



# 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, SEPTEMBER 24, 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. #25-52

Variance to allow a nonconforming lot of record to be built upon.

Location: Eastside of Eunice Dr. approximately 211 feet south of the Bayshore Dr. intersection (Lot 17 of Ferguson's Estates Blk 2)

#### b. #25-53

Variance to allow an accessory dwelling unit (ADU) to exceed the maximum allowable size.

Location: 1601 Richard Ervin Parkway

#### c. #25-58

Variance to reduce the required side street and rear yard setbacks for the purpose of constructing a single-family home.

Location: 100 Shore Drive

### 5. APPROVAL OF MINUTES

a. August 27, 2025

### 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](mailto: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](mailto:akeen@ctsfl.us).



**CITY OF TARPON SPRINGS**  
**BOARD OF ADJUSTMENT**  
**[SEPTEMBER 24, 2025]**

**STAFF REPORT**

**Application No. / Project Title:** #25-52 (Beath)  
**Staff:** Allie Keen, AICP, Principal Planner  
**Applicant / Owner:** Echo Sheppard / Andrew Beath  
**Property Size:** +/- 9,750 square feet  
**Current Zoning:** R-100 (Single Family Residential)  
**Current Land Use:** RL (Residential Low)  
**Location / Parcel ID:** Eastside of Eunice Dr. approximately 211 ft. south of the Bayshore Dr. Intersection / 11-27-15-27612-002-0110

**BACKGROUND SUMMARY:**

The applicant is requesting variance approval to allow the construction of a single family home on a nonconforming lot of record. The property is approximately 9,750 square feet in area, 250 square feet smaller than required in the R-100 zoning district. The property meets the minimum lot width and depth.

**PRELIMINARY STAFF RECOMMENDATION:**

Based on the evidence available at the time this report was prepared, staff would recommend **approval** of the nonconforming lot of record, with the following condition:

1. At the developer’s expense, Eunice Drive will be extended to the full width of the property and built to the minimum city standards at the time the property develops.

**LAND DEVELOPMENT CODE CONSIDERATIONS:**

**District Intent:** The single family 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 (LDC) Section 24.02(B), if at any time the owner of a nonconforming lot of record owns unimproved land, the lots shall be combined to meet the minimum requirements.

**CURRENT PROPERTY INFORMATION:**

<b>Use of Property:</b>	Vacant
<b>Site Features:</b>	Trees and vegetation.
<b>Vehicle Access:</b>	This property fronts the unimproved Eunice Drive right-of-way.



**SURROUNDING ZONING & LAND USE:**

	<b>Zoning:</b>	<b>Land Use:</b>
<b>North:</b>	R-100 (Single Family Residential)	RL (Residential Low)
<b>South:</b>	R-100 (Single Family Residential)	RL (Residential Low)
<b>East:</b>	R-100 (Single Family Residential)	RL (Residential Low)
<b>West:</b>	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 requesting the Board of Adjustment to recognize the subject property as a buildable legal nonconforming lot of record for the purpose of constructing a new single-family home on the property.
2. The following history is of relevance to the proposed variance request:
  - a. The subject property was originally platted in 1953, as a part of the Ferguson’s Estates Subdivision, specifically Lot 17 of Block 2. The property was originally zoned R-1AA (One Family District), which required a minimum lot area of 7,500 square feet and lot width of 50 feet. At this time, the subject property was conforming with the minimum requirements.
  - b. The subject property remained in the R-1AA zoning district until 1976, when a new land development code went into effect and placed the property into the R-100 district, which required a minimum lot area of 10,000 square feet, lot area of 75 feet, and lot depth of 100 feet. The property became nonconforming at that time because it did not meet the minimum lot width.
  - c. In 1990, the current Land Development Code went into effect, and the property remains in the R-100 district. The property meets the minimum lot width and depth, but not the minimum 10,000 square foot lot area. The property is approximately 9,750 square feet.
3. Per LDC Section 24.02(B), if at any time the owner of a nonconforming lot of record owns adjoining unimproved land, the lots shall be combined to meet the minimum requirements. According to the Pinellas County Property Appraiser, the subject property (Lot 17) has been in common ownership with the adjacent property to the east (Lot 11) since 1995. Although the subject property and the adjacent property are under common ownership, the existing home on Lot 11 (built in 1955) meets the required R-100 rear setback from the shared property line. Therefore, the construction of the existing home took place prior to the two lots going into common ownership and the home did not rely on the subject site in order to develop.
4. The subject site fronts the unimproved right-of-way of Eunice Drive. If the Board approves the nonconforming lot request, Eunice Drive will be required to be extended along the entire frontage of the property at the time the lot develops. The extension of the roadway will be required to meet minimum city standards and be at the expense of the developer.



**REVIEW STANDARDS / PROVISIONAL FINDINGS OF FACT:**

Section 215.02.5 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 lot consists of at least one entire lot of record on the effective date of this Code.**

*Provisional Findings:* The subject property was originally platted in 1953 as a part of the Ferguson's Estates Subdivision as a separate conforming lot of record prior to the effective date of the current Land Development Code. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard has been met.*

**2. The lot was not created in violation of a previous zoning ordinance.**

*Provisional Findings:* At the time the subject site was platted, the property met the lot standards for the R-1AA zoning district which only required a minimum lot area of 7,500 square feet. Therefore, the property was not created in violation of a previous zoning ordinance. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard has been met.*

**3. The lot was not combined with a neighboring lot under common ownership in order to allow the existing improvements on the neighboring developed lot to meet applicable setbacks.**

*Provisional Findings:* The subject site (Lot 17), which is currently undeveloped, has been under common ownership with the adjacent property to the east (Lot 11) since 1995. According to the provided survey, the existing home, which was built in 1955, on the adjacent property meets the minimum rear setback for the R-100 zoning district from the shared property line. Therefore, the existing home was constructed prior to these two properties going into common ownership and the home did not rely on the subject site in order to develop. *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 & Nonconforming Lot Addendum
3. Survey

# BEATH #25-52

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Board of Adjustment – September 24, 2025



# LOCATION & CONTEXT



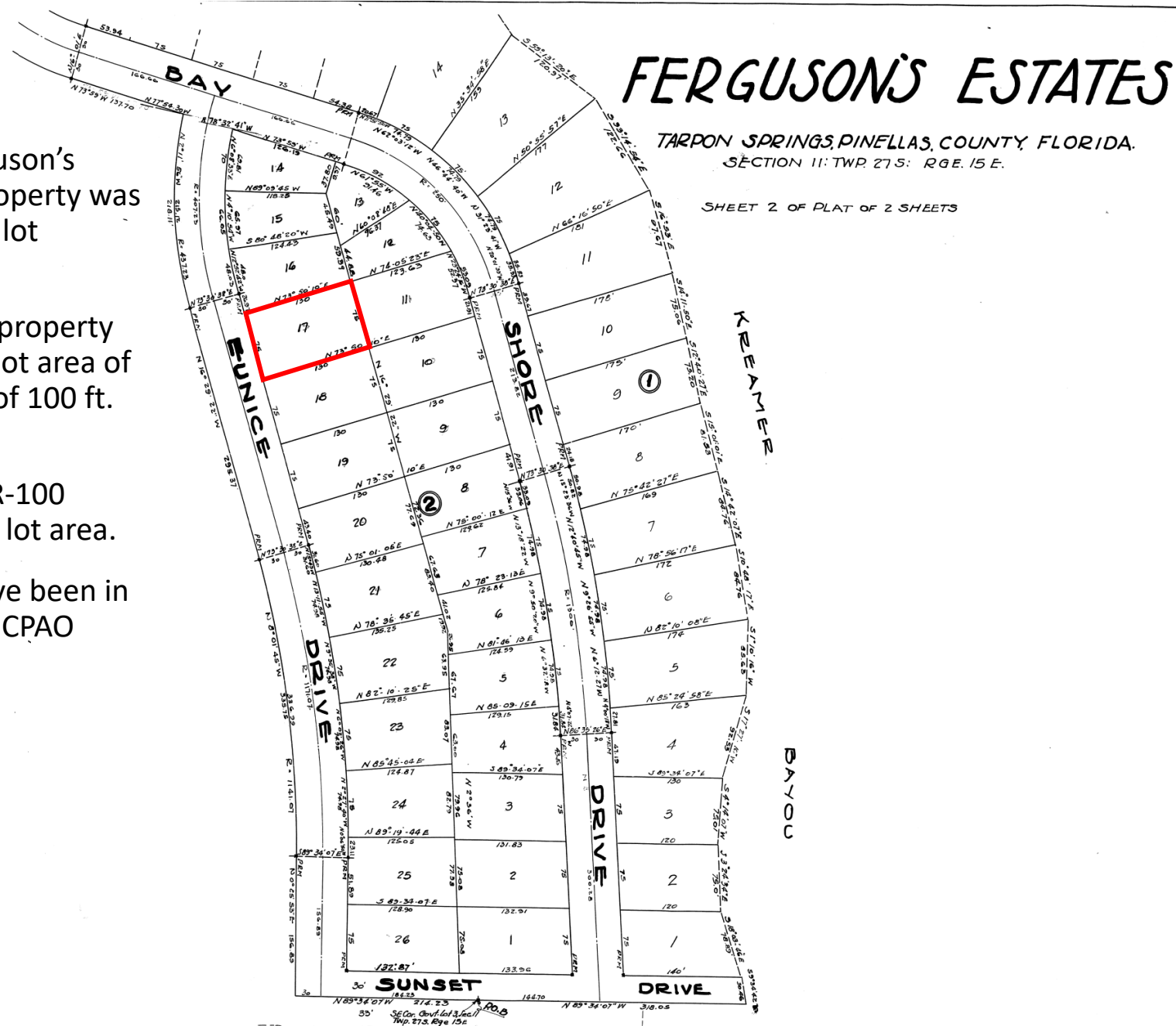
# REQUEST

- **Nonconforming Lot of Record**
  - LDC Section 24.02(B) – If at any time the owner of a nonconforming lot of record owns adjoining land, the lots shall be combined to meet the minimum lot requirements.
  - **R-100 District**
    - Min. Lot Area = 10,000 sqft
    - Min. Lot Depth = 75 feet
    - Min. Lot Width = 100 feet
  - **Subject Property**
    - Lot Area = +/- 9,750 sqft
    - Lot Depth = 130 feet
    - Lot Width = 75 feet
- **Owner:** Andrew Beath
- **Applicant:** Echo Sheppard
- *Requesting variance approval to allow a nonconforming lot of record (Lot 17) that is under common ownership with an adjacent property (Lot 11) to be separate buildable lot.*



# SITE HISTORY

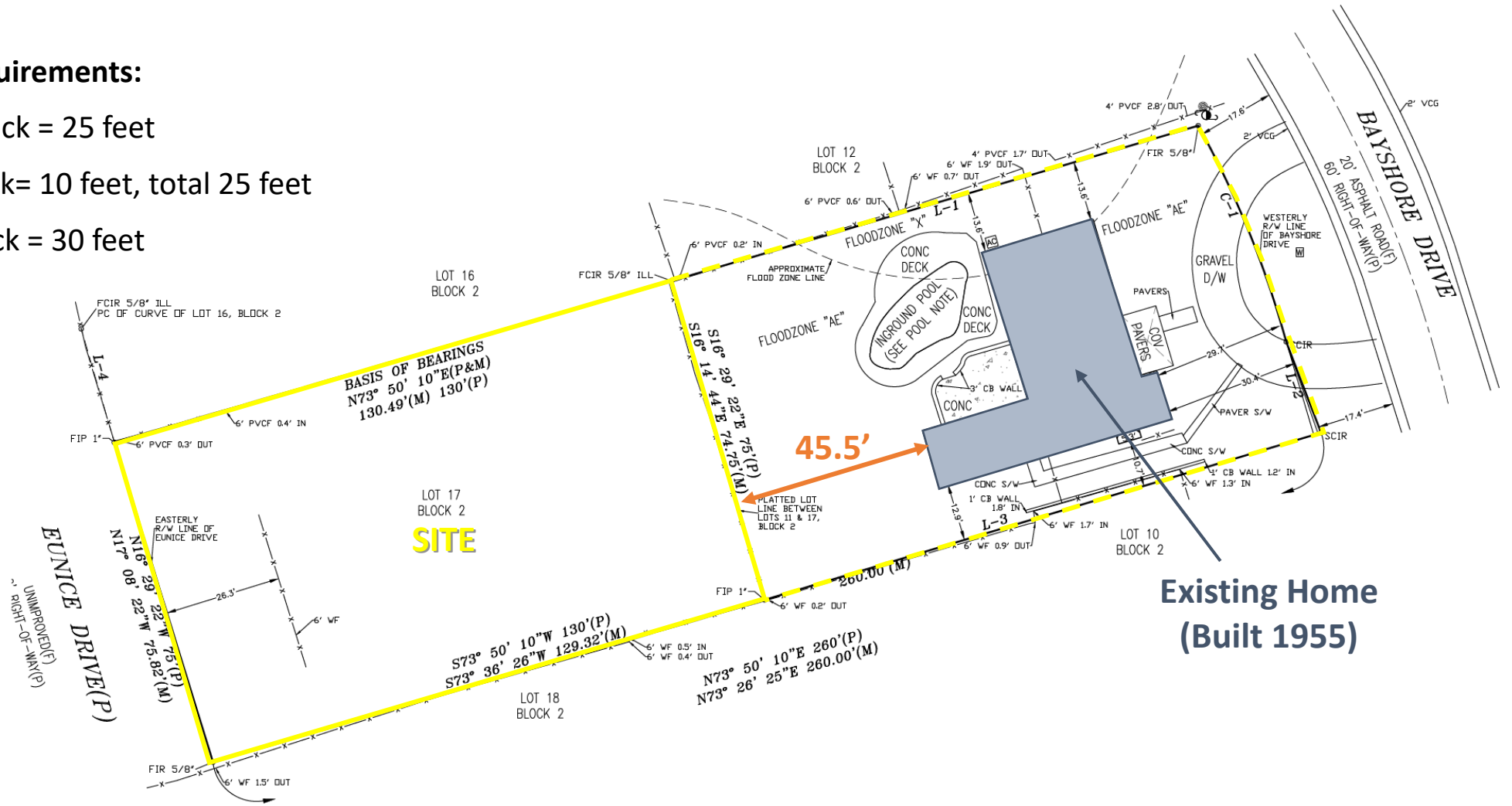
- **1953** – Originally platted as a part of the Ferguson’s Estates Subdivision (Lot 17 of Block 2). The property was zoned R-1AA and conformed to the minimum lot standards.
- **1976** – New LDC went into effect, placing the property into the R-100 district, which required a min. lot area of 10,000 sqft., lot width of 75 ft., and lot depth of 100 ft. The lot became nonconforming in lot area.
- **1990** – Current LDC, property remains in the R-100 district and continues to be nonconforming in lot area.
- **Common Ownership** – Lots 17 & 11 (east) have been in common ownership since 1995 according to PCPAO records.



# SURVEY

## R-100 Setback Requirements:

- Min. Front Setback = 25 feet
- Min. Side Setback= 10 feet, total 25 feet
- Min. Rear Setback = 30 feet



# UNIMPROVED EUNICE DRIVE



- Eunice Dr. will be required to be extended the entire frontage of the property at the time the lot develops.
- Extension must meet minimum city standards and will be at the expense of the developer.

# REVIEW STANDARDS – NONCONFORMING LOT OF RECORD

- 1) The lot consists of at least one entire lot of record on the effective date of this Code.
- 2) The lot was not created in violation of a previous zoning ordinance.
- 3) The lot was not combined with a neighboring lot under common ownership in order to allow the existing improvements on the neighboring developed lot to meet applicable setbacks.

***Staff Recommended Condition of Approval:*** *At the developer's expense, Eunice Drive will be extended to the full width of the property and built to the minimum city standards at the time the property develops.*

# General Planning Application



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

Andrew Beath

**Property Owner(s) Email\***

Andrew.Earthways@gmail.com

**Property Owner(s) Address\***

1642 SEABREEZE DR, Tarpon springs 34689

**Property Owner(s) Phone\***

3107450986

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**Applicant(s) Name (If different than owner)**

Echo Sheppard

**Applicant(s) Email**

Echo.empyreandream@gmail.com

**Applicant(s) Address**

700s Florida Ave , tarpon springs 34689

**Applicant(s) Phone**

7274945198

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**Agent/Representative (If applicable)****Agent/Representative Email**

First and Last Name

Email Address

**Agent/Representative Address****Agent/Representative Phone**

Street, City, State, and Zip Code

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<br>Amendment             | <input type="checkbox"/> Site Plan/Subdivision                     |
| <input type="checkbox"/> HPB, Certificate of<br>Appropriateness   | <input type="checkbox"/> Temporary Use*                            |
| <input type="checkbox"/> HPB, Designation of<br>Historic Property | <input type="checkbox"/> Vacation, Plat or Property                |
| <input type="checkbox"/> HPB, Economic Hardship<br>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,<br>Concept          | <input type="checkbox"/> Variance, After-the-Fact                  |
| <input type="checkbox"/> Planned Development,<br>Final            | <input type="checkbox"/> Variance, De Minimis                      |
| <input type="checkbox"/> Planned Development,<br>Preliminary      | <input type="checkbox"/> Variance, FAR/ISR<br>Adjustment           |
| <input type="checkbox"/> Plat, Final                              | <input checked="" type="checkbox"/> Variance, Nonconforming<br>Lot |

**\*Temporary Use Dates**

Dates Requested

**Project Name\***

Bayshore Drive Lot Split

**Tax Parcel ID(s)\***

11-27-15-27612-002-0110

[Look Up Parcel ID](#)

**Project Location**

743 Bayshore Dr

**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\***  
0.442 AC

**Base Flood Elevation (BFE)**

Elevation(s)


**Current Land Use\***

RS (Residential Sut )

*(Choices are alphabetized)*

[Lookup Land Use](#)


**Current Zoning\***

R-100 (Single Famil )

*(Choices are alphabetized)*


[Lookup Zoning](#)

**Proposed Land Use**

RS (Residential Sut )

*(If applicable)*

**Proposed Zoning**

R-100 (Single Famil )

*(If applicable)*

**Summary / Purpose of Request\***

Looking to split lot , with that 1 of the lots will have a variance on square footage of the property. The other lot will be up to standards

**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\***

Echo Sheppard

**Date\***

8/15/2025

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### 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\*

Echo Sheppard

8/15/2025

### 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).

# Nonconforming Lot Application Form



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

Bayshore Drive Lot Split

### Project Location\*

743 Bayshore Dr

### Current Zoning\*

R-100 (Single Family Reside)

*Choices are Alphabetized*

[Lookup Zoning](#)

### Lot Dimension Standards

*Refer to [LDC Section 25.00](#) for zoning district lot standards.*

### Required Lot Area\*

10,000 square feet

### Existing Lot Area\*

9750

### Required Lot Width\*

75 feet

### Existing Lot Width\*

78.7

### Required Lot Depth

100 feet

### Existing Lot Depth\*

130

**Board of Adjustment (BOA) Review Standards**

Per [LDC Section 215.02.2](#), the Board of Adjustment may only grant a variance to allow a nonconforming lot of record to be built upon if the following standards are met and proven by competent substantial evidence.

**Please review each standard (numbered 1 through 3) on the following pages and provide a justification on how your request meets each standard.**

**Standard:**

The lot consists of at least one entire lot of record on the effective date of this Code. *(Explain when the lot was created and provide a copy of the plat, if possible, from the Pinellas County [Property Appraiser](#) or [Clerk's Public Records](#).)*

**Justification:\***

11-27-15-27612-002-0110

Plat 17 and 11 are currently one property and we are requesting to split them again, the variance is that each lot would consist of 9,750 square feet. Depth and width both adhere to code

**Standard:**

The lot was not created in violation of a previous zoning ordinance. *(Explain when the lot was separated, platted or subdivided.)*

**Justification:\***

The lot has not been split yet

**Standard:**

The lot was not combined with a neighboring lot under common ownership in order to allow the existing improvements on the neighboring developed lot to meet applicable setbacks. *(If the neighboring property is developed, does the structure meet the minimum setbacks from the shared property line if the properties were split?)*

**Justification:\***

The current home meets the minimum set back, once split the home will still meet the minimum.

**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

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**Electronic Signature\***

**Date\***

Echo K Sheppard

6/5/2025

**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.

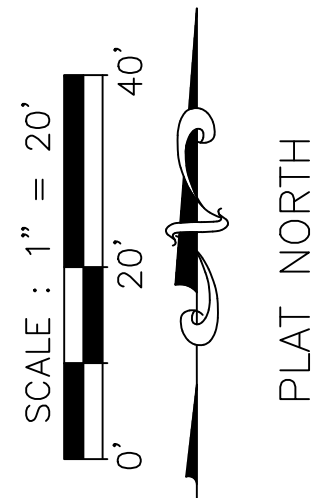
Need help? Give the Planning Department a call at [727-942-5611](tel:727-942-5611).

**SECTION 11 - TOWNSHIP 27 SOUTH - RANGE 15 EAST  
PINELLAS COUNTY - FLORIDA**

BEARINGS ARE BASED ON THE NORTHERLY BOUNDARY LINE OF LOT 17, BLOCK 2.  
SAID LINE BEARS N73° 50' 10"E PER PLAT.

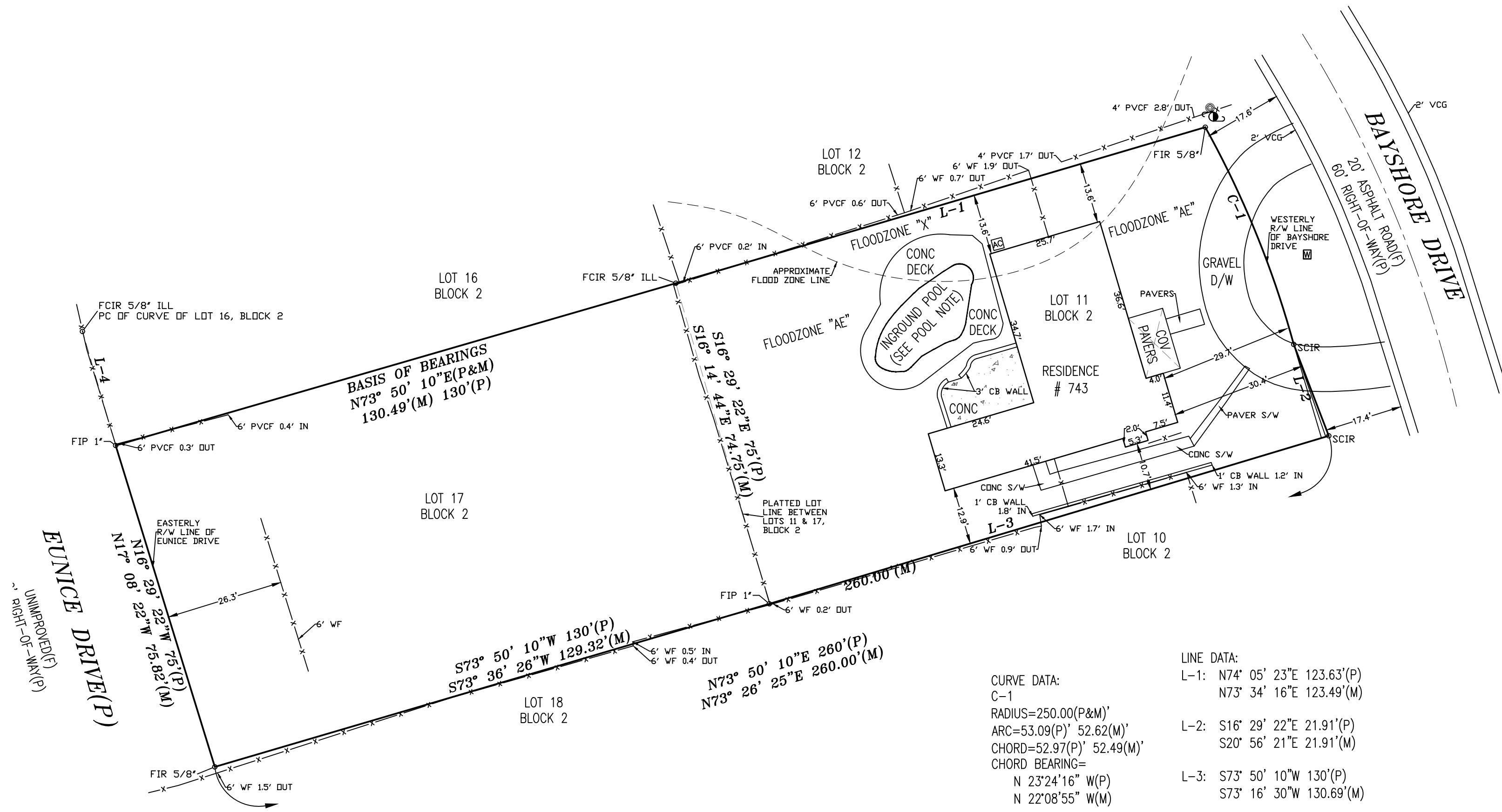
**BOUNDARY SURVEY**

ADDRESS:  
743 BAYSHORE DRIVE  
TARPON SPRINGS, FLORIDA 34689



**Legend of Symbols & Abbreviations**

	AIR CONDITIONER		GENERAL: CALCULATED
	BACKFLOW PREVENTER		FIELD MEASURED
	BENCHMARK		LEGAL DESCRIPTION
	BOLLARD		MEASURED
	CENTER LINE		ASPHALT
	CLEANOUT		BUILDING CORNER
	COVERED AREA		BARBED-WIRE FENCE
	DRAINAGE MANHOLE		CONCRETE BLOCK
	ELECTRIC BOX		CERTIFIED CORNER RECORD
	FIRE DEPARTMENT CONNECTION		CONCRETE
	FIRE HYDRANT		CHAIN LINK FENCE
	GAS PUMP		COVERED
	GAS VALVE		DRIVEWAY
	GUY ANCHOR		EDGE OF PAVEMENT
	GRATE INLET		EDGE OF WATER
	HANDICAP PARKING		ELEVATION
	LID (METAL)		ELECTRIC METER
	LIGHT POLE		E-TYPE CURB & GUTTER
	MITERED END SECTION		FOUND CAPPED IRON PIPE
	MONITORING WELL		FOUND CAPPED IRON ROD
	PAINT MARK		FOUND CONCRETE MONUMENT
	RECLAIMED WATER METER		FLORIDA DEPARTMENT OF TRANSPORTATION
	RECLAIMED WATER VALVE		FINISHED FLOOR ELEVATION
	SEWER VALVE		FOUND IRON PIPE
	SANITARY MANHOLE		FOUND IRON ROD
	SIGN		FOUND NAIL & DISC
	SPOT ELEVATION		FOUND RAILROAD SPIKE
	STREET LIGHT BOX		FOUND X-CUT IN CONCRETE
	TELEPHONE BOX		GARAGE FINISHED FLOOR ELEVATION
	TRAFFIC SIGNAL BOX		LESSOR
	TRANSFORMER		LICENSED BUSINESS
	UTILITY POLE		MITERED END SECTION
	UTILITY RISER		NO CORNER FOUND OR SET
	VERIZON BOX		OVERALL
	WATER METER		OVERHEAD UTILITY LINE
	WATER VALVE		OFFICIAL RECORDS BOOK
	WELL		PROPERTY APPRAISER
	YARD DRAIN		PLAY BOOK
	YARD LIGHT		POINT OF CURVATURE
	NOT TO SCALE		PERMANENT CONTROL POINT
			PAGE
			PROFESSIONAL LAND SURVEYOR
			POINT OF BEGINNING
			POINT OF COMMENCEMENT
			PERMANENT REFERENCE MONUMENT
			PROFESSIONAL SURVEYOR AND MAPPER
			VINYL FENCE
			REGISTERED LAND SURVEYOR
			RIGHT-OF-WAY
			SET CAPPED IRON ROD (1/2" LB 8207)
			SQUARE FEET
			SET NAIL & DISK (LB 8207)
			SIDEWALK
			TEMPORARY BENCHMARK
			TOP OF BANK
			TOE OF SLOPE
			TYPICAL
			VAULT
			WITNESS CORNER
			WOOD FENCE
			UNDERGROUND PIPES:
			PIPE INVERT
			CORRUGATED METAL PIPE
			CORRUGATED PLASTIC PIPE
			DUCTILE IRON PIPE
			ELLIPTICAL REINFORCED CONCRETE PIPE
			HIGH DENSITY POLYETHYLENE PIPE
			POLYVINYL CHLORIDE PIPE
			REINFORCED CONCRETE PIPE



<b>LINE DATA:</b>	L-1: N74° 05' 23"E 123.63'(P) N73° 34' 16"E 123.49'(M)
<b>CURVE DATA:</b>	C-1 RADIUS=250.00(P&M) ARC=53.09(P) 52.62(M) CHORD=52.97(P) 52.49(M) CHORD BEARING= N 23°24'16" W(P) N 22°08'55" W(M)
	L-2: S16° 29' 22"E 21.91'(P) S20° 56' 21"E 21.91'(M)
	L-3: S73° 50' 10"W 130'(P) S73° 16' 30"W 130.69'(M)
	L-4: N16° 29' 22"W 26.97'(P) N16° 12' 56"W 26.60'(M)

- NOTES:**
- THE BOUNDARY SURVEY AS SHOWN HEREON, WAS MADE WITHOUT BENEFIT OF ABSTRACT OF TITLE. THE UNDERSIGNED AND TERMINUS SURVEYING, LLC, MAKES NO GUARANTEES OR REPRESENTATIONS REGARDING EASEMENTS, CLAIMS OF BOUNDARY LINE DISPUTES, AGREEMENTS, RESERVATIONS OR ANY OTHER SIMILAR MATTERS WHICH MAY APPEAR IN THE PUBLIC RECORDS OF THE LOCAL COUNTY COURTHOUSE.
  - THIS BOUNDARY SURVEY WAS PREPARED FOR THE EXCLUSIVE USE AND BENEFIT OF THE PARTIES LISTED HEREON. LIABILITY TO THIRD PARTIES MAY NOT BE TRANSFERRED OR ASSIGNED. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
  - ADDITIONS OR DELETIONS TO SURVEY MAP OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
  - THIS BOUNDARY SURVEY DOES NOT DEPICT OWNERSHIP. THE PURPOSE OF THIS BOUNDARY SURVEY IS TO ESTABLISH THE PERIMETER BOUNDARY LINES OF THE LAND OR LANDS DESCRIBED IN THE LEGAL DESCRIPTION AS SHOWN ON THIS BOUNDARY SURVEY AND IS NOT TO ESTABLISH OWNERSHIP.
  - BOUNDARY SURVEYS BY NO MEANS REPRESENT A DETERMINATION ON WHETHER PROPERTIES WILL OR WILL NOT FLOOD. THE LAND WITHIN THE BOUNDARIES OF THIS BOUNDARY MAY OR MAY NOT BE SUBJECT TO FLOODING. THE LOCAL COUNTY/CITY BUILDING DEPARTMENT HAS INFORMATION REGARDING FLOODING AND RESTRICTIONS ON DEVELOPMENT.
  - NO UNDERGROUND FOUNDATIONS, INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN.
  - THERE ARE NO VISIBLE ENCROACHMENTS OTHER THAN SHOWN.
  - OWNERSHIP OF FENCES WAS NOT VERIFIED AT TIME OF SURVEY.
  - ALL MEASUREMENTS ARE IN FEET AND TENTHS, UNLESS OTHERWISE NOTED.
  - MEAN HIGH WATER LINE WAS NOT DETERMINED AT TIME OF SURVEY. (ONLY APPLICABLE WHEN ABUTTING BODIES OF WATER)

**LEGAL DESCRIPTION:** (INSTRUMENT #: 95-268662)  
LOTS 11 AND 17, BLOCK 2, FERGUSON'S ESTATES, SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 32, PAGES 15 AND 16, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

**FLOOD\_ZONE\_INFORMATION**  
SUBJECT PROPERTY SHOWN HEREON APPEARS TO LIE IN FLOOD ZONE(S) "X" & "AE", ACCORDING TO THE NATIONAL FLOOD INSURANCE RATE MAP, COMMUNITY 120259 PANEL NUMBER 12103C0019G, EFFECTIVE 9/3/2003

**POOL NOTE:**  
POOL SHAPE NOT EXACTLY TO SCALE. LOCATION OF POOL SHOWN FOR GRAPHIC PURPOSES ONLY.

THIS SURVEY WAS MADE UNDER MY DIRECT SUPERVISION AND COMPLIES WITH THE STANDARDS OF PRACTICE AS SET FORTH IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

*Michael P. Mooney* 6/16/2021  
MICHAEL P. MOONEY DATE  
PROFESSIONAL SURVEYOR & MAPPER #3930  
THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA SURVEYOR & MAPPER.

<b>CERTIFIED TO:</b> ANDREW BEATH	<b>JOB INFORMATION:</b> CREW CHIEF: JT FIELD DATE: 6/14/2021 FIELD BOOK: T49 PAGE: 15 DRAFTER: BMA DRAWING DATE: 6/16/2021 CHECKED BY: JSM
 TERMINUS SURVEYING LLC. 2752 JASON STREET TAMPA, FLORIDA 33619 (813) 681-4481 www.TerminusSurveying.com FrontDesk@TeamTerminus.com	<b>JOB#</b> 210626 REVISIONS
COPYRIGHT 2021 BY TERMINUS SURVEYING, LLC CERTIFICATE OF AUTHORIZATION: LB #8207	



**CITY OF TARPON SPRINGS**  
**BOARD OF ADJUSTMENT**  
**[SEPTEMBER 24, 2025]**

**STAFF REPORT**

**Application No. / Project Title:** #25-53 (Kerdelmelidis)  
**Staff:** Allie Keen, AICP, Principal Planner  
**Applicant / Owner:** Yiannis Kerdelmelidis / Miltiadis Kerdelmelidis  
**Property Size:** +/- 1.13 acres  
**Current Zoning:** R-100 (Single Family Residential)  
**Current Land Use:** RL (Residential Low)  
**Location / Parcel ID:** 1601 Richard Ervin Parkway / 08-27-16-20430-000-0110

**BACKGROUND SUMMARY:**

The applicant is requesting variance approval to allow the construction of a 1,900 square foot accessory dwelling unit (ADU) on the subject property, which is 800 square feet larger than permitted based on the size of the proposed primary dwelling.

**PRELIMINARY STAFF RECOMMENDATION:**

Based on the evidence available at the time this report was prepared, staff would recommend *denial* of this request. Although the subject site is unique in comparison to surrounding residential properties and typical R-100 lots and the structure meets the standards for an accessory use/structure, it is of staff’s opinion that the proposed ADU could be reduced in size to meet the size limitations, while still providing reasonable living accommodations for the applicant’s family members.

**LAND DEVELOPMENT CODE CONSIDERATIONS:**

**District Intent:** The single family 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 (LDC) Section 71.01(1), an accessory dwelling unit cannot exceed 600 square feet or 20% of the floor area of the primary structure, whichever is greater.

**CURRENT PROPERTY INFORMATION:**

<b>Use of Property:</b>	Vacant (proposed single family home)
<b>Site Features:</b>	Trees and vegetation
<b>Vehicle Access:</b>	This property gains access from Richard Ervin Parkway.



**SURROUNDING ZONING & LAND USE:**

	<b>Zoning:</b>	<b>Land Use:</b>
<b>North:</b>	R-100 (Single Family Residential) RPD (Residential Planned Development – Savannah Pointe Subdivision)	RL (Residential Low)
<b>South:</b>	R-100 (Single Family Residential)	RL (Residential Low)
<b>East:</b>	RPD (Residential Planned Development – Savannah Pointe Subdivision)	RL (Residential Low)
<b>West:</b>	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 a new 5,500 square foot single family home and a 1,900 square foot accessory dwelling unit (ADU) on the subject property. Per LDC Section 71.01(1), an ADU cannot exceed 600 square feet or 20% of the floor area of the primary structure, whichever is greater. Based on the proposed size of the home, the applicant would be permitted to construct an ADU up to 1,100 square feet in size.
2. An ADU is permitted on a property with a single family dwelling in all residential districts. An ADU helps to provide increased housing opportunities and affordable options throughout the city. These structures are intended to be clearly accessory and incidental to the primary home on the property.
3. Per LDC Section 71.01, in addition to the maximum size, the following standards apply to ADUs:
  - a. Only one unit per parcel of ownership is permitted.
  - b. The primary dwelling must be owner-occupied.
  - c. All setbacks and lot coverage provisions must be met.
  - d. Separate metered utility connections for the ADU are not permitted.
  - e. A recorded restrictive covenant that outlines compliance with these requirements must be provided with the building permit.
4. The applicant provided a conceptual site plan that shows both the primary and accessory dwelling units. According to this site plan, both structures comply with the minimum R-100 setbacks and share one driveway access from Richard Ervin Parkway.
5. The minimum lot size in the R-100 district is 10,000 square feet. The subject property is approximately 1.13 acres in size. This is significantly larger than required and than most residential properties in the surrounding area, except for one property across the street, which is approximately 1.3 acres in size. Due to the size of the property, the applicant could opt to subdivide the property into 2 lots to build one home on each lot. This would require a full subdivision process because this property has already been subdivided from the adjacent property to the west (All Saints Episcopal Church property).
6. The applicant indicated that the accessory unit is intended to provide housing for aging family members, which is why keeping the site as one property with shared amenities and services is preferred. Aside from the shared driveway, from the street these two proposed structures have the appearance of two homes due to the proposed site layout and lot orientation along Richard Ervin Parkway as if they were on two separate lots.
7. Per LDC Section 36.00(B), an accessory use or structure complies with the following standards:
  - a. It is clearly incidental to, customarily found in association with, and serves the primary use.
  - b. It is subordinate in purpose, area, and extent to the primary use served.
  - c. Contributes to the comfort, convenience, or necessity of the primary use served.
  - d. It is located on the same lot, tract, or property as the primary use.



Although the proposed ADU exceeds the maximum size permitted, it will still meet with the standards for an accessory use and structure because it will be smaller than the primary dwelling, located on the same property, share a utility meter, and is intended to contribute to the convenience of the primary use by providing housing for aging family of the owner in a nearby structure.

8. Providing a mix of housing options that meets the needs of the existing and future population is a goal of the Housing Element of Comprehensive Plan (Goal H1). One way the Housing Element supports housing options is through the development of accessory dwelling units. Specifically, Policy H.1.1.2, recommends a variety of potential LDC amendments, including increasing the maximum ADU size limitation. This will likely be a provision that is reviewed and considered during the next update to the LDC.

#### **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 subject property is approximately 1.13 acres in size, which is significantly larger than required in the R-100 zoning district and most residential properties in the surrounding areas. The proposed 5,500 square foot primary dwelling and 1,900 square foot ADU can be accommodated while still meeting the minimum district setbacks because of the property's size, shape and orientation along the street. *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 of the property (size, shape, and orientation) have not been self-created, however, the proposed ADU could be reduced in size to comply with the standards of the LDC notwithstanding of the property conditions. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard has not 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 ADU standards would necessitate the ADU to be redesigned and reduced in size to meet the size limitations. The applicant would still be permitted to have a reasonably sized ADU on the property. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard has not 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:* ADUs are intended to be accessory and incidental to the primary dwelling on the property, however, the code recognizes that with larger homes a larger ADU would be acceptable. Therefore, the code allows for the 20% calculation to be considered. The subject property is unique in that it is significantly larger than most R-100 properties elsewhere in the immediate area and in the city. Therefore, in addition to being able to accommodate a larger primary dwelling it can also accommodate the proposed ADU while still meeting all other applicable standards of the LDC, including setbacks and the standards and intent of an accessory use and structure. Further, ADUs are permitted on properties with single family dwellings in all residential districts. Granting approval of the requested variance would not extend special privilege to the applicant that is not commonly enjoyed by others 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:* Due to the size of the subject property, it could potentially be subdivided into two lots to allow for the construction of a home on each lot. Aside from the shared driveway, from the street these two proposed structures would have the appearance of two homes based on the proposed site layout and lot orientation along Richard Ervin Parkway as if they were on two separate lots. Further, all other ADU standards will be met, including the primary dwelling being owner occupied and shared utility meters. Approval of the requested variance is not expected to substantially diminish property values in the surrounding area. *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. Conceptual Site Plan
4. Survey

# KERDEMEDILDIS #25-53

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Board of Adjustment – September 24, 2025

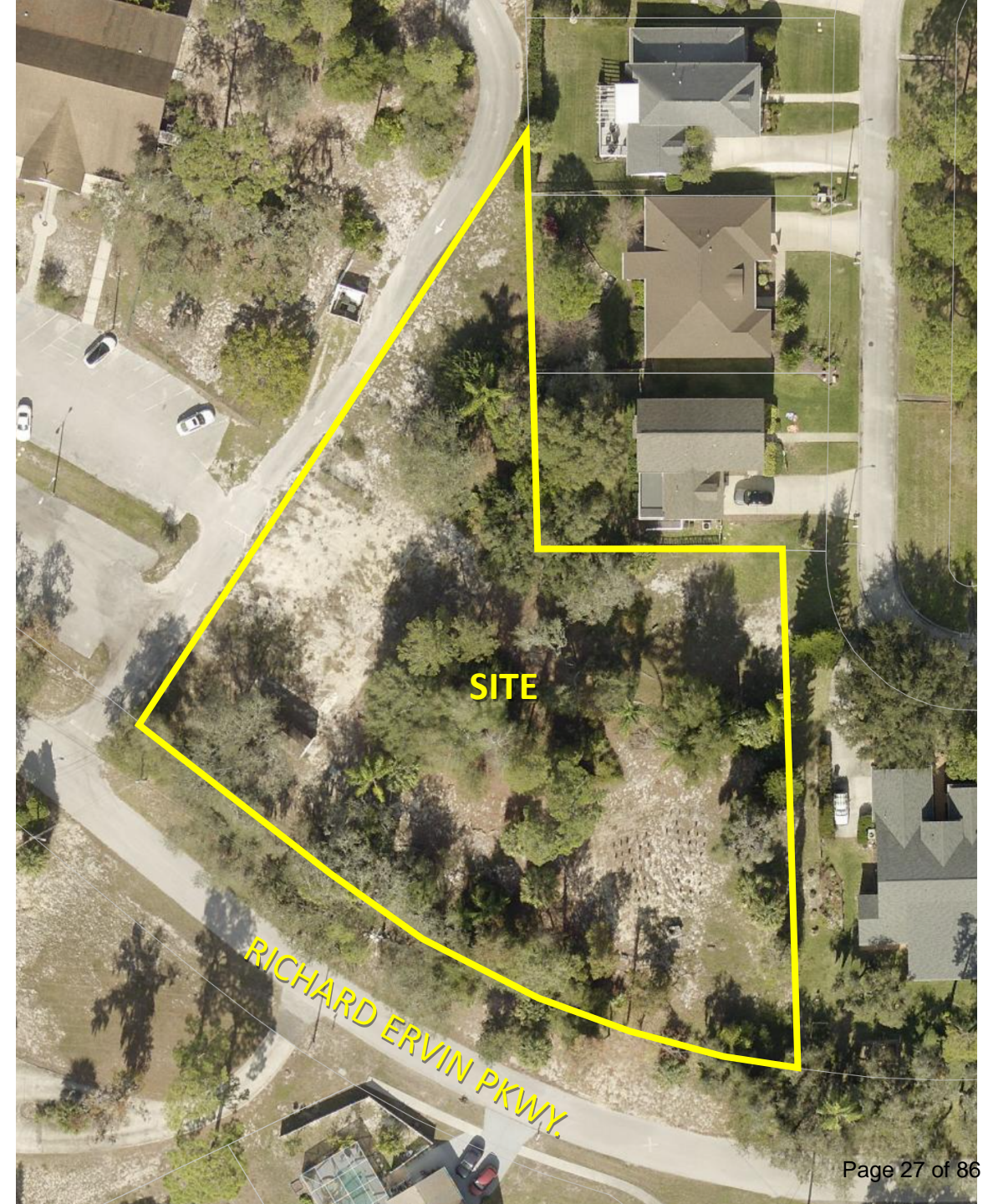


# LOCATION & CONTEXT



# REQUEST

- **#25-53 – Accessory Dwelling Unit (ADU) Size**
  - Permitted = 1,100 sqft.
  - Proposed = 1,900 sqft.
- **Applicant/Agent:** Yiannis Kerdemelidis
- **Owner:** Miltiadis Kerdemelidis
- *Variance request to allow an ADU that exceeds the maximum size permitted based on the size of the proposed primary dwelling.*

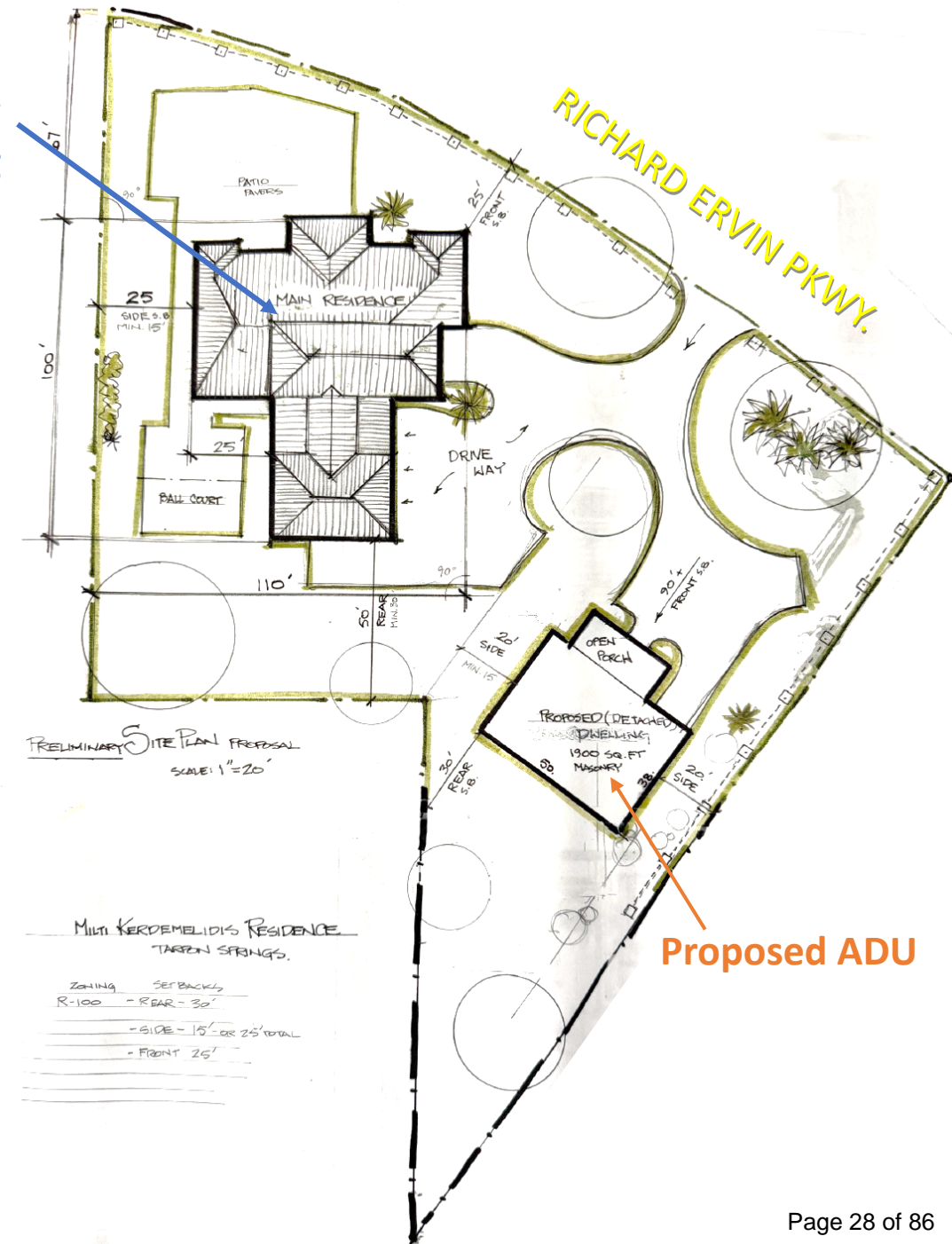


# REQUEST

## LDC 71.01 – Accessory Dwelling Units (ADUs)

- Permitted w/Single Family Dwelling in ALL residential districts.
- Max. Size: 600 sqft. or 20% of floor area of primary dwelling, whichever is greater.
  - Proposed Home = 5,500 sqft.
  - Permitted ADU = 1,100 sqft. (20%)
  - Proposed ADU = 1,900 sqft.
- Additional ADU Standards:
  - Only 1 ADU per parcel.
  - Primary dwelling must be owner-occupied.
  - All setbacks & lot coverage provisions must be met.
  - Separate metered utility connections for ADU are not permitted.
  - Restrictive covenant required.

Proposed  
Primary  
Dwelling



Proposed ADU



# PLANNING CONSIDERATIONS

## Property Size

- Min. R-100 Lot Size = 10,000 sqft.
- Subject Property = 1.13 acres
- Due to the size of the property, the applicant could opt to subdivide the property into 2 lots to build one home on each lot. This would require a full subdivision process.
- ADU is intended to provide housing for aging family members, which is why keeping the site as one property with shared amenities and services is preferred.

## View from Richard Ervin Parkway

- Aside from the shared driveway, the proposed layout and lot orientation along the street gives the appearance of two homes on separate lots.



# PLANNING CONSIDERATIONS

## **LDC Section 36.00(B) - Accessory Uses & Structures must be:**

- Clearly incidental to, customarily found in association with, and serve the primary use.
- Subordinate in purpose, area, and extent to the primary use.
- Contributing to the comfort, convenience, or necessity of the primary use.
- Located on the same lot, tract, or property as the primary use.

## **Comprehensive Plan – Housing Element**

- Policy H1.1.2 supports the idea of increasing the maximum accessory dwelling unit size to increase housing options and affordability.
- Revisions to ADU standards will likely be reviewed and considered during the next LDC update.



# 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*
miltiadis Kerdemelidis	milty@haloindustrial.com

Property Owner(s) Address*	Property Owner(s) Phone*
165 Athenian Way, Tarpon Springs, FL 34689	7279466560

Applicant(s) Name (If different than owner)	Applicant(s) Email
First and Last Name / Entity Name	Email Address

Applicant(s) Address	Applicant(s) Phone
Street, City, State, and Zip Code	Phone Number

Agent/Representative (If applicable)	Agent/Representative Email

Agent/Representative (if applicable)

Agent/Representative Email

Yiannis Kerdemelidis

yianni@haloindustrial.com

Agent/Representative Address

Agent/Representative Phone

Street, City, State, and Zip Code

7279461429

Application Type (Check all that apply)\*

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

\*Temporary Use Dates

Dates Requested

Project Name\*

1700 Keystone Project

Tax Parcel ID(s)\*

Project Location

08-27-16-20430-000-0110

[Look Up Parcel ID](#)

**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\***  
1.139 a

**Base Flood Elevation (BFE)**

Elevation(s)

**Current Land Use\***

RLM (Residential Low I)

*(Choices are alphabetized)*

[Lookup Land Use](#)

**Current Zoning\***

R-100 (Single Family R)

*(Choices are alphabetized)*

[Lookup Zoning](#)

**Proposed Land Use**

RU (Residential Urban)

*(If applicable)*

**Proposed Zoning**

R-100 (Single Family R)

*(If applicable)*

**Summary / Purpose of Request\***

Requesting a variance to allow an accessory dwelling unit that exceeds the maximum size permitted under LDC Section 71.01(1). Based on the size of the primary dwelling (5,500 sq. ft.), the code allows an accessory dwelling unit of up to 1,100 sq. ft. The proposed unit is 1,900 sq. ft., requiring a variance of an additional 800 sq. ft.

**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\***

Miltiadis Kerdemelidis

**Date\***

8/17/2025

**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\***

Miltiadis Kerdemelidis

8/17/2025

### 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](mailto: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\*

1700 Keystone Project

1700 KeyStone Rd. Tarpon Springs, FL 34688

#### Variance Requested\*

#### Summary of Request\*

71.01,25.02

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

We respectfully submit this request for a zoning variance to allow the construction of a detached dwelling unit measuring approximately 1,900 square feet on the subject property, which also includes a 5,500 square foot main building.

The proposed unit will be located within the required property setbacks as defined by local zoning regulations and will maintain the architectural integrity and character of the surrounding neighborhood. The purpose of this request is to provide additional living space to support multi-generational housing and aging parents, enhancing both the usability and long-term utility of the neighborhood and community—without negatively impacting neighboring properties or the broader community. We kindly request your consideration of this variance based on the following:

The proposed unit will comply with all setback requirements.

The unit will be subordinate in size to the primary structure.

The design will be compatible with both the main structure and nearby homes.

Thank you for your time and consideration.

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:\*

This property is not located in a historic district, and no protected trees will be removed as part of this variance.

#### 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, the variance is not in response to a situation created by the applicant.

#### 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

property, or regularly containing 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:\***

Yes, the requested variance allows for reasonable use of the property and its structures, while maintaining compliance to the greatest extent feasible.

**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, approval of this variance would not result in any special privilege not commonly enjoyed by other properties within the same zoning district.

**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, approval of this request will not have an adverse effect on surrounding properties.

**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

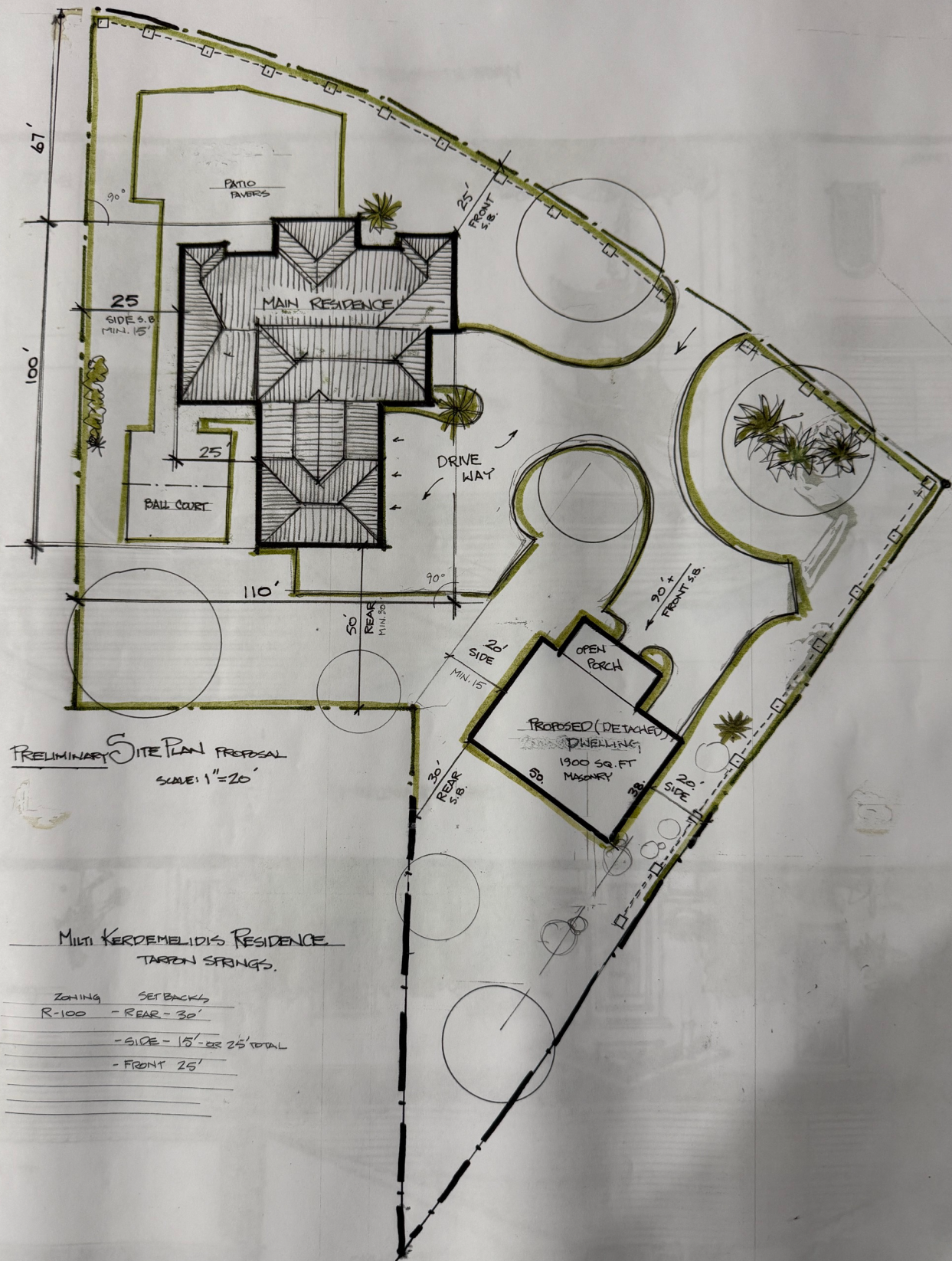
**Electronic Signature\***

**Date\***

Miltiadis Kerdemelidis	7/9/2025
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**Steps to Download Form**

1. Click the '**Print Only**' button below.
2. Your form will open in a new tab.



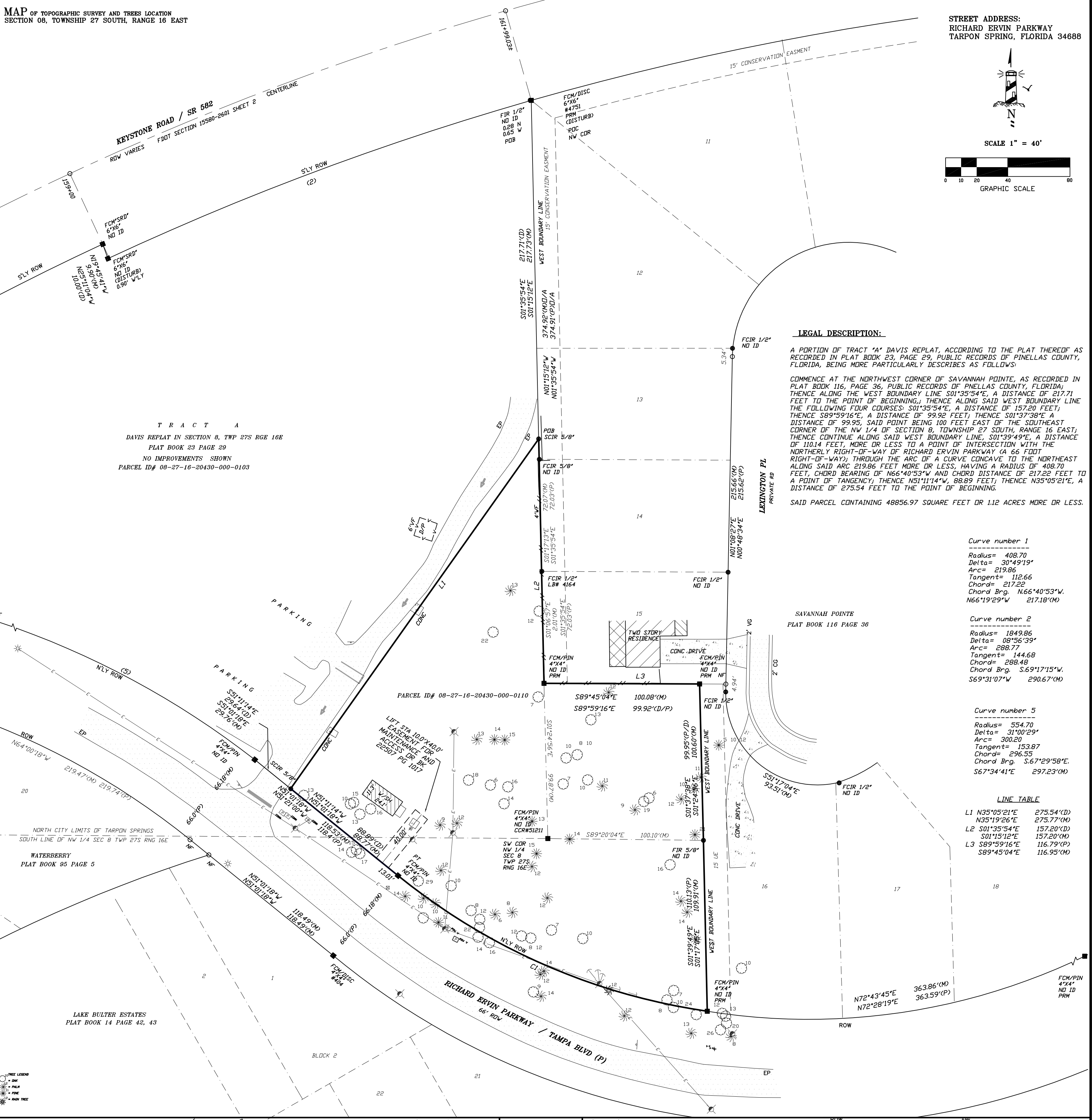
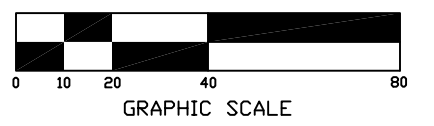
PRELIMINARY SITE PLAN PROPOSAL  
 SCALE: 1" = 20'

MULTI KERDEMELODIDIS RESIDENCE  
 TARPEN SPRINGS.

ZONING	SETBACKS
R-100	- REAR - 30'
	- SIDE - 15' - OR 25' TOTAL
	- FRONT 25'



SCALE 1" = 40'



**TRACT A**  
DAVIS REPLAT IN SECTION 8, TWP 27S RGE 16E  
PLAT BOOK 23 PAGE 29  
NO IMPROVEMENTS SHOWN  
PARCEL ID# 08-27-16-20430-000-0103

**LEGAL DESCRIPTION:**

A PORTION OF TRACT "A" DAVIS REPLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, PAGE 29, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBES AS FOLLOWS:  
  
COMMENCE AT THE NORTHWEST CORNER OF SAVANNAH POINTE, AS RECORDED IN PLAT BOOK 116, PAGE 36, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE ALONG THE WEST BOUNDARY LINE S01°35'54"E, A DISTANCE OF 217.71 FEET TO THE POINT OF BEGINNING; THENCE ALONG SAID WEST BOUNDARY LINE THE FOLLOWING FOUR COURSES: S01°35'54"E, A DISTANCE OF 157.20 FEET; THENCE S89°59'16"E, A DISTANCE OF 99.92 FEET; THENCE S01°37'38"E, A DISTANCE OF 99.95, SAID POINT BEING 100 FEET EAST OF THE SOUTHEAST CORNER OF THE NW 1/4 OF SECTION 8, TOWNSHIP 27 SOUTH, RANGE 16 EAST; THENCE CONTINUE ALONG SAID WEST BOUNDARY LINE, S01°39'49"E, A DISTANCE OF 110.14 FEET, MORE OR LESS TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY OF RICHARD ERVIN PARKWAY (A 66 FOOT RIGHT-OF-WAY); THROUGH THE ARC OF A CURVE CONCAVE TO THE NORTHEAST ALONG SAID ARC 219.86 FEET MORE OR LESS, HAVING A RADIUS OF 408.70 FEET, CHORD BEARING OF N66°40'53"W AND CHORD DISTANCE OF 217.22 FEET TO A POINT OF TANGENCY; THENCE N51°11'14"W, 88.89 FEET; THENCE N35°05'21"E, A DISTANCE OF 275.54 FEET TO THE POINT OF BEGINNING.  
  
SAID PARCEL CONTAINING 48856.97 SQUARE FEET OR 1.12 ACRES MORE OR LESS.

**Curve number 1**  
Radius= 408.70  
Delta= 30°49'19"  
Arc= 219.86  
Tangent= 112.66  
Chord= 217.22  
Chord Brg. N66°40'53"W  
N66°19'29"W 217.18(M)

**Curve number 2**  
Radius= 1849.86  
Delta= 08°56'39"  
Arc= 288.77  
Tangent= 144.68  
Chord= 288.48  
Chord Brg. S69°17'15"W  
S69°31'07"W 290.67(M)

**Curve number 5**  
Radius= 554.70  
Delta= 31°00'29"  
Arc= 300.20  
Tangent= 153.87  
Chord= 296.55  
Chord Brg. S67°29'58"E  
S67°34'41"E 297.23(M)

**LINE TABLE**

L1	N35°05'21"E	275.54(D)
	N35°19'26"E	275.77(M)
L2	S01°35'54"E	157.20(M)
	S01°15'12"E	157.20(M)
L3	S89°59'16"E	116.79(M)
	S89°45'04"E	116.95(M)

LEGENDS & SYMBOLS: UTILITY BOX, GAS METER, RECLAIM WATER VALVE, FPC BOX, WM, GTE RISER, CATV, UGP, PP, RECORD, REFERENCED, RIGHT-OF-WAY, SANITARY, SECTION TOWNSHIP, PERMANENT CONTROL POINT, PAGE, POINT OF INTERSECTION, SET CAP IRON ROD LB #9555, SCREENED, SET PK NAIL AND DISC LB. #9505, STORM, STRADDLE POINTS, TAX MAP, TOP OF BANK, BOTTOM OF SLOPE, UTILITY EASEMENT, WOOD, WITNESS CORNER, WOOD DECK, WOOD FENCE, WATER METER, WOOD POWER POLE, WOOD STEPS, WING WALL, UNDERGROUND POWER, VINYL, VINYL FENCE, VALLEY GUTTER.

**CERTIFICATION:**  
I HEREBY CERTIFY THAT THIS SURVEY MAP WAS MADE UNDER MY DIRECTION ON THE DATE SHOWN HEREON AND IN ACCORDANCE WITH THE STANDARD OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES AS PRESCRIBED IN CHAPTER 5J-17.50 OF THE ADMINISTRATIVE CODE. THIS SURVEY WAS MADE FOR THE PURPOSES OF THE SERVICES.  
BY: ERROL A. AYUSO, P.S.M. #5955  
SIGN: 10-20-2024

**SURVEYORS NOTES:**  
SEE LEGEND FOR SYMBOLS AND/OR ABBREVIATIONS USED HEREON.  
THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH.  
NO INSTRUMENTS OF RECORD REFLECTING OWNERSHIP, EASEMENT OR RIGHT-OF-WAY WERE FURNISHED TO THE UNDERSIGNED, UNLESS OTHERWISE SHOWN HEREON.  
NO UNDERGROUND FOUNDATIONS, STRUCTURES, INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED UNLESS OTHERWISE SHOWN HEREON.  
THIS SURVEY IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.  
BASIS OF BEARING AS REFERENCED TO FLORIDA STATE PLANE COORDINATE SYSTEM GRID ZONE WEST, NAD 83.

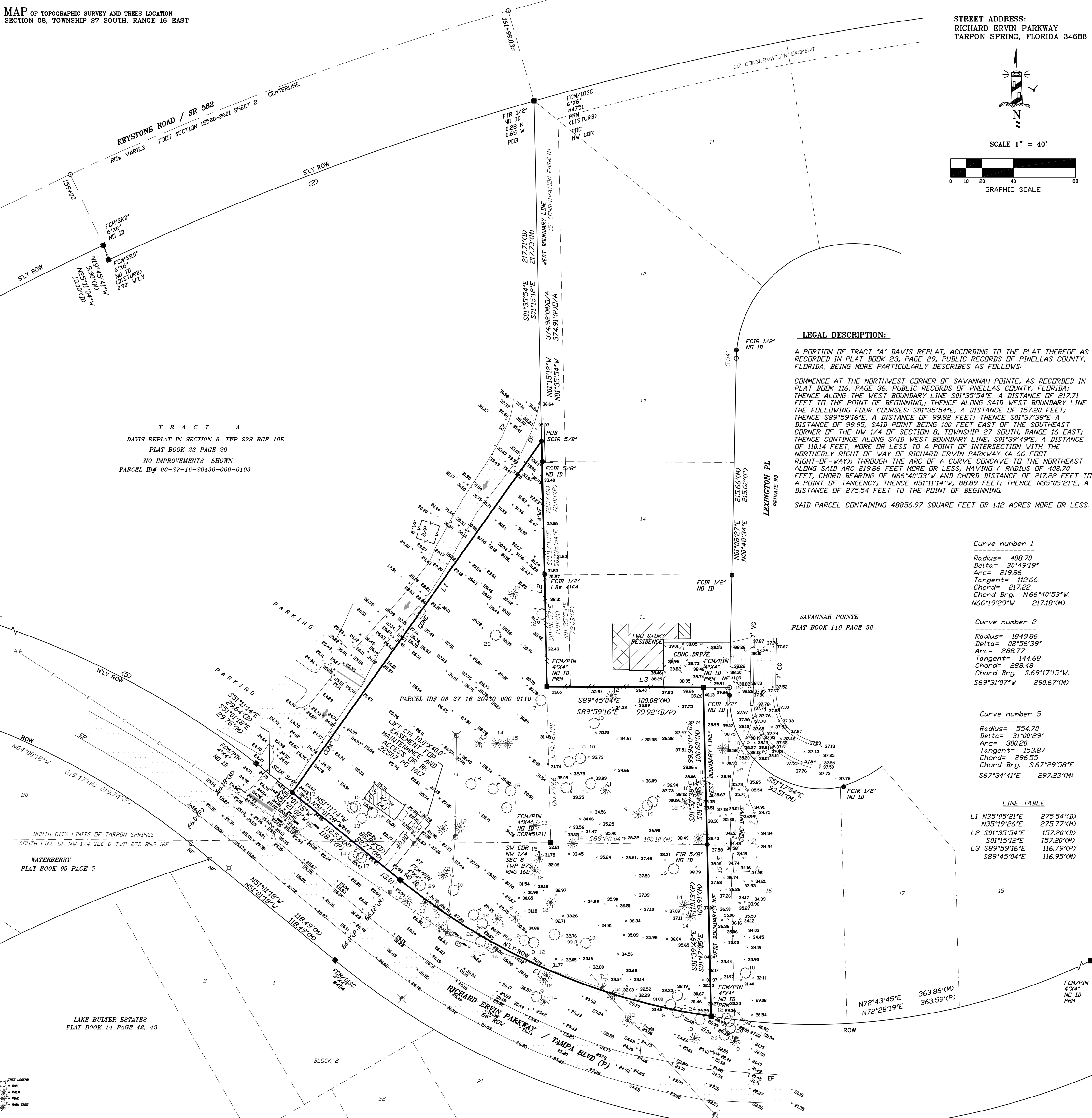
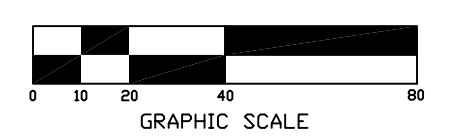
**FOR THE BENEFIT OF:**  
MULTIADIS KONSTANTINOS  
KERDEMELODIS  
  
NOTE:  
VERTICAL INFORMATION AS REFERENCED TO NGS 'SLIP H' EL: 22.23' NAVD 88

**FLOOD ZONE:** "X"  
COMMUNITY PANEL  
No. 120259-0038H  
DATED: 08-24-21  
  
INFORMATION SHOWN HEREON BY NO MEANS REPRESENT A DETERMINATION IN WHETHER PROPERTIES WILL OR WILL NOT FLOOD. LAND WITHIN THE BOUNDARIES OF THIS PLAT MAY OR MAY NOT BE SUBJECT TO FLOODING.  
  
AYUSO SURVEYING, LLC  
PROFESSIONAL SURVEYORS & MAPPERS PSM #5955  
10170 11TH STREET NORTH UNIT #105  
ST. PETERSBURG, FLORIDA 33716  
727-528-2399 OR 528-1839, FAX 727-528-2038  
E-MAIL AYUSOSURVEYING@YAHOO.COM

FILE NO. 23005P01-T	SURVEY FIELD DATE: 10-18-2024	CHECK BY: EAA	DRAWN BY: EAA
FIELD CREW: EACMFA		REVISIONS DATE:	



SCALE 1" = 40'



**LEGAL DESCRIPTION:**  
A PORTION OF TRACT "A" DAVIS REPLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, PAGE 29, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
  
COMMENCE AT THE NORTHWEST CORNER OF SAVANNAH POINTE, AS RECORDED IN PLAT BOOK 116, PAGE 36, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE ALONG THE WEST BOUNDARY LINE S01°35'54"E, A DISTANCE OF 217.71 FEET TO THE POINT OF BEGINNING; THENCE ALONG SAID WEST BOUNDARY LINE THE FOLLOWING FOUR COURSES: S01°35'54"E, A DISTANCE OF 157.20 FEET; THENCE S89°59'16"E, A DISTANCE OF 99.92 FEET; THENCE S01°37'38"E, A DISTANCE OF 99.95, SAID POINT BEING 100 FEET EAST OF THE SOUTHEAST CORNER OF THE NW 1/4 OF SECTION 8, TOWNSHIP 27 SOUTH, RANGE 16 EAST; THENCE CONTINUE ALONG SAID WEST BOUNDARY LINE, S01°39'49"E, A DISTANCE OF 110.14 FEET, MORE OR LESS TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY OF RICHARD ERVIN PARKWAY (A 66 FOOT RIGHT-OF-WAY); THROUGH THE ARC OF A CURVE CONCAVE TO THE NORTHEAST ALONG SAID ARC 219.86 FEET MORE OR LESS, HAVING A RADIUS OF 408.70 FEET, CHORD BEARING OF N66°40'53"W AND CHORD DISTANCE OF 217.22 FEET TO A POINT OF TANGENCY; THENCE N51°11'14"W, 88.89 FEET; THENCE N35°05'21"E, A DISTANCE OF 275.54 FEET TO THE POINT OF BEGINNING.  
  
SAID PARCEL CONTAINING 48856.97 SQUARE FEET OR 1.12 ACRES MORE OR LESS.

Curve number 1  
Radius= 408.70  
Delta= 30°49'19"  
Arc= 219.86  
Tangent= 112.66  
Chord= 217.22  
Chord Brg. N66°40'53"W  
N66°19'29"W 217.18'(M)

Curve number 2  
Radius= 1849.86  
Delta= 08°56'39"  
Arc= 288.77  
Tangent= 144.68  
Chord= 288.48  
Chord Brg. S69°17'15"W  
S69°31'07"W 290.67'(M)

Curve number 5  
Radius= 554.29  
Delta= 31°00'29"  
Arc= 300.20  
Tangent= 153.87  
Chord= 296.55  
Chord Brg. S67°34'41"E  
S67°23'41"E 297.23'(M)

**LINE TABLE**

L1	N35°05'21"E	275.54'(D)
	N35°19'26"E	275.77'(M)
L2	S01°35'54"E	157.20'(D)
	S01°15'12"E	157.20'(M)
L3	S89°59'16"E	116.79'(P)
	S89°45'04"E	116.95'(M)

**TRACT A**  
DAVIS REPLAT IN SECTION 8, TWP 27S RGE 16E  
PLAT BOOK 23 PAGE 29  
NO IMPROVEMENTS SHOWN  
PARCEL ID# 08-27-16-20430-000-0103

PARCEL ID# 08-27-16-20430-000-0110

LAKE BUTLER ESTATES  
PLAT BOOK 14 PAGE 42, 43

SAVANNAH POINTE  
PLAT BOOK 116 PAGE 36

WATERBERRY  
PLAT BOOK 95 PAGE 5

**LEGENDS & SYMBOLS**

AC = AIR CONDITIONER	CLF = CHAIN LINK FENCE	EP = EDGE OF PAVEMENT	FPIP = FOUND PINCH IRON PIPE	PC = POINT OF CURVATURE	(REC) = RECORD	UE = UTILITY EASEMENT
ADS = ADVANCED DRAINAGE SYSTEMS	CONC = CONCRETE	FCIP = FOUND CAPPED IRON PIPE	FRRS = FOUND RAIL ROAD SPIKE	PCED = PINELLAS COUNTY ENGINEERING DEPARTMENT	REF = REFERENCED	W = WOOD
AL = ALUMINUM	CP = CLEANOUT	FCOR = FOUND CONCRETE MONUMENT	FCM = FOUND CONCRETE MONUMENT	PG = PERMANENT CONTROL POINT	ROW = RIGHT-OF-WAY	WC = WOOD CORNER
ASPH = ASPHALT	COR = CORNER	FR = FOUND IRON ROD	GC = GRANITE CURB	PI = POINT OF INTERSECTION	SA = SANITARY	WO = WOOD DECK
BM = BENCH MARK	CP = CONCRETE POLE	FRM = FOUND IRON ROD	ID = IDENTIFICATION	POB = POINT OF BEGINNING	SEC. TWP. RNG = SECTION TOWNSHIP RANGE	WM = WATER METER
BRW = BRICK WALL FENCE	CS = CONC STEPS	FW = FOUND IRON PIPE	(M) = MEASURED	POC = POINT OF COMMENCEMENT	SCR 5/8" = SET CAP IRON ROD LB #5655	WPP = WOOD POWER POLE
BWF = BARS WIRE FENCE	CSW = CONCRETE SIDE WALK	FN = FOUND NAIL	(M) = MEASURED	POL = POINT ON LINE	SCR = SCREENED	WS = WOOD STEPS
CA = CALCULATE	CA = COVERED AREA	FW = FOUND IRON PIPE	(M) = MEASURED	PP = POWER POLE	SH = SHED	WV = WING WALL
CB = COVERED BASIN	CAV = CABLE TV BOX	FW/D = FOUND NAIL & DISC	(M) = MEASURED	PRC = POINT OF REVERSE CURVE	SPKND = SET PK NAIL AND DISC LB. #5955	UP = UNDERGROUND POWER
CC = CONC CURB	CB = COVERED ENTRANCE	ENCL = ENCLOSURE	(M) = MEASURED	PRM = PERMANENT REFERENCE MARKER	ST = STORM	V = VINYL
CD = CERTIFIED CORNER RECORD	CE = CURB AND GUTTER	EDW = EDGE OF WATER	(M) = MEASURED	PT = POINT OF TANGENT	STDP = STRADDLE POINTS	VG = VALLEY GUTTER
CE = COVERED ENTRANCE				PVR = PAVERS	(TM) = TAX MAP	
					TOB = TOP OF BANK	
					TOE = BOTTOM OF SLOPE	

**FOR THE BENEFIT OF:**  
MILTADIS KONSTANTINOS  
KERDEMLIDIS

**NOTE:**  
VERTICAL INFORMATION AS REFERENCED TO NGS 'SLIP H' EL: 22.23' NAVD 88

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BY: ERROL A. AYUSO LICENSE NUMBER 5955  
ERROL A. AYUSO, P.S.M. #5955

**SURVEYORS NOTES:**  
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BASIS OF BEARING AS REFERENCED TO FLORIDA STATE PLANE COORDINATE SYSTEM GRID ZONE WEST, NAD 83.

**FLOOD ZONE:** "Y"  
COMMUNITY PANEL  
No. 120259-0038H  
DATED: 08-24-21  
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**AYUSO SURVEYING, LLC**  
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10170 11TH STREET NORTH UNIT #105  
ST. PETERSBURG, FLORIDA 33716  
727-528-2399 OR 528-1839, FAX 727-528-2038  
E-MAIL AYUSOSURVEYING@YAHOO.COM

REVISIONS DATE:

FILE NO. 23005P01-T SURVEY FILE DATE: 10-18-2024 CHECK BY: EAA DRAWN BY: EAA



**CITY OF TARPON SPRINGS**  
**BOARD OF ADJUSTMENT**  
**[SEPTEMBER 24, 2025]**

**STAFF REPORT**

**Application No. / Project Title:** #25-58 (Arnauts)  
**Staff:** Allie Keen, AICP, Principal Planner  
**Applicant / Owner:** 100 Shore, LLC  
**Property Size:** +/- 8,088 square feet  
**Current Zoning:** R-100 (Single Family Residential)  
**Current Land Use:** RU (Residential Urban)  
**Location / Parcel ID:** 100 Shore Drive / 10-27-15-15678-000-0360

**BACKGROUND SUMMARY:**

The applicant is proposing to build a new single family home and requesting variance approval of the following:

1. Reduce the side street setback to 10 feet, 5 feet less than required.
2. Reduce the total side yard setback to 20 feet, 5 feet less than required.
3. Reduce the rear yard setback to 15 feet, 15 feet less than required.

These same requests were previously granted back in 2019 and 2020 in association with the same proposed project (see more details under 'Planning Considerations'). Per Land Development Code Section 215.02(J), typically a variance expires after 2 years from the date of issuance, unless a building permit has been issued and is kept active. A building permit has been issued (#20-3072), however, at this time, the applicant is requesting to change contractors. This requires the submittal of a new permit application which in turn causes the variances to expire and why the current application is before the Board of Adjustment for review.

**PRELIMINARY STAFF RECOMMENDATION:**

Based on the information available at the time this report was prepared staff recommends **approval** of the side street and rear yard setback variance requests.

**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 LDC Section 25.02(D)(6), the minimum side street setback is 15 feet and the minimum rear yard setback if 30 feet in the R-100 zoning district.



**CURRENT PROPERTY INFORMATION:**

<b>Use of Property:</b>	Vacant
<b>Site Features:</b>	There are no significant site features. The applicant has installed an electrical T-Pole for construction of the new home.
<b>Vehicle Access:</b>	This property fronts both Shore Drive and Tallahassee Drive.

**SURROUNDING ZONING & LAND USE:**

	<b>Zoning:</b>	<b>Land Use:</b>
<b>North:</b>	R-100 (Single Family Residential)	RL (Residential Low)
<b>South:</b>	R-100 (Single Family Residential)	RL (Residential Low)
<b>East:</b>	R-100 (Single Family Residential)	RL (Residential Low)
<b>West:</b>	LC (Land Conservation)	R/OS (Recreation/Open Space)

**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 a new 3-bedroom, single family home that is approximately 1,500 square feet on the subject property.
2. Per LDC Section 25.02(D)(6), the R-100 zoning district requires a minimum side street setback of 15 feet, total side yard setback of 25 feet, and rear yard setback of 30 feet. The applicant is requesting to reduce the side street setback to 10 feet, the total side yard setback to 20 feet, and the rear yard setback to 15 feet.
3. The subject property is an irregularly shaped lot, that was originally created in 1924 as a part of the H.L. Clark Subdivision (Lot 36), predating the city’s first land development code which went into effect in 1944. The R-100 district requires a minimum lot width of 75 feet and minimum lot area of 10,000 square feet. The subject property is legally nonconforming because it is only 8,088 square feet in area and has an average lot width of 57 feet, with only 24 feet of frontage on Shore Drive.
4. The property is located at the corner of Shore Drive and Tallahassee Drive. The property’s two street frontages, which require larger setbacks, and triangular shape create limitations on development of the property.
5. There have been several past variance requests before the Board of Adjustment in association with the proposed project. The following outlines the timeline and history of these requests:
  - a. November 19, 2014 (Application #14-46): The applicant originally requested to reduce the side setback to 5 feet, side street setback to 10 feet, and the total side setback to 15 feet. The Board denied this request.
  - b. March 25, 2015 (Application #15-17): The layout of the home was revised and the applicant applied for a new variance request to only reduce the rear yard setback to 20 feet, 10 feet less than required. The Board approved this request.
  - c. May 24, 2017 (Application #17-40): Per LDC Section 215.02(J), variances are only valid for 2 years unless a building permit is issued and kept active. The applicant was unable to obtain the building permit within 2 years of the previous variance approval, therefore the applicant reapplied for the same request to reduce the rear yard setback to 20 feet. The Board approved this request.



- d. May 22, 2019 (Application #17-40 Extension): Per LDC Section 215.02(K), the Board of Adjustment may grant one 6-month extension of a variance approval. This extension was requested by the applicant and granted.
- e. October 23, 2019 (Application #19-121): The applicant modified the home design to reduce the overall footprint; however, the new design resulted in a new variance request to reduce the rear setback to 15 feet and side street setback to 12 feet, 11 inches. The Board approved the new request.
- f. June 24, 2020 (Application #20-63): The applicant returned to the Board to further reduce the side street setback to 10 feet, 5 feet less than required. The request was due to a change in the Florida Building Code regarding wind loading requirements that required a wall thickness in excess of the previous plans. This slightly increased the overall footprint of the structure. The Board approved the request.
- g. June 10, 2022 (Building Permit #20-3072): A building permit was issued for the proposed project compliant with the approved variances (15 foot rear setback and 10 foot side street setback). This permit has received extensions from the Building Official over the past few years and remained active, therefore the variances have not expired. This permit will remain active until October 17, 2028.
- h. Current Situation: The applicant has constructed an electrical t-pole to build the home; however, construction of the physical structure has not yet started. At this time, the applicant is requesting to change contractors on his approved building permit. This requires the submittal of a new permit application which in turn causes the previously approved variances to expire because it has been more than 2 years. The current application is for the same setbacks that were approved under Applications #19-121 and #20-63. The proposed site plan has not changed from what was approved under Building Permit #20-3072.

**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, which was created prior to the city's zoning regulations, being smaller in lot area and width than what would be required under the current requirements of the R-100 zoning district. Further, the subject property's irregular shape results in unique challenges to develop typical single family residence. *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 legal nonconforming property was originally platted in 1924, prior to the current zoning regulations being in place and prior to the applicant obtaining ownership of the property. *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 nonconforming, irregularly shaped lot is approximately 1,900 square feet smaller and 50 feet narrower along Shore Drive than required under the current regulations. The reduced setback requests are directly in response to the nonconforming lot standards and the shape of the property and are the minimum necessary to develop the property with a single family home that is comparable to homes elsewhere in the district. *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:* The property is located in a single family residential area. Granting approval of the requested variances will allow for the construction of a single family home that is comparable to others in the immediate area on a nonconforming lot with significant development constraints. *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 reduced setbacks allow for the construction of a single family home on a nonconforming lot of record in a predominately residential area. The home's orientation along Shore Drive is consistent with neighboring properties and the living area is modestly sized at approximately 1,500 square feet which is comparable to other homes in the area. Approval of the variance requests is not expected to substantially diminish property values nor alter the residential character of neighborhood. *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. Supporting Materials (Exhibit List)
  - a. Exhibit A – Site Plan (Building Permit #20-3072)
  - b. Exhibit B – Elevation Survey
  - c. Exhibit C – Current FEMA Map
  - d. Exhibit D – Neighborhood Aerial
  - e. Exhibit E – Neighborhood Site Comparison
  - f. Exhibit F – 1716 Tallahassee Side Stairs Setbacks
  - g. Exhibit G – Warranty Deed
  - h. Exhibit H – Quit Claim Deed
  - i. Exhibit I – Written Consent

# ARNAUTS #25-58

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Board of Adjustment – September 24, 2025



# LOCATION & CONTEXT



# REQUEST

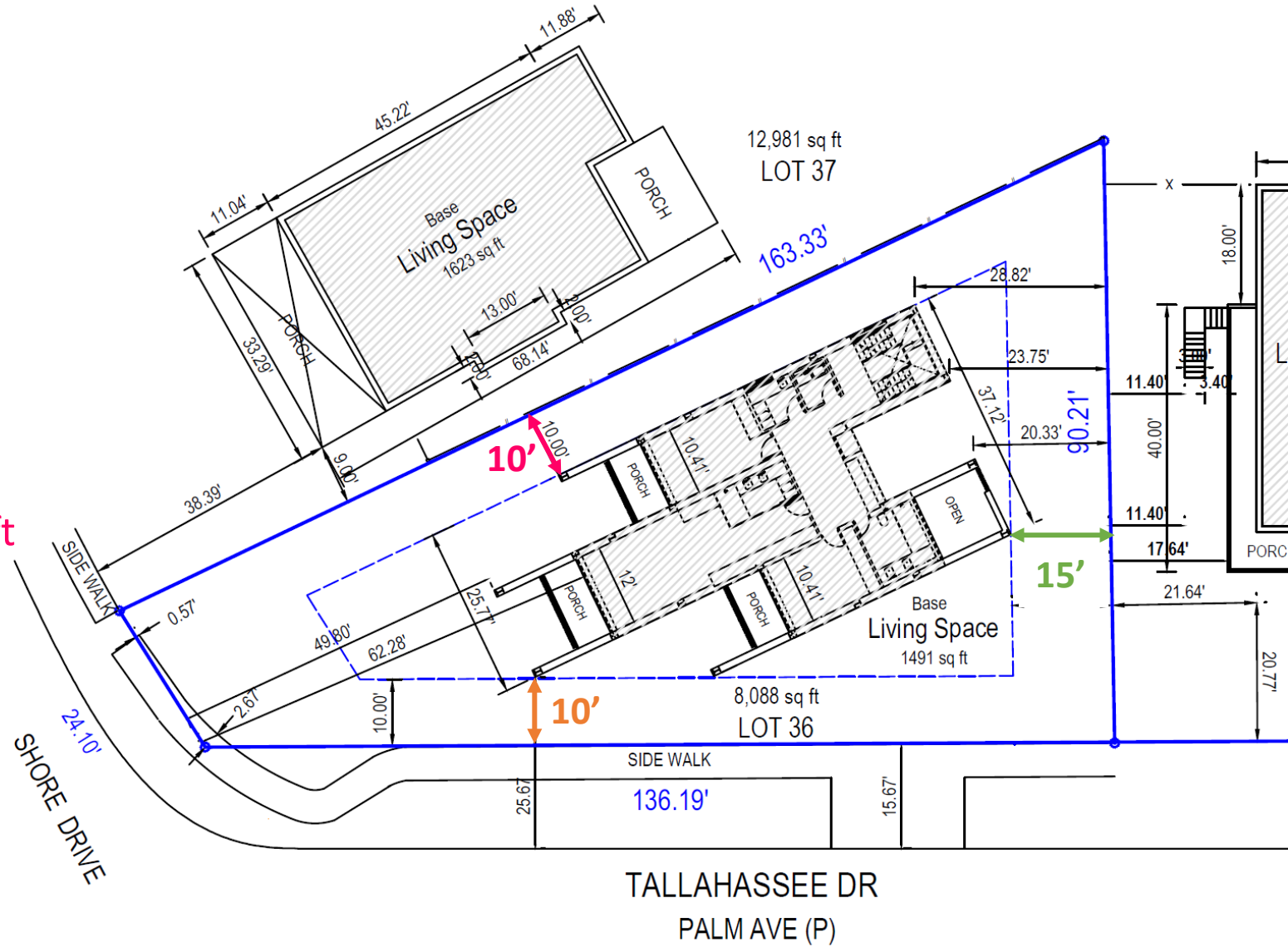
- **Reduced Side Street Setback**
  - Proposed = 10 feet
  - Required = 15 feet
- **Reduced Total Side Yard Setback**
  - Proposed = 20 feet
  - Required = 25 feet
- **Reduced Rear Yard Setback**
  - Proposed = 15 feet
  - Required = 30 feet
- **Applicant/Agent:** Rudy Arnauts
- **Owner:** 100 Shore, LLC
- *Variance request to allow reduce the side street, total side yard, and rear yard setbacks for the purpose of constructing a new single-family home.*



# SITE PLAN

## R-100 Minimum Setbacks:

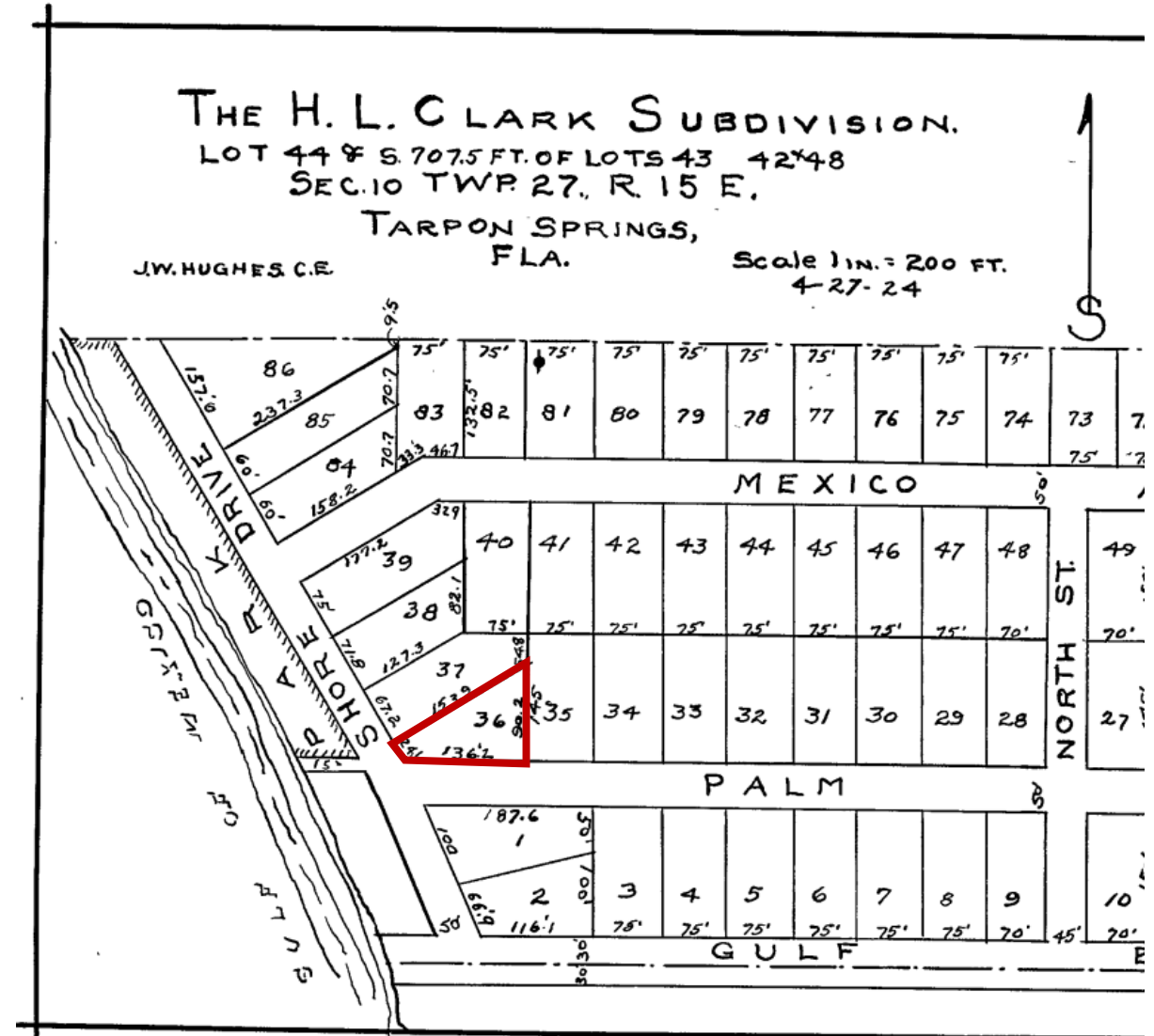
- Side Street:
  - Required = 15 ft
  - Proposed = 10 ft
- Side Yard:
  - Required = 10 ft, total 25 ft
  - Proposed = 10 ft min., total 20 ft
- Rear Yard:
  - Required = 30 ft
  - Proposed = 15 ft



# NONCONFORMING LOT

## R-100 Lot Standards:

- Min. Lot Area:
  - Required = 10,000sqft.
  - Site = **8,088 sqft.**
- Min. Lot Width:
  - Required = 75 ft
  - Site = **Avg. 54'; 24' frontage on Shore Dr.**
- Min. Lot Depth:
  - Required = 100 ft
  - Proposed = 150 ft



# VARIANCE HISTORY

- **Nov. 19, 2014 (App. #14-46)** – Request to reduce side setback to 5’, side street to 10’, and total side yard setback to 15’. Variance Request Denied.
- **Mar. 25, 2015 (App. #15-17)** – Layout redesigned, new variance request submitted to only reduce rear yard setback to 20’. Variance Approved.
- **May 24, 2017 (App. #17-40)** – Building permit was not issued within 2 years, therefore previous variance expired. Applicant reapplied for the same request to reduce the rear yard setback to 20’. Variance Approved.
- **May 22, 2019 (App. #17-40 Extension)** – BOA approved a 6-month extension (as allowed by LDC).
- **Oct. 23, 2019 (App. #19-121)** – Home design modified to reduce overall footprint. New variance request to reduce the rear yard setback to 15’ and side street to 12’ 11”. Variance Approved.
- **June 24, 2020 (App. #20-63)** – Applicant returned to BOA to request to further reduce the side street setback to 10’ due to a change in the FBC requiring thicker walls. Variance Approved.
- **June 10, 2022 (Building Permit #20-3072)** – Permit issued compliant with approved variances (10’ side street and 15’ rear yard). Building Official has issued extensions over the past few years and the permit has remained active, therefore variance remain active. Permit remains active until Oct. 17, 2028.
- **Current Situation** – Change of contractor requires new building permit application, which results in existing variances expiring. Proposed application and site plan is the same as previously approved.

# 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](mailto: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 and all required application fees (see [Fee Schedule \(PDF\)](#)) **must be paid prior to the public hearing**. Fees can be paid in person or mailed.

Property Owner(s) Name*	Property Owner(s) Email*
100 Shore, LLC	rudy@zenlofts.com

Property Owner(s) Address*	Property Owner(s) Phone*
2339 Silvermoss Drive, Wesley Chapel FL 33544	813 525 8049

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Applicant(s) Name (If different than owner)	Applicant(s) Email
First and Last Name / Entity Name	Email Address

Applicant(s) Address	Applicant(s) Phone
Street, City, State, and Zip Code	Phone Number

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Agent/Representative (If applicable)	Agent/Representative Email
First and Last Name	Email Address

**Agent/Representative Address**

**Agent/Representative Phone**

Street, City, State, and Zip Code	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 checked="" type="checkbox"/> Variance, Nonconforming Lot |

**\*Temporary Use Dates**

Dates Requested
-----------------

**Project Name\***

100 Shore - Reaffirmation Request of Active Variances under Permit 20-3072
--

**Tax Parcel ID(s)\***

10-27-15-15678-000-0360

[Look Up Parcel ID](#)

**Project Location**

100 Shore Drive, Tarpon Springs FL 34689

**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\***

0.18 acres / 8,088 sq ft

**Base Flood Elevation (BFE)**

AE12

**Current Land Use\***

RL (Residential Low) ▼

*(Choices are alphabetized)*

[Lookup Land Use](#)

**Current Zoning\***

R-100 (Single Family I) ▼

*(Choices are alphabetized)*

[Lookup Zoning](#)

**Proposed Land Use**

-- Select One -- ▼

*(If applicable)*

**Proposed Zoning**

-- Select One -- ▼

*(If applicable)*

## Summary / Purpose of Request\*

### General Planning Application – 100 Shore Drive

This submission seeks reaffirmation of the two variances currently incorporated into active Building Permit No. 20-3072, valid through October 17, 2028, for a single-family residence at 100 Shore Drive, Tarpon Springs, FL. The request stems solely from the need to change the primary contractor, an action that—under Tarpon Springs Code—requires a new permit, unlike 99.4% of Florida jurisdictions.

Both the side yard setback reduction (25 ft to 20 ft combined, due to a 15 ft to 10 ft side-street variance) and the rear yard setback reduction (30 ft to 15 ft for a privacy overhang only) have previously been reviewed, recommended for approval by planning staff, and officially granted—first under Variance 19-121 and subsequently under Variance 20-63. These variances remain active and are not sought as new requests but rather as a procedural reaffirmation.

Key points supporting the minimum relief granted include:

- At only 24 ft of frontage width, the lot is 68% narrower than the required 75 ft minimum width under the R-100 zoning regulations.
- The lot is also significantly smaller than neighboring parcels (see Exhibit E: Neighborhood Site Comparison Table). At 8,088 sq ft, it is approximately 19% smaller than the required 10,000 sq ft minimum lot size.
- The required angled orientation matching the homes on Shore Drive creates further spatial hardship.
- The requested variances impact only privacy screen outcroppings, not the bulk / living space of the structure.
- Interior bedroom sizes (especially the widths) barely meet minimum livability standards.
- The rear neighbor (1716 Tallahassee) has an exterior stair encroaching approximately 11.5 ft from our shared lot line, from which the Applicant is respectfully requesting reaffirmation of the 15 ft setback as per the Building Permit 20-3072 Approved Site plan. This 15 ft setback from the 100 Shore rear lot line pertains only to the very outer tip of an open square privacy screen, not livable space.

### Legal Justification

Florida case law supports the renewal of active variances in situations where government procedural mandates force a new permit for reasons unrelated to the project's physical or legal characteristics:

- \*Kasper v. City of Coconut Creek\*, 681 So.2d 859 (Fla. 4th DCA 1996)
- \*City of Miami v. Franklin D. Glazer Trust\*, 94 So. 3d 569 (Fla. 3d DCA 2012)
- \*Edewaard v. City of Jacksonville Beach\*, 308 So.3d 1279 (Fla. 1st DCA 2020)
- \*Boynton v. State\*, 566 So.2d 1345 (Fla. 1st DCA 1990)

Each confirms that once a discretionary land use decision is rendered and vested through formal permit issuance, it may not be revisited due to ministerial processes like contractor re-assignment. Under Florida case precedent, a variance does not lapse due to administrative technicalities.

Therefore, this submission seeks no new exceptions, but rather ministerial reaffirmation of already-established rights under the same Tarpon Spring Code criteria, which have not changed since the active variances were granted.

It is also important to note that the Tarpon Springs Building Department previously allowed the Applicant to switch general contractors on this very same project (Permit No. 20-3072) via a simple email notification. This prior action underscores the ministerial nature of contractor assignment and the absence of any zoning implication when the underlying project scope remains unchanged.

### Referenced Exhibits:

- Exhibit A – 100 Shore Building Permit 20-3072 Approved Site Plan
- Exhibit B – 100 Shore Elevation Survey

- Exhibit C – 100 Shore current FEMA Map.
- Exhibit D – 100 Shore Neighborhood Aerial
- Exhibit E – 100 Shore Neighborhood Site Comparison Table
- Exhibit F – East Neighbor 1716 Tallahassee Side Stairs Photo
- Exhibit G – Rudy Arnauts Purchase Warranty Deed
- Exhibit H – Rudy Arnauts to 100 Shore LLC Quit Claim Deed
- Exhibit I – Written Consent for 100 Shore LLC

**Property Owner Electronic Signatures Agreement\***

By checking the **"I Agree"** box below, you as the property owner agree and acknowledge that **1)** this application will not be signed in the sense of a traditional paper document and **2)** by signing in this alternate manner, you authorize yours and the other signatures on this application to be valid and binding to the same force and effect as a handwritten signature.

I Agree

**Property Owner Electronic Signature\***

**Date\***

Rudy L. Arnauts

7/15/2025

---

**Property Owner Electronic Signature**

I 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.

**Property Owner Electronic Signature\***

**Date\***

Rudy L. Arnauts

7/15/2025

**Applicant / Agent Authorization**

The individual named below is authorized to provide subject matter on the application contained herein on behalf of the property owner. The applicant/agent is authorized to discuss the application with city staff verbally or in person and to appear and represent the application at any public hearing.

**Applicant/Agent Electronic Signature**

**Date**

Rudy L. Arnauts

7/15/2025

### 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](mailto: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\*

100 Shore - Reaffirmation Request of Active Variances under Permit 20-3072

100 Shore Drive, Tarpon Springs FL 34689

#### Variance Requested\*

Section 25.02(D)(6) Single Family Residential District R-100 Dimensional Regulations

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

**Summary of Request\***

Variance Continuity Justification – 100 Shore Drive.

**Summary and Purpose:**

This request respectfully seeks reaffirmation of two previously approved and still-active setback variances, already incorporated into Building Permit #20-3072, which remains valid through October 17, 2028. No modifications to the approved site plan or building design are proposed.

The need for this application arises solely from a procedural, ministerial requirement of the City of Tarpon Springs to file a new building permit when the primary contractor is changed. This procedural step—rare among Florida jurisdictions—triggers the need to reaffirm zoning entitlements that are already in effect and relied upon.

This submission does not introduce new design elements or request additional relief. It simply seeks to preserve the integrity and continuity of the already-vetted and approved variance conditions, which remain necessary to construct a modest, code-compliant residence on a very constrained legal lot of record.

See Exhibit A – Building Permit 20-3072 showing variance incorporation.

**Site-Specific Context:**

- Lot size: 8,088 sq ft (19% below the R-100 minimum of 10,000 sq ft)
- Lot width: only 24 ft at the street frontage – 68% less than the required 75 ft minimum under R-100 zoning.
- Shape: Triangular and irregular; legally non-conforming since 1924.
- Visibility: Prominent corner lot with pedestrian exposure on Shore Dr and Tallahassee Dr
- Orientation: Building footprint must angle to align with the neighborhood pattern

Due to the above factors, minor relief was previously granted for two elements:

1. Reduction of the side-street setback from 15 ft to 10 ft (for privacy screen walls only) and combined side yard setback to 20 ft.
2. Reduction of the rear setback from 30 ft to 15 ft (for a privacy overhang—not for enclosed or habitable space)

#### Chronology and Efforts to Minimize Relief:

- Variance #19-121 (Approved October 23, 2019): Reduced rear setback to 15 ft and side street setback to 12'11"; granted by unanimous BOA vote with staff recommendation for approval.
- Variance #20-63 (Approved June 24, 2020): Further reduced side-street setback to 10 ft and combined side yard to 20 ft; which is necessary to maintain minimal habitable functional space and ensure privacy for a home on a public-facing corner.

These two approvals demonstrate a deliberate effort to limit variances to only what is the bare essential for reasonable use. The floor plan includes three modest bedrooms—two of which measure only 10.5 ft in width—resulting in a total interior livable footprint of just ~1,490 sq ft, well within the scale of the neighborhood and immediately adjacent properties.

#### Neighborhood Compatibility:

- The property at 1716 Tallahassee includes a staircase set back ~11.5 ft from the rear lot line.
- Aerial imagery and tabular comparison confirm that 100 Shore is both significantly smaller and considerably narrower than all surrounding lots.
- Design, scale and orientation are consistent with adjacent homes and neighborhood patterns.
- Exhibit D – 100 Shore Neighborhood Aerial
- Exhibit E – 100 Shore Neighborhood Site Comparison Table

#### Satisfaction of the Five Variance Criteria (LDC §215.02(B)):

1. **\*\*Exceptional lot conditions\*\*** exist in size, shape, and frontage.
2. **\*\*Hardship is not self-created\*\***; the plat predates modern zoning by nearly 100 years.
3. **\*\*The requested relief is the minimum necessary\*\***, as confirmed by phased variance history.
4. **\*\*No special privilege\*\*** is conferred, and comparable setbacks exist nearby.
5. **\*\*No adverse impacts\*\*** to public health, safety, or welfare; design is compatible and modest.

Each of these findings was documented by City planning staff and affirmed in prior approvals.

#### Legal Basis Supporting Continuity of Relief:

Florida law provides robust support for reaffirming zoning entitlements already granted and lawfully incorporated into an active building permit.

#### Relevant supporting authority includes:

- City of Jacksonville Beach v. Coastal Dev., 788 So. 2d 204 (Fla. 2001): Variances attach to the land and remain enforceable barring a material change.
- City of Miami v. Frankel, 363 So. 2d 51 (Fla. 3d DCA 1978): Previously granted entitlements are not to be disturbed absent changed circumstances.
- Smith v. City of Jacksonville, 556 So. 2d 1380 (Fla. 1st DCA 1990): Validly issued zoning approvals cannot be arbitrarily rescinded.
- Florida Constitution, Article I, Section 9: Guarantees protection of property rights and due process.

These precedents support reaffirming the current variances, which were lawfully issued, fully vetted, and remain integrated into Permit #20-3072. The need to confirm them again is procedural in nature and arises from a ministerial requirement related only to contractor substitution—not from a change in the land, zoning, or design.

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:\***

## Variance Criterion 1: Physical Hardship / Unique Lot Conditions

## ◆ Prior Staff Recommendation for Approval – Variance 20-63:

“The special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district. The subject property is a corner lot that is nonconforming in terms of both lot width and lot area for the R-100 district. Due to its small size, triangular shape, and the presence of two front yards, the buildable area is significantly limited compared to other conforming lots in the same district.”

## ◆ Strengthened Justification (Updated for 2025 Application Context):

The subject property at 100 Shore Drive suffers from a convergence of unique and compounding physical hardships, which are not shared by other parcels in the R-100 zoning district.

- Irregular Lot Shape: The triangular configuration severely restricts buildable footprint, especially when conforming to required setbacks on three sides, including two “front yards.”
- Substandard Lot Size: At just 8,088 sq ft, the parcel falls well below the 10,000 sq ft minimum required for the R-100 zoning category.
- Narrow Lot Width: The street-facing lot width measures only 24 feet, drastically less than typical neighboring lots, limiting functional design layout.
- Required Angled Orientation: In order to align with the existing pattern of development along Shore Drive, the residence must be positioned at an angle—further constraining usable space and making conformance with standard setbacks geometrically infeasible.
- Environmental & Privacy Concerns: The corner location is highly visible to and used by pedestrian traffic; the variances apply only to non-habitable privacy features (walls and overhangs) that are essential for reasonable enjoyment of the home.

These conditions combine to create a unique hardship unrelated to any action of the Applicant. Without the previously granted and now reaffirmed setback relief, any development consistent with neighborhood scale and character would be physically impossible.

**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:\*****Variance Criterion 2: Hardship Not Self-Created**

- ◆ Prior Staff Recommendation for Approval – Variance 20-63:

“The conditions or special circumstances peculiar to the property have not been self-created or resulted from any action of the Applicant. The unique lot shape, size, and orientation existed prior to the Applicant’s purchase of the property.”

- ◆ Strengthened Justification (Updated for 2025 Application Context):

The hardship is entirely inherent to the lot and was not created by the Applicant. The following facts support this:

- ✓ Platted in 1924: The property’s irregular triangular shape and substandard size and width were established nearly a century ago and long before adoption of the current R-100 zoning standards.
- ✓ Legally Nonconforming Dimensions: The lot has always been below current minimum width and area requirements. The Applicant did not divide or alter the lot in any way.
- ✓ Angled Footprint Necessitated by Neighborhood Design: To maintain continuity with existing homes on Shore Drive, the orientation of the building footprint was determined by pre-existing neighborhood patterns—not by Applicant preference.
- ✓ Prior Approvals Incorporated into Permit: The variances were already vetted and granted twice—first under Variance 19-121, then modified slightly under Variance 20-63, both of which were formally approved by the City and incorporated into Building Permit 20-3072.

In fact, the only reason these reaffirmations are required is due to the City’s own unique administrative rule requiring a new permit to change general contractors—a purely procedural event wholly unrelated to any Applicant action or change to the physical site or design.

This context is reinforced by the City’s own prior allowance (via email) of a contractor change on the same permit, highlighting that the Applicant has at all times acted in good faith and relied on precedent and official City approvals.

**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:\***

## Variance Criterion 3: Denial of Reasonable Use Absent Variance / Minimum Relief Required

## ◆ Prior Staff Recommendation for Approval – Variance 20-63:

“Literal enforcement of the provisions of this Code would deprive the Applicant of rights commonly enjoyed by other properties in the same zoning district. The requested variances are the minimum necessary to allow development of a single-family residence on this uniquely constrained lot.”

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## ◆ Strengthened Justification (Updated for 2025 Application Context):

Without the requested variances, no viable or reasonably sized single-family residence could be built on the subject property. Enforcement of standard R-100 setbacks would deny the Applicant the same basic residential use that is presumed by-right under zoning and enjoyed by all neighbors.

Key factors supporting this finding:

- **Buildable Footprint Severely Restricted:** Enforcing both the standard 30 ft rear setback and the 15 ft side street setback would leave an unbuildable core, especially on a triangular, 24 ft wide lot with an angled orientation required to match neighborhood pattern.
- **Non-Habitable Features Only:** The rear and side setback relief pertains only to privacy screen overhangs and foundation walls. The main structure remains within the buildable envelope. The closest the outer tip of habitable space is located from the rear lot line is 23.75 ft. The living space of the neighbor’s home to the East is set back 21.64 ft from our dividing lot line, indicating an almost perfect balance in site placement.
- **Minimum Relief Sought Through Two-Step Variance Process:** The Applicant first secured Variance 19-121 for more conservative setback relief. When it proved insufficient to fit even a modest three-bedroom home, Variance 20-63 was sought and granted to allow for only the bare minimum additional relief.
- **Modest Room Dimensions:** The final plan results in a 12 ft master bedroom width, and secondary bedrooms of only 10.5 ft, which is the absolute minimum standard for livability and marketability.
- **Neighborhood Comparisons Show Disparity:** All neighboring properties exceed 10,000 sq ft with greater width and depth (see Exhibit H). Without these variances, 100 Shore would be the only lot in the area effectively rendered undevelopable under current code.

The requested variances are narrowly tailored to preserve essential privacy and livability without granting any undue advantage or overbuild. They enable only reasonable, code-aligned residential use on a site that would otherwise be functionally sterilized by the zoning envelope.

**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:\***

## Variance Criterion 4: No Special Privilege Granted

## ◆ Prior Staff Recommendation for Approval – Variance 20-63:

“The variance requested would not confer upon the applicant any special privilege that is denied to other lands, buildings, or structures in the same zoning district. The property’s unique shape and size, in conjunction with the dual front yard designation, substantially limit the buildable area of the site. Similar variances have been granted under comparable circumstances.”

## ◆ Strengthened Justification (Updated for 2025 Application Context):

The Applicant is not requesting any use, density, or design advantage beyond what is already commonly enjoyed by neighboring properties in the R-100 zoning district. In fact, the relief sought is solely to achieve parity with the surrounding residential context—not superiority.

## Supporting points:

- Use and Structure Remain Fully Code-Compliant: The proposed residence is a single-family detached home, matching both the intended zoning use and the pattern of development along Shore Drive and Tallahassee Drive.
- Privacy Features Only Intrude on Setbacks: The variances apply to privacy wall foundations and rear overhangs—not enclosed living space. These architectural features are permitted elsewhere by right as balconies, and their structural extension to grade does not confer additional use.
- Surrounding Homes Already Benefit from More Favorable Conditions: Neighboring homes are situated on larger and wider lots, many of which permit greater design flexibility without variances. In contrast, 100 Shore requires variances to merely accommodate a modest three-bedroom layout.
- Established Precedent: Variances 19-121 and 20-63 were both previously granted after staff recommendation for approval and public hearing and were relied upon by the Applicant to obtain Building Permit 20-3072 at considerable time and expense.
- Nearby Encroachments Exceed Those Requested: A neighboring home at 1716 Tallahassee has a permanent exterior stair located approximately 11.5 feet from the shared lot line—demonstrating that comparable or greater setbacks are already tolerated and approved nearby (see Exhibit F).

Approving the requested reaffirmation does not create a special class or unique right—it simply preserves the longstanding intent to allow a fair and feasible use of this particular lot as permitted under Building Permit 20-3072.

**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:\***

Variance Criterion 5: No Adverse Impact on Surrounding Properties

◆ Prior Staff Recommendation for Approval – Variance 20-63:

“Granting the variance will not substantially diminish property values in the surrounding area or alter the essential character of the neighborhood. The proposed structure is compatible with adjacent residential uses and maintains the single-family character of the district.”

◆ Strengthened Justification (Updated for 2025 Application Context):

The requested variances will have no negative impact on surrounding properties in terms of value, character, or rights—and in fact serve to enhance consistency and privacy within the neighborhood.

Supporting points:

- **Compatible Scale and Use:** The proposed home is a single-family residence consistent in use, architectural scale, and setback rhythm with adjacent homes. No change in zoning use or intensity is proposed.
- **Preservation of Privacy for Neighbors:** The minor setback intrusions are for privacy screen structures only—not living spaces—providing an added buffer that protects rather than invades the visual or physical space of adjacent lots.
- **Elevated Architectural Standards:** The home design reflects high-quality materials and site responsiveness, which can strengthen surrounding property values rather than diminish them.
- **Clear Public Benefit through Lot Utilization:** Approving the reaffirmed variances enables completion of a long-permitted project, preserving neighborhood stability by avoiding an undeveloped, irregular lot. Applicant also invested in removing utility poles and rerouting wires underground. In addition, Applicant will invest considerable funds to bring sewer lines up from Gulf Road, which can then be tapped into by neighbors.
- **Essential Character of Shore Drive Maintained:** The angled orientation of the structure, limited site coverage, and corner-lot landscape design all preserve the cohesive, walkable, residential feel of this established neighborhood. There is no credible basis for concern about nuisance, depreciation, or neighborhood disruption. These variances support completion of a previously approved, compatible project—using setbacks already vetted and affirmed.

**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\***

Rudy L Arnauts

7/15/2025

### Steps to Download Form

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5. Save the form in your desired location.

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

## EXHIBIT LIST

- Exhibit A – 100 Shore Building Permit 20-3072 Approved Site Plan

- Exhibit B – 100 Shore Elevation Survey

Please note the survey has the old VE Flood zone designations by FEMA. This does not impact the reaffirmation of the active variances request as only the site dimensions are relevant.

- Exhibit C – 100 Shore current FEMA Map.

The current Flood zone designation is AE12. As the site is located West of the LMWA line, the extra 5 ft in roofline height is allowed as it is in a VE zone.

- Exhibit D – 100 Shore Neighborhood Aerial

- Exhibit E – 100 Shore Neighborhood Site Comparison Table

- Exhibit F – East Neighbor 1716 Tallahassee Side Stairs Photo

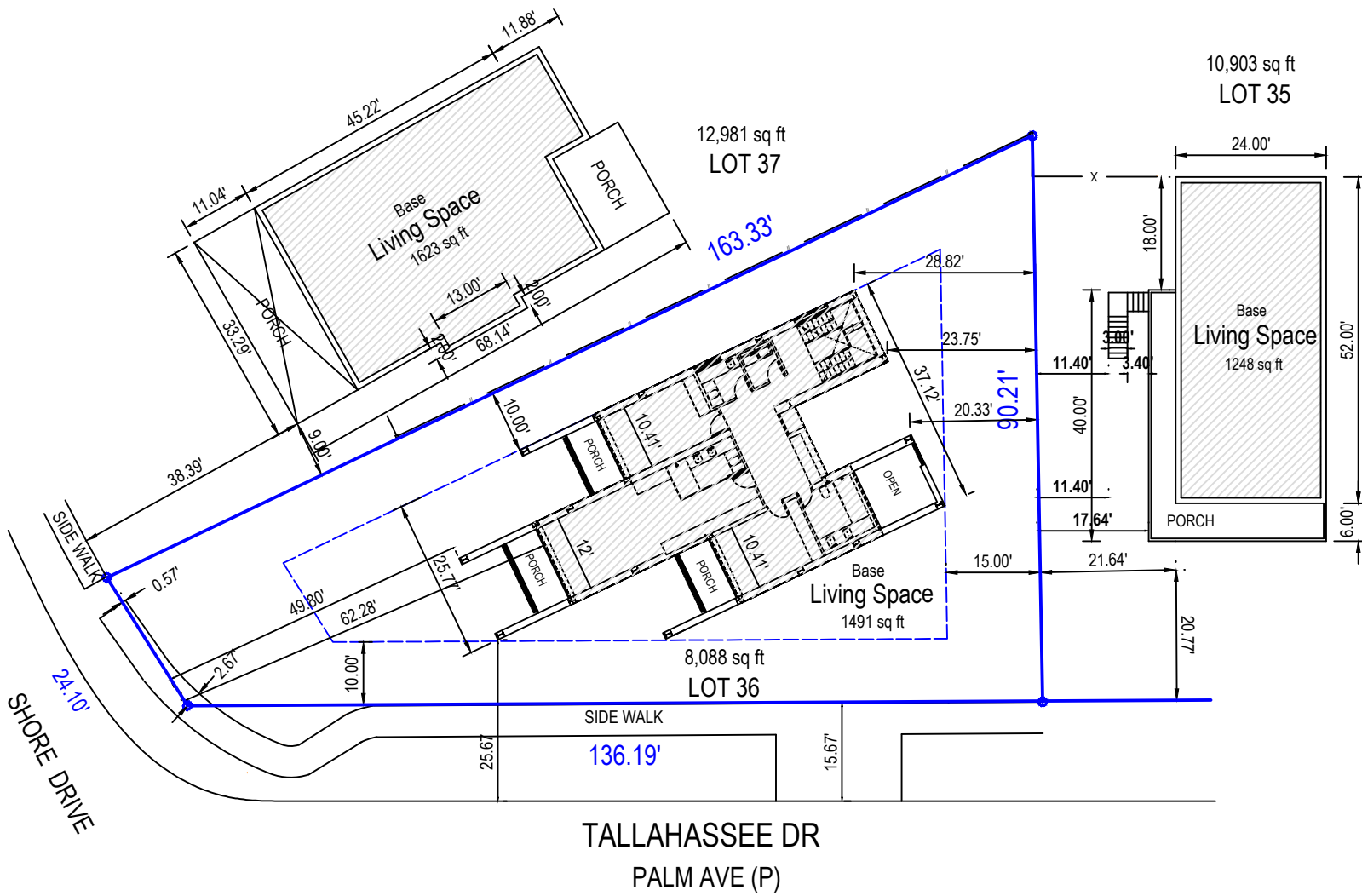
- Exhibit G – Rudy Arnauts Purchase Warranty Deed

- Exhibit H – Rudy Arnauts to 100 Shore LLC Quit Claim Deed

- Exhibit I – Written Consent for 100 Shore LLC

# TARPON SPRINGS BUILDING PERMIT 20-3072 APPROVED SITE PLAN

LOT 36, H. L. CLARK'S SUBDIVISION, AS SHOWN ON THE PLAT THEREOF, RECORDED IN PLAT BOOK 6, PAGE 64, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA

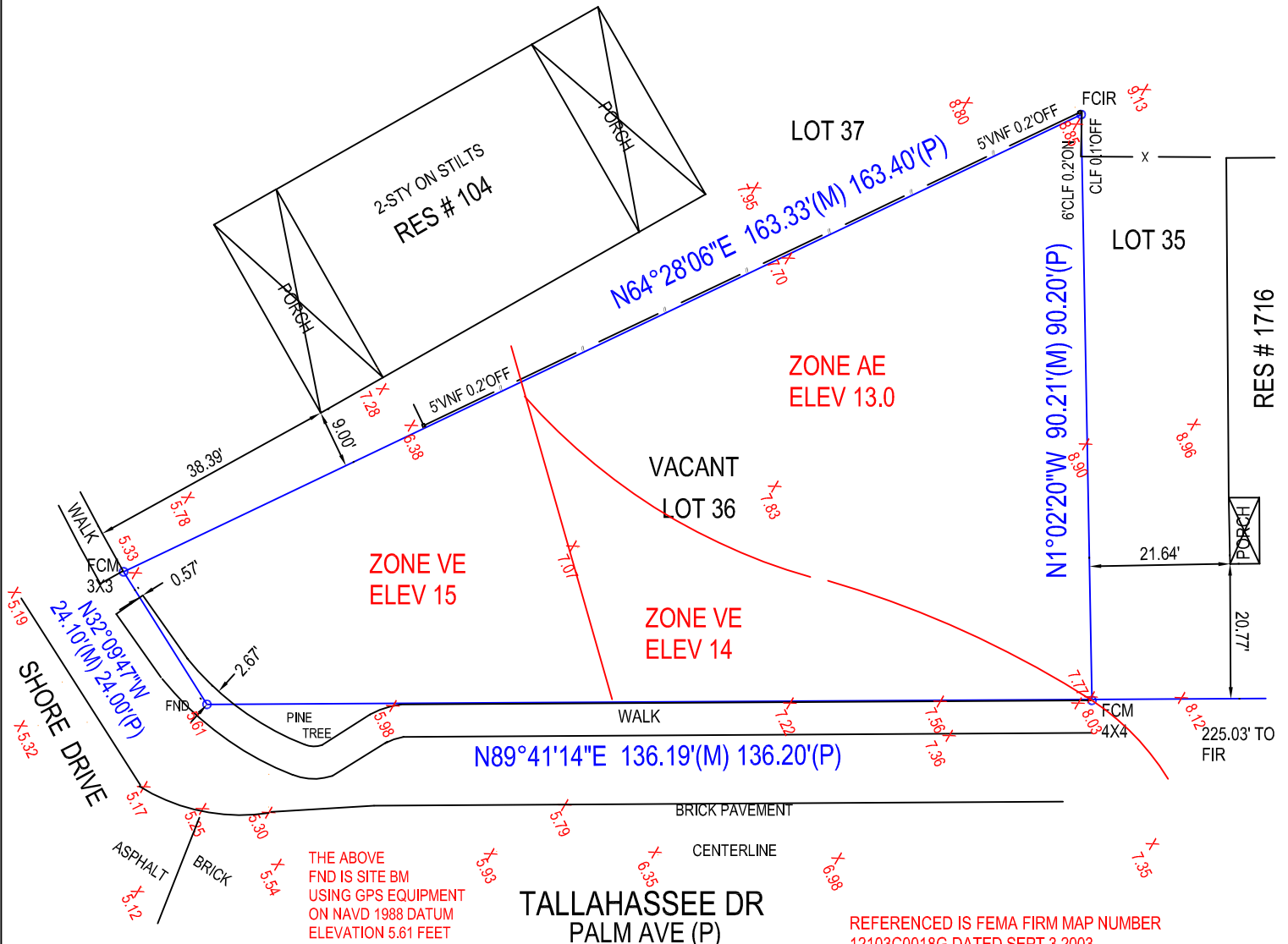


SITE PLAN

BOUNDARY SURVEY WITH ELEVATIONS OF VACANT PARCEL 10-27-15-15678-000-0360

0 TALLAHASSEE DRIVE, TARPON SPRINGS, FLORIDA 34689

LOT 36, H. L. CLARK'S SUBDIVISION, AS SHOWN ON THE PLAT THEREOF, RECORDED IN PLAT BOOK 6, PAGE 64, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA



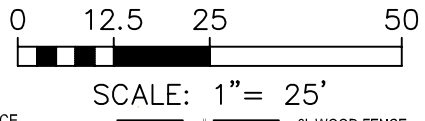
THE ABOVE  
FND IS SITE BM  
USING GPS EQUIPMENT  
ON NAVD 1988 DATUM  
ELEVATION 5.61 FEET

REFERENCED IS FEMA FIRM MAP NUMBER  
12103C0018G DATED SEPT 3 2003  
FLOOD ZONE LINES AND BASE  
ELEVATIONS IN NAVD 1988 DATUM

FND = FOUND NAIL AND DISC IN WALK, PRM LB 1019

UNLESS NOTED OTHERWISE, THIS IS AN AS-BUILT SURVEY SHOWING IMPROVEMENTS IN RELATION TO PROPERTY AND PLAT MONUMENTS FOUND - ALL PROPERTY CORNER MARKERS AND PLAT MONUMENTS FOUND ARE SHOWN ON SURVEY.

THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE CURRENT OWNERS OF THE PROPERTY AND ALSO THOSE WHO PURCHASE, MORTGAGE OR GUARANTEE THE TITLE THERETO WITHIN ONE YEAR OF THE FIELD DATE NOTED ON THIS SURVEY.



UTILITY POLES, TREES AND OTHER ITEMS WERE NOT LOCATED AS PART OF THIS SURVEY — X — 4' CHAIN LINK FENCE # — 6' WOOD FENCE

NOTES: (1) IN COMPLIANCE WITH F.A.C. 61G17-6.0031-4-E, IF LOCATION OF EASEMENTS OR RIGHTS-OF-WAY OF RECORD, OTHER THAN THOSE ON RECORD PLATS, IS REQUIRED, THIS INFORMATION MUST BE FURNISHED TO THE SURVEYOR AND MAPPER. (2) IF APPLICABLE, FENCES SHOWN MEANDER ON OR OFF LINES. (APPROX.) (3) NO EXCAVATION OR MAPPING OF UNDERGROUND IMPROVEMENTS HAS BEEN PERFORMED. CORNER MARKERS ARE 1/2" DIAMETER UNLESS NOTED OTHERWISE.

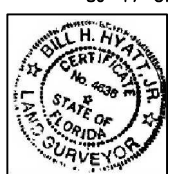
BASIS OF BEARINGS IS R/W LINE (USING PLAT BEARING OR ASSUMED) UNLESS NOTED OTHERWISE

LEGEND: (C) = CALCULATED, C# = CURVE NUMBER, CB= CABLE BOX, LP= LIGHT POLE, C/S = CONCRETE SLAB, CLF = CHAIN LINK FENCE, CONC = CONCRETE, CSW = CONCRETE SIDEWALK, (D) = DEED, DE = DRAINAGE EASEMENT, DI= DRAIN INLET, EOW = EDGE OF WATER, E/P = EDGE OF PAVEMENT, (F) = FIELD, F/C = FENCE CORNER, FCIR = FIR CAPPED, FXC = FOUND X CUT, FCM = FOUND CONCRETE MONUMENT, FIP = FOUND IRON PIPE, FIR = FOUND IRON ROD, FN = FOUND NAIL, FND = FOUND NAIL & DISK, ID = IDENTIFICATION, (M) = MEASURED, MH = MANHOLE, NCF = NO MARKER FOUND, OHW OR OHP = OVERHEAD WIRE, O/A = OVER ALL, (P) = PLAT, P/E=POOL EQUIP, PP = POWER POLE, POB = POINT OF BEGINNING, POC = POINT OF COMMENCEMENT, PRM = PERMANENT REFERENCE MONUMENT, R/W = RIGHT OF WAY, SIR = SET 1/2" IRON ROD, LB 6912, SND = SET NAIL AND DISK LB 6912, TNF= TRANSFORMER, TOB = TOP OF BANK, TP= PHONE PEDESTAL, UE = UTILITY EASEMENT, WDF = WOOD FENCE, WM = WATER METER

**Know It Now, Inc.**  
Florida Business Certificate Of LOCATION = 2011 HEIDELBERG AVENUE, DUNEDIN, FL  
Authorization Number LB 6912 VOICE 727-415-8305 FAX 727-736-2455

CERTIFIED EXCLUSIVELY TO THE BELOW PARTIES

I HEREBY CERTIFY THAT THIS SKETCH OF SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND TO THE BEST OF MY KNOWLEDGE AND BELIEF SAID SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE FURTHER, THIS DOCUMENT IS ELECTRONICALLY SIGNED AND SEALED PURSUANT TO SECTION 472.027, OF THE FLORIDA STATUTES AND CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE.



Surveyor & Mapper Number 4636  
DATE OF FIELD WORK: 5-2-14  
DATE SIGNED 5-3-14 + 7-7-14  
7-7-14 ADDED ELEVATIONS

FLORIDASURVEYOR@AOL.COM BILL HYATT

Exhibit C 100 Shore Current FEMA map



Site is to the West of the **Limit of Moderate Wave Action (LMWA)** line

Exhibit D 100 Shore Neighborhood Aerial



**Exhibit E – 100 Shore Neighborhood Site Comparison Table**

<b>Address</b>	<b>Lot Width</b>	<b>Square Footage</b>	<b>% of Min 10 K Lot Size</b>
112 Shore	75 ft	13,978	139.78%
108 Shore	71.2 ft	10,537	105.37%
104 Shore	75 ft	12,981	129.81%
<b>100 Shore</b>	<b>24 ft</b>	<b>8,088</b>	<b>80.88%</b>
1716 Tallahassee	75 ft	10,903	109%

Exhibit F – East Neighbor 1716 Tallahassee Side Stairs



Prepared by:  
Mindy Sharp  
**RETURN TO:**  
Surety Title Services of Florida, Inc.  
2750 McMullen Booth Rd #101  
Clearwater, Fl 33761  
13-10025

KEN BURKE, CLERK OF COURT  
AND COMPTROLLER PINELLAS COUNTY, FL  
INST# 2014174526 06/19/2014 at 11:04 AM  
OFF REC BK: 18438 PG: 1831-1833  
DocType:DEED RECORDING: \$27.00  
D DOC STAMP: \$367.50

## General Warranty Deed

Made this June 20, 2014 A.D. By **PETER STOUMBELIS, a single man and ANITA FUMARIA F/K/A ANITA STOUMBELIS, a married woman**, hereinafter called the grantor, to **RUDY L. ARNAUTS, a single man**, whose post office address is: 31343 Anniston Drive, Wesley Chapel, FL 33543 hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

**Witnesseth**, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Pinellas County, Florida, viz:

Lot 36, THE H.L. CLARK SUBDIVISION, according to the map or plat thereof, as recorded in Plat Book 6, Page 64, Public Records of Pinellas County, Florida.

Parcel ID Number: **10/27/15/15678/000/0360**

\*\*\*\*Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon.

**SUBJECT PROPERTY IS VACANT LAND.**

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**To Have and to Hold**, the same in fee simple forever.

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2013.

Prepared by:  
Mindy Sharp  
**RETURN TO:**  
Surety Title Services of Florida, Inc.  
2750 McMullen Booth Rd #101  
Clearwater, Fl 33761  
13-10025

**In Witness Whereof**, the said grantor has signed and sealed these presents the day and year first above written.

*Signed, sealed and delivered in our presence:*

*Luiz Lillian Cuervo*  
Witness signature  
Luiz Lillian Cuervo  
Witness printed name

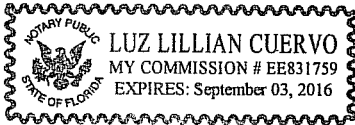
*Anita Fumaria* (Seal)  
**ANITA FUMARIA F/K/A ANITA STOUMBELIS**  
Address: 4281 W. McNab Rd. #21, Pompano Beach, Florida  
33069

*[Signature]*  
Witness signature  
Robert Sacks  
Witness printed name

State of Florida  
County of Broward

The foregoing instrument was acknowledged before me this June 17, 2014, by **ANITA FUMARIA F/K/A ANITA STOUMBELIS, a married woman** who is/are personally known to me or who has produced drivers license as identification.

*Notary seal*



*Luiz Lillian Cuervo*  
**Notary Public**  
My Commission Expires: SEP. 3/2016

Prepared by:  
Mindy Sharp

**RETURN TO:**  
Surety Title Services of Florida, Inc.  
2750 McMullen Booth Rd #101  
Clearwater, Fl 33761  
13-10025

**In Witness Whereof**, the said grantor has signed and sealed these presents the day and year first above written.

*Signed, sealed and delivered in our presence:*

Marlene F. Hicks  
Witness signature  
Marlene F. Hicks  
Witness printed name

Peter Stoumbelis  
Peter Stoumbelis (Seal)  
**PETER STOUMBELIS**  
Address: 1673 Falkland Road East, Jacksonville, FL 32221

Cynthia A. Hunt  
Witness signature  
Cynthia A. Hunt  
Witness printed name

State of Florida  
County of Duval

The foregoing instrument was acknowledged before me this June 13, 2014, by PETER STOUMBELIS, a single man who is/are personally known to me or who has produced drivers license as identification.

*Notary seal*

Kimberly W. Davis  
Notary Public  
My Commission Expires: 3/12/17



**Prepared by and when recorded return to:**

Jason Sampson, Esq.  
Venerable Law  
301 W. Platt Street, No. 657  
Tampa, FL 33606  
(813) 284-4727

**Property Appraiser's Parcel Identification  
No. 10/27/15/15678/000/0360**

(Space above this line reserved for recording office use only)

**WARRANTY DEED**

THIS WARRANTY DEED made this 2<sup>nd</sup> day of August, 2021, by **RUDY L. ARNAUTS**, Grantor, whose post office address is 31343 Anniston Drive, Wesley Chapel, Florida 33543, to **100 SHORE, LLC**, whose address is 301 West Platt St., No. 657, Tampa, FL 33606, with full power and authority, to protect, conserve, sell, lease, encumber or otherwise manage and dispose of said property pursuant to Florida Statutes sections §689.071 and §689.073, Grantee, whose post office address is 301 W. Platt St., No. 657, Tampa, FL 33606.

WITNESSETH: That the Grantors, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee, the following described lot, piece, or parcel of land, to wit:

Lot 36, THE H.L. CLARK SUBDIVISION, according to the map or plat thereof, as recorded in Plat Book 6, Page 64 of the Public Records of Pinellas County, Florida.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.


TO HAVE AND TO HOLD the same in fee simple forever.

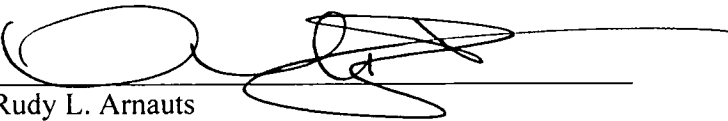
AND THE GRANTOR hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple, and that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whosoever; and that said land is free of all encumbrances, except taxes and mortgages of record, if any.

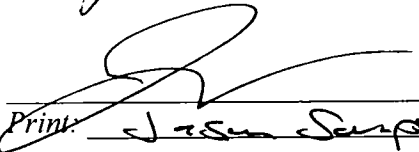
[SIGNATURES AND ACKNOWLEDGEMENTS APPEAR ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

TWO WITNESSES:

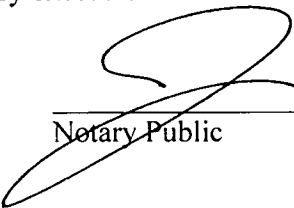
  
\_\_\_\_\_  
Print: Jantzen Moore

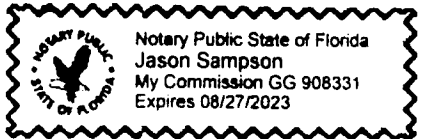
  
\_\_\_\_\_  
Rudy L. Arnauts

  
\_\_\_\_\_  
Print: Jason Sampson

STATE OF FLORIDA )  
COUNTY OF HILLSBOROUGH )

The foregoing instrument was acknowledged before me by means of [  ] physical presence or [  ] online notarization, this 2<sup>nd</sup> day of August, 2021 by Rudy L. Arnauts, who is personally known to me and who executed the foregoing instrument and acknowledged before me that they executed the same.

  
\_\_\_\_\_  
Notary Public



**WRITTEN CONSENT IN LIEU OF A SPECIAL MEETING OF  
THE MANAGER OF  
100 SHORE, LLC**  
(a Florida limited liability company)  
as of July 21, 2021

The undersigned, being the sole manager (the "Manager") of 100 Shore, LLC, a Florida limited liability company (the "Company"), hereby adopt the following resolutions by written consent, in lieu of holding a formal meeting regarding the same pursuant to the provisions of Sections 605.04073, Florida Statutes, and the Operating Agreement of the Company, and all requirements pertaining to the time, manner and place of same, as well as all notice requirements relating thereto, are hereby waived.

**WHEREAS**, the Manager wishes to appoint persons to be officers of the Company as permitted under Section 9 of the Company Operating Agreement; and

**WHEREAS**, the Manager appoints **Rudy L. Arnauts** as President and **Dara G. Durland** as Vice President; and

**WHEREAS**, the Manager has deemed it to be in the best interests of the Company to accept the appointment of the President and Vice President as officers of the Company.

**NOW, THEREFORE, BE IT RESOLVED**, that Rudy L. Arnauts is the Company President and Dara G. Durland is the Company Vice President; and be it further

**RESOLVED**, that the President and Vice President are authorized signatories (the "Authorized Signatory"), in their capacity as officers of the Company, be and hereby are authorized to execute and deliver, in the name of and on behalf of the Company, to take any and all actions which in their discretion may deem to be necessary or desirable to carry out the needs of the Company; and be it further

**RESOLVED**, that the signature of the Authorized Signatory of the Company, on any documents and instruments executed in connection therewith or pursuant thereto shall be conclusive evidence of its authority to execute and deliver such instruments or documents.

This Written Consent may be executed in separate counterparts, each of which shall be deemed to be an original and all of which taken together shall constitute one and the same agreement. This Written Consent may be executed and delivered by means of a facsimile machine or by .pdf, .tif, .gif, .jpeg or similar attachment to an electronic mail message any copy hereof executed and delivered in any such manner shall be treated in all manner and respects as an original and shall be considered to have the same binding legal effect as if it were the original signed version thereof delivered in person.

[Signature page to follow]

IN WITNESS WHEREOF, this Written Consent of the Manager of the Company is effective as of the date stated above.

**MANAGER:**

Double Destiny Investments, LLC

By: \_\_\_\_\_  
DocuSigned by:  
Rudy Arnauts  
TCDA064B01B24E2...

I hereby accept the title of President and shall abide by the Operating Agreement and laws of the State of Florida pertaining to this title.

\_\_\_\_\_  
DocuSigned by:  
Rudy Arnauts  
TCDA064B01B24E2...  
Rudy L. Arnauts

I hereby accept the title of Vice President and shall abide by the Operating Agreement and laws of the State of Florida pertaining to this title.

\_\_\_\_\_  
DocuSigned by:  
Dara G. Durland  
29A9BC2DE8A8474...  
Dara G. Durland

*[Signature Page to Written Consent in Lieu of a Special Meeting of the Manager of 100 Shore, LLC]*



**Minutes  
Board of Adjustment  
City of Tarpon Springs, Florida  
August 27, 2025**

The Board of Adjustment of the City of the City of Tarpon Springs, Florida met in the City Hall Auditorium/Commission Chambers, 324 E Pine Street, on Wednesday, August 27, 2025, at 6:30 PM with the following present:

Member Robert Wood  
Member Jacqui Turner  
Vice-Chairperson Timothy Grossman  
Chairperson Joanne Reich

ABSENT/EXCUSED: Member Karl Fuchs

ALSO PRESENT: Allie Keen, AICP, Principal Planner  
Daniel P. Lewis, Board Attorney  
Kimberly Creighton, Board Secretary

**1. CALL TO ORDER**

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

**2. ROLL CALL**

The Board Secretary called the roll.

**3. QUASI-JUDICIAL ANNOUNCEMENT AND SWEARING IN OF SPEAKERS**

The Board Attorney 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. **#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

Staff:

Mrs. Keen gave background information, referred to the findings-of-fact listed below, and indicated that, based on the information available at the time this report was prepared, staff recommended approval of this request.

Findings-of-Fact:

1. The need for the variance was due to the property being narrower than required under the R-100 standards and the layout of the existing home. Although the proposed addition did not meet the minimum side setback, it replaced an existing storage room that further encroached the side yard. *Based upon evidence available when this report was prepared, staff was of the opinion that this standard was met.*

2. The special circumstances were not self-created. The property, like other properties along Chesapeake Drive, were not platted as a part of a subdivision and did not meet the minimum R-100 lot width requirements. The property had been in existence since at least 1962 when the home was constructed, prior to when the applicant obtained ownership of the property and when the current Land Development Code went into effect. *Based upon evidence available when this report was prepared, staff was of the opinion that this standard was met.*
3. Literal enforcement of the dimensional standards limited development on the property due to the existing improvements and the nonconforming lot width. Allowing the reduction of the minimum required side yard setback did not confer any special privilege and the requested variance was 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 was of the opinion that this standard was met.*
4. Granting approval of reduced side yard setbacks for properties with nonconforming lot widths was common elsewhere in the R-100 district. Additionally, the proposed addition reduced the current nonconforming setback of the storage room by approximately 1.5 feet, and the location of the addition was over 80 feet from the street. *Based upon evidence available when this report was prepared, staff was of the opinion that this standard was met.*
5. The proposed addition lessened the existing nonconforming storage room and was setback over 80 feet from the street. Approval of the requested variance was not expected to substantially diminish property values nor adversely impact surrounding properties. *Based upon evidence available when this report was prepared, staff was of the opinion that this standard was met.*

Applicant:

Amy Ullstad, 696 Chesapeake Drive, noted that the addition was intended to provide accessibility for her sister. She further noted that the carport that was on the house was enclosed, and the front door was moved.

Public:

Barbara Hoffman, 216 George Street S, noted that she wanted to ensure that the email that Mr. Hoffman wrote was entered into the record.

**MOTION:** Vice-Chairperson Grossman

**SECOND:** Member Turner

to approve Application 25-51 as presented.

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

**Yes:** Member Wood

Member Turner

Vice-Chairperson Grossman

Chairperson Reich

**No:** None

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

Staff:

Mrs. Keen gave background information, referred to the findings-of-fact listed below, and noted that based on the evidence available at the time this report was prepared, staff recommended approval of the dock length variance request.

Findings-of-Fact:

1. The LDC limited private docks' length based on the amount of water frontage the property had. Due to the water depth at this location, it warranted the dock to extend further than permitted. Although the length of the dock exceeded what was permitted for this particular property, it was consistent with other docks in the immediate area. The unique physical configuration of this lot and the water depth at this location resulted in the need for the variance. *Based upon evidence available when this report was prepared, staff was of the opinion that this standard was met.*

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

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

4. Granting the dock length variance allowed for the extension of an existing docking facility for a waterfront property that was 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 necessitated the variance request. The additional dock length did not confer any special uses or privileges to the applicant that were not commonly enjoyed by other property owners in similar circumstances. *Based upon evidence available when this report was prepared, staff was of the opinion that this standard was met.*

5. Approval of the dock length variance did 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, was similar to other docks within the immediate area and accommodated the necessary water depth for safe navigation. *Based upon evidence available when this report was prepared, staff was of the opinion that this standard was met.*

Applicant:

Lee Luscier, 1542 Riverside Drive, noted that his neighbor David was there with him. He further noted that they were working together to get their docks because Pinellas County required them to get a topographic survey of the water depth, and he hoped that the Board would approve the request.

**MOTION:** Member Turner  
**SECOND:** Member Wood

to approve Application 25-54 as presented.

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

**Yes:** Member Wood  
Member Turner  
Vice-Chairperson Grossman  
Chairperson Reich

**No:** None

## **5. APPROVAL OF MINUTES**

a. July 23, 2025, Minutes for Approval

**MOTION:** Vice-Chairperson Grossman  
**SECOND:** Member Wood

to approve minutes from the July 23, 2025, meeting.

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

**Yes:** Member Wood  
Member Turner  
Vice-Chairperson Grossman  
Chairperson Reich

**No:** None

## **6. BOARD AND STAFF COMMENTS**

Mrs. Keen noted that the city was inviting the Board to a workshop to work on the downtown plan, and she hoped they would attend. She further noted that there were three applications for the September 24, 2025, BOA Meeting, and that the link to the YouTube videos of the meeting were available on the city's website.

## **7. ADJOURNMENT**

The Chairperson adjourned the meeting at 07:11 PM.

---

Chairperson

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