



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, MARCH 17, 2025 6:30 PM - CITY HALL AUDITORIUM

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. REFLECTION

5. CONSENT AGENDA

- a. Minutes from February 24, 2025, for Approval

6. QUASI-JUDICIAL ANNOUNCEMENT AND SWEARING IN OF SPEAKERS

7. ORDINANCES AND RESOLUTIONS

- a. **Resolution 2025-05; Rezoning** of property located between N. Highland Ave. and Keystone Road (Application 24-79)(**Quasi-Judicial**)
- b. **Resolution 2025-23; Conditional Use** for an agriculture use to allow a pet miniature cow in the R-100 (Single Family Residential) zoning district; 616 N. Florida Avenue (Application #25-09)(**Quasi-Judicial**)

8. BOARD AND STAFF COMMENTS

- a. Discussion of Current City Codes Regulating Noise

9. ADJOURNMENT



**MINUTES
PLANNING AND ZONING BOARD
CITY OF TARPON SPRINGS, FLORIDA
FEBRUARY 24, 2025**

THE Planning and Zoning Board OF THE CITY OF TARPON SPRINGS, FLORIDA, MET IN PLANNING AND ZONING BOARD IN THE CITY HALL AUDITORIUM/COMMISSION CHAMBERS, 324 E. PINE STREET, ON Monday, February 24, 2025 AT 6:30 PM WITH THE FOLLOWING PRESENT:

Alternate Member Lori Rainaldi Weaver
Member Susan Swenson
Member Derla Early
Member Robert Rockelein
Member Georganna Frantzis
Vice-Chairperson Justin Vessey
Chairperson N. Mike Kouskoutis

ABSENT/EXCUSED: Member Nick Zembillas, Chairperson Merlin Seamon

ALSO PRESENT: PATRICIA MCNEESE, AICP, PLANNING SUPERVISOR
ALLIE KEEN, AICP, PRINCIPAL PLANNER
CHARLES RUDD, CITY MANAGER
ANDREW DICKMAN, ESQ, AICP, BOARD ATTORNEY
KIMBERLY CREIGHTON, BOARD SECRETARY

1. CALL TO ORDER

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

2. ROLL CALL

Board Secretary Creighton called the roll.

3. PLEDGE OF ALLEGIANCE

Mr. Kouskoutis led the Pledge of Allegiance to the Flag of the United States of America.

4. REFLECTION

Mr. Vessey led the reflection.

5. QUASI-JUDICIAL ANNOUNCEMENT AND SWEARING IN OF SPEAKERS

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

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**)

Staff:

Mrs. McNeese provided background information and noted that staff recommended that the Planning and Zoning Board review the application and take action to approve, approve with conditions, or deny Resolution 2025-15. If Resolution 2025-15 was approved, staff recommended 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.
6. The applicant shall obtain, and submit proof of, all required state and local licenses with the application for a local business tax receipt.

Applicant:

Habbeeb Nizar Najjar, noted that Salam Jaber, 9552 Trumpet Vine Road, Trinity, was going to speak on his behalf. Mr. Jaber noted that the conditions recommended by staff were acceptable.

MOTION: Vice-Chairperson Vessey

SECOND: Member Rockelein

Approve Resolution 2025-15, with all conditions except condition 3.

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

Yes: Vice-Chairperson Vessey

No: Alternate Member Rainaldi Weaver
Member Swenson
Member Early
Member Rockelein
Member Frantzis
Chairperson Kouskoutis

MOTION: Member Frantzis

SECOND: Member Robert Rockelein

Approve Resolution 2025-15, with all conditions

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

Yes: Alternate Member Rainaldi Weaver

Member Swenson
Member Early
Member Rockelein
Member Frantzis
Chairperson Kouskoutis

No: Vice-Chairperson Vessey

- 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**)

Staff:

Mrs. Keen provided background information and noted that should the Board choose to approve Resolution 2025-13, staff recommended 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.
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.

Applicant:

The applicant was not present to answer questions.

Public:

Eric Gardener, 1501 Riverside Drive, noted that he was against the application.

William Nolan, 1664 Citrine Trail, noted that he was against this application.

John Pratt, 1533 Riverside Drive, spoke in a neutral manner regarding the application.

MOTION: Member Frantzis
SECOND: Member Swenson

To deny Resolution 2025-13.

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

Yes: Alternate Member Rainaldi Weaver
Member Swenson
Member Early
Member Rockelein
Member Frantzis
Vice-Chairperson Vessey
Chairperson Kouskoutis

No: None

- 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)**

Staff:

Mrs. McNeese gave background information and noted that staff recommended approval of Ordinances 2025-01 amending Article IV Special Regulations, Section 56.05 Mobile Food Dispensing Vehicles, Temporary.

Charles Rudd, City Manager, noted that he was in favor of this change.

Public:

Irene Manglis, 1307 Meres Boulevard, yielded her time to allow her co-worker to read two letters in favor of the ordinance.

Tonya Pulinoros, 1307 Meres Boulevard, spoke in favor of passing the ordinance.

Angelina Christopoulos, 1406 Forde Avenue, spoke in favor of passing the ordinance.

Jane Harrington, 1021 Jamaica Way, spoke in favor of passing the ordinance.

Margo Lee, 221 N Safford Avenue, spoke in favor of passing the ordinance.

Mayor Koulias, 515 Peninsula Avenue, spoke in favor of passing the ordinance.

MOTION: Member Rockelein
SECOND: Member Swenson

To approve ordinance 2025-01; as written.

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

Yes: Alternate Member Rainaldi Weaver
Member Swenson
Member Early
Member Rockelein
Vice-Chairperson Vessey

No: Member Frantzis
Chairperson Kouskoutis

- d. **Ordinance 2025-02; Land Development Code Amendment;** Amending Article IV Special Regulations, Section 59.00 Docks, Piers, and Shoreline Stabilization Structures **(Legislative)**

MOTION: Member Rockelein

SECOND: Alternate Member Rainaldi Weaver

to approve Ordinance 2025-02, as written.

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

Yes: Alternate Member Rainaldi Weaver

Member Swenson

Member Early

Member Rockelein

Member Frantzis

Vice-Chairperson Vessey

Chairperson Kouskoutis

No: None

- e. **Ordinance 2025-03; Land Development Code Amendment;** Amending Article XI Sign Regulations, Section 192.02 Temporary Banners **(Legislative)**

MOTION: Member Rockelein

SECOND: Member Early

to approve Ordinance 2025-03, as written.

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

Yes: Alternate Member

Rainaldi Weaver

Member Swenson

Member Early

Member Rockelein

Member Frantzis

Vice-Chairperson Vessey

Chairperson Kouskoutis

No: None

7. **BOARD AND STAFF COMMENTS**

- a. Update and Discussion of Smartcode Revision Process

Mrs. McNeese noted that there was going to be a discussion about the Special Area Plan, but it had to be postponed.

The board thanked the staff for their hard work.

8. **ADJOURNMENT**

Chairperson Seamon Adjourned the meeting at 10:15 PM.

Chairperson

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



CITY OF TARPON SPRINGS
PLANNING & ZONING BOARD / BOARD OF COMMISSIONERS
MARCH 17, 2025 / APRIL 22, 2025 / MAY 13, 2025

STAFF REPORT, March 10, 2025

Application No. / Project Title: 24-79 / Jallo Family Subdivision Rezoning
Ordinance: Draft Ordinance #2025-04
Staff: Patricia L. McNeese, AICP
Planning Supervisor
Applicant / Owner: Housh Ghovae/Kenneth Huey McAlpin Rev Trust
Property Size: 45.76 acres
Size of Area to be Rezoned: 32.49 acres
Current Land Use: Residential Very Low (RVL) and Preservation (P)
Current Zoning: Agricultural (A) – *approximately 23.19 acres*
Proposed Zoning: Residential Planned Development (RPD) – *approximately 9.3 acres*
Location / Parcel ID: Between N. Highland Ave. and Keystone Road /
Parcel ID: 13-27-15-64962-001-0080

BACKGROUND SUMMARY:

The subject property is located between North Highland Avenue and Keystone Road, about 500 feet west of North Highland Avenue. The property is currently vacant and is located within two zoning districts: Agricultural (A) District and Residential Planned Development (RPD) District. The requested rezoning affects 32.49 acres of the 45.76-acre property. The area to be rezoned is currently under Site Plan review for a 4-parcel single family detached residential subdivision (Application 24-79).

PRELIMINARY STAFF RECOMMENDATION:

Staff recommends **approval of Ordinance 2025-04** amending the Official Zoning Atlas from Agricultural (A) District and Residential Planned Development (RPD) District to Agricultural (A) District.

CURRENT PROPERTY INFORMATION:

Use of Property:	Two metal utility buildings, otherwise vacant
Site Features:	The site consists of uplands that have undergone past disturbance from borrow excavation and agricultural activities, along with an extensive wetland area.
Vehicle Access:	The 32.49-acre site borders North Highland Avenue and currently has no existing access points (curb cuts).



SURROUNDING ZONING & LAND USE:

	Zoning:	Land Use:
North:	Residential Planned Development (RPD) – Pinellas County	Residential Rural (RR) – Pinellas County
South:	Residential Planned Development (RPD) – Pinellas County	Residential Low Medium (RLM) – Pinellas County
East:	- Residential Planned Development (North Lake Estates RPD) – City - Residential Agriculture (R-A) – Pinellas County	- Residential Very Low (North Lake Estates) - City - Residential Rural (RR) – Pinellas County
West:	- Residential Agriculture (R-A) - Residential Planned Development (RPD) – All Pinellas County	Residential Rural (RR) – Pinellas County

BACKGROUND INFORMATION AND TIMELINE:

1. The “McAlpin property,” originally consisting of 69.5 acres in multiple adjacent parcels under the ownership of Huey K. McAlpin, was annexed into the City of Tarpon Springs in piecemeal fashion in 2004, 2006 and 2017. The property has been used over the years for a single family residence (still existing and now under separate ownership), borrow excavation operations, farming (grazing) operations, stockpiling of materials, and other uses.
2. The annexations in 2004 and 2006 brought portions of the property into the City under Pinellas County’s Future Land Use Map (FLUM) designation of Residential Rural (RR). The City did not, and still does not, have a corresponding FLUM category of RR.
3. A Residential Planned Development (RPD) was later processed, resulting in the RPD zoning currently covering the southern portion of the property. That project was never built and a portion of the land was sold to Pinellas County for construction of the stormwater system serving the Keystone Road upgrade project.
4. The City added the Residential Very Low (RVL) FLUM category to its Comprehensive Plan in 2015.
5. The remainder of the McAlpin property was annexed into the City in 2017. At that time, the FLUM designation for the entire property was amended to the Residential Very Low (RVL) and Preservation (P) categories under a separate ordinance.
6. A parcel containing the single family home was created without review by the City and sold in 2019, leaving 59.8 acres of property under the ownership of the Huey Kenneth McAlpin Revocable Trust.
7. The Board of Commissioners denied a proposed 50-lot Residential Planned Development on approximately 52 acres of the property under proposed Ordinance 2022-28 on December 6, 2022 (Application 20-36).
8. A portion of the property was subsequently sold. The remaining property under the ownership of Huey Kenneth McAlpin Revocable Trust is 45.76 acres in size.
9. The applicant, Housh Ghovaei has submitted a Site Plan approval application on 32.49 acres to build a 4-parcel single family detached residential “estate lot” development (Application 24-41). That application is currently under review by the City’s Technical Review Committee (TRC).
10. The same applicant, Housh Ghovaei, has also submitted a Preliminary Planned Development application on the remaining 13.27 acres to build a 13-lot single family detached residential subdivision (Application 24-87). That application is currently under review by the TRC.



ZONING DISTRICT SUMMARY (EXISTING / PROPOSED): NOTE: THE SUMMARY BELOW IS PROVIDED FOR THE 9.3-ACRE PORTION OF THE PROPERTY TO WHICH THE REZONING APPLIES:

	CURRENT Residential Planned Development	PROPOSED Agricultural (A)
Residential Density (dwelling units/acre):	1 unit/acre = 32 units	1 unit/acre = 32 units
Allowable Uses:	LDC Section 78.01	LDC Section 25.01
Permitted:	Family Care Homes, Multifamily, Public Parks and Recreation Facilities, Single Family Attached, Single Family Detached, Single Family Detached Cluster, Single Family Detached Zero Lot Line, Single Family Semi-Detached	Agriculture, Emergency Service Facilities, Single Family Detached Dwellings, Public Parks and Recreation Facilities
Conditional:	Churches, Community Residential Homes, Community Services Uses, Congregate Care Facilities, Day Care Centers, Emergency Shelters and Residential Treatment Facilities, Home Occupations, Nursing Homes, Schools of General Education	Community Assembly, Communication Towers, Community Residential Homes, Excavation, Family Cares Homes, Golf Course, Home Occupations, Kennels, Light Utility Service, Schools of General Education, Schools of Special Education, Veterinary Clinics
Minimum Lot Area	10,000 square feet	30,000 square feet
Dimensional Criteria (Single Family Detached Dwelling):	LDC Section 78.01(D)(2)	LDC Section 25.01(D)
Minimum Lot Width	75 feet	200 feet
Minimum Lot Depth	n/a	n/a
Maximum Height	35 feet	35 feet
Minimum Front Yard	25 feet	30 feet
Minimum Side Yard	10 feet	20 feet
Side Street Yard	15 feet	25 feet
Rear Yard	20 feet	50 feet
Non-Residential Floor Area	0.30 (RVL), 0.10 (P)	0.30 (RVL), 0.10 (P)
Non-Residential Impervious Surface Ratio	0.60 (RVL), 0.20 (P)	0.60 (RVL), 0.20 (P)



REVIEW STANDARDS / STAFF ANALYSIS - REZONING:

Section 207.03(A) of the Tarpons Springs Comprehensive Zoning and Land Development Code (LDC) provides standards for zoning map amendments. These standards, along with planning staff's analysis are provided below:

1. The amendment is consistent with the goals, objectives and policies of the Tarpon Springs Comprehensive Plan.

Staff Analysis: According to the Future Land Use Categories & Rules Table, the Residential Very Low Future Land Use Map (FLUM) category is appropriate for "large lot, very low-density residential" projects, and, to "recognize such areas as primarily well-suited for estate residential and limited agricultural uses that are consistent with the open space and natural resources of such areas." The Preservation FLUM category is used to designate "natural resource features worthy of preservation and recognize the significance of preserving such major environmental features and their functions," in this case, the wetland area of the property.

The property is located in the Agriculture/Residential Estate "place" as depicted on the Place-Based Area Map in the 2045 Comprehensive Plan. The Place-Based Area Map recognizes unique areas, existing planned areas and stable neighborhoods, and identifies areas of change and transition where additional planning efforts should occur. [It is] intended to provide an overall guidance when applications are being reviewed for changes in future land use, rezonings, annexations and similar applications" (Introduction, Future Land Use Element). The Agriculture/Residential Estate area of the Place-Based Area Map is described as "incorporated areas in the eastern area of the City, and adjacent unincorporated areas of Pinellas County, characterized by agricultural and estate residential development patterns where large lots (minimum 0.5 – 2 acres), hobby farms, horse farms, dog kennels and a more rural lifestyle is possible" (Policy FLU 2.1.2.a) of the Future Land Use Element).

Finally, according to LDC Section 25.01(A), the proposed Agricultural Zoning District "is established to identify areas where predominantly rural and agricultural activities are normally conducted, to conserve agricultural lands and promote agricultural activity and related uses, to conserve open space and promote noncommercial recreation activities, and to protect areas from premature urban development due to the areas' rural character or lack of available public facilities" (Section 25.01(A) of the Land Development Code).

The property is located in an area of large lot and "estate" parcel properties and mixed limited agricultural activities (e.g., farm animals, kennels, and similar uses). Much of the surrounding unincorporated area is located in Pinellas County's Rural Residential Future Land Use Map category, as reflected on the City's 2045 Place-Based Area Map. The current RPD zoning designation is outdated since the planned development approved for the property was never built and is now expired. The proposed Agricultural zoning district is consistent with, and carries out, the intent of the RVL and P FLUM categories, the 2045 Place-Based Area Map and the Tarpon Springs 2045 Comprehensive Plan.



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

Staff Analysis: The allowable uses are listed in the table on page 3 of this report. The Residential Planned Development (RPD) district allows a variety of residential product, and, for additional non-commercial uses. However, the planned development approved for this property has expired. The proposed Agricultural (A) zoning would bring the entire property into one consistent zoning and would be more consistent with the surrounding area. Much of the surrounding area is unincorporated and is located in the Pinellas County Residential Rural FLUM category and Residential Agriculture zoning category.

The change in zoning would restrict the allowable housing types to single family detached dwellings only, and would allow appropriate low-impact uses on the property. This is consistent and compatible with the surrounding area built with larger estate properties and limited accessory agriculture (e.g., horses/farm animals, kennels, etc.). Per Application 24-41 the applicant intends to build four “estate” style single family detached residential units on the property. Just by virtue of the required minimum lot standards of the proposed Agricultural District, which are significantly less than those of the Residential Planned Development District, the rezoning itself would automatically limit the number of units that could be accommodated in on this property below the allocated density of 32 units.

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

Staff Analysis: The amendment provides for efficient and orderly development by providing for an appropriate designation and level of development for the site and the area. The property is already served by City and County facilities. The City can continue to provide the relatively lower demand for services for the lower-impact level of allowable development in this area of town. The rezoning is consistent with the City’s and Pinellas County’s projected growth patterns for Keystone Road and this area of town (planning horizon for both comprehensive plans is 2045). Keystone Road is designated as a Scenic Corridor by Forward Pinellas. The rezoning will continue to restrict significant increases in vehicular trip generation and similar impacts to facilities. This rezoning should have a positive impact on the City’s growth patterns and on the efficiency of services provision.

4. The amendment will not adversely impact nor exceed the capacity or the fiscal ability of the City to provide public facilities, including transportation, waste and sewer, solid waste, drainage, recreation, education, fire protection, library service and other similar public facilities. Compliance with the adopted Levels of Service standards can be demonstrated if necessary.

Staff Analysis: City facilities are currently serving the property with fire/emergency services and law enforcement services. The City has adequate capacity to continue these services as well as future solid waste service. The potable water service, sanitary sewer service, and existing access roads are all provided by Pinellas County. It is noted that as part of a development proposal for this property, a Certificate of Concurrency will be required.



TECHNICAL REVIEW COMMITTEE:

The Technical Review Committee (TRC) reviewed this project on December 5, 2024 for completeness and conformance to the Land Development Code. The TRC determined that the application was complete and ready for processing. TRC comments are attached.

PUBLIC CORRESPONDENCE:

The property owners within 500 feet were sent written notification in accordance with Section 206.00(J)(4) of the City of Tarpon Springs Comprehensive Zoning and Land Development Code. The notice went to 63 addresses. Notice was advertised in the *Tampa Bay Times* per Chapter 166.041, Florida Statutes and the property was posted. Staff has not received any responses to these notices.

ATTACHMENTS:

1. Slide show presentation
2. Draft Ordinance 2025-04
3. Property Survey with Rezoning Exhibit
4. TRC Comment Report 12-5-2024
5. Legal Public Notice

JALLO FAMILY SUBDIVISION REZONING #24-79

Planning & Zoning Board – March 17, 2025

Board of Commissioners – April 22, 2025 and, May 13, 2025





SUMMARY OF REQUEST

- **#24-79 – Ordinance 2025-04 Rezoning**
 - Location: Between N. Highland Ave. and Keystone Rd. about 500 feet east of N. Highland Ave.
 - Future Land Use: Residential Very Low (RVL) and Preservation (P)
 - **ZONING**:
 - Current: Agricultural District and Residential Planned Development District
 - Proposed: Agricultural District
 - Property Features
 - 45.76 acres of property under single ownership
 - 32.49 acres proposed for Agricultural District designation
 - Approximately 23.19 acres currently in the Agricultural District
 - Approximately 9.3 acres currently in the Residential Planned Development District
- **Applicant**: Housh Ghovaei, **Owner**: Kenneth Huey McAlpin Rev Trust

CITY OF TARPON SPRINGS
PLANNING & ZONING DEPARTMENT



LOCATION & CONTEXT – FUTURE LAND USE MAP



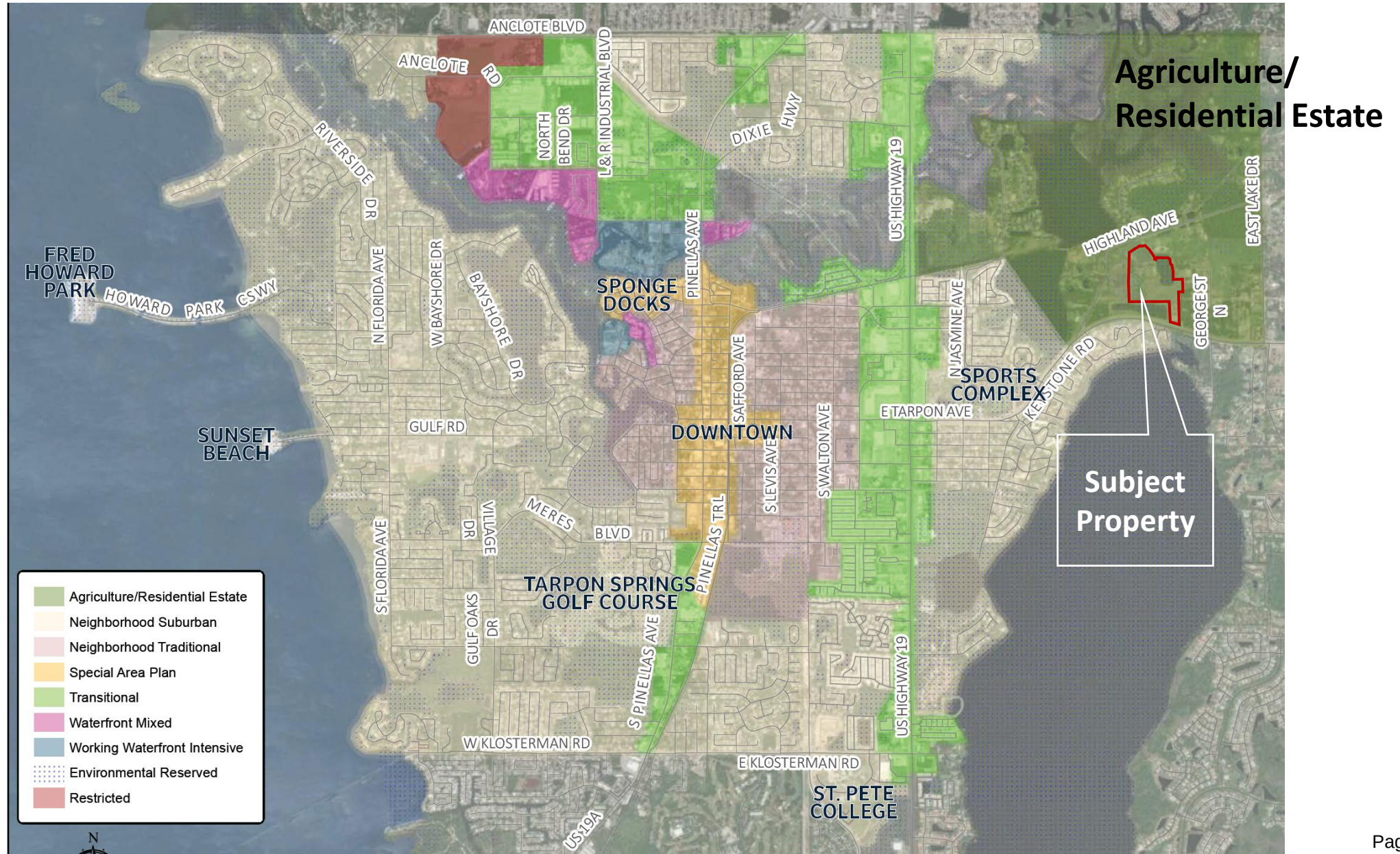
LOCATION & CONTEXT - ZONING



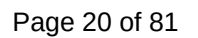
LOCATION & CONTEXT – COUNTYWIDE MAP



PLACE-BASED AREA MAP – 2045 COMPREHENSIVE PLAN

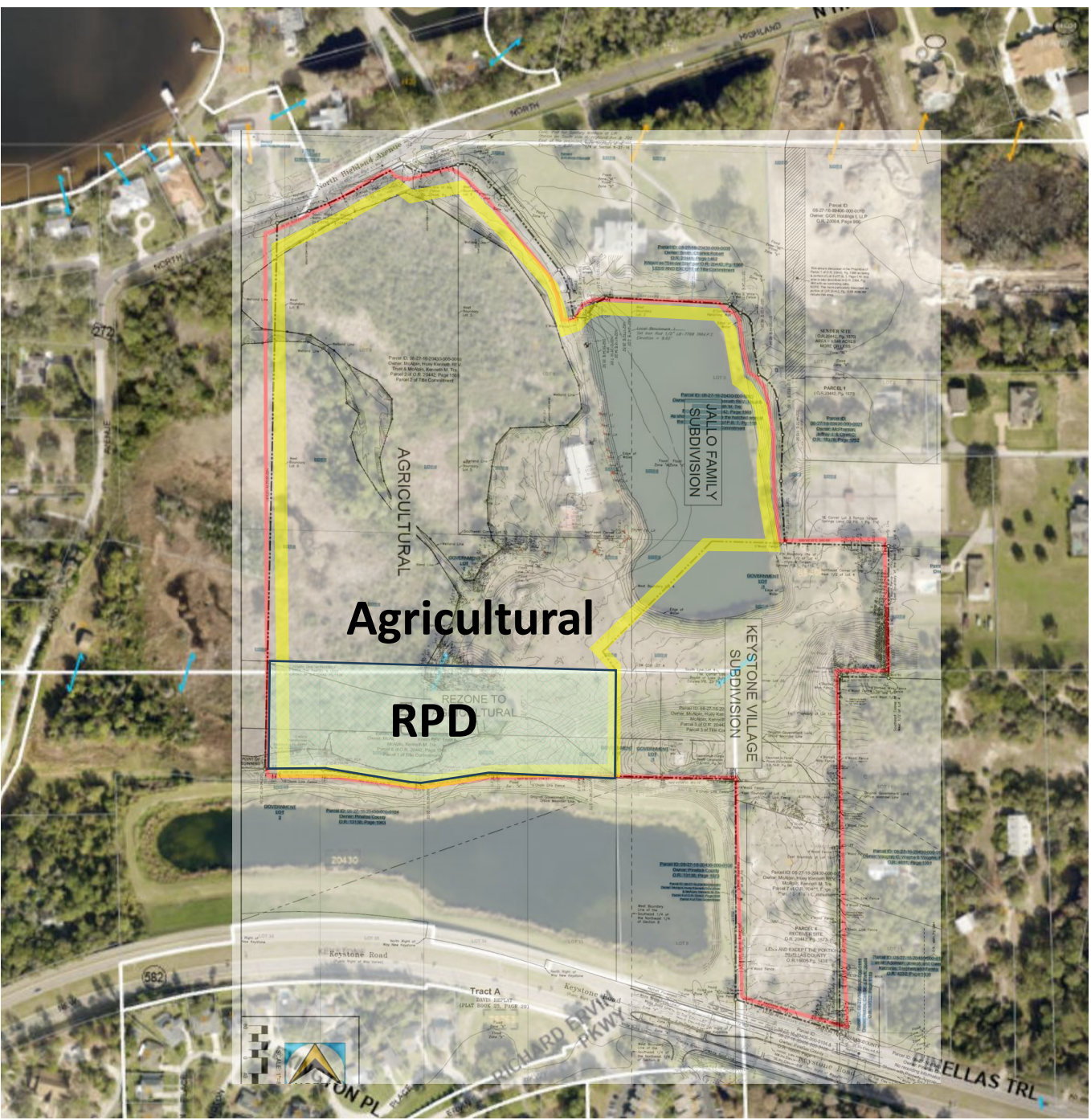


CITY OF TARPON SPRINGS
PLANNING & ZONING DEPARTMENT





AREA TO BE REZONED





PROPERTY HISTORY

- **Annexed** in portions: 2004, 2006, 2017
 - 69.5 acres annexed with Pinellas County FLUM category, Residential Rural (RR 0.5 UPA)
 - Comprehensive Plan amended in 2015/16 creating the Residential Very Low (RVL 1 UPA) category
 - Future Land Use Map amended on entire property from RR to RVL in 2017
 - Currently Residential Very Low (RVL) and Preservation (P) on Forward Pinellas' Countywide Map
- **Property Use and Conditions**
 - Past uses include borrow mining of fill, agriculture and stockpiling. Habitat has undergone significant disturbance and topographical alterations.
 - Southern edge traversed by Duke Energy easement and power infrastructure.
- **Current Property Disposition**
 - Parcel containing the existing single-family residence was sold in 2019.
 - The Board of Commissioners denied a 50-lot preliminary planned development proposed on this parcel in 2022.
 - The remaining area under current owner is 45.76 acres.



REVIEW CRITERIA – REZONING

1. Comprehensive Plan Consistency

The proposed Agricultural Zoning for this area is consistent with the Future Land Use Map and with the remainder of the 2045 Comprehensive Plan.

2. Appropriate and Compatible Uses

The available uses are appropriate and compatible with the surrounding area. The zoning change will scale allowable uses down to a lower impact level consistent with the estate parcel and limited agricultural activities predominant in the area.

3. Provide for Efficient and Orderly Development

The Agricultural designation is consistent with the long-term growth pattern in this semi-rural area, as envisioned by both the City's and Pinellas County's 2045 Comprehensive Plans.

4. Public Facilities Capacity and Levels of Service

The property is served with City fire/emergency services and law enforcement services. The water and sewer utilities, and adjacent roadways are under Pinellas County jurisdiction. The City has the capacity and fiscal ability to continue to serve the property. Development allowable in the Agricultural District is expected to be able to demonstrate compliance with Level of Service standards.

PRELIMINARY STAFF RECOMMENDATION

#24-79 - *Approval* of Ordinance 2025-04, Rezoning from Agricultural (A) District and Residential Planned Development (RPD) District, to, Agricultural (A) District.

Public Notice Provided – The request was publicly noticed. There was one citizen inquiry but no public comment was received.

ORDINANCE 2025-04

AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA AMENDING THE OFFICIAL ZONING ATLAS FOR 32.49 ACRES, MORE OR LESS, OF REAL PROPERTY LOCATED BETWEEN NORTH HIGHLAND AVENUE AND KEYSTONE ROAD, APPROXIMATELY 500 FEET EAST OF NORTH HIGHLAND AVENUE, FROM AGRICULTURAL (A) DISTRICT AND RESIDENTIAL PLANNED DEVELOPMENT (RPD) DISTRICT, TO, AGRICULTURAL (A) DISTRICT; PROVIDING FOR FINDINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the property owner of record of said parcel has requested to amend the Official Zoning Atlas designation from Agricultural (A) District and Residential Planned Development (RPD) to Agricultural (A) District; and

WHEREAS, the Agricultural (A) District is consistent with the property's existing Future Land Use Map categories of RVL (Residential Very Low) and Preservation (P); and

WHEREAS, permitted uses within the Agricultural District are compatible with the surrounding and existing land uses; and

WHEREAS, the Planning and Zoning Board conducted a public hearing on this Zoning Atlas amendment Ordinance on March 17, 2024; and

WHEREAS, published legal notice of this Ordinance has been provided pursuant to the requirements of Chapter 166.041, F.S. and Section 206 of the Tarpon Springs Comprehensive Zoning and Land Development Code.

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

Section 1. FINDINGS

1. That the Board of Commissioners finds that this Ordinance is consistent with Chapter 163, Part II, Florida Statutes.
2. The Board of Commissioners finds that this amendment to the Agricultural (A) District is appropriate.

Section 2. ZONING ATLAS AMENDMENT

That the Official Zoning Atlas of the City of Tarpon Springs is hereby amended for the property described in Exhibit A.

Section 3. SEVERABILITY

If any section, subsection, sentence, clause or phrase of the Ordinance is determined for any reason to be illegal, invalid, or unconstitutional by a court or regulatory body of competent jurisdiction, then the offending provision shall be deemed severable, shall not affect the validity of the remaining portions hereof, and the remainder shall continue in full force and effect.

Section 4. REPEAL

All other ordinances or resolutions which conflict wholly or in part with the provisions of this ordinance, are hereby repealed effective the date this ordinance becomes effective.

Section 5. EFFECTIVE DATE

This Ordinance shall be effective upon approval in the manner provided by law.

DRAFT

Description Sketch (Not A Survey)

DESCRIPTION (JALLO FAMILY SUBDIVISION): A parcel of land being a portion of Lots 3, 4, 5, 6, 7, 8 and 33, 34, 35, & 36 as shown on the plat of TAMPA TARPON SPRINGS LAND COMPANY, as recorded in Plat Book 1, Page 116 of the public records of Hillsborough County, Florida, of which Pinellas County was formerly a part and a portion of Tract "A" as shown on the Plat of Davis Replat in Section 8, Township 27 South, Range 16 East as recorded in Plat Book 23, Page 29 of the Public Records of Pinellas County, Florida and lying in a portion of Section 8, Township 27 South, Range 16 East, Pinellas County, Florida, being more particularly described as follows:

COMMENCE at the Southwest corner of the Northwest 1/4 of the Northeast 1/4 of said Section 8, run thence along the West boundary of said Northeast 1/4, S.01°21'11"E., a distance of 267.91 feet to the intersection of the North boundary of the Pinellas County Tract as recorded in Official Records Book 13138, Page 1943 of said Public Records; thence along said North line the following four (4) courses: (1) S.89°49'54"E., a distance of 159.47 feet; (2) S.82°13'41"E., a distance of 81.31 feet; (3) S.89°49'38"E., a distance of 87.85 feet; (4) N.83°44'48"E., a distance of 57.39 feet; for a **POINT OF A BEGINNING**, run thence N.00°00'45"W., a distance of 1374.00 feet to the South Right-of-Way of North Highlands Avenue as recorded in Official Records Book 6298, Page 1044 of said Public Records; thence along said South Right-of-Way the following three (3) courses: (1) N.68°02'42"E., a distance of 85.76 feet; (2) Northeasterly, 175.51 feet along the arc of a non-tangent curve to the left having a radius of 1030.00 feet and a central angle of 09°45'48" (chord bearing N.63°11'42"E., 175.30 feet); (3) Northeasterly, 92.11 feet along the arc of a non-tangent curve to the right having a radius of 993.00 feet and a central angle of 05°18'54" (chord bearing N.61°00'00"E., 92.08 feet) to the intersection of the Westerly boundary of the Smith Parcel described in Official Records Book 20448, Page 1462 of said Public Records; thence along said Western boundary the following eighteen (18) courses: (1) Easterly, 73.54 feet along the arc of a non-tangent curve to the left having a radius of 70.70 feet and a central angle of 59°35'45" (chord bearing S.75°41'08"E., 70.27 feet); (2) N.74°26'01"E., a distance of 69.03 feet; (3) Easterly, 51.41 feet along the arc of a non-tangent curve to the right having a radius of 48.84 feet and a central angle of 60°18'39" (chord bearing S.75°24'34"E., 49.07 feet); (4) S.45°11'33"E., a distance of 94.53 feet; (5) S.39°00'27"E., a distance of 231.03 feet; (6) Southeasterly, 59.05 feet along the arc of a non-tangent curve to the right having a radius of 127.11 feet and a central angle of 26°37'02" (chord bearing S.25°41'59"E., 58.52 feet); (7) S.12°23'28"E., a distance of 67.95 feet; (8) N.89°58'34"E., a distance of 35.30 feet; (9) N.00°01'26"W., a distance of 7.65 feet; (10) N.32°41'16"E., a distance of 34.29 feet; (11) N.62°17'52"E., a distance of 28.52 feet; (12) N.83°19'47"E., a distance of 2.03 feet; (13) N.00°19'11"E., a distance of 2.66 feet; (14) S.88°05'29"E., a distance of 310.75 feet; (15) S.51°07'24"E., a distance of 34.56 feet; (16) Southeasterly, 40.89 feet along the arc of a non-tangent curve to the right having a radius of 30.17 feet and a central angle of 77°39'15" (chord bearing S.47°03'43"E., 37.83 feet); (17) S.08°14'06"E., a distance of 69.25 feet; (18) S.11°33'48"E., a distance of 60.94 feet; thence departing said Westerly boundary of the Smith Parcel, S.25°20'33"W., a distance of 681.38 feet; thence S.43°19'30"W., a distance of 113.04 feet; thence Southwesterly, 10.60 feet along the arc of a tangent curve to the right having a radius of 63.00 feet and a central angle of 09°38'10" (chord bearing S.48°08'35"W., 10.58 feet); thence S.37°02'19"E., a distance of 59.30 feet; thence S.01°17'30"E., a distance of 265.82 feet to the aforementioned North boundary of the Pinellas County Tract; thence along said North boundary the following eight (8) courses: (1) N.89°49'54"W., a distance of 89.09 feet; (2) S.00°21'48"W., a distance of 3.73 feet; (3) N.89°49'38"W., a distance of 234.37 feet; (4) S.82°13'06"W., a distance of 171.81 feet; (5) N.89°49'38"W., a distance of 28.88 feet; (6) N.83°05'43"W., a distance of 216.19 feet; (7) N.89°49'38"W., a distance of 126.64 feet; (8) S.83°44'48"W., a distance of 20.04 feet to the **POINT OF BEGINNING**.

Containing 32.493 acres, more or less.

SURVEYOR'S NOTES:

- Bearings shown hereon are based on the West boundary of the Northeast 1/4 of Section 8, Township 27 South, Range 16 East, having a Grid Bearing of S.01°21'11"E. the Grid Bearing as Shown Hereon Refer to the State Plane Coordinate System, North American Horizontal Datum of 1983 (NAD 83-2011 Adjustment) for the West Zone of Florida.
- I do hereby certify that this sketch & description was made under my supervision and meets the standards of practice set forth by the Florida Board of Professional Surveyors & Mappers stated in rules 5J-17.051, and 5J-17-053, Florida administrative code, pursuant to section 472.027, Florida statutes.
- See Sheets 2 for Sketch, 3 for Curve & Line table.



Digitally signed
by Charles
Arnett
Date:
2025.01.30
20:23:11 -05'00'

Charles M. Arnett LS6884

JOB #: 146335		
DRAWN: LAT	DATE: 1/22/25	CHECKED: MHC
Prepared For: Jallo Family		
Revisions		
DATE	DESCRIPTION	DRAWN
---	---	---
---	---	---
---	---	---
---	---	---

West Florida
213 Hobbs Street
Tampa, Florida 33619
Phone: (813) 248-8888
Fax: (813) 248-2266
www.geopointsurvey.com
Licensed Business No.: LB 7768



GeoPoint
Surveying, Inc.

(Not A Survey)



Page 28 of 81

Description Sketch

(Not A Survey)

Curve Data Table					
No.	Radius	Arc	Δ	Bearing	Chord
C1	1030.00'	175.51'	9°45'48"	N63°11'42"E	175.30'
C2	993.00'	92.11'	5°18'54"	N61°00'00"E	92.08'
C3	70.70'	73.54'	59°35'45"	S75°41'08"E	70.27'
C4	48.84'	51.41'	60°18'39"	S75°24'34"E	49.07'
C5	127.11'	59.05'	26°37'02"	S25°41'59"E	58.52'
C6	30.17'	40.89'	77°39'15"	S47°03'43"E	37.83'
C7	63.00'	10.60'	9°38'10"	S48°08'35"W	10.58'

Line Data Table		
No.	Bearing	Length
L1	S01°21'11"E	267.91'
L2	S89°49'54"E	159.47'
L3	S82°13'41"E	81.31'
L4	S89°49'38"E	87.85'
L5	N83°44'48"E	57.39'
L6	N00°00'45"W	1374.00'
L7	N68°02'42"E	85.76'
L8	N74°26'01"E	69.03'
L9	S45°11'33"E	94.53'
L10	S39°00'27"E	231.03'
L11	S12°23'28"E	67.95'

Line Data Table		
No.	Bearing	Length
L12	N89°58'34"E	35.30'
L13	N00°01'26"W	7.65'
L14	N32°41'16"E	34.29'
L15	N62°17'52"E	28.52'
L16	N83°19'47"E	2.03'
L17	N00°19'11"E	2.66'
L18	S88°05'29"E	310.75'
L19	S51°07'24"E	34.56'
L20	S08°14'06"E	69.25'
L21	S11°33'48"E	60.94'
L22	S25°20'33"W	681.38'

Line Data Table		
No.	Bearing	Length
L23	S43°19'30"W	113.04'
L24	S37°02'19"E	59.30'
L25	S01°17'30"E	265.82'
L26	N89°49'54"W	89.09'
L27	S00°21'48"W	3.73'
L28	N89°49'38"W	234.37'
L29	S82°13'06"W	171.81'
L30	N89°49'38"W	28.88'
L31	N83°05'43"W	216.19'
L32	N89°49'38"W	126.64'
L33	S83°44'48"W	20.04'

See Sheets 1 & 2 for Signature & Revisions

West Florida
213 Hobbs Street
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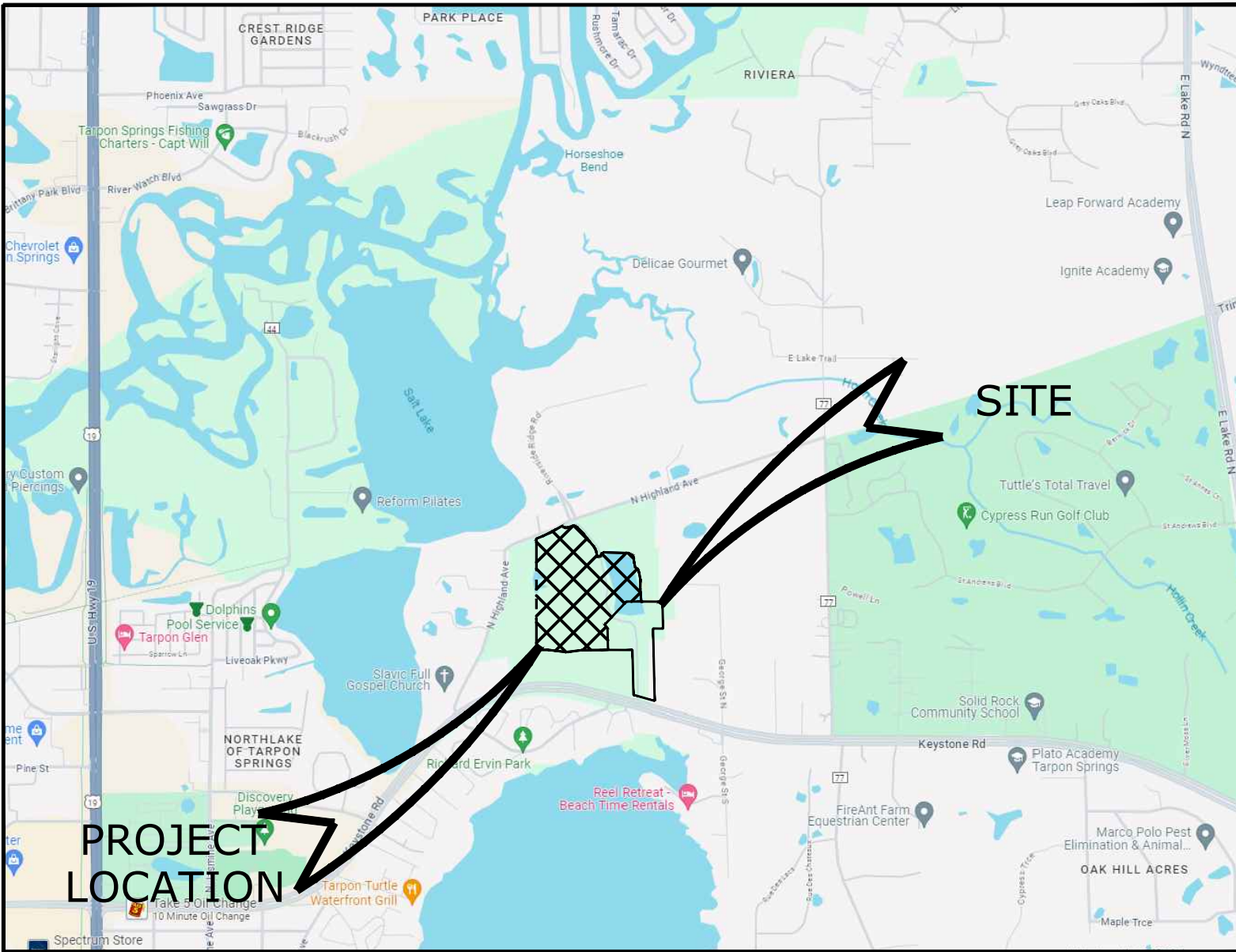
GeoPoint
Surveying, Inc.

JALLO FAMILY SUBDIVISION - PHASE I

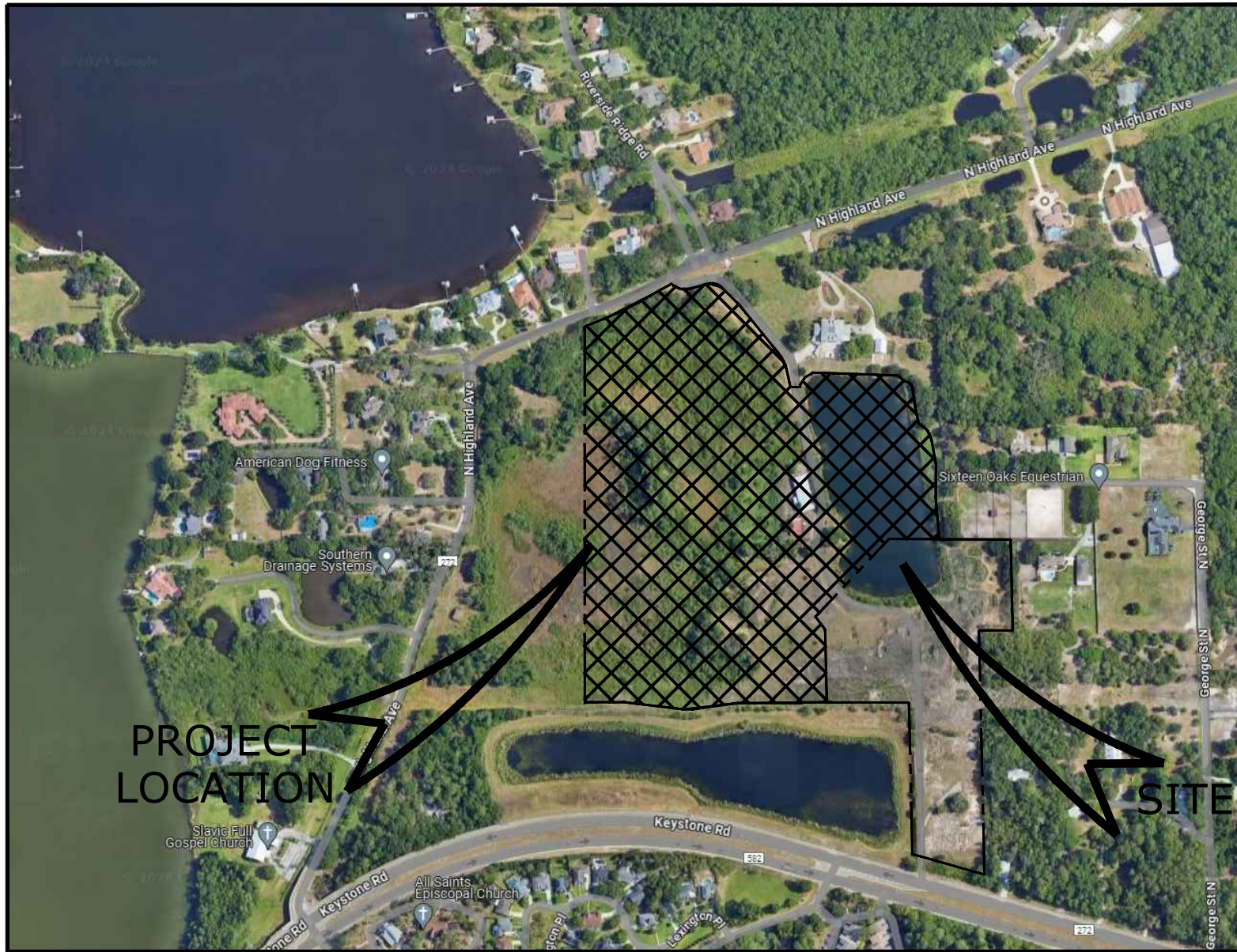
SECTION 08 - TOWNSHIP 27 S - RANGE 16 E
PARCEL NO. 08-27-16-89406-000-0060
TARPON SPRINGS

LEGAL DESCRIPTION

Legal Description
TRACT A OF DAVIS REP ALL DESC FROM SW COR OF NW 1/4 OF NE 1/4 OF SEC 08-27-16 TH S01D2126°E 268.28FT TH S89D4907°E 159.69FT TH S82D2015°E 81.24FT TH S89D5116°E 87.85FT TH N83D4631°E 57.1FT FOR POB TH N00D0002°W 1373.81FT TH N68D0329°E 85.76FT TH CUR LT RAD 1030FT ARC 175.51FT CB N63D1229°E 175.3FT TH CUR RT RAD 993FT ARC 92.11FT CB N61D0047°E 92.08FT TH CUR LT RAD 70.33FT ARC 73.32FT CB S75D41°E 70.04FT TH N74D2647°E 69.03FT TH CUR RT RAD 48.84FT ARC 51.41FT CB S75D23°E 49.07FT TH S45D1429°E 94.64FT TH S38D5941°E 231.03FT TH CUR RT RAD 127.11FT ARC 59.05FT CB S25D4112°E 58.52FT TH S12D2242°E 67.95FT TH N89D5920°E 35.3FT TH N00D0040°W 7.65FT TH N32D4202°E 34.29FT TH N62D1838°E 28.52FT TH N83D2033°E 2.03FT TH N00D1957°E 2.66FT TH S88D0443°E 310.6FT TH S51D0638°E 34.56FT TH CUR RT RAD 30.17FT ARC 40.89FT CB S47D0247°E 37.83FT TH S08D1520°E 69.25FT TH S11D3502°E 60.94FT TH CUR RT RAD 81.64FT ARC 79.24FT CB S38D0644°E 76.17FT TH S10D1807°E 91.6FT TH S00D4542°W 115.96FT TH S04D5909°E 156.73FT TH S89D4113°E 260.29FT TH S01D2308°E 332.16FT TH N89D43°W 122.25FT TH S01D1130°E 892.64FT TH N74D0124°W 273.64FT TH N01D1511°W 553.15FT TH N89D4907°W 389.38FT TH S00D0648°W 3.75FT TH N89D4627°W 254.19FT TH S82D1056°W 171.95FT TH S89D5430°W 29.02FT TH N83D0058°W 215.96FT TH N89D4506°W 126.77FT TH S83D4631°W 20.14FT TO POB CONT 45.59 AC(C)



STREET MAP



AERIAL MAP

INDEX OF SHEETS

C1.1	CIVIL SITE DATA
C2.1	EX. CONDITIONS
C2.2	N.P.D.E.S
C3.1	MASTER CIVIL SITE PLAN
C3.2	CIVIL SITE PLAN - 50 SCALE
C4.1	GRADING AND DRAINAGE PLAN - OVERALL
C4.2	DRAINAGE PLAN - 50 SCALE
C5.1	UTILITY PLAN - OVERALL
C5.2	UTILITY PLAN - 50 SCALE
C6.1	CIVIL DETAILS
C6.2	CIVIL DETAILS
L1.1	LANDSCAPE PLAN - OVERALL
L1.2	LANDSCAPE PLAN

DESIGN PROFESSIONALS

CIVIL ENGINEER/PLANNER:

NORTHSIDE ENGINEERING, INC.
300 SOUTH BELCHER ROAD
CLEARWATER, FLORIDA 33765
727-443-2869

SURVEY

GEOPOINT SURVEYING, INC.
213 HOBBS STREET
TAMPA, FLORIDA 33619
813-248-8888

FLOOD ZONE INFORMATION

THIS PROPERTY IS LOCATED IN ZONE "AE" AND "X"
OF THE FLOOD INSURANCE RATE MAP,
COMMUNITY PANEL NO. 12103C0036H, 12103C0038H,
EFFECTIVE DATE OF 08/24/2021.

SITE DATA

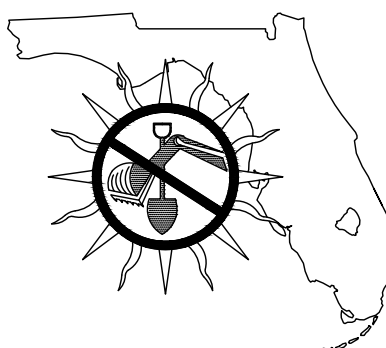
MATRIX		EXISTING		PROPOSED		ALLOWED/CODE
ZONING:		AGRICULTURAL & RPD-0.5		AGRICULTURAL & RPD-0.5 (PROP. REZONING)		OK
USAGE:		VACANT		SINGLE FAMILY		OK
FUTURE LAND USE:		RVL & P		RVL & P		OK
LOT AREA (GROSS):	UPLAND	1,993,278 S.F. 45.76 ACRES	1,247,173 S.F. 28.63 ACRES	1,491,268.2 S.F. 34.234 ACRES	745,163.2 S.F. 17.106 ACRES	30,000 S.F. 0.688 ACRE
	WETLAND		746,105 S.F. 17.13 ACRES		746,105 S.F. 17.12 ACRES	
BUILDING COVERAGE:		-		-		N/A
FLOOR AREA RATIO: (FAR)		-		-		N/A
DENSITY:		-		4 UNITS		1.4 UNIT PER ACRE 23.94 UNITS
BLDG. SETBACKS:	FRONT	-		SEE SHEET C3.2		30'
	SIDE	-		SEE SHEET C3.2		20'
	REAR	-		SEE SHEET C3.2		50'
BLDG. HEIGHT:		-		35'		35'
VEHICULAR USE AREA (VUA):		-		37,500 S.F.		-
INTERIOR LANDSCAPING:		-		-		-
IMPERVIOUS SURFACE RATIO: (I.S.R.)		-		*357,085.5 S.F. 0.479		0.60
OPEN SPACE: (S.F. & % OF GROSS SITE)		-		388,077.7 S.F. 52.1%		40%
PARKING:		-		8 SPACES		8 SPACES

PARKING CALCULATIONS: 2 PER UNIT = 8 SPACES TOTAL
* SEE ISR TABLE ON SHEET C3.1

Not enough information
provided to give comments.
K. Wodrich, Fire Marshal
11/25/24

AGENCY RESPONSE STAMPS

"INVESTIGATE BEFORE YOU EXCAVATE"



CALL SUNSHINE @ 1-800-432-4770
FL. STATUTE 553.851 (1979) REQUIRES A
MIN. OF 2 DAYS AND MAX. OF 5
DAYS NOTICE BEFORE YOU EXCAVATE.

Northside
Engineering, Inc.
Civil - Land Planning - Traffic Studies - Landscape
Due Diligence Reports - Land Use - Re-Zoning
Stormwater Management - Utility Design
Construction Administration
300 South Belcher Road, Clearwater, Florida 33765
Tel: 727-443-2869 Fax: 727-446-8036
tech@northsideengineering.net
Est. 1989

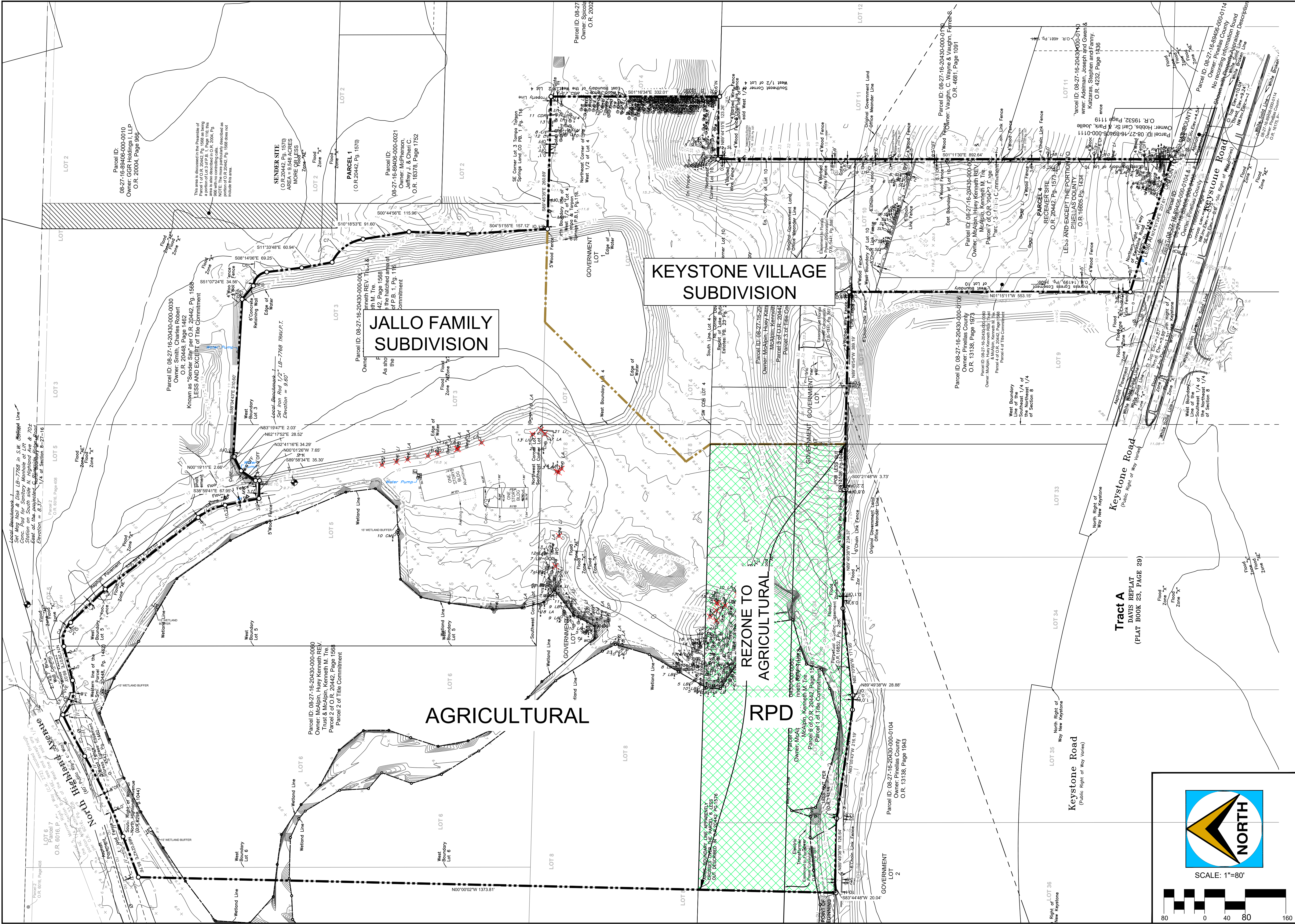
Donald B. Fairbairn, P.E. #44971
THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY
Donald B. Fairbairn, P.E. ON THE DATE ADJACENT TO THE
SEAL.
PRINTED COPIES OF THIS DOCUMENT ARE NOT
CONSIDERED SIGNED AND SEALED AND THE SIGNATURE
MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

PROJECT #		2415
ISSUE DATE:		05/20/24
REVISIONS:		
No.	Date	Description
△	/ /	
△	/ /	
△	/ /	
△	/ /	
△	/ /	
△	/ /	
DRAWN BY : SA		

CIVIL SITE DATA

JALLO FAMILY SUBDIVISION &
2169 KEYSTONE ROAD
TARPON SPRINGS, FL 34688
PHASE - I

Northside
Engineering, Inc.
C1.1



Northside

Engineering, Inc.

Civil · Land Planning · Traffic Studies · Landscape
Due Diligence Reports · Land Use · Re-Zoning
Stormwater Management · Utility Design
Construction Administration

300 South Bolcher Road, Clearwater, Florida 33765
Tel: 727-443-2868 Fax: 727-446-8036
tech@northsideengineering.net
Est. 1989

Donald B. Fairbairn, P.E. #49971

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY
Donald B. Fairbairn, P.E. ON THE DATE ADJACENT TO THE
SEAL.
PRINTED COPIES OF THIS DOCUMENT ARE NOT
CONSIDERED SIGNED AND SEALED AND THE SIGNATURE
MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

PROJECT #		2415
ISSUE DATE:		05/20/24
REVISIONS:		
No.	Date	Description
DRAWN BY : SA		

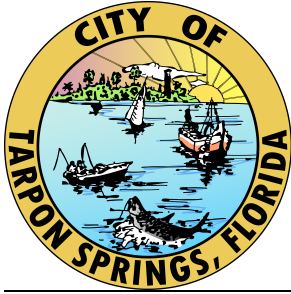
Registry # 31306

REZONING RPD TO AGRICULTURE

JALLO FAMILY SUBDIVISION &
2169 KEYSTONE ROAD
TARPON SPRINGS, FL 34688
PHASE - I

Northside
Engineering, Inc.

G2.0



City of Tarpon Springs

TRC Comment Report

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

Project

24.79

PNZ - Jallo Family Subdivision

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 currently located in the Residential Very Low (RVL) and Preservation (P) Future Land Use Map categories, and, in the following zoning categories: Agricultural and Residential Planned Development (RPD). The applicant is requesting a rezoning of the RPD portion to Agricultural for the "Jallo Family Subdivision" project (Site Plan Application #24.41).

[Comment 00002]

Patricia McNeese

The applicant has stated that approximately 9.3 acres is requested to be amended from RPD zoning to Agricultural zoning. The legal description provided does not appear to match the

area of proposed amendment or the subdivision area. A legal description of the Jallo Family Subdivision property and of the portion currently in RPD are both needed. These are also needed for Application #24-41 so will be used to run both applications concurrently through the hearing process.

If the above items can be provided by December 27, 2024, this application can be scheduled for the January 27, 2025 meeting of the Planning and Zoning Board.

[Comment 00003]

Patricia McNeese

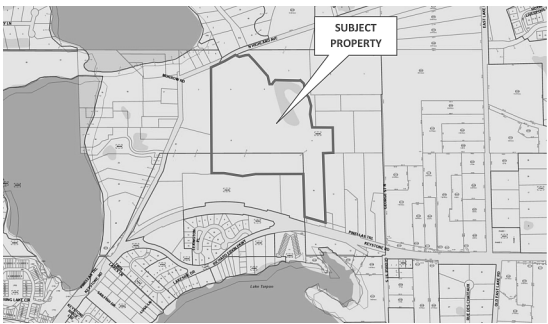
This document contains comments resulting from the December 5, 2024 meeting of the Technical Review Committee.

NOTICE OF PROPOSED AMENDMENT TO THE OFFICIAL ZONING ATLAS OF THE CITY OF TARPON SPRINGS

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

ORDINANCE 2025-04

AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA AMENDING THE OFFICIAL ZONING ATLAS FOR 32.49 ACRES, MORE OR LESS, OF REAL PROPERTY LOCATED BETWEEN NORTH HIGHLAND AVENUE AND KEYSTONE ROAD, APPROXIMATELY 500 FEET EAST OF NORTH HIGHLAND AVENUE, FROM AGRICULTURAL (A) DISTRICT AND RESIDENTIAL PLANNED DEVELOPMENT (RPD) DISTRICT, TO, AGRICULTURAL (A) DISTRICT; PROVIDING FOR FINDINGS; AND PROVIDING AN EFFECTIVE DATE.



Public Hearings on the proposed ordinance will be held before the **Planning & Zoning Board** on

Monday, March 17, 2025 at 6:30 P.M., and,

before the **Board of Commissioners** on:

Tuesday, April 8, 2025 at 6:30 P.M. (1st Reading)

Tuesday, April 22, 2025 at 6:30 P.M. (2nd Reading)

ALL 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 FAX a written request to (727) 943-4651.

PLEASE REFERENCE APPLICATION #24-79

Page 34 of 81

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

**NOTICE OF UPCOMING PUBLIC HEARING REGARDING PROPOSED ZONING MAP AMENDMENT
APPLICATION #24-79**

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 or email us at planning@ctsfl.us.

«AddressBlock»



CITY OF TARPON SPRINGS
PLANNING & ZONING BOARD / BOARD OF COMMISSIONERS
[MARCH 17, 2025 / APRIL 22, 2025]

STAFF REPORT

Application No. / Project Title: #25-09 (Nelson)
Staff: Allie Keen, AICP, Principal Planner
Applicant / Owner: Shawn & Karinne Nelson
Property Size: +/- 0.33 Acres
Current Zoning: R-100 (Single Family Residential)
Current Land Use: RL (Residential Low)
Location / Parcel ID: 616 N. Florida Avenue / 11-27-15-56438-000-0010
Resolution #: 2025-13

BACKGROUND SUMMARY:

The applicant is seeking conditional use approval for an agricultural use on the subject property for the purpose of allowing a pet miniature cow. Agriculture uses are a conditional use in the R-100 zoning district for properties with an underlying future land use designation of RL (Residential Low). Cows are considered farm animals, and the raising of farm animals is only permitted with agricultural uses for residential properties less than 2.5 acres in size.

PRELIMINARY STAFF RECOMMENDATION:

Staff recognizes the unique circumstances of the requested conditional use. In lieu of a formal recommendation, staff is providing findings and information in this report for consideration for the Planning and Zoning Board in its recommendation to the Board of Commissioners.

Should the Board recommend approval, staff recommends the following conditions:

1. The agriculture use is limited to the raising of a maximum of one (1) miniature cow on the property. No other farm animals or other agricultural activities, as specified under the definition of 'Agriculture' in Land Development Code Section 214.00 are permitted.
2. Any type of commercial activity associated with the miniature cow on the property is prohibited, including but not limited to paid visitations, parties, photography sessions, etc.

CURRENT PROPERTY INFORMATION:

Use of Property:	Single Family Residential
Site Features:	Single family home, driveway, pool, detached garage, fence, mature trees, and landscaping.
Vehicle Access:	This property gains access from N. Florida Ave.



SURROUNDING ZONING & LAND USE:

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

PLANNING CONSIDERATIONS:

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

1. The applicant is requesting conditional use approval to allow an agricultural use in order to have a miniature (mini) cow as a family pet. According to the applicant, a mini cow, when full grown, can stand between 32 and 48 inches tall and can either have horns or not (polled). The applicant has indicated they intend to adopt a polled cow.
2. The subject property is located in the R-100 (Single Family Residential) zoning district and the RL (Residential Low) future land use category. The R-100 district allows 'agriculture' uses with conditional use approval for properties with RL land use designations.
3. Per Land Development Code (LDC) Section 241.00(A)(6), 'agriculture' is defined as follows:

Use of land for the growing of crops, plants, or trees for wholesale plant production, animal raising and grazing, aquaculture, animal breeding, game preserves, lands diverted to soil conservation or forestry, training or stabling of animals, horticulture, floriculture or any similar agricultural activity. "Animal raising and grazing" shall mean the keeping of one or more animals commonly associated with agricultural use, including but not limited to cows, horses, pigs, goats, sheep, ducks, turkeys, chickens, geese, roosters, ponies, and other similar animals. Animal raising and grazing shall not include animals which are normally considered household pets and which can be maintained and cared for within the living space of a residence.

4. The 0.33-acre subject property is fenced with a 6-foot tall, PVC privacy fence on all sides and there is a 4-foot-tall fence with slats separating the pool from the rest of the backyard. At all times, the mini cow would be able to roam throughout the fenced backyard and under supervision the cow would be able to be in the front yard, as shown in the provided exhibit. The applicant is also proposing to construct an enclosed barn-style shed to provide shelter for the mini cow.
5. According to the applicant, due to their size, mini cows can live in much smaller areas than their larger counterparts. When a mini cow is not intended to be bred or used for meat production, their diet can be supplemented with hay and grain (as is proposed by the applicant) and a large grass area for grazing is not necessary.
6. Depending on the temperature, the applicant indicated that the mini cow could drink between 3 to 9 gallons of water per day, as stated on the Certificate of Concurrency application.
7. The property is located within a residential area. Farm animals are typically not permitted in residential areas to prevent potential issues such as odor and noise that can create nuisances for neighboring properties. The applicant provided a waste removal plan as a part of their application to address concerns with odor and flies typically associated with the animal's waste. The plan includes use of airtight storage bins until the waste is removed from the property, which is intended to be weekly. The bins are proposed to be kept in the detached garage or in the front of the property behind the fence to reduce impact to the surrounding neighbors. The applicant also indicated that the mini



cow would be regularly groomed like a typical household pet which would reduce the 'farm animal' smell. According to the applicant, mini cows usually only moo when they are hungry or lonely. The applicant has indicated they are home a large majority of the day to provide companionship and to regularly feed the animal to help mitigate noise produced by the cow.

8. In 2013 (Ordinance 2013-17), the City amended its Code of Ordinances (Section 4-3) to allow residential properties to have up to 4 chickens, with approval of a chicken permit. Although the popularity of unconventional household pets, such as pigs and miniature cows and goats, within urbanized areas has risen over the past several years, other than chickens, the City has not amended its Ordinances to allow farm animals are on residential property. Within the city, other farm animals are only permitted on residential property that is at least 2.5 acres in size. This is inconsistent with the Land Development Code, which does not specific a minimum acreage for agricultural uses.

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 property meets the requirements of the Land Development Code and conforms with the dimensional standards of the R-100 zoning district. Any new structure on the property, such as a barn/shelter, will be required to meet all applicable zoning and building codes. The City's Technical Review Committee (TRC) reviewed this project at their regular meeting of February 6, 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 within a developed, residential area within the R-100 and R-100A single family residential zoning districts. The surrounding properties range in size, with the subject site being on the larger size of 0.33 acres. With regard to compatibility, typical agriculture uses, such as crop production, forestry, animal breeding, training and stabling, can have significant impacts on surrounding properties depending on the intensity of the operation and the context in which they are located. The proposed conditional use is limited to the raising of 1 farm animal that is intended to be a family pet. However, farm animals can create odor and noise that potentially can cause nuisances to neighboring properties. The applicant has developed a waste management and grooming plan to address concerns of odor and has indicated they are at the residence most of the day to monitor noise. Features on the subject property, such as the existing 6-foot-tall privacy fencing, large, detached garage towards the back of the property, and several mature trees potentially provide screening of the animal from neighboring properties.

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 RL (Residential Low) future land use category. This area is intended to "depict areas that are now developed, or appropriate to be developed, in a lower density residential manner; and to recognize such areas as primarily well-suited for single and two-family residential uses." Although the RL land use category's intended purpose is for lower density residential, the LDC recognizes that in some situations this category may be appropriate for agriculture uses in the R-100 zoning district. The conditional use process allows for an in-depth review of a request to determine compatibility while also allowing the opportunity for the Board to place reasonable conditions to lessen the impact, if necessary.



Policy FLU 1.3.5 of the Future Land Use Element (2045 Comprehensive Plan) recommends reviewing the LDC permitted and conditional uses to support urban agriculture uses such as hydroponic crop production, self-sustainable urban farming, and local food production, community gardens and cooperatives and vegetable/produce stands. However, this policy does not address the raising of farm animals in an urban setting.

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. The applicant has provided a waste management plan that addresses concerns with potential nutrients produced by the animal's waste.

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

Provisional Findings: The surrounding area is primarily single family residential. The subject property would continue to be a single-family residence, and the proposed use would not require any modifications to the property, aside from the addition of a small accessory structure that is similar to accessory structures found on other residential properties. Potential nuisances associated with a farm animal in a more urban setting, such as noise and odor, should be considered. However, this is an intangible measure of impact to actual property values over a long term. The existing features on site, including the privacy fencing, mature trees, house, and large garage, in addition to the limitation of 1 mini cow on the property minimize the impact to the surrounding area, therefore, the effect on property values is not expected to significantly affected based on the information provided.

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 already served by city services. The request does not require any extension of new public services to the site and will not adversely affect the ability of the city to provide adequate public facilities. Further, Public Services reviewed this application and determined the anticipated water consumption would not create an undue burden on the city.

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 and will not impact the city's growth patterns or ability to provide public facilities.

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

Provisional Findings: The property is fully enclosed with a 6-foot-tall fence which will contain the mini cow to the backyard and the applicants have provided a waste management and grooming plan. With the unique nature of this request, 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 recommended conditions of approval which are deemed to be reasonable.

PUBLIC CORRESPONDENCE:



Notices were sent to property owners within 500 feet of the subject property. This included 79 addresses. *Staff has received one response in opposition to this request.*

ATTACHMENTS:

1. Staff Presentation
2. Draft Resolution #2025-23
3. Application
4. Applicant Narrative
5. Waste Removal Plan
6. Accessible Areas Plan
7. Barn Location Plan
8. Survey
9. Certificate of Concurrency Application
10. Public Comments

NELSON #25-09

Planning & Zoning Board Meeting – March 17, 2025

Board of Commissioners Meeting – April 22, 2025





SUMMARY OF REQUEST

- **Resolution #2025-23 – Conditional Use (#25-09)**
 - Location: 616 N. Florida Avenue
 - Property Size: +/- 0.33 Acres
 - Current Land Use: RL (Residential Low)
 - Current Zoning: R-100 (Single Family Residential)
 - Proposed Use of Property: Request to allow an agricultural use on the property for the purpose of allowing a pet miniature cow.
 - Full Grown 32” – 48” Tall
 - Can have horns or not (Polled)
 - Diet can be supplemented with hay and grain (as proposed by applicant), reducing the area necessary for grazing.
 - Drinks approx. 3 – 9 gallons of water per day (depending on temp.)
- **Applicant/Owner**: Shawn & Karinne Nelson



LOCATION



REQUEST

R-100 Zoning:

- Agriculture Use – Conditional
- Limited FLUM Categories – RR, RS, [RL](#), RU

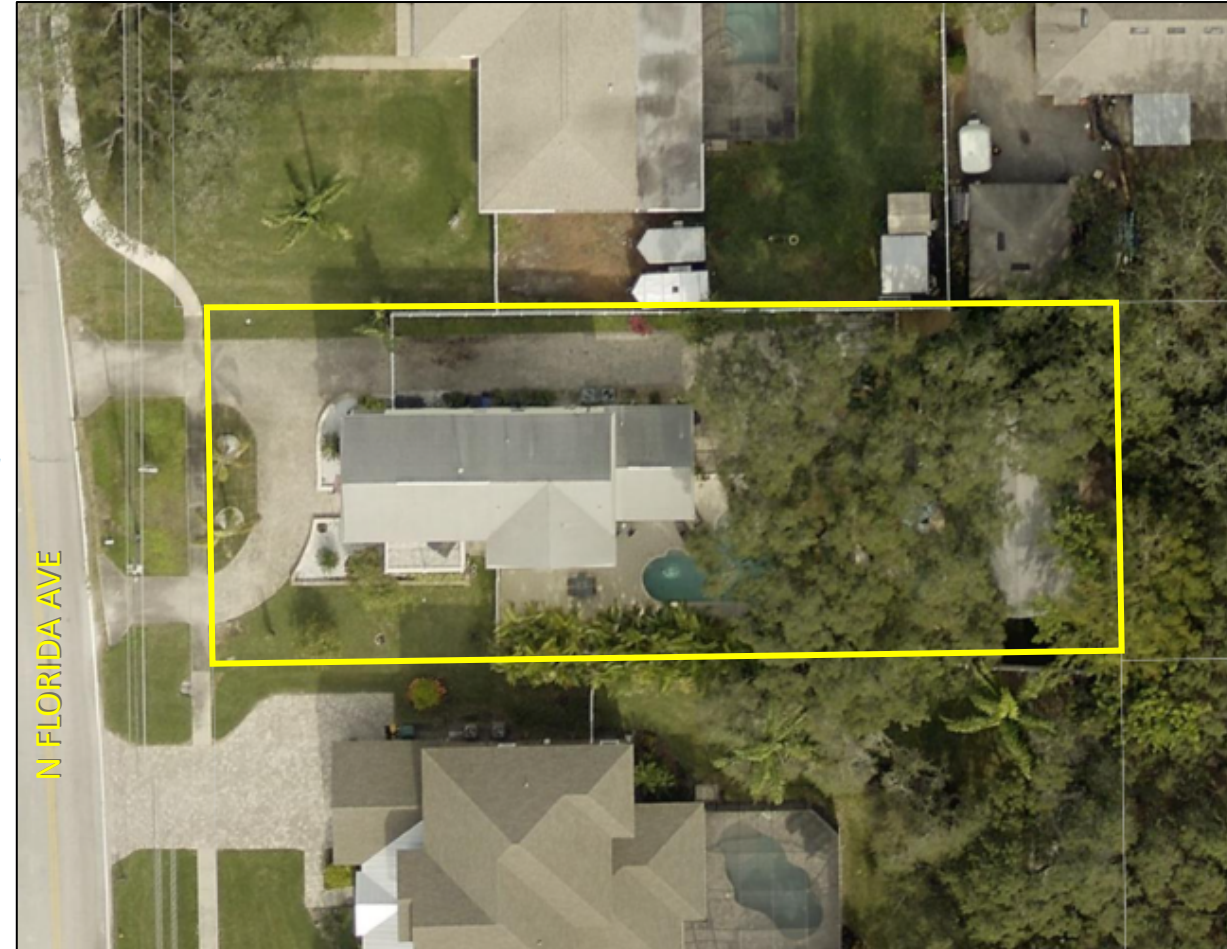
Agriculture Definition:

“Use of land for the growing of crops, plants, or trees for wholesale plant production, *animal raising and grazing*, aquaculture, animal breeding, game preserves, lands diverted to soil conservation or forestry, training or stabling of animals, horticulture, floriculture or any similar agricultural activity.

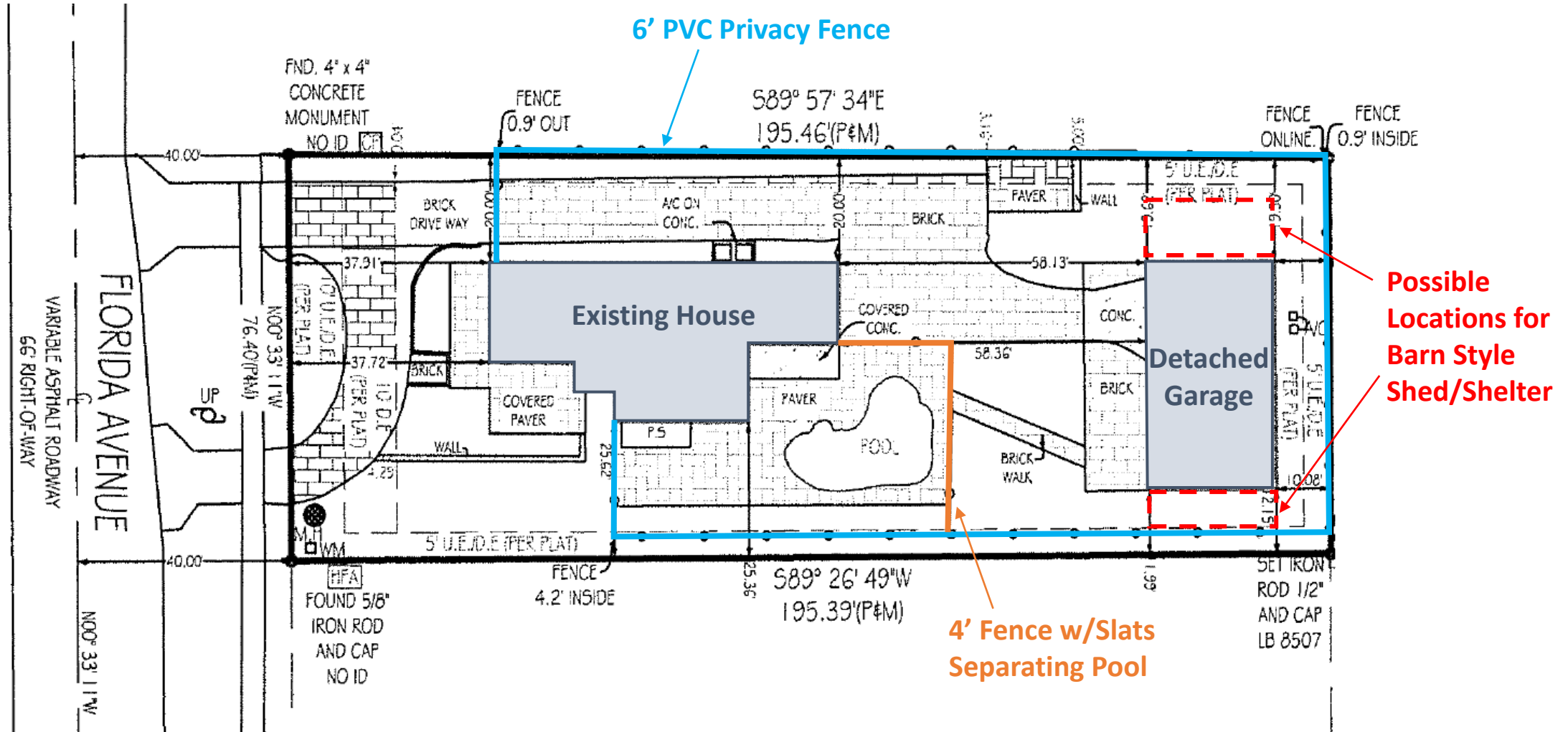
“Animal raising and grazing” shall mean the keeping of *one or more animals* commonly associated with agricultural use, including but not limited to *cows, horses, pigs, goats, sheep, ducks, turkeys, chickens, geese, roosters, ponies, and other similar animals*. Animal raising and grazing shall not include animals which are normally considered household pets and which can be maintained and cared for within the living space of a residence.”

Ord. 2013-17 [§ 4-3] – Urban Chicken Ordinance:

- Permits up to 4 chickens on residential property.
- No other farm animals are permitted on residential property less than 2.5 acres within the city.
- Inconsistent with LDC, which does not specify min. acreage for agricultural uses.



REQUEST





REVIEW CRITERIA – CONDITIONAL USE

- 1) **Conformance 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 a developed, residential area. Typical agriculture uses, such as crop production, forestry, animal breeding, training and stabling, can have significant impacts on surrounding properties depending on the intensity of the operation and the context in which they are located. The proposed request is limited to 1 farm animal intended to be a family pet. However, farm animals can create odor and noise that can cause potential nuisances to neighboring properties. The applicant has provided a waste management and grooming plan to address odor and has stated they are home a majority of the day to monitor noise. Existing features on the property (privacy fencing, structures, mature trees) also provide potential screening of the animal.

REVIEW CRITERIA – CONDITIONAL USE





REVIEW CRITERIA – CONDITIONAL USE

- 3) **The use is consistent with the Comprehensive Plan.** Although the RL future land use category's intended purpose is for lower density residential, the LDC recognizes that in some situations this category may be appropriate for agriculture uses in the R-100 zoning district. The conditional use process allows for an in-depth review of a request to determine compatibility while also allowing the opportunity for the Board to place reasonable conditions to lessen the impact, if necessary.

Policy FLU 1.3.5 (2045 Comp. Plan) recommends reviewing the LDC permitted and conditional uses to support urban agriculture uses, however, this policy does not address the raising of farm animals in an urban setting.

- 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. The applicant's waste management plan addresses concerns with potential nutrients produced by the animal's waste.

REVIEW CRITERIA – CONDITIONAL USE

- 5) **The use will not adversely affect adjoining property values.** The surrounding area is primarily single family residential. The property would continue to be a single-family residence, and the proposed use would not require any modifications to the property. Potential nuisances associated with a farm animal in a more urban setting, such as noise and odor, should be considered. However, this is an intangible measure of impact to actual property values over a long term. The existing features on site and the limitation to 1 mini cow minimize the impact, therefore, the effect on property values is not expected to be significantly affected.
- 6) **The use will not adversely impact nor exceed the City’s capacity to serve with public facilities.**
- 7) **The use shall provide for efficient and orderly development.**
- 8) **The public health, safety, and welfare shall be observed with any reasonable conditions necessary.** The property is fully enclosed with a 6-foot privacy fence that will contain the mini cow to the backyard and the applicant has provided a waste management and grooming plan to mitigate concerns. With the unique nature of this request, the Board should review the proposal with the applicant, take any incoming public comment, consult with staff, and make a determination with respect to protection of public health, safety, and welfare. Staff has recommended conditions deemed reasonable.



PRELIMINARY STAFF RECOMMENDATION

Resolution #2025-23:

Staff recognizes the unique circumstances of the requested conditional use. Should the Board recommend approval, staff recommends the following conditions:

1. The agriculture use is limited to the raising of a maximum of one (1) miniature cow on the property. No other farm animals or other agriculture activities, as specified under the definition of 'Agriculture' in the Land Development Code Section 214.00 are permitted.
2. Any type of commercial activity associated with the miniature cow on the property is prohibited, included but not limited to paid visitations, parties, photography sessions, etc.

Public Notice – 79 mailed notices. Staff has 1 response in opposition to this request.

RESOLUTION NO. 2025-23

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA, APPROVING APPLICATION #25-09 REQUESTING CONDITIONAL USE APPROVAL TO ALLOW AN AGRICULTURAL USE (PET MINIATURE COW) AT 616 N. FLORIDA AVENUE, IN THE R-100 (SINGLE FAMILY RESIDENTIAL) 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 an agricultural use for the purpose of allowing a pet miniature cow in the R-100 (Single Family Residential) zoning district; and,

WHEREAS, the Land Development Code Section 25.02(C)(1) requires conditional use approval for such uses within the R-100 (Single Family Residential) zoning district; and,

WHEREAS, Land Development Code Section 25.02(C)(1) further limits agriculture uses to R-100 properties within specific Future Land Use Categories, which includes the RL (Residential Low) category; and,

WHEREAS, the property is located within the RL (Residential Low) future land use category and eligible to request conditional use approval for the agriculture use; and,

WHEREAS, the Planning and Zoning Board held a public hearing on this application at its meeting of March 17, 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 #25-09 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 #25-09 under Resolution 2025-23, requesting Conditional Use approval to allow an agriculture use (pet miniature cow) at 616 N. Florida Avenue in the R-100 (Single Family Residential) zoning district is approved with the following conditions:

1. The agriculture use is limited to the raising of a maximum of one (1) miniature cow on the property. No other farm animals or other agricultural activities, as

specified under the definition of 'Agriculture' in Land Development Code Section 214.00 are permitted.

2. Any type of commercial activity associated with the miniature cow on the property is prohibited, including but not limited to paid visitations, parties, photography sessions, etc.

SECTION 3: EFFECTIVE DATE

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

DRAFT



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 Shawn and Karinne Nelson		EMAIL shawn.nelson340@gmail.com	
ADDRESS 616 N Florida Ave			
CITY Tarpon Springs		STATE FL	ZIP 34689
PHONE 484-553-9431 or 610-730-8535			

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

NAME		EMAIL	
ADDRESS			
CITY		STATE	ZIP
PHONE			

3. AGENT/REPRESENTATIVE *(if applicable)*

NAME		EMAIL	
ADDRESS			
CITY		STATE	ZIP
PHONE			



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

General Applications

- | | | |
|---|---|---|
| ☐ Annexation | ☐ Rezoning | ☐ Minor Plat |
| ☒ Conditional Use | ☐ Site Plan/Subdivision | ☐ Planned Development: |
| ☐ Discussion Item | ☐ Right-of-Way Vacation | ☐ Concept |
| ☐ Development Agreement | ☐ 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 Miniature Cow Pet Conditional Use			
ADDRESS/LOCATION 616 N Florida Ave. Tarpon Springs, FL 34689			
TAX PARCEL NUMBER(S) 11/27/15/56438/000/0010			
LEGAL DESCRIPTION Lot 1, Mayfair Villas at Howard Park, as recorded in Plat 123, Page(s) 33			
SITE ACREAGE Upland <u>.34</u> 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): <u>NA</u>			
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
RL- Residential Low	R-100		

7. SUMMARY/PURPOSE OF REQUEST

Request is for an agriculture conditional use authorization to allow for us to posses a miniature cow on our property.
--



8. SIGNATURE(S)/AUTHORIZATION

APPLICANT'S SIGNATURE:

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

(Applicant's Signature)

____1/16/2025_____
(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)

____1/16/2025_____
(Date)

**Not required for discussion item applications*

AGENT AUTHORIZATION:

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

(Agent Name, Printed)

(Date)

(Agent's Signature)

(Date)

STATE OF FLORIDA)
COUNTY OF PINELLAS)

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

NOTARY PUBLIC

Name: _____

Signature: _____

Stamp: _____



APPLICATION 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		

This application is for an agricultural conditional use approval for our property at 616 N Florida Ave in Tarpon Springs as defined in the Tarpon Springs, Florida – Code of Ordinances, Appendix A, Article II, § 25.02, Section C, subsection 1. This is not a standard agricultural request though because we do not intend to use or sell anything the cow would or could produce. We would like approval for a miniature cow to have as a family pet.

For those who do not know about cows or miniature cows in general please allow me to provide some background. A miniature cow is a selectively bred animal that is a smaller version of their larger counterparts. As such their requirements are far less than their full size counterparts who usually require large areas. They can live approximately 20 years with proper care and stand between 32”-48” tall once full grown. Due to the smaller size of the animal they do not require the large acreage usually required for agricultural animals. They can have horns or not (polled). We would be looking to get a polled animal so as to not have the concern of horns. Their diet can be supplemented by hay and grain and as a pet a large grass area would not be required as the animal will not be used for meat production. They use supplemental salt licks along with needing several gallons of water a day depending on environment and temperature.

Upon approval, we plan to have a barn style shed installed on the property as shown in the attached site plan that would be fully enclosed and if necessary temperature controlled to give the animal shelter and protection from the elements. This would also allow for food and waste storage in separate areas until the need for disposal. Our property is surrounded on all sides by fencing and the pool area is separately enclosed so as to not allow the animal to enter the area.

Obtaining food and veterinary care for the animal would be easily accomplished due to the large agricultural presence in the area and the fact that there are feed stores and mobile vets for care. Should the animal need transport I also own a Chevy 2500 HD which can be used to transport necessary supplies as well. In addition, I own a 7’x16’ dump trailer to allow for waste removal on a regular basis so that there is minimal if any impact to the surrounding neighbors.

For the area accessible to the cow please see the attached Survey Area Accessible document. There is a grass area in front of the residence marked in Blue that the cow will have access to when supervised. The red area behind the fence line outlines the area that the cow will have unsupervised access to. As stated in the meeting Karrie is a stay-at-home mom so the cow will be afforded the opportunity to have someone with it a large majority of the day. This will also help to mitigate noise produced by a cow either due to loneliness or hunger.

The size of the planned barn structure would not exceed 200 square feet and any permitting needed would be obtained once conditional use approval was received.

In terms of odor. We currently own a number of dogs on the property and we have not received any complaints about their waste being an issue. We regularly pick up and dispose of their waste so as to not inconvenience our neighbors. The addition of an air tight waste bin furthers our commitment to reduce odor as much as possible. As this would be a mini cow and a pet, it would receive regular grooming such as bathing to prevent a "farm smell".

In order to prevent attracting unwanted pests we will also plan to purchase food storage containers similar to the waste containers that will be kept in the additional structure. Pest control would be called out if an issue arose.

Per Tony at public works the ESU calculation would not be impacted by the addition of the housing structure since it will be slightly elevated off the ground.

Waste Removal Plan

In order to minimize/prevent excess smell caused by manure produced by the cow. We are prepared to purchase the below type of storage container that is air tight to store the waste until it can be removed from the property. This air tight container will help reduce odor as well as flies that may be attracted to the area. This container could be stored in the garage or in the front of the property behind the fence in order to reduce impact to the neighbors.



In order to ensure removal of waste on a regular basis, We currently own a Chevy 2500 with a 7'x16' dump trailer pictured below which will allow us to transport the waste.



Currently the plan is to remove waste once per week.



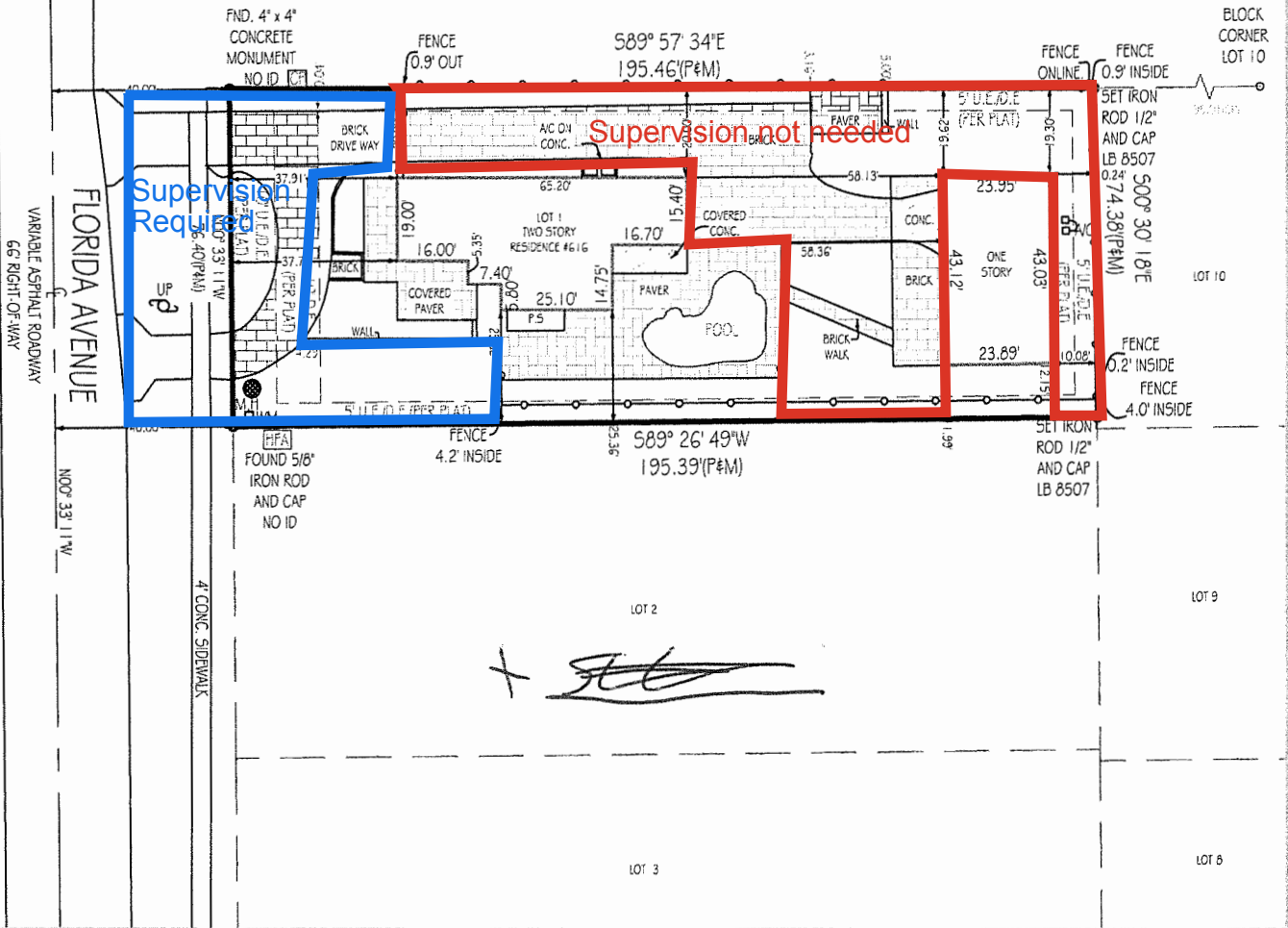
SCALE: 1"=40'

BEARING REFERENCE:
CENTER LINE OF FLORIDA AVENUE AS N 00°33'11" W
ALL BEARINGS SHOWN HEREON REFERENCED THERETO.

TAMPA- TAPRON SPRINGS LAND CO SUBDIVISION
LIMITS OF PLAT
(P.B. H-1, PG. 116)



AERIAL PHOTOGRAPH
(MAY NOT SHOW LATEST IMPROVEMENTS)
(NOT-TO-SCALE)



CP = CONTROLLING POINT (POINT OF ROTATION) *HFA* = HELD FOR ALIGNMENT - ALL OTHER MONUMENTATION AND IMPROVEMENTS RELATIVE THERETO

Platted Easements, Notable or Adverse Conditions (unplatted easements also listed if provided by client): IF APPLICABLE, RECIPIENTS

OF THIS SURVEY SHOULD REVIEW THE POSITION OF ANY FENCE LINES SHOWN HEREON AND THEIR RELATIONSHIP TO THE BOUNDARY LINE

- 5' UTILITY & DRAINAGE EASEMENT ALONG NORTHERLY, EASTERLY & SOUTHERLY BOUNDARY LINE OF SUBJECT LOT.
- 10' UTILITY & DRAINAGE EASEMENT ALONG WESTERLY BOUNDARY LINE OF SUBJECT LOT.
- 10' DRAINAGE EASEMENT ALONG WESTERLY BOUNDARY LINE OF SUBJECT LOT.
- PAVER EXTENDS INTO THE NORTHERLY EASEMENT.
- BRICK DRIVEWAY EXTENDS INTO THE WESTERLY & NORTHERLY EASEMENT.
- PAVER & BRICK EXTENDS INTO THE NORTHERLY EASEMENT.
- WALL EXTENDS INTO THE NORTHERLY & WESTERLY EASEMENT.
- PAVER DRIVEWAY EXTENDS INTO THE WESTERLY EASEMENT.
- FENCE EXTENDS EASTERLY, SOUTHERLY EASEMENT.

This survey has been issued by the following Landtec Surveying office: 700 West Hillsboro Boulevard, Suite 2-102 Deerfield Beach, FL 33441 Office: (561) 367-3587 Fax: (561) 465-3145 www.Landtecsurvey.com	Elevations, if shown:	Revisions:	Job Nr: 225119-CW	Date of Field Work: 10/02/2024	Drawn by: S.S.
	Benchmark:				
	Benchmark Elev.:				
	Benchmark Datum:				
	Elevations on Drawing are in: N.G.V.D.29 ☐ N.A.V.D.88 ☐				

LICENSED BUSINESS No. 8507



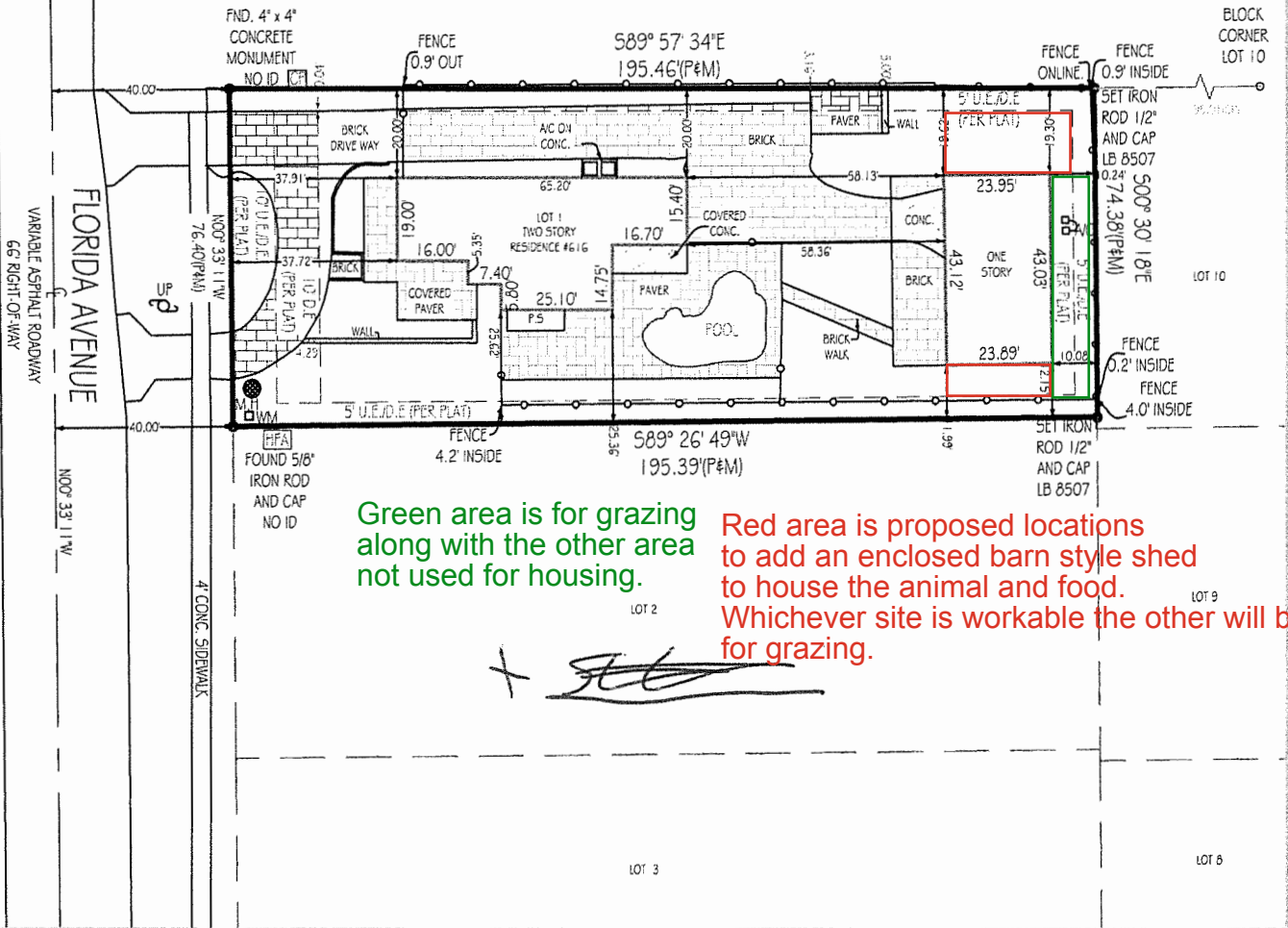
SCALE: 1"=40'

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AERIAL PHOTOGRAPH
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Green area is for grazing along with the other area not used for housing.

Red area is proposed locations to add an enclosed barn style shed to house the animal and food. Whichever site is workable the other will be for grazing.

+ S.S.

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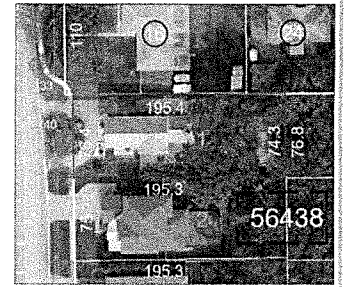
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LANDTEC

LICENSED BUSINESS No. 8507

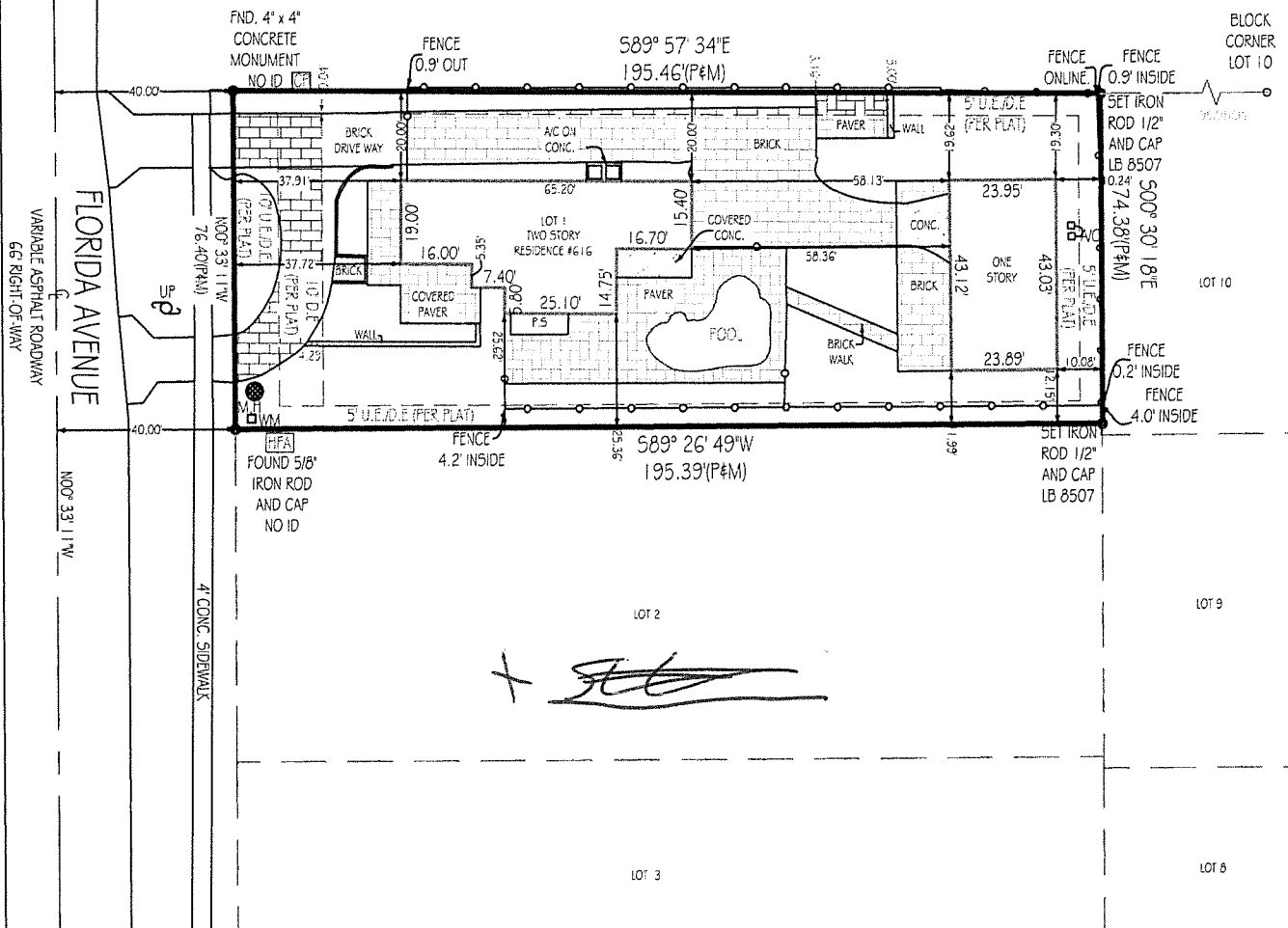
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Elevations, if shown:

Benchmark:

Benchmark Elev.:

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Revisions:

Job Nr: 225119-CW

Date of Field Work: 10/02/2024

Drawn by: S.S.

LANDTEC

LICENSED BUSINESS No. 8507



APPLICATION ADDENDUM
CERTIFICATE OF CONCURRENCY 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). Please attach additional sheets as necessary.

1. TYPE OF DEVELOPMENT ACTIVITY

- ☐ Site Plan for Commercial Development
☐ Site Plan for Residential Development
☐ Final Subdivision Plat
☒ Conditional Use
☐ Other: _____

- ☐ Planned Development:
☐ Residential
☐ Commercial
☐ Industrial

2. GENERAL INFORMATION

PROJECT NAME Miniature Cow Pet Conditional Use
ADDRESS/LOCATION 616 N Florida Ave. Tarpon Springs, FL 34689
TAX PARCEL NUMBER(S) 11/27/15/56438/000/0010
LEGAL DESCRIPTION Lot 1, Mayfair Villas at Howard Park, as recorded in Plat 123, Page(s) 33
SITE ACREAGE Upland <u>.34</u> Wetland _____ Submerged _____ Total _____

3. PROPOSED DEVELOPMENT *(Complete applicable table)*

RESIDENTIAL DEVELOPMENTS	
NUMBER OF UNITS:	
Single-Family:	N/A
Two-Family:	N/A
Multi-Family:	N/A
Mobile Homes:	N/A
Recreational Vehicle Sites:	N/A
Beds (ACLF, ALF, etc.)	N/A

NON-RESIDENTIAL DEVELOPMENTS	
TYPE OF USE(S):	GROSS SQUARE FOOTAGE:
N/A	N/A
N/A	N/A
N/A	N/A
N/A	N/A



4. LEVEL OF SERVICE IMPACT *(This table must also be included in the site plan set)*

SERVICE TYPE	EXISTING	PROPOSED
POTABLE WATER (GALLONS PER DAY)	0	~ 3-9 depending on temp
SANITARY SEWER (GALLONS PER DAY)	0	0
SOLID WASTE (TONS PER YEAR)	0	0
TRANSPORTATION ITE CATEGORY: _____ N/A	TOTAL TRIPS PER DAY: <u>0</u> PEAK HOUR TRIPS: <u>0</u>	TOTAL TRIPS PER DAY: <u>0</u> PEAK HOUR TRIPS: <u>0</u>
STORMWATER DRAINAGE: <i>Provide separate analysis for review.</i>		

5. ADDITIONAL CONCURRENCY REQUIREMENTS *(if applicable)*

MOBILITY MANAGEMENT

If the proposed development projects is located within deficient road corridors and generate more than 50 new peak hour trips, please provide the following:

- ☐ Transportation Management Plan [[LDC Section 122.11.03](#)]
☐ Traffic Study
☒ Does Not Apply to Proposed Project

HURRICANE SHELTER

If the proposed development project is a residential development of 50 or more units and involves a site that is wholly or partially located within the Pinellas County Evacuation Zones A, B, or C, please submit the following, consistent with [LDC Section 122.12](#):

- ☐ Hurricane Shelter Impact Analysis
☒ Does Not Apply to Proposed Project

6. SIGNATURE(S)/AUTHORIZATION

APPLICANT/PROPERTY OWNER/AGENT SIGNATURE(S):

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

Shawn Nelson Digitally signed by Shawn Nelson
Date: 2025.01.16 14:24:18 -06'00'
(Applicant's Signature)

01/16/2025

(Date)

Shawn Nelson Digitally signed by Shawn Nelson
Date: 2025.01.16 14:24:27 -06'00'
(Owner's Signature)

01/16/2025

(Date)

(Agent's Signature)

(Date)

From: [Susan](#)
To: [Planning](#)
Subject: Rezoning of 616 N. Florida Ave.
Date: Sunday, March 9, 2025 11:37:27 AM

Warning: Unusual sender <scp21294@gmail.com>

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

We say "NO" to application #25-09. This request is for the rezoning of the property at N. Florida Ave. for agriculture use (pet mini cow). There are many downsides to having a pet mini cow in a suburban area. Lot isn't large enough: need a ½ acre - 1 acre lot to accommodate a mini cow. The smell of cow dung is offensive. The cows attract flies. Cows can be noisy. Are they breeding this cow ? If so, then more cows will be on property at various times.

This property is in a R-100 (single family residential) zoning district. Neighbors bought their properties knowing that only single-family residences would be built next to them. Property values will be affected by this zoning change.

Thank you for consideration in this matter,

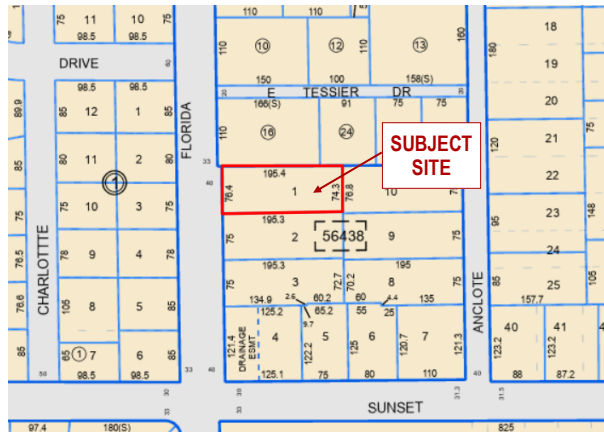
Susan Powers and Richard Ross

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

NOTICE OF UPCOMING PUBLIC HEARING REGARDING #25-09

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 the property located at 616 N. Florida Ave for an agriculture use (pet mini cow) in the R-100 (Single Family Residential) zoning district.

(Please Reference Application #25-09)

Please be advised that the Planning and Zoning Board will hold one Public Hearing on **Monday, March 17, 2025 at 6:30 p.m.** and the Board of Commissioners will hold one public hearing on **Tuesday, April 22, 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.

§ 52.00 ALCOHOLIC BEVERAGES.

- (A) The package sale, consumption on-premise, manufacture or wholesale distribution of alcoholic beverages shall require ~~conditional use~~ approval, including standards set forth in paragraph (L) hereunder, from the Planning Director and City Manager prior to the Administration's endorsement of the Division of Alcoholic Beverages and Tobacco permit application. The sale of beer and wine for on-premise consumption in conjunction with a City authorized special event shall not require ~~conditional use~~ this additional approval.
- (B) If ~~a conditional use permitting~~ the package sale, consumption on-premise, manufacture or wholesale distribution of alcoholic beverages, ceases for any reason, except where governmental action impedes access to the site, for a period of more than 6 months, re-approval in accordance with this section ~~and the Conditional Use requirements of this code~~ shall be required.
- (C) The sale of beer, wine and liquor for consumption on-premise (~~Series 4COP~~) shall not be permitted within 500 feet of any ~~pre-existing church or~~ school of general education. A restaurant serving beer, wine and liquor with a special restaurant license ~~(at least 51% of sales from food)~~ (~~Series 4COP-SRX~~) pursuant to F.S. § 561.20, shall not be permitted within 200 feet of a ~~pre-existing church or~~ school of general education.
- (D) The sale of only beer and wine (~~Series 2COP~~) for on-premise consumption shall not be located within 200 feet of any ~~pre-existing church or~~ school of general education.
- (E) The package sale of alcoholic beverages (~~liquor~~) (~~Series 3PS~~) for off premise consumption shall not be located within 200 feet of any ~~pre-existing church or~~ school of general education. ~~Series 1APS (beer for off-premise consumption) and Series 2APS (b The package sale of beer and/or wine for off-premise consumption)~~ does not require ~~conditional use~~ Planning Director and City Manager approval. Such establishments must be located within an appropriate zoning district for retail sales and are not subject to any distance or separation requirements.
- (F) ~~Establishments serving beer, wine or liquor for on-premise consumption that additionally provide live entertainment shall not be permitted within 150 feet of a residential district measured from the closest exterior wall of the establishment to the nearest district boundary line of a residential district as depicted on the Official Zoning Atlas. This provision shall not apply to special restaurants pursuant to F.S. § 561.20, (Series 4COP-SRX). Entertainment (indoor and outdoor) shall abide by the standards set out in Section 52.01 of this Article.~~
- (G) ~~Other than from live entertainment to a residential zoning district, d~~Distance shall be measured by following the shortest route of ordinary pedestrian travel along the public thoroughfare from the principal entrance of the business ~~to the principal entrance of the church,~~ to the nearest property line or play area of the school, whichever is more restrictive.
- (H) For purposes of this Section, on-premise consumption shall include establishments dispensing alcoholic beverages such as bottle clubs, restaurants or other commercial establishments wherein patrons consume alcoholic beverages that are brought onto the premises and that were not sold or supplied to them by the establishment, whether the patrons bring in and maintain custody of their own alcoholic beverages or surrender custody to the establishment for dispensing for consumption on-premises.
- (I) A special restaurant shall mean one which has a minimum of 150 seats, 2,500 square feet of gross floor area, and derives at least 51% of its gross revenue from the sale of food and non-alcoholic beverages.
- (J) ~~Live entertainment shall be defined as any performance or show wherein one or more persons engage in activity(ies) other than eating or drinking for the purpose of entertaining and/or attracting patrons to the establishment. By way of illustration and not limitation, live entertainment includes disc jockeys, bands, singers, dancers, models, MC's, auctions, pageants, comedy acts, sporting events, etc.~~
- (K) The Board of Adjustment shall not have the authority to grant a variance to the locational provisions.

(L) ~~Compliance with the distance measurement standards set forth in paragraphs (C) (D) (E) and (F) is not determinative of the issue of compatibility with existing and planned uses in the area standard as set forth in Section 209.01(B) setting forth the standards for review of conditional uses.~~ The City Manager and Planning Director shall consider the following factors relevant in the determination of compatibility:

1. The functional proximity of the alcoholic beverage use to surrounding or abutting properties and the interaction between the sale or consumption of alcoholic beverages and the existing and planned uses in the area.
2. The primary entrance of the business selling alcoholic beverages and the primary entrances of existing uses in the area.
3. The secondary entrance of the business selling alcoholic beverages and the secondary entrance of existing uses in the area.
4. The presence of minors at existing uses in the area during the business hours of the alcoholic beverage establishment.
5. The proposed method of business operation of the alcoholic beverage establishment regarding: hours of operation, food service with the service of alcoholic beverages and similar factors having a potential impact on existing and planned uses in the area.
6. Traffic flow and pedestrian travel patterns in the area.
7. The physical proximity of the alcoholic business establishment to other properties within the area regardless of the distance measurement or criteria (i.e. an abutting or adjacent property that is not protected from adverse impacts by the distance separation measurement methodology because of unique physical conditions).

(M) An application ~~for a conditional use permit~~ to conduct such business at a definite location shall contain at a minimum the following information:

1. The name and address of the applicant.
2. If the applicant is the lessee or tenant, a notarized statement by the owner consenting to the application.
3. The legal description of the property where the business is located, including a survey which clearly sets out the location of the building.
4. The street address of the property.
5. The alcoholic beverage classification requested.
6. A statement that the building where the establishment will be located exists or that the building plans for such building have been filed and a building permit obtained.

(N) Alcoholic beverage use designations are approved for a specific property location and a specific applicant. Any change in ownership of the establishment will require the filing of a new application and approval by the City Manager and Planning Director. A change in ownership shall include the purchase or acquisition of 50 percent plus one share or more of stock and/or assets of the corporate entity, partnership or similar ownership entity.

§ 52.01 NOISE LEVELS ALLOWED FOR INDOOR AND OUTDOOR ENTERTAINMENT.

(A) Bars, cafes, restaurants, coffee shops and other food and drink establishments which also provide entertainment for patrons shall adhere to the noise standards of this section. Entertainment shall be defined as any performance or show intended to attract customers, including but not limited to live, broadcasted or televised, bands, disc jockeys, singers, dancers, models, MC's, auctions, pageants, comedy acts and sporting events. Measured noise levels shall include associated crowd noise. Noise levels and quiet hours associated with indoor and outdoor entertainment are established as follows:

1. Sunday through Thursday

- a. Quiet hours shall be observed between 9:00 p.m. and sunrise for indoor and outdoor entertainment. Noise levels shall not exceed 55 decibels, measured at any property line.
- b. Between sunrise and 9:00 p.m. indoor and outdoor entertainment shall not exceed 75 decibels, measured at any property line.

2. Friday and Saturday

- a. Quiet hours shall be observed between 10:30 p.m. and sunrise for indoor and outdoor entertainment. Noise level shall not exceed 65 decibels, measured at any property line.
- b. Between sunrise and 10:30 p.m. indoor and outdoor entertainment shall not exceed 85 decibels, measured at any property line.

3. Noises originating from other sources shall be addressed in accordance with Section 12.14, Article I, of the Code of Ordinances.

§ 52.00 ALCOHOLIC BEVERAGES.

- (A) The package sale, consumption on-premise, manufacture or wholesale distribution of alcoholic beverages shall require conditional use approval, including standards set forth in paragraph (L) hereunder, from the Planning Director and City Manager prior to the Administration's endorsement of the Division of Alcoholic Beverages and Tobacco permit application. The sale of beer and wine for on-premise consumption in conjunction with a City authorized special event shall not require conditional use approval.
- (B) If a conditional use permitting the package sale, consumption on-premise, manufacture or wholesale distribution of alcoholic beverages, ceases for any reason, except where governmental action impedes access to the site, for a period of more than 6 months, re-approval in accordance with this section and the Conditional Use requirements of this code shall be required.
- (C) The sale of beer, wine and liquor for consumption on-premise (Series 4COP) shall not be permitted within 500 feet of any pre-existing church or school of general education. A restaurant serving beer, wine and liquor with a special restaurant license (Series 4COP-SRX) pursuant to F.S. § 561.20, shall not be permitted within 200 feet of a pre-existing church or school of general education.
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- (F) Establishments serving beer, wine or liquor for on-premise consumption that additionally provide live entertainment shall not be permitted within 150 feet of a residential district measured from the closest exterior wall of the establishment to the nearest district boundary line of a residential district as depicted on the Official Zoning Atlas. This provision shall not apply to special restaurants pursuant to F.S. § 561.20, (Series 4COP-SRX).
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(Ord. 90-10, passed 5-1-90; Am. Ord. 91-13, passed 7-2-91; Am. Ord. 94-19, passed 5-17-94; Am. Ord. 95-10, passed 5-2-95; Am. Ord. 99-01, passed 3-30-99; Am. Ord. 2003-25, passed July 15, 2003; Am. Ord. 2015-14, passed 7-7-15)

§ 12-14. NOISE—PROHIBITED GENERALLY.

- (a) It shall be unlawful for any person to willfully make, continue or cause to be made or continued any loud and raucous noise.
- (b) Loud and raucous noise shall mean any sound which, because of its volume level, duration and character, annoys, disturbs, injures or endangers the comfort, health, peace or safety of reasonable persons of ordinary sensibilities within the limits of the city. The term shall include, but not be limited to, loud and raucous noise heard upon the public streets, in any public park, in any school or public building or upon the grounds thereof while in use, in any church or hospital or upon the grounds thereof while in use, upon any parking lot open to members of the public as invitees or licensees, or in any occupied residential unit which is not the source of the noise or upon the grounds thereof, and in any event from a location not less than 50 feet from the source of the noise, measured in a straight line from the radio, loudspeaker, motor, horn or other noise source.

('80 Code, § 12-14) (Ord. 486, passed 11-20-62; Am. Ord. 90-41, passed 10-2-90)

Cross reference(s)—Muffling devices required on boats, see § 5-15

§ 12-14.1. SAME—ENUMERATION.

The following acts, as limited by § 12-14 and subject to the exceptions provided in § 12-14.3, are declared to be public nuisances in violation of §§ 12-14 and 12-15, namely:

- (1) *Engines, whistles, pile drivers, etc.—exhaust.* The discharge into the open air of the exhaust of any steam engine or stationary internal combustion engine except through a muffler or other device which will effectively prevent loud and raucous noises therefrom.
- (2) *Same—Operation of pile drivers, etc.* The operation between the hours of 6:00 p.m. and 7:00 a.m. on any day or at any time on Sunday of any pile driver, steam shovel, pneumatic hammer, derrick, dredge, steam or electric hoist or other appliance, the use of which is attended by loud and raucous noise.
- (3) *Same—Blowers.* The operation of any blower or power fan of any internal combustion engine, the operation of which causes loud and raucous noise, unless the noise from such blower or fan is muffled or such engine is equipped with a muffler device sufficient to prevent loud and raucous noise.
- (4) *Horns, signaling devices, etc.* The sounding of any horn, whistle or other audible signaling device so as to create a loud and raucous noise.
- (5) *Radios, amplifiers, phonographs, etc.* The using, operating or permitting to be played, used or operated any radio, amplifier, musical instrument, phonograph or other device for the producing or reproducing of sound in such manner as to cause loud and raucous noise.
- (6) *Sound trucks.* No amplifier or loudspeaker in, upon or attached to a sound truck or other device for amplifying sound shall be operated or permitted to operate within the city for advertising purposes or to attract the attention of the public.
- (7) *Yelling, shouting, etc.* Yelling, shouting, whistling or singing at any time or place so as to create a loud and raucous noise between the hours of 10:00 p.m. and 7:00 a.m. on any day.
- (8) *Animals, birds, etc.* The keeping of any animal or bird which habitually causes a loud and raucous noise.
- (9) *Defect in vehicle or load.* The use of any motor vehicle so out of repair, so loaded or in such manner as to create loud grating, grinding, rattling or other loud and raucous noise or which is not equipped with a muffler in a good working order and in constant operation so as to prevent loud and raucous noise.

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- (10) *Construction or repairing of buildings.* The erection (including excavating), demolition, alteration or repair of any building so as to create a loud and raucous noise other than between the hours of 7:00 a.m. and 6:00 p.m. on any day or at any time on Sunday, except in case of urgent necessity in the interest of public health and safety and then only with a permit from the Building Director, which permit may be granted for a period not to exceed three working days or less while the emergency continues and which permit may be renewed for successive periods of three days or less while the emergency continues. If the Building Director should determine that the public health and safety necessitate the issuance of such a permit and will not be impaired by the erection, demolition, alteration or repair of any building or the excavation of streets and highways within the hours of 6:00 p.m. and 7:00 a.m., or on Sunday, he may grant permission for such work to be done within such hours or within a shorter time period during such hours, upon application being made at the time the permit for the work is issued or during the progress of the work.
 - (11) *Schools, public buildings, churches, hospitals.* The creation of any loud and raucous noise heard within any school, public building, church or any hospital or the grounds thereof, while in use, which interferes with the workings of such institution or which disturbs or annoys patients in the hospital.
 - (12) *Noises to attract attention.* The use of any drum or other instrument or device to create a loud and raucous noise.

('80 Code, § 12-14.1) (Ord. 90-41, passed 10-2-90)

§ 12-14.2. SAME—PERSON IN CHARGE DEEMED GUILTY.

Any person, owner, agent or supervisor in charge of operating, ordering, directing or allowing the operation or maintenance of the device or machine creating a noise as prohibited in this chapter shall be deemed guilty of violating this chapter.

('80 Code, § 12-14.2) (Ord. 90-41, passed 10-2-90)

§ 12-14.3. SAME—EXCEPTIONS.

The term LOUD AND RAUCOUS NOISE does not include noise or sound generated by the following:

- (1) Cries for emergency assistance and warning calls;
- (2) Radios, sirens, horns and bells on police, fire and other emergency response vehicles;
- (3) Parades, fireworks displays and other special events for which a permit has been obtained from the city, within such hours as may be imposed as a condition for the issuance of the permit;
- (4) Activities on or in municipal and school athletic facilities and on or in publicly-owned property and facilities, provided that such activities have been authorized by the owner of such property or facilities or its agent;
- (5) Fire alarms and burglar alarms, prior to the giving of notice and a reasonable opportunity for the owner or tenant in possession of the premises served by any such alarm to turn off the alarm;
- (6) Religious worship activities including, but not limited to, bells and organs;
- (7) Locomotives and other railroad equipment and aircraft.

('80 Code, § 12-14.3) (Ord. 90-41, passed 10-2-90)

§ 12-15. NOISE EMANATING FROM WATERWAYS.

- (a) No person shall operate or give permission for the operation of any vessel, boat, airboat or other contrivance used to transport persons, materials or goods on the river, bayous or other waterways that are adjacent to the land areas of the city in such a manner as to exceed at a distance of 50 feet from the vessel a level of 90 db A.
- (b) Any person who refuses to submit to a sound level test when requested to do so by a law enforcement officer is guilty of a misdemeanor of the second degree.
- (c) The following words and phrases, when used in this section, shall have the meanings respectively assigned to them in this subsection:
 - (1) **db A.** The composite abbreviation of the A-weighted sound level and the unit of sound level, the decibel.
 - (2) **SOUND LEVEL.** The A-weighted sound pressure level measured with fast response using an instrument complying with the specification for sound level meters of the American National Standards Institute, Inc., or its successor bodies, except that only a weighting and fast dynamic response need be provided.
- (d) No person shall operate an air boat within the city between the hours of 11:00 p.m. in the evening and 6:00 a.m. in the morning.

('80 Code, § 12-15) (Ord. 90-41, passed 10-2-90; Am. Ord. 97-24, passed 8-5-97)

Editor's note(s)—Ord. No. 90-41, § 5, passed 10-2-90, amended former § 12-15, which pertained to noisy mechanical devices or amplifiers, in its entirety, in effect repealing such former provisions and enacting new provisions as set out in § 12-15. Formerly, such section derived from Ord. No. 255, § 1, passed 1-21-47; Ord. No. 446, §§ 1, 2, passed 4-5-60; and § 12-3 of the city's 1960 Code.

§ 12-16. NOISY SOLICITATION OF BUSINESS.

It shall be unlawful for any person engaged in any business in the city to use for the purpose of attracting or soliciting customers to his place of business a megaphone or any mechanical or electrical contrivance, or device, or use any loud or boisterous noise, which might annoy persons on the streets or on the sidewalks, or in the adjoining buildings.

('80 Code, § 12-16) (Ord. 284, passed 1-3-50)

Patricia McNeese

From: Jeffrey Crawford
Sent: Wednesday, February 26, 2025 1:24 PM
To: Renea Vincent
Cc: Patricia McNeese
Subject: Sound decibel readings

Hey Renea,

So after taking several readings in different areas of the city, mainly downtown and Sponge Docks, I was able to get some average decibel readings. From afternoon hours to early evening hours, the readings ranged from about 55 decibels to 78 decibels. This was normal traffic noises, cars, and ambient sounds. During the Touch a Truck event I measured decibels ranging from 70 to 98 with the open DJ playing music. I was standing approximately 50 feet away from the DJ when the highest decibel reading occurred. I believe decibel readings will be about the same in other well-traveled areas within the city.

I hope this helps with gauging what noise levels should be marked too. If you need any other help please let me know.



Please Note: The State of Florida has a very broad public records law under chapter 119. Most written material to or from City officials regarding City business are public records and available to the public or media upon request. Your e-mail communications and/or attachments may be subject to public disclosure.