



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 18, 2024 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. #24-75 - Ramker

Variance to reduce the required rear yard setback for the purpose of constructing a new covered deck on the backside of the home.

Location: 1002 Bayvista Avenue

5. APPROVAL OF MINUTES

a. June 26, 2024, Minutes for Approval

6. BOARD AND STAFF COMMENTS

a. 2025 Public Meeting Schedule

7. ADJOURNMENT

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



**CITY OF TARPON SPRINGS
BOARD OF ADJUSTMENTS
[DECEMBER 18, 2024]**

STAFF REPORT

Application No. / Project Title: #24-75 (Ramker)
Staff: Allie Keen, AICP, Principal Planner
Applicant / Owner: Brett & Emma Ramker
Property Size: +/- 0.24 acres
Current Zoning: R-100 (Single Family Residential)
Current Land Use: RL (Residential Low)
Location / Parcel ID: 1002 Bayvista Avenue / 10-27-15-87822-002-0080

BACKGROUND SUMMARY:

The applicant is requesting to reduce the required rear yard setback to 18 feet, 12 feet less than required, for the purpose of constructing a covered deck on the backside of the home.

PRELIMINARY STAFF RECOMMENDATION:

Based on the information available at the time this report was prepared, staff would recommend *approval*.

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(D)(6)(d), the minimum rear yard setback is 30 feet in the R-100 zoning district.

CURRENT PROPERTY INFORMATION:

Use of Property:	Single Family Residential
Site Features:	Single-family home, driveway, trees, dense vegetation.
Vehicle Access:	This property gains access from Bayvista Avenue.

SURROUNDING ZONING & LAND USE:

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



West:	R-100 (Single Family Residential)	RL (Residential Low)
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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 12 foot by 40 foot (480 square feet) covered deck on the backside of the home. The proposed deck will replace the existing screen enclosure, which is equal in size and setback to the proposed deck. According to the provided site plan, the covered deck will be 18 feet from the rear property line.
2. Per LDC Section 25.02(D)(6)(b), a minimum 30-foot rear setback is required in the R-100 zoning district. According to the survey, the existing home is setback 30 feet from the rear property line. The addition of any covered structure on the backside of the home would encroach into the required rear setback area and necessitate a variance request.
3. LDC Section 25.02(D)(6)(b) requires a minimum side yard setback of 10 feet. According to the provided site plan, the proposed covered deck will meet the minimum side yard setback.
4. According to the survey, the existing home has side setbacks between 19-20 feet. The provided floorplans also show the only access to the backyard are from the rear of the home. There are several trees and significant vegetation on the subject property that limit potential locations for a covered deck meeting the minimum setback requirements on the property.
5. The Land Development Code provides exceptions to typical zoning district setbacks for certain structures, as outlined below:
 - a. LDC Section 36.02(C) permits an open pool screen enclosure to have a rear yard setback of 5 feet, or outside any easement. The existing screen enclosure has an open screen roof, therefore it is treated like a pool screen enclosure and permitted to be constructed in the current configuration with an 18-foot rear setback.
 - b. Per LDC Section 38.00(A), structures less than 30 inches in height above final grade are not considered yard encroachments. If the proposed deck did not include the roof structure and was less than 30 inches above grade, it would be permitted as proposed without variance approval. The applicant has indicated the proposed roof is necessary to provide shade for the deck.
 - c. LDC Section 38.00(I) permits unenclosed porches to extend 10 feet into any required front yard, but no closer than 10 feet to the front property line. The porch must remain open and unenclosed and cannot be screened. This allowance is specific to the front yard setback; therefore, it cannot be applied to this variance request.

REVIEW STANDARDS / PROVISIONAL FINDINGS OF FACT:

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

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

Provisional Findings: The need for the variance is due to the existing home being setback 30 feet from the rear property line. The addition of any covered structure on the backside of the home would result in the need for a variance request. Further, trees and existing vegetation on the property and the layout of the



home limit locations for the covered deck. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard has been met.*

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

Provisional Findings: The special circumstances of the property have not been self-created nor resulted from any action by the applicant with prior knowledge or approval. The home was constructed in 1978, prior to the applicant obtaining ownership of the property. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard has been met.*

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

Provisional Findings: Literal enforcement of the minimum setback requirement could have the effect of denying reasonable use by preventing the construction of covered outdoor space, a use commonly enjoyed by residential properties within the immediate neighborhood and elsewhere in the City. Due to the location and layout of the home on the property, variance approval would be necessary for any addition of a covered structure on the backside of the home. *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 other property owners in this area. Covered outdoor spaces are common features for single family properties within the immediate neighborhood and elsewhere in the City. *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: Covered outdoor spaces are common features of single-family residences in the R-100 zoning district. The proposed setback is consistent with the existing screen enclosure that will be replaced by the proposed covered deck. The reduced rear yard setback for the covered deck 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
3. Supplemental Letter & Site Plan
4. Survey

RAMKER #24-75

Board of Adjustment – December 18, 2024





LOCATION & CONTEXT



REQUEST

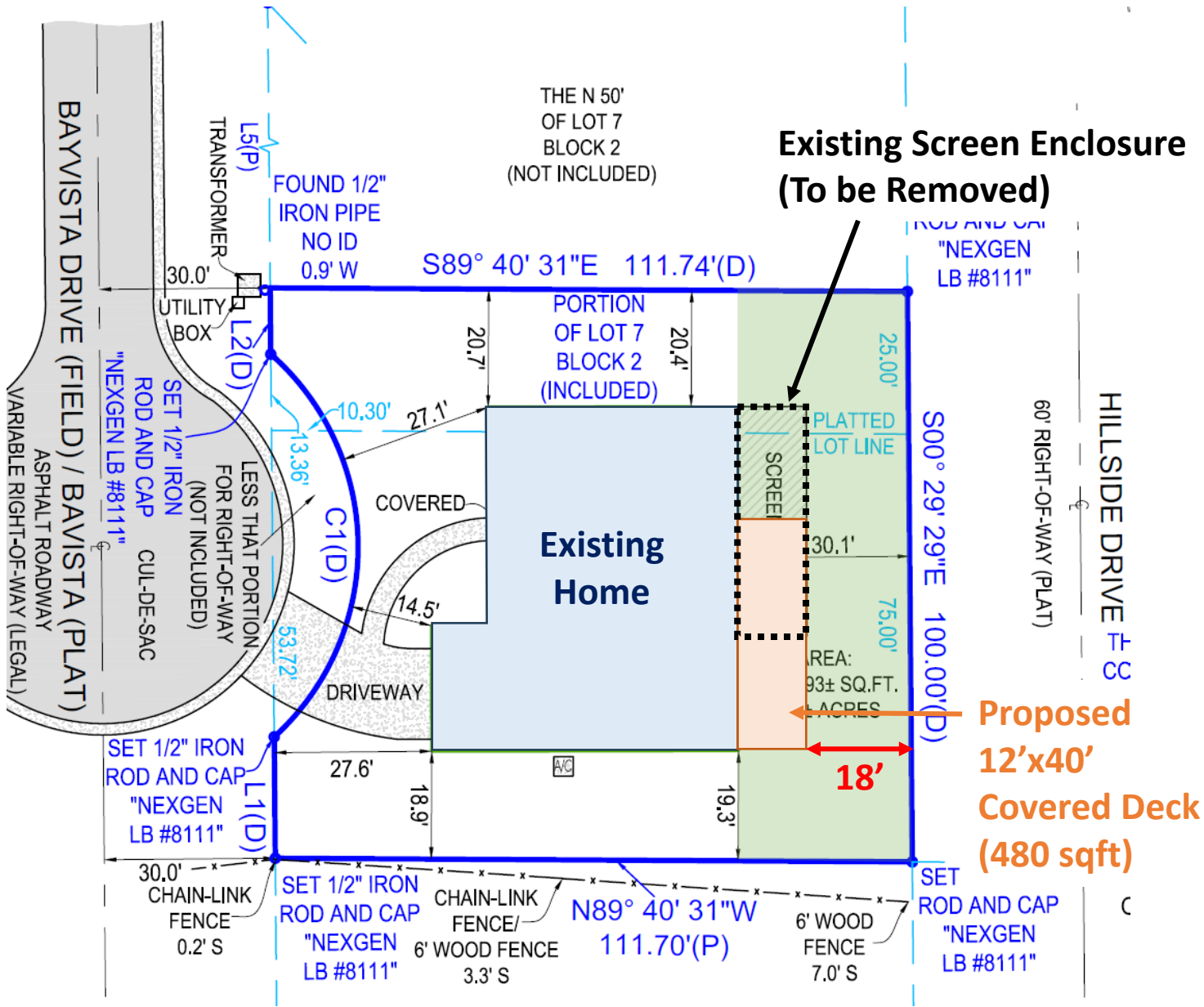
- **#24-75 – Rear Yard Setback**
 - Required= Min. 30 feet
 - Proposed = 18 feet
- **Applicant/Owner:** Brett & Emma Ramker
- *Variance request to reduce the rear yard setback for the purpose of constructing a covered deck on the backside of the home.*





REQUEST

- **R-100 Rear Yard Setback:**
 - Proposed = **18 feet**
 - Required = Min. 30 feet
 - Rear Yard = **30 feet**



REQUEST



Renderings of Proposed Covered Deck

PLANNING CONSIDERATIONS

Yard Encroachment Allowances:

- **LDC Section 36.02(C) – Pool Screen Enclosures**
 - Open Screen Roof
 - Rear Setback = Min. 5 feet, plus outside any easement
 - Existing screen enclosure has open screen roof. →
- **LDC Section 38.00(A) – Structures >30" Above Grade**
 - Not considered yard encroachments, setbacks do not apply.
 - If proposed deck did not include the roof structure and was less than 30" above grade, it would be permitted.
- **LDC Section 38.00(I) – Unenclosed Front Porches**
 - Permitted to extend 10 feet into required front yard, but no closer than 10 feet to front property line.
 - Porch must remain open and cannot be screened.
 - Allowance is specific to front yard, therefore cannot be applied to this request.





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.



PLANNING & ZONING APPLICATION

INSTRUCTIONS

Please complete the application form fully and submit, with all supporting materials and applicable application addendums, **DIGITALLY** through the Planning and Zoning online application portal. If a project requires multiple application types, please complete the application form once and upload into each separate application project in goPost/ePlan.

Prior to proceeding to public hearing, an application must be deemed complete and all required application fees (see fee schedule on pages 5 and 6) **must be paid prior to public hearing**. Fees can be paid in person or mailed.

1. PROPERTY OWNER(S)

NAME Brett & Emma Ramker		EMAIL ramker@icloud.com
ADDRESS 1002 Bay Vista Ave		
CITY Tarpon Springs	STATE FL	ZIP 34689
PHONE (704) 965-3528		

2. APPLICANT(S) *(if different than owner)*

NAME		EMAIL
ADDRESS		
CITY	STATE	ZIP
PHONE		

3. AGENT/REPRESENTATIVE *(if applicable)*

NAME		EMAIL
ADDRESS		
CITY	STATE	ZIP
PHONE		



4. APPLICATION TYPE* *(Please select all that apply)*

General Applications

- | | | |
|--|--|---|
| ☐ Annexation | ☐ Rezoning | ☐ Minor Plat |
| ☐ Conditional Use | ☐ Site Plan/Subdivision | ☐ Planned Development: |
| ☐ Discussion Item | ☐ Right-of-Way Vacation | ☐ Concept |
| ☐ Development Agreement | ☐ Plat or Other Property Vacation | ☐ Preliminary |
| ☐ Future Land Use Amendment | ☐ Temporary Use (Dates: _____) | ☐ Final |
| ☐ Sidewalk Cafe | ☐ Final Plat | |

Board of Adjustment Applications (BOA)

- ☒ Variance
☐ Nonconforming Lot of Record Variance
☐ FAR/ISR Adjustment
☐ Sidewalk Waiver
☐ After-the-Fact Variance
☐ De Minimis Variance

Heritage Preservation Applications (HPB)

- ☐ Certificate of Appropriateness
☐ Designation of Historic Property Form
☐ Economic Hardship Exemption Form
☐ Petition for Removal Form

* See Page 4 for required Application Addendums.

5. GENERAL INFORMATION

PROJECT NAME 1002 Bay Vista Renovation			
ADDRESS/LOCATION 1002 Bay Vista Ave, Tarpon Springs FL, 34689			
TAX PARCEL NUMBER(S) 10-27-15-87822-002-0080			
LEGAL DESCRIPTION SUNSET HILLS 2ND ADD BLK 2, LOT 8 AND S 25FT OF LOT 7 LESS THAT PART DESC IN O.R. 4440/1078			
SITE ACREAGE Upland <u>0.249</u> Wetland _____ Submerged _____ Total <u>0.249</u>			
FLOOD <i>(check all that apply)</i> ☒ Zone X ☐ Zone X Shaded ☐ Zone AE ☐ Zone VE ☐ Not in a Flood Zone Base Flood Elevation(s) (BFE): _____			
COASTAL HIGH HAZARD AREA (CHHA) ☐ Yes, this property is located within the CHHA ☒ No, this property is not located within the CHHA			

6. LAND USE & ZONING INFORMATION

CURRENT DESIGNATIONS		PROPOSED DESIGNATIONS <i>(if applicable)</i>	
LAND USE CATEGORY	ZONING CATEGORY	LAND USE CATEGORY	ZONING CATEGORY
0110 Single Family Home	R100		

7. SUMMARY/PURPOSE OF REQUEST

We are seeking a variance to build a covered porch on the rear of our home. The current setback is 30' which is where the back wall of our home is. I would like to build a covered rear porch with a roof that encroaches 12' into the setback. The covered porch would replace an existing screened enclosure.



8. SIGNATURE(S)/AUTHORIZATION

APPLICANT'S SIGNATURE:

The information included in and with this application is completely true and correct to the best of my knowledge. Further, it is understood that this application must be complete and accurate and the appropriate fee(s) paid prior to processing.

(Applicant's Signature)

Oct 12, 2024

(Date)

OWNER'S SIGNATURE*:

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

(Owner's Signature)

Oct 12, 2024

(Date)

**Not required for discussion item applications*

AGENT AUTHORIZATION:

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

(Agent Name, Printed)

(Date)

(Agent's Signature)

(Date)

STATE OF FLORIDA)
COUNTY OF PINELLAS)

The foregoing instrument was acknowledged before me by means of () physical presence or () Online notarization, this _____ day of _____, A.D., 20____ by _____, who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

NOTARY PUBLIC

Name: _____

Signature: _____

Stamp: _____



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
ADDRESS/LOCATION
TAX PARCEL NUMBER(S)

2. VARIANCE REQUESTED

I am requesting a variance from Land Development Code (LDC) Section(s) _____.

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)

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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.)

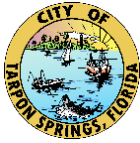


- (2) The conditions of special circumstances peculiar to the property have not been self-created or have resulted from an action by the applicant or with prior knowledge or approval of the applicant. *(Is the variance in response to an action or situation in which you created? e.g. You installed a pool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

- (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?)*

- (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?)*

- (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?)*



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.

(Applicant's Signature)

(Date)

(Property Owner's Signature)

(Date)

(Agent's Signature)

(Date)

The Ramker Family
1002 Bay Vista Ave
Tarpon Springs, FL
Parcel #: 10-27-15-87822-002-0080

Scope: We are requesting a variance of the R100 rear setback to build a covered porch as part of our renovation. The home was built on the 30' rear setback per zone R100. We completely understand the need for a large backyard and we believe that this porch would enhance the use of the backyard for our family.

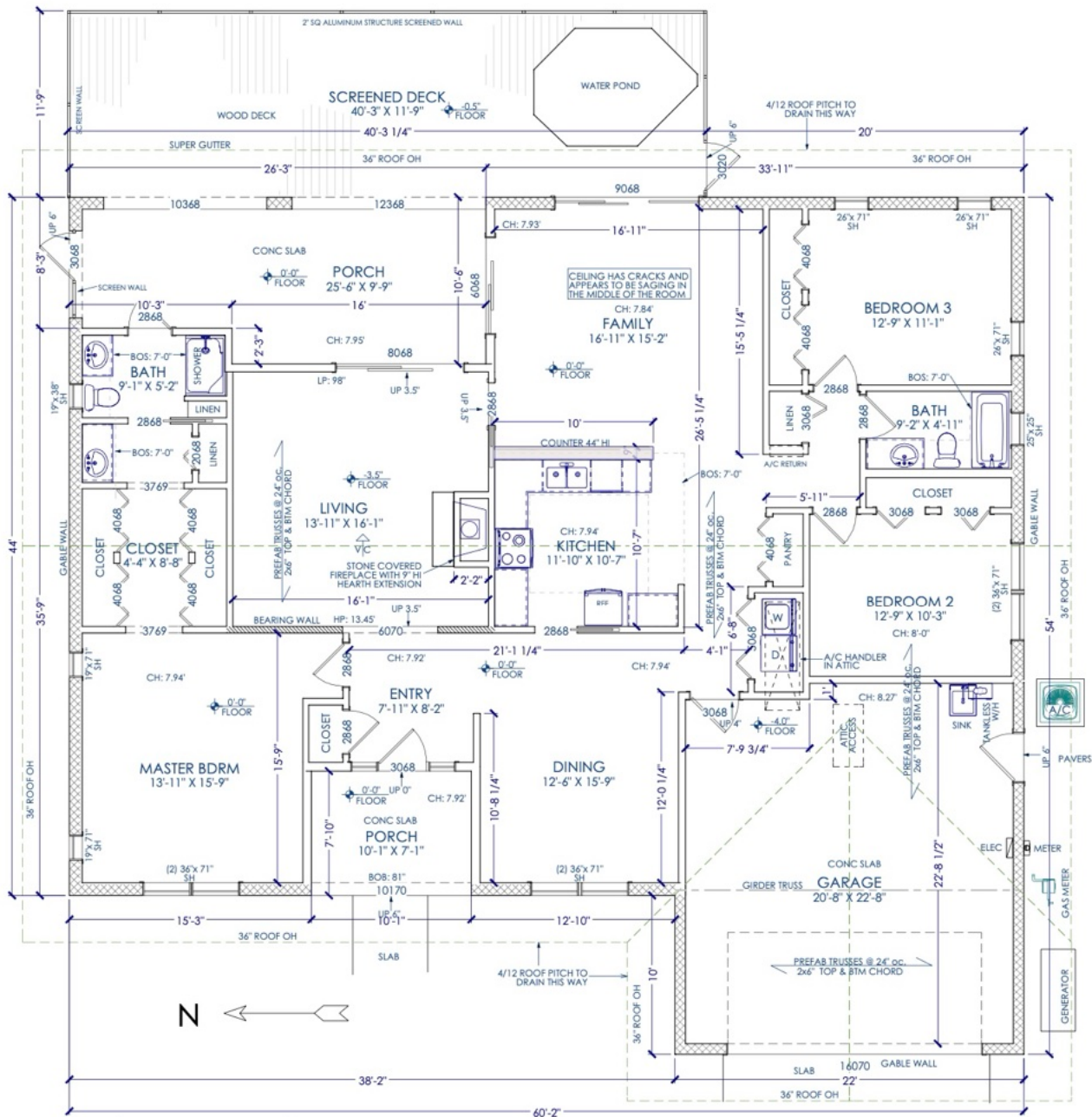
Currently, there is a screened enclosure in the footprint that we want to build our covered porch. The existing screened enclosure does not have a hard roof. The proposed porch would be a much more aesthetically pleasing solution for shelter than a screened enclosure. R100 zoning also allows for a different rear setback of 5' for storage structures, like a detached garage.

Please see the included drawings, and renderings of the concept.

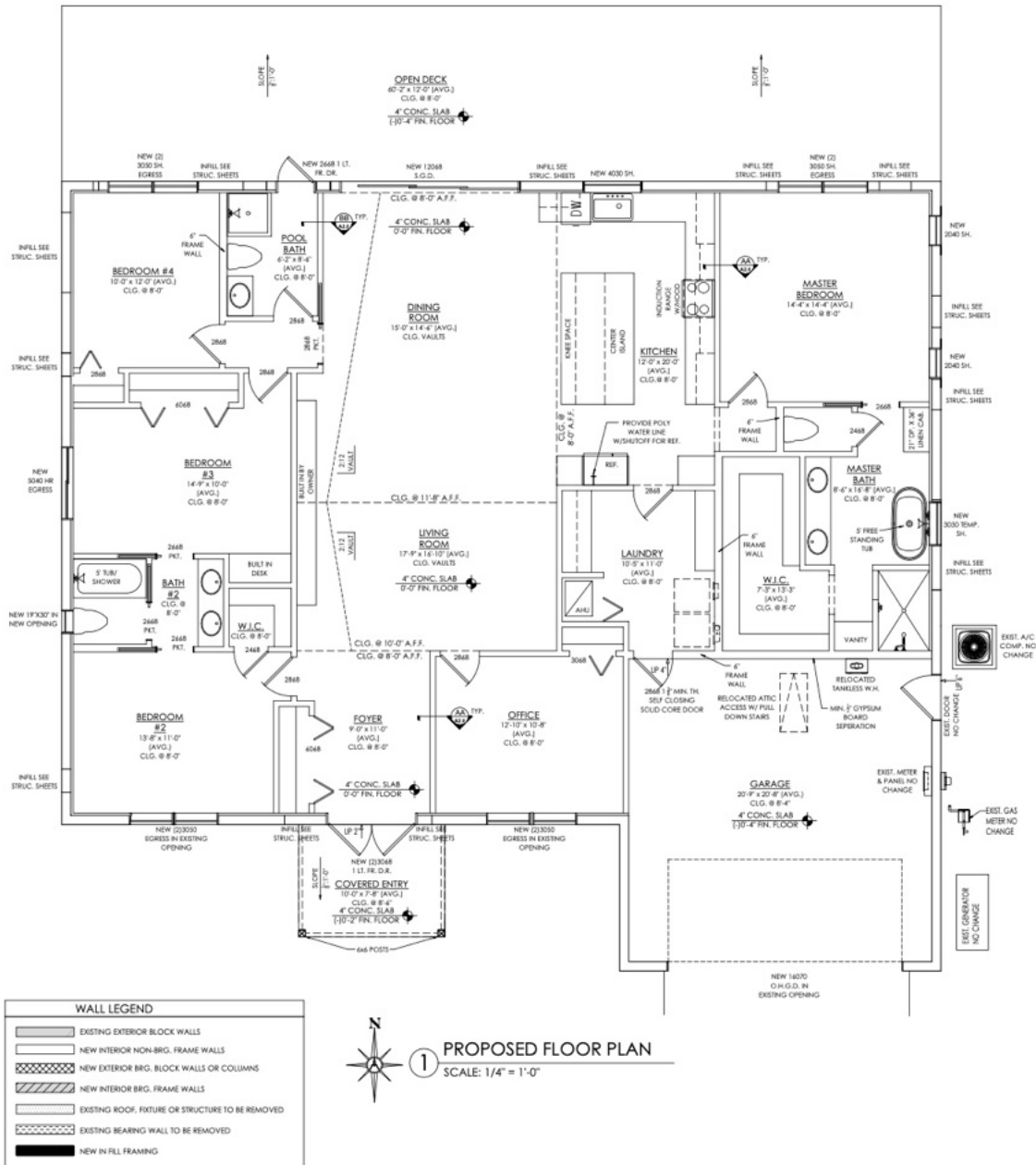
Thank you for your consideration, we look forward to joining this community.

Brett & Emma Ramker.

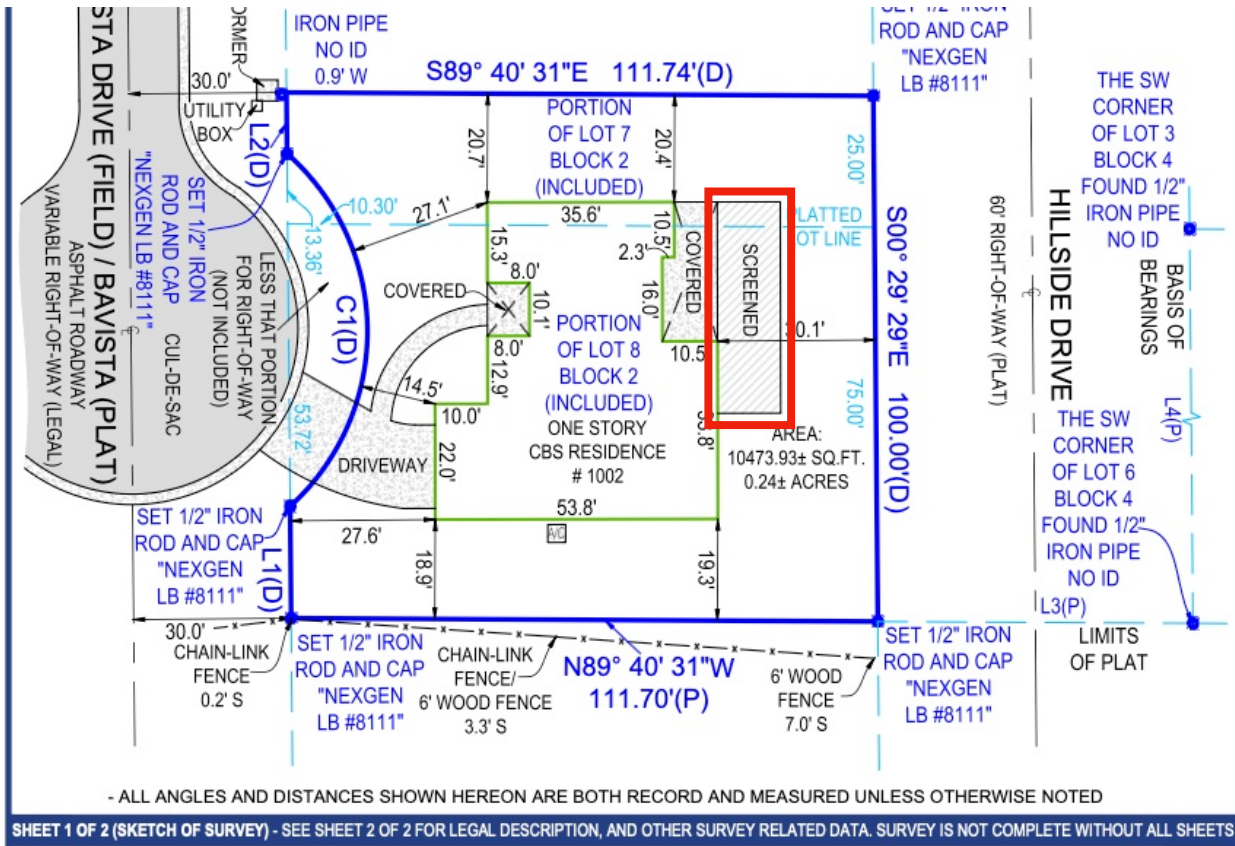
Dimensional drawing of existing, covered, screened enclosure.
Existing screened porch does not have a hard roof.



New open deck to be built with or without the proposed roof.

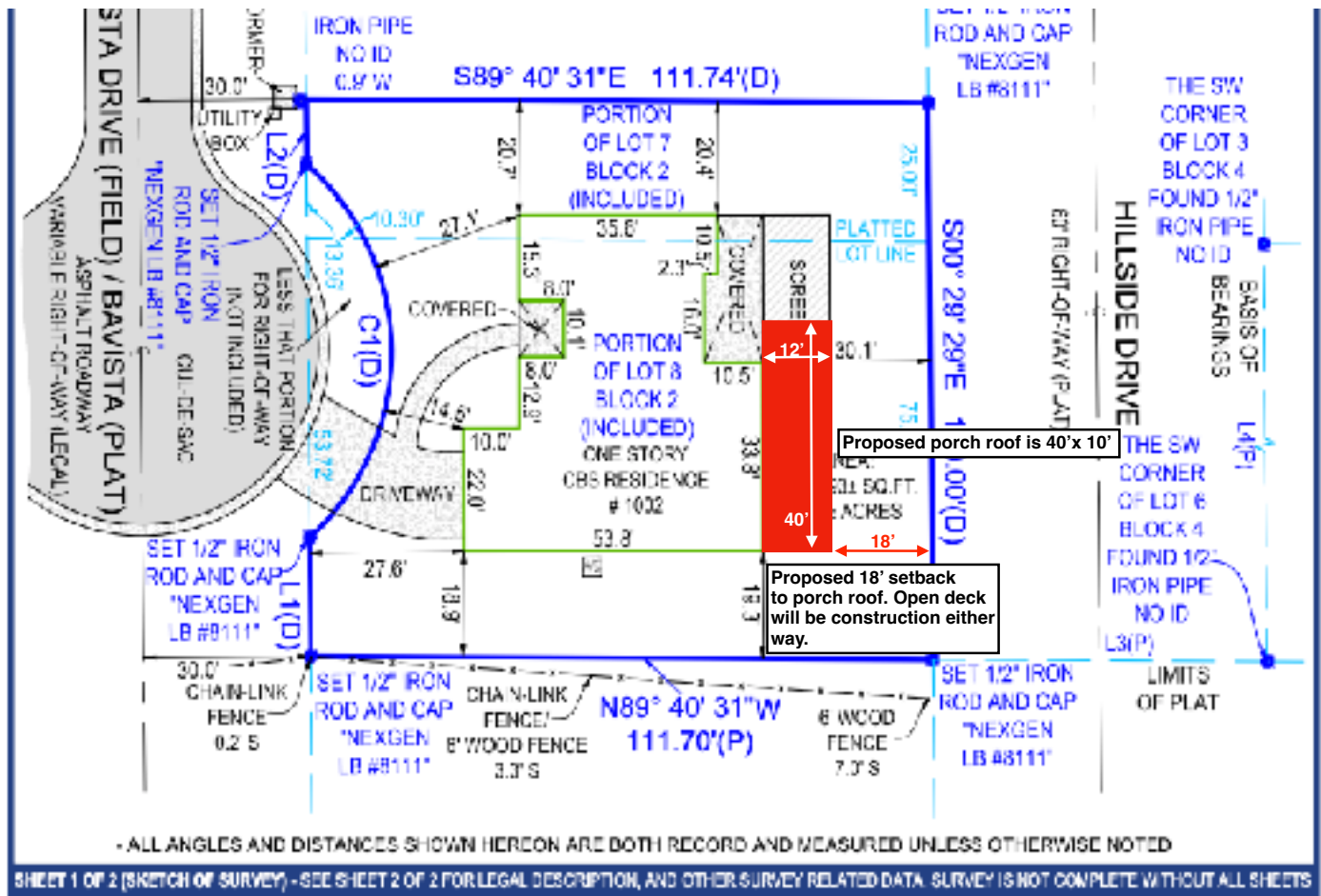


Existing site survey, noting size of existing screened porch (40'-3"x11'-9")

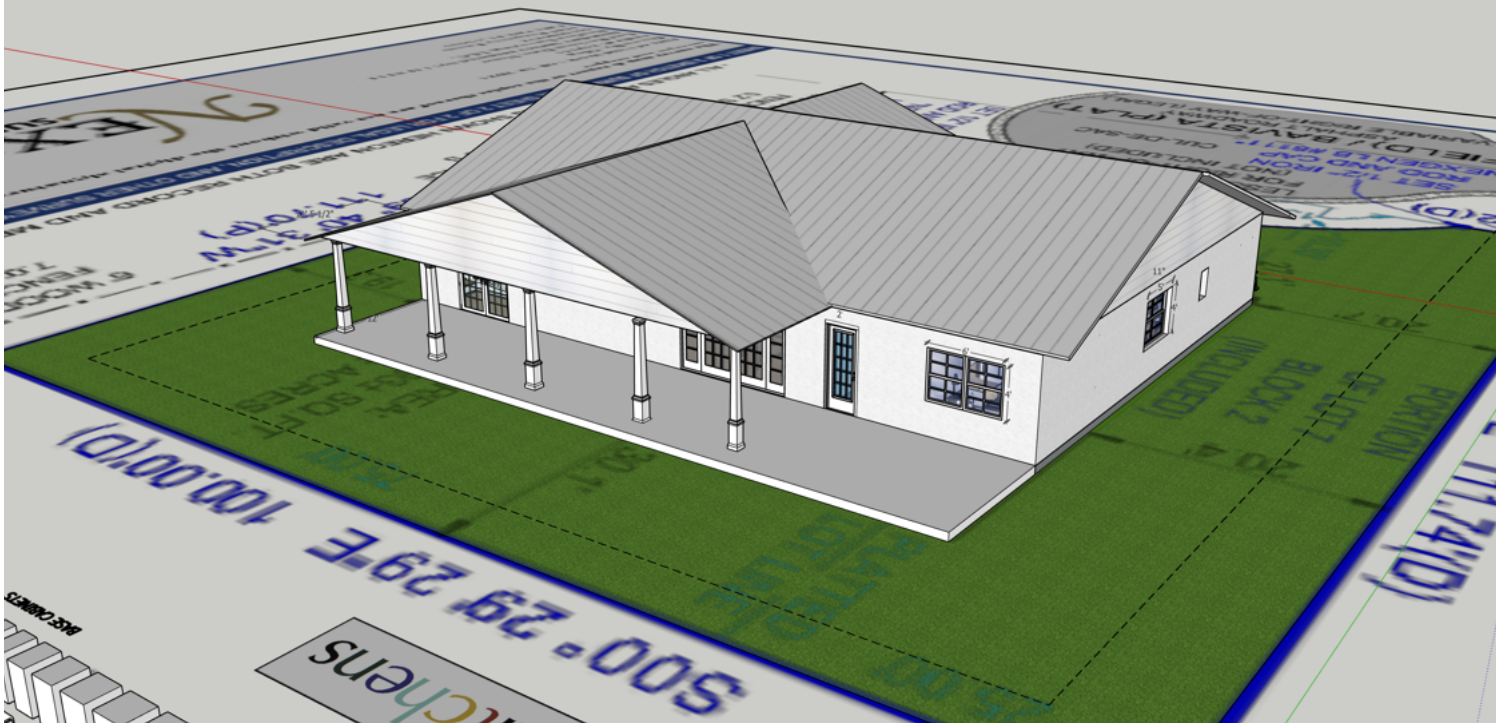
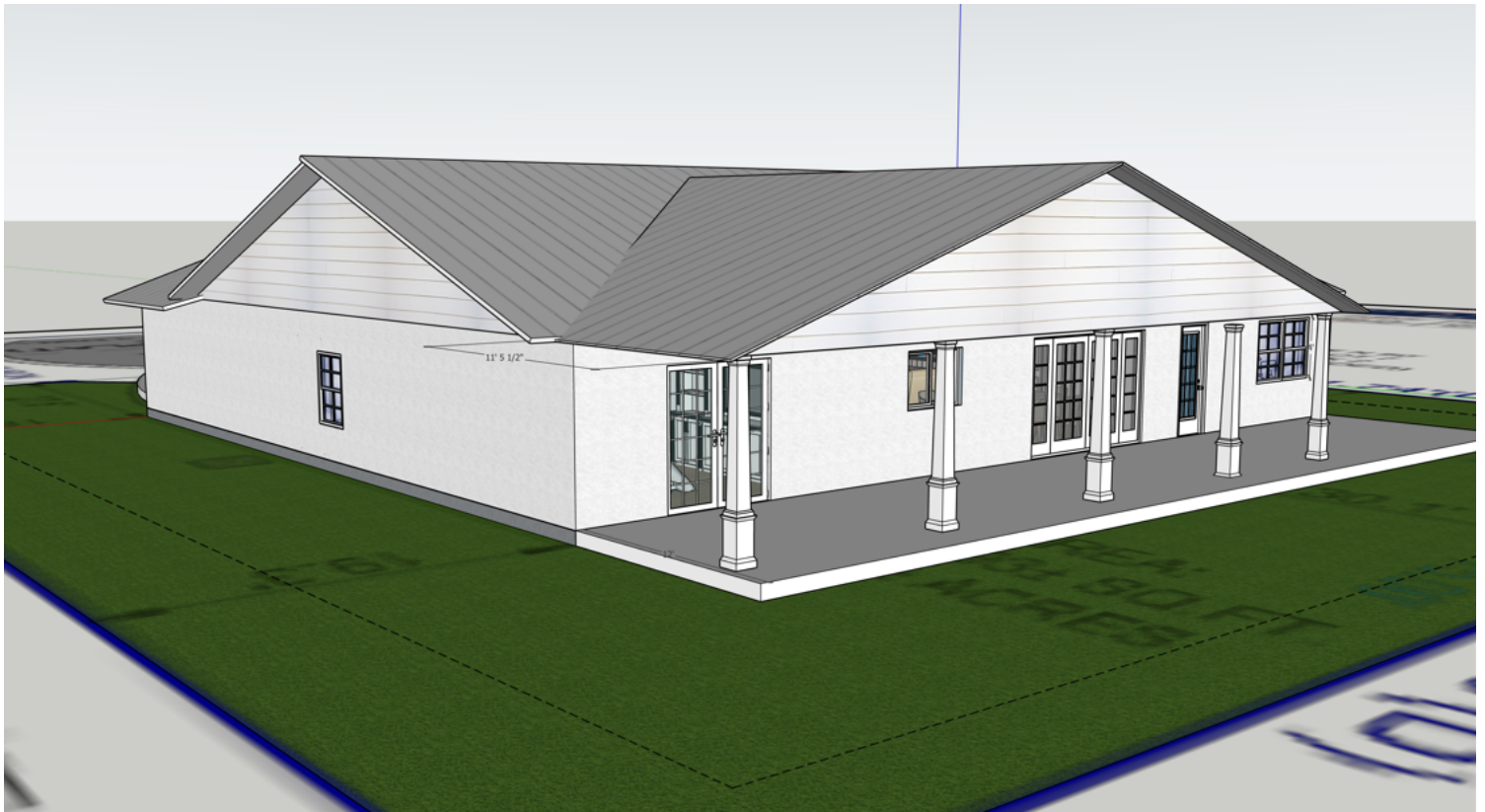




Proposed site survey showing footprint of the new covered porch.



Draftsman renderings of proposed covered porch.

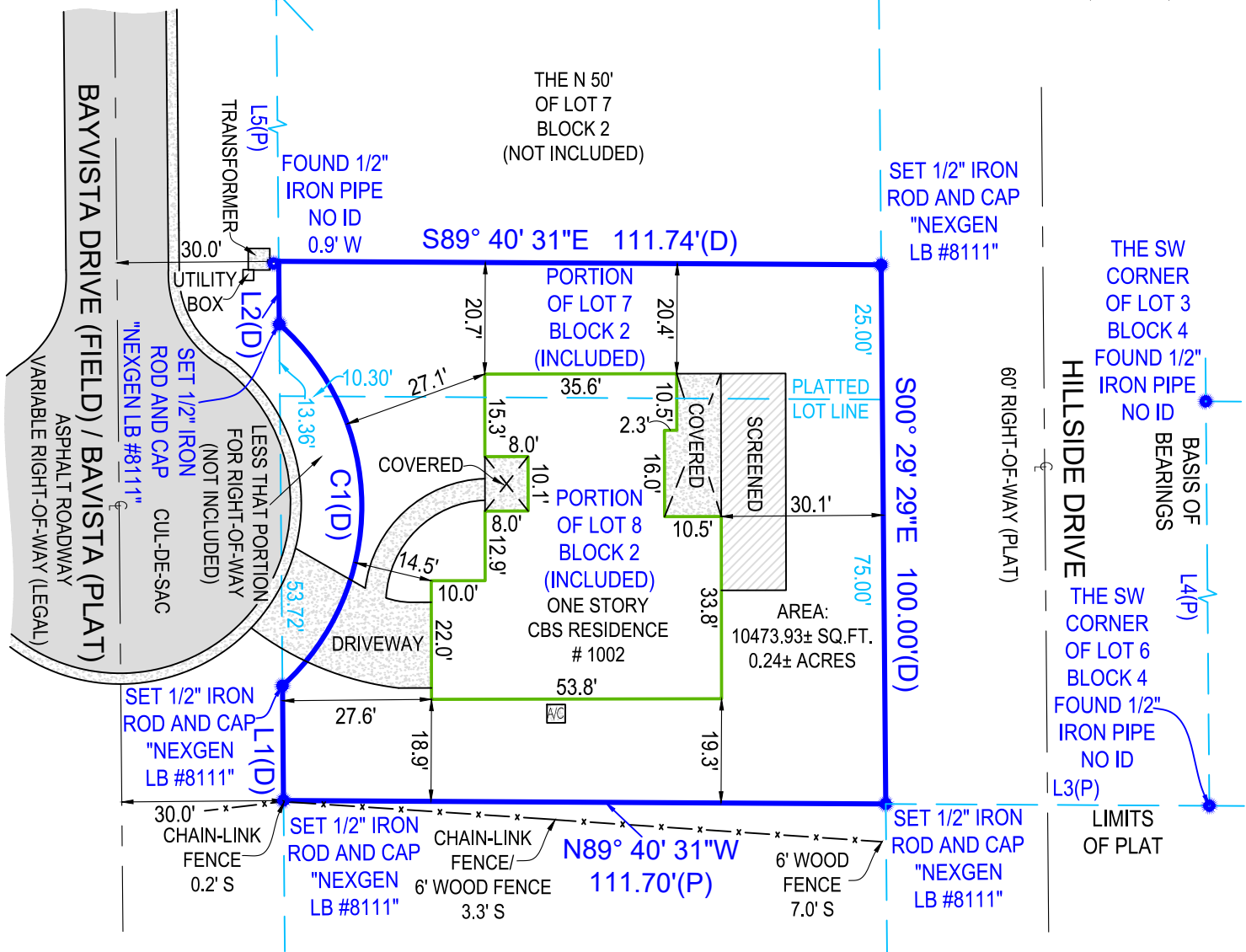




LINE TABLE		
	BEARING	LENGTH
L1	N00° 30' 51"W	21.28'
L2	N00° 30' 51"W	11.64'
L3	S89° 40' 31"E	60.00'
L4	N00° 29' 29"W	225.00'
L5	N00° 30' 51"W	541.93'



SCALE: 1"=30'



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

Date of Field Work : 08-29-2024
 Drawn By: Oleg
 Order #: 249151
 Last Revision Date: None
 Boundary Survey prepared by: LB 8111
 NexGen Surveying, LLC.
 5615086272
 1547 Prosperity Farms
 Lake Park FL,33403



LEGAL DESCRIPTION OF: 1002 BAYVISTA DR, TARPON SPRINGS, FL, 34689
LOT 8 AND THE SOUTH 25 FEET OF LOT 7, BLOCK 2, SUNSET HILLS SECOND ADDITION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 17, PAGES 41 AND 42, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, LESS AND EXCEPT THE FOLLOWING DESCRIBED PORTION THEREOF: COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 8; THENCE RUN ALONG THE WEST BOUNDARY LINE OF SAID LOT 8, NORTH 0° 30' 51" WEST A DISTANCE OF 21.28 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE ALONG THE WEST BOUNDARY LINE OF SAID LOTS 7 AND 8, NORTH 0° 30' 51" WEST, A DISTANCE OF 67.08 FEET; THENCE A DISTANCE OF 75.70 FEET ALONG THE ARC OF A CURVE TO THE RIGHT TO THE POINT OF BEGINNING, SAID CURVE HAVING A RADIUS OF 45.00 FEET AND A CHORD OF 67.08 FEET WHICH BEARS SOUTH 0° 30' 51" EAST.

CERTIFIED TO:
BRETT RAMKER AND EMMA RAMKER
TARPON TITLE OF FLORIDA, LLC

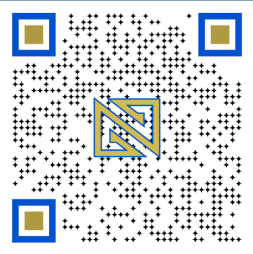
FLOOD ZONE:
12103C0016H
ZONE: X
EFF: 08/24/2021

SURVEY NOTES:
- DRIVEWAY CROSSES THE BOUNDARY LINE ON WESTERN SIDE OF LOT AS SHOWN.
- FENCES LIE NEAR BOUNDARY LINES AS SHOWN, OWNERSHIP NOT DETERMINED.

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

SOME ITEMS IN LEGEND MAY NOT
APPEAR ON DRAWING.

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





**MINUTES
BOARD OF ADJUSTMENT
CITY OF TARPON SPRINGS, FLORIDA
JUNE 26, 2024**

THE Board of Adjustment OF THE CITY OF TARPON SPRINGS, FLORIDA, MET IN REGULAR SESSION IN THE CITY HALL AUDITORIUM/COMMISSION CHAMBERS, 324 E. PINE STREET, ON Wednesday, June 26, 2024 AT 6:30 PM WITH THE FOLLOWING PRESENT:

Chairperson Jacqui Turner
Vice-Chairperson Joanne Reich
Member George Bouris
Member Timothy Grossman
Alternate 1 Robert Wood
Alternate 2 Karl Fuchs

ABSENT/EXCUSED:

ALSO PRESENT: Allie Keen, AICP, Principal Planner
Andrew Salzman, Esq., Board Attorney
Kimberly Creighton, Board Secretary

1. CALL TO ORDER

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

2. ROLL CALL

Board Secretary Creighton called the roll.

3. QUASI-JUDICIAL ANNOUNCEMENT AND SWEARING IN OF SPEAKERS

Board Attorney Salzman read the Quasi-Judicial Announcement and swore in all who wished to testify. He asked if there was any ex parte communication; there was none.

4. APPLICATION(S)

a. #24-25 - Calistri

Variance to reduce the required side yard setback for the purpose of constructing a new single-family home.

Location: 1660 Seabreeze Drive

Staff:

Mrs. Keen gave background information, noted the findings-of-fact listed in the staff report, and indicated that, based on the evidence available at the time the report was prepared, staff recommended approval of the variance request.

Applicant:

The applicant was in the audience but noted that he did not want to speak.

MOTION: Vice-Chairperson Reich
SECOND: Member Grossman

Approve the application as presented.

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

Yes: Chairperson Turner
Vice-Chairperson Reich
Member Grossman
Alternate 1 Wood,
Alternate 2 Fuchs

No: None

b. **#24-26 - Sharpe**

Variance to reduce the side setback and to allow an increase in the allowable length for the construction of a new dock.

Location: 771 Chesapeake Drive

Staff:

Based on the information available at the time this report was prepared, staff recommends **approval** of the increased dock length variance. Staff recommends **denial** of the setback variance. It is of staff's opinion that the proposed dock could be modified to remove the second boat lift from the northwest side. The removal of the second boat lift would allow the proposed dock to comply with the setback standards.

Applicant:

Jay Listle, JKL Services Inc., of 617 and 625 Live Oak Street, noted that he represented the applicant. He read a letter that the applicant had provided, which was entered into the record as Exhibit "A".

Public:

Craig Lunt, of 743 Chesapeake Drive, noted that he lived on a curve too, and had a boat dock that was short, which restricted his boating. He further indicated this variance would not negatively affect the neighbors.

MOTION: Member Grossman
SECOND: Alternate 1 Wood

Approve dock as recommended by staff.

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

Yes: Vice-Chairperson Reich
Member Bouris
Alternate 1 Wood
Alternate 2 Fuchs

No: Member Grossman

Abstained: Chairperson Turner

c. **#24-28 - Long - Added Letter Retracting Letter of Support**

Variance to allow a fence to be taller than permitted in the front yard.

Location: 728 Chesapeake Drive

Staff:

Mrs. Keen gave background information, noted the findings-of-fact from the staff report, and indicated that based on the evidence available at the time this report was prepared, staff would recommend denial of the variance. Although the original design and intent of the existing fence is recognized, it is of staff's opinion that the need for the variance does not arise from a unique physical hardship specific to the property necessitating a taller fence.

If the Board chooses to approve the request, staff recommends the following conditions:

1. The fence must replicate the design of the existing fence on the property.
2. Any portion of the fence within the sight visibility triangle must comply with the requirements of LDC Section 37.00.

Applicant:

Mrs. Long noted that there was no issue with visibility and that people were able to see into their home, a 6-foot fence afforded them privacy and security, and their dog was able to jump over a 4-foot fence.

Mr. Donald Baker, noted that he was sworn in and that moving the fence out of the front yard setback was not an option.

Public Proponent:

Craig Lunt, noted that he was a rules-based person and further noted that this type of case was the reason we had variances, and that he wanted the variance to be approved. Mr. Lunt further noted that the fence was important to the architectural nature of the property.

Carol Micket, of 735 Chesapeake Drive, noted that this was the only house on the street that needed a 6-foot fence in the front yard.

Leslie McMurtrey, of 734 Chesapeake Drive, noted that she was in favor of the board granting this variance.

Board:

Ms. Reich read a letter from Tina Hinton, that was entered into the record as Exhibit "B".

Mr. Grossman noted that his opinion criteria number 3 and 4 were met. He indicated that with all the windows, the applicant did not have reasonable use of the property. If they did not have a 6-foot fence, they would not be able

MOTION: Member Grossman

SECOND: Alternate 1 Wood

Approve as requested to include the two conditions that were recommended by staff.

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

Yes: Vice-Chairperson Reich

Member Bouris

Member Grossman

Alternate 1 Wood

No: None

Abstained: Chairperson Turner

Alternate 2 Fuchs

5. APPROVAL OF MINUTES

- a. April 24, 2024, Minutes for Approval

MOTION: Vice-Chairperson Reich
SECOND: Member Bouris

Approve minutes from April 24, 2024, as presented.

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

Yes: Chairperson Turner
Vice-Chairperson Reich
Member Bouris
Member Grossman
Alternate 1 Wood

No: None

6. BOARD AND STAFF COMMENTS

There were no board or staff comments.

7. ADJOURNMENT

Chairperson Turner adjourned the meeting at 8:01 P.M.

Chairperson

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

2025 PUBLIC MEETING SCHEDULE

[illegible]