Agenda Report



2725 Judge Fran Jamieson Way Viera, FL 32940

Public Hearing

H.1. 8/4/2022

Subject:

Daniel P. and Amber N. Allen request a CUP for Farm Animals and Fowl for Medical Hardship in an RR-1 zoning classification. (22Z00017) (Tax Account 2405506) (District 1)

Fiscal Impact:

None

Dept/Office:

Planning & Development

Requested Action:

It is requested that the Board of County Commissioners conduct a public hearing to consider a CUP (Conditional Use Permit) for Farm Animals and Fowl (2 pot-bellied pigs) for Medical Hardship in an RR-1 (Rural Residential) zoning classification.

Summary Explanation and Background:

The property owner is seeking a CUP to allow farm animals and fowl in the RR-1 zoning classification, per Section 62-1927, which allows such an application in the RR-1 classification on less than two and one-half acres in cases where the animal is necessary to alleviate a bona fide medical hardship. This CUP application is for two (2) pot-bellied pigs as medical support animals. Any additional animals intended as medical support on the property would require a separate CUP application and approval. The applicant has submitted documentation showing the necessity for the animal from a medical doctor licensed to practice medicine in the State of Florida. If approved on the basis of medical hardship, the CUP shall expire automatically after five years, or upon the sale of the property.

The developed character of the surrounding area consists of 1-acre or larger lots zoned RR-1 developed with single-family homes in a platted subdivision. The area does not appear to have other CUP's for farm animals. The closest agricultural zoned lot is a 9.94 acre lot zoned AU located approximately 2,100 feet southeast of the subject property on Friday Road.

The Board may wish to consider whether the request is compatible and consistent with the surrounding area. The Board may also wish to consider additional conditions beyond those cited in Sections 62-1901 and 62-1927 in order to mitigate potential offsite impacts to the abutting properties.

On July 18, 2022, the Planning and Zoning Board heard the request and voted 9:1 to recommend approval.

Clerk to the Board Instructions:

Once resolution is received, please execute and return a copy to Planning and Development

ADMINISTRATIVE POLICIES OF THE FUTURE LAND USE ELEMENT

Administrative Policies in the Future Land Use Element establish the expertise of staff with regard to zoning land use issues and set forth criteria when considering a rezoning action or request for Conditional Use Permit, as follows:

Administrative Policy 1

The Brevard County zoning official, planners and the Director of the Planning and Development, however designated, are recognized as expert witnesses for the purposes of Comprehensive Plan amendments as well as zoning, conditional use, special exception, and variance applications.

Administrative Policy 2

Upon Board request, members of the Brevard County planning and zoning staff shall be required to present written analysis and a recommendation, which shall constitute an expert opinion, on all applications for zoning, conditional uses, comprehensive plan amendments, vested rights, or other applications for development approval that come before the Board of County Commissioners for quasi-judicial review and action. The Board may table an item if additional time is required to obtain the analysis requested or to hire an expert witness if the Board deems such action appropriate. Staff input may include the following:

Criteria:

- A. Staff shall analyze an application for consistency or compliance with comprehensive plan policies, zoning approval criteria and other applicable written standards.
- B. Staff shall conduct site visits of property which are the subject of analysis and recommendation. As part of the site visit, the staff shall take a videotape or photographs where helpful to the analysis and conduct an inventory of surrounding existing uses. Aerial photographs shall also be used where they would aid in an understanding of the issues of the case.
- C. In cases where staff analysis is required, both the applicant and the staff shall present proposed findings of fact for consideration by the Board.
- D. For development applications where a specific use has not been proposed, the worst case adverse impacts of potential uses available under the applicable land use classification shall be evaluated by the staff.

Administrative Policy 3

Compatibility with existing or proposed land uses shall be a factor in determining where a rezoning or any application involving a specific proposed use is being considered. Compatibility shall be evaluated by considering the following factors, at a minimum:

Criteria:

A. Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in existing neighborhoods within the area which could foreseeably be affected by the proposed use.

- B. Whether the proposed use(s) would cause a material reduction (five percent or more) in the value of existing abutting lands or approved development.
- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through analysis of:
 - 1. historical land use patterns;
 - 2. actual development over the immediately preceding three years; and
 - 3. development approved within the past three years but not yet constructed.
- D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.

Administrative Policy 4

Character of a neighborhood or area shall be a factor for consideration whenever a rezoning or any application involving a specific proposed use is reviewed. The character of the area must not be materially or adversely affected by the proposed rezoning or land use application. In evaluating the character of an area, the following factors shall be considered:

Criteria:

- A. The proposed use must not materially and adversely impact an established residential neighborhood by introducing types of intensity of traffic (including but not limited to volume, time of day of traffic activity, type of vehicles, et cetera), parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.
- B. In determining whether an established residential neighborhood exists, the following factors must be present:
 - 1. The area must have clearly established boundaries, such as roads, open spaces, rivers, lakes, lagoons, or similar features.
 - 2. Sporadic or occasional neighborhood commercial uses shall not preclude the existence of an existing residential neighborhood, particularly if the commercial use is non-conforming or pre-dates the surrounding residential use.
 - An area shall be presumed not to be primarily residential but shall be deemed transitional where multiple commercial, industrial or other nonresidential uses have been applied for and approved during the previous five (5) years.

Administrative Policy 5

In addition to the factors specified in Administrative Policies 2, 3, and 4, in reviewing a rezoning, conditional use permit or other application for development approval, the impact of the proposed use or uses on transportation facilities either serving the site or impacted by the

use(s) shall be considered. In evaluating whether substantial and adverse transportation impacts are likely to result if an application is approved, the staff shall consider the following:

Criteria

- A. Whether adopted levels of services will be compromised;
- B. Whether the physical quality of the existing road system that will serve the proposed use(s) is sufficient to support the use(s) without significant deterioration;
- C. Whether the surrounding existing road system is of sufficient width and construction quality to serve the proposed use(s) without the need for substantial public improvements;
- D. Whether the surrounding existing road system is of such width and construction quality that the proposed use(s) would realistically pose a potential for material danger to public safety in the surrounding area;
- E. Whether the proposed use(s) would be likely to result in such a material and adverse change in traffic capacity of a road or roads in the surrounding area such that either design capacities would be significantly exceeded or a de facto change in functional classification would result;
- F. Whether the proposed use(s) would cause such material and adverse changes in the types of traffic that would be generated on the surrounding road system, that physical deterioration of the surrounding road system would be likely;
- G. Whether projected traffic impacts of the proposed use(s) would materially and adversely impact the safety or welfare of residents in existing residential neighborhoods.

Administrative Policy 6

The use(s) proposed under the rezoning, conditional use or other application for development approval must be consistent with, (a), all written land development policies set forth in these administrative policies; and (b), the future land use element, coastal management element, conservation element, potable water element, sanitary sewer element, solid waste management element, capital improvements element, recreation and open space element, surface water element, and transportation elements of the comprehensive plan.

Administrative Policy 7

Proposed use(s) shall not cause or substantially aggravate any, (a), substantial drainage problem on surrounding properties; or (b), significant, adverse and unmitigatable impact on significant natural wetlands, water bodies or habitat for listed species.

Administrative Policy 8

These policies, the staff analysis based upon these policies, and the applicant's written analysis, if any, shall be incorporated into the record of every quasi-judicial review application for development approval presented to the Board including rezoning, conditional use permits, and vested rights determinations.

Section 62-1151(c) of the Code of Ordinances of Brevard County directs, "The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.
- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.
- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare.

The minutes of the planning and zoning board shall specify the reasons for the recommendation of approval or denial of each application."

CONDITIONAL USE PERMITS (CUPs)

In addition to the specific requirements for each Conditional Use Permit (CUP), Section 62-1901 provides that the following approval procedure and general standards of review are to be applied to all CUP requests, as applicable.

(b) Approval procedure. An application for a specific conditional use within the applicable zoning classification shall be submitted and considered in the same manner and according to the same procedure as an amendment to the official zoning map as specified in Section 62-1151. The approval of a conditional use shall authorize an additional use for the affected parcel of real property in addition to those permitted in the applicable zoning classification. The initial burden is on the applicant to demonstrate that all applicable standards and criteria are met. Applications which do not satisfy this burden cannot be approved. If the applicant meets its initial burden, then the Board has the burden to show, by substantial and competent evidence, that the applicant has failed to meet such standards and the request is adverse to the public interest. As part of the approval of the conditional use permit, the Board may prescribe appropriate and reasonable conditions and safeguards to reduce the impact of the proposed use on adjacent and nearby properties or the neighborhood. A nearby property, for the purpose of this section, is defined as any property which, because of the character of the proposed use, lies within the area which may be substantially and adversely impacted by such use. In stating grounds in support of an application for a conditional use permit, it is necessary to show how the request fulfills both the general and specific standards for review. The applicant must show the effect the granting of the conditional use permit will have on adjacent and nearby properties, including, but not limited to traffic and pedestrian flow and safety, curb-cuts, off-street loading and parking, off-street pickup of passengers, odors, glare and noise, particulates, smoke, fumes, and other emissions, refuse and service areas, drainage, screening and buffering for protection of adjacent and nearby properties, and open space and economic impact on nearby properties. The applicant, at his discretion, may choose to present expert testimony where necessary to show the effect of granting the conditional use permit.

- (c) General Standards of Review.
 - (1) The planning and zoning board and the board of county commissioners shall base the denial or approval of each application for a conditional use based upon a consideration of the factors specified in Section 62-1151(c) plus a determination whether an application meets the intent of this section.
 - a. The proposed conditional use will not result in a substantial and adverse impact on adjacent and nearby properties due to: (1), the number of persons anticipated to be using, residing or working under the conditional use; (2), noise, odor, particulates, smoke, fumes and other emissions, or other nuisance activities generated by the conditional use; or (3), the increase of traffic within the vicinity caused by the proposed conditional use.
 - b. The proposed use will be compatible with the character of adjacent and nearby properties with regard to use, function, operation, hours of operation, type and amount of traffic generated, building size and setback, and parking availability.
 - c. The proposed use will not cause a substantial diminution in value of abutting residential property. A substantial diminution shall be irrebuttably presumed to have occurred if abutting property suffers a 15% reduction in value as a result of the proposed conditional use. A reduction of 10% of the value of abutting property shall create a rebuttable presumption that a substantial diminution has occurred. The Board of County Commissioners carries the burden to show, as evidenced by either testimony from or an appraisal conducted by an M A I certified appraiser, that a substantial diminution in value would occur. The applicant may rebut the findings with his own expert witnesses.
 - (2) The following specific standards shall be considered, when applicable, in making a determination that the general standards specified in subsection (1) of this section are satisfied:

- a. Ingress and egress to the property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience. traffic flow and control, and access in case of fire and catastrophe, shall be: (1), adequate to serve the proposed use without burdening adjacent and nearby uses, and (2), built to applicable county standards, if any. Burdening adjacent and nearby uses means increasing existing traffic on the closest collector or arterial road by more than 20%, or 10% if the new traffic is primarily comprised of heavy vehicles, except where the affected road is at Level of Service A or B. New traffic generated by the proposed use shall not cause the adopted level of service for transportation on applicable roadways, as determined by applicable Brevard County standards, to be exceeded. Where the design of a public road to be used by the proposed use is physically inadequate to handle the numbers, types or weights of vehicles expected to be generated by the proposed use without damage to the road, the conditional use permit cannot be approved without a commitment to improve the road to a standard adequate to handle the proposed traffic, or to maintain the road through a maintenance bond or other means as required by the Board of County Commissioners.
- b. The noise, glare, odor, particulates, smoke, fumes or other emissions from the conditional use shall not substantially interfere with the use or enjoyment of the adjacent and nearby property.
- c. Noise levels for a conditional use are governed by Section 62-2271.
- d. The proposed conditional use shall not cause the adopted level of service for solid waste disposal applicable to the property or area covered by such level of service, to be exceeded.
- e. The proposed conditional use shall not cause the adopted level of service for potable water or wastewater applicable to the property or the area covered by such level of service, to be exceeded by the proposed use.
- f. The proposed conditional use must have existing or proposed screening or buffering, with reference to type, dimensions and character to eliminate or reduce substantial, adverse nuisance, sight, or noise impacts on adjacent and nearby properties containing less intensive uses.
- g. Proposed signs and exterior lighting shall not cause unreasonable glare or hazard to traffic safety, or interference with the use or enjoyment of adjacent and nearby properties.
- h. Hours of operation of the proposed use shall be consistent with the use and enjoyment of the properties in the surrounding residential community, if any. For commercial and industrial uses adjacent to or near residential uses, the hours of operation shall not adversely affect the use and enjoyment of the residential character of the area.
- i. The height of the proposed use shall be compatible with the character of the area, and the maximum height of any habitable structure shall be not more than 35 feet higher than the highest residence within 1,000 feet of the property line.

j. Off-street parking and loading areas, where required, shall not be created or maintained in a manner which adversely impacts or impairs the use and enjoyment of adjacent and nearby properties. For existing structures, the applicant shall provide competent, substantial evidence to demonstrate that actual or anticipated parking shall not be greater than that which is approved as part of the site pan under applicable county standards.

FACTORS TO CONSIDER FOR A REZONING REQUEST

Section 62-1151(c) sets forth factors to consider in connection with a rezoning request, as follows:

"The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.
- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.
- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare."

These staff comments contain references to zoning classifications found in the Brevard County Zoning Regulations, Chapter 62, Article VI, Code of Ordinances of Brevard County. These references include brief summaries of some of the characteristics of that zoning classification. Reference to each zoning classification shall be deemed to incorporate the full text of the section or sections defining and regulating that classification into the Zoning file and Public Record for that item.

These staff comments contain references to sections of the Code of Ordinances of Brevard County. Reference to each code section shall be deemed to incorporate this section into the Zoning file and Public Record for that item.

These staff comments contain references to Policies of the Brevard County Comprehensive Plan. Reference to each Policy shall be deemed to incorporate the entire Policy into the Zoning file and Public Record for that item.

These staff comments refer to previous zoning actions which are part of the Public Records of Brevard County, Florida. These records will be referred to by reference to the file number. Reference to zoning files are intended to make the entire contents of the cited file a part of the Zoning file and Public Record for that item.

DEFINITIONS OF CONCURRENCY TERMS

Maximum Acceptable Volume (MAV): Maximum acceptable daily volume that a roadway can carry at the adopted Level of Service (LOS).

Current Volume: Building permit related trips added to the latest TPO (Transportation Planning Organization) traffic counts.

Volume with Development (VOL W/DEV): Equals Current Volume plus trip generation projected for the proposed development.

Volume/Maximum Acceptable Volume (VOL/MAV): Equals the ratio of current traffic volume to the maximum acceptable roadway volume.

Volume/Maximum Acceptable Volume with Development (VOL/MAV W/DEV): Ratio of volume with development to the Maximum Acceptable Volume.

Acceptable Level of Service (CURRENT LOS): The Level of Service at which a roadway is currently operating.

Level of Service with Development (LOS W/DEV): The Level of Service that a proposed development may generate on a roadway.



Planning and Development Department

2725 Judge Fran Jamieson Way Building A, Room 114 Viera, Florida 32940 (321)633-2070 Phone / (321)633-2074 Fax https://www.brevardfl.gov/PlanningDev

STAFF COMMENTS 22Z00017 Daniel Allen and Amber Allen

Conditional Use Permit (CUP) for Farm Animals & Fowl in Rural Residential (RR-1)

Tax Account Number: 2405506

Parcel I.D.: 24-35-22-05-*-19

Location: West side of Wagon Road, 360 feet north of Ranchwood Drive (District 1)

Acreage: 1.03 acres

Planning and Zoning Board: 07/18/2022 Board of County Commissioners: 08/04/2022

Consistency with Land Use Regulations

Current zoning can be considered under the Future Land Use Designation, Section 62-1255.

The proposal can be considered under the Future Land Use Designation, Section 62-1255.

The proposal would maintain acceptable Levels of Service (LOS) (XIII 1.6.C)

	CURRENT	PROPOSED	
Zoning	RR-1	RR-1 with CUP for farm	
		animals and foul	
Potential*	One single-family home	One single-family home w/ farm	
		animals and fowl	
Can be Considered under the	YES	YES	
Future Land Use Map	Residential 1	Residential 1	

^{*} Zoning potential for concurrency analysis purposes only, subject to applicable land development regulations.

Background and Purpose of Request

The property owner is seeking a Conditional Use Permit (CUP) to allow farm animals and fowl in the RR-1 zoning classification as per Sec. 62-1927. The lot currently contains a single-family home. The applicant intends to locate two (2) pot-bellied pigs as medical support animals on the property.

Sec. 62-1927 allows an application for a CUP for farm animals and fowl in the RR-1 classification on less than two and one-half acres in cases where the animal is necessary to alleviate a bona fide medical hardship. This CUP application is for two (2) pot-bellied pigs as medical support animals. Any additional animals intended as medical support on the property would require a separate CUP application and approval. The applicant has submitted documentation showing the necessity for the animal from a medical doctor licensed to practice medicine in the State of Florida. If approved on the basis of medical hardship, the CUP shall expire after five years, or upon the sale of the property.

The original zoning of this property was GU (General Use). On March 28, 1968, it was rezoned under zoning action **Z-2243** from GU to RR-1. The subject property is within a subdivision that was platted and recorded March 14, 1974.

Land Use

The RR-1 zoning classification can be considered consistent with the Residential 1 (RES 1) Future Land Use designation.

Applicable Land Use Policies

Policy 1.9 –The Residential 1 Future land use designation. The Residential 1 land use designation permits low density residential development with a maximum density of up to one (1) dwelling unit per acre, except as otherwise may be provided for within the Future Land Use Element.

The Board should evaluate the compatibility of this application within the context of Administrative Policies 3 - 5 of the Future Land Use Element.

Analysis of Administrative Policy #3 - Compatibility between this site and the existing or proposed land uses in the area.

Compatibility shall be evaluated by considering the following factors, at a minimum:

Criteria:

A. Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in existing neighborhoods within the area which could foreseeably be affected by the proposed use;

The proposed CUP for medical support animals (two potbellied pigs) is not anticipated to have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in the surrounding area. The applicant has not identified any outdoor lighting or a method for waste disposal.

B. Whether the proposed use(s) would cause a material reduction (five per cent or more) in the value of existing abutting lands or approved development.

Only a certified MAI appraisal can determine if material reduction has or will occur due to the proposed use.

- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through an analysis of:
- 1. historical land use patterns;

The historic land use pattern has been the development of single-family homes on lots one acre or greater in size within a residential platted subdivision.

2. actual development over the immediately preceding three years; and

It appears no changes to the immediate area have occurred within the last three years.

3. development approved within the past three years but not yet constructed.

It appears there has been no development approved within the past three years that has not yet been constructed.

D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.

The proposed use would not result in a material violation of relevant policies in any elements of the Comprehensive Plan.

Analysis of Administrative Policy #4 - Character of a neighborhood or area.

The developed character of the surrounding area consists of 1-acre or larger lots zoned RR-1 developed with single-family homes in a platted subdivision. The area does not appear to have other CUP's for farm animals. The closest agricultural zoned lot is a 9.94 acre lot zoned AU located approximately 2,100 feet southeast of the subject property on Friday Road.

Surrounding Area

	Existing Land Use	Zoning	Future Land Use
North	Single-family residence	RR-1	RES 1
South	Single-family residence	RR-1	RES 1
East	Single-family residence (across Wagon Rd)	RR-1	RES 1
West	Single-family residence	RR-1	RES 1

The subject property is surrounded to the north, south, east and west by single-family homes on one-acre or larger lots with RR-1 zoning, which is consistent with the FLU designation of RES 1.

RR-1 classification permits single-family residential land uses on a minimum one acre lot, with a minimum lot width and depth of 125 feet. The RR-1 classification permits horses, barns and horticulture as accessory uses to a single-family residence. The minimum house size is 1,200 square feet. Keeping of horses and agricultural uses are accessory to a principle residence within the RR-1 zoning district.

There have been no zoning actions within a one-half mile radius of the subject property within the past three years.

Special Considerations for CUP (Conditional Use Permit)

The Board should consider the compatibility of the proposed CUP pursuant to Section 62-1151(c) and to Section 62-1901, as outlined on pages 6 – 8 of these comments. Section 62-1901 provides that the approval of a conditional use shall authorize an additional use for the affected parcel of real property in addition to those permitted in the applicable zoning classification. **The initial burden is on the applicant to demonstrate that all applicable standards and criteria are met. Applications which do not satisfy this burden cannot be approved.** The applicant's responses and staff observations, if any, are indicated below.

Section 62-1151(c) directs the Board to consider the character of the land use of the property and its surroundings; changes in the conditions of the land use being considered; impact upon infrastructure; compatibility with land use plans for the area; and appropriateness of the CUP based upon consideration of applicable regulations relating to zoning and land use within the context of public health, safety and welfare. The applicant has submitted documentation showing the necessity for the animal to alleviate a bona fide medical hardship, consistent with the standards set forth in Section 62-1927.

This request should be evaluated in the context of Section 62-1927 which allows for an application for a CUP to have farm fowl and farm animals in the RR-1 classification on less than two and one-half acres in cases where the animal is necessary to alleviate a bona fide medical hardship.

General Standards of Review

<u>Section 62-1901(c)(1)(a):</u> The proposed conditional use will not result in a substantial and adverse impact on adjacent and nearby properties due to: (1) the number of persons anticipated to be using, residing or working under the conditional use; (2) noise, odor, particulates, smoke, fumes and other emissions, or other nuisance activities generated by the conditional use; or (3) the increase of traffic within the vicinity caused by the proposed conditional use.

Applicant's Response: N/A.

Staff analysis: The CUP will not permit the two (2) pot-bellied pigs to be used for any commercial purposes. The CUP is not anticipated to result in excessive noise, odor, or traffic. The applicant has not identified any outdoor lighting or a method for waste disposal.

<u>Section 62-1901(c)(1)(b):</u> The proposed use will be compatible with the character of adjacent and nearby properties with regard to use, function, operation, hours of operation, type and amount of traffic generated, building size and setback, and parking availability.

Applicant's Response: N/A.

Staff analysis: The proposed area where the two (2) pot-bellied pigs will be contained when not inside the residence is a fenced area to the rear of the residence on the property line. If there is noise and odor, it may be close to neighboring properties.

<u>Section 62-1901(c)(1)(c):</u> The proposed use will not cause a substantial diminution in value of abutting residential property. A substantial diminution shall be irrebutably presumed to have occurred if abutting property suffers a 15 percent reduction in value as a result of the proposed conditional use.

Page 4

A reduction of ten percent of the value of abutting property shall create a reputable presumption that a substantial diminution has occurred. The board of county commissioners carries the burden to show, as evidenced by either testimony from or an appraisal conducted by a MAI certified appraiser, that a substantial diminution in value would occur. The applicant may rebut the findings with his own expert witnesses.

Applicant's Response: No effect.

Staff analysis: Evidence from an appraiser has not been provided by the applicant.

<u>Section 62-1901(c)(2)(a):</u> Ingress and egress to the property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire and catastrophe, shall be: (1) adequate to serve the proposed use without burdening adjacent and nearby uses, and (2) built to applicable county standards, if any.

Note: Burdening adjacent and nearby uses means increasing existing traffic on the closest collector or arterial road by more than 20 percent, or ten percent if the new traffic is primarily comprised of heavy vehicles, except where the affected road is at level of service A or B. New traffic generated by the proposed use shall not cause the adopted level of service for transportation on applicable roadways, as determined by applicable county standards, to be exceeded. Where the design of a public road to be used by the proposed use is physically inadequate to handle the numbers, types or weights of vehicles expected to be generated by the proposed use without damage to the road, the conditional use permit cannot be approved without a commitment to improve the road to a standard adequate to handle the proposed traffic, or to maintain the road through a maintenance bond or other means as required by the Board of County Commissioners.

Applicant's Response: N/A.

Staff analysis: This property will remain residential and therefore is not anticipated to cause an increase of any traffic.

<u>Section 62-1901(c)(2)(b):</u> The noise, glare, odor, particulates, smoke, fumes or other emissions from the conditional use shall not substantially interfere with the use or enjoyment of the adjacent and nearby property.

Applicant's Response: No effect on adjacent properties.

Staff analysis: This project shall comply with Brevard County's Performance Standards defined by Sections 62-2251 through 62-2272.

Section 62-1901(c)(2)(c): Noise levels for a conditional use are governed by section 62-2271.

Applicant's Response: Not noisey support animals.

Staff analysis: This project shall comply with Brevard County's Performance Standards defined by Sections 62-2251 through 62-2272. Any proposed outdoor lighting and noise standards should remain within code parameters or a violation will be created.

<u>Section 62-1901(c)(2)(d)</u> The proposed conditional use shall not cause the adopted level of service for solid waste disposal applicable to the property or area covered by such level of service, to be exceeded.

Applicant's Response: N/A.

Staff analysis: The use is not anticipated to cause the adopted level of service for solid waste disposal to be exceeded.

<u>Section 62-1901(c)(2)(e):</u> The proposed conditional use shall not cause the adopted level of service for potable water or wastewater applicable to the property or the area covered by such level of service, to be exceeded by the proposed use.

Applicant's Response: N/A.

Staff analysis: The subject property is within the City of Cocoa's service area for potable water. The closest Brevard County sewer line is appromiately 0.7 miles to the southwest on Adamson Road.

<u>Section 62-1901(c)(2)(f):</u> The proposed conditional use must have existing or proposed screening or buffering, with reference to type, dimensions and character to eliminate or reduce substantial, adverse nuisance, sight, or noise impacts on adjacent and nearby properties containing less intensive uses.

Applicant's Response: Private fencing will be provided.

Staff analysis: Must meet the fence code of 62-2109 and any requirements in the building code for materials.

<u>Section 62-1901(c)(2)(g):</u> Proposed signs and exterior lighting shall not cause unreasonable glare or hazard to, traffic safety, or interference with the use or enjoyment of adjacent and nearby properties.

Applicant's Response: N/A.

Staff analysis: No signage or exterior lighting has been identified.

<u>Section 62-1901(c)(2)(h):</u> Hours of operation of the proposed use shall be consistent with the use and enjoyment of the properties in the surrounding residential community, if any. For commercial and industrial uses adjacent to or near residential uses, the hours of operation shall not adversely affect the use and enjoyment of the residential character of the area.

Applicant's Response: N/A.

Staff analysis: The use will need to comply with noise level performance standards.

<u>Section 62-1901(c)(2)(i):</u> The height of the proposed use shall be compatible with the character of the area, and the maximum height of any habitable structure shall be not more than 35 feet higher than the highest residence within 1,000 feet of the property line.

Applicant's Response: N/A.

Staff analysis: No new structures are proposed. The proposed fence must meet height limitations.

Section 62-1901(c)(2)(j): Off-street parking and loading areas, where required, shall not be created or maintained in a manner which adversely impacts or impairs the use and enjoyment of adjacent and nearby properties. For existing structures, the applicant shall provide competent, substantial evidence to demonstrate that actual or anticipated parking shall not be greater than that which is approved as part of the site plan under applicable county standards.

Note: for existing structures, the applicant shall provide competent, substantial evidence to demonstrate that actual or anticipated parking shall not be greater than that which is approved as part of the site plan under applicable county standards.

Applicant's Response: N/A.

Staff analysis: New parking will not be required.

Preliminary Concurrency

The closest concurrency management segment to the subject property is Friday Road, between SR 524 and James, which has a Maximum Acceptable Volume (MAV) of 17,700 trips per day, a Level of Service (LOS) of D, and currently operates at 17.80% of capacity daily. The CUP is not anticipated to increase the MAV utilization. The corridor is anticipated to operate at 17.80% of capacity daily (LOS C). The proposal is not anticipated to create a deficiency in LOS.

No school concurrency information has been provided as this site is not proposing additional residential density.

The subject property is within the City of Cocoa's service area for potable water. The closest Brevard County sewer line is appromiately 0.7 miles to the southwest on Adamson Road.

Environmental Constraints

- Hvdric Soils
- Aquifer Recharge Soils
- Protected Species
- Protected and Specimen Trees

No noteworthy land use issues were identified. NRM reserves the right to assess consistency with environmental ordinances at all applicable future stages of development.

For Board Consideration

The Board may wish to consider whether the request is compatible and consistent with the surrounding area. The Board may also wish to consider additional conditions beyond those cited in Sections 62-1901 and 62-1927 in order to mitigate potential offsite impacts to the abutting properties.

NATURAL RESOURCES MANAGEMENT DEPARTMENT Conditional Use Permit (CUP) Review & Summary

Item #22Z00017

Applicant: Daniel & Amber Allen

CUP Request: Applicant wants farm animals – chickens and pot belly pigs

P&Z Hearing Date: 07/18/22; **BCC Hearing Date**: 08/04/22

Tax ID No: 2405506

➤ This is a preliminary review based on best available data maps reviewed by the Natural Resources Management Department (NRM) and does not include a site inspection to verify the accuracy of the mapped information.

- ➤ In that the rezoning process is not the appropriate venue for site plan review, specific site designs submitted with the rezoning request will be deemed conceptual. Board comments relative to specific site design do not provide vested rights or waivers from Federal, State or County regulations.
- This review does not guarantee whether or not the proposed use, specific site design, or development of the property can be permitted under current Federal, State, or County Regulations.

<u>Summary of Mapped Resources and Noteworthy Land Use Issues:</u>

- Hydric Soils
- Aquifer Recharge Soils
- Protected Species
- Protected and Specimen Trees

No noteworthy land use issues were identified. NRM reserves the right to assess consistency with environmental ordinances at all applicable future stages of development.

Land Use Comments:

Hydric Soils

The subject parcel contains Basinger sand as shown on the USDA Soil Conservation Service Soils Survey map; an indicator that hydric soils and wetlands may be present on the property. Pursuant to the Florida Agricultural Lands and Practices Act (Chapter 163.3162(4), Florida Statutes), any activity of a Bona Fide Agricultural Use on land classified as agricultural land pursuant to Section 193.461, Florida Statute is exempt. The Brevard County Property Appraiser's Office establishes Bona Fide Agricultural land classification and should be contacted at 321-264-5393 for requirements to meet this classification.

Section 62-3694 states that non-bona fide agricultural and forestry operations utilizing best management practices are permitted in wetlands provided they do not result in permanent degradation or destruction of wetlands, or adversely affect the functions of the wetlands. Any permitted wetland impacts must meet the requirements of Section 62-3694(e) including avoidance of impacts, and will require mitigation in accordance with Section 62-3696. The applicant is encouraged to contact NRM at 321-633-2016 prior to any plan or permit submittal.

Aquifer Recharge Soils

Basinger sand may also function as an aquifer recharge soil. The applicant is hereby notified of the development and impervious restrictions within Conservation Element Policy 10.2 and the Aquifer Protection Ordinance.

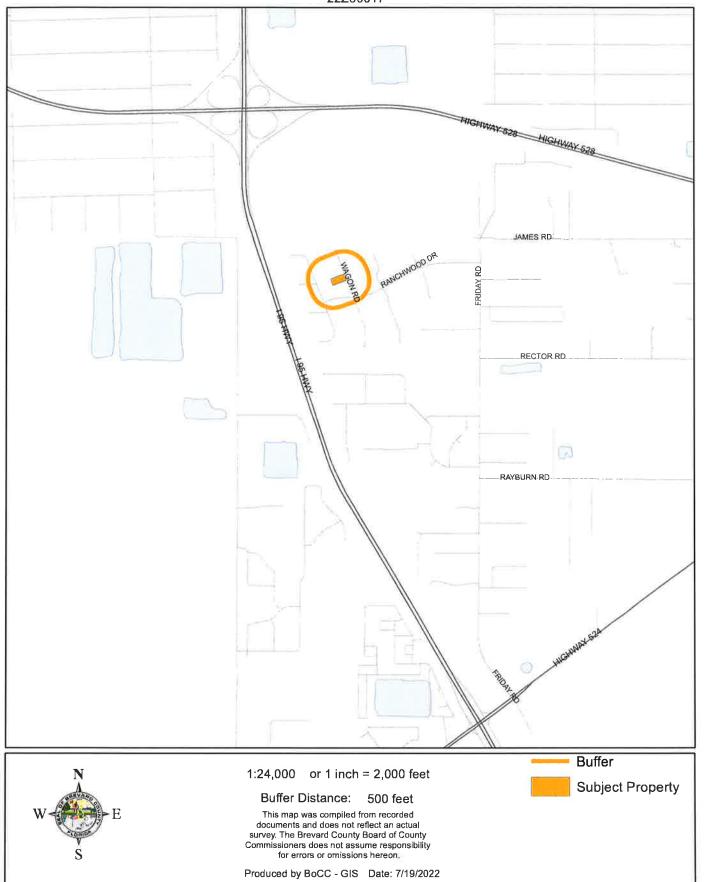
Protected Species

Information available to NRM indicates that federally and/or state protected species may be present on the property. Prior to any plan, permit submittal, or development activity, including land clearing, the applicant should obtain any necessary permits or clearance letters from the Florida Fish and Wildlife Conservation Commission and/or U.S. Fish and Wildlife Service, as applicable.

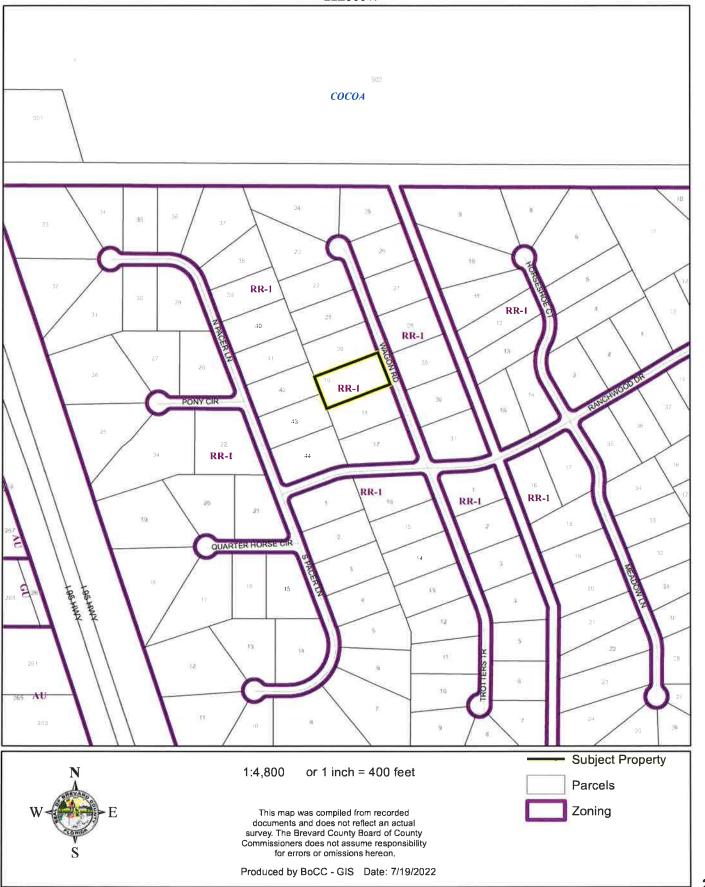
Protected and Specimen Trees

Aerials indicate Protected and Specimen Trees may exist on the parcel. The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for preservation and canopy coverage requirements. Applicant should contact NRM at 321-633-2016 prior to performing any land clearing activities.

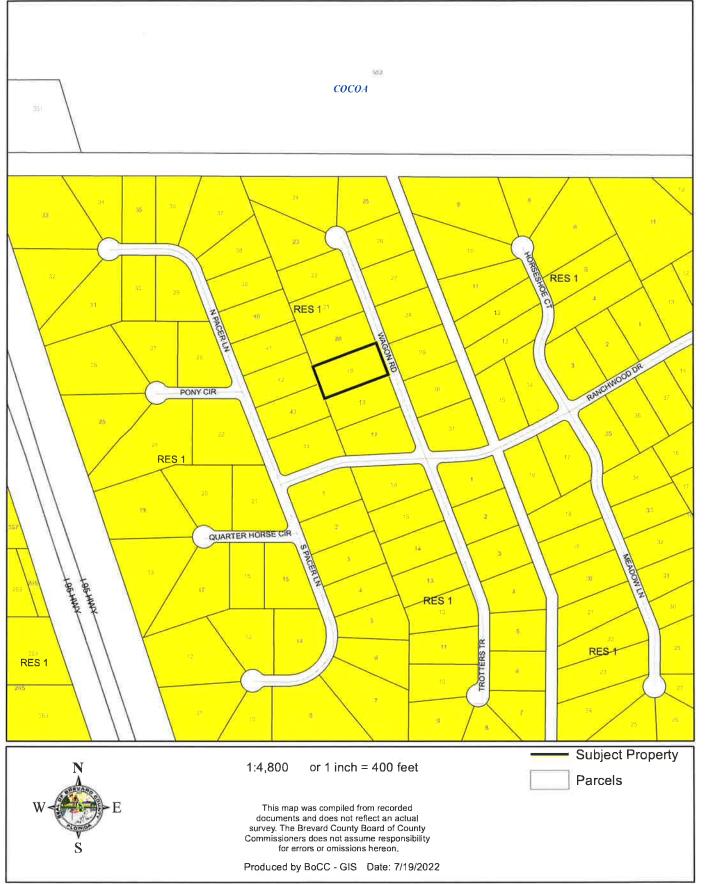
LOCATION MAP



ZONING MAP



FUTURE LAND USE MAP



AERIAL MAP

ALLEN, DANIEL P 22Z00017





1:1,200 or 1 inch = 100 feet

PHOTO YEAR:

2021

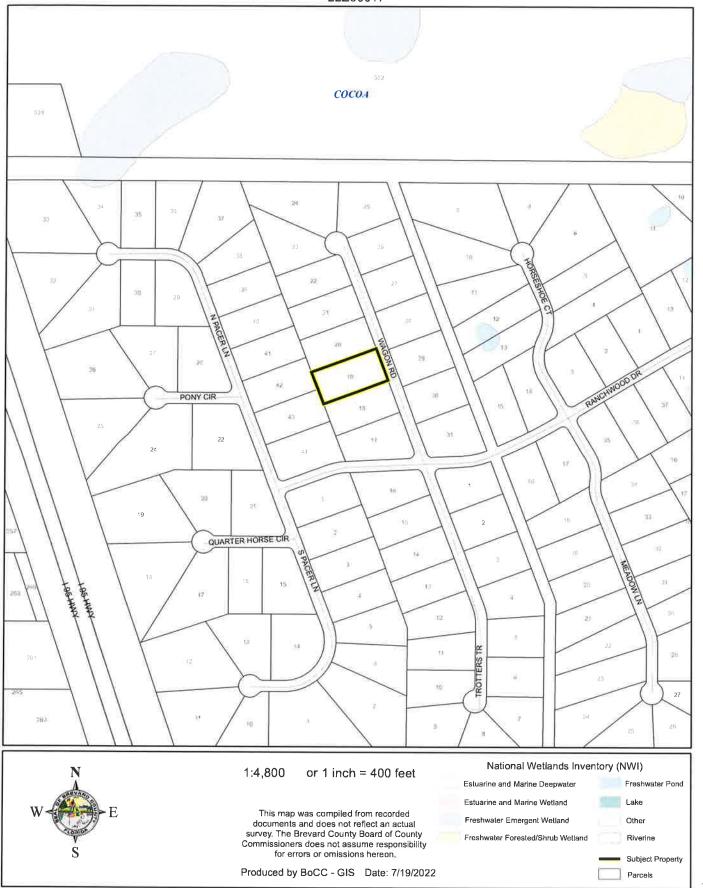
This map was compiled from recorded documents and does not reflect an actual survey, The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 7/19/2022

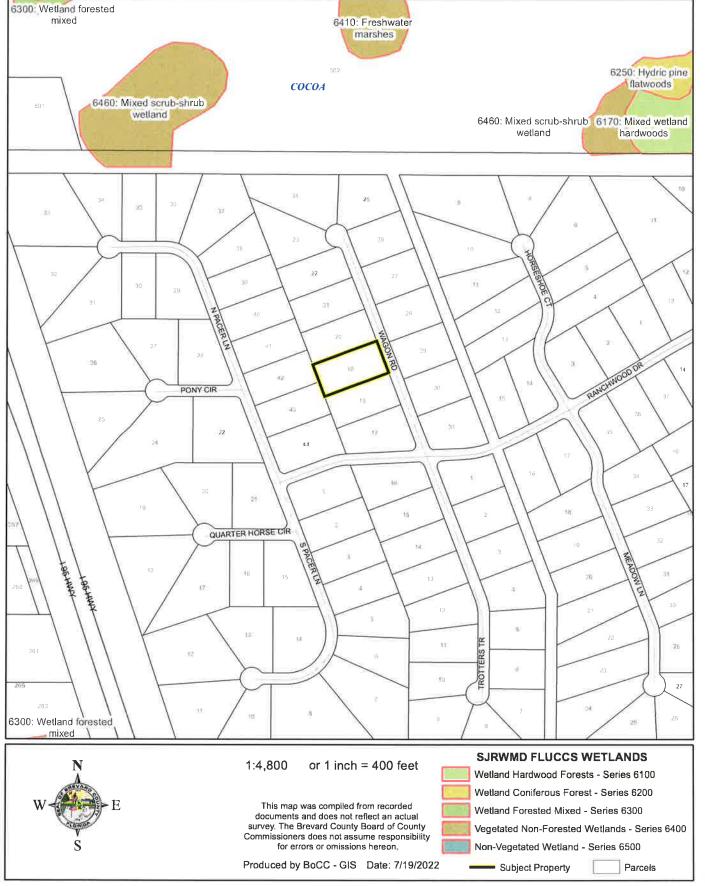
Subject Property

Parcels

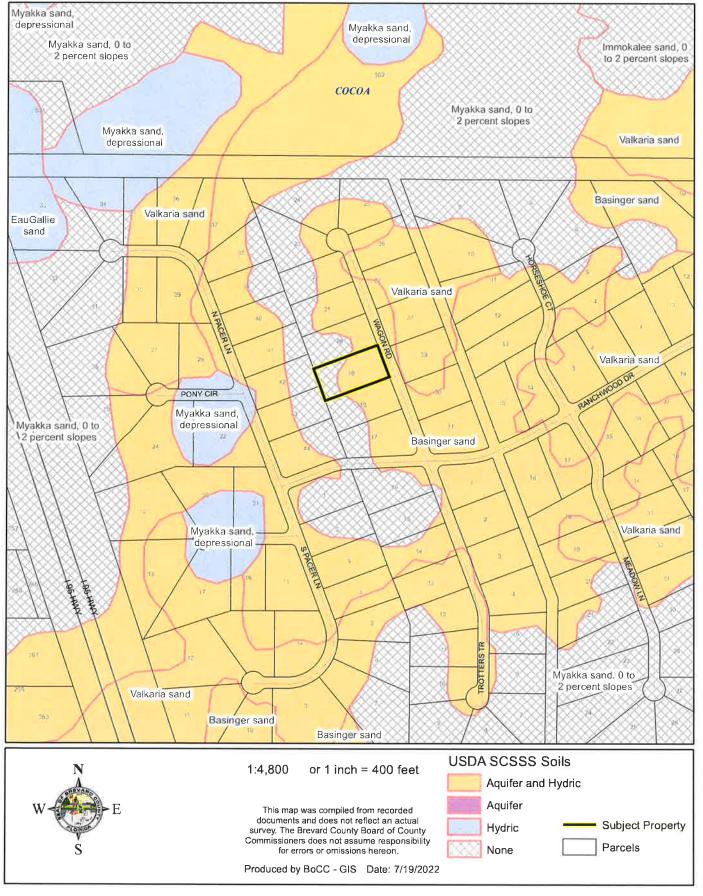
NWI WETLANDS MAP



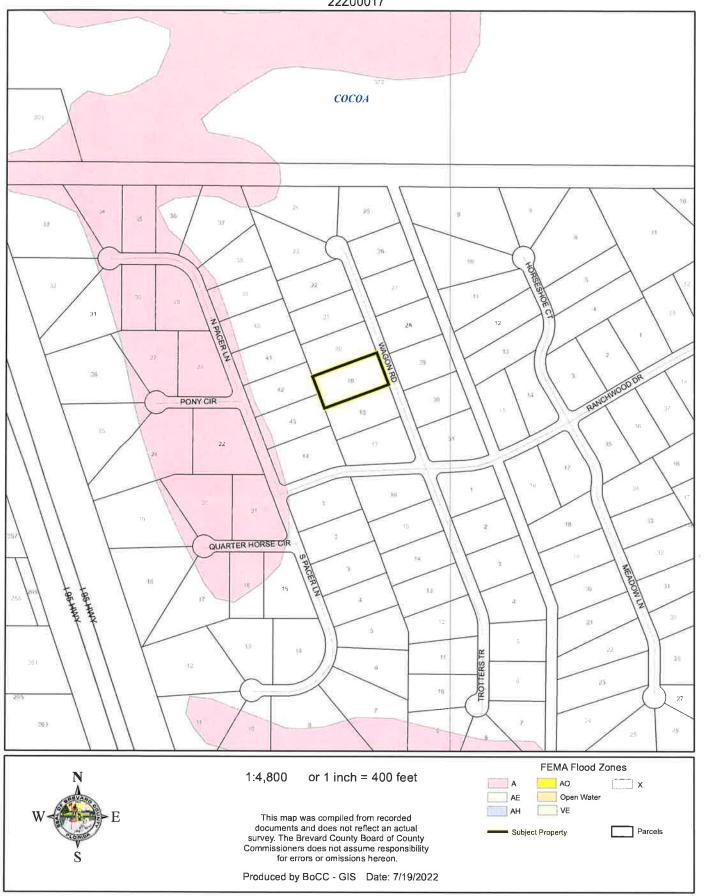
SJRWMD FLUCCS WETLANDS - 6000 Series MAP



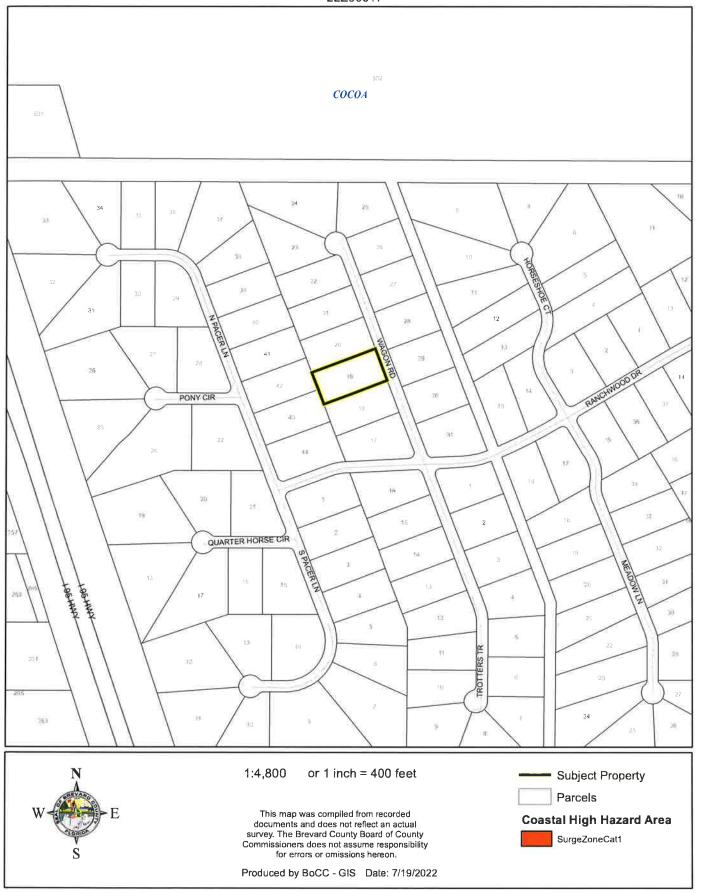
USDA SCSSS SOILS MAP



FEMA FLOOD ZONES MAP



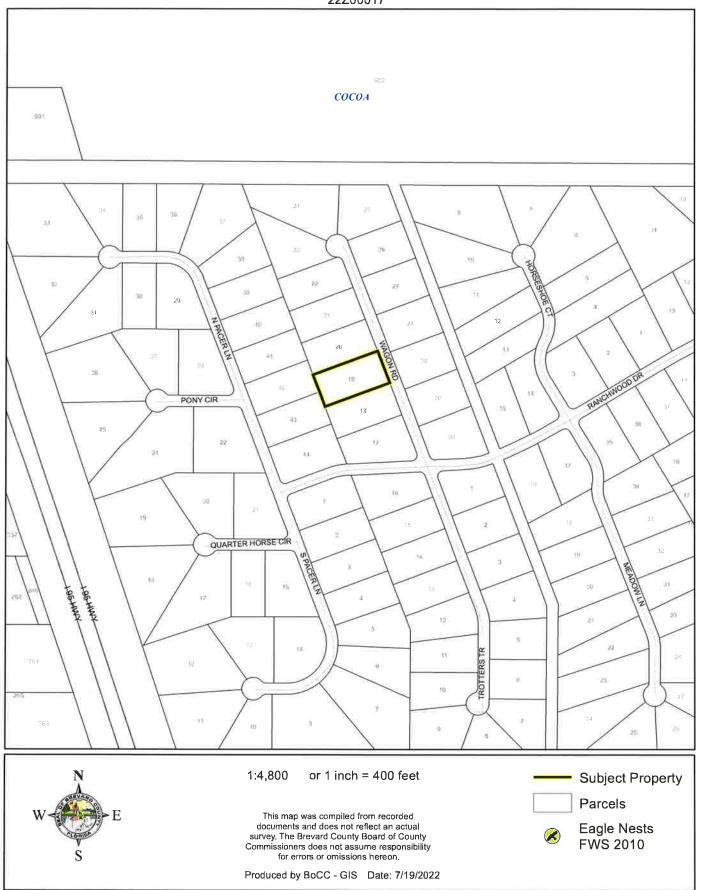
COASTAL HIGH HAZARD AREA MAP



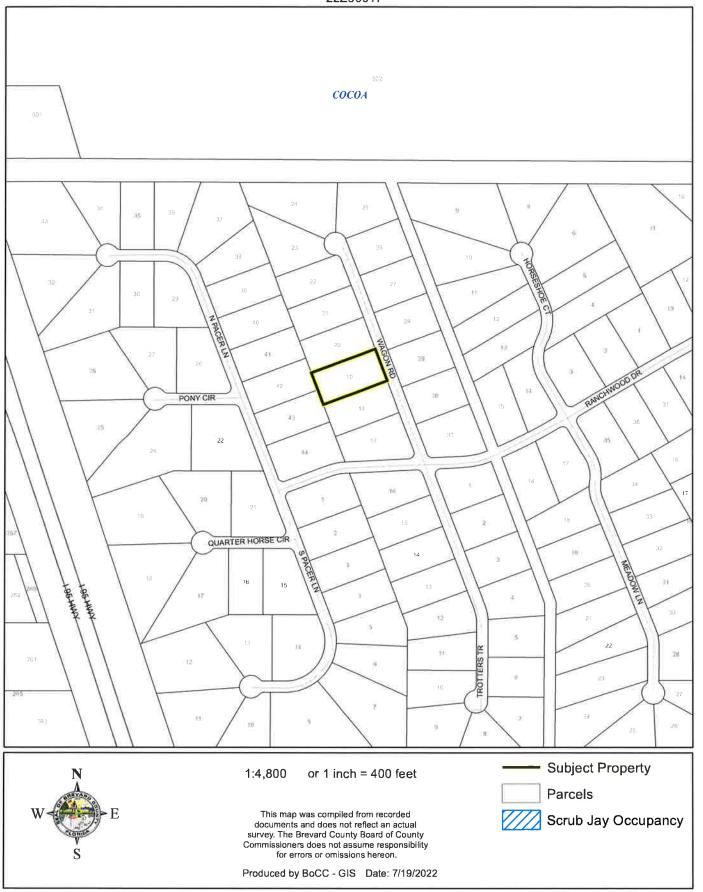
INDIAN RIVER LAGOON SEPTIC OVERLAY MAP



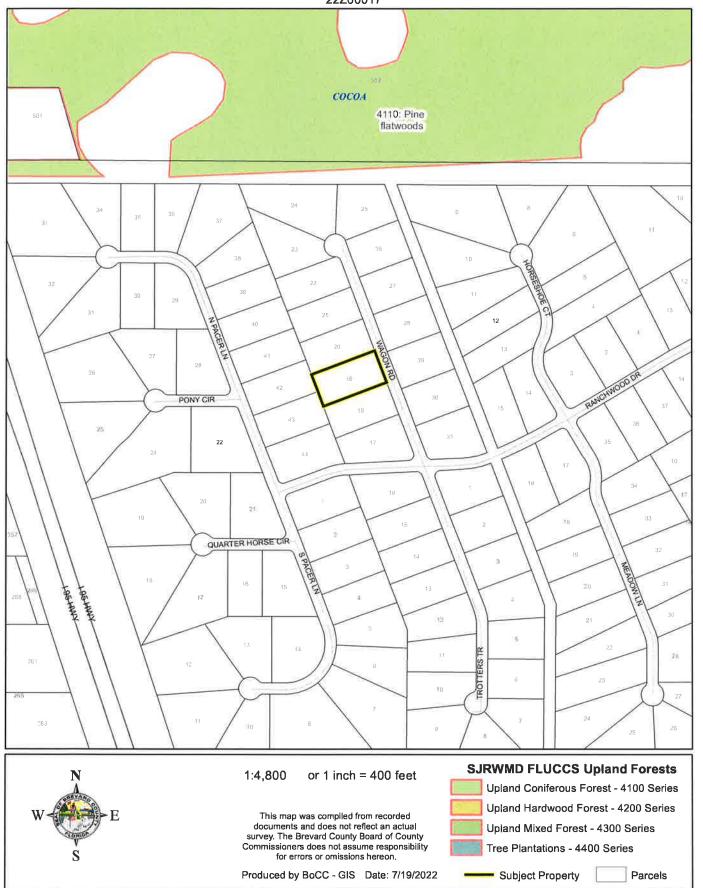
EAGLE NESTS MAP

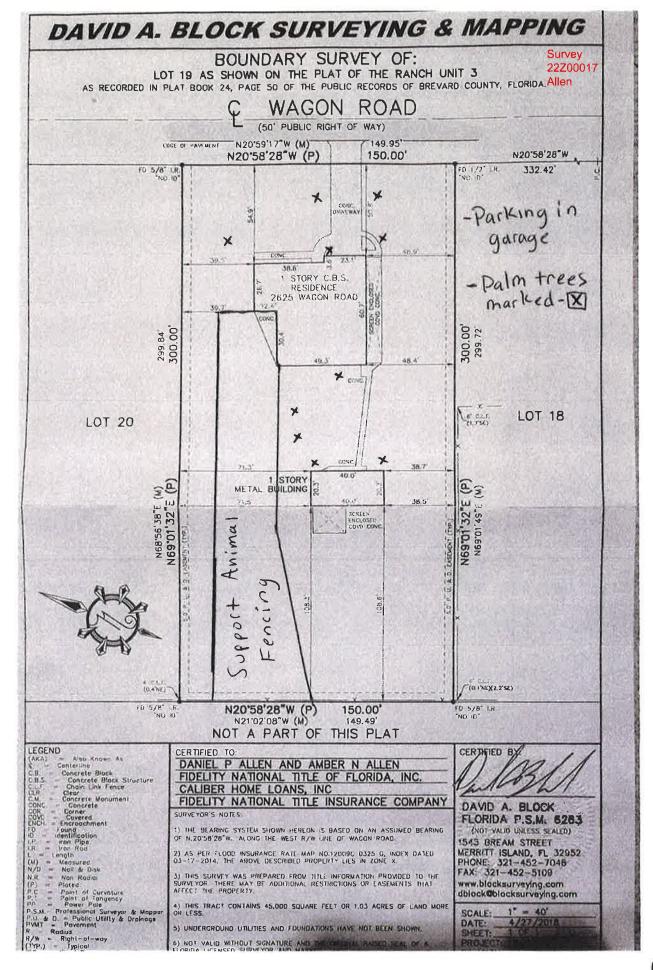


SCRUB JAY OCCUPANCY MAP



SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP





To whom it may concern:

Pumba and Lilly are Domesticated miniature potbelly house pigs. They are Emotional support animals. They are not farm animals nor a pet, they are working animals. Pumba and Lilly have been a blessing for us. They provide the comfort and support for our mental health.

Pumba and Lilly are brother and sister. They are fixed and live, eat, and sleep in the house. They use a dog door to go in and out as they please to a fenced backyard. No further outside accomodations are necessary. By having Pumba and Lilly, Our mental health has improved greatly. It would be devasting to my wife and I if we lost Pumba and Lilly, They are Family.



Assistared Emotional Support Anivez.

This certificate confirms the registration of the following team

Handler: Dan Ailen

Animal: Pumba - Potbelly Pig / Black & White

Date: March 3, 2022

Registration #: 86802

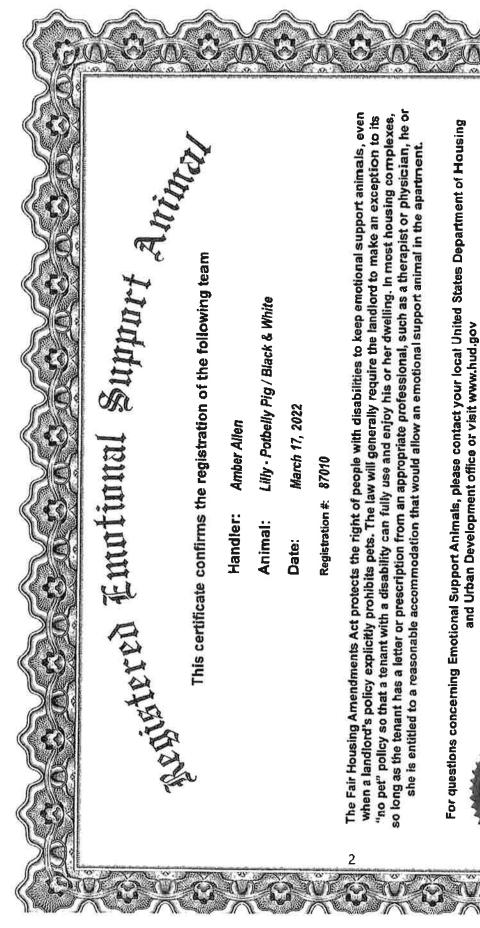
so long as the tenant has a letter or prescription from an appropriate professional, such as a therapist or physician, he or The Fair Housing Amendments Act protects the right of people with disabilities to keep emotional support animals, even "no pet" policy so that a tenant with a disability can fully use and enjoy his or her dwelling. In most housing complexes, when a landlord's policy explicitly prohibits pets. The law will generally require the landlord to make an exception to its She is entitled to a reasonable accommodation that would allow an emotional support animal in the apartment.

For questions concerning Emotional Support Animals, please contact your local United States Department of Housing and Urban Development office or visit www.hud.gov



Company information: Register My Service Animal, LLC registermyserviceanimal.com (480) 575-5655

Emotional Support Registration is not a certification process. Registrant data is based on assartions by animal owner. Registration is not required by HUD.



Emotional Support Registration Is not a certification process. Registrant data is based on assertions by animal owner. Registration is not required by HUD. Company information: Register My Service Animal, LLC

registermyserviceanimal.com (480) 575-5655

From: To:

D. McCoach Jones, Jennifer

Subject:

Zoning Meeting CUP for Allen Family

Date:

Saturday, July 2, 2022 5:54:02 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Received the public hearing notice (7-18-2022, 3PM) and have no objections to Mr. and Mrs. Allens request for CUP at 2625 Wagon Rd. in Cocoa (The Ranches).

D. Mac McCoach

2526 Pacer Ln. S.

Cocoa, FL. 32926

From: To: Edward Scott Jones, Jennifer ID #22Z00017

Subject: Date:

Monday, July 4, 2022 9:36:02 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good morning.

We are neighbors of the requested **Conditional Use Permit** on Wagon Road in Cocoa. We have no objection to the Allens having their 2 pot -bellied pigs or the chickens. They keep the property clean; and the animals are very quiet and well taken care of. We would not like to see another rooster though as it was quite annoying. Many of our neighbors on other streets have chickens, turkeys, ducks, goats and horses. All are welcome except for the roosters.

Does this Conditional Use Permit only apply to the Allens? Or does it change the general zoning in some way for our neighborhood?

Sincerely,

Jane and Edward Scott

2644 Wagon Rd.

 From:
 Edward Scott

 To:
 Jones, Jennifer

 Subject:
 ID #22Z00017

Date: Monday, July 4, 2022 9:36:02 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good morning.

We are neighbors of the requested **Conditional Use Permit** on Wagon Road in Cocoa. We have no objection to the Allens having their 2 pot -bellied pigs or the chickens. They keep the property clean; and the animals are very quiet and well taken care of. We would not like to see another rooster though as it was quite annoying. Many of our neighbors on other streets have chickens, turkeys, ducks, goats and horses. All are welcome except for the roosters.

Does this Conditional Use Permit only apply to the Allens? Or does it change the general zoning in some way for our neighborhood?

Sincerely,

Jane and Edward Scott

2644 Wagon Rd.

 From:
 sghannah@cfl,rr.com

 To:
 Jones, Jennifer

 Subject:
 ID# 22Z00017

Date: Monday, July 11, 2022 9:19:35 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Jennifer Jones,

This is in regard to the Conditional Use Permit at 2625 Wagon Rd., Cocoa, FL. They are requesting a CUP for farm animals (2 pot-bellied pigs) and fowl.

We are against the CUP because our property is directly behind them on N. Pacer Lane. We don't believe the CUP should be considered for these animals because of the following reasons.

According to the Department of Agriculture there is no such thing as a "miniature" pig. They are only called this because they don't grow as big as a hog of 600 pounds. They do grow up to be 180 pounds and can live up to 20 years. That is still a very big pig. Their tusks grow their whole lives and must be trimmed constantly.

Pigs don't have hair, so they sunburn like humans. According to Caring For Pigs - GOV, pigs need shelter such as a shed to protect them from sun and weather. Each pig needs 50 square feet of shelter, so they would need a shed 8 x 16 for both pigs. They also need a mud pit to cool down. We don't know how that could be accomplished.

According to Tractor Supply, "miniature" pigs create 9.8 pounds of manure per day. For 2 pigs this would be 19.6 pounds of manure each day. This must be disposed of, along with their bedding of straw or hay.

According to RR-1 zoning, one large animal is allowed per half acre. This is per half acre of land, and since the lot of 1 acre is covered with a house, porch and garage, there isn't enough open land. The people that own that property on Wagon Rd have had chickens since they moved in, and these chickens would be sharing that acre of property also.

Pigs have a very disagreeable smell, as you can tell if you've ever been near a stockyard, or driven past a semi-truck hauling pigs. Our area is not zoned for farm animals and having farm animals in our neighborhood will create offensive odors and large amounts of dust and insects, due to the excessive manure and straw that need to be disposed of. We believe this would ruin the beauty of our area.

We hope that people realize how big these animals will get, and what the impact will be to our neighborhood.

Sincerely, Doug and Susan Giesecke 2556 North Pacer Lane Cocoa, FL 32926

To the members of the Brevard County 7/13/22 Planning and Zoning Board,

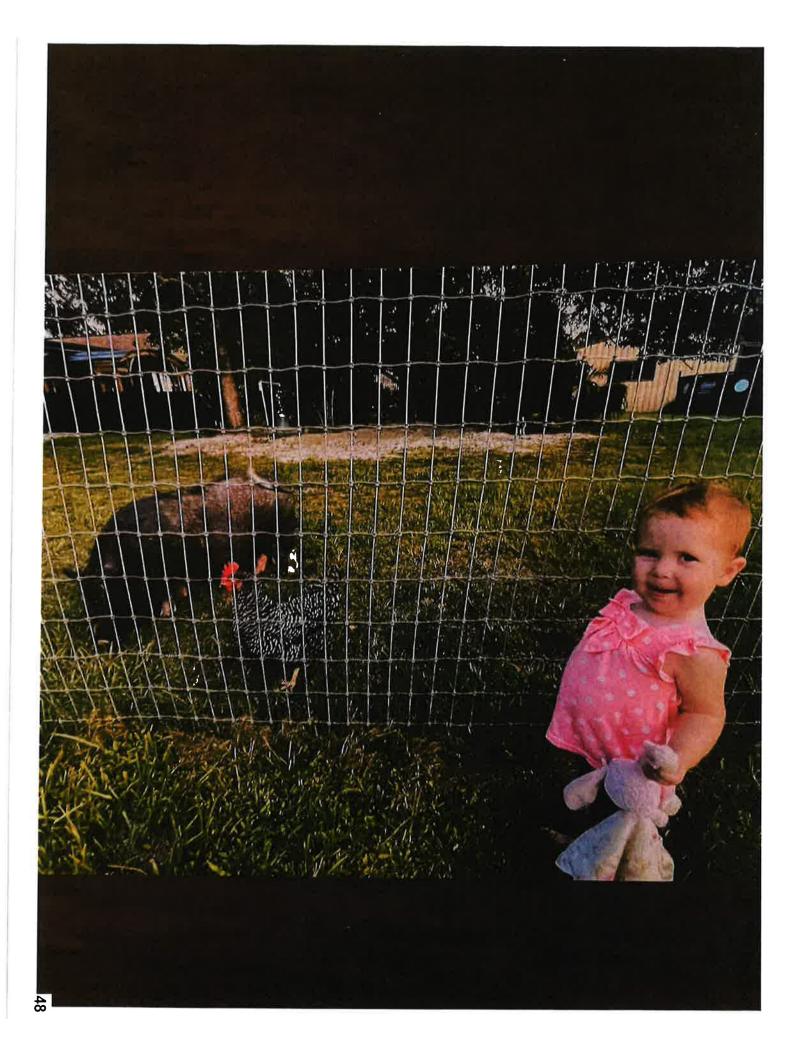
After 19 years of living in Suntree, we sold our house and bought the house on 2635 Wagon Road, Cocoa 32926. My family moved in on March 23 of this year.

My family was excited to learn that our next door neighbors, Dan and Amber Mlen at 26 25 wagen Road had 2 potterly pigs and chickens.

The pot belly pigs, Lilly and Dumba, have always been contained inside the Allen's Fence, they don't smell, and are not a noise problem. In fact, my family, especially my granddoughter, Sophia, loves to visit the pigs and chickens.

My family would be devastated if the board ruled to force the allen's to remove the pigs (Lilly) from their property. The pigs are not just a member of the Allen's family, but have become apart of my family as well.

Thank you, Justine Tipps 321-394-5221 2635 wason Road Cocoa, FL. 32926



PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, July 18, 2022**, at **3:00 p.m**., in the Florida Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

The meeting was called to order at 3:00 p.m.

Board members present were: Board members present were: Henry Minneboo (D1); Ron Bartcher (D1); Brian Hodgers (D2); Robert Sullivan (D2); Ben Glover (D3); Mark Wadsworth, Chair (D4); Liz Alward (D4); Bruce Moia (D5); Peter Filiberto (D5); and John Hopengarten (BPS).

Staff members present were: Jeffrey Ball, Planning and Zoning Manager; Jane Hart, Planner III; Alex Esseesse, Assistant County Attorney; and Tonya Parker, Administrative Secretary.

Excerpt of Complete Agenda

Daniel P. and Amber N. Allen

A CUP (Conditional Use Permit) for Farm Animals and Fowl (2 pot-bellied pigs) for Medical Hardship, in a RR-1 (Rural Residential) zoning classification. The property is 1.03 acres, located on the west side of Wagon Rd., approx. 360 ft. north of Ranchwood Dr. (2625 Wagon Rd., Cocoa) (22Z00017) (Tax Account 2405506) (District 1)

Amber Allen, 2625 Wagon Road, Cocoa, stated the request for the Conditional Use Permit is for two miniature pot-bellied pigs, which are emotional support animals for herself and her husband. She stated they have had the pigs for three years, the pigs live inside the house 75% of the time, and they go outside to a fenced yard through a dog door. She said they are fed a 100% vegetarian diet, so their waste does not smell. The waste is thrown away, but it can also be used for compost.

Public comment:

Hanna Clough, 2574 Trotters Trail, Cocoa, stated one-half acre of property is required in Brevard County in order to have one horse, and the Allen's pigs have over one acre. She said she is familiar with the pigs and her children spend a lot of time with the pigs, petting them and feeding them by hand. She asked to board to approve the conditional use permit. She noted she lives within 500 feet of the property and did not receive notification of the request, but people who liver farther than 500 feet did receive a notice.

John Hopengarten asked the breed of the pigs. Ms. Allen replied they are a mixed breed of Vietnamese pot-bellied pigs.

Mr. Hopengarten asked how long Ms. Allen has lived on the property. Ms. Allen replied four years.

Mr. Hopengarten asked where Ms. Allen got the pigs. Ms. Allen replied they got them from a farm in Apopka that rises them.

Mr. Hopengarten stated certificates were submitted with the documentation, along with a statement that Ms. Allen has a medical need. Ms. Allen replied yes, both herself and her husband have medical needs.

Mark Wadsworth clarified the board is to consider the request for the conditional use permit only.

Liz Alward stated the CUP expires after five years or the sale of the property, and noted they have met the medical support required for the CUP.

P&Z Minutes July 18, 2022 Page 2

Motion by Liz Alward, seconded by Bruce Moia, to recommend approval of a CUP for Farm Animals and Fowl (2 pot-bellied pigs) for Medical Hardship, in a RR-1 zoning classification. The motion passed 9:1, with Mr. Hopengarten voting nay.

From: To: Terrah Boring Jones, Jennifer ID# 22Z00017

Subject: Date:

Tuesday, August 2, 2022 9:06:24 PM

1.4

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Ms. Jones,

We are unable to attend the hearing on August 4th for Daniel and Amber Allen and wanted to write this email to express our support for the proposed CUP (Conditional Use Permit) for Amber and Daniel Allen at 2625 Wagon Rd, Cocoa (ID# 22Z00017). We believe that Daniel and Amber should be able to keep both of their pot-bellied pigs and should receive a CUP.

Thank you so much for your time!

Terrah and Joshua Boring 2447 S Pacer Lane Cocoa, FL 32926 321-759-7594



Request for Ordinance Change 22Z00017 Allen Submitted by Applicant



American Mini Pig Rescue Advocates 0 41

Dear Sir/Ma'am,

I am writing today to ask your city to consider an amendment to your animal zoning ordinances to allow pet mini pigs to live with their families.

The American Mini Pig Rescue Advocates is a 501c3 nonprofit organization dedicated to protecting and advocating for pet mini pigs. Unfortunately, there has been a huge increase of pet pigs losing their homes due to outdated zoning ordinances. We ask you to join the many cities across the nation that have updated these ordinances to reflect the pet market of today while reducing unnecessary displacement and abandonment of pet mini pigs.

Many city ordinances across the nation were written prior to 1986 when Vietnamese Potbelly Pigs were first sold into the pet market in the United States. These original potbelly pigs averaged 250 pounds which were comparatively miniature to the 600-1,500 pound domestic swine that are raised as livestock. Today's mini pigs, as recognized and registered by the American Mini Pig Association, are a mix of several smaller breeds. These mixed mini pigs are referred to as American Mini Pigs, averaging 15-20 inches in height and 75 to 150 lbs. or more at maturity. These pet pigs have different temperament, genetics, size, and purpose from the large commercial farm pigs. American Mini Pigs are housed as pet animals, just like a dog or cat. They receive the same standard of veterinary care, training, healthy foods, and comfortable accommodations. Mini pigs often accompany their families on vacations or shopping trips.

If your city has any questions or concerns regarding allowing mini pigs as pets in your zoning ordinances, please contact us. We would be glad to help dispel the many myths and misconceptions of these wonderful pets.

Thank you for your consideration,

Stephanie Matlock

American Mini Pig Rescue, President

RescueAdvocates@AmericanMiniPigRescue.com

References:

http://www.ansi.okstate.edu/breeds/swine/vietnamesepotbelly www.americanminipigassociation.com
and www.americanminipigrescue.com



To Whom It May Concern,

The American Mini Pig Association would like to thank you for taking the time to consider amending your zoning ordinance to allow pet mini pigs to live with their owners. Mini pig families are very passionate and dedicated to these pets.

On behalf of the American Mini Pig Association, I would like to formally recommend an amendment to your city's animal ordinance to allow mini pigs. This amendment may include the same regulations that are set forth for dogs or cats to encourage responsible ownership, including a pet limit per household, appropriate veterinary care, leash law, and/or registration. Please see supporting document "The Facts of Owning Pigs As Pets" to dispel many common misconceptions about these cherished pets.

Mini pigs are intelligent and sensitive pets. It causes a great hardship for the families to be separated from the pets they are bonded to. In addition, this separation due to zoning often results in displacing animals that end up putting a burden on local animal shelters or worse. These pets have great potential to increase welfare in the community as registered Therapy Animals volunteering at schools, hospitals, nursing homes, and other community centers, or as Emotional Support Animals to help their owners at home through difficult times. The AMPA has a blog series dedicated to Mini Pig Heroes in the community showcasing the benefits they have brought to the people of their city.

The American Mini Pig Association has created a nationwide registry to document verifiable information on these mini pigs such as age, size, health, track pedigrees, promote responsible breeder, ownership, and veterinary care. AMPA Registered Breeders are required to follow a strict code of ethics. They must prove age and size of their mini pigs. These steps will ensure that consumers are not victims of fraud or deceived on size of their new pets. AMPA Registered mini pigs will have an official certificate verifying their pet status.

Visit the American Mini Pig Association website to learn the facts of mini pigs as pets. If you have any questions or concerns, please do not hesitate to contact us. We would be more than happy to discuss any issues your city may have. www.americanminipigassocation.com

Sincerely,

Kimberly Chronister

American Mini Pig Association, Vice President info@americanminipigassociation.com



March 15, 2016

To Whom It May Concern:

Recently, there have been numerous unfortunate situations involving covenants, city or county ordinances, pet miniature pigs, and citizens bonded to those pets.

It is time to re-visit the pet miniature pig. Miniature pigs, including pot bellied pigs, Julianas, Kune Kunes, and small mixed pigs, are not livestock. They are smaller breeds of swine, growing up to 250 pounds, that are kept as house pets. They are well cared for, receive proper veterinary care, proper diet, leash, litter box, and trick training. They can live to be 15 or 16 years old, and are very affectionate with their people. These pigs and their people have a human/animal bond which benefits people and communities everywhere - it teaches compassion, instills a sense of responsibility, prevents loneliness, and provides comfort to those with conditions such as autism or PTSD.

Small breeds of pigs are used in schools, hospitals, and nursing homes to provide entertainment and comfort. They are recognized and registered as emotional support animals and it is only a matter of time before they will become eligible to be registered service animals.

Proactive changes to zoning laws and HOA rules will prevent future litigation related to the Americans With Disabilities Act. These changes will also prevent the civil actions and the adverse publicity that occur when the authorities remove a beloved pet from a home

Proactive steps should be used to make everyone's pig experience happier. Requirements for leash training, housing, noise restrictions, vaccinations, composting and waste removal, landscaping and fencing, sterilization, the number of pigs, and licensing can be established before a problem develops.

It is time to get ahead of the pet pig situation and to welcome them into our communities. Please consider zoning FOR pet pigs at this time.

Thank you,

Cathy Corrigan, DVM



www.AmericanMiniPigAssociation.com

To whom it may concern:

We are writing in regard to the inclusion of mini pigs as pets in city animal ordinances. As veterinarians that treat family pets including cats, dogs, and mini pigs, we encourage you to include mini pigs in city or town zoning.

Mini pigs live as family pets. We recommend your city animal ordinance reflect this. Mini pigs are not a single breed such as potbellied pig, but rather a size classification of smaller sized pigs that are raised as clean and quiet pets. There are very clear distinctions between large breeds raised commercially as livestock and the miniature breeds of pets.

Mini pigs are not raised, housed, treated, or used for the purposes of livestock animals. They are not fed garbage or exposed to commercial hog farm diseases. There is a very low risk of zoonotic diseases with pet pigs. It is very unlikely for a person to become sick from a pet mini pig.

When mini pigs are kept as pets in residential areas, we recommend the following:

- Spay/neutered before 6 months of age
- Microchip placement as permanent identification
- Vaccinations as appropriate
- Annual checkup, routine parasite control, fecal & giardia test
- Appropriate housing and containment (mini pigs should not roam)

Respectfully,

Dr. Carrie Schneider, DVM at Barnyard Pet Vet

Seattle, Washington http://barnyardpetvet.com/

American Mini Pig Association Veterinary Member



www.AmericanMiniPigAssociation.com

To whom it may concern:

We are writing in regard to the inclusion of mini pigs as pets in city animal ordinances. As veterinarians that treat family pets including cats, dogs, and mini pigs, we encourage you to include mini pigs in city or town zoning.

Mini pigs live as family pets. We recommend your city animal ordinance reflect this. Mini pigs are not a single breed such as potbellied pig, but rather a size classification of smaller sized pigs that are raised as clean and quiet pets. There are very clear distinctions between large breeds raised commercially as livestock and the miniature breeds of pets.

Mini pigs are not raised, housed, treated, or used for the purposes of livestock animals. They are not fed garbage or exposed to commercial hog farm diseases. There is a very low risk of zoonotic diseases with pet pigs. It is very unlikely for a person to become sick from a pet mini pig.

When mini pigs are kept as pets in residential areas, we recommend the following:

- Spay/neutered before 6 months of age
- Microchip placement as permanent identification
- Vaccinations as appropriate
- Annual checkup, routine parasite control, fecal & giardia test
- Appropriate housing and containment (mini pigs should not roam)

Respectfully,

Dr. Alison Meyer, DVM at Marymont Animal Clinic

Silver Spring, Maryland http://marymontanimalhospitalinc.com/

American Mini Pig Association Veterinary Member



The Facts of Owning Pigs As Pets

Written by:

The American Mini Pig Association

Mini pigs have unfairly been excluded from city zoning ordinances across the United States. Most of these laws were put into place before the era of the pet mini pigs. The laws in place are often referring to livestock, as large hogs raised for meat purposes. Please consider the following to amend your local ordinance to allow pet mini pigs to live with their devoted families. There is no reason these pets should be excluded or singled out. Mini pigs offer a variety of benefits and challenges for their owners just as all other pets do. To learn more about mini pigs as pets please visit www.americanminipigassociation.com or contact the American Mini Pig Association directly at info@americanminipigassociation.com. We would be glad to answer any questions you or your city council members might have.

Myth: Pigs are not pets

We beg to differ! Pigs have been pets since the 1980s. A rapidly growing number of owners across the United States, Canada, and beyond, claim their dedication to pet mini pigs. The numbers continue to spike as more families fall in love with the charms and challenges of these unique pets. Follow the American Mini Pig Association on Facebook or view the massive educational website dedicated to mini pigs as family pets.

The American Mini Pig advocates for responsible owner, breeder, rescue, and veterinary practices. Mini pigs are being registered as pets through the official AMPA registry.

Resource:

www.americanminipigassociation.com

Myth: Pigs will make us sick

Pet pigs present a very low zoonotic risk to humans. You are far more likely to get sick from your child's classmates or a stranger at the grocery store than from a pet pig. Pigs living as pets are not exposed to the conditions and diseases of commercial farm hogs.

The <u>CDC</u> states: "Almost all influenza cases in humans are caused by human flu viruses, not viruses from swine." and

"At this time, there are three main flu viruses that circulate in U.S. pigs: H1N1, H1N2 and H3N2. These viruses do not usually infect people and are genetically different from the H1N1 and H3N2 viruses that commonly circulate in people."

According to the <u>North Carolina Swine Veterinary Group</u>, even on commercial pig farms, people are more at risk from mechanical or electrical injury than microorganisms.

To further protect against zoonotic diseases, mini pigs should be vaccinated yearly against erysipelas and regularly dewormed with Ivermectin to prevent mange mites as recommended by the Merck Veterinary Manual. This is similar to the vaccine and parasite control routine that is standard for dogs, cats, and other pets. Some cities require a rabies vaccine in pet pigs as an added precaution.

Resources" www.cdc.org

www.ncsu.edu

Myth: Pigs are HUGE!

Mini pigs average in height from 15 to 20 inches tall at maturity. They are short and heavy. They are very similar in height to English Bulldogs or Cocker Spaniels. Mini pigs average 75-150 lbs or more in weight when full grown. Very similar in weight to medium to large dogs but the pigs are much shorter in height than a dog with similar weight. A 70 pound mini pig will take up less space on the couch than his 70 pound Labrador Retriever brother!

Comparing pigs and dogs:

Mini Pigs

15 to 20 inches average

75 to 150 pounds average

English Mastiff dog

30 inches MINIMUM according to the Mastiff Club

343 pounds on record

Newfoundland dog

36 inches tall on record

260 pounds on record

Great Danc dog

44 inches tall on record

230 pounds on record

Neapolitan Mastiff dog

31 inches according to AKC Breed Standard

200 pounds according to Dog Breed Info

Irish Wolfhound dog

34 Inches according to AKC Breed Standard

120+ pounds according to AKC Breed Standard

Saint Bernard

35 inches inches according to Dog Guide

357 pounds on record

While no one can guarantee the size of any animal, choosing an <u>AMPA Registered Breeder</u> will ensure pet owners are not deceived. These breeders have been pre-screened, proven measurements of the breeding pigs, and signed a <u>Code of Ethics</u> to ensure happy, healthy, socialized mini pigs. <u>AMPA Registered Breeders</u> will make sure your neighborhood doesn't accidently end up with an Esther sized pig!

Resources:

www.AMPAbreeders.com

www.americanminipigassociation.com

www.akc.org

www.guinnessworldrecords.com

www.ibtimes.com

www.dogbreedinfo.com

www.dogguide.net www.mcoamastiff.com

www.thehydrantblog.com

www.worldrecordacademy.com

Myth: All pigs are the same, or all pet pigs are potbellied pigs

Pigs come in a variety of shapes and sizes, bred for different purposes. There are three distinctions of pigs: pets, livestock, and medical research.

Pet Mini Pigs are a miniature size of pig as recognized and registered by the American Mini Pig Association. These pigs are usually mixed with several breeds Juliana, Gottengin/Guttengin, African Pygmy, Yucatan Micro, Swedish White, and various mixes of these breeds. It is very rare to find a purebred Vietnamese potbellied pig. Instead, today's pet pigs are mixed breeds or "mutts" often referred to as American Mini Pigs. Mini pigs average in height from 12 to 18 inches and 50 to 150 pounds at maturity when they are 5 years old. Mini pigs are bred and sold as pets. Breeders focus on temperament, personality, size, and structural soundness avoiding genetic faults or aggression. These pigs are often used as Therapy Animals in hospitals, nursing homes and schools and as Emotional Support Animals (ESA) due to their intelligence and bonds with their owners/families. The purpose of these animals is to be family companions as pets.

Livestock are defined by Merriam-Webster as farm animals kept for use and profit. Pigs in terms of livestock are often referring to as "farm hogs" or "full size hogs". Common livestock breeds of swine are Landrace, Yorkshire, Berkshire, Tamworth, Red Wattle, Large Black, Large White, Mulefoot, Duroc, Guinea Hog, and Old Spot. These animals are raised as a food source on a small or large scale, both at farms and commercial facilities. Livestock farm hogs will typically grow in excess of 700-1,000 pounds when allowed to mature. However, the vast majority of farm hogs are slaughtered by the time they reach 250 pounds around 6 months of age. The purpose of these animals is financial profit through food production.

Medical research has long used swine in laboratories for medical advances to benefit human health care. According to the American College of Veterinary Pathologists, the most common miniature breeds available in the United States are the Hanford, Yucatan, Yucatan micro, Sinclair, and Göttingen (from largest to smallest). Swine have been an integral part of surgical training, pharmaceuticals and medicine development, testing the safety of medications, toxicology testing, organ transplantation, bioprosthetic organs, cardiovascular research, wound healing, burn victim treatments, and regenerative medicine. Swine have also been used in studies involving ulcers, cancers, diabetes, and alcoholism. Swine involved in medical research are bred, born, and raised in closed facilities that are highly regulated for genetic background and disease control.

Resources:

American College of Veterinary Pathology

Gottingen Mini Pigs

National Anti-Vivisection Society

www.americanminipigassociation.com

www.merriam-webster.com

www.vet.sagepub.com

www.thepigsite.com www.minipigs.dk

www.navs.org

Myth: Pigs are noisy

Pigs are animals and do make noise as they communicate, just as all animals and humans do. A well cared for pet pig will not cause any disruption to the neighborhood. Many pet pigs live happily in their home or in their yard with only soft grunting and quiet communications of contentment. If you're lucky you'll hear an oof oof or a funny bark if they get excited that sounds a lot like a dog! High volume obnoxious sounds are more connected to commercial farm settings with many, many large animals similar to a dog kennel or shelter. This is a completely different scenario than a single pet mini pig or single pet dog. A pet mini pig does not face the same challenges as a large scale commercial farm.

The noise of a pig can be compared to the noise of a dog, in that typically they are very quiet, but can raise their voice when they are hurt, scared, or lonely, and each is an individual with its own personality. Some dogs are very quiet and some are a regular nuisance to their neighbors.

A pig's most extreme squeal can reach 110 decibels, which is a very short burst of panic noise. Similarly, a dog kennel of barking dogs can reach 100-108 decibels of nonstop barking, as referenced by <u>Perdue</u>. Some things commonly heard in a neighborhood that are louder than a pig's brief squeal are circular saw, chain saw, and firecrackers.

Resources: www.pijac.org

www.progressiveag.org

Myth: Pigs stink and create too much waste

Mini pigs have no body odor when they are spayed and neutered. They have very few functioning sweat glands, instead relying on water or mud to cool them off. Most pet pigs enjoy a nice roll in a kiddy pool! That is, when they aren't snoozing in front of the TV.

Intact boars (males that have not been neutered) do have a musky odor that is used to attract females. The American Mini Pig Association recommends all pet pigs be <u>spayed or neutered</u> before 6 months of age. A neutered pet pig will not have the odor of a boar.

All pets create waste, but pigs create fertilizer! Pig's manure can be composted to feed the garden. Swine manure contains several essential plant nutrients giving a higher crop yield than inorganic fertilizers.

All pet waste should be managed by owners. For pigs, picking up regularly and disposing of the waste or composting, there is no smell or odor.

Resources:

www.sagepub.com www.americanminipigassociation.com

Myth: Pigs are dangerous

Pigs are affectionate, intelligent, excellent communicators, and very much loved as family pets across the world. There is no reason to fear them. These small pigs are very similar in size to a bulldog. If a male mini pig grows tusks past the lip line, these can be easily trimmed by a veterinarian as described by the Merck Veterinary Manual.

Statistics vary by locality, but residents are far more likely to be bitten by a dog or cat in the neighborhood than a pet pig.

To reduce any concern, zoning regulations may include requirements for pet pigs to be spayed, neutered, microchipped with a permanent identification, vaccinated against rabies, and contained in a fence or on a leash.

Resources:

www.merckvetmanual.com

Myth: Property values will decrease

There is absolutely no evidence that property values will decrease by having a pet pig in the community. On the contrary, mini pigs tend to bring a lot of positive attention, sometimes even media coverage! These special pets are opening the eyes of people everywhere. Local mini pigs often become celebrities in their own neighborhoods towns. They bring a certain join to the community that no other pet does.

Meet <u>Skooter</u>, the Mini Pig Hero that saved his little boys life by alerting his mom to an incident in the bathtub that left the boy nearly unconscious.

Meet Pearl the Mini Pig Hero that teaches children responsibility at school.

Meet Bacon Bit the Mini Pig Hero that detects seizures.

Meet Addy the Mini Pig Hero that visits nursing homes.

Meet Hamlet the Mini Pig Hero that brings joy to the Human Department of Children Services.

Resources:

www.americanminipigassociation.com/blog click Mini Pig Heroes

Myth: Pigs are fed garbage or waste scraps

Mini pigs are considered family pets with all the comforts and care that other family pets are given, including top notch nutrition and sanitary care.

Mazurí and other companies have formulated a complete pelleted diet to meet the specific needs of mini pigs. In addition to their pellets, mini pigs often enjoy a daily salad of fruits and vegetables along with a few healthy snacks or treats such as popcorn, cheerios, or raisins.

Mini pigs should NEVER be fed garbage or waste scraps. While this *may* be the case with some farmers that raise large hogs for slaughter, they do this to grow the hog to market size as cost effectively as possible. Mini pig families are not raising pigs to slaughter and they are not looking to cut cost. Pet pigs are family and often claimed to "eat better" than their humans! Many pet pig owners go to great lengths to feed their pigs a fresh assortment of organic vegetables and whole, fresh foods. Learn more about Mazuri mini pig food.

Resources:

www.americanminipigassociation.com www.mazuri.com

Myth: Pigs cannot live indoors

Mini pigs are very happy to live indoor/outdoor just like the family dog, as stated by the <u>Merck</u> <u>Veterinary Manual</u>. If pigs are housed outside, they should be given proper fencing and protection from the elements as addressed in the American Mini Pig Association <u>Owner Code of Ethics</u>.

Mini pigs can be trained to use a litter box like a cat, or to go outside into the yard to use the bathroom just like the family's dog. Read more about <u>potty training</u> pet pigs.

Resources: www.americanminipigassociation.com

www.merckvetmanual.com

Myth: Pigs are dumb livestock

Mini pigs are highly intelligent companion pets. Classifying a pet mini pig as livestock would be similar to classifying a child's pet bunny as livestock because they are commonly raised in rabbitries in the meat/fur industry and shown at livestock shows. Mini pigs are raised and treated as family pets. There is no correlation to the livestock swine industry. Penn State classify rabbits as livestock, while stating "Rabbit farming has grown from raising a few rabbits for family consumption to large commercial operations with hundreds of rabbits. Investment in a rabbitry, including breeding stock, can be quite modest." Yet, this classification does not stop families from owning a rabbit as a family pet.

Mini pigs are so smart they learn to move levers and switches to get food and water. They have high level social cognitive abilities and self-awareness. Furthermore, pigs have shown a variety of emotions and feelings as shown by the Humane Society.

Mini pigs have been certified nationwide by the 501c3 nonprofit organization <u>Pet Partners</u> alongside dogs as Animal Assisted Therapy volunteers. This certification requires the right temperament and plenty of training. These mini pigs and their handlers are invited to hospitals, schools, nursing homes and other community centers to provide therapy to the residents. Mini pigs are also used as Emotional Support Animals to comfort their owners with emotional disorders. <u>www.petpartners.org</u>

Meet <u>Skooter</u>, the Mini Pig Hero that saved his little boys life by alerting his mom to an incident in the bathtub that left the boy nearly unconscious.

Meet Pearl the Mini Pig Hero that teaches children responsibility at school.

Meet Bacon Bit the Mini Pig Hero that detects seizures.

Meet Addy the Mini Pig Hero that visits nursing homes.

Meet Hamlet the Mini Pig Hero that brings joy to the Human Department of Children Services.

Resources: www.extension.psu.edu

www.humanesociety.org

www.petpartners.org

Mini pigs have been trained to:

- Sit
- Stay
- Spin
- Bow or Curtsy
- Crawl
- Back up
- Take treats gently
- Clicker train
- Walk on a harness
- Relax for hoof trims
- Come to their name
- No

- Out or leave it
- Shake hands
- Wave
- Push a ball
- Pick up objects
- Paint
- Solve puzzles
- Honk a bike horn
- Play a piano
- Play guitar
- Kiss
- Obstacle course
- Swim
- Ride a skateboard
- Ring a bell to go potty outside
- Unroll the red carpet
- Step up onto an object
- Jump through a hula hoop
- Use a doggy door
- Run through a tunnel
- Use stairs
- Walk up a ramp
- Understand sign language
- Distinguish colors
- Distinguish shapes
- Walk on a teeter totter
- Weave through poles
- Figure 8 through legs
- & Lots more!

FEDERAL DEFINITIONS

-U.S. Code Title 7 § 8302 states "The term "livestock" means all farm-raised animals." -Title 9 of the Code of Federal Regulations defines:

"Farm animal means any domestic species of cattle, sheep, swine, goats, liamas, or horses, which are normally and have historically, been kept and raised on farms in the United States, and used or intended for use as food or fiber, or for improving animal nutrition, breeding, management, or production efficiency, or for improving the quality of food or fiber. This term also includes animals such as rabbits, mink, and chinchilla, when they are used solely for purposes of meat or fur, and animals such as horses and llamas when used solely as work and pack animals."

"Pet animal means any animal that has commonly been kept as a pet in family households in the United States, such as dogs, cats, guinea pigs, rabbits, and hamsters. This term excludes exotic animals and wild animals."

"Exotic animal means any animal not identified in the definition of "animal" provided in this part that is native to a foreign country or of foreign origin or character, is not native to the United States, or was introduced from abroad. This term specifically includes animals such as, but not limited to, lions, tigers, leopards, elephants, camels, antelope, anteaters, kangaroos, and water buffalo, and species of foreign domestic cattle, such as Ankole, Gayal, and Yak."

"Wild animal means any animal which is now or historically has been found in the wild, or in the wild state, within the boundaries of the United States, its territories, or possessions. This term includes, but is not limited to, animals such as: Deer, skunk, opossum, raccoon, mink, armadillo, coyote, squirrel, fox, wolf.

**Wild state means living in its original, natural condition; not domesticated.

"Retail pet store means a place of business or residence at which the seller, buyer, and the animal available for sale are physically present so that every buyer may personally observe the animal prior to purchasing and/or taking custody of that animal after purchase, and where only the following animals are sold or offered for sale, at retail, for use as pets: Dogs, cats, rabbits, guinea pigs, hamsters, gerbils, rats, mice, gophers, chinchillas, domestic ferrets, domestic farm animals, birds, and coldblooded species."

-USDA Animal Welfare Act & Animal Welfare Regulations defines same as Code of Federal Regulations.



DC)

Ms. Pamela J. Winscon 26:30 Avonue S, NW. Wmtu Haven, Florida 33881

Dear Ms. WinSton:

Thank you for your lener or Sepelember 19, 1997, to President CliolOO cooceming pol bellied pies. Because our Aeency of the U.S. Department or Agriculmre (U DA) enJorc:a the Animal Wdfarc /v;it (AWA)-a - that got, fru the tinnnent of many animals-the White House forwarded your leuer to us for resocvac.

We share your concern for the growing population of unwanted animala and commend your effons to care for such animals in your area. Under the AWA, our Agency is charged with the responsibility or lkensing or reeiJtering cena.in breeders, researchers, exhibitors, and dealen to ensure that they provide their arum.al& with living conditions dw meet or exceed specified standards for veterinary can: and animal husbandry. Included are areas such as handlint, sanitation, food, water, wanspottati and proceerlon apil\\$1 extremes of weather and temperature. However, animal ownership laws are under Line jurisdiction of State and local governmenu, and we suggese you continue working will that authorities on this maner.

In regard to your request dw the Federal government recognize pol bellied pigs as pets, we wish to clarify that-in most case&-we do consider thue animall to be pet animals. A po< bellied pi& is considered livestock only wta linese animalJ a.re in imponor export status. Restrictions are imposed only to prevent disease transmis, 5ions that may affect the health status of the domestic swine industry in either the importing or uportint country. However, USDA- for all other purpoSC\$-COOSiden pot bellied pip to be pet animals because they are not bred and raised in this country for food or fiber purpo Accordingly, their 01re at1d protition fall within the jurisdictina of Swe and local authorities.

We hope this information is helpful and that you will continue your efforts to ensure the well-being of these animals.

Sincerely

Terry 1 . Medley

// - Administrator



City Ordinance Tips from the American Mini Pig Association & 13 Example Ordinances From Across The Nation

Amending your city's zoning animal ordinance to include the housing of mini pigs is an important step in meeting the demands of today's pet owners. As you will see in the example ordinances below, including mini pigs can be as simple and direct or as specific and drawn out as your council chooses. These ordinances were compiled on March 11, 2016 and are not guaranteed to be up to date after this. These are simply provided as examples.

Ideally, pet mini pigs should have all the same rights and restrictions as cats and dogs. If your city requires official registration, veterinary care, vaccines, permanent identification, containment as fencing or leash laws, noise restrictions, waste removal, fines for noncompliance, rules against chaining up pets, or any other stipulations, these can be directly included to pet mini pigs as well.

Consider the following when proposing ordinance changes.

Spaying/neutering: While ordinances for dogs and cats typically do not include spay/neuter stipulation, the American Mini Pig Association strongly suggests including this for pet families. Mini pigs that have not been spayed or neutered do not make the best pets. Intact pigs will likely have behavioral and/or health problems that are easily prevented with a spay or neuter.

Vaccinations: Veterinary recommendations on pet mini pig vaccines varies greatly. Some veterinarians recommend vaccines and some do not. Some city ordinances require vaccines and some do not. The AMPA does not hold a stance on whether vaccines should or shouldn't be included in city ordinances. However, if they are included, erysipelas and rabies are recommended to protect the health of the pig and the people around them. In addition, regular parasite control is important. Ivermectin given every 6 months is recommended. This is the same medication that is frequently given to dogs on a monthly basis to prevent heartworm and other intestinal parasites. Ivermectin can be given at home or through a licensed veterinarian. REMEMBER, these are pet pigs. They will not be in contact with farm animals or commercial swine diseases.

Permanent Identification: The AMPA recommends all pet pigs be microchipped as an appropriate form of permanent identification. This microchip is required in many cases for traveling across state lines, will help to reunite owners, and will help to identify pigs in case of health records are needed or other identification of an individual is needed.

Per Household Limit: While some cities limit the number of pet mini pigs in a household, we believe a more reasonable stance is limiting the total household pets. There is no more burden with owning a pet pig compared to a dog, cat, or other pet. Instead of limiting pet pigs to 1 or 2, simply include pet pigs in the total pet limit. There is no reason or cause to single them out.

Breed: Potbellied pigs were the first small pet pigs to enter the U.S. pet market in the 1980's. Various Potbellied Pig organizations and registries popped up at this time. These first pigs grew up to 250 lbs. The vast majority of today's pet mini plgs are not purebred. Instead, they are mixed between a variety of small breeds as they were selectively bred down in size, selected for temperament and body structure. As this mixing of breeds occurred in American, these smaller pigs are often referred to as American Mini Pigs. The average height is 12-18 inches, miniscule in comparison to many family dogs. They are dense in structure averaging 50 to 150 lbs when they mature at 5 years old. The American Mini Pig Association holds the official registry for these pet pigs. Breeders are pre-screened thoroughly and verified to have American Mini Pigs. Registered mini pigs receive an official certificate of registration to dispel any concern that they are a larger breed of swine.

Unfortunately, many cities updated their animal ordinances to reflect the Potbellied Pig's introduction to the pet trade many years ago. These ordinances required "purebred potbellied pigs" are outdated and impossible to fulfill.

Instead of requiring pet pigs be purebred potbellied pigs, the AMPA recommends writing your ordinance for "pet pigs" or "small breed pigs" or "American Mini Pig" to classify the smaller mixed breed pet pigs of today.

Height/Weight Restrictions: Some cities have included height or weight restrictions in their ordinances. Unfortunately, some of these ordinances were written with misinformation, which has run rampant as the "teacup" and "micro" scams have spread. It is a reasonable restriction to limit the height of mini pigs as 24 inches tall, which is merely 2 feet tall. The majority of mini pigs will be under 20 inches tall.

Putting a restriction on weight is far more difficult. This is where many misconceptions come into play. Some city ordinances have in the past put restrictions of 60 pounds. Unfortunately, very few pet pigs will meet this requirement. There have been unscrupulous or misinformed breeders that have sold pigs telling customers the pigs would only grow to 20-35 lbs. Sadly, the pigs outgrow this unrealistic size expectation before they reach maturity. Most mini pigs will be closer to 100 pounds, but still only as tall as a bulldog. Mini pigs are deceptively heavy. Most people would guess ½ of the mini pig's actual weight. When you look at a 100 lb pig, it looks more like a 50 lb pet. Once the pig is put on a scale, everyone is surprised at the dense weight! If your city puts an unrealistic weight restriction on pet pigs, you will not eliminate healthy sized pigs. You will simply have owners hiding their pigs and not being honest about their actual weight. Please do not further the myth of the unrealistically small pig:

Ideally, there will be NO weight limit in your city ordinances. Even for a pig that is 16 inches tall, they can weight as little as 50 pounds or as much as 120 pounds depending on their body structure, length, and body condition. Just as with humans, you cannot flip a switch and maintain perfect weight the rest of your life. Some people are 100 lbs and some are 300 lbs. Similarly, if a family's Labrador retriever weighs a healthy 70 lbs then is fed too many treats or

requirements or limitations herein, provided that proof of 4-H or Future Farmers of America registration for such animals can be provided upon request by the department. (Ord. No. 03-03, § 16, 10-20-02; Ord. No. 12-36, § 1, 10-15-12; Ord. No. 13-34, § 6, 9-19-13; Ord. No. 2014-21, § 1, 1-6-14)

Other cities that are zoned for pet mini pigs

The following list has been compiled by pet pig parents as cities across the United States and Canada that allow mini pigs in the zoning ordinances alongside cats and dogs. Pet mini pigs are increasingly popular as a choice of family pet. **Please note this list is not guaranteed for accuracy. Ordinances are updated and changed often. If you are looking to bring a pig into your life, or move to a city, it's important to contact the city directly to get the current ordinance in writing.

Double Springs, AL

Denver, CO

Sterling, CT

Lakeland, FL

Loxahatchee, FL

Green Cove Springs, FL

Middleburg, FL

Perry, FL

Key West, FL

Palatka, FL

Savannah, GA

Augusta, GA

Atlanta, GA

Kauai County, HI

Boise, ID

Peoria County, IL

Chicago, IL

Plainfield, IL

Robertsdale, AL

Loxley, AL

Summerdale, AL

Bayminette, AL

Fairhope, AL

Valdez, AK

Mesa, AZ

Queen Creek, AZ

Flagstaff, AZ

Phoenix, AZ

North Little Rock, AR

Rogers, AR

Lakeside, CA

Bakersfield, CA

Norco, CA

Oakland, CA

Alameda, CA

Rancho Cordova, CA

Sacramento County, CA

Hanford, CA

Lakewood, CO

LaJunta, CO

Bennett, CO

Arapahoe County, CO

Denver, CO

Sterling, CT

Southwest Ranches, FL

Ft. Lauderdale, FL

Alachua County, FL

Homestead, FL

Tampa, FL

North Port, FL

South Beach Miami, FL

North Fort Myers, FL

Loxahatchee, FL

Green Cove Springs, FL

Middleburg, FL

Perry, FL

Key West, FL

Palatka, FL

Savannah, GA

Augusta, GA

Atlanta, GA

Kauai County, HI

Boise, ID

Peoria County, IL

Chicago, IL

Plainfield, IL

Winamac, IN

Hartford City, IN

Newton, IA

Wilsey, KS

Abilene, KS

Elwood, KS

Olathe, KS

Leitchfield, KY

Millwood, KY

Leitchfield, KY Clarkson, KY Covington, LA Franklinton, LA West Monroe, LA Waggaman, LA Pollock, LA Fishville, LA Pineville, LA Alexandria, LA Lake Charles, LA Charlotte Hall, MD Calvert County, MD Baltimore, MD Montgomery County, MD Harford County, MD Hillsboro, MD Livonia, MI Ypsilanti, MI Mt Pleasant, MI Pleasant Ridge, MI Otisville, MI Kalamazoo Twp, MI Norway, MI Vulcan, MI Red Wing, MN West Saint Paul, MN St Paul, MN Eagan, MN

Learn the History of Mini Pigs

.

The idea of having a pig as a pet is a relatively new one, although pigs have been domesticated for thousands of years. Many remember the popularity of the Vietnamese Pot-bellied pigs in the 1980's. Unfortunately, this breed grew to 150-200 pounds and Americans realized how difficult a pig of that size was to manage. All the while, scientific and medical laboratories had already developed a smaller version of the full sized, 1000 pound pig for their research needs. Pigs are anatomically and physiologically similar to humans. Creating a manageable, smaller sized pig for use in research seemed like a perfect idea. Labs began selective breeding to develop this smaller pig with specific characteristics to benefit their research. Selecting breeds of pigs to combine for their size, color, and growth rates resulted in the Mini Pig.

In 1949, Black Guinea Hogs, Feral boars, and the Piney Rooter of Louisiana became the bases for what would be called the Minnesota Mini Pig. The Ras-n-Lama pigs from Guam were then selected for their Island Dwarfism traits to again reduce the size of the pigs.

The Minnesota Mini Pig was then crossed or bred with Vietnamese Pot-bellied Pigs in Germany, resulting in a spotted pig that had Pot-bellied characteristics.

In 1965, the German Landrace pig was introduced into the breeding to encourage a light colored pig.

Then in Germany in 1969, the breeding combination of 60% Vietnamese Pot-belly, 33% Minnesota Mini Pig, and 7% German Landrace established the breed Gottingen Mini Pig which were eventually exported to the U.S. to aid in the development of the Juliana.

The most common mini breeds used or developed in the U.S. labs were the Hanford, Yucatan, Yucatan Micro (a smaller version of the Yucatan), the Sinclair, the Gottingen, as well as up to 14 other breeds.

But what about the Teacup pig?

In 1992, Chris Murray of Pennywell Farms in England spent 9 years cross breeding or mix breeding the Kune Kune pigs from New Zealand, averaging 200 pounds, with Vietnamese Potbellies, Gloucester Old Spot, averaging 600 pounds, and the Tamworth, averaging 800 pounds. After 24 generations of pigs on his farm he had come to realize the pigs enjoyed sipping tea. Pennywell Farms introduces their Mini Pig or the Teacup Pig, not because of size, but for their love of tea. Over the years, labs have decreased their use of Mini Pigs in their research. Many were euthanized, some sold or given away. As they were released they immediately found popularity from zoos, breeders, pet stores, and animal lovers.

What Is The American Mini Pig

There are many who say the American Mini Pig is the same as a Pot Belly Pig. We find that many who say this lack an understanding of the swine world outside of what they have been told or from their own limited experiences. By taking what we know from research books/documents on biomedical research, pigs in the U.S. along with breeder information/knowledge of breeding practices, and a general knowledge of the different build features of many different breeds/breed types of swine, we get a better understanding of what an American Mini Pig truly IS.

From the links found on the "History of the American Mini" page you can see that PBP's were used in the development of most biomedical research pigs. However, the American Mini also has many other breeds

"mixed in". From Landrace hogs and Durocs, too many different breed types of feral hogs. The truth of the matter is, not to many people in the country can say with 100% certainty what their mini pigs really are. There is no genetic test to determine exactly what the genetic makeup of a pig actually is. Currently there is only a parentage test with just a few breeds already on file out of the 100+ recognized breeds/breed types of swine.

Aside from just the documentation regarding biomedical research pigs we also have information on other imported breeds that played a role in the development of the modern American Mini. Such as the Pot Belly Pig breed types imported in the 80's, the Gottingen from Germany (who's lineage for the most part actually lies with some of the biomedical research pigs developed here in the states), and the KuneKune.

The first thing you should know about Pot Belly pigs is that they are not a single specific breed. The Potbellied pig, also known as the Chinese, Asian, or Vietnamese Pot Bellied Pig, is a domesticated "breed" of pig that originates from the Southeast Eurasian continent. There are at least 15 local "breed types" that make up the Pot Bellied Pig "breed". They can only be found in the mountainous regions of Vietnam, China, and Thailand. Many of these "local breed type" pot-bellies can now be found all around the world. While these local types do share some significant build characteristics it has been shown that they are not all that closely related genetically.

Pot-bellied Pigs in the U.S. today can be traced back to a few different imported breed types or "lines". The Con line, Lea line and Royal line represent most of the foundation stock for pot-bellies in America today. Keith Connell imported Pot Bellied Pigs to the U.S. from Canada in 1982 for zoological purposes. Keith named them the "Con" line. At least two other local breed types of Pot Bellied Pig were brought into the U.S. shortly after Keith Connell's "Con line". The "Lea Line" imported by Leavitt (white and black markings) and the "Royal Line", imported by Espberger (mostly white, somewhat larger than the "Lea Line"). By American and European standards all local types of Pot Bellied Pig are relatively small, ranging in weight from 80-300 pounds and 16-32 inches tall. The different imported lines provided a larger gene pool to work with. Giving us a healthier breed type that enables breeders to develop more desirable characteristics such as size, disposition, and conformation.

From what is known and what can be seen in the American Mini Pigs of today, they are vastly different from their Asiatic descended cousins/ancestors. Off the bat, the first indicator is the variation in coloration. The Asiatic breeds/breed types brought to the U.S. are black, white, or black and white with varying patterns. Only through the introduction of European, American, and various feral types can we account for the wide variations in color that we see in the American Mini Pig. Next we look at build features. Most PBP breed types have a pronounced pot belly and a very visible swayed back. Their hair is also much thinner than the American Mini Pig leaving the skin easily visible through the hair. The majority of American Mini Pigs have a much thicker coat, little to no pot belly and/or swayed back. They also come in every color and pattern possible in swine.

Through cross breeding and selective breeding we were able to get to what we have now. Due to the varied history of these animals we find that build and coloration can vary widely depending on the individual breeders "standards," as well as the genetic makeup of the individual pig. We can see key build features in our modern American Mini Pigs that also help to link them to both their recorded and unrecorded history. From ear shape and set, coloration, facial structure, and over all build it is possible to make an educated guess as to what the dominant genes could possibly be linked back to. They can

share any number of characteristics from their lineage depending on how the genes line up on that individual. That being said these animals do stand apart from any one of the individual breeds/breed types that went into their development.

with the way

When the use for biomedical research pigs began to decline, the majority of facilities eliminated their programs all together while some continue on to this day. Some of these pigs made it in to the hands of the general public. They were bred and cross bred with any number of available breeds in the US, unchecked for decades. The American Mini Pig could potentially be one of the most genetically diverse breed types of swine in the world. We can see elements of different island feral hogs, Asiatic hogs, European swine, Australian, Russian, and American breeds in our modern American Mini Pigs. Some can very closely resemble any number of other breeds of swine. It all depends on the ratio of the genetics on that individual.

Ultimately, the majority of miniature breeds in the United States are linked to each other in one way or another. We know that Pot Bellied Pigs were used in the development of biomedical research pigs. One of those research breeds known as the Minnesota Mini Pig was shipped to Germany to be used in research facilities. While there, they were crossed with local breeds ultimately resulting in the development of the Gottingen. The Gottingen was then brought to the US and used to help create the Juliana. It is now a fairly common practice to cross Juliana's and American Mini Pigs. Things have gone full circle with these amazing creatures.

We as an organization recognize that there can be vast similarities between some Pot Bellied Pig breed types, Julianas, Gottingens, as well as many other breeds, with some modern American Mini Pigs. We do not deny that. That being said, as a whole they are now their own unique hybrid that does not fit in to any one of those single miniature pig breed types or "standards".

Many common labels or nicknames for the American Mini Pig of today include: Teacup, Micro, Super Micro, Nano, Pixie, and Pocket Pig. These nicknames are not considered breeds, but size classifications or market tools and labels individual breeders place to describe size. These labels or nicknames can be defined differently from breeder to breeder. The American Mini Pig Association hopes that our registry classifications will one day replace the labels and allow breeders to have a universal system of size definitions.

http://m.vet.sagepub.com/content/49/2/344.full http://netvet.wustl.edu/species/pigs/pignotes.txt
http://minipigs.dk/fileadmin/filer/Publications/Rethink - Article 6.pdf

Thank you for taking the time to consider mini pigs as residence of your city or community. If you have any questions, please contact the American Mini Pig Association at info@americanminipigassociation.com or visit our educational website at www.americanminipigassociation.com

If you are a mini pig owner and have successfully updated your zoning ordinance, send us a copy of your zoning and your story to be featured on the American Mini Pig Association blog!

Therapeutic Talk

Stefano Fanfoni, PhD cand, LMFT License No.: MT3697

Re: Patient, Amber Allen

March 29th, 2022

To Whom It May Concern,

After completing an assessment with Amber Allen and based on the presenting symptoms and the functional limitations that they cause, she meets the criteria for a mental diagnosis as described by the Diagnostic and Statistical Manual of Mental Disorders, 5th Edition (DSM-5). These symptoms cause significant functional impairments in major areas of her life, such as work and social relationships. Therefore, Ms. Allen meets the definition of being disabled under the Fair Housing Act, and the Rehabilitation Act of 1973.

Due to her condition, Ms. Allen suffers limitations coping with stress and anxiety. To help alleviate these difficulties, enhance her ability to live independently, and to fully make use of and enjoy the dwelling unit you own and/or administer, I have recommended for Ms. Allen to maintain an Emotional Support Animal. The presence of this animal is beneficial for her emotional and mental health due to the daily support that Ms. Allen may need. The animal, a pig (120 lbs), should therefore be deemed an "Emotional Support Animal."

Ms. Allen can seek comfort from the animal through touch as well as from its everyday care, favoring relaxation, a more optimistic attitude, and healthy social interactions. Ultimately, by increasing the level of functioning and managing day-to-day situations, it will ultimately enhance the overall quality of her life. Without the Emotional Support Animal, Ms. Allen's symptoms could increase and the negative effect on her home and work life be exacerbated.

For any further inquiries, feel free to contact me at Stefano@TherapeuticTalk.org

Sincerely,

Stefano Fanfoni, PhD cand, LMFT

```
Menu
```

Copy Description of Work: Rooster/Chickens on property (Not in Coop), plgs. Tractor trailer parked in the front yard, comes and goes based on monthly schedule.

Application Status: Active Application Detail: Detail

Application Type: Code Enforcement Case Address: 2625 WAGON RD, COCOA, FL 32926 Owner Name: DANIEL P ALLEN & AMBER N ALLEN

Owner Address: 2625 WAGON RD, COCOA, FL 32926-2603

Application Name: RM -1 - C

Application Comments: View ID Comment Date

NELIDA.GOMEZ 3/3/22 David, 03/03/2022

complainant called to ck on

the s...

RICKY.MAY 02/28/2022 INITIAL

> INSPECTION: On 2/28/2022

approximat...

Custom Fields: ENFOR ASI

GENERAL Comments

NOTIFICATION TYPES

Type Certified Mail Number Date Mailed Date Received Date Returned Sent To / Received By

Total Fee Assessed: \$0.00 Total Fee Invoiced: \$0.00

Balance: \$0.00 Job Value: \$0,00 Parcel No: 2405506

Contact Info: Name Organization Name Contact Type Relationship Address Status Contact Start Date Contact End Date

> DANIEL Respondent Property 2625 Active 02/25/2022

WAGON Owner P ALLEN RD, ...

AMBER...

2615 WAGON DAVID Complainant Complainant Aclive 02/25/2022

MINICUS

Licensed Professionals Info: Primary License Number License Type Name Business Name Business License #

File Date: 02/25/2022

Workflow Status: Task Assigned To Status Status Date Action By

> Initial Ricky May Investigation

Follow Up Inspection Hearing Preparation Hearing Post Hearing Lien

Closure

Adhoc Task Status: Task Assigned To Status Status Date Action By

Condition Status: Name Short Comments Status Apply Date Severity Action By

Scheduled/Pending Inspections: Inspection Type Scheduled Date Inspector Status Comments

Resulted Inspections: Inspection Type Inspection Date Inspector Status Comments

Assigned To: Ricky May

Passed Checklist Item: Inspection Type Checklist Name Checklist Item Status Score Major Violation Comments

Failed Checklist Item: Inspection Type Checklist Name Checklist Item Status Score Major Violation Comments



ASCE ISSUES & ADVOCACY (HTTP://WWW.ASCE.ORG/ISSUES_AND_ADVOCACY/)

(../../asce/)

5.6 billion opioid pills flooded the state, and rogue South Florida doctors helped get them on the streets

2019-07-27 | Sun Sentinel

July 27-- Jul. 27--As deaths from opioids reached crisis levels in Florida, pharmaceutical companies doped the state up with nearly 5.6 billion prescription pain pills between 2006 and 2012, new data shows.

South Florida doctors stocked their shelves with pills in amounts that went unmatched by physicians anywhere else in the state in those seven years, setting the region up as the headquarters of the "Oxy Express" and fueling a nationwide opioid epidemic.

Recently released figures from the U.S. Drug Enforcement Administration open an unprecedented window into the sheer volume of prescription opioids that made their way into the state -- legally -- and set off a drug crisis that would eventually claim thousands of lives.

Total pills to physicians by county 2006-20120M5M10M15M20M25M30M35M40M45M50M55M60MPills suppliedBrowardPalm BeachMiami-DadeHillsborougDuvalOrangeLeePinellasSeminoleSt. Lucie

The U.S. Drug Enforcement Administration released its database of millions of transactions from prescription opioid manufacturers and distributors to the pharmacies and clinics they supplied from 2006 to 2012.

The release of the data from the DEA's Automation of Reports and Consolidated Orders System, or ARCOS, was the result of a lawsuit from The Washington Post and West Virginia's Charleston Gazette-Mail against the DEA. The Post made the raw data available on its website.

A South Florida Sun Sentinel analysis of the transactions shows pharmaceutical companies sent 5,556,554,671 oxycodone and hydrocodone pills to Florida during that time period.

The supply would eventually help bolster South Florida as the epicenter for the opioid black market.

"Florida was a key supplier of diverted powerful prescription opioid medications that supplied not only users in Florida, but throughout East Coast," said Jim Hall, a drug abuse epidemiologist at Nova Southeastern University.

Doctors turned dealers

While the data shows most pills went to chain pharmacies like Publix and Walgreens, individual doctors and physicians also ordered millions of doses to their offices.

Pill mills found fertile ground in Florida, where doctors were once allowed to prescribe and dispense the opioids in the same place.

"That was the setup for the pain clinics," Hall said.

Tell Your Members of Congress: Oppose the Gas Prices Relief Act (../takeaction; jsessionid=node01ky1975gy0vps1a3cyi18mis engagementId=514063)

Contact your Members of Congress and urge them to oppose suspending the federal gas tax.

ANDER, JEFFREY MD LAKELAND POLK 28,560
CHUN, STEVEN YOUNG HAN MD BRADENTON MANATEE 28,380
SCHUETZ, ERIC JOHN DMD MIAMI MIAMI-DADE 28,330
COBA, JOSE V MD MIAMI LAKES MIAMI-DADE 27,900
KOBOBEL, JASEN S MD ROCKLEDGE BREVARD 27,850
FARRELL, JAMES F MD WINTER PARK ORANGE 27,700
TENHOLDER, MARK JOSEPH MD FT WALTON BEACH OKALOOSA 27,660
KAMMERMAN, BRUCE JAY MD STUART MARTIN 27,380
EADIE, BEVERLY LUTZ HILLSBOROUGH 27,250
BOHN, DEREK S MD PALATKA PUTNAM 27,200
IRELAN, ROBERT MICHAEL DVM LAKELAND POLK 27,200
BARINGER, DUDLEY A MD ST AUGUSTINE SAINT JOHNS 27,055
DISKIN, ARTHUR L MD MIAMI MIAMI-DADE 27,000
THOMPSON, RHONDA A, MD SARASOTA SARASOTA 27,000
STONE, CARISSA H MD TAMPA HILLSBOROUGH 26,970
ATWATER, JOHN GREGORY MD VERO BEACH INDIAN RIVER 26,910
SCHULTZ, BARRY M MD DEERFIELD BEACH BROWARD 26,900
MCGREGOR, JEANNE M MD PLANT CITY HILLSBOROUGH 26,860
FADERANI, M. RAHAT DO WEST PALM BEACH PALM BEACH 26,760
ROTHBERG, MICHAEL LEE MD CLEARWATER PINELLAS 26,640
HAMEROFF, JEFFREY DDS SPRING HILL HERNANDO 26,540
PACKER, DAVID L MD DORAL MIAMI-DADE 26,520
SAMBEY, EDWARD JOSEPH MD LAKE CITY COLUMBIA 26,460
ALSHON, JOSEPH J DO FORT LAUDERDALE BROWARD 26,460
FIFER, JOHN S MD ESTERO LEE 26,310
MCQUIRTER, IVY G MD PLANTATION BROWARD 26,300
MORILLO, EMILIANO H MD HOLLYWOOD BROWARD 26,300
FAUP, JACK G MD ORLANDO ORANGE 26,130
CHALAL, JOSEPH B MD BOYNTON BEACH PALM BEACH 25,840
AVILES, RAFAEL F MD MIAMI MIAMI-DADE 25,600
LUNSETH, PAUL A MD TAMPA HILLSBOROUGH 25,508
PALMER, ENRIQUE A MD WEST PALM BESACH PALM BEACH 25,500

DHALIWAL, GUNWANT SINGH MD NEW PORT RICHEY PASCO 25,480

SANABRIA, LILLIAM MD MIAMI MIAMI-DADE 25,360

Support Animal Certificates





HOME

ABOUT REQUIREMENTS

Register My Service Animal

Registers Service, Emotional Support, and Therapy Animals

/ (480) 575-5655 - Se Habla E

info@registermyserviceanin

SHOP THERAPIST REFERRAL FAO'S AIRLINE REQUIREMENTS CONTACT US

Product

Price

Quantity

Subtotal

Type of Animal Being Registered: Other **Emotional Support Animal Registration**

Breed and Animal Colors: Human and Caucasian

Animal's Name: Brian Bond

Handler's First and Last Name: John Tobia

Handler's Phone Number: 3217204650

Describe Service Provided By Your Animal: Basic clerical work

Select Engraved Tag: Emotional Support Animal (For Med/Large

Animals)

Apply coupon

\$79.95

\$79.95

nbdate cart

You may be interested in...

Cart totals

Subtotal \$79.95

Coupon: travel -\$7.99 [Remove]

Total

\$71.96

















