

Countywide Plan Map Amendment Application Form

Local Government Contact Information

Requesting Local Government:	City of Tarpon Springs
Local Government Contact:	Patricia L. McNeese, AICP
Address:	324 East Pine Street, Tarpon Springs, FL 34689
Phone:	727-938-3711, ext. 2255
E-Mail Address:	pmcneese@ctsfl.us
Local Government Case #:	22-125
Local Government Ordinance #:	2023-03

Property Owner Contact Information

Name(s):	City of Tarpon Springs
Address:	324 East Pine Street, Tarpon Springs, FL 34689
Phone:	727-938-3711, ext 2255
E-Mail Address:	pmcneese@ctsfl.us

Agent Contact Information (if applicable)

Name(s):	Patricia L. McNeese, AICP, Principal Planner, City of Tarpon Springs
Address:	324 East Pine Street, Tarpon Springs, FL 34689
Phone:	727-938-3711, ext 2255
E-Mail Address:	pmcneese@ctsfl.us

Characteristics of the Subject Property

Site Address(s):	200 Dixie Highway (Parcel #01-27-15-00000-420-0500)
Total Acreage of the Amendment Area:	1.06 acres
Existing Use(s):	Developed and used for Tarpon Springs utilities operation - buildings, lift station, injection well on site.
Proposed Use(s):	Same as above.
Parcel Identification #:	01-27-15-00000-420-0500
Legal Description of the Amendment Area:	See draft Ordinance 2023-03 in information packet.
What is the adjacent roadway's Level of Service (LOS) grade?	LOS "C" (Dixie Hwy - adjacent) and LOS "F" (Alt. 19 nearby).
Does the Amendment Area impact: [check all that apply]	<div> <input type="checkbox"/> Activity Center <input type="checkbox"/> Industrial or Employment Land </div> <div> <input type="checkbox"/> Multimodal Corridor <input type="checkbox"/> Target Employment Center </div> <div> <input type="checkbox"/> Planned Redevelopment District <input type="checkbox"/> Scenic/Noncommercial Corridor </div> <div> <input checked="" type="checkbox"/> Coastal High Hazard Area </div>

Disclosure of Interest Statement

Do any other persons have any ownership interest in the subject property?	No.
If so, provide the name and address of the person(s):	
If so, is the interest contingent or absolute?	
If so, what specific interest is held?	
Does a contract exist for the sale of the subject property?	No.
If so, is the contract contingent or absolute?	
If so, provide the names of all parties to the contract:	
Are there any options to purchase the subject property?	No.
If so, provide the names of all parties to the option:	
Please provide any other pertinent information which the applicant may wish to submit pertaining to the requested plan map amendment:	

Countywide Plan Map Information

Current Countywide Plan Map Category(ies):	Residential Medium
Proposed Countywide Plan Map Category(ies):	Public/Semi-Public
Amendment tier (subject to confirmation):	<input type="checkbox"/> Tier I <input type="checkbox"/> Tier II <input type="checkbox"/> Tier III <input type="checkbox"/> To be determined

Local Future Land Use Plan Map Information

Current Local Future Land Use Plan Map Category(ies):	Residential Medium
Proposed Local Future Land Use Plan Map Category(ies):	Transportation/Utility

Local Action Date

Date local ordinance was considered at public hearing and authorized by an affirmative vote of the governing body for transmittal of, and concurrence with, the local government future land use plan map amendment:

5/9/23

Application Checklist

Note: Our email server cannot accept any files with a .zip extension. If you need help with transmitting documents electronically, please call 727.464.8250 or email info@forwardpinellas.org.

All Amendments

The following **MUST** be furnished with all applications (incomplete applications will not be accepted):

- ☒ A completed Countywide Plan Map amendment application form
- ☒ A map or map series depicting the current and proposed future land use categories of the subject property and surrounding area
- ☒ A copy of the ordinance being considered by the governing body
- ☒ A copy of the local government staff report and any other pertinent information considered during the local public hearing process
- ☒ A GIS shapefile of the amendment area (if technically feasible)
- ☒ A boundary survey (if applicable)
- ☐ A development agreement (if applicable)*
- ☐ Review against locally-adopted Coastal High Hazard Area balancing criteria consistent with Countywide Rules Section 4.2.7.1 A-H (if applicable)
- ☐ Review against conversion criteria for employment-related categories and uses of Countywide Rules Section 6.5.4.4 (if applicable)
- ☒ Summary of public outreach conducted and/or public comment received (if applicable)

Additional Requirements for Activity Centers (ACs), Multimodal Corridors (MMCs) and Planned Redevelopment Districts (PRDs)

Tier I, II and III amendments must additionally provide the following:

- ☐ Parcel specific boundary map(s) of the entire AC, MMC, or PRD, and shapefile or list of parcels
- ☐ Current future land use designations and their acreages, permitted uses and maximum densities/intensities
- ☐ Proposed future land use designations and their acreages, permitted uses and maximum densities/intensities, including areawide density/intensity averaging if applicable
- ☐ For AC and MMC categories, documentation of consistency with size criteria
- ☐ For amendments of 10 acres or more, documentation of how the Planning and Urban Design Principles will be addressed

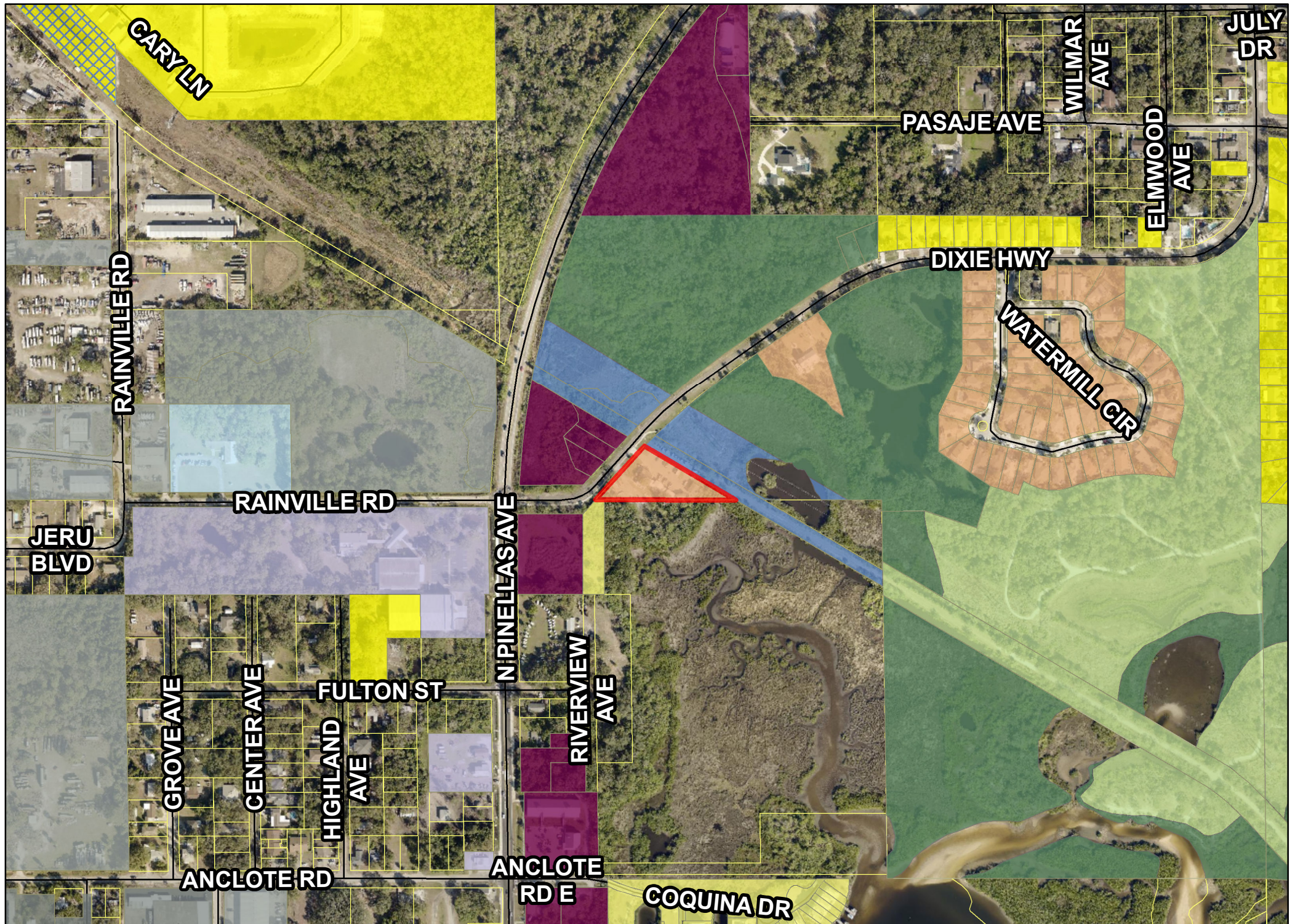
Tier II and III amendments must additionally provide the following:

- ☐ Pre-application meeting
- ☐ For amendments of 10 acres or more, transportation impact analysis pursuant to Countywide Rules Section 6.2.5
- ☐ Enumeration of existing and proposed plan/code provisions, including schedule for proposed adoption

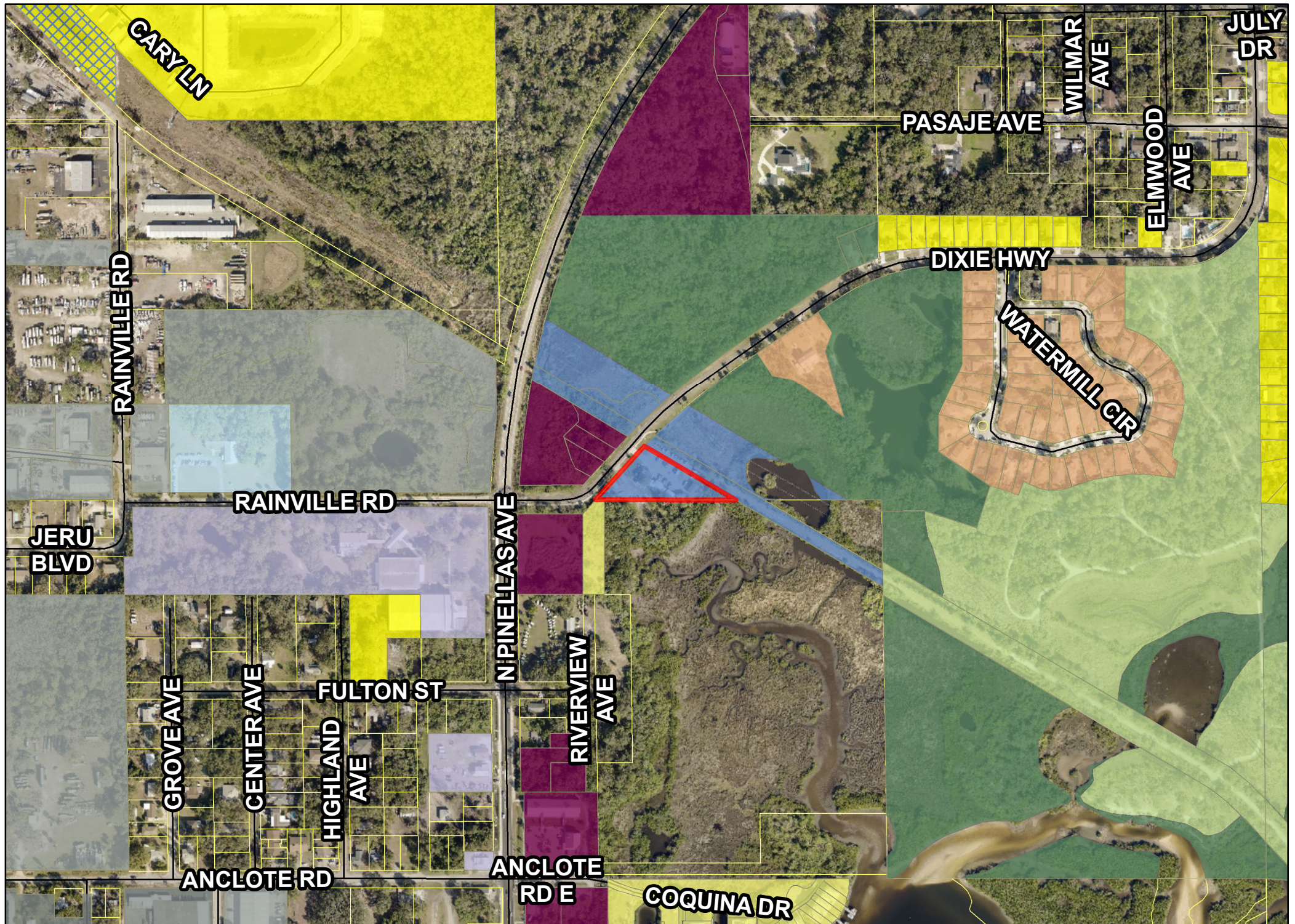
Tier III amendments must additionally provide the following:

- ☐ Justification narrative demonstrating one or more of these unanticipated changes:
 - Improvement in transit facilities
 - Increases in population or employment densities
 - Local government funding study for public infrastructure
 - Other unique conditions

* Any development agreement submitted as part of an application for Countywide Plan Map amendment may become a condition of approval of the amendment and will be subject to the provisions of Countywide Rules Section 6.1.5.



200 Dixie Highway (red outline) - Current Future Land Use Map and
Countywide Map Category: Residential Medium



200 Dixie Highway (red outline) - Proposed Future Land Use Map Category: Transportation/Utility
Proposed Countywide Map Category: Public/Semi-Public

CITY OF TARPON SPRINGS

#22-125

Planning and Zoning Board – January 23, 2023

Board of Commissioners – May 9, 2023



SUMMARY OF REQUEST

- **#22-125 – Ordinance 2023-03** Future Land Use Map Amendment (FLUM)
 - Location: South Side of Dixie Highway, about 400 feet east of North Pinellas Avenue
 - **Land Use: *Subject of this evening's hearing***
 - Current: Residential Medium (RM)
 - Proposed: Transportation/Utility (T/U)
 - Zoning:
 - Current: Residential Multifamily
 - Proposed: Public/Semi-Public (P/SP)
 - Property Features
 - 1.06 acres
 - Built property with buildings and paved areas; currently used by the City of Tarpon Springs Utilities Department for workshop, offices, storage, lift station, injection well.
- **Applicant:** City of Tarpon Springs
- Request is to allow the re-designation of the property to reflect the current and desired continued establishment of utilities use.

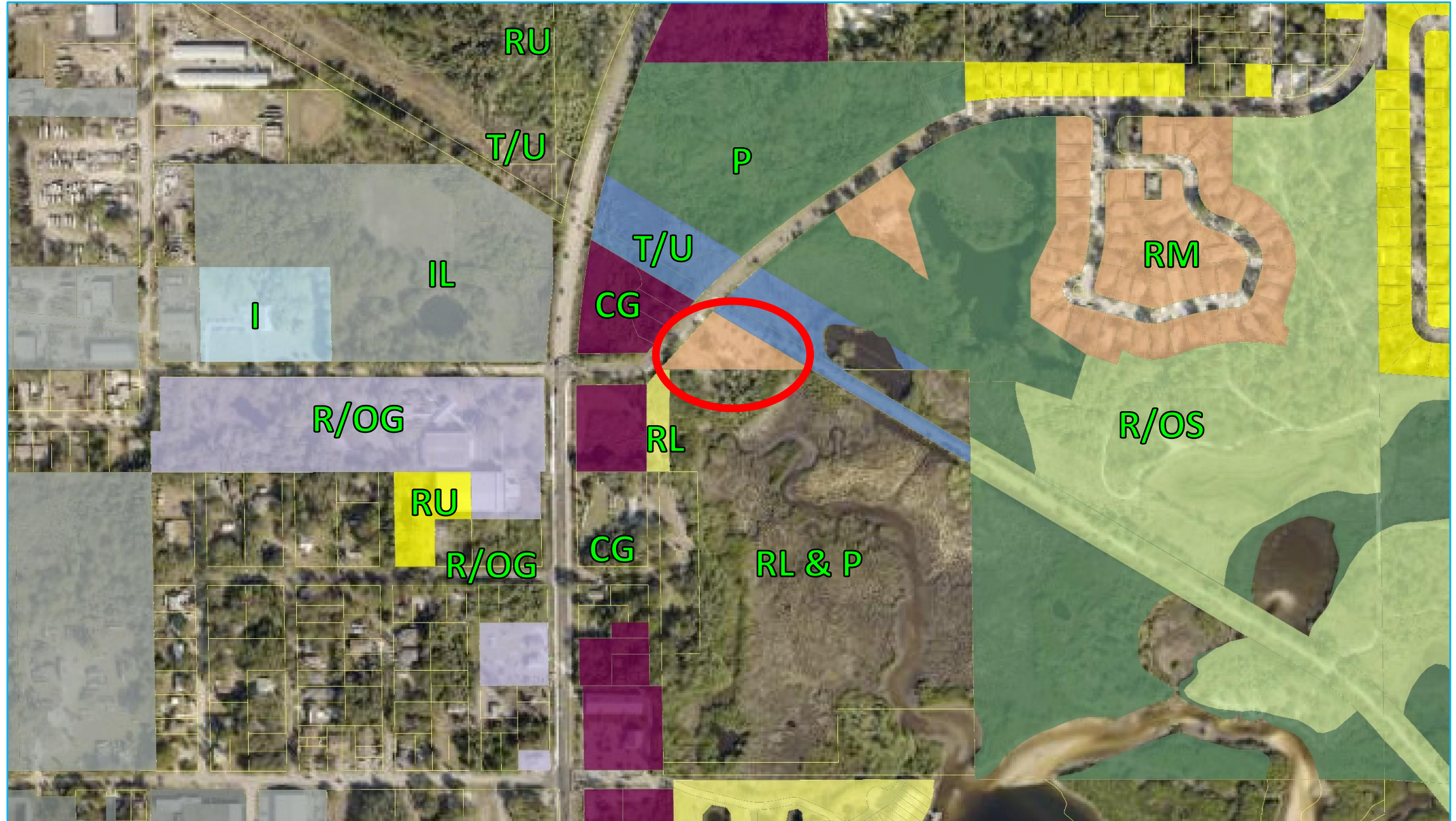
LOCATION & CONTEXT



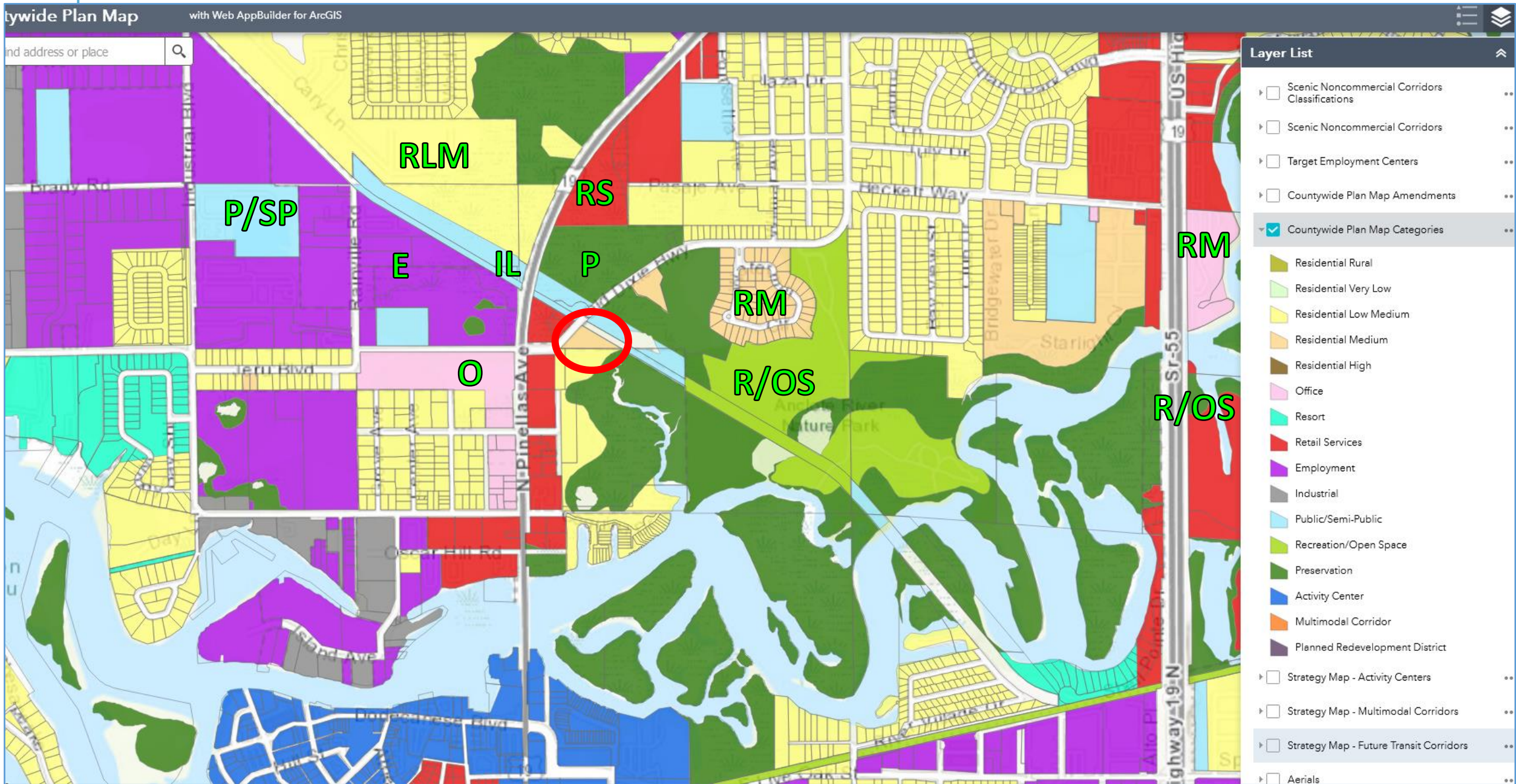
FUTURE LAND USE – CITY AND COUNTY



FUTURE LAND USE – CITY AND COUNTY



FUTURE LAND USE – COUNTYWIDE MAP





REVIEW CRITERIA – FLUM AMENDMENT

Meets Standards of Florida Statutes (F.S.) – This is a “small scale amendment” processed under F.S. 163.3187

- Less than 50 acres for a site-specific development activity
- Provides for orderly development
- Provides for consistent Comprehensive Plan implementation*
- establishes predictable standards for use and development of site

Consistent Comprehensive Plan Implementation –

- Brings site into consistency with the long end toward which land use patterns in the City are ultimately directed (Future Land Use Element Objective 2.1)
- Site is in the Coastal High Hazard Area but does not propose new public facilities subsidizing development
- Appropriate land use category allows the City to maintain the site (Coastal Management Element Policy 3.1.4)
- Appropriate land use category allows the City to adapt the site to potential flooding and sea level rise impacts (Coastal Management Element Policy 3.1.5)

PRELIMINARY STAFF RECOMMENDATION

#22-125 - *Approval* of the Ordinance 2023-03, Future Land Use Map amendment from RM (Residential Medium) to T/U (Transportation/Utility)

Public Notice Provided – no responses were received for Future Land Use Map amendment. Comments received for rezoning are included in packet.



PLANNING AND ZONING BOARD RECOMMENDATION

#22-125 - The Planning and Zoning Board heard this item at their regular meeting of January 23, 2023 and unanimously recommended ***Approval*** of **Ordinance 2023-03**, Future Land Use Map amendment from RM (Residential Medium) to T/U (Transportation/Utility)

There was no public comment on the Future Land Use Map amendment at the January 23, 2023 hearing. However, at the hearing for the companion application for rezoning, held on April 17, 2023, the Planning and Zoning Board did receive public comment from one citizen in opposition.

ADDITIONAL RESOURCES

Link to On-Line Future Land Use and Zoning Map:

<https://gis.ctsfl.us/portal/apps/webappviewer/index.html?id=9596539ae16744b4af44d320f190c791>

Link to On-Line Documents Library for Comprehensive Plan Elements:

<https://gis.ctsfl.us/portal/apps/webappviewer/index.html?id=9596539ae16744b4af44d320f190c791>



CITY OF TARPON SPRINGS
PLANNING & ZONING BOARD / BOARD OF COMMISSIONERS
JANUARY 23, 2023 / MAY 9, 2023

STAFF REPORT, MAY 1, 2023

App / Ord No /Project Title: 22-125 / Ordinance 2023-03 /City of Tarpon Springs – Dixie Highway

Staff: Patricia L. McNeese, AICP
Principal Planner

Applicant / Owner: City of Tarpon Springs

Property Size: 1.06 acres

Current Land Use: Residential Medium (RM)

Proposed Land Use: Transportation/Utility (T/U)

Location / Parcel ID: South side of Dixie Highway, approximately 280 feet east of North Pinellas Avenue / Parcel ID: 01-27-15-00000-420-0500

BACKGROUND SUMMARY:

The subject property is located on the south side of Dixie Highway about 400 feet east of North Pinellas Avenue and adjacent to the right-of-way of the Elfers' Spur Trail Extension of the Pinellas Trail. It is developed with portable and permanent buildings and paved area. The site is occupied by the Tarpon Springs Utilities Department and is used for their operations including lift station, **a state permitted Reverse Osmosis (RO) brine injection well,*** workshop, offices and storage. The City is requesting a change to the appropriate Future Land Use Map (FLUM) category for utilities operations use.

Please note that there is a companion application (App. 22-126, Ord. 2023-04) to similarly amend the zoning map to the Public/Semi-Public zoning category, which will be heard at a later date (Planning and Zoning Board has reviewed and recommended approval of that application).

PRELIMINARY STAFF RECOMMENDATION:

Staff recommends **approval** of Ordinance 2023-03 amending the Future Land Use Map (FLUM) from Residential Medium (RM) to Transportation/Utility (T/U).

PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board heard this item at their regular meeting of January 23, 2023 with a full board present, and unanimously recommended **approval** of Ordinance 2023-03 amending the Future Land Use Map (FLUM) from Residential Medium (RM) to Transportation/Utility (T/U). No public comment was received during this hearing. Public comment was received during the Planning and Zoning Board's hearing of the proposed rezoning, held on April 17, 2023. See page 8 of this staff report for more information.

***This information not available to Planning and Zoning Board when Future Land Use Map (FLUM) amendment was originally heard. Information was available to them when rezoning was heard.**



CURRENT PROPERTY INFORMATION:

Use of Property:	Utilities services
Site Features:	Buildings and paved area
Vehicle Access:	The property has one paved access to Dixie Highway

SURROUNDING ZONING & LAND USE:

	Zoning:	Land Use:
Northwest:	General Business	Commercial General
	Land Conservation	Transportation/Utility
South:	C-2 General Commercial and Services (Pinellas County)	Residential Low
	C-2 General Commercial and Services (Pinellas County)	Preservation
	Highway Business	Commercial General
East:	Residential Planned Development	Transportation/Utility

PLANNING CONSIDERATIONS:

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

1. This property has been under City ownership since 1985 with utility infrastructure constructed on site and operational since shortly after that time*. The Public Services Department plans to continue operations there into the future. The City is requesting that the property be placed in its proper FLUM category to ensure that the existing and appropriate future uses on the property are provided for.
2. The property was included as part of a larger annexation pursuant to City Ordinances 85-29 and 85-39 (included in agenda packet), and was zoned Residential Multifamily. The Residential Planned Development (RPD) designation shown on the City's zoning map is very likely a mapping error that occurred when the adjacent Nature's Preserve Planned Development was designated and developed. Staff has confirmed that the Planned Development records for Nature's Preserve clearly show that the City parcel was not a part of the Planned Development.*
3. The area surrounding the property to the east, west and south appear to contain substantial wetlands including conservation and drainage easements (Pinellas County Property Appraiser records). The old railroad right-of-way and railbed runs along the east side of the property and is slated to develop as an extension of the existing Elfer's Spur of the Pinellas Trail at some time in the future. The area to the north across Dixie Highway contains three relatively small parcels under General Business zoning with the remainder of that area containing

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4. apparent wetlands with corresponding easements. The closest built residential uses are about 700 feet from the property.
5. The site is used for utilities facility operations of the City, including lift station, injection well, workshop, offices and storage. The on-site injection well is a state permitted deep injection well for Reverse Osmosis (RO) brine concentrate disposal associated with the City's drinking water treatment facility. It has been permitted, constructed and operating since before 2015 when the City's Reverse Osmosis plant became operational. The injection well approval process followed all state permitting and noticing requirements. A Public Services Department memorandum with additional detail is included with the agenda packet for this item.*

REVIEW STANDARDS / STAFF ANALYSIS – COMPREHENSIVE PLAN MAP AMENDMENT The Future Land Use Map amendment is a legislative decision of the Board of Commissioners. The standard for review, provided in Section 207.03 of the City's Land Development Code (LDC) is as follows:

"The amendment meets the standards of F.S. Ch., 163, Part II, and Florida Administrative Code Rule 9J-5."

Staff Analysis: Rule 9J-5 was repealed by the State of Florida in 2011. Under Florida Statutes Chapter 163, Part II, the proposed amendment is considered a "small-scale amendment" (F.S. 163.3187(a)) since it involves "a use of 50 acres or fewer." Standards of review for a small-scale amendment can be gleaned from F.S. 163.3187, as follows:

F.S. 163.3187(1)(b) *The proposed amendment does not involve a text change to the goals, policies and objectives of the local government's comprehensive plan, but **only proposes a land use change to the future land use map for a site-specific small scale development activity**. However, text changes that relate directly to, and are adopted simultaneously with, the small scale future land use map amendment shall be permissible under this section [Emphasis Added].*

Staff Analysis: The amendment involves one parcel of 1.06 acres in size and proposes a land use change for a site-specific small scale development activity, namely to bring the site into conformance with its current and projected future use of public utilities service.

F.S. 163.3187(4) *Comprehensive plans may only be amended in such a way as to preserve the internal consistency of the plan pursuant to F.S. 163.3177.*

F.S. 163.3187(d) *In all challenges under this subsection, when a determination of compliance as defined in 163.3184(1)(b) is made, consideration shall be given to the plan amendment as a whole and whether the plan amendment furthers the intent of this part.*

F.S. 163.3177(1) *The comprehensive plan shall provide the principles, guidelines, standards, and strategies for the **orderly and balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements**. These **principles and strategies shall guide future decisions in a consistent manner** and shall contain programs and activities to ensure comprehensive plans are implemented. The sections*

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of the **comprehensive plan** containing the principles and strategies, generally provided as goals, objectives, and policies, **shall describe how the local government's programs, activities, and land development regulations will be initiated, modified, or continued to implement the comprehensive plan in a consistent manner**. It is not the intent of this part to require the inclusion of implementing regulations in the comprehensive plan but rather to require identification of those programs, activities, and land development regulations that will be part of the strategy for implementing the comprehensive plan and the principles that describe how the programs, activities, and land development regulations will be carried out. **The plan shall establish meaningful and predictable standards for the use and development of land** and provide meaningful guidelines for the content of more detailed land development and use regulations **[Emphasis Added]**.

Staff Analysis: The amendment preserves the internal consistency of the plan pursuant to F.S. 163.3177(1) as provided above. The City is proactively positioning the property to ensure that existing and future facilities services planned for the site can be accommodated. The amendment provides for the **orderly development** of this parcel and the general area by providing for the continued use and expansion of a public service having minimal to no impact on the surrounding uses. The amendment to an appropriate FLUM category for this parcel will enable **continued implementation of the comprehensive plan in a consistent manner** and **establish meaningful and predictable standards for the use and development of land** at this site and the surrounding area. This is illustrated by the following facts:

As shown in the Future Land Use Map comparison table provided below the property's potential residential density will be removed, and, intensity (floor area) and potential traffic impacts will be reduced. Properties along the North Pinellas Avenue corridor in this area are generally existing or planned for commercial, institutional and office uses under the Commercial General and Residential/Office General categories in both incorporated and unincorporated properties.

The property is not in close proximity to existing or planned residential uses or land use categories. It is also noted that there are substantial expanses of wetlands between the subject property and the closest residential uses. The property is also located in the Coastal High Hazard Area. Therefore many of the land uses listed in the Zoning District Summary table above are impractical or impossible for this site (e.g., airport, power generating plant, wastewater treatment plant, etc.). Existing and potential uses that would be practical for this 1.06-acre site under the Transportation/Utilities FLUM category are therefore compatible with the area.

Public inquiries and comments with regard to uses on the property were received upon advertising of the **rezoning** of this property. They are pertinent to this FLUM amendment:

- In response to public inquiry, the Public Services Director has clarified that there are no plans to build a wastewater treatment plant on the site.
- In response to public inquiry, the Public Services Director has clarified that the on-site injection well is for concentrate disposal. It has been permitted, constructed and operating since before 2015 when the City's Reverse Osmosis plant became operational. The injection well approval process followed all state permitting and noticing requirements. A Public Services Department memorandum with additional detail is included with the agenda packet for this item.*

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Future Land Use Map – Comparison of Current and Proposed Categories

FUTURE LAND USE (FLU)	Current FLU: Residential Medium (RM)	Proposed FLU: Transportation/Utility (T/U)
Intent:	The Residential Medium Land Use Category is intended for areas in close proximity urban activity centers, and is generally intended for areas that are to be developed in a medium density residential manner. This category is generally intended to serve as a transition between less urban and more urban residential and mixed use areas (Policy 2.2.6)	“The Transportation/Utility Land Use Category is intended for areas appropriate for transport and public/private utility services serving the City. (Policy 2.6.4)
Primary Uses:	Residential	Airport, Seaport, Marina; Coast Guard, Customs Facility; Electric Power Generating Plant; Utility Transmission Lines; Municipal Water Supply, Wastewater Disposal Facility; Solid Waste/Refuse Disposal, Transfer, Recycling Facility; Public Works Garage/Storage; Electric Power Substation; Telephone Switching Station
Max. Density:	15 dwelling units/acre	0 dwelling units/acre
Max. Floor Area Ratio (FAR):	0.50 (non-residential)	0.70
Max. Impervious Surface Ratio (ISR):	0.75 (non-residential)	0.70

Further direction on plan consistency is contained in the City’s Comprehensive Plan, as follows:

Future Land Use Element Goal 2: Land use designations are intended to protect community character, discourage urban sprawl, promote economic growth and promote compatibility between uses. The Future Land Use Map shall be the guiding mechanism that directs development through general category locations, descriptions, densities and intensities of future land use.

Future Land Use Element Objective 2.1: The City of Tarpon Springs Future Land Use Map 2025 (FLUM) included in Appendix A of this Element characterizes the long term end toward which land use patterns in the City are ultimately directed. The FLUM also displays Future Land Use categories for unincorporated areas in order to depict the relationship of the City’s FLUM with other relevant jurisdictional areas.

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Utilities Element Goal 1: *The City shall provide efficient sanitary sewer service to meet the existing and future needs of the service area population and shall not adversely affect the natural environment.*

Utilities Element Goal 4: *Provide, develop and maintain a permanent potable water supply system to meet anticipated demand while providing maximum practical protection to the environment at a cost consistent with the public's ability and willingness to pay.*

Coastal Management Element Goal 3: *Protect human life and limit public expenditures in areas subject to destruction by natural disasters and sea level rise.*

Coastal Management Element Policy 3.1.2: *Restrict public investments such as roads, water, and sewer infrastructure, which would subsidize new private development in the Coastal High Hazard Area.*

Coastal Management Element Policy 3.1.4: *The City shall limit development within High Hazard Coastal Areas with dedicated City funds to the following conditions: those which are in need of stormwater improvements, those in need of restoration of natural resources, or existing public facilities in need of restoration or maintenance.*

Coastal Management Element Policy 3.1.5: *Strategies for preparing for sea level rise, such as increasing road surface elevation standards, subsurface stabilization, stormwater management and drainage, and adjustment of bridge heights to allow for navigation, should be collectively assessed and implemented where appropriate.*

Staff Analysis: The allowable uses, densities and intensities of the requested Transportation/Utility FLUM category, as listed in the above table, are appropriate to the existing built condition/use, to the future planned use of the site, and, to the ***"long term end toward which land use patterns in the City are ultimately directed."*** The site is a 1.06-acre non-waterfront property, so many of the primary uses listed in the above table are not practical given the site's size. The City's plans to retain and upgrade facilities on this site fulfill its obligation under Goals 1 and 4 of the Utilities Element, namely: to provide efficient utilities service adequate to meet existing and future demand. This is consistent with the intent of the proposed Transportation/Utility FLUM category to establish "areas appropriate for transport and public/private utility services serving the City (Policy 2.6.4)." Zoning district designations that would generally be appropriate under the Transportation/Utility FLUM category would include the Public/Semi-Public District and Land Conservation District. The City has applied under separate cover for a rezoning of the property from **Residential Multifamily*** to the Public/Semi-Public District.

The property is located in the Coastal High Hazard Area. The above-referenced Coastal Management Element provisions of the Comprehensive Plan restrict expansion of public facilities investment that would subsidize new private development. The current proposal is to bring a site with existing infrastructure and existing operational facilities (lift station, injection well, offices, workshops, and storage) into conformance. Expansion of utilities capacity is not proposed at this site, and any such future proposed expansion would be reviewed against those policies on its own, regardless of the underlying FLUM designations. Bringing this site into conformance, on the other hand, may allow the City to make appropriate site adaptations to accommodate future sea level rise. This is consistent with Policy 3.1.4 above which directs the city to maintain existing public facilities already located in

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the Coastal High Hazard Area, and, with Policy 3.1.5 which directs the City to find methods for adapting existing public infrastructure to rising sea levels.

Countywide Plan Map Amendment

The property is designated as Residential Medium (RM) on the Countywide Plan Map. A Countywide Plan Map amendment to the Public/Semi-Public (P/SP) category will be required. The property is in the Coastal High Hazard Area – residential density will not be increased, but, in fact, removed from the property. Countywide Rules for the locational characteristics and traffic generation characteristics of the current and proposed Countywide Map designations are summarized in the table below:

Countywide Map – Comparison of Current and Proposed Categories

COUNTYWIDE MAP	Current Plan Category: Residential Medium (RM)	Proposed Plan Category: Public/Semi-Public (P/SP)
Purpose:	“It is the purpose of this category to depict those areas of the county that are now developed, or appropriate to be developed, in a medium-density residential manner; and to recognize such areas as primarily well-suited for residential uses that are consistent with the urban qualities, transportation facilities, including transit, and natural resources of such areas.” (Policy 2.3.3.4)	“This plan category is intended to recognize institutional, and transportation/utility uses that serve the community or region, especially larger facilities having acreage exceeding the thresholds established in other plan categories, which are consistent with the need, character, and scale of such uses relative to the surrounding uses, transportation facilities, and natural resource features, and may include residential as part of the mix of uses” (Policy 2.3.3.8)
Max. Density:	15 dwelling units/acre	12.5 dwelling units/acre
Max. Floor Area Ratio:	0.50	0.70
Max. Impervious Surface Ratio:	0.75	0.90
Traffic Generation Characteristics:	96 trips per day per acre	16 trips per day per acre

TECHNICAL REVIEW COMMITTEE:

The Technical Review Committee (TRC) reviewed this project on December 8, 2022 for completeness and conformance to the Comprehensive Plan. The TRC determined that the application was complete and ready for processing. There were no further comments from the TRC.

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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 and Chapter 166.041, Florida Statutes. Notice was advertised in the *Tampa Bay Times*. Staff has not received any responses to the notice provided for the Future Land Use Map amendment. **Staff notes that public comments were received in response to noticing of the proposed rezoning of this property (Application #22-126) and those are included with this agenda packet. At the Planning and Zoning Board's hearing on the rezoning, held on April 17, 2023, one member of the public spoke in opposition to the rezoning.**

ATTACHMENTS:

1. Slide show presentation
2. **Survey***
3. **Deed***
4. **City Ordinances 85-29 and 85-39***
5. **Citizen correspondence***
6. **Department of Public Services Memorandum, January 30, 2023***
7. Ordinance 2023-03

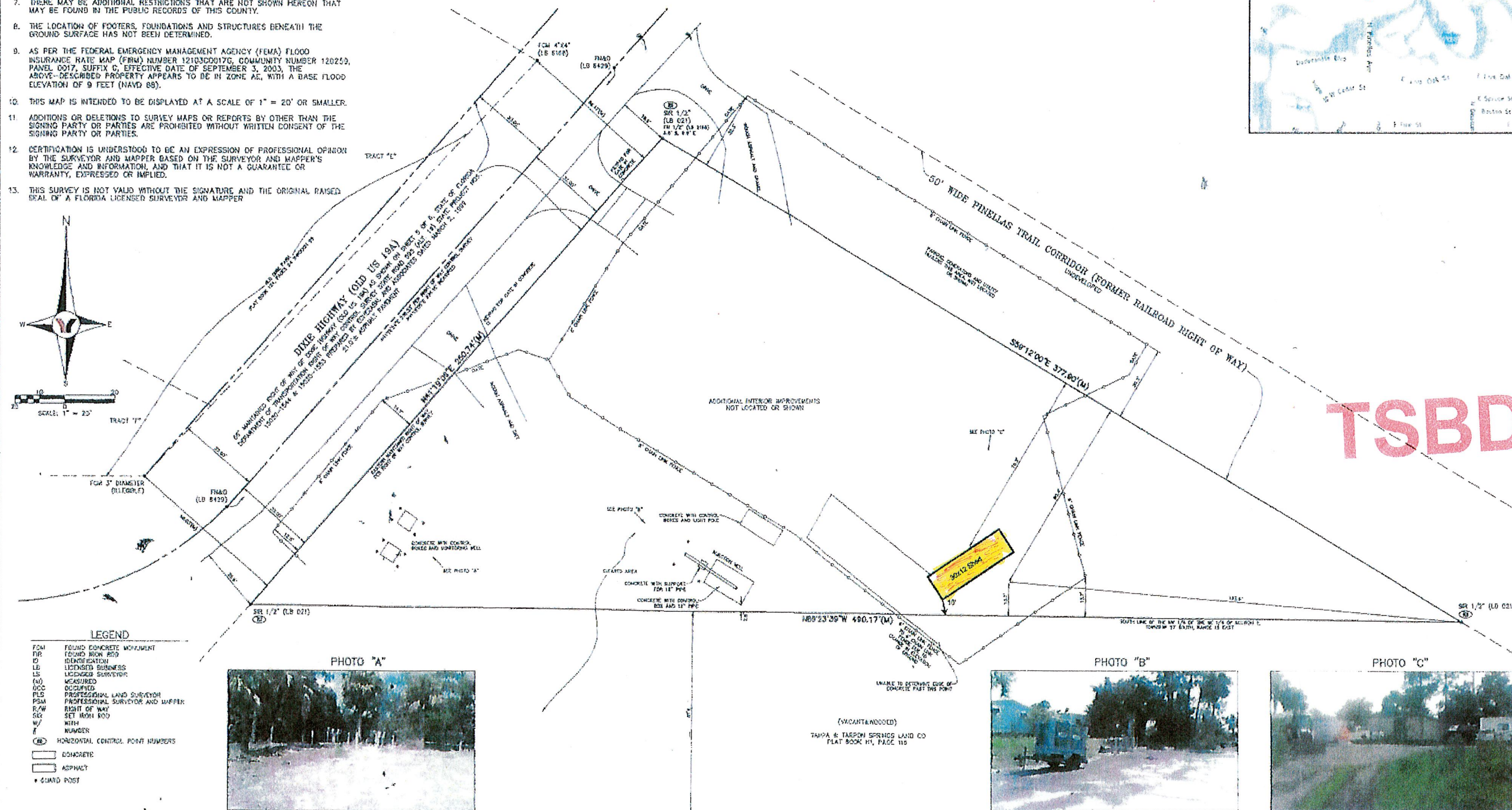
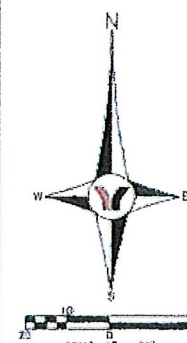
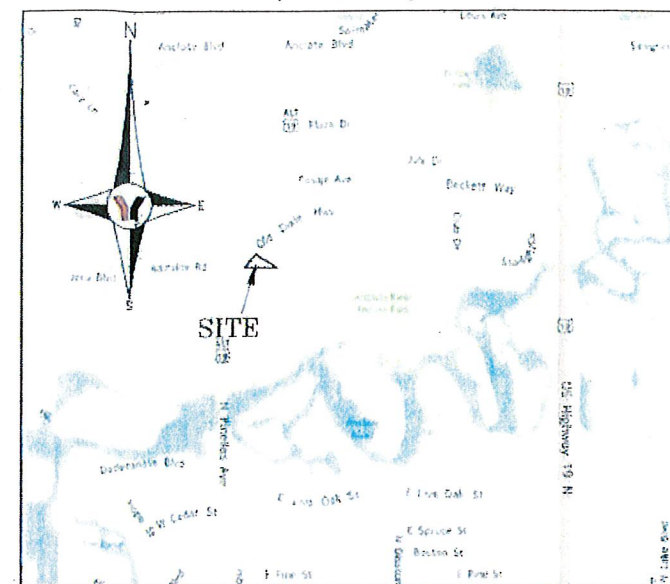
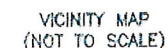
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1. GEORGE F. YOUNG, INC. AND THE UNDERSIGNED MAKE NO REPRESENTATIONS OR GUARANTEES PERTAINING TO EASEMENTS, RIGHTS OF WAY, SET BACK LINES, RESERVATIONS, AGREEMENTS AND/OR OTHER MATTERS PERTAINING TO SURVEY.
2. COORDINATE VALUES SHOWN HEREON ARE IN UNITED STATES SURVEY FEET AND ARE BASED ON STATE PLANE COORDINATES, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983/1990 ADJUSTMENT (NAD83/90) AND WERE DERIVED FROM REDUNDANT REAL-TIME KINEMATIC GPS OBSERVATIONS UTILIZING THE FOLLOWING NGS CONTROL POINTS AS PUBLISHED ON THE NGS WEBSITE [HTTP://WWW.NGS.NOAA.GOV](http://www.ngs.noaa.gov):
PINC04 U (NGS PID AL0294) NORTHING = 1,396,367.57 EASTING = 408,693.03
PINC04 A (NGS PID AL0289) NORTHING = 1,394,439.97 EASTING = 414,919.61
3. BEARINGS ARE BASED ON GRID NORTH, ACCORDING TO AFORESAID HORIZONTAL DATUM AND NGS CONTROL POINTS, MORE SPECIFICALLY S72°47'55"E AS CALCULATED BETWEEN CONTROL POINTS PINCO D AND PINCO A.
4. THIS SURVEY IS A GRAPHIC DEPICTION OF THE CURRENT BOUNDARY IN ACCORDANCE WITH THE LEGAL DESCRIPTION SHOWN HEREON AND MAY NOT REFLECT OWNERSHIP.
5. THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE CURRENT OWNERS OF THE PROPERTY AND ALSO THOSE WHO MORTGAGE OR GUARANTEE THE TITLE THERETO WITHIN ONE (1) YEAR FROM THE DATE HEREOF.
6. SURVEY PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT OR COMMITMENT FOR TITLE INSURANCE.
7. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN HEREON THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
8. THE LOCATION OF FOOTERS, FOUNDATIONS AND STRUCTURES BENEATH THE GROUND SURFACE HAS NOT BEEN DETERMINED.
9. AS PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) NUMBER 1210300017C, COMMUNITY NUMBER 120255, PANEL 0017, SUFFIX C, EFFECTIVE DATE OF SEPTEMBER 3, 2003, THE ABOVE-DESCRIBED PROPERTY APPEARS TO BE IN ZONE AE, WITH A BASE FLOOD ELEVATION OF 9 FEET (NAVD 88).
10. THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1" = 20' OR SMALLER.
11. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES ARE PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
12. CERTIFICATION IS UNDERSTOOD TO BE AN EXPRESSION OF PROFESSIONAL OPINION BY THE SURVEYOR AND MAPPER BASED ON THE SURVEYOR AND MAPPER'S KNOWLEDGE AND INFORMATION, AND THAT IT IS NOT A GUARANTEE OR WARRANTY, EXPRESSED OR IMPLIED.
13. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

That portion of the Northwest ¼ of the Southeast ¼ of Section 1, Township 27 South, Range 15 East which lies Southerly of the former railroad right of way (now the Pinellas Trail corridor) and which also lies Easterly of the Eastern maintained right of way of Dixie Highway (Old US 19A) as shown on Sheet 5 of 6, State of Florida Department of Transportation Right of Way Control Survey State Road 505 (Alt. 19) State Project Nos. 15020-1544 & 15020-1553 prepared by Echezabal and Associates dated March 2, 1999.

City of Tarpon Springs, Pinellas County, Florida

POINT NUMBER	LATITUDE	LONGITUDE	NORTHING	EASTING
706	28 00 51.13602(N)	82 45 16.35590(W)	1393159.3505	412780.7927
707	28 09 49.25530(N)	82 45 21.18240(W)	1392971.0347	412615.2464
405	28 09 49.24416(N)	82 45 15.71607(W)	1392965.8516	413105.3903



TSBD

LEGEND

- | | | |
|-------------------------------------|----------------------------------|----------|
| FOR | FOUND CONCRETE | MONUMENT |
| RD | ROUND IRON ROD | |
| ID | IDENTIFICATION | |
| LD | LEIGHED BUSINESS | |
| LS | LEIGHED SURVEYOR | |
| (N) | MEASURED | |
| OC | OCCLUDED | |
| PLD | PROFESSIONAL LAND SURVEYOR | |
| PLS | PROFESSIONAL SURVEYOR AND MAPPER | |
| R/W | RIGHT OF WAY | |
| SET | SET IRON ROD | |
| W/ | WITH | |
| | NUMBER | |
| <input checked="" type="checkbox"/> | HORIZONTAL CONTROL POINT NUMBERS | |
| <input type="checkbox"/> | CONCRETE | |
| <input type="checkbox"/> | ASPHALT | |
| • GROUND POINT | | |

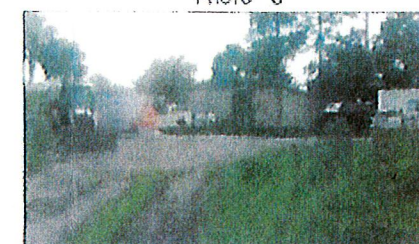
PHOTO "A"



PHOTO "B"



PHOTO "C"



RECEIVED				V				RECEIVED			
NO.	BY	DATE	DESCRIPTION	NO.	BY	DATE	DESCRIPTION	NO.	BY	DATE	DESCRIPTION
1				1				1			
2				2				2			
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4				4				4			
5				5				5			
6				6				6			
7				7				7			
8				8				8			
9				9				9			
10				10				10			

CITY OF TARPON SPRINGS



George F. Young, Inc.

290 DR. MARTIN LUTHER KING JR. STREET, H. ST. PETERSBURG, FLORIDA 33705
PHONE (727) 822-4317 FAX (727) 822-2905
BUSINESS ONLY LIST
ARCHITECTURE • ENGINEERING • ENVIRONMENTAL LANDSCAPE PLANNING • SURVEYING • UTILITY
LANDSCAPE • INTERIOR DESIGN • PEST MANAGEMENT • HEALTH CARE • ST. PETERSBURG, FLORIDA

NICHOLAS M. DRICHEL FPM 16400
 SEPTEMBER 2, 2014
 DATE

INJECTION WELL SITE
BOUNDARY SURVEY

SECTION 1, TOWNSHIP 27 S., RANGE 15 E.

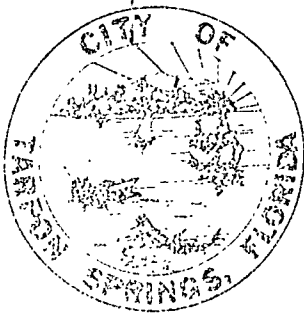
JDS NO.
14Y09219SS

SECRET NO.
↑ CF

1 OF 2

18-2547

City Clerk



City of Tarpon Springs, Florida

OFFICE OF CITY ATTORNEY

SUITE 17
101 WEST COURT STREET
POST OFFICE BOX 1575
TARPON SPRINGS, FLORIDA 34286-1575
(813) 938-3711

MEMORANDUM

JULY 29, 1985

TO: HONORABLE MAYOR LANE AND BOARD OF COMMISSIONERS
FROM: HERBERT ELLIOTT, CITY ATTORNEY *HE*
IN RE: ANNEXATION - OAKBROOKE

After the first reading, Judge Phillips called this office to advise that there was no current request for any commercial use of the described property. Hence no change to the legal description, nor the legal advertisement was made.

I also attach a copy of the recorded deed to the property dedicated for public use. This property should be formally acknowledged as accepted in the minutes. I also suggest that suitable appreciation be made of this dedication.

Although the deed does not indicate that there are liens or encumbrances against the property, with the City Manager's approval, we have ordered an Ownership and Encumbrance Report to confirm that the grantor has obtained a partial release of this property from its entire parcel.

✓ The original deed has been delivered to the City Clerk on July 30, 1985.

Warranty Deed

85155337 RETURN TO:
(STATUTORY FORM—SECTION 689.02 F.S.)

This instrument was prepared by:

Name Herbert Elliott

Address P.O. Box 1575

Tarpon Springs, FL 33589

This Indenture, Made this 25th day of July 1985, Between

THE AEGEAN SPRINGS CORPORATION

O.R. 6041 PAGE 721

of the County of Pinellas, State of Florida, grantor*, and

CITY OF TARPON SPRINGS

whose post office address is P.O. Box 1575, Tarpon Springs, Florida 33589

of the County of Pinellas, State of Florida, grantee*,

Witnesseth, That said grantor, for and in consideration of the sum of -----NONE-----

and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Pinellas County, Florida, to-wit:

11 CHG 466
COTS
40 Rec. 5.00
46 Pos
Total 5.00m

That portion of the Northwest 1/4 of the Southeast 1/4 of Section 1, Township 27S, Range 15 E, Pinellas County, Florida, lying Southeast of Pinellas Boulevard (State Road #15 - also known as Dixie Highway) and Southwest of the Seaboard Coastline Railroad Right-of-Way.

This conveyance is subject to the following:

1. Taxes and assessments for 1985 and subsequent years;
2. Easements, reservations, and restrictions of record; and
3. Use of the subject property shall be limited to public purposes only and not for any private sector business or residential purpose. If such condition shall henceforth occur, such property described herein shall immediately revert to the Grantor, or its successors or assigns. This restriction shall expire on July 4, 2005.

THIS IS A GIFT DEED.

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

* "Grantor" and "grantee" are used for singular or plural, as context requires.

In Witness Whereof,

Grantor has hereunto set grantor's hand and seal the day and year first above written Signed, sealed and delivered in our presence.

THE AEGEAN SPRINGS CORPORATION

By: R. L. Propps (Seal)

Its: Chief Executive Officer & President (Seal)

(Seal)

24 24614909 70 11 (Seal) 85

STATE OF FLORIDA
COUNTY OF PINELLAS

3 466 TOTAL 5.00 CHRG

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared R. L. PROPPS, Chief Executive Officer & President, of The Aegean Springs Corporation, a Florida corporation, to me known to be the person described in and who executed the foregoing instrument and acknowledged before me that he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 25th day of July 1985.

My commission expires:

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXPIRES MAR 3 1986
BONDED THRU GENERAL INS
UNDERWRITERS

Karlson F. DeB...
Pinellas County, Florida
Notary Public

CLERK CIRCUIT COURT

JUL 26 2 51 PM '85

85170779

O.R. 8054 PAGE 1403

11 CHG 466

85167507

O.R. 8054 PAGE 1953

40 Rec 13.00

46 Pos

Total 13.00

AUG 12 11 43 AM '85

ORDINANCE 85-29

14 14734690 72 11. 15A085

40

13.00

466 TOTAL

13.00 CHRG

AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA, ANNEXING CERTAIN LANDS DESCRIBED HEREIN AND CONTIGUOUS TO THE CITY OF TARPON SPRINGS, LOCATED WITHIN PINELLAS COUNTY, FLORIDA, PROVIDING FOR THE ZONING OF SAID LANDS TO BE RM-15, RESIDENTIAL MULTIFAMILY, REDEFINING THE BOUNDARY LINES OF THE CITY OF TARPON SPRINGS TO INCLUDE SUCH PROPERTY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Aegean Springs Corporation has filed a petition requesting the City of Tarpon Springs to annex its property described below, all located in Pinellas County, Florida, and

WHEREAS, the petition contains the signature of the owner of the property to be annexed, which is contiguous to other real property in the City of Tarpon Springs, is reasonably compact, and would not result in the creation of an enclave, and

WHEREAS, notice has been duly published as required by Florida Statutes,

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

1. Pursuant to Section 171.044, Florida Statutes, the City of Tarpon Springs does hereby annex the following described lands located in Pinellas County, Florida:

The South 5/8 of the West one-half of the Southwest 1/4, LESS the North 1/5 and LESS the North 1/4 of the East 1/3 of the Southwest 1/4, of Section 6, Township 27 South, Range 16 East, together with all abutting easements and rights-of-way, AND (See Exhibit A)

2. Said property annexed is hereby assigned the zoning classification of RM-15, Residential Multifamily, and land use designation of Medium Density Residential, 15 units per acre, and the boundaries of the City of Tarpon Springs are hereby revised to include such property.

3. A copy of this ordinance duly certified shall be filed with the Clerk of the Circuit Court of Pinellas County and with the Department of State and become effective upon passage.

This document is being re-recorded to correct the legal description of the property annexed.

RETURN TO: ✓
CITY CLERK'S OFFICE
P.O. BOX 1575
TARPON SPRINGS, FLORIDA 33589

11 CHG 466

COT S

40 Rec 13.00

46 Pos

Total 13.00

AT

AUG 15 2 31 PM '85

CLERK CIRCUIT COURT

Pinellas County Clerk

EXHIBIT A

That portion of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ lying East of Pinellas Boulevard (State Road #15) and that portion of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ lying South of Pinellas Boulevard (State Road #15) and the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, Section 1, Township 27 South, Range 15 East, Pinellas County, Florida, together with all abutting easements and rights-of-way.

PASSED AND ADOPTED this 6th day of August

1985.

Bill Lane
BILL LANE, MAYOR-COMMISSIONER

Anita E. Protos
ANITA E. PROTOS, COMMISSIONER

Don R. Dohrman
DON R. DOHRMAN, COMMISSIONER

Charles N. Roberts II
CHARLES N. ROBERTS II, COMMISSIONER

Thomas M. Koulianos
THOMAS M. KOULIANOS, COMMISSIONER

CITY
CLERK
ATTEST:

Kathy M. Alesafis
KATHY M. ALESAFIS, CITY CLERK

APPROVED AS TO FORM:

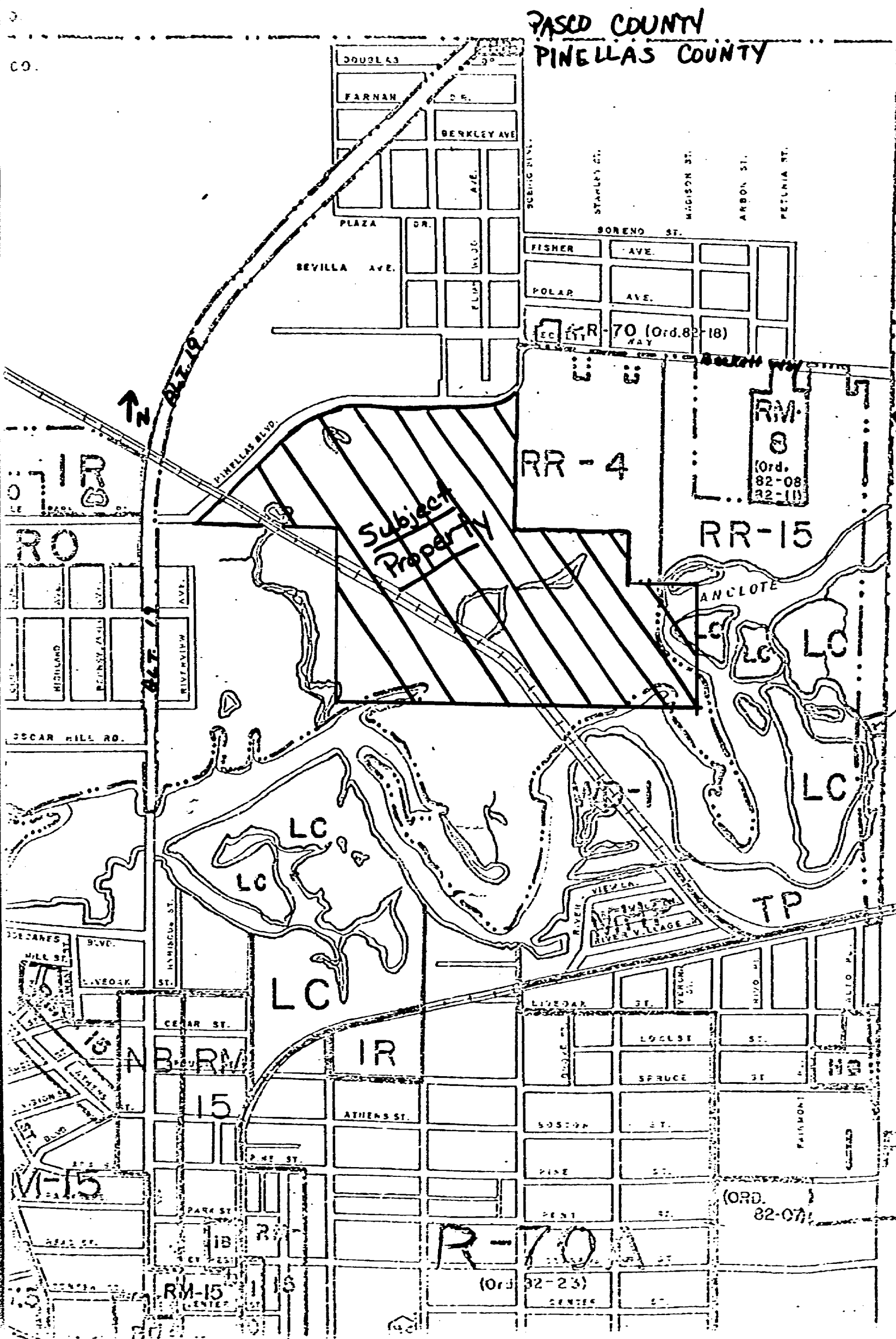
Herbert Elliott
HERBERT ELLIOTT, CITY ATTORNEY

MOTION BY: COMMISSIONER ROBERTS
SECOND BY: COMMISSIONER DOHRMAN

VOTE ON MOTION:

COMMISSIONER KOULIANOS	<u>No</u>
COMMISSIONER ROBERTS	<u>Yes</u>
COMMISSIONER DOHRMAN	<u>Yes</u>
COMMISSIONER PROTOS	<u>Yes</u>
MAYOR LANE	<u>Yes</u>

RETURN TO:
CITY CLERK'S OFFICE
P. O. BOX 1575
TARPON SPRINGS, FLORIDA 33589



85206113

AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA, ANNEXING CERTAIN LANDS DESCRIBED HEREIN AND CONTIGUOUS TO THE CITY OF TARPON SPRINGS, LOCATED WITHIN PINELLAS COUNTY, FLORIDA, PROVIDING FOR THE ZONING OF SAID LANDS TO BE RM-15, RESIDENTIAL MULTIFAMILY, REDEFINING THE BOUNDARY LINES OF THE CITY OF TARPON SPRINGS TO INCLUDE SUCH PROPERTY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Aegean Springs Corporation has filed a petition requesting the City of Tarpon Springs to annex its property described below, all located in Pinellas County, Florida, and

WHEREAS, the petition contains the signature of the owner of the property to be annexed, which is contiguous to other real property in the City of Tarpon Springs, is reasonably compact, and would not result in the creation of an enclave, and

WHEREAS, notice has been duly published as required by Florida Statutes,

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

1. Pursuant to Section 171.044, Florida Statutes, the City of Tarpon Springs does hereby annex the following described lands located in Pinellas County, Florida:

That portion of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ lying East of Pinellas Boulevard (State Road #15) and that portion of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ lying South of Pinellas Boulevard (State Road #15) and the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, Section 1, Township 27 South, Range 15 East, Pinellas County, Florida, together with all abutting easements and rights-of-way.

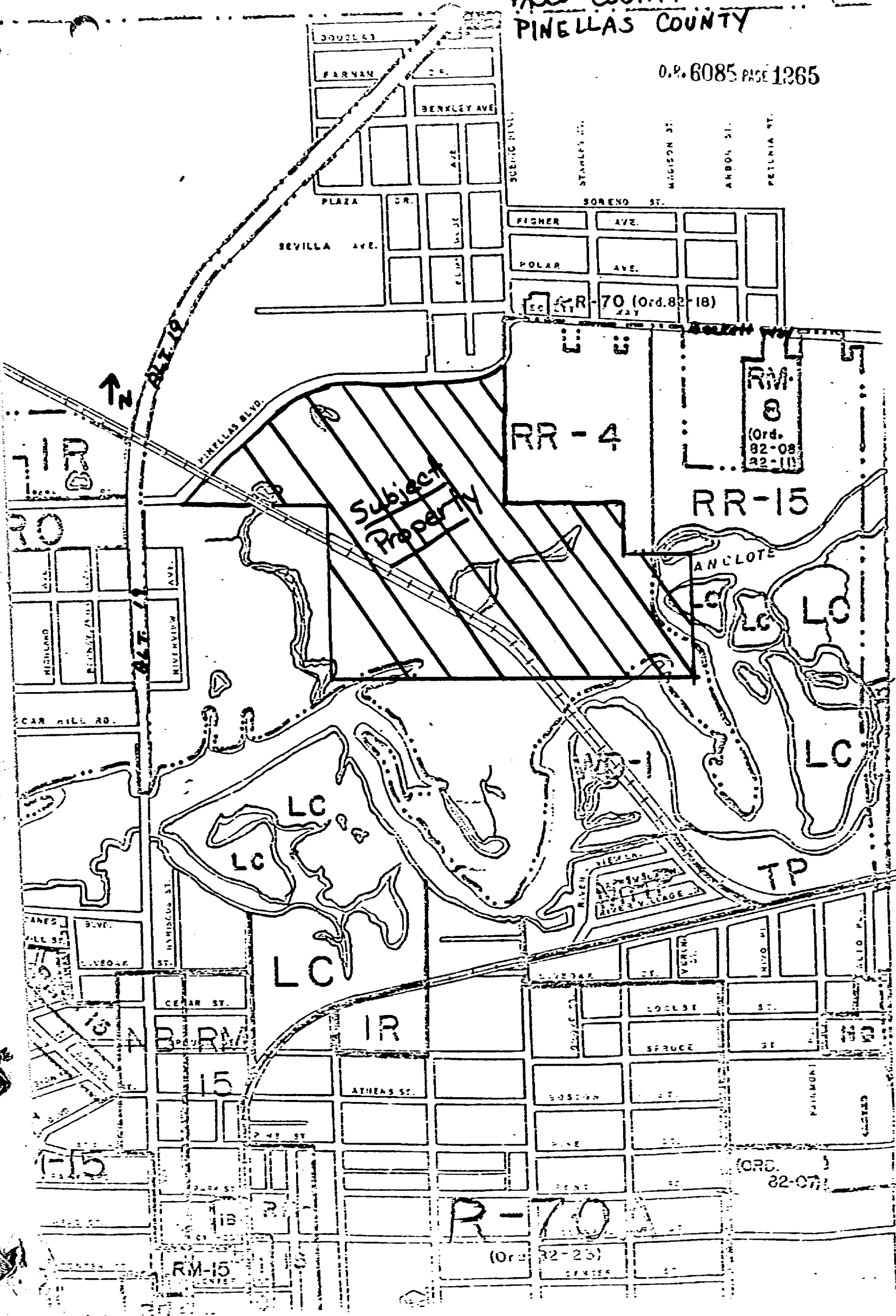
2. Said property annexed is hereby assigned the zoning classification of RM-15, Residential Multifamily, and land use designation of Medium Density Residential, 15 units per acre, and the boundaries of the City of Tarpon Springs are

11 CHG 466
Co IS
40 Rec 17.00
46 Pos
Total 17.00
BA

Re. City of Tarpon Springs Fla.
P.O. Box 1575
Tarpon Springs, Fla.
33589

PASCO COUNTY
PINELLAS COUNTY

O.P. 6085 PAGE 1265




hereby revised to include such property.

3. A copy of this ordinance duly certified shall be filed with the Clerk of the Circuit Court of Pinellas County and with the Department of State.

4. This ordinance is adopted to correct any potential alleged procedural defect arising from the adoption of Ordinance 85-29, in which there originally existed an error in the legal description of the property petitioned for annexation, and which was re-recorded to correct any such alleged defect. This ordinance shall therefore be retroactively effective to August 6, 1985, the date of passage of Ordinance 85-29.

PASSED AND ADOPTED this 17th day of September 1985.


BILL LANE, MAYOR-COMMISSIONER


ANITA E. PROTOS, COMMISSIONER


DON R. DOHRMAN, COMMISSIONER


CHARLES N. ROBERTS II, COMMISSIONER


THOMAS M. KOULIANOS, COMMISSIONER

ATTEST:


KATHY M. ALESAFIS, CITY CLERK

APPROVED AS TO FORM:


HERBERT ELLIOTT, CITY ATTORNEY

MOTION BY: COMMISSIONER PROTOS
SECOND BY: COMMISSIONER DOHRMAN

VOTE ON MOTION

COMMISSIONER KOULIANOS	<u>Yes</u>
COMMISSIONER ROBERTS	<u>Yes</u>
COMMISSIONER DOHRMAN	<u>Yes</u>
COMMISSIONER PROTOS	<u>Yes</u>
MAYOR LANE	<u>Yes</u>

ORDINANCE

O.R. 6085 PAGE 1267

Work Sess. Date: _____

First Reading Date: _____

Public Legal Notice
Newspaper _____

Date of Ad: _____

Public Hearing Date and Second
and Final Reading Date: _____

Copy of Legal Notice:

**NOTICE OF PROPOSED
ENACTMENT OF AMENDMENT ORDINANCE**

The Board of Commissioners of the City of Tampa Springs will meet at City Hall, Tampa Springs, Florida, at 8:30 p.m. on Tuesday, September 17, 1968 for the purpose of considering the enactment of an ordinance, the title and body of which are as follows:

AN ORDINANCE OF THE CITY OF TAMPA SPRINGS, FLORIDA, AMENDING CERTAIN LANDS DESCRIBED HEREIN AND CONTIGUOUS TO THE CITY OF TAMPA SPRINGS, LOCATED WITHIN PINELLAS COUNTY, FLORIDA, PROVIDING FOR THE ZONING OF SAID LANDS TO BE RM-15, RESIDENTIAL MULTIFAMILY, REDEFINING THE BOUNDARY LINES OF THE CITY OF TAMPA SPRINGS TO INCLUDE SUCH PROPERTY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Tampa Springs Corporation has filed a petition requesting the City of Tampa Springs to annex its property described below, all located in Pinellas County, Florida, and

WHEREAS, the petition contains the signature of the owner of the property to be annexed, which is contiguous to other real property in the City of Tampa Springs, is reasonably compact, and would not result in the creation of an enclave, and

WHEREAS, notice has been duly published as required by Florida Statutes,

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF TAMPA SPRINGS, FLORIDA, that

1. Pursuant to Section 171.044, Florida Statutes, the City of Tampa Springs does hereby annex the following described lands located in Pinellas County, Florida:

That portion of the Northeast 1/4 of the Southeast 1/4 lying East of Pinellas Boulevard (State Road #15) and that portion of the Northeast 1/4 of the Southeast 1/4 lying South of Pinellas Boulevard (State Road #15) and the Southeast 1/4 of the Southeast 1/4, Section 1, Township 27 South, Range 15 East, Pinellas County, Florida, together with all abutting easements and rights-of-way.

2. Said property annexed is hereby assigned the zoning classification of RM-15, Residential Multifamily, and land use designation of Medium Density Residential, 15 units per acre, and the boundaries of the City of Tampa Springs are hereby revised to include such property.

3. A copy of this ordinance duly certified shall be filed with the Clerk of the Circuit Court of Pinellas County and with the Department of State and become effective upon passage.

Those persons interested may be present for the purpose of being heard with respect to the proposed ordinance.

CITY OF TAMPA SPRINGS, FLORIDA
KATY M. ALESARE,
CITY CLERK

1584

8-21, 8-28, 9-4, 9-11

Patricia McNeese

From: GEORGE POPE <popesandburns@aol.com>
Sent: Monday, January 23, 2023 10:04 AM
To: Planning
Cc: Ray Page
Subject: Zoning change request #22-125 (city of Tarpon springs -Dixie Highway)

External Email- Use caution with links and attachments

I live in the Natures Preserve subdivision located along Dixie Highway and not far from the Utility Department site that is the subject of this zoning change. Another resident has brought this change request to my attention as the wording '...Wastewater Disposal Facility; Solid Waste/ Refuse Disposal, Transfer, ...' caught our attention and raises some questions.

This zoning change request would seem to allow for a sewage treatment facility to be built on the site and as residents quite close nearby, that obviously raises several alarms for us. Of course, the wording also allows for an airport, seaport and customs facility, etc. that clearly cannot be located on this 1 acre plot of land.

I understand the subject zoning request is now scheduled to go before the planning board at the Feb 27th meeting. Before we get too alarmed over this issue, can the city give the local residents some assurance that a sewage or refuse station is not in the future planing stages or is ever likely to be built?

Thank you for your attention in this regard.

George Pope
1444 Watemill Cir
Tarpon Springs, FL

Patricia McNeese

From: tait lundquist <taid1st@yahoo.com>
Sent: Tuesday, January 24, 2023 5:19 AM
To: Patricia McNeese
Cc: Steve Spencer; Paul Smith
Subject: Injection Well FLUMA 22 -125

External Email- Use caution with links and attachments

Good Morning Ms McNeese

We were shocked at your representation to the Board at last night's hearing that you had no public response prior to yesterday e mails.

We were additional shocked hearing that you and the City are trying to put an Injection Well approval on the 200 Dixie Hwy Site which abuts our property . This was never was disclosed to us or the public prior to last night hearing. This has us questioning the statutory due process and many other procedural issues such as public postings not being posted at the proper property pursuant to the statutory requirements

Could you please provide me with the Mailing you stated to the board that went out to the surrounding property owners .

Could you either provide me with the transcript from last night's board hearing or in the alternative the person (s) contact information who will be able to provide us with the transcript.

Additionally could you provide us with the Board Members City Emails or provide us the person (s) contact information who can provide us with the E Mails for each board member .

I have Copied Mr Smith since you referenced him several times at last night's hearing which he was not present at .

As stated to you yesterday the Item should have been removed from the agenda so the the Proper Procedure Due Process could be performed by the City Staff as to Notification Postings Etc

Has the FDEP be notified of the Injection Well being pumped into the Anclote River Aquafur you discussed with the board ??

It seems The City of Tarpon Springs has already built this Site out and is now trying to get approval after the fact.which is alarming .

If any Citizens did things the way The City of Tarpon Springs did at 200 Dixie Highway they most likely would have Code Issues , Liens and be forced to remove the Illegal improvements not to mention possibly jail for the environmental impact and habitat destruction at that site .

Thank you in advance for your attention to our public information request.

Tait

727 422 1075

[Sent from Yahoo Mail on Android](#)



R. Thomas Kiger
Public Services Assistant Director

Public Services Department

Memorandum

Date: January 30, 2023
To: Tarpon Springs City Clerk and Collector
From: R. Thomas Kiger, Public Services Assistant Director
Subject: January 24, 2023 Public Records Request – Injection Well

Background

This memo serves to document the Public Services Department's response to the public records request received on January 24, 2023 from Mr. Tait Lundquist via email relating to an injection well.

Requests and Responses:

Mr. Tait Lundquist provided a public records request on January 24, 2023 via email requesting information about the injection well on the City property located at 200 Dixie Highway. The portions of the request relevant to the Public Services Department are listed below:

1. "We were shocked to hear that you and the City are trying to put an Injection Well on the 200 Dixie Hwy Site which abuts our property. This was never disclosed to us or the public prior to last night hearing. This has us questioning the statutory due process and many other procedural issues such as public postings not being posted at the proper property pursuant to statutory requirements."

Response: The City has already installed and operates an injection well at this site as part of the operation of the City's Reverse Osmosis Water Treatment Plant, which has been in operation since 2015. The permitting for the existing well with the state agency with jurisdiction, the Florida Department of Environmental Protection (FDEP), began in 2013, and public noticing was conducted pursuant to FDEP requirements, including: published notice of draft permit on February 13, 2014; published notice of intent on March 26, 2014; and a public meeting on March 18, 2014. This project went through multiple steps in the permitting process with multiple public notices, including the Notice of Intent for the Final Operation permit which was published by FDEP on October 2, 2017. Property appraiser records show that the adjacent property referenced by Mr. Tait was most recently purchased by the current owners on November 17, 2017, over two years after the construction completion of the injection well on June 30, 2015.

The published notices and relevant documents are available on FDEP's Oculus database. The documents regarding permitting authorizations and public notices from FDEP's file of record are provided as responsive to this request.

2. "Has the FDEP be notified of the Injection Well being pumped into the Anclote River Aquafur you discussed with the board ??"

Response: The City currently operates one deep injection well associated with the RO Water Treatment Plant. This well injects saline water from the RO plant into the non-potable zones of the Avon Park Formation of the Upper Floridan Aquifer. There is no "Anclote River" aquifer extant in this area, so public records for this request will be based on the existing injection well for the RO Water Treatment Plant. As stated before, this injection well was fully permitted through the FDEP's Underground Injection Control program over the period from 2013 to 2017. The file of record for the permitting of this well is provided on FDEP's Oculus database. The file of record contains the official FDEP recorded records of all permitting activities for this facility conducted with FDEP. Additionally, this well is listed on FDEP's online, public GIS map for public knowledge at the following link: <https://geodata.dep.state.fl.us/maps/FDEP::underground-injection-control-uic-map/about> . The files from the FDEP permitting file of record are provided for reference regarding the permitting of the facility.

ORDINANCE 2023-03

AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA AMENDING THE FUTURE LAND USE MAP FOR 1.06 ACRES, MORE OR LESS, OF REAL PROPERTY LOCATED ON THE SOUTH SIDE OF DIXIE HIGHWAY APPROXIMATELY 400 FEET EAST OF NORTH PINELLAS AVENUE, FROM LAND USE DESIGNATION RM (RESIDENTIAL MEDIUM) TO LAND USE DESIGNATION T/U (TRANSPORTATION/UTILITY); PROVIDING FOR FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HERewith; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the property owner of record of said parcel has requested to amend to the Future Land Use Map designation of said parcel from Residential Medium (RM) to Transportation/Utility (T/U); and,

WHEREAS, the permitted uses within the Transportation/Utility Future Land Use Map category are compatible with the surrounding and existing land uses; and,

WHEREAS, the property owner has also applied to rezone (Ordinance 2023-04) the property from the Residential Multifamily (RM) zoning district to the Public/Semi-Public (P/SP) zoning district; and,

WHEREAS, the Planning and Zoning Board conducted a public hearing on this Future Land Use Map amendment Ordinance on January 23, 2023; 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 Transportation/Utility (T/U) land use designation is appropriate.

Section 2. FUTURE LAND USE MAP AMENDMENT

That the Future Land Use Map of the City of Tarpon Springs is hereby amended for the property described as:

“That portion of the Northwest ¼ of the Southeast ¼ of Section 1, Township 27 South, Range 15 East which lies Southerly of the former railroad right of way (now the Pinellas Trail corridor) and which also lies Easterly of the Eastern maintained right of way of Dixie Highway (Old US 19A) as shown on Sheet 5 of 6, State of Florida Department of Transportation Right of Way Control

Survey State Road 595 (Alt. 19) State Project Nos. 15020-1544 & 15020-1553
prepared by Echezabal and Associates date March 2, 1999, City of Tarpon
Springs, Pinellas County, Florida.”

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.