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SEPTEMBER 24, 2010

Neighbors invoke Amendment 4 at Tampa land use hearing

A request to change a private school's land use designation on Thursday turned into a discussion of the so-called Hometown Democracy amendment that voters will consider Nov. 2. The Tampa City Council gave the school preliminary approval for the change last month despite objections of neighbors. "That's why there is an Amendment Four out there," said Patrick Cimino at Thursday's final public hearing on the request. "It's a response of communities like us and neighbors like us having to deal with legislative bodies like you and feeling that the community public interest is not watched out for." Amendment 4, billed by its supporters as the Hometown Democracy amendment, would require voters to approve any land use changes made to city and county comprehensive plan changes. As it is now, elected officials make those decisions. People who live near the St. John's Episcopal Church and school in south Tampa worry that the change approved Thursday will pave the way for more intense development on a property that already attracts long lines of cars when parents drop off and pick up their children at the school. School and church leaders say they have no expansion plans. It's simply a technical issue, they said. They say they requested the change because their existing residential designation was a mistake made by the city that doesn't allow the church and school. If a fire or another disaster destroys the facilities, they couldn't be rebuilt, they argued. "People are concerned about the looming Hometown Democracy deadline," church member Clarke Hobby told the council. "Our primary concern is being able to rebuild our existing facilities in the event of a casualty." School supporters pointed out that any major construction on the property in the Hyde Park historic district would require approval from the city's Architectural Review Commission and the City Council. Council member Yvonne Yolie Capin suggested putting off a decision so that the school and neighborhood could work out their differences. But Mark Bentley, the school's attorney, declined that offer. If the issue isn't resolved and Amendment 4 passes in November, the city would either have to pay \$500,000 for a special referendum or the school would have to wait until the next general election in 2012 for voters to decide, he said. "We're entitled to have City Council act on this right now," he said. But Larry Thornberry questioned the need to rush the decision. The school has no plans to expand, so why change the comp plan, he asked. "They've talked about being illegal since 1989. No one's arrested them. They've been able to do what they do for 21 years," he said. Thornberry predicted Amendment 4 would fail. "It's crackpot enough and economically damaging enough it's hard to imagine Florida voters will approve it," he said. But if the amendment does pass, and St. John's has a good reason for wanting to change the comprehensive plan, voters would approve it in a referendum. Meanwhile, he said, "This is a bad change that puts the property around the church at hazard." The council decided in favor of the school by a 5 to 2 vote, with Charlie Miranda and Mary Mulhern voting against it.

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