



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
JULY 28, 2021 REGULAR MEETING
CITY HALL AUDITORIUM
324 PINE STREET
7:00 P.M.**

1. CALL TO ORDER/ROLL CALL
2. QUASI-JUDICIAL ANNOUNCEMENT AND SWEARING IN OF SPEAKERS
3. **APPLICATION #21-62 – VARIANCE TO REDUCE THE REQUIRED SIDE AND REAR YARD SETBACKS.**
LOCATION: 41522 US Highway 19 N
Application requesting a variance to reduce the required side yard and rear yard setbacks, in order to construct a warehouse.
4. **APPLICATION #21-90 – VARIANCE FROM THE FLOOR AREA RATIO (FAR) STANDARDS.**
LOCATION: 41522 US Highway 19 N
Application requesting a variance from the FAR standards of the City of Tarpon Springs Land Development Code, in order to construct a warehouse.
5. **APPLICATION #21-86 – VARIANCE TO REDUCE THE WETLAND SETBACK.**
LOCATION: 615 N Jasmine Ave
Application requesting a variance to reduce the required wetland setback, in order.
(DEFERRED UNTIL THE AUGUST 25, 2021 BOARD OF ADJUSTMENT HEARING)
6. STAFF COMMENTS
7. BOARD COMMENTS
8. 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
[JULY 28, 2021]

STAFF REPORT

Application No. / Project Title: #21-62 (Tarpon Springs Plaza)
Staff: Allie Keen, AICP
Applicant / Owner: Tarpon Springs Plaza, LLC
Property Size: 1.49 acres
Current Zoning: HB (Highway Business)
Current Land Use: CG (Commercial General)
Location / Parcel ID: 41522 US Highway 19 N. / 12-27-15-89982-022-0701

BACKGROUND SUMMARY:

The applicant is requesting to reduce the minimum rear yard setback to 15 feet, 10 feet less than required, for the purpose of constructing a new 6,480 square foot office/warehouse building on the property.

PRELIMINARY STAFF RECOMMENDATION:

Based on evidence available at the time this report was prepared, staff would recommend denial of this request, due to criteria 1, 2, 3, and 4 not being met. It is staff’s opinion that this property could be further developed in a manner that meets the requirements of the Land Development Code.

LAND DEVELOPMENT CODE CONSIDERATIONS:

District Intent: Per Land Development Code (LDC) Section 25.12(A), the Highway Business District is established to provide for predominantly retail shopping and highway-oriented service areas outside the central business district.

Development Standards: Per LDC Section 25.12(D)(2)(e) the minimum rear yard in the Highway Business District is 25 feet.

CURRENT PROPERTY INFORMATION:

Use of Property:	Retail Commercial
Site Features:	Existing retail building, parking, loading area, and landscaping.
Vehicle Access:	This property gains access from US Highway 19 and Cypress Street.

SURROUNDING ZONING & LAND USE:

	Zoning:	Land Use:
North:	HB (Highway Business)	CG (Commercial General)
South:	HB (Highway Business)	CG (Commercial General)



East:	HB (Highway Business)	CG (Commercial General)
West:	HB (Highway Business)	CG (Commercial General)

PLANNING CONSIDERATIONS:

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

1. The applicant is proposing to construct a new 6,480 square foot office/warehouse building on the subject property. The new building is proposed to be built behind the existing retail building on the property. According to the provided site plan, there will be additional parking provided in front of the proposed building that will be accessed from Cypress Street.
2. Per LDC Section 25.12(D)(2)(e), the minimum rear yard setback in the Highway Business District is 25 feet. According to the site plan, the proposed building will only have a rear yard setback of 15 feet, 10 feet less than required.
3. The applicant has indicated that the reduced setback is necessary in order to provide sufficient parking for the new structure. The application notes the proposed use of the building to be office and warehouse. Per LDC Section 127.04(G), the following minimum parking requirement would apply:
 - a. Office Use = Minimum 4.5 spaces per 1,000 square feet of gross floor area.
 - b. Warehouse Use = Minimum 1 space per 1,500 square feet of gross floor area.

The application does not indicate how much of the building will be used for office and how much will be used for warehouse; therefore the minimum parking requirement could not be determined at this time. However, depending on the breakdown of the uses within the building, the minimum parking could vary drastically due to the minimal parking requirement for warehouse use.
4. According to the provided site plan, the proposed building will meet the side street (Cypress Street frontage) and side (north property line) yard setbacks.
5. The existing 21, 600 square foot building on the subject property was originally constructed in 1959 and is positioned on the east side of the property with parking in front of the building. This structure is legal nonconforming due to the 0-foot side setbacks. The west side of the property (where the new building is proposed) is currently utilized for parking and loading.
6. The applicant has submitted a subsequent variance application (#21-90) requesting a Floor Area Ratio (FAR) adjustment to allow for a FAR of 0.43, which exceeds the maximum 0.40 FAR for the Highway Business District.

REVIEW STANDARDS / PROVISIONAL FINDINGS OF FACT:

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

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

Provisional Findings: The subject property is deeper than most lots with comparable street frontage along US 19, however, the configuration of the property does not justify the proposed buildings layout. The building and/or proposed parking area could be redesigned to meet the minimum rear yard. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard **has not** been met.*

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



Provisional Findings: The need for the variance is not related to special circumstances peculiar to the property, but rather the desired layout and size of the new building. The building could be reduced in size in order to meet the minimum rear yard requirement. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard **has not** been met.*

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

Provisional Findings: This site already contains a 21,600 square foot retail building and could accommodated additional square footage on the underutilized portion of the site without necessitating a setback variance; therefore denial of this request would not prevent reasonable use of the property. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard **has not** been met.*

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

Provisional Findings: Granting of the variance would give the applicant special privilege to this property. The reduced setback allows for this site to be developed beyond what is allowed for other properties in the same district. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard **has not** been met.*

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

Provisional Findings: The reduced setback will likely not negatively impact the surrounding area. Although this site is looked at as a whole, visually from the street the proposed building will appear to be a separate development that is comparable to the surrounding development pattern. *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. Location/Aerial Map
2. Application
3. Proposed Site Plan
4. Justification Narrative
5. Survey
6. Presentation

#21-62 / TARPON SPRINGS PLAZA





**CITY OF
 TARPON SPRINGS
 FLORIDA**

TEL: (727) 942-5611
 EMAIL: planning@ctsfl.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 copy
- Application fee:
 - Variance Request - \$250.00 each, or
 - Appeal of Administrative Decision - \$250.00 each, and
 - Newspaper Ad - \$150.00 each
 - Postcards (500 foot radius) - \$0.77 each, and
 - Placard - \$ 16.00

(Call for fee calculation assistance 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 application materials (including completed application and plans)
- 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	
Address			
City		State	Zip
Phone	Fax		Cell

2. Applicant (if different than owner)

Name		Email	
Address			
City		State	Zip
Phone	Fax		Cell

3. Agent (if applicable)

Name		Email	
Address			
City		State	Zip
Phone	Fax		Cell

4. General Information

Property Location or Address		
Legal Description (attach additional sheets as necessary)		
LOTS 7 AND 8 LESS RD R/W (SEE S07-27-16)		
Tax Parcel Number(s)	Land Use Category	Zoning District

Variance Requested:

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

Please describe the project and how it varies from the Code (attach additional sheets as necessary). (e.g., A side setback variance reduction from the required 10 feet to 7 feet for the purpose of constructing a building addition)

To view the LDC standards and section references, follow the link below:

https://library.municode.com/fl/tarpon_springs/codes/code_of_ordinances?nodeId=COOR_APCOZOLADECO

Board of Adjustment Review Standards:

Per LDC Section 215.02(B) (link provided below), 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 (attach additional sheets as necessary).**

https://library.municode.com/fl/tarpon_springs/codes/code_of_ordinances?nodeId=COOR_APCOZOLADECO_ART_XIIADEN_S215.02VA

- (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. *(Do you have a physical hardship that prevents you from meeting the requirements of the code?) (Provide photographs if possible)*
 - (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 your 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 that District before any variance may be granted. *(If the need for the variance is in response to the property being located in the Historic District, it could be considered a physical hardship.)*

The site is severely constrained. In order to provide minimal access, trucks turning radius, provide some setbacks, landscaping, parking and all other development criteria, relief of the required setbacks is desperately needed.

- (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. *(Did you create the situation that requires a variance (e.g. you put in a pool at the minimum setback, but now want a pool screen enclosure that is too close to the property line as a result of the chosen pool location)?)*

The conditions of the site, constrained on 3 sides, are not created by the applicant and in meeting development criteria for the use of the site, is not created by the applicant

- (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 other structures, and the requested variance is the minimum variance that will make possible the reasonable use of the property. *(Would the approval of the variance allow for the reasonable use of the property and its structures? If the variance is denied, would you still have reasonable use of the property?)*

In order to provide a site with development ability, meeting the minimal necessities of the development code, the applicant would not have a reasonable use of the land without the variances proposed

- (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 result in a special privilege that other properties within the same zoning district do not have (e.g. allowing a building to exceed the maximum height just to add another story to the building)?)*

If approved, there will be no special granting or privilege and allow what others have

- (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. *(Would approval of this request have an adverse effect on surrounding properties?)*

Granting the variances will not have any detrimental or injurious affect on property values, nor alter the character of the area but would add to the area and be a positive use of property

Helpful Links:

The following links may be used to assist you in completing this application, as well as, providing supporting documentation.

- Tarpon Springs Zoning Application - <https://gis.ctsfl.us/portal/apps/webappviewer/index.html?id=9596539ae16744b4af44d320f190c791>
- Tarpon Springs Land Development Code - https://library.municode.com/fl/tarpon_springs/codes/code_of_ordinances?nodeId=COOR_APCOZOLADECO
- Pinellas County Property Appraiser – <http://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.

Chris Jallo, Tarpon Springs Plaza, LLC

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.

5.12.21

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.

Chris Jallo, Tarpon Springs Plaza, LLC

5-13-21

Owner's Signature

Date

STATE OF FLORIDA)

COUNTY OF PINELLAS)

The foregoing instrument was acknowledged before me this 13th day of MAY, A.D., 20 21

by JOHN JALLO, 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: DIMITRA KOUOUNDOUROS

Signature:

Stamp:



DIMITRA KOUOUNDOUROS
Commission # GG 272173
Expires December 16, 2022
Bonded thru Budget Notary Service

10F2

Prepared by:
Tammi N. Williamson
Albritton Title, Inc.
2130 Alt. 19, Suite A
Palm Harbor, Florida 34683

File Number: 11-12044

Sales Price: \$800,000.00

General Warranty Deed

Made this February 14, 2012 A.D. By Socia Enterprises of Tarpon Springs Inc., a Florida corporation, whose address is: 2626 Duff Road, Lakeland, FL 33810, hereinafter called the grantor, to Tarpon Springs Plaza, LLC, whose post office address is: PO Box 6067, Palm Harbor, FL 34684, hereinafter called the grantee:

(Whenever used herein the term "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)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Pinellas County, Florida, viz:

The South 150 feet of Lots 7 and 8, lying West of U.S. Highway 19, Block 22, Map of the Town of Tarpon Springs, according to the map or plat thereof, as recorded in Plat Book 4, Page 78; Less that portion set forth in Order of Taking recorded in Official Records Book 5916, Page 4, and Deed recorded in Official Records Book 6172, Page 219, for road right-of-way purposes, of the Public Records of Pinellas County, Florida.

Parcel ID Number: 12-27-15-89982-022-0701

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, 2011.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Dana C. Henson
Witness Printed Name: DANA C. HENSON

Elaine Peterson
Witness Printed Name: ELAINE PETERSON

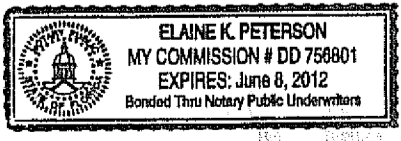
Clarence J. Socia (Seal)
SOCIA ENTERPRISES-TARPON SPRINGS INC.
By: Clarence J. Socia, President

State of FL
County of Polk

The foregoing instrument was acknowledged before me this 14 day of February, 2012, by Socia Enterprises of Tarpon Springs Inc., a Florida corporation, by Clarence J. Socia, President who is/are personally known to me or who has produced a drivers license as identification.

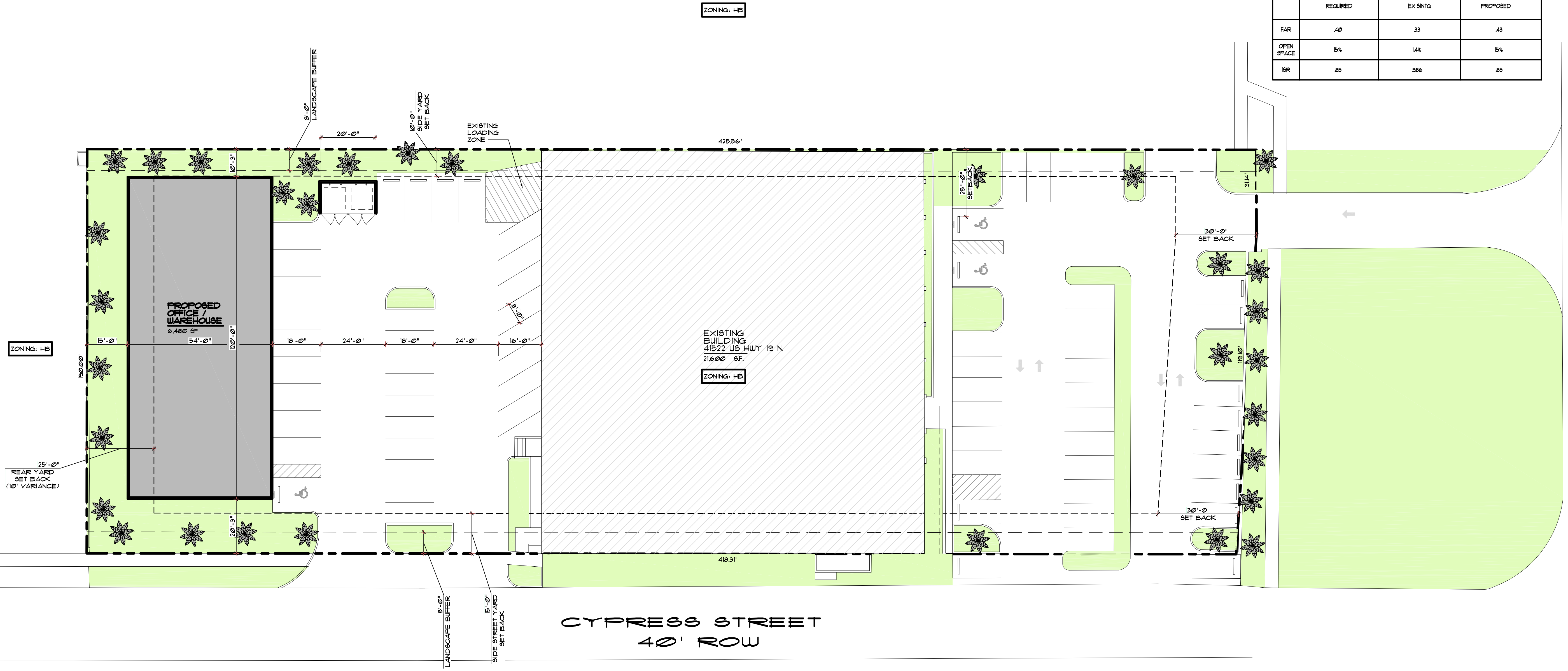
(Notary Seal)

Elaine Peterson
Notary Public
Print Name: ELAINE PETERSON
My Commission Expires: 6/8/2012



PARCEL ID: 12-21-19-00982-022-0101
 OWNER: TARPON SPRINGS PLAZA LLC
 PO BOX 1098
 DUNEDIN, FL 34691
 SITE ADDRESS: 41522 US HIGHWAY 19 NORTH
 TARPON SPRINGS, FL 34689
 ZONING: HB - HIGHWAY BUSINESS DISTRICT
 SITE AREA: 1.49 ACRES (65,043 SF. +/-)
 EXISTING BUILDING AREA: 21,600 CONDITIONED
 PROPOSED NEW BUILDING AREA 6,480 SF.
 PROPOSED TOTAL BUILDING AREA 28,080 SF.
 FLOOD ZONE: X
 HEIGHT: MAX HEIGHT 35 FT
 PARKING:
 EXISTING RETAIL: 12,815 # 1 PER 250 SF. = 515 SPACES
 EXISTING WAREHOUSE: 8,135 # 1 PER 1500 SF. = 5.9 SPACES
 NEW OFFICE / WAREHOUSE 6,480 # 1 PER 650 SF. = 10
 PARKING REQUIRED - 61 SPACES
 PARKING SHOWN ON PLAN - 61 SPACES

	REQUIRED	EXISTING	PROPOSED
FAR	40	33	43
OPEN SPACE	15%	14%	15%
ISR	25	286	25

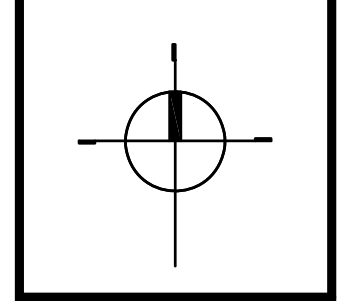


US HIGHWAY 19 NORTH

REVISIONS	BY

OLIVERI ARCHITECTS
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 PROPERTY OF
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 ALL RIGHTS RESERVED.



CONCEPT SITE PLAN
 SCHEMATIC DESIGN
 SCHEME 'H'

New Freestanding
OFFICE / WAREHOUSE
 41522 U.S. Highway 19 N.
 Tarpon Springs, FL
 Pinellas County

Date: 07. 15. 21
 Scale: AS NOTED
 Project Mgr: AC
 Drawn: MS
 Job: 21-031

Sheet
AS2

PRESSMAN AND ASSOC., INC.

GOVERNMENTAL AND PUBLIC AFFAIRS

200 2ND AVENUE, SOUTH, #451, ST. PETERSBURG, FL. 33701

727-804-1760, FX. (888) 977-1179

E-MAIL, TODD@PRESSMANINC.COM

Narrative and Variance Support **Variance #21-62**

Essentially, this is a retrofit of a partially developed site.

Like any retrofit or renovation of an existing space, there are constraints caused what is present at the site of which was permissible by the development rules and site conditions at that time. It is no different than a kitchen renovation that must work around the existing interior home structure for example, wiring, load carrying walls or electrical or plumbing consideration.

In this case we have a property that is already developed with large structure with zero side setbacks and no buffering or screening to the North or South.

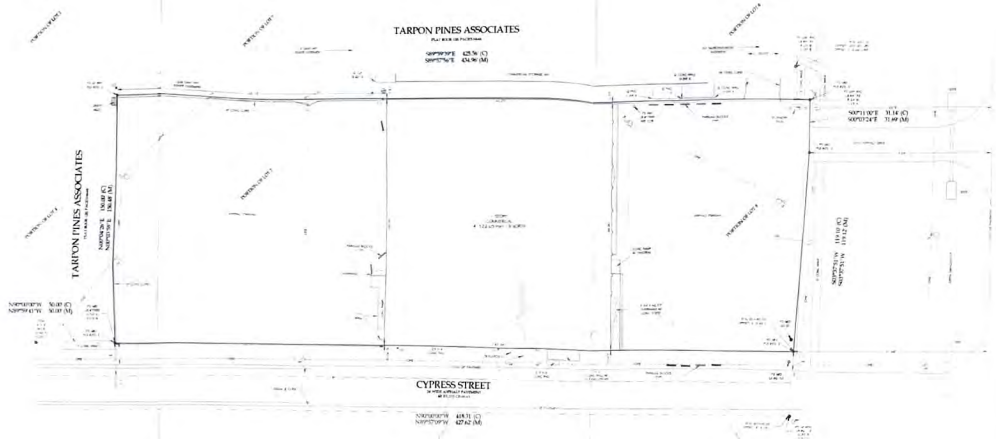
The proposed development, built to zoning and development rules at the time of its construction, must work around the constraints of this partially developed site.

In that regard, with a lot of work and planning and drawing, the site is proposed with a 15' rear setback where a 25' rear setback is required, so a variance of only 10' is requested.

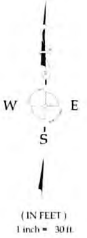
It is important to state that the parcel side of the variance request is abutted by a very large green buffering area, of which measures approximately 60' across, per Google Maps. The subject site is also providing 15' of green space. There will be no impacts whatsoever on the neighbors abutting or any in the vicinity.

This improved portion of the property will be providing buffering and green space to code levels that are not present at all on the original portion of the property and will be a nice improvement.

The variance proposed makes the site work with reasonable ability in the commercial category, considering where the site is located. Without the 10' variance, the site cannot meet its parking requirements and cannot be fully functional internally. If the variance is not successful the site would lose an entire row of parking. If the variance is not successful, there is not enough interior room for larger vehicles movements and maneuvering. The 10' variance is the very minimum that is needed to make the site work. The granting of the variance allows the proposed use to be at par with other similar uses in the vicinity enjoy. There will be no injurious or detrimental impacts on any other property.



US HIGHWAY 19 NORTH, STATE ROAD 55
 15150-2548
 BEING 568'711' WIDE



LEGEND:

- (M) MEASURED
- (C) CALCULATED
- FD FOUND
- WJ WITNESS
- IR IRON ROD
- OHF POWER POLE
- YCE EXTENDED ELECTRIC
- YC YELLOW CAP
- LD LICENSED BUSINESS
- ID IDENTIFICATION
- OW OIL WIRE
- NAD NAIL & DISK
- CLF CHAIN LINK FENCE
- CNC CONCRETE
- EM ELECTRIC METER
- FCM FOUND CONCRETE MONUMENT
- CD CEMENT
- TB TELEPHONE BOX
- LP LEAD PIPE
- TIP TYPICAL
- PLS PROFESSIONAL LAND SURVEYOR
- STA STATION
- MES METELED END SECTION
- PVC POLY VINYL CHLORIDE
- WT WITNESS
- COR CORNER
- WM WATER METER
- O.R. OFFICIAL RECORDS
- S.M. SANITARY MANHOLE

LEGAL DESCRIPTION:

THE SOUTH 150.00 FEET OF LOTS 7 AND 8, LYING WEST OF U.S. HIGHWAY 19, BLOCK 22, MAP OF THE TOWN OF TARPON SPRINGS, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 4, PAGE 76, LESS THAT PORTION SET FORTH IN ORDER OF TAKING RECORDED IN O.R. BOOK 598, PAGE 4, AND THE DEED RECORDED IN O.R. BOOK 612, PAGE 219, FOR ROAD RIGHT-OF-WAY PURPOSES, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

FLOOD PLAIN:

FEDERAL INSURANCE ADMINISTRATION FLOOD INSURANCE RATE MAP, COMMUNITY NUMBER 12029, PANEL 805 G, SUBJECT PROPERTY IS LOCATED IN ZONE X, AS REFERENCED TO THE FIRM FLOOD INSURANCE RATE MAP MAP PINELLAS COUNTY, FLORIDA, SEPTEMBER 3, 2001.

NOTES:

1. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE SEARCH.
2. BASIS OF BEARING, THE CENTERLINE OF SURVEY BASELINE OF U.S. HIGHWAY 19 NORTH AS RECREATED FROM THE F.D.O.T. MAPS FOR SECTION 15150-2548, BEING 568'711' WIDE.
3. NO UNDERGROUND UTILITIES, UNDERGROUND ENCROACHMENTS OR BUILDING FOUNDATIONS WERE MEASURED OR LOCATED AS PART OF THIS SURVEY UNLESS OTHERWISE SHOWN.
4. THERE IS AN APPARENT 1.00± DISCREPANCY IN THE RIGHT-OF-WAY BETWEEN WHAT IS EXISTING IN THE FIELD AND WHAT IS CALCULATED FROM THE RIGHT-OF-WAY MAP FOR S.R. 37.
5. THIS SURVEY IS BASED ON FOUND MONUMENTATION AND DOES NOT REFLECT OR DETERMINE OWNERSHIP.
6. BOUNDARY RECONSTRUCTED FROM O.R. BOOKS 612, PAGE 219, 622, PAGES 115 AND 2147, PLAT BOOK 120, PAGE 64 AND RIGHT-OF-WAY INFORMATION PROVIDED BY F.D.O.T., STATE JOB NO. 15150-2548.
7. ATTENTION IS DIRECTED TO THE FACT THAT THIS SURVEY MAY HAVE BEEN REDUCED OR ENLARGED IN SIZE DUE TO REPRODUCTION. THIS SHOULD BE TAKEN INTO CONSIDERATION WHEN OBTAINING SCALED DATA.
8. THIS SURVEY DRAWING WAS PREPARED FOR THE EXCLUSIVE USE OF THE PARTY OR PARTIES CERTIFIED TO BELOW FOR THE EXPRESS PURPOSE STATED HEREON AND/OR CONTAINED IN THE CONTRACT BETWEEN CROSSTOWN SURVEYORS, INC. AND THE CLIENT FOR THIS PROJECT. COPYING, DISTRIBUTING, AND/OR USING THIS DRAWING IN WHOLE OR IN PART, FOR ANY PURPOSE OTHER THAN ORIGINALLY INTENDED WITHOUT WRITTEN CONSENT FROM CROSSTOWN SURVEYORS, INC. IS STRICTLY PROHIBITED AND DENIES THE SURVEYOR'S CERTIFICATION. SIGNATURE AND SEAL NULL HEREON NULL AND VOID. ANY QUESTIONS CONCERNING THE CONTENT OR PURPOSE OF THIS DRAWING SHOULD BE DIRECTED TO CROSSTOWN SURVEYORS, INC.

CERTIFICATIONS:

TARPON SPRINGS PLAZA, LLC
 ALBRITTON TITLE, INC.
 FIDELITY NATIONAL TITLE INSURANCE COMPANY



1244 Alameda Dr., Suite 1077
 Palm Beach, FL 33480
 www.crosstownsurveyors.com

A BOUNDARY SURVEY OF 41522 U.S. HIGHWAY 19 NORTH (STATE RD 55) - PINELLAS COUNTY

JOB NUMBER	REVISIONS	SECTION	TOWNSHIP	RANGE	SCALE	FIELD DATE	DRAWN BY	FILE NAME	SHEET
12022	—	12	27 S	15 E	1" = 30'	02/09/12	A	12022 US 19	1 OF 1

THIS IS A MAP MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMES INTO ACCORDANCE WITH THE REQUIREMENTS OF THE FLORIDA STATUTES AND THE RULES OF THE BOARD OF PROFESSIONAL LAND SURVEYORS. I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF FLORIDA. MY LICENSE NUMBER IS 12022.

DATE: 02/09/12
 TIME: 11:00 AM
 SURVEYOR: [Signature]

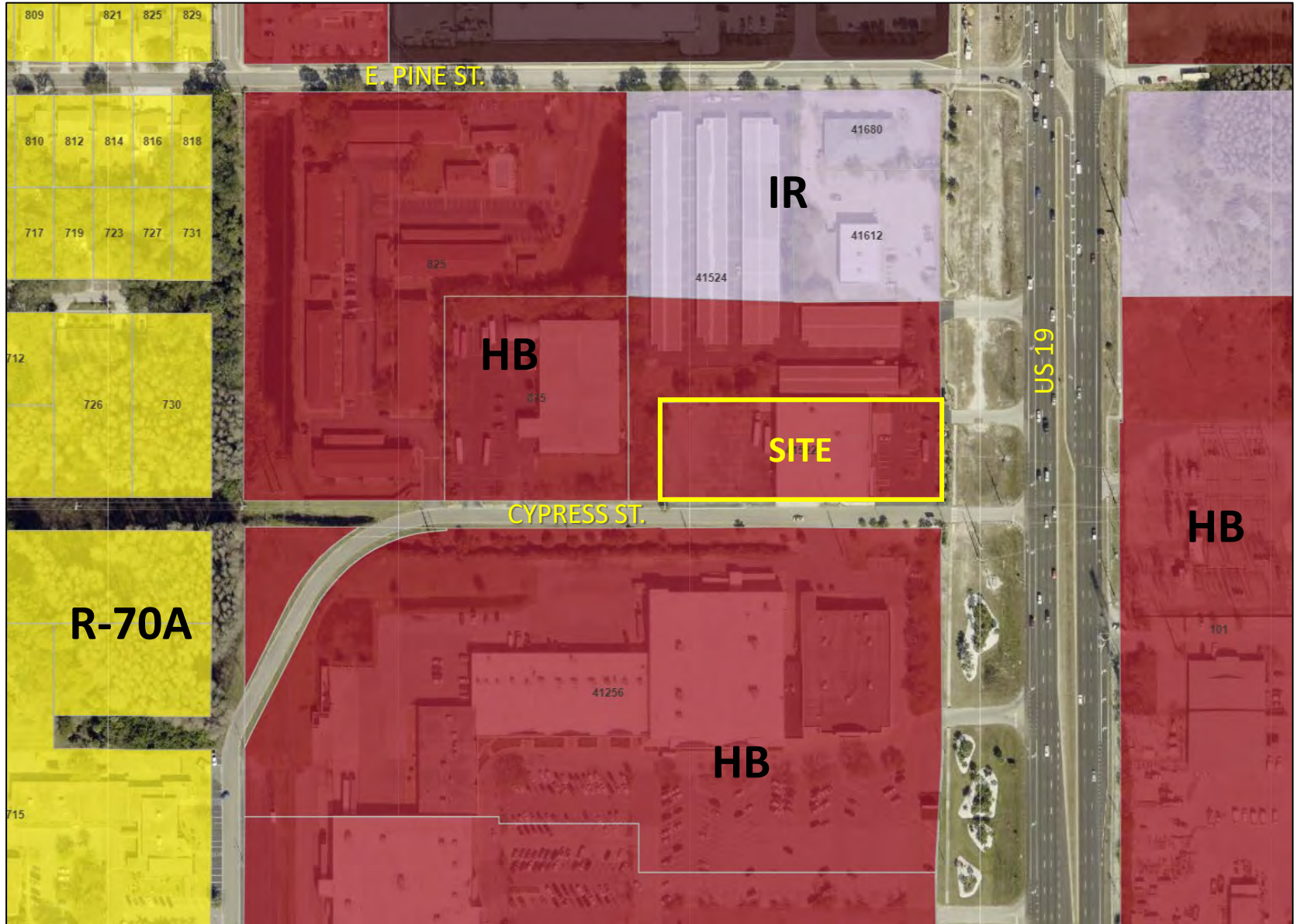
C:\Users\plogos\Documents\12022\12022.dwg (1/9/12) 11:00 AM 12022.dwg (1/9/12) 11:00 AM 12022.dwg (1/9/12) 11:00 AM

TARPON SPRINGS PLAZA #21-62 & #21-90

Board of Adjustment Meeting - July 28, 2021



LOCATION & CONTEXT

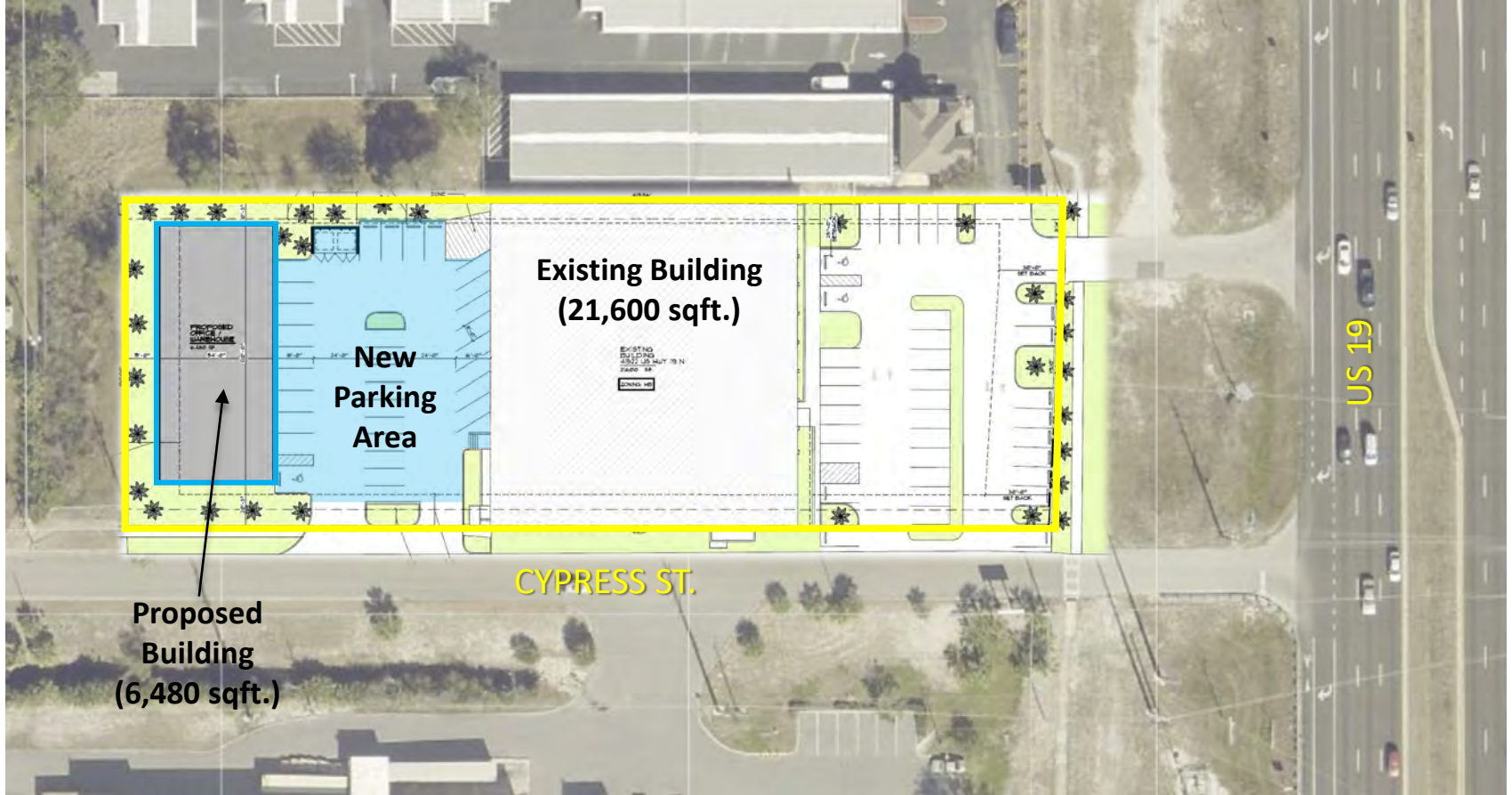


REQUESTS

- **#21-62 – Request to Reduce Minimum Rear Yard**
 - *Proposed:* 15 feet
 - *Required:* 25 feet
- **#21-90 – Increase to the allowable Floor Area Ratio (FAR)**
 - *Proposed:* 0.43 FAR
 - *Permitted:* 0.40 FAR
- **Applicant/Property Owner:** Tarpon Springs Plaza, LLC
- *Construction of a new 6,480 sqft. office/warehouse building behind the existing retail commercial building on the subject property.*



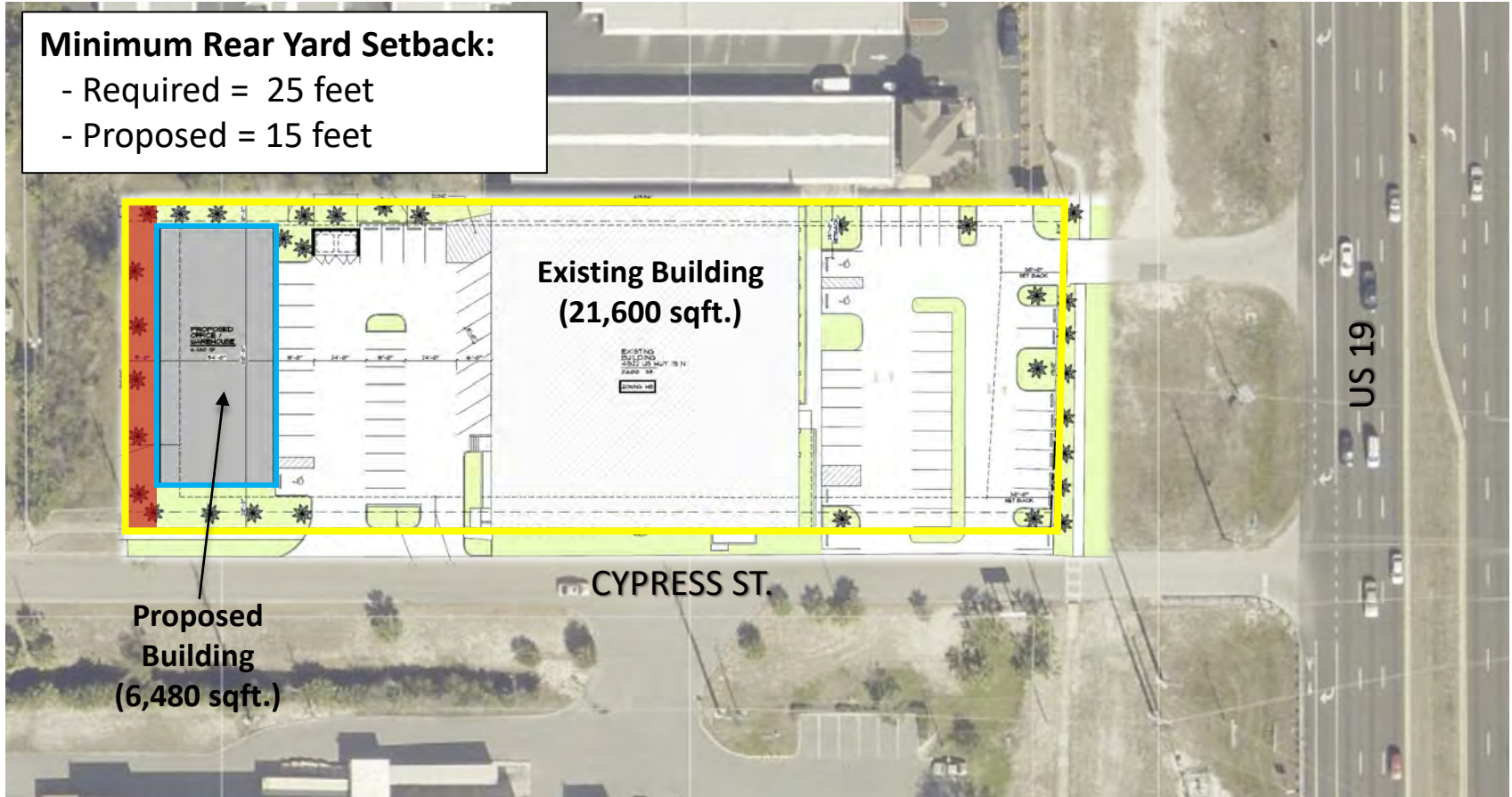
SITE PLAN



REQUEST – REDUCED REAR YARD

Minimum Rear Yard Setback:

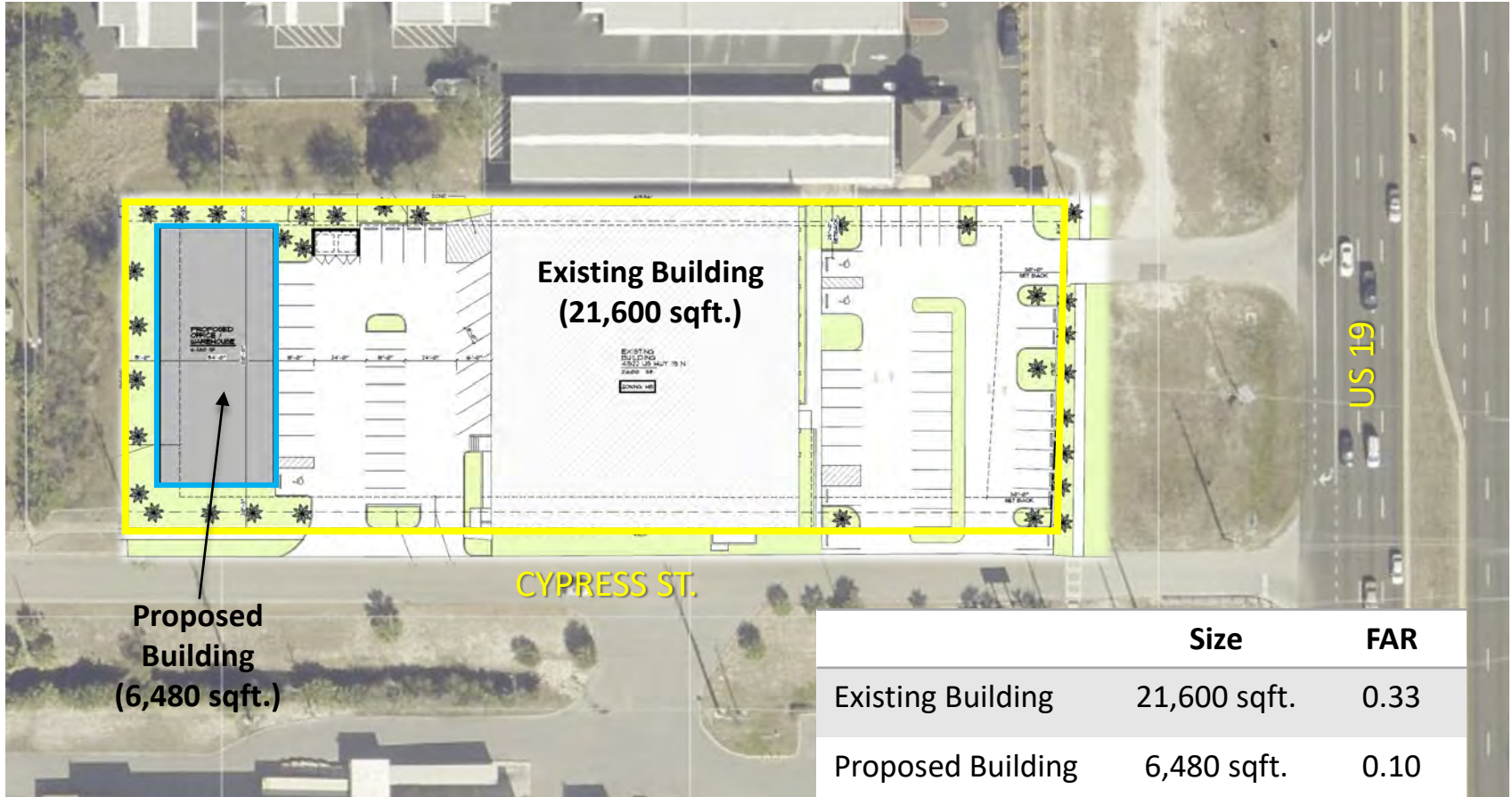
- Required = 25 feet
- Proposed = 15 feet



Parking Requirements:

- Office Use = 4.5 space/1,000 sqft. of GFA
- Warehouse Use = 1 space/1,500 sqft. of GFA

REQUEST – INCREASED FAR



	Size	FAR
Existing Building	21,600 sqft.	0.33
Proposed Building	6,480 sqft.	0.10
Total Proposed	28,080 sqft.	0.43
Permitted FAR	26,017 sqft.	0.40



REVIEW CRITERIA – REAR YARD 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.



REVIEW STANDARDS – FAR VARIANCE

- 1) A literal interpretation of the provisions of the FAR and ISR standards of these rules will deprive the applicant of rights commonly enjoyed by other properties in the same future land use category and will cause ~~work~~ unnecessary and undue hardship on the applicant.
- 2) The alleged hardship is unique and singular with regard to the property for which the variance is sought and is not that suffered in common with other property similarly located.
- 3) The alleged hardship is not self-imposed by the applicant, and the situation sought to be relieved by the adjustment does not result from an illegal act or result from the actions of the applicant, resulting in self-imposed hardship.
- 4) The adjustment, if allowed, will not substantially interfere with or injure the rights of others' ~~whole~~ property owners who would be affected by allowance of adjustment.
- 5) The adjustment, if allowed, will be in harmony with, serves the general intent and purpose of, and is consistent with the Countywide Future Land Use Plan and Rules, the City's Comprehensive Plan, and these regulations.



REVIEW STANDARDS – FAR VARIANCE

- 6) The adjustment, if allowed, will be the minimum adjustment that will make possible the reasonable use of the land, building, or structure.
- 7) The adjustment, if allowed, will not confer on the applicant any special privilege that is denied by the Countywide Future Land Use Plan and Rules, the City’s Comprehensive Plan, or these regulations, to other lands, buildings, or structures in the same land use classification.
- 8) The adjustment, if allowed, shall not constitute an amendment to the City’s Comprehensive Plan, land development regulations, or to the Countywide Comprehensive Plan.
- 9) An amendment to another land use category under the City and Countywide Future Land Use Plan has been considered by the applicant and the city and it has been determined that such an amendment would not meet the objective of the adjustment and would not be appropriate.





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

STAFF REPORT

Application No. / Project Title: #21-90 (Tarpon Springs Plaza)
Staff: Allie Keen, AICP
Applicant / Owner: Tarpon Springs Plaza, LLC
Property Size: 1.49 acres
Current Zoning: HB (Highway Business)
Current Land Use: CG (Commercial General)
Location / Parcel ID: 41522 US Highway 19 N. / 12-27-15-89982-022-0701

BACKGROUND SUMMARY:

The applicant is proposing to construct a new 6,480 square foot office/warehouse building behind the existing retail commercial building on the subject property. The new building results in a floor area ratio (FAR) for the entire site of 0.43, which exceeds the maximum allowable FAR of 0.40 in the HB (Highway Business) zoning district.

PRELIMINARY STAFF RECOMMENDATION:

Based on evidence available at the time this report was prepared, staff would recommend denial of this request, due to criteria 1, 2, 3, 5, 6, and 7 not being met. It is staff's opinion that this property could be further developed in a manner that meets the allowable FAR.

LAND DEVELOPMENT CODE CONSIDERATIONS:

District Intent: Per Land Development Code (LDC) Section 25.12(A), the Highway Business District is established to provide for predominantly retail shopping and highway-oriented service areas outside the central business district.

Development Standards: Per LDC Section 25.12(D)(2)(f) the maximum nonresidential FAR is 0.40.

CURRENT PROPERTY INFORMATION:

Use of Property:	Retail Commercial
Site Features:	Existing retail building, parking, loading area, and landscaping.
Vehicle Access:	This property gains access from US Highway 19 and Cypress Street.

SURROUNDING ZONING & LAND USE:

	Zoning:	Land Use:
North:	HB (Highway Business)	CG (Commercial General)



South:	HB (Highway Business)	CG (Commercial General)
East:	HB (Highway Business)	CG (Commercial General)
West:	HB (Highway Business)	CG (Commercial General)

PLANNING CONSIDERATIONS:

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

1. The applicant is proposing to construct a new 6,480 square foot office/warehouse building on the subject property. The new building is proposed to be built behind the existing retail building on the property. According to the provided site plan, there will be additional parking provided in front of the proposed building that will be accessed from Cypress Street.
2. There is an existing 21,600 square foot commercial building on the east side of the property, which results in an existing FAR of 0.33. The proposed 6,480 square building increases the total square footage on the entire site to 28,080 resulting in a FAR of 0.43. Per LDC Section 25.12(D)(2)(f), the maximum allowable FAR is only 0.40.
3. The maximum 0.40 FAR, would allow for a total square footage of approximately 26,017. The proposed 0.43 FAR, results in a total square footage of 28,080, which is a difference of approximately 2,063 square feet.
4. The subject property is located within the Commercial General future land use category. The Comprehensive Plan also limits the maximum FAR within this category to 0.40.
5. The property’s current FAR of 0.33 would allow for expansion on the property up to the maximum 0.40 FAR.
6. The existing building on the subject property was originally constructed in 1959 and is positioned on the east side of the property with parking in front of the building. This structure is legal nonconforming due to the 0-foot side setbacks. The west side of the property (where the new building is proposed) is currently utilized for parking and loading.
7. The applicant has submitted a subsequent variance application (#21-62) to reduce the minimum rear yard setback to 15 feet, 10 feet less than required in the Highway Business District.

REVIEW STANDARDS / PROVISIONAL FINDINGS OF FACT:

Section 215.00(C) of the Land Development Code provides that the Board of Adjustment may grant adjustments from FAR and ISR standards of the Land Development Code only when substantial evidence supports the findings outlined in this Code. These findings, along with planning staff’s provisional findings of fact are provided below:

1. **A literal interpretation of the provisions of the FAR and ISR standards of these Rules will deprive the applicant of rights commonly enjoyed by other properties in the same future land use category and will cause work unnecessary and undue hardship on the applicant.**

Provisional Findings: The literal interpretation of the future land use category and zoning district limits this property to a FAR of 0.40. The property is already developed with a commercial building and an additional building could be constructed on site that does not exceed the allowable FAR, therefore the literal interpretation of the provisions of the FAR does not deprive the applicant of rights commonly enjoyed by other properties in the same land use and zoning categories. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard has not been met.*

2. **The alleged hardship is unique and singular with regard to the property for which the variance is sought and is no that suffered in common with other property similarly located.**



Provisional Findings: The subject property is deeper than most lots with comparable street frontage along US 19. However, a smaller building that does not exceed the maximum allowable FAR could be constructed on the underutilized portion of the site; therefore, the lots configuration does not create a hardship in comparison to other similar properties. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard **has not** been met.*

- 3. The alleged hardship is not self-imposed by the applicant, and the situation sought to be relieved by the adjustment does not result from an illegal act or result from the actions of the applicant, resulting in self-imposed hardship.**

Provisional Findings: The requested FAR adjustment is self-imposed by the applicant due to the desired size of the new building. A smaller building on the partially developed site would be permitted without the need for a variance if it did not exceed the maximum allowable FAR. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard **has not** been met.*

- 4. The adjustment, if allowed, will not substantially interfere with or injure the rights of others' whole property owners who would be affected by allowance of adjustment.**

Provisional Findings: The proposed adjustment will not adversely impact other property owners. Although this site is looked at as a whole, visually from the street the proposed building will appear to be a separate development that is comparable to the surrounding development pattern. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard has been met.*

- 5. The adjustment, if allowed, will be in harmony with, serves the general intent and purpose of, and is consistent with the Countywide Future Land Use Plan and Rules, the City's Comprehensive Plan, and these regulations.**

Provisional Findings: The property is located in the Countywide Plan's Retail and Services category, which allows up to a 0.55 FAR. The proposed FAR is in harmony with the Countywide Plan rules, however it is not consistent with the City's Comprehensive Plan or Land Development Code. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard **has not** been met.*

- 6. The adjustment, if allowed, will be the minimum adjustment that will make possible the reasonable use of the land, building, or structure.**

Provisional Findings: Although the requested adjustment is minimal, it is not necessary in order to make reasonable use of the land, building, or structure. This site already contains a 21,600 square foot retail building and could accommodate additional square footage on the underutilized portion of the site without exceeding the permitted FAR. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard **has not** been met.*

- 7. The adjustment, if allowed, will not confer on the applicant any special privilege that is denied by the Countywide Future Land Use Plan and Rules, the City's Comprehensive Plan, or there regulations, to other lands, buildings, or structures in the same land use classification.**

Provisional Findings: Granting of the variance would give the applicant special privilege to this property. This adjustment would allow for additional square footage that would not be allowed for a property of the same size or configuration elsewhere in the district. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard **has not** been met.*

- 8. The adjustment, if allowed, shall not constitute an amendment to the City's Comprehensive Plan, land development regulations, or Countywide Comprehensive Plan.**



Provisional Findings: Granting of the adjustment would not constitute any amendments to the City's Comprehensive Plan, land development regulations, or Countywide Plan. *Based upon evidence available when this report was prepared, staff is of the opinion that this standard has been met.*

- 9. An amendment to another land use category under the City and Countywide future Land Use Plan has been considered by the applicant and the city and it has been determined that such an amendment would not meet the objective of the adjustment and would not be appropriate.**

Provisional Findings: An amendment to another land use category or zoning district have been considered, however, the districts that allow for a higher FAR, would not permit office or retail use by right. This would result in any modifications to the existing building or retail use going through conditional use process, as well as, the proposed office use. *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. Location/Aerial Map
2. Application
3. Proposed Site Plan
4. Survey
5. Presentation

#21-90 / TARPON SPRINGS PLAZA





**CITY OF
 TARPON SPRINGS
 FLORIDA**

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

www.ctsf.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 copy
- Application fee:
 - Variance Request - \$250.00 each, or
 - Appeal of Administrative Decision - \$250.00 each
 - Newspaper Ad - \$150.00 each
 - Postcards (500 foot radius) - \$0.77 each, and
 - Placard - \$ 16.00

(Call for fee calculation assistance 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 application materials (including completed application and plans)
- 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 Tarpon Springs Plaza, LLC		Email Agent: Todd@Pressmaninc.co	
Address 200 2nd Ave., South, #451			
City St. Petersburg		State fl	Zip 33701
Phone 727-804-1760	Fax		Cell same

2. Applicant (if different than property owner)

Name same		Email	
Address			
City		State	Zip
Phone	Fax		Cell

3. Agent (if applicable)

Name Todd Pressman		Email Todd@Pressmaninc.com	
Address 200 2nd Ave., South, #451			
City st. petersburg		State fl	Zip 33701
Phone 727-804-1760	Fax		Cell same

4. General Information

Property Location or Address no address		
Legal Description (attach additional sheets as necessary)		
Tax Parcel Number(s) 12-27-15-89982-022-0701	Land Use Category CG	Zoning District HB

Variance Requested:

Please describe the project (attach additional sheets as necessary):
FAR.

FAR/ISR Standards:

This property is located in the HB zoning district and CG Future Land Use Category.

Permitted:		Proposed:	
Floor Area Ratio (FAR):	.40	Floor Area Ration (FAR):	.43
Impervious Surface Ratio (ISR):		Impervious Surface Ratio (ISR):	

Board of Adjustment Review Standards:

Per Land Development Code Section 215.00(C) (link provided below), the Board of Adjustment may grant adjustments from the FAR and ISR standards of the Land Development Code. An adjustment under this subsection shall only be allowed or granted when substantial evidence supports the findings outlined below. **Please review the findings listed below and provide a justification on how your request meets each of the standards (attached additional sheets as necessary).**

https://library.municode.com/fl/tarpon_springs/codes/code_of_ordinances?nodeld=COOR_APCOZOLADECO_ART_XIIADEN_S215.00VAAP

- (1) A literal interpretation of the provisions of the FAR and ISR standards of these Rules will deprive the applicant of rights commonly enjoyed by other properties in the same future land use category and will work unnecessary and undue hardship on the applicant.

This is a retro-fit of this site, compounded by existing development on the site, of which was developed to code and building standards. The site is going to be tremendously improved for open space, existing now is 1.4% and the site will meet the 15% required. The amount of FAR variance requested is minor.

- (2) The alleged hardship is unique and singular with regard to the property for which the variance is sought and is not that suffered in common with other property similarly located.

As a retro-fit and dealing with existing site development, with the significantly improved green and open space, this site is creating great improvements. Parcels in the immediate area have green and open space so this is not suffered in common with others.

- (3) The alleged hardship is not self-imposed by the applicant, and the situation sought to be relieved by the adjustment does not result from an illegal act or result from the actions of the applicant, resulting in self-imposed hardship.

- (4) The adjustment, if allowed, will not substantially interfere with or injure the rights of others' whole property would be affected by allowance of adjustment.

The adjustment will result in tremendous improvement in many facets and will add to the immediate area.

- (5) The adjustment, if allowed, will be in harmony with, serves the general intent and purpose of, and is consistent with the Countywide Future Land Use Plan and Rules, the City's Comprehensive Plan, and these regulations.

The FAR adjustment is minor and will provide a more positive site then is existing. In this reagard, getting a vast improvement in Open Space brings this request into better harmony and the general intent of the criterion.

- (6) The adjustment, if allowed, will be the minimum adjustment that will make possible the reasonable use of the land, building, or structure.

As per the architect, this is ther minimum needed.

- (7) The adjustment, if allowed, will not confer on the applicant any special privilege that is denied by the Countywide Future Land Use Plan and Rules, the City's Comprehensive Plan, or these regulations, to other lands, buildings, or structures in the same land use classification.

The small adjustment will not confer anything in relation or against the Comp Plans or the other documents - it will bring the site into better compliance.

- (8) The adjustment, if allowed, shall not constitute an amendment to the City’s Comprehensive Plan, land development regulations, or to the Countywide Comprehensive Plan.

This request does not.

- (9) An amendment to another land use category under the City and Countywide Future Land Use Plan has been considered by the applicant and the city and it has been determined that such an amendment would not meet the objective of the adjustment and would not be appropriate.

This is correct.

Helpful Links:

The following links may be used to assist you in completing this application, as well as, providing supporting documentation.

- Tarpon Springs Zoning Application - <https://gis.ctsfl.us/portal/apps/webappviewer/index.html?id=9596539ae16744b4af44d320f190c791>
- Tarpon Springs Land Development Code - https://library.municode.com/fl/tarpon_springs/codes/code_of_ordinances?nodetid=COOR_APCOZOLADECO
- Tarpon Springs Comprehensive Plan – Future Land Use Element - <https://www.ctsfl.us/wp-content/uploads/2020/11/Future-Land-Use-Element-FLUE-2020.pdf>
- Pinellas County Property Appraiser – <http://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.

Chris Jallo, Tarpon Springs Plaza, LLC

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.

5.12.21

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.

Chris Jallo, Tarpon Springs Plaza, LLC

5-13-21

Owner's Signature _____ Date _____

STATE OF FLORIDA)

COUNTY OF PINELLAS)

The foregoing instrument was acknowledged before me this 13th day of MAY, A.D., 20 21

by JOHN JALLO, 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: DIMITRA KOUOUNDOUROS

Signature:

Stamp:



DIMITRA KOUOUNDOUROS
Commission # GG 272173
Expires December 16, 2022
Bonded thru Budget Notary Service

10F2

Prepared by:
Tammi N. Williamson
Albritton Title, Inc.
2130 Alt. 19, Suite A
Palm Harbor, Florida 34683

File Number: 11-12044

Sales Price: \$800,000.00

General Warranty Deed

Made this February 14, 2012 A.D. By **Socia Enterprises of Tarpon Springs Inc.**, a Florida corporation, whose address is: 2626 Duff Road, Lakeland, FL 33810, hereinafter called the grantor, to **Tarpon Springs Plaza, LLC**, whose post office address is: PO Box 6067, Palm Harbor, FL 34684, hereinafter called the grantee:

(Whenever used herein the term "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)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in **Pinellas County, Florida**, viz:

The South 150 feet of Lots 7 and 8, lying West of U.S. Highway 19, Block 22, Map of the Town of Tarpon Springs, according to the map or plat thereof, as recorded in Plat Book 4, Page 78; Less that portion set forth in Order of Taking recorded in Official Records Book 5916, Page 4, and Deed recorded in Official Records Book 6172, Page 219, for road right-of-way purposes, of the Public Records of Pinellas County, Florida.

Parcel ID Number: 12-27-15-89982-022-0701

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, 2011.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Dana C. Henson
Witness Printed Name: DANA C. HENSON

Elaine Peterson
Witness Printed Name: ELAINE PETERSON

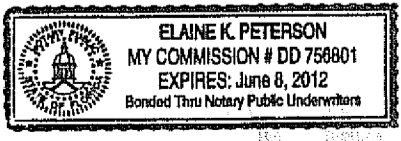
Clarence J. Socia (Seal)
SOCIA ENTERPRISES-TARPON SPRINGS INC.
By: Clarence J. Socia, President

State of FL
County of Polk

The foregoing instrument was acknowledged before me this 14 day of February, 2012, by **Socia Enterprises of Tarpon Springs Inc.**, a Florida corporation, by Clarence J. Socia, President who is/are personally known to me or who has produced a drivers license as identification.

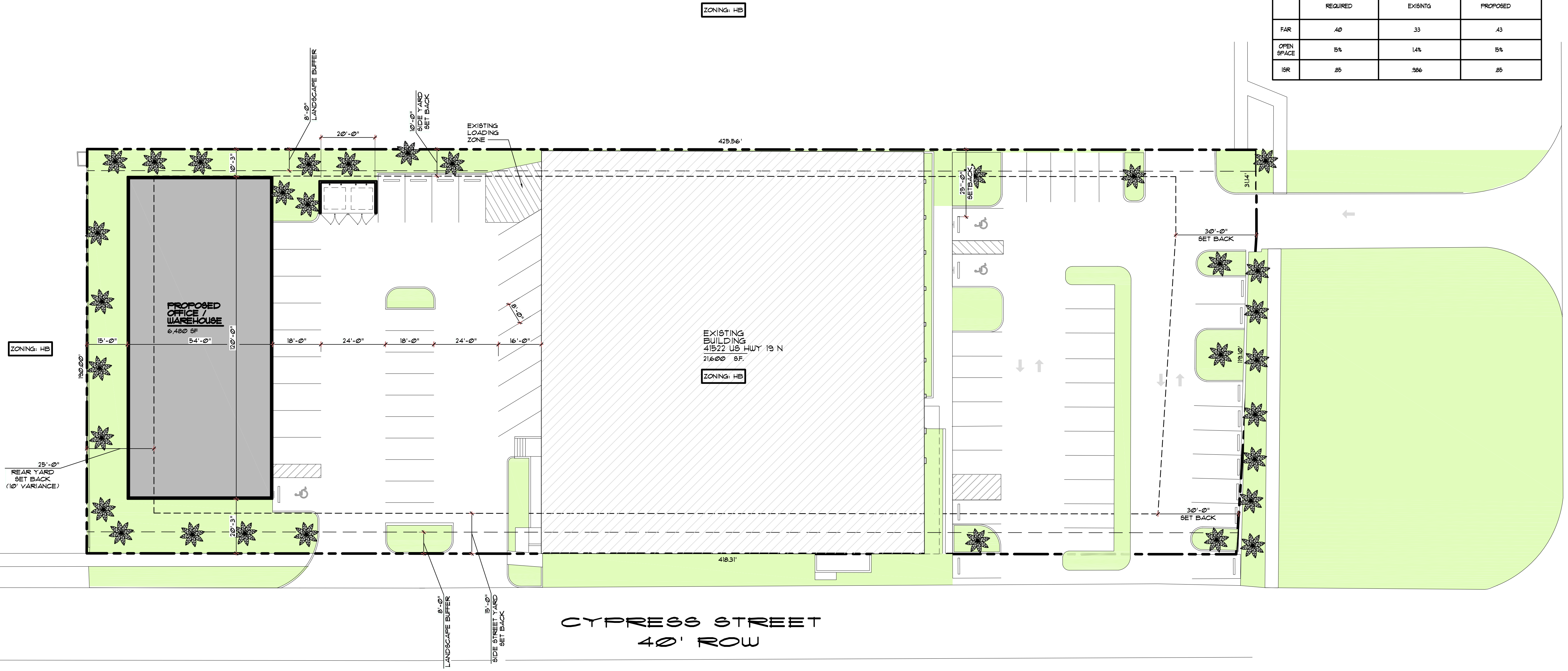
(Notary Seal)

Elaine Peterson
Notary Public
Print Name: ELAINE PETERSON
My Commission Expires: 6/8/2012



PARCEL ID: 12-21-19-00982-022-0101
 OWNER: TARPON SPRINGS PLAZA LLC
 PO BOX 1098
 DUNEDIN, FL 34691
 SITE ADDRESS: 41522 US HIGHWAY 19 NORTH
 TARPON SPRINGS, FL 34689
 ZONING: HB - HIGHWAY BUSINESS DISTRICT
 SITE AREA: 1.49 ACRES (65,043 SF. +/-)
 EXISTING BUILDING AREA: 21,600 CONDITIONED
 PROPOSED NEW BUILDING AREA 6,480 SF.
 PROPOSED TOTAL BUILDING AREA 28,080 SF.
 FLOOD ZONE: X
 HEIGHT: MAX HEIGHT 35 FT
 PARKING:
 EXISTING RETAIL: 12,815 # 1 PER 250 SF. = 515 SPACES
 EXISTING WAREHOUSE: 8,135 # 1 PER 1500 SF. = 5.9 SPACES
 NEW OFFICE / WAREHOUSE 6,480 # 1 PER 650 SF. = 10
 PARKING REQUIRED - 61 SPACES
 PARKING SHOWN ON PLAN - 61 SPACES

	REQUIRED	EXISTING	PROPOSED
FAR	40	33	43
OPEN SPACE	15%	14%	15%
ISR	25	286	25

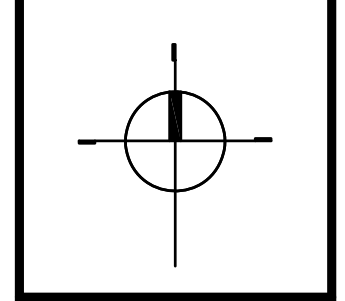


US HIGHWAY 19 NORTH

REVISIONS	BY

OLIVERI ARCHITECTS
 AA 000291
 Member of the American Institute of Architects
 32707 US Hwy. 19 • Palm Harbor, FL 34694
 Phone 727.781.1250 • Fax 727.781.1623
 www.oliveriarchitects.com

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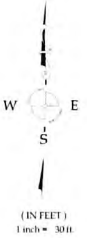
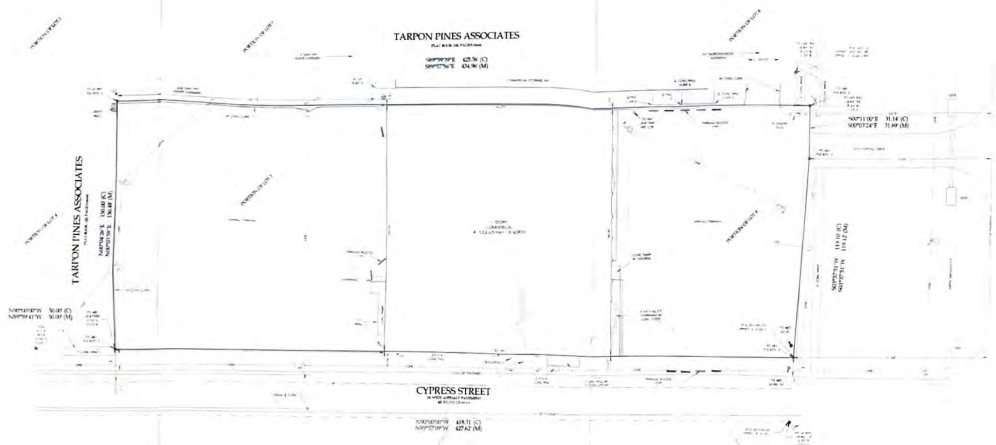


CONCEPT SITE PLAN
 SCHEMATIC DESIGN
 SCHEME 'H'

New Freestanding
OFFICE / WAREHOUSE
 41522 U.S. Highway 19 N.
 Tarpon Springs, FL
 Pinellas County

Date: 07. 15. 21
 Scale: AS NOTED
 Project Mgr: AC
 Drawn: MS
 Job: 21-031

Sheet
AS2



LEGEND:

- (M) MEASURED
- (C) CALCULATED
- FD FOUND
- WJ WITNESS
- IR IRON ROD
- OHF POWER POLE
- YCE OVERHEAD ELECTRIC
- YC YELLOW CAP
- LB LICENSED BUSINESS
- ID IDENTIFICATION
- OW OIL WIRE
- NAD NAIL & DISK
- CLF CHAIN LINK FENCE
- CNC CONCRETE
- EM ELECTRIC METER
- FCM FOUND CONCRETE MONUMENT
- CD CLEAN CUT
- TB TELEPHONE BOX
- LP LEAD PILE
- TIP TYPICAL
- PLS PROFESSIONAL LAND SURVEYOR
- STN STATION
- MES METELED END SECTION
- PVC POLY VINYL CHLORIDE
- WT WITNESS
- COR CORNER
- WM WATER METER
- O.R. OFFICIAL RECORDS
- S.M. SANITARY MANHOLE

LEGAL DESCRIPTION:

THE SOUTH 150.00 FEET OF LOTS 7 AND 8, LYING WEST OF U.S. HIGHWAY 19, BLOCK 22, MAP OF THE TOWN OF TARPON SPRINGS, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 4, PAGE 76, LESS THAT PORTION SET FORTH IN ORDER OF TAKING RECORDED IN O.R. BOOK 598, PAGE 4, AND THE DEED RECORDED IN O.R. BOOK 612, PAGE 219, FOR ROAD RIGHT-OF-WAY PURPOSES, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

FLOOD PLAIN:

PER THE FEDERAL INSURANCE ADMINISTRATION FLOOD INSURANCE RATE MAP, COMMUNITY NUMBER 12029, PANEL 805 G, SUBJECT PROPERTY IS LOCATED IN ZONE X, AS REFERENCED TO THE FIRM (FLOOD INSURANCE RATE MAP) MAP, PINELLAS COUNTY, FLORIDA, SEPTEMBER 3, 2001.

NOTES:

1. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE SEARCH.
2. BASIS OF BEARING, THE CENTERLINE OF SURVEY BASELINE OF U.S. HIGHWAY 19 NORTH AS RECREATED FROM THE F.D.O.T. MAPS FOR SECTION 15150-2548, BEING 568°11'18" W.
3. NO UNDERGROUND UTILITIES, UNDERGROUND ENCROACHMENTS OR BUILDING FOUNDATIONS WERE MEASURED OR LOCATED AS PART OF THIS SURVEY UNLESS OTHERWISE SHOWN.
4. THERE IS AN APPARENT 1.00± DISCREPANCY IN THE RIGHT-OF-WAY BETWEEN WHAT IS EXISTING IN THE FIELD AND WHAT IS CALCULATED FROM THE RIGHT-OF-WAY MAP FOR S.R. 37.
5. THIS SURVEY IS BASED ON FOUND MONUMENTATION AND DOES NOT REFLECT OR DETERMINE OWNERSHIP.
6. BOUNDARY RECONSTRUCTED FROM O.R. BOOKS 612, PAGE 219, 622, PAGES 115 AND 2147, PLAT BOOK 120, PAGE 64 AND RIGHT-OF-WAY INFORMATION PROVIDED BY F.D.O.T., STATE JOB NO. 15150-2548.
7. ATTENTION IS DIRECTED TO THE FACT THAT THIS SURVEY MAY HAVE BEEN REDUCED OR ENLARGED IN SIZE DUE TO REPRODUCTION. THIS SHOULD BE TAKEN INTO CONSIDERATION WHEN OBTAINING SCALED DATA.
8. THIS SURVEY DRAWING WAS PREPARED FOR THE EXCLUSIVE USE OF THE PARTY OR PARTIES CERTIFIED TO BELOW FOR THE EXPRESS PURPOSE STATED HEREON AND/OR CONTAINED IN THE CONTRACT BETWEEN CROSSTOWN SURVEYORS, INC. AND THE CLIENT FOR THIS PROJECT. COPYING, DISTRIBUTING, AND/OR USING THIS DRAWING IN WHOLE OR IN PART, FOR ANY PURPOSE OTHER THAN ORIGINALLY INTENDED WITHOUT WRITTEN CONSENT FROM CROSSTOWN SURVEYORS, INC. IS STRICTLY PROHIBITED AND DENIES THE SURVEYOR'S CERTIFICATION. SIGNATURE AND SEAL NULL HEREON NULL AND VOID. ANY QUESTIONS CONCERNING THE CONTENT OR PURPOSE OF THIS DRAWING SHOULD BE DIRECTED TO CROSSTOWN SURVEYORS, INC.

CERTIFICATIONS:

TARPON SPRINGS PLAZA, LLC
 ALBRITTON TITLE, INC.
 FIDELITY NATIONAL TITLE INSURANCE COMPANY



1244 Alameda Dr., Suite 1077
 Tampa, FL 33610
 www.crosstownsurveyors.com

A BOUNDARY SURVEY OF 41522 U.S. HIGHWAY 19 NORTH (STATE RD 55) - PINELLAS COUNTY

JOB NUMBER	REVISIONS	SECTION	TOWNSHIP	RANGE	SCALE	FIELD DATE	DRAWN BY	FILE NAME	SHEET
12022	—	12	27 S	15 E	1" = 30'	02/09/12	A	12022 US 19	1 OF 1

THIS IS A MAP prepared by a Professional Land Surveyor in accordance with the Florida Statutes, Chapter 461, Part I, F.S. and the Florida Board of Professional Land Surveyors, Rules and Regulations, Part 11, F.A.C. The map is a true and correct representation of the field work performed by the Surveyor. The Surveyor is not responsible for the accuracy of the information provided by the client or for the accuracy of the information provided by the client's records. The Surveyor is not responsible for the accuracy of the information provided by the client's records. The Surveyor is not responsible for the accuracy of the information provided by the client's records.

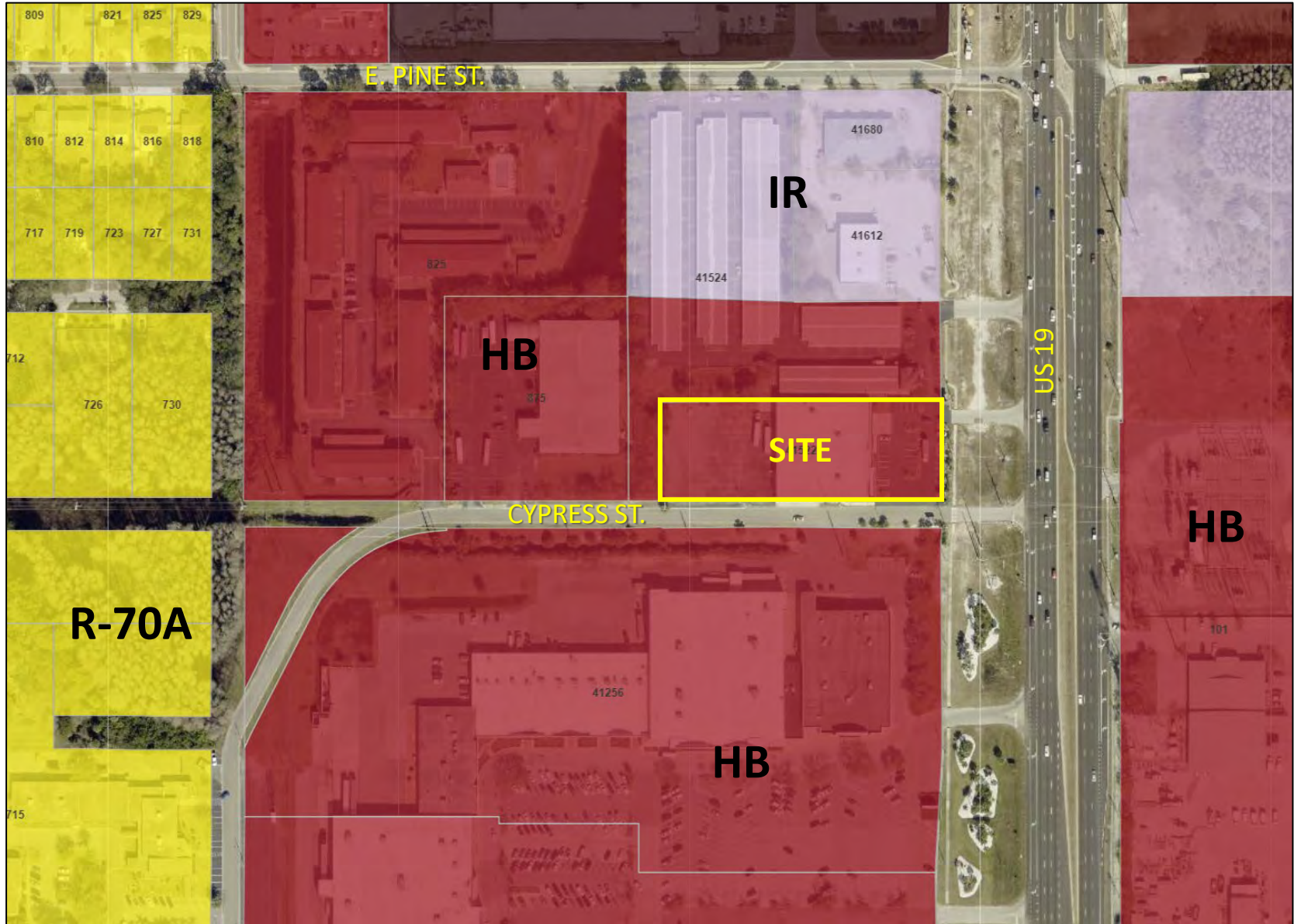
C:\Users\plogos\Documents\2012\12022\12022.dwg (1/19/12) 1:55:14 PM

TARPON SPRINGS PLAZA #21-62 & #21-90

Board of Adjustment Meeting - July 28, 2021



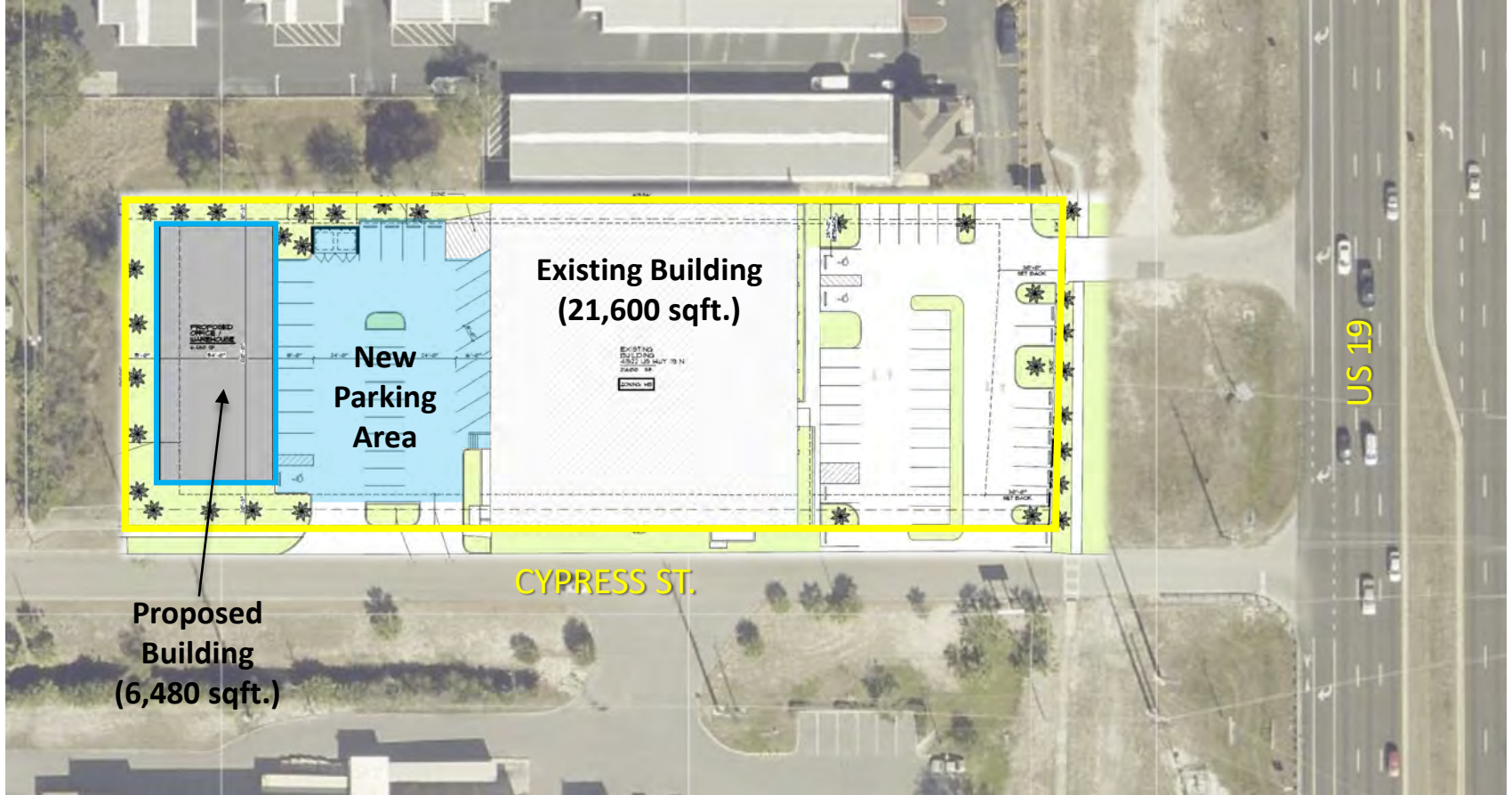
LOCATION & CONTEXT



REQUESTS

- **#21-62 – Request to Reduce Minimum Rear Yard**
 - *Proposed:* 15 feet
 - *Required:* 25 feet
- **#21-90 – Increase to the allowable Floor Area Ratio (FAR)**
 - *Proposed:* 0.43 FAR
 - *Permitted:* 0.40 FAR
- **Applicant/Property Owner:** Tarpon Springs Plaza, LLC
- *Construction of a new 6,480 sqft. office/warehouse building behind the existing retail commercial building on the subject property.*

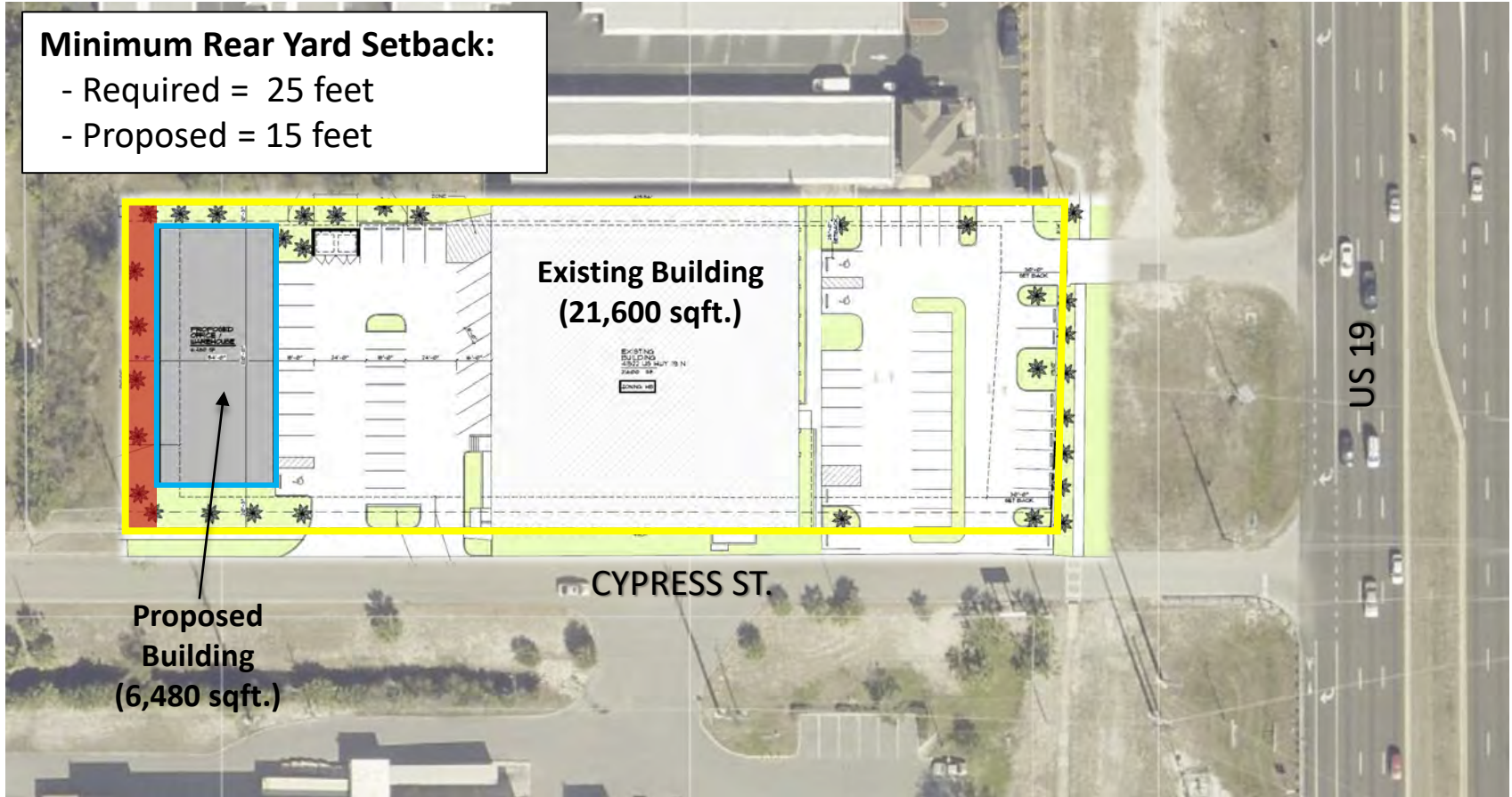
SITE PLAN



REQUEST – REDUCED REAR YARD

Minimum Rear Yard Setback:

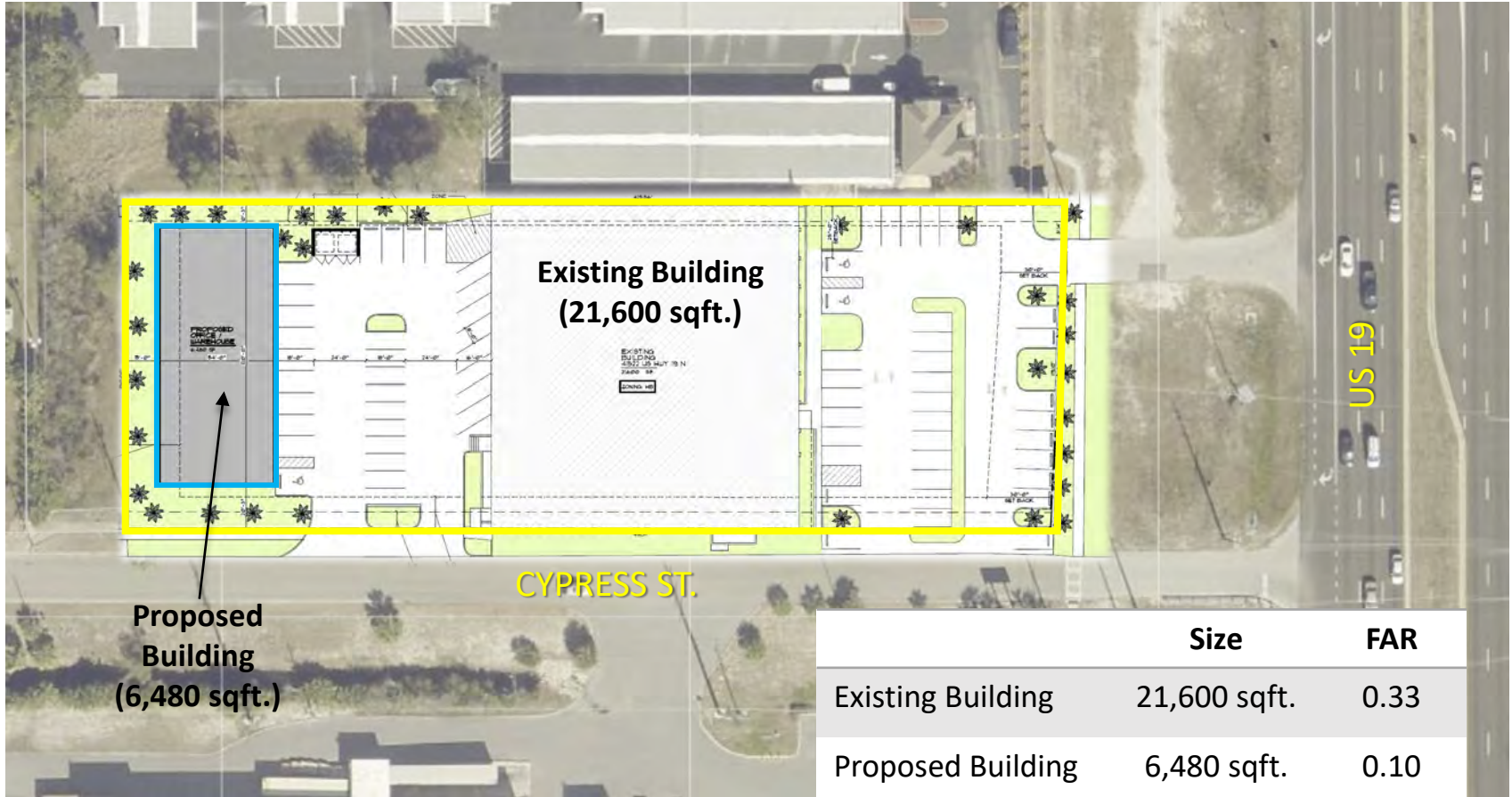
- Required = 25 feet
- Proposed = 15 feet



Parking Requirements:

- Office Use = 4.5 space/1,000 sqft. of GFA
- Warehouse Use = 1 space/1,500 sqft. of GFA

REQUEST – INCREASED FAR



	Size	FAR
Existing Building	21,600 sqft.	0.33
Proposed Building	6,480 sqft.	0.10
Total Proposed	28,080 sqft.	0.43
Permitted FAR	26,017 sqft.	0.40



REVIEW CRITERIA – REAR YARD 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.



REVIEW STANDARDS – FAR VARIANCE

- 1) A literal interpretation of the provisions of the FAR and ISR standards of these rules will deprive the applicant of rights commonly enjoyed by other properties in the same future land use category and will cause ~~work~~ unnecessary and undue hardship on the applicant.
- 2) The alleged hardship is unique and singular with regard to the property for which the variance is sought and is not that suffered in common with other property similarly located.
- 3) The alleged hardship is not self-imposed by the applicant, and the situation sought to be relieved by the adjustment does not result from an illegal act or result from the actions of the applicant, resulting in self-imposed hardship.
- 4) The adjustment, if allowed, will not substantially interfere with or injure the rights of others' ~~whole~~ property owners who would be affected by allowance of adjustment.
- 5) The adjustment, if allowed, will be in harmony with, serves the general intent and purpose of, and is consistent with the Countywide Future Land Use Plan and Rules, the City's Comprehensive Plan, and these regulations.



REVIEW STANDARDS – FAR VARIANCE

- 6) The adjustment, if allowed, will be the minimum adjustment that will make possible the reasonable use of the land, building, or structure.
- 7) The adjustment, if allowed, will not confer on the applicant any special privilege that is denied by the Countywide Future Land Use Plan and Rules, the City's Comprehensive Plan, or these regulations, to other lands, buildings, or structures in the same land use classification.
- 8) The adjustment, if allowed, shall not constitute an amendment to the City's Comprehensive Plan, land development regulations, or to the Countywide Comprehensive Plan.
- 9) An amendment to another land use category under the City and Countywide Future Land Use Plan has been considered by the applicant and the city and it has been determined that such an amendment would not meet the objective of the adjustment and would not be appropriate.

