

Judge: Pigs can stay but music must be turned down for golfers

July 22, 2000

Web posted at: 3:36 AM EDT (0736 GMT)

[STUART, Florida](#) (AP) -- Golfers at the Florida Club will still have to endure the stench from a neighboring pig farm, but at least they won't have to listen to twangy tunes played for the porkers' enjoyment.

Circuit Judge Ben Bryan on Thursday threw out his previous order requiring Thomas Rosin and his family to remove the pigs from their property by Aug. 2. Bryan said the Rossanos' battle to keep their pigs is with Martin County, not the court.

Bryan also ordered the Rossanos to turn their music down eight decibels below what's allowed by the county's noise ordinance and to direct their outdoor speakers away from the Florida Club, a golf course that sits about 100 yards across the street from the pig farm.

"I don't want any monkeying around with the noise bothering these folks," Bryan sternly told Rossano.

In a bizarre case of old Florida versus new, Rossano had been fighting the golf club's claims that the pigs he raises smell and the country music he plays to soothe the animals are a nuisance.

Bryan said he "reacted too quickly" when he ordered the Rossanos to get rid of the pigs, and that he changed his mind after hearing testimony during a five-day trial.

"At that time, I thought Mr. Rossano had no respect for court orders and thought he was thumbing his nose at the whole process," the judge said.

"There's no question in my mind that the hogs were there before the golf course."

Rossano said he will comply with Rossano's new order while continuing to fight with Martin County to keep his swine.

"That's all we asked for in the beginning," Florida Club attorney Louis Lozeau said. "This case for us was always about the music. ... Unfortunately, the Florida Club and the Rossanos had to go through three-and-a-half years of a lot of money and a lot of heartache."

Rossano's attorney, Lance Richard, called the judge's ruling a "victory for the little guy," but one that may be short-lived.

Martin County's code enforcement board has taken steps to file another lawsuit seeking removal of the Rossanos' pigs because the limited agricultural zoning of their property does not permit livestock.