

ORDINANCE NO. 2023- 138

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2
3 AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, AMENDING THE
4 HISTORIC CENTRAL AVENUE AREA AFRICAN AMERICAN HERITAGE SITES
5 MULTIPLE PROPERTIES GROUP TO INCLUDE THE JOHNSON BROTHERS
6 HOUSES LOCATED AT 1248 EAST SCOTT STREET AND 1250 EAST SCOTT
7 STREET, TAMPA, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN SECTION
8 3 HEREOF, AS LOCAL HISTORIC LANDMARKS; PROVIDING FOR REPEAL OF
9 ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING
10 AN EFFECTIVE DATE.
11

12 **WHEREAS**, the Historic Preservation Commission (“HPC”) adopted a full report and
13 analysis of the proposed landmark designation under the criteria contained in Section 27-
14 256, City of Tampa Code of Ordinances (“Landmark Designation Report”) at a public hearing
15 held on May 16, 2023; and
16

17 **WHEREAS**, the Hillsborough County City-County Planning Commission Staff reviewed
18 the Landmark Designation Report and found the proposed designation of the properties
19 known as the Johnson Brothers Houses, located at 1248 East Scott Street and 1250 East
20 Scott Street, Tampa, Florida, as local historic landmarks to be consistent with the Tampa
21 Comprehensive Plan; and
22

23 **WHEREAS**, pursuant to Section 27-262, City of Tampa Code of Ordinance (City Code),
24 the City Council of the City of Tampa held public hearings during which public comment was
25 received on the proposed designation; and
26

27 **WHEREAS**, all parties in interest and citizens were afforded notice and an opportunity
28 to be heard at said hearings; and
29

30 **WHEREAS**, the City Council of the City of Tampa finds that the designation of the
31 parcel of properties known as the Johnson Brothers Houses, located at 1248 East Scott and
32 1250 East Scott Street, Tampa, Florida, meets the local landmark criteria contained in
33 Section 27-262, City Code; and
34

35 **WHEREAS**, it is in the best interest of the City of Tampa to designate the properties
36 known as the Johnson Brothers Houses, located at 1248 East Scott Street and 1250 East
37 Scott Street, Tampa, Florida, as local historic landmarks.
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40 **NOW, THEREFORE,**
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42 **BE IT ORDAINED BY THE CITY COUNCIL**
43 **OF THE CITY OF TAMPA, FLORIDA:**
44

45 **Section 1.** That the recitals set forth above are hereby incorporated as if fully set
46 forth herein.
47

48 **Section 2.** That the Landmark Designation Report prepared by the Historic
49 Preservation Commission staff and the findings made by the Hillsborough County City-
50 County Planning Commission are hereby accepted and approved.

1
2 **Section 3.** That the designation of the parcels of property known as the Johnson
3 Brothers Houses, located at 1248 East Scott Street, Tampa, Florida, as more particularly
4 described in Exhibit "A" attached hereto and incorporated herein by reference, and 1250
5 East Scott Street, Tampa, Florida, as more particularly described in Exhibit "B" attached
6 hereto and incorporated herein by reference, meet the following criteria in Section 27-257,
7 City Code, to qualify as local landmarks:
8

9 (a) The building, site, structure, object, or district:

10 (1) was constructed or achieved its significance during the period of historic
11 significance as delineated in the National Register of Historic Places
12 guidelines or as established in the nomination pursuant to those
13 guidelines; and
14

15 (2) has a quality of significance in American, state or local history,
16 architecture, archeology, engineering, and culture, which is present in
17 districts, sites, buildings, structures, and objects that possess integrity of
18 location, design, setting, materials, workmanship, feeling, and
19 association and (1) that are associated with events that have made a
20 significant contribution to the broad patterns of our history; (2) that are
21 associated with the lives of persons significant in our past; (3) that
22 embody the distinctive characteristics of a type, period, or method of
23 construction, or that represent the work of a master, or that possess high
24 artistic values, or that represent a significant and distinguishable entity
25 whose components may lack individual distinction; or (4) that have
26 yielded, or may be likely to yield, information important in prehistory or
27 history.
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31 (c) In addition to the criteria set forth in subsection (a) above, the HPC and city
32 council shall consider the following factors for a landmark, landmark site, or multiple
33 property designation:
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35 (1) whether the owner(s) supports the designation.
36

37 (2) whether the owner(s) has timely applied for and adequately established
38 an economic hardship in accordance with the requirements set forth in
39 section 27-259, and, if so, whether economic incentives are applicable to
40 adequately offset any economic hardship.
41
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43 **Section 4.** That the Office of the City Clerk shall cause this ordinance to be recorded
44 in the public records of Hillsborough County, Florida, and shall direct the Development and
45 Growth Management Department to amend the official zoning atlas to contain the
46 landmark designation.
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48 **Section 5.** That the parcels of property known as the Johnson Brothers Houses,
49 located at 1248 East Scott Street and 1250 East Scott Street, Tampa, Florida, described in
50 paragraph 3 herein, as local historic landmarks, shall be subject to the procedures and

1 regulations contained in Chapter 27, City of Tampa Code of Ordinances, and the standards
2 established in the Secretary of Interior's Standards for Rehabilitation and Guidelines for
3 Rehabilitating Historic Buildings, as administered by the Architectural Review Commission
4 pursuant to Chapter 27, Article V, City of Tampa Code of Ordinances, and any successor
5 ordinances, as amended.
6

7 **Section 6.** That all ordinances or parts of ordinances in conflict herewith are hereby
8 repealed to the extent of any conflict.
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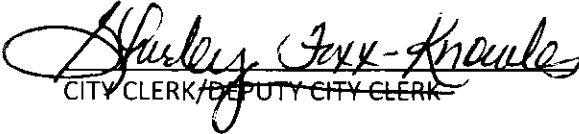
10 **Section 7.** That should a court of competent jurisdiction declare any part of this
11 ordinance invalid, the remaining parts hereof shall not, in any way, be affected by such
12 determination as to the invalid part.
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14 **Section 8.** That this ordinance shall take effect immediately upon becoming a law.
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16 PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON
17 OCT 19 2023
18

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22 
23 CHAIRMAN/CHAIRMAN PRO-TEM
24 CITY COUNCIL

25 ATTEST:

26 
27
28 CITY CLERK/DEPUTY CITY CLERK
29

30 APPROVED BY ME ON 10/25/23
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36 Jane Castor, MAYOR
37

38
39 PREPARED AND APPROVED
40 AS TO LEGAL SUFFICIENCY BY:

41
42 /es/
43 Camaria Pettis-Mackle, Assistant City Attorney
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EXHIBIT A

LEGAL DESCRIPTION

Lot 4, Block 1, of CARRUTH AND SPENCER'S SUBDIVISION according to map or plat thereof, recorded in Plat Book 1, Page 42, of the Public Records of Hillsborough County, Florida.



City of Tampa
Right of Way & Mapping Section
LEGAL DESCRIPTION APPROVED

By Ross Samens at 9:31 am, May 09, 2023

A handwritten signature in black ink, appearing to read "Ross Samens".



EXHIBIT B

LEGAL DESCRIPTION

Lot 3, Block 1, LESS and EXCEPT the East 15 feet thereof, of CARRUTH AND SPENCER'S SUBDIVISION according to map or plat thereof, recorded in Plat Book 1, Page 42, of the Public Records of Hillsborough County, Florida.



City of Tampa
Right of Way & Mapping Section
LEGAL DESCRIPTION APPROVED

By Ross Samons at 9:31 am, May 09, 2023

A handwritten signature in black ink, appearing to read "Ross Samons".

NOTICE OF PUBLIC HEARING

ON **October 19, 2023 @ 9:30 A.M.** IN THE TAMPA CITY COUNCIL CHAMBERS, OLD CITY HALL, 315 E. KENNEDY BLVD., 3RD FLOOR, TAMPA, FLORIDA, A PUBLIC HEARING WILL BE HELD BY THE TAMPA CITY COUNCIL TO CONSIDER THE FOLLOWING ORDINANCES FOR ENACTMENT:

File No. VAC-22-05

An ordinance of the City of Tampa, Florida, vacating, closing, discontinuing and abandoning a portion of 23rd Avenue right-of-way and that certain alleyway located North of 21st Avenue, South of Melbourne Boulevard, East of 40th Street, and West of 44th Street, all within the Plat of Highland Pines, in the City of Tampa, Hillsborough County, Florida, as more fully described in Section 2 hereof, subject to the reservation of certain easements and the imposition of certain covenants, conditions and restrictions as more particularly set forth herein; providing for enforcement and penalties for violations; providing for definitions, interpretations and repealing conflicts; providing for severability; providing an effective date.

File No. VAC-23-19

An ordinance of the City of Tampa, Florida, vacating, closing, discontinuing and abandoning the Bay Trail Court right-of-way located North of Shore Breeze Drive, South of Averill Avenue, East of Ellis Drive, and West of Bayshore Boulevard, within a revised map of Part of W.A. Switzer Estate, in the City of Tampa, Hillsborough County, Florida, as more fully described in Section 2 hereof, subject to the reservation of certain easements and the imposition of certain covenants, conditions and restrictions as more particularly set forth herein; providing for definitions, interpretations and repealing conflicts; providing for severability; providing an effective date.

File No. HPC 2023-03 & HPC 2023-04

An Ordinance of the City of Tampa, Florida, amending the Historic Central Avenue area African American Heritage Sites Multiple Properties Group to include the Johnson Brothers Houses located at 1248 East Scott Street and 1250 East Scott Street, Tampa, Florida, as more particularly described in section 3 hereof, as local historic landmarks; providing for repeal of all ordinances in conflict; providing for severability; providing an effective date.

File No. TA/CPA 23-08

An Ordinance amending the Tampa Comprehensive Plan, Future Land Use Element, Future Land Use Map, for the property located approximately 150 feet west of the intersection of West Columbus Drive and North Boulevard, Folio Number 183355-0005, from Residential-20 (R-20) to Community Mixed Use-35 (CMU-35); Providing for repeal of all ordinances in conflict; Providing for severability; Providing an effective date.

File No. TA/CPA 23-13

An Ordinance amending the Tampa Comprehensive Plan, Future Land Use Element, Future Land Use Map, for the property located at 5025 East Fowler Avenue, from Residential-35 (R-35) and Community Mixed Use-35 (CMU-35) to Community Mixed Use-35 (CMU-35); Providing for repeal of all ordinances in conflict; Providing for severability; Providing an effective date.

File No. TA/CPA 23-14

An Ordinance amending the Tampa Comprehensive Plan, Future Land Use Element, Future Land Use Map, for the property located at 11300, 11414, 11410, 11408 and 11304 North Central Avenue and Folio Numbers 094934-0100 and 094941-0000, from Community Mixed Use-35 (CMU-35) and Residential-10 (R-10) to Community Commercial-35 (CC-35); Providing for repeal of all ordinances in conflict; Providing for severability; Providing an effective date.

File No. CIP & CIS 2024-2028

An Ordinance amending the Tampa Comprehensive Plan, Capital Improvement Section, by replacing the Fiscal Year 2023 through Fiscal Year 2027 Capital Improvement Section Schedule of Projects with the Fiscal Year 2024 through Fiscal Year 2028 Capital Improvement Section Schedule of Projects; Providing for repeal of all ordinances in conflict; Providing for severability; Providing an effective date.

File No. AB2-23-18

An Ordinance approving a Special Use Permit (S-2) for alcoholic beverages sales - restaurant (consumption on premises only) and making lawful the sale of beverages regardless of alcoholic content - beer, wine and liquor - on that certain lot, plot or tract of land located at 2507 South MacDill Avenue, Tampa, Florida, as more particularly described in Section 3; providing that all ordinances or parts of ordinances in conflict are repealed; repealing Ordinances No. 2010-147; providing an effective date.

File No. AB2-23-22

An Ordinance approving a Special Use Permit (S-2) for alcoholic beverages sales - restaurant (consumption on premises only) and making lawful the sale of beverages regardless of alcoholic content - beer, wine and liquor - on that certain lot, plot or tract of land located at 5004 North Armenia Avenue, Tampa, Florida, as more particularly described in Section 3; providing that all ordinances or parts of ordinances in conflict are repealed; repealing Ordinance No. 2004-291; providing an effective date.

SAID ORDINANCES MAY BE INSPECTED AT THE OFFICE OF THE CITY CLERK, CITY HALL, 3RD FLOOR CITY HALL, 315 E. KENNEDY BLVD., TAMPA, FL, DURING REGULAR BUSINESS HOURS, 8:00 A.M. TO 5:00 P.M., MONDAY THROUGH FRIDAY. ANY PERSON WHO DECIDES TO APPEAL ANY DECISION OF THE CITY COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE, MAY NEED TO HIRE A COURT REPORTER 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.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND SECTION 286.26, FLORIDA STATUTES, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS MEETING SHOULD CONTACT THE CITY CLERK'S OFFICE AT LEAST FORTY-EIGHT (48) HOURS PRIOR TO THE DATE OF THE MEETING.

INTERESTED PARTIES MAY APPEAR AND BE HEARD AT SAID HEARING.

SHIRLEY FOXX-KNOWLES, CMC
CITY CLERK