



# REZONING APPLICATION

City of New Port Richey  
Planning and Development Department  
City Hall, 5919 Main Street, 1<sup>st</sup> Floor  
New Port Richey, FL 34652  
Phone (727) 853-1044 \* Fax (727) 853-1052

Case #: \_\_\_\_\_  
 Send copy to Pasco County, if w/in 1 mile  
 Send to Pasco Schools, if residential

DRC Date: \_\_\_\_\_  
LDRB Date: \_\_\_\_\_  
Date Received: \_\_\_\_\_



- Submit one original signed and notarized application
- Submit original signed and sealed survey
- Submit 1 digital version of application
- Submit application fees: \$850 for rezoning; \$2,500 for rezoning-PDD; \$1,250 for rezoning-PDD (Amendment)  
(Checks made payable to the *City of New Port Richey*)

### Property Owner and Representative Information:

Current Property Owner(s): <b>Nelson's Pest Control Inc.</b>		Phone: <b>727-514-7302</b>
Owner Address: <b>3538 Applewood Way, Maryville, TN 37803</b>		
Owner Email Address: <b>Nelson2007@yahoo.com</b>		
Owner's Representative(s):	Relationship to Owner:	
Representative Mailing Address:		
Representative Email Address:	Phone:	
Primary contact: <i>(This is the one person to whom the City will send all communication regarding this application)</i> <b>DAVID NELSON</b>		

### Property Information:

Street Address: <b>7940 Rutillio Ct, New Port Richey, FL 34653</b>		
General Location: <b>Oreto and Francine Commercial Center</b>		
Size of Site:	Square Feet: <b>Bldg 9,000</b>	Acres: <b>1 acre +</b>
Legal Description of Subject Property: <i>(*An electronic copy of the legal description, in Word format, is required as part of this application submittal)</i> <b>Oreto and Francine Commercial Center First Edition Partial Replat PB 27 PG 119 Lot 35 Subject to Easement Per or 3875 PG 1212 or 4134 PG 928</b>		
Parcel Number(s): <b>33-25-16-015B-00000-0350</b>		

Zoning District: <b>General Commercial, C-2</b>	Proposed Zoning District: <b>Light Industrial, LI</b>
Future Land Use Category: <b>Light Industrial, LI</b>	Proposed Future Land Use Category: <b>Light Industrial, LI</b>
Existing Use: <i>(Include # of residential unit and/ or square footage of non-residential uses):</i> <b>Metal Fabrication</b>	Proposed Use: <i>(Include # of residential units and/ or square footage of non-residential uses):</i> <b>Metal Fabrication</b>

How is proposal consistent with the goals, objectives and policies of the Comprehensive Plan?

**The proposed rezoning from General Commercial, C-2 to Light Industrial, LI is consistent with the goals, objectives and policies of the Comprehensive Plan.**

**Submittal Information:**  
*(Please address the following information on a separate sheet and attach to this application)*

- Guidelines for Granting a Rezoning. LDC § 5.01.11.**  
The development department, development review committee, and land development review board shall consider all of the following guidelines when making a recommendation to the city council on a rezoning application, and the city council shall consider all these guidelines in determining whether to adopt an ordinance granting such rezoning:
1. Whether the proposed zoning district is one (1) of the zoning districts intended to implement or be consistent with the future land use map designation of the property;
  2. If more than one (1) zoning district implements or is consistent with the future land use map designation of the property, whether the proposed zoning district is the most suitable zoning district;
  3. Whether there are substantial reasons why the property cannot be used in accordance with its present zoning district, or the existing zoning district is otherwise unsuitable;
  4. Whether the proposed zoning district is consistent with the character of the existing land use pattern;
  5. Whether the proposed zoning district abuts a property with a zoning district similar in intensity to the proposed zoning district, or serves as a suitable transition zoning district between two (2) or more different abutting zoning districts;
  6. Whether there are substantial changed or changing conditions in the character of the area where the property is located so that the proposed zoning district is now suitable;
  7. Whether based upon the property's size, shape, or characteristics the proposed zoning district is out-of-scale with the surrounding area;
  8. Whether the proposed zoning district is premature, based upon the existing conditions in the surrounding area;
  9. Whether there is a substantial public need or purpose for the proposed zoning district consistent with the public health, safety and general welfare;
  10. Any other factors that may be relevant to the rezoning, such as its location within an enclave, recent annexation into the city, or to conserve the value of buildings and natural resources;
  11. The totality of the circumstances; and
  12. Any competent substantial evidence presented at the public hearings.

**Consistency with Concurrency:** The following calculations shall be used to **determine the projected demand** of the proposed project on the applicable public facility/service. The calculations are listed by facility/service type. (*Please fill in blanks.*)

<p><b>POTABLE WATER</b> - Adopted level of service (LOS) = 152 gal/day/capita (nonresidential uses are included in the adopted LOS).</p> <p><b>Residential:</b></p> <p><b>Single-family:</b> 152 gal × 2.12 persons/household × _____ units = _____ gal/day/capita (demand)</p> <p><b>Multi-family:</b> 152 gal × 1.90 persons/household × _____ units = _____ gal/day/capita (demand)</p> <p><b>Commercial:</b> See <u>Table I</u> below from the Land Development Code for estimated water/sewage flows.</p>	<p><b>WASTEWATER</b> - Adopted level of service (LOS) = 114 gal/day/capita (nonresidential uses are included in the adopted LOS).</p> <p><b>Residential:</b></p> <p><b>Single-family:</b> 114 gal × 2.12 persons/household × _____ units = _____ gal/day/capita (demand)</p> <p><b>Multi-family:</b> 114 gal × 1.90 persons/household × _____ units = _____ gal/day/capita (demand)</p> <p><b>Commercial:</b> See <u>Table I</u> below from the Land Development Code for estimated water/sewage flows.</p>
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<p><b>SOLID WASTE</b> - Adopted level of service (LOS) = 6.3 lbs/day/capita (nonresidential uses are included in the adopted LOS).</p> <p><b>Residential:</b></p> <p><b>Single-family:</b> 6.3 lbs × 2.12 persons/household × _____ units = _____ lbs/day/capita (demand)</p> <p><b>Multi-family:</b> 6.3 lbs × 1.90 persons/household × _____ units = _____ lbs/day/capita (demand)</p> <p><b>Commercial:</b> See <u>Table I</u> below from the Land Development Code for estimated water/sewage flows.</p>	<p><b>RECREATION/OPEN SPACE</b> - Refer to the New Port Richey Comprehensive Plan for adopted level of service standards.</p> <p><b>Single-family:</b> _____ units × 2.12 persons/household = _____ (population projection)</p> <p><b>Multi-family:</b> _____ units × 1.90 persons/household = _____ (population projection)</p> <p>Sites over five acres in area and zoned MF-30 District shall provide five percent of the total net acreage of the development for recreational purposes. Refer to Section 7.06.07 of the Land Development Code.</p>
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**Stormwater Management.** Refer to the Stormwater Management and Erosion Control Policy and Procedures Manual for standards necessary to comply: LOS = 25-year, 24-hour storm event.

**Transportation.** Refer to the New Port Richey Comprehensive Plan for the adopted Level of Service Standards.

Refer to the Land Development Code for the **requirements of a Transportation Study.**

1. Determine the number of trips generated by the proposed project during the **PM PEAK** hour using the most recent edition of the ITE "Trip Generation" report with no adjustments for internal capture or passerby trips. **Include your calculation(s) here:** \_\_\_\_\_.
2. If the total number of trips is equal to or greater than 50 trips, then a transportation study shall be prepared. The report shall be signed and/or sealed by either a registered professional engineer or a member of the American Institute of Certified Planners.
  - a. If no study is required, the applicant is required to provide only the existing directional **PM PEAK** hour traffic volumes and level of service for the roadways link to which project driveways connect. This information shall include project traffic. **Provide this information here:** \_\_\_\_\_.
  - b. The data shall be in conformance with Notes 3a and 3b of "Existing Conditions" contained in the Land Development Code.
3.
  - a. Existing directional **PM PEAK** hour traffic volumes and LOS on all existing collectors/arterials in study area. **Provide information here:** \_\_\_\_\_.
  - b. Existing turning movement volumes at the impacted intersection(s) and intersection LOS.

**Process:**

A pre-application meeting will be held with City Staff to ensure the application is complete. Applications must be submitted on Friday by 10:00 am. Once deemed complete, the application will be scheduled for review by the Development Review Committee (DRC). The DRC will review the application for compliance with codes and regulations. Changes may be suggested and additional reviews by the DRC may be necessary. Following the DRC, the case will be scheduled for review by the Land Development Review Board (LDRB) and City Council.

The hearing process to review this application is considered quasi-judicial and operates much like a court of law. The LDRB and City Council members act in a similar capacity as a judge and must govern themselves in accordance with the basics of due process in making decisions. Contact with any of these members about my application should be avoided. These members have been instructed to avoid all such conversations with applicants or people in opposition to or support of any Land Use Plan Amendment. Decisions will be made based on evidence and testimony that is presented at scheduled public hearings and not on information gathered outside of these hearings.

**Attendance at meetings:**

The applicant or applicant's representative needs to be present at all meetings including DRC, LDRB and/or City Council. Call Development Department Staff at 727-853-1039 to find out when this case will be scheduled for these meetings.

**Submittal Information Authorization to visit the property:**

Site visits to the property by City representatives are essential to process this application. The Owner/Applicant, as notarized below, hereby authorizes the City representatives to visit, photograph and post a notice on the property described in this application.

**Authorization for owner's representative(s):**

I \_\_\_\_\_, the **owner**, hereby **authorize** \_\_\_\_\_ **to act as my representative(s)** in all matters pertaining to the processing and review of this application, including modifying the project. I agree to be bound by all representations and agreements made by the designated representative.

Signature of Current Property Owner(s): \_\_\_\_\_

Date: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

who is personally known to me and/or produced \_\_\_\_\_ as identification.

STATE OF FLORIDA, COUNTY OF PASCO

Notary Public: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

**Applicant's Affidavit:**

I DAVID NELSON, the **owner or authorized representative**, certify that I have read and understand the contents of this application. The information contained in this application, attached exhibits and other information submitted is complete and in all aspects true and correct, to the best of my knowledge. It is also acknowledged that the filing of this application does not constitute automatic approval of the request and, further, if the request is approved, I will obtain all necessary permits to comply with all applicable orders, codes, conditions, and rules and regulations pertaining to the use of the subject property. (Applications which are filed by corporations must bear the seal of the corporation over the signature of an officer authorized to act on behalf of the corporation.)

Signature of Owner or Authorized Representative: [Signature] Date: 10/27/21

Subscribed and sworn to before me this 27th day of October, 2021

who is personally known to me and/or produced TN Drivers License as identification.

Tennessee Blount  
STATE OF ~~FLORIDA~~, COUNTY OF ~~PASCO~~

Notary Public: [Signature]

My Commission Expires: 05/23/2023

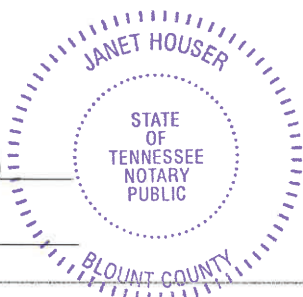


Table I: Estimated Sewage/Water Flows for Commercial Development:		
Type of Establishment		Gallons Per Day (GPD)
Airports	Per Passenger	5
	Add Per Employee (per 8 hour shift)	20
Barber and Beauty Shops	Per Chair	100
	Toilet Wastes Only per Lane	100
County Club	Per Resident	100
	Per Member	25
	Per Employee (per 8 hour shift)	20
Dentist Office	Per Wet Chair	200
	Per Non-Wet Chair	50
Doctor's Office	All Types	250
	No Showers Provided	20
Factories - exclusive of industrial wastes (gallons per employee per 8 hour shift)	Showers Provided	35
	Ordinary Restaurant (per seat)	50
Food Service Operations	24-hour Restaurant (per seat)	75
	Single Service Articles Only (per seat)	25
	Bar and Cocktail Lounge (per seat)	30
	Drive-In Restaurant (per car space)	50
	Carry-Out Only	
	Per 100 Square Feet of Floor Space	50
	Add Per Employee (per 8 hour shift)	20
Hotels and Motels	Regular (per room)	
	Result Hotels, Camps, Cottages (per person)	75
	Add For Self-Service Laundry Facilities (per machine)	400
Office Building	Per Employee, Per 8 Hour Shift	20
	Per Water Closet and Urinal	250
Shopping Center - Without Food or Laundry	Per Square Foot of Floor Space	.1
	Per Seat	5
Stadium, Race Track, Ball Parks	Per Square Foot of Floor Space	.1
	Per Person	10
Stores	Per Square Foot of Floor Space	.1
	Per Person	10
Swimming and Bathing Facilities - Public	Indoor, Auditoriums (per seat)	5
	Outdoor, Drive-Ins (per space)	10
Theaters	Per Trailer Space	200
	Overnight w/o water and sewer hook-up (per trailer space)	75
Trailer or Mobile Home Park	Overnight with water and sewer hook-up (per trailer space)	100
	Per Worker	50

Table II: Estimated Sewage/Water Flows for Institutional Development:		
Type of Establishment		Gallons Per Day (GPD)
Churches	Per Seat	3
	Per Bed	200
Hospitals (does not include kitchen wastewater flows)	Per Bed	100
	With Toilets Only (per person)	5
Nursing Homes/Rest Homes (does not include kitchen wastewater flow)	With Bathhouses, Showers and Toilets (per person)	10
	Day-Type	15
Parks - Public Picnic	Add For Showers	5
	Add For Cafeteria	5
	Add For Day School Workers	15
	Boarding Type	75
Schools (per person)	Per Worker	50
Work or Construction Camps - Semi Permanent		

Return to: (enclose self-addressed stamped envelope)

Name:

HEARTLAND TITLE COMPANY  
6115 Central Avenue  
New Port Richey, Florida 34653

This Instrument Prepared by: W. David Hart, President

HEARTLAND TITLE COMPANY  
6115 Central Avenue  
New Port Richey, Florida 34653

Property Appraisers Parcel Identification (Folio Number(s)):  
33-25-16-015B-00000-0350

Grantee(s) S.S. #s)

WARRANTY DEED  
INDIVID. TO INDIVID.



Rcpt: 321219 Rec: 6.00  
DS: 1540.00 IT: 0.00  
04/19/99 *Law Office* Dpty Clerk

JED PITTMAN, PASCO COUNTY CLERK  
04/19/99 04:59pm 1 of 1  
OR BK 4134 PG 928

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

This Warranty Deed, Made the 16TH day of April, 19 99, by

BCL Partnership, a Florida General Partnership  
hereinafter called the Grantor, to Nelson's Pest Control, Inc., a Florida Corporation  
whose post office address is 9351 Nile Dr.  
hereinafter called the Grantee. New Port Richey, Fla. 34655

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

Witnesseth, That the Grantor, for and in consideration of the sum of \$ 10.00 - - - - - and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land, situate in Pasco County, State of Florida, viz:

Lot 35, ORETO AND FRANCINE COMMERCIAL CENTER FIRST ADDITION PARTIAL REPLAT according to the map or plat thereof as recorded in Plat Book 27, Pages 119 and 120 of the Public Records of Pasco County, Florida.

Subject to easements, restrictions and reservations of record.

(GRANTOR HEREBY DISCLOSES THAT PROPERTY WAS ONCE USED AS A LANDFILL.)

Together, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the Grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 19 98

In Witness Whereof, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Ronald J. Sexton  
Witness Signature (as to first Grantor)

ROD ALD J. SEXTON  
Printed Name

Joseph S. Stagliano  
Witness Signature (as to first Grantor)

JOSEPH S. STAGLIANO  
Printed Name

Ronald J. Sexton  
Witness Signature (as to Co-Grantor, if any)

RONALD J. SEXTON  
Printed Name

Joseph S. Stagliano  
Witness Signature (as to Co-Grantor, if any)

JOSEPH S. STAGLIANO  
Printed Name

BCL Partnership, a Fla. General Partnership

BY: Billy C. Law, Jr.  
Grantor Signature

Billy C. Law, Jr., General Partner  
Printed Name

17908 Simms Rd. Odessa, Fl. 33556  
Post Office Address

BCL Partnership, a Fla. General Partnership

BY: Billy C. Law Sr.  
Co-Grantor Signature, if any

Billy C. Law, Sr., General Partner  
Printed Name

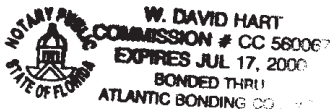
P.O. Box 1916 Vero Beach, Fl. 32961  
Post Office Address

STATE OF FLORIDA )  
COUNTY OF PASCO )

Billy C. Law, Jr. and Billy C. Law, Sr.

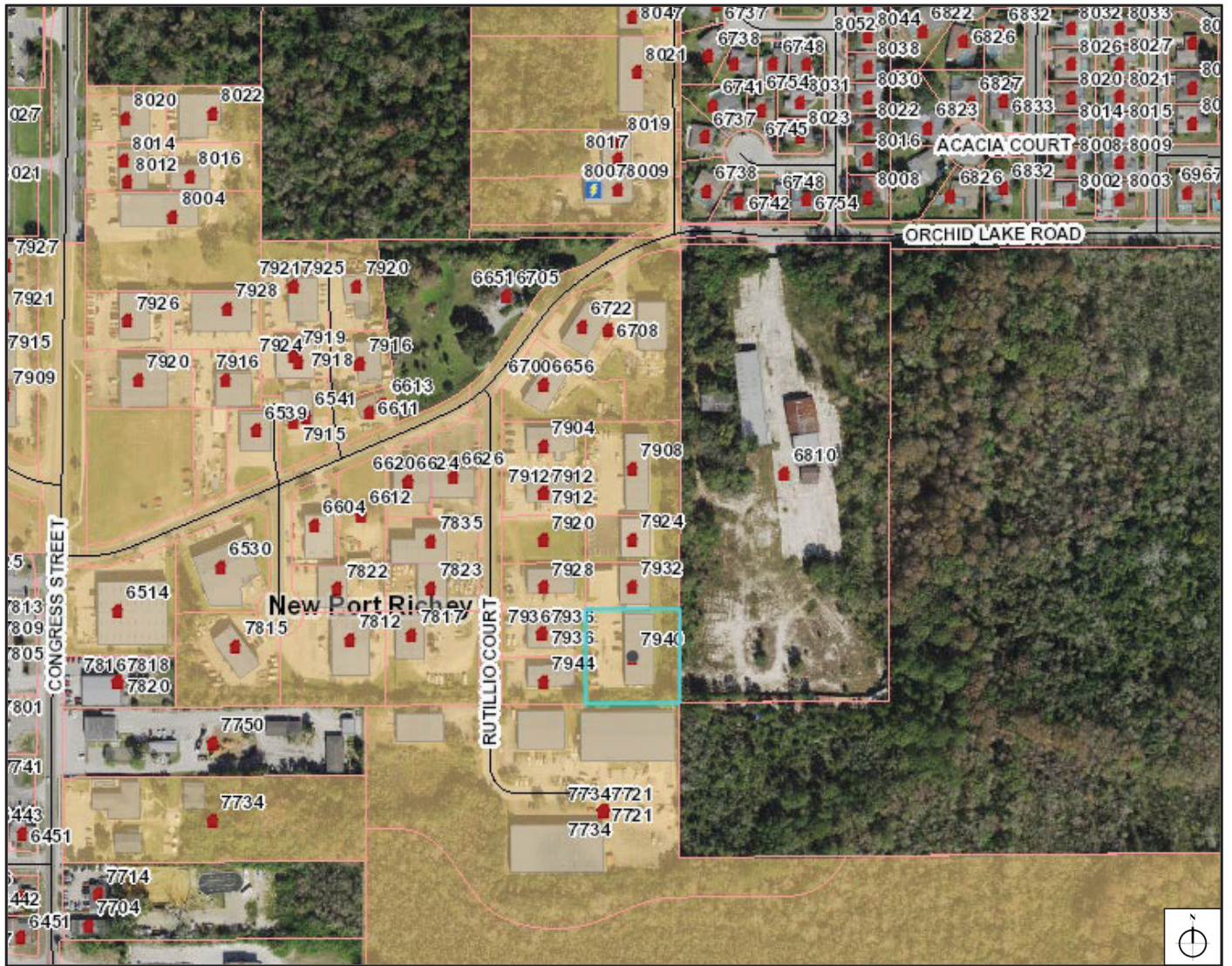
known to me to be the person s described in and who executed the foregoing instrument, who acknowledged before me that they executed the same, and an oath was not taken. (Check one:  Said person(s) is/are personally known to me.  Said person(s) provided the following type of identification: a drivers license

NOTARY RUBBER STAMP SEAL



Witness my hand and official seal in the County and State last aforesaid this 16th day of April, A.D. 19 99

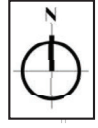
W. David Hart  
Notary Signature  
W. DAVID HART  
Printed Notary Signature





Zoning Map  
Zoning District: C-2  
LDC Chapter: 7  
LDC Section: 7.08.00

Subject Property  
7940 Rutillio Ct.



LEO KIDD AV  
CLARKE MOODY BLVD

LANGSTON AV  
MORAY AV  
BROOKSHIRE AV

LOMAND AV  
BALDWIN AV

SUTHERLAND AV  
ABERDEEN AV

LIMERICK AV  
TRALEE AV

COBB ST  
OAKLEAF AV

CONGRESS ST

KERRY ST

FRANKO CT

HARDWAY DR

R-3  
R-3  
R-3  
R-3  
R-3

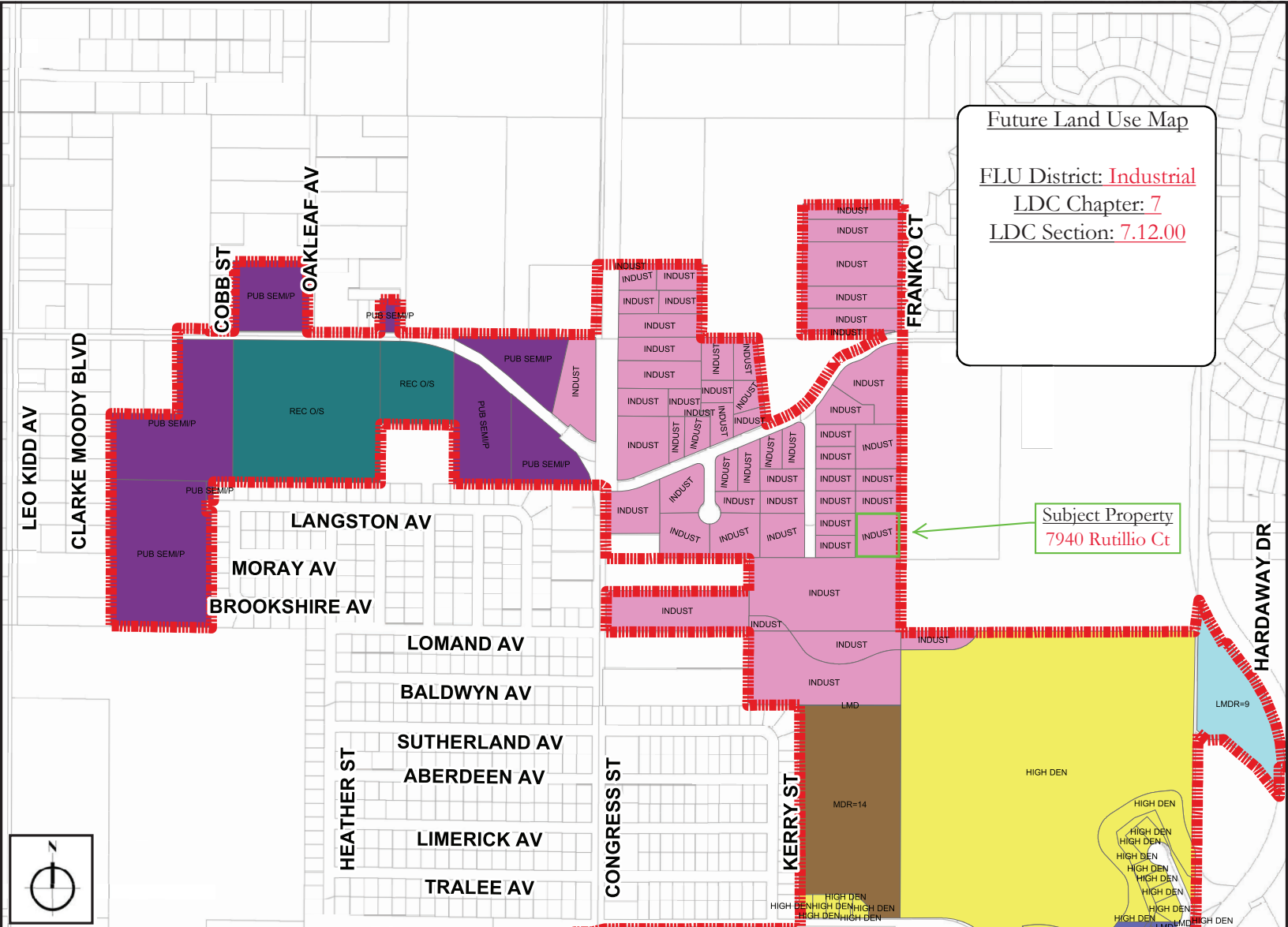
Future Land Use Map

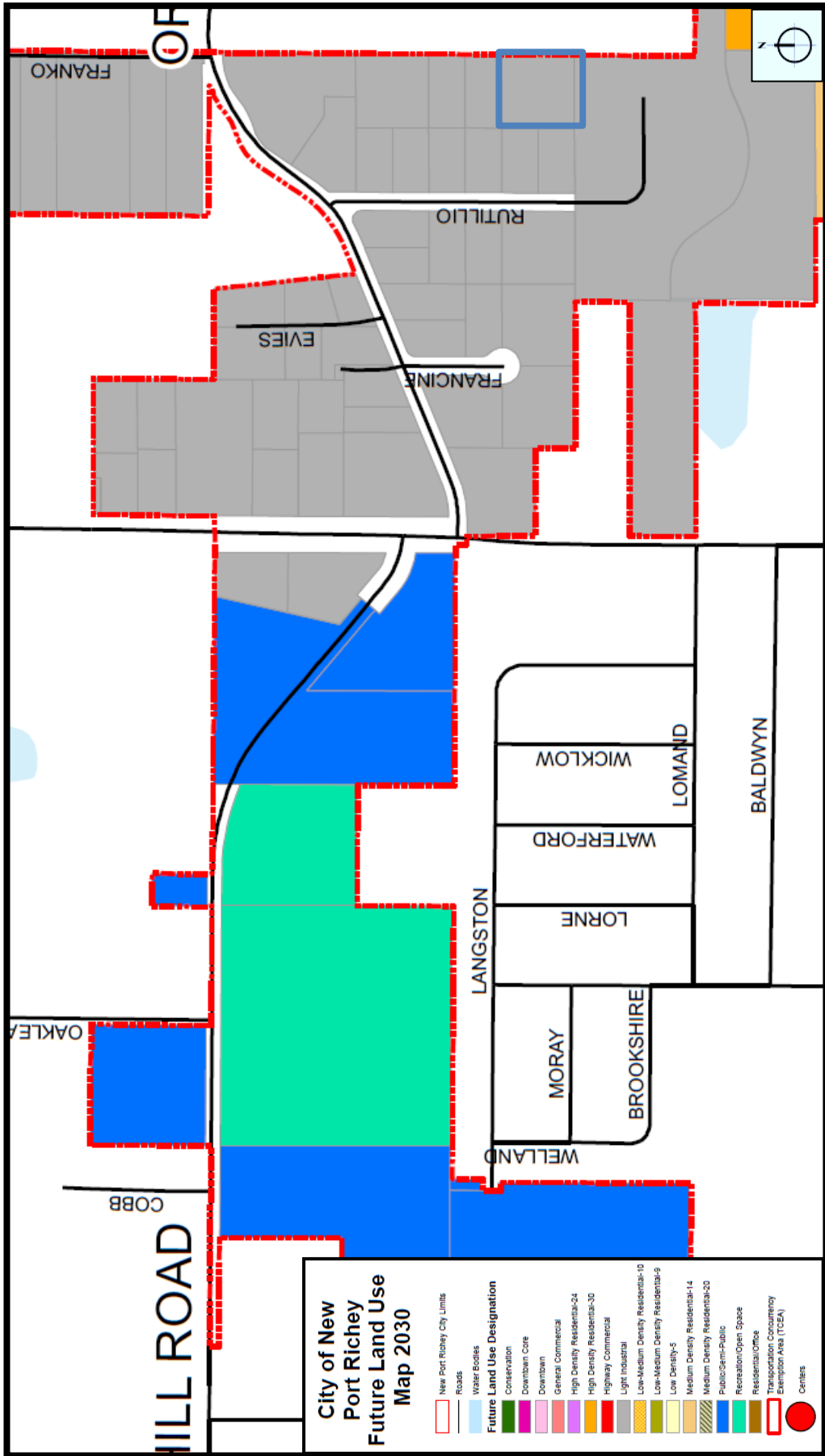
FLU District: Industrial

LDC Chapter: 7

LDC Section: 7.12.00

Subject Property  
7940 Rutillio Ct





Future Land Use Map – 7940 Rutillio Court