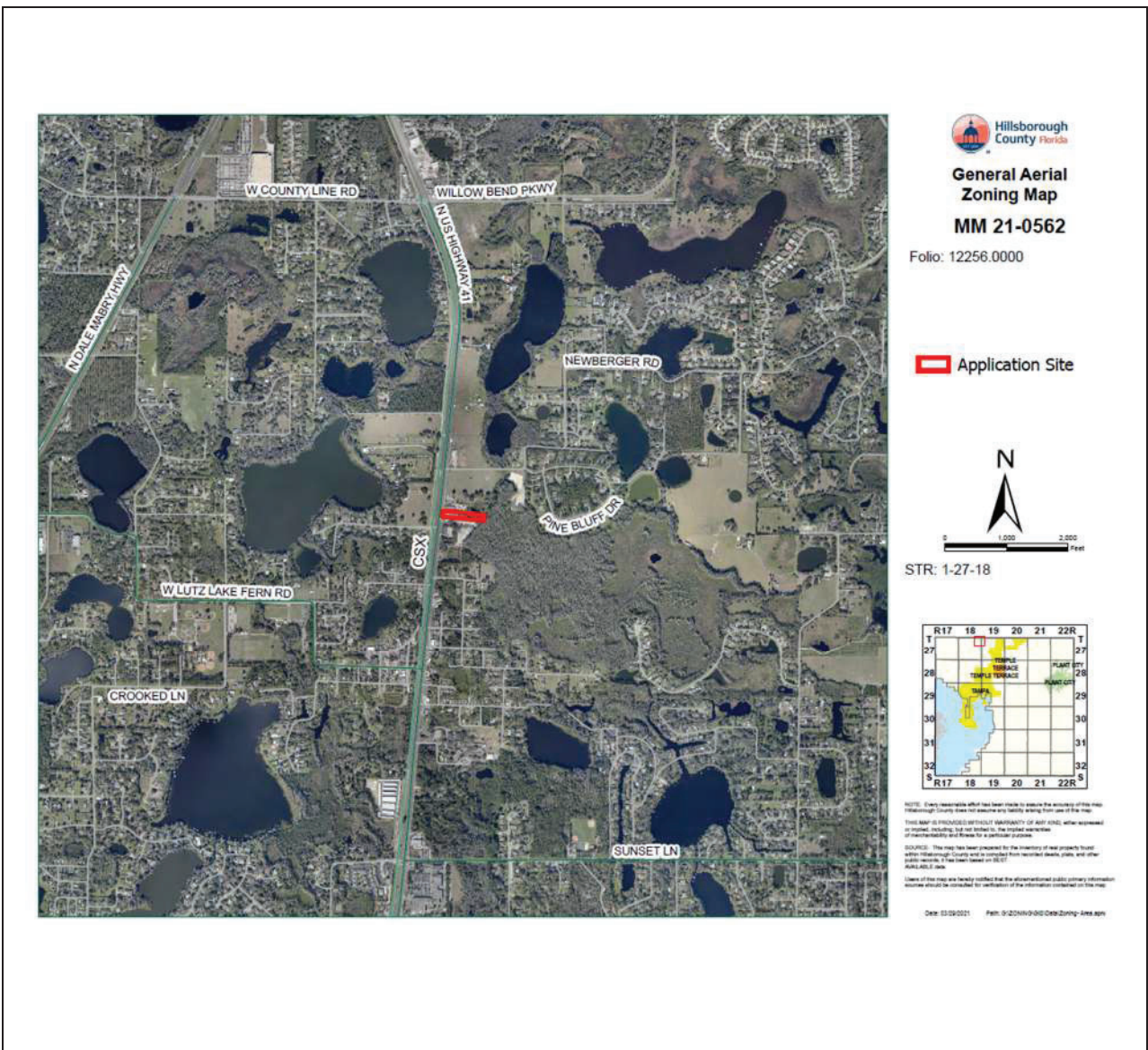




# Hillsborough County Florida

## STAFF REPORT

<b>SUBJECT:</b>	MM 21-0562	<b>PLANNING AREA:</b>	Lutz
<b>REQUEST:</b>	Major Modification to Planned Development (PD) 18-0989	<b>SECTOR:</b>	Northwest
<b>APPLICANT:</b>	Nick Dittman, Steger Site Preparation, Inc.		
<b>Existing Zoning District:</b>	Planned Development (PD) 18-0989	<b>Future Land Use Category:</b>	Residential-1 (RES-1)





# Hillsborough County Florida

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## STAFF REPORT



### Project Location Map

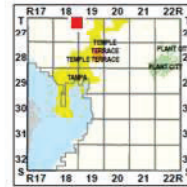
MM 21-0562

Folio: 12256.0000

- Application Site
- Parcels



STR: 1-27-18



NOTE: Every representative effort has been made to ensure the accuracy of this map. Hillsborough County does not assume any liability arising from use of this map.

This map is provided for informational purposes only. It is not intended to be used as a legal document or to establish any rights or interests in real property. The reader should consult a professional surveyor for a complete and accurate description of the property.

SOURCE: This map has been prepared for the purpose of providing information to the public and is not intended to be used as a legal document or to establish any rights or interests in real property. The reader should consult a professional surveyor for a complete and accurate description of the property.

Disclaimer: This map and the data contained herein are provided for informational purposes only. The user should verify the information contained on this map.

Date: 01/24/2021 File: D:\2019\01\01\01\01\01\01.apx



## **Application Review Summary and Recommendation**

### **1.0 Summary**

#### **1.1 Project Narrative**

The request is to modify Planned Development (PD) 18-0989 associated with parcel folio 12256.0000 totaling approximately 1.47 acres to permit several BPO and CG uses and prohibit certain uses. The proposed BPO uses are professional office, professional services, and health practitioner's office. The proposed CG uses are plant farm; farm / garden supply center; retail goods / stores; contractor's office; hardware store; lawn care / landscaping; lumber and other building materials; motorized vehicle repair; neighborhood motor vehicle sales; non-commercial rental / leasing; and light equipment sales / rental / service of new / used domestic vehicles, farm / garden equipment, and private pleasure crafts. The proposed prohibited uses include open storage, bowling alleys, alcoholic beverages on-premises, grocery stores, hospitals, medical centers, canoe rental, golf club, trade school, restaurants, variety store, gas station, pharmacy, convenience stores, banks, and billboards. In addition, the plan proposes two options where option 1 involves converting the existing building into a contractor's office with supporting enclosed storage area for the immediate use and allowing for the other proposed uses. Option 2 involves the redevelopment of the subject property to allow for all the proposed uses. The site is located at 19309 North 41 Highway, which is on the north side of the Lake Hobbs Road and North US Highway 41 intersection. The underlying future land use (FLU) category of the subject parcel is Residential-1 (RES-1).

#### **1.2 Compliance Overview with Land Development Code and Technical Manuals**

A variation to LDC Section 6.06.06 to allow for no buffer and the existing wood fence to remain along the southern property / PD boundary, only in association with the proposed immediate use / existing development layout, where a 15-foot wide landscape buffer and B type landscape screening are required is being requested at this time. Staff concurs with the applicant's waiver justification considering the fact that the existing building is setback approximately 13 feet from the southern property boundary and an internal drive access exist within that area. In addition, the existing approved condition number 4 only requires a fence along the perimeter of the PD boundary. However, redevelopment of the subject property will be in accordance with LDC Section 6.06.06.

#### **1.3 Analysis of Recommended Conditions**

The proposed conditions of zoning incorporate the allowance for the new uses identified and the prohibition of certain uses identified.

#### **1.4 Evaluation of Existing and Planned Public Facilities**

The site is located within the Rural Service Area where potable water and wastewater services are not provided by Hillsborough County. Therefore, the developer is responsible for submitting a utility service request at the time of development plan review and will be responsible for any on-site improvements as well as possible off-site improvements.

Transit service is not conveniently located to service this site. The closest transit stop is located 5.2 miles away just southwest of the intersection of Bearss Avenue and North Florida Avenue.

The site is located on North US Highway 41, a divided 6-lane arterial roadway. The roadway is characterized by approximately 11-foot wide travel lanes within approximately 100 feet of right-of-way. An approximately 6-foot wide sidewalk and approximately 5-foot wide bicycles lanes are present on this

roadway in the vicinity of the project.

Transportation staff has reviewed the application and offers no objections, subject to the conditions proposed. Their review notes that the proposed rezoning is anticipated to increase the number of trips (442 average daily trips, 37 AM peak hour trips, and 46 PM peak hour trips) based on the maximum trip generation potential of the subject site at buildout.

### **1.5 Environmental/Natural Resources**

The Environmental Protection Commission (EPC) reviewed the request and finds that no wetland or other surface water areas exist on the site.

### **1.6 Comprehensive Plan Consistency**

The site is located within the RES-1 FLU category and the Lutz Community Plan Area. Planning Commission staff finds the request to be consistent with the RES-1 FLU category, commercial locational criteria, Lutz Community Plan, and neighborhood protection policies of the Comprehensive Plan for Unincorporated Hillsborough County.

### **1.7 Compatibility**

The site is located in an area comprised of industrial and high intensive commercial uses. The site is within the RES-1 FLU category, which is suitable for farms, ranches, residential uses, rural scale neighborhood commercial uses, offices, and multi-purpose projects. Commercial, office, and multi-purpose uses shall meet locational criteria for specific land use projects. The adjacent property to the south is within the RES-6 (Residential-6) FLU category, which is suitable for residential, suburban scale neighborhood commercial, office uses, multi-purpose projects and mixed-use development. Nonresidential uses shall meet established locational criteria for specific land use. The proposed request extends similar uses currently approved in the PD associated with the adjacent property to the north with further restriction to the prohibited uses. The overall area is also within the Hillsborough County Rural Service Area.

As shown in Exhibit 2, the site is adjacent to properties zoned PD (to the north and south), but within the general area there are other properties zoned ASC-1 (to the north and southeast), BPO (to the south), and RSC-6 (to the west).

Based on the above considerations, staff finds the proposed modification to PD 18-0989 compatible with the existing zoning districts and development pattern in the area.

### **1.8 Agency/Department Comments**

The following agencies and departments reviewed the request and offer no objections:

- Water Resource Services
- Florida Department of Transportation
- Environmental Protection Commission
- Transportation

### **1.9 Exhibits**

Exhibit 1: Project Aerial

Exhibit 2: Zoning Map

Exhibit 3: Future Land Use Map

Exhibit 4: Site Plan



## 2.0 Recommendation

Based on the above considerations, staff recommends approval of the request, subject to conditions.

Prior to PD site plan certification, the applicant shall revise the PD site plan as follows:

- Revise the PD Site Plan Option 1 and Option 2 notes stating "APPROXIMATE LOCATION OF CROSS ACCESS CONNECTION" to "LOCATION OF CROSS/SHARED ACCESS FACILITY".

**Approval** - Approval of the request, subject to the conditions listed below, is based on the general site development plan received July 7, 2021.

1. The project shall be limited to the following uses:

a. BPO district uses as follows: professional office, professional services, and health practitioner's office~~Retail establishment where all retail sales, rentals, and services shall take place within the building shown on the certified General Development Plan to be no larger than 3,882 square feet (2,907 sf existing building and a future 975 sf future addition). The retail component shall be limited to that of home care medical products. The retail business is permitted to provide training to customers and caregivers on the use, operation and maintenance of the medical products sold from the business.~~

b. CG district uses as follows: plant farm, farm / garden supply center, retail goods / stores, contractor's office, hardware store, lawn care / landscaping, lumber and other building materials, motorized vehicle repair, neighborhood motor vehicle sales, non-commercial rental / leasing, light equipment sales / rental / service of new / used domestic vehicles, farm / garden equipment, and private pleasure crafts~~Installation and conversion of mobility needs component parts for domestic vehicles. All vehicle conversions to mobility needs retrofitting shall take place indoors. There shall be no motor vehicle repairs associated with typical motor vehicle repairs such as engine fluid replacement, greasing and lubrication, fuel pumps, tires, valves crankcases, etc. The only motor vehicle servicing permitted shall be the conversion and/or retrofitting of domestic vehicles in association with the home medical care retail business. There shall be no outdoor storage of any kind.~~

c. ~~In conjunction with the operation of the home medical products business, there shall be no more than three (3) domestic vehicles permitted for outdoor display and/or sale to be located in the parking area between the building's storefront and U.S. Highway 41.~~

2. The following uses are prohibited:

a. Open storage, bowling alleys, alcoholic beverages on-premises, grocery stores, hospitals, medical centers, canoe rental, golf club, trade school, restaurants, variety store, gas station, pharmacy, convenience stores, banks, and billboards.

23. The PD shall be developed in accordance with the Certified Site Plan and the following standards:

Maximum Bldg. Area	<del>Principal Building: 2,907</del> <u>16,117</u> sf; <del>Proposed Building Addition 975 sf;</del> <del>Proposed Ancillary Storage Building: 5,000 sf.</del>
Minimum Front Setback	60 Feet
Minimum Side Setback	10 Feet

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APPLICATION: MM 21-0562

ZHM HEARING DATE: July 26, 2021

BOCC MEETING DATE:

CASE REVIEWER: Kevie Defranc

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Minimum Rear Setback            10 Feet

Maximum Bldg. Height            150 Feet

~~34.~~ The project shall be developed in accordance with Land Development Code Part Section 3.09.00 (Lutz Rural Area Development Standards-special district).

~~45.~~ The landscape buffering and screening shall be in accordance with the requirements of Part 6.06.00 of the Land Development Code, except as provided herein. At such time that future construction occurs for the ancillary storage building, a 6-foot PVC fence shall be installed along the perimeter of the PD boundary where there are currently no fences or walls shown on the plan.

~~a.~~ The existing six-foot high solid wood fence may serve as the required buffering and screening along the southern property / PD boundary for Option #1 until such time the use changes to anything other than a contractor's office, existing building is removed and/or the subject property is redeveloped for Option #2.

~~56.~~ The parking shall be in accordance with the requirements of Part 6.05.00 of the Land Development Code certified General Site Plan.

~~67.~~ The development shall be restricted to one (1) right-in entrance and one (1) right-out exit on N. U.S. Highway 41.

~~78.~~ The developer shall provide cross-access to the adjacent parcel to the north known as folio# 13569.0000A shared access easement shall be established between the proposed cross access points to the adjacent properties to the north and the south.

9. Notwithstanding anything shown on the site plan, ADA/sidewalk connections shall be provided from all site access points to all building entrances and parking areas.

10. In the event the subject property is redeveloped or use changes to anything other than a contractor's office, the applicant shall be subject to Site Plan Option #2 in general conformance with all applicable County Land Development Code and Transportation Technical Manual standards, including but not limited to: minimum driveway throat depth, non-residential driveway standards and parking requirements.

~~811.~~ The type, location, size and number of signs permitted shall be as set forth in Part 7.03.00 of the Land Development Code with the following exception(s):

a. Ground Signs shall be limited to Monument Signs.

b. Billboards, pennants and banners shall be prohibited.

12. Approval of this application does not ensure that public wastewater and potable water services will be available at the time when the applicant seeks permits to actually develop.

13. Approval of this rezoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impacts to wetlands, and does not grant any implied or vested right to environmental approvals.

914. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval, unless otherwise stated herein.

15. The Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Development Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.

16. Within 90 days of approval by the Hillsborough County Board of County Commissioners, the applicant shall submit to the Development Services Department a revised General Site Development Plan for certification which conforms the notes and graphic of the plan to the conditions outlined above and the Land Development Code (LDC). Subsequent to certification of the plan, if it is determined the certified plan does not accurately reflect the conditions of approval or requirements of the LDC, said plan will be deemed invalid and certification of the revised plan will be required.

**Staff's Recommendation: Approvable, Subject to Conditions**

Zoning  
Administrator  
Sign-off:


  
J. Brian Grady  
Mon Jul 26 2021 14:23:23



EXHIBIT 1



Project Location Map

MM 21-0562

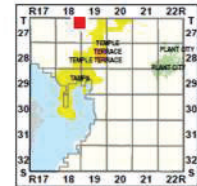
Folio: 12256.0000

- Application Site
- Parcels



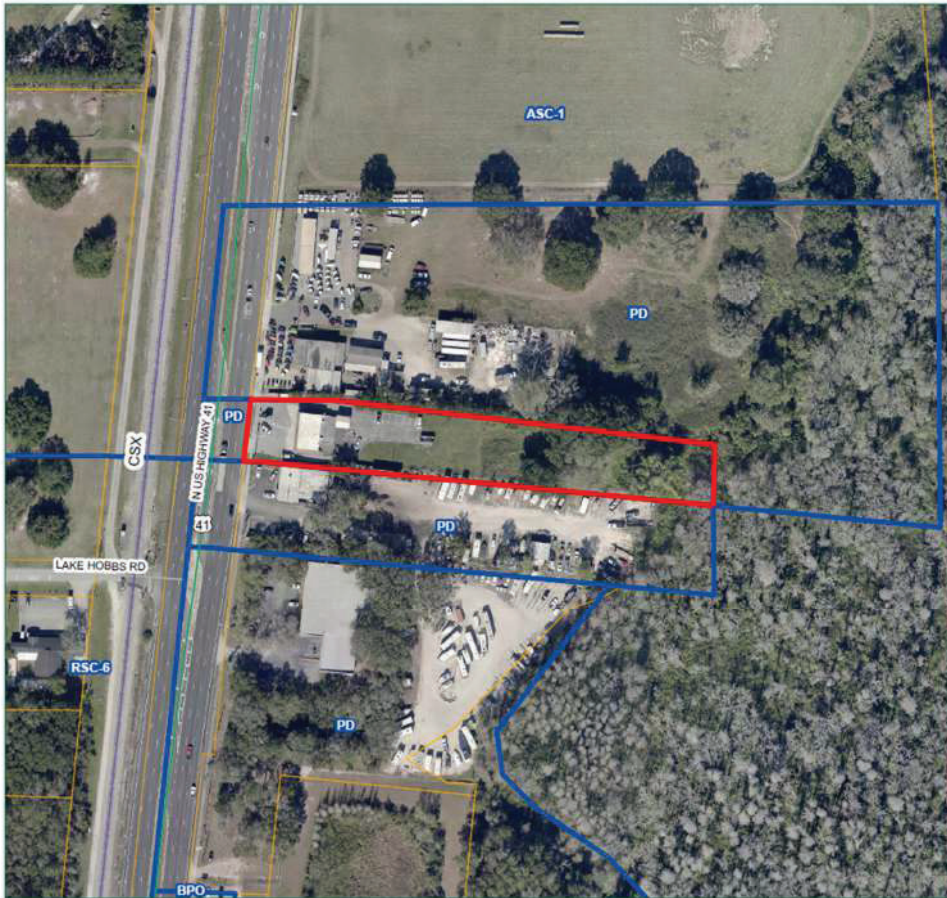
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STR: 1-27-18







NOTE: Data represented above has been made to ensure the accuracy of the map. Hillsborough County does not assume any liability arising from use of this map.  
THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose.  
SOURCE: This map was prepared for the inventory of real property located within Hillsborough County and is compiled from historical deeds, plats, and other public records. It has been based on BEST AVAILABLE data.  
Users of this map are hereby notified that the aforementioned public property information should be obtained for verification of the information contained on this map.  
Date: 12/23/2021 File: C:\2019\0-00\00\00\000000.apx

EXHIBIT 2



  
**Immediate Aerial  
Zoning Map**  
**MM 21-0562**  
Folio: 12256.0000

 Application Site  
 Zoning Boundary  
 Parcels

  
0 100 200 Feet

STR: 1-27-18

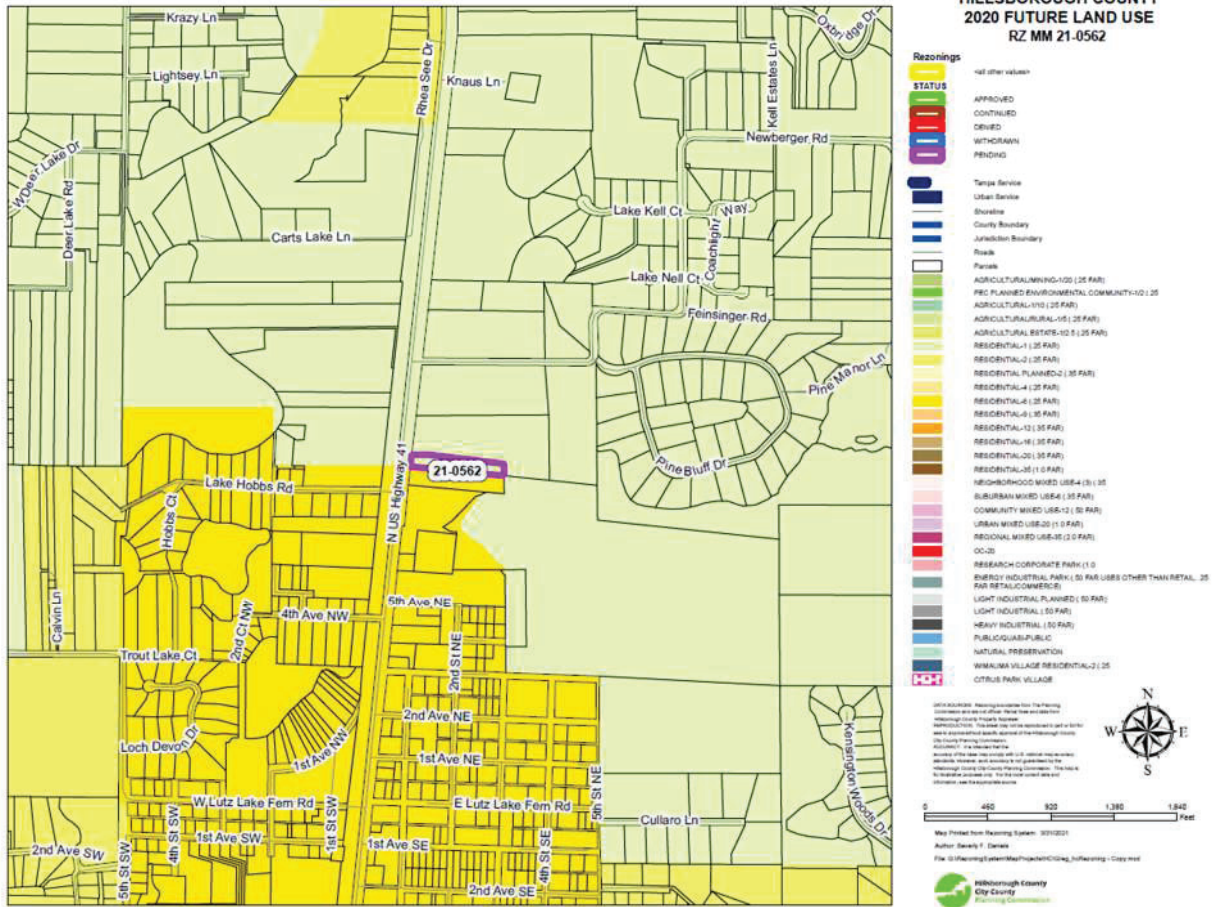
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S	R17	18	19	20	21	22R	S

NOTE: Every reasonable effort has been made to ensure the accuracy of this map. Hillsborough County does not warrant any results arising from use of this map.  
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Date: 03/29/2021 Path: G:\2021\0562\CaseZoning\_0562.apr



EXHIBIT 3





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APPLICATION: MM 21-0562  
ZHM HEARING DATE: July 26, 2021  
BOCC MEETING DATE:

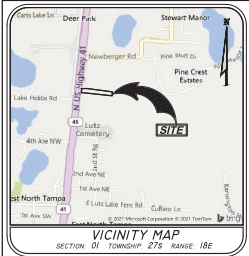
CASE REVIEWER: Kevie Defranc

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**EXHIBIT 4**

SEE ATTACHED

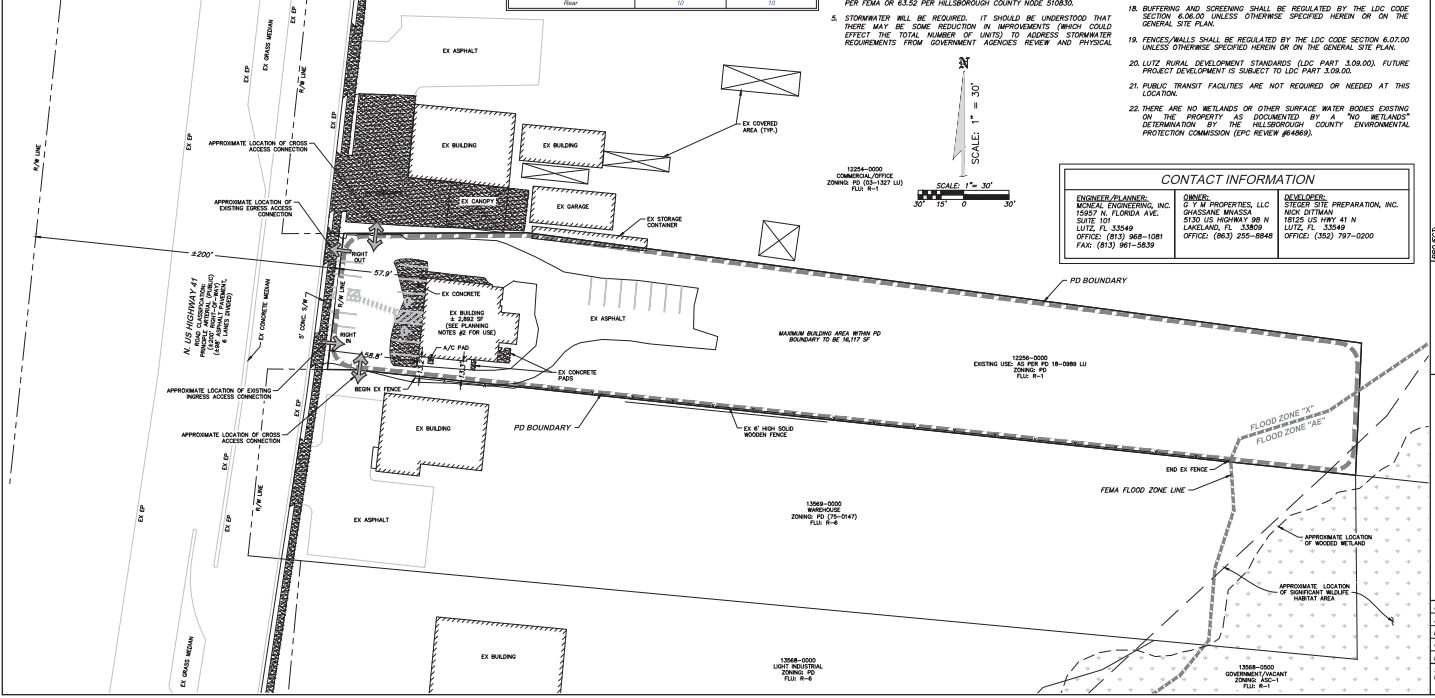


**LEGAL DESCRIPTION**  
BEGIN AT THE INTERSECTION OF THE EASTERN RIGHT-OF-WAY LINE OF U.S. HIGHWAY #41 (STATE ROAD #45), WHICH RIGHT-OF-WAY LINE IS 33 FEET FROM THE CENTER LINE OF SAID HIGHWAY AND THE SOUTH BOUNDARY OF SECTION 1, TOWNSHIP 27 SOUTH, RANGE 18 EAST, RUN THENCE SOUTH 89°45' EAST ALONG THE SOUTH BOUNDARY OF SAID SECTION, A DISTANCE OF 162.5 FEET, THENCE NORTH 23°0' EAST 90.5 FEET TO SAID EASTERN RIGHT-OF-WAY LINE OF U.S. HIGHWAY #41, THENCE SOUTHERLY ALONG SAID EASTERN RIGHT-OF-WAY LINE TO POINT OF BEGINNING BEING PART OF LOT 5 OF NORTH TAMPA LAND CO'S SUBDIVISION, AS PER MAP OR PLAT THEREOF RECORDED PLAT BOOK 7, PAGE 34, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, LESS AND EXCEPT ROAD RIGHT-OF-WAY FOR S. R. #41 AND S. R. #45.  
AND  
COMMENCE AT THE INTERSECTION OF THE SOUTH BOUNDARY OF SECTION 1, TOWNSHIP 27 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA, WITH THE EASTERN RIGHT OF WAY LINE OF U.S. HIGHWAY #41 (STATE ROAD #45), SAID RIGHT OF WAY LINE BEING 33 FEET FROM THE CENTERLINE OF SAID U.S. HIGHWAY #41, RUN THENCE SOUTH 89°45' EAST ALONG THE SOUTH BOUNDARY OF SAID SECTION 1, 50.68 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 27 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA, FOR A POINT OF BEGINNING, THENCE SOUTH 89°45' EAST, 102.83 FEET, THENCE NORTH 05°30' EAST, 90.5 FEET, THENCE SOUTH 84°15' EAST, 50.68 FEET, THENCE SOUTH 01°36'11" WEST 87.52 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 12, THENCE NORTH 85°21'46" WEST ALONG THE NORTH BOUNDARY OF SAID SECTION 12, A DISTANCE OF 665.20 FEET TO THE POINT OF BEGINNING BEING A PART OF LOT 5 OF NORTH TAMPA LAND CO'S SUBDIVISION AS PER MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 34, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.

Item	Existing	Proposed
Parcel #	12296-0000	
Existing Zoning	PD	
Planning Use	AS PER PD 15-088B LU	
Proposed Land Use	SEE PLANNING NOTES #1	
Community Planning Area	LUTZ	
Service Area	RURAL	
County Plan Designation (FL)	60.1	
Overlay District	N/A	
Environmentally Sensitive Areas	None per EPC Review #R4809	
LDC Special District	Lutz Rural Development Standards LDC Part 3.09.00	
Special Zone (Coastal, Wetland, etc.)	Wildland Resource Protection Area LDC Protection Zone 1 Upland Significant Wetland Habitat Area - N/A	
Peak Season Area	No	
Coastal High Hazard Area (CHHA)	No	
Partial Area (SP-1)	64.609	
Partial Area (SP-2)	1.48	
Building Max. Height (FT)	30	
Building Max. Area (SF)	16,117	
F.R. Max.	0.25	
Description	Existing	Proposed
Lot Area	64,609	64,609
Waterfront	0.00	0.00
Setbacks	Required	Proposed
Front	(FT)	(FT)
Side	60	60
Rear	60	10

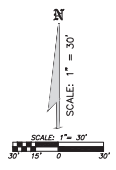
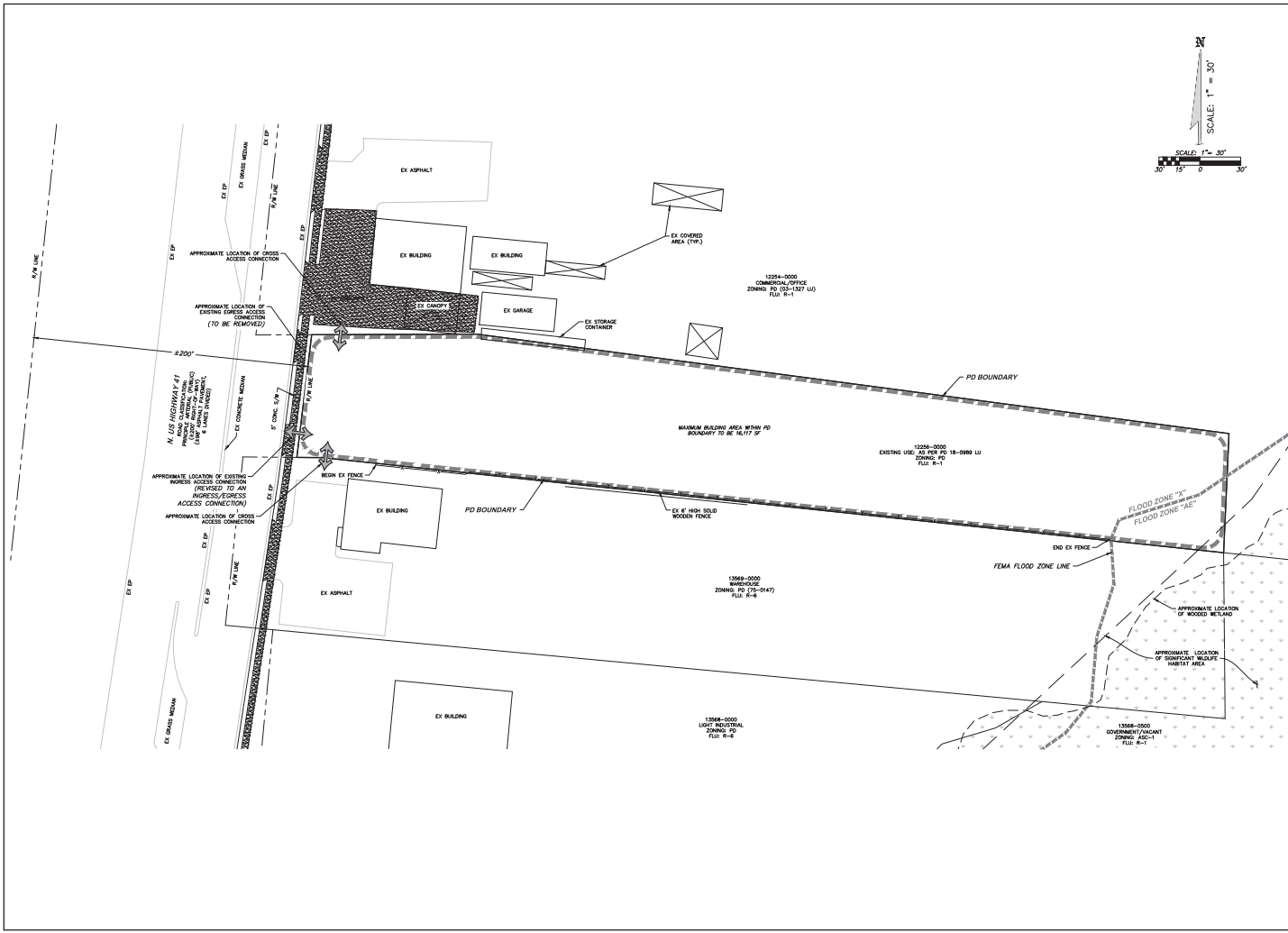
**PLANNING NOTES**  
1. THE PROJECT SHALL BE LIMITED TO THE FOLLOWING USES:  
**BP/O USES:** PROFESSIONAL OFFICE, PROFESSIONAL SERVICES, HEALTH PRACTITIONER'S OFFICE  
**CO USES:** PLANT FARM, FARM/GARDEN SUPPLY CENTER, RETAIL GOODS STORES, CONTRACTOR'S OFFICE, HARDWARE STORE, LAWN CARE/LANDSCAPING, LUMBER AND OTHER BUILDING MATERIALS, MOTORIZED VEHICLE REPAIR, NEIGHBORHOOD MOTOR VEHICLE SALES, NON-COMMERCIAL, DOMESTIC VEHICLES, FARM/GARDEN EQUIPMENT, SALES/RENTAL SERVICE OF NEW/USED VEHICLES, PRIVATE PLEASURE CRAFTS.  
**PROHIBITED USES:** OPEN STORAGE, BOWLING ALLEYS, ALCOHOLIC BEVERAGES ON-PREMISES, GROCERY STORES, HOSPITALS, AND MEDICAL CENTERS, GANTRY, RETAIL COOL CLIMATE TRUCKS, SCHOOLS, RESTAURANTS, MARKET STOPS, GAS STATION, PHARMACY, CONVENIENCE STORES, OF BANKS, AND BILLBOARDS.  
2. IMMEDIATE USE OF THE EXISTING BUILDING IS TO BE CONTRACTOR'S OFFICE. FUTURE USES MAY BE ANY OF THOSE IDENTIFIED IN THE PLANNING NOTES #1.  
3. PROPOSED DEVELOPMENT AREA IN HILLSBOROUGH COUNTY IDENTIFIED WITHIN FOLD #052256-0000, CONTAINS 1.48 ACRES, MORE OR LESS.  
4. ACCORDING TO CURRENT FLOOD INSURANCE RATE MAPS ISSUED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THE PROPERTY SHOWN APPEARS TO BE WITHIN ZONE "A-1" PER COMMUNITY PANEL NO. 120270000A, REVISED 08/28/2008. THE BASE FLOOD ELEVATION IS 64.8 PER FEMA OR 65.26 PER HILLSBOROUGH COUNTY NODE STORES.  
5. STORMWATER WILL BE REQUIRED. IT SHOULD BE UNDERSTOOD THAT THERE MAY BE SOME REDUCTION IN IMPROVEMENTS (WHICH COULD EFFECT THE TOTAL NUMBER OF UNITS) TO ADDRESS STORMWATER REQUIREMENTS FROM GOVERNMENT AGENCIES REVIEW AND PHYSICAL

- FINDINGS**
- PARKING AREAS MAY OR MAY NOT REMAIN AS PART OF ANY REDEVELOPMENT.
  - THERE ARE NO SPECIAL ZONES, DESIGNATED SCENIC ROADWAY CORRIDORS OR DESIGNATED HISTORIC LANDMARKS OR OTHER HISTORICAL OR ARCHAEOLOGICAL SITES AND STRUCTURES WITHIN OR ADJACENT TO THE PROJECT.
  - EXTENSION LIGHTING WITHIN THE PROJECT SHALL BE IN ACCORDANCE WITH HILLSBOROUGH COUNTY LDC.
  - DEVELOPMENT OF THE PROJECT SHALL PROCEED IN STRICT ACCORDANCE WITH THE TERMS AND CONDITIONS CONTAINED IN THE DEVELOPMENT ORDER, THE GENERAL SITE PLAN, THE LAND USE CONDITIONS CONTAINED HEREIN AND ALL APPLICABLE RULES, REGULATIONS AND ORDINANCES OF HILLSBOROUGH COUNTY.
  - SOLID WASTE DISPOSAL SHALL BE MADE BY DUMPSTER.
  - LANDSCAPING SHALL BE PROVIDED IN ACCORDANCE WITH THE HILLSBOROUGH COUNTY LANDSCAPE CODE.
  - BUILDING TO COMPLY WITH ALL HILLSBOROUGH COUNTY BUILDING AND FIRE CODES.
  - DESIGN SHALL MEET ALL ADA AND HILLSBOROUGH COUNTY COMPLIANCE REGULATIONS.
  - THE DEVELOPER ASSURES THAT ACCESS TO THE PROPERTY WILL SUPPORT SERVICE BY EMERGENCY AND PARA-TERRITORY VEHICLES.
  - ALL IMPROVEMENTS SHALL BE IN ACCORDANCE WITH HILLSBOROUGH COUNTY LDC SECTION 6.11.10.
  - PUBLIC WATER AND SEWER WILL BE PROVIDED VIA CONNECTION TO EXISTING WELL AND SEPTIC SYSTEM.
  - OFF-STREET PARKING SHALL BE REGULATED BY THE LDC CODE SECTION 6.05.00.
  - BUFFERING AND SCREENING SHALL BE REGULATED BY THE LDC CODE SECTION 6.05.00 UNLESS OTHERWISE SPECIFIED HEREIN OR ON THE GENERAL SITE PLAN.
  - FENCES/WALLS SHALL BE REGULATED BY THE LDC CODE SECTION 6.07.00 UNLESS OTHERWISE SPECIFIED HEREIN OR ON THE GENERAL SITE PLAN.
  - PUBLIC TRANSPORT FACILITIES ARE NOT REQUIRED OR NEEDED AT THIS LOCATION.
  - THERE ARE NO WETLANDS OR OTHER SURFACE WATER BODIES EXISTING ON THE PROPERTY AS DOCUMENTED BY "A" NO WETLANDS DETERMINATION BY THE HILLSBOROUGH COUNTY ENVIRONMENTAL PROTECTION COMMISSION (EPC REVIEW #R4809).

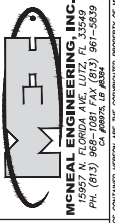


<b>OWNER/PLANNED:</b> MCNEAL ENGINEERING, INC. 15957 N. FLORIDA AVE. SUITE 101 LUTZ, FL 33549 OFFICE: (813) 968-1081 FAX: (813) 961-5839	<b>OWNER:</b> G Y M PROPERTIES, LLC GRASSIE BRUNSA 5130 US HIGHWAY 88 N LANDLORD, FL 33609 OFFICE: (813) 255-8848 FAX: (352) 797-0200	<b>DEVELOPER:</b> STEGER SITE PREPARATION, INC. BUCK CITYMAN 18125 US HWY 41 N LUTZ, FL 33549 OFFICE: (352) 797-0200
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**GENERAL SITE PLAN FOR STEGER OFFICE**  
19309 N. US 41, LUTZ, FLORIDA  
SHEET TITLE: GENERAL SITE PLAN OPTION 1  
PROJECT: GENERAL SITE PLAN FOR STEGER OFFICE  
PREPARED FOR: [Redacted]  
JOB NO.: 21-016  
ACAD FILE: DSP  
DRAWN BY: KM  
CHK'D BY: JM/CM  
DATE: 21.07.06  
SHEET NO. **1 OF 2**



<p>PROJECT: <b>GENERAL SITE PLAN FOR STEGER OFFICE</b> 19309 N. US 41, LUTZ, FLORIDA</p>	
<p>NO. REVISION &amp; DATE</p>	<p>SHEET TITLE: <b>GENERAL SITE PLAN OPTION 2</b></p>
<p>PREPARED FOR: <b>MCNEAL ENGINEERING, INC.</b> 15927 N. FLORIDA AVE, LUTZ, FL 33549 PH: (813) 591-4400 FAX: (813) 591-5039</p>	
<p>PROJECT: <b>GENERAL SITE PLAN FOR STEGER OFFICE</b> 19309 N. US 41, LUTZ, FLORIDA</p>	
<p>PREPARED FOR: <b>MCNEAL ENGINEERING, INC.</b> 15927 N. FLORIDA AVE, LUTZ, FL 33549 PH: (813) 591-4400 FAX: (813) 591-5039</p>	
<p>JOB NO. 21-016</p>	<p>ACAD FILE: DSP</p>
<p>DRAWN BY: TN</p>	<p>CHECKED BY: KM/KM</p>
<p>DATE: 21.07.06</p>	<p>SHEET NO. <b>2 OF 2</b></p>



**MCNEAL ENGINEERING, INC.**  
15927 N. FLORIDA AVE, LUTZ, FL 33549  
PH: (813) 591-4400 FAX: (813) 591-5039

JOB NO. 21-016  
ACAD FILE: DSP  
DRAWN BY: TN  
CHECKED BY: KM/KM  
DATE: 21.07.06  
SHEET NO. 2 OF 2

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**COUNTY OF HILLSBOROUGH  
LAND USE HEARING OFFICER'S RECOMMENDATION**

<b>Application number:</b>	MM 21-0562
<b>Hearing date:</b>	July 26, 2021
<b>Applicant:</b>	Nick Dittman, Steger Site Preparation, Inc.
<b>Request:</b>	Modify an existing Planned Development, PD 18-0989, to allow for Business Professional Office and Commercial General uses
<b>Location:</b>	19309 N. 41 Highway, Lutz East of U.S. Highway 41 and south of the U.S. Highway 41 and Newberger Road intersection
<b>Parcel size:</b>	1.48 acres +/-
<b>Existing zoning:</b>	Planned Development 18-0989
<b>Future land use designation:</b>	Residential-1 (1 du/ga; 0.25 FAR)
<b>Service area:</b>	Rural
<b>Community planning area:</b>	Lutz Community Plan

**A. APPLICATION REVIEW**

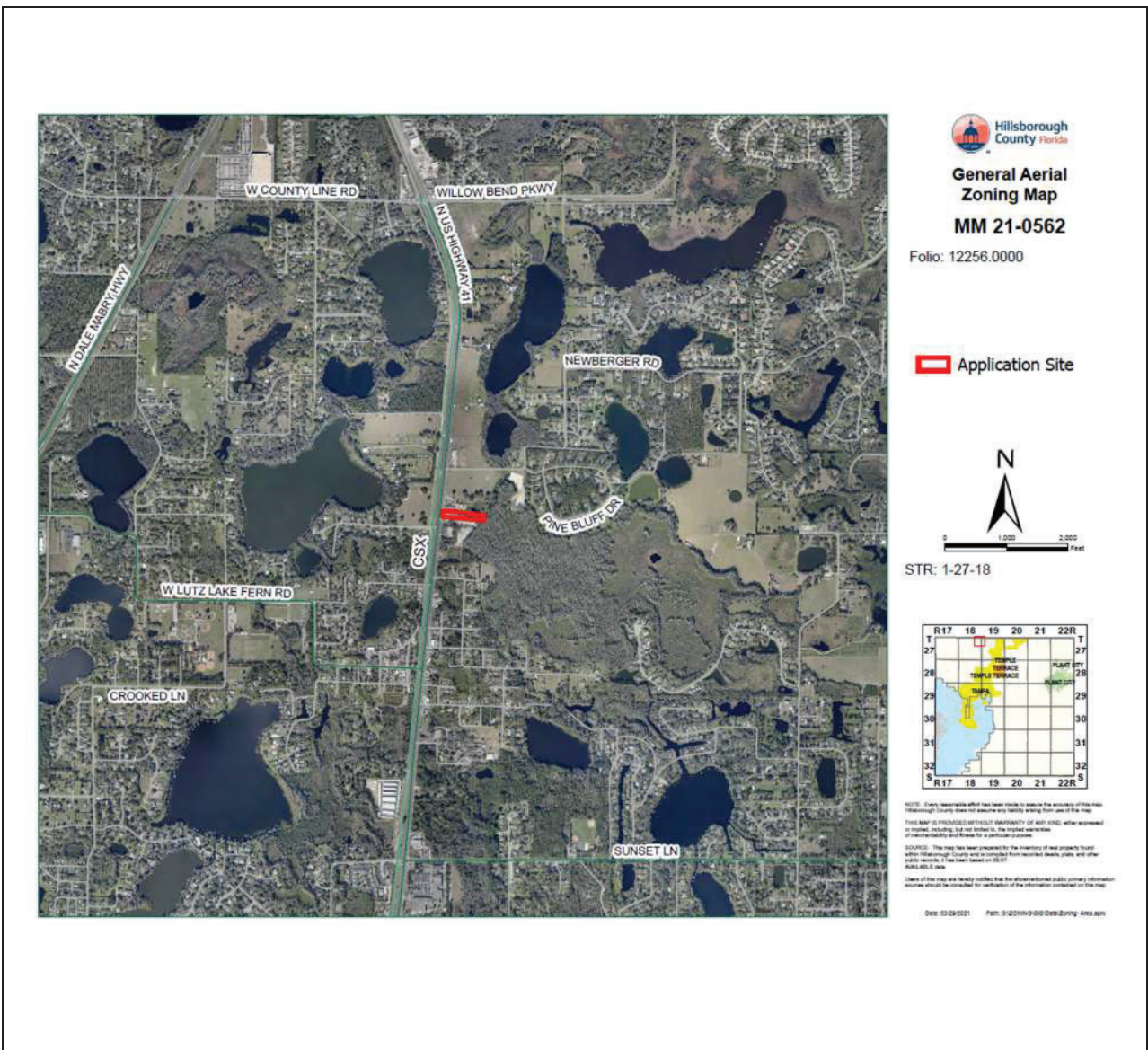
**DEVELOPMENT SERVICES STAFF REPORT  
APPLICATION REVIEW SUMMARY AND RECOMMENDATION**



# Hillsborough County Florida

## STAFF REPORT

<b>SUBJECT:</b>	MM 21-0562	<b>PLANNING AREA:</b>	Lutz
<b>REQUEST:</b>	Major Modification to Planned Development (PD) 18-0989	<b>SECTOR:</b>	Northwest
<b>APPLICANT:</b>	Nick Dittman, Steger Site Preparation, Inc.		
<b>Existing Zoning District:</b>	Planned Development (PD) 18-0989	<b>Future Land Use Category:</b>	Residential-1 (RES-1)





# Hillsborough County Florida

## STAFF REPORT



### Project Location Map

MM 21-0562

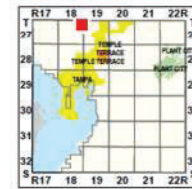
Folio: 12256.0000

- Application Site
- Parcels



0 100 200 Feet

STR: 1-27-18



NOTE: Every representative who has been made to ensure the accuracy of this map. Hillsborough County does not assume any liability arising from use of this map.

This map is provided for informational purposes only and does not constitute an offer of insurance or any other financial product. The reader should consult with their insurance agent for more information.

SOURCE: This map has been prepared for the purpose of providing information to the public and is not intended to be used for any other purpose.

Disclaimer: The map and any data collected from the information provided on this map should be used for informational purposes only and should not be used for any other purpose.

Date: 03/04/2021 File: 0:\2018\0562\0562\_01.apx



## **Application Review Summary and Recommendation**

### **1.0 Summary**

#### **1.1 Project Narrative**

The request is to modify Planned Development (PD) 18-0989 associated with parcel folio 12256.0000 totaling approximately 1.47 acres to permit several BPO and CG uses and prohibit certain uses. The proposed BPO uses are professional office, professional services, and health practitioner's office. The proposed CG uses are plant farm; farm / garden supply center; retail goods / stores; contractor's office; hardware store; lawn care / landscaping; lumber and other building materials; motorized vehicle repair; neighborhood motor vehicle sales; non-commercial rental / leasing; and light equipment sales / rental / service of new / used domestic vehicles, farm / garden equipment, and private pleasure crafts. The proposed prohibited uses include open storage, bowling alleys, alcoholic beverages on-premises, grocery stores, hospitals, medical centers, canoe rental, golf club, trade school, restaurants, variety store, gas station, pharmacy, convenience stores, banks, and billboards. In addition, the plan proposes two options where option 1 involves converting the existing building into a contractor's office with supporting enclosed storage area for the immediate use and allowing for the other proposed uses. Option 2 involves the redevelopment of the subject property to allow for all the proposed uses. The site is located at 19309 North 41 Highway, which is on the north side of the Lake Hobbs Road and North US Highway 41 intersection. The underlying future land use (FLU) category of the subject parcel is Residential-1 (RES-1).

#### **1.2 Compliance Overview with Land Development Code and Technical Manuals**

A variation to LDC Section 6.06.06 to allow for no buffer and the existing wood fence to remain along the southern property / PD boundary, only in association with the proposed immediate use / existing development layout, where a 15-foot wide landscape buffer and B type landscape screening are required is being requested at this time. Staff concurs with the applicant's waiver justification considering the fact that the existing building is setback approximately 13 feet from the southern property boundary and an internal drive access exist within that area. In addition, the existing approved condition number 4 only requires a fence along the perimeter of the PD boundary. However, redevelopment of the subject property will be in accordance with LDC Section 6.06.06.

#### **1.3 Analysis of Recommended Conditions**

The proposed conditions of zoning incorporate the allowance for the new uses identified and the prohibition of certain uses identified.

#### **1.4 Evaluation of Existing and Planned Public Facilities**

The site is located within the Rural Service Area where potable water and wastewater services are not provided by Hillsborough County. Therefore, the developer is responsible for submitting a utility service request at the time of development plan review and will be responsible for any on-site improvements as well as possible off-site improvements.

Transit service is not conveniently located to service this site. The closest transit stop is located 5.2 miles away just southwest of the intersection of Bearss Avenue and North Florida Avenue.

The site is located on North US Highway 41, a divided 6-lane arterial roadway. The roadway is characterized by approximately 11-foot wide travel lanes within approximately 100 feet of right-of-way. An approximately 6-foot wide sidewalk and approximately 5-foot wide bicycles lanes are present on this



roadway in the vicinity of the project.

Transportation staff has reviewed the application and offers no objections, subject to the conditions proposed. Their review notes that the proposed rezoning is anticipated to increase the number of trips (442 average daily trips, 37 AM peak hour trips, and 46 PM peak hour trips) based on the maximum trip generation potential of the subject site at buildout.

### **1.5 Environmental/Natural Resources**

The Environmental Protection Commission (EPC) reviewed the request and finds that no wetland or other surface water areas exist on the site.

### **1.6 Comprehensive Plan Consistency**

The site is located within the RES-1 FLU category and the Lutz Community Plan Area. Planning Commission staff finds the request to be consistent with the RES-1 FLU category, commercial locational criteria, Lutz Community Plan, and neighborhood protection policies of the Comprehensive Plan for Unincorporated Hillsborough County.

### **1.7 Compatibility**

The site is located in an area comprised of industrial and high intensive commercial uses. The site is within the RES-1 FLU category, which is suitable for farms, ranches, residential uses, rural scale neighborhood commercial uses, offices, and multi-purpose projects. Commercial, office, and multi-purpose uses shall meet locational criteria for specific land use projects. The adjacent property to the south is within the RES-6 (Residential-6) FLU category, which is suitable for residential, suburban scale neighborhood commercial, office uses, multi-purpose projects and mixed-use development. Nonresidential uses shall meet established locational criteria for specific land use. The proposed request extends similar uses currently approved in the PD associated with the adjacent property to the north with further restriction to the prohibited uses. The overall area is also within the Hillsborough County Rural Service Area.

As shown in Exhibit 2, the site is adjacent to properties zoned PD (to the north and south), but within the general area there are other properties zoned ASC-1 (to the north and southeast), BPO (to the south), and RSC-6 (to the west).

Based on the above considerations, staff finds the proposed modification to PD 18-0989 compatible with the existing zoning districts and development pattern in the area.

### **1.8 Agency/Department Comments**

The following agencies and departments reviewed the request and offer no objections:

- Water Resource Services
- Florida Department of Transportation
- Environmental Protection Commission
- Transportation

### **1.9 Exhibits**

Exhibit 1: Project Aerial

Exhibit 2: Zoning Map

Exhibit 3: Future Land Use Map

Exhibit 4: Site Plan

## 2.0 Recommendation

Based on the above considerations, staff recommends approval of the request, subject to conditions.

Prior to PD site plan certification, the applicant shall revise the PD site plan as follows:

- Revise the PD Site Plan Option 1 and Option 2 notes stating “APPROXIMATE LOCATION OF CROSS ACCESS CONNECTION” to “LOCATION OF CROSS/SHARED ACCESS FACILITY”.

**Approval** - Approval of the request, subject to the conditions listed below, is based on the general site development plan received July 7, 2021.

1. The project shall be limited to the following uses:

a. BPO district uses as follows: professional office, professional services, and health practitioner’s office~~Retail establishment where all retail sales, rentals, and services shall take place within the building shown on the certified General Development Plan to be no larger than 3,882 square feet (2,907 sf existing building and a future 975 sf future addition). The retail component shall be limited to that of home care medical products. The retail business is permitted to provide training to customers and caregivers on the use, operation and maintenance of the medical products sold from the business.~~

b. CG district uses as follows: plant farm, farm / garden supply center, retail goods / stores, contractor’s office, hardware store, lawn care / landscaping, lumber and other building materials, motorized vehicle repair, neighborhood motor vehicle sales, non-commercial rental / leasing, light equipment sales / rental / service of new / used domestic vehicles, farm / garden equipment, and private pleasure crafts~~Installation and conversion of mobility needs component parts for domestic vehicles. All vehicle conversions to mobility needs retrofitting shall take place indoors. There shall be no motor vehicle repairs associated with typical motor vehicle repairs such as engine fluid replacement, greasing and lubrication, fuel pumps, tires, valves crankcases, etc. The only motor vehicle servicing permitted shall be the conversion and/or retrofitting of domestic vehicles in association with the home medical care retail business. There shall be no outdoor storage of any kind.~~

c. ~~In conjunction with the operation of the home medical products business, there shall be no more than three (3) domestic vehicles permitted for outdoor display and/or sale to be located in the parking area between the building’s storefront and U.S. Highway 41.~~

2. The following uses are prohibited:

a. Open storage, bowling alleys, alcoholic beverages on-premises, grocery stores, hospitals, medical centers, canoe rental, golf club, trade school, restaurants, variety store, gas station, pharmacy, convenience stores, banks, and billboards.

23. The PD shall be developed in accordance with the Certified Site Plan and the following standards:

Maximum Bldg. Area	<del>Principal Building: 2,907</del> <u>16,117</u> sf; <del>Proposed Building Addition 975 sf;</del> <del>Proposed Ancillary Storage Building: 5,000 sf.</del>
Minimum Front Setback	60 Feet
Minimum Side Setback	10 Feet

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APPLICATION: MM 21-0562

ZHM HEARING DATE: July 26, 2021

BOCC MEETING DATE:

CASE REVIEWER: Kevie Defranc

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Minimum Rear Setback            10 Feet

Maximum Bldg. Height            150 Feet

~~34.~~ The project shall be developed in accordance with Land Development Code Part Section 3.09.00 (Lutz Rural Area Development Standards-special district).

~~45.~~ The landscape buffering and screening shall be in accordance with the requirements of Part 6.06.00 of the Land Development Code, except as provided herein. At such time that future construction occurs for the ancillary storage building, a 6-foot PVC fence shall be installed along the perimeter of the PD boundary where there are currently no fences or walls shown on the plan.

~~a.~~ The existing six-foot high solid wood fence may serve as the required buffering and screening along the southern property / PD boundary for Option #1 until such time the use changes to anything other than a contractor's office, existing building is removed and/or the subject property is redeveloped for Option #2.

~~56.~~ The parking shall be in accordance with the requirements of Part 6.05.00 of the Land Development Code certified General Site Plan.

~~67.~~ The development shall be restricted to one (1) right-in entrance and one (1) right-out exit on N. U.S. Highway 41.

~~78.~~ The developer shall provide cross-access to the adjacent parcel to the north known as folio# 13569.0000A shared access easement shall be established between the proposed cross access points to the adjacent properties to the north and the south.

9. Notwithstanding anything shown on the site plan, ADA/sidewalk connections shall be provided from all site access points to all building entrances and parking areas.

10. In the event the subject property is redeveloped or use changes to anything other than a contractor's office, the applicant shall be subject to Site Plan Option #2 in general conformance with all applicable County Land Development Code and Transportation Technical Manual standards, including but not limited to: minimum driveway throat depth, non-residential driveway standards and parking requirements.

~~8~~11. The type, location, size and number of signs permitted shall be as set forth in Part 7.03.00 of the Land Development Code with the following exception(s):

a. Ground Signs shall be limited to Monument Signs.

b. Billboards, pennants and banners shall be prohibited.

12. Approval of this application does not ensure that public wastewater and potable water services will be available at the time when the applicant seeks permits to actually develop.

13. Approval of this rezoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impacts to wetlands, and does not grant any implied or vested right to environmental approvals.


914. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval, unless otherwise stated herein.

15. The Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Development Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.

16. Within 90 days of approval by the Hillsborough County Board of County Commissioners, the applicant shall submit to the Development Services Department a revised General Site Development Plan for certification which conforms the notes and graphic of the plan to the conditions outlined above and the Land Development Code (LDC). Subsequent to certification of the plan, if it is determined the certified plan does not accurately reflect the conditions of approval or requirements of the LDC, said plan will be deemed invalid and certification of the revised plan will be required.

**Staff's Recommendation: Approvable, Subject to Conditions**

Zoning  
Administrator  
Sign-off:

  
J. Brian Grady  
Mon Jul 26 2021 14:23:23



## **B. HEARING SUMMARY**

This case was heard by the Hillsborough County Land Use Hearing Officer on July 26, 2021. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

### **Applicant**

Mr. Chris McNeal of McNeal Engineering spoke on the applicant's behalf. Mr. McNeal stated the proposed project is for the Steger office. He stated the subject property is located just south of Newberger Road, north of the Lutz Cemetery on the east side of Highway 41. He stated the proposed property is slightly less than 1 ½ acres and is in a small commercial area. He stated the subject property has been in the existing development configuration for more than 25 years.

Mr. McNeal displayed photographs of the subject property and stated the buildings have existed for quite some time. He stated the subject property is between two Planned Development areas, one from 1975 and the other more recent. He stated the site is a long-standing commercial area.

Mr. McNeal stated in 2018 the subject property was zoned Planned Development with very specific conditions related to medical mobility uses and serving retail, domestic vehicle sales, and repair of those mobility vehicles. He stated this was unique zoning. He stated the Planned Development north of the subject property is more like what the applicant is trying to do for the subject property. He stated that zoning has a variety of uses making it much easier to conform with for current and future uses. He stated the applicant's rezoning request mimics the adjacent uses and tries to match up with those uses to harmonize the existing and future uses in the area.

Mr. McNeal displayed the proposed site plan, which he stated is option one and consists of the existing improvements. He stated the existing improvements are to be used for the proposed use as a contractor's office with no open storage. He stated it will be necessary to build some areas in the rear to provide for enclosed storage, but the existing building will be recycled and repurposed and is a great fit for the site.

Mr. McNeal stated the proposed trips are less than or equal to 71 average daily trips for option one. He stated the applicant asked for an increase of the FAR to .25 to make the best use of the small unique commercial area in Lutz. He stated the existing building is 2,892 square feet with the addition of being able to go just over 16,000. Mr. McNeal stated that in option two, if trip generation is greater than 71 average daily trips for any of the proposed uses, the existing driveway configuration would be eliminated and replaced with a consolidated driveway located on the south portion of the subject property. He stated the applicant is providing cross access for both option one and option two.

Mr. McNeal stated that the subject property is narrow and long, and the existing driveway comes in on the south side of the subject property and continues along the south side of

the building to the back. He stated the applicant is requesting a variation from the buffer requirements on the south property boundary to allow the existing site improvements to remain. He stated to implement the buffer as required would result in losing the driveway and part of the building. Mr. McNeal stated the adjacent property owners to the north and south of the subject property support the applicant's request for the rezoning and the buffer variation.

### **Development Services Department**

Mr. Kevie Defranc, Hillsborough County Development Services Department, presented a summary of the findings and analysis as detailed in the staff report previously submitted into the record.

### **Planning Commission**

Ms. Andrea Papandrew, Hillsborough County City-County Planning Commission, presented a summary of the findings and analysis as detailed in the Planning Commission report previously submitted into the record.

### **Proponents**

The hearing officer asked whether there was anyone at the hearing in person or online to speak in support of the application. There were none.

### **Opponents**

The hearing officer asked whether there was anyone at the hearing in person or online to speak in opposition to the application. There were none.

### **Development Services Department**

Mr. Grady noted that Development Services distributed a revised staff report modifying a condition related to the buffering and screening applicable to the two development options. He stated Development Services had nothing further.

### **Applicant Rebuttal**

Mr. McNeal stated the conditions are acceptable as they have been revised. He stated the applicant was present and thankful to be part of the community.

The hearing officer closed the hearing on PD 21-0562.

## **C. EVIDENCE SUBMITTED**

Mr. Grady submitted into the record at the hearing a copy of the revised Development Services staff report.

## **D. FINDINGS OF FACT**

1. The subject property consists of approximately 1.47 acres located at 19309 North Highway 41 in Lutz, east of U.S. Highway 41 and south of the intersection of U.S. Highway 41 and Newberger Road.

2. The subject property is zoned Planned Development 18-0989 and is currently developed with a commercial building, driveways, and parking spaces.
3. The subject property is designated Residential-1 on the comprehensive plan Future Land Use Map.
4. The subject property is in the Rural Service Area and is within the boundaries of the Lutz Community Plan.
5. The applicant has requested to modify Planned Development 18-0989 to allow specified Business Professional Office and Commercial General uses, to prohibit other specified uses, and to allow a maximum building area of 16,117 square feet.
6. The adjacent properties to the north and south of the subject property are zoned Planned Development. Within the general surrounding area there are properties zoned ASC-1 to the north and southeast, BPO to the south, and RSC-6 to the west.
7. The subject property is surrounded by light commercial, light industrial, single family residential, and agricultural uses.
8. The proposed rezoning is compatible with surrounding uses.
9. The proposed rezoning is consistent with the comprehensive plan and the Lutz Community Plan.
10. The applicant has requested a variation to Land Development Code section 6.06.06 to allow for no buffer and the existing wood fence to remain along the southern property boundary. Without the variation, the Land Development Code would require a 15-foot-wide landscape buffer and type B landscape screening. The variation is requested only as to the "option one" proposed immediate use of the subject property with the existing development. If the subject property is redeveloped the variation will no longer apply and buffering and screening will be required to comply with Land Development Code requirements.

**Findings on LDC 5.03.06.C.6.b. variation criteria:**

1. **The variation is necessary to achieve creative, innovative, and/or mixed-use development that could not be accommodated by strict adherence to current regulations.** Yes. The variation will allow the existing building to be recycled and repurposed and will allow the existing driveway entrance configuration to remain on the south portion of the subject property. This could not be accommodated by strict adherence to current regulations, which would result in loss of a portion of the building and loss of the existing driveway on the south portion of the subject property.

2. **The variation is mitigated through enhanced design features that are proportionate to the degree of variation.** Yes. The adjacent property south of the subject property is a similar commercial use and the existing six-foot-high wood fence has historically provided adequate screening between the two properties.
3. **The variation is in harmony with the purpose and intent of the Hillsborough County Land Development Code.** Yes. The adjacent property south of the subject property is a similar commercial use and the existing six-foot-high wood fence has historically provided adequate screening between the two properties. The owner of the adjacent property south of the subject property supports the rezoning and variation.
4. **The variation will not substantially interfere with or injure the rights of adjacent property owners.** Yes. The adjacent property south of the subject property is a similar commercial use and the existing six-foot-high wood fence has historically provided adequate screening between the two properties. The owner of the adjacent property south of the subject property supports the rezoning and variation.

#### **E. FINDINGS OF COMPLIANCE OR NON-COMPLIANCE WITH COMPREHENSIVE PLAN**

The rezoning request is in compliance with, and does further the intent of the Goals, Objectives, and Policies of the Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County.

#### **F. CONCLUSIONS OF LAW**

A development order is consistent with the comprehensive plan if “the land uses, densities or intensities, and other aspects of development permitted by such order...are compatible with and further the objectives, policies, land uses, and densities or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government.” § 163.3194(3)(a), Fla. Stat. (2020). Based on the evidence and testimony submitted in the record and at the hearing, including reports and testimony of Development Services Staff and Planning Commission staff, applicant’s testimony and evidence, there is substantial competent evidence demonstrating the requested rezoning is consistent with the Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County, and does comply with the applicable requirements of the Hillsborough County Land Development Code.

#### **G. SUMMARY**

The applicant has requested to modify Planned Development 18-0989 to allow specified Business Professional Office and Commercial General uses, to prohibit other specified uses, and to allow a maximum building area of 16,117 square feet. The applicant has



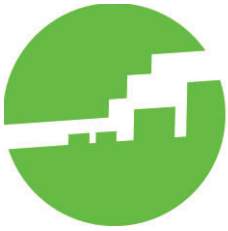
requested a variation to Land Development Code section 6.06.06 to allow for no buffer and the existing wood fence to remain along the southern property boundary. The proposed rezoning is compatible with surrounding uses. The proposed rezoning is consistent with the comprehensive plan and the Lutz Community Plan.

#### H. RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, this recommendation is for **APPROVAL** of the rezoning request.

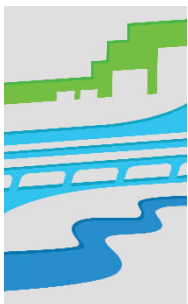
*Pamela Jo Hatley*  
Pamela Jo Hatley PhD, JD  
Land Use Hearing Officer

August 16, 2021  
Date:



**Hillsborough County  
City-County  
Planning Commission**

<b>Unincorporated Hillsborough County Rezoning</b>	
<b>Hearing Date:</b> July 26, 2021  <b>Report Prepared:</b> July 14, 2021	<b>Petition: MM 21-0562</b>  <i>19309 North 41 Highway, Lutz</i>  <i>East of U.S. Highway 41 and south of the U.S. Highway 41 and Newberger Road intersection</i>
<b>Summary Data:</b>	
<b>Comprehensive Plan Finding:</b>	<b>CONSISTENT</b>
<b>Adopted Future Land Use:</b>	<b>Residential-1 (1 du/ga; 0.25 FAR)</b>
<b>Service Area</b>	<b>Rural</b>
<b>Community Plan:</b>	<b>Lutz</b>
<b>Requested Modification:</b>	Modify an existing Planned Development (PD 18-0989) to allow for Business Professional Office (BP-O) and Commercial General (CG) uses
<b>Parcel Size (Approx.):</b>	1.48 +/- acres
<b>Street Functional Classification:</b>	U.S. Highway 41– <b>Arterial</b> Newberger Road – <b>Collector</b>
<b>Locational Criteria:</b>	At a commercial node outlined in the Lutz Community Plan
<b>Evacuation Zone:</b>	The subject property is not located in an Evacuation Zone



### **Context.**

- The subject property is located on approximately 1.48 acres east of U.S. Highway 41 and south of the U.S. Highway 41 and Newberger Road intersection. The property is located within the limits of the Lutz Community Plan within the Rural Area.
- The property is designated Residential-1 (RES-1) on the Future Land Use Map. Typical uses in the RES-1 Future Land Use category include farms, ranches, residential uses, rural scale neighborhood commercial uses, offices, and multi-purpose projects. Commercial, office, and multi-purpose uses shall meet locational criteria for specific land use projects.
- Residential-1 (RES-1) is located to the north and east of the subject property. Residential-6 (RES-6) is located to the south and west of the subject property.
- The subject property is currently classified as a light commercial parcel and zoned Planned Development (PD 18-0898). The property to the north is classified as a light commercial parcel with Planned Development zoning. Public/quasi-public lots are located to the east with Agricultural Single-Family Conventional-1 (ASC-1). Light industrial lots with Planned Development (PD) zoning are located to the south. Single-family and agricultural lots with ASC-1 with Residential Single-Family-6 (RSC-6) zoning are located to the west across U.S. Highway 41.
- The application requests to modify an existing Planned Development (PD 18-0989) to allow for Business Professional Office (BP-O) and Commercial General (CG) uses. Prohibited uses include open storage, bowling alleys, brew on premises, grocery stores, hospitals and medical centers, canoe rental, golf club, trade school, fast food restaurants, convenience stores, stand-alone banks and billboards.

### **Compliance with Comprehensive Plan:**

The following Goals, Objectives and Policies apply to this rezoning request and are used as a basis for a consistency finding.

### **Future Land Use Element**

*Rural Area Rural areas will typically carry land use densities of 1 du/5 ga or lesser intense designations. The One Water Chapter outlines relevant language related to water, wastewater and septic in the Rural Area. Within the rural area there are existing developments that are characterized as suburban enclaves or rural communities. These are residential developments which have a more dense development pattern and character, usually 1 or 2 du/ga. These enclaves are recognized through the placement of land use categories that permit densities higher than 1 du/5 acres. New development of a character similar to the established community will be permitted to infill in a limited manner, but not be permitted to expand into areas designated with lower land use densities.*

*Rural communities, such as Lutz, Keystone and Thonotosassa will specifically be addressed through community based planning efforts. These communities, and others like them, have historically served as centers for community activities within the rural environment*

**Objective 4:** *The Rural Area will provide areas for long term, agricultural uses and large lot, low density rural residential uses which can exist without the threat of urban or suburban encroachment, with the goal that no more than 20% of all population growth within the County will occur in the Rural Area.*

**Policy 4.1:** *Rural Area Densities Within rural areas, densities shown on the Future Land Use Map will be no higher than 1 du/5 ga unless located within an area identified with a higher density land use category on the Future Land Use Map as a suburban enclave, planned village, a Planned Development pursuant to the PEC ½ category, or rural community which will carry higher densities.*

**Policy 16.1:** *Established and planned neighborhoods and communities shall be protected by restricting incompatible land uses through mechanisms such as:*

- a) locational criteria for the placement of non-residential uses as identified in this Plan,*
- b) limiting commercial development in residential land use categories to neighborhood scale;*
- c) requiring buffer areas and screening devices between unlike land uses;*

**Policy 16.2:** *Gradual transitions of intensities between different land uses shall be provided for as new development is proposed and approved, through the use of professional site planning, buffering and screening techniques and control of specific land uses.*

**Policy 16.3:** *Development and redevelopment shall be integrated with the adjacent land uses through:*

- a) the creation of like uses; or*
- b) creation of complementary uses; or*
- c) mitigation of adverse impacts; and*
- d) transportation/pedestrian connections*

**Policy 16.5:** *Development of higher intensity non-residential land uses that are adjacent to established neighborhoods shall be restricted to collectors and arterials and to locations external to established and developing neighborhoods.*

**Policy 16.10:** *Any density increase shall be compatible with existing, proposed, or planned surrounding development. Compatibility is defined as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture. Compatibility does not mean “the same as.” Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.*

## **Livable Communities Element: Lutz Community Plan**

### **Commercial Character**

*The Lutz community desires to retain existing and encourage new commercial uses geared to serving the daily needs of area residents in a scale and design that complements the character of the community. Currently there is approximately 301,559 square feet of commercial approved but not built within the community planning area.*

*The Lutz community seeks to ensure that commercial development and special uses in the community are properly placed to enhance the utility and historic character of the downtown. The*



community does not want new commercial and special use development to force the creation of development that does not complement the character of the area. To ensure that new commercial development is consistent with the character of the Lutz community, design guideline standards have been created and adopted into the County's land development regulations.

These regulations ensure that:

- commercial uses are developed in character and/or scale with the rural look of the community and the environment;
- the Lutz downtown, generally located at the intersection of Lutz Lake Fern Road and US Highway 41, is recognized as community activity center, and defined as an overlay district within the County's Land development regulations;
- the Lutz Downtown Center Zoning District incorporates design guidelines which reflect the historic development pattern already in place and promote desirable complements to that pattern. These standards include:
  1. recognizing proximity of the historic old Lutz schoolhouse and its Georgian Revival architecture (and incorporating this into new schools);
  2. interruptions in roof lines and structures;
  3. public courtyards or open space(s) with shade trees;
  4. architectural features to emphasize the location of the downtown;
  5. residential style roof lines;
  6. outside structure facades made of wood siding, brick or vinyl material;
  7. preserved natural areas to act as buffers along perimeters;
  8. ground level monument signage standards in scale and related to architectural character overlay district;
  9. drought tolerant trees and vegetation plantings for shade, screening and buffers along roadways; and,
  10. nighttime lighting that mimics gaslights or kerosene lights (circa early 1900's).
- the commercial activity centers identified in the North Dale Mabry Corridor Plan will be maintained (Figure 3 (of the Lutz background documentation) );
- new commercial zoning is encouraged to locate at the three existing activity nodes along U.S. Highway 41(Figure 4 (of the Lutz background documentation)):
  1. Lutz's historic downtown area to Newberger Road;
  2. Crystal Lake Road to Sunset Lane; and
  3. Crenshaw Lake Road area

#### **Staff Analysis of Goals, Objectives, and Policies:**

The subject property is located on approximately 1.48 acres south of the U.S. Highway 41 and Newberger Road intersection. The property is located within the limits of the Lutz Community Plan and within the Rural Area. The application requests to modify an existing Planned Development (PD 18-0989) to allow for Business Professional Office (BP-O) and Commercial General (CG) uses. Prohibited uses include open storage, bowling alleys, brew on premises, grocery stores, hospitals and medical centers, canoe rental, golf club, trade school, fast food restaurants, convenience stores, stand-alone banks and billboards.

The subject site is designated Residential-1 (RES-1) on the Future Land Use Map. The intent of RES-1 is to designate areas for rural residential uses, compatible with short-term agricultural uses other uses including rural scale neighborhood commercial, office and

multi- purpose projects may be permitted when complying with the Goals, Objectives and Policies of the Land Use Element and applicable development regulations and conforming to established locational criteria for specific land use. The proposed uses are consistent with the intent of the RES-1 Future Land Use Category.

Rural scale neighborhood commercial, office multi-purpose projects are limited to 30,000 square ft. or 0.25 FAR, whichever is less intense. The proposed project will be built with a maximum of up to 16,117 square feet which is consistent with the intent of rural scale commercial development.

The subject site is located within the limits of the Lutz Community Plan. The Lutz community desires to retain existing and encourage new commercial uses geared to serving the daily needs of area residents in a scale and design that complements the character of the community. The project site is located within one of the noted activity nodes outlined in the plan. Though Newberger Road is technically not a roadway that is on the 2040 Cost Affordable Map, it is listed as a roadway in the Lutz Community Plan where commercial development is desired. Therefore, the request meets the intent of the Lutz Community Plan. The proposed project is surrounded by light commercial, light industrial, single family residential, and agricultural uses. The proposed uses and design meet the intent of the Lutz Community Plan.

Wetlands Division staff of the Environmental Protection Commission of Hillsborough County (EPC) inspected the subject property in order to determine the extent of any wetlands and other surface waters pursuant to Chapter 1-11, Rules of the EPC. This determination was performed using the methodology described within Chapter 62-340, Florida Administrative Code, and adopted into Chapter 1-11. The site inspection revealed that no wetlands or other surface waters exist within the subject parcel.

Overall, Planning Commission staff finds that the proposed modification is compatible with the surrounding area. The request would encourage development that complements the surrounding character within the limits of the Lutz Community Plan and the Rural Area. The proposed development satisfies the intent of the Goals, Objectives and Policies of the Future Land Use Element of the *Unincorporated Hillsborough County Comprehensive Plan*.

#### **Recommendation**

Based upon the above considerations, Planning Commission staff finds the proposed Major Modification **CONSISTENT** with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*, subject to conditions proposed by the Development Services Department.

# HILLSBOROUGH COUNTY 2020 FUTURE LAND USE RZ MM 21-0562

Rezonings

STATUS

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

<all other values>

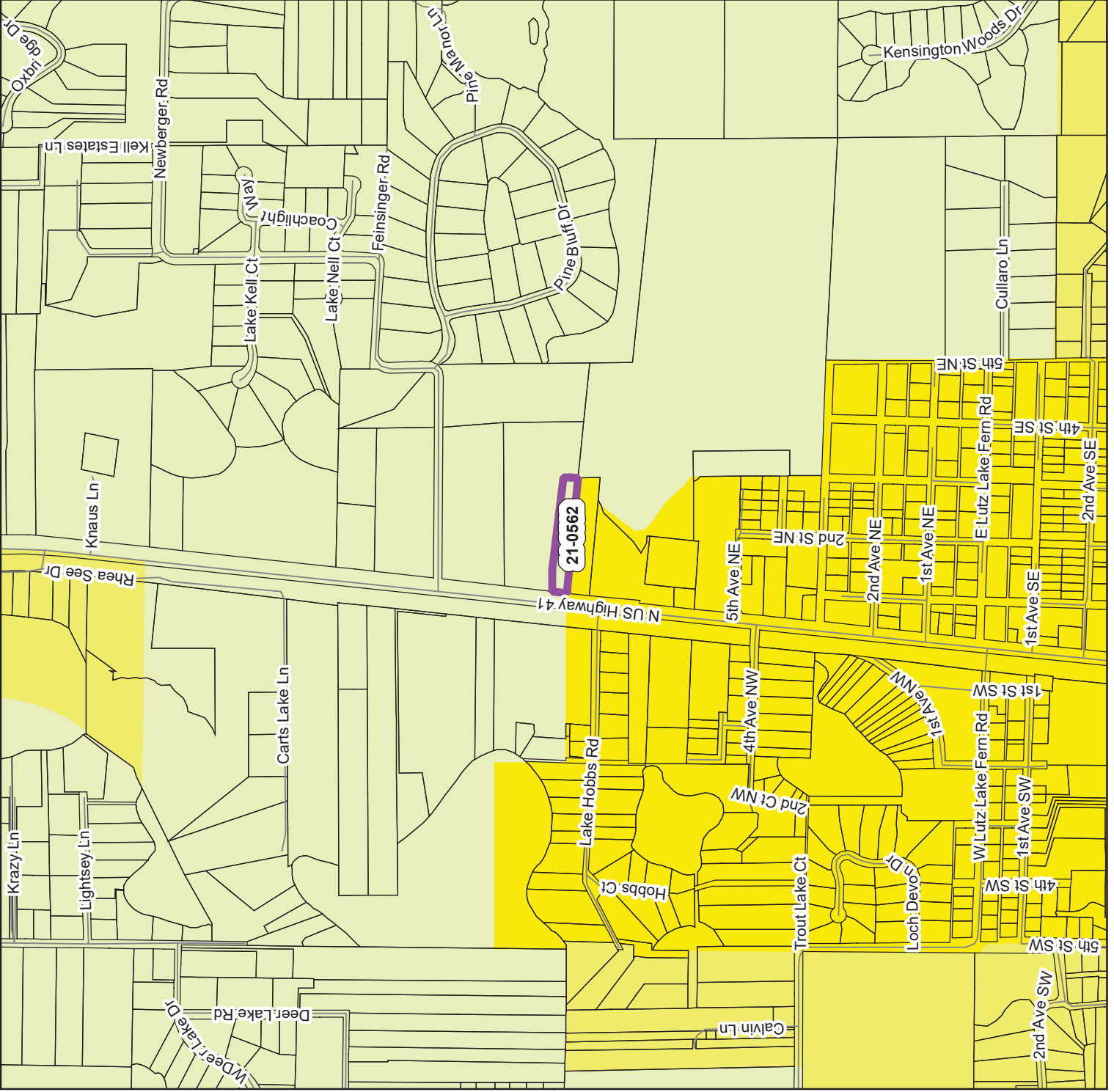
- Tampa Service
- Urban Service
- Shoreline
- County Boundary
- Jurisdiction Boundary
- Roads
- Parcels
- AGRICULTURAL/MINING-120 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)
- AGRICULTURAL-1/10 (.25 FAR)
- AGRICULTURAL RURAL-1/5 (.25 FAR)
- AGRICULTURAL ESTATE-1/2.5 (.25 FAR)
- RESIDENTIAL-1 (.25 FAR)
- RESIDENTIAL-2 (.25 FAR)
- RESIDENTIAL PLANNED-2 (.35 FAR)
- RESIDENTIAL-4 (.25 FAR)
- RESIDENTIAL-6 (.25 FAR)
- RESIDENTIAL-9 (.35 FAR)
- RESIDENTIAL-12 (.35 FAR)
- RESIDENTIAL-16 (.35 FAR)
- RESIDENTIAL-20 (.35 FAR)
- RESIDENTIAL-35 (1.0 FAR)
- NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)
- SUBURBAN MIXED USE-6 (.35 FAR)
- COMMUNITY MIXED USE-12 (.50 FAR)
- URBAN MIXED USE-20 (1.0 FAR)
- REGIONAL MIXED USE-35 (2.0 FAR)
- OC-20
- RESEARCH CORPORATE PARK (1.0 FAR)
- ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)
- LIGHT INDUSTRIAL PLANNED (.50 FAR)
- LIGHT INDUSTRIAL (.50 FAR)
- HEAVY INDUSTRIAL (.50 FAR)
- PUBLIC/QUASIPUBLIC
- NATURAL PRESERVATION
- WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE

Map Printed from Rezoning System: 3/31/2021  
 Author: Beverly F. Daniels  
 File: G:\Rezoning\System\MapProjects\HC\Gen\_H\Rezoning - Copy.mxd

DATA SOURCES: Rezoning boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. The rezoning status is subject to approval without specific approval of the Hillsborough County City-County Planning Commission.

ACCURACY: It is intended that the information shown on this map is accurate to the best of our knowledge and belief. Hillsborough County City-County Planning Commission. This map is for illustrative purposes only. For the most current data and information, visit the appropriate website.

Hillsborough County  
City-County  
Planning Commission





**GENERAL  
SITE PLAN  
FOR  
CERTIFICATION**



DEVELOPMENT SERVICES

PO Box 1110, Tampa, FL 33601-1110

HILLSBOROUGH COUNTY  
DEVELOPMENT SERVICES DEPARTMENT

GENERAL SITE PLAN REVIEW/CERTIFICATION

DEPUTY COUNTY ADMINISTRATOR

Lucia E. Garsys

Project Name: Steger Office

Zoning File: PD 18-0989 Modification: MM 21-0562

Atlas Page: None Submitted: 08-26-21

To Planner for Review: 08-26-21 Date Due: ASAP

Contact Person: Christopher S McNeal Phone: 813-968-1081/ permitting@mcnealengineering.com

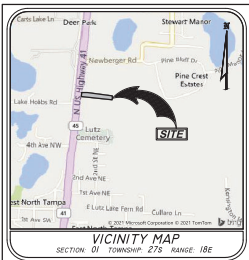
Right-Of-Way or Land Required for Dedication: Yes  No

- The Development Services Department HAS NO OBJECTION to this General Site Plan.
- The Development Services Department RECOMMENDS DISAPPROVAL of this General Site Plan for the following reasons:

Reviewed by: Kevie Defranc Date: 08/26/21

Date Agent/Owner notified of Disapproval:





**LEGAL DESCRIPTION**  
BEGIN AT THE INTERSECTION OF THE EASTERN RIGHT-OF-WAY LINE OF U.S. HIGHWAY #41 (STATE ROAD #41), WHICH RIGHT-OF-WAY LINE IS 33 FEET FROM THE CENTER LINE OF SAID HIGHWAY AND THE SOUTH BOUNDARY OF SECTION 1, TOWNSHIP 27 SOUTH, RANGE 18 EAST, RUN THENCE SOUTH 89°45' EAST ALONG THE SOUTH BOUNDARY OF SAID SECTION, A DISTANCE OF 162.5 FEET, THENCE NORTH 23°0' EAST 90.5 FEET, THENCE NORTH 89°30.5' WEST A DISTANCE OF 162.5 FEET TO SAID EASTERN RIGHT-OF-WAY LINE OF U.S. HIGHWAY #41, THENCE SOUTHERLY ALONG SAID EASTERN BOUNDARY TO POINT OF BEGINNING BEING PART OF LOT 5 OF NORTH TAMPA LAND CO'S SUBDIVISION, AS PER MAP OR PLAT THEREOF RECORDED PLAT BOOK 7, PAGE 34, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, LESS AND EXCEPT ROAD RIGHT-OF-WAY FOR S. R. #41 AND S. R. #42.

AND  
COMMENCE AT THE INTERSECTION OF THE SOUTH BOUNDARY OF SECTION 1, TOWNSHIP 27 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA, WITH THE EASTERN BOUNDARY OF SECTION 12, TOWNSHIP 27 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA, WITH THE EASTERN BOUNDARY OF SAID SECTION 12, TOWNSHIP 27 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA, FOR A POINT OF BEGINNING, THENCE SOUTH 89°45' EAST, 102.83 FEET, THENCE NORTH 05°3' EAST, 90.5 FEET, THENCE SOUTH 84°15' EAST, 58.68 FEET, THENCE SOUTH 01°36'11" WEST 87.52 FEET TO THE NORTHEAST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 12, THENCE NORTH 85°21'46" WEST ALONG THE NORTH BOUNDARY OF SAID SECTION 12, A DISTANCE OF 865.20 FEET TO THE POINT OF BEGINNING BEING A PART OF LOT 5 OF NORTH TAMPA LAND CO'S SUBDIVISION, AS PER MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 34, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.

Item	Existing	Proposed
Parcel #	12296-0000	
Existing Zoning	PD	
Planning Use	AS PER PD 18-088B LU	
Proposed Land Use	SEE PLANNING NOTES #1	
Community Planning Area	LUTZ	
Service Area	RURAL	
County Water Designation (FL)	60.1	
Overlay District	N/A	
Environmentally Sensitive Areas	None per EPC Review #R4309	
LDC Special District	Lutz Rural Development Standards LDC Part 3.09.00	
Special Zone (Coastal, Wet Heat, etc.)	Wildland Resource Protection Area LDC Protection Zone 1 Upland Significant Wetland Habitat Area - N/A	
Peak Seasonal Area	No	
Coastal High Hazard Area (CHHA)	No	
Partial Area (SP-1)	84.689	
Partial Area (SP-2)	1.48	
Building Max. Height (FT)	30'	
Building Max. Area (SF)	16,117	
F.A.R. Max.	0.25	
Description	Existing	Proposed
Lot Area	84,689	64,489
Waterfront	0.00	0.00
Setbacks	Required	Proposed
Front	(FT)	(FT)
Side	60	60
Rear	60	10
Other	60	10

**PLANNING NOTES**

1. THE PROJECT SHALL BE LIMITED TO THE FOLLOWING USES:

**BP/O USES:** PROFESSIONAL OFFICE, PROFESSIONAL SERVICES, HEALTH PRACTITIONER'S OFFICE

**CO USES:** PLANT FARM, FARM/GARDEN SUPPLY CENTER, RETAIL GOODS STORES, CONTRACTOR'S OFFICE, HARDWARE STORE, LAWN CARE/LANDSCAPING, LUMBER AND OTHER BUILDING MATERIALS, MOTORIZED VEHICLE REPAIR, NEIGHBORHOOD MOTOR VEHICLE SALES, NON-COMMERCIAL, RENTAL/LEASING, LIGHT EQUIPMENT SALES/RENTAL/SERVICE OF NEW/USED DOMESTIC VEHICLES, FARM/GARDEN EQUIPMENT, PRIVATE PLEASURE CRAFTS

**PROHIBITED USES:** OPEN STORAGE, BOWLING ALLEYS, ALCOHOLIC BEVERAGES ON-PREMISES, GROCERY STORES, HOSPITALS, AND MEDICAL CENTERS, GAMING, RETAIL COOL CLUBE, TRADE SCHOOLS, RESTAURANTS, NIGHT SPOTS, GAS STATION, PHARMACY, CONVENIENCE STORES, OF BANKS, AND BILLBOARDS.

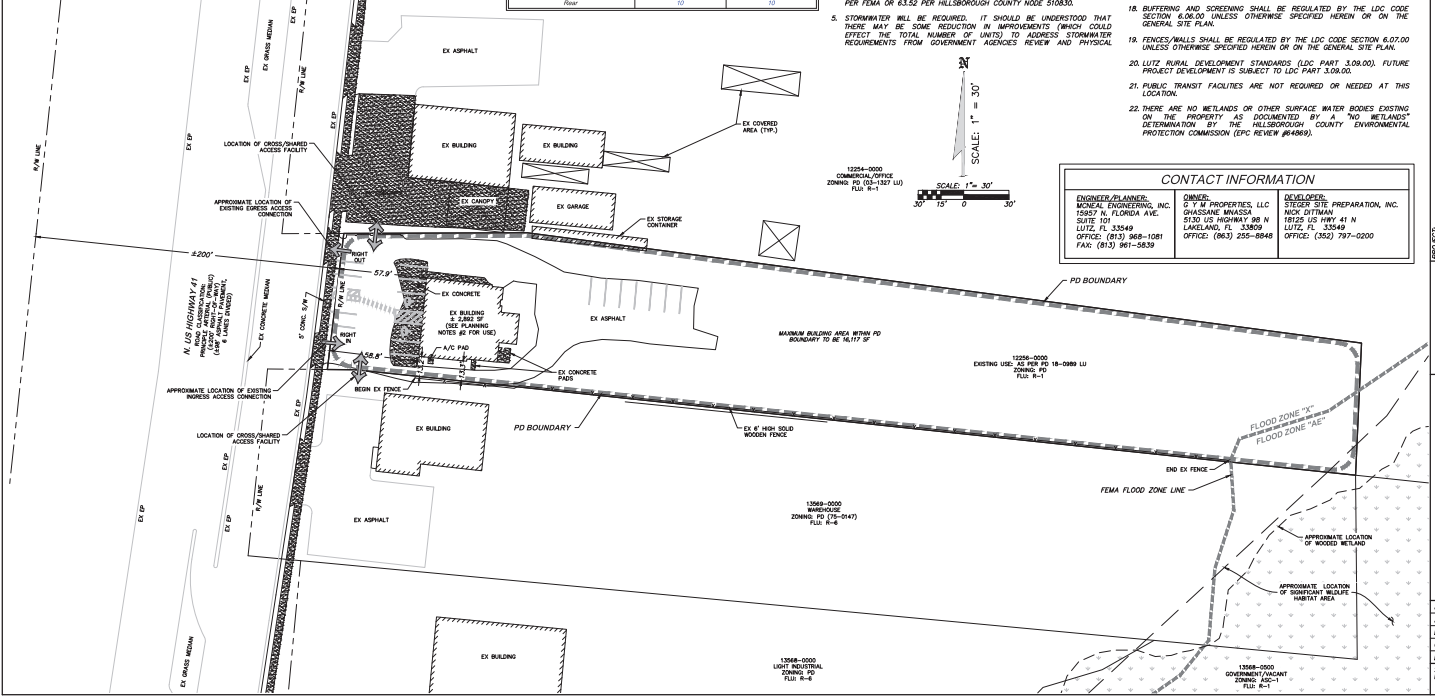
2. IMMEDIATE USE OF THE EXISTING BUILDING IS TO BE CONTRACTOR'S OFFICE. FUTURE USES MAY BE ANY OF THOSE IDENTIFIED IN THE PLANNING NOTES #1.

3. PROPOSED DEVELOPMENT AREA IN HILLSBOROUGH COUNTY IDENTIFIED WITHIN FOLD #052258-0000, CONTAINS 1.48 ACRES, MORE OR LESS.

4. ACCORDING TO CURRENT FLOOD INSURANCE RATE MAPS ISSUED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THE PROPERTY SHOWN APPEARS TO BE WITHIN ZONE "A-1" PER COMMUNITY PANEL NO. 120270000L, REVISED 08/28/2008. THE BASE FLOOD ELEVATION IS 64.8 PER FEMA OR 65.26 PER HILLSBOROUGH COUNTY NODE STORES.

5. STORMWATER WILL BE REQUIRED. IT SHOULD BE UNDERSTOOD THAT THERE MAY BE SOME REDUCTION IN IMPROVEMENTS (WHICH COULD EFFECT THE TOTAL NUMBER OF UNITS) TO ADDRESS STORMWATER REQUIREMENTS FROM GOVERNMENT AGENCIES REVIEW AND PHYSICAL

- FINDINGS**
- PARKING AREAS MAY OR MAY NOT REMAIN AS PART OF ANY REDEVELOPMENT.
  - THERE ARE NO SPECIAL ZONES, DESIGNATED SCENIC ROADWAY CORRIDORS OR DESIGNATED HISTORIC LANDMARKS OR OTHER HISTORICAL OR ARCHAEOLOGICAL SITES AND STRUCTURES WITHIN OR ADJACENT TO THE PROJECT.
  - EXTENSION LIGHTING WITHIN THE PROJECT SHALL BE IN ACCORDANCE WITH HILLSBOROUGH COUNTY LDC.
  - DEVELOPMENT OF THE PROJECT SHALL PROCEED IN STRICT ACCORDANCE WITH THE TERMS AND CONDITIONS CONTAINED IN THE DEVELOPMENT ORDER, THE GENERAL SITE PLAN, THE LAND USE CONDITIONS CONTAINED HEREIN AND ALL APPLICABLE RULES, REGULATIONS AND ORDINANCES OF HILLSBOROUGH COUNTY.
  - SOLID WASTE DISPOSAL SHALL BE MADE BY DUMPSTER.
  - LANDSCAPING SHALL BE PROVIDED IN ACCORDANCE WITH THE HILLSBOROUGH COUNTY LANDSCAPE CODE.
  - BUILDING TO COMPLY WITH ALL HILLSBOROUGH COUNTY BUILDING AND FIRE CODES.
  - DESIGN SHALL MEET ALL ADA AND HILLSBOROUGH COUNTY COMPLIANCE REGULATIONS.
  - THE DEVELOPER ASSURES THAT ACCESS TO THE PROPERTY WILL SUPPORT SERVICE BY EMERGENCY AND PARA-TERRITORY VEHICLES.
  - ALL IMPROVEMENTS SHALL BE IN ACCORDANCE WITH HILLSBOROUGH COUNTY LDC SECTION 6.11.10.
  - PUBLIC WATER AND SEWER WILL BE PROVIDED VIA CONNECTION TO EXISTING WELL AND SEPTIC SYSTEM.
  - OFF-STREET PARKING SHALL BE REGULATED BY THE LDC CODE SECTION 6.05.00.
  - BUFFERING AND SCREENING SHALL BE REGULATED BY THE LDC CODE SECTION 6.05.00 UNLESS OTHERWISE SPECIFIED HEREIN OR ON THE GENERAL SITE PLAN.
  - FENCES/WALLS SHALL BE REGULATED BY THE LDC CODE SECTION 6.07.00 UNLESS OTHERWISE SPECIFIED HEREIN OR ON THE GENERAL SITE PLAN.
  - PUBLIC TRANSIT FACILITIES ARE NOT REQUIRED OR NEEDED AT THIS LOCATION.
  - THERE ARE NO WETLANDS OR OTHER SURFACE WATER BODIES EXISTING ON THE PROPERTY AS DOCUMENTED BY A "NO WETLANDS" DETERMINATION BY THE HILLSBOROUGH COUNTY ENVIRONMENTAL PROTECTION COMMISSION (EPC REVIEW #A489).



<b>OWNER:</b> MCNEAL ENGINEERING, INC. 15957 N. FLORIDA AVE., LUTZ, FL 33549 OFFICE: (813) 968-1081 FAX: (813) 961-5839	<b>DEVELOPER:</b> G Y M PROPERTIES, LLC GRASSIE BRUNSA 18125 US HWY 41 N LUTZ FL 33549 OFFICE: (863) 255-8848 OFFICE: (352) 797-0200	<b>DEVELOPER:</b> STEGER SITE PREPARATION, INC. BUCK CITYMAN 18125 US HWY 41 N LUTZ FL 33549 OFFICE: (352) 797-0200
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**GENERAL SITE PLAN FOR STEGER OFFICE**  
19309 N. US 41, LUTZ, FLORIDA

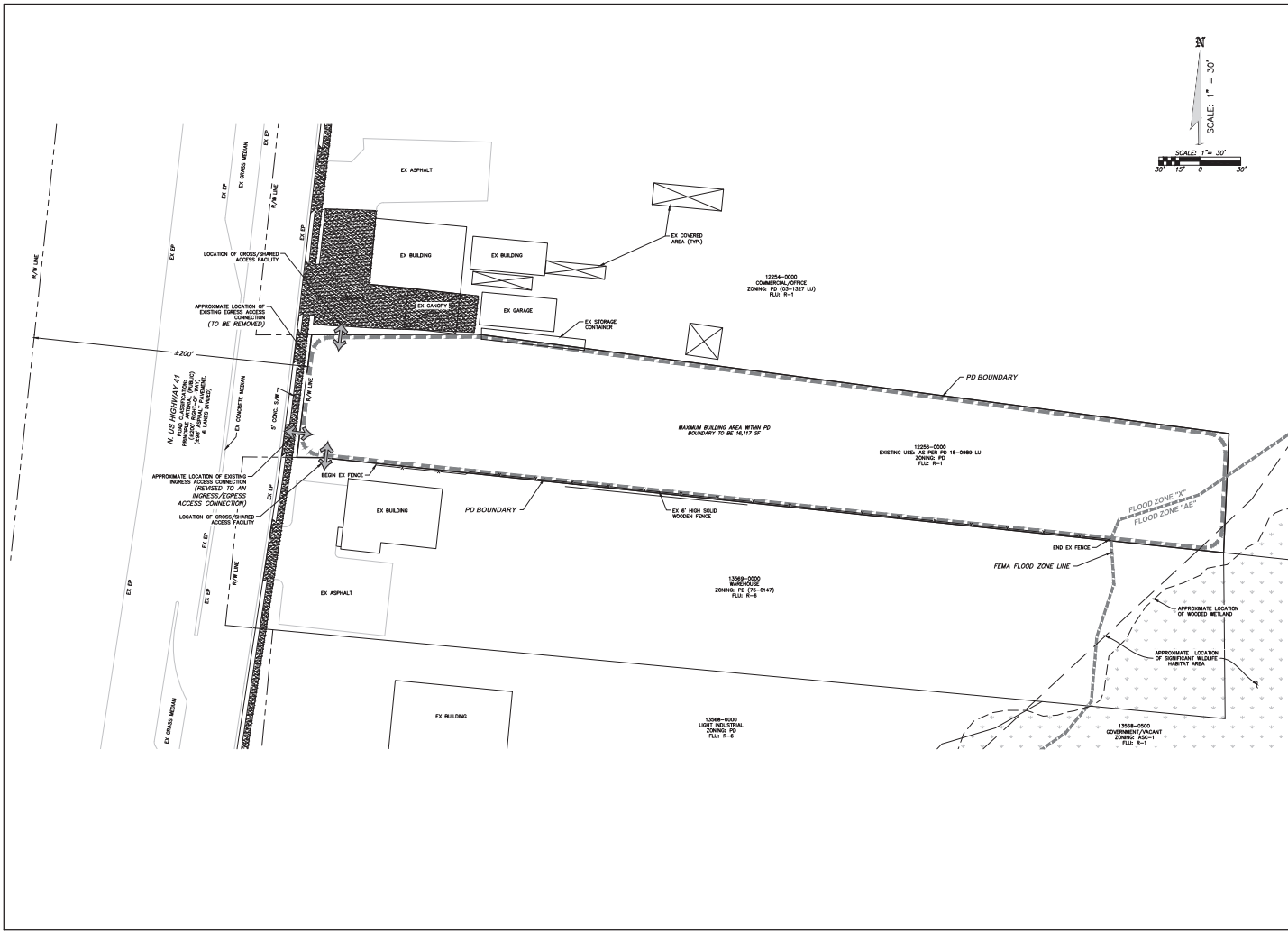
PREPARED FOR: [Blank]

PROJECT: [Blank]

SHEET TITLE: GENERAL SITE PLAN OPTION 1

MCNEAL ENGINEERING, INC.  
15957 N. FLORIDA AVE., LUTZ, FL 33549  
PH: (813) 968-1081 FAX: (813) 961-5839

JOB NO. 21-016  
ACAD FILE: GSP  
DRAWN BY: TM  
CHK'D BY: KM/CM  
DATE: 21.08.20  
SHEET NO. 1 OF 2



<p>SCALE: 1" = 30'</p> <p>30 75 0 30'</p>	
<p>PROJECT: GENERAL SITE PLAN FOR STEGER OFFICE 19309 N. US 41, LUTZ, FLORIDA</p>	
<p>PREPARED FOR: STEGER OFFICE</p>	
<p>PREPARED BY: MCNEAL ENGINEERING, INC.</p>	
<p>DATE: 21.08.20</p>	
<p>SHEET NO. 2 OF 2</p>	
<p>THE DESIGN AND DRAWINGS CONTAINED HEREON ARE THE COPYRIGHTED PROPERTY OF MCNEAL ENGINEERING, INC. AND SHOULD NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN CONSENT OF THE ENGINEER.</p>	



# **AGENCY COMMENTS**

## AGENCY REVIEW COMMENT SHEET

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TO: ZONING TECHNICIAN, Development Services Department

DATE: 7/13/2021

REVIEWER: Richard Perez, AICP

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: Lutz/Northwest

PETITION NO: MM 21-0562

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- This agency has no comments.
- This agency has no objection.
- This agency has no objection, subject to listed or attached conditions.
- This agency objects, based on the listed or attached conditions.

### **REPORT HIGHLIGHTS AND CONCLUSIONS**

- The proposed zoning modification is anticipated to increase trips (442 average daily trips, 37 AM peak hour trips, and 46 PM peak hour trips) based on the maximum trip generation potential of the subject site at buildout.
- Transportation Review Section staff has no objection to this request, subject to the conditions provided herein below.

### **NEW CONDITION OF APPROVAL**

1. A shared access easement shall be established between the proposed cross access points to the adjacent properties to the north and the south.
2. Notwithstanding anything shown on the site plan, ADA/sidewalk connections shall be provided from all site access points to all building entrances and parking areas.
3. In the event the subject property is redeveloped or use changes to anything other than a contractor's office, the applicant shall be subject to Site Plan Option #2 in general conformance with all applicable County Land Development Code and Transportation Technical Manual standards, including but not limited to: minimum driveway throat depth, non-residential driveway standards and parking requirements.

### **OTHER CONDITIONS**

- Prior to PD Site Plan Certification, the applicant shall revise the PD site plan as follows:
  - Revise the PD Site Plan Option 1 and Option 2 notes stating "APPROXIMATE LOCATION OF CROSS ACCESS CONNECTION" to "LOCATION OF CROSS/SHARED ACCESS FACILITY"

## PROJECT OVERVIEW AND ANALYSIS

The applicant is requesting a major modification to the +/- 1.47-subject parcel originally approved as Planned Development (PD 18-0989) allowing up to 8,900 square feet of a variety of commercial services related to medical devices and ancillary storage. The applicant is requesting to modify the existing zoning to allow two development options. Development Option 1 is a contractor's office with enclosed storage. Development Option allows uses to include professional office, medical office and a variety of commercial uses up 16,100 sq. ft. Development Option 2 could potentially generate the highest number of trips.

As required by the Development Review Procedures Manual (DRPM), the applicant submitted a letter indicating that the proposed development does not trigger the threshold whereby a transportation analysis is required to process this rezoning. Utilizing data from the Institute of Transportation Engineer's Trip Generation Manual, 10th Edition, staff has prepared a comparison of the trips generated by development under the existing approvals and proposed modifications, utilizing a generalized worst-case scenario.

### Existing Zoning:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 3,900 s.f. Auto Sales (ITE 840)	109	7	9
PD, 5,000 s.f. Warehouse (ITE 150)	9	1	1
<b>Total Trips</b>	<b>118</b>	<b>8</b>	<b>10</b>

### Proposed Zoning:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
16,100 s.f. Medical Office (ITE LUC 180)	560	45	56

### Trip Generation Difference:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference</b>	<b>(+) 442</b>	<b>(+) 37</b>	<b>(+) 46</b>

*Note: Above table reports gross project trips.*

## TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

US Hwy 41 a 6-lane, divided, arterial roadway maintained by FDOT. The roadway is characterized by +/- 11-foot wide travel lanes within +/- 100 feet of right-of-way. There are +/- 6-foot sidewalk at the back of curb and +/- 5 foot bicycles lanes are present in the vicinity of the project.

## SITE ACCESS AND CONNECTIVITY

Site access to the project will be from US Hwy 41. The current configuration of the driveway access is one one-way in (southern driveway) and one one-way out (northern driveway) that is nonconforming and non-compliant per FDOT comments. FDOT recommends that cross/shared access easements be provided.

The proposed site plan is providing for cross access to the properties to the north and south consistent with Section 6.04.04. Q. of the LDC and FDOT Comments. Shared access easements shall be required to comply with FDOT comments.

If the applicant moves forward with Development Option 2, the two existing driveways will be eliminated and



consolidated into one driveway as shown in the PD Site Plan Development Option 2 consistent with the FDOT comments.

At the time of construction/site plan review, the applicant will be required to show ADA/sidewalk connections from all site access points to all building entrances and parking areas consistent with Section 6.02.03. B. of the LDC.

**SITE CIRCULATION AND REDEVELOPMENT**

At such time that the site redevelops or intensifies through a change of use it will be regulated under the Development Option 2 scenario. In general conformance with Development Option 2 site plan, the applicant will be required to reconfigure the site to conform to LDC and TTM standards for access management and parking requirements, including but not limited to minimum driveway throat depth, non-residential driveway standards and parking requirements; in addition to FDOT Access Management regulations.

**ROADWAY LEVEL OF SERVICE (LOS) INFORMATION**

Level of Service (LOS) information is reported below.

<b>FDOT Generalized Level of Service</b>				
<b>Roadway</b>	<b>From</b>	<b>To</b>	<b>LOS Standard</b>	<b>Peak Hour Directional LOS</b>
US HWY 41	SUNSET LANE	COUNTY LINE RD	D	C

*Source: 2019 Hillsborough County LOS report*

Transportation Comment Sheet

**3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 9 OF STAFF REPORT)**

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
US Hwy 41	FDOT Principal Arterial - Urban	6 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	118	8	10
Proposed	560	45	56
Difference (+/-)	(+)442	(+)37	(+)46

\*Trips reported are based on net new external trips unless otherwise noted.

Connectivity and Cross Access <input type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		None	Vehicular & Pedestrian	Meets LDC
South		None	Vehicular & Pedestrian	Meets LDC
East		None	None	Meets LDC
West	X	None	None	Meets LDC
Notes:				

Design Exception/Administrative Variance <input checked="" type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes:		

4.0 Additional Site Information & Agency Comments Summary

Transportation	Objections	Conditions Requested	Additional Information/Comments
<input type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-Site Improvements Provided	<input type="checkbox"/> Yes <input type="checkbox"/> N/A <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See Transportation Report

March 23, 2021

**THIS DOCUMENT IS NOT A PERMIT APPROVAL**

**THIS PRE-APPLICATION FINDING MAY NOT BE USED AS A BASIS  
FOR PERMIT APPROVAL AFTER 9/23/2021.**

Re: PRE-APPLICATION REVIEW FOR ACCESS CONNECTION PERMIT REQUEST

<b>Date:</b>	March 23, 2021	<b>State Road#:</b>	45
<b>Time:</b>	10:30 AM	<b>Section ID #:</b>	10 040 000
<b>Applicant:</b>	Dan Rhodes	<b>Mile Post:</b>	14.466
<b>Project:</b>	Contractors Office	<b>Road Class:</b>	5
<b>Location:</b>	19309 N US 41 Lutz	<b>MPH:</b>	50 MPH
<b>County:</b>	Hillsborough	<b>DW/Sig Spacing:</b>	440' 2640
<b>Folio#:</b>	012256-0000	<b>Median Spacing:</b>	660 2640

Dear Mr. Rhodes,

A Pre-application review of the subject project was conducted by your request. The purpose of the Pre-application review is to educate both the applicant and the Department of the project, the scope of work being proposed, and the requirements to obtain a permit for allowed development or modifications connecting to the state Right of Way. After discussing the project and doing a thorough review of the documentation presented, the following comments are to be considered in the final design and we have determined that

- We disapprove the concept as presented with the following considerations.
- We approve the concept as presented with the following conditions/considerations.
- We approve of the concept as submitted and we invite you to submit a permit application package to the Permit Office with engineering drawings that reflect the concept proposed in this meeting.
- We are prepared to continue the review of the concept with the District Variance Committee.
- We are prepared to continue the review of the concept as presented with the following considerations.

### **Project Access Conditions:**

This project proposes to redevelop existing property with access to SR 45, a class 5 roadway, with a posted speed limit of 50 MPH. Florida Administrative Code, Rule Chapter 14-97, requires 440' driveway spacing, 660' directional, 2640' full median opening spacing, and 2640' signal spacing requirements. Therefore, connections would be considered non-conforming in accordance with the rule chapters 1996/97 for connection spacing.

### **FDOT Recommendations,**

1. Requesting to keep separate curb cuts for ingress and egress, located at either end of the property. South drive in only, and north drive out only.
2. Hillsborough County is requiring cross-access easements to adjacent northern and southern properties.
3. Existing driveways are non-conforming and non-compliant. However, because project does not propose a significant change or site plan modification, the Department will allow these driveways to retain their grandfathered status and a permit will not be required.
4. The Department does have several recommendations for safety:
  - a. Maintain 20'x20' pedestrian sight triangles at driveway locations (see example below).
  - b. There is insufficient throat depth at the driveways due to adjacent parking spaces.  
Applicant is amenable to striping out those parking spaces if it can be accommodated.
5. When the neighboring property redevelops and shared access is possible, this property may lose its Driveways.
6. Install wheel stops if parking spaces are to remain up against the back of the sidewalk.
7. May build a 5,000 sqft storage building in the rear of the property in the future to meet zoning requirements concerning outdoor storage.
8. Site drains to the rear of the property.
9. Apply for a safety upgrade access permit for work in the ROW and for required cross access easements.
10. All typical driveway details to be placed properly:
  - a. 6' wide, high emphasis, ladder style crosswalk straddling the detectable warning mats.



## Florida Department of Transportation

RON DESANTIS  
GOVERNOR

2822 Leslie Road  
Tampa, FL 33619

KEVIN J. THIBAUT, P.E.  
SECRETARY

- b. 24" thermoplastic white stop bar equal to the lane width placed 4' behind crosswalk.
- c. 36" stop sign mounted on a 3" round post, aligned with the stop bar.
- d. If applicable, a "right turn only" sign mounted below the stop sign.
- e. Double yellow 6" lane separation lines.
- f. Directional arrow(s) 25' behind the stop bar.
- g. Warning mats to be red in color unless specified otherwise.
- h. All markings on concrete are to be high contrast (white with black border).
- i. All striping within and approaching FDOT R/W shall be thermoplastic.



11. **When applying** on-line, at <http://osp.fdot.gov>, we recommend using the Rule Chapter 14-96.005 "Check List" and the "Drainage Checklist" (attached with these notes) for completeness prior to submitting the permit application package. **This will save time during the review process.**
12. **Include a copy of this letter in the application submittal.**
13. **Plans shall be per the current Standard Plans and FDM.** The current Standard Plans as of July 1<sup>st</sup>, 2020 is the 2020-21 edition.
14. **Lighting of sidewalks and/or shared paths must be to current standards (FDM section 231). Newly implemented FDOT Context classifications updated the required sidewalk widths (FDM section 222.2.1.1). Where sidewalk is being added and/or widened, the lighting will be analyzed to ensure sidewalks are properly lighted per FDOT FDM standards. Reference the following link for details: [https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/roadway/fdm/2020/2020fdm231lighting.pdf?sfvrsn=2ad35fbf\\_2](https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/roadway/fdm/2020/2020fdm231lighting.pdf?sfvrsn=2ad35fbf_2)**
15. Any relocation of utilities, utility poles, signs, or other agency owned objects must be coordinated with the Department and the existing and proposed location must be clearly labeled on the plans. Contact the Permits Department for more details and contact information.
16. Any project that falls within the limit of a FDOT project must contact project manager, provide a work schedule, and coordinate construction activities prior to permit approval. Contact the Permits Department for more details and contact information.
17. **All the following project identification information must be on the Cover Sheet of the plans:**
  - a. **All Associated FDOT Permit #'s)**
  - b. **SR # (& Local Road Name) and Road Section ID #**
  - c. **Mile Post # and Lt or Rt Roadway**
  - d. **Roadway Classification # and Speed Limit (MPH)**
18. All Plans and Documents submitted in OSP need to be **signed and sealed.**



19. **All plans must have stationing.**

20. The following FDOT Permits may additionally be required:

- a. Access Permit / Construction Agreement
- b. Drainage Permit or Exemption (Please contact Antonius Lebrun ([Antonius.Lebrun@dot.state.fl.us](mailto:Antonius.Lebrun@dot.state.fl.us)) should you have any questions.)
- c. Utility Permit – for any utility connections within the FDOT R/W (Except those that are exempt from permitting by the 2017 FDOT Utility Accommodation Manual).
- d. Temporary Access Permit

If you do not have access to a computer, and are unable to apply through our One Stop Permitting website, you must submit your application to,

**Florida Department of Transportation**  
**2822 Leslie Rd.**  
**Tampa, Fl. 33619**  
**Attn: Mecale' Roth**

Favorable review of the proposed generally means that you may develop plans complying with the review comments and submit them, within six months, to the Department for permit processing and further review. The Pre-application is for the applicant to discuss, with Department staff, the proposed site design for compliance and constructability in relation to the Standard Plans, and look at options, potential obstacles, or unforeseen issues. The review findings are not binding and are subject to change. The applicant's Engineer of Record is responsible for the technical accuracy of the plans. In keeping with the intent of the Rule, the Department will attempt to abide with the review comments to the extent that necessary judgment is available to the Permits Engineer. Unfavorable review generally means that a permit application, based on the design proposal, would likely be denied.

If you do not agree with Pre-Application meeting results and would like to schedule an AMRC meeting, contact Traffic Ops, David Ayala at 813-975-6717.

For any other questions or assistance, please feel free to contact me.

Sincerely,

*Mecale' Roth*

Permit Coordinator II  
Tampa Operations  
Office - 813-612-3237  
Cell- 813-460-1121

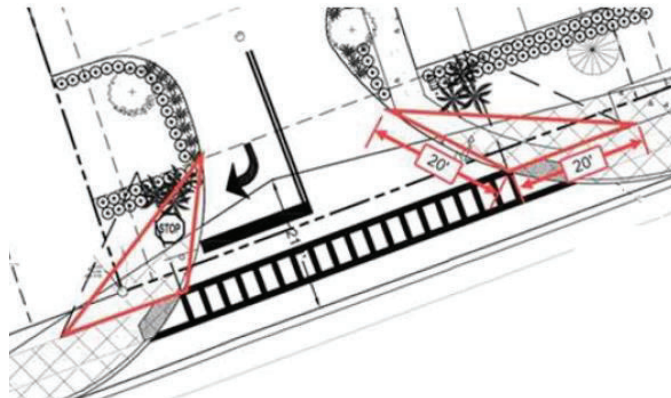
## Meeting Attendees:

**Guests-** Dan Rhodes [drhodes@mcnealengineering.com](mailto:drhodes@mcnealengineering.com)  
Chris McNeal [cmcneal@mcnealengineering.com](mailto:cmcneal@mcnealengineering.com)

**FDOT-** Matt Campbell [matthew.Campbel@dot.state.fl.us](mailto:matthew.Campbel@dot.state.fl.us)  
Todd Crosby [douglas.crosby@dot.state.fl.us](mailto:douglas.crosby@dot.state.fl.us)  
Mecale' Roth [mecale.roth@dot.state.fl.us](mailto:mecale.roth@dot.state.fl.us)  
Holly Champion [holly.champion@dot.state.fl.us](mailto:holly.champion@dot.state.fl.us)  
Joel Provenzano [joel.provenzano@dot.state.fl.us](mailto:joel.provenzano@dot.state.fl.us)  
Lindsey Mineer [lindsey.mineer@dot.state.fl.us](mailto:lindsey.mineer@dot.state.fl.us)  
Dan Santos [daniel.santos@dot.state.fl.us](mailto:daniel.santos@dot.state.fl.us)  
Amanda Serra [amanda.serra@dot.state.fl.us](mailto:amanda.serra@dot.state.fl.us)  
Ahmad Chehab [ahmad.chehab@dot.state.fl.us](mailto:ahmad.chehab@dot.state.fl.us)

## Pedestrian Sight Triangles:

Driveways leading onto state roads need to have min. 20' x 20' clear 'pedestrian sight triangles' on each side of the driveway, at the edge of the sidewalk. It should be measured as 20' up the sidewalk and 20' up the driveway from the point at which the sidewalk meets the driveway. Nothing above 2' in height from the pavement elevation (except for the stop sign post) should be placed in these triangles. Also, no parking spaces should be in these triangles, not even partially. Please draw in and label these 'pedestrian sight triangles' on the plans. Here is an example of what these triangles look like and how they are positioned (see red triangles in the attached example)





**Project Name:** Steger Office - Proposed **No:** 21-016  
**Date:** 2/22/2021 **City:** Lutz  
**State/Province:** Florida **Zip/Postal Code:** 33549  
**Country:** United States **Client Name:** Steger  
**Analyst's Name:** McNeal **Edition:** Trip Gen Manual, 10th Ed

LAND USE	SIZE	AM PEAK		PM PEAK		ADT	
		Entry	Exit	Entry	Exit	Entry	Exit
<b>720 - Medical-Dental Office Building (General Urban/Suburban)</b>	5 <sup>(1)</sup>	5	1	1	5	15	15
Reduction		0	0	0	0	0	0
Internal		0	0	0	0	0	0
Pass-by		0	0	0	0	0	0
Non-pass-by		5	1	1	5	15	15
<b>934 - Fast-Food Restaurant with Drive-Through Window (General Urban/Suburban)</b>	2.91 <sup>(1)</sup>	4	1	3	4	41	40
Reduction		0	0	0	0	0	0
Internal		0	0	0	0	0	0
Pass-by		0	0	0	0	0	0
Non-pass-by		4	1	3	4	41	40
<b>Total</b>		9	2	4	9	56	55
<b>Total Reduction</b>		0	0	0	0	0	0
<b>Total Internal</b>		0	0	0	0	0	0
<b>Total Pass-by</b>		0	0	0	0	0	0
<b>Total Non-pass-by</b>		9	2	4	9	56	55

(1) 1000 Sq. Ft. GFA

**Project Name:** Steger Office - Existing **No:**  
**Date:** 2/22/2021 **City:** Lutz  
**State/Province:** Florida **Zip/Postal Code:** 33549  
**Country:** United States **Client Name:** Steger  
**Analyst's Name:** McNeal **Edition:** Trip Gen Manual, 10th Ed

LAND USE	SIZE	AM PEAK		PM PEAK		ADT	
		Entry	Exit	Entry	Exit	Entry	Exit
<b>897 - Medical Equipment Store (General Urban/Suburban)</b>	2.91 <sup>(1)</sup>	3	0	0	4	9	8
Reduction		0	0	0	0	0	0
Internal		0	0	0	0	0	0
Pass-by		0	0	0	0	0	0
Non-pass-by		3	0	0	4	9	8
<b>840 - Automobile Sales (New) (General Urban/Suburban)</b>	0.975 <sup>(1)</sup>	1	1	1	1	14	13
Reduction		0	0	0	0	0	0
Internal		0	0	0	0	0	0
Pass-by		0	0	0	0	0	0
Non-pass-by		1	1	1	1	14	13
<b>942 - Automobile Care Center (General Urban/Suburban)</b>	3.88 <sup>(1)</sup>	6	3	6	6	46	46
Reduction		0	0	0	0	0	0
Internal		0	0	0	0	0	0
Pass-by		0	0	0	0	0	0
Non-pass-by		6	3	6	6	46	46
<b>Total</b>		10	4	7	11	69	67
<b>Total Reduction</b>		0	0	0	0	0	0
<b>Total Internal</b>		0	0	0	0	0	0
<b>Total Pass-by</b>		0	0	0	0	0	0
<b>Total Non-pass-by</b>		10	4	7	11	69	67

(1) 1000 Sq. Ft. GFA



*Florida Department of Transportation*

RICK SCOTT  
GOVERNOR

605 Suwannee Street  
Tallahassee, FL 32399-0450

MIKE DEW  
SECRETARY

August ,28 2018

**THIS PRE-APPLICATION FINDING MAY NOT BE USED AS A BASIS FOR PERMIT APPROVAL AFTER  
02/28/2018  
THIS DOCUMENT IS NOT A PERMIT APPROVAL**

**Re: PRE-APPLICATION REVIEW FOR ACCESS CONNECTION PERMIT REQUEST**

Access Class: 5	Posted Speed: 50 MPH
Applicant: Mr. LaRocca	Property Name: Lutz Mobility Lot
Approximate Mile Post: 14.516	Reference Project: SR45//US41
Connection Category: TBD	Section: 10-040-000
County: Hillsborough	State Road: SR45

Request: Review and permitting requirements

Dear: Mr. LaRocca,

A Pre-application Review of the subject project was conducted at your request. The purpose of the Pre-application Review is to establish the permit category, number, type, general location and associated features of access connections for the applicant's property to the state road. We have given the plans, as presented, a thorough review and our comments or findings are as follows:

- We disapprove the concept as presented with the following considerations.
- We approve the concept as presented with the following conditions/considerations.  
We approve the concept as submitted and we invite you to submit a permit application package to the District Office with engineering drawings that reflect the concept approved here.
- We are prepared to continue the review of the concept with the District Variance Committee.
- We are prepared to continue the review of the concept as presented with the following considerations.



**Conditions/Comments:**

This project proposes to connect to SR45, which in this area is a Class 5 roadway with a 50 mile per hour speed limit. Florida Administrative Code, Rule Chapter 14-97 requires 440 feet driveway spacing, and 660 feet directional and, 2640 feet full median opening spacing requirements. These proposed connections would be considered conforming in accordance to the rule chapter 1996/97 for connection spacing.

FDOT recommendation,

1. Access to SR45 as proposed Rt. In /Rt. Out (Existing Driveways) provide stripping as discussed for in/out driveways, include Stop Bar, Stop Sign, Rt. Turn Only Sign, directional arrows, etc. Show on plans 20'x20' PED Sight tri-angles as discussed.
2. Show Future cross access on plans with properties to the north and south of this site.
3. Sidewalk connection from site to FDOT sidewalk. This work to be submitted on Construction Agreement. If constructed (5000sq ft. building) apply for Drainage permit.
4. When ready to permit follow the Rule Chapter 14-96.005 Application. Check List Attachment for reference. Please apply on line. <http://osp.fdot.gov> Attach a copy of this letter in submittal. Please include project "Name" in EOR name section on application. Plans shall be per FDM. All Plans and Documents shall be electronically signed and sealed in OSP.
5. If you don't agree with Pre -Application meeting results and would like to schedule a AMRC meeting contact Mr. Chris Gregory 813-975-6263 / [christopher.gregory@dot.state.fl.us](mailto:christopher.gregory@dot.state.fl.us) (September 19th will be next meeting)
6. The following FDOT Permits will / may be required.
  - a. **Connection Permit / Construction Agreement**
  - b. **Drainage Permit or Waiver**
  - c. **Utility Permit-** for any utility connections within the FDOT R/W (except those exempted from permitting by the 2017 FDOT Utility Accommodation Manual)
  - d. [dot.state.fl.us/OneStopPermitting](http://dot.state.fl.us/OneStopPermitting) for utility permits.

All permit application packages are to be submitted to: see #4 above.

Florida Department of Transportation

2822 Leslie Rd.

Tampa, Fl. 33619

Attn: James Meyer

Favorable review of the proposed generally means that you may develop plans complying with the review comments and submit them, within Six months, to the Department for permit processing. When permit requests are submitted subsequently to a Pre-application Review, Department staff reviews the design plans in terms of standards, compliance and constructability. The applicant's Engineer of Record is responsible for the technical accuracy of the plans. In keeping with the intent of the Rule, the Department will attempt to abide with the review comments to the extent that necessary judgment is available to the Permits Engineer. Unfavorable review generally means that a permit application based on the design proposal would likely be denied.

**Please include a copy of this letter with your request for continued pre-application review or permit application in O.S.P.**

Sincerely,

JAMES MEYER  PERMIT MANAGER

James Meyer  
Permits Manager

**GENERAL NOTES**

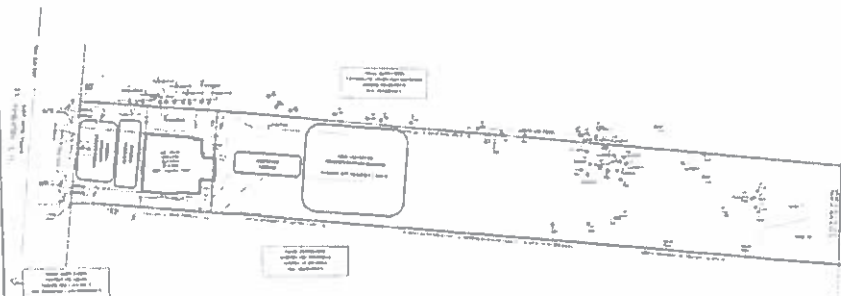
1. All work shall be in accordance with the Florida Building Code, 2010 Edition, and all applicable codes and regulations.
2. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
3. The contractor shall be responsible for providing all labor, materials, and equipment necessary for the completion of the work.
4. The contractor shall be responsible for maintaining the site in a safe and sanitary condition at all times.
5. The contractor shall be responsible for protecting all existing utilities and structures on the site.
6. The contractor shall be responsible for providing all necessary safety measures for the construction of the work.
7. The contractor shall be responsible for providing all necessary access to the site for all utility and other services.
8. The contractor shall be responsible for providing all necessary site cleanup and restoration at the completion of the work.
9. The contractor shall be responsible for providing all necessary site security during the construction of the work.
10. The contractor shall be responsible for providing all necessary site access for all utility and other services.



**PROJECT DATA**

Project Name: GYM PROPERTIES, LLC  
 General Contractor: GYM PROPERTIES, LLC  
 Architect: GYM PROPERTIES, LLC  
 Engineer: GYM PROPERTIES, LLC  
 Date: 10/15/2010  
 Scale: 1/8" = 1'-0"

**GYM PROPERTIES, LLC**  
**GENERAL PD**  
**19309 N. US Highway 41**  
**SITE PLAN**  
 Lutz, Florida



**Notes**

1. All work shall be in accordance with the Florida Building Code, 2010 Edition, and all applicable codes and regulations.
2. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
3. The contractor shall be responsible for providing all labor, materials, and equipment necessary for the completion of the work.
4. The contractor shall be responsible for maintaining the site in a safe and sanitary condition at all times.
5. The contractor shall be responsible for protecting all existing utilities and structures on the site.
6. The contractor shall be responsible for providing all necessary safety measures for the construction of the work.
7. The contractor shall be responsible for providing all necessary access to the site for all utility and other services.
8. The contractor shall be responsible for providing all necessary site cleanup and restoration at the completion of the work.
9. The contractor shall be responsible for providing all necessary site security during the construction of the work.
10. The contractor shall be responsible for providing all necessary site access for all utility and other services.

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMITS	10/15/2010	GYM PROPERTIES, LLC
2	ISSUED FOR PERMITS	10/15/2010	GYM PROPERTIES, LLC
3	ISSUED FOR PERMITS	10/15/2010	GYM PROPERTIES, LLC
4	ISSUED FOR PERMITS	10/15/2010	GYM PROPERTIES, LLC
5	ISSUED FOR PERMITS	10/15/2010	GYM PROPERTIES, LLC
6	ISSUED FOR PERMITS	10/15/2010	GYM PROPERTIES, LLC
7	ISSUED FOR PERMITS	10/15/2010	GYM PROPERTIES, LLC
8	ISSUED FOR PERMITS	10/15/2010	GYM PROPERTIES, LLC
9	ISSUED FOR PERMITS	10/15/2010	GYM PROPERTIES, LLC
10	ISSUED FOR PERMITS	10/15/2010	GYM PROPERTIES, LLC

**REVISIONS**

NO. 10/15/2010  
 DESCRIPTION: ISSUED FOR PERMITS  
 BY: GYM PROPERTIES, LLC

**Project Location: SR 45  
South of Newberger Rd. Rt.**

**Road Section: 10 040 000  
State Road: SR 45  
Mile Post 14.516 (approx.)  
Road Classification Class 5  
Driveway Spacing 440  
Median Opening Directional 660', Full 1320  
Speed Limit (50) mph**

**SIGN IN SHEET**

Project Lutz Car Lot

Date: 08-28-2018

9:00 AM

Name	Company / Department	Phone / e-mail
<b>Thomas Delli Bovi P.E. FDOT</b>	Operation Program Engineer Tampa Operation Center	813-612-3319 <b>Thomas.dellibovi@dot.state.fl.us</b>
<b>James Meyer</b> ✓ FDOT	Access Permit Manager Tampa Operation Center	<b>813-612-3210</b> <b>James.Meyer@dot.state.fl.us</b>
<b>Michael McClurg</b> FDOT <i>M.M.</i>	Permits Coordinator II Tampa Operations	<b>813/612-3212</b> <b>Michael.McClurg@dot.state.fl.us</b>
<b>David Skrelunas</b> FDOT	District Permit Engineer	813-975-6246 david.skrelunas@dot.state.fl.us
<b>Chris Gregory</b> FDOT	District Access Management Administrator	813-975-6263 Christopher.Gregory@dot.state.fl.us
<b>William Amheiser</b> FDOT <i>W.A.</i>	Permits Coordinator I Tampa Operations	813-612-3211 William.Amheiser@dot.state.fl.us
<b>Daniel Santos</b> FDOT	Growth Management Analysis	813-975-6429 Daniel.santos@dot.state.fl.us
<b>Lindsey Mineer</b> FDOT <i>Lym</i>	Growth Management Analysis	813-975-6922 Lindsey.mineer@dot.state.fl.us
<b>John LaRocca</b>	<b>MLCG</b>	<b>813 222-8923</b> <b>John.larocca@murphylarocca.com</b>
<b>Patricia Sims</b>	Gellya, Inc. dba Mobility America	863-899-7776 simspatty@yahoo.com

**COMMISSION**

Mariella Smith CHAIR  
 Pat Kemp VICE-CHAIR  
 Harry Cohen  
 Ken Hagan  
 Gwendolyn “Gwen” W. Myers  
 Kimberly Overman  
 Stacy White



**DIRECTORS**

Janet L. Dougherty EXECUTIVE DIRECTOR  
 Hooshang Boostani, P.E. WASTE DIVISION  
 Elaine S. DeLeeuw ADMIN DIVISION  
 Sam Elrabi, P.E. WATER DIVISION  
 Rick Muratti, Esq. LEGAL DEPT  
 Andy Schipfer, P.E. WETLANDS DIVISION  
 Sterlin Woodard, P.E. AIR DIVISION

**AGENCY COMMENT SHEET**

REZONING	
<p><b>HEARING DATE:</b> 6/14/21</p> <p><b>PETITION NO.:</b> 21-0562</p> <p><b>EPC REVIEWER:</b> Sarah Hartshorn</p> <p><b>CONTACT INFORMATION:</b> (813) 627-2600 x1237</p> <p><b>EMAIL:</b> hartshorns@epchc.org</p>	<p><b>COMMENT DATE:</b> 04/02/2021</p> <p><b>PROPERTY ADDRESS:</b> 19309 N US Hwy 41, Lutz, FL 33549</p> <p><b>FOLIO #:</b> 0122560000</p> <p><b>STR:</b> 01-27S-18E</p>
<p><b>REQUESTED ZONING:</b> From PD to Modification to PD</p>	
FINDINGS	
<b>WETLANDS PRESENT</b>	NO
<b>SITE INSPECTION DATE</b>	01/31/2018
<b>WETLAND LINE VALIDITY</b>	N/A
<b>WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)</b>	N/A
<p><b>INFORMATIONAL COMMENTS:</b></p> <p>Wetlands Division staff of the Environmental Protection Commission of Hillsborough County (EPC) inspected the above referenced site in order to determine the extent of any wetlands and other surface waters pursuant to Chapter 1-11, Rules of the EPC. This determination was performed using the methodology described within Chapter 62-340, Florida Administrative Code, and adopted into Chapter 1-11. The site inspection revealed that no wetlands or other surface waters exist within the above referenced parcel.</p> <p>Therefore, a <b>“no wetlands and other surface water determination”</b> has been made for the subject property, which is valid for a period of five years (Expires: January 31, 2023).</p>	

Sjh/mst



**AGENCY REVIEW COMMENT SHEET**

**NOTE:** THIS IS ONLY FOR ESTIMATE PURPOSES, BASED ON THE FEES AT THE TIME THE REVIEW WAS MADE. ACTUAL FEES WILL BE ASSESSED BASED ON PERMIT APPLICATIONS RECEIVED AND BASED ON THE FEE SCHEDULE AT THE TIME OF BUILDING PERMIT APPLICATION.

**TO:** Zoning Review, Development Services

**DATE:** 07/16/2020

**REVIEWER:** Ron Barnes, Impact & Mobility Fee Coordinator

**APPLICANT:** Nick Dittman, Steger Site Preparation, Inc.

**PETITION NO:** 21-0562

**LOCATION:** 19309 N US 41

**FOLIO NO:** 12256.0000

**Estimated Fees:**

(Various use types allowed. Estimates are a sample of potential development)

Self-Storage  
(Per 1,000 s.f.)  
Mobility: \$867  
Fire: \$32

Shopping Center  
(Per 1,000 s.f.)  
Mobility: \$12,770  
Fire: \$313

Warehouse  
(Per 1,000 s.f.)  
Mobility: \$1,594  
Fire: \$34

**Project Summary/Description:**

Rural Mobility, Northwest Fire - warehouse/contractor's office, self-storage, shopping center



**WATER RESOURCE SERVICES  
REZONING REVIEW COMMENT SHEET: WATER & WASTEWATER**

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PETITION NO.: MM21-0562      REVIEWED BY: Randy Rochelle      DATE: 3/29/2021

FOLIO NO.: 12256.0000

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This agency would  (support),  (conditionally support) the proposal.

**WATER**

- The property lies within the \_\_\_\_\_ Water Service Area. The applicant should contact the provider to determine the availability of water service.
- No Hillsborough County water line of adequate capacity is presently available.
- A \_\_\_ inch water main exists  (adjacent to the site),  (approximately \_\_\_ feet from the site) \_\_\_\_\_.
- Water distribution improvements may be needed prior to connection to the County's water system.
- No CIP water line is planned that may provide service to the proposed development.
- The nearest CIP water main (\_\_\_\_\_ inches), will be located  (adjacent to the site),  (feet from the site at \_\_\_\_\_). Expected completion date is \_\_\_\_\_.

**WASTEWATER**

- The property lies within the \_\_\_\_\_ Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.
- No Hillsborough County wastewater line of adequate capacity is presently available.
- A \_\_\_ inch wastewater force main exists  (adjacent to the site),  (approximately \_\_\_ feet from the site) \_\_\_\_\_.
- Wastewater distribution improvements may be needed prior to connection to the County's wastewater system.
- No CIP wastewater line is planned that may provide service to the proposed development.
- The nearest CIP wastewater main (\_\_\_\_\_ inches), will be located  (adjacent to the site),  (feet from the site at \_\_\_\_\_). Expected completion date is \_\_\_\_\_.

COMMENTS: The subject site is located outside of the Hillsborough County Urban Service Area, therefore no County water and/or wastewater service lines are available to serve the subject property. This comment sheet does not guarantee water service or a point of connection. Developer is responsible for submitting a utility service request at the time of development plan review and will be responsible for any on-site improvements as well as possible off-site improvements.



# **VERBATIM TRANSCRIPT**

HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

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-----X
                                          )
IN RE:                                     )
                                          )
ZONE HEARING MASTER                       )
HEARINGS                                   )
-----X

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ZONING HEARING MASTER HEARING  
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: PAMELA JO HATLEY and SUSAN FINCH  
Land Use Hearing Masters

DATE: Monday, July 26, 2021

TIME: Commencing at 6:00 p.m.  
Concluding at 8:34 p.m.

PLACE: Appeared via Cisco Webex

Reported By:

Christina M. Walsh, RPR  
Executive Reporting Service  
Ulmerton Business Center  
13555 Automobile Blvd., Suite 130  
Clearwater, FL 33762  
(800) 337-7740

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HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS  
  
ZONING HEARING MASTER HEARINGS  
July 26, 2021  
ZONING HEARING MASTER: PAMELA JO HATLEY

D5:  
Application Number: MM 21-0562  
Applicant: Nick Dittman, Steger Site  
Preparation, Inc.  
Location: N side of N. US Hwy 41, Lake  
Hobbs Rd.  
Folio Number: 012256.0000  
Acreage: 1.47 acres, more or less  
Comprehensive Plan: R-1  
Service Area: Rural  
Existing Zoning: PD (18-0989)  
Request: Major Modification to a Planned  
Development

1           MR. GRADY: The next item is agenda item  
2           D-5, Major Mod Application 21-0562. The applicant  
3           is Nick Dittman, Steger Site Preparation,  
4           Incorporated.

5           The request is for a Major Modification to  
6           existing Planned Development. Kevie Defranc will  
7           provide staff recommendation after presentation by  
8           the applicant.

9           HEARING MASTER HATLEY: So before we go  
10          forward, Mr. Grady, would you -- okay. Never mind.  
11          I'm looking at the wrong case number. This is  
12          21-0562. Thank you.

13          MR. GRADY: Correct.

14          HEARING MASTER HATLEY: All right.  
15          Applicant.

16          MR. MCNEAL: Good evening, Madam Zoning  
17          Hearing Master. My name is Chris McNeal, McNeal  
18          Engineering on behalf of the applicant. Address  
19          15957 North Florida Avenue in Lutz, Florida.

20          The -- the project of -- that we are  
21          proposing tonight is for the Steger office. It  
22          is -- how do I change for the next slide? Next  
23          slide, please. Go back one. Perfect.

24          The -- the site is located just south of  
25          Newberger Road and north of Lutz Cemetery on the

1 east side of 41. It's slightly less than 1 1/2  
2 acres. Next slide, please. This commercial area  
3 or this commercial site is in a small commercial  
4 area. It's kind of unique to Lutz. It's been in  
5 this development configuration for more than  
6 25 years. Next slide, please.

7 This is a picture looking to the east. At  
8 the front, you can see both neighbors. You might  
9 even be familiar with this area, but the site  
10 location is in the middle. And, again, these  
11 buildings have been there for quite some time.  
12 Next slide, please.

13 This is just a reference that we're showing  
14 you that we're in between two PD areas. The south  
15 one notably is from 75, and the other ones are more  
16 recent, but again, long-standing commercial area.  
17 Next slide, please.

18 In 2018, the current site was developed  
19 in -- or excuse me, was formed in this PD with very  
20 specific conditions related to medical mobility  
21 uses and serving retail, domestic vehicle sales and  
22 repair of those mobility vehicles. So very, very  
23 unique zoning. Next slide, please.

24 Previously in 2004, this is the PD to the  
25 north. This is much more what we're trying to do



1 at this point for this subject site. It has a  
2 variety of uses and much more easier to -- to  
3 conform with for uses currently and in the future.

4 We mimic these uses for our proposed uses  
5 and try to match up with them to harmony the use in  
6 the area, again, both now and in the future. So  
7 next slide, please.

8 This is a picture of our proposed site plan,  
9 which is option one, which is very much the  
10 existing improvements. The proposed improvements  
11 are -- excuse me, the existing improvements are  
12 really to be used for the proposed use, which is  
13 the immediate uses for contractors office with no  
14 open storage.

15 They would need to build some areas  
16 potentially to provide the enclosed storage in the  
17 rear, but the existing building being recycled and  
18 repurposed is a great fit for this site. So the --  
19 in working with traffic and FDOT, the proposed  
20 trips are less than or equal to 71 average daily  
21 trips for this particular option, which includes  
22 the other uses that we're proposing but triggered  
23 by that particular trip generation.

24 We've also asked for an increase of the FAR  
25 to .25 to try, again, make the best use of this

1           small, unique commercial area within Lutz. The  
2           existing building, again, is proposed to be  
3           repurposed for option one is 2892 square feet, and  
4           with the addition of being able to go just over  
5           16,000. Next slide, please.

6                     Or in option two, to try to provide options,  
7           again, both now and in the future in working with  
8           DOT and traffic, if the trip generation is greater  
9           than 71 ADT for any of the proposed uses, we would  
10          need to eliminate the -- the driveway configuration  
11          which currently exists in a -- and on the south out  
12          on the north to a consolidated driveway, which has  
13          been determined to be located on the south. Cross  
14          access is being provided on both of -- on both of  
15          the options. Next slide, please.

16                    As part of the efficiency of this site --  
17          and you can tell from the aerial and from this  
18          photo that the -- it's very tight. The site is  
19          very skinny. It's long in nature. And so as it  
20          was originally used, they have a driveway that  
21          comes in, again, on the south and goes along the  
22          south side of the building to the back.

23                    So as part of this request, we're requesting  
24          for a PD variation from that buffer, 15 feet to the  
25          south, which is almost a technicality because

1           they're very similar uses of what's being proposed.  
2           But it does generate a need for a 15 on 6 by the  
3           buffer matrix.

4                     In this case, it's more self-waving and --  
5           and so we're asking for a request to leave that as  
6           existing. If it was to be implemented, we would  
7           have to lose that drive and part of the building to  
8           accommodate it and eliminating the -- you know, the  
9           efficiency of being able to repurpose. Next slide,  
10          please.

11                    Also, as part of that, we have both  
12          neighbors to north and to the south providing  
13          support for not only the request for the case but  
14          also for the PD variation on buffering. And with  
15          that, I'll take any questions.

16                    HEARING MASTER HATLEY: Don't have any for  
17          you right now. Thank you.

18                    MR. MCNEAL: Thank you.

19                    HEARING MASTER HATLEY: All right.  
20          Development Services, please.

21                    MR. DEFRANC: Good evening. Kevie Defranc  
22          here with Development Services.

23                    I'm going to share my screen.

24                    HEARING MASTER HATLEY: Mr. McNeal. Thank  
25          you.

1 MR. DEFRANC: Can you see my screen?

2 HEARING MASTER HATLEY: Yes.

3 MR. DEFRANC: Awesome. All righty. So as  
4 the applicant stated, the request is for a Major  
5 Modification to the existing PD 18-0989 to be  
6 entitled for several BPO-type and CG-type uses and  
7 also proposed prohibited uses.

8 The subject property is located at 19309  
9 North 41 Highway, Lutz, Florida, within the Lutz  
10 Rural Area, which is on the northeast side of the  
11 Lake Hobbs Road and North U.S. Highway 41  
12 intersection.

13 And the subject property has FLUE designation  
14 of RES-1. Within the RES-1 FLUE category, the  
15 maximum FAR is 0.25 and the nearby FLUE category to  
16 the south is RES-6. The subject property is  
17 adjacent to property zoned PD to the north and  
18 south as the applicant stated.

19 But within the general area, there are  
20 properties zoned ASC-1 to the north and southeast,  
21 BPO to the south, and RSC-6 to the west. And the  
22 property's also located in an area comprised of  
23 industrial and high-intensive commercial uses,  
24 especially within the immediate area considering  
25 the two existing, two adjacent properties to the

1 north and south zoned PD.

2 Now, the proposed project presents two  
3 options, as the applicant stated, where the first  
4 option involves the utilization of the existing  
5 building for the immediate use, contractors office.

6 And the second option is a total  
7 redevelopment of the site where the proposed  
8 permitted uses are allowed within both options and  
9 the maximum building area of 16,117 square feet for  
10 both options meeting the FLUE's maximum FAR.

11 And both options are subject to the Lutz  
12 Rural Area development standards considering the  
13 fact that the subject property is within the Lutz  
14 Rural Area.

15 And based on the RES-1 FLUE category, the  
16 surrounding and development pattern and the  
17 proposed uses, development standards for the PD  
18 zoning district, staff finds the request approvable  
19 subject to the conditions listed in the report.

20 And that concludes my presentation, and I'm  
21 available for questions.

22 HEARING MASTER HATLEY: Thank you,  
23 Mr. Defranc.

24 All right. We'll hear from Planning  
25 Commission, please.

1 MS. PAPANDREW: Andrea Papandrew, Planning  
2 Commission staff.

3 I'm going to turn off my video due to  
4 Internet issues. The subject property is within  
5 the Residential-1 Future Land Use category. It is  
6 within the Rural Service Area, and it is located  
7 within the Lutz Community Plan.

8 The subject site is designated Residential-1  
9 in the Future Land Use Map. The intent of  
10 Residential-1 is to designate areas for rural  
11 residential uses compatible to short-term  
12 agricultural uses.

13 Other uses including rural scale  
14 neighborhood commercial, office and multipurpose  
15 projects may be permitted while complying with the  
16 goals, objectives, and policies in the Future Land  
17 Use Element.

18 The proposed uses are consistent with the  
19 intent of the Residential-1 Future Land Use  
20 category and comply with the applicable development  
21 regulations and conform to establish locational  
22 criteria.

23 Rural scale neighborhood commercial and  
24 office multipurpose projects are limited to  
25 30,000 square feet or 0.25 FAR. The proposed



1 project will be built with a maximum of up to  
2 16,117 square feet, which is consistent with the  
3 intent of the rural scale commercial development.

4 The subject site is located within the  
5 limits of the Lutz Community Plan. The Lutz  
6 Community Plan desires to retain existing and  
7 encourage new commercial uses geared to serve the  
8 daily needs of area residents and a scale and  
9 design that complements the character of the  
10 community.

11 The project site is located within one of  
12 the noted activity nodes outlined in the plan.  
13 Though Newberger Road is technically not a roadway  
14 that is on the 2040 Cost Affordable Map, it is  
15 listed as a roadway in the Lutz Community Plan  
16 where commercial development is desired.

17 Therefore, the request meets the intent of  
18 the Lutz Community Plan. The proposed project is  
19 surrounded by light commercial, light industrial,  
20 single-family residential, and agricultural uses.  
21 And the proposed use is designed with the intent of  
22 the Lutz Community Plan.

23 Based upon the above considerations,  
24 Planning Commission staff finds the proposed Major  
25 Modification consistent with the Future of

1 Hillsborough Comprehensive Plan for unincorporated  
2 Hillsborough County subject to the conditions  
3 proposed by the Development Services Department.  
4 Thank you.

5 HEARING MASTER HATLEY: All right. Is there  
6 anyone -- is there anyone here in the room tonight  
7 or online who wishes to speak in support of this  
8 item? All right.

9 Is there anyone here in the room tonight or  
10 online who wishes to speak in opposition to this  
11 item? Don't see anyone.

12 All right. Development Services, anything  
13 further?

14 MR. GRADY: I would just note that we did  
15 hand out a revision of the staff report. We  
16 modified the condition regarding the wording of the  
17 provision regarding buffering and screening  
18 applying to different phases. So we modified that  
19 wording. I just wanted to note that for the  
20 record.

21 HEARING MASTER HATLEY: Thank you.

22 Does the applicant have anything further?

23 MR. MCNEAL: No, ma'am. Nothing in detail  
24 further except to say that the conditions are  
25 acceptable as they have been rewritten and also to

1           let you know that the client is here, a  
2           long-standing member of Lutz and the community and  
3           very thankful for the opportunity to be here and be  
4           continued to be part of the community.

5                     HEARING MASTER HATLEY: All right. Thank  
6           you.

7                     That will close then the hearing on item  
8           21-0562.

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1 the July 26th, 2021, Zoning Hearing Master Hearing.

2 Item A-17, Rezoning-PD 21-0560. This  
3 application is being continued by the applicant to  
4 the July 26th, 2021, Zoning Hearing Master Hearing.

5 Item A-18, Major Mod Application 21-0562.  
6 This application is being continued by staff to the  
7 July 26th, 2021, Zoning Hearing Master Hearing.

8 That concludes all withdrawals and  
9 continuances.

10 HEARING MASTER FINCH: All right. Thank you  
11 so much.

12 I'll start by going over tonight's  
13 procedures for our hearing. Tonight's agenda  
14 consists of agenda items that require a public  
15 hearing to be held by a Zoning Hearing Master prior  
16 to the final decision, which is made by the Board  
17 of County Commissioners.

18 I'll conduct the hearing tonight as the  
19 Hearing Master and will make a recommendation on  
20 each application within 15 business days following  
21 tonight's hearing.

22 That recommendation is then sent to the  
23 Hillsborough County Board of County Commissioners,  
24 who will make the final decision at that public  
25 meeting.



**EXHIBITS SUBMITTED  
DURING THE ZHM HEARING**



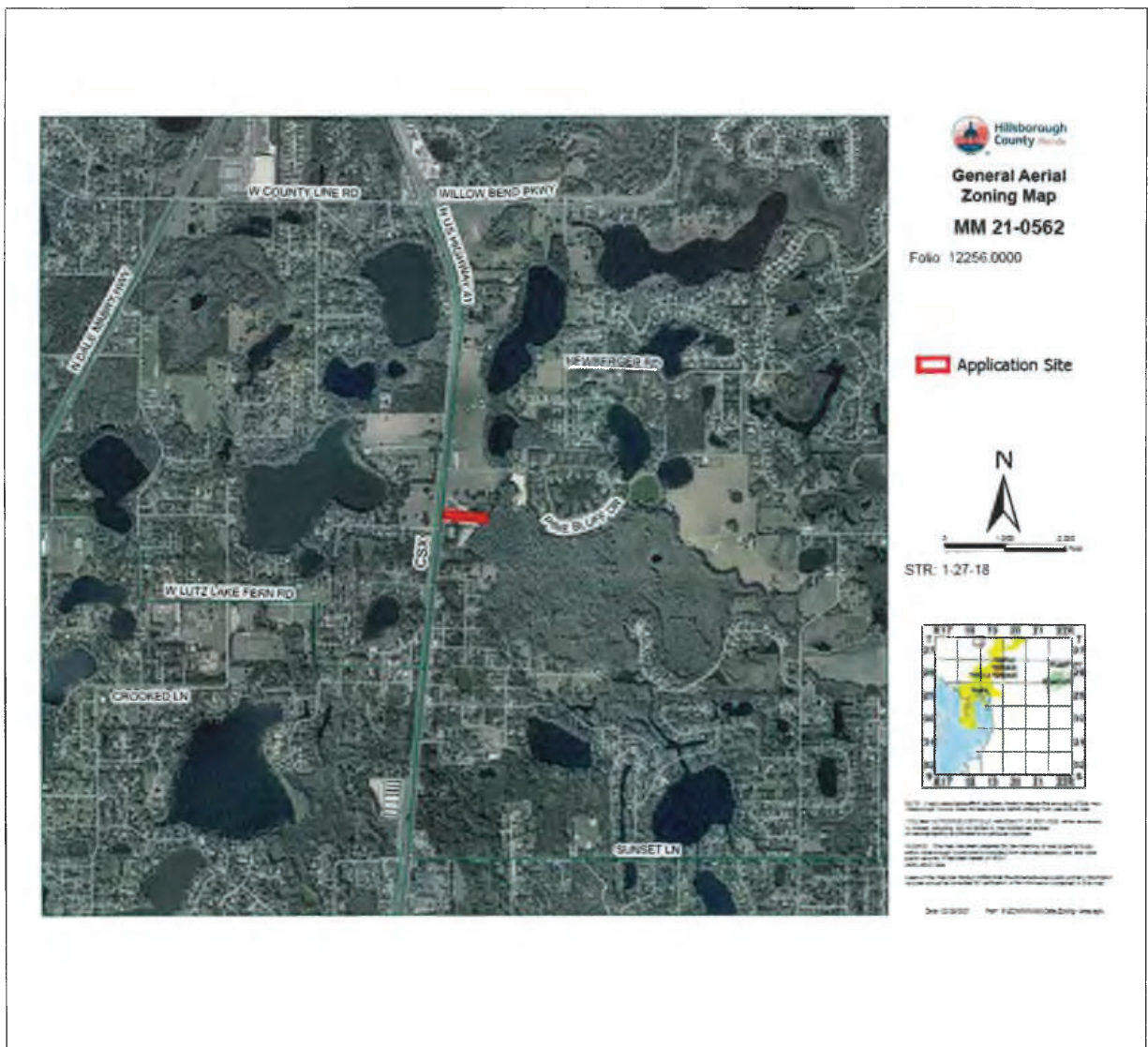


# Hillsborough County Florida

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## STAFF REPORT

<b>SUBJECT:</b>	MM 21-0562	<b>PLANNING AREA:</b>	Lutz
<b>REQUEST:</b>	Major Modification to Planned Development (PD) 18-0989	<b>SECTOR:</b>	Northwest
<b>APPLICANT:</b>	Nick Dittman, Steger Site Preparation, Inc.		
<b>Existing Zoning District:</b>	Planned Development (PD) 18-0989	<b>Future Land Use Category:</b>	Residential-1 (RES-1)



Application No. MM 21-0562  
 Name: Brian Grady  
 Entered at Public Hearing: 7 AM  
 Exhibit # 1 Date: 7/26/2021



# Hillsborough County Florida

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## STAFF REPORT



### Project Location Map

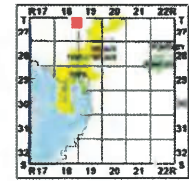
MM 21-0562

Folio: 12256 0000

Application Site  
Parcels



STR 1-27-18



NOTES: Every effort has been made to ensure the accuracy of this map. Hillsborough County does not warrant or assume any liability for errors or omissions, including but not limited to the highest accuracy of information and data for a particular parcel.

DISCLAIMER: This map has been prepared for informational purposes only and should not be used for any other purpose.

Users of this map are hereby notified that this informational public advisory information is not intended to be substituted for information in the information contained in the map.

Date: 1/23/2018 File: G:\2017\21-0562\21-0562.apr

## Application Review Summary and Recommendation

### 1.0 Summary

#### 1.1 Project Narrative

The request is to modify Planned Development (PD) 18-0989 associated with parcel folio 12256.0000 totaling approximately 1.47 acres to permit several BPO and CG uses and prohibit certain uses. The proposed BPO uses are professional office, professional services, and health practitioner's office. The proposed CG uses are plant farm; farm / garden supply center; retail goods / stores; contractor's office; hardware store; lawn care / landscaping; lumber and other building materials; motorized vehicle repair; neighborhood motor vehicle sales; non-commercial rental / leasing; and light equipment sales / rental / service of new / used domestic vehicles, farm / garden equipment, and private pleasure crafts. The proposed prohibited uses include open storage, bowling alleys, alcoholic beverages on-premises, grocery stores, hospitals, medical centers, canoe rental, golf club, trade school, restaurants, variety store, gas station, pharmacy, convenience stores, banks, and billboards. In addition, the plan proposes two options where option 1 involves converting the existing building into a contractor's office with supporting enclosed storage area for the immediate use and allowing for the other proposed uses. Option 2 involves the redevelopment of the subject property to allow for all the proposed uses. The site is located at 19309 North 41 Highway, which is on the north side of the Lake Hobbs Road and North US Highway 41 intersection. The underlying future land use (FLU) category of the subject parcel is Residential-1 (RES-1).

#### 1.2 Compliance Overview with Land Development Code and Technical Manuals

A variation to LDC Section 6.06.06 to allow for no buffer and the existing wood fence to remain along the southern property / PD boundary, only in association with the proposed immediate use / existing development layout, where a 15-foot wide landscape buffer and B type landscape screening are required is being requested at this time. Staff concurs with the applicant's waiver justification considering the fact that the existing building is setback approximately 13 feet from the southern property boundary and an internal drive access exist within that area. In addition, the existing approved condition number 4 only requires a fence along the perimeter of the PD boundary. However, redevelopment of the subject property will be in accordance with LDC Section 6.06.06.

#### 1.3 Analysis of Recommended Conditions

The proposed conditions of zoning incorporate the allowance for the new uses identified and the prohibition of certain uses identified.

#### 1.4 Evaluation of Existing and Planned Public Facilities

The site is located within the Rural Service Area where potable water and wastewater services are not provided by Hillsborough County. Therefore, the developer is responsible for submitting a utility service request at the time of development plan review and will be responsible for any on-site improvements as well as possible off-site improvements.

Transit service is not conveniently located to service this site. The closest transit stop is located 5.2 miles away just southwest of the intersection of Bearss Avenue and North Florida Avenue.

The site is located on North US Highway 41, a divided 6-lane arterial roadway. The roadway is characterized by approximately 11-foot wide travel lanes within approximately 100 feet of right-of-way. An approximately 6-foot wide sidewalk and approximately 5-foot wide bicycles lanes are present on this



roadway in the vicinity of the project.

Transportation staff has reviewed the application and offers no objections, subject to the conditions proposed. Their review notes that the proposed rezoning is anticipated to increase the number of trips (442 average daily trips, 37 AM peak hour trips, and 46 PM peak hour trips) based on the maximum trip generation potential of the subject site at buildout.

### **1.5 Environmental/Natural Resources**

The Environmental Protection Commission (EPC) reviewed the request and finds that no wetland or other surface water areas exist on the site.

### **1.6 Comprehensive Plan Consistency**

The site is located within the RES-1 FLU category and the Lutz Community Plan Area. Planning Commission staff finds the request to be consistent with the RES-1 FLU category, commercial locational criteria, Lutz Community Plan, and neighborhood protection policies of the Comprehensive Plan for Unincorporated Hillsborough County.

### **1.7 Compatibility**

The site is located in an area comprised of industrial and high intensive commercial uses. The site is within the RES-1 FLU category, which is suitable for farms, ranches, residential uses, rural scale neighborhood commercial uses, offices, and multi-purpose projects. Commercial, office, and multi-purpose uses shall meet locational criteria for specific land use projects. The adjacent property to the south is within the RES-6 (Residential-6) FLU category, which is suitable for residential, suburban scale neighborhood commercial, office uses, multi-purpose projects and mixed-use development. Nonresidential uses shall meet established locational criteria for specific land use. The proposed request extends similar uses currently approved in the PD associated with the adjacent property to the north with further restriction to the prohibited uses. The overall area is also within the Hillsborough County Rural Service Area.

As shown in Exhibit 2, the site is adjacent to properties zoned PD (to the north and south), but within the general area there are other properties zoned ASC-1 (to the north and southeast), BPO (to the south), and RSC-6 (to the west).

Based on the above considerations, staff finds the proposed modification to PD 18-0989 compatible with the existing zoning districts and development pattern in the area.

### **1.8 Agency/Department Comments**

The following agencies and departments reviewed the request and offer no objections:

- Water Resource Services
- Florida Department of Transportation
- Environmental Protection Commission
- Transportation

### **1.9 Exhibits**

Exhibit 1: Project Aerial  
Exhibit 2: Zoning Map  
Exhibit 3: Future Land Use Map  
Exhibit 4: Site Plan

**2.0 Recommendation**

Based on the above considerations, staff recommends approval of the request, subject to conditions.

Prior to PD site plan certification, the applicant shall revise the PD site plan as follows:

- Revise the PD Site Plan Option 1 and Option 2 notes stating "APPROXIMATE LOCATION OF CROSS ACCESS CONNECTION" to "LOCATION OF CROSS/SHARED ACCESS FACILITY".

**Approval** - Approval of the request, subject to the conditions listed below, is based on the general site development plan received July 7, 2021.

1. The project shall be limited to the following uses:

a. ~~BPO district uses as follows: professional office, professional services, and health practitioner's office~~Retail establishment where all retail sales, rentals, and services shall take place within the building shown on the certified General Development Plan to be no larger than 3,882 square feet (2,907 sf existing building and a future 975 sf future addition). The retail component shall be limited to that of home care medical products. The retail business is permitted to provide training to customers and caregivers on the use, operation and maintenance of the medical products sold from the business.

b. ~~CG district uses as follows: plant farm, farm / garden supply center, retail goods / stores, contractor's office, hardware store, lawn care / landscaping, lumber and other building materials, motorized vehicle repair, neighborhood motor vehicle sales, non-commercial rental / leasing, light equipment sales / rental / service of new / used domestic vehicles, farm / garden equipment, and private pleasure crafts~~Installation and conversion of mobility needs component parts for domestic vehicles. All vehicle conversions to mobility needs retrofitting shall take place indoors. There shall be no motor vehicle repairs associated with typical motor vehicle repairs such as engine fluid replacement, greasing and lubrication, fuel pumps, tires, valves crankcases, etc. The only motor vehicle servicing permitted shall be the conversion and/or retrofitting of domestic vehicles in association with the home medical care retail business. There shall be no outdoor storage of any kind.

c. ~~In conjunction with the operation of the home medical products business, there shall be no more than three (3) domestic vehicles permitted for outdoor display and/or sale to be located in the parking area between the building's storefront and U.S. Highway 41.~~

2. The following uses are prohibited:

a. Open storage, bowling alleys, alcoholic beverages on-premises, grocery stores, hospitals, medical centers, canoe rental, golf club, trade school, restaurants, variety store, gas station, pharmacy, convenience stores, banks, and billboards.

23. The PD shall be developed in accordance with the Certified Site Plan and the following standards:

Maximum Bldg. Area	Principal Building: <del>2,907</del> <u>16,117</u> sf; Proposed Building Addition <u>975</u> sf; Proposed Ancillary Storage Building: <u>5,000</u> sf.
Minimum Front Setback	60 Feet
Minimum Side Setback	10 Feet

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BOCC MEETING DATE:

CASE REVIEWER: Kevie Defranc

Minimum Rear Setback            10 Feet  
Maximum Bldg. Height            ±50 Feet

~~34.~~ The project shall be developed in accordance with Land Development Code Part Section 3.09.00 (Lutz Rural Area Development Standards-special district).

~~45.~~ The landscape buffering and screening shall be in accordance with the requirements of Part 6.06.00 of the Land Development Code, except as provided herein. At such time that future construction occurs for the ancillary storage building, a 6-foot PVC fence shall be installed along the perimeter of the PD boundary where there are currently no fences or walls shown on the plan.

~~a.~~ The existing six-foot high solid wood fence may serve as the required buffering and screening along the southern property / PD boundary for Option #1 until such time the use changes to anything other than a contractor's office, existing building is removed and/or the subject property is redeveloped for Option #2.

~~56.~~ The parking shall be in accordance with the requirements of Part 6.05.00 of the Land Development Code certified General Site Plan.

~~67.~~ The development shall be restricted to one (1) right-in entrance and one (1) right-out exit on N. U.S. Highway 41.

~~78.~~ The developer shall provide cross-access to the adjacent parcel to the north known as folio# 13569.0000A shared access easement shall be established between the proposed cross access points to the adjacent properties to the north and the south.

~~9.~~ Notwithstanding anything shown on the site plan, ADA/sidewalk connections shall be provided from all site access points to all building entrances and parking areas.

~~10.~~ In the event the subject property is redeveloped or use changes to anything other than a contractor's office, the applicant shall be subject to Site Plan Option #2 in general conformance with all applicable County Land Development Code and Transportation Technical Manual standards, including but not limited to: minimum driveway throat depth, non-residential driveway standards and parking requirements.

~~811.~~ The type, location, size and number of signs permitted shall be as set forth in Part 7.03.00 of the Land Development Code with the following exception(s):

a. Ground Signs shall be limited to Monument Signs.

b. Billboards, pennants and banners shall be prohibited.

~~12.~~ Approval of this application does not ensure that public wastewater and potable water services will be available at the time when the applicant seeks permits to actually develop.

~~13.~~ Approval of this rezoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impacts to wetlands, and does not grant any implied or vested right to environmental approvals.

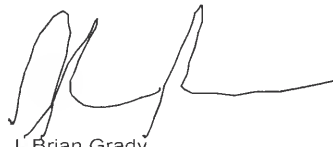
914. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval, unless otherwise stated herein.

15. The Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Development Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.

16. Within 90 days of approval by the Hillsborough County Board of County Commissioners, the applicant shall submit to the Development Services Department a revised General Site Development Plan for certification which conforms the notes and graphic of the plan to the conditions outlined above and the Land Development Code (LDC). Subsequent to certification of the plan, if it is determined the certified plan does not accurately reflect the conditions of approval or requirements of the LDC, said plan will be deemed invalid and certification of the revised plan will be required.

**Staff's Recommendation: Approvable, Subject to Conditions**

Zoning  
Administrator  
Sign-off:



J. Brian Grady  
Mon Jul 26 2021 14:23:23



EXHIBIT 1



**Project Location Map**

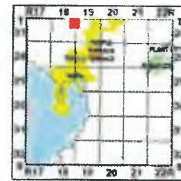
**MM 21-0562**

Folio: 12256 0000

 Application Site  
 Parcels



STR: 1-27-18



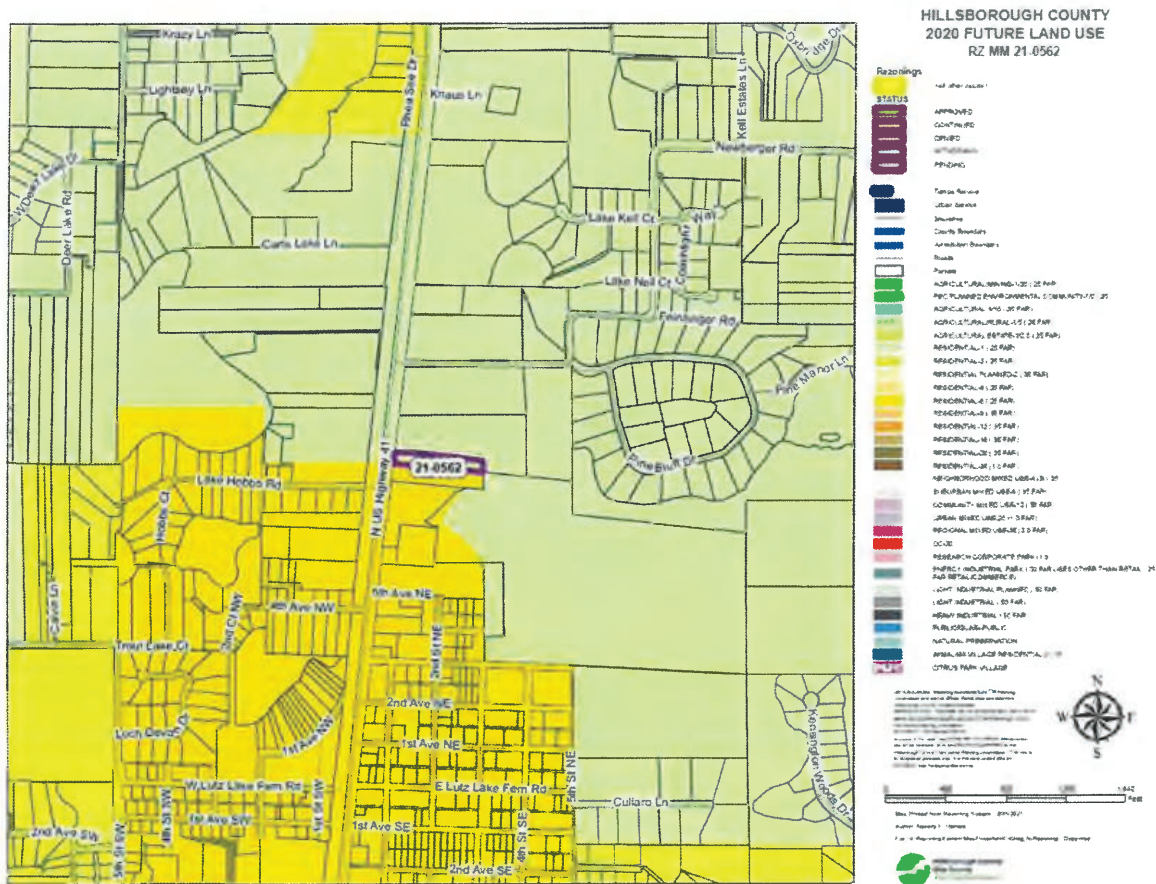
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EXHIBIT 2



EXHIBIT 3



---

APPLICATION: MM 21-0562  
ZHM HEARING DATE: July 26, 2021  
BOCC MEETING DATE:

CASE REVIEWER: Kevie Defranc

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**EXHIBIT 4**

SEE ATTACHED





**LEGAL DESCRIPTION**  
BEGIN AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 41 (STATE ROAD 190) WHICH IS 53 FEET FROM THE CENTER LINE OF SAID HIGHWAY AND THE SOUTH BOUNDARY OF SECTION 1, TOWNSHIP 27 SOUTH, RANGE 18 EAST, RUN THENCE SOUTH 89°45'15" EAST ALONG THE SOUTH BOUNDARY OF SAID SECTION, A DISTANCE OF 162.25 FEET, THENCE NORTH 53°58' EAST 80.5 FEET, THENCE NORTH 89°32'15" WEST A DISTANCE OF 72.5 FEET TO SAID EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 41, THENCE SOUTHERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 41 TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 27 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA, THENCE SOUTH 89°32'15" WEST ALONG THE NORTH BOUNDARY OF SAID SECTION 12 A DISTANCE OF 86.5 FEET TO THE POINT OF BEGINNING, BEING A PART OF LOT 5 OF NORTH TAMPA LAND CO.'S SUBDIVISION AS PER MAP OF PLAT NUMBER RECORDED IN PLAT BOOK 8, PAGE 34, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, LESS AND EXCEPT ROAD RIGHT-OF-WAY FOR S. R. #41 AND S. R. #45,  
AND  
COMMENCE AT THE INTERSECTION OF THE SOUTH BOUNDARY OF SECTION 1, TOWNSHIP 27 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA, WITH THE EASTERLY RIGHT OF WAY OF U.S. HIGHWAY 41 (STATE ROAD 190), SAID RIGHT OF WAY LINE BEING 53 FEET FROM THE CENTER LINE OF SAID U.S. HIGHWAY 41, RUN THENCE SOUTH 89°45'15" EAST ALONG THE SOUTH BOUNDARY OF SAID SECTION 1, A DISTANCE OF 162.25 FEET TO THE POINT OF BEGINNING, BEING A PART OF LOT 5 OF NORTH TAMPA LAND CO.'S SUBDIVISION AS PER MAP OF PLAT NUMBER RECORDED IN PLAT BOOK 8, PAGE 34, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.

SITE DATA TABLE		
Feature	Existing	Proposed
Existing Zoning	PD	PD
Existing Use	AS PER PD 18-0093 LU	AS PER PD 18-0093 LU
Proposed Land Use	SEE PLANNING NOTES #1	SEE PLANNING NOTES #1
Community Planning Area	LUTZ	LUTZ
Service Area	RURAL	RURAL
County Plan Designation (PLU)	R-1	R-1
County Overlay	N/A	N/A
Environmentally Sensitive Areas	None per EPC Review #6489	None per EPC Review #6489
LDC Special District	Lutz Rural Development Standards (LDC Part 1.10.00)	Lutz Rural Development Standards (LDC Part 1.10.00)
Special Zone (Coastal, Wetland, etc.)	None	None
Plan Symbol Area	No	No
Coastal High Hazard Area (CHHA)	No	No
Parcel Area (SF +/-)	64,469	64,469
Parcel Area (Ac +/-)	1.48	1.48
Building Area (SF +/-)	50	50
Building Area (Ac +/-)	10.117	10.117
F.A.R. Max	0.25	0.25
Description	Existing	Proposed
Columns	089	04,469
Walls	0.00	0.00
Setbacks	Required	(FT)
Front	0	0
Side	10	10
Rear	10	10

**PLANNING NOTES**

1. THE PROJECT SHALL BE LIMITED TO THE FOLLOWING USES:  
BPO USES:  
PROFESSIONAL OFFICE  
PROFESSIONAL SERVICES  
HEALTH PRACTITIONER'S OFFICE  
PLANT FARM  
FARM/GARDEN SUPPLY CENTER  
RETAIL EDUCATION'S  
CONTRACTOR'S OFFICE  
HANDMADE STORE  
LAWN CARE/LANDSCAPING  
LUMBER AND OTHER BUILDING MATERIALS  
MOTOR VEHICLE SALES, NON-COMMERCIAL  
RENTAL/LEASING, LIGHT EQUIPMENT  
SALES/RENTAL/LEASE OF NEW/USED DOMESTIC VEHICLES, FARM/GARDEN EQUIPMENT, PRIVATE PLEASURE CRAFTS

PROHIBITED USES:  
OPEN STORAGE, BOWLING ALLEYS, ALCOHOLIC BEVERAGES ON-PREMISES, GROCERY STORES, HOSPITALS AND MEDICAL CENTERS, CARDE, RENTAL, COLF CLUB, TRADE SCHOOL, RESTAURANTS, MEATERY STORES, GAS STATION, PHARMACY, CONVENIENCE STORES, OF BANKS, AND BILLBOARDS.

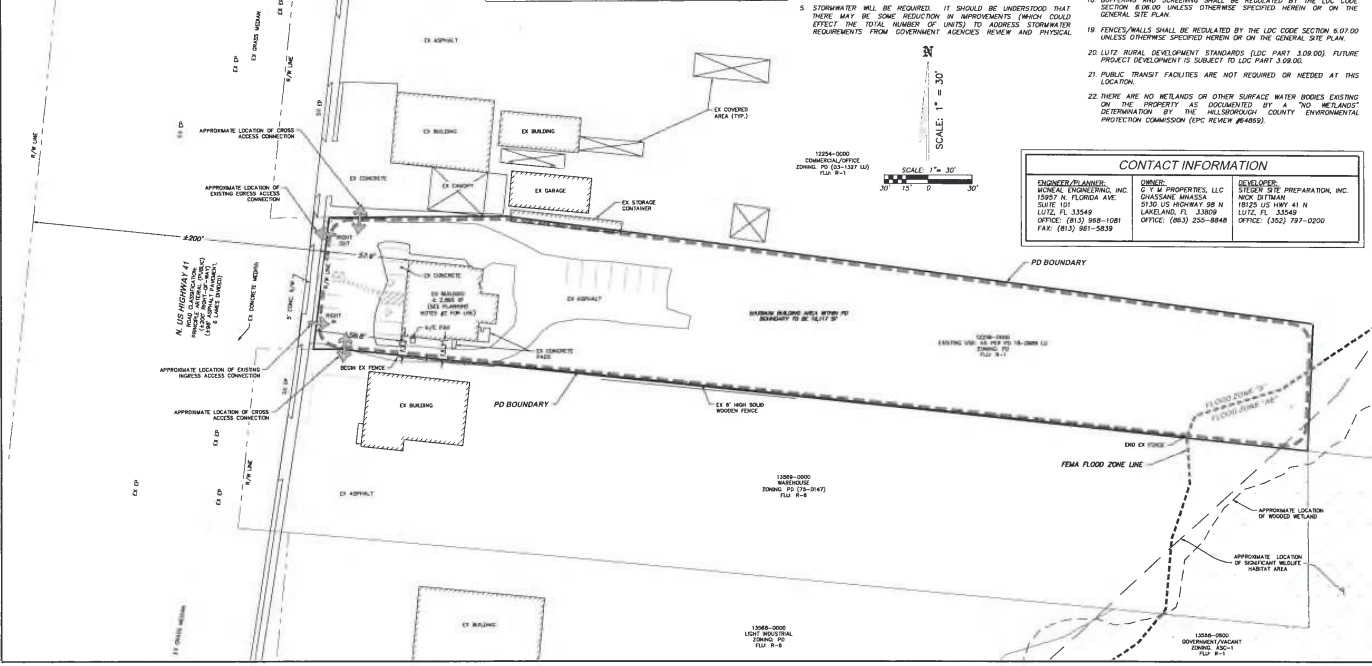
2. IMMEDIATE USE OF THE EXISTING BUILDING IS TO BE CONTRACTOR'S OFFICE. FUTURE USES MAY BE ANY OF THOSE IDENTIFIED IN THE PLANNING NOTES #1.

3. PROPOSED DEVELOPMENT AREA IN HILLSBOROUGH COUNTY IDENTIFIED WITHIN FLOOD PROTECTION DISTRICT, CONTAINS 1.48 ACRES, MORE OR LESS.

4. ACCORDING TO CURRENT FLOOD INSURANCE RATE MAPS ISSUED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THE PROPERTY SHOWN APPEARS TO BE WITHIN ZONE OF 0.1' FEET PER COUNTY PANEL NO. 1200-00000, REVISED 08/28/2008, THE BASE FLOOD ELEVATION IS 64.8 FEET FEMA OR 63.0 FEET PER HILLSBOROUGH COUNTY MORE 310000.

5. STORMWATER WILL BE REQUIRED. IT SHOULD BE UNDERSTOOD THAT THERE MAY BE SOME REDUCTION IN IMPROVEMENTS (EVEN) COULD EFFECT THE TOTAL NUMBER OF UNITS) TO ADDRESS STORMWATER REQUIREMENTS FROM GOVERNMENT AGENCIES REVIEW AND PHYSICAL

- FINDINGS**
- PARKING AREAS MAY OR MAY NOT REMAIN AS PART OF ANY REDEVELOPMENT.
  - THERE ARE NO SPECIAL ZONES, DESIGNATED SCenic ROADWAY CORRIDORS OR DESIGNATED HISTORIC LANDMARKS OR OTHER HISTORICAL OR ARCHEOLOGICAL SITES AND STRUCTURES WITHIN OR ADJACENT TO THE PROJECT.
  - EXTENSION LIGHTING WITHIN THE PROJECT SHALL BE IN ACCORDANCE WITH HILLSBOROUGH COUNTY LDC.
  - DEVELOPMENT OF THE PROJECT SHALL PROCEED IN STRICT ACCORDANCE WITH THE TERMS AND CONDITIONS CONTAINED IN THE DEVELOPMENT ORDER, THE GENERAL SITE PLAN, THE LAND USE CONDITIONS CONTAINED HEREIN AND ALL APPLICABLE RULES, REGULATIONS AND ORDINANCES OF HILLSBOROUGH COUNTY.
  - SOLID WASTE DISPOSAL SHALL BE MADE BY DUMPSTER.
  - LANDSCAPING SHALL BE PROVIDED IN ACCORDANCE WITH THE HILLSBOROUGH COUNTY LANDSCAPE CODE.
  - REBUILDING TO COMPLY WITH ALL HILLSBOROUGH COUNTY BUILDING AND FIRE CODES.
  - SIDEWALKS TO MEET ALL ADA AND HILLSBOROUGH COUNTY COMPLIANCE REGULATIONS.
  - THE DEVELOPER ASSURES THAT ACCESS TO THE PROPERTY WILL BE PROVIDED BY EMERGENCY AND FIRE DEPARTMENT-FIRE VEHICLES.
  - ALL IMPROVEMENTS SHALL BE IN ACCORDANCE WITH HILLSBOROUGH COUNTY LDC SECTION 8.11.10.
  - PUBLIC WATER AND SEWER WILL BE PROVIDED IN CONNECTION TO EXISTING WELL AND SEPTIC SYSTEM.
  - OFF-STREET PARKING SHALL BE REGULATED BY THE LDC CODE SECTION 6.05.00.
  - SUBTERRANEAN AND SURFACEWATER SHALL BE REGULATED BY THE LDC CODE SECTION 6.06.00 UNLESS OTHERWISE SPECIFIED HEREIN OR ON THE GENERAL SITE PLAN.
  - FENCES/WALLS SHALL BE REGULATED BY THE LDC CODE SECTION 6.01.00 UNLESS OTHERWISE SPECIFIED HEREIN OR ON THE GENERAL SITE PLAN.
  - LUTZ RURAL DEVELOPMENT STANDARDS (LDC PART 3.09.00), FUTURE PRODUCT DEVELOPMENT IS SUBJECT TO LDC PART 4.09.00.
  - PUBLIC TRANSIT FACILITIES ARE NOT REQUIRED OR NEEDED AT THIS LOCATION.
  - THERE ARE NO WETLANDS OR OTHER SURFACE WATER BODIES EXISTING ON THE PROPERTY AS DOCUMENTED BY A "NO WETLANDS" DETERMINATION BY THE HILLSBOROUGH COUNTY ENVIRONMENTAL PROTECTION COMMISSION (EPC REVIEW #6489).



**CONTACT INFORMATION**

<b>DESIGNER/PLANNER:</b> GENERAL ENGINEERING, INC. 15927 N. FLORIDA AVE. SUITE 101 LUTZ, FL 33549 OFFICE: (813) 961-1081 FAX: (813) 961-5839	<b>OWNER:</b> G.T.W. PROPERTIES, LLC DUSTANNE BRANSA 3135 US HIGHWAY 98 N LAKELAND, FL 33809 OFFICE: (888) 250-8848 OFFICE: (888) 289-0200	<b>DEVELOPER:</b> STEVEN SIE PREPARATION, INC. NICK DITMAN 18225 US HWY 41 N LUTZ, FL 33549 OFFICE: (813) 961-5839
--	--	---

**GENERAL SITE PLAN FOR  
STEEGER OFFICE  
19208 N. US 41, LUTZ, FLORIDA**

SCALE: 1" = 30'

DATE: 07/01/21

SHEET NO. 1 OF 2

APPROVED FOR: [Signature]

DESIGNED BY: [Signature]

DRAWN BY: [Signature]

CHECKED BY: [Signature]

DATE: 07/01/21

SHEET NO. 1 OF 2



Application No. MM 21-0562  
Name: Chris McNeal  
Entered at Public Hearing: ZHM  
Exhibit # 2 Date: 7/26/2021

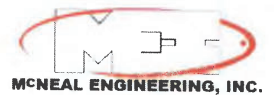
# STEGER OFFICE

MM 21-0562

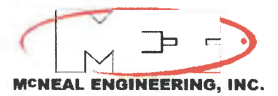


ZHM

July 26, 2021









North



Aerial



← North



Looking East At Front of Site & Neighbors

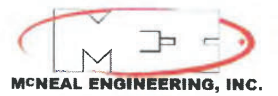


Street View





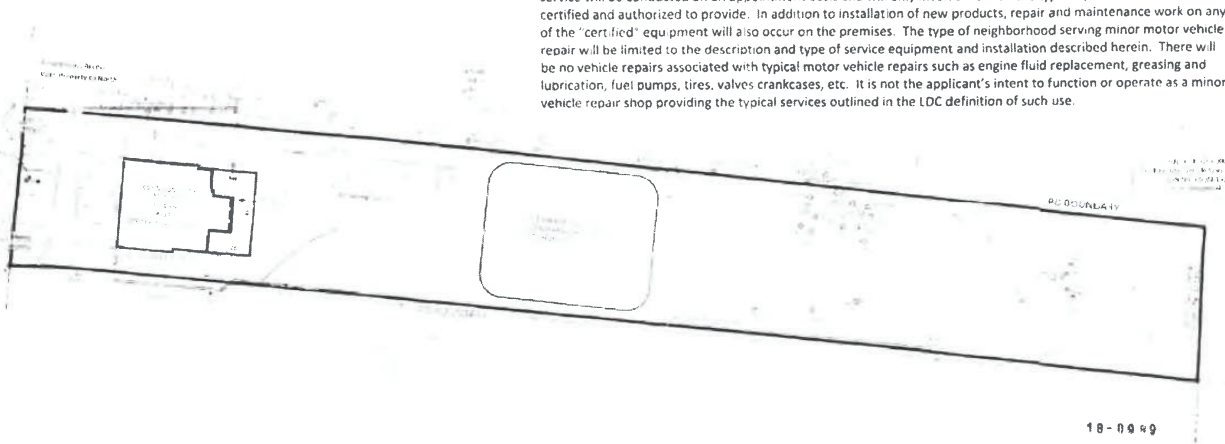
### Existing Zoning Map



**GENERAL NOTES**

**Proposed Uses:**

- 1 **Retail Sales** - The current principal use of the property is commercial retail sales of home health care products and equipment which includes the sale, service and rental of such products including equipment associated with assisting a person's mobility. The retail business offers, in addition to the retail products currently sold, the delivery, set-up, installation and training of customers and caregivers on the use, operation and maintenance of the medical equipment sold from the business. Some examples of the products associated with the business are chair recliners, stair lifts, scooters, canes, walkers, wheelchairs, etc. (Currently permitted through the uses allowed in the *CU Neighborhood Commercial zoning district*.)
- 2 **Domestic Motor Vehicle Sales (limited)** - In conjunction with the operation of the business selling home health care products associated with assisting a person's mobility, domestic vehicle sales of vans with wheelchair lifts or other operational components (such as hand controls, etc.) to assist with mobility will occur on the premises as an ancillary sales component of the business. The number of domestic vehicles of this type (van conversions) will be limited to the quantity of no more than three (3) vehicles at any one time.
- 3 **Neighborhood Serving Minor Motor Vehicle Repair (limited)** - In conjunction with the operation of the business selling home health care products associated with assisting a person's mobility, limited "neighborhood serving minor motor vehicle repair" associated with the installation of wheelchair lifts, hand controls and other operational components necessary to convert domestic vehicles (vans) will be conducted on the premises within an enclosed portion of the building. There will be no outdoor/outside installation or repair work. Work associated with this service will be conducted on an appointment basis and will only involve work on the type of product the business is certified and authorized to provide. In addition to installation of new products, repair and maintenance work on any of the "certified" equipment will also occur on the premises. The type of neighborhood serving minor motor vehicle repair will be limited to the description and type of service equipment and installation described herein. There will be no vehicle repairs associated with typical motor vehicle repairs such as engine fluid replacement, greasing and lubrication, fuel pumps, tires, valves crankcases, etc. It is not the applicant's intent to function or operate as a minor vehicle repair shop providing the typical services outlined in the LDC definition of such use.



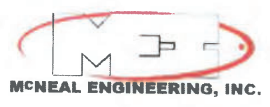
18-0989

APP # RZ-PD 18-0989 LU  
 CLERK DOC # 18-1370  
 PAGE 1 OF 2

RECEIVED  
 DEVELOPMENT SERVICES  
 CITY



**Existing General Site Plan (PD 18-0989 LU)**





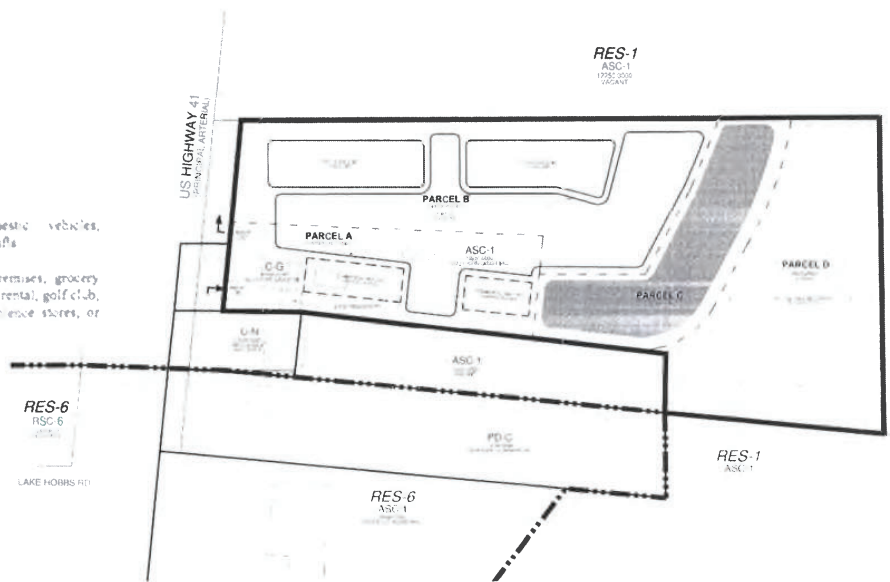
**FINAL CONDITIONS  
OF APPROVAL**

PETITION NUMBER: RZ 03 132' LL  
 MEETING DATE: January 13, 2004  
 DATE TYPED: January 14, 2004

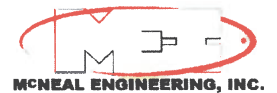
Approval - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted November 3, 2003.

- The project shall be permitted a maximum of 15,000 square feet of Commercial General (CG) uses in Parcel A and 20,000 square feet of Business Professional Office (BPO) uses in Parcel B. The project shall be limited to the following uses:

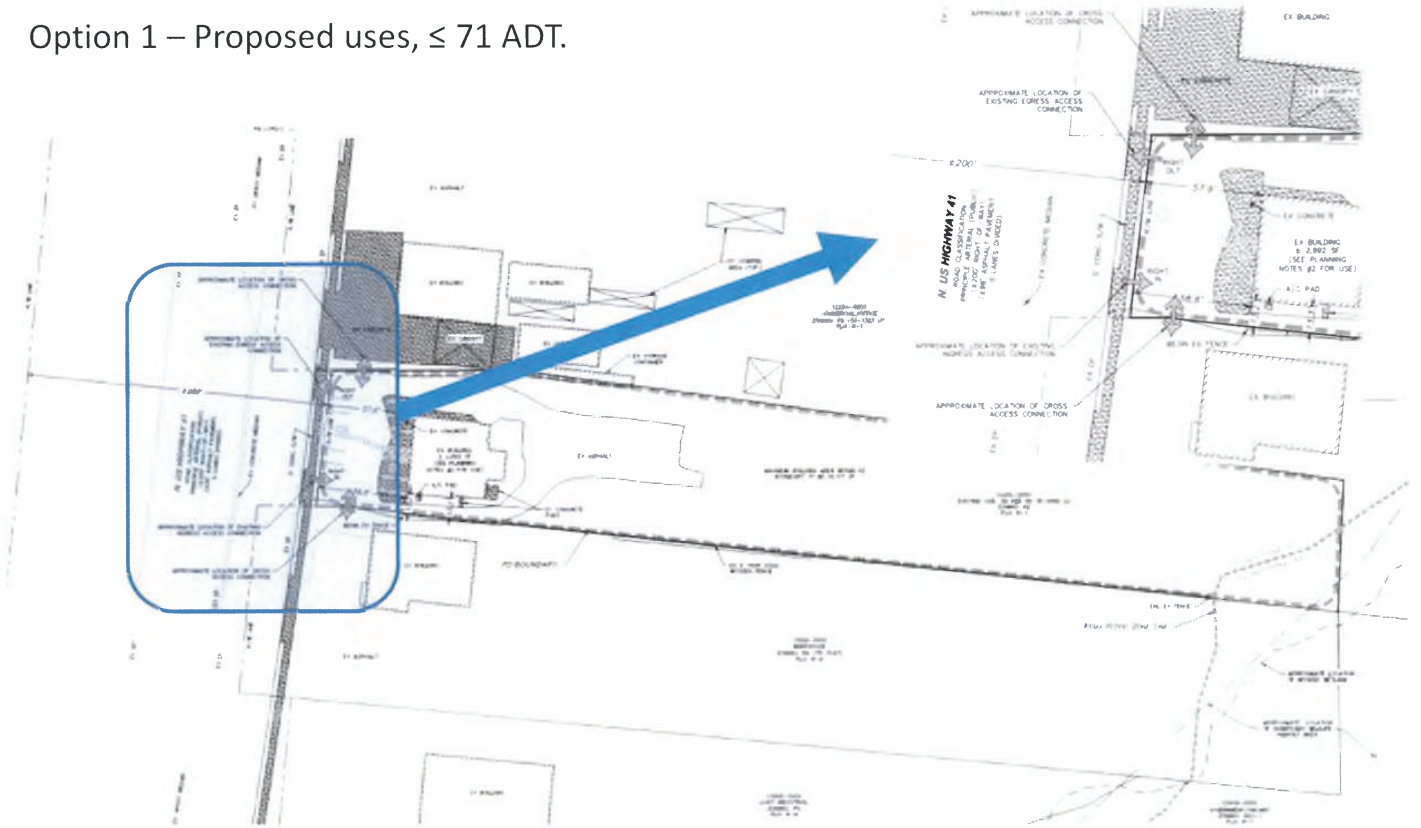
<b>BPO uses</b>	Professional Office Professional Services Health Practitioner's Office
<b>CG uses</b>	Plant farm Farm/Garden supply center Retail goods stores Contractor's Office Hardware store Lawn Care/Landscaping Lumber and other building materials Motorized vehicle repair, neighborhood Motor vehicle sales, non-commercial Rental/leasing, light equipment Sales/rental service of new/used domestic vehicles, furn, garden equipment, private pleasure crafts
<b>Prohibited uses</b>	Open storage, bowling alleys, brew on premises, grocery stores, hospitals and medical centers, canoe rental, golf club, trade school, fast food restaurants, convenience stores, or stand alone bars, and billboards



**Existing General Site Plan – Northerly Adjacent Parcel**



Option 1 – Proposed uses, ≤ 71 ADT.

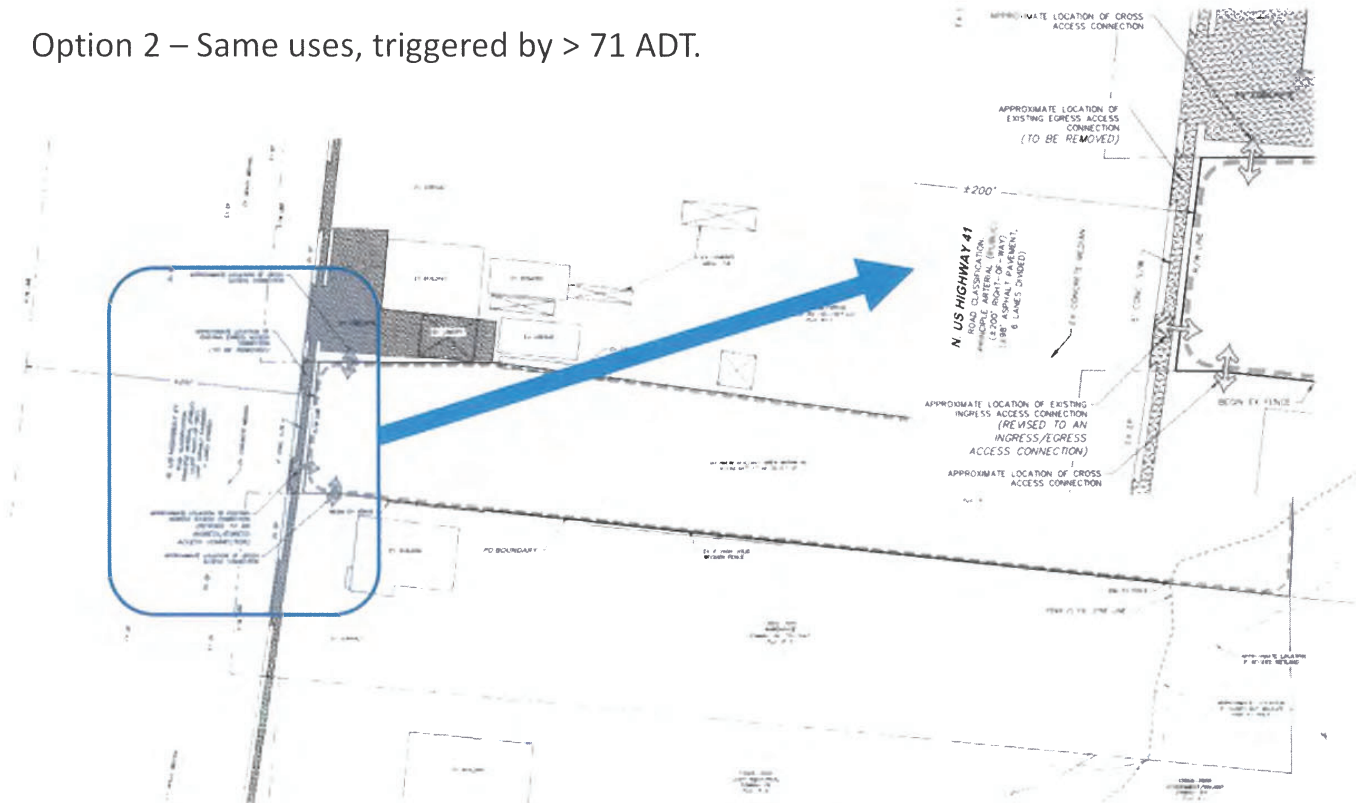


Proposed Site Plan – Option 1

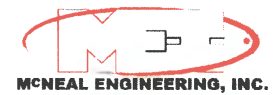




Option 2 – Same uses, triggered by > 71 ADT.



### Proposed Site Plan – Option 2



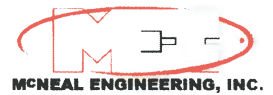


Looking West Along South Property Line

**Request:** A variation to section 6.06.06 to allow a 0 ft buffer and the existing wood fence along the southern property line to serve as the required screening where a 15 ft buffer and Type "B" screening is required for Option 1.



PD Variation Request



## Northerly Adjacent Neighbor

As the owner of 19313 N 41 Hwy, Lutz, FL (Folio #012254-0000), I would like to express my tremendous support for Steger Site Preparation's rezoning proposal (MM 21-0562) that will allow their office (with the option for future uses) located at 19309 N, US Highway 41. I appreciate their interest in this property and look for to having a great neighbor and developing a longstanding relationship!

We acknowledge there is a landscape buffer requirement per the County Land Development Code between our properties. This additional buffer is simply not needed, and I would like to document my support for their request to leave the existing buffer as is.

Thank you for your consideration.



## Southerly Adjacent Neighbor

**BARNETT LAND DEVELOPMENT, Inc.**  
Site Preparation, Fill, Rock, Shell

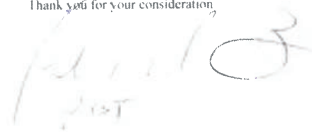


Phone: (813) 949-6644 • Fax: (813) 948-0249

As the owner of 19301 N 41 Hwy, Lutz, FL (Folio #013569-0000), I would like to express my tremendous support for Steger Site Preparation's rezoning proposal (MM 21-0562) that will allow their office (with the option for future uses) located at 19309 N, US Highway 41. I appreciate their interest in this property and look for to having a great neighbor and developing a longstanding relationship!

We acknowledge there is a landscape buffer requirement per the County Land Development Code between our properties. This additional buffer is simply not needed, and I would like to document my support for their request to leave the existing buffer as is.

Thank you for your consideration.



### Letters of Support





**PARTY OF  
RECORD**

## Rome, Ashley

---

**From:** Hearings  
**Sent:** Monday, June 14, 2021 12:25 PM  
**To:** Timoteo, Rosalina  
**Cc:** Rome, Ashley  
**Subject:** FW: 19309 Letter of Support (MM 21-0562)  
**Attachments:** 19309 N 41 Hwy Rezoning Support Letter - Barnett.pdf

### Connor MacDonald, MURP

#### Planning & Zoning Technician

Development Services Department (DSD)

---

**P:** (813) 829-9602 | **VoIP:** 39402

**M:** (813) 272-5600

**E:** [macdonaldc@hillsboroughcounty.org](mailto:macdonaldc@hillsboroughcounty.org)

**W:** [HillsboroughCounty.Org](http://HillsboroughCounty.Org)

---

### Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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---

**From:** Linda Cassidy <[lcassidy@mcnealengineering.com](mailto:lcassidy@mcnealengineering.com)>

**Sent:** Monday, June 14, 2021 11:36 AM

**To:** Hearings <[Hearings@HillsboroughCounty.ORG](mailto:Hearings@HillsboroughCounty.ORG)>

**Cc:** Chris McNeal <[cmcneal@mcnealengineering.com](mailto:cmcneal@mcnealengineering.com)>; 'Nick Dittman' <[nick@stegersite.com](mailto:nick@stegersite.com)>

**Subject:** FW: 19309 Letter of Support (MM 21-0562)

[External]

Good afternoon,

Attached is a letter of support for MM 21-0562. It is from Barnett Land Development located at 19301 N. 41 Hwy (Folio #013569.0000). Their phone number is 813-949-6644 if you need to contact.

Thank you,

### Linda Cassidy

Assistant to Chris McNeal

---

**P:** 813.968.1081

**D:** 813.563.4329

**F:** 813.961.5839

**W:** [www.mcnealengineering.com](http://www.mcnealengineering.com)

---

**From:** Chris McNeal <[cmcneal@mcnealengineering.com](mailto:cmcneal@mcnealengineering.com)>  
**Sent:** Monday, June 14, 2021 9:32 AM  
**To:** Linda Cassidy <[lcassidy@mcnealengineering.com](mailto:lcassidy@mcnealengineering.com)>  
**Subject:** Fwd: 19309 Letter of Support

Thank you,

**Christopher S. McNeal, M.Eng, PE**  
**President/CEO**

---

P: 813.968.1081  
D: 813.563.4256  
C: 813.205.2564  
F: 813.961.5839  
W: [www.mcnealengineering.com](http://www.mcnealengineering.com)

---

**McNEAL ENGINEERING, INC.**  
15957 N. Florida Avenue, Lutz, FL 33549

---

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Begin forwarded message:

**From:** Nick Dittman <[nick@stegersite.com](mailto:nick@stegersite.com)>  
**Date:** June 14, 2021 at 8:28:06 AM CDT  
**To:** Chris McNeal <[cmcneal@mcnealengineering.com](mailto:cmcneal@mcnealengineering.com)>  
**Subject:** 19309 Letter of Support

Chris,  
Attached is the letter from Barnett.

Regards,

Nick Dittman  
Vice President  
Lutz Office (813)527-0679  
E-Fax (866) 478-2898  
[www.stegersite.com](http://www.stegersite.com)

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# BARNETT LAND DEVELOPMENT, Inc.

## Site Preparation. Fill. Rock. Shell

---

Phone: (813) 949-6644 • Fax: (813) 948-0249

As the owner of 19301 N 41 Hwy, Lutz, FL (Folio #013569-0000), I would like to express my tremendous support for Steger Site Preparation's rezoning proposal (MM 21-0562) that will allow their office (with the option for future uses) located at 19309 N. US Highway 41. I appreciate their interest in this property and look forward to having a great neighbor and developing a longstanding relationship!

We acknowledge there is a landscape buffer requirement per the County Land Development Code between our properties. This additional buffer is simply not needed, and I would like to document my support for their request to leave the existing buffer as is.

Thank you for your consideration.

A large, stylized handwritten signature in black ink. The signature appears to be "Paul M. B." with a large, looping "B". Below the signature, the initials "PMB" are written in a smaller, simpler hand.

PMB

## Rome, Ashley

---

**From:** Hearings  
**Sent:** Thursday, June 17, 2021 3:15 PM  
**To:** Timoteo, Rosalina  
**Cc:** Rome, Ashley  
**Subject:** FW: 19309 Letter of Support (MM 21-0562)  
**Attachments:** cidD8B86F40-511A-4FCE-99A6-4CD0F6318261.pdf

### Connor MacDonald, MURP

#### Planning & Zoning Technician

Development Services Department (DSD)

---

**P:** (813) 829-9602 | **VoIP:** 39402

**M:** (813) 272-5600

**E:** [macdonaldc@hillsboroughcounty.org](mailto:macdonaldc@hillsboroughcounty.org)

**W:** [HillsboroughCounty.Org](http://HillsboroughCounty.Org)

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### Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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---

**From:** Linda Cassidy <[lcassidy@mcnealengineering.com](mailto:lcassidy@mcnealengineering.com)>  
**Sent:** Thursday, June 17, 2021 2:52 PM  
**To:** Hearings <[Hearings@HillsboroughCounty.ORG](mailto:Hearings@HillsboroughCounty.ORG)>  
**Cc:** Chris McNeal <[cmcneal@mcnealengineering.com](mailto:cmcneal@mcnealengineering.com)>; 'Nick Dittman' <[nick@stegersite.com](mailto:nick@stegersite.com)>  
**Subject:** FW: 19309 Letter of Support (MM 21-0562)

[External]

Good afternoon,

Attached is a letter of support for MM 21-0562. It is from Fred Meyer, the owner of 19313 N. 41 Hwy, Lutz (Folio #012254-0000). His contact phone number is 813-267-9441.

Thank you,

### Linda Cassidy

Assistant to Chris McNeal

---

**P:** 813.968.1081

**D:** 813.563.4329

**F:** 813.961.5839

**W:** [www.mcnealengineering.com](http://www.mcnealengineering.com)

---

**From:** Nick Dittman <[nick@stegersite.com](mailto:nick@stegersite.com)>  
**Sent:** Monday, June 14, 2021 12:44 PM  
**To:** Chris McNeal <[cmcneal@mcnealengineering.com](mailto:cmcneal@mcnealengineering.com)>; Linda Cassidy <[lcassidy@mcnealengineering.com](mailto:lcassidy@mcnealengineering.com)>  
**Subject:** 19309

Here is a letter of support from my neighbor to the north.

Regards,  
Nick Dittman  
Vice President  
PO Box 9025  
Masaryktown, FL 34604  
Lutz Office (813)527-0679  
Brooksville Office (352) 797-0200  
E-Fax (866) 478-2898  
[www.stegersite.com](http://www.stegersite.com)

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Thank you for your consideration.



19313 LLC

813 247 9441