



City of Tarpon Springs, Florida

PLANNING AND ZONING DEPARTMENT
324 E. PINE STREET
P.O. BOX 5004
TARPON SPRINGS, FL 34688-5004
(727) 942-5611
Fax (727) 943-4651
www.ctsfl.us

**BOARD OF ADJUSTMENT AGENDA
APRIL 28, 2021 REGULAR MEETING
CITY HALL AUDITORIUM
324 PINE STREET
AND VIA
ZOOM VIDEO CONFERENCING
7:00 P.M.**

- 1. CALL TO ORDER/ROLL CALL**
- 2. QUASI-JUDICIAL ANNOUNCEMENT AND SWEARING IN OF SPEAKERS**
- 3. APPLICATION # 21-36 – VARIANCE TO ALLOW A NONCONFORMING LOT OF RECORD TO BE BUILT UPON**
LOCATION: 0 Whitcomb Blvd (Lot 3, Between Carolina and Bayou Avenues)
Application requesting a variance to allow a nonconforming lot of record to be built upon in order to allow for construction of a single-family residence.
- 4. APPROVAL OF MINUTES:**
 - a. February 24, 2021 regular meeting**
- 5. STAFF COMMENTS**
- 6. BOARD 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. 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 pmcneese@ctsfl.us



CITY OF TARPON SPRINGS
BOARD OF ADJUSTMENTS
[APRIL 28, 2021]

STAFF REPORT

Application No. / Project Title: #21-36 (Gianeskis)
Staff: Allie Keen, Senior Planner
Applicant / Owner: J. Mark Gianeskis / Anastasis Anastasiades
Property Size: 7,830 square feet
Current Zoning: R-70 (One & Two Family Residential District)
Current Land Use: RU (Residential Urban)
Location / Parcel ID: Vacant Lot East of 803 Whitcomb Blvd. / 13-27-15-64188-003-0030

BACKGROUND SUMMARY:

The applicant is requesting variance approval from Land Development Code (LDC) Section 24.02(B) for the purpose of constructing a single-family dwelling on a nonconforming lot of record. The subject property and the adjacent property to the east (803 Whitcomb Blvd.) are currently under common ownership, but were never combined to meet the minimum lot standards established in the current LDC.

PRELIMINARY STAFF RECOMMENDATION:

Based upon the evidence available at the time this report was prepared, staff would recommend approval of this request, as it is staff's opinion that all standards have been met.

LAND DEVELOPMENT CODE CONSIDERATIONS:

District Intent: The R-70 one and two family residential district is established to provide for a mixture of one and two family dwellings at a medium density where the mixture is determined to be compatible with development trends in the area.

Development Standards: Section 24.02(B) of the LDC states that if at any time the owner of a nonconforming lot owns adjoining unimproved land, then the lots or land shall be combined to meet the minimum requirements in the current LDC.

CURRENT PROPERTY INFORMATION:

Use of Property:	Vacant
Site Features:	There are no significant features on this property.
Vehicle Access:	This property gains access from Whitcomb Blvd.



SURROUNDING ZONING & LAND USE:

	Zoning:	Land Use:
North:	N/A (Whitcomb Bayou)	N/A (Whitcomb Bayou)
South:	R-70 (One & Two Family Residential District)	RU (Residential Urban)
East:	R-70 (One & Two Family Residential District)	RU (Residential Urban)
West:	R-70 (One & Two Family Residential District)	RU (Residential Urban)

PLANNING CONSIDERATIONS:

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

1. The following history is of relevance to the proposed variance request:
 - a. The subject property (Lot 3) was originally platted in 1914 as a part of the Orange Heights Subdivision.
 - b. In 1954, a new Land Development Code went into effect and Lot 3 was in the R-1AA zoning district, which required a minimum lot width of 60 feet. Lot 3 became a legal nonconforming lot of record because it is only 54 feet in width.
 - c. In 1990, the current Land Development Code went into effect and Lot 3 is now zoned R-70. This lot is still considered nonconforming due to not meeting the minimum lot width (60 feet). However, Lot 3 does meet the minimum lot area (7,000 square feet) and lot depth (80 feet) requirements.
 - d. In 2015, Lot 3 and the adjacent property to the east (Lots 4 and 5) were sold and placed into common ownership.
 - e. At this time, the applicant would like to purchase the subject property separately and construct a new single-family home.
2. Per LDC Section 24.02(B), if at any time the owner of a nonconforming lot owns adjoining unimproved land, the lots shall be combined to meet the minimum requirements. Lots 3, 4 and 5 were never combined once they went into common ownership in 2015. This results in the variance request to determine whether Lot 3 is a buildable nonconforming lot of record. Section 215.02.5 of the LDC provides specific review standards for the Board of Adjustments to determine whether a nonconforming lot of record is buildable (as outlined in the following section of this report).
3. The existing home on Lots 4 and 5 was constructed in 1959, prior to Lots 3, 4, and 5 falling into common ownership. Therefore, Lots 4 and 5 did not rely on Lot 3 to be developed back in 1959. Further, the existing home meets the current required side setback for the R-70 zoning district.

REVIEW STANDARDS / PROVISIONAL FINDINGS OF FACT – VARIANCES FOR NONCONFORMING LOTS OF RECORDS:

Section 215.02.5 of the LDC provides that notwithstanding the requirements of Section 24.02, the Board of Adjustment may grant a variance to allow a nonconforming lot of record to be built upon if the following standards are met and provided by competent substantial evidence:

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

Provisional Findings: The subject property was created in 1914 and was a separate lot of record prior to the effective date of the LDC. *Based upon evidence available when this report was drafted, staff is of the opinion that this standard has been met.*



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

Provisional Findings: The lot was platted back in 1914 and was not created in violation of a previous zoning ordinance. *Based upon evidence available when this report was drafted, staff is of the opinion that this standard has been met.*

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

Provisional Findings: Although the subject property is currently under common ownership, the existing home on Lots 4 and 5 was constructed in 1959, prior to Lots 3, 4 and 5 falling into common ownership. Therefore, Lots 4 and 5 did not rely on Lot 3 in order to be developed back in 1959. *Based upon evidence available when this report was drafted, 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.*

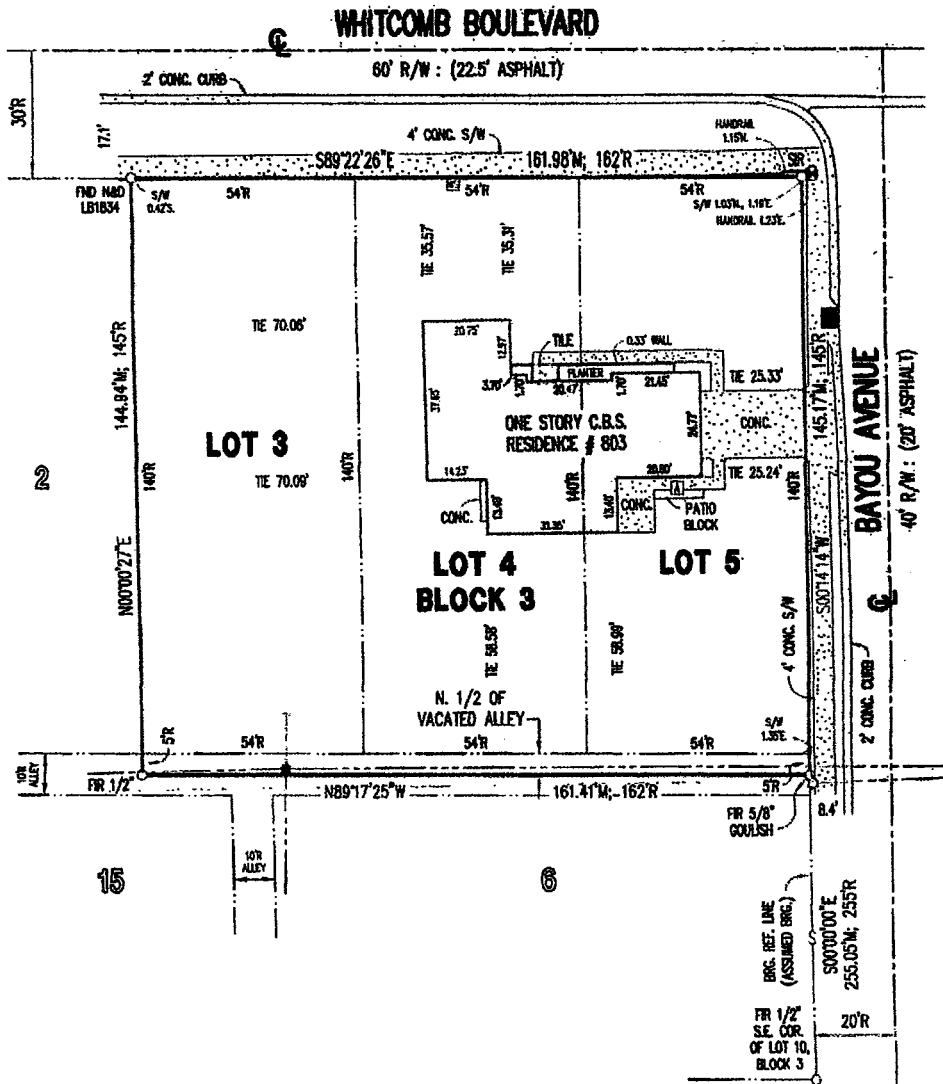
ATTACHMENTS:

1. Location/Aerial Map
2. Survey
3. Application Materials

#21-36 / GIANESKIS



BOUNDARY SURVEY - SHEET 1 OF 2



LEGEND

- ☐ - AIR CONDITIONER
- - GRATE INLET
- ☆ - LIGHT POLE
- - POWER POLE
- ⊙ - RECLAIMED WATER VALVE
- - GUY WIRE
- - OVERHEAD WIRES
- ⊞ - WATER SPIGOT

LEGAL DESCRIPTION

LOTS 3, 4 AND 5, BLOCK 3, ORANGE HEIGHTS ADDITION TO TARPON SPRINGS, FLA., ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 33, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, TOGETHER WITH THE NORTH 1/2 OF THE VACATED ALLEY ABUTTING ON THE SOUTH SIDE OF SAID LOTS.

FLOOD ZONE

THE ABOVE DESCRIBED PROPERTY APPEARS TO BE IN ZONE AE (BASE FLOOD ELEVATION OF 10 FEET), IN ACCORDANCE WITH THE FIRM MAP OF THE CITY OF TARPON SPRINGS, PINELLAS COUNTY, COMMUNITY NUMBER 120259 (MAP NUMBER 12103C-0019-G), MAP DATED SEPTEMBER 3, 2003.

PREPARED FOR

ANASTASIS AND DIANE ANASTASIADIS

© COPYRIGHT 2015
 ALL RIGHTS RESERVED
 George A. Shimp II & Associates, Inc.
 Anyone copying this document in any manner without the expressed consent of GEORGE A. SHIMP II & ASSOCIATES, INC. shall be prosecuted to the full extent of the law.
 DO NOT COPY OR REPRODUCE

CERTIFICATION: I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THE SURVEY SHOWN HEREON SUBSTANTIALLY MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYS DESCRIBED IN THE STATE OF FLORIDA RULE 5J-17, F.A.C. FURTHERMORE, THIS CERTIFICATION SHALL NOT EXTEND TO ANY OTHER PERSONS OR PARTIES OTHER THAN THOSE NAMED ON THIS SURVEY AND SHALL NOT BE VALID AND BINDING AGAINST THE UNDERSIGNED SURVEYOR WITHOUT THE ORIGINAL RAISED SEAL AND SIGNATURE OF THE FLORIDA LICENSED SURVEYOR AND MAPPER.

George A. Shimp II

GEORGE A. SHIMP II, PROFESSIONAL SURVEYOR & MAPPER No. 6137
 THIS SURVEY IS NOT COMPLETE OR VALID WITHOUT THE SURVEYOR'S REPORT (SHEET 2)

JOB NUMBER: 150108
 DRAWING FILE: 150106.DWG
 LAST REVISION: N/A

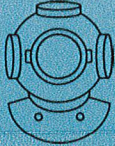
DATE SURVEYED: 4-21-2015
 DATE DRAWN: 5-11-2015
 X REFERENCE: N/A



GEORGE A. SHIMP II
AND ASSOCIATES, INCORPORATED
 LAND SURVEYORS LAND PLANNERS
 3301 DeSOTO BOULEVARD, SUITE D
 PALM HARBOR, FLORIDA 34683
 PHONE (727) 784-5496 FAX (727) 786-1256

E.K.M.
 LB 1834

**BOARD OF ADJUSTMENT
 APPLICATION**



**CITY OF
 TARPON SPRINGS
 FLORIDA**

TEL: (727) 942-5611
 EMAIL: planning@ctsf.us

www.ctsfl.us

This application **MUST** be completed **IN FULL** and submitted with all applicable documents listed below in order to be scheduled for a Board or Committee.

All fees **MUST** be paid in full prior to Public Hearing.

- Completed original application form and digital copies of all application documents**
- Application fee:
 - Variance Request \$250.00 each, or
 - Appeal of Administrative Decision \$250.00 each, and
 - Newspaper Ad \$150.00 each, and
 - Postcards to 500 foot radius \$.77 each, and
 - Placard \$ 16.00
- (Call for assistance with fees if needed.)*
- Property survey, signed and sealed by a professional land surveyor
- Site Plan with documentation of variance request (to scale with measurements called out)
- Photographs of site if relevant to request.
- Digital copies of all plans and documents
- Proof of ownership (a copy of the deed which conveyed title to the present owner of the property)
- Other supporting information, as necessary

1. Property Owner(s)

Name		Email	
ANASTASIS ANASTASIADES			
Address			
155 WHITCOMB BLVD.			
City	State	Zip	
TARPON SPRINGS	FL	34689	
Phone		Fax	Cellular

2. Applicant

Name		Email	
J. MARK GIANESKIS		MARK@MARK GIANESKIS.COM	
Address			
487 RIVERSIDE DR.			
City	State	Zip	
TARPON SPRINGS	FL	34689	
Phone		Fax	Cellular
			727-430-4909

3. Agent (if applicable)

Name		Email	
J. MARK GIANESKIS			
Address			
CONTACT SEE INFO ABOVE			
City	State	Zip	
Phone		Fax	Cellular

4. General Information

Property Location or Address		
VACANT LOT ON WHITCOMB		
Legal Description (attach additional sheets as necessary)		
ORANGE HEIGHTS BLK 3, LOT 3 & 1/2 VAC ALLEY ON S OF SD LOT		
Tax Parcel Number(s)	Land Use Category	Zoning District
13-27-15-64188-003-0030	RES: SINGLE FAMILY	R100

**BOARD OF ADJUSTMENT
APPLICATION**

Describe Request and how the Non-Conforming Lot of Record varies from the requirements of Section 25 of the Land Development Code. Attach additional sheets as necessary.

REQUESTING NON-CONFORMING LOT OF RECORD
APPROVAL ^{9/23/21}
REQUESTING R-70 ~~A~~ SIDE YARD SETBACKS.

Required LDC Regulation(s): [list all that apply] Follow link below to our Land Development Code.
https://library.municode.com/fl/tarpon_springs/codes/code_of_ordinances?nodeId=COOR_APCOZOLADECO_ARTIIDIRE_S25.00SCDIRE

Board of Adjustment Review Standards

The Board of Adjustments may grant a variance to allow a nonconforming lot of record to built upon, if the following standards are met and proven by competent substantial evidence: **(Please review the standards listed in the instructions below. For each requirement, explain how your request is met. Use additional sheets if necessary.) You may reference Section 215.02.5 at the link below if needed.**

https://library.municode.com/fl/tarpon_springs/codes/code_of_ordinances?nodeId=COOR_APCOZOLADEC_O_ARTXIIADEN_S215.02.5VANOLORE

(1) Does the lot consist of at least one entire lot of record on the effective date of this Code? (Provide legal description on single deeds going back to 1990.)

e.g., The lot was created in 1926 and has remained a single lot of record since.

ATTACHED IS A WARRANTY DEED DATING BACK
TO MAY 24, 1971 LISTING THE LOT AS
A SINGLE LOT OF RECORD.

**BOARD OF ADJUSTMENT
APPLICATION**

(2) Was the lot created in violation of a previous zoning ordinance? (Explain if or when the lot was separated or subdivided.)

NO

(3) Was the lot combined with a neighboring lot under common ownership in order to allow the existing improvements on the neighboring developed lot to meet applicable setbacks. (Are the neighboring houses on conforming lots?)

NO

You may use the records of Pinellas County to answer some of the questions above. There are links below to the Pinellas County Property Appraiser's website and the Pinellas County Clerk of Court.

Pinellas County Property Appraiser: <https://www.pcpao.org/>

Pinellas County Clerk, Official Records: <https://ccmspa.pinellascounty.org/PublicAccess/default.aspx>

**BOARD OF ADJUSTMENT
APPLICATION**

Applicant's Signature:

The information included in and with this application is true and correct to the best of my knowledge.

Mark Yiannidis 3/10/21
Applicant's Signature Date

Agent's Signature: (I represent the applicant/owner)

The information contained in and with this application is true and correct to the best of my knowledge.

Mark Yiannidis 3/10/21
Agent's Signature Date

Owner's Signature:

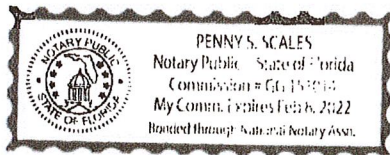
I authorize the agent named above on this form to provide subject matter on the application contained herein for the purposes of discussion with City Staff, and to attend public hearings on my behalf. In addition, I authorize the filing of this application and certify ownership of the property described in this application as myself. Within this application, I have included all parties to an existing contract for sale. I further assent to the City's Comprehensive Plan as it applies to the property and it is understood that this application must be complete and accurate, and the appropriate fee paid prior to processing.

Anastasis Anastasiades dotloop verified
03/17/21 5:13 PM EDT
EJAP-Z8WJ-R3T1-0GHZ

Owner's Signature Date

STATE OF FLORIDA)
COUNTY OF PINELLAS)

The foregoing instrument was acknowledged before me this 17 day of March, A.D., 20 21
by Anastasis Anastasiades, who is personally known to me or who has produced
PROPERTY OWNER NAME PRINTED
as identification and who did (did not) take an oath.



NOTARY PUBLIC

Name: *Penny S. Scales*
Signature: *Penny Scales*
Stamp:

Prepared by and return to:
HERBERT ELLIOTT
Attorney at Law
1111 Riverside Drive
Tarpon Springs, FL 34689

Parcel ID No. 13-27-15-64188-003-0030
Consideration: \$ 95,000.00

WARRANTY DEED

THIS INDENTURE, made this 9th day of February, 2015, Between,

JAMES D. SPIRIDES AND DESPINA SPIRIDES, TRUSTEES UNDER THE SPIRIDES LIVING TRUST U/T/D MARCH 31, 2006,
4953 Killebrew Drive, Annadale Virginia 22003-5322 , Grantors, and

ANASTASIS ANASTASIADES, A MARRIED MAN, 2256 Curlew Road, Palm Harbor, Florida 34683, Grantee,

WITNESSETH that said Grantors, for and in consideration of **** Ten Dollars ****, have granted, bargained and sold to the said Grantee, his heirs and assigns forever, the following described land in Pinellas County, Florida:

Lot 3, Block 3, ORANGE HEIGHTS ADDITION TO TARPON SPRINGS, FLA. according to the map or plat thereof as recorded in Plat Book 3, Page 33, public records of Pinellas County, Florida; together with the North 1 / 2 of vacated alley abutting on the South thereof.

and the said Grantors do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantors have hereunto set their hand and seal the day and year first above written.

Signed, sealed, and delivered in our presence:

Witness 1: Fere Walker

Printed: Fere Walker

Witness 2: Samina A. Sumi

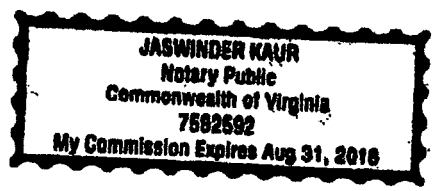
Printed: SAMINA SUMI

James D. Spirides
James D. Spirides, Trustee

Despina Spirides
Despina Spirides, Trustee

COMMONWEALTH OF VIRGINIA
COUNTY OF Fairfax

The foregoing instrument was acknowledged before me this 9th day of February, 2015, by **James D. Spirides and Despina Spirides**, who are personally known to me, and who did not take an oath.



Jaswinder Kaur
Notary Public

*HOME NEXT DOOR!
PURCHASED FROM
KALEGIS &
BILLIE SPIRIDES
803 WHITCOMB*

Prepared by and return to:
Herbert Elliott
Attorney at Law
1111 Riverside Drive
Tarpon Springs, FL 34689

File Number: Spirides
\$245,000

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 12th day of February, 2015 between Kalegis Spirides a/k/a Kalegis D. Spirides and Billie K. Spirides, husband and wife whose post office address is 2605 Oak Circle, Tarpon Springs, FL 34689, grantor, and Anastasis Anastasiades and Diane L. Anastasiades, husband and wife whose post office address is 803 Whitcomb Blvd, Tarpon Springs, FL 34689, grantee:

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

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Pinellas County, Florida to-wit:

Lots 4 and 5 and the North 1/2 of vacated alley abutting on the South side of said lots, Block 3, ORANGE HEIGHTS ADDITION TO TARPON SPRINGS, FLA., according to the map or plat thereof as recorded in Plat Book 3, Page 33, Public Records of Pinellas County, Florida.

Parcel Identification Number: 13/27/15/64188/003/0040

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

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

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2014**.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

[Signature]
Witness Name: Herb Elliott

[Signature] (Seal)
Kalegis D. Spirides

[Signature]
Witness Name: Rebecca B. Conkling

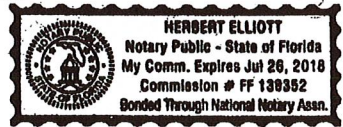
[Signature] (Seal)
Billie K Spirides

State of Florida
County of Pinellas

The foregoing instrument was acknowledged before me this 12th day of February, 2015 by Kalegis D. Spirides and Billie K Spirides, who are personally known or have produced a driver's license and identification.

[Notary Seal]

[Signature]
Notary Public
Printed Name: Herbert Elliott
My Commission Expires: _____



WARRANTY DEED
INDIVIDUAL
13,007b

CHELSEA TITLE AND GUARANTY COMPANY

6.9.88
3.30
18.30

This Indenture,

Made this 24 day of May, A. D. 19 71
BETWEEN DEON O. ELLIOTT and MARY ELLIOTT, his wife and ALEXANDRA D. G. EMMANUEL, Executrix of Estate of George M. Emmanuel, deceased
of the County of Montrose Pinellas, in the State of Colorado Florida, part ies of the first part, and
ESMINE SPIRIDES
of the County of Pinellas, in the State of Florida, whose post office address is
P. O. Box 794, Tarpon Springs, FL 33589
part y of the second part,

Witnesseth, That the said part ies of the first part, for and in consideration of the sum of other good and valuable considerations and TEN and NO/100----- Dollars, to them in hand paid by the said part y the second part, the receipt whereof is hereby acknowledged, ha ve granted, bargained, and sold to the said part y of the second part, her heirs and assigns forever, the following described land, situate, and being in the County of Pinellas State of Florida, to-wit:

Lot 3, Block 3, ORANGE HEIGHTS
SUBDIVISION, according to the map
or plat thereof as recorded in
Plat Book 3, page 33, of the Public
Records of Pinellas County, Florida.

JUN 8 10 16 AM '71

PHILIP J. ...
CLERK circuit court

PINELLAS
COUNTY
011002

FLORIDA
DEPT. OF REVENUE
JUN-8'71
RR. 11067
DOCUMENTARY SUR TAX
03.30

PINELLAS
COUNTY
061723
STATE OF FLORIDA
DOCUMENTARY STAMP TAX
COMPTROLLER
JUN-8'71
RR. 10521
09.00

And the said part ies of the first part do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, The said part ies of the first part ha ve hereunto set their hand s and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

Raymond A. Elisha _____ L.S.
Deon O. Elliott
DEON O. ELLIOTT
Mary Elliott _____ L.S.
Mary Elliott
MARY ELLIOTT

STATE OF ~~FLORIDA~~ Colorado
COUNTY OF Montrose }

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared DEON O. ELLIOTT and MARY ELLIOTT, his wife

to me known to be the person s described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 24th day of May, A. D. 19 71.

My Commission expires February 11 1975

This instrument was prepared by:
CHELSEA TITLE & GUARANTY COMPANY
BY: J. W. JONES, ASSISTANT VICE PRESIDENT
906 Chestnut Street, Clearwater, Florida 33516
which instrument was ...
writing of a Title ...

Raymond A. Elisha

[Interactive Map of this parcel](#) [Back to Query Results](#) [New Search](#) [Tax Collector Home Page](#) [Contact Us](#)

13-27-15-64188-003-0030

Compact Property Record Card

**Updated February
27, 2021**

[Tax Estimator](#)

[Email](#) [Print](#) [Radius Search](#)

Ownership/Mailing Address Change Mailing Address	Site Address
ANASTASIADES, ANASTASIS 2256 CURLEW RD PALM HARBOR FL 34683-6826	WHITCOMB BLVD TARPON SPRINGS



Property Use: 0000 (Vacant Residential - lot & acreage less than 5 acres) **Current Tax District:** TARPON SPRINGS (TS) **Total Living SF:** **Total Gross SF:**

[click here to hide] **Legal Description**

ORANGE HEIGHTS BLK 3, LOT 3 & 1/2 VAC ALLEY ON S OF SD LOT

Tax Estimator	File for Homestead Exemption	2021 Parcel Use
Exemption	2021	2022
Homestead:	No	No
Government:	No	No
Institutional:	No	No
Historic:	No	No
Homestead Use Percentage: 0.00%		Non-Homestead Use Percentage: 100.00%
Classified Agricultural: No		

Parcel Information [Latest Notice of Proposed Property Taxes \(TRIM Notice\)](#)

Most Recent Recording	Sales Comparison	Census Tract	Evacuation Zone <small>(NOT the same as a FEMA Flood Zone)</small>	Flood Zone <small>(NOT the same as your evacuation zone)</small>	Plat Book/Page
18676/1886	\$148,000	121030275021	A	Compare Preliminary to Current FEMA Maps	3/33

2020 Interim Value Information

Year	Just/Market Value	Assessed Value / Non-HX Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2020	\$124,354	\$122,424	\$122,424	\$124,354	\$122,424

[click here to hide] Value History as Certified (yellow indicates correction on file)

Year	<u>Homestead Exemption</u>	<u>Just/Market Value</u>	<u>Assessed Value</u>	<u>County Taxable Value</u>	<u>School Taxable Value</u>	<u>Municipal Taxable Value</u>
2019	No	\$117,275	\$111,295	\$111,295	\$117,275	\$111,295
2018	No	\$127,166	\$101,177	\$101,177	\$127,166	\$101,177
2017	No	\$105,596	\$91,979	\$91,979	\$105,596	\$91,979
2016	No	\$83,617	\$83,617	\$83,617	\$83,617	\$83,617
2015	No	\$88,385	\$88,385	\$88,385	\$88,385	\$88,385
2014	No	\$87,751	\$87,751	\$87,751	\$87,751	\$87,751
2013	No	\$90,320	\$90,320	\$90,320	\$90,320	\$90,320
2012	No	\$95,164	\$95,164	\$95,164	\$95,164	\$95,164
2011	No	\$111,454	\$111,454	\$111,454	\$111,454	\$111,454
2010	No	\$115,539	\$115,539	\$115,539	\$115,539	\$115,539
2009	No	\$151,521	\$151,521	\$151,521	\$151,521	\$151,521
2008	No	\$186,600	\$186,600	\$186,600	\$186,600	\$186,600
2007	No	\$186,200	\$186,200	\$186,200	N/A	\$186,200
2006	No	\$106,500	\$106,500	\$106,500	N/A	\$106,500
2005	No	\$78,600	\$78,600	\$78,600	N/A	\$78,600
2004	No	\$68,600	\$68,600	\$68,600	N/A	\$68,600
2003	No	\$58,500	\$58,500	\$58,500	N/A	\$58,500
2002	No	\$35,300	\$35,300	\$35,300	N/A	\$35,300
2001	No	\$34,500	\$34,500	\$34,500	N/A	\$34,500
2000	No	\$29,500	\$29,500	\$29,500	N/A	\$29,500
1999	No	\$27,500	\$27,500	\$27,500	N/A	\$27,500
1998	No	\$27,000	\$27,000	\$27,000	N/A	\$27,000
1997	No	\$23,400	\$23,400	\$23,400	N/A	\$23,400
1996	No	\$24,000	\$24,000	\$24,000	N/A	\$24,000

2020 Tax Information		Ranked Sales (What are Ranked Sales?) See all transactions	
2020 Tax Bill	Tax District: TS	Sale Date	Book/Page Price Q/U V/I
2020 Final Millage Rate	20.0018	09 Feb 2015	18676 / 1886 ■ \$95,000 Q V
<p>Do not rely on current taxes as an estimate following a change in ownership. A significant change in taxable value may occur after a transfer due to a loss of exemptions, reset of the Save Our Homes or 10% Cap, and/or market conditions. Please use our new Tax Estimator to estimate taxes under new ownership.</p>		1971	03556 / 0989 ■ \$3,000 Q

2020 Land Information						
Seawall: No	Frontage:		View: Water			
<u>Land Use</u>	<u>Land Size</u>	<u>Unit Value</u>	<u>Units</u>	<u>Total Adjustments</u>	<u>Adjusted Value</u>	<u>Method</u>
Vacant (00)	54x145	2600.00	54.0000	1.0296	\$144,556	FF

[click here to hide] 2021 Extra Features				
Description	Value/Unit	Units	Total Value as New	Depreciated Value Year
No Extra Features on Record				
[click here to hide] Permit Data				
<p>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.</p>				
Permit Number	Description	Issue Date	Estimated Value	
No Permit Data Found				





GIANESKIS #21-36

Board of Adjustments – April 28, 2021



LOCATION & CONTEXT



REQUEST

- **#21-36 – Nonconforming Lot of Record**
 - LDC Section 24.02(B) – If at any time the owner of a nonconforming lot of record owns adjoining land, the lots shall be combined to meet the minimum lot requirements.
- **Applicant:** J. Mark Gianeskis
- **Property Owner:** Anastasis Anastasiades
- *Requesting variance approval to allow a nonconforming lot of record (Lot 3) that is under common ownership with adjacent property (Lots 4&5) to be buildable.*



SITE HISTORY

- **1914 – Lots Created**
 - Lots 3, 4, & 5 of Orange Heights Subdivision
- **1954 – New LDC**
 - R-1AA Zoning
 - Min. Lot Width = 60 feet
- **1959 – Home Build on Lots 4 & 5**
- **1990 – Current LDC Effective**
 - R-70 Zoning
 - Min. Lot Width 60 feet
- **2015 – Common Ownership**
- **2021**
 - Applicant would like to purchase Lot 3 separately and construct a single-family home.



REVIEW STANDARDS – VARIANCES FOR NONCONFORMING LOTS OF RECORD

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



MINUTES
BOARD OF ADJUSTMENT
CITY OF TARPON SPRINGS, FLORIDA
REGULAR SESSION – FEBRUARY 24, 2021

THE BOARD OF ADJUSTMENT OF THE CITY OF TARPON SPRINGS, FLORIDA MET IN A REGULAR SESSION IN THE CITY HALL AUDITORIUM AT 324 PINE STREET AND VIA ZOOM VIDEO CONFERENCING, ON WEDNESDAY, FEBRUARY 24, 2021 AT 7:00 P.M. WITH THE FOLLOWING PRESENT:

Chris Hrabovsky	Chairperson
Jacqui Turner	Vice-Chairperson
George Bouris	Member
Michael Eisner	Member
Joanne Reich	Member
Steven Davis	1 st Alternate
Joanne Simon	2 nd Alternate

ALSO PRESENT:	Patricia McNeese	Principal Planner
	Allie Keen	Senior Planner
	Erica Augello	Board Attorney
	Kimberly Yothers	Secretary to the Board

1. CALL TO ORDER/ROLL CALL

Chairperson, Hrabovsky called the meeting to order at 7:00 P.M.

Secretary to the Board Yothers called the roll.

2. QUASI-JUDICIAL ANNOUNCEMENT AND SWEARING OF SPEAKERS

Mrs. Augello read the Quasi-Judicial Announcement, swore in all who wished to testify and asked the Board if there was any ex-parte communication, there was none.

3. APPLICATION # 20-162 – VARIANCE TO REDUCE THE REQUIRED SIDE YARD SETBACK AND THE REQUIRED REAR YARD SETBACK FOR AN ACCESSORY STRUCTURE

Location: 643 Bayshore Drive

Application requesting a variance to reduce the required side yard setback and the required rear yard setback for construction of a shed accessory to an existing single-family residence.

Staff:

Mrs. Keen gave background information, explained the Findings of Fact listed below and noted that Standard #3, if strictly enforced, necessitated a staff recommendation of denial, due to the fact the shed could be smaller in size to meet the required setback. However, staff was of the opinion that the requested variance was the minimum necessary to allow for a shed on a property with mature oak trees that was consistent in size with other sheds within the neighborhood and other residential districts. Based upon this evidence, staff recommended approval of this request.

APPLICATION # 20-162 – VARIANCE TO REDUCE THE REQUIRED SIDE YARD SETBACK AND THE REQUIRED REAR YARD SETBACK (CONTINUED)

Findings of Fact:

1. The reduced side and rear setbacks for the shed were to accommodate an existing mature oak tree on the property. Additionally, the shed was unable to be located elsewhere in the backyard due to the topography along the north side of the property and other mature trees within the back yard. Additionally, the subject property was slightly smaller than required in the R-100 district. *Based upon evidence available when this report was drafted, staff was of the opinion that this standard had been met.*
2. The special circumstances of the property were not self-created nor resulted from any action by the applicant with prior knowledge or approval of the applicant. There were several mature trees and slight topography changes on the subject site that limited where a shed could be placed on the property. *Based upon evidence available when this report was drafted, staff was of the opinion that this standard had been met.*
3. Literal enforcement of the minimum setback requirements for a shed necessitated the applicant to reduce the overall size of the shed in order to meet the required 5-foot side and rear setbacks. *Based upon evidence available when this report was drafted, staff was of the opinion that this standard had been met.*
4. Approval of this request did not confer any special uses or privileges to the applicant that were not commonly enjoyed by other property owners in this area. Storage sheds were common for residential properties and found throughout the immediate neighborhood. Further, granting of this variance allowed for a shed that meets the size limitations for a residential district. *Based upon evidence available when this report was drafted, staff was of the opinion that this standard had been met.*
5. Storage sheds were common for residential properties and found throughout the immediate neighborhood. Due to mature trees on the property, it minimized the locations where a shed could be placed, resulting in reduced side and rear setbacks. Further, the proposed shed did not exceed the maximum size for a residential district; therefore, approval of this request would not substantially diminish property values or alter the character of the neighborhood. *Based upon evidence available when this report was drafted, staff was of the opinion that this standard had been met.*

Board:

Ms. Turner requested clarification about the wording on page one of the Staff Report under **Development Standards**, it indicated that the district had a minimum of 5-foot setback from the side **OR** rear lot line but on page two under **Planning Considerations 2.**, it indicated that there is a required minimum 5-foot setback from the side **AND** rear property lines.

Mrs. Keen indicated that the **OR** on page one was a clerical error, and that the minimum setback was 5-feet from the side **AND** the rear property lines.

Mr. Eisner asked what it meant in the third criterion where it indicated that Standard #3, **if strictly enforced.**

Mrs. Keen noted that the Staff recommendation took many factors into consideration, including topography and trees, and the fact that the applicant could erect a smaller shed.

APPLICATION # 20-162 – VARIANCE TO REDUCE THE REQUIRED SIDE YARD SETBACK AND THE REQUIRED REAR YARD SETBACK (CONTINUED)

Mr. Eisner further noted that he believed that the report from Staff gave a false sense of security to the applicant and lead them to believe that the Board had flexibility with the criteria, when they did not.

Mrs. Keen noted that when Staff discussed the Staff Report with the Applicant, it was explained that it was up to the Applicant to provide testimony and evidence to the Board that would prove that they met all of the criteria for approval of the variance. In addition, she noted that it was customary for Planning Staff to give their recommendation and to prepare the Staff report based on their review.

Mr. Eisner noted that he did not agree with that logic and that he believed that Staff should have recommended a denial and allowed the Board to vote accordingly. He further asserted that he did not understand why there was a comparison to other sheds in the area without explanation as to whether the other sheds had smaller setbacks.

Mrs. Keen explained that the Staff analysis took the general area into consideration and compared what was allowed on other properties in the area with the request of the applicant.

Mrs. Augello reminded the Board that the Staff Report was written from a planning perspective.

Mr. Eisner noted that questions needed to be answered before people purchased homes so they did not need variances.

Applicant:

Jeff Knuckles, 643 Bayshore Drive, Tarpon Springs, noted that he needed the shed so that he could store his items and that the proposed plan was the only area of the yard that he could place the shed.

Deborah Cunningham, 643 Bayshore Drive, noted that they assumed that they would be ok with placing their shed close to the property line because when they drove around looking at homes, they noticed that the neighbor had a shed that was very close to the property line.

Motion: Mr. Bouris
Second: Ms. Turner

To approve application 20-162 as presented by Staff.

Vote on Motion: Upon roll call vote, the motion was passed, as follows.

Ms. Reich	No
Mr. Eisner	No
Mr. Bouris	Yes
Ms. Turner	Yes

Mr. Hrabovsky Yes

4. APPROVAL OF MINUTES

January 27, 2021 regular meeting

MOTION: Ms. Turner
SECOND: Ms. Reich

To approve the minutes from January 27, 2021 with the correction of the vote on application 20-144, as Mr. Eisner voted "No".

Vote on Motion: Upon roll call vote, the motion was passed, as follows.

Ms. Reich	Yes
Mr. Eisner	Yes
Mr. Bouris	Yes
Ms. Turner	Yes
Mr. Hrabovsky	Yes

5. STAFF COMMENTS

Mrs. Keen noted that there were no Board comments.

6. BOARD COMMENTS

Mr. Eisner asked if the Staff could refrain from providing a recommendation so that the Board could make the decision.

Mrs. Augello indicated that the Board was not supposed to dictate what the City Staff prepared in their report.

7. ADJOURNMENT

Mr. Hrabovsky adjourned the meeting at 7:52 p.m.

Chris Hrabovsky, Chairman