



City of Tarpon Springs, Florida

Planning and Zoning Board
324 East Pine Street
Tarpon Spring, Florida 34689
(727) 938-3711

<http://www.ctsfl.us/agenda.htm>

PLANNING AND ZONING BOARD AGENDA MONDAY, FEBRUARY 24, 2025 6:30 PM - CITY HALL AUDITORIUM

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. REFLECTION

5. QUASI-JUDICIAL ANNOUNCEMENT AND SWEARING IN OF SPEAKERS

6. ORDINANCES AND RESOLUTIONS

- a. **Resolution 2025-15;** Conditional Use for an gaming arcade in the HB (Highway Business) Zoning District; 40114 US Highway 19 N (Application 24-80)(**Quasi-Judicial**)
- b. **Resolution 2025-13;** Conditional Use for a Tourist Home in the RM (Residential Multifamily) Zoning District; 1529 Riverside Drive (Application 24-88)(**Quasi Judicial**)
- c. **Ordinance 2025-01;** Land Development Code Amendment; Amending Article IV Special Regulations, Section 56.05 Mobile Food Dispensing Vehicles, Temporary (Application 24-85) (**Legislative**)
- d. **Ordinance 2025-02;** Land Development Code Amendment; Amending Article IV Special Regulations, Section 59.00 Docks, Piers, and Shoreline Stabilization Structures (**Legislative**)
- e. **Ordinance 2025-03;** Land Development Code Amendment; Amending Article XI Sign Regulations, Section 192.02 Temporary Banners (**Legislative**)

7. BOARD AND STAFF COMMENTS

- a. Update and Discussion of Smartcode Revision Process

8. ADJOURNMENT



CITY OF TARPON SPRINGS
PLANNING & ZONING BOARD / BOARD OF COMMISSIONERS
[FEBRUARY 24, 2025 / MARCH 4, 2025]

STAFF REPORT
February 18, 2024

Application No. / Project Title: #24-80 / Central 7 LLC, d/b/a Lucky Spot

Staff: Patricia L. McNeese, AICP, Planning Supervisor

Applicant / Owner: Habbeb Nizar Najjar / Central 7 LLC (d/b/a Lucky Spot)

Agent: Michael G. Kouskoutis, Esq.

Property Size: 6.074 acres

Current Zoning: Highway Business (HB)

Current Land Use: R&S (Retail & Services)

Location / Parcel ID: 40114 U.S. Highway 19 North / 18-27-16-89424-000-0491

Application Type: Conditional Use (#24-80), **Resolution 2024-15**

BACKGROUND SUMMARY:

The applicant proposes to operate a gaming arcade in a tenant space at the Olympic Plaza, located at 40114 U.S. Highway 19 North. The property is located in the Retail & Services (R&S) Future Land Use Map (FLUM) category and in the Highway Business (HB) zoning district. The HB district allows billiard halls, arcades and game rooms as conditional uses.

PRELIMINARY STAFF RECOMMENDATION:

Staff recommends that the Board of Commissioners review the application and take action to approve, approve with conditions, or deny Resolution 2025-15. If Resolution 2025-15 is approved, staff recommends adding the following as conditions of approval:

1. The applicant shall obtain a local business tax receipt and keep it active.
2. Operating hours are limited to 1:00 p.m. to 10:00 p.m.
3. Opaque or “blackout” window treatments or coverings shall be prohibited on all windows. All window surface treatments shall be clear/transparent to ensure full visibility into the business space.
4. This use is prohibited from serving alcoholic beverages. The City will not approve an alcoholic beverage license application.
5. The owner shall restrict use of the business to patrons of at least 18 years of age, or higher if required by state law, and shall clearly post such restriction at the customer entrance.



CURRENT PROPERTY INFORMATION:

Use of Property:	Shopping center
Site Features:	Buildings with tenant spaces, parking lot, drainage
Vehicle Access:	The property can be accessed from U.S. Highway 19 North and/or Mango Street

SURROUNDING ZONING & LAND USE:

	Zoning:	Land Use:
North:	HB (Highway Business), MHP (Mobile Home Park)	R&S (Retail & Services), RU (Residential Urban)
South:	HB (Highway Business)	R&S (Retail & Services), RU (Residential Urban)
East:	LC (Land Conservation)	R/OS (Recreation/Open Space)
West:	MHP (Mobile Home Park)	RU (Residential Urban)

PLANNING CONSIDERATIONS:

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

1. Per the applicant's narrative, the proposal is to operate an "adult arcade" to offer "a fun and engaging environment for clients to enjoy skilled arcade games." **PLEASE NOTE** that although the applicant refers to this use as an adult arcade, he is *not* referring to the definition of adult arcade contained in the Land Development Code (LDC) Section 54.04(A), and this application is *not* subject to compliance with LDC Section 54.00 Comprehensive Adult Use Regulations.
2. The applicant plans to open a tenant space in the Olympic Plaza shopping center located at 40114 U.S. Highway 19 North. The tenant space address is 40142/44 U.S. Highway 19 N. The applicant expects 5 to 10 customers on site "at any given time" and the hours of operation are from 1:00 pm to 10:00 pm.
3. The floor plan provided by the applicant shows twenty (20) "arcade games" and eleven (11) "computer games."
4. "Amusement games" are primarily regulated under Florida Statutes Chapter 546. The applicant may require a license from the Department of Business and Professional Regulation (DBPR). The applicant has supplied two documents apparently pertaining to sales tax. The applicant has not provided a copy of the required state license(s)/approvals for the actual operation of the business.

CONDITIONAL USE REVIEW STANDARDS / PROVISIONAL FINDINGS OF FACT:

Section 209.01 of the Tarpon Springs Land Development Code (LDC) states that the Board shall not grant a conditional use 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. Conformance with the requirements of the Land Development Code (LDC).

Provisional Findings: The project meets the requirements of the LDC. The existing shopping center has at least 182 parking spaces and meets the parking requirements of Section 127.04 for minimum parking requirements. The tenant space is existing. The applicant will be advised that building permits may be required for tenant retrofits. None have been proposed to date.

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.

Provisional Findings: The applicant is proposing a gaming arcade in Olympic Plaza, an established shopping center on U.S. Highway 19 North. The U.S. 19 properties adjacent to Olympic Plaza include retail/restaurant uses to the south and an auto service use to the north. The rest of the immediately adjacent property is residential, with a legal nonconforming mobile home community located to the south, and larger mobile home communities to the northwest (Tarpon Shores community) and southwest (Stonehedge community). The U.S. Highway 19 strip commercial area is generally the appropriate location for this type of use.

With respect to compatibility, the project is located in the City's higher-intensity commercial strip corridor along U.S. Highway 19 North. The Tarpon Springs Police Department provided feedback through the Technical Review Committee process regarding two potential concerns:

- Hours of operation to stop by 11:00 p.m.: The applicant has proposed operating hours from 1:00 p.m. to 10:00 p.m. It is recommended that this proposed operating time be included as a condition of approval.
- Maintain visibility to the interior: This concern allows City officers to be able to view the interior to ensure that it is not operating outside the established business hours and to ensure there is no changeout to unapproved gaming machines. Staff recommends adding, as a condition of approval, that blackout/opaque window screening is prohibited. All window surface must be clear/transparent to ensure visibility into the business space.

The use is not expected to generate abnormal noise. View of the parking area is already screened from residential areas by the existing buildings. The shopping center tenant spaces are located well away from the two large mobile home parks (145-280 feet). With operating hours ending at 10:00 p.m., it is thought that the use will not encourage congregation of individuals on site. The adjacent mobile home community, Palm Springs Estates, located behind Dunkin' Donuts and established in approximately 1956, is already nestled among the daily commerce activity of U.S. Highway 19 from which it gains access. There is no food or alcohol being served at this establishment, other than pre-packaged snacks and soft drinks. The Board may wish to prohibit the serving of alcoholic beverages in the future in conjunction with this use.

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

Provisional Findings: The property is located in the Retail & Services (R&S) Future Land Use Map category. This area is "intended to depict areas developed with, or appropriate to be developed with, a mix of businesses that provide for the shopping and personal service needs of the



community, provide for employment opportunities and accommodate target employment uses, and mixed use.” Retail is allowable as a primary use in this category. It is noted that the Highway Business (HB) zoning district allows both commercial recreation and commercial retail as uses by right. “Billiard halls, arcades, and game rooms” were classified as conditional uses in the HB zoning, primarily to closely scrutinize the potential for adverse community impacts that may arise from some “gaming” uses, depending on how they are operated.

Policy FLU 1.1.1 of the Future Land Use Element (2045 Comprehensive Plan) states, “Restrict the future expansion of nonconforming uses, and the establishment/expansion of uses not compatible with the established character of adjoining uses and the surrounding neighborhood.” See the discussion under criterion #2 above regarding compatibility. If approved with the recommended conditions, the proposed use is generally consistent with the Retail & Services Future Land Use Map category and the remainder of the Comprehensive Plan.

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

Provisional Findings: The property is not located in an environmentally sensitive area. The property is not located within the City’s Historic District.

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

Provisional Findings: The subject property is located on the busy commercial strip of U.S. Highway 19 North. Continued occupancy of tenant space in this aging shopping center (built in 1982) may continue to stabilize property values in this commercial corridor. The shopping center tenant spaces are located well away from the two large mobile home parks (145-280 feet) and should not noticeably affect property values there. The adjacent mobile home community, Palm Springs Estates, located behind Dunkin’ Donuts, was established in approximately 1956. It is already nestled among the daily commerce activity of U.S. Highway 19 from which it gains access. As a legal nonconforming community, the value of that property is also expected to remain stable. If approved with the recommended conditions, property values should generally be protected from adverse impacts.

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.

Provisional Findings: The property is currently, and will continue to be, served with City 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.

Provisional Findings: The proposed project continues business at an existing shopping center. As long as it is operated as described and licensed, and within the proposed operating hours, it is not expected to place undue burden on the City’s law enforcement protection resources. The



recommended approval conditions will provide the documentation needed to ensure appropriate enforcement should the need arise in the future. Facilities infrastructure is in place and there will be no cost to the City to provide service.

8. The public health, safety, and welfare shall be observed with any reasonable conditions necessary.

Provisional Findings: The applicant will be required to meet all state and local laws with respect to the proposed use, and, will obtain a local business tax receipt from the City to operate the business. The Board should review the proposal with the applicant, take any incoming public comment, consult with staff as needed, and make a determination with respect to protection of public health, safety and welfare. Staff has listed recommended conditions of approval which are deemed to be reasonable. If the Board approves this use, they may wish to modify and/or add to those recommended conditions.

TECHNICAL REVIEW COMMITTEE:

The Technical Review Committee (TRC) reviewed this project on January 9, 2025 and deemed the project complete and ready for further processing.

PUBLIC CORRESPONDENCE:

Notices were sent to property owners within 500 feet of the subject property. This included 549 addresses. Staff answered one inquiry but did not receive any comments or other responses to these notices.

ATTACHMENTS:

1. Staff Presentation
2. Draft Resolution 2025-15
3. Application
4. Narrative and floor plan

CENTRAL 7, LLC – #24-80 CONDITIONAL USE

Planning and Zoning Board – February 24, 2025

Board of Commissioners – March 4, 2025



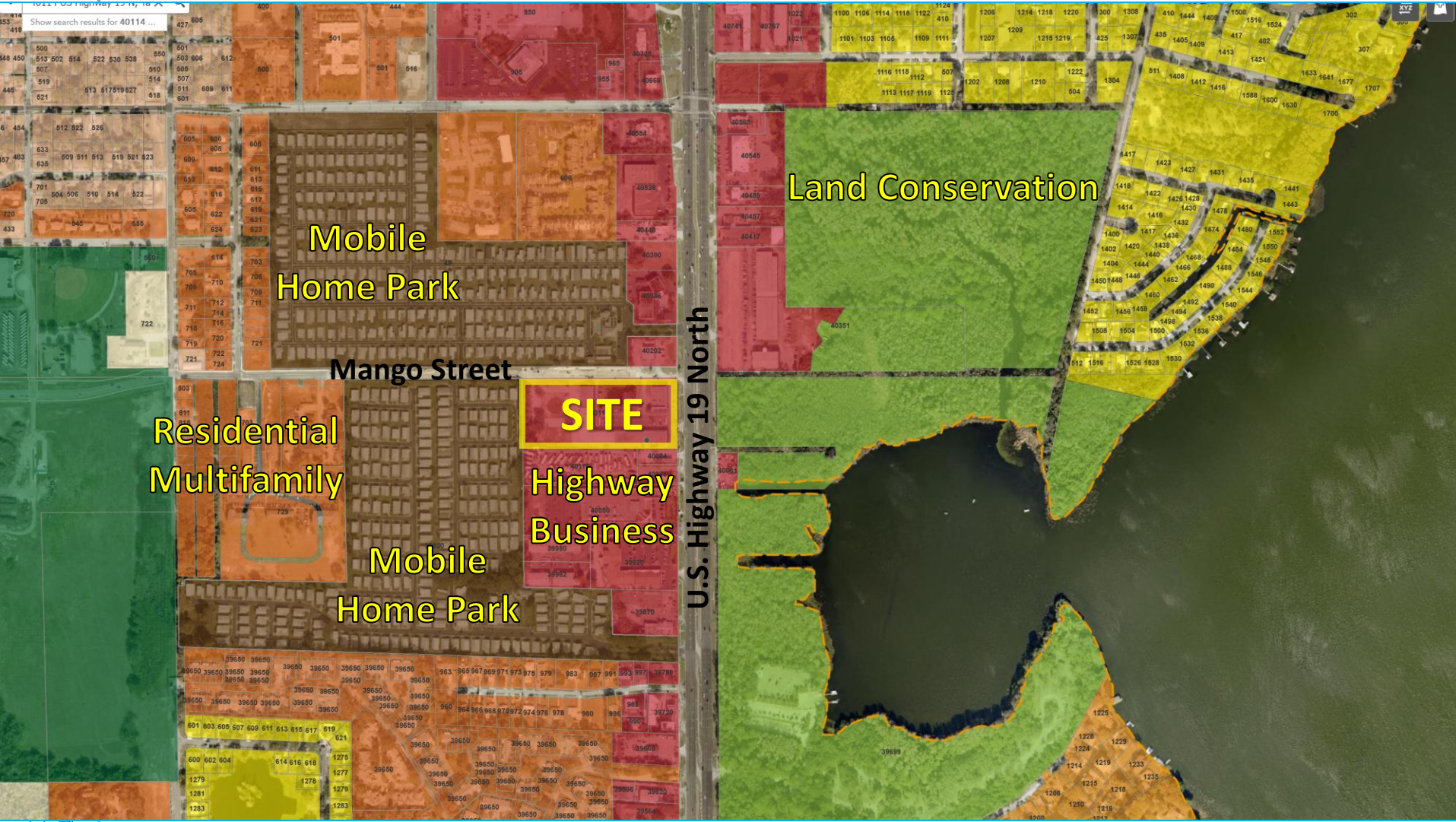


SUMMARY OF REQUEST

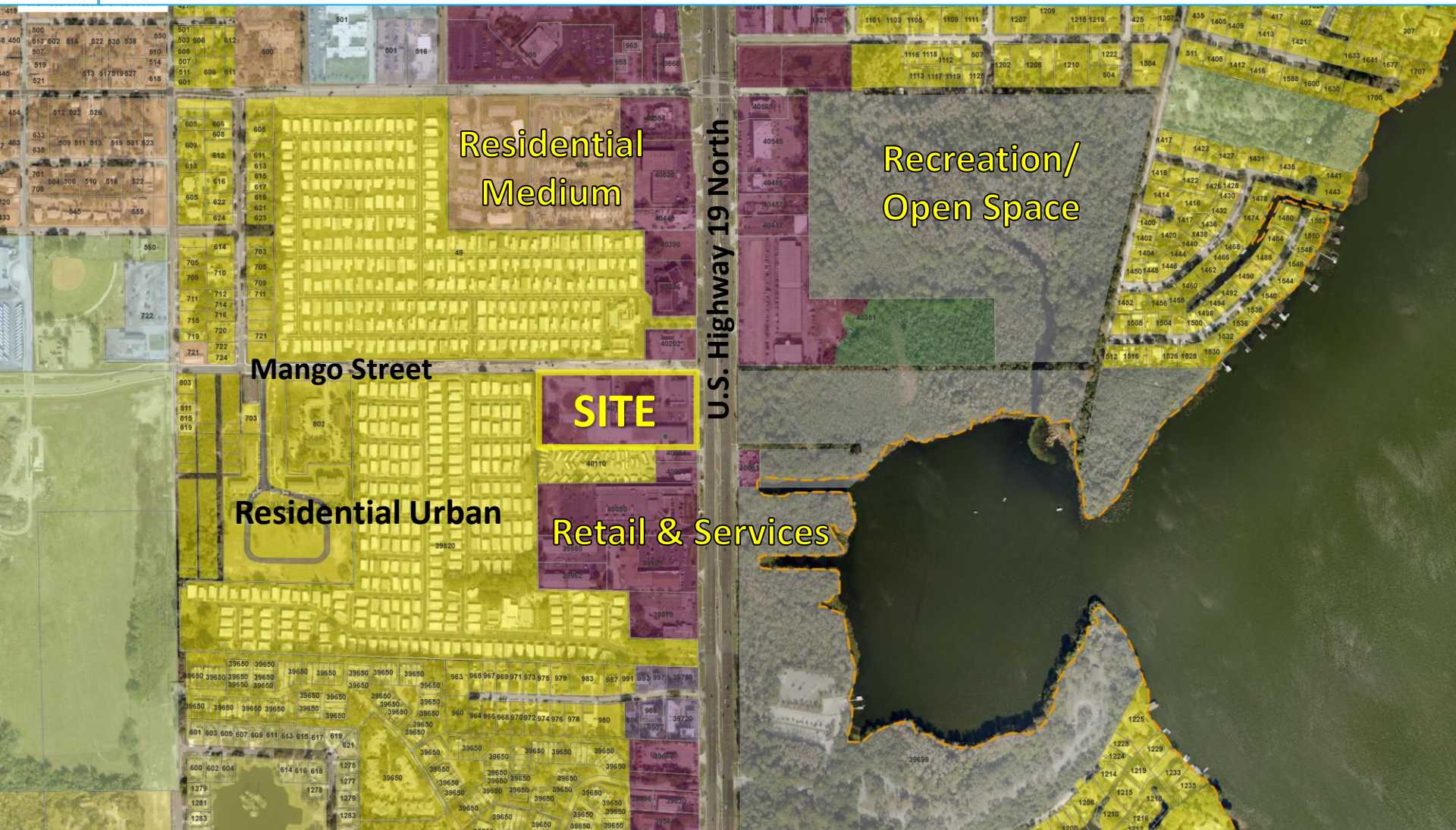
Resolution 2025-15 – Conditional Use (#24-80)

- Location: 40114 U.S. Highway 19 North
- Property Size: 6.074 acres
- Future Land Use: R&S (Retail & Services)
- Zoning: HB (Highway Business)
- Proposed Use of Property: Gaming Arcade
- Owner: Habbeeb Nizar Najjar / Central 7 LLC
- Agent: Michael G. Kouskoutis, Esq.

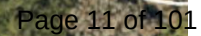
LOCATION & CONTEXT - ZONING



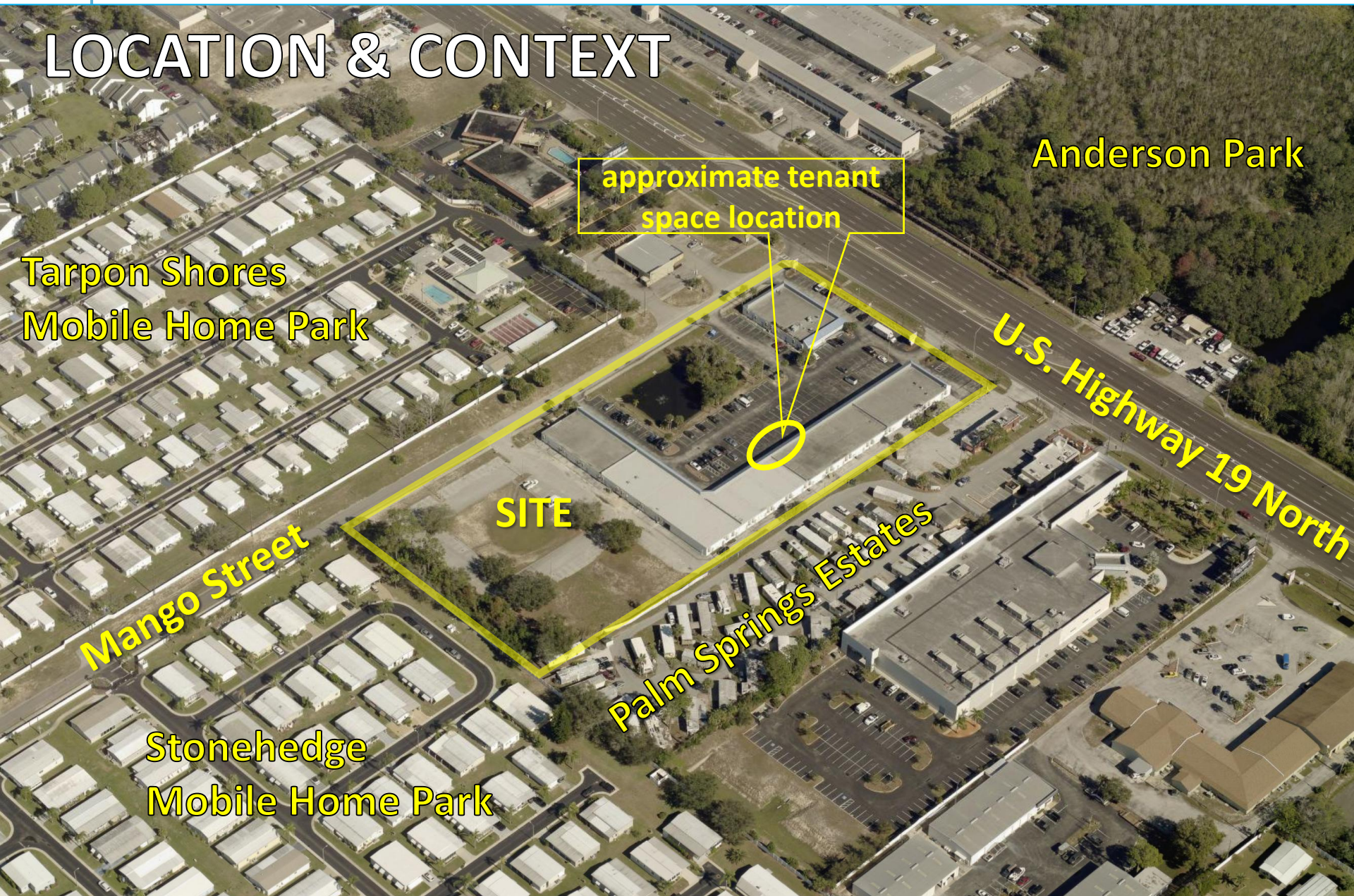
LOCATION & CONTEXT – FUTURE LAND USE



CITY OF TARPON SPRINGS



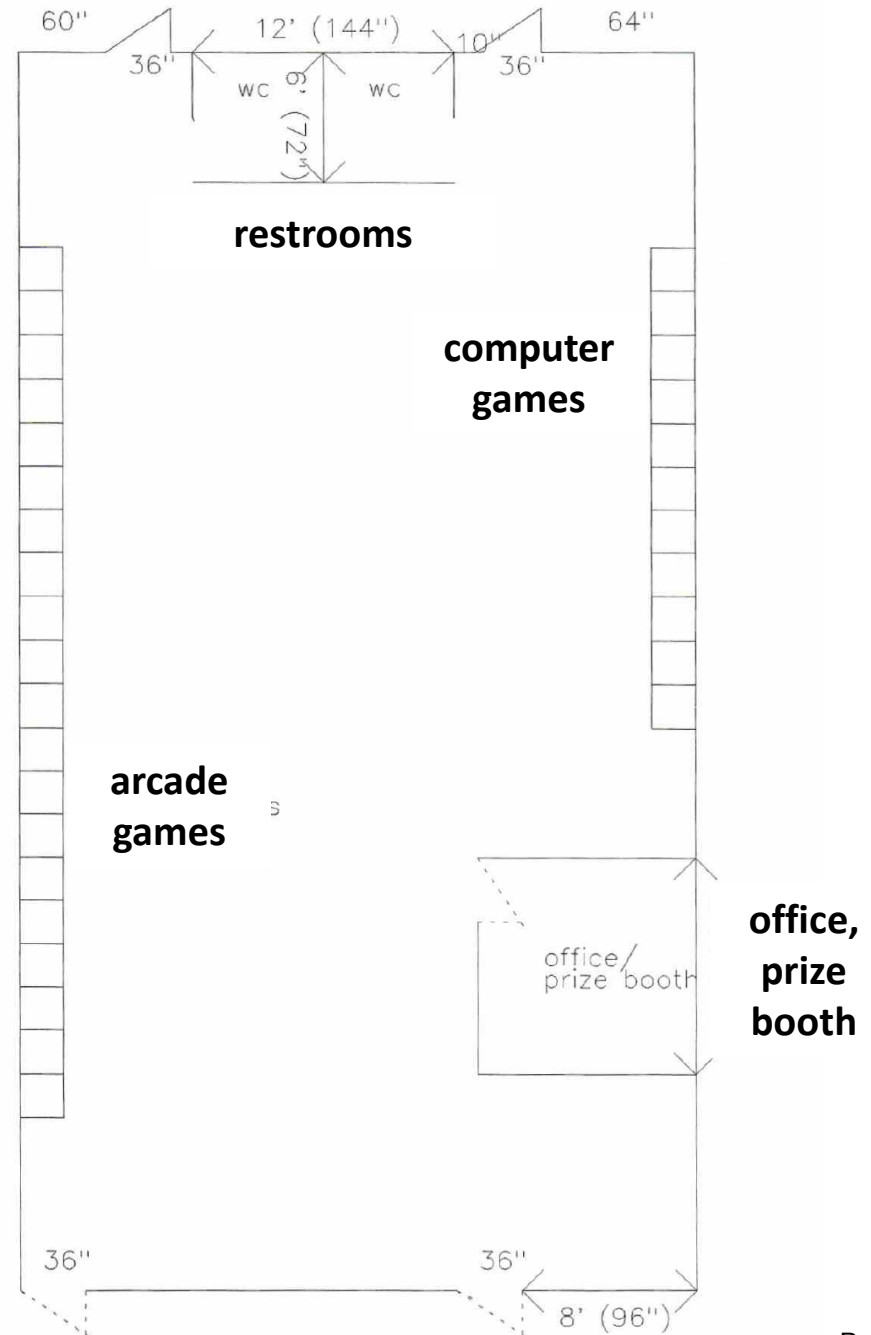
LOCATION & CONTEXT



PROPOSED TENANT SPACE, OLYMPIC PLAZA



FLOOR PLAN





REVIEW CRITERIA – CONDITIONAL USE

1) **Conformance with the Land Development Code.**

The property conforms with the Land Development Code.

2) **The proposed use is appropriate to the property in question and compatible with the area.**

The shopping center is in the U.S. Highway 19 North commercial corridor. The use is generally appropriate. Staff recommends conditions of approval to enhance compatibility.

3) **The use is consistent with the Comprehensive Plan.**

With conditional approval addressing compatibility, the use is generally consistent with the Retail & Services Future Land Use Map category.

4) **The use will not adversely impact historical or environmental resources.**

The property is not in the Historic District and there are no environmental impacts.



REVIEW CRITERIA – CONDITIONAL USE

- 5) The use will not adversely affect adjoining property values.**

If approved with appropriate conditions adjoining property values should generally remain stable.

- 5) The use will not adversely impact nor exceed the City's capacity to serve with public facilities.**

- 6) The use shall provide for efficient and orderly development.**

Approval with conditions will ensure that law enforcement is not unduly burdened and will have the tools to monitor the use. All City facilities are currently in place and serving the property.

- 8) The public health, safety and welfare shall be observed with any reasonable conditions necessary.**

Staff has recommended reasonable conditions of approval to address public health, safety and welfare. The applicant has proposed reasonable operating hours and features.

PRELIMINARY STAFF RECOMMENDATION

#24-80, Resolution 2025-15 – Staff recommends that the Board review the project and take action to approve, approve with conditions, or deny the application. If approved, staff recommends that the following conditions be attached to the approval:

1. The applicant shall obtain a local business tax receipt and keep it active.
2. Operating hours are limited to 1:00 p.m. to 10:00 p.m.
3. Opaque or “blackout” window treatments or coverings shall be prohibited on all windows. All window surface treatments shall be clear/transparent to ensure full visibility into the business space.
4. This use is prohibited from serving alcoholic beverages. The City will not approve an alcoholic beverage license application.
5. The owner shall restrict use of the business to patrons of at least 18 years of age, or higher if required by state law, and shall clearly post such restriction at the customer entrance.

RESOLUTION NO. 2025-15

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA, APPROVING APPLICATION #24-80 REQUESTING CONDITIONAL USE APPROVAL TO ALLOW THE OPERATION OF AN ARCADE AT 40114 U.S. HIGHWAY 19 N, IN THE HB (HIGHWAY BUSINESS) ZONING DISTRICT; 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 a gaming arcade on property located at 40114 U.S. Highway 19 North in the HB (Highway Business) zoning district; and

WHEREAS, Section 25.12 (C) of the Comprehensive Zoning and Land Development Code allows arcades as a conditional use in the HB (Highway Business) zoning district; and

WHEREAS, the Planning and Zoning Board held a public hearing on this application at its meeting of February 24, 2025; and

WHEREAS, pursuant to Section 209.00 of the Comprehensive Zoning and Land Development Code, 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: CONDITIONAL USE FINDINGS

Application Number 24-80 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 Number 24-80 under Resolution 2025-15, requesting Conditional Use approval to allow for an arcade on property located at 40114 U.S. Highway 19 North in the HB (Highway Business) zoning district, is approved with the following conditions:

1. The applicant shall obtain a local business tax receipt and keep it active.
2. Operating hours are limited to 1:00 p.m. to 10:00 p.m.
3. Opaque or “blackout” window treatments or coverings shall be prohibited on all windows. All window surface treatments shall be clear/transparent to ensure full visibility into the business space.
4. This use is prohibited from serving alcoholic beverages. The City will not approve an alcoholic beverage license application.
5. The owner shall restrict use of the business to patrons of at least 18 years of age, or higher if required by state law, and shall clearly post such restriction at the customer entrance.

SECTION 3: EFFECTIVE DATE

This Resolution shall be effective upon adoption in the manner provided by law.



PLANNING & ZONING APPLICATION

INSTRUCTIONS

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

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

1. PROPERTY OWNER(S)

NAME TARPON SQUARE ASSOCIATES	EMAIL	
ADDRESS 40114 US HIGHWAY 19 N		
CITY TARPON SPRINGS	STATE FL	ZIP 34689
PHONE		

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

NAME CENTRAL 7 LLC (d/b/a Lucky Spot)	EMAIL	
ADDRESS 40142/44 US HIGHWAY 19 N		
CITY TARPON SPRINGS	STATE FL	ZIP 34689
PHONE		

3. AGENT/REPRESENTATIVE *(if applicable)*

NAME MICHAEL G. KOUSKOUTIS	EMAIL MICHAEL@KOUSLAW.COM	
ADDRESS 623 E. TARPON AVE		
CITY TARPON SPRINGS	STATE FL	ZIP 34689
PHONE 727-421-1334		



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

General Applications

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

Board of Adjustment Applications (BOA)

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

Heritage Preservation Applications (HPB)

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

* See Page 4 for required Application Addendums.

5. GENERAL INFORMATION

PROJECT NAME Central 7
ADDRESS/LOCATION 40142/44 US HIGHWAY 19 N
TAX PARCEL NUMBER(S) 18-27-16-89424-000-0491
LEGAL DESCRIPTION
SITE ACREAGE Upland _____ Wetland _____ Submerged _____ Total _____
FLOOD (check all that apply) ☐ Zone X ☐ Zone X Shaded ☐ Zone AE ☐ Zone VE ☐ Not in a Flood Zone Base Flood Elevation(s) (BFE): _____
COASTAL HIGH HAZARD AREA (CHHA) ☐ Yes, this property is located within the CHHA ☐ No, this property is not located within the CHHA

6. LAND USE & ZONING INFORMATION

CURRENT DESIGNATIONS		PROPOSED DESIGNATIONS (if applicable)	
LAND USE CATEGORY	ZONING CATEGORY	LAND USE CATEGORY	ZONING CATEGORY

7. SUMMARY/PURPOSE OF REQUEST

Central 7, LLC (d/b/a Lucky Spot) is looking to open a "skilled gaming hall" in on US 19 in Tarpon Springs. Since the location is in the Highway Business zoning district, and since the business is considered as an amusement hall/arcade, we understand that conditional use approval is required. No build out will be needed.

Lucky Spot also will donate a portion of its proceeds on a monthly basis to local non-profit organizations.



8. SIGNATURE(S)/AUTHORIZATION

APPLICANT'S SIGNATURE:

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

Habteb Nizar Najjar

(Applicant's Signature)

2024-11-15

(Date)

OWNER'S SIGNATURE*:

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

(Owner's Signature)

(Date)

**Not required for discussion item applications*

AGENT AUTHORIZATION:

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

Michael G. Kouskoutis

(Agent Name, Printed)

11/15/24

(Date)

[Signature]

(Agent's Signature)

(Date)

STATE OF FLORIDA)
COUNTY OF PINELLAS)

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

NOTARY PUBLIC

Name: _____

Signature: _____

Stamp: _____



APPLICATION ADDENDUMS CHECKLIST

In addition to providing the completed application, please submit the required addendums as outlined below:

ANNEXATION

- ☐ General Application Checklist

CONDITIONAL USE

- ☐ General Application Checklist
- ☐ Certificate of Concurrency Form
- ☐ Short Term Rental/Tourist Home Form, if applicable
- ☐ Alcoholic Beverage Form, if applicable

DISCUSSION ITEM

- ☐ General Application Checklist

DEVELOPMENT AGREEMENT

- ☐ Development Agreement Checklist

FUTURE LAND USE AMENDMENT

- ☐ General Application Checklist
- ☐ Certificate of Concurrency Form

REZONING

- ☐ General Application Checklist
- ☐ Certificate of Concurrency Form

SITE PLAN/SUBDIVISION

- ☐ General Application Checklist
- ☐ Site Plan Application Checklist
- ☐ Certificate of Concurrency Form
- ☐ Public Art Form

RIGHT-OF-WAY VACATION

- ☐ General Application Checklist
- ☐ Letters of No Objection Checklist

FINAL PLAT

- ☐ Final Plat Application Checklist

MINOR PLAT

- ☐ General Application Checklist

PLANNED DEVELOPMENT

- ☐ General Application Checklist
- ☐ Planned Development Application Checklist
- ☐ Certificate of Concurrency Form
- ☐ Public Art Form

BOARD OF ADJUSTMENT (BOA) APPLICATIONS

- ☐ General Application Checklist
- ☐ Variance Application Form, if applicable
- ☐ Nonconforming Lot Application Form, if applicable
- ☐ FAR/ISR Application Form, if applicable
- ☐ Sidewalk Waiver Form, if applicable
- ☐ After-the-Fact Variance Application Form, if applicable
- ☐ De Minimis Variance Form, if applicable

HERITAGE PRESERVATION BOARD (HPB) APPLICATIONS

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

SIDEWALK CAFE

- ☐ General Application Checklist
- ☐ Sidewalk Café Form, if applicable



PLANNING APPLICATION FEE SCHEDULE

Type of Application	Application Fees	Additional Fees
General Applications		
Annexation	\$0	\$500.00 Public Notice Fee
Conditional Use	\$500.00	\$150.00 Public Notice Fee
Discussion Item	\$0	-
Development Agreement		
Request to Negotiate	\$250.00	-
Development Proposal	\$2,500.00	-
Agreement Modification	\$1,000.00	-
Agreement Extension	\$250.00	-
Future Land Use Amendment	\$750.00	\$525.00 Public Notice Fee
Rezoning	\$750.00	\$525.00 Public Notice Fee
Future Land Use Amendment & Rezoning	\$1,250.00	\$525.00 Public Notice Fee
Site Plan/Subdivision		
0 – 5 Acres	\$500.00	See Stormwater/Utility Fee Tables
5.01 – 10 Acres	\$750.00	See Stormwater/Utility Fee Tables
10.01 – 15 Acres	\$1,000.00	See Stormwater/Utility Fee Tables
15.01 – 20 Acres	\$1,500.00	See Stormwater/Utility Fee Tables
20.01 Acres or More	\$2,000.00	See Stormwater/Utility Fee Tables
Site Plan Extension	\$100.00	-
Right-of-Way Vacation	50% of Appraised Value	-
Temporary Use	\$100.00	-
Mobile Food Vendor	\$25.00	-
Final Plat	\$750.00	Surveyor Review Fee Billed to Applicant
Minor Plat	\$250.00	-
Planned Development		
Conceptual Plan	\$250.00	-
Preliminary Plan	\$750.00	\$500.00 Public Notice Fee See Stormwater/Utility Fee Tables
Final Plan	\$500.00	\$500.00 Public Notice Fee See Stormwater/Utility Fee Tables
Minor Modifications	\$250.00 each	See Stormwater/Utility Fee Tables
Major Modifications	\$750.00	\$500.00 Public Notice Fee See Stormwater/Utility Fee Tables
Time Extension	\$100.00	-
Sidewalk Café	\$250.00	-
Board of Adjustment Applications		
Variance	\$250.00	\$150.00 Public Notice Fee
Sidewalk Waiver	\$250.00	\$150.00 Public Notice Fee
De Minimis Variance	\$50.00	\$0.77 Per Public Notice Letter (Adjacent Properties)
Appeal of Administrative Decision	\$250.00	\$150.00 Public Notice Fee
Heritage Preservation Board Applications		
Certificate of Appropriateness	\$50.00	\$75.00 Public Notice Fee
Designation	\$250.00	\$75.00 Public Notice Fee
Economic Hardship	\$50.00	\$75.00 Public Notice Fee



The following tables provide specific fees for drainage/stormwater and utility reviews for planned development and site plan applications. These fees are in addition to the application fees provided on the previous page.

DRAINAGE/STORMWATER REVIEW FEES

Application Type	Initial Submittal	2nd Submittal	Each Additional Submittal
Site Plan Applications			
Non-Residential	\$675.00	No Cost	\$350.00
<i>Single-Family (Detached, Attached, & Semi-Detached)</i>			
1 – 50 Lots	\$1,500.00	No Cost	\$500.00
Over 50 Lots	\$1,750.00	No Cost	\$600.00
Multi-Family	\$600.00/Building	No Cost	\$300.00/Building
Commercial	\$2,000.00	No Cost	\$1,000.00
Industrial	\$3,000.00	No Cost	\$1,500.00
Planned Development Applications			
<i>Preliminary Plan (Residential)</i>			
1 – 50 Lots	\$500.00	No Cost	\$200.00
Over 50 Lots	\$750.00	No Cost	\$300.00
Preliminary Plan (Multi-Family)	\$600.00/Building	No Cost	\$200.00/Building
Preliminary Plan (Commercial)	\$1,000.00	No Cost	\$500.00
Preliminary Plan (Industrial)	\$1,500.00	No Cost	\$750.00
<i>Final Plan (Residential – Single-Family Detached, Attached, Semi-Detached)</i>			
1 – 50 Lots	\$1,500.00	No Cost	\$500.00
Over 50 Lots	\$1,750.00	No Cost	\$600.00
Final Plan (Multi-Family)	\$600/Building	No Cost	\$300/Building
Final Plan (Commercial)	\$2,000.00	No Cost	\$1,000.00
Final Plan (Industrial)	\$3,000.00	No Cost	\$1,500.00
All Other Review Services	100% of Actual Costs		

UTILITY REVIEW FEES

Application Type	Initial Submittal	2nd Submittal	Each Additional Submittal
Site Plan Applications			
Preliminary/Final Planned Development	\$250.00	No Cost	\$250.00
Site Plan	\$250.00	No Cost	\$250.00
Downstream Analysis (<i>as necessary</i>)	100% of Actual Costs		
All Other Review Services	100% of Actual Costs		

Signature Certificate

Reference number: YVRNH-ZFUCC-XQJ5H-BXS3J

Signer

Timestamp

Signature

Habbeb Nizar Najjar

Email: habbeb.syria1993@gmail.com

Sent:

15 Nov 2024 18:25:36 UTC

Viewed:

15 Nov 2024 18:30:48 UTC

Signed:

15 Nov 2024 18:31:31 UTC

Habbeb Nizar Najjar

Recipient Verification:

✓ Email verified

15 Nov 2024 18:30:48 UTC

IP address: 172.73.248.222

Location: Lumberton, United States

Document completed by all parties on:

15 Nov 2024 18:31:31 UTC

Page 1 of 1



Signed with PandaDoc

PandaDoc is a document workflow and certified eSignature solution trusted by 50,000+ companies worldwide.



Dear City Officials,

We are writing to introduce our business, Lucky spot , which we plan to open in Tarpon Springs. Our establishment is an adult arcade, providing a fun and engaging environment for clients to enjoy skilled arcade games. We would like to outline key aspects of our operation:

1. **Concept:** Clients will have the opportunity to insert tokens or cash into arcade machines to play various skill-based games. In return, they can earn tokens that are redeemable at our prize booth. Prizes include a variety of desirable items such as iPads, TVs, digital cameras, blow dryers, and vacuum cleaners.

2. **Facility Details:** Our arcade will feature 15 computer machines and 20 arcade game machines, ensuring a diverse gaming experience for our clientele.

3. **Customer Flow:** We anticipate having 5 to 10 customers on the premises at any given time, creating a comfortable and well-managed environment.

4. **Operating Hours:** The business will operate from 1:00 PM to 10:00 PM, accommodating customers during convenient afternoon and evening hours.

5. **Parking:** The location is within a plaza that offers ample parking spaces, ensuring accessibility and convenience for our clients.

6. **Amenities:** To enhance the customer experience, we will provide packaged snacks and soft drinks at no expense to our clients.

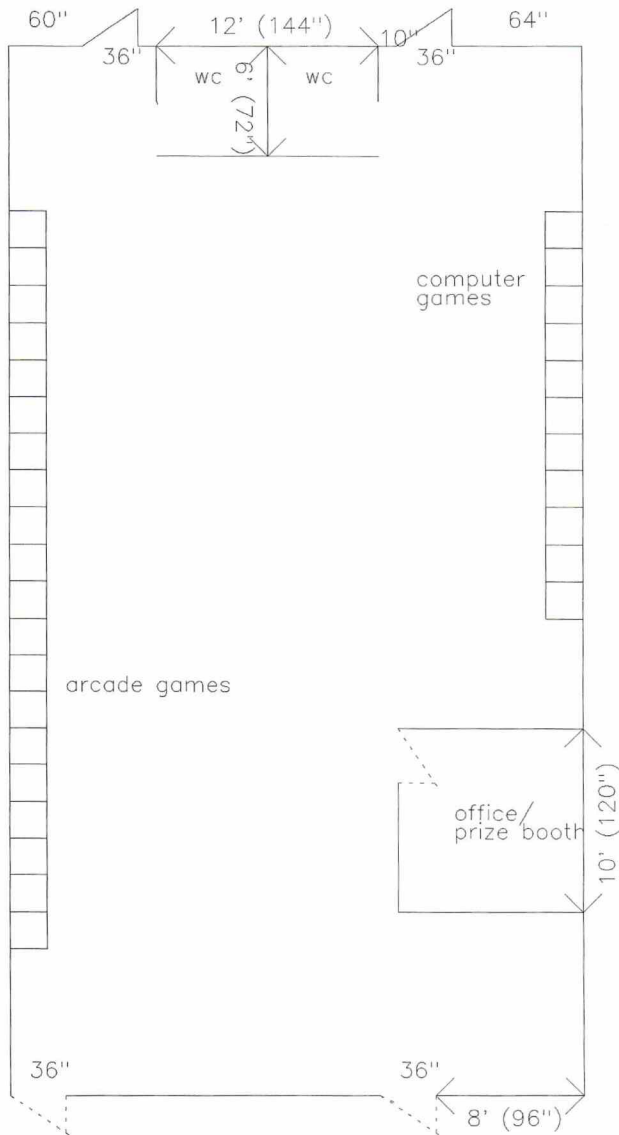
7. **Community Support:** We are committed to giving back to the community and will donate a portion of our profits to local charities in Tarpon Springs.

8. **State Certifications:** *We have already applied for both a Resale Certificate and an Amusement Certificate with the State of Florida to ensure our compliance with all necessary regulations.*

We are excited to bring this unique entertainment option to Tarpon Springs and look forward to becoming an active part of the local business community. Thank you for considering our application. We would be happy to provide additional details or answer any questions you may have.

Lucky 7 Management

1' (12")





2025 Florida Annual Resale Certificate for Sales Tax

DR-13
R. 10/24

This Certificate Expires on December 31, 2025

Business Name and Location Address

Certificate Number

CENTRAL 7 LLC
40142 US HIGHWAY 19 N
TARPON SPRINGS, FL 34689-8330

62-8019628324-1

By extending this certificate or the certificate number to a selling dealer to make eligible purchases of taxable property or services exempt from sales tax and discretionary sales surtax, the person or business named above certifies that the taxable property or services purchased or rented will be resold or re-rented for one or more of the following purposes:

- Resale as tangible personal property
- Re-rental as tangible personal property
- Resale of services
- Re-rental as commercial real property
- Incorporation into tangible personal property being repaired
- Re-rental as transient rental property
- Incorporation as a material, ingredient, or component part of tangible personal property that is being produced for sale by manufacturing, compounding, or processing

Your *Florida Annual Resale Certificate for Sales Tax* (Annual Resale Certificate) allows you or your representatives to buy or rent property or services tax exempt when the property or service is resold or re-rented. You **may not** use your Annual Resale Certificate to make tax-exempt purchases or rentals of property or services that will be used by your business or for personal purposes. Florida law provides for criminal and civil penalties for fraudulent use of an Annual Resale Certificate.

As a seller, you must document each tax-exempt sale for resale using one of three methods. You can use a different method each time you make a tax-exempt sale for resale.

1. Obtain a copy (paper or electronic) of your customer's current Annual Resale Certificate.
2. For each sale, obtain a transaction authorization number using your customer's Annual Resale Certificate number.
3. Each calendar year, obtain annual vendor authorization numbers for your regular customers using their Annual Resale Certificate numbers.

Online: Visit floridarevenue.com/taxes/certificates

Phone: 877-357-3725 and enter your customer's Annual Resale Certificate number

Mobile App: Available for iPhone, iPad, and Android devices

~~1-850-411-4100~~

850-617-8698

1-850-488-6800

850-717-6637
summed
05 of
10



Application for Amusement Machine Certificate

General Information and Instructions

DR-18N
N. 01/16
TC 03/22
Rule 12A-1.097, F.A.C.
Effective 01/16

A Coin-Operated Amusement Machine is any machine operated by coin, slug, token, coupon, or similar device for the purpose of entertainment or amusement. Amusement machines include: coin-operated radios and televisions, telescopes, pinball machines, music machines, juke boxes, mechanical rides, video games, arcade games, billiard tables, shooting galleries, and all other similar amusement devices.

Purpose of this Application. This application is used to obtain an annual *Amusement Machine Certificate* (DF-18C) for each location where you operate one or more coin-operated amusement machines. The annual fee is \$30 per machine. **To complete this application, you must have an active sales and use tax Certificate of Registration (Form DR-11) for each county in which the machines are operated.**

If you do not have a sales tax number for each county where your machines are located for operation, you can register to collect and report tax through our website at: floridarevenue.com. The site will guide you through an application interview that will help you determine your tax obligations. If you do not have Internet access, you can complete a paper *Florida Business Tax Application* (Form DF-1).

If you wish to operate more machines at any location than the number currently listed on your *Amusement Machine Certificate* for that location, you must complete another application and pay \$30 for each additional machine.

If you move your amusement machines from one location to another location within the same county, contact the Department to correct the machine location on your certificates. If you move your amusement machines to another county, you must first have a sales and use tax *Certificate of Registration* in that county before contacting the Department to update the machine location on your certificates.

Your amusement machine certificate expires on **June 30th** each year. **You must renew amusement machine certificates before that date.** A renewal notice containing information on your *Amusement Machine Certificates* will be mailed to you 30 to 60 days before

the certificate's expiration date. If you do not receive a renewal notice, you may use this application to renew your annual amusement machine certificates. **Be sure to check the box "Annual Renewal Application."**

Who is Required to Purchase and Display Amusement Machine Certificates? The amusement machine operator responsible for removing the receipts from the machine and paying sales tax and applicable surtax on the machine receipts is required to purchase and display the *Amusement Machine Certificates* (DR-18C).

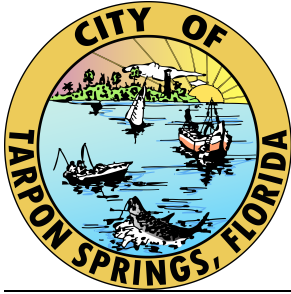
When the business owner, where the machines are located, is the owner of the amusement machines, the business owner is the amusement machine **operator** and the person required to purchase and display the *Amusement Machine Certificates*.

The business owner where the amusement machines are operated is considered to be the operator and required to purchase the *Amusement Machine Certificates*, even when the business is not the owner of the machines. However, the operator responsibilities may be otherwise specified in a **written agreement** between the business owner and the amusement machine owner.

How is the Certificate Fee Calculated? The annual certificate fee is \$30 for each machine times the maximum number of machines operated at that location. Certificates are valid for a period of one year, July 1 to June 30. **The annual fee is non-refundable and cannot be prorated based on the time of year the certificate is purchased.**

Where Do I File the Application and Required Fee? This application and the required **\$30 per machine fee** may be delivered to the nearest Florida Department of Revenue service center or mailed to the address below. Make your check (U.S. funds only) or money order payable to the Florida Department of Revenue.

**Amusement Machine Certificate
Florida Department of Revenue
PO Box 5500
Tallahassee FL 32314-5500**



City of Tarpon Springs

TRC Comment Report

324 E. Pine Street, Tarpon Springs, FL, 34689 Telephone: 727-942-5617

Project 24.80
Central 7

Project Address 40142 US HIGHWAY 19 N
Tarpon Springs, FL 34689
United States

Instructions

Please review comments below and provide any additional required information. Your project will not be scheduled for Planning and Zoning Board, Board of Adjustment, or Board of Commissioners review until all required information or revised plans are provided. If no additional information is required, you will be informed of when the project will be scheduled for public hearing by Planning and Zoning staff. Please keep in mind that the Planning & Zoning Department has 90-day suspension period from the date of the TRC review for the submittal of revisions/additional information. If revised plans/additional information are not submitted within the above referenced time frame, the application will be considered to be "EXPIRED" and a new application will have to be submitted. If you have questions concerning any of the above information, please do not hesitate to contact the Planning and Zoning Department for assistance.

Planning and Zoning

[Comment 00001]

Patricia McNeese

The property is located in the Retail & Services Future Land Use Map category and the Highway Business (HB) zoning district. The proposed use is a "skilled gaming hall." The HB zoning allows billiard halls, arcades and game rooms as a conditional use.

[Comment 00002]

Patricia McNeese

The applicant is strongly encouraged to provide a more detailed description of the use. What type of "skilled gaming" is being conducted. The applicant is also strongly encouraged to provide narrative information regarding compliance with Florida Statutes Chapter 849 and any other state and/or local (Pinellas County) laws, as applicable. This will assist the Board of Commissioners in evaluating the proposal.

[Comment 00003]

Patricia McNeese

The applicant is encouraged to include, in their narrative, a concept layout showing the physical location of the tenant space(s) being occupied, a floor plan, the expected numbers of patrons at any one time, available parking, hours of operation, whether food or drink will be served/provided, and similar information to assist planning staff and the Board of Commissioners in evaluating the use.

[Comment 00004]

Patricia McNeese

If all of the information can be submitted by January 3, 2025, this item can be scheduled for the January 27, 2025 Planning and Zoning Board meeting.

[Comment 00005]

Patricia McNeese

This document contains comments resulting from the December 5, 2024 meeting of the Technical Review Committee.

Police Department

[Comment 00006]

Michael Rolleston

Applicant is advised that black out windows are a safety and security risk. For customers and staff. It does not allow for visibility of police when checking the property during working and non working hours. Given the nature of the business and cash being on the premises, the site is at a higher risk for crime and viability is critical for safety.

[Comment 00007]

Michael Rolleston

Applicant is advised to define age requirements of the establishment.

[Comment 00008]

Michael Rolleston

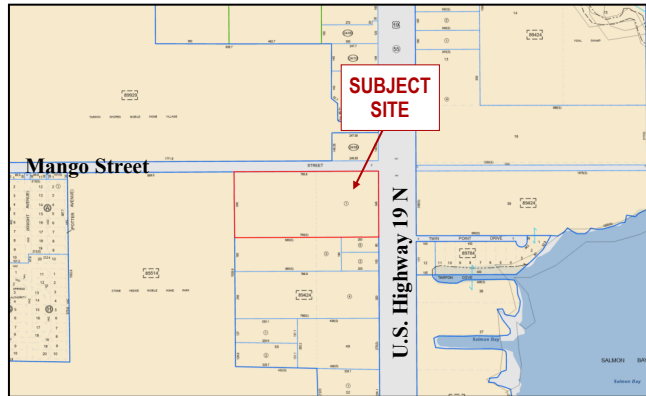
The applicant should explain fees involved in operation. Entry fee? fee for games of skill?

City of Tarpon Springs
Planning & Zoning Department
324 East Pine Street
Tarpon Springs, FL 34689

NOTICE OF UPCOMING PUBLIC HEARING REGARDING #24-80

Please review the information on the **reverse side** of this card carefully!! If you have any questions regarding this matter, please call our office at (727) 942-5611

«AddressBlock»



Application Description: The applicant is requesting conditional use approval to allow an adult video arcade (game room) on the property located at 40114 U.S. Highway 19 North in the Highway Business (HB) zoning district.

(Please Reference Application #24-80)

Please be advised that the Planning and Zoning Board will hold one Public Hearing on **Monday, February 24, 2025 at 6:30 p.m.** and the Board of Commissioners will hold one public hearing on **Tuesday, March 4, 2025 at 6:30 p.m.** All public hearings are held in the **City Hall Auditorium which is located at 324 East Pine Street, Tarpon Springs, FL 34689.**

All interested parties are invited to attend this meeting to express their views or to present facts in the case. Written correspondence may be directed to the City of Tarpon Springs, Planning and Zoning Department, 324 East Pine Street, Tarpon Springs, FL 34688, or you may email your concerns to planning@ctsfl.us. Materials related to this application may be obtained by contacting the Planning & Zoning Department during City Hall business hours. The meeting packet and meeting instructions will be posted approximately one week prior to the meeting on the City's web site at www.ctsfl.us. Any person with a disability or without access to a computer or phone requiring reasonable accommodation in order to participate in these meetings should call (727) 942-5611 or email a written request to Planning@ctsfl.us.



CITY OF TARPON SPRINGS
PLANNING & ZONING BOARD / BOARD OF COMMISSIONERS
[FEBRUARY 24, 2025 / MARCH 4, 2025]

STAFF REPORT

Application No. / Project Title: #24-91 (Turow)
Staff: Allie Keen, AICP, Principal Planner
Applicant / Owner: Sean (Alex) Turow
Property Size: +/- 9,043 square feet
Current Zoning: RM (Residential Multi-Family)
Current Land Use: RL (Residential Low)
Location / Parcel ID: 1529 Riverside Drive / 03-27-15-87858-000-1380
Resolution Number: 2025-13

BACKGROUND SUMMARY:

The applicant is seeking conditional use approval to operate a tourist home (short-term rental) use at 1529 Riverside Drive. The Land Development Code (LDC) Section 241.00(A)(213) defines a 'tourist home' as follows:

"A single family detached dwelling where the primary use is to **provide temporary lodging accommodations** for compensation to transient residents, especially motor tourists or travelers. A "transient resident" shall mean a visitor to the community who does not use the dwelling as a principal residence, who is neither gainfully employed in the community nor a student currently enrolled in a school located in the community or who resides in the dwelling for **six weeks or less**. The term "tourist home" shall not include a hotel/motel, lodging facilities, or boarding homes. Tourist homes **shall not be located within 1,200 feet of a pre-existing tourist home**. The locational standard shall be measured from the nearest property line of the existing home to the nearest property line of the proposed home."

The subject property is occupied by a single family detached dwelling that is not located within 1,200 feet of a pre-existing approved tourist home. The property conforms to the current required dimensional criteria for the RM zoning district and can accommodate the required parking on site.

PRELIMINARY STAFF RECOMMENDATION:

Should the Board choose to approve Resolution 2025-13, staff is recommending the following conditions:

1. The property shall remain a single-family residence rented as a single living unit.
2. Maximum occupancy shall be no more than 10 people.
3. All guest parking shall be accommodated within the garage and driveway and is not permitted on the front lawn or street.
4. Quiet hours shall be observed between 10:00 P.M. and 9:00 A.M. daily.
5. The property owner or designee (hereafter, "responsible party") shall be available in a timely manner to respond to inspections, complaints, or other problems related to the tourist home use of the property. The duties of the responsible party include:
 - a. Be available by telephone at the posted phone number to handle any issues arising from the tourist home use,



- b. If necessary, be willing and able to come to the tourist home following notification from an occupant, owner, law enforcement, or city official to address issues related to the tourist home use,
 - c. Be authorized to receive service of any legal notice on behalf of the owner for any violations of City laws, ordinances, or the terms on this conditional use,
 - d. Otherwise regularly monitor the tourist home property to assure compliance with City laws, ordinances, and the terms of this conditional use.
6. The property owner must provide an affidavit that the following has been posted on the back or, next to, the main entrance door, or, on the refrigerator at the tourist home property:
 - a. The name, address and phone number of the tourist home responsible party,
 - b. The maximum allowable occupancy of the tourist home in accordance with the terms of this conditional use,
 - c. The maximum number of vehicles that can be parked in the designated parking areas of the tourist home in accordance with the terms of this conditional use,
 - d. The noise standard in accordance with the terms of this conditional use,
 - e. The days of trash pickup and recycling, and,
 - f. The location of the nearest hospital.
7. The applicant shall obtain and maintain a City of Tarpon Springs business tax receipt for the use. At the time of application, the applicant shall provide the contact information for the “responsible party” as listed in Condition #5 above and shall provide an affidavit attesting to compliance of the tourist home with Condition #6 above. If the tax receipt lapses for a period of more than six (6) months, a new review of the conditional use will be required.

PLANNING AND ZONING BOARD RECOMMENDATION:

CURRENT PROPERTY INFORMATION:

Use of Property:	Single family residential
Site Features:	Single-family home with park-under garage, driveway, walkways, swimming pool, and landscaping.
Vehicle Access:	This property gains access from Riverside Drive.

SURROUNDING ZONING & LAND USE:

	Zoning:	Land Use:
North:	RM (Residential Multifamily) R-70 (One and Two-Family Residential)	RL (Residential Low)
South:	RM (Residential Multifamily) R-100 (Residential Single Family)	RL (Residential Low)
East:	R-70 (One and Two Family Residential)	RL (Residential Low)
West:	RM (Residential Multifamily)	RL (Residential Low)

PLANNING CONSIDERATIONS:

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

1. Tourist homes, which allow rental periods of less than 6 weeks, are allowed with conditional use approval in the RM (Residential Multifamily) district. Tourist homes are also not permitted within 1,200 feet of a pre-existing, approved tourist home. There are no approved tourist homes within 1,200 feet of the subject property, therefore the separation requirements are met.



2. The property has an oversized 3-car garage and a driveway that can accommodate at least 4 vehicles, which exceeds the required 2 parking spaces.
3. The subject property is in a primarily single-family residential area that is comprised of a mix of single family detached and attached homes. The immediate area around the property is comprised of a mix of RM (Residential Multifamily), R-70 (One and Two-Family Residential), and R-100 (Single Family Residential) zoning.
4. As a part of the application, the applicant included a narrative outlining rental parameters for guests of the tourist home, including rental restrictions, use of the property, quiet hours, and contact information that will be provided to surrounding neighbors.

REVIEW STANDARDS / PROVISIONAL FINDINGS OF FACT:

Section 209.01 of the Tarpon Springs Land Development Code (LDC) states that the Board shall not grant a conditional use 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. Conformance with the requirements of the Land Development Code.

Provisional Findings: The residence is existing and includes sufficient area to accommodate access and parking. The structure complies with the dimensional standards of the RM zoning district. The City's Technical Review Committee (TRC) reviewed this project at their regular meeting of January 9, 2025, and determined that the project complies with 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.

Provisional Findings: The property is in the RM (Residential Multifamily) zoning district and in a primarily single-family residential area that is comprised of a mix of single family detached and attached homes. The immediate area around the property is comprised of a mix of RM (Residential Multifamily), R-70 (One and Two-Family Residential), and R-100 (Single Family Residential) zoning. The tourist home use is only allowable in a few zoning districts. Outside the City's Special Area Plan and in certain waterfront districts (WDI & WDI-B), it is only allowable in RM (Residential Multifamily), RO (Residential Office), and then, only as a conditional use. Conditional uses allow for further review and potential limitations in the form of conditions of approval. Since a tourist home is only allowable as a single family detached dwelling unit, it is implied that the mix of housing types and higher density/activity level in the RM district provide an appropriate context for this type of use. Additionally, the recommended staff conditions are intended to further protect the residential area, while the restriction on multiple tourist homes in close proximity prevents another tourist home from becoming established in the immediate area avoids concentrations of this type of use should this conditional use be approved.

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

Provisional Findings: The conditional use is consistent with the goals, objectives, and policies of the City's Comprehensive Plan.

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

Provisional Findings: The use is not proposed within the City's historic district or on an environmentally sensitive site.



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

Provisional Findings: The proposed tourist home is located within a residential area. The property will continue to be subject to all applicable City Codes and Ordinances governing not only land uses, but noise, nuisances, property maintenance and other similar codes. Based on these standards and enforcement of the recommended staff conditions, property values are not expected to be adversely affected.

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.

Provisional Findings: The single-family residence is existing and is already served by the city. The requested use as a tourist home will not require 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.

Provisional Findings: The proposed conditional use is in a developed area with adequate infrastructure to serve the tourist home. It will not adversely affect the growth patterns or the ability of the city to provide public facilities.

8. The public health, safety and welfare shall be observed with any reasonable conditions necessary.

Provisional Findings: With the intent to protect the surrounding residential area and public health, safety, and welfare, staff has recommended conditions of approval deemed reasonable for the proposed conditional use for the Board's consideration.

TECHNICAL REVIEW COMMITTEE:

The Technical Review Committee (TRC) reviewed this application on January 9, 2025, and determined this application was complete and ready for processing.

PUBLIC CORRESPONDENCE:

Notices were sent to property owners within 500 feet of the subject property. This included 71 addresses. Five additional notices were sent to individuals who share ownership of a property on Riverside Drive who were not also on the initial mailing list. Staff received 14 responses in opposition to the request, which have been included in the attachments.

ATTACHMENTS:

1. Staff Presentation
2. Draft Resolution 2025-13
3. Application & Short-Term Rental Addendum
4. Applicant Rental Parameters (TRC Comment Response)
5. Survey
6. Public Comments

TUROW #24-91

Planning & Zoning Board Meeting – February 24, 2025

Board of Commissioners Meeting – March 4, 2025





SUMMARY OF REQUEST

- **Resolution #2025-13 – Conditional Use (#24-91)**
 - Location: 1529 Riverside Drive
 - Property Size: +/- 9,043 square feet
 - Current Land Use: RL (Residential Low)
 - Current Zoning: RM (Residential Multifamily)
 - Proposed Use of Property: Tourist Home (Short-Term Rental)
- **Applicant/Owner**: Sean (Alex) Turow
- **Agent**: Lydia Romano

LOCATION



REQUEST

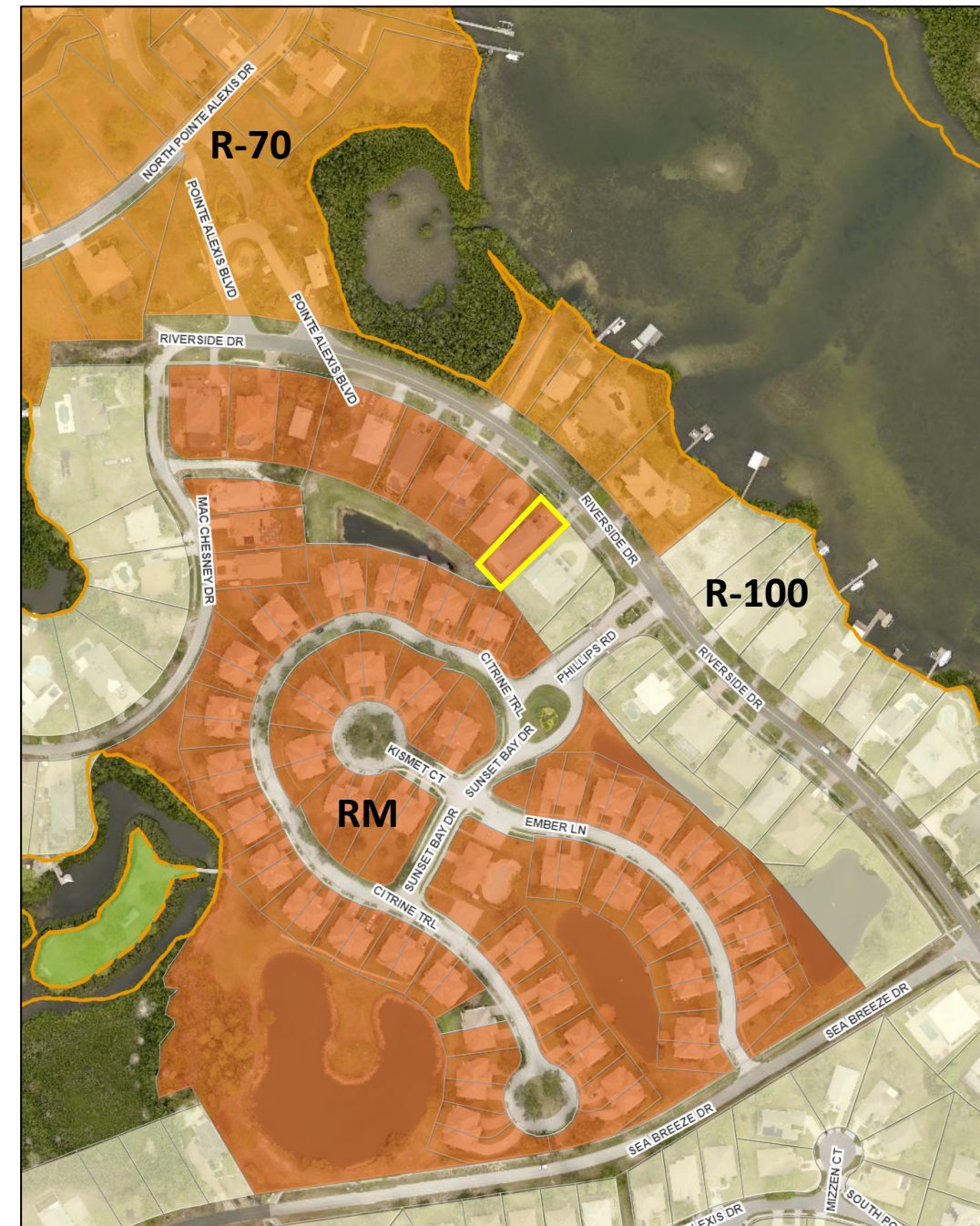
LDC Section 241.00(A)(213) – Tourist Home:

“A *single family detached dwelling* where the primary use is *to provide temporary lodging accommodations* for compensation to transient residents, especially motor tourists or travelers. A "transient resident" shall mean a visitor to the community who does not use the dwelling as a principal residence, who is neither gainfully employed in the community nor a student currently enrolled in a school located in the community or who resides in the dwelling for *six weeks or less*. The term "tourist home" shall not include a hotel/motel, lodging facilities, or boarding homes. Tourist homes *shall not be located within 1,200 feet of a pre-existing tourist home*. The locational standard shall be measured from the nearest property line of the existing home to the nearest property line of the proposed home.”



REVIEW CRITERIA – CONDITIONAL USE

- 1) **Conformance with the Land Development Code.**
Property conforms with the land development code.
- 2) **The proposed use is appropriate to the property in question and compatible with the area.** The property is in the RM district in a residential area comprised of single family detached and attached homes. The immediate area is a mix of RM, R-70, and R-100 zoning. The tourist home use is only allowable in a few zoning districts. Outside the SAP and certain waterfront districts, it is only allowable in RM and RO, and then, only by conditional use. It is implied that the mix of housing types and higher density/activity level in the RM district provide an appropriate context for this type of use, with the recommended staff conditions. Additionally, if approved, the restriction on multiple tourist homes within close proximity prevents another tourist home from becoming established in the immediate area to avoid concentrations of this type of use.





REVIEW CRITERIA – CONDITIONAL USE

- 3) **The use is consistent with the Comprehensive Plan.** The use is consistent with the City's Comprehensive Plan.
- 4) **The use will not adversely impact historical or environmental resources.** The site is not located within the historic district nor on an environmentally sensitive site.
- 5) **The use will not adversely affect adjoining property values.** The proposed home is located within a residential area. The property will continue to be subject to all applicable City Codes and Ordinances governing not only land uses, but noise, nuisances, property maintenance and other similar codes. Based on these standards and enforcement of the recommended staff conditions, property values are not expected to be adversely affected.
- 6) **The use will not adversely impact nor exceed the City's capacity to serve with public facilities.** There are existing facilities available to serve this property and the proposed use will not require extension of new public services to the site.
- 7) **The use shall provide for efficient and orderly development.** The proposed use is in a developed area with adequate infrastructure and public services to serve the tourist home.
- 8) **The public health, safety, and welfare shall be observed with any reasonable conditions necessary.** With the intent to protect the surrounding residential area and public, health, safety, and welfare, staff has recommended conditions of approval deemed reasonable for the proposed conditional use for the Board's consideration.

PRELIMINARY STAFF RECOMMENDATION

Resolution #2025-13

Should the Board choose to approve, staff recommends the following conditions:

1. The property shall remain a single-family residence rented as a single living unit.
2. Maximum occupancy shall be no more than 10 people.
3. All guest parking shall be accommodated within the garage and driveway and is not permitted on the front lawn or street.
4. Quiet hours shall be observed between 10:00 P.M. and 9:00 A.M. daily.
5. The property owner or designee (hereafter, “responsible party”) shall be available in a timely manner to respond to inspections, complaints, or other problems related to the tourist home use of the property. The duties of the responsible party include:
 - a) Be available by telephone at the posted phone number to handle any issues arising from the tourist home use,
 - b) If necessary, be willing and able to come to the tourist home following notification from an occupant, owner, law enforcement, or city official to address issues related to the tourist home use,
 - c) Be authorized to receive service of any legal notice on behalf of the owner for any violations of City laws, ordinances, or the terms of this conditional use,
 - d) Otherwise regularly monitor the tourist home property to assure compliance with City laws, ordinances, and the terms of this conditional use.



PRELIMINARY STAFF RECOMMENDATION

Resolution #2025-13, conditions continued:

6. The property owner must provide an affidavit that the following has been posted on the back or, next to, the main entrance, or, on the refrigerator at the tourist home property:
 - a) The name, address and phone number of the tourist home in accordance with the terms of this conditional use,
 - b) The maximum allowable occupancy of the tourist home in accordance with the terms of this conditional use,
 - c) The maximum number of vehicles that can be parked in the designated parking areas of the tourist home in accordance with the terms of this conditional use,
 - d) The days of trash pickup and recycling, and,
 - e) The location of the nearest hospital.
7. The applicant shall obtain and maintain a City of Tarpon Springs business tax receipt for the use. At the time of application, the applicant shall provide the contact information for the “responsible party” as listed in Condition #5 above and shall provide an affidavit attesting to compliance of the tourist home with Condition #6 above. If the tax receipt lapses for a period of more than six (6) months, a new review of the conditional use will be required.

Public Notice – 76 mailed notices; 14 responses in opposition received

RESOLUTION NO. 2025-13

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA, APPROVING APPLICATION #24-91 REQUESTING CONDITIONAL USE APPROVAL TO ALLOW THE OPERATION OF A TOURIST HOME (SHORT-TERM RENTAL) AT 1529 RIVERSIDE DRIVE, IN THE RM (RESIDENTIAL MULTI-FAMILY) ZONING DISTRICT; 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 tourist home (short-term rental) in the RM (Residential Multifamily) zoning district; and,

WHEREAS, the Land Development Code Section 25.05(C)(17) requires conditional use approval for such uses within the RM district; and,

WHEREAS, the Planning and Zoning Board held a public hearing on this application at its meeting of February 24, 2025; 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 #24-91 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 #24-91 under Resolution 2025-13, requesting Conditional Use approval to allow establishment of a tourist home (short-term rental) at 1529 Riverside Drive in the RM (Residential Multi-family) zoning district is approved with the following conditions:

1. The property shall remain a single-family residence rented as a single living unit.
2. Maximum occupancy shall be no more than 10 people.
3. All guest parking shall be accommodated within the garage and driveway and is not permitted on the front lawn or street.
4. Quiet hours shall be observed between 10:00 P.M. and 9:00 A.M. daily.
5. The property owner or designee (hereafter, "responsible party") shall be available in a timely manner to respond to inspections, complaints, or other problems related to the tourist home use of the property. The duties of the responsible party include:

- a. Be available by telephone at the posted phone number to handle any issues arising from the tourist home use,
 - b. If necessary, be willing and able to come to the tourist home following notification from an occupant, owner, law enforcement, or city official to address issues related to the tourist home use,
 - c. Be authorized to receive service of any legal notice on behalf of the owner for any violations of City laws, ordinances, or the terms on this conditional use,
 - d. Otherwise regularly monitor the tourist home property to assure compliance with City laws, ordinances, and the terms of this conditional use.
6. The property owner must provide an affidavit that the following has been posted on the back or, or next to, the main entrance door, or, on the refrigerator at the tourist home property:
 - a. The name, address and phone number of the tourist home responsible party,
 - b. The maximum allowable occupancy of the tourist home in accordance with the terms of this conditional use,
 - c. The maximum number of vehicles that can be parked in the designated parking areas of the tourist home in accordance with the terms of this conditional use,
 - d. The noise standard in accordance with the terms of this conditional use,
 - e. The days of trash pickup and recycling, and,
 - f. The location of the nearest hospital.
7. The applicant shall obtain and maintain a City of Tarpon Springs business tax receipt for the use. At the time of application, the applicant shall provide the contact information for the "responsible party" as listed in Condition #5 above and shall provide an affidavit attesting to compliance of the tourist home with Condition #6 above. If the tax receipt lapses for a period of more than six (6) months, a new review of the conditional use will be required.

SECTION 3: EFFECTIVE DATE

This Resolution shall be effective upon adoption in the manner provided by law.



PLANNING & ZONING APPLICATION

INSTRUCTIONS

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

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

1. PROPERTY OWNER(S)

NAME	Sean Trow		EMAIL	alextrrow100@gmail.com	
ADDRESS	1529 Riverside Dr.				
CITY	Tarpon Springs	STATE	FL	ZIP	34689
PHONE	727-452-5786				

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

NAME			EMAIL		
ADDRESS					
CITY		STATE		ZIP	
PHONE					

3. AGENT/REPRESENTATIVE (if applicable)

NAME	Lydia Romano		EMAIL	Vanreed63@gmail.com	
ADDRESS	6330 Garland Ct.				
CITY	New Port Richey	STATE	FL	ZIP	34652
PHONE	727-560-9676				



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

General Applications

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

Board of Adjustment Applications (BOA)

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

Heritage Preservation Applications (HPB)

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

* See Page 4 for required Application Addendums.

5. GENERAL INFORMATION

PROJECT NAME <u>Sean Alexander Trow</u>			
ADDRESS/LOCATION <u>1529 Riverside Dr. Tarpon Springs, FL 34689</u>			
TAX PARCEL NUMBER(S) <u>03-27-15-37858-000-1380</u>			
LEGAL DESCRIPTION <u>Sunset hills country club lot 138 & 1/21 Interest in lot 145 per 18411-538</u>			
SITE ACREAGE Upland _____ Wetland _____ Submerged _____ Total <u>0.415 Acres</u>			
FLOOD (check all that apply) ☐ Zone X ☐ Zone X Shaded ☐ Zone AE ☐ Zone VE ☐ Not in a Flood Zone Base Flood Elevation(s) (BFE): _____			
COASTAL HIGH HAZARD AREA (CHHA) ☐ Yes, this property is located within the CHHA ☒ No, this property is not located within the CHHA			

6. LAND USE & ZONING INFORMATION

CURRENT DESIGNATIONS		PROPOSED DESIGNATIONS (if applicable)	
LAND USE CATEGORY	ZONING CATEGORY	LAND USE CATEGORY	ZONING CATEGORY

7. SUMMARY/PURPOSE OF REQUEST

Air Bnb or VRBO



8. SIGNATURE(S)/AUTHORIZATION

APPLICANT'S SIGNATURE:

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

Seen Turaw
 (Applicant's Signature)

12/2/24
 (Date)

OWNER'S SIGNATURE*:

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

Seen Turaw
 (Owner's Signature)

12/2/24
 (Date)

*Not required for discussion item applications

AGENT AUTHORIZATION:

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

Lydia Romano
 (Agent Name, Printed)

12/2/24
 (Date)

Lydia Romano
 (Agent's Signature)

12/2/24
 (Date)

STATE OF FLORIDA)
 COUNTY OF PINELLAS)

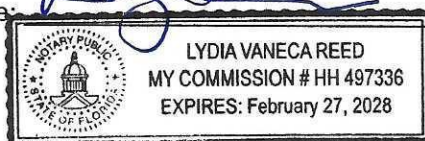
The foregoing instrument was acknowledged before me by means of () physical presence or () Online notarization, this 2nd day of December, A.D., 2024 by _____, who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

NOTARY PUBLIC

Name: *L. Reed*

Signature: _____

Stamp:



APPLICATION ADDENDUM
SHORT TERM RENTAL/TOURIST HOME FORM

INSTRUCTIONS

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

1. GENERAL INFORMATION

PROJECT NAME	Sean Turow
ADDRESS/LOCATION	1529 Riverside Dr. Tarpon Springs FL 34689
TAX PARCEL NUMBER(S)	03-27-15-87858-000-1380
LEGAL DESCRIPTION	Sunset hills country Club lot 138 & 1/2 Interest in lot 145 per 13411-538

2. APPLICATION CHECKLIST ITEMS (All items listed below shall be submitted in addition to this form and the completed application)

- ☐ Completed Application
- ☐ Proof of Ownership
- ☐ Survey
- ☐ Site Plan/Parking Plan
- ☐ Property Management Plan (see Section 3 of this Form)
- ☐ Other Relevant Information (i.e. photographs)

3. PROPERTY MANAGEMENT/RENTAL OPERATIONS (Attach separate sheets as necessary or provide a separate property management plan that at a minimum addresses these items)

A. Occupancy. How many guests can be accommodated on site?

8-10 guest

B. Parking. Explain how parking will be accommodated onsite and clearly show where and how many parking spaces can be accommodated on the required site plan.

6 cars if needed, 3 car garage 3 parking spaces in Driveway
--

- C. **Property Management.** Explain how the property will be managed (such as gaining access to the property, addressing noise or other potential complaints, issues with the rental, solid waste removal, etc.)

All complaints or issues will be addressed through my agent, Lydia Romano and entry to house will be through a lockbox

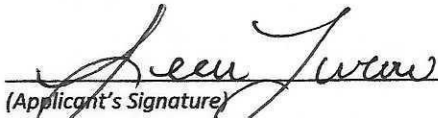
- D. **Safety.** Explain any safety measures that are in place for the property (such as pools, fire safety, etc.)

There is a gate around the entire backyard, pool has a alarm, the house has a security system monitored by adt, numerous fire alarms throughout home.

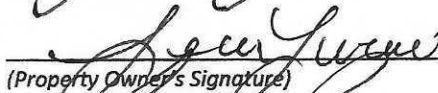
3. SIGNATURE(S)/AUTHORIZATION

APPLICANT/PROPERTY OWNER/AGENT SIGNATURE(S):

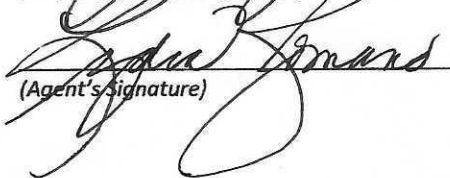
The information included in and with this application is completely true and correct to the best of my knowledge. Further, I understand that a detailed property management plan may be requested as a part of this application.


(Applicant's Signature)

12/2/24
(Date)


(Property Owner's Signature)

12/2/24
(Date)


(Agent's Signature)

12/2/24
(Date)

January 23, 2025

VIA EMAIL: akeen@ctsfl.us

Allie Keen, AICP
Principal Planner
City Of Tarpon Springs, - Planning & Zoning
324 E. Pine Street
Tarpon Springs, Florida 34689

Re: Subject: #24-91- TRC Comment Report – Tourist Home Conditional Use
Sean Turow - 1529 Riverside Drive, Tarpon Springs, Florida

Dear Ms. Keen:

Pursuant to the TRC Comment Report, Comment Number 00007 please be advised as follows:

It is our intention prior to going “live” with the website on either AIR B&B and/or VRBO to include on the website, the following with regard to the “House Rules, Important Information”:

1. No One Under The Age Of 25 will be allowed to rent the property.
2. Government-issued photo identification and a credit card or debit card, will be required.
3. Onsite parties or group events will be **strictly** prohibited.
4. If a party or group event is found to be going on during your stay, the Police will be called and you and your guests will be asked to vacate the property immediately and no refunds will be considered.
5. There will be a strict 10:00 pm noise curfew.

Please also be advised that in case of an emergency all neighbors on every side of the residence will have my agent’s name, address and telephone number where she can be always reached at any time of the day or night.

Page 2
Project 24-91

My agent also will be advised each time the house is rented and who is renting same and the number of guests.

Should you need anything further, please do not hesitate to contact myself or my agent.

Thank you for your consideration.

Sean Alex Turow

cc: Ms. Lydia Romano

SCALE: 1"=30'

LOT 140

LOT 138
RESIDENCE # 1529

LOT 170

RIVERSIDE DRIVE
22.5' ASPHALT ROADWAY
80' RIGHT-OF-WAY

5' SIDEWALK

SET 1/2" IRON ROD AND CAP "NEXGEN 8111"

DRIVEWAY

FOUND 1/2" IRON ROD W/CAP

FOUND 5/8" IRON ROD W/CAP

FOUND 4"x4" CONCRETE MONUMENT 1.8' S / 1.8' W

FOUND 1/2" IRON ROD W/CAP

POINT OF CURVATURE AT LOT 136

LOT 136

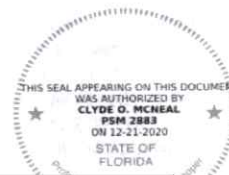
CURVE TABLE

	LENGTH	RADIUS	DELTA	CHORD LENGTH	CHORD BEARING
C1	65.00'	760.00'	04°54'01"	64.98'	S44°09'40"E
C2	52.17'	610.00'	04°54'01"	52.16'	N44°09'40"W
C3	56.30'	760.00'	04°14'40"	56.29'	N39°35'20"W

CURVE TABLE				CHORD LENGTH	CHORD BEARING
	LENGTH	RADIUS	DELTA		
C1	65.00'	760.00'	04°54'01"	64.98'	S44°09'40"E
C2	52.17'	610.00'	04°54'01"	52.16'	N44°09'40"W
C3	56.30'	760.00'	04°14'40"	56.29'	N39°35'20"W

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

Date of Field Work : 12-19-2020
Drawn By: Oleg
Order #: 115159
Last Revision Date: None
Boundary Survey prepared by: LB8111
NexGen Surveying, LLC
5601 Corporate Way, Suite #103
West Palm Beach, FL 33407
561-508-6272



TSBD

LEGAL DESCRIPTION: LOT 138, SUBSECTION 1, TOWNSHIP 22N, RANGE 23E, SECTION 36, TARPON SPRINGS, FLORIDA, 34689

RECORDED IN PLAT BOOK 17, PAGE 27, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, TOGETHER

WITH 1/21 UNDIVIDED INTEREST IN LOT 145, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT

BOOK 17, PAGE 27, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

CERTIFIED TO:

ALBERT WAGNER AND KATARZYNA WAGNER

FAIRWAY INDEPENDENT MORTGAGE CORPORATION

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

FLOOD ZONE:

12103C00166

ZONE: AE

ELEV: 12 FT

EFF: 09/03/2003

SURVEY NOTES:

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

LEGEND

A/C - AIR CONDITIONER

WM - WATER METER

AL - ARC LENGTH

(C) - CALCULATED

(M) - MEASURED

P.O.B. - POINT OF BEGINNING

P.O.C. - POINT OF COMMENCEMENT

& - AND

P.B. - PLAT BOOK

P.G. - PAGE

U.E. - UTILITY EASEMENT

D.E. - DRAINAGE EASEMENT

P.U.E. - PUBLIC UTILITY EASEMENT

L.A.E. - LIMITED ACCESS EASEMENT

L.M.E. - LAKE MAINTENANCE EASEMENT

O.H.E. - OVERHEAD EASEMENT

R - RADIUS

(R) - RECORD

O.R.B. - OFFICIAL RECORDS BOOK

Sq.Ft. - SQUARE FEET

Ac. - ACRES

DB - DEED BOOK

(D) - DEED

(P) - PLAT

E.O.W. - EDGE OF WATER

TOB - TOP OF BANK

O.H.L. - OVERHEAD LINE

C/O - CLEAN OUT

ELEV - ELEVATION

FF - FINISHED FLOOR

LS - LICENSED SURVEYOR

LB - LICENSED BUSINESS

P.S.M. - PROFESSIONAL SURVEYOR & MAPPER

- FENCE

- NUMBER

± - PLUS OR MINUS

ASPHALT

CONCRETE

PAYE/BRINCK

WOOD

LIGHT POLE

WELL

WATER VALVE

CENTER LINE

CATCH BASIN

FIRE HYDRANT

UTILITY POLE

MANHOLE

ELEVATION

SOME ITEMS IN LEGEND MAY NOT
APPEAR ON DRAWING.

GENERAL NOTES:

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

From: [Planning Department](#)
To: [Kim Dickey](#)
Cc: [Patricia McNeese](#); [Allie Keen](#); [Caroline Lanford](#)
Subject: RE: REF #24-91
Date: Monday, February 3, 2025 3:36:50 PM

Good afternoon,

We received your email. We will include it in the packet that is provided to the Planning and Zoning Board at the public hearing scheduled for February 24, 2025, at 6:30 P.M.

If you have any questions, please let me know.

Best regards,



Kimberly Creighton
Planning and Zoning Coordinator
City of Tarpon Springs
Phone: (727)942-5611
Email: kcreighton@ctsfl.us

From: Kim Dickey <kimdickey@tampabay.rr.com>
Sent: Monday, February 3, 2025 11:54 AM
To: Planning <planning@ctsfl.us>
Subject: REF #24-91

Warning: Unusual sender <kimdickey@tampabay.rr.com>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Dear City of Tarpon Springs;

This is formal notice that Kim Dickey and Mary Berry, the owners of 1526 Riverside Drive, Tarpon Springs, are completely against the request for conditional use approval for 1529 Riverside Drive. Turning our quiet, dead end street neighborhood into a tourist/party spot is unacceptable. Please confirm receipt of our rejection of application #24-91. Thank you.

Sincerely,

Kim Dickey
Mary Berry

From: [William Gable](#)
To: [Planning](#)
Subject: 24-91
Date: Wednesday, February 5, 2025 3:14:23 PM

Warning: Unusual sender <willgable@icloud.com>

You don't usually receive emails from this address.
Make sure you trust this sender before taking any actions.

Sent from my iPhone. I am writing to request that the planning department REJECT THE APPLICATION FOR A TOURIST HOME (seasonal/short term rental. This home is in a strictly residential neighborhood and backs up to Sunset Bay. Some Sunset Bay homes back up to just a few feet from this property. The experience of a substantial number of Air B &B short term properties in the Bay Area and particularly on Seabreeze Dr have been HORRIFIC!!! The police department will be working overtime if any more party houses are allowed. This is a very quiet area. If you allow any additional party houses to exist, the property VALUES will decline rapidly. Declining property values will reduce the tax base. There is LITERALLY NO UPSIDE TO APPROVE THIS APPLICATION. THANK YOU. DR WILLIAM GABLE AND MRS CHARLENE GABLE. 1644 Citrine Trail. Tarpon Springs 34689. Sunset Bay.

From: [Nancy Kay Grady](#)
To: [Planning](#)
Subject: #24-91
Date: Wednesday, February 5, 2025 10:12:09 AM

Warning: Unusual sender <nancykaygrady@yahoo.com>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Dear Planning and Zoning!

I wanted to let you know I am 100% apposed to vacation rentals on Riverside. My concern is that it will downgrade to neighborhood with people who do not care about the community as we do. Also we don't need to create a vacation/party atmosphere in a neighborhood where people are raising families and need to get up and go to work.

Please let me know if you need anything else!

Sincerely,
Nancy Kay Grady
1432 Riverside Drive
40+year resident

From: [Woody Helfand](#)
To: [Planning](#)
Subject: #24-91
Date: Wednesday, February 5, 2025 8:19:45 PM
Importance: High

Warning: Unusual sender <lmhelfand@outlook.com>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Hello good people! I am emailing as instructed to oppose this item 24-91. We do NOT want our beautiful neighborhood tainted by turning it into an Airbnb dump.

Thank you,

Minister Linwood M. Helfand
1506 Ember Lane
Sunset Bay
Tarpon Springs, FL 34689

From: [Carole & David Huggins](#)
To: [Planning](#)
Cc: [Michael Eisner](#)
Subject: Vacation rental
Date: Wednesday, February 5, 2025 11:22:15 AM

Warning: Unusual sender <hugssrt6@gmail.com>

You don't usually receive emails from this address.
Make sure you trust this sender before taking any actions.

Re: Application #24-91 (house on Riverside Drive)

I live nearby at:

1555 Ember Ln., Tarpon Springs, 34689

In spite of bylaws restricting noise, number of vehicles, etc. I am opposed to this, or any other nearby home becoming a home to transient tenants.

The application should be denied.

David Huggins
905-658-3159

From: [Tom Marciniak](#)
To: [Planning](#)
Subject: Vacation Rentals
Date: Wednesday, February 5, 2025 5:16:09 PM

Warning: Unusual sender <tarpontom33@yahoo.com>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Reference # 24-91

Please block Vacation Rentals, operation of tourist home seasonal/short-term rentals on Riverside Drive.

Thomas Marciniak
Jo Marciniak

1433 Riverside Drive
Tarpon Springs, FL 34689

From: [Robert Redfield](#)
To: [Planning](#)
Subject: Vacation Rentals on Riverside Drive
Date: Thursday, February 6, 2025 4:24:18 PM

Warning: Unusual sender <njredfields@msn.com>

You don't usually receive emails from this address.
Make sure you trust this sender before taking any actions.

Good Afternoon,

I am a full time resident of Tarpon Springs residing at 1513 Ember Lane and I am definitely not on board with the vacation home rental proposed on Riverside Drive. It all too often leads to homes that become party houses, unkempt and possibly vacant for longer periods of time than expected.

Thank you,
Debbie Redfield

Sent from my iPhone

From: [Michelle Brinkos](#)
To: [Planning](#)
Subject: Application #24-91
Date: Friday, February 7, 2025 11:01:33 AM

Warning: Unusual sender <mmbrinkos@icloud.com>

You don't usually receive emails from this address.
Make sure you trust this sender before taking any actions.

We are opposed to seasonal short term rentals on Riverside Drive.

Myles & Michelle Brinkos
1542 Ember Lane
Tarpon Springs FL 34689

Sent from my iPhone

From: gpsylos@comcast.net
To: [Planning](#)
Cc: gpsylos@comcast.net
Subject: Application #24-91
Date: Friday, February 7, 2025 9:08:42 AM

Warning: Unusual sender <gpsylos@comcast.net>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Dear Planning and Zoning Board, City of Tarpon Springs, FL:

My home is LOT #2, 1686 Citrine Trail, Sunset Bay development. **My property is directly behind the applicant's subject site.**

My wife and I have owned our home since 2010 and have enjoyed the tranquility and peacefulness that this area of Tarpon Springs has offered.

We strongly object to having a tourist home (seasonal/short term rental) in our residential area.

We believe that if the application is granted, it will adversely affect our quality of life. And since it is directly behind our property, it will most certainly have a detrimental effect to our quiet enjoyment of our home and the neighborhood which is mostly all residential. Of course, the value of our property and that of our neighbors will also be adversely affected over time!

Again, we strongly oppose the pending application #24-91.

Sincerely,

George Psyllos, CPA
908-407-9080
gpsylos@comcast.net

From: [KATHLEEN ANZELON](#)
To: [Planning](#)
Subject: Application #24-91
Date: Saturday, February 8, 2025 12:51:33 PM

Warning: Unusual sender <kanzelon@aol.com>

You don't usually receive emails from this address.
Make sure you trust this sender before taking any actions.

I wish to state my strong objection to applicant request for conditional use approval for property located at 1529 Riverside Drive to allow the operation of a tourist home (seasonal/short-term rental) in the RM (residential multifamily) zoning district.

Kathleen M Anzelon
1601 Kismet Court
Tarpon Springs FL 34689
Sent from my iPhone

From: [Brad Harshman](#)
To: [Planning](#)
Subject: Vacation Rentals on Riverside #24-91
Date: Saturday, February 8, 2025 3:02:26 PM

Warning: Unusual sender <bharshman73@gmail.com>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Planning and Zoning Board;

This email is to express our concerns to allow the operations of a tourist home at 1529 Riverside Dr. This is community of neighbors and we don't want this to change by allowing this home to be a seasonal short term rental. Short term renters do not protect the quietness of the neighborhood or pride in our community like the neighbors that call this city home everyday.

Please do not allow this change in our community, we chose to live here for a reason and it was not because of the seasonal short term rentals. This also can impact our property values.

Brad Harshman

From: [ELIZABETH VON WERNE](#)
To: [Planning](#)
Subject: Ref 24-91
Date: Saturday, February 8, 2025 11:01:52 AM

Warning: Unusual sender <bvwerne@aol.com>

You don't usually receive emails from this address.
Make sure you trust this sender before taking any actions.

Hi. This email is to let you know I strongly oppose the approval for the vacation rental on 1529 Riverside. I live at 1539 Citrine Trail Tarpon Springs. Please confirm receipt. Thank you
Beth VonWerne.
Sent from my iPhone

From: [George](#)
To: [Kim Creighton](#)
Cc: [Patricia McNeese](#); [Allie Keen](#); [Caroline Lanford](#)
Subject: Re: To planning re: #24-91
Date: Tuesday, February 18, 2025 10:51:02 AM

Warning: Unusual sender <gefortney@gmail.com>

You don't usually receive emails from this address.
Make sure you trust this sender before taking any actions.

Thanks! We would like to add:

We have actually seen this happen in other places. Parties with music blasting all night long, many more guests than were allowed, people taking your parking space and parking on people's lawns. It's just a mess, one that we moved up here to avoid
Sent from my iPhone

> On Feb 18, 2025, at 10:22 AM, Kim Creighton <kcreighton@ctsfl.us> wrote:

>

> Good morning,

>

> We received your email. We will include it in the packet that is provided to the Planning and Zoning Board at the public hearing scheduled for February 24, 2025, at 6:30 P.M.

>

> If you have any questions, please let me know.

>

> Best regards,

>

> Kimberly Creighton

> Planning and Zoning Coordinator

> City of Tarpon Springs

> Phone: (727)942-5611

> Email: kcreighton@ctsfl.us

>

> -----Original Message-----

> From: Karen Lemmons <klemmons@ctsfl.us>

> Sent: Tuesday, February 18, 2025 9:11 AM

> To: Kim Creighton <kcreighton@ctsfl.us>

> Cc: Patricia McNeese <pmcneese@ctsfl.us>

> Subject: FW: To planning re: #24-91

>

> Good Morning! See below communication regarding 1529 Riverside Dr.

>

>

> Karen Lemmons

>

> Economic Development Manager

>

> City of Tarpon Springs

>

> Economic Development/PIO

>

> 61 W. Tarpon Ave.

> Tarpon Springs FL, 34689

> 727-943-4932
> Klemmons@ctsfl.us
>
>
> City Mission: To protect, preserve, and enrich the heritage, traditions, and independence of the city through quality service and a commitment to excellence.
> City Vision: An inclusive and prosperous community guided by our history, traditions, and natural environment.
>
> Please note: Florida has a very broad public records law. Most written communications to or from local officials regarding city business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure.
>
>
> -----Original Message-----
> From: George <gefortney@gmail.com>
> Sent: Monday, February 17, 2025 4:52 PM
> To: Karen Lemmons <klemmons@ctsfl.us>
> Subject: To planning re: #24-91
>
> Warning: Unusual sender <gefortney@gmail.com>
>
> You don't usually receive emails from this address.
> Make sure you trust this sender before taking any actions.
>
>
> We absolutely oppose granting approval for a tourist home/short term rental @ 1529 Riverside Dr. this is a quiet residential neighborhood, and we strongly prefer it stay that way.
> Thanks,
> George Fortney
> 1519 Ember Lane
> 34689
> 727.741,8642

From: [Eric Gardner](#)
To: [Board Of Commissioners](#); [Planning](#); [Irene Jacobs](#)
Subject: AirB&B Application #24-91, 1529 Riverside Drive
Date: Monday, February 17, 2025 5:38:52 PM

Warning: Unusual sender <eric.r.gardner1@gmail.com>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Hello, my name is Eric Gardner & I'm a Tarpon Springs resident living at 1501 Riverside Drive. I would like this email to please be "read into the record" for both the upcoming Planning and Zoning meeting (24 Feb) and the Board of Commissioners meeting (4 Mar) regarding AirB&B application #24-91 for the property located at 1529 Riverside Drive.

I am not only a neighbor of the proposed AirB&B, but I also informally coordinate & manage repairs at the common property (boat ramp, lot 145) owned by 18 neighbors (including the proposed AirB&B) with shared deeds to the property. My concerns are three fold:

1. As a neighbor, I have witnessed long & short term renter behaviors that have devalued the neighborhood. Examples are overcrowding/multiple families in a single home, vehicles frequently parked in yards, & limited property upkeep. These behaviors can seriously detract from the enjoyment & property values of the home owners who actually live here. Eventually, most issues are resolved by working with the new renters & land owner... but I can't imagine going through this education, communication, & fixes process on a weekly basis with AirB&B renters. Especially since the owner of the proposed AirB&B is not local. It's not fair for local homeowners to put up with "eyesore" conditions or bear the burden of communications & resolution, so that someone else can turn a profit.

2. As the manager of the shared property (boat ramp, lot 145), I can testify that when it comes to our common property, the burden above escalates significantly. Renters (especially AirB&B visitors) come here determined to access the water. Our little community ramp is not a robust structure or designed to handle that type of traffic. Inevitably, renters and other unauthorized users have caused significant damage to our property in the following ways:

- Dislocation & breakage of boat ramp pavers
- Spinning tires/holes in gravel at top of ramp... usually caused by inappropriate tow vehicles/ramp experience
- Deep ruts in mud/killing grass due to parking in soft areas
- Consuming limited parking allocated to actual owners of the lot
- Leaving the gate unlocked/unsecured allowing anyone to enter
- Inviting additional unauthorized users (friends, family, etc) which exacerbates all of the problems above

In some cases they do not know any better, in some cases they do not care. They are determined to access the water, then cause damages without reporting them, & leave. Then it's up to the owners to notice, track them down, communicate etiquette, collect money from the other homeowners, and perform costly and/or laborious repairs... or just put up with permanent damage to the beauty/functionality of our property caused by non-owners. Again, we did not ask for this AirB&B, we are not benefitting from it, & we do not want the weekly

burden of managing it or the frustration of damage to amenities that we work hard for & pay taxes on.

3. The final concern is safety/liability. The shared property (boat ramp, lot 145) is secured with a locked gate to prevent public access & related safety issues/liability. The boat ramp (pavers) and sea wall (rip rap) present dangerous slip and trip hazards with sharp edges. Again, it's a small private amenity for owners willing to navigate the risks... not a safe, public facility, and it's not meant to be. We don't have the resources or intent to upgrade the amenity to be suitable for AirB&B use, and we do not want the uninvited liability for all deeded owners to bear. This represents a safety issue for visitors and a significant financial risk for owners, and we do not accept it. Again, we did not invite this AirB&B, we do not benefit from it, and we should not be burdened with undue financial liability/risk, for someone else's convenience/profit.

The risks & damages noted above are all factual, and have actually occurred as described. We have every reason to believe that these types of damages and risks will occur with higher frequency if this AirB&B is approved. Please vote "No/Disapprove" on this AirB&B request to protect our neighborhood amenities, property values, & ensure visitor safety.

Thank you for engaging our community to seek inputs regarding this AirB&B application. We welcome any requests for additional information that our Tarpon Springs Board of Commissioners or Planning & Zoning Board may have.

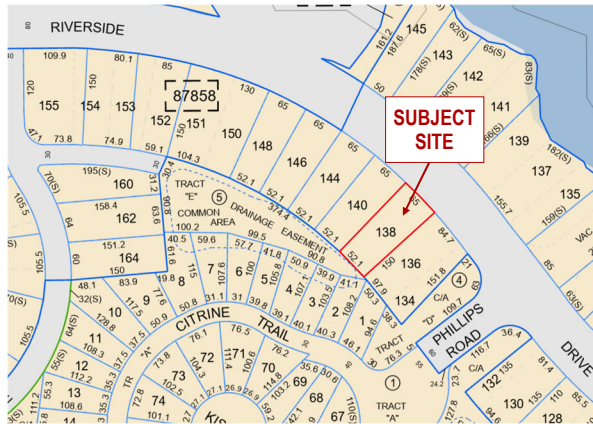
Kind Regards,
Eric Gardner
(727) 484-4084

City of Tarpon Springs
Planning & Zoning Department
324 East Pine Street
Tarpon Springs, FL 34689

NOTICE OF UPCOMING PUBLIC HEARING REGARDING #24-91

Please review the information on the **reverse side** of this card carefully!! If you have any questions regarding this matter, please call our office at (727) 942-5611

«AddressBlock»



Application Description: The applicant is requesting conditional use approval for property located at 1529 Riverside Drive to allow the operation of a tourist home (seasonal/short-term rental) in the RM (Residential Multifamily) zoning district.

(Please Reference Application #24-91)

Please be advised that the Planning and Zoning Board will hold one Public Hearing on **Monday, February 24, 2025 at 6:30 p.m.** and the Board of Commissioners will hold one public hearing on **Tuesday, March 4, 2025 at 6:30 p.m.** All public hearings are held in the **City Hall Auditorium which is located at 324 East Pine Street, Tarpon Springs, FL 34689.**

All interested parties are invited to attend this meeting to express their views or to present facts in the case. Written correspondence may be directed to the City of Tarpon Springs, Planning and Zoning Department, 324 East Pine Street, Tarpon Springs, FL 34688, or you may email your concerns to planning@ctsfl.us. Materials related to this application may be obtained by contacting the Planning & Zoning Department during City Hall business hours. The meeting packet and meeting instructions will be posted approximately one week prior to the meeting on the City's web site at www.ctsfl.us. Any person with a disability or without access to a computer or phone requiring reasonable accommodation in order to participate in these meetings should call (727) 942-5611 or email a written request to Planning@ctsfl.us.



MEMORANDUM

To: Planning and Zoning Board

From: Renea Vincent, AICP CPM, Planning and Zoning Director

Date: February 24, 2025

Subject: Draft Ordinance 2025-01; Amendments to Section 56.05 of the Land Development Code (LDC) regulating temporary use of mobile food dispensing vehicles.
Memorandum of January 27, 2025 updated with additions shown in red font.

RECOMMENDATION:

Staff recommends approval of Ordinance 2025-01 amending LDC Section 56.05.

BACKGROUND:

Under Florida House Bill 1193 (effective on July 1, 2020), mobile food dispensing vehicles (a.k.a., “food trucks”) cannot be prohibited from operating within the City limits. The City amended the Land Development Code on September 22, 2020 (Ordinance 2020-22) to specify locations and requirements for the operation of food truck. Additional amendments were made in 2022 (Ordinance 2022-26), allowing opportunities for multi-day food truck events to operate via a “temporary use” application process.

Currently, within the City’s “SmartCode” area (see attached Map 5A Transect Zones for reference) food trucks can only be operated in conjunction with an existing food and drink establishment and the truck must be operated as an extension of the primary business. Outside the CRA/Sponge Docks area, trucks may operate on a daily basis in certain zoning districts, subject to additional requirements.

The potential for expansion of temporary food truck operations to additional areas of the City was discussed by the Board of Commissioners (BOC) on January 7, 2025. The BOC directed staff to prepare a draft ordinance for consideration. The Technical Review Committee reviewed this draft ordinance at their regular meeting of January 9, 2025.

The Planning and Zoning Board reviewed this ordinance at their regular meeting of January 27, 2025 with a full board in attendance. The Board expressed several concerns, primarily including:

- Potential competition with “brick and mortar” restaurants,
- Potential for occupation of required parking spaces,
- Potential impacts to neighboring properties, especially from the use of generators,
- Possible ordinance revisions that would focus the temporary food trucks towards drinking establishments that serve alcohol,
- Possible ordinance revisions that could differentiate between downtown, sponge docks, and other areas by providing standards for those areas.

The Board voted to recommend denial of the ordinance as proposed with one member dissenting. The draft ordinance was revised and readvertised for the February 24, 2025 meeting.



SUMMARY OF CHANGES:

- Expand allowable areas for temporary food truck operation to any non-residential zoned or utilized area of the City, including the Sponge Docks/CRA area.
 - Zoning districts added to the current list, for a total of 13 non-residential zonings,
 - Opens up any commercial property to have a food truck between 7:00 a.m. and 10:00 p.m.,
 - Changes the limit of one food truck per property to two (2) food trucks per property,
 - Food truck must be accessory to a legally established primary use,
 - Food truck can only operate while the primary business is open,
 - Food truck must be operated using a battery or dedicated electric service.
- For the Smartcode area, the above allowance is restricted to:
 - Establishments with an active license for the on-premises consumption of alcohol,
 - Certain Character Districts and Transects (see table in draft ordinance).
- Specifies that the above temporary food truck operation allowance does not apply to vacant land (current code) or to improved property that does not have “permanent onsite bathroom facilities available to patrons.”
- Continues to allow for the use of food trucks during an on-site event under a Temporary Use approval issued under LDC Section 56.00.
 - Removes the restrictions of 4 events per year and 30-day separation requirement,
 - Leaves in place the 3-day restriction on event duration.

PUBLIC COMMENT:

The City has received one public comment letter. It is included with the Board’s packet.

ORDINANCE NO. 2025-01

AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA, AMENDING THE CITY OF TARPON SPRINGS CODE OF ORDINANCES, APPENDIX A, COMPREHENSIVE ZONING AND LAND DEVELOPMENT CODE, ARTICLE IV SPECIAL REGULATIONS, SECTION 56.05 MOBILE FOOD DISPENSING VEHICLES, TEMPORARY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES OF THE CITY OF TARPON SPRINGS, FLORIDA; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, Section 56.05 of the Comprehensive Zoning and Land Development Code (“LDC”) regulates the placement and use of mobile food dispensing vehicles within the Municipal Limits of Tarpon Springs; and,

WHEREAS, the Board of Commissioners recognizes the need to provide for the orderly and safe operation of “food trucks” within the City’s jurisdiction; and,

WHEREAS, the Board of Commissioners also recognizes the need to provide for appropriate locations for operation of “food trucks,” and wishes to expand the allowable locations provided in conjunction with accompanying updated standards providing for the health and safety of the citizens; and,

WHEREAS, the Board of Commissioners of the City of Tarpon Springs has determined that amendments to Section 56.05, Article IV, Appendix A, the Comprehensive Zoning and Land Development Code, are necessary to make such changes.

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

SECTION 1. That Section 56.05 of the Comprehensive Zoning and Land Development Code, is hereby amended to read as shown in Exhibit A with strikethrough text representing deletions of existing text and underline text representing text additions.

SECTION 2. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are severable.

SECTION 3. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. This Ordinance shall take effect immediately upon its passage and adoption in the manner provided by law.

§ 56.05 MOBILE FOOD DISPENSING VEHICLES, TEMPORARY.

As defined in F.S. 509.102, mobile food dispensing vehicles may operate ~~in~~ as an accessory use to a legally established primary use in areas of the City of Tarpon Springs where property is zoned RO Residential Office, NB Neighborhood Business, GB General Business, HB Highway Business, IB Intensive Business, CPD Commercial Planned Development (non-residential property only), IPD Industrial Planned Development, IR Industrial Restricted, and IH Industrial Heavy, WD I Waterfront Development, WD I-A Waterfront Commercial Fishing, WDI-B Waterfront Commercial Fishing and Tourism Redevelopment, and WD II Waterfront and Marine Industry.

In addition to the above, establishments with an active DBPR (Florida Department of Business and Professional Regulations) license for the on-premises consumption of alcohol may host a mobile food truck in the following Character Districts/Transect Zones:

<u>S.A.P. Character District</u>	<u>SmartCode Transect Zone</u>
<u>Sponge Docks</u>	<u>T5c, T5d, SDb, SDc</u>
<u>North Pinellas</u>	<u>T5d</u>
<u>Uptown</u>	<u>T4c, T5d</u>
<u>Downtown</u>	<u>T4a, T5d,</u>
<u>Downtown Gateway</u>	<u>T4a, T4b</u>
<u>Spring Bayou</u>	<u>N/A</u>
<u>South Pinellas</u>	<u>T4b, T5a</u>
<u>South Safford</u>	<u>T4d</u>
<u>South Gateway</u>	<u>T5a, SDa</u>

The following additional operating criteria shall apply to all mobile food dispensing vehicles operating under Section 56.05:

- (A) Mobile food dispensing vehicles shall only operate within the City limits between the hours of 7:00 a.m. and 10:00 p.m. unless operating in conjunction with an authorized special event. The primary business must be open while mobile food trucks are in operation. Mobile food trucks must be operated with battery or dedicated electric service from the host business/property.
- (B) The mobile food dispensing vehicle shall not operate in or from any public right-of-way or City-owned property, unless operating in conjunction with an authorized special event.
- (C) Mobile food dispensing vehicles may not operate in a manner which obstructs the flow of traffic, impedes pedestrians, or otherwise adversely affects public safety.
- (D) Mobile food dispensing vehicles may not dispense alcoholic beverages.
- (E) The mobile food dispensing vehicle must obtain and maintain all necessary licenses as required by F.S. 509.102, as amended.
- (F) Mobile food dispensing shall only be authorized on a parcel of land consistent with this section and the following additional regulations:
 - (1) No more than ~~one~~ two mobile food dispensing vehicles ~~is~~ are allowed to occupy and operate on a parcel of land at any given time.
 - (2) The parcel owner shall obtain a business tax receipt license prior to allowing the operation of a mobile food dispensing vehicle.

-
- (3) Mobile food dispensing vehicles shall not operate from vacant land or improved land without permanent, onsite bathroom facilities available to patrons.
- (G) Mobile food dispensing vehicles, when not in active operation, may only be parked/stored on a parcel of land in accordance with an approved site plan and in a location where onsite storage of vehicles is a permitted use.
- (H) Mobile Food dispensing vehicles shall dispose of all waste products generated by the mobile food vehicle in accordance with all local, state, and federal requirements.
- (I) The mobile food dispensing vehicle must display on the vehicle the results of any DPBP inspections for cleanliness and sanitation.
- (J) The standards of this section shall not be applied to the establishment of mobile food dispensing vehicles as accessory to food and drink establishments as regulated in Section 56.06 below.
- (K) Notwithstanding the limitations and requirements of Section 56.05 (A-J), a mobile food dispensing vehicle may be operated as a Temporary Use in conjunction with an event on private property in accordance with the requirements of Section 56.00 and the following additional requirements:
- (1) A Temporary Use permit is required.
- a. Each non-residential (zoned or utilized) property/parcel of land may host one event with mobile food dispensing vehicles, four times per calendar year. Each event may last up to three days. Events must be separated by at least 30 days. The Technical Review Committee may place any restrictions deemed necessary to prevent adverse effects on surrounding property owners, publicly owned lands and public rights-of-way.
- b. Residential property (zoned or utilized) may host one mobile food dispensing vehicle twice per calendar year. Each event is limited to one day. Events must be separated by at least 30 days. The Technical Review Committee may place any restrictions deemed necessary to prevent adverse effects on surrounding property owners, publicly owned lands and public rights of way. Homeowner Association approval (if applicable) shall be required. The following additional requirements shall apply:
- i. The fee shall be 25% of the Temporary Use fee as established in Section 246.00 Fees.
- ii. The Technical Review Committee may conduct an expedited review and approve the permit without a formal meeting.
- (2) Generators may only be operated between the hours of 10:00 a.m. and 9:00 p.m. unless otherwise specifically authorized by the Technical Review Committee.

(Ord. No. 2020-22, § 1, passed 9-22-20; Am. Ord. No. 2022-26, passed 12-13-22)

§ 56.06 MOBILE FOOD DISPENSING VEHICLES; AS ACCESSORY TO FOOD AND DRINK ESTABLISHMENTS.

A mobile food dispensing vehicle may be located as an accessory use (as defined in Section 36.00 (B)) to a legally established food or drink establishment, which is solely operated as a food or drink establishment, subject to the following criteria:

- (A) Review and approval of a development application by the Technical Review Committee containing the following minimum information and demonstration of compliance with the following standards:

-
- (1) Site layout indicating location of the mobile dispensing vehicle (may not locate in required off-street parking areas, or in such a manner as to block any accessways, walkways, driveways, loading zones or other site circulation ways for vehicles or pedestrians);
 - (2) The mobile food dispensing vehicle must be maintained as an operable vehicle and may not be permanently affixed or attached to a building or structure in a manner that would prevent the vehicle from being moved in the event of an emergency.
 - (3) Indicate operating hours (limited to those of the primary business);
 - (4) City services requested (water, sewer, solid waste pick up);
 - (5) Demonstration of compliance with the City's Fats, Oils and Grease (FOG) Management Program;
 - (6) Evacuation or mitigation plan in the event of a hurricane, wind-storm, or flooding event;
 - (7) Show method of connection to permanent power with 30 or 50 amp recreational vehicle/marine type plug and cord. When operating in close proximity to residential uses or existing outdoor seating areas the mobile food dispensing vehicle shall be required to operate from battery or appropriate permanent power source to eliminate noise and fumes associated with generators.
 - (8) The primary business owner shall obtain a separate business tax receipt license for the mobile food dispensing use;
 - (9) A mobile food dispensing vehicle may only be operated by the primary business owner as an extension of the primary business.
 - (10) The mobile food dispensing vehicle must display on the vehicle the results of any DPBR inspections for cleanliness and sanitation.

(Ord. No. 2020-22, § 1, passed 9-22-20; Am. Ord. 2022-02, passed 2-22-22)

January 28, 2025

Dear Board of Commissioners and City Manager,

I hope this email finds you all well. My name is Irene Manglis, I reside at 1307 Meres Blvd. Tarpon Springs. I am the proud owner of Meli Greek Street Donuts, established in 2020. I specialize in loukoumades which are traditional Greek Donuts, that I serve the out of my charming baby blue and white horse trailer.

I would like to discuss the planning and zoning meeting that took place Monday evening on January 27, 2025, regarding the proposed amendment to the ordinance permitting food trucks on private property. Since September 2020, the planning and zoning department has diligently worked to impose various restrictions on food trucks. They have done their job well and have left no loose ends.

For those that don't know, my business has caught the attention of Greek National News, Greek Talk Shows, Local News, Local Talk Shows and Newspaper outlets. Meli has also won Dessert Wars. We placed #6 in a national dessert competition out of 480 competitors in Atlanta Georgia. A very big win for us. We are proud to be the only competitor to dominate the entire competition in Tampa, winning first place in both categories.

The purpose of my email is to deeply express to you that I believe my business should be given an opportunity to operate at the Sponge docks. I have friends and family that own property at the Sponge Docks and are tax paying citizens that would love to have us on their private property, because they understand the impact Meli has.

Meli will be a valuable addition to the Sponge Docks, attracting a diverse crowd. I am proud to have reached my fifth year in business, and we have built a strong and loyal customer base. In last night's meeting, Ms. Franzis pointed out that some individuals travel from St. Pete specifically for food trucks, and Meli has drawn that kind of attention from all over. I have welcomed tourists from cities such as Chicago, New York, Pennsylvania, and Ohio, who have made it a point to specifically put Meli on their list of things to do when visiting our town. Unfortunately, I have also experienced a decline in business from out-of-town guests due to the strict food truck regulations that only permit Meli to operate during special events. So, naturally, I miss those customers and opportunities.

My small business has played a vital role in supporting local schools, our teams, churches, and so forth. I am blessed to call this beautiful town my home. Investing in this community and giving back whenever possible is of great significance to me. The strength of our community is the primary reason Meli continues to thrive. Although I do not operate a brick & mortar, that does not make my business any less valuable than others. I am the child of immigrant parents who arrived from Kalymnos, Greece, in pursuit of the American dream, and I am doing just that.

Many of you are familiar with Meli, but if you haven't had the chance yet, please look us up. Meli is full of character, charming, and unique. We provide a genuine cultural experience that

appeals to both visitors and locals alike. As I've mentioned before, the support from this community has been incredible. Our turnout at events but especially First Friday truly speaks volumes. The local support is overwhelming, and this community loves Meli, as much as Meli loves this community. All I am asking for is an opportunity to grow my brand and my business in my hometown. Thank you for your time.

21820

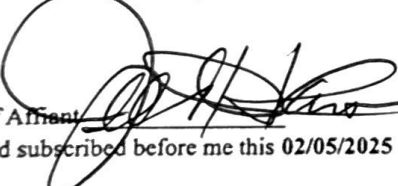
Tampa Bay Times

Published Daily

STATE OF FLORIDA) ss
COUNTY OF HERNANDO, CITRUS, PASCO,
PINELLAS, HILLSBOROUGH County

Before the undersigned authority personally appeared Jill Harrison who on oath says that he/she is a Legal Advertising Representative of the Tampa Bay Times a daily newspaper printed in St. Petersburg, in Hernando, Citrus, Pasco, Pinellas, Hillsborough County, Florida that the attached copy of advertisement being a Legal Notice in the matter ORDINANCE NO. 2025-01 was published in said newspaper by print in the issues of 02/05/25 or by publication on the newspaper's website, if authorized.

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes. Affiant further says the said Tampa Bay Times is a newspaper published in Hernando, Citrus, Pasco, Pinellas, Hillsborough County, Florida and that the said newspaper has heretofore been continuously published in said Hernando, Citrus, Pasco, Pinellas, Hillsborough County, Florida each day and has been entered as a second class mail matter at the post office in said Hernando, Citrus, Pasco, Pinellas, Hillsborough County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Signature of Affiant 
Sworn to and subscribed before me this 02/05/2025

Signature of Notary of Public
Personally known X or produced identification.
Type of identification produced _____





LEGAL NOTICE

NOTICE OF AMENDMENT TO CODE OF ORDINANCES

The City of Tarpon Springs, Florida, proposes to adopt the following Ordinance:

ORDINANCE 2025-01

AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA, AMENDING THE CITY OF TARPON SPRINGS CODE OF ORDINANCES, APPENDIX A, COMPREHENSIVE ZONING AND LAND DEVELOPMENT CODE, ARTICLE IV SPECIAL REGULATIONS, SECTION 56.05 MOBILE FOOD DISPENSING VEHICLES, TEMPORARY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES OF THE CITY OF TARPON SPRINGS, FLORIDA; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

A Public Hearing on the proposed ordinance will be held before the Planning and Zoning Board on the following date:

Monday, February 24, 2025 @ 6:30 P.M.

Public Hearings on the proposed ordinance will be held before the Board of Commissioners on the following dates:

Tuesday, March 4, 2025 @ 6:30 P.M. (1st Reading)
Tuesday, March 18, 2025 @ 6:30 P.M. (2nd Reading)

THE PLANNING AND ZONING BOARD AND BOARD OF COMMISSIONERS PUBLIC HEARINGS WILL BE HELD IN THE CITY HALL AUDITORIUM, 324 EAST PINE STREET, TARPON SPRINGS, FLORIDA.

Said hearings may be continued from time-to-time pending Adjournment. All interested parties are invited to attend these meetings to express your views or to present facts in the case. If a person decides to appeal any decision made by the Board of Commissioners with respect to any matter considered at these meetings or hearings, he will need a record of the proceedings, and that, for such purposes, he 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.

Written comments may be addressed to the Planning & Zoning Department, Phone (727) 942-5611, City of Tarpon Springs, P.O. Box 5004, Tarpon Springs, Florida 34688-5004. Written comments will become a part of the record. Materials related to this ordinance, including the complete legal description of the subject property by metes and bounds, are available for inspection. Persons wishing to participate in the hearing or receive more information may contact the Planning & Zoning Department during City Hall business hours at (727) 942-5611, or visit the City's web site at www.ctsfl.us. Any person with a disability requiring reasonable accommodation in order to participate in these meetings should call (727) 942-5611 or email a written request to planning@ctsfl.us.

Please Reference Application #24-85

02/05/25

21820-1



Planning and Zoning Board

Memorandum

Date: February 18, 2025
To: Planning and Zoning Board
From: Renea Vincent, Planning and Zoning Director
Subject: Land Development Code Revision to Allow Electric Service to Docks on Vacant Land

Recommendation

Review and provide a recommendation to the Board of Commissioners regarding proposed changes to Section 59.00 to allow utility services to docks on vacant land.

Background

Ordinance 1991-43 (attached), adopted on November 19, 1991, established regulations to allow docks on vacant property subject to certain conditions. Prior to adoption of this ordinance, docks were not allowed on vacant residential lands. The initial impetus behind the 1991 ordinance was to respond to the request of local realtors who believed that allowing a dock on a vacant parcel of land would make the lots both more valuable, and more marketable.

Past "institutional knowledge" indicated that the prohibition of utilities was directly related to the prohibition of "live-aboard" vessels which is also listed in the same section of the ordinance. Logically speaking, a lack of utility services would greatly diminish the probability of a private dock being used to moor a boat with persons living there. Since 1991, circumstances have changed in that,

- there is a limited number of remaining vacant residential waterfront parcels where this situation may exist, and,
- the City's Utilities Department does not allow the provision of City water and sewer service to vacant residential lots to avoid potential environmental impacts. The construction of a dock does not affect this now long-standing policy.

With the increased demand for short term rentals over the last several years, the allowance of all utility services (water, sewer and electric) could have the affect of expanding the incidence

of illegal live-aboard vessels. However, a draft ordinance that allows for electric services only, would accommodate an owner desiring to install a boat lift or davits in conjunction with a dock on his/her vacant residential lot, while minimizing the potential proliferation of live-aboards.

A draft revision is attached proposing to remove the prohibition on electric service. The revision also adds a requirement for a recorded restrictive covenant to run with the land so that current and future owners acknowledge the standards, including the prohibition on live-aboard vessels.

The Technical Review Committee reviewed this draft ordinance at their meeting of January 9, 2025.

ORDINANCE 2025-02

AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA, AMENDING THE CITY OF TARPON SPRINGS CODE OF ORDINANCES, APPENDIX A, COMPREHENSIVE ZONING AND LAND DEVELOPMENT CODE, ARTICLE IV SPECIAL REGULATIONS, SECTION 59.00 DOCKS, PIERS, AND SHORELINE STABILIZATION STRUCTURES; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER'S ERRORS; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

WHEREAS, Article IV of the Land Development Code provides for the regulation of docks within the City of Tarpon Springs; and

WHEREAS, Section 59.00 of the regulations establishes regulations allowing for docks on vacant single family residential property; and

WHEREAS, the current regulations do not allow any utility services (water, sewer, or electricity) on docks located on vacant lands to discourage live-aboards and renting of private slips; and

WHEREAS, the limited number of vacant residential waterfront lots available in the city diminishes the potential impacts associated with allowing utility services to be established on docks located on vacant lands.

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

SECTION 1. That the above recitals ("Whereas" clauses) are hereby adopted as legislative findings, purpose and intent of the Board of Commissioners.

SECTION 2. Article IV, Section 59.00 of Appendix A, Land Development Code, City of Tarpon Springs Code of Ordinances is hereby amended as follows:

§ 59.00 DOCKS, PIERS, AND SHORELINE STABILIZATION STRUCTURES.

- (A) The definitions, procedures, and design criteria of the Pinellas County Water and Navigation Control Authority, Pinellas County Code 166.241, et. seq., are adopted by reference as if set out at length in this section.
- (B) In addition to the design criteria for all private docks regulated by the Pinellas County Water and Navigation Control Authority, the following additional design criteria shall apply to those private docks lying within City boundaries:
 - (1) Private docks to be constructed within the Waters of the County shall be constructed so that the length of the dock shall not extend from the mean high water line or seawall of the property further than one-half (½) the width of the property at waterfront. This requirement may be

- waived by the City Manager or his designee, provided that signed statements of no objection from the owners of both adjacent waterfront properties have been submitted.
- (2) Private docks and boat lifts must be constructed within the center one-third of the applicant's waterfront property or fifty feet (50') from the adjacent property, whichever is less restrictive. This requirement may be waived by the City Manager or his designee, provided that signed statements of no objection from the property owner(s) encroached upon have been submitted.
- (C) The following additional design criteria shall apply to those commercial and multi-use private docks lying within City boundaries:
- (1) Docking facilities constructed in the Waters of the County shall be constructed so that the width of such facilities shall not exceed seventy five percent (75%) of the width of the property at the waterfront and shall be further constructed so that the length of the facility shall not extend from the mean high water line or seawall of the property further than seventy-five percent (75%) of the width of the property at the waterfront. All docking facilities must be located so that no portion of the proposed facility is closer to either adjacent extended property line than ten percent (10%) of the property width at the waterfront. Multi-use private and commercial docks abutting adjacent waterfront residential property must be setback a minimum of one-third (1/3) of the applicant's waterfront property width from the adjacent waterfront residential property. This requirement may be waived by the City Manager or his designee, provided that signed statements of no objection from the owners both adjacent waterfront properties have been submitted.
- (2) Commercial and multi-use docks and piers may also be subject to Chapter 253, F.S. and Rule 18-21, F.A.C., as determined by the State of Florida Department of Environmental Protection.
- (D) No building permit shall be issued without the approval of the Pinellas County Water and Navigation Control Authority, Florida Department of Environmental Protection (FDEP), U.S. Army Corps of Engineers (USACOE), or other affected agency which has jurisdiction.
- (E) Review and approval by the City Engineer is required prior to the issuance of a building permit.
- (F) Where deemed applicable by the City Engineer, each application for building permit shall be accompanied by a jurisdictional survey in accordance with the requirements for wetlands protection.
- (G) A dock may be allowed on a vacant single family residential lot subject to the following restrictions:
- (1) The dock shall be limited to a single slip;
- (2) The dock shall only be for the enjoyment of the property owner of the subject lot;
- (3) The slip shall not be rented or leased to others;
- (4) Water, ~~and sewer, and electric~~ services shall not be permitted;
- (5) Live-aboards shall not be permitted;
- (6) The dock shall be secured by a gate or similar device until the primary use is constructed; and
- (7) The upland portion of a vacant lot shall not be used for a bathhouse, outdoor storage, parking uses, recreational vehicles, fuel storage, or other accessory structures or uses until the primary use is constructed.
- (8) A recorded restrictive covenant shall be required acknowledging the requirements of 1-7 above.

SECTION 3. This Ordinance shall be codified in the Code of Ordinances of the City of Tarpon Springs, Florida.

SECTION 4. All ordinances/resolutions and parts of ordinances/resolutions in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

SECTION 5. The provisions of this Ordinance are declared to be severable, and if any section of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance. This Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 6. The City Attorney may correct scrivener's errors found in this Ordinance by filing a corrected copy of this Ordinance with the City Clerk.

SECTION 7. This Ordinance is to be liberally construed to accomplish its objectives.

SECTION 8. This Ordinance shall be published in accordance with the requirements of law.

SECTION 9. This Ordinance shall become effective upon final passage and adoption, in the manner provided by law.

ORDINANCE 91-43

AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA, AMENDING SECTION 59.00 OF THE LAND DEVELOPMENT CODE TO PROVIDE FOR SINGLE-SLIP DOCKS ON VACANT SINGLE FAMILY RESIDENTIAL LOTS; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE BE IT ORDAINED BY THE CITY OF TARPON SPRINGS, that:

Section 1 - Section 59.00 of the Tarpon Springs Comprehensive Zoning and Land Development Code shall be amended to provide for single-slip docks on vacant single family residential lots as follows:

59.00 DOCKS, PIERS, AND SHORELINE STABILIZATION STRUCTURES

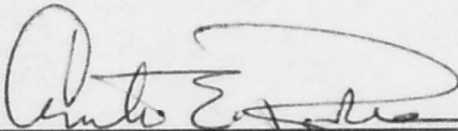
- (A) These uses shall be subject to the rules and regulations of the Pinellas County Water and Navigation Board.
- (B) No building permit shall be issued without the approval of the Pinellas County Water and Navigation Board, Florida Department of Natural Resources (DNR), Florida Department of Environmental Regulation (DER), U.S. Army Corps of Engineers (USACOE), or other affected agency which has jurisdiction.
- (C) Review and approval by the City Engineer is required prior to the issuance of a building permit.
- (D) Each application for building permit shall be accompanied by a jurisdictional survey in accordance with the requirements for wetlands protection.
- (E) A dock may be allowed on a vacant single family residential lot subject to the following restrictions:

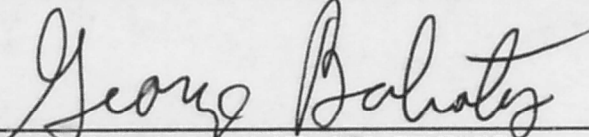
Ord. 91-43

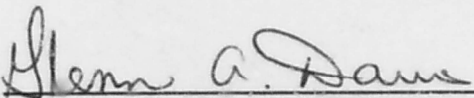
- (1) The dock shall be limited to a single slip, and
- (2) The dock shall only be for the enjoyment of the property owner of the subject lot, and
- (3) The slip shall not be rented or leased to others, and
- (4) Water, sewer and electric services shall not be permitted, and
- (5) Live-aboards shall not be permitted, and
- (6) The dock shall be secured by a gate or similar device until the primary use is constructed, and
- (7) The upland portion of a vacant lot shall not be used for a bathhouse, outdoor storage, parking uses, recreational vehicles, fuel storage, or other accessory structures or uses until the primary use is constructed

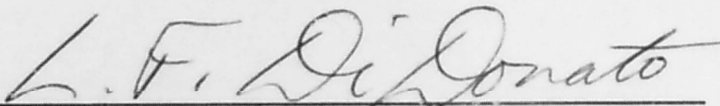
Section 2 - This Ordinance shall become effective immediately upon adoption.

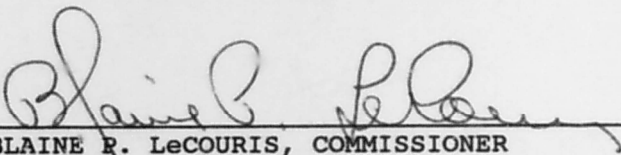
PASSED and ADOPTED this 19th day of November, 1991.


ANITA E. PROTOS, MAYOR-COMMISSIONER


GEORGE BOBOTAS, MAYOR PRO TEMPORE


GLENN A. DAVIS, COMMISSIONER


L. F. DIDONATO, COMMISSIONER

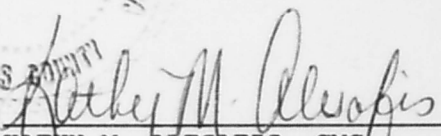

BLAINE P. LECOURIS, COMMISSIONER

MOTION BY: COMMISSIONER DiDONATO
SECOND BY: COMMISSIONER BOBOTAS

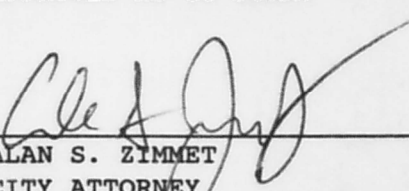
VOTE ON MOTION

COMMISSIONER LecOURIS	<u>Yes</u>
COMMISSIONER DiDONATO	<u>Yes</u>
COMMISSIONER BOBOTAS	<u>Yes</u>
COMMISSIONER DAVIS	<u>Yes</u>
MAYOR PROTOS	<u>Yes</u>




KATHY M. ALESAFIS, CMC
CITY CLERK & COLLECTOR

APPROVED AS TO FORM:


ALAN S. ZIMMET
CITY ATTORNEY

21822

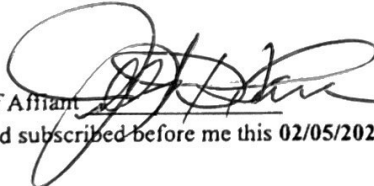
Tampa Bay Times

Published Daily

STATE OF FLORIDA } ss
COUNTY OF HERNANDO, CITRUS, PASCO,
PINELLAS, HILLSBOROUGH County

Before the undersigned authority personally appeared Jill Harrison who on oath says that he/she is a Legal Advertising Representative of the Tampa Bay Times a daily newspaper printed in St. Petersburg, in Hernando, Citrus, Pasco, Pinellas, Hillsborough County, Florida that the attached copy of advertisement being a Legal Notice in the matter Application #25-06 was published in said newspaper by print in the issues of 02/05/25 or by publication on the newspaper's website, if authorized.

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes. Affiant further says the said Tampa Bay Times is a newspaper published in Hernando, Citrus, Pasco, Pinellas, Hillsborough County, Florida and that the said newspaper has heretofore been continuously published in said Hernando, Citrus, Pasco, Pinellas, Hillsborough County, Florida each day and has been entered as a second class mail matter at the post office in said Hernando, Citrus, Pasco, Pinellas, Hillsborough County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Signature of Affiant 
Sworn to and subscribed before me this 02/05/2025

Signature of Notary of Public
Personally known X or produced identification.
Type of identification produced _____



LEGAL NOTICE

NOTICE OF AMENDMENT TO CODE OF ORDINANCES

The City of Tarpon Springs, Florida, proposes to adopt the following Ordinance:

ORDINANCE 2025-02

AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA, AMENDING THE CITY OF TARPON SPRINGS CODE OF ORDINANCES, APPENDIX A, COMPREHENSIVE ZONING AND LAND DEVELOPMENT CODE, ARTICLE IV SPECIAL REGULATIONS, SECTION 59.00 DOCKS, PIERS, AND SHORELINE STABILIZATION STRUCTURES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES OF THE CITY OF TARPON SPRINGS, FLORIDA; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

A Public Hearing on the proposed ordinance will be held before the Planning and Zoning Board on the following date:

Monday, February 24, 2025 @ 6:30 P.M.

Public Hearings on the proposed ordinance will be held before the Board of Commissioners on the following dates:

Tuesday, March 4, 2025 @ 6:30 P.M. (1st Reading)
Tuesday, March 18, 2025 @ 6:30 P.M. (2nd Reading)

THE PLANNING AND ZONING BOARD AND BOARD OF COMMISSIONERS PUBLIC HEARINGS WILL BE HELD IN THE CITY HALL AUDITORIUM, 324 EAST PINE STREET, TARPON SPRINGS, FLORIDA.

Said hearings may be continued from time-to-time pending Adjournment. All interested parties are invited to attend these meetings to express your views or to present facts in the case. If a person decides to appeal any decision made by the Board of Commissioners with respect to any matter considered at these meetings or hearings, he will need a record of the proceedings, and that, for such purposes, he 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.

Written comments may be addressed to the Planning & Zoning Department, Phone (727) 942-5611, City of Tarpon Springs, P.O. Box 5004, Tarpon Springs, Florida 34688-5004. Written comments will become a part of the record. Materials related to this ordinance, including the complete legal description of the subject property by metes and bounds, are available for inspection. Persons wishing to participate in the hearing or receive more information may contact the Planning & Zoning Department during City Hall business hours at (727) 942-5611, or visit the City's web site at www.ctsfl.us. Any person with a disability requiring reasonable accommodation in order to participate in these meetings should call (727) 942-5611 or email a written request to planning@ctsfl.us.

Please Reference Application #25-06

2/05/2025

21822-1



MEMORANDUM

To: Planning and Zoning Board

From: Renea Vincent, AICP CPM, Planning and Zoning Director

Date: February 18, 2025

Subject: Draft Ordinance 2025-03; Amendments to Section 192.02 of the Land Development Code (LDC) regulating temporary banners.

RECOMMENDATION:

Review and provide a recommendation to the Board of Commissioners regarding proposed changes to Section 192.02 to allow feather/flutter signs for newly established businesses.

BACKGROUND:

The City's sign code allows for the use of temporary advertising banners for discrete events in commercial, industrial, and residential zoning districts. In commercial/industrial districts the banners cannot exceed 35 square feet in area, and are allowed four (4) times per year for events lasting up to 14 days. The events can occur no more frequently than every 45 days (LDC Section 192.00(A)). These regulations are specific to "banners" which are "intended to hang either with or without frames or in some other manner as not to be wind activated" (LDC Section 178.00).

On January 7, 2025, the Board of Commissioners discussed considering revision of the temporary signage allowance to expand advertising options for new business openings within the City, especially those that want to schedule a "grand opening." This would support Goal D.1 of the City's Strategic Plan which states, "Expand and diversify local employment opportunities that support a living wage." The BOC specifically discussed allowing the use of feather or flutter signs. LDC Section 178.00 defines "feather sign or flutter sign" as follows: "a sign extending in a sleeve-like fashion down a telescoping or fixed pole that is mounted in the ground or on a building or stand. A feather sign or flutter sign is usually shaped like a sail or feather, and attached to the pole support on one vertical side." Feather/flutter signs are currently prohibited in the City (LDC Section 181.03(H)). The BOC directed staff to prepare a draft ordinance for consideration.

The Technical Review Committee reviewed this draft ordinance at their regular meeting of January 9, 2025.

**SUMMARY OF CHANGES:**

- Restricts the use of feather or flutter signs to commercial and industrial zoning districts.
- A newly established business may display up to five (5) feather or flutter signs for 45 days, provided,
 - A local business tax receipt has been issued for the new business,
 - The signs meet height, setback and distance separation standards,
 - The signs may not obstruct visibility or accessways.
- In lieu of feather/flutter signs, the business may display a banner meeting the temporary banner standards of LDC Section 192.00(A), for the 45-day period. A business cannot use both the feather/flutter signs and the temporary banner sign at the same time for this purpose.

ORDINANCE 2025-03

AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA, AMENDING THE CITY OF TARPON SPRINGS CODE OF ORDINANCES, APPENDIX A, COMPREHENSIVE ZONING AND LAND DEVELOPMENT CODE, ARTICLE XI SIGN REGULATIONS, SECTION 192.02 TEMPORARY BANNERS; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER'S ERRORS; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

WHEREAS, Article XI of the Land Development Code provides for the regulation of signage within the City of Tarpon Springs; and

WHEREAS, Section 192.02 the current sign regulations do not provide for a specific display period for temporary signs in support of a newly established business; and

WHEREAS, an additional allowance for temporary signs in support of new businesses will assist new businesses in establishing a customer base; and

WHEREAS, the Board of Commissioners finds that it is in the best interest of the City to promote new businesses.

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

SECTION 1. That the above recitals ("Whereas" clauses) are hereby adopted as legislative findings, purpose and intent of the Board of Commissioners.

SECTION 2. Article XI, Section 192.02 of Appendix A, Land Development Code, City of Tarpon Springs Code of Ordinances is hereby amended as follows:

§ 192.02 Temporary Banners, Feather and Flutter Signs.

(A) (A)—In commercial and industrial zoning districts temporary banner signs not exceeding thirty-five (35) square feet in area and eight (8) feet in height may be displayed on privately-owned property no more than four times per year and up to a maximum of fourteen days per occurrence, with a minimum of forty-five days between each occurrence.

(B) In commercial and industrial zoning districts a newly established business may display "feather or flutter" signs for a period of 45 days in support of a grand opening in accordance with the following requirements:

1. The business must be a lawfully established business that has applied for a local business tax receipt.
2. Feather or flutter signs may not exceed 10' in height and must be set back at least 5 feet from the property/right of way line and may not be placed in any public right of way.

3. The signs may not obstruct visibility for vehicles, cyclists or pedestrians. The Tarpon Springs Police Department shall have sole authority over establishing visibility.

4. The number of signs shall be limited to 1 per 10 feet of property frontage along the public right of way, not to exceed 5 signs per parcel.

5. In lieu of Feather and/or Flutter signs, one ~~grand opening banner~~ not exceeding 35 square feet in area and eight (8) feet in height may be displayed for a period of 45 days.

(BC) In residential zoning districts temporary banner signs not exceeding 15 square feet may be displayed on privately owned property no more than four times per year and up to a maximum of 14 days per occurrence, with a minimum of forty-five days between each occurrence.

(CD) One temporary sign shall be allowed on each privately-owned parcel within the city. Temporary signs shall not exceed four (4) square feet in sign area, and four (4) feet in height for residential properties. The sign shall be constructed of metal, plastic, wood or pressed wood and shall be fastened to a support not exceeding four (4) inches by four (4) inches. Such signs shall not be located within the public right-of-way.

SECTION 3. This Ordinance shall be codified in the Code of Ordinances of the City of Tarpon Springs, Florida.

SECTION 4. All ordinances/resolutions and parts of ordinances/resolutions in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

SECTION 5. The provisions of this Ordinance are declared to be severable, and if any section of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 6. The City Attorney may correct scrivener's errors found in this Ordinance by filing a corrected copy of this Ordinance with the City Clerk.

SECTION 7. This Ordinance is to be liberally construed to accomplish its objectives.

SECTION 8. This Ordinance shall be published in accordance with the requirements of law.

SECTION 9. This Ordinance shall become effective upon final passage and adoption, in the manner provided by law.

21826

Tampa Bay Times

Published Daily

STATE OF FLORIDA } ss
COUNTY OF HERNANDO, CITRUS, PASCO,
PINELLAS, HILLSBOROUGH County

Before the undersigned authority personally appeared Jill Harrison who on oath says that he/she is a Legal Advertising Representative of the Tampa Bay Times a daily newspaper printed in St. Petersburg, in Hernando, Citrus, Pasco, Pinellas, Hillsborough County, Florida that the attached copy of advertisement being a Legal Notice in the matter Application #25-05 was published in said newspaper by print in the issues of 02/05/25 or by publication on the newspaper's website, if authorized.

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes. Affiant further says the said Tampa Bay Times is a newspaper published in Hernando, Citrus, Pasco, Pinellas, Hillsborough County, Florida and that the said newspaper has heretofore been continuously published in said Hernando, Citrus, Pasco, Pinellas, Hillsborough County, Florida each day and has been entered as a second class mail matter at the post office in said Hernando, Citrus, Pasco, Pinellas, Hillsborough County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Signature of Affiant

Sworn to and subscribed before me this 02/05/2025

Signature of Notary of Public

Personally known X or produced identification.

Type of identification produced



LEGAL NOTICE

NOTICE OF AMENDMENT TO CODE OF ORDINANCES

The City of Tarpon Springs, Florida, proposes to adopt the following Ordinance:

ORDINANCE 2025-03

AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA, AMENDING THE CITY OF TARPON SPRINGS CODE OF ORDINANCES, APPENDIX A, COMPREHENSIVE ZONING AND LAND DEVELOPMENT CODE, ARTICLE XI SIGN REGULATIONS, SECTION 192.02 TEMPORARY BANNERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES OF THE CITY OF TARPON SPRINGS, FLORIDA; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

A Public Hearing on the proposed ordinance will be held before the Planning and Zoning Board on the following date:

Monday, February 24, 2025 @ 6:30 P.M.

Public Hearings on the proposed ordinance will be held before the Board of Commissioners on the following dates:

Tuesday, March 4, 2025 @ 6:30 P.M. (1st Reading)

Tuesday, March 18, 2025 @ 6:30 P.M. (2nd Reading)

THE PLANNING AND ZONING BOARD AND BOARD OF COMMISSIONERS PUBLIC HEARINGS WILL BE HELD IN THE CITY HALL AUDITORIUM, 324 EAST PINE STREET, TARPON SPRINGS, FLORIDA.

Said hearings may be continued from time-to-time pending Adjournment. All interested parties are invited to attend these meetings to express your views or to present facts in the case. If a person decides to appeal any decision made by the Board of Commissioners with respect to any matter considered at these meetings or hearings, he will need a record of the proceedings, and that, for such purposes, he 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.

Written comments may be addressed to the Planning & Zoning Department, Phone (727) 942-5611, City of Tarpon Springs, P.O. Box 5004, Tarpon Springs, Florida 34688-5004. Written comments will become a part of the record. Materials related to this ordinance, including the complete legal description of the subject property by metes and bounds, are available for inspection. Persons wishing to participate in the hearing or receive more information may contact the Planning & Zoning Department during City Hall business hours at (727) 942-5611, or visit the City's web site at www.ctsfl.us. Any person with a disability requiring reasonable accommodation in order to participate in these meetings should call (727) 942-5611 or email a written request to planning@ctsfl.us.

Please Reference Application #25-05

2/05/2025

21826-1