



# 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, DECEMBER 17, 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. **#25-87 - Collins**

Variance to increase the maximum allowable driveway width for the purpose of adding a circular driveway.

Location: 1711 Sunset Drive

b. **#25-88 - Johnson**

Variance to reduce the required side yard setback for the purpose of constructing a carport.

Location: 1120 E. Boyer Street

c. **#25-28 - Hoffman (E Lemon St Apartments)**

Variance to reduce the required side yard setback for the purpose of constructing a 4-unit apartment building.

Location: Southside of E. Lemon Street, approximately 231 feet east of the US Highway 19 N. Intersection

### 5. BOARD AND STAFF COMMENTS

### 6. 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**  
**[DECEMBER 17, 2025]**

**STAFF REPORT**

**Application No. / Project Title:** #25-87 (Collins)  
**Staff:** Allie Keen, AICP, Principal Planner  
**Applicant / Owner:** Michael T. Collins  
**Property Size:** +/- 15,098 sqft.  
**Current Zoning:** R-100 (Single Family Residential)  
**Current Land Use:** RL (Residential Low)  
**Location / Parcel ID:** 1711 Sunset Drive / 10-27-15-34164-000-0060

**BACKGROUND SUMMARY:**

The applicant is proposing to add a circular driveway and widen the existing driveway to increase the overall total driveway width on the subject property to 44 feet, 16 feet wider than permitted.

**PRELIMINARY STAFF RECOMMENDATION:**

Based on the information available at the time this report was prepared, staff recommends *denial* of this request. Although there are limitations to creating a circular driveway on the subject property, it is of staff’s opinion that the current concrete driveway provides adequate access to the garage and to Sunset Drive while also having the opportunity to being widened in a way that meets the Land Development Code standards.

**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 Section 129.00(C)(1) of the Land Development Code (LDC), one- and two-family dwellings may have circular driveways or a second driveway. The total width shall be calculated as a percentage of the lot width. Lot widths of greater than 50 feet, measured at the right-of-way, shall not exceed the lesser of 33% of the lot width or 28 feet.

**CURRENT PROPERTY INFORMATION:**

<b>Use of Property:</b>	Single family residential
<b>Site Features:</b>	Single family home, concrete driveway, gravel, trees, landscaping, and pool.
<b>Vehicle Access:</b>	This property gains access from Sunset Drive.



**SURROUNDING ZONING & LAND USE:**

	<b>Zoning:</b>	<b>Land Use:</b>
<b>North:</b>	LC (Land Conservation)	R/OS (Recreation/Open Space)
<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 proposing to construct a new paver circular driveway, as well as widen the existing driveway, resulting in 3 total driveway aprons accessing Sunset Drive.
2. Per LDC Section 129.00(C)(1), for lots with greater than 50 feet of frontage, the maximum total driveway width shall not exceed the lesser of 33% of lot width or 28 feet. The width of the driveway is measured along the right-of-way/property line. The subject property has 100 feet of frontage, therefore the maximum total (of all 3 aprons) width permitted is 28 feet. The applicant is requesting variance approval to allow for the total width to be 44 feet.
3. The existing driveway, which provides access to the garage, is only 12 feet in width and extends beyond the home. The applicant is proposing as a part of this project to widen this driveway to 16 feet, which would be permitted. The addition of the circular driveway is what necessitates the variance request.
4. The applicant has indicated that the proposed driveway design is intended to preserve 3 mature trees near the existing driveway. The original design was to create a circular driveway from the existing drive that was compliant, however, according to the applicant it would require removal of the trees.
5. Typically, single family homes are only permitted to have a maximum of 2 driveway aprons along a street frontage for the purpose of allowing a circular driveway. Approval of the requested variance would result in the subject property having a total of 3 driveway aprons along Sunset Drive.
6. Sunset Drive is a residential street with relatively low traffic volume that provides access to single family homes. At this location, there are only homes on the south side of the street and Fred Howard Park is across the street. Vehicular access to the park is approximately 215 feet east of the subject property.
7. The front yard of the subject property is primarily comprised of gravel and landscaping. The gravel areas of the front yard correspond with where the applicant is proposing to construct the new driveway and widen the existing.

**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 meets the minimum lot area, width, and depth requirements of the R-100 zoning district. The existing side-load garage is provided with access from the current driveway



and sits back approximately 26 feet from the front property line. Additionally, the existing driveway extends beyond the home to provide additional parking that does not block the garage. There are no special circumstances unique to the subject property that warrants a wider driveway than permitted or a third access point. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard **has not** 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 need for the variance is due to the specific design of the driveway. The existing driveway is only 12 feet wide along the right-of-way, which would allow for it to be widened in a way that is compliant with the land development code. Approval of the proposed variance results in a driveway configuration that is 16 feet wider than typically allowed and has 3 access points. *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 maximum total driveway width for the proposed configuration would not deny the applicant reasonable use of the property. This property is already served by an existing driveway that provides adequate access to the garage and to Sunset Drive. Further, this driveway can be widened without a variance or the need to remove the mature trees 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:* The proposed driveway configuration not only exceeds the total allowable driveway width, but it also results in 3 access points to Sunset Drive. Typically, the code would only allow for 2 driveway aprons along a single street frontage for the purpose of allowing a circular driveway. Approval of this request could result in granting special privilege to the applicant that would not be permitted elsewhere in the district. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard **has not** 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 front yard of the subject property is primarily gravel. Replacing the gravel with pavers would likely not significantly alter the character of the neighborhood due to the existing conditions. Further, Sunset Drive at this location experiences relatively low traffic volume because it is not a through street and provides access to only single family homes. Approval of this variance is not expected to substantially diminish property values. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard has been met.*



**PUBLIC CORRESPONDENCE:**

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

**ATTACHMENTS:**

1. Staff Presentation
2. Application & Variance Addendum
3. Site Plan
4. Survey

# **COLLINS**

# **#25-87**

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Board of Adjustment – December 17, 2025



# LOCATION & CONTEXT



# REQUEST

- **#25-87 – Driveway Width**
  - Total Driveway Width for Circular Driveway
    - Proposed = 44 feet
    - Allowed = 28 feet
- **Applicant/Owner:** Michael T. Collins
- *Allow an increased total driveway width for the purpose of widening the existing driveway and adding a new circular driveway.*

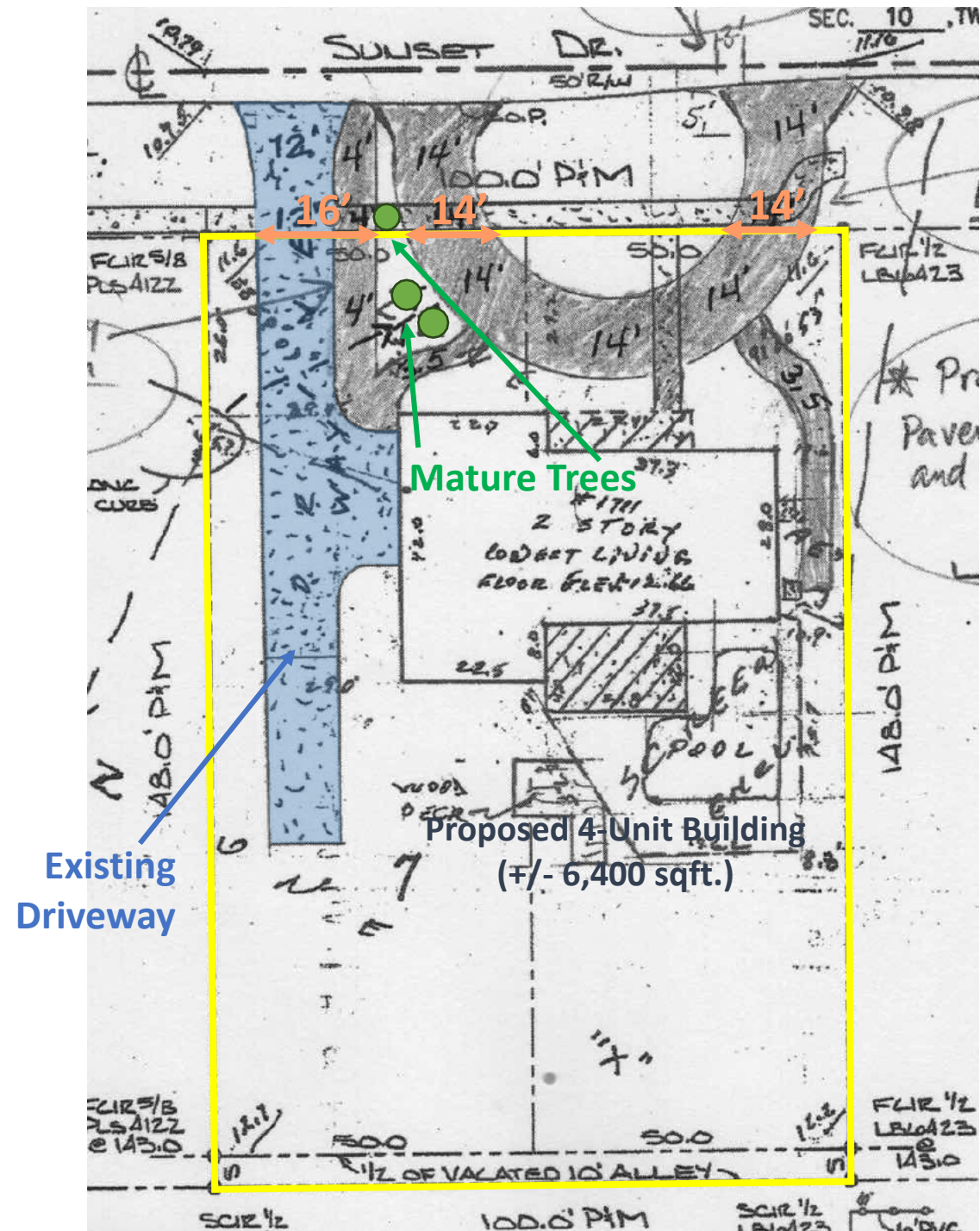




# SITE PLAN

## LDC Section 129.00(C)(1)

- Maximum **total** driveway width measured at the property line shall not exceed **33% of the lot width or 28 feet, whichever is less.**
  - Lot Width = 100 ft.
  - Max. Allowed = **28 feet**
  - Existing = **12 feet**
  - Proposed = **44 feet**



# CONTEXT



# 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. 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\***

MICHAEL T COLLINS

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

md2721@gmail.com

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

1711 Sunset Dr.

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

7276868049

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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**

11/06/2025

**Project Name\***

COLLINS HOME PAVER DRIVEWAY INSTALL

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

10-27-15-34164-000-0060

**Project Location**

1711 Sunset Dr. Tarpon Springs, FL 34689

[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\***

.344

**Base Flood Elevation (BFE)**

12

**Current Land Use\***

RL (Residential Low) ▼

*(Choices are alphabetized)*

[Lookup Land Use](#)

**Current Zoning\***

R-100 (Single Family Re ▼

*(Choices are alphabetized)*

[Lookup Zoning](#)

**Proposed Land Use**

-- Select One -- ▼

*(If applicable)*

**Proposed Zoning**

-- Select One -- ▼

*(If applicable)*

**Summary / Purpose of Request\***

A driveway right of way variance increase of an additional 16' above the required 28' for the purpose of constructing a paved circular driveway(in the original plans) would prevent the removal of 3 oak trees in the revised plan design to meet the standard.

The original plan has the existing concrete driveway of 12' with 4' of paver, along with the two right of ways of 14' apiece in the paver circular driveway. The total of 44' out of the 100' property frontage would be a 16' variance increase allowance.

The revised design takes out one of the circular 14' right of ways, extending the driveway path to the existing concrete driveway right of way. The section involved would become pavers with a 14' width. The combined 28' would meet code, but 3 large oak trees would need to be removed. The variance increase would prevent losing the trees.

**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\***

MICHAEL T. COLLINS

**Date\***

10/12/2025

**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\***

MICHAEL T. COLLINS

**Date\***

10/12/2025

## 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\*

Collins Home Paver Driveway Install

### Project Location\*

1711 Sunset Dr, Tarpon Springs, FL 34689

### Variance Requested\*

§ 129.00 - DRIVEWAY AND ACCESS MANAGEMENT

### Summary of Request\*

A driveway right of way variance increase of an additional 16' above the required 28' for the purpose of constructing a paved circular driveway would prevent the removal of 3 oak trees in the revised plan design to meet the standard.

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

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:\***

The planned design is a paved circular driveway. The original plan had two driveway right of ways totally 28'. When adding the existing concrete driveway on the west side of the house, the total footage disallows one of the new circular right of ways. This plan has been denied.

The new revised design, takes out one of the paver circular driveways right of ways, and extends the paver driveway path to the existing concrete driveway on the west side of the house. This change necessitates the removal of the 3 oak trees. If a variance is approved and allows for an additional 16' above the 28' right of way, in the original plan, the 3 oak trees would not have to be removed.

**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 majority of the property at front of the house is covered by gravel- a xeriscape design project to reduce watering. No conditions here prevent the proposed plans.

**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:\***

The variance would stop the removal of 3 oak trees, and allow the usage of the original designed plans.

**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 variance would allow for a change in a particular zoning code, but the request- to not remove the trees- is an acceptable reason and feel it is not a special privilege.

**Standard:**

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

**Justification:\***

The variance would improve property value and increase the character of the neighborhood or injure their rights with no affect on other properties.

**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\***

Michael T. Collins

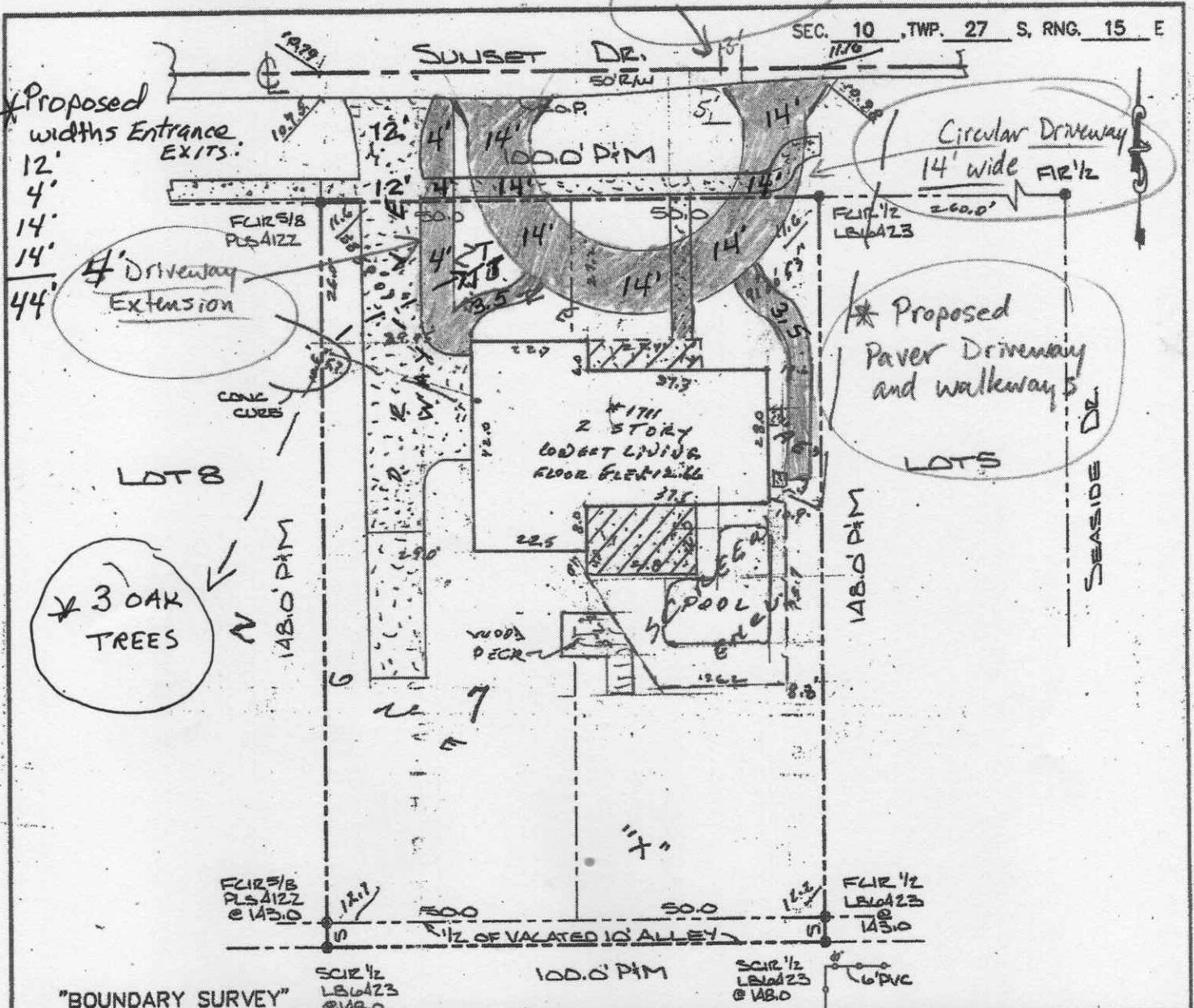
**Date\***

10/12/2025

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"BOUNDARY SURVEY"

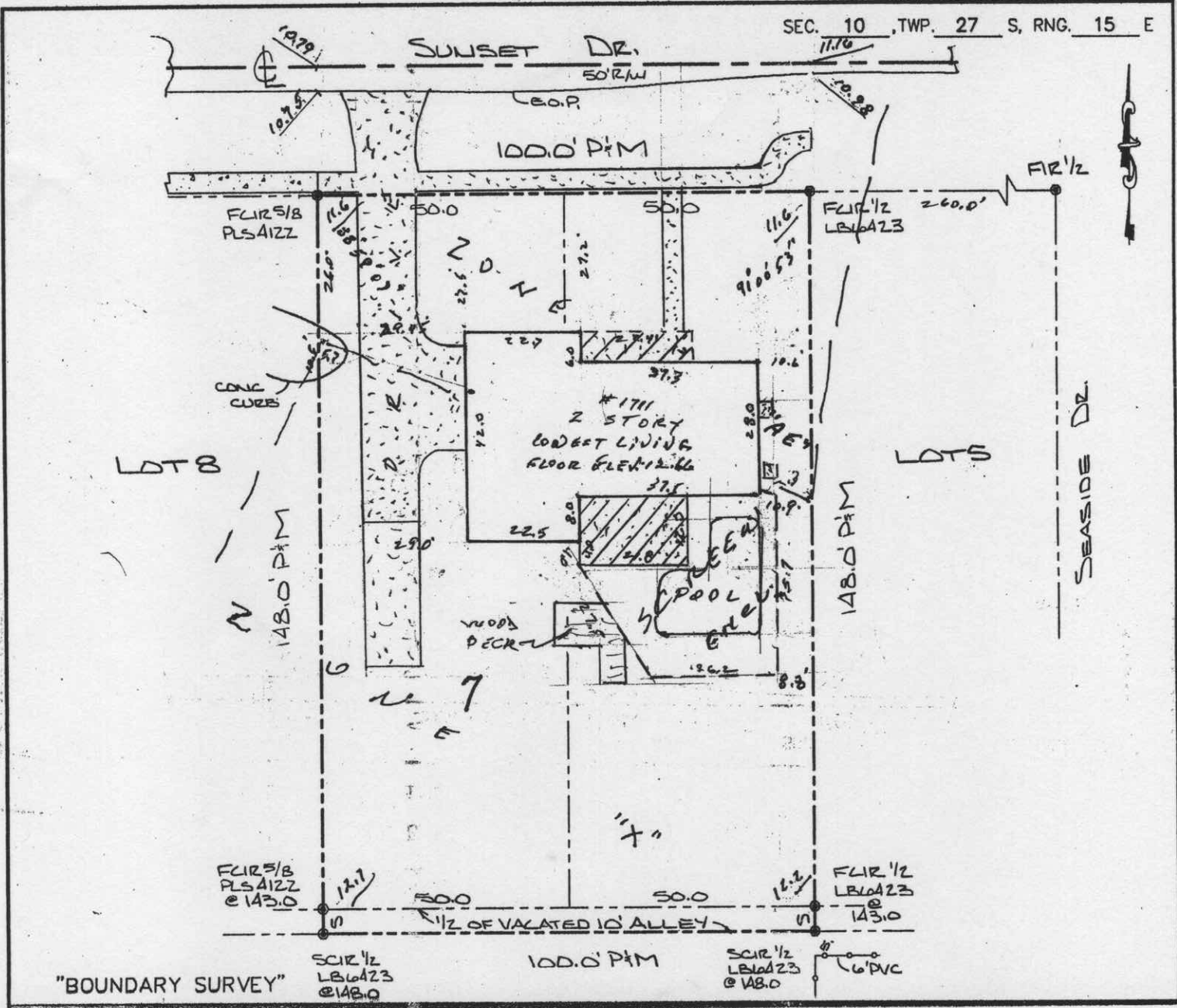
**LEGEND:** F.I.R.=FOUND IRON ROD; F.C.I.R.= FOUND CAPPED IRON ROD; S.C.I.R.= SET CAPPED IRON ROD; F.I.P.= FOUND IRON PIPE; F.C.I.P.=FOUND CAPPED IRON PIPE; F.N.D.=FOUND NAIL & DISK; S.N.D.= SET NAIL & DISK; F.C.M.= FOUND CONCRETE MONUMENT; P.R.M.= PERMANENT REFERENCE MONUMENT; P.C.P.=PERMANENT CONTROL POINT; P.I.=POINT OF INTERSECTION; R/W = RIGHT OF WAY; ELEV.= ELEVATION; C.B.S.= CONCRETE BLOCK STRUCTURE; CONC.= CONCRETE; ASPH.= ASPHALT; PAVT.= PAVEMENT; COV.= COVERED; D= DEED; SEC.= SECTION; TWP.= TOWNSHIP; RGE.= RANGE; P=PLAT; M.= MEASURED; ESMT.= EASEMENT; R.= RADIUS; A.= ARC; C.=CHORD; C.B.= CHORD BEARING; STY.= STORY; C.L.F.= CHAIN LINK FENCE; W.F.= WOOD FENCE

A SURVEY OF LOTS 6&7, AND 1/2 VACATED ALLEY, GULF FRONT SUBDIVISION

AS RECORDED IN PLAT BOOK 9, PAGE 127, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.  
 I, WILLIAM C. KEATING, THE SURVEYOR IN RESPONSIBLE CHARGE, CERTIFY THAT THE SURVEY REPRESENTED HEREON, AS MEETING THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES AS PRESCRIBED IN CHAPTER 9107-6 DEPT. OF PROFESSIONAL REGULATION. (NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL)

ELEVATION STATEMENT: THIS IS TO CERTIFY THAT WE HAVE OBTAINED ELEVATIONS SHOWN HEREON, OF THE ABOVE DESCRIBED LAND. THESE ELEVATIONS SHOWN HEREON ARE BASED ON THE NATIONAL VERTICAL DATUM, 1929, BENCHMARK SUPPLIED BY THE ENGINEERING COUNTY, FLORIDA. FLOOD ZONE DISTINCTIONS ARE BASED UPON THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S MAPS ISSUED TO US. DUE TO INCONSISTENCIES FOUND IN THESE MAPS, THE ZONES ARE AN APPROXIMATE ESTIMATION TO THE BEST OF OUR ABILITY.

COMMUNITY No. 120369	PANEL No. 00180	MAP DATE: 9-03-03	APPEARS TO BE IN FLOOD ZONE: Asx	FLOOD ELEVATION 12.0
DRAWN BY: AC	DATE: 08/08/02	ALLIED SURVEYING 2118 E DREW STREET CLEARWATER, FLORIDA, 33765 727-446-1263	APPROVED BY: <i>[Signature]</i>	WILLIAM C. KEATING REG. # 1528, LB # 8423
CHECKED BY: WK	SCALE: 1"=30' 5-16-09			



"BOUNDARY SURVEY"

**LEGEND:** F.I.R.=FOUND IRON ROD; F.C.I.R.= FOUND CAPPED IRON ROD; S.C.I.R.= SET CAPPED IRON ROD; F.I.P.= FOUND IRON PIPE; F.C.I.P.=FOUND CAPPED IRON PIPE; F.N.D.=FOUND NAIL & DISK; S.N.D.= SET NAIL & DISK; F.C.M.= FOUND CONCRETE MONUMENT; P.R.M.= PERMANENT REFERENCE MONUMENT; P.C.P.=PERMANENT CONTROL POINT; P.I.=POINT OF INTERSECTION; R/W = RIGHT OF WAY; ELEV.= ELEVATION; C.B.S.= CONCRETE BLOCK STRUCTURE; CONC.= CONCRETE; ASPH.= ASPHALT; PAVT.= PAVEMENT; COV.= COVERED; D= DEED; SEC.= SECTION; TWP.= TOWNSHIP; RGE.= RANGE; P=PLAT; M.= MEASURED; ESMT.= EASEMENT; COVERED AREA; R.= RADIUS; A.= ARC; C.=CHORD; C.B.= CHORD BEARING; STY.= STORY; C.L.F.= CHAIN LINK FENCE; W.F.= WOOD FENCE

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 I, WILLIAM C. KEATING, THE SURVEYOR IN RESPONSIBLE CHARGE, CERTIFY THAT THE SURVEY REPRESENTED HEREON, AS MEETING THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES AS PRESCRIBED IN CHAPTER 61017-6 DEPT. OF PROFESSIONAL REGULATION. (NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL)

ELEVATION STATEMENT: THIS IS TO CERTIFY THAT WE HAVE OBTAINED ELEVATIONS SHOWN HEREON, OF THE ABOVE DESCRIBED LAND. THESE ELEVATIONS SHOWN HEREON ARE BASED ON THE NATIONAL VERTICAL DATUM, 1929, BENCHMARK SUPPLIED BY THE ENGINEERING DEPT., COUNTY, FLORIDA. FLOOD ZONE DISTINCTIONS ARE BASED UPON THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S MAPS ISSUED TO US. DUE TO INCONSISTENCIES FOUND IN THESE MAPS, THE ZONES ARE AN APPROXIMATE ESTIMATION TO THE BEST OF OUR ABILITY.

COMMUNITY No. <b>120259</b>	PANEL No. <b>00180</b>	MAP DATE: <b>9-03-03</b>	APPEARS TO BE IN FLOOD ZONE: <b>AE1X</b>	PAGE FLOOD ELEVATION <b>12.0</b>
DRAWN BY: <b>AC</b>	DATE: <b>08/08/02</b>	ALLIED SURVEYING 2118 E DREW STREET CLEARWATER, FLORIDA, 33765 727-446-1263		APPROVED BY: 
CHECKED BY: <b>WK</b>	SCALE: <b>1"=30'</b>	WILLIAM C. KEATING P.L.S. # 1528, LB # 6423		



**CITY OF TARPON SPRINGS**  
**BOARD OF ADJUSTMENT**  
**[DECEMBER 17, 2025]**

**STAFF REPORT**

**Application No. / Project Title:** #25-88 (Johnson)  
**Staff:** Allie Keen, AICP, Principal Planner  
**Applicant / Owner:** Robert Johnson  
**Property Size:** +/- 9,500 sqft.  
**Current Zoning:** R-70A (Single Family Residential)  
**Current Land Use:** RU (Residential Urban)  
**Location / Parcel ID:** 1120 E. Boyer St. / 07-27-16-99612-015-0100

**BACKGROUND SUMMARY:**

The applicant is requesting variance approval to reduce the required side yard setback to 4 feet, 3.5 feet less than required, for the purpose of constructing a carport on the east side of the subject property.

**PRELIMINARY STAFF RECOMMENDATION:**

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

**LAND DEVELOPMENT CODE CONSIDERATIONS:**

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

**Development Standards:** Per Land Development Code (LDC) Section 25.02(F)(6)(b), the minimum required side setback is 7.5 feet in the R-70A zoning district.

**CURRENT PROPERTY INFORMATION:**

<b>Use of Property:</b>	Single family residential
<b>Site Features:</b>	Single family house, driveway, fence, trees, and vegetation.
<b>Vehicle Access:</b>	This property gains access from E. Boyer Street.



**SURROUNDING ZONING & LAND USE:**

	<b>Zoning:</b>	<b>Land Use:</b>
<b>North:</b>	R-70A (Single Family Residential)	RU (Residential Urban)
<b>South:</b>	R-70A (Single Family Residential)	Ru (Residential Urban)
<b>East:</b>	R-70A (Single Family Residential)	RU (Residential Urban)
<b>West:</b>	R-70A (Single Family Residential)	RU (Residential Urban)

**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 carport on the east side of the subject property. According to the site plan, the carport will measure 11.5 feet wide by 28.8 feet deep and be located on an existing concrete pad and accessed from the existing driveway.
2. LDC Section 25.02(F)(6)(b) provides for a minimum 7.5 foot side setback. The proposed carport will be located between the existing home and the east property line, with a 4 foot side setback. The carport will meet the minimum front and rear setbacks.
3. According to the survey, the home is setback approximately 13.5 feet from the west property line. If the carport was proposed on the other side of the home, it would also require a variance request. There is a large rear yard where the carport could potentially be located. However, behind the home where it would be accessible from the driveway, there is a significant grade change.
4. There is an existing attached, 1-car garage on the property. Within the surrounding neighborhood, there are several homes with 2-car, attached garages and others with only 1-car garages. There were also several homes that appeared to have converted garages into living spaces.
5. As a part of the application, the applicant provided a letter of no objection that has been signed by the adjacent property owner to the east and both property owners across the street.

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

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

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

*Provisional Findings:* The footprint of the existing residence prevents the carport from meeting the required side setback, regardless of which side of the home the structure is located. The proposed structure will comply with all other setbacks and be accessible from the existing driveway and located on an existing concrete pad. *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 home was built in 1960, prior to the current setbacks going into effect in 1990 and to the applicant obtaining ownership of the property. Any expansion of usable covered parking on the



side of the home would require a deviation from the required side setback due to the existing layout of the home, therefore the conditions of the property have not been self-created. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard has been met.*

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

*Provisional Findings:* Literal enforcement of the minimum side setback requirement would likely prevent the applicant from constructing additional covered parking that is functional and usable on the subject property. The reduced setback is the minimum necessary to accommodate a single-car structure on the property to provide an additional parking space consistent with others in the area. *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:* Approval of this request will not confer any special uses or privileges to the applicant that are not commonly enjoyed by others in this area. Covered parking for two vehicles in the form of garages or carports are common features on single family residential properties. *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:* Carports and garages are common features serving single family residences in the R-70A zoning district. The carport will be located in-line with the existing home, accessible by the existing driveway, and on the existing concrete pad. The reduced setback for the proposed carport will not substantially diminish property values or alter the character of the 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. Site Plan
4. Letter of No Objections

# JOHNSON #25-88

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Board of Adjustment – December 17, 2025



# LOCATION & CONTEXT



# REQUEST

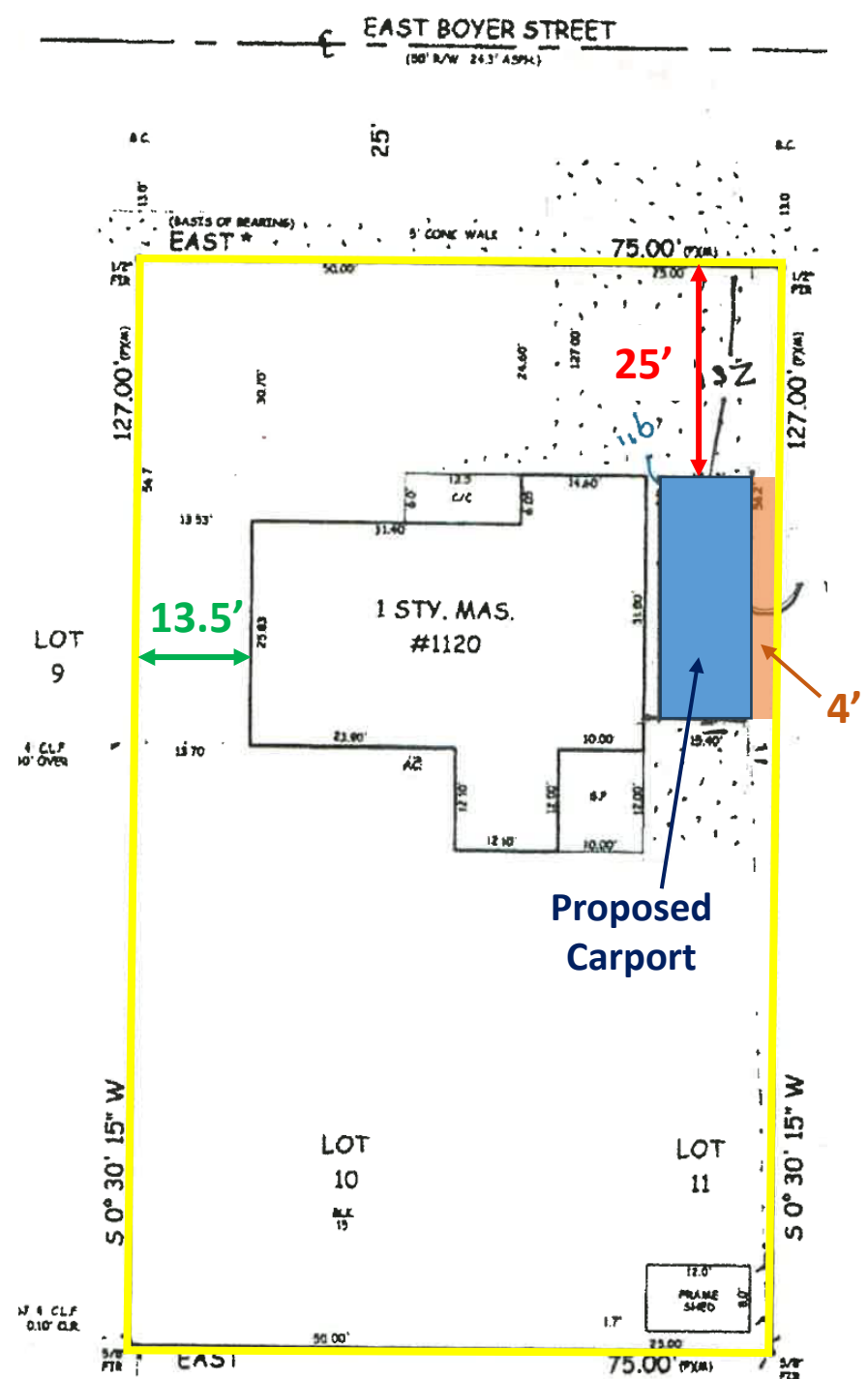
- **#25-88 – Side Yard Setback**
  - Required= 7.5 feet
  - Proposed = 4 feet
- **Applicant/Owner:** Robert Johnson
- *Variance request to reduce the required side yard setback for the purpose of constructing a carport on the east side of the home.*





# SITE PLAN

- R-70A (Single Family Residential) Setbacks
  - Front
    - Required = 25 ft
    - Proposed = 25 ft
  - Side
    - Required = 7.5 ft
    - **Proposed = 4 ft**



# CONTEXT





# 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\***

Robert Johnson

futuraproductions@tampabay.rr.com

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

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

1120 E Boyer St., Tarpon Springs, FL 34689

8138423181

**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)**

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\***

25-2380 Carport

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

07-27-16-99612-015-0100

[Look Up Parcel ID](#)

**Project Location**

1120 E Boyer St., Tarpon Springs, FL  
Side of home

**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\***  
75 x 127 (per the PAO website)

**Base Flood Elevation (BFE)**

Elevation(s)

**Current Land Use\***

RU (Residential Urban)   
*(Choices are alphabetized)*

[Lookup Land Use](#)

**Current Zoning\***

R-70 (One & Two Family)   
*(Choices are alphabetized)*

[Lookup Zoning](#)

**Proposed Land Use**

-- Select One --   
*(If applicable)*

**Proposed Zoning**

-- Select One --   
*(If applicable)*

**Summary / Purpose of Request\***

The purpose of this request is for construction of a carport.

**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\***

Robert Johnson

**Date\***

10/6/2025

**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\***

Robert Johnson

10/6/2025



**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\*

25-2380 Carport

#### Project Location\*

1120 E Boyer St., Tarpon Springs, FL 34689

#### Variance Requested\*

LDC Section 25.02(F)(6)(b)

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

#### Summary of Request\*

A side setback variance reduction from the required 7.5 feet to approximately 4 feet for the purpose of a carport.

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:\***

There are no physical hardships on the property other than the required 7.5 foot side setback.

**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, there are no special circumstances to the property other than the 7.5 foot side setback.

**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:\***

Yes, the variance will result in reasonable use of the property and its structures.

**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:\***

There would be no special privilege that is not commonly enjoyed by other properties within the same 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 have an adverse effect of the surrounding properties.

**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\***

**Date\***

Robert G. Johnson

10/6/2025



**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).

JOB NO  
131068

DRAWN BY  
MCM

CHECKED BY  
EDM

DATE OF FIELD WORK  
8/6/13

**MURPHY'S LAND SURVEYING, INC.**  
**PROFESSIONAL LAND SURVEYORS**  
 5760 11TH AVENUE NORTH  
 ST. PETERSBURG, FLORIDA 33710  
 WWW.MURPHYSLANDSURVEYING.COM

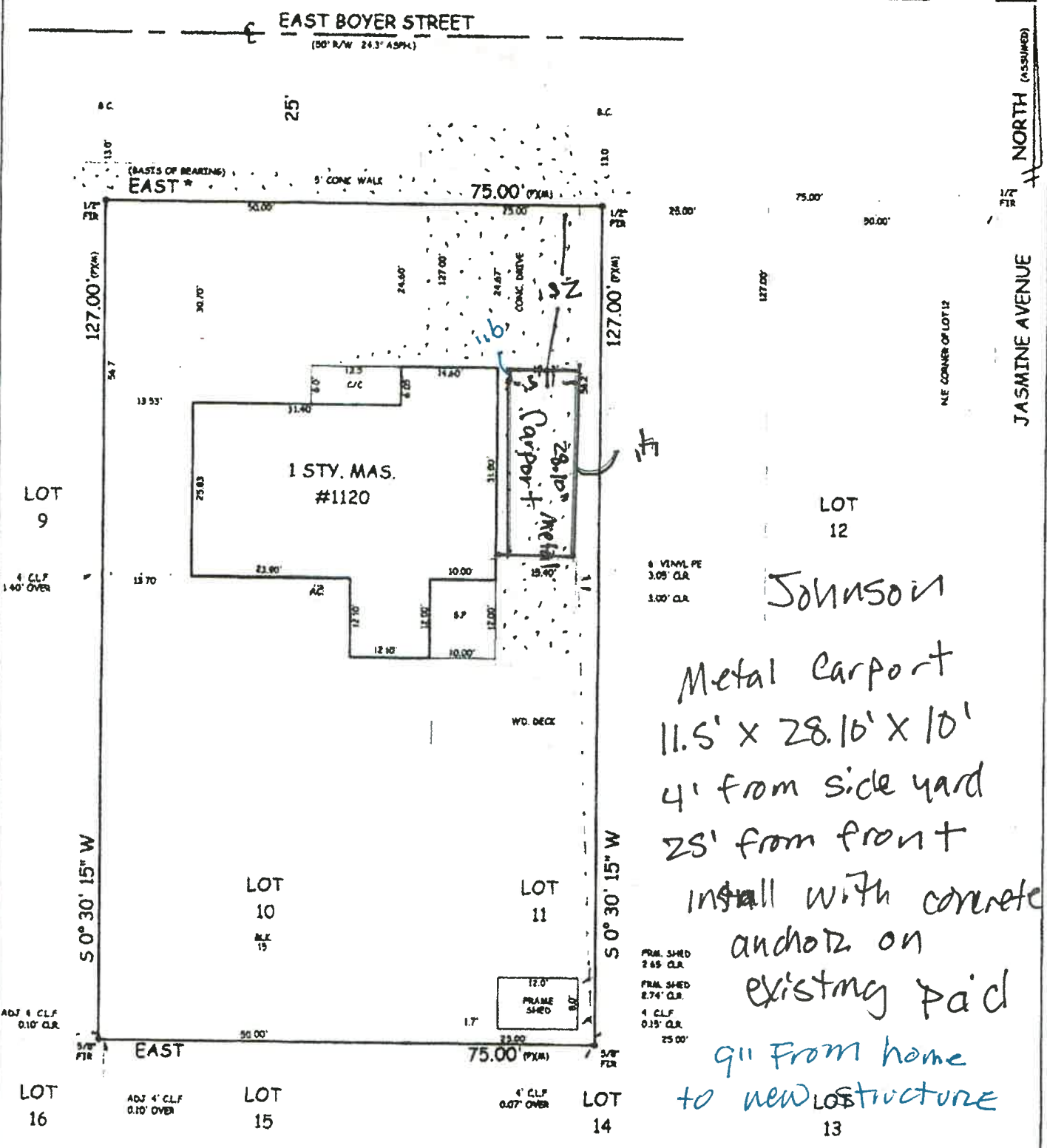
L.B. #7410

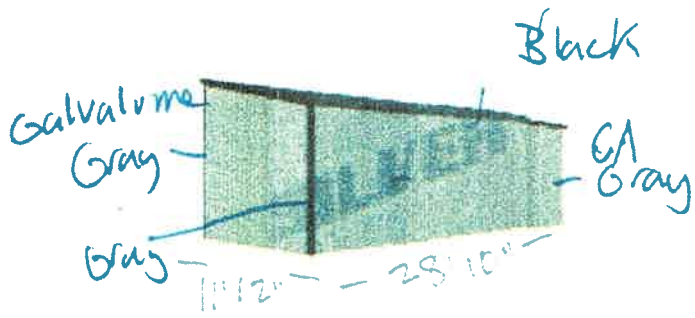
PH. (727) 347-8740

FAX (727) 344-4640

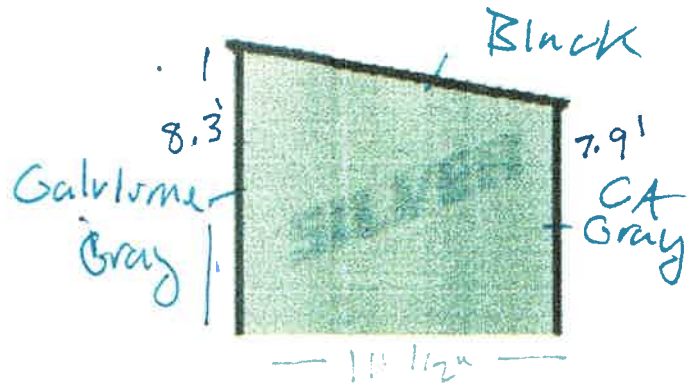
CERTIFIED TO  
 Sean Swauger  
 Regions Bank D/B/A Regions Mortgage  
 Consumer Title & Escrow Services, Inc.  
 Old Republic National Title Insurance Company

SCALE: 1" = 20' Survey not valid for more than one (1) year from date of field work SEC. 18 TWP. 27 S. RGE. 16 E.

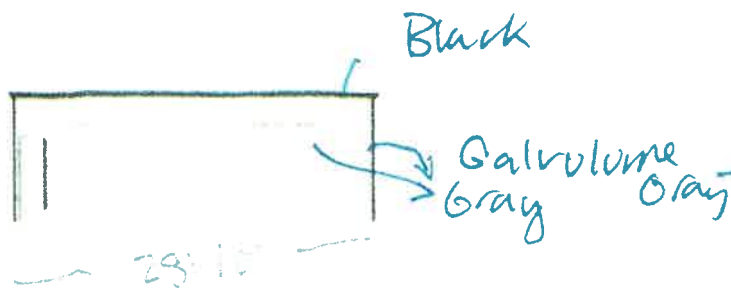




Perspective View



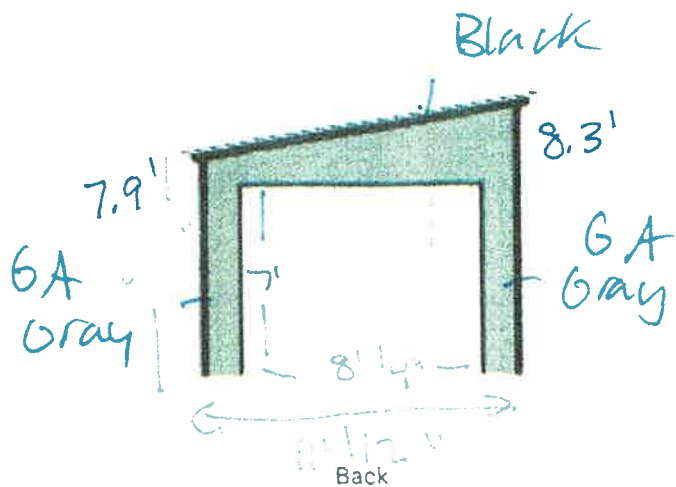
Front



Left Side

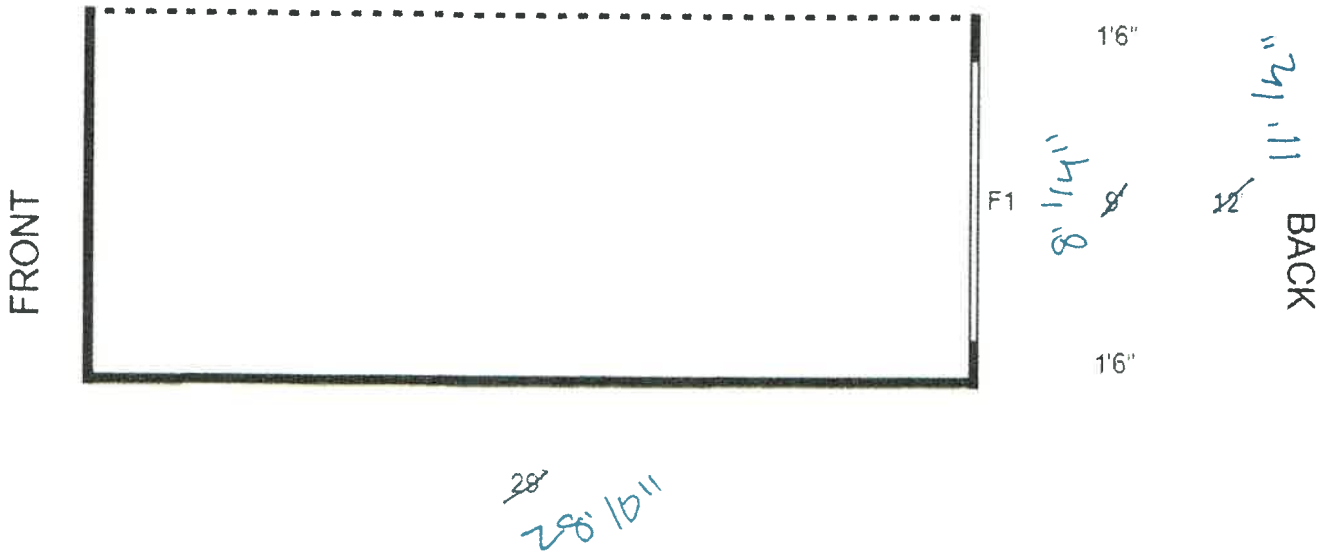


Right Side



Back

LEFT SIDE



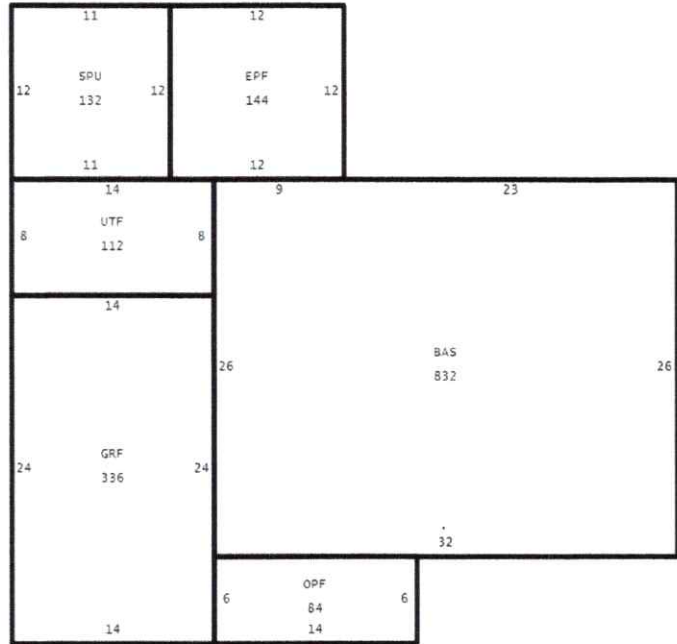
RIGHT SIDE

SYMBOL LEGEND	
<b>F1</b> Custom Size Frameout	Closed Wall
Open Wall	

2025 Building 1 Structural Elements and Sub Area Information

Structural Elements		Sub Area	Living Area SF	Gross Area SF
Foundation	Continuous Footing Poured	Base (BAS)	832	832
Floor System	Slab On Grade	Enclosed Porch (EPF)	0	144
Exterior Walls	Cb Stucco/Cb Reclad	Garage (GRF)	0	336
Unit Stories	1	Open Porch (OPF)	0	84
Living Units	1	Screen Porch Unfinished (SPU)	0	132
Roof Frame	Gable Or Hip	Utility (UTF)	0	112
Roof Cover	Bu Tar & Gravel Alt	<b>Total Area SF</b>	<b>832</b>	<b>1,640</b>

Year Built	1960
Building Type	Single Family
Quality	Fair
Floor Finish	Carpet/Hardtile/Hardwood
Interior Finish	Drywall/Plaster
Heating	Central Duct
Cooling	Cooling (Central)
Fixtures	3
Effective Age	27



2025 Extra Features

Description	Value/Unit	Units	Total Value as New	Depreciated Value	Year
PATIO/DECK	\$14.00	252.0	\$3,528	\$1,482	1965
PATIO/DECK	\$24.00	225.0	\$5,400	\$2,268	1965

Permit Data

Permit information is received from the County and Cities. This data may be incomplete and may exclude permits that do not result in field reviews (for example for water heater replacement permits). We are required to list all improvements, which may include unpermitted construction. Any questions regarding permits, or the status of non-permitted improvements, should be directed to the permitting jurisdiction in which the structure is located.

Permit Number	Description	Issue Date	Estimated Value
<a href="#">21-00002895</a>	CONC PAVE/DRIVEWAY	01/05/2022	\$18,000
<a href="#">13-00001199</a>	ROOF	08/02/2013	\$5,353

City of Tarpon Springs  
324 E. Pine Street  
Tarpon Springs, FL 34689

RE: Project: 25-2380 – Carport

Project Address: 1120 E Boyer St., Tarpon Springs, FL 34689

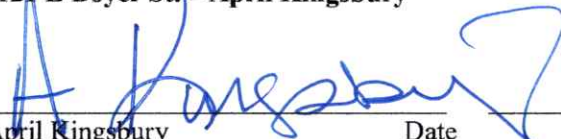
Planning and Zoning / Neighbor Consent Agreement / Letter of No Objection

We, the undersigned residents adjacent to, and across from, the above listed Carport Project address, do hereby make it known that we are in agreement for the permit to allow this project to be approved, and for the project to be implemented and completed.

-----  
**1116 E Boyer St. – Vacant property owned by a company in California**

---

**1121 E Boyer St. – April Kingsbury**

 10-5-25  
April Kingsbury Date


---

**1123 E Boyer St., - Kim & Michelle Burton**

  10-5-25  
Kim Burton Michelle Burton Date

---

**1124 E Boyer St., - Russ Bolle**

 10-5-25  
Russ Bolle Date



**CITY OF TARPON SPRINGS**  
**BOARD OF ADJUSTMENT**  
**[DECEMBER 17, 2025]**

**STAFF REPORT**

**Application No. / Project Title:** #25-89 (Hoffman (E Lemon St Apartments))  
**Staff:** Allie Keen, AICP, Principal Planner  
**Applicant / Owner:** Michael Hoffman / Lemon Street Realty LLC  
**Property Size:** +/- 0.29 acres  
**Current Zoning:** HB (Highway Business)  
**Current Land Use:** R&S (Retail & Services)  
**Location / Parcel ID:** Southside of E. Lemon Street, approximately 231 feet east of the US Highway 19 N. intersection / 07-27-16-99612-009-0070 & 07-27-16-99612-009-0080

**BACKGROUND SUMMARY:**

The applicant is requesting variance approval to reduce the side yard setback for both sides to 4 feet, 16 feet less than required, for the purpose of constructing a new 4-unit apartment building.

**PRELIMINARY STAFF RECOMMENDATION:**

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

**LAND DEVELOPMENT CODE CONSIDERATIONS:**

**District Intent:** The HB district is established to provide for predominately retail shopping and highway oriented service areas outside the central business district.

**Development Standards:** Per Land Development Code Section 25.04(D)(6)(d), the minimum side yard setback is 20 feet for multifamily uses. *(The HB district refers to the CRM (Conditional Residential Mix) district for multifamily dimensional regulations.)*

**CURRENT PROPERTY INFORMATION:**

<b>Use of Property:</b>	Vacant / Undeveloped
<b>Site Features:</b>	A few trees and vegetation.
<b>Vehicle Access:</b>	This property gains access from E. Lemon Street.



**SURROUNDING ZONING & LAND USE:**

	<b>Zoning:</b>	<b>Land Use:</b>
<b>North:</b>	HB (Highway Business)	R&S (Retail & Services)
<b>South:</b>	HB (Highway Business)	R&S (Retail & Services)
<b>East:</b>	HB (Highway Business)	R&S (Retail & Services)
<b>West:</b>	HB (Highway Business)	R&S (Retail & Services)

**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 2-story apartment building (+/- 6,400 sqft.) with 4 units on the subject property. According to the site plan, the building is laid out parallel to Lemon Street with parking provided in the front.
2. The HB (Highway Business) district refers to the CRM (Conditional Residential Mix) district for multifamily dimensional regulations. Per LDC Section 25.04(D)(6)(d), the minimum side setback for multifamily dwellings is 20 feet. Due to the building's orientation, the applicant is proposing a 4 foot side setback for both sides. According to the site plan, all other required setbacks have been met.
3. The subject property is just under 1/3 of an acre in size and only 100 feet wide. The HB zoning district is one of the more intense commercial districts that allows for a wide range of uses, including hotels, shopping centers, theaters, and vehicle sales. Most of these uses require a larger property to accommodate these allowed uses, as well as, the required parking, landscaping, amenities and other development standards of the land development code.
4. There is an existing multifamily development that shares the east property line with the subject property. There is an existing privacy fence providing separation between the proposed building and this development. The adjacent property to the west is a restaurant (Queen's Pizza). This property is separated by the rear parking lot and access drive to the restaurant. The restaurant building sits almost 70 feet away from the shared property line.
5. Multifamily dwellings are a conditional use within the HB zoning district, therefore, if the Board approves the requested variance, the applicant will then have to seek conditional use approval. The subject property is not directly accessible from US Highway 19, which makes it potentially more conducive to multifamily residential development, as opposed to other nonresidential uses permitted within the district.

**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 request is to accommodate the construction of a small 4-unit apartment building. The reduced side setback is in response to the relatively small property within the HB zoning district, which supports more intense land uses that typically need larger parcels in order to



accommodate parking, landscaping, amenities, and other development standards of the LDC. *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 subject property was originally platted as a part of the Young's Subdivision Deluxe in 1926 and the current setbacks were established in 1990, both prior to the applicant obtaining ownership of the property. The existing lot dimensions necessitate the reduced side setbacks in order to develop the property in a manner that meets the intent of the HB zoning district, while also allowing the project to meet other development standards requires by the LDC, such stormwater, parking, and landscaping. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard has been met.*

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

*Provisional Findings:* Literal enforcement of the HB setback requirements would require a redesign of the proposed project that would potentially result in not being able to meet other standards of the Land Development Code, such as parking, stormwater, and minimum landscaping. This may also necessitate the building being reduced in size, reducing the number of units, and possibly re-orienting the building in a manner that eliminates rear yard greenspace for future tenants. The requested variance is the minimum necessary to make reasonable use of a smaller property within the HB zoning district, while still meeting a majority of the other development standards of the LDC. *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 approximately 230 feet east of US Highway 19, and surrounded by established commercial, office, and multifamily uses. The affected property lines are buffered to the west by the adjacent property's parking lot and to the east from an existing privacy fence. This property was platted in 1926, well before the city's first zoning was in place and is smaller in size than most HB zoned parcels. Special accommodation for setbacks would not grant special privilege to the applicant. *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 property is located within a developed area, surrounded by established commercial, office, and multifamily residential. The proposed project is complimentary to the surrounding development scale and type, and the reduced side setbacks are 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. Site Plan

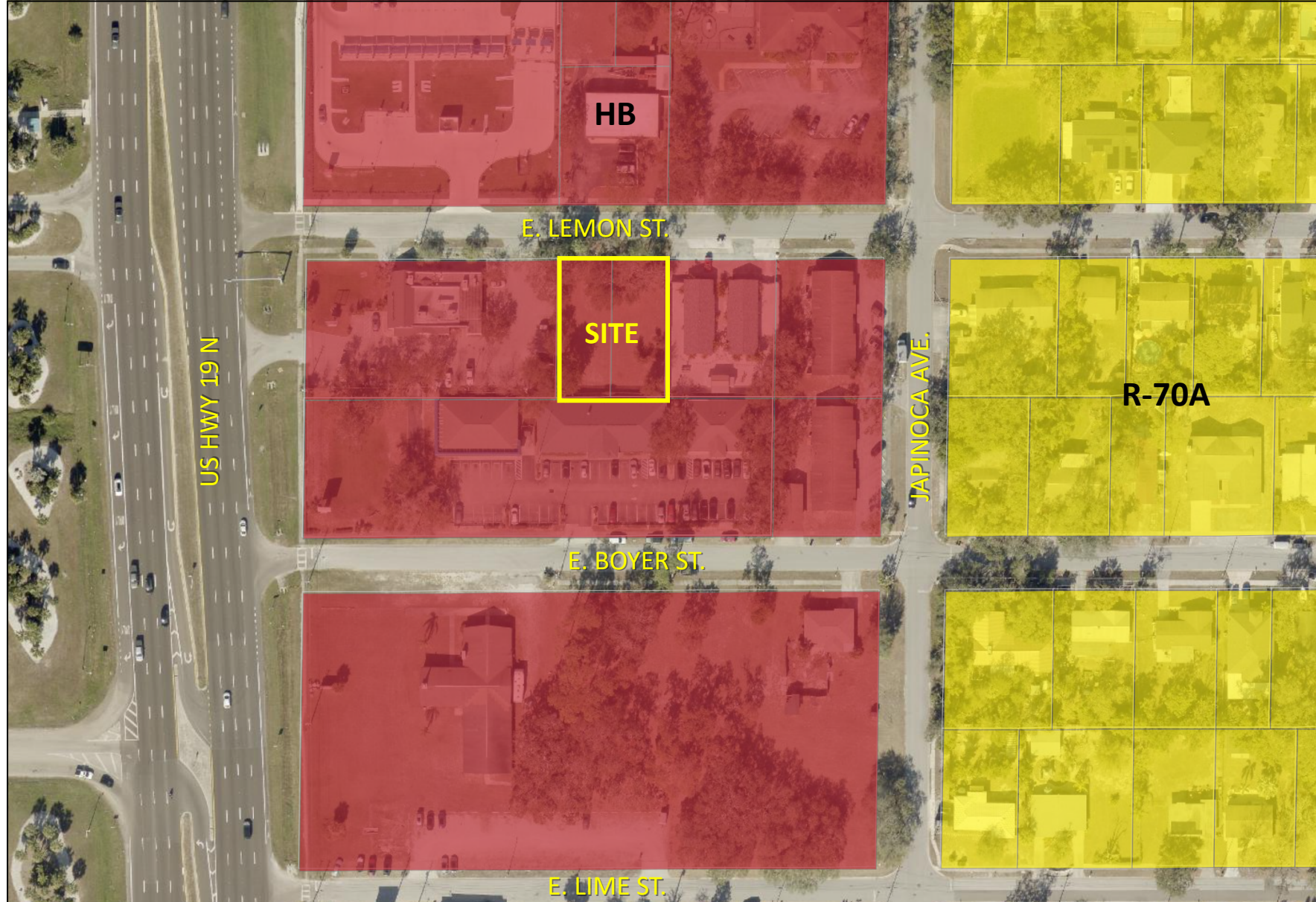
# HOFFMAN (E. LEMON ST. APTS.) #25-89

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Board of Adjustment – December 17, 2025



# LOCATION & CONTEXT



# REQUEST

- **#25-89 – Side Yard Setback**
  - Required= 20 feet
  - Proposed = 4 feet
- **Applicant:** Michael Hoffman
- **Owner:** Lemon St Realty LLC
- *Variance request to reduce the required side yard setback for the purpose of constructing a new 4-unit apartment building.*

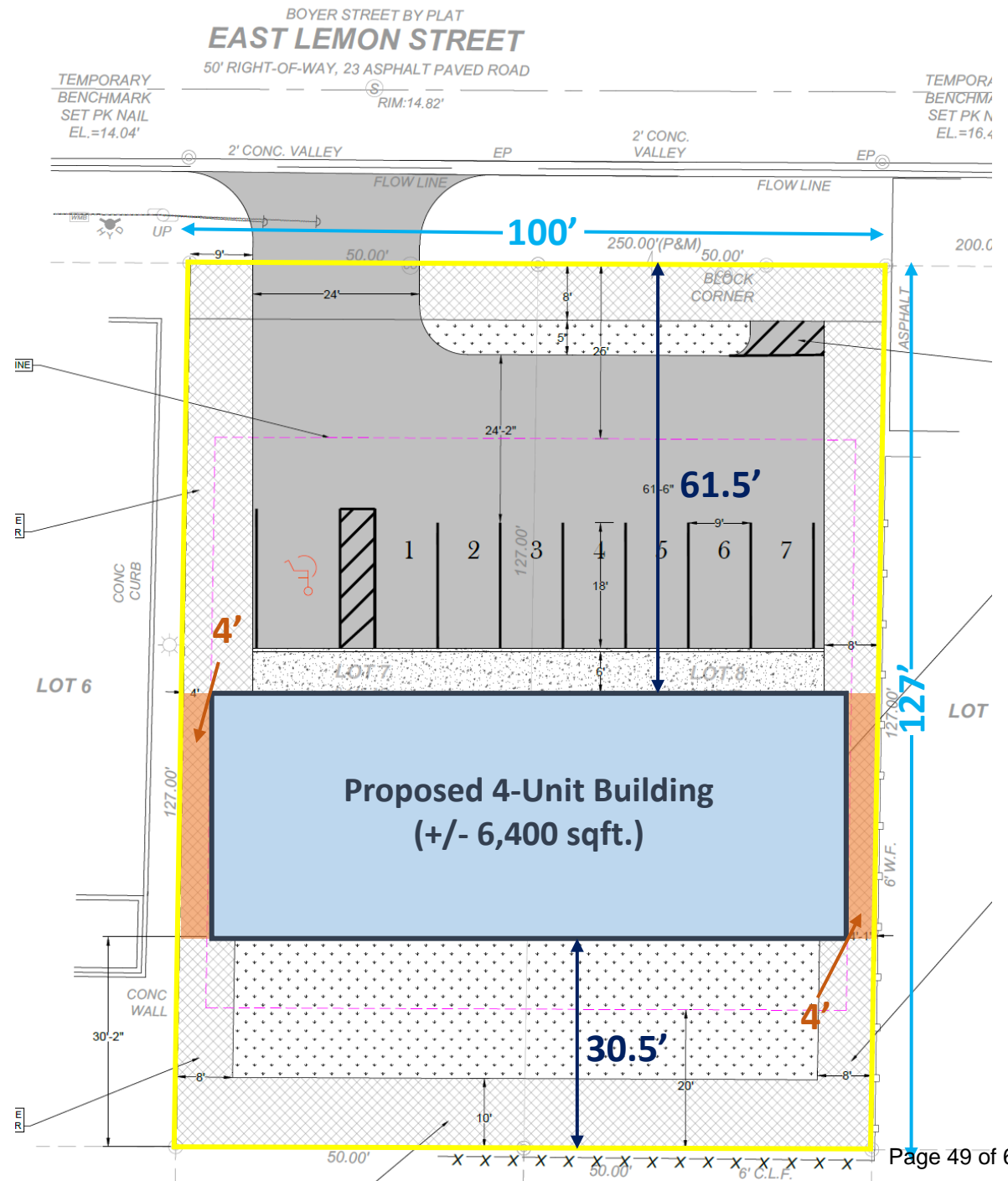


# SITE PLAN

- **HB (Highway Business) Min. Setbacks\***

- Front
  - Required = 25 ft
  - Proposed = 61.5 ft
- Rear
  - Required = 20 ft
  - Proposed = 30.5 ft
- Side
  - Required = 20 ft
  - **Proposed = 4 ft**

\*HB refers to CRM (Conditional Residential Mix) district for multifamily dimensional regulations.



# CONTEXT



# PLANNING CONSIDERATIONS

## HB Zoning District

- Permits higher intensity uses, including hotels, shopping centers, theaters, and vehicle sales.
- Typically require a larger parcel to accommodate these allowed uses, as well as, required parking, landscaping, amenities, and other LDC development standards.
- ‘Multifamily Dwellings’ require conditional use approval.
  - If variance is approved, applicant’s next step will be to seek conditional use approval with their site plan.
  - Site is not directly accessible from US Hwy 19, which potentially is more conducive to multifamily development as opposed to other permitted nonresidential uses. Can also serve as a transitional use to the less intense residential uses further to the east.



# 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. 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\***

DriftLine Holdings LLC

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

bds@spiegees.com

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

1454 Columbia ave

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

7275429032

**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

**Agent/Representative (If applicable)**

Benjamin Spiegel

**Agent/Representative Email**

bds@spiegees.com

**Agent/Representative Address**

1454 Columbia ave

**Agent/Representative Phone**

7275429032

**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\***

Lemon Street Taproom

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

12-27-15-77778-402-0270

[Look Up Parcel ID](#)

**Project Location**

325 East Lemon St  
Tarpon Springs, FL 34689

**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\***  
.41

**Base Flood Elevation (BFE)**

Elevation(s)

**Current Land Use\***

AC (Activity Center)   
*(Choices are alphabetized)*  
[Lookup Land Use](#)

**Current Zoning\***

T4d   
*(Choices are alphabetized)*  
[Lookup Zoning](#)

**Proposed Land Use**

-- Select One --   
*(If applicable)*

**Proposed Zoning**

-- Select One --   
*(If applicable)*

**Summary / Purpose of Request\***

Looking to turn the already existing 2500 SF taproom, that was previously used by Silverking Brewing, into a restaurant/tavern with a combined seating capacity of 130 (inside and outside). As I understand it, the current zoning is for 49 seats and this needs a conditional use permit to go above the 49

**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\***

Benjamin Spiegel

**Date\***

11/7/2025

**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\***

Benjamin Spiegel

11/7/2025



**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\*

E Lemon Street Multi-family Apartments

#### Project Location\*

E Lemon Street, Tarpon Springs

#### Variance Requested\*

25.12 - HB Highway Business District

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

#### Summary of Request\*

The request is to allow a reduced side setback of 4' where 20' is required so the multi-family building front facade can be along E Lemon Street.

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:\***

The need for the requested variance arises from the unique physical characteristics and dimensions of the property. The lot measures approximately 100 feet in width by 127 feet in depth, which significantly limits the buildable area once the required 20-foot side setbacks are applied. With the existing Highway Business (HB) zoning district allowing multifamily use but imposing large side yard requirements more typical of commercial parcels, the available building width is reduced to only 60 feet — insufficient to accommodate a standard 4- unit, 3,197 square-foot multi-family building layout.

In addition, the property fronts E. Lemon Street, a narrower local street where aligning the building's front façade provides a more pedestrian-oriented streetscape consistent with the City's development pattern. The combination of the property's limited width, orientation to E. Lemon Street, and the HB zoning dimensional standards creates a physical hardship not generally shared by other properties in the same district. The requested reduction in side setback from 20 feet to 4 feet is therefore necessary to achieve a reasonable and functional multi-family building footprint while maintaining compatibility with the surrounding built environment.

**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 need for the requested variance has not been self-created by the applicant. The hardship results from the property's existing lot dimensions and the development standards of the Highway Business zoning district, which were established prior to the current development proposal. The lot width of 100 feet inherently limits the ability to design a functional multi-family building while meeting the required 20-foot side setbacks on both sides.

The applicant has not taken any action to alter the property or create the existing conditions that necessitate the variance. Rather, the lot size and zoning standards pre-date the proposed development. The variance request is therefore a response to pre-existing physical and regulatory constraints, not to any modification or choice made 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 possible the reasonable use of the property. *(Does the variance result in reasonable use of the property and its structures?)*

**Justification:\***

Literal enforcement of the Code would prevent the applicant from developing a reasonably sized multi-family building on the property, effectively denying reasonable use of the site for a permitted residential use. With a lot width of only 100 feet, applying the required 20-foot side setbacks on both sides would reduce the buildable width to just 60 feet, which is insufficient for a functional 4-unit multi-family floor plan and supporting circulation.

The requested reduction of the side setback from 20 feet to 4 feet represents the minimum variance necessary to allow for a building of practical width while still maintaining appropriate separation from adjacent properties. Granting this variance enables the construction of a modest, conforming multi-family building consistent with the intent of the zoning district and surrounding development pattern, while ensuring the property is put to a reasonable and beneficial use.

**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:\***

Granting the requested variance will not confer any special privilege not commonly enjoyed by other properties within the Highway Business (HB) zoning district. The variance does not request approval for a prohibited use, but rather a reasonable reduction in the side setback to accommodate a permitted multi-family building on a constrained lot.

It is important to note that other allowable uses within the HB zoning district — including commercial and office uses — are permitted to have side setbacks as little as 10 feet. The only reason this property is subject to a larger 20-foot side setback is due to the proposed multi-family residential use. As such, the requested 4-foot setback does not grant a unique or special advantage but simply allows the property to be developed with a permitted use at a scale similar to other allowable developments in the same zoning district.

The variance ensures consistency and equity among permitted uses within the HB district and provides the applicant no special privilege beyond what other property owners already enjoy.

**Standard:**

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

**Justification:\***

Granting the requested variance will not adversely affect surrounding properties, diminish property values, or alter the essential character of the neighborhood. The proposed multi-family building is compatible in scale, height, and design with the surrounding development pattern and will front E. Lemon Street in a manner consistent with the existing streetscape. The reduced side setback will not result in any visual, privacy, or functional impacts to adjacent properties, as adequate separation will still be maintained between structures and the property lines.

The variance simply allows for a reasonable building footprint within the lot's limited width, without intensifying the use or increasing density beyond what is already permitted by the zoning district. The proposed development will enhance the appearance and utility of the property, contribute positively to the neighborhood, and does not create any condition that would interfere with the rights or enjoyment of neighboring property owners.

**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\***

**Date\***

Michael W. Hoffman

9/30/2025

**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.

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