

Rezoning Application: RZ-STD 22-0702

Zoning Hearing Master Date: May 16, 2022

BOCC Land Use Meeting Date: July 26, 2022

1.0 APPLICATION SUMMARY

Applicant: Jose R. and Pedro J Rodriguez

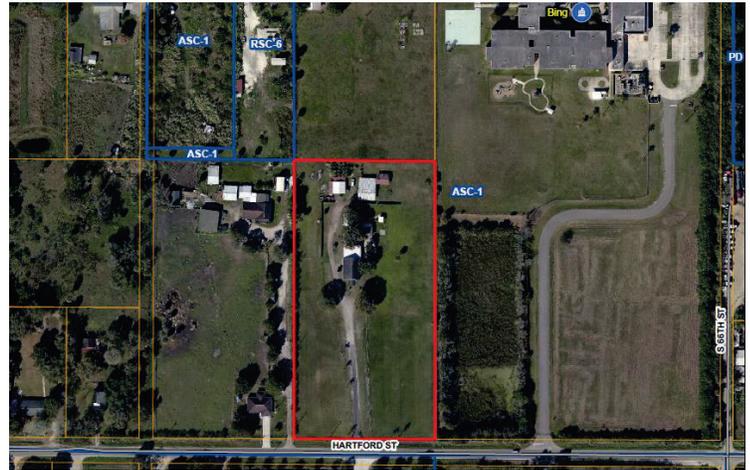
FLU Category: Residential-6 (R-6)

Service Area: Urban

Site Acreage: 4.61 MOL

**Community
Plan Area:** Greater Palm River

Overlay: None



Introduction Summary:

The existing zoning is Agricultural - Single-Family Conventional (ASC-1) which permits Single-Family Residential/Agricultural uses pursuant to the development standards in the table below. The proposed zoning is Commercial – Neighborhood Restricted (CN-R) which allows Neighborhood Commercial, Office and Personal Services uses pursuant to the development standards in the table below. However, the applicant has offered a restriction to limit the use of the parcel to only an outdoor and indoor venue/banquet/reception use facility. The applicant has also offered operating hour and screening restrictions.

Zoning:	Existing	Proposed
District(s)	ASC-1	CN-R
Typical General Use(s)	Single-Family Residential/Agricultural	Neighborhood Commercial, Office and Personal Services
Acreage	4.61 MOL	4.61 MOL
Density/Intensity	1 du/gross acre	0.20 F.A.R.
Mathematical Maximum*	4 units	40,162 sf

*number represents a pre-development approximation

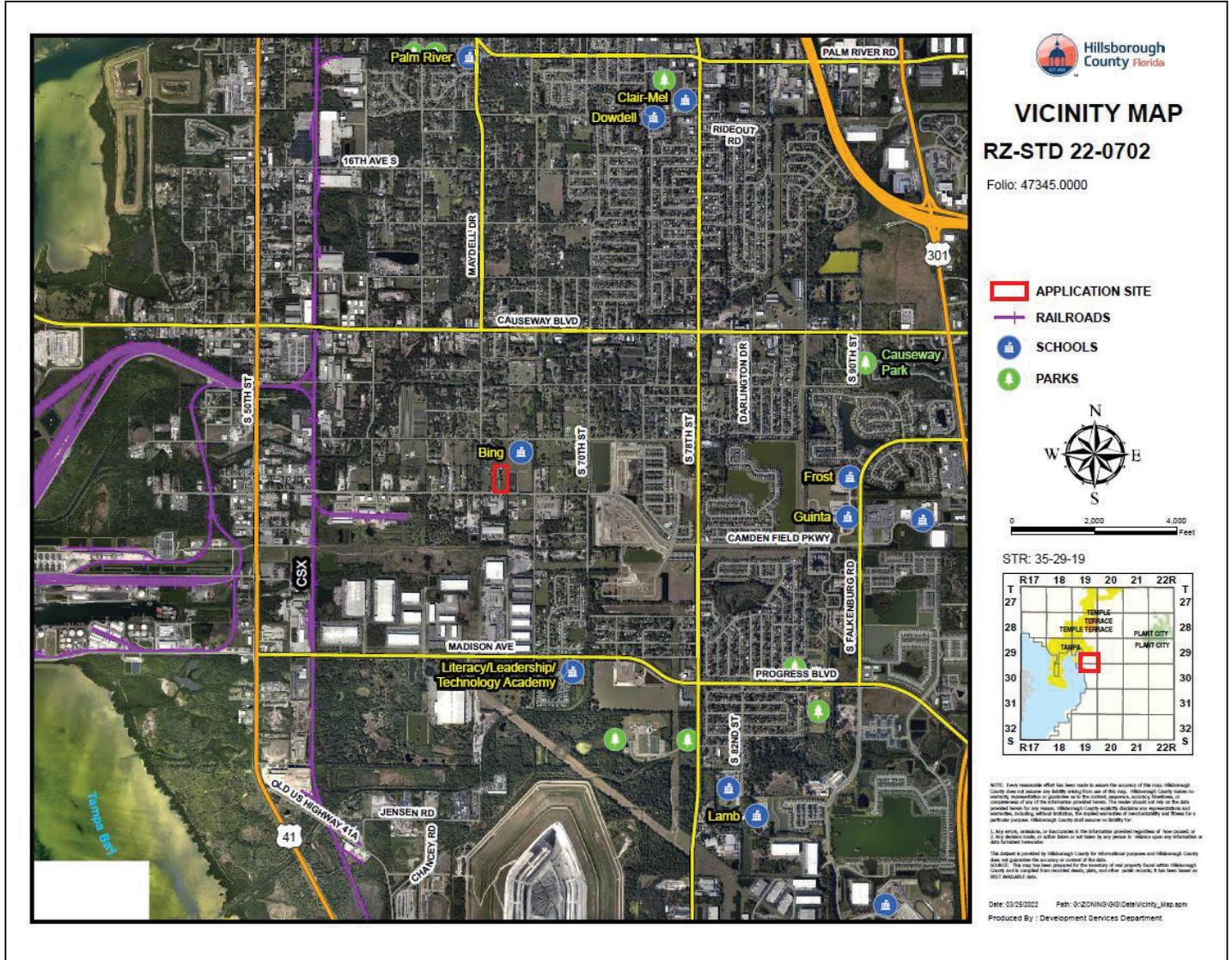
Development Standards	Existing	Proposed
District(s)	ASC-1	CN-R
Lot Size / Lot Width	43,560 sf / 150'	7,000 sf / 70'
Setbacks/Buffering and Screening	50' Front 50' Rear 15' Sides	30' Front Buffer Rear Buffer Sides
Height	50'	35'

Planning Commission Recommendation:
Inconsistent

Development Services Recommendation:
Not Supportable

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

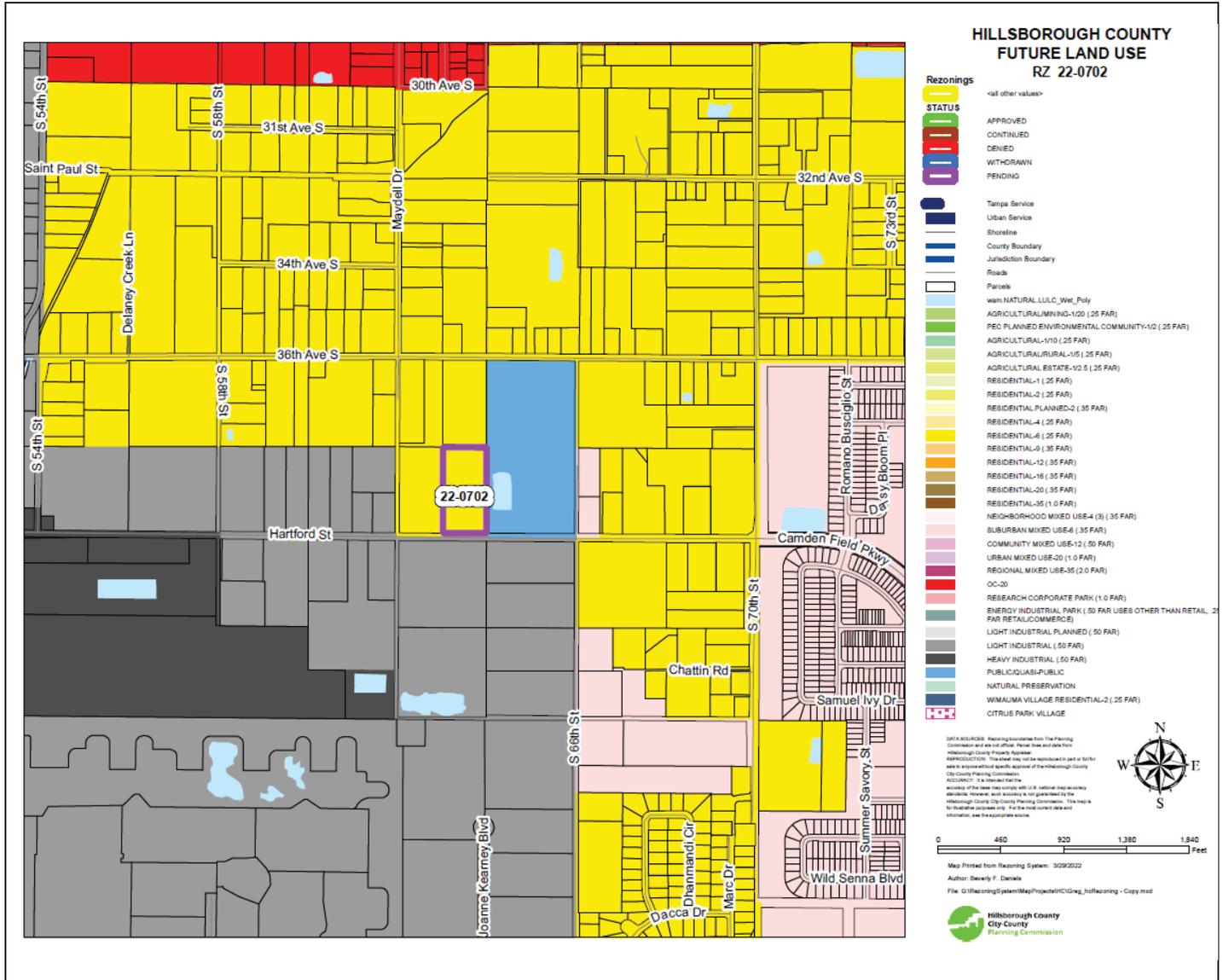


Context of Surrounding Area:

The area consists of single-family residential, light industry commercial and institutional. The subject parcels are directly adjacent to residential zoned ASC-1 (Agricultural – Single-Family) to the north and west. To the east the parcel is adjacent to an elementary school zoned ASC-1. To the south across Hartford Street is a trucking business zoned M (Manufacturing).

2.0 LAND USE MAP SET AND SUMMARY DATA

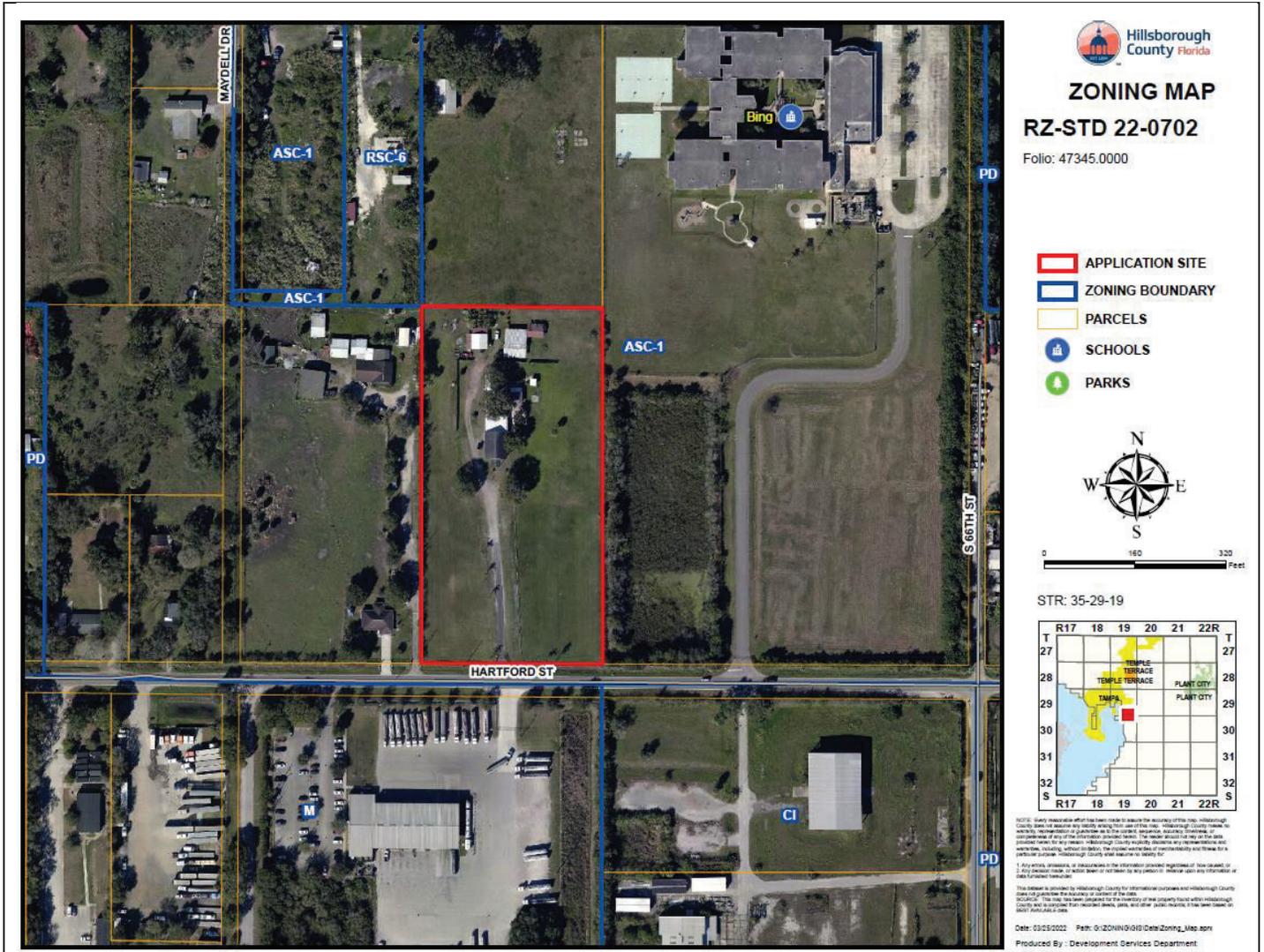
2.2 Future Land Use Map



Subject Site Future Land Use Category:	Residential-6 (R-6)
Maximum Density:	6.0 dwelling units per gross acre / 0.25 F.A.R.
Typical Uses:	Residential, suburban scale neighborhood commercial, office uses, multi-purpose projects and mixed-use development. Non-residential uses shall meet established locational criteria for specific land use.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density Permitted by Zoning District:	Allowable Use:	Existing Use:
North	ASC-1	1 du per ga	Single-Family Residential/Agricultural	Single-Family Residential
South	M	0.75 F.A.R.	Commercial	Commercial
East	ASC-1	1 du per ga	Single-Family Residential/Agricultural	Elementary School
West	ASC-1	1 du per ga	Single-Family Residential/Agricultural	Single-Family Residential

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
Hartford Street	County Collector - Urban	2 Lanes <input checked="" 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 Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	38	3	4
Proposed	4,271	153	236
Difference (+/-)	+4,233	+150	+232

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

Connectivity and Cross Access Not applicable for this request

Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
Notes:				

Design Exception/Administrative Variance 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

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Check if Applicable: <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input checked="" type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
Service Area/ Water & Wastewater <input checked="" type="checkbox"/> Urban <input checked="" type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Inconsistent <input type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The approximate 4.61-acre lot is located at 6400 Hartford Street. The parcel is in an area comprised of single-family residential, light industry commercial and institutional. The subject parcels are directly adjacent to residential zoned ASC-1 (Agricultural – Single-Family) to the north and west. To the east the parcel is adjacent to an elementary school zoned ASC-1. To the south across Hartford Street is a trucking business zoned M (Manufacturing).

The applicant has offered the following restrictions to mitigate compatibility issues/concerns: 1) The use is restricted to an outdoor and indoor venue/banquet/reception use facility. 2) Events on the property will only occur on Friday, Saturday and Sunday. Friday events would only occur after school hours. 3) The existing fence of which surrounds the entire property, must remain in place. 4) Events are between 4 PM and midnight, other than setting up the event and cleaning up the event. They also requested a waiver for Commercial Locational Criteria as outlined in Policy 22.8 of the Comprehensive Plan.

The subject property is designated Residential-6 (R-6) on the Future Land Use map. The Planning Commission found the proposed use inconsistent with the Comprehensive Plan noting the following: 1) The subject site does not meet Commercial Locational Criteria as per Objective 22 and Policy 22.2 of the Future Land Use Element. The applicant has requested a waiver, which is in the record. 2) The site is not located at a designated Commercial Node recognized by the community plan. 3) Planning Commission staff have compatibility concerns with the proposed use and the residential uses to the west. Staff also note that the site is adjacent to a school on the east side. Noise emanating from outdoor events are a concern.

Staff has concerns that the reception facility, even with the restrictions, would adversely impact the adjacent residential to the north and west of the parcel given that activities will be occurring on weekend nights. The facility appears to be inconsistent with the character of the area on the north side of Hartford Street.

Based on the above considerations, including the inconsistencies with the Hillsborough County Comprehensive Plan, staff finds the requested CN-R zoning district incompatible with the existing zoning and development pattern in the area.

5.2 Recommendation

Not supportable.

As noted, the applicant has offered the following restrictions:

- 1) The use is restricted to an outdoor and indoor venue/banquet/reception use facility
- 2) Events on the property will only occur on Friday, Saturday and Sunday. Friday events would only occur after school hours.
- 3) The existing fence of which surrounds the entire property, must remain in place.
- 4) Events are between 4 PM and midnight, other than setting up the event and cleaning up the event.

Zoning Administrator Sign Off:



J. Brian Grady
Thu Jul 14 2022 13:34:53

SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.

Approval of this re-zoning petition by Hillsborough County does not constitute a guarantee that the project will receive approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are being waived or otherwise approved. The project will be required to comply with the Site Development Plan Review approval process in addition to obtain all necessary building permits for on-site structures.

6.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department
 REVIEWER: Alex Steady, Senior Planner
 PLANNING AREA/SECTOR: Greater Palm River/ Central

DATE: 05/03/2022
 AGENCY/DEPT: Transportation
 PETITION NO.: STD 22-0702

- This agency has no comments.
- This agency has no objection.
- This agency objects for the reasons set forth below.

REPORT SUMMARY AND CONCLUSIONS

- The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 4,233 average daily trips, 150 trips in the a.m. peak hour, and 232 trips in the p.m. peak hour.
- As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.
- Transportation Review Section staff has no objection to the proposed rezoning.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a +/- 4.6-acre parcel from Agricultural, Single Family Conventional (ASC-1) to Commercial Neighborhood (CN). The site is located on +/- 1.1 miles east of the intersection of Hartford Street and S 50th Street. The Future Land Use designation of the site is Residential-6 (RES-6).

Trip Generation Analysis

In accordance with the Development Review Procedures Manual (DRPM), no transportation analysis was required to process the proposed rezoning. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer's Trip Generation Manual, 10th Edition.

Approved Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
ASC-1, 4 Single Family Detached Dwelling Units (ITE Code 210)	38	3	4

Proposed Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CN, 40,000 sf Supermarket (ITE Code 850)	4,271	153	370
<i>Less Internal Capture:</i>	Not Available	0	0
<i>Passerby Trips:</i>	Not Available	0	134
<i>Net External Trips:</i>	4,271	153	236

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	+4,233	+150	+232

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 4,233 average daily trips, 150 trips in the a.m. peak hour, and 232 trips in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on Hartford Street. Hartford Street is a 2-lane, undivided, substandard, Hillsborough County maintained, collector roadway with +/- 10-foot travel lanes. Hartford Street lies within +/- 83 feet of Right of Way in the vicinity of the project. Hartford Street does not have sidewalks, bike lanes or curb and gutter on either side within the vicinity of the project.

SITE ACCESS

It is anticipated that the site will have access to Hartford Street. As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.

ROADWAY LEVEL OF SERVICE

Hartford Street was not included in the 2020 Hillsborough County Level of Service Report.

COUNTY OF HILLSBOROUGH

**RECOMMENDATION OF THE
LAND USE HEARING OFFICER**

APPLICATION NUMBER: RZ STD 22-0702

DATE OF HEARING: May 16, 2022

APPLICANT: Jose R. and Pedro J.
Rodriguez

PETITION REQUEST: The request is to rezone a
parcel of land from ASC-1
to CN-Restricted

LOCATION: 6400 Hartford Street

SIZE OF PROPERTY: 4.61 acres m.o.l.

EXISTING ZONING DISTRICT: ASC-1

FUTURE LAND USE CATEGORY: RES-6

SERVICE AREA: Urban

COMMUNITY PLANNING AREA: Greater Palm River

DEVELOPMENT REVIEW STAFF REPORT*

***Please note that formatting issues prevented the entire staff report from being included in the Hearing Master’s Recommendation. Please refer to the Hillsborough County Development Services Department website for the complete staff report.**

1.0 APPLICATION SUMMARY

Applicant: Jose R. and Pedro J Rodriguez

FLU Category: Residential-6 (R-6)

Service Area: Urban

Site Acreage: 4.61 MOL

Community Plan Area: Greater Palm River

Overlay: None

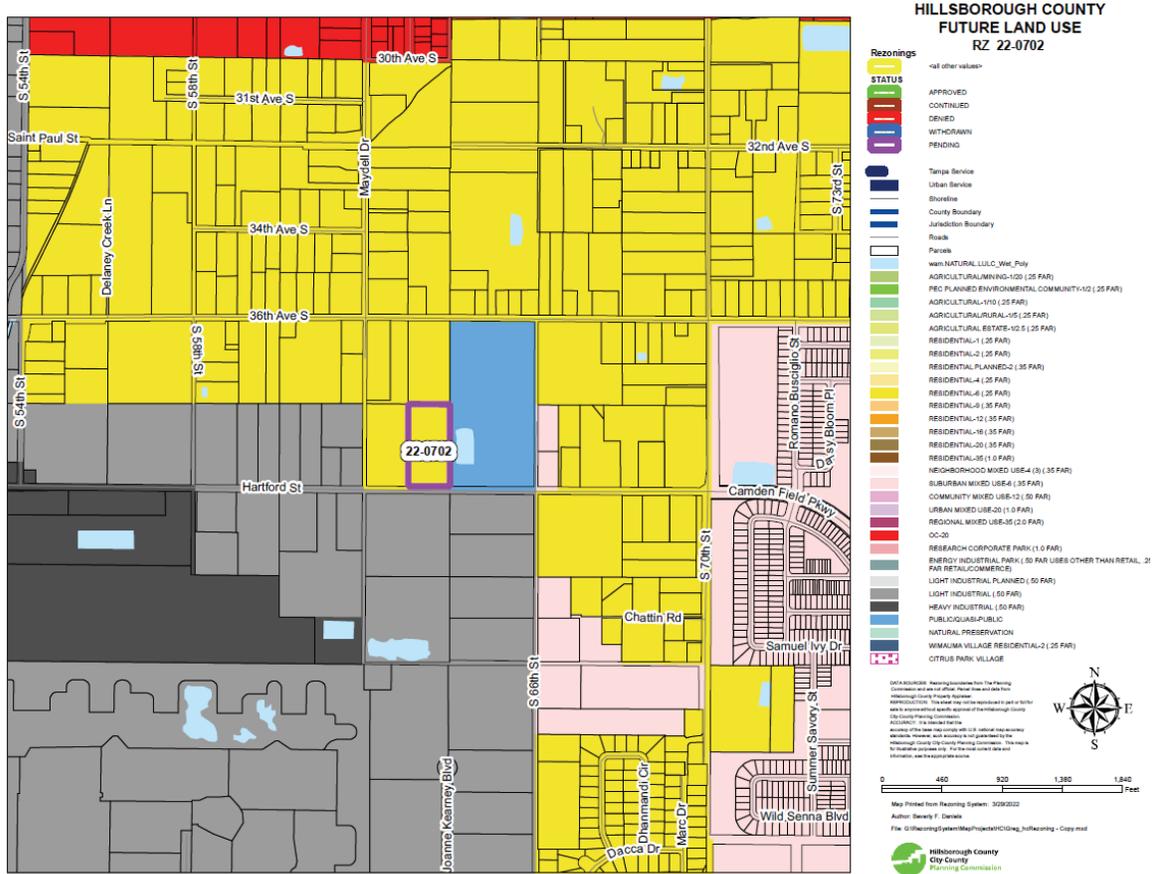
Introduction Summary:		
The existing zoning is Agricultural - Single-Family Conventional (ASC-1) which permits Single-Family Residential/Agricultural uses pursuant to the development standards in the table below. The proposed zoning is Commercial – Neighborhood Restricted (CN-R) which allows Neighborhood Commercial, Office and Personal Services uses pursuant to the development standards in the table below.		
Zoning: Existing Proposed		
District(s)	ASC-1	CN-R
Typical General Use(s)	Single-Family Residential/Agricultural	Neighborhood Commercial, Office and Personal Services
Acreage	4.61 MOL	4.61 MOL
Density/Intensity	1 du/gross acre	0.20 F.A.R.
Mathematical Maximum*	4 units	40,162 sf

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*number represents a pre-development approximation

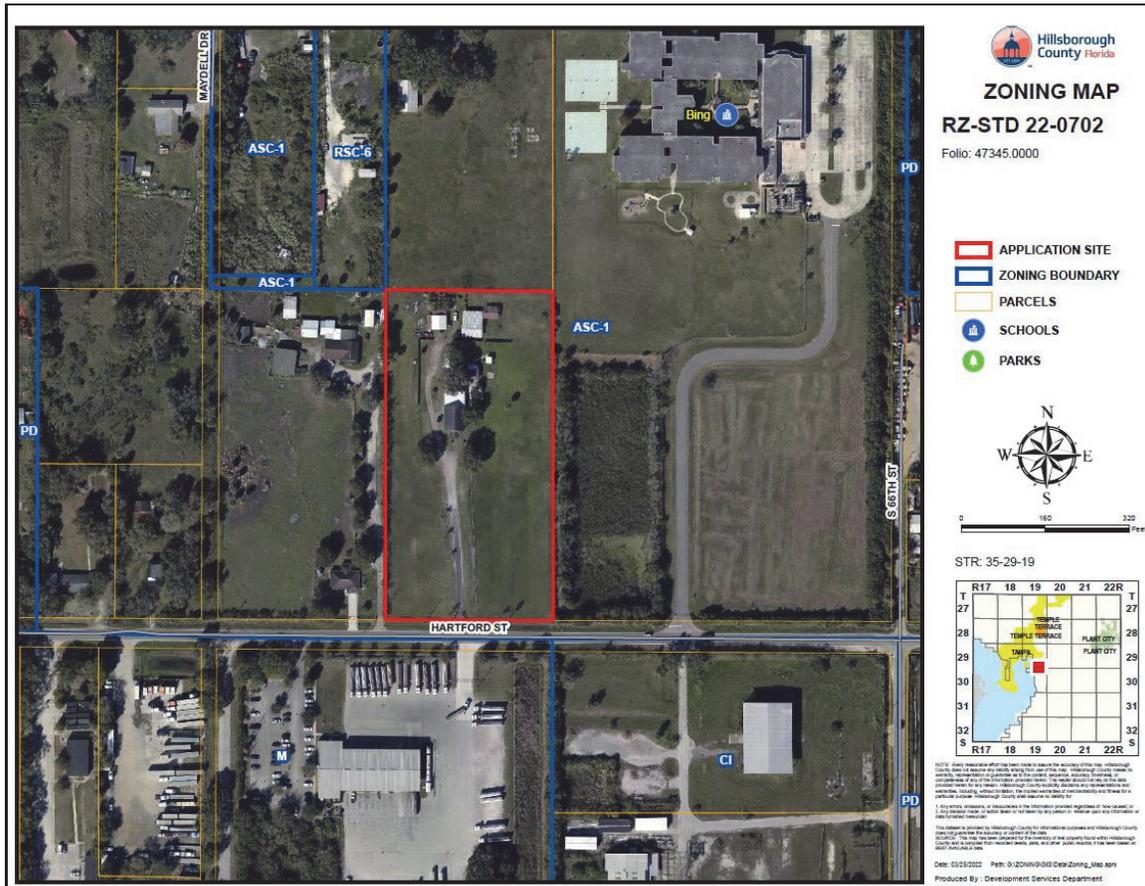
Development Standards Existing Proposed		
District(s)	* ASC-1	CN-R
Lot Size / Lot Width	* 43,560 sf / 150'	7,000 sf / 70'
Setbacks/Buffering and Screening	50' Front 50' Rear 15' Sides	30' Front Buffer Rear Buffer Sides
Height	50'	35'
Planning Commission Recommendation: Inconsistent		Development Services Recommendation: Not Supportable

2.0 LAND USE MAP SET AND SUMMARY DATA 2.2 Future Land Use Map



Subject Site	
Future Land Use Category:	Residential-6 (R-6)
Maximum Density:	6.0 dwelling units per gross acre / 0.25 F.A.R.
Typical Uses:	Residential, suburban scale neighborhood commercial, office uses, multi- purpose projects and mixed-use development. Non-residential uses shall meet established locational criteria for specific land use.

2.0 LAND USE MAP SET AND SUMMARY DATA 2.3 Immediate Area Map



Adjacent Zonings and Uses

Location	Zoning	Maximum Density Permitted by Zoning District:	Allowable Use:	Existing Use:
North	ASC-1	1 du per ga	Single-Family Residential/Agricultural	Single-Family Residential
South	M	0.75 F.A.R.	Commercial	Commercial
East	ASC-1	1 du per ga	Single-Family Residential/Agricultural	Elementary School
West	ASC-1	1 du per ga	Single-Family Residential/Agricultural	Single-Family Residential

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
Hartford Street	County Collector - Urban	2 Lanes <input checked="" 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 Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	38	3	4
Proposed	4,271	153	236
Difference (+/-)	+4,233	+150	+232

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

Connectivity and Cross Access Not applicable for this request

Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.

Notes:

Design Exception/Administrative Variance 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

INFORMATION/REVIEWING AGENCY	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental:				
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Check if Applicable:

Wetlands/Other Surface Waters

Use of Environmentally Sensitive Land Credit

Potable Water Wellfield Protection Area Significant Wildlife Habitat

Coastal High Hazard Area

Urban/Suburban/Rural Scenic Corridor Adjacent to ELAPP property

Other

<input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
Service Area/ Water & Wastewater <input checked="" type="checkbox"/> Urban <input checked="" type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Inconsistent <input type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Density Bonus Requested Consistent Inconsistent

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The approximate 4.61-acre lot is located at 6400 Hartford Street. The parcel is in an area comprised of single-family residential, light industry commercial and institutional. The subject parcels are directly adjacent to residential zoned ASC-1 (Agricultural – Single-Family) to the north and west. To the east the parcel is adjacent to an elementary school zoned ASC-1. To the south across Hartford Street is a trucking business zoned M (Manufacturing).

The applicant has offered the following restrictions to mitigate compatibility issues/concerns: 1) The use is restricted to an outdoor and indoor venue/banquet/reception use facility. 2) Events on the property will only occur on Friday, Saturday and Sunday. Friday events would only occur after school hours. 3) The existing fence of which surrounds the entire property, must remain in place. 4) Events are between 4 PM and midnight, other than setting up the event and cleaning up the event. They also requested a waiver for Commercial Locational Criteria as outlined in Policy 22.8 of the Comprehensive Plan.

The subject property is designated Residential-6 (R-6) on the Future Land Use map. The Planning Commission found the proposed use inconsistent with the Comprehensive Plan noting the following: 1) The subject site does not meet Commercial Locational Criteria as per Objective 22 and Policy 22.2 of the Future Land Use Element. The applicant has requested a waiver, which is in the record. 2) The site is not located at a designated Commercial Node recognized by the community plan. 3) Planning Commission staff have compatibility concerns with the proposed use and the residential uses to the west. Staff also note that the site is adjacent to a school on the east side. Noise emanating from outdoor events are a concern.

Staff has concerns that the reception facility, even with the restrictions, would adversely impact the adjacent residential to the north and west of the parcel given that activities will be occurring on weekend nights. The facility appears to be inconsistent with the character of the area on the north side of Hartford Street.

Based on the above considerations, including the inconsistencies with the Hillsborough County Comprehensive Plan, staff finds the requested CN-R zoning district incompatible with the existing zoning and development pattern in the area.

5.2 Recommendation

Not supportable.

SUMMARY OF HEARING

THIS CAUSE came on for hearing before the Hillsborough County Land Use Hearing Officer on May 16, 2022. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

Mr. Todd Pressman 200 2nd Avenue South # 451 St. Petersburg testified on behalf of the applicant. Mr. Pressman showed a PowerPoint presentation to describe the requested rezoning from ASC-1 to CN-Restricted. The property is located in the Greater Palm River Community Planning Area at 6400 Hartford Street. There is a school in the area and some very heavy industrial type uses that include Bulk Express, Premier Trailer Leasing, Eagle Transport Corporation and S&S Freight. Mr. Pressman showed a zoning map to discuss the large amount of Manufacturing zoning across the street. He added that there is some CI and M further down the street on Hartford. The Future Land Use category of that area is Light Industrial with some SMU-6 in the immediate vicinity. The property is 4.61 acres in size and the applicant has proposed a number of Restrictions in response to concerns raised by the staff. The first Restriction limits the use to an outdoor and indoor venue/banquet/reception use. Mr. Pressman introduced Ms. Soto who is the operator of the family business. He added that the family works in different capacities at the business. The events are proposed to be Restricted to occur on Friday, Saturday and Sunday. The Friday events will only be after school hours. The third Restrictions requires the existing fence which surrounds the property to remain in place. The fourth Restriction limits the event hours to between 4:00pm to midnight other than the setting up of the event and the cleaning after the event. Mr. Pressman testified that the main access to the site is on Hartford. The school access is on Hartford but far away from the subject property. The school is oriented away from the subject parcel to 36th Avenue South. He showed an aerial photo from the US Fish and Wildlife map series to discuss an existing wetland adjacent to the subject property. The wetland provides a significant buffer to the school grounds. He showed a graphic to identify the location of people that support the rezoning to the north and to the west. A letter of support was filed into the record. A waiver of commercial locational criteria has been filed. Mr. Pressman stated that the staff's main concern was compatibility with the existing residential land uses. He concluded his presentation by asking Ms. Soto to testify and show photos of the property.

Hearing Master Finch asked Mr. Pressman if the use was existing. Mr. Pressman replied yes and stated that it has existed for a number of years. He added that as the Sotos interfaced with the County to obtain permits, Code Enforcement made them aware that the use was not permitted in the existing zoning district. Mr. Pressman stated that he checked the status of the Code Enforcement case the day of the hearing and it showed compliance.

Mr. Pressman showed pictures of the subject property.

Hearing Master Finch asked Mr. Pressman if there was an existing home on-site. Mr. Pressman replied that the structure on-site is a simple clubhouse.

Ms. Juana Soto 4103 North Habana Avenue testified as the owner of the property and operator of the business. She stated that her family has owned the property for 45 years and had family events on-site. She explained that in the last several years, they have been doing small events not knowing about the zoning issue. The rezoning request is to resolve the zoning issue. Ms. Soto added that her parents are retired and it is a source of income for them.

Hearing Master Finch asked Ms. Soto if the clubhouse was the only structure on-site. Ms. Soto replied yes and added that there is a bathroom and a barbeque pit area.

Hearing Master Finch asked Ms. Soto if anyone lives on the property. Ms. Soto replied no.

Mr. Pressman continued with the applicant's presentation by stating that the business has been operating for a number of years with no complaints. The nearby school sent a couple of emails asking about the rezoning and they did not seem to have any difficulties.

Hearing Master Finch asked Mr. Pressman how Code Enforcement became aware of the zoning issue. Mr. Pressman replied that Code Enforcement became aware when Ms. Soto was in the process of obtaining permits.

Mr. Chris Grandlienard, Development Services staff, testified regarding the County's staff report. Mr. Grandlienard stated that the request is to rezone the property from the Agricultural Single Family Conventional to Commercial Neighborhood-Restricted (CN-R). He added that the property is 4.61 acres and located in the Greater Palm River Community Planning Area. Mr. Grandlienard described the surrounding zoning and land use pattern. ASC-1 zoning is to the immediate north, east and west. Across the street is zoned Manufacturing with a trucking company located on that property. He described the proposed Restrictions. The applicant has requested a waiver to commercial locational criteria. The Planning Commission found the request inconsistent with the Comprehensive Plan and does not support the waiver. Staff has concerns with the compatibility of the use and the noise emanating from it given the residential and school to the west and east. Mr. Grandlienard concluded his presentation by stating that the facility is inconsistent with the character of the area on the north side of Hartford and staff finds the request not supportable.

Hearing Master Finch asked Mr. Grandlienard if it was ever discussed with the applicant to rezone to Planned Development. Mr. Grandlienard no, that it was not discussed.

Ms. Karla Llanos, Planning Commission staff testified regarding the Planning Commission staff report. Ms. Llanos stated that the subject property is within the Residential-6 Land Use classification and the Urban Service Area and Greater Palm River Community Planning Area. She stated that the property is located in the Coastal High Hazard Area and described the surrounding land uses and proposed Restrictions. The applicant has requested a waiver of commercial locational criteria as the property is not located at a designated community node. The Planning Commission does not support the waiver and has advised the Board not to grant the waiver. Ms. Llanos testified that Objective 16 and accompanying Policies 16.1, 16.2, and 16.3 require the protection of established neighborhoods and compatibility with the surrounding development pattern. The applicant has not addressed how the proposed use helps protect the established neighborhood including the mitigation of noise. Ms. Llanos testified that the Planning Commission finds the proposed rezoning not compatible with the existing development pattern in the area and is inconsistent with the Future of Hillsborough Comprehensive Plan.

Hearing Master Finch asked Ms. Llanos what was the qualifying intersection in terms of locational criteria. Ms. Llanos replied with the standard for measuring locational criteria and the identifying the map of roads that qualify. Hearing Master Finch stated that she would come back to Ms. Llanos later in the hearing to obtain the answer.

Hearing Master Finch asked for members of the audience in support of the application. None replied.

Hearing Master Finch asked for members of the audience in opposition to the application.

Ms. Thelma Fernandez 6610 36th Avenue South testified in opposition. Ms. Fernandez stated that she lives west of the school. She stated that the police are called every weekend because of the noise from the facility. The noise ordinance requires that it should be turned off at 10pm. Ms. Fernandez described another wedding facility that is located north on 70th Street that she never hears. She described the subject facility as disregarding everybody in the neighborhood and the music is heard at 2:00, 3:00 and 4:00am. She stated that she had a hospice nurse in her house on March 30th who called the police because her Mother-in Law could not even sit in her bed. The noise rattles the cabinets and one cannot sleep. Ms. Fernandez named other residents in the neighborhood that are against the rezoning. She added that the subject property is wet and they have to call tow trucks to get the cars off-site. Ms. Fernandez concluded her comments by stating that the use conflicts with the residential neighborhood.

Mr. W.L. Sexton Cook Jr. 6210 36th Avenue testified in opposition. Mr. Cook stated that the parties start at 2:00pm and never shut down at midnight unless a

deputy sheriff is called. He stated that he has to sleep because of the noise from the music. Mr. Cook testified that he would be fine with a request to build homes but opposes the request.

Ms. Llanos of the Planning Commission testified that the nearest qualifying intersection is over 10,000 feet away from the subject property.

County staff did not have additional comments.

Mr. Pressman testified during the rebuttal period that the Planning Commission makes a point that the request is not compatible with the north side of Hartford Street. He pointed to the area which is designated Light Industrial including a portion on the north side of Hartford. The school is an intensive use which hundreds of kids coming and going twice per day. Mr. Pressman stated that the request addresses the use for the abutting neighbors. He stated that he checked Code Enforcement the day of the hearing and the property is in compliance. He added that he checked the Sheriff's Office data for the property and did not see any complaints.

Ms. Soto testified during the rebuttal period that her father personally supervises the events and the music is turned off at midnight. She added that her family does the cleaning and turns off the music at 11pm. No beer trucks are brought in and they do not sell liquor.

Mr. Pressman concluded his rebuttal by stating that the people that spoke in opposition live on the other side of the school and that the abutting neighbors are in support.

The hearing was then concluded.

EVIDENCE SUBMITTED

Mr. Pressman submitted a copy of his PowerPoint presentation and photos of the subject property, into the record.

PREFACE

All matters that precede the Summary of Hearing section of this Decision are hereby incorporated into and shall constitute a part of the ensuing Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. The subject property is 4.61 acres in size and is currently zoned Agricultural Single-Family Conventional-1 (ASC-1) and is designated Residential-6 (RES-6) by the Comprehensive Plan. The property is located within the Urban Service Area and the Greater Palm River Community Planning Area.
2. The applicant is requesting a rezoning to the Commercial Neighborhood-Restricted (CN-R) zoning district. The applicant proposes the following Restrictions:
 - 1) The use is restricted to an outdoor and indoor venue/banquet/reception use facility.
 - 2) Events on the property will only occur on Friday, Saturday and Sunday. Friday events would only occur after school hours.
 - 3) The existing fence of which surrounds the entire property must remain in place.
 - 4) Events are between 4pm and Midnight, other than setting up the event and cleaning up the event.
3. The property owner testified that the indoor/outdoor party event facility has been in operation for several years. Code Enforcement cited the subject property for conducting a land use that is not permitted in the existing ASC-1 zoning district.
4. The subject property is developed with a clubhouse structure and outdoor pole barn structure where the banquet/reception events are conducted.
5. The Planning Commission staff testified that the property is located in the Coastal High Hazard Area. The applicant has requested a waiver of commercial locational criteria as the property is located approximately 10,000 feet away from a designated community node. The Planning Commission does not support the waiver as the applicant has not addressed how the proposed use helps protect the established neighborhood including the mitigation of noise. The Planning Commission found the proposed rezoning not compatible with the existing development pattern in the area and is inconsistent with the Future of Hillsborough Comprehensive Plan.
6. The Development Services staff also does not support the rezoning as the facility would adversely impact the adjacent residential to the north and west and the facility is inconsistent with the character of the area on the north side of Hartford Street.

7. Two letters of support were filed into the record prior to the Zoning Hearing Master hearing. The letters were signed by the adjacent property owner to the north and a resident of a property on 36th Street northwest of the subject property.
8. Two neighbors spoke in opposition at the Zoning Hearing Master hearing. The neighbors live on 36th Street and testified that the noise generated by the parties/events conducted on the subject property keeps them awake in the middle of the night. Testimony also included reports of the police being called to the facility many weekends due to noise complaints.

The property owner responded to the testimony in opposition by stating that the family is on-site at the conclusion of the parties/events to ensure that the music is turned off at midnight.

9. The surrounding area is developed with large lot agricultural/residential land uses to the north and west, an elementary school to the east with access to Hartford Street adjacent to the subject facility and industrial uses to the south and across the street.
10. The proposed Restrictions do not address the noise generated by the parties/events at the facility but rather only limit the start and stop times of the events.
11. The Planning Commission testified that the site does not meet commercial locational criteria as the property is approximately 10,000 feet from the nearest qualifying intersection.
12. The request for the CN-R zoning district on the subject property is inappropriate given the existing agricultural, residential and institutional uses surrounding the subject property. The request is inconsistent with the Land Development Code and the Comprehensive Plan.

FINDINGS OF COMPLIANCE/NON-COMPLIANCE WITH THE HILLSBOROUGH COUNTY COMPREHENSIVE PLAN

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

CONCLUSIONS OF LAW

Based on the Findings of Fact cited above, there is not substantial competent evidence to demonstrate that the requested rezoning is in conformance with the

applicable requirements of the Land Development Code and with applicable zoning and established principles of zoning law.

SUMMARY

The applicant is requesting a rezoning to the CN-R zoning district. The property is 4.61 acres in size and is currently zoned ASC-1 and designated RES-6 by the Comprehensive Plan. The property is located in the Urban Service Area and the Greater Palm River Community Planning Area.

The applicant is requesting a rezoning to the Commercial Neighborhood-Restricted (CN-R) zoning district. The applicant proposes the following Restrictions:

1. The use is restricted to an outdoor and indoor venue/banquet/reception use facility.
2. Events on the property will only occur on Friday, Saturday and Sunday. Friday events would only occur after school hours.
3. The existing fence of which surrounds the entire property must remain in place.
4. Events are between 4pm and Midnight, other than setting up the event and cleaning up the event.

The property owner testified that the indoor/outdoor party event facility has been in operation for several years. Code Enforcement cited the subject property for conducting a land use that is not permitted in the existing ASC-1 zoning district.

The Planning Commission staff testified that the property is located in the Coastal High Hazard Area. The applicant has requested a waiver of commercial locational criteria as the property is located approximately 10,000 feet away from a designated community node. The Planning Commission does not support the waiver as the applicant has not addressed how the proposed use helps protect the established neighborhood including the mitigation of noise. The Planning Commission found the proposed rezoning not compatible with the existing development pattern in the area and is inconsistent with the Future of Hillsborough Comprehensive Plan.

The Development Services staff also does not support the rezoning as the facility would adversely impact the adjacent residential to the north and west and the facility is inconsistent with the character of the area on the north side of Hartford Street.

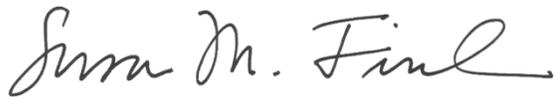
Two letters of support were filed into the record prior to the Zoning Hearing Master hearing. The letters were signed by the adjacent property owner to the north and a resident of a property on 36th Street northwest of the subject property.

Two neighbors spoke in opposition at the Zoning Hearing Master hearing. The neighbors live on 36th Street and testified that the noise generated by the parties/events conducted on the subject property keeps them awake in the middle of the night. Testimony also included reports of the police being called to the facility many weekends due to noise complaints. The property owner responded to the testimony in opposition by stating that the family is on-site at the conclusion of the parties/events to ensure that the music is turned off at midnight.

The proposed Restrictions do not address the noise generated by the parties/events at the facility but rather only limit the start and stop times of the events. The request for the CN-R zoning district on the subject property is inappropriate given the existing agricultural, residential and institutional uses surrounding the subject property. The request is inconsistent with the Land Development Code and the Comprehensive Plan.

RECOMMENDATION

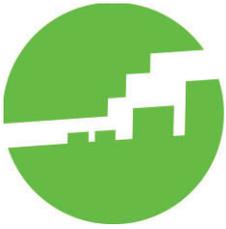
Based on the foregoing, this recommendation is for **DENIAL** of the CN-R rezoning request as indicated by the Findings of Fact and Conclusions of Law stated above.



June 7, 2022

Susan M. Finch, AICP
Land Use Hearing Officer

Date



**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: May 16, 2022	Petition: RZ 22-0702
Report Prepared: May 4, 2022	6400 Hartford Street <i>North side of Hartford Street, west of 66th Street.</i>
Summary Data:	
Comprehensive Plan Finding:	INCONSISTENT
Adopted Future Land Use:	Residential-6 (6 du/ga; 0.25 FAR)
Service Area:	Urban
Community Plan:	Greater Palm River
Requested Zoning:	Agricultural Single-Family Conventional-1 (ASC-1) to Commercial Neighborhood-Restricted (CN-R) to permit an indoor and outdoor venue/banquet/reception use facility
Parcel Size (Approx.):	4.66 +/- acres (200, 376 sq. ft.)
Street Functional Classification:	Hartford Street – County Collector 66 th Street – Local Road
Locational Criteria:	Does not meet; waiver request submitted
Evacuation Zone:	Evacuation Zone A



Context

- The approximately 4.66 +/- acre subject property is located on the north side of Hartford Street and west of 66th Street. The subject property is in the Urban Service Area and is within the limits of Greater Palm River Area Community Plan. The subject site is in the Coastal High Hazard Area.
- The subject site's Future Land Use designation is Residential-6 (RES-6). Typical allowable uses in the RES-6 Future Land Use category include residential, suburban scale neighborhood commercial, office uses, multi-purpose projects and mixed use development. Non-residential uses shall meet established locational criteria for specific land use. RES-6 is located to the north of the site. To the west and south is Light Industrial (LI). To the east is Public/Quasi Public (P/QP)
- The subject property is zoned Agricultural Single-Family Conventional-1 (ASC-1). ASC-1 is located to the, north, east and west of the site. To the south is Manufacturing (M). Commercial Intensive (CI) zoning districts are located further west of the site and also to the southeast of the subject site.
- According to the property appraiser the site is currently a Club/Lodge/Union Hall. To the east is Bing Elementary School and to the north and west are single-family residential dwellings. To the south is a trucking company operation.
- The applicant is requesting to rezone the property from ASC-1 to CN-R to permit an outdoor and indoor venue/banquet/reception use facility.

Compliance with Comprehensive Plan:

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

FUTURE LAND USE ELEMENT

Urban Service Area (USA)

Objective 1: Hillsborough County shall pro-actively direct new growth into the urban service area with the goal that at least 80% of all population growth will occur within the USA during the planning horizon of this Plan. Within the Urban Service Area, Hillsborough County will not impede agriculture. Building permit activity and other similar measures will be used to evaluate this objective.

Policy 1.4: 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.

Relationship to Land Development Regulations

Objective 9: All existing and future land development regulations shall be made consistent with the Comprehensive Plan, and all development approvals shall be consistent with those

development regulations as per the timeframe provided for within Chapter 163, Florida Statutes. Whenever feasible and consistent with Comprehensive Plan policies, land development regulations shall be designed to provide flexible, alternative solutions to problems.

Policy 9.1: Each land use plan category shall have a set of zoning districts that may be permitted within that land use plan category, and development shall not be approved for zoning that is inconsistent with the plan.

Policy 9.2: Developments must meet or exceed the requirements of all land development regulations as established and adopted by Hillsborough County, the state of Florida and the federal government unless such requirements have been previously waived by those governmental bodies.

Community Development and Land Uses

Neighborhood/Community Development

Objective 16: Neighborhood Protection The neighborhood is a functional unit of community development. There is a need to protect existing neighborhoods and communities and those that will emerge in the future. To preserve, protect and enhance neighborhoods and communities, all new development must conform to the following policies.

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

Objective 17: Neighborhood and Community Serving Uses

Certain non-residential land uses, including but not limited to residential support uses and public facilities, shall be allowed within residential neighborhoods to directly serve the population. These uses shall be located and designed in a manner to be compatible to the surrounding residential development pattern.

Policy 17.7: New development and redevelopment must mitigate the adverse noise, visual, odor and vibration impacts created by that development upon all adjacent land uses.

Community Planning

Objective 18: Hillsborough County is comprised of many diverse communities and neighborhoods, each with its own unique identity. While the comprehensive plan is effective in providing an overall growth management strategy for development within the entire County, it does not have detailed planning strategies for individual communities. The County shall develop strategies that ensure the long-range viability of its communities through a community and special area studies planning effort.

Policy 18.1: The County shall assist the Hillsborough County City-County Planning Commission in developing community plans for each planning area that are consistent with and further the Comprehensive Plan. The community plans will be adopted as part of the Comprehensive Plan in the Livable Communities Element; these more restrictive community-specific policies will apply in guiding the development of the community.

Additional policies regarding community planning and the adopted community plans can be found in the Livable Communities Element.

COMMERCIAL-LOCATIONAL CRITERIA

Objective 22: To avoid strip commercial development, locational criteria for neighborhood serving commercial uses shall be implemented to scale new commercial development consistent with the character of the areas and to the availability of public facilities and the market.

Policy 22.1: The locational criteria for neighborhood serving non-residential uses in specified land uses categories will:

- provide a means of ensuring appropriate neighborhood serving commercial development without requiring that all neighborhood commercial sites be designated on the Future Land Use Map;
- establish a maximum square footage for each proposed neighborhood serving commercial intersection node to ensure that the scale of neighborhood serving commercial development defined as convenience, neighborhood, and general types of commercial uses, is generally consistent with surrounding residential character; and
- establish maximum frontages for neighborhood serving commercial uses at intersections ensuring that adequate access exists or can be provided.

Policy 22.2: The maximum amount of neighborhood-serving commercial uses permitted in an area shall be consistent with the locational criteria outlined in the table and diagram below. The table identifies the intersection nodes that may be considered for non-residential uses. The locational criteria is based on the land use category of the property and the classification of the intersection of roadways as shown on the adopted Highway Cost Affordable Long Range Transportation Plan. The maximums stated in the table/diagram may not always be achieved, subject to FAR limitations and short range roadway improvements as well as other factors such as land use compatibility and environmental features of the site.

In the review of development applications consideration shall also be given to the present and short-range configuration of the roadways involved. The five year transportation Capital Improvement Program, MPO Transportation Improvement Program or Long Range Transportation Needs Plan shall be used as a guide to phase the development to coincide with the ultimate roadway size as shown on the adopted Long Range Transportation Plan.

Policy 22.7: Neighborhood commercial activities that serve the daily needs of residents in areas designated for residential development in the Future Land Use Element shall be considered provided that these activities are compatible with surrounding existing and planned residential

development and are developed in accordance with applicable development regulations, including phasing to coincide with long range transportation improvements.

The locational criteria outlined in Policy 22.2 are not the only factors to be considered for approval of a neighborhood commercial or office use in a proposed activity center. Considerations involving land use compatibility, adequacy and availability of public services, environmental impacts, adopted service levels of effected roadways and other policies of the Comprehensive Plan and zoning regulations would carry more weight than the locational criteria in the approval of the potential neighborhood commercial use in an activity center. The locational criteria would only designate locations that could be considered, and they in no way guarantee the approval of a particular neighborhood commercial or office use in a possible activity center.

Policy 22.8: The Board of County Commissioners may grant a waiver to the intersection criteria for the location of commercial uses outlined in Policy 22.2. The waiver would be based on the compatibility of the use with the surrounding area and would require a recommendation by the Planning Commission staff. Unique circumstances and specific findings should be identified by the staff or the Board of County Commissioners which would support granting a waiver to this section of the Plan. The Board of County Commissioners may reverse or affirm the Planning Commission staff's recommendation through their normal review of rezoning petitions. The waiver can only be related to the location of the neighborhood serving commercial or agriculturally oriented community serving commercial zoning or development. The square footage requirement of the plan cannot be waived.

Objective 23: To maintain the vehicular capacity of public roads, the County discourages linear ("strip") non-residential development patterns and the multiple access points which accompany such linear neighborhood serving commercial development.

Policy 23.2: Scattered, unplanned retail commercial development shall be discouraged, and commercial/office concentration shall be encouraged.

Community Design Component

4.3 COMMERCIAL CHARACTER

GOAL 9: Evaluate the creation of commercial design standards in a scale and design that complements the character of the community.

9-1.2: Avoid "strip" development patterns for commercial uses.

9-1.3: New commercial zoning is encouraged to locate at activity centers and commercial redevelopment areas.

LIVABLE COMMUNITIES ELEMENT: GREATER PALM RIVER COMMUNITY PLAN

Planning and Growth /Economic Development

Goal 5a: Planning and Growth – to promote and provide for opportunities for compatible well designed public use, residential, and business growth and jobs

1. Support well designed, compatible densities and intensities at appropriate locations.

14.Support :

E. Neighborhood Commercial Nodes

To ensure a sense of place neighborhood scale commercial intersections shall be developed with uses that do not exceed neighborhood commercial scale locational criteria applications. These include:

- Palm River Road and Maydell Drive*
- Causeway Boulevard and Maydell Drive*
- Progress Boulevard/Madison Avenue and 78th Street*

F. Community Commercial Nodes

To ensure a sense of place community commercial intersections shall reflect a character compatible with the surrounding neighborhood land use structure and intensity either through actual land use or mitigation of impacts to the adjacent neighborhood. These include:

- Palm River Road and 78th Street*
- Causeway Boulevard and 78th Street*
- Progress Boulevard and Falkenburg Road*

Staff Analysis of Goals, Objectives and Policies:

The applicant is requesting to rezone the approximately 4.66 acre subject site from Agricultural Single-Family Conventional-1 (ASC-1) to Commercial Neighborhood-Restricted (CN-R) to permit an indoor and outdoor venue/banquet/reception facility. The applicant is proposing the following restrictions 1) the CN use will only be restricted to the indoor and outdoor venue banquet reception center, 2) events on the property will occur on Friday (after school hours), Saturday and Sunday, 3) the existing fence around the property will remain in place and 4) events will take place from 4pm to midnight, other than set up and cleanup of before and after events. The subject site is located within the Urban Service Area and is within the limits of the Greater Palm River Area Community Plan. The subject site is in the Coastal High Hazard Area.

The subject site's Future Land Use is Residential-6 (RES-6). Neighborhood serving commercial uses are subject to Commercial Locational Criteria as per Objective 22 and Policy 22.2 of the Future Land Use Element (FLUE). As Per Policy 22.8, the applicant can request a waiver to Commercial-Locational Criteria. The proposed rezoning does not meet Commercial-Locational Criteria as per Policy 22.2 of the Comprehensive Plan as it is not within a qualifying distance from an identified node.

The applicant has submitted a waiver stating that the use is compatible with the neighboring school due to wetlands acting as a buffer and distance from the school access site. The applicant also contends that the proposed restrictions would mitigate for the proposed use. Moreover, the applicant also contends that property owners from the north and west are supportive of the proposed use. The applicant also notes the presence of higher intensity uses to the south of the subject site. Planning Commission Staff have read the waiver and note that there are higher intensity uses to the south that are in the Light Industrial Future Land Use Category where such uses are anticipated, whereas the proposed site is in RES-6 Future Land Use Category. Moreover as per Policy 22.7, commercial- locational criteria are not the only factors in granting approval and the site is located within the Greater Palm River Area Community Plan which has identified specific nodes for compatible commercial uses. The site is not located at one of these nodes and Planning Commission Staff does not support the waiver and advise that the Board not grant a waiver to Commercial-Locational Criteria.

Objective 16 and its accompanying policies (16.1, 16.2, 16.3) require the protection of established neighborhoods and that proposed development be compatible with the development pattern of the surrounding area. The applicant has proposed restricting the Commercial Neighborhood (CN) uses to just the indoor-outdoor event venue center and will limit the hours of operation. However, according to Policy 16.10, “Compatibility does not mean “the same as”. Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.”. The subject site is located directly south of single-family residential uses and has not demonstrated how they will mitigate for any noise emanating from outdoor events, therefore the proposed use does not meet the intent of Policy 17.7.

Goal 9 of The Community Design Component provides guidance on the location of commercial uses to enhance the local community. The subject site is not located at a designated community node in the Community Plan and does not demonstrate how it will avoid a strip commercial pattern of development.

The proposed rezoning is inconsistent with the Greater Palm River Area Community Plan. Under Goal 5 a, 14 E and F, the Greater Palm River Area Community Plan has identified specific nodes within its boundaries where it would like compatible commercial development to occur. The subject site is not located at one of those nodes and does not meet the intent of the Community Plan.

Overall, the proposed rezoning would allow for development that is inconsistent with the Goals, Objectives and Policies of the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*, and that is not compatible with the existing and planned development pattern found in the surrounding area.

Recommendation

Based upon the above considerations, the Planning Commission staff finds the proposed rezoning **INCONSISTENT** with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*.

HILLSBOROUGH COUNTY FUTURE LAND USE

RZ 22-0702

Rezonings
STATUS

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

Tampa Service

Urban Service

Shoreline

County Boundary

Jurisdiction Boundary

Reads

Parcels

WATER NATURAL LULC, Wet Poly

AGRICULTURAL/MINING-1/20 (.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

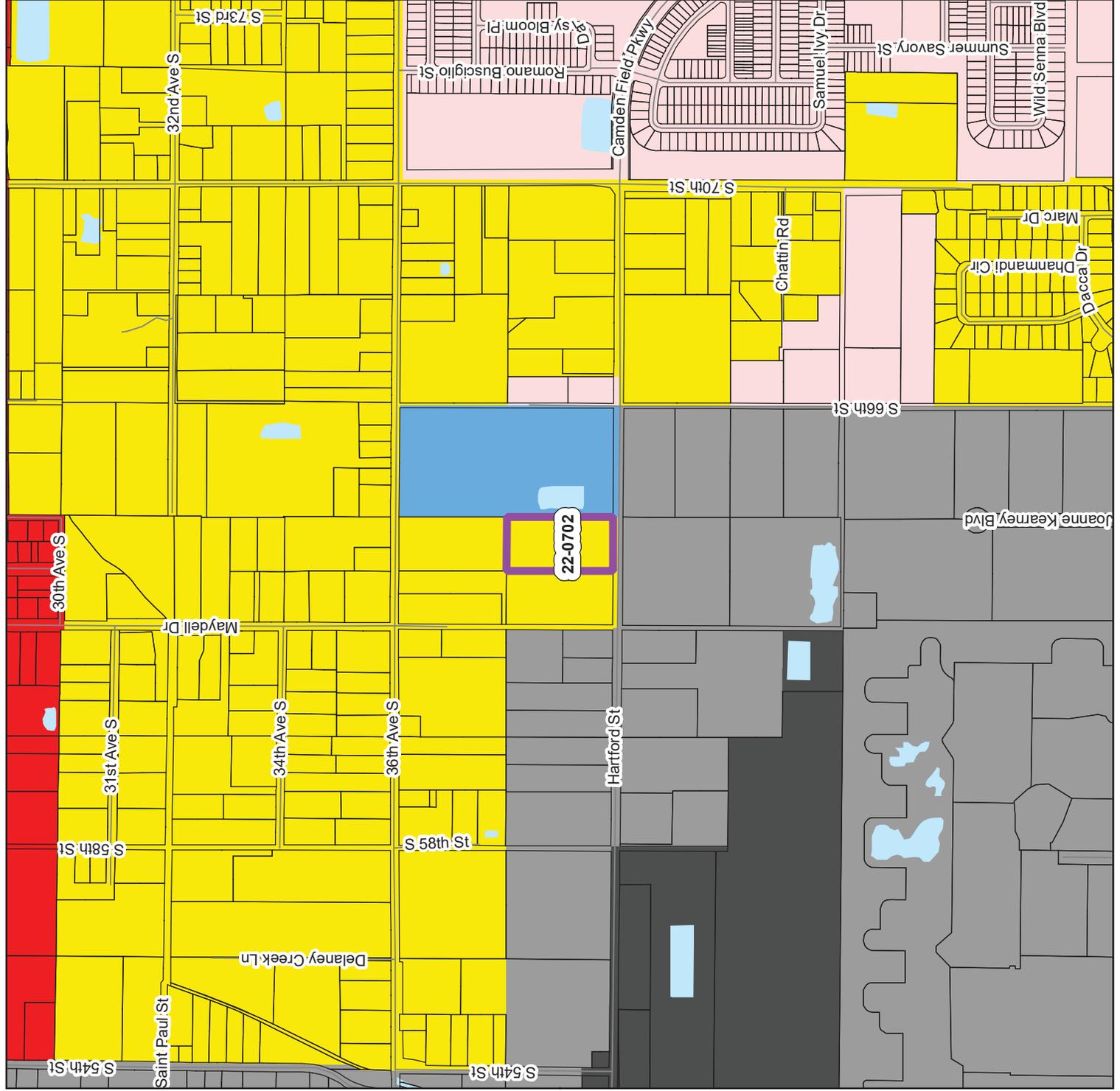
WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)

CITRUS PARK VILLAGE



DATA SOURCES: Rezonings boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. The information on this map is for informational purposes only. It is intended that the user seek to approve without specific approval of the Hillsborough County City/County Planning Commission.
ACCURACY: It is intended that the user seek to approve without specific approval of the Hillsborough County City/County Planning Commission. This map is for informational purposes only. For the most current data and information, visit the appropriate website.

Map Printed from Rezoning System: 3/29/2022
Author: Beverly F. Daniels
File: G:\Rezoning\System\MapProjects\HillCo\Reg_HilRezonings_Copy.mxd



22-0702



AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department
REVIEWER: Alex Steady, Senior Planner
PLANNING AREA/SECTOR: Greater Palm River/ Central

DATE: 05/03/2022
AGENCY/DEPT: Transportation
PETITION NO.: STD 22-0702

- This agency has no comments.
- This agency has no objection.
- This agency objects for the reasons set forth below.

REPORT SUMMARY AND CONCLUSIONS

- The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 4,233 average daily trips, 150 trips in the a.m. peak hour, and 232 trips in the p.m. peak hour.
- As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.
- Transportation Review Section staff has no objection to the proposed rezoning.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a +/- 4.6-acre parcel from Agricultural, Single Family Conventional (ASC-1) to Commercial Neighborhood (CN). The site is located on +/- 1.1 miles east of the intersection of Hartford Street and S 50th Street. The Future Land Use designation of the site is Residential-6 (RES-6).

Trip Generation Analysis

In accordance with the Development Review Procedures Manual (DRPM), no transportation analysis was required to process the proposed rezoning. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer's Trip Generation Manual, 10th Edition.

Approved Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
ASC-1, 4 Single Family Detached Dwelling Units (ITE Code 210)	38	3	4

Proposed Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CN, 40,000 sf Supermarket (ITE Code 850)	4,271	153	370
<i>Less Internal Capture:</i>	Not Available	0	0
<i>Passerby Trips:</i>	Not Available	0	134
<i>Net External Trips:</i>	4,271	153	236

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	+4,233	+150	+232

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 4,233 average daily trips, 150 trips in the a.m. peak hour, and 232 trips in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on Hartford Street. Hartford Street is a 2-lane, undivided, substandard, Hillsborough County maintained, collector roadway with +/- 10-foot travel lanes. Hartford Street lies within +/- 83 feet of Right of Way in the vicinity of the project. Hartford Street does not have sidewalks, bike lanes or curb and gutter on either side within the vicinity of the project.

SITE ACCESS

It is anticipated that the site will have access to Hartford Street. As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.

ROADWAY LEVEL OF SERVICE

Hartford Street was not included in the 2020 Hillsborough County Level of Service 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
Hartford Street	County Collector - Urban	2 Lanes <input checked="" 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	38	3	4
Proposed	4,271	153	236
Difference (+/-)	+4,233	+150	+232

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

Connectivity and Cross Access <input checked="" type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
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 checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> N/A <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A <input type="checkbox"/> No	

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AGENCY COMMENT SHEET

REZONING	
<p>HEARING DATE: 5/16/2022</p> <p>PETITION NO.: 22-0702</p> <p>EPC REVIEWER: Dessa Clock</p> <p>CONTACT INFORMATION: (813) 627-2600 X1158</p> <p>EMAIL: clockd@epchc.org</p>	<p>COMMENT DATE: 4/21/2022</p> <p>PROPERTY ADDRESS: 6400 Hartford St, Tampa</p> <p>FOLIO #: 047345-0000</p> <p>STR: 35-29S-19E</p>
<p>REQUESTED ZONING: From ASC-1 to CN</p>	
FINDINGS	
WETLANDS PRESENT	NO
SITE INSPECTION DATE	4/21/2022
WETLAND LINE VALIDITY	NA
WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)	NA
<p>INFORMATIONAL COMMENTS:</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>Please be advised this wetland determination is informal and non-binding. A formal wetland delineation may be applied for by submitting a “WDR30 - Delineation Request Application”. Once approved, the formal wetland delineation would be binding for five years.</p>	

Environmental Excellence in a Changing World

Environmental Protection Commission - Roger P. Stewart Center
 3629 Queen Palm Drive, Tampa, FL 33619 - (813) 627-2600 - www.epchc.org

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Planning Growth Management

DATE: 25 Apr. 2022

REVIEWER: Bernard W. Kaiser, Conservation and Environmental Lands Management

APPLICANT: Todd Pressman

PETITION NO: RZ-STD 22-0702

LOCATION: Not listed

FOLIO NO: 47345.0000

SEC: _____ TWN: _____ RNG: _____

- 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.

COMMENTS: _____.

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

PETITION NO.: STD22-0702 REVIEWED BY: Randy Rochelle DATE: 6/3/2022

FOLIO NO.: 37509.0000

WATER

- The property lies within the City of Tampa Water Service Area. The applicant should contact the provider to determine the availability of water service.

- A ___ inch water main exists (adjacent to the site), (approximately ___ feet from the site) _____. This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.

- Water distribution system improvements will need to be completed prior to connection to the County's water system. The improvements include _____ and will need to be completed by the _____ prior to issuance of any building permits that will create additional demand on the system.

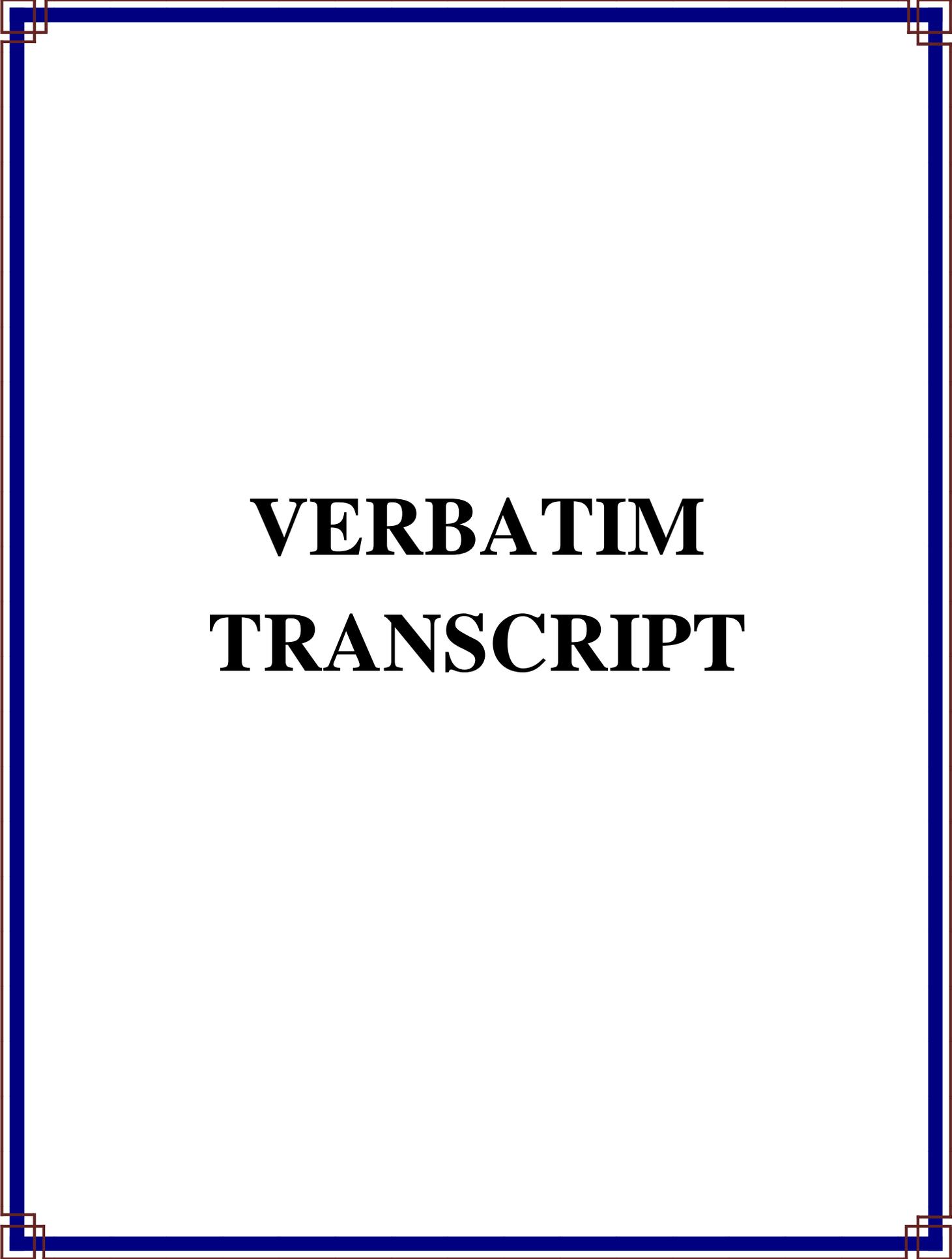
WASTEWATER

- The property lies within the City of Tampa Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.

- A ___ inch wastewater gravity main exists (adjacent to the site), (approximately ___ feet from the site) _____. This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.

- Wastewater collection system improvements will need to be completed prior to connection to the County's wastewater system. The improvements include _____ and will need to be completed by the _____ prior to issuance of any building permits that will create additional demand on the system.

COMMENTS: _____.



VERBATIM TRANSCRIPT

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HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

ZONING HEARING MASTER HEARINGS
May 16, 2022
ZONING HEARING MASTER: SUSAN FINCH

C7:
Application Number: RZ-STD 22-0702
Applicant: Jose R. & Pedro J. Rodriguez
Location: 6400 Hartford St.
Folio Number: 047345.0000
Acreage: 4.61 acres, more or less
Comprehensive Plan: R-6
Service Area: Urban
Existing Zoning: ASC-1
Request: Rezone to CN

1 MR. GRADY: The next item is agenda item
2 C-7, Rezoning-Standard 22-0702. The applicant is
3 José R. and Pedro J. Rodriguez. The request is to
4 rezone from Agricultural Single-Family
5 Conventional-1 (unintelligible) lot size 1 acre to
6 Commercial Neighborhood, and the applicant is
7 proposing restrictions. So it'll be Commercial
8 Neighborhood with Restrictions.

9 Chris Grandlienard will provide staff
10 recommendation after presentation by the applicant.

11 HEARING MASTER FINCH: All right. Before
12 the applicant begins, we did have a number of
13 people come in the room after the break.

14 So if you plan to speak tonight and if you
15 could just turn off your cell phones -- if you plan
16 to speak tonight on this case or any other case on
17 the rest of the agenda and you have not been sworn
18 in, if you could please stand and raise your right
19 hand, and I'll swear you in. If you're online as
20 well.

21 Do you solemnly swear that the testimony
22 you're about to provide is the truth, the whole
23 truth, and nothing but the truth?

24 (Witnesses affirmed to the oath.)

25 HEARING MASTER FINCH: Thank you so much.

1 All right. Please proceed with the
2 applicant. Good evening.

3 MR. PRESSMAN: Good evening, Hearing
4 Officer. Todd Pressman, 200 2nd Avenue South,
5 No. 451 in St. Petersburg, Florida.

6 This is a 4.61-acre lot located at 6400
7 Hartford Street. Currently zoned ASC-1, seeking
8 CN-R Restricted, and I do have a PowerPoint for
9 you. Thank you.

10 Rezoning-Standard 0702. Next slide, please.

11 HEARING MASTER FINCH: You said you were
12 adding the restriction. That first slide didn't
13 have the restriction on it.

14 MR. PRESSMAN: That would be -- that would
15 be my error. There are some restrictions. Thank
16 you for catching that.

17 HEARING MASTER FINCH: No problem.

18 MR. PRESSMAN: We have a Greater Palm River
19 area. Next slide, please.

20 And looking a little closer, 6400 Hartford
21 Street, Tampa. Next slide, please. This is as the
22 property appraiser has it. Next slide, please.

23 So surrounding uses on one side is a school,
24 although it's further -- located further away.
25 There are some very Heavy Industrial-type uses:

1 Bulk Express, Premiere Trailer Leasing, Eagle
2 Transport Corp, and S&S Freight. Those are uses in
3 the immediate vicinity and they're operating. Next
4 slide, please.

5 Under zoning, the site is in purple. CI
6 zoning is located across the street. A large swath
7 of Manufacturing zoning is located across the
8 street. There's some CI and M further down the
9 street on Hartford. Next slide, please.

10 Future Land Use Category, a very large area
11 is Light Industrial with a couple of SMU-6s in the
12 immediate vicinity. Next slide, please.

13 So as indicated, it's a 4.61-acre lot.
14 ASC-1 to CN-R. We have a number of restrictions
15 which are in direct response to concerns raised by
16 the staff. The first is a use restricted to an
17 outdoor and indoor venue banquet reception use
18 facility.

19 And Ms. Soto is here with her niece,
20 correct, and she'll speak in a few minutes. This
21 is their family business. All the family works in
22 different capacities on a frequent uses -- on
23 frequent use that they have.

24 The events of the property -- restriction
25 No. 2, events of the property will only occur on

1 Friday, Saturday, and Sunday. Friday events would
2 only occur after school hours. Next slide, please.

3 The third restriction is existing fence
4 which surrounds the entire property must remain in
5 place. And, four, events are between 4:00 p.m. and
6 midnight other than like setting up the event and
7 cleaning up the event. Next slide, please.

8 So the main access to the site is on
9 Hartford, but I think it's important to note that
10 the school main access is on the roadway very far
11 to the north. You can see the school is oriented
12 in that direction, and -- and the main access,
13 again, for the school is not interfered with or
14 imposed with access to this site. Next slide,
15 please.

16 So, again, this is a close-up of the school.
17 You can see all the activity, like traffic,
18 orientation school is strictly at 36th Avenue
19 South. Next slide, please.

20 Another important feature is U.S. Fish and
21 Wildlife Wetlands mapper showing the site, and next
22 door is a wetland area. So it provides a
23 significant buffer and separation, even though
24 there's nothing on the school grounds there
25 provides a natural, thick, wild buffer between the

1 two. Next slide, please.

2 And there's a fence around the other
3 property. You can see that by the aerial. Next
4 slide, please. We do have abutting neighborhood
5 support to demonstrate to you. Next slide, please.

6 We have support surrounding the site to the
7 north and on the west on the other side. Next
8 slide, please. This is the one property owner who
9 signed the letter in support, and they are
10 supportive of the use. And this is the other owner
11 who is also supporting the site. Next slide,
12 please.

13 Current locational waiver filed. We've
14 addressed that by geographical and operational
15 elements that I've indicated to you. We have great
16 buffering and fencing. Obviously, the restrictions
17 are pretty widespread per use and also the
18 infrequent operational times.

19 We talked about the orientation of school,
20 the widespread nature of the area; and intensive
21 uses and zoning in the immediate area that are
22 located. Next slide, please.

23 Staff's main concern as I have them and as I
24 had some communication with them was compatibility
25 with the residential. We've documented their

1 support very clearly to you here. And secondly,
2 noise or issues emanating from the site to the
3 school. We have clearly documented a restricted
4 no-school-hour activity whatsoever. Next slide,
5 please.

6 So in summary, there's some intensive
7 zoning, Future Land Use Categories to the immediate
8 area right across the street. Wide swath of it.
9 Extensive and far reaching restrictions and
10 abutting uses are either in support or have been
11 addressed to zero impact.

12 With that, I'd like to ask Ms. Soto to come
13 up. If you would, please. She does have a series
14 of pictures I'd like to show you. And she has a
15 few comments, but I'd like the (unintelligible).
16 If you'll go to the overhead, please.

17 These are just some of the pictures to show
18 you.

19 HEARING MASTER FINCH: Mr. Pressman, is this
20 an existing use?

21 MR. PRESSMAN: Yes. Yes. I actually should
22 have clarified that. Yes, this is an existing use.
23 It's been -- it's been in use for actually a number
24 of years.

25 As the Sotos started communicating and

1 interface with the County to be getting permits and
2 be getting usages or use permits are permissible --
3 use permissible activity, the -- they moved forward
4 with the County, and at one point the Code
5 Enforcement office made them aware that there was a
6 use that was not permissible with zoning.

7 However, when I checked today, I don't know
8 why, it showed that case had been complied with. I
9 don't have an explanation for that. But yes, this
10 site has been in existence, and per the zoning,
11 it's not permissible, and that's why we're here
12 today.

13 HEARING MASTER FINCH: I see. Thank you.

14 MR. PRESSMAN: I really should have
15 clarified that up-front. I'm sorry.

16 HEARING MASTER FINCH: That's okay. Please
17 continue.

18 MR. PRESSMAN: So a lot of the -- I'll put
19 these in the file. A lot of these are -- most of
20 these are interior, small -- most of them are
21 interior, but they're all small in nature.

22 A lot of it's local families, local groups.
23 Some of their own family, which I've been told is
24 quite large. Just to give you a flavor of, this is
25 a smaller use. It's not very active. It's not

1 very loud, not very involved, not very impacting.
2 But again small in nature.

3 HEARING MASTER FINCH: Is that an existing
4 single-family home that they're -- what is the
5 structure of the building on the property?

6 MR. PRESSMAN: It's just a simple clubhouse.

7 HEARING MASTER FINCH: I see. And we'll
8 need your name and address on the record.

9 MS. SOTO: Juana Soto, 4103 North Habana
10 Avenue, Tampa, 33607.

11 HEARING MASTER FINCH: All right. And
12 you've operated the business?

13 MS. SOTO: We've owned the property for
14 about 45 years. My parents have. We've done all
15 family events there. Christmas, christenings, New
16 Year's.

17 In the last couple of years, we have been
18 doing small events, not knowing that it had to do
19 with the zonings. So that's why we're here today,
20 to try to get it rezoned.

21 My parents are both retired. So it's a
22 source of income for them.

23 HEARING MASTER FINCH: And so it's -- the
24 property has a clubhouse and that's the only
25 structure on-site?

1 MS. SOTO: There's a bathroom and then just
2 like an overhang, like the -- like little -- yeah.
3 It's like barbecue bit area. The only structure
4 itself is the one clubhouse.

5 HEARING MASTER FINCH: Does anyone live on
6 the property?

7 MS. SOTO: No. No.

8 HEARING MASTER FINCH: I see. Okay. Go
9 ahead with your presentation. I didn't mean to
10 interrupt.

11 MR. PRESSMAN: I think that pretty much sums
12 it up. The only other point I'll make is that
13 they've had the test of time -- zoning-wise or not,
14 they've had the test of time for a number of years.
15 There's been no complaints filed.

16 So in that regard, they've been operating
17 and has not been an imposition by the school. I
18 did receive a couple of e-mails from the school
19 just asking what the request was about. I don't
20 know if they're here today or if there's anything
21 in the record, which I answered. They didn't seem
22 to have any -- have any difficulties.

23 But again, I think it's important to note
24 that it has been operating and has not been a
25 difficulty that we're aware of.

1 HEARING MASTER FINCH: And you don't know
2 how the Code Enforcement became aware of it?

3 MR. PRESSMAN: Code Enforcement became aware
4 as Ms. Soto was interacting with the County for
5 permits that she was moving forward. And it
6 eventually became -- they eventually became aware
7 that there was a difficulty with the zoning.

8 HEARING MASTER FINCH: I see. Okay. Does
9 that complete your presentation?

10 MR. PRESSMAN: Yes, it does.

11 HEARING MASTER FINCH: Thank you so much.
12 If you could both sign in with the clerk's office,
13 I appreciate it.

14 Development Services, please.

15 MR. GRANDLIENARD: Chris Grandlienard,
16 Development Services here to present case
17 No. 22-0702.

18 It's a rezone from an existing Agricultural
19 Single-Family Conventional to proposed Commercial
20 Neighborhood-Restricted. It's on an approximate
21 4.67 -- 4.61-acre lot located at 6400 Hartford
22 Street. It's in the Urban Service Area and the
23 Greater Palm River Community Plan area.

24 The Residential -- the Future Land Use is
25 Residential-6. RES-6 is to the north and east.

1 Public/Quasi-Public is to the east. That's where
2 the school is. Light Industrial is to the south.
3 The maximum density is six dwelling units per gross
4 acre, .25 FAR.

5 Again, the current zoning is ASC-1. To the
6 north, east, and west is also ASC-1 and immediately
7 to the south is Manufacturing. That's where the
8 trucking company is across the Hartford Street.

9 Approximate 4.61-acre lot is located at 6400
10 Hartford Street. Parcels in the area comprised of
11 Single-Family Residential, Light Industrial, Light
12 Industry Commercial, and Institutional.

13 The subject parcels are directly adjacent to
14 residential zoned ASC-1 to the north and west. To
15 the east, the parcel is adjacent to an elementary
16 school zoned ASC-1. To the south across Hartford
17 Street is a trucking company zoned Manufacturing.

18 The applicant has offered the following
19 restrictions to mitigate compatibility concerns:
20 One, the use is restricted to an outdoor and indoor
21 venue banquet reception use facility.

22 Two, events on the property will only occur
23 on Friday, Saturday, and Sunday. Friday events
24 would only occur after school hours. Number 3, the
25 existing fence of which surrounds the entire

1 property will -- must remain in place.

2 Number 4, events are between 4:00 p.m. and
3 midnight other than setting up the event and
4 cleaning up the event.

5 The applicant also requested a waiver for
6 commercial locational criteria as located in
7 Policy 22.8 of the Comprehensive Plan. The subject
8 property is RES-6 of the Future Land Use Map.

9 The Planning Commission found the proposed
10 use inconsistent with the property as a plan.
11 Noting the following, subject site does not meet
12 commercial locational criteria as per Objective 22
13 and Policy 22.2 of the Future Land Use Element.

14 The applicant has requested a waiver, which
15 is in the record. The site -- number two, the site
16 is not located at a designated commercial node
17 recognized by the community plan.

18 Three, the Planning Commission staff has
19 compatibility concerns with the proposed use and
20 the residential uses to the west. Staff also noted
21 that the site is adjacent to a school on the east
22 side and noise emanating from outdoor events are a
23 concern.

24 Zoning staff also has concerns that the
25 reception facility even with the restrictions would

1 adversely impact the adjacent residential to the
2 north and the west of the parcel given that
3 activities will be occurring on weekend nights.

4 Also, the facility appears to be
5 inconsistent with the character of the area on the
6 north side of Hartford Street.

7 Based on the Residential-6 Future Land Use
8 Classification, the surrounding zoning and
9 development pattern, and the proposed uses for the
10 Commercial Neighborhood-Restricted zoning district,
11 staff finds the request not supportable.

12 I'll be glad to answer any questions you may
13 have.

14 HEARING MASTER FINCH: Just one quick
15 question. Was it ever considered for this
16 application to be in discussions with the applicant
17 or the representative to be rezoned to a Planned
18 Development instead?

19 MR. GRANDLIENARD: It was not discussed.

20 HEARING MASTER FINCH: All right. Thank you
21 so much.

22 We'll go to the Planning Commission, please.

23 MS. LLANOS: Karla Llanos, senior planner
24 with Planning Commission staff.

25 The property is approximately 4.66 acres,

1 and it is located within the Urban Service Area and
2 within the limits of the Greater Palm River Area
3 Community Plan.

4 The subject site is in the Coastal High
5 Hazard, so please note that. The subject site has
6 a Future Land Use designation of Residential-6.
7 The applicant is requesting to rezone the property
8 from Agricultural Single Conventional-1 to
9 Commercial Neighborhood with Restrictions to permit
10 an outdoor-indoor venue, banquet, or reception use
11 facility.

12 The property is located north of Hartford
13 Street, and parcels north of that street is
14 characterized more of Agricultural, Single-Family
15 Residential, and Residential support uses.

16 To the south of that street is a trucking
17 company operation. The area has normal business
18 hours of operation, which are typically from 8:00
19 to 5:00. The applicant is proposing the following
20 restrictions: The commercial neighborhood use will
21 only be restricted to indoor-outdoor banquet
22 reception center.

23 Number two, events on the property will
24 occur on Friday after school hours, Saturday, and
25 Sunday. Number 3, the existing fence around the

1 property will remain in place, and No. 4, the
2 events will take up -- place from 4:00 p.m. to
3 midnight other than set up and clean up before and
4 after events.

5 Per Policy 22.7, commercial locational
6 criteria and Goal 9 of the Community Design
7 Component, the subject site is not located at a
8 designated community node in the community plan and
9 does not demonstrate how it will avoid strict
10 commercial pattern of the development.

11 Planning Commission staff does not support
12 the waiver and advises that the Board not grant the
13 waiver to commercial locational criteria.

14 Additionally, Objective 16 and its
15 accompanying policies 16.1, 16.2, and 16.3 require
16 the protection of the established neighborhoods and
17 compatibility with the surrounding development
18 pattern.

19 The applicant has not addressed how the
20 proposed uses helps protect established
21 neighborhoods and has not addressed noise
22 mitigation. Overall, the proposed rezoning not
23 allowed for development that is consistent with the
24 goals, objectives, and policies of the future of
25 Hillsborough County Comprehensive Plan for the

1 unincorporated Hillsborough County.

2 And that is not compatible with the existing
3 Planned Development pattern found within the area
4 or the standard utility zoning within the area.

5 So based upon those considerations, Planning
6 Commission staff finds the Rezoning-Standard
7 inconsistent with the Future of Hillsborough County
8 Comprehensive Plan for the unincorporated
9 Hillsborough County. And I will stand if you have
10 any questions.

11 HEARING MASTER FINCH: I just have one, and
12 that is to clarify what the qualifying intersection
13 is that would -- you're measuring from floor
14 locational criteria. What is that intersection?

15 MS. LLANOS: Right. So it's listed under
16 Policy 22.7, and there's certain criteria. So we
17 take whatever the nearest intersection is, and it's
18 usually listed in our maps.

19 So we would look at whether or not there is
20 a nearby collector or arterial road, and then we
21 will use the intersection from there, and we will
22 measure out depending on where the area it is.

23 So in this case, I believe it's -- let me
24 double check staff report and I will confirm with
25 you. So Hartford Street, by the way, is a county

1 collector, and 66 Street is a local road as
2 mentioned in the staff report. And according to
3 Policy 22.7 -- one second.

4 HEARING MASTER FINCH: Thank you. That's
5 fine.

6 MS. LLANOS: So, Madam Hearing Officer, when
7 we measure the commercial locational criteria, we
8 will look at the 2040 Cost Affordable Capacity
9 Improvement Map. So that is part of public record,
10 and we will look to see whether or not the road is
11 identified on that map, and then we will measure
12 out specifically.

13 And I apologize because the rezoning app is
14 not working real well. So this is what we
15 typically use is the 2040 Cost Affordable
16 Transportation Map.

17 HEARING MASTER FINCH: Understood. So you
18 testified that Hartford is indicated. It must be
19 shown on the 2040 as a collector; is that correct?

20 MS. LLANOS: Yes. So --

21 HEARING MASTER FINCH: What is the
22 intersection?

23 MS. LLANOS: The intersection, it's with a
24 local road. So it's too far away.

25 HEARING MASTER FINCH: Understood. So is

1 there an intersection that you're measuring that is
2 the node? Maybe I'm not phrasing the question
3 properly.

4 What is the closest node? How far are they
5 away from meeting it is my question, perhaps?

6 MS. LLANOS: Correct. Let me try to pull it
7 up, and I'll tell you exactly how far it is. Just
8 bear with me. I apologize.

9 HEARING MASTER FINCH: No problem. And you
10 didn't know that I was going to ask this. So if
11 you'd like, I can keep going and then come back to
12 you, give you an opportunity to look it up.

13 MS. LLANOS: Please. Yes, I would
14 appreciate that. Thank you.

15 HEARING MASTER FINCH: Perfect. No problem.
16 So we'll come back to the Planning Commission for
17 that question in just a moment.

18 But in the meantime, let me call for anyone
19 that would like to speak in support? Anyone in
20 support of this application? No one in the room.
21 No one online.

22 Anyone in opposition to this request? I see
23 one hand, two -- two hands. Okay. Do we have
24 anybody only? All right. So you have 15 minutes
25 total.

1 So if you want to go ahead and come forward,
2 we'll do seven and a half minutes per speaker. And
3 if you could start by giving us your name and
4 address. Just pull that microphone down to you a
5 little bit.

6 MS. FERNANDEZ: Thelma Fernandez, and I live
7 at 6610 36th Avenue South. I'm just west of the
8 school and I'm 9 1/2 acres across the field from
9 them.

10 And the cops are called every weekend, if not
11 every other weekend because of the noise. The
12 ordinance is 10:00 o'clock. It needs to be turned
13 off at 10:00.

14 The cross street that you're looking for is
15 either Hartford goes out to Highway 41 and it dumps
16 into 41, or it goes to the new subdivision that
17 they just built, the Tower Dairy, and that's 70th
18 Street.

19 And if you go north on 70th, just before you
20 get to Causeway Boulevard, there's an arena in
21 there that they have weddings. We never hear them.
22 They're every weekend. We've never had the police
23 called there, but we call every weekend on these
24 people.

25 They have continually disregarded everybody

1 in the neighborhood. Even if they do shut down to
2 clean up, they raise the music back up. It's 2:00,
3 3:00, 4:00 o'clock in the morning before it closes
4 down.

5 As a matter of fact, hospice was in my house
6 March 30th. My mother-in-law passed away, my
7 husband's mother. On the 27th, the hospice nurse
8 called the police. It was that bad. Mom couldn't
9 even sit in the bed. It rattles the cabinets. The
10 China cabinets, you can't sleep, you can't move.

11 There's other people in the neighborhood.
12 Chris and Julie Cassada, my husband, my son, April
13 Horn, Mike and Jennifer Transue, Chris and Tammy
14 Transue, Jennifer Cathcart, her son Jared, Mike and
15 Ileana Costa, Mike Jr. Costa, and Leo Castellano.

16 They're all against this. They're older.
17 These people are like my mother-in-law. She was
18 96 years old. None of them want this in the
19 neighborhood.

20 Back in the '70s, when this property was
21 first started, it was just flat land, and we've
22 been there since the -- Lucas and Judy were there
23 in the '60s. It was a pole barn built. The
24 facility that they're telling you -- the little
25 building, it is a pole barn that was closed in over

1 the years.

2 About three years ago, they had a big party.
3 There was about 40 or 50 cars in there. They had
4 to call tow trucks to get them in and out because
5 it was rainy season and they sunk down.

6 It's -- the land is wet. I don't care what
7 their land looks like. I don't care what they do
8 as long as it doesn't interfere with what we do in
9 our house and how I live. I've been there
10 42 years. Why should I change my way of living
11 because they want to start a venue? I'm sorry.

12 It wasn't zoned for that. It's never been
13 zoned for that. It's always had Code Enforcement
14 called on them. There are open cases. The case
15 that was just recently closed by Code Enforcement
16 was because they didn't have enough staff with
17 COVID. They had to run COVID and they didn't have
18 anybody to go out to maintain the cases.

19 So right now, Code Enforcement is aware of
20 it. They've been out there, but they only do them
21 on the weekends. Saturday night, they start at
22 2:00, 3:00 in the afternoon and go to 2:00, 3:00,
23 4:00 o'clock in the morning. How would you like to
24 rest like that?

25 It's ridiculous to live with them, and I'm

1 sorry, I'm against it and most of the neighborhood
2 is. And across the street from me, directly in
3 front of me, there's 9 1/2 acres. The gentleman's
4 building 34 homes in there and it backs up.

5 And the school, if you look at that picture
6 that they gave you, the center of the school,
7 there's a courtyard. The noise bounces in the
8 courtyard and bounces into our neighborhood. We
9 can't rest. We can't do anything. And the traffic
10 that it's bringing in, we have -- we don't have a
11 centerline down. Most of our streets don't even
12 have sidewalks. People ride horses.

13 I mean, you know, it's a rural neighborhood.
14 The cars that come in, it's the 40, 50 cars for
15 each one or a hundred for a venue for one night.
16 Our neighborhood can't take that. Our streets
17 can't take that. And if they go out at 8:00, 9:00,
18 10:00 o'clock at night, you've got kids.
19 Something's going to happen.

20 They're on go-carts. They're on
21 four-wheelers. You know, it's a rural neighborhood
22 and someone's going to get hurt. Thank you.

23 HEARING MASTER FINCH: Thank you for your
24 testimony. If you could please sign in.

25 Next, please. Good evening, sir.

1 MR. COOK: Good evening. My name is W.L.
2 Sexton Cook, Jr. I've resided at 6210 36th Avenue
3 South since August of 1963. That was a year after
4 I was released from the Berlin Crisis by President
5 Kennedy.

6 In the past, not lately, they've had parties
7 that start at 2:00 o'clock in the afternoon. They
8 never shut down at midnight unless a deputy sheriff
9 managed to go by there when we would call. The
10 noise is so loud, I have first generation
11 double-glazed windows.

12 I have -- I have to sleep in a south bed,
13 bathroom because my bad back. My wife can't hear
14 too much from the front bedroom, but my south
15 bedroom I can hear it through the double-glass
16 windows. And you can't sleep if you -- this
17 drumming. They will play the drums -- heavy on
18 drums.

19 And I expect some ethnic backlash because
20 I'm -- I look like a cracker, but I'm half Spanish.
21 I didn't speak English until I was six years old.
22 And I don't like their music. I grew up with Latin
23 music. I didn't speak English until I was six. My
24 father spoke Spanish, Italian, and English.

25 And it's just too much. I'm opposed to that

1 rezoning. If they want to build -- build four --
2 build four houses, I'm fine with that. But I don't
3 want that Ybor City moved 200 yards south of my
4 house.

5 That's what it's going to be because I have
6 seen big trucks there on Saturday morning
7 unloading, and I know they ain't have zoning for
8 beer. And the building was originally a pole barn.
9 They closed it in. Did they ever get a permit to
10 build that building? I doubt seriously.

11 HEARING MASTER FINCH: All right. That does
12 complete what you wanted to say?

13 MR. COOK: I can't -- I get angry because
14 it's been bull crap for years.

15 HEARING MASTER FINCH: All right. Thank
16 you, sir. I really appreciate you coming down. If
17 you could, please, sign in with the clerk's office.

18 All right. Just one last look. Anybody
19 else want to speak in opposition to this request?
20 No one online. All right. Then we'll close
21 opposition testimony.

22 Let me go back to the Planning Commission
23 just to answer the one question.

24 MS. LLANOS: Correct. Okay. So after
25 looking it up, it's on the 2040 Cost Affordable

1 Map. The nearest qualifying intersection is
2 Madison and 78th. That is over 10,000 feet --
3 linear feet away.

4 HEARING MASTER FINCH: Away. Okay.

5 MS. LLANOS: So it's way over what we would
6 consider (unintelligible) waivers.

7 HEARING MASTER FINCH: Thank you. That's
8 the clarification I was looking for. Thank you for
9 that testimony. I appreciate it.

10 All right. So we closed opposition
11 testimony. Let me go back to the Development
12 Services. Mr. Grady, any other comments?

13 MR. GRADY: Nothing further.

14 HEARING MASTER FINCH: All right. Then
15 we'll go back to the applicant, who has five
16 minutes for rebuttal.

17 MR. PRESSMAN: How much time do we have?

18 HEARING MASTER FINCH: Five minutes for
19 rebuttal.

20 MR. PRESSMAN: Let me first -- well, this is
21 from the staff report. This is the Future Land Use
22 Map from the staff report. The Planning Commission
23 staff made a big point that the north part of
24 Hartford, that site is not compatible.

25 But as you can see, the tremendous amount of

1 the area is Light Industrial, including the north
2 part of Hartford. And between the site and the
3 industrial is the property owner who supports, and
4 then you have the school next door.

5 Now, the school itself is also a very
6 intensive use. Hundreds of kids coming and going
7 twice a day. So to say that the character of it
8 is, as I took note, is residential rural, I think
9 is drastically wrong, number one. That they're
10 sandwiched between those two uses.

11 So, apparently, the area is actually much
12 different than that. We have addressed every staff
13 condition by the restrictions for use, hours, days,
14 and buffer as well as the abutting neighbors.

15 And I can tell you that what's on the record
16 as of today about Code Enforcement is much
17 different than what the two folks said. My check
18 of it today is that they were in compliant, and
19 there were a couple of earlier cases and those, as
20 I saw, were in compliance as well.

21 I pulled up the Hillsborough County
22 Sheriff's Office about calls at 6400 Hartford
23 Street, and they show none. That's a quick check
24 on my phone. I'd have to research that.

25 But as far as I can see on those calls,

1 there were none on this site. There's two on 36,
2 the one on Madison, which are far two lower south.

3 Do you want --

4 MS. SOTO: I just want to address --

5 HEARING MASTER FINCH: Sure. Give us your
6 name first.

7 MS. SOTO: Oh, I'm sorry. Juana Soto.

8 The -- at midnight, my father personally is
9 there for every event. So the turning up of the
10 music, of cleaning until 4:00 or 5:00 in the
11 morning is not so.

12 As far as the building and the permit, that
13 was done with permitting. Everything -- we've
14 owned the property since 1974. So I just wanted to
15 clarify that.

16 MR. PRESSMAN: So, Ms. Soto, is putting on
17 the record that her father arrives at each event
18 and closes at midnight; is that correct?

19 MS. SOTO: He does.

20 MR. PRESSMAN: Have you had any --

21 MS. SOTO: We stay and we clean ourselves.
22 So it's not a hired staff. No one's hired off the
23 street. Family themselves, we clean it. So
24 there's no -- my dad is a stickler about that;
25 11:00 o'clock, the music is off.

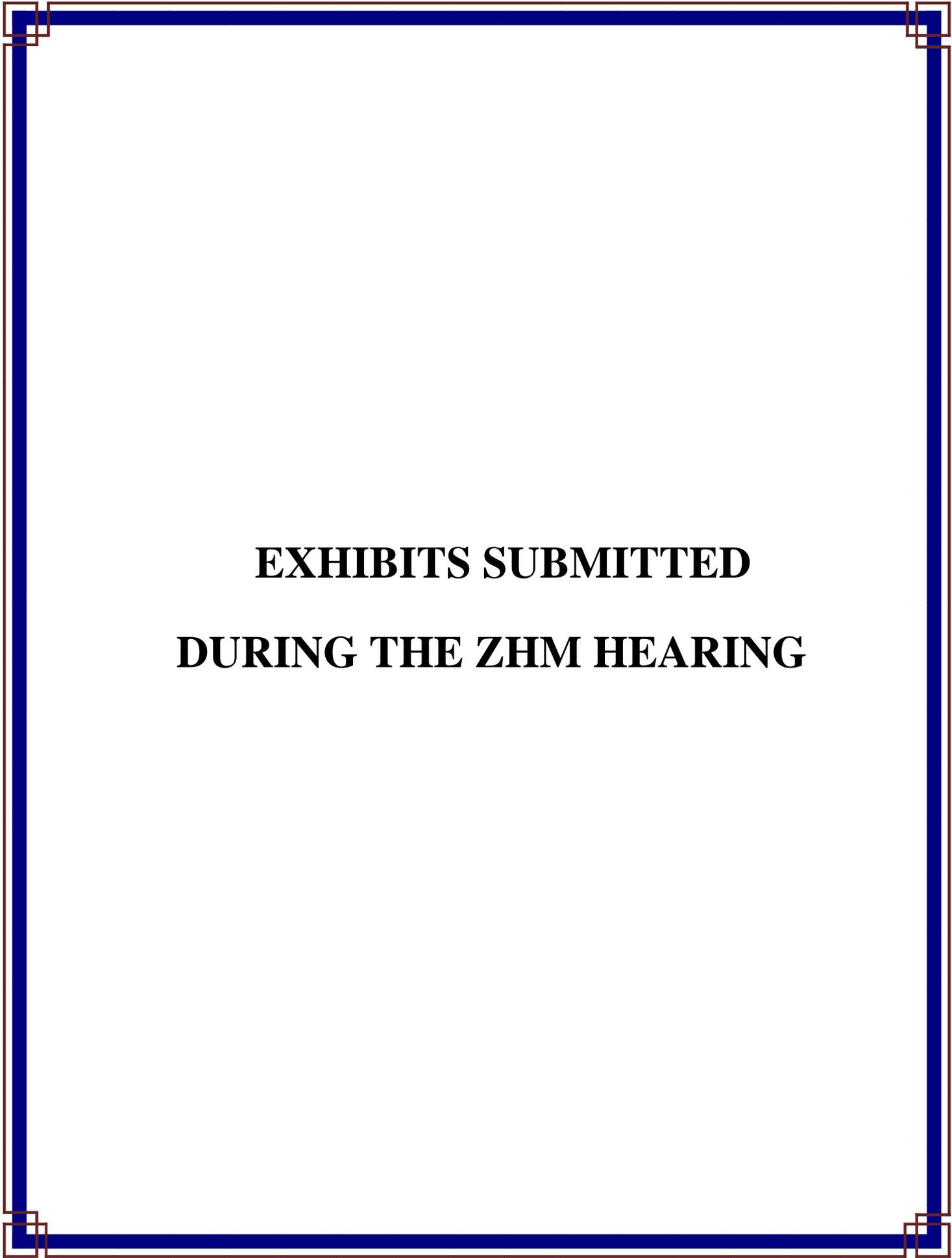
1 And there's no beer trucks coming in and
2 out. We don't sell liquor. We don't have trucks
3 coming in and out of the property.

4 MR. PRESSMAN: With great respect to the two
5 residents who spoke and I do have respect for
6 anyone that comes down here, if -- I would -- I
7 would just suggest if there was that much of an
8 issue of noise and impact -- and these folks live
9 on the other side of the school, which is very far
10 away -- very clearly, we would have heard from
11 other neighbors and other people. And we wouldn't
12 have the abutting neighbors in support. Thank you.

13 HEARING MASTER FINCH: All right. Thank you
14 for that.

15 With that, we'll close Rezoning 22-0702 and
16 go to the next case.

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25



**EXHIBITS SUBMITTED
DURING THE ZHM HEARING**

DATE/TIME: 5/16/2022

HEARING MASTER: Susan Finch

PLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # RZ 22-0423 VS	PLEASE PRINT NAME <u>David Wright</u> MAILING ADDRESS <u>PO Box 273417</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33688</u> PHONE _____
APPLICATION # RZ 22-0456 VS	PLEASE PRINT NAME <u>David Wright</u> MAILING ADDRESS <u>PO Box 273417</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33688</u> PHONE <u>(813) 230-7423</u>
APPLICATION # RZ 18-0798	PLEASE PRINT NAME <u>Mark Ben Fley</u> MAILING ADDRESS <u>401 E Jackson St</u> CITY <u>T/A</u> STATE <u>FL</u> ZIP <u>33611</u> PHONE _____
APPLICATION # RZ 18-0798	PLEASE PRINT NAME <u>Sandy Council</u> MAILING ADDRESS <u>PO Box 1115</u> CITY _____ STATE <u>FL</u> ZIP <u>33575</u> PHONE <u>813-812-9760</u>
APPLICATION # RZ 18-0798	PLEASE PRINT NAME <u>William Bredsean</u> MAILING ADDRESS <u>109 2nd St NW</u> CITY <u>Rusk</u> STATE <u>FL</u> ZIP <u>33520</u> PHONE <u>913-617-2720</u>
APPLICATION # RZ 20-1253	PLEASE PRINT NAME <u>Kami Corbett</u> MAILING ADDRESS <u>101 E Kennedy Blvd, Ste 3700 Tampa, FL</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33610</u> PHONE <u>813-227-8421</u>

DATE/TIME: 5/16/2022

HEARING MASTER: Susan Finch

PLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # RZ 20-1253	PLEASE PRINT NAME <u>Dr. Dale Maryman</u> MAILING ADDRESS <u>10408 Bloomingdal Avenue</u> CITY <u>Riverview</u> STATE <u>FL</u> ZIP <u>33578</u> PHONE <u>813-309-6618</u>
APPLICATION # RZ 20-1253	PLEASE PRINT NAME <u>LUKE LIROT</u> MAILING ADDRESS <u>2240 BELLEAIR RD. #190</u> CITY <u>CLEARWATER</u> STATE <u>FL</u> ZIP <u>33764</u> PHONE <u>727-536-2100</u>
APPLICATION # RZ 20-1253 VS	PLEASE PRINT NAME <u>Max Forgey</u> MAILING ADDRESS <u>236 SE 45th St</u> CITY <u>Cape Coral</u> STATE <u>FL</u> ZIP <u>33904</u> PHONE <u>(239)560-5864</u>
APPLICATION # RZ 20-1253	PLEASE PRINT NAME <u>SAM A. CALCO JR.</u> MAILING ADDRESS <u>18422 SWAN LAKE DR.</u> CITY <u>LUTZ</u> STATE <u>FL</u> ZIP <u>33549</u> PHONE <u>813-500-0202</u>
APPLICATION # RZ 20-1253	PLEASE PRINT NAME <u>Jay A. MUFFLY</u> MAILING ADDRESS <u>102 5TH AVE SE</u> CITY <u>LUTZ</u> STATE <u>FL</u> ZIP <u>33549</u> PHONE <u>813-949-2224</u>
APPLICATION # RZ 20-1253	PLEASE PRINT NAME <u>Susan Guess</u> MAILING ADDRESS <u>505 Old Grove Dr</u> CITY <u>Lutz</u> STATE <u>FL</u> ZIP <u>33548</u> PHONE <u>813-949-6559</u>

DATE/TIME: 5/16/2022

HEARING MASTER: Susan Finch

PLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # RZ 22-0586	PLEASE PRINT NAME <u>Isabelle Albert</u> MAILING ADDRESS <u>1000 Washley Dr, Suite 900</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33629</u> PHONE <u>813 331 0976</u>
APPLICATION # RZ 22-0690	PLEASE PRINT NAME <u>CAYTON BRICKMEYER</u> MAILING ADDRESS <u>4427 W. KENNEDY BLVD</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33609</u> PHONE <u>(813) 229-7700</u>
APPLICATION # RZ 22-0697	PLEASE PRINT NAME <u>Todd Pressman</u> MAILING ADDRESS <u>1000 2nd Ave. #451</u> CITY <u>St Pete</u> STATE <u>FL</u> ZIP <u>33701</u> PHONE <u>813-1760</u>
APPLICATION # RZ 22-0699	PLEASE PRINT NAME <u>CAYTON BRICKMEYER</u> MAILING ADDRESS <u>4427 W. KENNEDY BLVD</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33609</u> PHONE <u>(813) 229-7700</u>
APPLICATION # RZ 22-0699	PLEASE PRINT NAME <u>JEFF MARPLE</u> MAILING ADDRESS <u>12401 GUSTAZA DR</u> CITY <u>Thonotosassa</u> STATE <u>FL</u> ZIP <u>33592</u> PHONE <u>813 503 7282</u>
APPLICATION # RZ 22-0702	PLEASE PRINT NAME <u>Juana Soto</u> MAILING ADDRESS <u>4103 N. Habana Ave</u> CITY <u>Tpa</u> STATE <u>FL</u> ZIP <u>33607</u> PHONE <u>813 833-4477</u>

DATE/TIME: 5/16/2022

HEARING MASTER: Susan Finch

PLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # RZ 22-0702	PLEASE PRINT NAME Todd Pressman MAILING ADDRESS 200 7th Ave S #455 CITY St. Pete STATE FL ZIP 3374 PHONE 804-7760
APPLICATION # RZ 22-0702	PLEASE PRINT NAME Helena Fernandez MAILING ADDRESS 6610 - 36TH Ave So - CITY Tampa STATE FL ZIP 33619 PHONE 813-215-1181
APPLICATION # RZ 22-0702	PLEASE PRINT NAME W.L. Sartor Cook Jr MAILING ADDRESS 6210 36th Ave So CITY Tampa STATE FL ZIP 33618 PHONE 813/621-8098
APPLICATION # RZ 22-0439	PLEASE PRINT NAME David M. Smith MAILING ADDRESS 401 E. Jackson Street # 2100 CITY Tampa STATE FL ZIP 33601 PHONE 813 222-5010
APPLICATION # RZ 22-0439	PLEASE PRINT NAME Jessica Ierman MAILING ADDRESS 401 East Jackson St # 2100 CITY Tampa STATE FL ZIP 33602 PHONE 813-222-5006
APPLICATION # RZ 22-0441	PLEASE PRINT NAME William Madly MAILING ADDRESS 325 S 1st CITY Tampa STATE FL ZIP 33606 PHONE

DATE/TIME: 5/16/2022HEARING MASTER: Susan FinchPLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # RZ 22-0441	PLEASE PRINT NAME <u>TODD AMADEN</u> MAILING ADDRESS <u>8515 Palm River Dr</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33619</u> PHONE <u>421-7841</u>
APPLICATION # RZ 22-0441	PLEASE PRINT NAME <u>Alex Azca</u> MAILING ADDRESS <u>3923 Coconut Palm Dr</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP _____ PHONE _____
APPLICATION # RZ 22-0441	PLEASE PRINT NAME <u>Geord Vernon</u> MAILING ADDRESS <u>12916 Parson Rd</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33625</u> PHONE _____
APPLICATION # RZ 22-0441	PLEASE PRINT NAME <u>Susan Martin</u> MAILING ADDRESS <u>7901 Race Track Rd</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33635</u> PHONE <u>727-542-8382</u>
APPLICATION # MM 22-0452	PLEASE PRINT NAME <u>Rami Corbett</u> MAILING ADDRESS <u>101 E Kernerly Blvd Ste 3700</u> CITY <u>Thryph</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>(813) 227-8420</u>
APPLICATION # MM 22-0452 VS	PLEASE PRINT NAME <u>Dallas Evans</u> MAILING ADDRESS <u>3810 Northdale Blvd</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33624</u> PHONE <u>(813) 394-0591</u>

HEARING TYPE: **ZHM**, PHM, VRH, LUHO

DATE: 5/16/2022

HEARING MASTER: Susan Finch

PAGE: 1 OF 1

APPLICATION #	SUBMITTED BY	EXHIBITS SUBMITTED	HRG. MASTER YES OR NO
MM 22-0452	Brian Grady	1. Revised Staff Report	Yes (copy)
MM 22-0452	Kami Corbett	2. Applicant Presentation Packet	No
RZ 22-0439	Brian Grady	1. Revised Staff Report	Yes (copy)
RZ 22-0439	Jessica Icerman	2. Applicant Presentation Packet	Yes (copy)
RZ 18-0798	Brian Grady	1. Revised Staff Report	Yes (copy)
RZ 18-0798	Mark Bentley	2. Applicant Presentation Packet	Yes (copy)
RZ 18-0798	Sandy Council	3. Opposition Presentation Packet	No
RZ 20-1253	Kami Corbett	1. Applicant Presentation Packet	No
RZ 20-1253	Dr. Dale Merryman	2. Applicant Presentation Packet	No
RZ 20-1253	Sam Calco	3. Opposition Presentation Packet	No
RZ 20-1253	Jay A. Muffly	4. Opposition Presentation Packet	No
RZ 20-1253	Susan Guess	5. Opposition Presentation Packet	No
RZ 20-1253	Christopher Capkovic	6. Opposition Presentation Packet	No
RZ 22-0580	Isabelle Albert	1. Applicant Presentation Packet	No
RZ 22-0697	Todd Pressman	1. Applicant Presentation Packet	No
RZ 22-0702	Todd Pressman	1. Applicant Presentation Packet	No
RZ 22-0441	William Molloy	1. Applicant Presentation Packet	No
RZ 22-0441	Susan Martin	2. Opposition Presentation Packet	No

MAY 16, 2022 - ZONING HEARING MASTER

The Zoning Hearing Master (ZHM), Hillsborough County, Florida, met in Regular Meeting, scheduled for Monday, May 16, 2022, at 6:00 p.m., held virtually.

📄 Susan Finch, ZHM, calls the meeting to order and leads in the pledge of allegiance to the flag.

A. WITHDRAWALS AND CONTINUANCES

📄 Brian Grady, Development Services, introduces staff and reviews changes/withdrawals/continuances.

C.1. RZ 22-0423

📄 Brian Grady, Development Services, calls RZ 22-0423.

📄 David Wright, applicant rep, requests continuance for RZ 22-0423.

📄 Susan Finch, ZHM, calls proponents/opponents/grants continuance for RZ 22-0423.

C.2. RZ 22-0456

📄 Brian Grady, Development Services, calls RZ 22-0456.

📄 David Wright, applicant rep, requests continuance for RZ 22-0456.

📄 Susan Finch, ZHM, calls proponents/opponents/grants continuance for RZ 22-0456.

📄 Brian Grady, Development Services, continues changes/withdrawals/continuances.

📄 Susan Finch, ZHM, overview of ZHM process.

📄 Senior Assistant County Attorney Cameron Clark overview of oral argument/ZHM process.

📄 Susan Finch, ZHM, Oath.

📄 Brian Grady, Development Services, introduces staff.

MONDAY, MAY 16, 2022

B. REMANDS

B.1. RZ 18-0798

- 📄 Brian Grady, Development Services, calls RZ 18-0798.
- 📄 Mark Bentley, applicant rep, presents testimony.
- 📄 Susan Finch, ZHM, questions to applicant rep.
- 📄 Mark Bentley, applicant rep, answers ZHM questions.
- 📄 Susan Finch, ZHM, questions to applicant rep.
- 📄 Mark Bentley, applicant rep, answers ZHM questions.
- 📄 Brian Grady, Development Services, staff report.
- 📄 Susan Finch, ZHM, questions to Development Services.
- 📄 Brian Grady, Development Services, answers ZHM questions.
- 📄 Karla Llanos, Planning Commission, staff report.
- 📄 Susan Finch, ZHM, calls proponents/opponents.
- 📄 Sandy Council, opponent, provides testimony
- 📄 William Bredbenner, opponent, provides testimony.
- 📄 Susan Finch, ZHM, calls Development Services/applicant rebuttal.
- 📄 Mark Bentley, applicant rep, gives rebuttal.
- 📄 Susan Finch, ZHM, questions to applicant rep.
- 📄 Mark Bentley, applicant rep, answers ZHM questions.
- 📄 Susan Finch, ZHM, questions to Development Services.
- 📄 Brian Grady, Development Services, answers.
- 📄 Susan Finch, ZHM, calls applicant rebuttal/closes RZ 18-0798.

MONDAY, MAY 16, 2022

B.2. RZ 20-1253

- 📄 Brian Grady, Development Services, calls RZ 20-1253.
- 📄 Kami Corbett, applicant rep, presents testimony.
- 📄 Dr. Dale Meryman, applicant rep, presents testimony.
- 📄 Susan Finch, ZHM, questions to applicant rep
- 📄 Dr. Dale Meryman, answers ZHM questions.
- 📄 Kami Corbett, applicant rep, continues testimony.
- 📄 Brian Grady, Development Services, staff report.
- 📄 Karla Llanos, Planning Commission, staff report.
- 📄 Susan Finch, ZHM, calls proponents/opponents.
- 📄 Luke Lirot, opponent, provides testimony
- 📄 Max Forgey, opponent, provides testimony.
- 📄 Sam Calco, opponent, provides testimony.
- 📄 Jay A. Muffly, opponent, provides testimony.
- 📄 Susan Guess, opponent, provides testimony.
- 📄 Sam Calco, opponent, continues testimony.
- 📄 Kami Corbett, applicant rep, questions to opponent.
- 📄 Susan Guess, opponent, answers applicant rep questions.
- 📄 Kami Corbett, applicant rep, provides rebuttal.
- 📄 Dr. Dale Merryman, applicant rep, provides rebuttal.
- 📄 Kami Corbett, applicant rep, continues rebuttal.
- 📄 Susan Finch, ZHM, closes RZ 20-1253.

MONDAY, MAY 16, 2022

C. REZONING STANDARD (RZ-STD) :

C.3. RZ 22-0580

📄 Brian Grady, Development Services, calls RZ 22-0580.

📄 Isabelle Albert, applicant rep, presents testimony.

📄 Isis Brown, Development Services, staff report.

📄 Karla Llanos, Planning Commission, staff report.

📄 Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rebuttal/closes RZ 22-0580.

C.4. RZ 22-0690

📄 Brian Grady, Development Services, calls RZ 22-0690.

📄 Clayton Bricklemyer, applicant rep, presents testimony.

📄 Isis Brown, Development Services, staff report.

📄 Karla Llanos, Planning Commission, staff report.

📄 Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rebuttal/closes RZ 22-0690.

C.5. RZ 22-0697

📄 Brian Grady, Development Services, calls RZ 22-0697.

📄 Todd Pressman, applicant rep, presents testimony.

📄 Chris Grandlienard, Development Services, staff report.

📄 Karla Llanos, Planning Commission, staff report.

📄 Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rebuttal/closes RZ 22-0697.

MONDAY, MAY 16, 2022

C.6. RZ 22-0699

- 📄 Brian Grady, Development Services, calls RZ 22-0699.
- 📄 Clayton Brickleyer, applicant rep, presents testimony.
- 📄 Isis Brown, Development Services, staff report.
- 📄 Karla Llanos, Planning Commission, staff report.
- 📄 Susan Finch, ZHM, calls proponents/opponents/closes RZ 22-0699.
- 📄 Susan Finch, ZHM, reopens RZ 22-0699.
- 📄 Jeff Marple, opponent, provides testimony.
- 📄 Susan Finch, ZHM, questions to opponent.
- 📄 Jeff Marple, opponent, answers ZHM questions.
- 📄 Clayton Brickleyer, applicant rep, provides rebuttal.
- 📄 Susan Finch, ZHM, questions to applicant rep.
- 📄 Clayton Brickleyer, applicant rep, answers ZHM questions and continues rebuttal.
- 📄 Susan Finch, ZHM, closes RZ 22-0699.
- 📄 Susan Finch, ZHM, calls break.
- 📄 Susan Finch, ZHM, resumes meeting.

C.7. RZ 22-0702

- 📄 Brian Grady, Development Services, calls RZ 22-0702.
- 📄 Susan Finch, ZHM, Oath.
- 📄 Todd Pressman, applicant rep, presents testimony.
- 📄 Susan Finch, ZHM, questions to applicant rep.
- 📄 Todd Pressman, applicant rep, answers ZHM questions and continues testimony.

MONDAY, MAY 16, 2022

- 📄 Susan Finch, ZHM, questions to applicant rep.
- 📄 Todd Pressman, applicant rep, answers ZHM questions and continues testimony.
- 📄 Susan Finch, ZHM, questions to applicant rep.
- 📄 Juana Soto, applicant rep, answers ZHM questions
- 📄 Todd Pressman, applicant rep, continues testimony.
- 📄 Susan Finch, ZHM, questions to applicant rep.
- 📄 Todd Pressman, applicant rep, answers ZHM questions and continues testimony.
- 📄 Chris Grandlienard, Development Services, staff report.
- 📄 Susan Finch, ZHM, questions to Development Services.
- 📄 Chris Grandlienard, Development Services, answers ZHM questions.
- 📄 Karla Llanos, Planning Commission, staff report.
- 📄 Susan Finch, ZHM, questions to Planning Commission.
- 📄 Karla Llanos, Planning Commission, answers ZHM questions.
- 📄 Susan Finch, ZHM, questions to Planning Commission.
- 📄 Karla Llanos, Planning Commission, answers ZHM questions.
- 📄 Susan Finch, ZHM, calls proponents/opponents.
- 📄 Thelma Fernandez, opponent, provides testimony.
- 📄 W. L. Saxton Cook Jr., opponent, provides testimony.
- 📄 Karla Llanos, Planning Commission, answers ZHM questions.
- 📄 Susan Finch, ZHM, calls Development Services/applicant rebuttal.
- 📄 Todd Pressman, applicant rep, provides rebuttal.

MONDAY, MAY 16, 2022

📄 Juana Soto, applicant, provides rebuttal.

📄 Susan Finch, ZHM, closes RZ 22-0702.

D. REZONING-PLANNED DEVELOPMENT (RZ-PD) & MAJOR MODIFICATION (MM):

D.1. RZ 22-0439

📄 Brian Grady, Development Services, calls RZ 22-0439.

📄 Jessica Icerman, applicant rep, provides testimony.

📄 David M. Smith, applicant rep, provides testimony

📄 Susan Finch, ZHM, questions to applicant rep.

📄 David M. Smith, applicant rep, answers ZHM questions.

📄 Israel Monsanto, Development Services, staff report.

📄 Susan Finch, ZHM, questions to Development Services.

📄 Israel Monsanto, Development Services, answers ZHM questions.

📄 Karla Llanos, Planning Commission, staff report.

📄 Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rebuttal.

📄 Jessica Icerman, applicant rep, provides rebuttal.

📄 Susan Finch, ZHM, questions to applicant rep.

📄 Jessica Icerman, applicant rep, answers ZHM questions.

📄 Susan Finch, ZHM, closes RZ 22-0439.

D.2. RZ 22-0441

📄 Brian Grady, Development Services, calls RZ 22-0441.

📄 Susan Finch, ZHM, Oath.

📄 William Molloy, applicant rep, presents testimony.

MONDAY, MAY 16, 2022

- 📄 Susan Finch, ZHM, questions to applicant rep
- 📄 William Molloy, applicant rep, answers ZHM questions and continues testimony.
- 📄 Todd Amaden, applicant rep, provides testimony.
- 📄 William Molloy, applicant rep, continues testimony
- 📄 Alex Azan, applicant rep, provides testimony.
- 📄 William Molloy, applicant rep, continues testimony.
- 📄 Michelle Heinrich, Development Services, staff report.
- 📄 Karla Llanos, Planning Commission, staff report.
- 📄 Susan Finch, ZHM, calls proponents/opponents.
- 📄 Gerod Vernon, opponent, presents testimony.
- 📄 Susan Martin, opponent, presents testimony.
- 📄 Susan Finch, ZHM, calls Development Service/applicant rebuttal.
- 📄 William Malloy, applicant rep, provides rebuttal.
- 📄 Susan Finch, ZHM, closes RZ 22-0441.

D.3. MM 22-0452

- 📄 Brian Grady, Development Services, calls MM 22-0452.
- 📄 Kami Corbett, applicant rep, presents testimony.
- 📄 Susan Finch, ZHM, questions to applicant rep.
- 📄 Kami Corbett, applicant rep, answers ZHM questions.
- 📄 Timothy Lampkin, Development Services, staff report.
- 📄 Karla Llanos, Planning Commission, staff report.
- 📄 Susan Finch, ZHM, calls proponents/opponents/Development Services

MONDAY, MAY 16, 2022

 Susan Finch, ZHM, questions to Development Services.

 Timothy Lampkin, Development Services, answers ZHM questions.

 Kami Corbett, applicant rep, provides rebuttal.

 Dallas Evans, applicant rep, provides rebuttal.

 Susan Finch, ZHM, closes MM 22-0452.

ADJOURNMENT

 Susan Finch, ZHM, adjourns meeting.

Application No. RZ 22-0702
Name: Tom Pressman
Entered at Public Hearing: ZHM
Exhibit # 1 Date: 5/16/2022

RZ-STD-0702

ASC-1 to CN



Greater Palm River







SITE

Screenshot



SCHOOL

SITE

Bulk
Express

Premier
trailer
leasing

SNS
Freight
Eagle
Transport
Corp

Screenshot



Zoning

SITE

CI

Manufacturing zoning

CI

M

M
13-0219

AI

PD
19-0003

AS-1
82-0111

PD
18-1053

AS-1
13-05
null

PD
17-1014

CI
63-0377

M
07-1153

A3C-1
00-027
ESC-6

A3C-4

PD
89-0136

CI
97-0171

M
63-0206

Future Land Use
categories

SMU-6

LIGHT INDUSTRIAL

SMU-6

SMU-6

4.61 acre lot

ASC-1 to CN-R

RESTRICTIONS:

- 1) The use is restricted to an outdoor and indoor venue/banquet/reception use facility**
- 2) Events on the property will only occur on Friday, Saturday and Sunday. Friday events would only occur after school hours.**

...Restrictions

- 3) The existing fence of which surrounds the entire property, must remain in place.
- 4) Events are between 4 PM and midnight, other than setting up the event and cleaning up the event

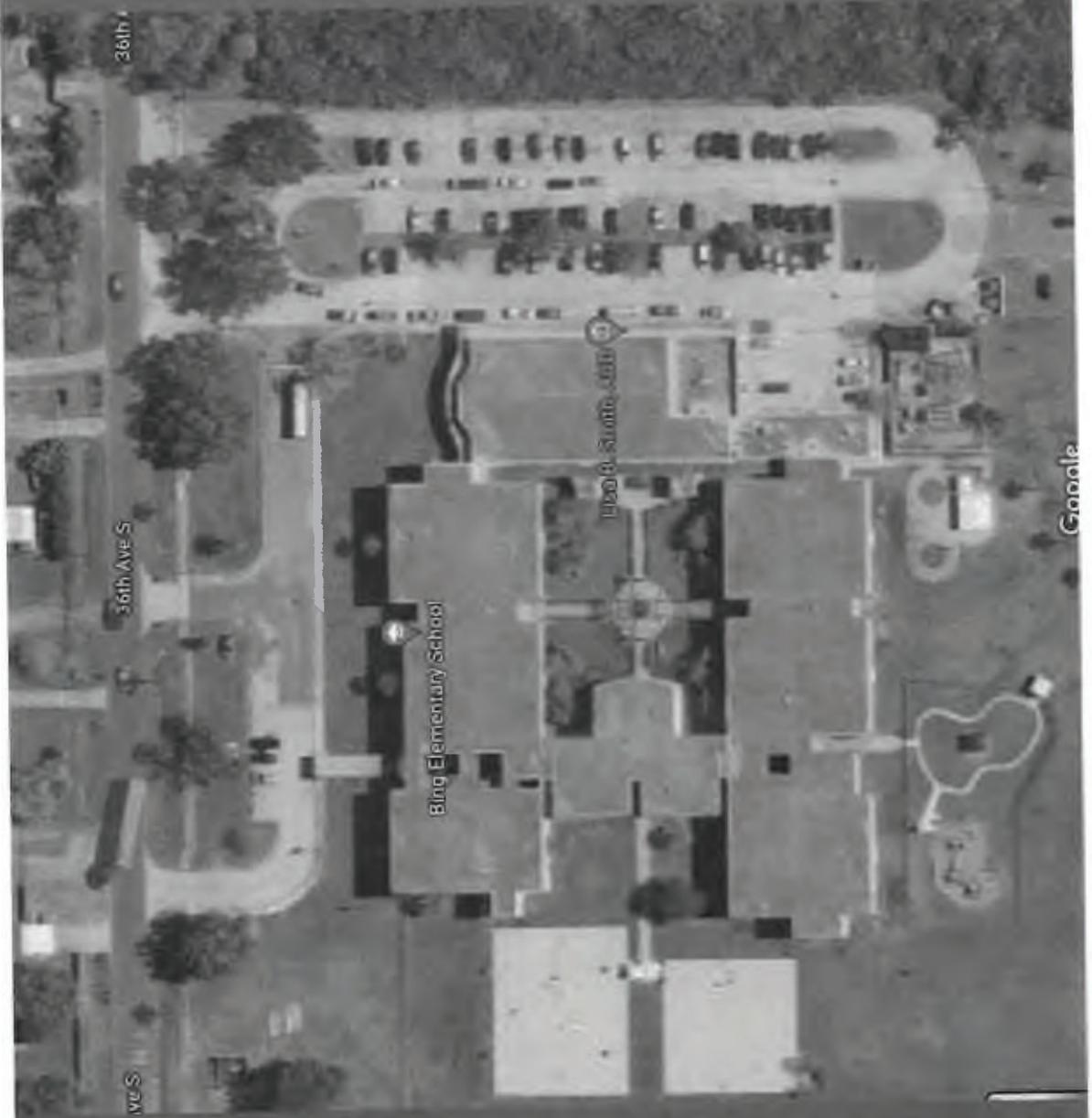


MAIN ACCESS

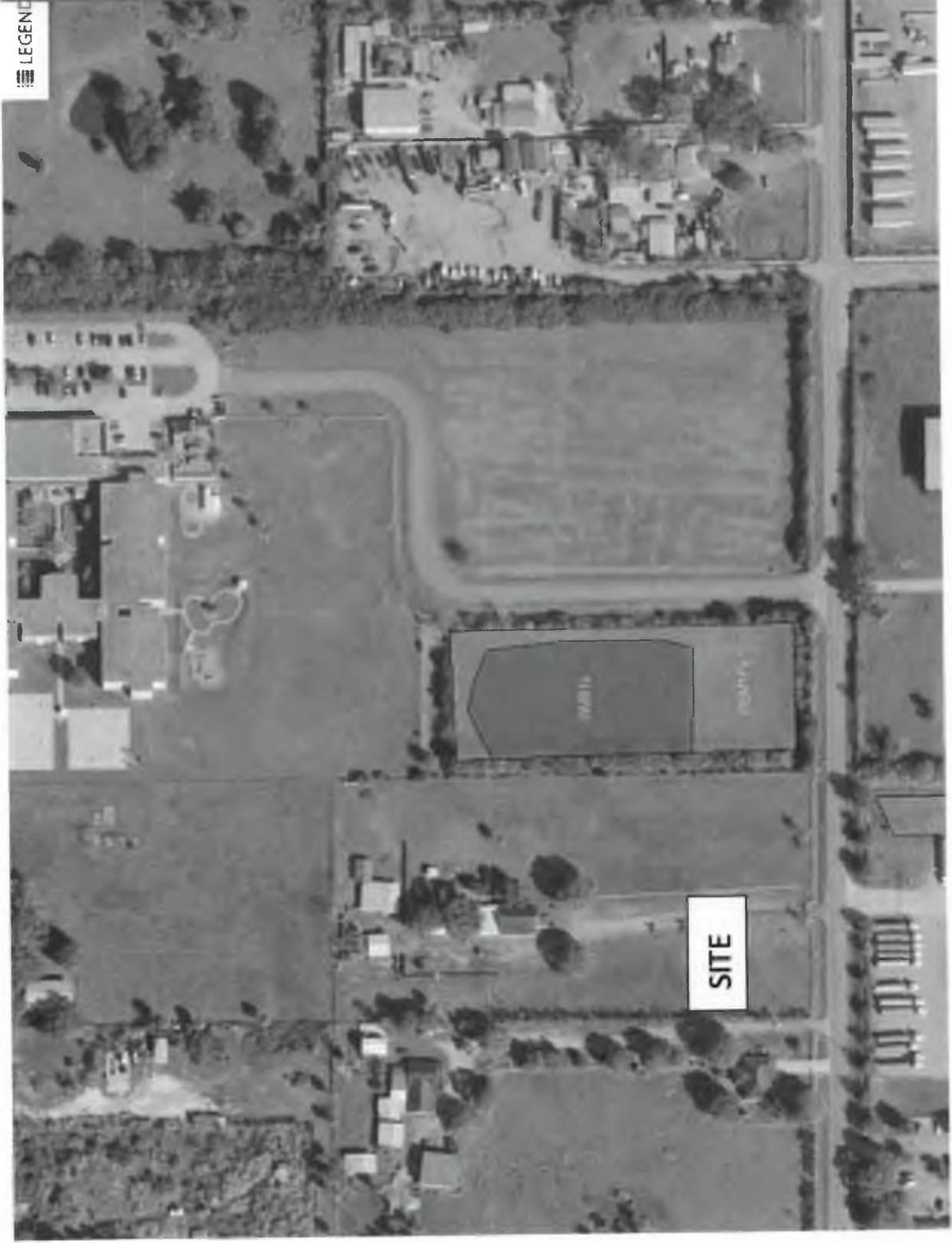
SITE

Screenshot

School



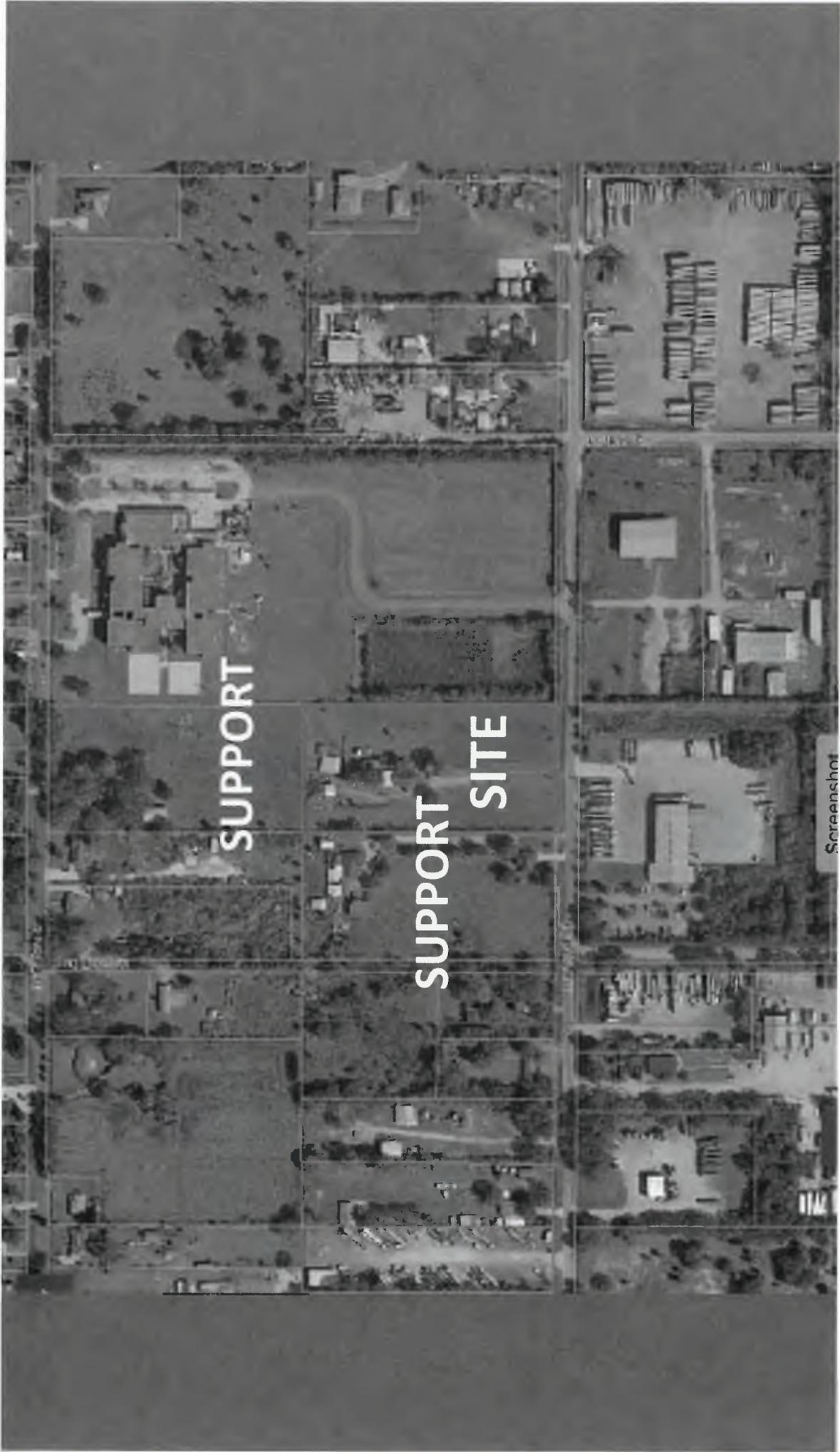
U.S. Fish and Wildlife Wetlands mapper



Fencing surrounding



Abutting Neighbor Support



SUPPORT

SUPPORT SITE

Screenshot

Letter of Support
Hillsborough County Rezoning Application 22-0702,
6400 Hartford Street

Please accept this letter as a communication of support in regard to zoning application 21-0702. As an abutting property owner, we are supportive of the banquet/indoor & outdoor venue/event reception facility as proposed.

Thank you.

ISRAEL REYES
Name/Property Owner

5806 36 AVE S TAMPA FL 33619
Address, Street, City and State

Address

5/1/22
Date

Letter of Support
Hillsborough County Rezoning Application 22-0702,
6400 Hartford Street

Please accept this letter as a communication of support in regard to zoning application 21-0702. As an abutting property owner, we are supportive of the banquet/indoor & outdoor venue/event reception facility as proposed.

Thank you.

Antonio Garcia Reyes & Jorge De la Cruz
Name/Property Owner

6211 36th Ave S. Tampa FL 33619
Address, Street, City and State

6211 36th Ave S.
Address

5/31/2022
Date

Locational Waiver addressed by geographical and operational elements that provide compatibility:

- Great buffering, fencing
- Restrictions; use & infrequent operational times
 - Orientation of school
 - Widespread nature of the area
- Intensive uses and zoning in immediately located

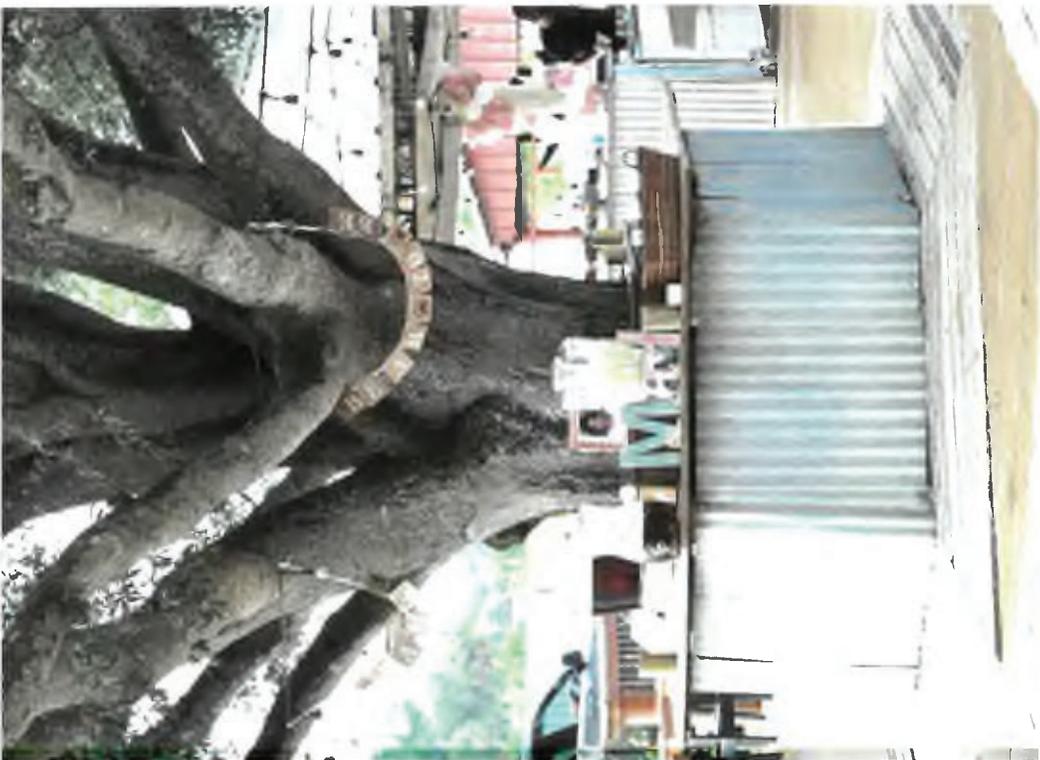
Staff's Main Concerns:

- **Compatibility with residential to the West & North.**
Documented their support
- **Noise emanating from the site to the school**
 - *Documented no school hour activity*

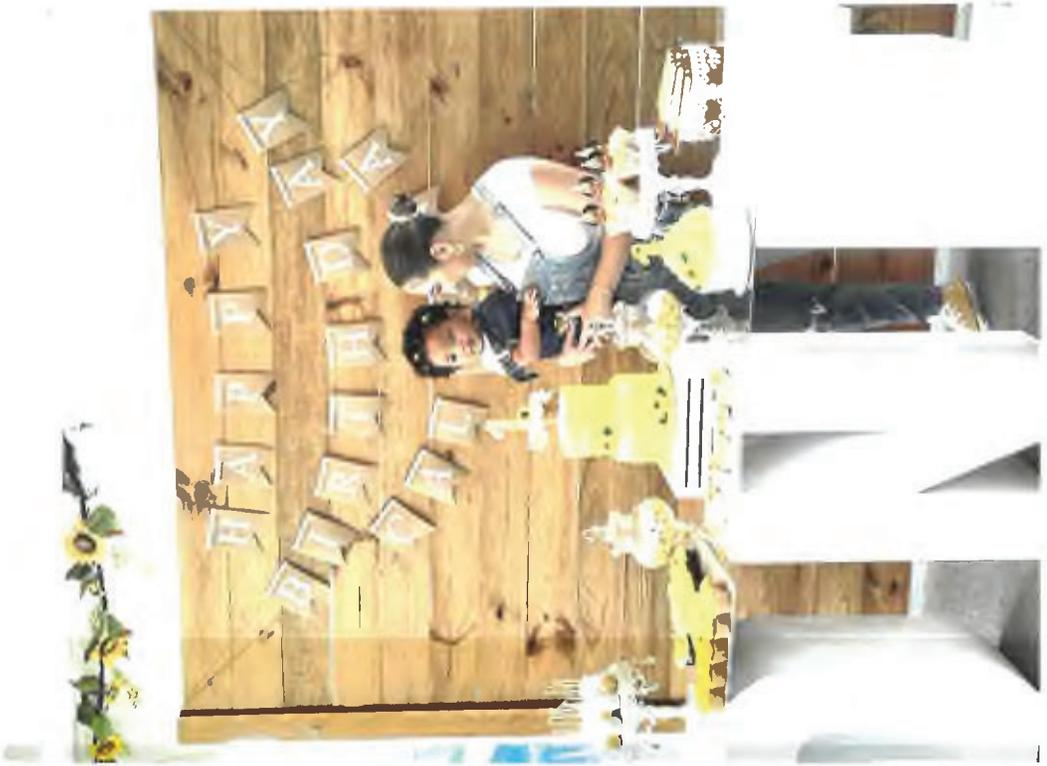


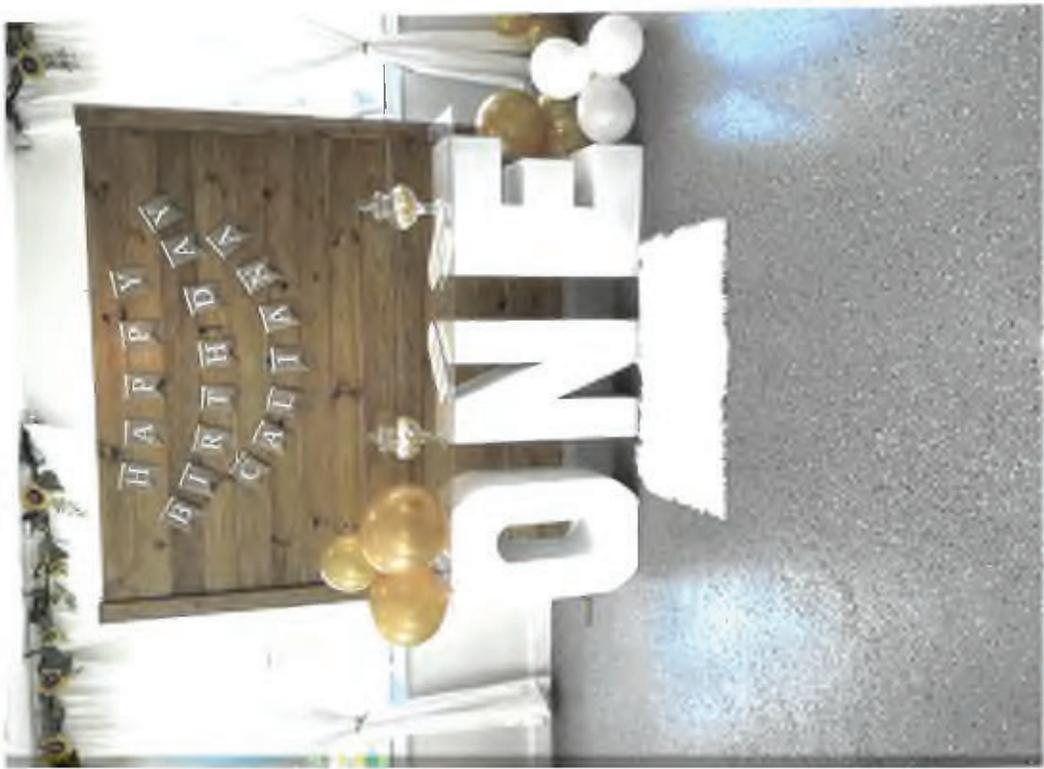
















































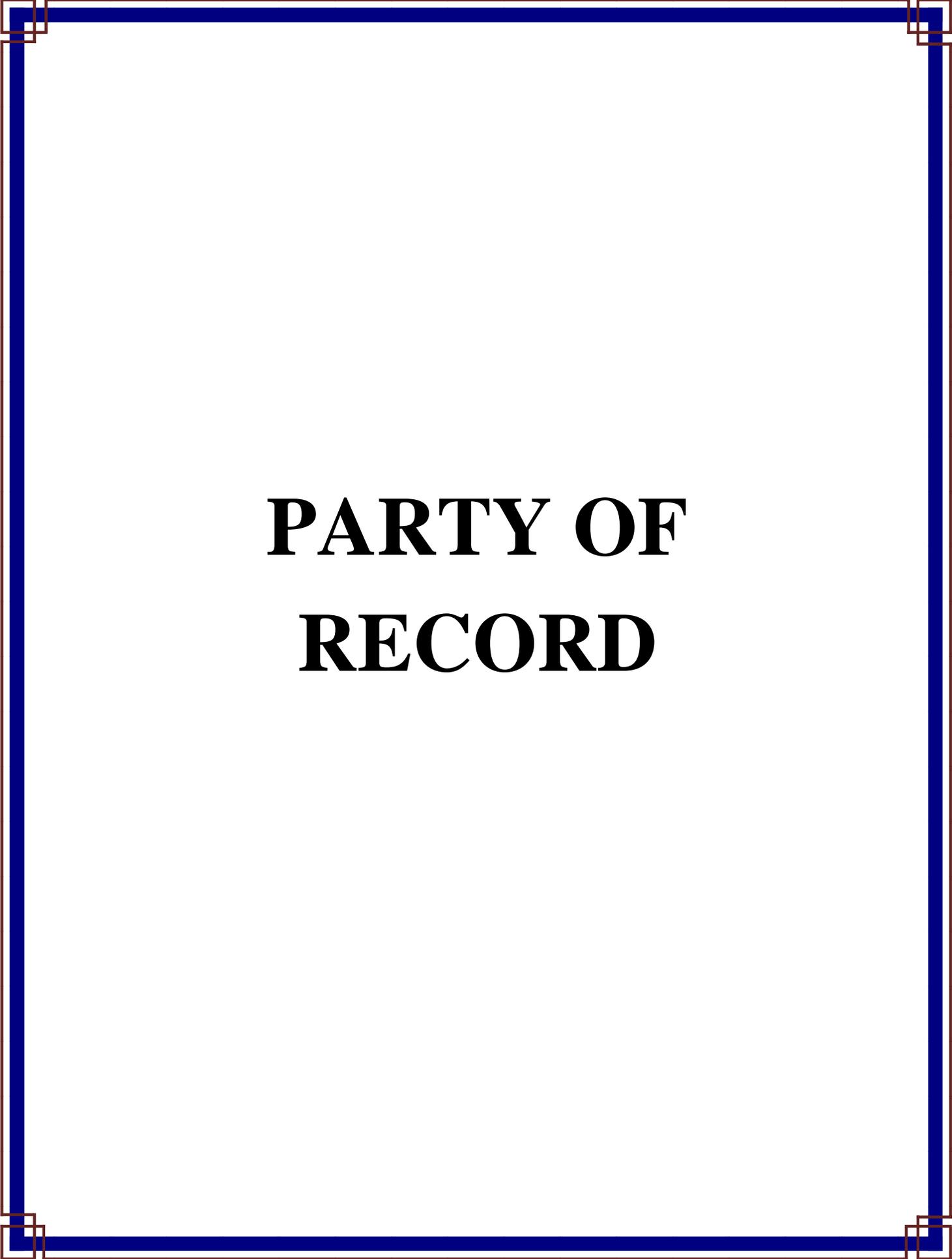












**PARTY OF
RECORD**



Additional / Revised Information Sheet

Office Use Only		
Application Number: 22-0702	Received Date:	Received By:

The following form is required when submitted changes for any application that was previously submitted. A cover letter must be submitted providing a summary of the changes and/or additional information provided. If there is a change in project size the cover letter must list any new folio number(s) added. Additionally, **the second page of this form must be included indicating the additional/revised documents being submitted with this form.**

Application Number: 22-0702 Applicant's Name: Rodriguez/Pressman, agent

Reviewing Planner's Name: Grandlienard Date: 5.4.22

Application Type:

- Planned Development (PD) Minor Modification/Personal Appearance (PRS) Standard Rezoning (RZ)
- Variance (VAR) Development of Regional Impact (DRI) Major Modification (MM)
- Special Use (SU) Conditional Use (CU) Other _____

Current Hearing Date (if applicable): 5/16/22

Important Project Size Change Information

Changes to project size may result in a new hearing date as all reviews will be subject to the established cut-off dates.

Will this revision add land to the project? Yes No

If "Yes" is checked on the above please ensure you include all items marked with * on the next page.

Will this revision remove land from the project? Yes No

If "Yes" is checked on the above please ensure you include all items marked with + on the next page.

Email this form along with all submittal items indicated on the next page in pdf form to:

ZoningIntake-DSD@hcflgov.net

Files must be in pdf format and minimum resolution of 300 dpi. Each item should be submitted as a separate file titled according to its contents. All items should be submitted in one email with application number (including prefix) included on the subject line. Maximum attachment(s) size is 15 MB.

For additional help and submittal questions, please call (813) 277-1633 or email ZoningIntake-DSD@hcflgov.net.

I certify that changes described above are the only changes that have been made to the submission. Any further changes will require an additional submission and certification.



Signature

5.4.22

Date



**Hillsborough
County Florida**
Development Services

Identification of Sensitive/Protected Information and Acknowledgement of Public Records

Pursuant to [Chapter 119 Florida Statutes](#), all information submitted to Development Services is considered public record and open to inspection by the public. Certain information may be considered sensitive or protected information which may be excluded from this provision. Sensitive/protected information may include, but is not limited to, documents such as medical records, income tax returns, death certificates, bank statements, and documents containing social security numbers. While all efforts will be taken to ensure the security of protected information, certain specified information, such as addresses of exempt parcels, may need to be disclosed as part of the public hearing process for select applications.

Additionally, parcels exempt under [Florida Statutes §119.071\(4\)](#) will need to contact [Hillsborough County Development Services](#) to obtain a release of exempt parcel information.

Are you seeking an exemption from public scrutiny of selected information submitted with your application pursuant to Chapter 119 FS? Yes No

I hereby confirm that the material submitted with application 22-0702

Includes sensitive and/or protected information.

Type of information included and location _____

Does not include sensitive and/or protected information.

Please note: Sensitive/protected information will not be accepted/requested unless it is required for the processing of the application.

If an exemption is being sought, the request will be reviewed to determine if the applicant can be processed with the data being held from public view. Also, by signing this form I acknowledge that any and all information in the submittal will become public information if not required by law to be protected.

Signature: _____

(Must be signed by applicant or authorized representative)

Intake Staff Signature: _____ Date: _____



Additional / Revised Information Sheet

Please indicate below which revised/additional items are being submitted with this form.

Included	Submittal Item
----------	----------------

1 **Cover Letter****+ If adding or removing land from the project site, the final list of folios must be included

2 **Revised Application Form****+

3 **Copy of Current Deed*** Must be provided for any new folio(s) being added

4 **Affidavit to Authorize Agent*** (If Applicable) Must be provided for any new folio(s) being added

5 **Sunbiz Form*** (If Applicable) Must be provided for any new folio(s) being added

6 **Property Information Sheet****

7 **Legal Description of the Subject Site****

8 **Close Proximity Property Owners List****

9 **Site Plan**** All changes on the site plan must be listed in detail in the Cover Letter.

10 **Survey**

11 **Wet Zone Survey**

12 **General Development Plan**

13 **Project Description/Written Statement**

14 **Design Exception and Administrative Variance requests/approvals**

15 **Variance Criteria Response**

16 **Copy of Code Enforcement or Building Violation**

17 **Transportation Analysis**

18 **Sign-off form**

19 **Other Documents** (please describe):

2 abutting neighbors support letters

*Revised documents required when adding land to the project site. Other revised documents may be requested by the planner reviewing the application.

+Required documents required when removing land from the project site. Other revised documents may be requested by the planner reviewing the application.

Letter of Support
Hillsborough County Rezoning Application 22-0702,
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Antonio Garcia Reyes & Jorge DE-YG
Name/Property Owner

6211 36th Ave S. Tampa FL 33619
Address, Street, City and State

6211 36th Ave S.
Address

5/3/2022
Date

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