

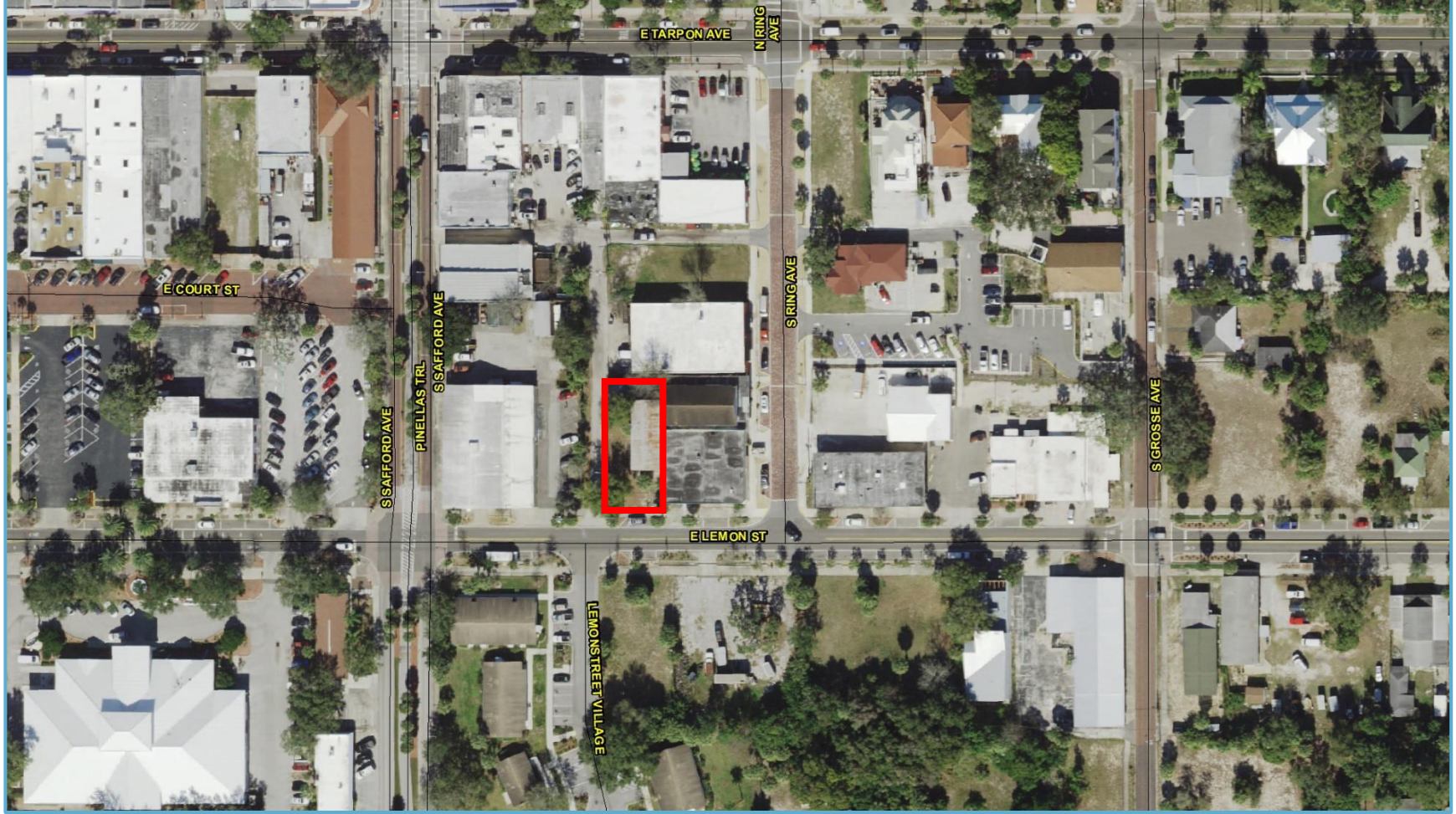
GEORGE ANDRIOTIS – CONDITIONAL USE #21-67

Planning and Zoning Board – July 19, 2021

Board of Commissioners – July 27, 2021



LOCATION & CONTEXT



SUMMARY OF REQUEST

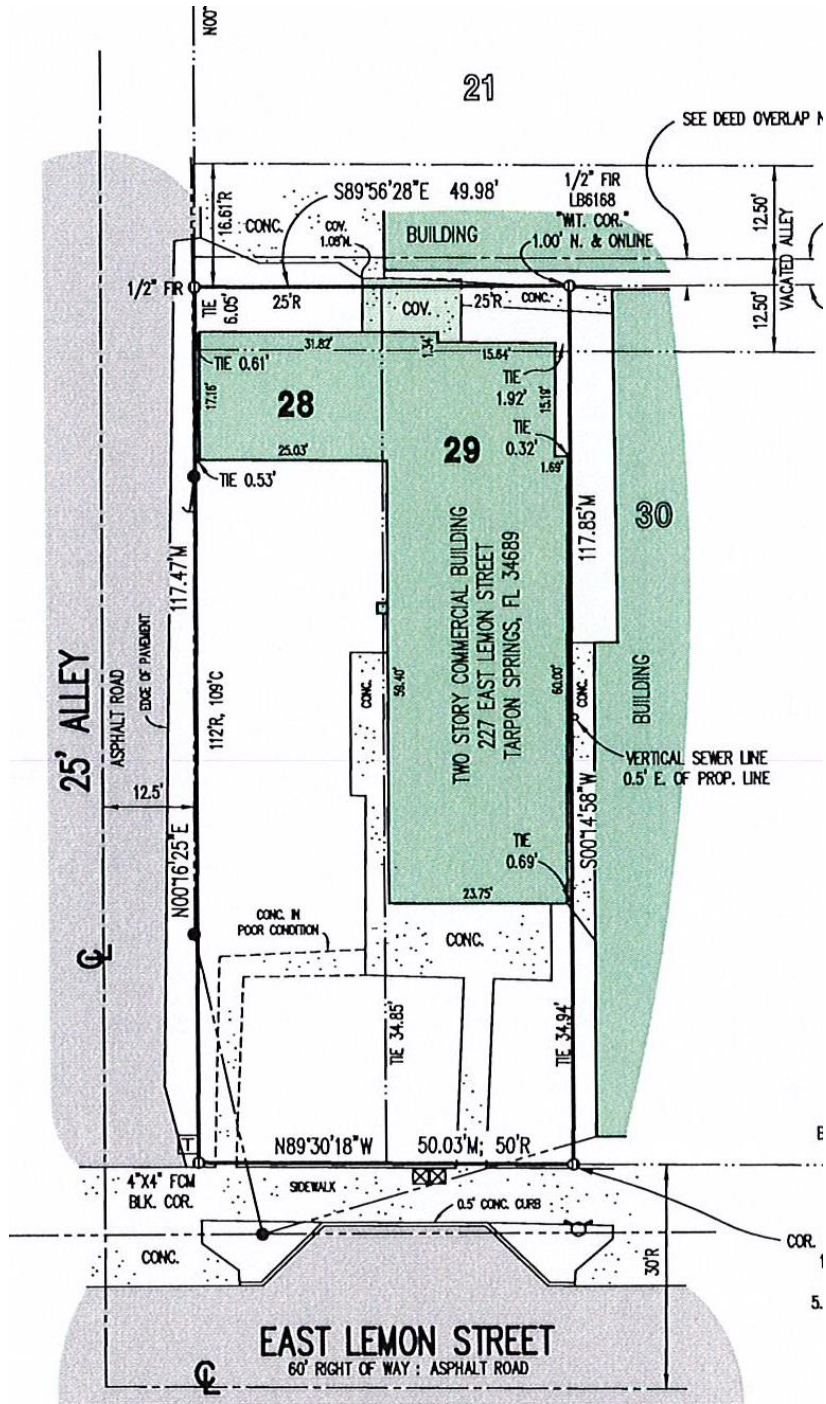
- **#21-67** – Conditional Use
 - Property Size: 6,050 square feet
 - Current Land Use: Community Redevelopment District
 - Current Zoning: T4b Residential + Industrial/Office transect district
 - Current Use of Property: Unoccupied building
 - Proposed Use of Property: Restaurant

- **Applicant:** George Andriotis

LOCATION & CONTEXT



SURVEY



DEVELOPMENT CONCEPT



SMIRLIS BAKERY

SCHEME 'A'
09/26/11

 HOFFMAN
ARCHITECTS. P.A.



REVIEW CRITERIA – CONDITIONAL USE

- 1) **Conformance with the Land Development Code.** The restaurant use is limited in the T4b district. However this property is located in the Downtown Character District and the applicant is also supplying a parking solution on vacant property just north of the site. The project is expected to be able to comply with the Land Development Code.

It is also noted that the project involves adaptive reuse of a building that is not proposed to be substantially modified and is therefore exempt from additional parking and on-site stormwater handling.

- 2) **The proposed use is appropriate to the property in question and compatible with the area.** The proposed use is appropriate especially in the context of the Downtown Character District in which the property is located. Just one block south of Tarpon Avenue, the area contains a diverse mix of uses appropriate for an active downtown and this proposed restaurant use is compatible with this area.
- 3) **The use is consistent with the Comprehensive Plan.** The use is consistent with the City's Comprehensive Plan.



REVIEW CRITERIA – CONDITIONAL USE

4. **The use will not adversely impact historical or environmental resources.** The project is expected to enhance the Historic District through repair and maintenance of this historic building. The property is not located in an environmentally sensitive area.
5. **The use will not adversely affect adjoining property values.** The establishment of an appropriate use at this languishing property will arrest deterioration in the area, helping to maintain surrounding property values.
6. **The use will not adversely impact nor exceed the City's capacity to serve with public facilities.** Public facilities are available to this project. The project will not negatively affect the City's ability to provide services.
7. **The use shall provide for efficient and orderly development.** The proposed project is an appropriate and logical development in the Downtown Character District in the heart of the downtown, providing an economic return for the City through adaptive reuse of an existing historic building.

PRELIMINARY STAFF RECOMMENDATION

#21-67 – Approval of Resolution 2021-40 granting conditional use approval for operation of a restaurant use in the T4b transect with the following condition:

1. Per Section 209.00 (B) of the Land Development Code, Site Plan approval, if required, shall be obtained within twelve (12) months of conditional use approval.
2. Restaurant seating is limited to 49 seats unless approved for expansion based upon available parking. Approval shall be by warrant as part of the Site Plan approval process.*

Public Notice Provided – No responses were received.

**See Planning and Zoning Board meeting results – next slide.*

PLANNING AND ZONING BOARD RECOMMENDATION

#21-67 – The Planning and Zoning Board heard this item at their regular meeting of July 19, 2021 and unanimously recommended *approval* of Resolution 2021-40 granting conditional use approval for operation of a restaurant use in the T4b transect with recommended condition #1. Based on the discussion regarding parking, staff is recommending that condition #2 be added to the resolution as follows:

Condition #2: “Restaurant seating is limited to 49 seats unless approved for expansion based upon available parking. Approval shall be by warrant as part of the Site Plan approval process.”

There was no public comment on this item at the meeting.



CITY OF TARPON SPRINGS
PLANNING & ZONING BOARD / BOARD OF COMMISSIONERS
JULY 19, 2021 / JULY 27, 2021

STAFF REPORT, July 20, 2021

Application No. / Project Title: 21-67 / George Andriotis

Staff: Patricia L. McNeese, AICP
Principal Planner

Applicant / Owner: George Andriotis / Steve Grimme

Property Size: 6,050 square feet

Current Zoning: T4b (Residential + Industrial/Office) transect
Current Land Use: Community Redevelopment District (CRD)

Location / Parcel ID: 227 East Lemon Street / 12-27-15-77778-401-0280

BACKGROUND SUMMARY:

The applicant is seeking conditional use approval to operate a “restaurant/cafe/eatery” in the building at 227 East Lemon Street. A specific floor and site plan has not been presented but the applicant would like a determination at this time as to the appropriateness of the use for this site.

PRELIMINARY STAFF RECOMMENDATION:

Staff is recommending **approval** of Resolution 2021-40 with the following conditions:

1. Per Section 209 (B) of the Land Development Code, Site Plan approval, if required, must be obtained within twelve (12) months of conditional use approval.
2. Restaurant seating is limited to 49 seats unless approved for expansion based upon available parking. Approval shall be by warrant as part of the Site Plan approval process.

PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board heard this item at their regular meeting of July 19, 2021 and unanimously recommended approval with staff’s recommended condition #1. Staff is recommending the addition of the above condition #2 based on the discussion regarding parking. There was no public comment on the item.



CURRENT PROPERTY INFORMATION:

Use of Property:	Unoccupied building
Site Features:	Unoccupied building, boarded up, mowed yard with few trees
Vehicle Access:	The property is accessed from East Lemon Street and is also bordered by alleyways to the west and north

SURROUNDING ZONING & LAND USE:

	Zoning (Existing Use):	Land Use:
North:	T4b (warehouse)	Community Redevelopment District
South:	T4b (vacant)	Community Redevelopment District
East:	T4b (warehouse, office/apartment)	Community Redevelopment District
West:	T4b (minor automobile repair)	Community Redevelopment District

PLANNING CONSIDERATIONS:

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

1. The proposed use is located in Downtown Character District of the City’s Special Area Plan (SAP).
2. The property is locally known as the Smirlis Bakery and is a contributing-altered historic resource in the City’s Historic District.
3. The applicant has proposed to provide parking on vacant property located just north of the building.
4. Note that this project involves the adaptive reuse of a nonconforming structure. Per Section 4.2.6 of the SmartCode, if the building is not undergoing substantial modification, it does not require the provision of additional parking or on-site stormwater handling.

REVIEW STANDARDS / STAFF ANALYSIS – CONDITIONAL USE

Pursuant to Section 209.01, Standards for Review of Conditional Uses, of the Tarpon Springs Land Development Code (LDC), no conditional use shall be recommended for approval or receive a final action of approval unless a positive finding, based upon substantial competent evidence either presented at a public hearing held by the Board or reviewed personally by the Board members, is made on each of the following standards:



1. *Conformance with the requirements of the Land Development Code.*

Analysis: The applicant has provided a short narrative describing the proposed use. The “Retail” category under which the Restaurant use is classified is a limited use in the T4b district with respect to planning for parking requirements. The SmartCode addresses the parking solution in this transect via the limitation of retail floor area or restaurant seating. While the specific proposed attributes of the project are not yet available, staff feels the use can be accommodated as meeting the intent of the Downtown Character District both with respect to the use itself and with respect to parking. In addition to providing an excellent adaptive use for this historic property, the applicant has proposed to provide a parking solution for the project by utilizing vacant property to the north on this same half-block. This provides staff with enough confidence that parking and other site details can be provided for during the site planning/permitting process. The project is expected to be able to comply with all requirements of the Land Development Code.

2. *The use to which the property may be put is appropriate to the property in question and is compatible with existing and planned uses in the area.*

Analysis: The property is located in the City’s Special Area Plan (SAP) district in the Downtown Character District. It is located in a transitional area between Downtown and Downtown Gateway that is occupied by such diverse uses as retail, auto repair, apartments and office. It is just one block south of Tarpon Avenue, the focal point of the Downtown Character District, and is logically distinct and removed from the collection of light industrial uses found further east on Lemon Street. It is desirable to preserve this building, originally built as a residence. The proposed use seems to be a viable way to accomplish this. It is essentially within the heart of the City’s downtown and is compatible with the existing and planned uses in this area.

3. *The conditional use is consistent with the goals, objectives and policies of all Elements of the City Comprehensive Plan.*

Analysis: The conditional use is consistent with the goals, objectives, and policies of all elements of the City’s Comprehensive Plan.

4. *The conditional use will not result in significant adverse impacts to the environment or historical resources.*

Analysis: According to the Florida Master Site File (FMSF) form for this property, it is a contributing-altered historic resource in the City’s Historic District due to past alteration



of the exterior of the building. The FMSF form notes the original use of the building as “bakery / coffee shop / apartments.” The building does retain some overall historic character. The applicant’s plan to avoid unsympathetic building alterations and to restore the interior bakery oven should have a positive impact on this historic resource. The property is not located in an environmentally sensitive area.

5. The conditional use will not adversely affect adjoining property values.

Analysis: This property has clearly been languishing for some time and, at a minimum, should be repaired, used and maintained to protect the integrity of the downtown area and historic district. Activation of this property should help to, at a minimum, maintain surrounding property values.

6. The conditional use will not adversely impact nor exceed the capacity or the fiscal ability of the City to provide available public facilities, including transportation, water and sewer, solid waste, drainage, recreation, education, fire protection, library service and other similar public facilities.

Analysis: There are utilities available at the property line or in the immediate area. The details of utilities provision will be finalized at the time of development. The development will not require the extension of new public services to the site and will not adversely affect the ability of the City to provide adequate public facilities.

7. The conditional use shall provide for efficient and orderly development considering the impact upon growth patterns and the cost to the City to provide public facilities.

Analysis: The proposed conditional use is an appropriate adaptive use of this property and will enhance and carry out the intent of the Downtown Character District of the SAP. It promotes efficiency by rescuing a potentially deteriorating building for appropriate business expansion and economic return for the citizenry. The City does not expect to incur any costs of note in providing public facilities.

TECHNICAL REVIEW COMMITTEE:

The Technical Review Committee (TRC) reviewed this project on July 1, 2021 for completeness and conformance to the Comprehensive Zoning and Land Development Code and the Comprehensive Plan. The TRC determined that the application was complete and ready for processing. There were no further comments from the TRC.



PUBLIC CORRESPONDENCE:

The property owners within 500 feet were sent written notification in accordance with Section 206.00(J)(4) of the City of Tarpon Springs Comprehensive Zoning and Land Development Code. Staff has not received any responses to these notices.

ATTACHMENTS:

1. Slide Show Presentation
2. Application and narrative
3. Resolution 2021-40

CITY OF TARPON SPRINGS, FLORIDA
Conditional Use Application

Return to:
 Planning & Zoning Department
 324 E. Pine Street
 Tarpon Springs, FL 34689
 (727) 942-5611

(Please type or print clearly)

Property Owner(s)

Name Stephen Grimme		Email Sgrimme@smithequity.com	
Address 713 Bayshore Drive			
City Tarpon Springs		State Florida	Zip 34689
Phone	Fax		Cellular 727-946-6700

Applicant

Name George Andriotis		Email @gcalawfirm.com	
Address 930 Bayshore Drive			
City Tarpon Springs		State FL	Zip 34689
Phone 727-937-1400	Fax		Cellular

Agent (if applicable)

Name		Email	
Address			
City		State	Zip
Phone	Fax		Cellular

General Information

Property Location or Address 227 E Lemon Street, T.S., FL 34689		
Legal Description (attach additional sheets as necessary) See Attached		
Tax Parcel Number(s) 12-27-15-77778-401-0280		
Current Use of Property Vacant		
Conditional Use Requested Restaurant / Cafe / Eatery		
Present City of Tarpon Springs Designations	Land Use Category SAP	Zoning District T4B

IMPORTANT NOTE: In connection with the approval of any Conditional Use, the Board of Commissioners may make the approval subject to conditions, stipulations and/or safeguards as it deems necessary to ensure compliance with the provisions of the Land Development Code (LDC) and/or Comprehensive Plan. Failure to comply with the approval conditions shall be deemed a violation of the LDC and be enforced as such.

To Whom it May Concern;

The original Smirlis Bakery building is a Tarpon Springs treasure and in desperate need of restoration. Currently I am under contract to purchase the building and envision a lively restaurant, cafe, eatery as the use and believe it to be consistent/compatible with the former use of the space and the surrounding neighborhood.

As you are aware I am applying for a Conditional Use to allow for this project to progress. As not to put the cart before the horse regarding the purchase or further permitting/planning I am requesting your favorable consideration so the deal can progress to closing and Tarpon Springs can once again enjoy this historic building and landmark.

Thank you,

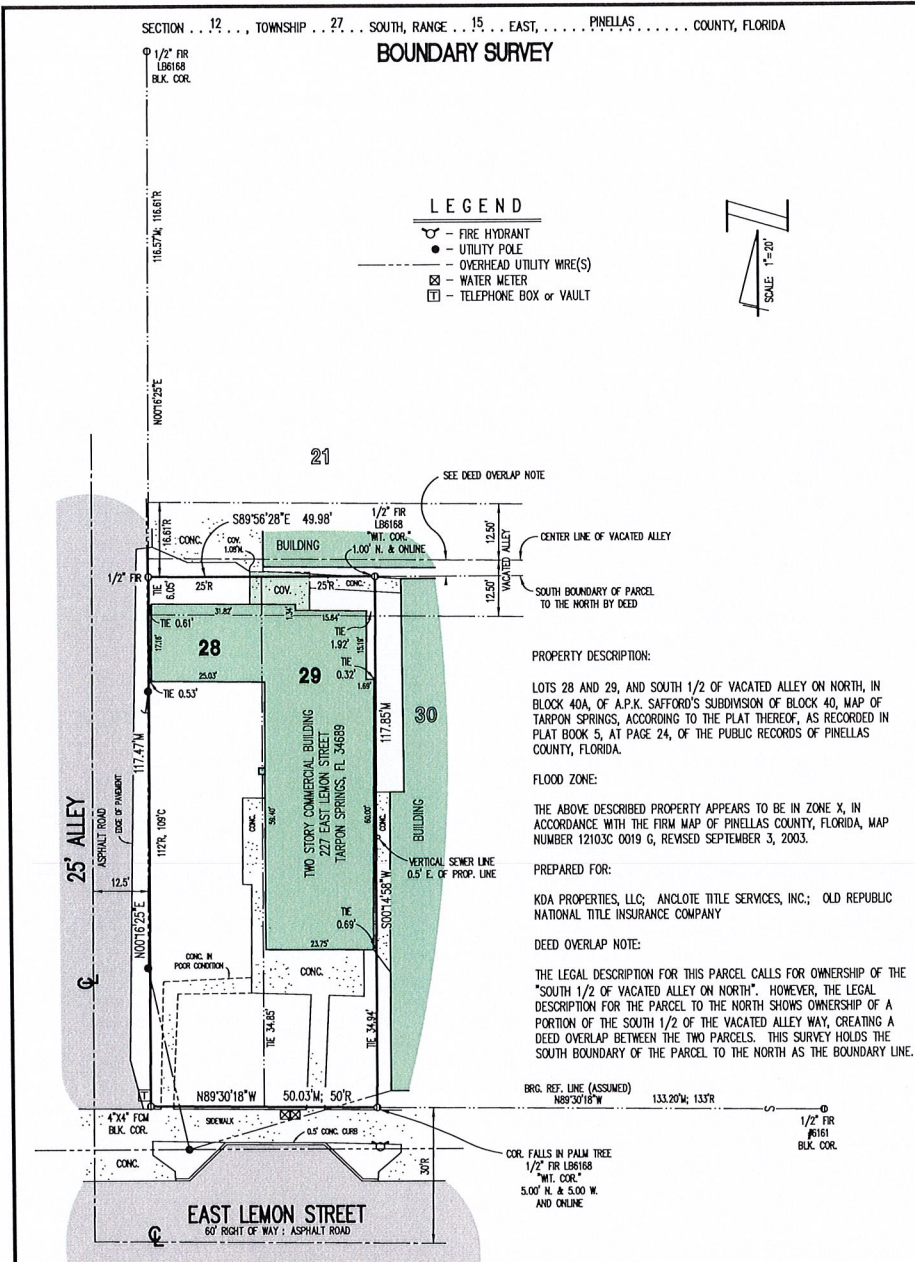
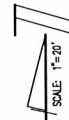
George C Andriotis

SECTION . . . 12 . . . , TOWNSHIP . . . 27 . . . SOUTH, RANGE . . . 15 . . . EAST, PINELLAS COUNTY, FLORIDA

BOUNDARY SURVEY

LEGEND

- FIRE HYDRANT
- UTILITY POLE
- OVERHEAD UTILITY WIRE(S)
- WATER METER
- TELEPHONE BOX or VAULT



PROPERTY DESCRIPTION:

LOTS 28 AND 29, AND SOUTH 1/2 OF VACATED ALLEY ON NORTH, IN BLOCK 40A, OF A.P.K. SAFFORD'S SUBDIVISION OF BLOCK 40, MAP OF TARPON SPRINGS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, AT PAGE 24, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

FLOOD ZONE:

THE ABOVE DESCRIBED PROPERTY APPEARS TO BE IN ZONE X, IN ACCORDANCE WITH THE FIRM MAP OF PINELLAS COUNTY, FLORIDA, MAP NUMBER 12103C 0019 G, REVISED SEPTEMBER 3, 2003.

PREPARED FOR:

KDA PROPERTIES, LLC; ANCLOTE TITLE SERVICES, INC.; OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

DEED OVERLAP NOTE:

THE LEGAL DESCRIPTION FOR THIS PARCEL CALLS FOR OWNERSHIP OF THE "SOUTH 1/2 OF VACATED ALLEY ON NORTH". HOWEVER, THE LEGAL DESCRIPTION FOR THE PARCEL TO THE NORTH SHOWS OWNERSHIP OF A PORTION OF THE SOUTH 1/2 OF THE VACATED ALLEY WAY, CREATING A DEED OVERLAP BETWEEN THE TWO PARCELS. THIS SURVEY HOLDS THE SOUTH BOUNDARY OF THE PARCEL TO THE NORTH AS THE BOUNDARY LINE.

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 SURVEYING DESCRIBED IN THE STATE OF FLORIDA STATUTES, CHAPTER 551, F.S. FURTHERMORE, THIS CERTIFICATION SHALL NOT EXTEND TO ANY OTHER PERSONS OR THINGS UNLESS SPECIFICALLY NAMED ON THIS SURVEY AND SHALL NOT BE VALID AND BINDING AGAINST THE SURVEYOR OR MAPPER WITHOUT THE ORIGINAL RAISED SEAL AND SIGNATURE OF THE FLORIDA LICENSED SURVEYOR AND MAPPER.



THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY GREGORY A. SHIMP, PSM6161

THIS SURVEY IS COMPLETE OR VALID UNLESS ATTACHED TO SURVEYOR'S REPORT.

JOB NUMBER: 210092	DATE SURVEYED: 4/21/2021
DRAWING FILE: 210092.DWG	DATE DRAWN: 4/21/2021
LAST REVISION: N/A	X REFERENCE: N/A



GREGORY A. SHIMP, PSM, LLC
 PROFESSIONAL SURVEYOR & MAPPER
 8237 CRESCENT MOON DRIVE, NEW PORT RICHEY, FLORIDA, 34655
 PHONE (727) 859-2161
 www.gregshimp.com gregshimp@gmail.com

LB 7981



SMIRLIS BAKERY

SCHEME 'A'
09/26/11

 HOFFMAN
ARCHITECTS, P.A.

The Smirlis building was purchased with the lot behind Johnny's which will be utilized as parking for the proposed restaurant. We want to put a kitchen and seating area on the first floor, private parties upstairs, and rebuild the front awning which was torn off due to deterioration. We want to put minimal outside seating. No major structural changes are proposed unless code requires them. No building expansion other than awning and the interior will remain almost as is other than placing a kitchen near the existing large brick oven which I will restore, save and hopefully use.

Please let me know if you need anything else and thanks again.

George Costas Andriotis, Esq.
Andriotis Law Firm, P.A.
Sent from my iPhone

RESOLUTION NO. 2021-40

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA, APPROVING APPLICATION #21-67 REQUESTING A CONDITIONAL USE PERMIT TO ALLOW THE ESTABLISHMENT OF A RESTAURANT AT 227 EAST LEMON STREET LOCATED ON THE NORTH SIDE OF EAST LEMON STREET BETWEEN SOUTH SAFFORD AVENUE AND SOUTH RING AVENUE, IN THE T4B TRANSECT OF THE SPECIAL AREA PLAN; PROVIDING FOR FINDINGS; PROVIDING FOR CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Tarpon Springs has received an application for a Conditional Use to allow for operation of a restaurant in the T4b transect district of the City’s Special Area Plan (SAP); and,

WHEREAS, Table 4F of the Transect-Based Infill Code for the Sponge Docks and Community Redevelopment Area requires conditional use approval for such uses within the T4b transect district; and,

WHEREAS, the Planning and Zoning Board held a public hearing on this application at its meeting of July 19, 2021 and recommended approval; and,

WHEREAS, the Board of Commissioners must approve, deny or approve subject to conditions, each application for conditional use approval; and,

WHEREAS, written legal notice of this action has been provided in accordance with Article XII of the Comprehensive Zoning and Land Development Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA, THAT:

SECTION 1: FINDINGS

Application #21-67 meets the criteria for approving a Conditional Use as set forth in Section 209.01 of the Land Development Code.

SECTION 2: CONDITIONAL USE APPROVAL

Application #21-67 under Resolution 2021-40, requesting Conditional Use approval to allow establishment of a tourist home at 227 East Lemon Street in the T4b Residential + Industrial / Office transect district is approved with the following condition:

1. Per Section 209.00 (B) of the Land Development Code, Site Plan approval, if required, shall be obtained within twelve (12) months of conditional use approval.

2. Restaurant seating is limited to 49 seats unless approved for expansion based upon available parking. Approval shall be by warrant as part of the Site Plan approval process.

SECTION 3: EFFECTIVE DATE

This Resolution shall be effective upon adoption.