



City of Tarpon Springs, Florida

PLANNING AND ZONING DEPARTMENT
324 EAST PINE STREET
P.O. BOX 5004
TARPON SPRINGS, FLORIDA 34688-5004
(727) 942-5611
FAX (727) 943-465

PLANNING & ZONING BOARD AGENDA SEPTEMBER 19, 2022

324 EAST PINE STREET, CITY HALL AUDITORIUM, 6:30 P.M.

1. CALL TO ORDER/ROLL CALL
2. QUASI-JUDICIAL ANNOUNCEMENT AND SWEARING IN OF SPEAKERS
3. APPLICATION #22-93: Conditional Use approval to allow a warehouse use located at 1372 North Pinellas Avenue. *This item has been deferred and will be readvertised.*
4. APPLICATION #22-92: Conditional Use approval to allow for major vehicle repair (paint spray booth) located at 1400 L&R Industrial Boulevard.
5. STAFF COMMENTS
6. BOARD COMMENTS
7. ADJOURNMENT

If a person decides to appeal any recommendation made by the Planning & Zoning Board with respect to any matter considered at these meetings or hearings, they will need a record of the proceedings, and that, for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. You are invited to attend the meeting to express your views or to present facts in regard to the case. Written comments may be addressed to the Planning & Zoning Department, P.O. Box 5004, Tarpon Springs, Florida 34688-5004, and will become part of the record. All documents submitted with the applications are on file and available for inspection in the Planning & Zoning Department, City Hall. Further information may be obtained from the Planning & Zoning Department, (727) 942-5611. Said hearing may be continued from time to time pending adjournment. 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.

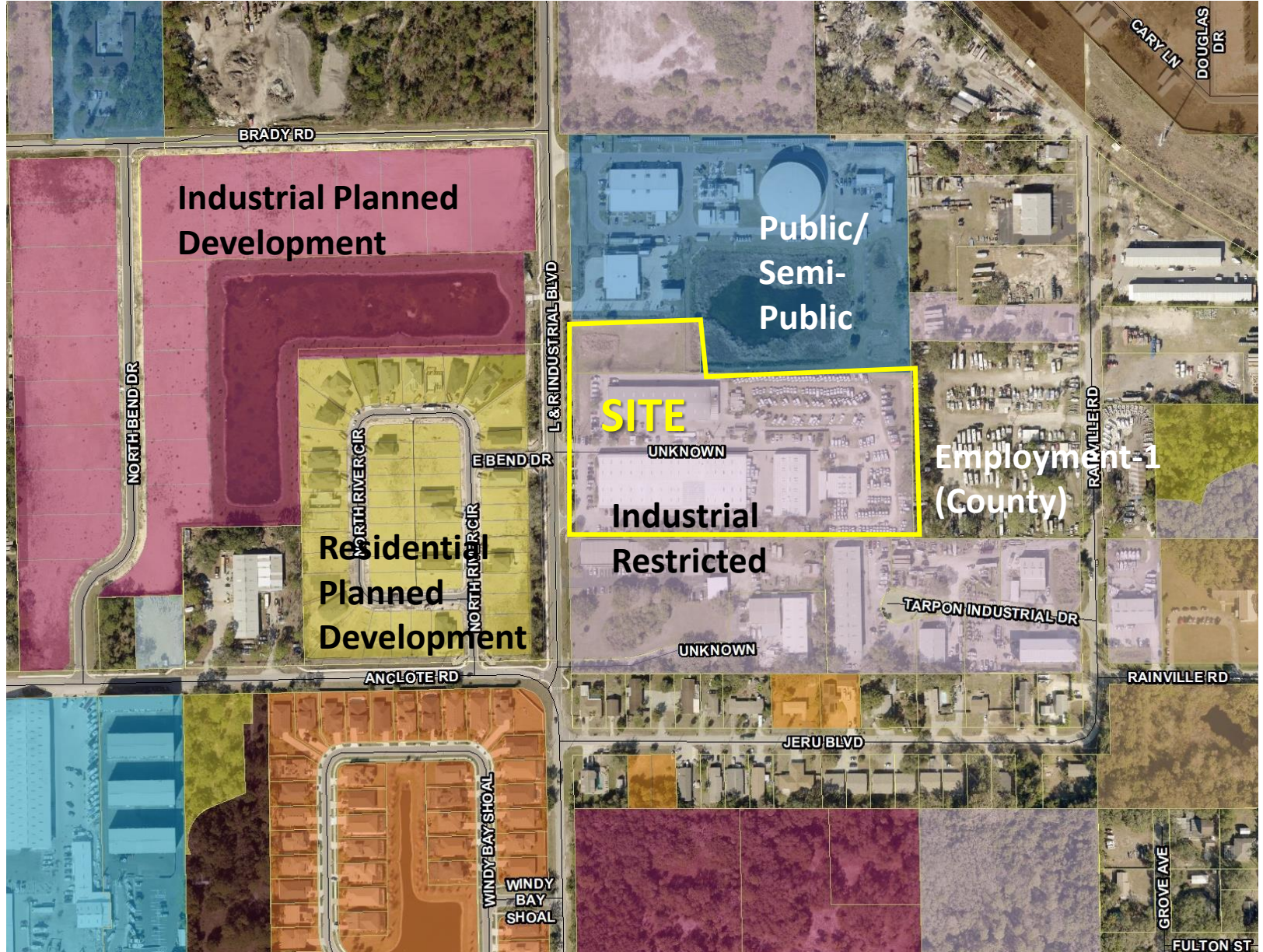
TIME WARP GARAGE, LLC– CONDITIONAL USE #22-92

Planning and Zoning Board – September 19, 2022

Board of Commissioners – September 27, 2022



LOCATION & CONTEXT



SUMMARY OF REQUEST

- **#22-92 – Conditional Use – Major Vehicle Repair (Vehicle Paint Spray Booth)**
 - Property Size: +/- 7.834 acres
 - Current Land Use: IL (Industrial Limited)
 - Current Zoning: IR (Industrial Restricted)
 - Proposed Use of Property: Paint Spray Booth for Auto Body Shop to be housed completely within a tenant space in an existing industrial building
- **Applicant:** Time Warp Garage LLC
- **Property Owner:** GBA Tarpon 84 LLC



REQUEST



REQUEST



REVIEW CRITERIA – CONDITIONAL USE

- 1) **Conformance with the Land Development Code.** The proposed use meets the requirements of the Land Development Code and is expected to be able to meet the applicable building and fire codes.
- 2) **The proposed use is appropriate to the property in question and compatible with the area.** The property is developed as an industrial site and is surrounded by industrial sites on three sides. The adjacent River Bend Residential Planned Development project is buffered by L&R Industrial Boulevard and a densely vegetated natural buffer.
- 3) **The use is consistent with the Comprehensive Plan.** The use is consistent with the Industrial Limited Future Land Use Map category and the Comprehensive Plan.
- 4) **The use will not adversely impact historical or environmental resources.** The applicant has provided documentation that the paint spray booth will meet or exceed all applicable Environmental Protection Agency standards. The site is not expected to impact historical or environmental resources.



REVIEW CRITERIA – CONDITIONAL USE

- 5) **The use will not adversely affect adjoining property values.** The property is primarily within an industrial area. The property values of the adjacent River Bend Residential Planned Development have been increasing. Property values will remain stable or increase with this use.
- 6) **The use will not adversely impact nor exceed the City's capacity to serve with public facilities.** The property is currently served with public infrastructure and facilities. The City has the capacity to serve the use.
- 7) **The use shall provide for efficient and orderly development.** The proposed auto body shop maintains the viable use of an existing industrial employment property and provides for efficient development.



PRELIMINARY STAFF RECOMMENDATION

#22-92 – *Approval* of Resolution 2022-37 granting conditional use approval for major vehicle repair (paint spray booth), with the following condition:

1. Applicant shall obtain all necessary building permits.

Public Notice Provided – No responses were received.



**CITY OF TARPON SPRINGS
 PLANNING & ZONING BOARD / BOARD OF COMMISSIONERS
 [SEPTEMBER 19, 2022 / SEPTEMBER 27, 2022]**

**STAFF REPORT
 September 9, 2022**

Application No. / Project Title: #22-92 (Time Warp Garage)
Staff: Patricia L. McNeese, AICP
Applicant / Owner: Time Warp Garage LLC / GBA Tarpon 84 LLC
Property Size: +/- 7.834 acres
Current Zoning: IR (Industrial Restricted)
Current Land Use: IL (Industrial Limited)
Location / Parcel ID: 1400 L&R Industrial Boulevard / 01-27-15-89136-000-0541

BACKGROUND SUMMARY:

The applicant is seeking conditional use approval to allow for a major vehicle repair in an existing building. The Time Warp Garage is an automobile body shop that utilizes a paint spray booth as part of their operations. The property is located in the Industrial Restricted zoning category which lists major vehicle repair as a conditional use. The applicant is proposing to establish the body shop in a leased space in an existing industrial building on the site.

PRELIMINARY STAFF RECOMMENDATION:

Staff recommends **approval** of Resolution 2022-37, with the following condition:

1. Applicant shall obtain all necessary building permits.

CURRENT PROPERTY INFORMATION:

Use of Property:	Industrial/Garage
Site Features:	Industrial site with multiple buildings, pavement/parking, outdoor storage and site landscaping.
Vehicle Access:	This property gains access from L&R Industrial Boulevard.

SURROUNDING ZONING & LAND USE:

	Zoning:	Land Use:
North:	IR (Industrial Restricted) P/SP (Public/Semi-Public)	IL (Industrial Limited) T/U (Transportation/Utility)
South:	IR (Industrial Restricted)	IL (Industrial Limited)
East:	E-1 (Employment-1)	E (Employment)
West:	RPD (Residential Planned Development)	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 proposing to install and operate a paint spray booth in the westernmost tenant space of the existing industrial building. The site already houses industrial and manufacturing uses including a truck/trailer parts and fabrication use.
2. The Industrial Restricted (IR) zoning district lists major vehicle repair as a conditional use to provide extra scrutiny towards ensuring compatibility with the subject and surrounding properties.
3. The applicant has provided information regarding the activities to be conducted, mainly operation of a paint spray booth for vehicles, and the standards that must be followed. It is noted that this industry is regulated, especially with respect to emissions, fire codes and building codes. The applicant will be required to obtain a building permit for the work.
4. The property is located mainly within an industrial area on the east side of L&R Industrial Boulevard and will be housed and completely contained indoors in an existing industrial building. The surrounding uses to the north, south and east consist of industrial, outdoor storage, warehouse and public facilities.
5. To the west across L&R Industrial Boulevard is the River Bend Residential Planned Development (RPD). River Bend RPD is part of a relatively new master planned development that also includes an industrial/business park component that surrounds it on the north and west sides.

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 use is proposed at an existing operating industrial site with similar uses. The applicant will need to obtain a building permit for proposed improvements to the tenant space and is expected to be able to meet fire, building and other applicable codes. There are no alterations proposed to the site exterior or physical layout of the site. Existing parking that previously served the existing tenant space is expected, based on the applicant's narrative description of the activities, to be able to accommodate the parking required for the body shop. It was noted that the site appears to be in substantial conformance with the current parking requirements.

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 tenant space is located in an existing industrial building and the site is surrounded by industrial and public facility uses on the north, south and east sides. The property is buffered from the residential area across the street by a grassy area with mature sabal palm trees, and by L&R Industrial Boulevard. It is significant to note that the River Bend property was



required to retain a densely vegetated buffer of over 20,000 square feet under a conservation easement along L&R Industrial Boulevard to shield the new residential uses from the existing industrial uses across the street. The industrial uses in this area are primarily operated during daylight hours. The proposed body shop, to be operated in a completely enclosed building, is not expected to have any impact on surrounding industrial uses and no significant impact on the adjacent well-buffered residential subdivision.

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

Provisional Findings: The use is proposed in the Industrial Limited (IL) Future Land Use Map (FLUM) category which allows a variety of manufacturing uses as implemented under the Industrial Restricted (IR) zoning district. The site is appropriate for the proposed use and the project is consistent with the City's comprehensive Plan.

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

Provisional Findings: The property is developed as an industrial site with existing stormwater handling infrastructure. The paint spray booth is regulated as to emissions and the applicant has provided information regarding the filtration system for compliance with the applicable Environmental Protection Agency standards. The site is not located in a historic district. There are no expected adverse impacts to environmental or historical resources.

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

Provisional Findings: The subject property is located primarily within an industrial area. The River Bend Residential Planned Development is located to the west of the site. That development is also surrounded to the north and west with industrial/business park development. The large stormwater pond on the west and a naturally-vegetated conservation strip on the east side are designed to provide substantial buffering of this new residential development from the industrial uses that surround it. The residential property values have increased since the initiation of new home construction in River Bend, and, the industrial property values in the area are expected to remain stable or increase. The proposed body shop is not expected to have an adverse affect on property values.

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

Provisional Findings: The property and existing buildings are already served with City utilities. The proposed use does not require the extension of new public services to the site and will not affect the City's ability to provide public facilities.



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

Provisional Findings: The proposed project makes use of an existing developed property and maintains the stable viability of an existing employment area in the City, providing for an efficient development pattern. The City is currently providing public facilities to the property and can serve this proposed business.

TECHNICAL REVIEW COMMITTEE:

The Technical Review Committee (TRC) reviewed this project on August 11, 2022 for completeness and conformance to the Land Development Code. The TRC determined that the application was complete and ready for processing and advised the applicant with respect to items required for building permit submittal. There are no outstanding comments from the TRC.

PUBLIC CORRESPONDENCE:

Notices were sent to property owners within 500 feet of the subject property. *Staff has not received any responses to these notices.*

ATTACHMENTS:

1. Staff Presentation
2. Applicant Narrative and Documentation
3. Applicant Site Plan
4. Draft Resolution 2022-37



A1

2600

A2

1625

A3

1625

A4

3250

A5

1625

A6

2600

A7

3250

A8

2600

A9

2600

A10

1625





Patricia McNeese

From: Rob Lienhart <timewarpgarage2015@gmail.com>
Sent: Tuesday, August 23, 2022 1:53 PM
To: Patricia McNeese
Subject: Re: ***FROM IT: BE CAREFUL*** Lienhart Time Warp Garage spray booth conditional use permit

External Email- Use caution with links and attachments

Good afternoon Pat,

The booth we're installing is a Garmat tier 1 semi down draft, the filter material on the exhaust side of the booth is a twenty two gram fiberglass filter material that filters more than 90% of the airborne particulates thus leaving much less of a mark on our environment. I will have spec sheets and test sheets from the filter distributor before the meeting.

Thanks Pat !

Rob....

On Mon, Aug 22, 2022 at 9:51 PM Rob Lienhart <timewarpgarage2015@gmail.com> wrote:

Hi pat, I'm working on the info you requested, I've been in contact with my booth filter supplier for the information I spoke with him again today and am supposed to have the info tomorrow. As soon as I get it I will forward it to you along with the narrative, it's been pretty frustrating, not with you guys but trying to get in touch with vendors and have them provide instantly is about impossible anymore, lol

On Wed, Aug 17, 2022 at 10:16 AM Patricia McNeese <pmcneese@ctsfl.us> wrote:

Hi Rob, This is great. We will schedule this for the September 19, 2022 meeting of the Planning and Zoning Board. One thing someone is likely to ask is for more information on the emissions. This same question came up at the public hearing when Caliber Collision went in on U.S. 19. Here is the slide show they presented – see slides 17-18 for the material they provided. The main point is, they were able to provide information on the operations/emissions and the regulatory standards that your industry must follow. If you could provide some information along those lines (narrative is fine), we could tackle that issue up front at public hearing if needed.

Could you please send me any of the above information you can gather by next Tuesday? That is my deadline for the public notice.

Thanks Rob! -Pat

Patricia L. McNeese, AICP

Principal Planner

City of Tarpon Springs

[324 East Pine Street](#)

P.O. Box 5004

Tarpon Springs, FL 34688-5004

727-938-3711, ext. 2255

pmcneese@ctsfl.us

From: Rob Lienhart <timewarpgarage2015@gmail.com>

Sent: Wednesday, August 17, 2022 12:20 AM

To: Patricia McNeese <pmcneese@ctsfl.us>

Subject: ***FROM IT: BE CAREFUL*** Lienhart Time Warp Garage spray booth conditional use permit

External Email- Use caution with links and attachments

Hi Pat,

After being a little intimidated at first it was nice meeting with you all! Lol! Like I explained in the meeting the ultimate goal is my business getting back to some normalcy and in some way adding to the tarpon charm. We are an existing business that resided in Clearwater since 2015. We had to relocate due to the sale of the our lease property. We're a small operation trying to make our impact in the industry. The spray booth we have is a Garment tier 1 semi downdraft self contained sheet metal booth it has its own fire suppression system that is inspected and tagged every year. It requires two penetrations to the roof of the building approximately 30 inches by 30 inches for the intake and exhaust stacks which the air is actually filtered in and out of the booth creating little to no emissions. Filters are serviced as required and disposed of properly. After the painting process is complete the vehicles are either stored in the booth or shop possibly in our designated parking area depending on our typical Florida weather. We generally work on classic and antique cars, we also do a small amount of minor mishaps and also collision repair. We generally work during normal business hours and don't really foresee a problem with the subdivision to the west as we are surrounded by businesses that have done very similar work in this area for many years. I'm currently working on getting all the plans and documents together and to you before the next TRC meeting.

Thanks for your time and consideration

Rob... Time Warp Garage

Patricia McNeese

From: Rob Lienhart <timewarpgarage2015@gmail.com>
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To: Patricia McNeese
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Thanks for your time and consideration

Rob... Time Warp Garage



Supply Filters

- Features the most square footage in the industry
- Ideally sized to allow easy replacement
- Held in position by steel knife edge closures
- 99% efficient on 10 micron particulate

Exhaust Filters

- Bag Filters design provides 54% more usable surface area than competing filter designs
- 99% capture efficiency on 10 micron particulate
- Easy access – no grates to move
- Garmat filtration systems exceed the 2011 EPA 6H Regulations for Surface Coating Operations.

RESOLUTION NO. 2022-37

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA, APPROVING APPLICATION #22-92 REQUESTING CONDITIONAL USE APPROVAL TO ALLOW FOR MAJOR VEHICLE REPAIR (VEHICLE PAINT SPRAY BOOTH) AT 1400 L&R INDUSTRIAL BOULEVARD IN UNIT A-1 COMPRISING 2,600 SQUARE FEET MOL, LOCATED IN THE INDUSTRIAL RESTRICTED ZONING DISTRICT; PROVIDING FOR FINDINGS; PROVIDING FOR CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Tarpon Springs has received an application for a Conditional Use to allow for a major vehicle repair facility (vehicle paint spray booth) on property located at 1400 L&R Industrial Boulevard, Unit A-1 comprising 2,600 square feet, MOL, located in the Industrial Restricted zoning district; and,

WHEREAS, Section of the Comprehensive Zoning and Land Development Code allows major vehicle repair as a conditional use in the Industrial Restricted zoning district; and,

WHEREAS, the Planning and Zoning Board held a public hearing on this application at its meeting of September 19, 2022; 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 #22-92 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 #22-92 under Resolution 2022-37, requesting Conditional Use approval to allow a major vehicle repair (vehicle paint spray booth) at 1400 L&R Industrial Boulevard in Unit A-1 comprising 2,600 square feet MOL, located in the Industrial Restricted zoning district is approved with the following conditions:

1. Applicant shall obtain all necessary building permits.

SECTION 3: EFFECTIVE DATE

This Resolution shall be effective upon adoption.

DRAFT