



# 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, OCTOBER 22, 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. #25-66 - Wheway

Variance to reduce the required rear yard setback for the purpose of expanding a screen enclosure with a solid roof.

Location: 751 Salt Lake Drive

### 5. APPROVAL OF MINUTES

#### a. September 24, 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**  
**[OCTOBER 22, 2025]**

**STAFF REPORT**

**Application No. / Project Title:** #25-66 (Wheway)  
**Staff:** Allie Keen, AICP, Principal Planner  
**Applicant / Owner:** Patricia & Richard Wheway  
**Property Size:** +/- 8,520 square feet  
**Current Zoning:** RPD (Residential Planned Development)  
**Current Land Use:** RL (Residential Low)  
**Location / Parcel ID:** 751 Salt Lake Drive / 07-27-16-60845-000-0430

**BACKGROUND SUMMARY:**

The applicant is proposing to reduce the required rear yard setback to 16 feet, 4 feet less than required, for the purpose of extending the existing screen enclosure with a solid roof on the backside of the home.

**PRELIMINARY STAFF RECOMMENDATION:**

Due to this provision being under review and the potential for amendment to the Land Development Code, staff has not provided a formal recommendation for this application. In lieu of the recommendation, staff has provided background information and analysis relevant to the request to assist the Board in their decision.

If the Board chooses to approve the request, staff does recommend the following condition:

1. The area under the solid roof may not be altered to form enclosed or conditioned living space, unless the Northlake Residential Planned Development minimum setbacks are met.

**LAND DEVELOPMENT CODE CONSIDERATIONS:**

**District Intent:** The subject property is located within the Northlake Residential Planned Development (RPD) section containing single family detached homes. The planned development districts are areas planned, developed, operated, and maintained as a single entity under unified control, with a series of definitively programmed phases built according to specified plans, and containing residential, commercial, or industrial development, either singularly or in combination.

**Development Standards:** Per the Northlake Residential Planned Development, the minimum rear yard setback for lots with at least 120 feet in depth is 20 feet.



**CURRENT PROPERTY INFORMATION:**

<b>Use of Property:</b>	Single family residential
<b>Site Features:</b>	Single family home, driveway, pool, screen enclosure, trees, and landscaping.
<b>Vehicle Access:</b>	The property is accessed from Salt Lake Drive.

**SURROUNDING ZONING & LAND USE:**

	<b>Zoning:</b>	<b>Land Use:</b>
<b>North:</b>	RPD (Northlake Residential Planned Development)	RL (Residential Low)
<b>South:</b>	RPD (Northlake Residential Planned Development)	RL (Residential Low)
<b>East:</b>	RPD (Northlake Residential Planned Development)	RL (Residential Low)
<b>West:</b>	RPD (Northlake Residential Planned Development)	RL (Residential Low)

**PLANNING CONSIDERATIONS:**

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

1. The applicant is proposing to extend the existing pool screen enclosure on the subject property. The extension will wrap around the southeast side of the home and include a solid, shingled roof to match the existing roof and gable. According to the provided site plan, the extended portion under the solid roof will be approximately 16 feet from the rear property line. The proposed expansion complies with the minimum 6 foot side setback.
2. The Northlake Residential Planned Development requires a minimum 20 foot rear setback for properties with a minimum 120 foot lot depth. According to the survey, at the closest points, the existing home is setback approximately 27 feet, the open-air portion of the screen enclosure is 18 feet, and solid-roof portion of the screen enclosure is 39 feet to the rear property line.
3. The applicant indicated the proposed expansion will provide more shaded seating, space for an outdoor kitchen area, and a new hot tub located behind the southeastern wall of the home. Based on the existing setback of the home, a covered screen enclosure would be permitted to extend approximately 7 feet. According to the applicant’s contractor the proposed enclosure is sized to allow for adequate spacing around the hot tub and for the posts and footings to be installed without disturbing the existing pool.
4. LDC Section 36.02(C) permits an open pool screen enclosure to have a rear yard setback of 5 feet, or outside any easement. If the proposed extension had a screen roof rather than a solid roof it could be constructed as proposed without variance approval.
5. The subject property’s rear property line is angled inward at the center of the yard. Due to the angled property line, the proposed extension’s setback ranges from 16 feet to approximately 17.6 feet. Further, there is a 5-6 foot wide upland preservation area along the rear of the property. There is also a wetland preservation area between the upland area and Salt Lake. There are no residential lots to the rear of the subject property.
6. The Planning Department is in the process of making updates to the Land Development Code following the recent adoption of the updated Comprehensive Plan. Setback requirements for screen enclosures with solid roofs is a provision staff has flagged for review. Over the years, this has been a common issue, resulting in variance requests for residents desiring to have shaded outdoor spaces. At



this time, staff has started to review this section of the code, however, potential changes have not moved forward to the Board of Commissioners for their approval.

**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 irregular rear lot line and layout of the existing home and screen enclosure. The extension of any covered area past the existing screen enclosure would result in the need for a variance. Additionally, the property abuts both an upland and wetland preservation areas that are not taken into consideration in terms of setbacks.

- 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:* Due to the existing setback of the home, the proposed extension could potentially be redesigned to meet the minimum rear yard setback requirement. There is approximately 27 feet between the southeast wall of the home and the rear property line, which would still allow for an extension of the screen enclosure with a solid roof, however, the existing layout of the pool would need to be taken into consideration.

- 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 minimum setback requirements would necessitate the screen enclosure to be redesigned and/or to have a portion of the extension to have a screen roof to meet the rear setback requirement.

- 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:* Approval of this request will not confer any special uses or privileges to the applicant that are not commonly enjoyed by other property owners in this area. Covered outdoor spaces are common features for single family properties within the immediate neighborhood and elsewhere in the City.

- 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 rear yard setback for the proposed extension is not expected to diminish property values or alter the character of the neighborhood. The subject property backs up to Salt Lake with



no residential lots behind it. Further, there are both an upland and wetland preservation area between the property and Salt Lake that provides additional separation between the proposed structure and the lake.

**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 received 1 written response.*

**ATTACHMENTS:**

1. Staff Presentation
2. Application & Variance Addendum
3. Applicant Narrative
4. Contractor's Narrative
5. Site Plan
6. Survey
7. Plat

# WHEWAY #25-66

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Board of Adjustment – October 22, 2025



# LOCATION & CONTEXT



# REQUEST

- **#25-66 – Rear Yard Setback**
  - Required= 20 feet
  - Proposed = 16 feet
- **Applicant/Owner:** Patricia & Richard Wheway
- *Variance request to reduce the required rear yard setback for the purpose of extending the existing screen enclosure with a solid roof on the backside of the home.*





# CONTEXT



# PLANNING CONSIDERATIONS

## Existing Footprint

- Rear setback of home (27') allows for extension with a solid roof without variance.
- Contractor stated proposed size allows for adequate space around the proposed hot tub and for the posts and footings to be installed without disturbing the existing pool.
- Redesign would need to take existing pool layout into consideration.

## LDC Interim Amendments

- Staff is in the process of updating LDC following Comprehensive Plan update.
- Setback requirements for covered screen enclosures has been flagged for review.
- Over the years, this has been a common issue, resulting in variance requests for residents desiring to have shaded outdoor spaces. Staff has started this review; however, potential changes have not moved forward to BOC for approval.
- If BOA approves variance request, staff recommends the following condition:
  - The area under the solid roof may not be altered to form enclosed or conditioned living space, unless the Northlake RPD minimum setbacks are met.

# 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@ctsf.us](mailto:planning@ctsf.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\***

Patricia D Wheway

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

patwheway@gmail.com

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

751 Salt Lake Dr.

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

413-478-1166

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

First and Last Name / Entity Name

**Applicant(s) Email**

Email Address

**Applicant(s) Address**

Street, City, State, and Zip Code

**Applicant(s) Phone**

Phone Number

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**Agent/Representative (If applicable)**

First and Last Name

**Agent/Representative Email**

Email Address

**Agent/Representative Address**

Street, City, State, and Zip Code

**Agent/Representative Phone**

Phone Number

**Application Type (Check all that apply)\***

- 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\***

Lanai Roof Extension

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

07 27 16 60845 000 0430

[Look Up Parcel ID](#)

**Project Location**

Lanai

**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\***

.019

**Base Flood Elevation (BFE)**

Elevation(s)

**Current Land Use\***

RS (Residential Suburban) ▼

*(Choices are alphabetized)*

[Lookup Land Use](#)

**Current Zoning\***

RPD (Residential Planned De ▼

*(Choices are alphabetized)*

[Lookup Zoning](#)

**Proposed Land Use**

RS (Residential Suburban) ▼

*(If applicable)*

**Proposed Zoning**

RPD (Residential Planned De ▼

*(If applicable)*

**Summary / Purpose of Request\***

Extension of hard roof to back of pool cage and around behind pool bedroom.

**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\*

Patricia D Wheway

Date\*

7/31/2025

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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\*

Patricia D Wheway

Date\*

7/31/2025

#### Steps to Download Form

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

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

Variance Application Form



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

INSTRUCTIONS

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

Project Name\*

Patricia D Wheway

Project Location\*

751 Salt Lake Dr Tarpon Springs

Variance Requested\*

§ 215.00 - VARIANCES AND APPEALS.

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

Summary of Request\*

Extend the hard roof to end of pool lanai and around the corner behind the pool bedroom. Architect's drawing attached. All work to be done by Dan Roth, Gatewood Builders.

Requesting a 4' variance on the setback

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 LDC 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:\*

There is nothing behind us and this will be on our property and not encroaching on anyone else's property.

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:\***

The screened in lanai is at the minimum setbacks which would prevent me from adding the hard roof and meet the setback for what will now be considered a permanent structure as opposed to the screen enclosure being a non permanent enclosure.

**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:\***

We would like to have a hot tub in an area under the roof and cannot accomplish that without the variance..

**Standard:**

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

**Justification:\***

The approval will not result in special privileges that is not commonly enjoyed by other properties in the 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:\***

Approval of this request will not affect any of the neighbors in any way.

**Electronic Signature Agreement\***

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

I Agree

**Electronic Signature\***

Patricia D Wheway

**Date\***

7/31/2025

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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).

**From:** [Pat wheway](#)  
**To:** [Allie Keen](#)  
**Subject:** Project Number 25.66 PNZ-Wheway, 751 Salt Lake Dr  
**Date:** Tuesday, September 9, 2025 11:35:01 AM

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**Warning: Unusual sender** <patwheway@gmail.com>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Good morning Allie,

I am writing in regards to the above variance request number. The TRC met on September 4th and I had my contractor go to the meeting and explain in detail what was being done and how it was being done. I also had answered an email in regards to why the variance was needed on the go post site.

Today I received a request to again explain what is being done and how it is being done and the reason for the variance.

We wish to extend our Screened lanai to accomodate a covered outdoor kitchen and a hot tub. This will not interfere with anyone else's property and will not block anyone else's view. We need the extra room within the area we are adding the hot tub. There are no trees, plantings or protected land in that variance area. This will all be contained on my land. The variance request is because it will not meet the standard setback requirements.

The roof will be a hard roof with shingles to match the home (not the mobile home roof some in the development added on theirs).

We have submitted the architectural plans and are using a licensed contractor to complete the work.

Please let me know if I can provide any other information you may need for your file.

Cordially,  
Pat

--

**Pat Wheway, Broker Associate**  
**Wheway Group, Team Leader**

In regards to the variance request for 751 Salt Lake Dr.:

We are not extending the existing pool cage out. It is remaining as it is and we are putting a hard roof over a portion of it.

We are looking to extend the area shown in the attached pictures and cage it in to add a hot tub. It will also have a hard roof over it.

I have attached photos that will make this a little clearer. The architect's drawing has been submitted.

We need the variance as the hot tub enclosure will not meet the standard setback rules. It will be on our property and will not interfere in any way with neighbors, trees, or the like.







# *Gatewood Builders, Inc.*

*778 North Lake Blvd.*

*Tarpon Springs, Fl 34689*

*(727) 942-2838 Fax (727) 942-4168*

*www.gatewoodbuilders.com Email: dan@gatewoodbuilders.com*

*License #CBC1257284*

RE: Project 25.66

PNZ Wheway

Project address: 751 Salt Lake Dr.

Tarpon Springs

Lanai roof extension response letter:

Response to Sheet 1 Comment 00003

The existing Lanai area that is a screened enclosure attached to existing structure covers the pool area and small sun deck area. This same area also includes hard roof area with overhang at east side behind living room and small overhang on north side for seating.

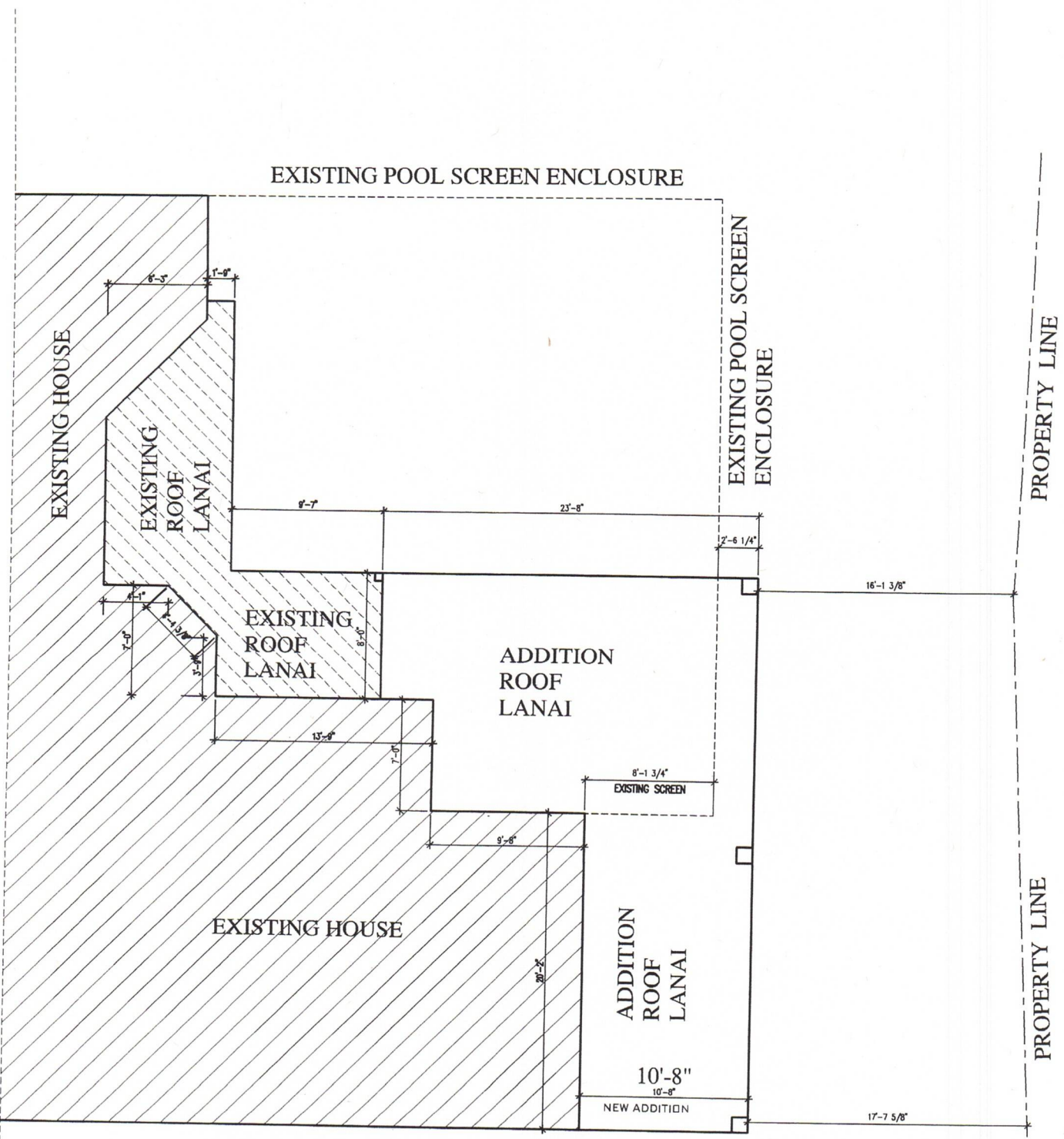
The reason for application is to extend the current hard roof area of the house (a shingled roof) from current gable end to beyond the existing concrete Lanai to the East turning south behind existing bedroom and bathroom to create a space large enough for a hot tub with adequate space for service. At the East extension beyond existing concrete would allow for new support post to be placed adequate distance from pool and also allow for adequate footings to be installed without any disturbance at pool. Post would be at Northeast corner of new roof with 2<sup>nd</sup> post roughly at midspan to south and 3<sup>rd</sup> post at Southeast corner.

The new roof structure would also allow for more seating under a hard roof area and the addition of an outdoor kitchen space. This roof would be finished with matching shingles to existing, a finished wood on underside, wood posts wrapped in stucco to match existing. The lower section would be finished with aluminum enclosure to match existing.

Regards

Daniel Roth

727-243-0631



RICK AND PAT WHEWAY  
 751 SALT LAKE DR.  
 TARPON SPRINGS FL.





**From:** [PATRICIA UR](#)  
**To:** [Planning](#)  
**Subject:** Application #25-66  
**Date:** Friday, October 3, 2025 9:07:59 AM

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**Warning: Unusual sender** <patur398@msn.com>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

I am writing to express my and my husband's absolute opposition to the subject Variance Application #25-66 to change the setbacks to the rear yard at 751 Salt Lake Drive. We live at 787 Salt Lake Drive and feel that any extension of the building at 751 Salt Lake Drive could impede our view of the lake in back of our property.

Furthermore, this should have been placed in front of our HOA's Design Review Board for approval before going forth to the City of Tarpon Springs. It is our belief that this was a "planned community" and the original plans for this community's setbacks should remain unchanged.

Sincerely,  
Patricia and Zolton A. Ur



**MINUTES  
BOARD OF ADJUSTMENT  
CITY OF TARPON SPRINGS, FLORIDA  
SEPTEMBER 24, 2025**

The Board of Adjustment of the City of Tarpon Springs, Florida met in the City Hall Auditorium/Commission Chambers, 324 E. Pine Street, on Wednesday, September 24, 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  
Andrew Salzman, Esquire, 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. **#25-52**

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)

Staff:

Mrs. Keen gave background information, referred to the findings-of-fact listed below, and indicated that 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.

Findings-of-Fact:

1. 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. 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 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.

Applicant:

Echo Shepherd, 700 S Florida Avenue, noted that lot 11 was 10,000 square feet.

Public:

Keith Vaughn, 818 Eunice Drive, noted that he was opposed to approval of the application because he expected the vacant lot to not be built upon.

Glen Muccio, 745 Bayshore Drive, noted that the applicant does not keep his property safe, secure, or in nice condition.

Brandon Beuning, 757 Bayshore Drive, asked about the road and how much road the applicant had to build.

**MOTION:** Member Turner

**SECOND:** Vice-Chairperson Grossman

to approve Application 25-52 to include staff recommended conditions.

**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. **#25-53**

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

Location: 1601 Richard Ervin Parkway

Staff:

Mrs. Keen gave background information, referred to the findings-of-fact listed below, and indicated that based on the evidence available at the time this report was prepared, staff recommended denial of this request. Although the subject site was unique in comparison to surrounding residential properties and typical R-100 lots and the structure met the standards for an accessory use/structure, it was 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.

Findings-of-Fact:

1. The subject property was approximately 1.13 acres in size, which was 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 could 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 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 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. 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. 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.

Applicant:

Yiannis s Kerdelmidis, 109 Waterberry Drive, noted that they wanted the ADU for aging family.

Public:

Jeff Larsen, 1846 Lexington Place, indicated that the size of the ADU was not compatible with the neighborhood.

Linda Bedarf, 1863 Lexington Place, asked if the ADU would be accessed off of Richard Irvin Parkway, staff answered yes.

Howard Pitchon, 1658 Lakeside Drive, spoke in support of the application.

Megan Delgado, 1819 Lexington Place, noted that she was not in favor of approval of the application.

Dori Larsen, 1846 Lexington Place, indicated that she wanted the application to be denied.

**MOTION:** Vice-Chairperson Grossman

**SECOND:** Member Turner

to deny Application 25-53 as recommended by staff.

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

**Yes:** Member Wood

Member Turner

Vice-Chairperson Grossman

Chairperson Reich

**No:** None

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

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 the side street and rear yard setback variance requests.

1. The need for the variance was 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 resulted in unique challenges in developing a typical single-family residence. Based upon evidence available when this report was prepared, staff was of the opinion that this standard was met.

2. 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 was of the opinion that this standard was met.

3. The nonconforming, irregularly shaped lot was approximately 1,900 square feet smaller and 50 feet narrower along Shore Drive than required under the current regulations. The reduced setback requests were 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 was comparable to homes elsewhere in the district. Based upon evidence available when this report was prepared, staff was of the opinion that this standard was met.

4. The property was located in a single-family residential area. Granting approval of the requested variances allowed for the construction of a single-family home that was 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 was of the opinion that this standard was met.

5. The reduced setbacks allowed 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 was consistent with neighboring properties and the living area was modestly sized at approximately 1,500 square feet, which was comparable to other homes in the area. Approval of the variance requests were not expected to substantially diminish property values nor alter the residential character of the neighborhood. Based upon evidence available when this report was prepared, staff was of the opinion that this standard was met.

Applicant:

Rudy Arnauts, 2339 Silvermoss Drive, Wesley Chapel, FL 33544, noted that he thought the variance should be approved.

Public:

Robert Huffman, 1716 Tallahassee Drive, noted that he disagreed with the applicant and did not want the variance to be approved.

**MOTION:** Vice-Chairperson Grossman

**SECOND:** Member Turner

to approve Application 25-58 as presented.

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

**Yes:** Member Wood

Member Turner

Vice-Chairperson Grossman

Chairperson Reich

**No:** None

**5. APPROVAL OF MINUTES**

a. August 27, 2025

**MOTION:** Member Turner

**SECOND:** Vice-Chairperson Grossman

to approve minutes from August 27, 2025, 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

**6. BOARD AND STAFF COMMENTS**

Chairperson Reich noted that the Secretary of the Board, Creighton, was leaving her employment with the city and would be missed.

Mr. Salzman explained due process and why he interrupted the meeting when the citizen was unruly. He further noted that he might discuss having security at the Board of Adjustment Meetings.

## 7. ADJOURNMENT

Chairperson Reich adjourned the meeting at 07:59 PM.

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Chairperson

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

DRAFT