the applicant reasonable use of the property, or legally conforming buildings or structures, and the requested variance is the minimum variance that will make possible the reasonable use of the property. *(Does the variance result in reasonable use of the property and its structures?)*

Justification:*

A professional engineering firm was retained to perform a bathometric survey of the sea bottom to reach the optimal placement of the dock and boat lift structure.

Standard:

Granting the variance will not confer any special privilege that is not allowed for other lands, buildings, or structures in the same zoning district; no variance will be granted that extends to the applicant a use of property that is not commonly enjoyed by other persons in similar circumstances. *(Would approval of the variance request result in special privilege that is not commonly enjoyed by other properties within the same district?)*

Justification:*

The neighbor at 1540 Riverside is also building a dock out to 105 feet, based off of the same bathometric survey used for 1542 Riverside Drive.

Standard:

Granting the variance will not substantially diminish property values in the surrounding area, substantially interfere with, or injure the rights of others whose property would be affected by the approval of the variance, alter the essential character of the neighborhood, or create a nuisance. *(Would approval of this request have an adverse effect on surrounding properties?)*

Justification:*

Granting the variance will not have an adverse impact on the surrounding properties. As the water depth landward of the 105 feet distance is insufficient for vessel traffic, no other impacts are foreseen..

Electronic Signature Agreement*

By checking the "I Agree" box below, you as the property owner/applicant/agent agree and acknowledge that **1)** this form will not be signed in the sense of a traditional paper document, **2)** by signing in this alternate manner, you authorize your signature on this form to be valid and binding to the same force and effect as a handwritten signature, and **3)** the information included in and with this form is completely true and correct to the best of your knowledge.

I Agree

Electronic Signature*

Date*

William Templeman

7/8/2025

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4. Choose to print to '**PDF**'.
5. Save the form in your desired location.

Need help? Give the Planning Department a call at [727-942-5611](tel:727-942-5611).

If applying in person, direct all correspondence to:

Clerk, Water and Navigation, 5th Floor
315 Court Street
Clearwater, FL 33756



PRIVATE DOCK PERMIT APPLICATION
PINELLAS COUNTY WATER AND NAVIGATION

I. PROPERTY OWNER INFORMATION:

A. Applicant's Name: Luscier, Lee T and Barbara A.
B. Mailing Address: 1542 Riverside Drive
City: Tarpon Springs State: Fl Zip: 34689
C. Telephone No.: (253) 261-0302 E-mail Address: lee.luscier@comcast.net

II. CONTRACTOR INFORMATION (Pro):

A. Name: Priority Marine Construction
B. Address: 200 Midway Island
City: Clearwater State: Fl. Zip: 33767
C. Telephone No.: (727) 447-1373 E-mail Address: bill@prioritymarine.com

III. AGENT INFORMATION (if different from Contractor):

A. Name: _____
B. Address: _____
City: _____ State: _____ Zip: _____
C. Telephone No.: _____ E-mail Address: _____

IV. SITE INFORMATION:

A. Construction Site Address: 1542 Riverside Drive
City: Tarpon Springs, Fl. Zip Code: 34689
B. Site Parcel ID Number: 03 / 27 / 15 / 87585 / 000 / 143
C. Incorporated: Unincorporated:
D. Affected Water Body: Anclote River
E. Previous Permits: P12629-84

Owner Name: Luscier Site Address: 1542 Riverside Drive, Tarpon Springs

Nature and Size of Project: Demo existing finger pier and pilings. Build back an 8'x51' extension to existing 8"x38' main dock ending in a 12'x24' dock head.
Relocate 10'x24' EZ Dock to left side of dock extension. Install a new 12k Hi-Tide boat lift on (4) new pilings.

Total Project Square Footage:	<u>1176</u>	New Square Footage:	<u>936</u>
Total Number of Pilings:	<u>18</u>	Diameter of Pilings:	<u>10"</u>
Waterway Width	<u>>700'</u>	Waterfront Width	<u>63.5'</u>

Plan View Drawing
(applicant and adjacent docks)

SHORELINE			
The undersigned does not object to the proposed project as drawn in the space provided above.			
Left Owner		Right Owner	
Signature	Date	Signature	Date
Municipality Approval		Water and Navigation Approval	

F. Date applicant assumed property ownership: 06/15/2024 _____
month/year

G. Obstructions: (Dogs, Fences, etc.) None _____

H. All other information pursuant to Chapter 58, Article XV (Water and Navigation Regulations).

V. PROJECT DEVIATION INFORMATION (FOR UNINCORPORATED ONLY):

A. Signature from Adjacent Owner Required under Code Section 58-555(b): Yes No

Amount of deviation: Length: _____

Width: _____

Setbacks: Left: _____ Right: _____

Other: _____

❖ Please note that all information requested in this application must be filled out in its entirety prior to submittal to Pinellas County. An application missing information will not be considered complete, and therefore ready for possible approval, until all required information is provided.

Priority Marine Construction LLC
 200 Midway Island
 Clearwater Beach, Fl. 33767
 CGC1528111
 O: 727-447-1373 C: 727-667-2094
 Bill@Prioritymarine.com

Job: Lee Luscier
 1542 Riverside Drive
 Tarpon Springs, Fl. 34689
 253.261.0302
 lee.luscier@comcast.net

Date: 05/15/25

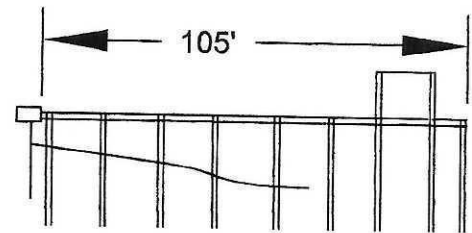
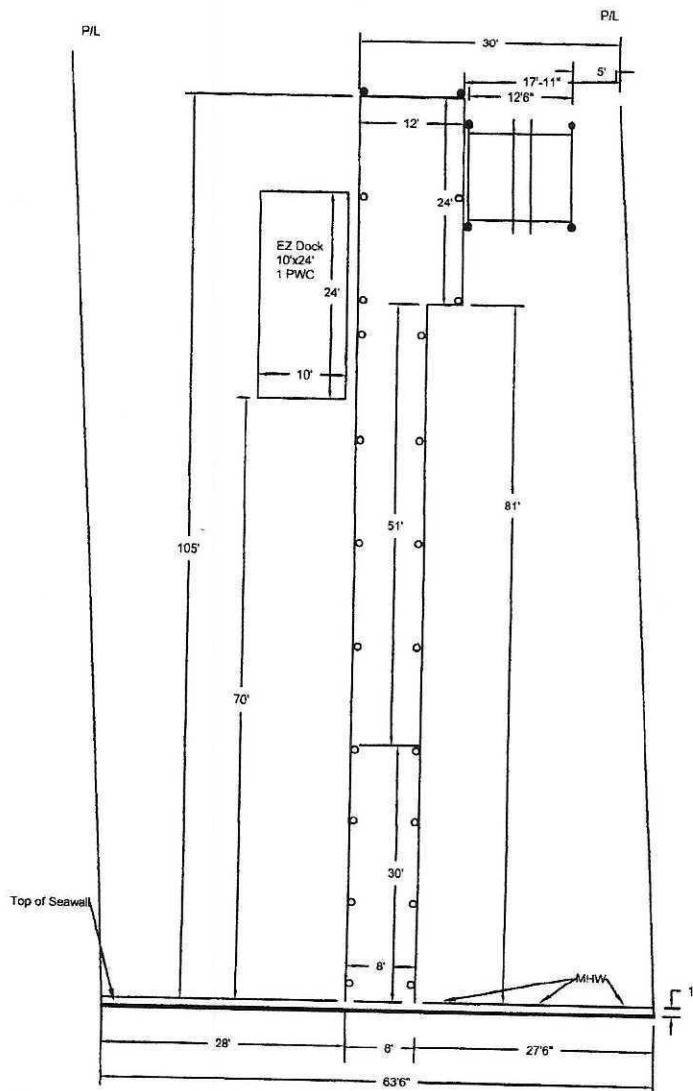
Scale: 1" = 20'

Customer Approval Signature:

Nature & Size of Project: Demo existing finger pier and pilings. Build back 8'x51' extension to existing 8'x38' main dock ending in a 12'x24' dock head. Relocate 10'x24' EZ Dock to left side of dock extension. Install a new 12k Hi-Tide lift on (4) new pilings.

Total Project Sq. Ft.: 1176
 Total Number of Pilings: 18
 Waterway Width: >700'

New Sq.Ft. 936
 Diameter of Pilings: 10"
 Waterfront Width: 63.5'



Scale:

The undersigned does not object to the proposed project as drawn in the space provided above.

Signature: *[Signature]* Date: 5/15/25
 Municipality Approval

Signature: *[Signature]* Date: 5/16/25
 Water & Navigation Approval

VI. CONTRACTOR INFORMATION:

I, William Templeman, a Certified general contractor,
whose contractor license # CGC1530349 expires on 9-30-25.

swear that the above described project (the "Project") has not been constructed as of the date affixed by my signature below. If a permit for this Project (the "Permit") is granted by the County, I agree to design and construct the Project in full compliance with the Pinellas County Code and in full accordance with the drawings or plans attached hereto. I swear that the information provided in this application represents the full scope of the Project and that no material information regarding the Project has been omitted. In the event that either the Project is not constructed in full accordance with the Permit or the information provided in this application is not correct, I agree to either remove the Project or correct the deficiency.

Signed:  Date: 5/16/2025

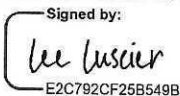
- **You must have USL&H insurance in order to construct a dock in Pinellas County; as well as be licensed with the PCCLB.**

VII. PROPERTY OWNER'S SIGNATURE:

I hereby apply for a permit to perform the above described project (the "Project"). Should a permit for the Project be granted by the County, I agree to design and construct the Project in full compliance with the Pinellas County Code and in full accordance with the plans or drawings attached hereto; I likewise agree to maintain the Project in a safe condition throughout the Project's existence.

I hereby authorize the above stated contractor – and agent if listed – to act as my representative in all matters pertaining to the application. I understand that I, not the County am responsible for the accuracy of the information provided as part of this application. I further understand that it is my responsibility to obtain any necessary permits and approvals required for the Project at the Federal, State, and local levels; should the Project lie within a municipality, I recognize that approval from that municipality – in addition to the County – is required.

I swear that I own the upland property described in this application (the "Property"). While this application is pending, I expressly authorize the County and its agents to access the Property at any time as may be necessary to review and act on this application. Should a permit for the Project be granted by the County, I expressly authorize the County and its agents to access the Property at any time as may be necessary to monitor the Project and ensure compliance with the terms of the permit; this permission is valid until the Project has passed final inspection.

Signed by:  Date: 5/16/2025

LETTER OF NO OBJECTION

Left Lot Owner's Name Lee Luscier
Mailing Address 1542 Riverside Drive Zip 34689

I certify that I am the owner of Lot 145 which adjoins the property owned by the applicant who proposes to construct a structure at the following address: 1542 Riverside Drive

I have seen the County permit application – including plans or drawings – for the proposed structure(s) and DO NOT OBJECT to the proposed structure(s).

OWNER'S SIGNATURE: [Signature] Date 5/19/2025

NOTARY:

STATE OF FLORIDA, PINELLAS COUNTY, the foregoing instrument was acknowledged before me by means of

physical presence or online notarization this 9th day of MAY, 2025 by Lee Luscier
 personally known OR produced identification

Type of Identification Produced DRIVERS LICENSE

Witness my hand and official seal this 9th day of MAY, 2025



[Signature]
Notary Public

My commission expires: 3-1-2027

Right Lot Owner's Name DAVID HANIEBNIK
Mailing Address 1540 Riverside Drive Zip 34689

I certify that I am the owner of 1540 Riverside Drive which adjoins the property owned by the applicant who proposes to construct a structure at the following address: 1542 Riverside Drive

I have seen the application – including plans or drawings – for the proposed structure(s) and DO NOT OBJECT to the proposed structure(s).

OWNER'S SIGNATURE: [Signature] Date 5/23/2025

NOTARY:

STATE OF FLORIDA, PINELLAS COUNTY, the foregoing instrument was acknowledged before me by means of

physical presence or online notarization this 20th day of MAY, 2025 by DAVID HANIEBNIK
 Personally Known OR Produced Identification

Type of Identification Produced DRIVERS LICENSE

Witness my hand and official seal this 20th day of MAY, 2025



[Signature]
Notary Public

My commission expires: 3-1-2027

Consent to Use State-Owned Submerged Lands

DO YOU LIVE OR DO BUSINESS ON THE WATER?

If so, you may need authorization to use the lands under the water from the owners of those lands. This authorization is in addition to any city, county, Florida Department of Environmental Protection, U.S. Army Corps of Engineers, or Water Management District permit.

WHAT LANDS ARE WE TALKING ABOUT AND WHO OWNS THEM?

Sovereign submerged lands are all those submerged lands waterward of the ordinary or mean high water line under navigable fresh and salt water bodies. The Governor and Cabinet, sitting as the Board of Trustees of the Internal Improvement Trust Fund, hold title to all of those lands below navigable waters which have not been previously conveyed into private ownership. Portions of these submerged lands have been designated as "aquatic preserves" and because of their unique biological, aesthetic or scientific value, they are held and managed to a higher degree of care. Since the State owns these lands, both public and private entities must obtain consent to use them.

WHY IS CONSENT NECESSARY AND BY WHAT AUTHORITY IS IT REQUIRED?

These lands are held in trust for the use and benefit of the people of the State, as set forth in the State Constitution; therefore, the private use of these lands must be balanced with the need to conserve and protect the scientific value and beauty of those lands. The intent of the regulations is to ensure that all sovereign submerged lands are managed primarily for the propagation of fish and wildlife, and public recreation. The legislative origins of the procedures employed in the review of applications to use sovereignty submerged lands are contained within Chapters 253 and 258 of the Florida Statutes. These statutes are implemented through rules which are contained within Chapters 18-14, 18-18, 18-20 and 18-21 of the Florida Administrative Code. It is important to contact the Department of Environmental Protection before you use these lands.

WHAT TYPE OF ACTIVITIES REQUIRE AUTHORIZATION?

Uses that require authorization must be approved before they are conducted. The most commonly requested uses are the construction of docks, the placement of riprap, dredging for access or channels, mangrove trimming, bridge and utility crossings, and beach renourishment projects.

WHAT DO YOU HAVE TO DO AND IS THERE A FEE?

The form of consent that is required depends upon the type of activity that is proposed. Forms of consent include letters, easements, use agreements, management agreements, and leases. The type of activity proposed also determines the amount of fees; however, commercial uses will always require payment of fees.

WHAT HAPPENS IF YOU DO NOT RECEIVE AUTHORIZATION TO USE THESE LANDS?

Alterations to, or structures discovered on, sovereignty submerged lands without authorization are subject to lease fees in arrears, with interest, and fines. In some cases, removal of structures may also be required.

WHO DO YOU CONTACT TO INQUIRE ABOUT THE USE OF THESE LANDS?

The Department of Environmental Protection Division of State Lands field office listed below.

Department of Environmental Protection
Southwest District
13051 N. Telecom Parkway
Temple Terrace, FL 33637
Phone: (813) 632-7600
Fax: (813) 632-7665

1542 RIVERSIDE DRIVE, TARPON SPRINGS, FL. 34689



SCALE: 1"=40'



AERIAL PHOTOGRAPH
(NOT-TO-SCALE)



LINE TABLE		
	BEARING	LENGTH
L1	S39° 07' 36"W	149.14'
L2	N35° 34' 46"E	156.99'
L3	S48° 59' 08"E	159.12'

CURVE TABLE	CHORD		CHORD BEARING
	LENGTH	RADIUS	
C1	52.00'	840.00'	N52°38'49"W
C2	107.36'	840.00'	S47°12'43"E
C3	89.20'	840.00'	S40°30'31"E
C4	58.20'	940.00'	S52°38'49"E
C5	50.00'	840.00'	N56°07'33"W
C6	55.95'	940.00'	N56°07'33"W

- ALL ANGLES AND DISTANCES SHOWN HEREON ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED

SHEET 1 OF 2 (SKETCH OF SURVEY) - SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION, AND OTHER SURVEY RELATED DATA. SURVEY IS NOT COMPLETE WITHOUT ALL SHEETS

The survey map & report or the copies thereof are not valid without the digital signature and seal of a Florida licensed surveyor and mapper

Date of Field Work : 06-14-2024
 Drawn By: Oleg
 Order #: 244101
 Last Revision Date:
 Boundary Survey prepared by: LB 8111
 NexGen Surveying, LLC.
 5615086272
 1547 Prosperity Farms
 Lake Park FL, 33403



OR

LEGAL DESCRIPTION OF: 1542 RIVERSIDE DR, TARPON SPRINGS, FLORIDA, 34689

LOT 143, TOGETHER WITH AN UNDIVIDED 1/21 INTEREST IN LOT 145, SUNSET HILLS COUNTRY CLUB SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 17, PAGE 27, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

CERTIFIED TO:

LEE T. LUSCIER AND BARBARA A. LUSCIER
REPUBLIC LAND AND TITLE, INC
MOVEMENT MORTGAGE, LLC
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

FLOOD ZONE:

12103C0016H
ZONE: AE
ELEV: 11 FT
EFF: 08/24/2021

SURVEY NOTES:

- DRIVEWAY CROSSES THE BOUNDARY LINE ON SOUTHERLY SIDE OF LOT AS SHOWN.
- FENCES LIE NEAR BOUNDARY LINES AS SHOWN, OWNERSHIP NOT DETERMINED.
- FENCES CROSS THE BOUNDARY LINES ON EASTERLY, WESTERLY AND NORTHERLY SIDES OF LOT AS SHOWN.
- WOOD DOCK CROSSES THE BOUNDARY LINE ON NORTHERLY SIDE OF LOT AS SHOWN.

LEGEND

- A/C -AIR CONDITIONER
- WM -WATER METER
- AL -ARC LENGTH
- (C) -CALCULATED
- (M) -MEASURED
- P.O.B. -POINT OF BEGINNING
- P.O.C. -POINT OF COMMENCEMENT
- & -AND
- P.B. -PLAT BOOK
- PG -PAGE
- U.E. -UTILITY EASEMENT
- D.E. -DRAINAGE EASEMENT
- P.U.E. -PUBLIC UTILITY EASEMENT
- L.A.E. -LIMITED ACCESS EASEMENT
- L.M.E. -LAKE MAINTENANCE EASEMENT
- O.H.E. -OVERHEAD EASEMENT
- R -RADIUS
- (R) -RECORD
- O.R.B. -OFFICIAL RECORDS BOOK
- Sq.Ft. -SQUARE FEET
- Ac. -ACRES
- DB -DEED BOOK
- (D) -DEED
- (P) -PLAT
- EOW -EDGE OF WATER
- TOB -TOP OF BANK
- OHL -OVERHEAD LINE
- C/O -CLEAN OUT
- ELEV -ELEVATION
- FF -FINISHED FLOOR
- LS -LICENSED SURVEYOR
- LB -LICENSED BUSINESS
- PSM -PROFESSIONAL SURVEYOR & MAPPER
- x - FENCE
- # -NUMBER
- ± -PLUS OR MINUS
- -ASPHALT
- -CONCRETE
- -PAVER/BRICK
- -WOOD
- ☼ -LIGHT POLE
- ⊙ -WELL
- ⊗ -WATER VALVE
- ⊕ -CENTER LINE
- ▭ -CATCH BASIN
- ⊗ -FIRE HYDRANT
- ⊗ -UTILITY POLE
- ⊗ -MANHOLE
- XXX -ELEVATION

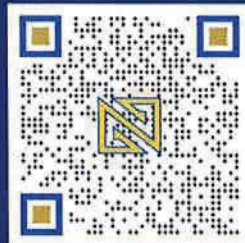
SOME ITEMS IN LEGEND MAY NOT APPEAR ON DRAWING.

GENERAL NOTES:

- 1) THIS SURVEY IS BASED UPON RECORD INFORMATION BY CLIENT. NO SPECIFIC SEARCH OF THE PUBLIC RECORD HAS BEEN MADE BY THIS OFFICE UNLESS OTHERWISE NOTED.
- 2) IF THIS SURVEY HAS BEEN PREPARED FOR THE PURPOSES OF A MORTGAGE TRANSACTION, ITS SCOPE IS LIMITED TO THE DETERMINATION OF TITLE DEFICIENCIES. NO FUTURE CONSTRUCTION SHALL BE BASED UPON THIS SURVEY WITHOUT FIRST OBTAINING APPROVAL AND/OR UPDATES FROM NEXGEN SURVEYING, LLC. NEXGEN SURVEYING, LLC, ASSUMES NO RESPONSIBILITY FOR ERRORS RESULTING FROM FAILURE TO ADHERE TO THIS CLAUSE. THIS SURVEY IS NOT MEANT FOR SUBMITTAL FOR PERMITTING WITHOUT THE EXPRESS CONSENT OF NEXGEN SURVEYING, LLC.
- 3) ANY FENCES SHOWN HEREON ARE ILLUSTRATIVE OF THEIR GENERAL POSITION ONLY. FENCE TIES SHOWN ARE TO GENERAL CENTERLINE OF FENCE. THIS OFFICE WILL NOT BE RESPONSIBLE FOR DAMAGES RESULTING SOLELY ON THEIR PHYSICAL RELATIONSHIP TO THE MONUMENTED BOUNDARY LINES.
- 4) GRAPHIC REPRESENTATIONS MAY HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE MEASURED RELATIONSHIPS - DIMENSIONS SHALL HAVE PRECEDENCE OVER SCALED POSITIONS.
- 5) UNDERGROUND IMPROVEMENTS HAVE NOT BEEN LOCATED EXCEPT AS SPECIFICALLY SHOWN.
- 6) ELEVATIONS ARE BASED UPON NATIONAL GEODETIC VERTICAL DATUM (N.G.V.D. 1929) OR NORTH AMERICAN VERTICAL DATUM (N.A.V.D. 1988).
- 7) ALL BOUNDARY AND CONTROL DIMENSIONS SHOWN ARE FIELD MEASURED AND CORRESPOND TO RECORD INFORMATION UNLESS SPECIFICALLY NOTED OTHERWISE.
- 8) CORNERS SHOWN AS "SET" ARE 5/8" IRON RODS IDENTIFIED WITH A PLASTIC CAP MARKED LS (LICENSED SURVEYOR)

LB 8111

info@nexgensurveying.com



5615086272

1547 Prosperity Farms
Lake Park
FL, 33403



MINUTES
Board Of Adjustment
CITY OF TARPON SPRINGS, FLORIDA
June 25, 2025

THE Board Of Adjustment OF THE CITY OF TARPON SPRINGS, FLORIDA, MET IN BOARD OF ADJUSTMENT IN THE CITY HALL AUDITORIUM/COMMISSION CHAMBERS, 324 E. PINE STREET, ON Wednesday, June 25, 2025 AT 6:30 PM WITH THE FOLLOWING PRESENT:

Chairperson Joanne Reich
Vice-Chairperson Timothy Grossman
Member Robert Wood
Member Karl Fuchs

ABSENT/EXCUSED: Member Jacqui Turner

ALSO PRESENT: Allie Keen, AICP, Principal Planner
Ethan Evans, Board Attorney
Kimberly Creighton, Board Secretary

1. CALL TO ORDER

Chairperson Reich 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 Evans read the quasi-judicial announcement and swore in all who wished to testify.

4. APPLICATION(S)

a. **#25-37 - Buffalino**

Variance to reduce the required separation distance between a pool's water's edge and a screen enclosure for the purpose of constructing a new pool screen enclosure over an existing pool.

Location: 1218 Windy Bay Shoal

Staff:

Mrs. Keen provided background information and indicated that due to this provision being under review and the potential removal or amendment to this section of the Land Development Code, staff did not provide a formal recommendation for this application. In lieu of the recommendation, staff provided background information and analysis relevant to the request to assist the Board in their decision.

Applicant:

Charles Lienert, 1218 Windy Bay Shoal, noted that they had critters in the pool and they needed a screen enclosure, so they needed this variance to allow for the enclosure.

MOTION: Vice-Chairperson Grossman
SECOND: Member Fuchs

to approve application as presented.

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

Yes: Member Fuchs
Member Wood
Vice-Chairperson Grossman
Chairperson Reich

No: None

b. **#25-39 - Fedorisin**

Variance to reduce the required rear yard setback for the purpose of enclosing an existing multi-story deck.

Location: 1727 Grand Central Drive

Staff:

Mrs. Keen gave background information and indicated that, based on the information available at the time this report was prepared, staff recommended approval of this request.

Applicant:

Mark Tenney, 827 Florida Avenue, Palm Harbor, noted that Mrs. Keen was accurate with her report and that they were not encroaching any further into the setback than they already were.

MOTION: Member Fuchs
SECOND: Member Wood

to approve the request as presented.

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

Yes: Member Fuchs
Member Wood
Vice-Chairperson Grossman
Chairperson Reich

No: None

5. APPROVAL OF MINUTES

a. April 23, 2025 Minutes for Approval

MOTION: Member Fuchs
SECOND: Vice-Chairperson Grossman

to approve the minutes with the addition of vote record on item 4 and to correct the attorney in attendance.

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

Yes: Member Fuchs
Member Wood
Vice-Chairperson Grossman
Chairperson Reich

No: None

6. BOARD AND STAFF COMMENTS

Mrs. Keen noted that the city had a new website and that the applications were changed and would appear different, but that all the information on the old applications was included in the new applications.

Ms. Reich indicated that she thought the new website was great, however she wished the meeting recordings were easier to find. She further noted that she hoped that the city could add the link to their YouTube channel to make the meeting recordings easier to access.

7. ADJOURNMENT

Chairperson Reich adjourned the meeting at 06:56 PM.

Chairperson

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

