



# 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, MARCH 25, 2026 6:30 PM - CITY HALL AUDITORIUM

### 1. CALL TO ORDER

### 2. ROLL CALL

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

### 4. ELECTION OF OFFICERS

Election of Chair and Vice-Chairperson

- a. Election of Chair and Vice-Chairperson

### 5. APPLICATION(S)

- a. **#26-06 - Gunther**

Variance to allow a staircase to encroach further into the front setback for the purpose of accessing an elevated home.

Location: 233 Grand Boulevard

### 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**  
**[MARCH 25, 2026]**

**STAFF REPORT**

**Application No. / Project Title:** #26-06 (Gunther)  
**Staff:** Allie Keen, AICP, Principal Planner  
**Applicant / Owner:** Adam Rosekelly (Sandbar Architecture) / Nicholas & Kathryn Gunther  
**Property Size:** +/- 0.29 acres  
**Current Zoning:** CRM (Conditional Residential Mix)  
**Current Land Use:** RU (Residential Urban)  
**Location / Parcel ID:** 233 Grand Boulevard / 12-27-15-66618-000-0010

**BACKGROUND SUMMARY:**

The applicant is requesting variance approval to allow an unenclosed staircase to encroach 15.23 feet, 11.23 feet further than permitted, into the front setback for the purpose of providing access to an elevated home.

**PRELIMINARY STAFF RECOMMENDATION:**

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

**LAND DEVELOPMENT CODE CONSIDERATIONS:**

**District Intent:** The conditional residential mix district is established to provide for a mix of residential uses where a conditional use review for compatibility with existing development trends is necessary to analyze the potential for adverse impacts in accordance with established criteria.

**Development Standards:**

1. Per Land Development Code (LDC) Section 25.03(F)(6)(a), the minimum front setback is 25 feet for single family detached homes. *(The CRM district refers to the R-70 (One & Two Family Residential) district for dimensional regulations for single family detached homes.)*
2. Per LDC Section 38.00(G), an outside stairway, unenclosed, may extend 4 feet into any required yard, but no closer to any side lot line than a distance of 5 feet.

**CURRENT PROPERTY INFORMATION:**

<b>Use of Property:</b>	Single Family Home
<b>Site Features:</b>	Single family home, detached garage, driveway, walkways, and landscaping.
<b>Vehicle Access:</b>	This property is accessed from Parkins Ct.



**SURROUNDING ZONING & LAND USE:**

	<b>Zoning:</b>	<b>Land Use:</b>
<b>North:</b>	RM (Residential Multifamily)	RM (Residential Medium)
<b>South:</b>	CRM (Conditional Residential Mix)	RU (Residential Urban)
<b>East:</b>	RM (Residential Multifamily)	RM (Residential Medium)
<b>West:</b>	CRM (Conditional Residential Mix)	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 in the process of elevating the home on the subject property in order to protect the historic structure from flooding. The raised structure results in the need to provide access via a staircase to the front entry.
2. Per LDC Section 38.00(G), an outside unenclosed staircase is permitted to encroach up to 4 feet into any required setback, but no closer than 5 feet to a side property line. The minimum front yard setback is 25 feet; therefore, an unenclosed staircase could be a minimum of 21 feet from the front property line. According to the provided site plan, the proposed staircase will encroach approximately 15.23 feet into the required front setback, 11.23 feet more than permitted. This results in the staircase being approximately 9.48 feet away from the front property line at the closest point. The staircase complies with the minimum side setback.
3. The existing home, which was built in 1928, is a contributing structure in the city’s historic district. The current footprint of the home has a nonconforming setback of 20.8 feet, where 25 feet is required under the current LDC. The structure once elevated will maintain the nonconforming setback and be in the same footprint. Due to the current layout of the home, no matter where a front staircase is proposed, it is not possible to comply with the minimum front setback.
4. The applicant obtained Heritage Preservation Board (HPB) approval for the elevation of the home on April 7, 2025. The approval included a condition about the design of the front stairway, which will be verified during the permitting process. If the redesign increases the stairway encroachment, an amendment to the variance request may be necessary.

**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 historic home was built in 1928 and currently has a nonconforming front setback. The existing setbacks will be maintained once the home is elevated. This results in the staircase providing access to the home to encroach further into the setback than allowed. *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 constructed prior to the city's first land development code going into effect. The need for the variance is due to the existing nonconforming setback and need to elevate the historic structure for flood protection. *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 Land Development Code would not allow for a front staircase, due to the historic setbacks. Approval of the requested variance would result in reasonable use of the property by providing access to the front door, while also respecting the historic home and layout. The variance also enables the structure to be elevated above base flood elevation, which further protects the historic structure. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard has been met.*

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

*Provisional Findings:* Granting the variance will allow for the historic home to be elevated. The proposed elevation is in response to the current structure being built below base flood elevation and being vulnerable to flooding. The requested encroachment will not confer any special privileges to the applicant that are not commonly enjoyed by other property owners in similar circumstances. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard has been met.*

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

*Provisional Findings:* Approval of the variance enables the structure to be elevated and further protected from flooding, while also maintaining the historic setbacks and layout of the structure. Additionally, the Heritage Preservation Board has reviewed and approved the proposed elevation which includes the front access and staircase; therefore, it is not expected to substantially diminish property values or alter the character of 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. Variance Addendum
3. Site Plan
4. Elevations & Survey

# **GUNTHER**

## **#26-06**

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Board of Adjustment – March 25, 2025



# LOCATION & CONTEXT



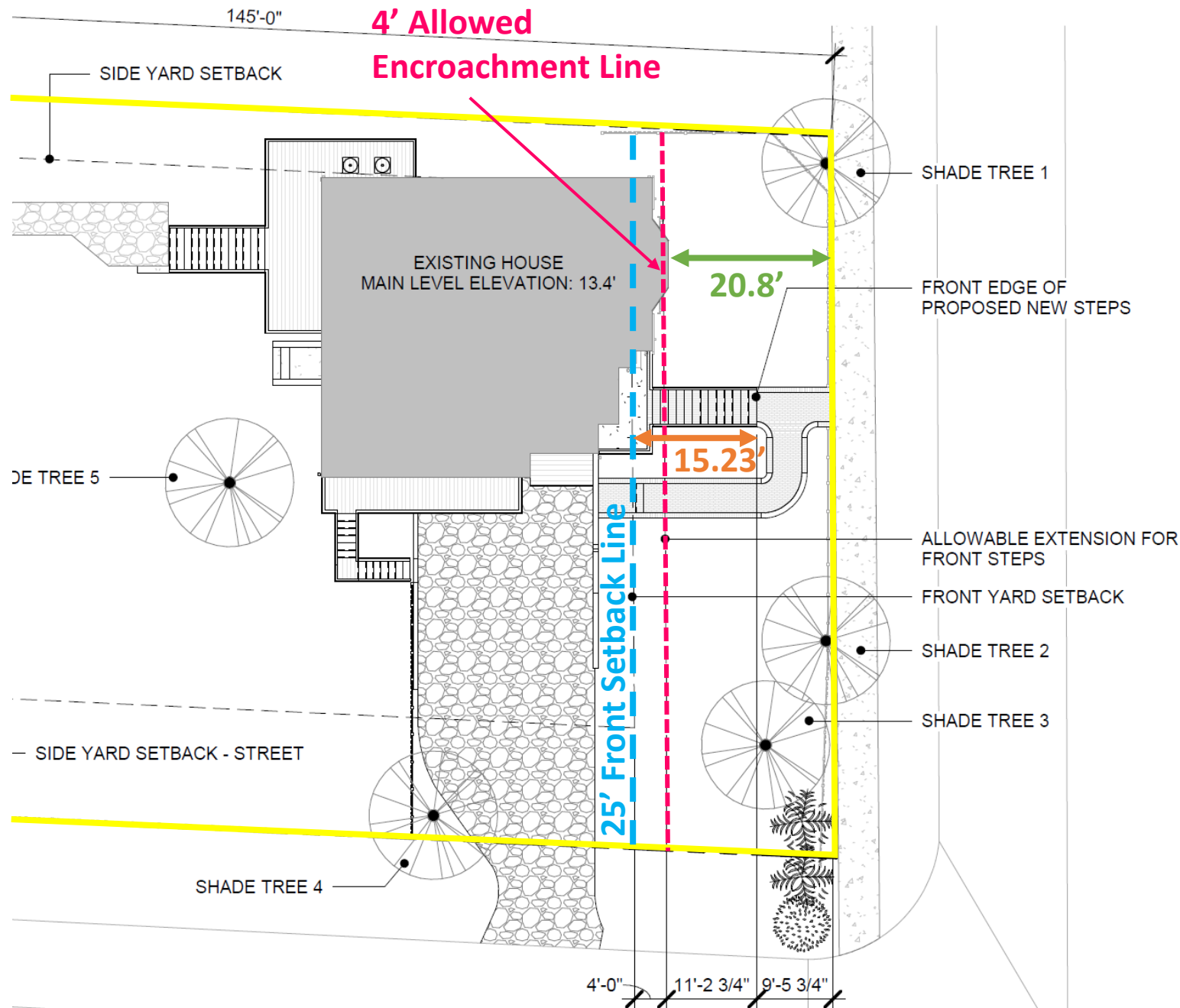
# REQUEST

- **#26-06 – Unenclosed Staircase Encroachment**
  - Permitted = 4 feet
  - Proposed = 15.23 feet
- **Applicant:** Adam Rosekelly (Sandbar Architecture)
- **Owner:** Nicholas & Kathryn Gunther
- *Variance to allow an outside, unenclosed staircase to encroach further into the front setback than permitted.*

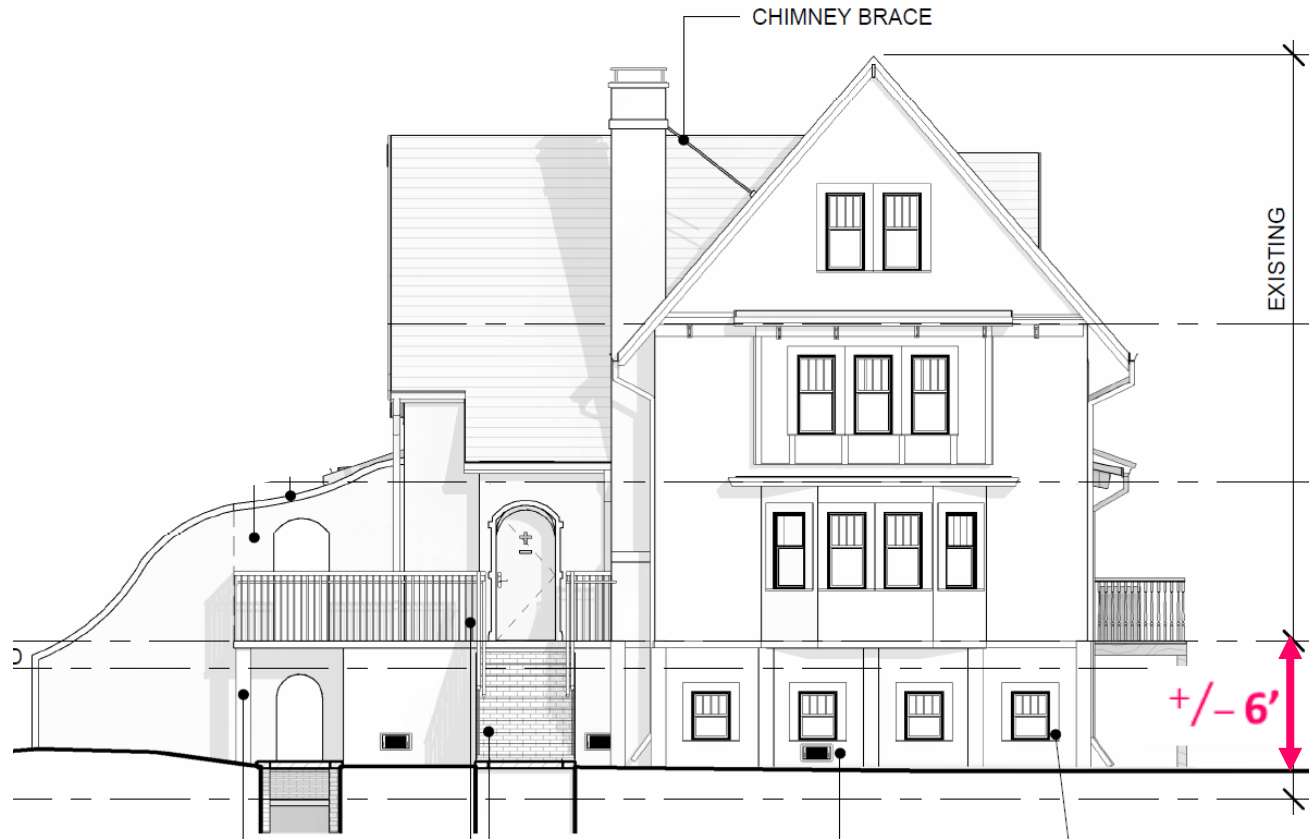


# SITE PLAN

- **CRM Front Setback:**  
(refers to R-70 district)
  - Min. Required = **25 ft**
  - Existing Home (c. 1928) = **20.8 ft**
- **LDC Section 38.00 – Yard Encroachments:**
  - Outside, unenclosed staircases may encroach up to **4 ft** into any required setback, but no closer than 5 ft to a side property line.
  - Proposed Staircase
    - Encroachment = **15.23 ft**
    - Setback = 9.5'



# PROPOSED ELEVATION



- **HPB Approval of Elevation – April 2025**

- Included a condition about the design of the front stairway, which will be verified during permitting.
- If the redesign increases the stairway encroachment, an amendment to the variance may be necessary.

# 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.



**APPLICATION ADDENDUM**  
**VARIANCE APPLICATION FORM**

**INSTRUCTIONS**

Please complete the form fully and submit with the associated development application, **DIGITALLY** through the Planning and Zoning online application portal (goPost/ePlan).

**1. GENERAL INFORMATION**

PROJECT NAME GUNTHER RESIDENCE
ADDRESS/LOCATION 233 GRAND BLVD TARPON SPRINGS, FL 34689
TAX PARCEL NUMBER(S) 12-27-15-66618-000-0010

**2. VARIANCE REQUESTED**

I am requesting a variance from Land Development Code (LDC) Section(s) Article III / # 38.00.

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)

The requested variation from the code is from a maximum allowance of 4' beyond the 25' required front setback to 12'. This is for a new staircase to reach the now elevated landing height of the modified and elevated front porch. The home is being elevated to mitigate flood concerns, was reviewed and approved by Tarpon Springs Historic Board.

**3. BOARD OF ADJUSTMENT 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 the standards listed below and provide a justification on how your request meets each of the standards.**

- (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. (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 tree(s), as defined in Sections 133 and 134 of the LDC, may be considered as a relevant environmental condition. (If there are protected 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 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.)



The home is being elevated to mitigate flood concerns, was reviewed and approved by the Tarpon Springs Historic Board

- (2) The conditions of 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)*

The home is being elevated to mitigate flood concerns, that are out of the owners control.

- (3) Literal enforcement of the requirements of the Code would 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?)*

Yes

- (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. *(Would approval of the variance request result in special privilege that is not commonly enjoyed by other properties within the same district?)*

No

- (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 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?)*

No



**3. SIGNATURE(S)/AUTHORIZATION**

**APPLICANT/PROPERTY OWNER/AGENT SIGNATURE(S):**

The information included in and with this application is completely true and correct to the best of my knowledge. Further, I understand that a detailed property management plan may be requested as a part of this application.

*Adam Rosekelly*  
\_\_\_\_\_  
(Applicant's Signature)

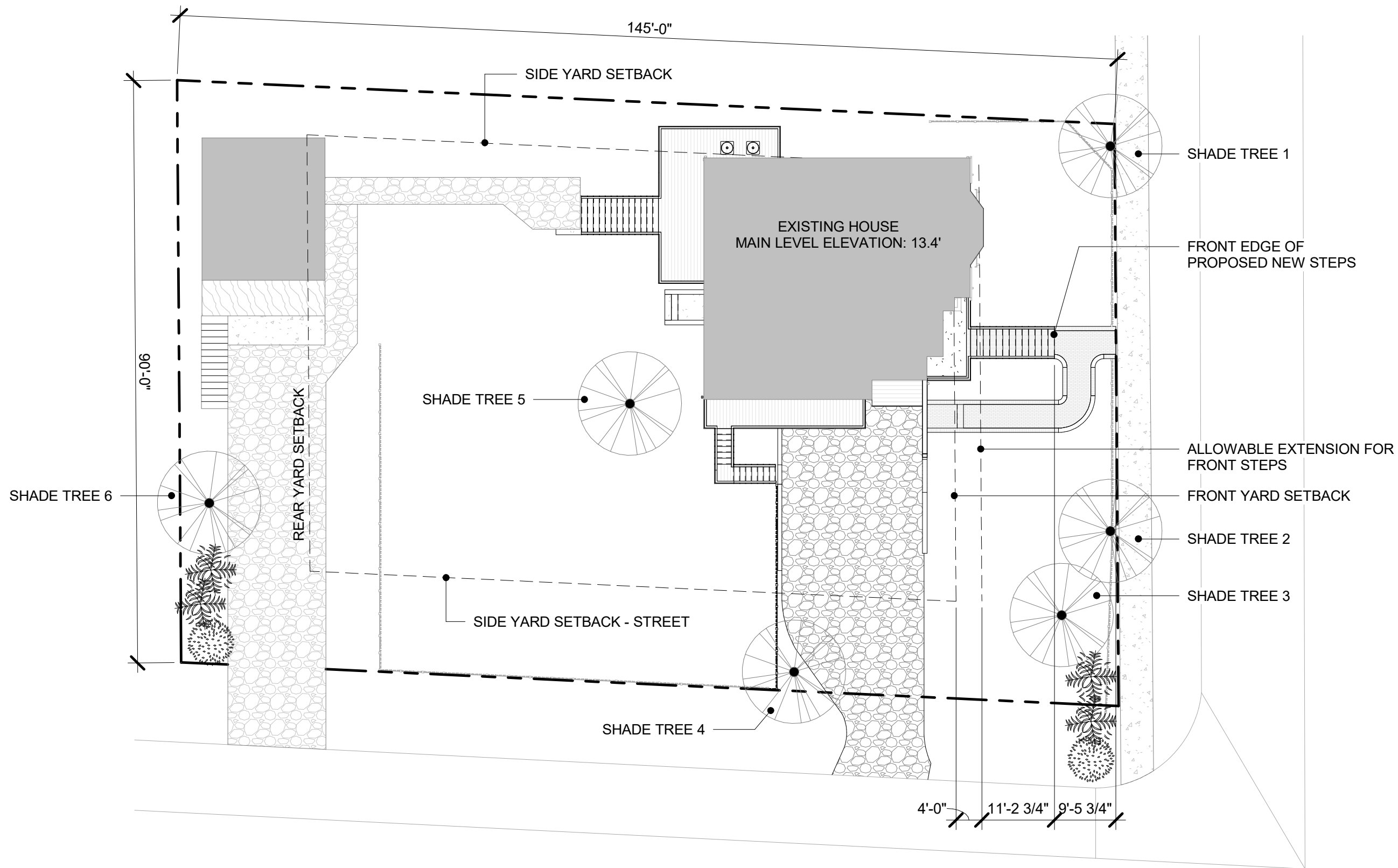
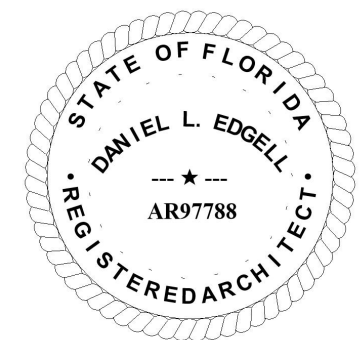
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\_\_\_\_\_  
(Property Owner's Signature)

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(Agent's Signature)

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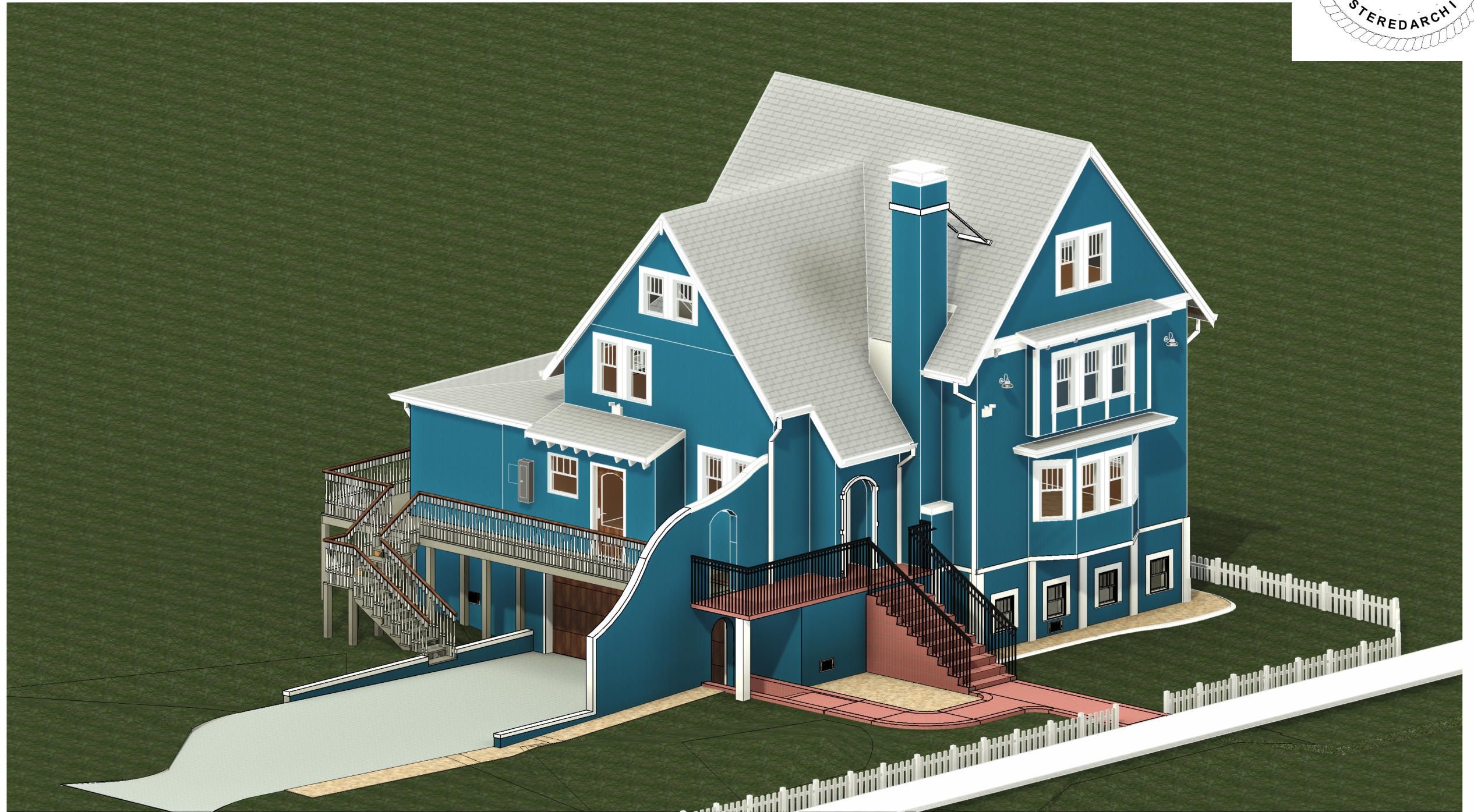
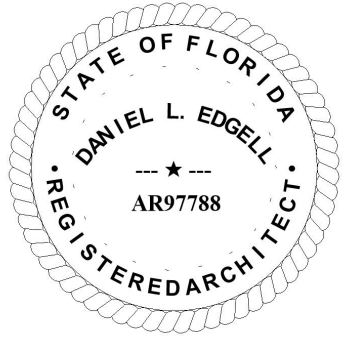


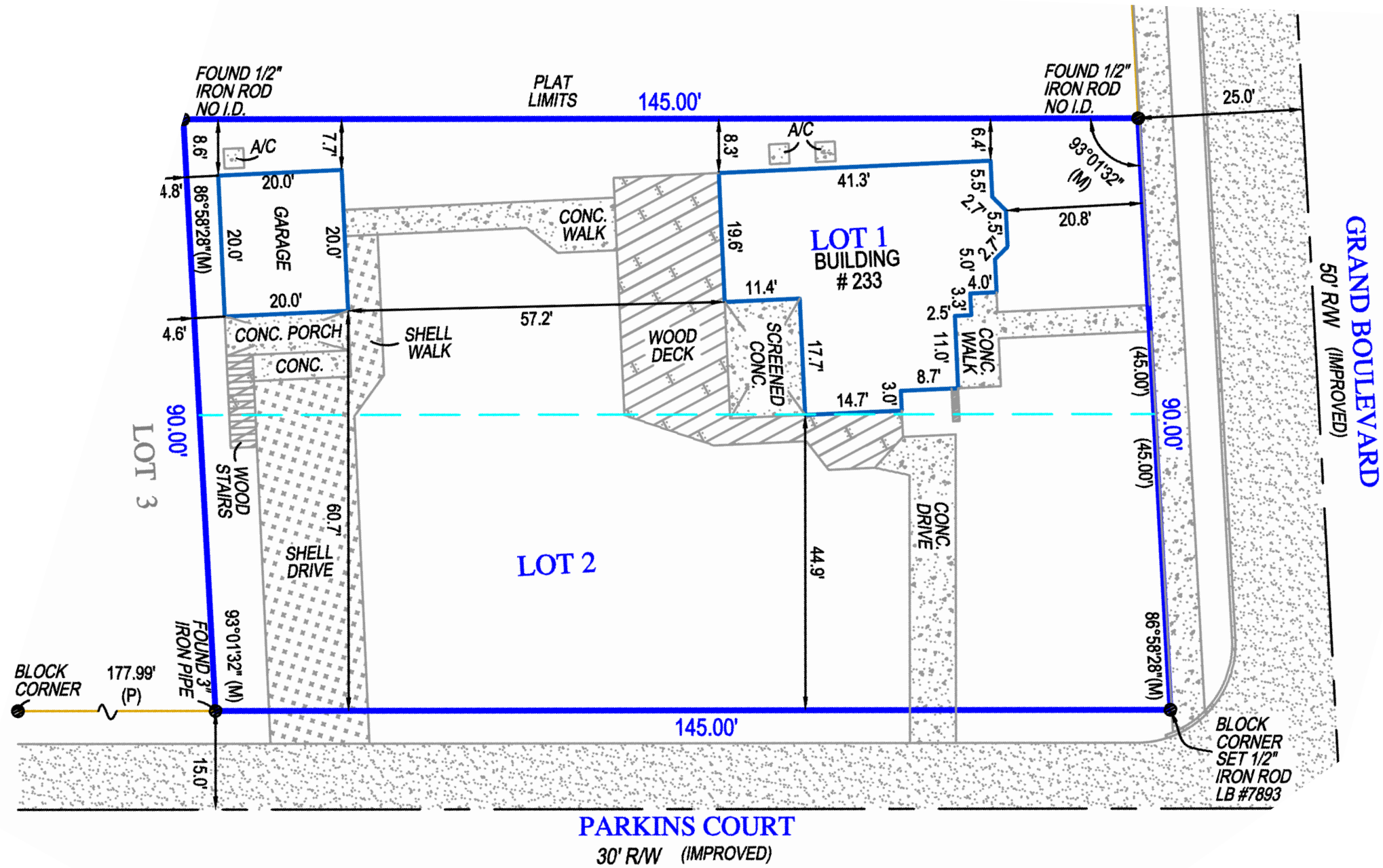
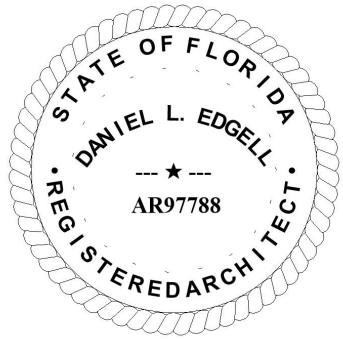
# SITE PLAN



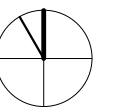
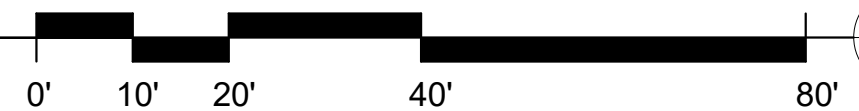
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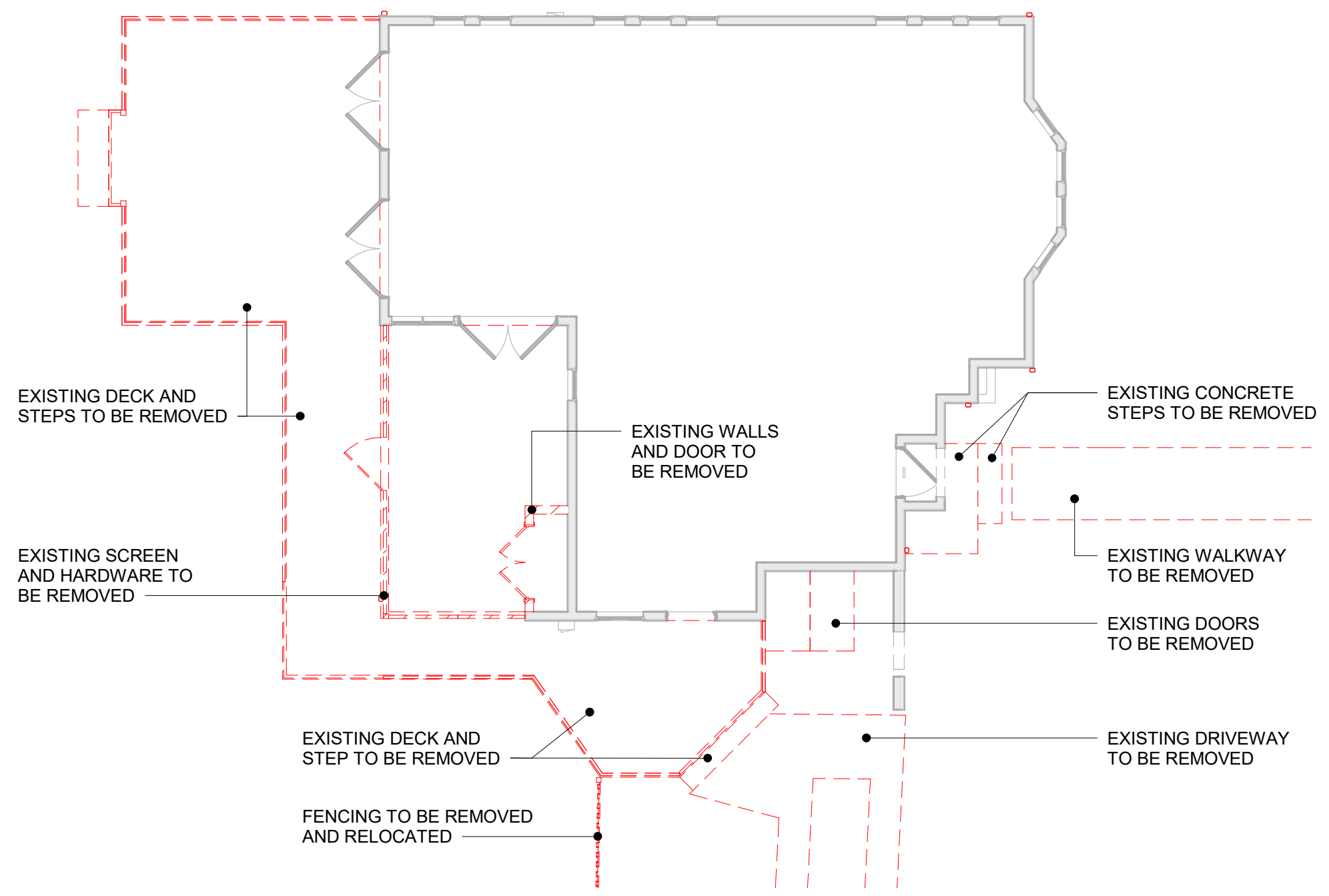
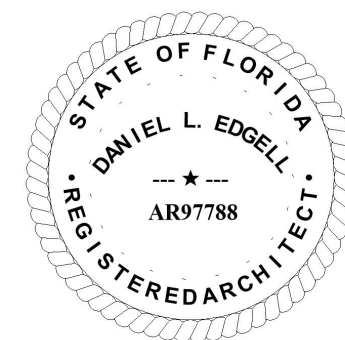
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SCHEMATIC DESIGN  
02.18.2026



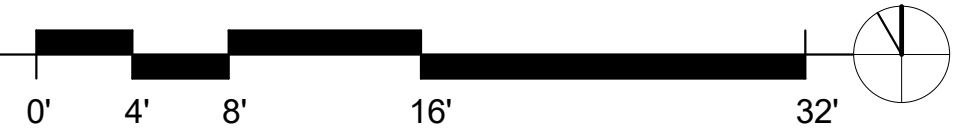


# BOUNDARY SURVEY

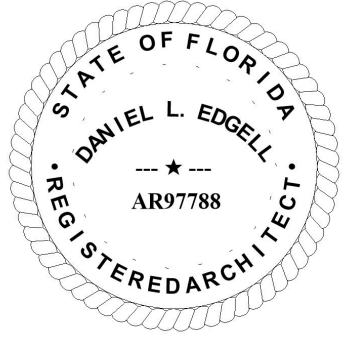
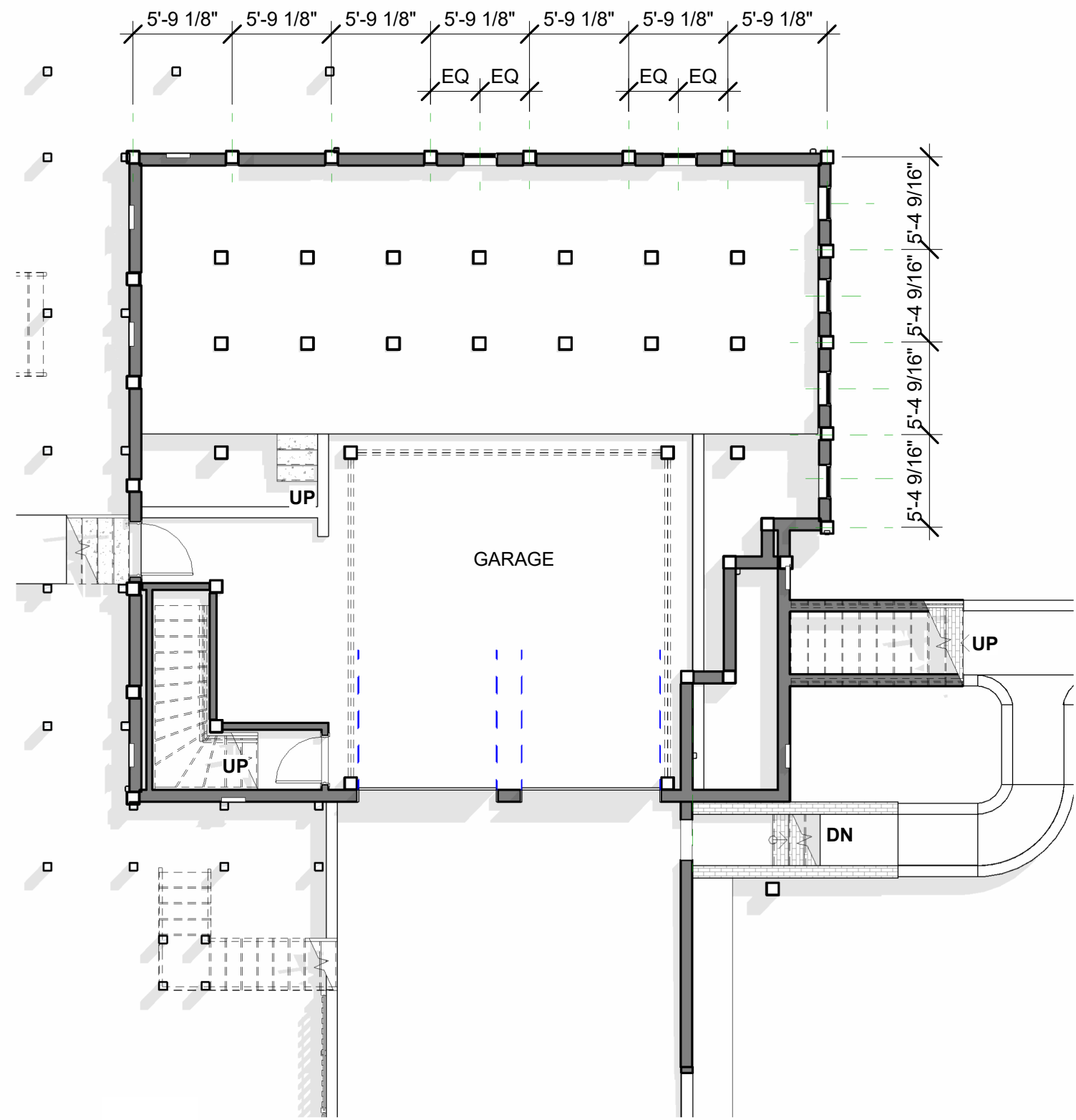




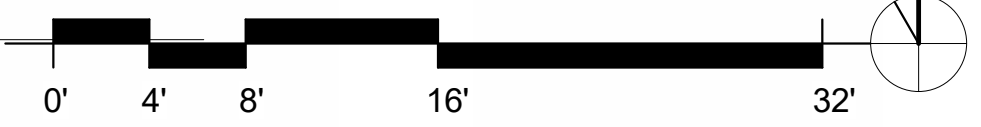
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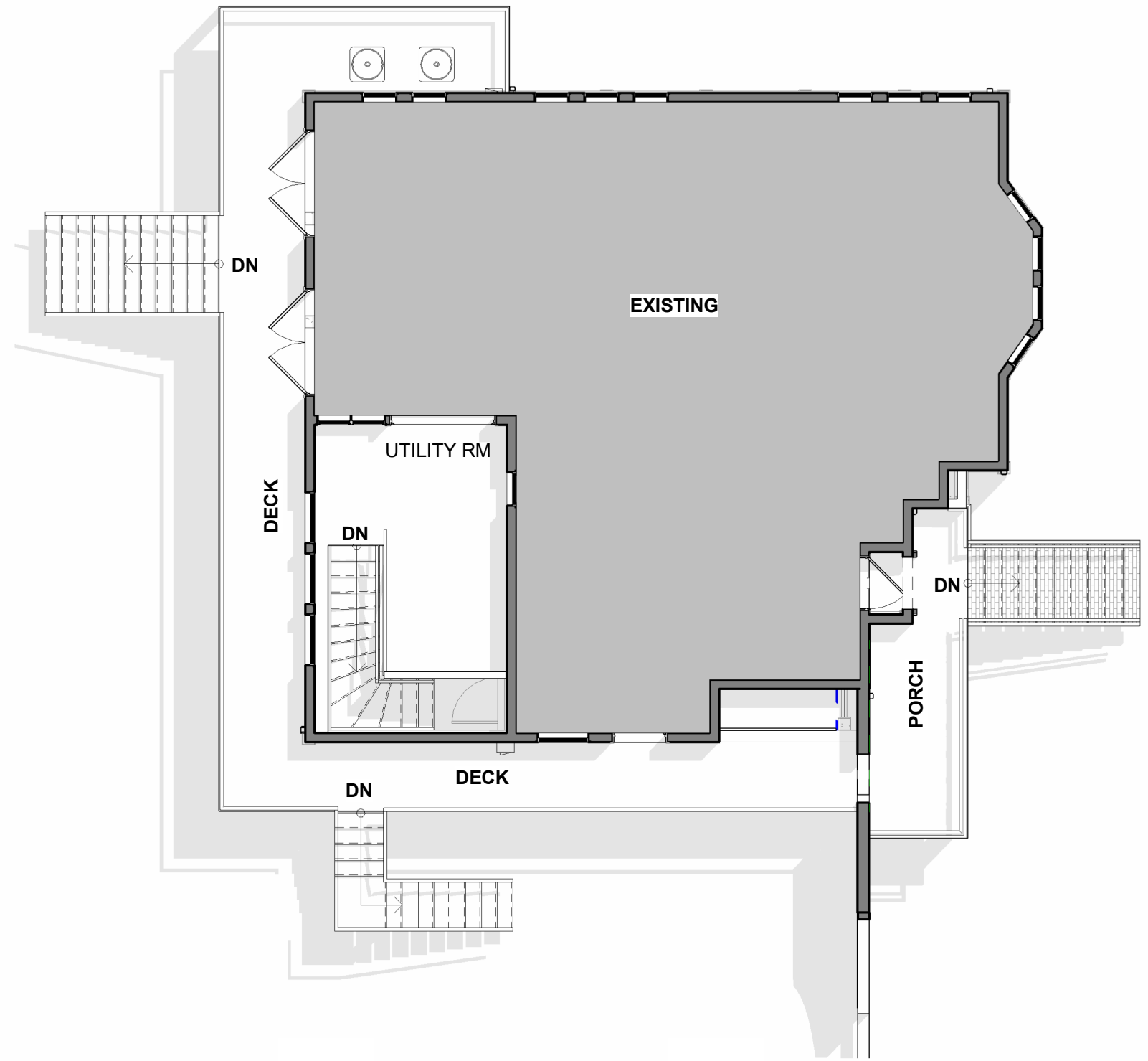
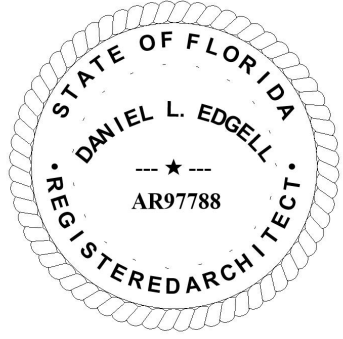


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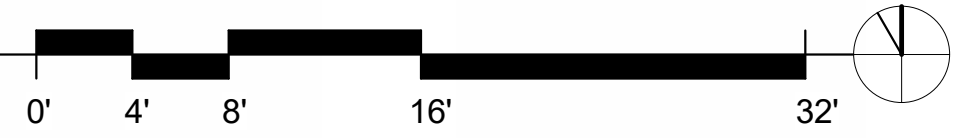


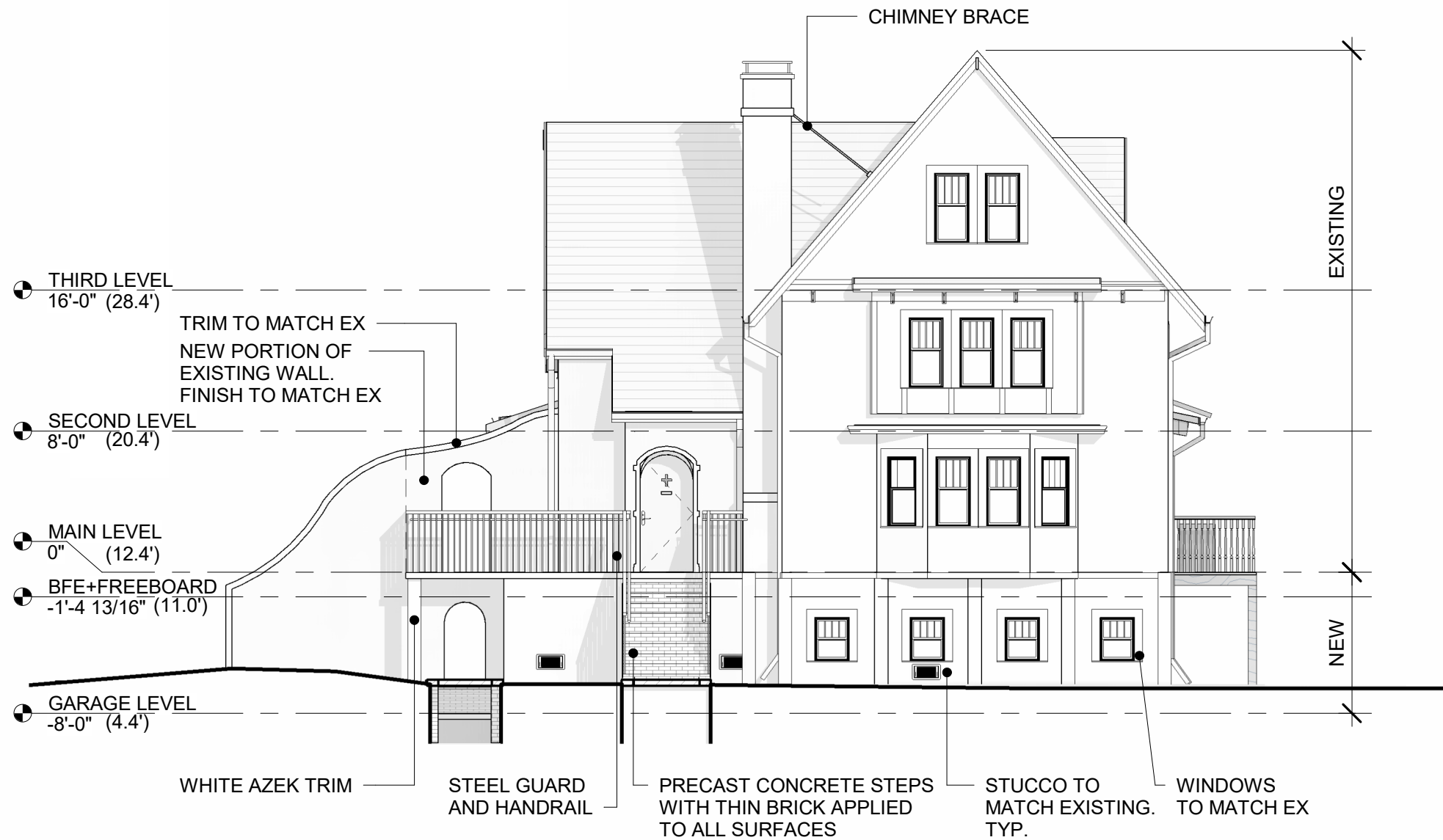
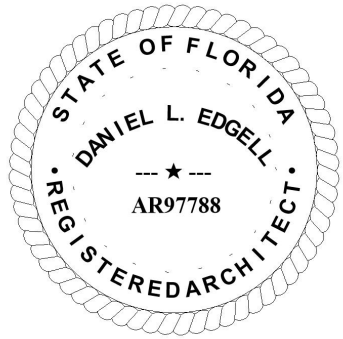
# GROUND FLOOR PLAN





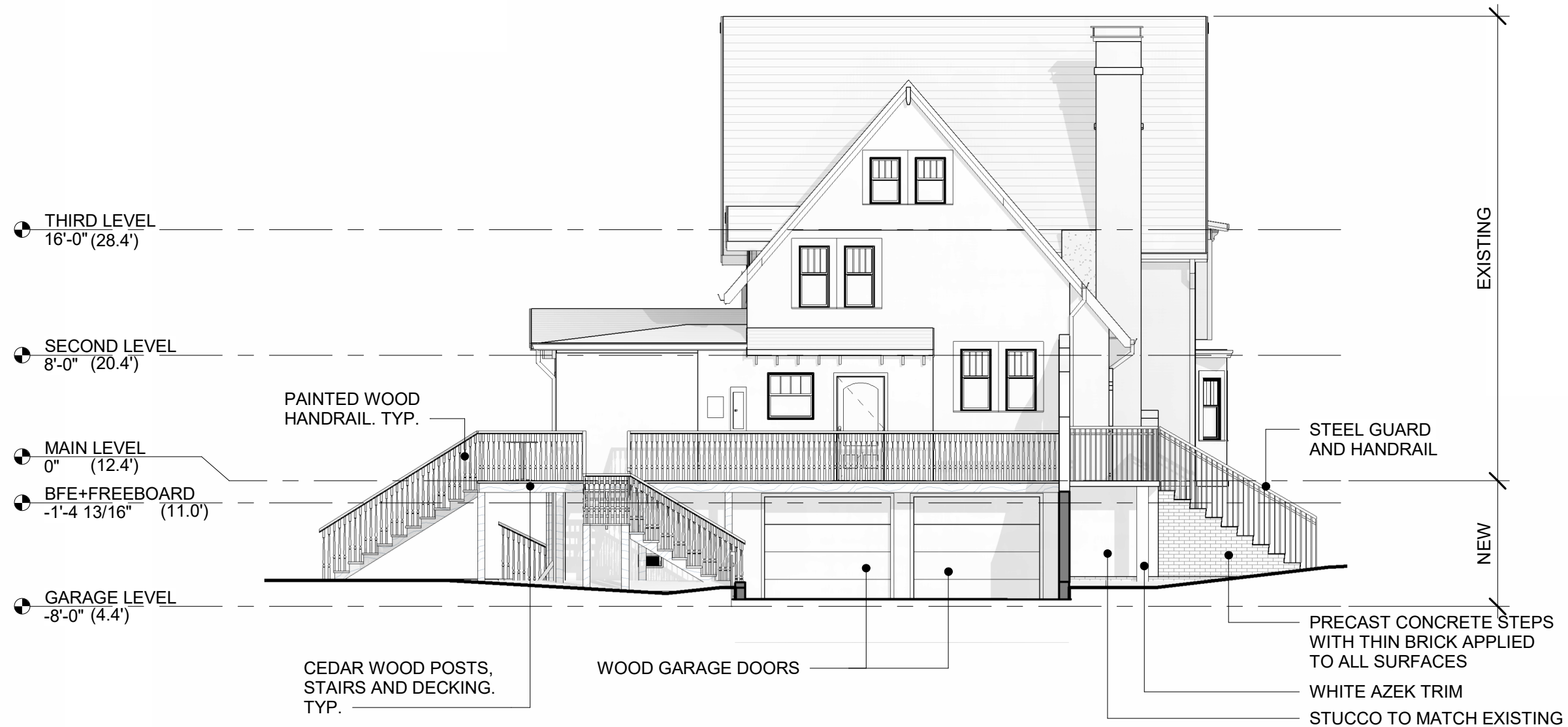
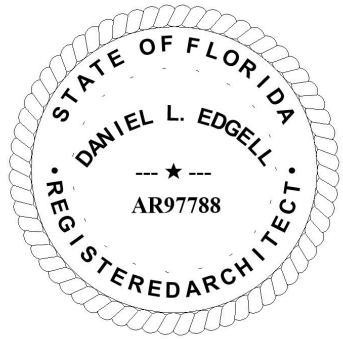
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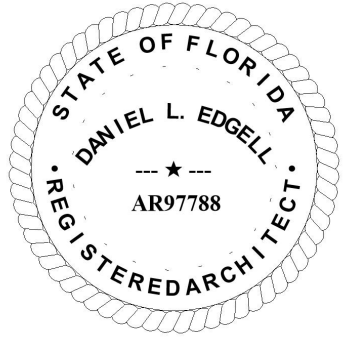
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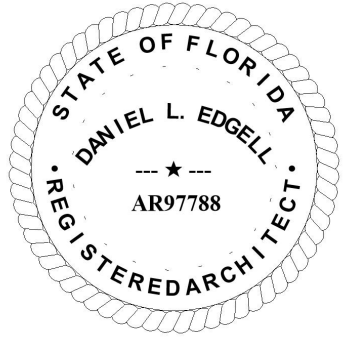
# SOUTH ELEVATION





# WEST ELEVATION

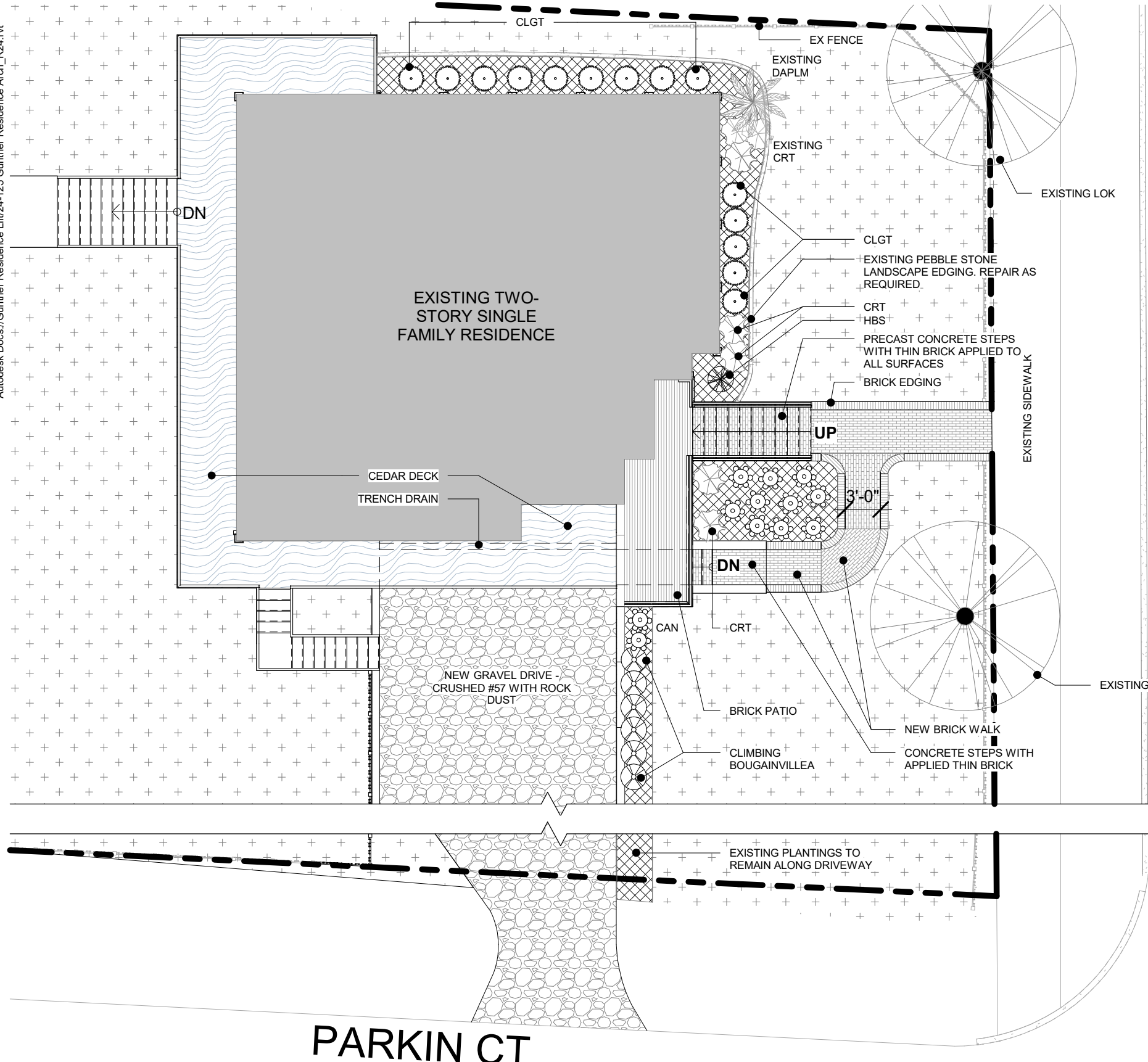




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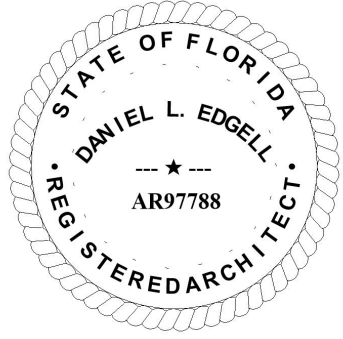
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# LANDSCAPING PLAN

# PLANT SCHEDULE

TREES	BOTANICAL NAME/ COMMON NAME	
DAPLM	PHOENIX DACTYLIFERA	/ DATE PALM
HBS	HIBISCUS ROSA-SINENSIS	/ HIBISCUS
LOK	QUERCUS VIRGINIANA	/ LIVE OAK
SHRUB	BOTANICAL NAME/ COMMON NAME	
BOGV	NYCTAGINACEAE	/ BOUGAINVILLEA
CAN	CANNACEAE	/ CANNA LILY
CLGT	CLUSIACEAE	/ CLUSIA GUTTIFERA
CRT	CODIAEUM VARIEGATUM	/ FIRE CROTON
GROUND COVERS	BOTANICAL NAME/ COMMON NAME	
	PINE BARK MULCH	FLAT
	STENOTAPHRUM SECUNDATUM / ST. AUGUSTINE GRASS	FLAT



GRAND BLVD

NOTE: ALL TREES MUST HAVE A MINIMUM STANDARDS OF GRADE FLORIDA #1 OR BETTER, IN A 15 GALLON POT, AND HAVE A MINIMUM DIAMETER OF 1 1/2" @ 12" ABOVE FINISHED GRADE, WITH A MINIMUM CROWN OF 2'-0" & A MINIMUM HEIGHT OF 6'-0" UPON PLANTING.

NOTE: ALL SHRUBS SHALL HAVE A MINIMUM HEIGHT OF 24 INCHES AND MINIMUM 12 INCH SPREAD A 3 GALLON POT SIZE UPON PLANTING, BEING GRADE FLORIDA #1 OR BETTER. HEDGES, WHERE REQUIRED, SHALL FORM A CONTINUOUS, UNBROKEN, SOLID VISUAL SCREEN WITHIN 1 YEAR OF PLANTING, BEING MAINTAINED THEREAFTER TO SPECIFICATION.



BOUGAINVILLEA



CANNA LILY



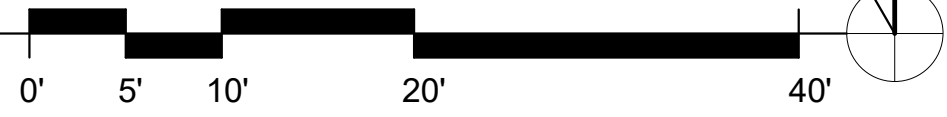
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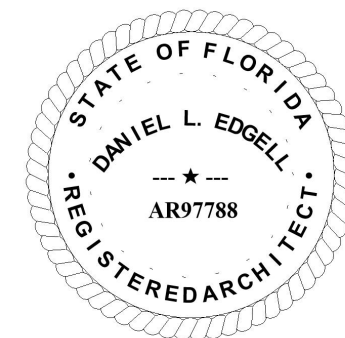
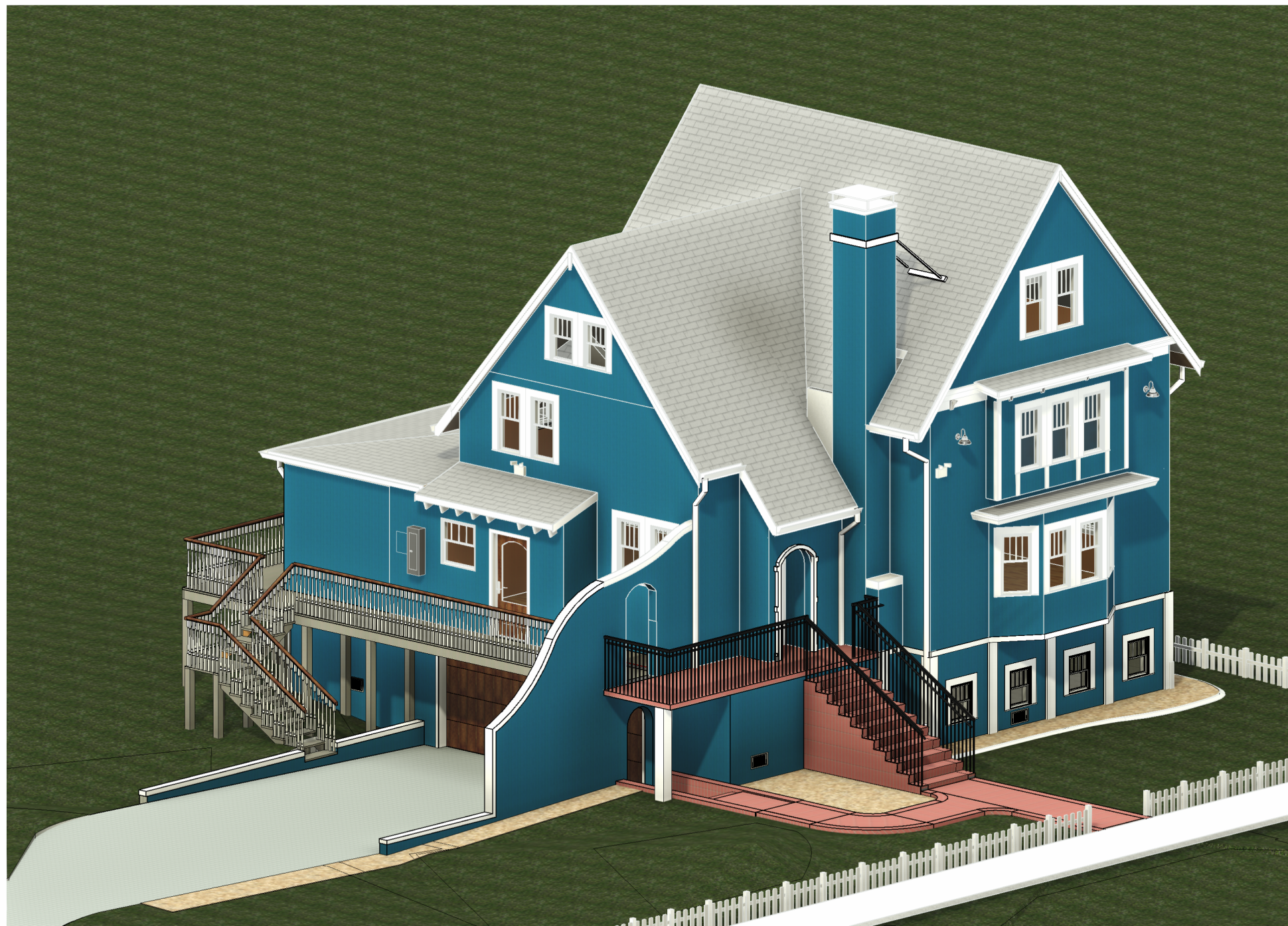


DATE PALM

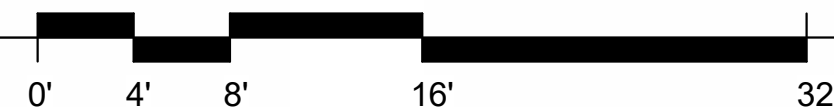


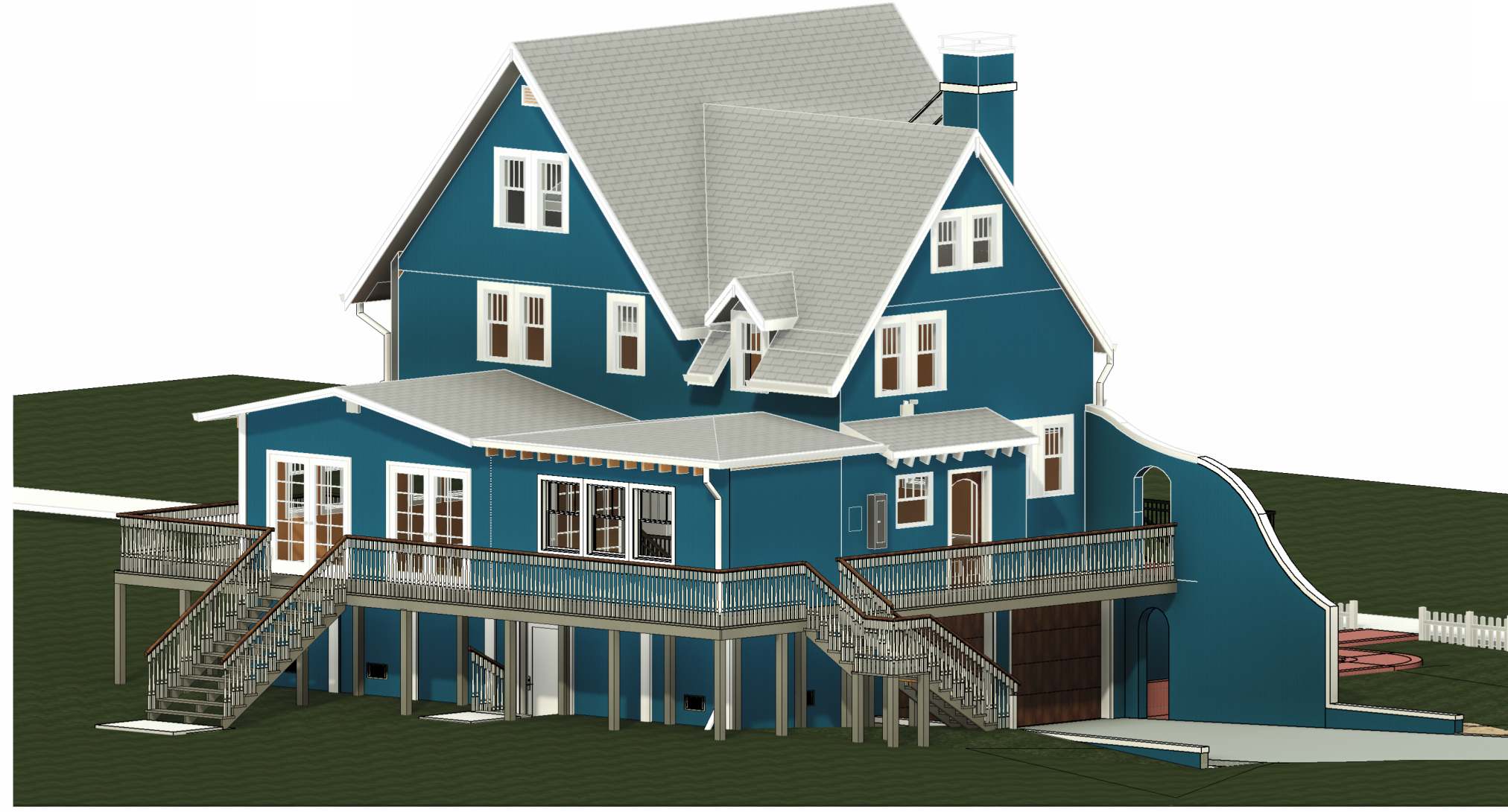
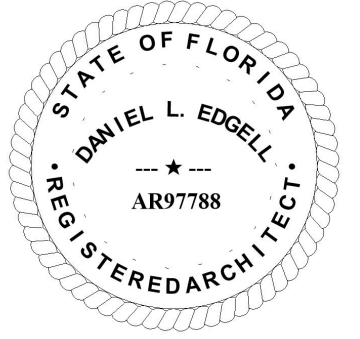
HIBISCUS TREE



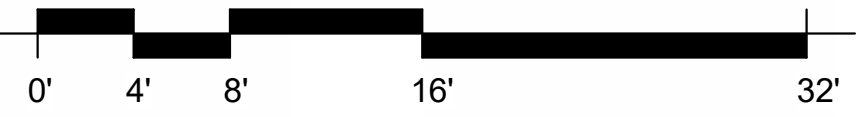


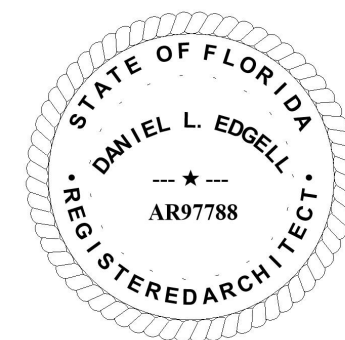
# SOUTHEAST RENDERING





# SOUTHWEST RENDERING





# NORTHEAST RENDERING

