

Rezoning Application: 22-0427
Zoning Hearing Master Date: March 14, 2022
BOCC Land Use Meeting Date: May 10, 2022



Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Clayton Bricklemyer,
Bricklemyer Law Group, P.L.

FLU Category: Residential -1 (Res-1)

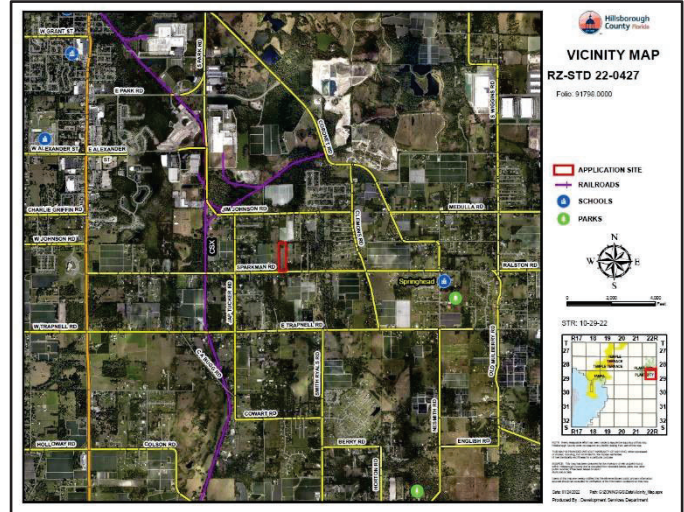
Service Area: Rural

Site Acreage: 9.78+/-

Community Plan Area: East Rural

Overlay: None

Request: Rezone from **Agricultural Rural (AR) & Agricultural Single-Family Residential-1 (AS-1) to Agricultural Single-Family Residential Conventional-1**



Request Summary:

The request is to rezone from the existing Agricultural Rural (AR) & Agricultural Single-Family Residential-1 (AS-1) zoning districts to the proposed to Agricultural Single-Family Residential-1 (ASC-1) zoning district. The proposed zoning for ASC-1 permits agricultural and related uses and single-family conventional development on lots containing a minimum of one (1) acre.

Zoning:

	Current AR Zoning	Current AS-1 Zoning	Proposed ASC-1 Zoning
Uses	Agricultural & Agricultural Single Family Residential	Agricultural & Agricultural Single Family Residential	Agricultural & Agricultural Single Family Residential Conventional
Acreage	8.58+/- Acres (ac)	1.2+/- ac	9.78+/- ac
Density / Intensity	1 dwelling unit (du)/ 5 acres	1 du/1 acre	1 du/1 acre
Mathematical Maximum*	1 dwelling unit	1 dwelling unit	9 dwelling unit

* *Mathematical Maximum entitlements may be reduced due to roads, stormwater and other improvements.*

Development Standards:

	Current AR Zoning	Current AS-1 Zoning	Proposed ASC-1 Zoning
Density / Intensity	1 du/ 5 Ac	1 du/ 1 Ac	1 du/ Ac
Lot Size/ Lot Width	5 acres (217,800 sf)/150'	1 Ac (43,560 sf)/150'	1 Ac (43,560 sf)/150'
Setbacks/Buffering and Screening	50' - Front (South) 25' - Sides (East & West) 50' - Rear (North)	50' - Front (South) 15' - Sides (East & West) 50' - Rear (North)	50' - Front (South) 15' - Sides (East & West) 50' - Rear (North)
Height	50'	50'	50'

Additional Information:

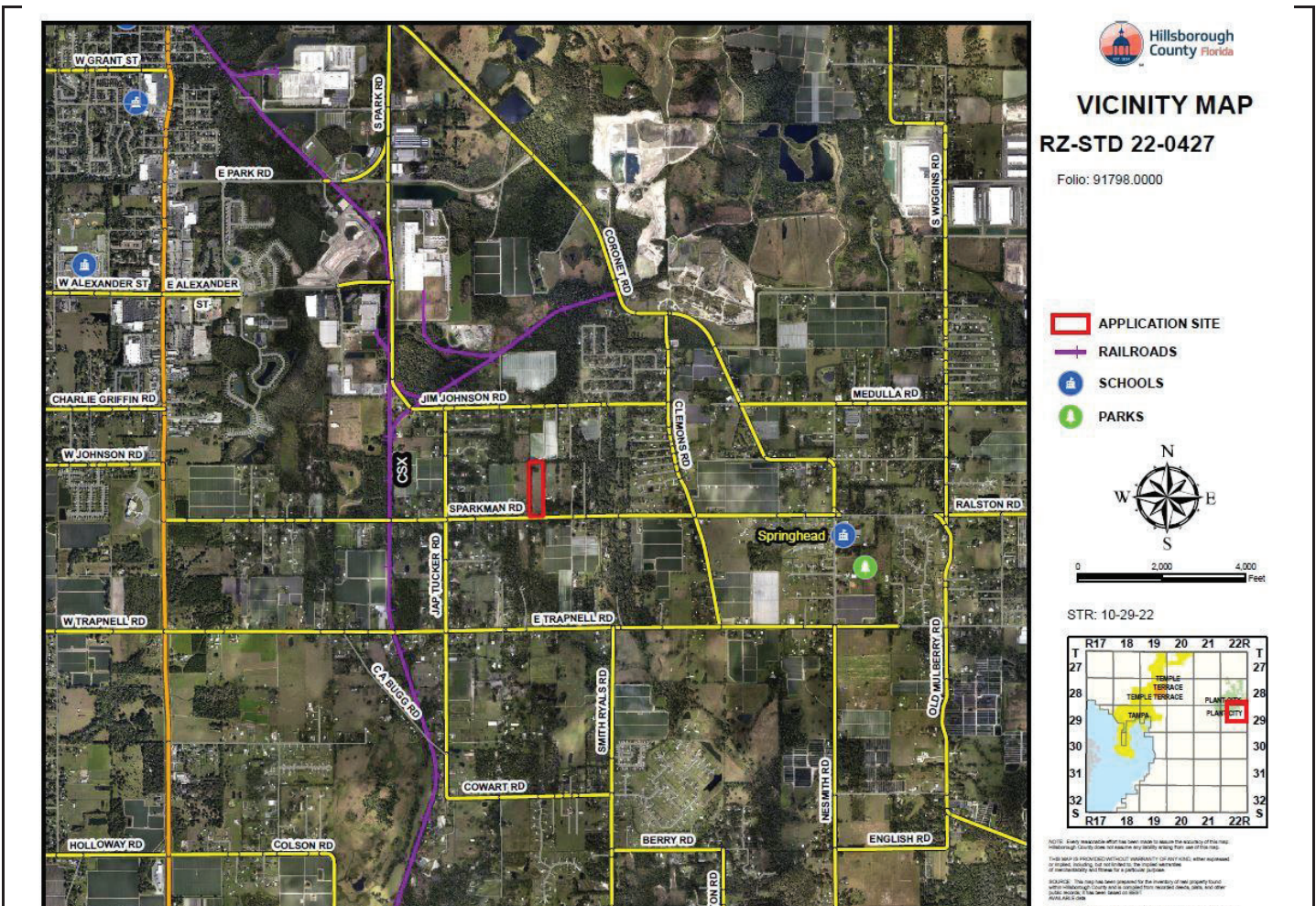
PD Variations	N/A
Waiver(s) to the Land Development Code	None

Additional Information:

Planning Commission Recommendation	Consistent
Development Services Department Recommendation	Approvable

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

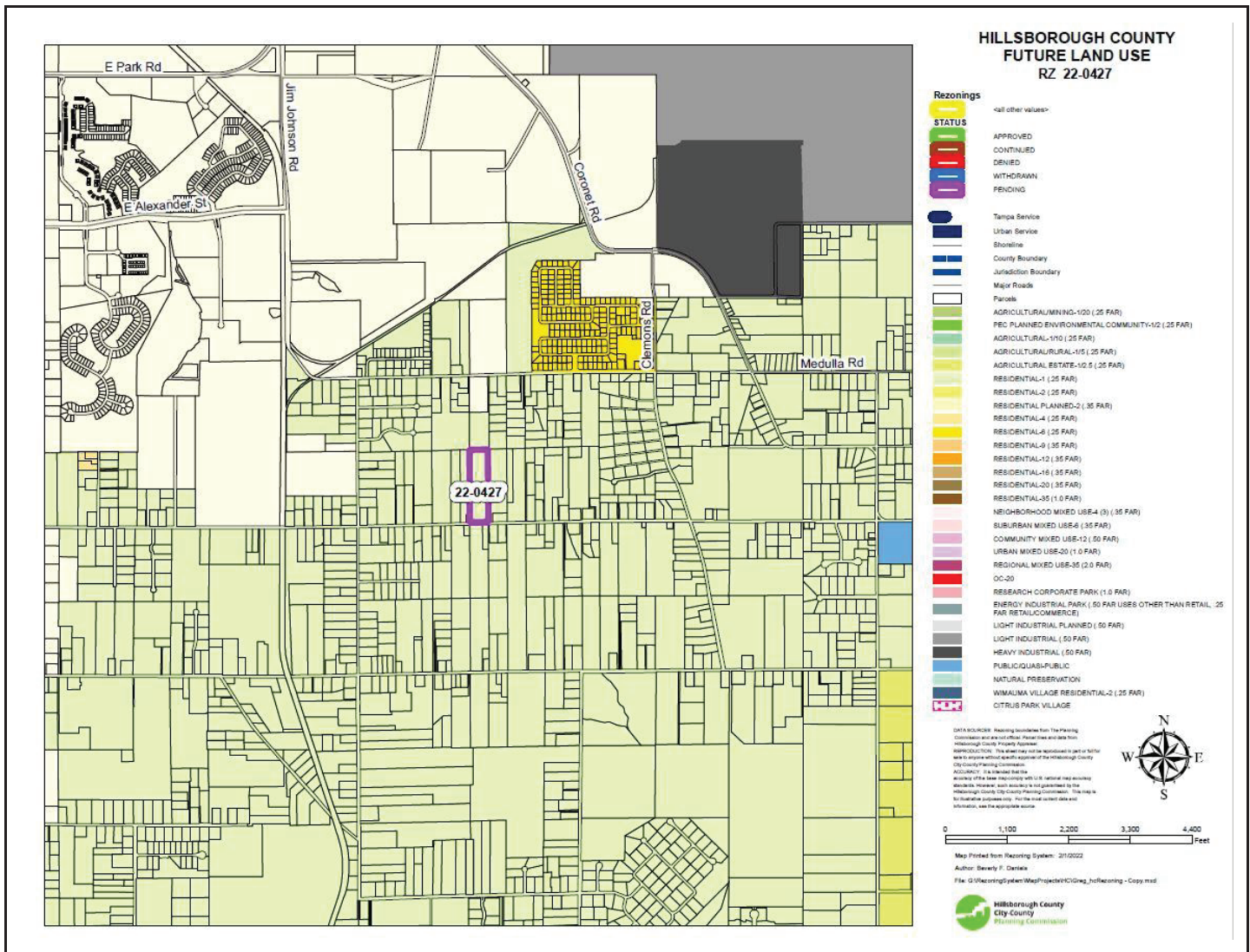


Context of Surrounding Area:

The site is located in an area comprised of agricultural and single-family residential uses. A majority of the area surrounding the site is within the Res-1 FLU category which permits agricultural and single-family residential uses. The properties to the North, South, East and West of the subject site are within the Res-1 category which has the potential to permit low density residential and agricultural uses. The adjacent properties are zoned AS-1 to the north, south, east and west.

2.0 LAND USE MAP SET AND SUMMARY DATA

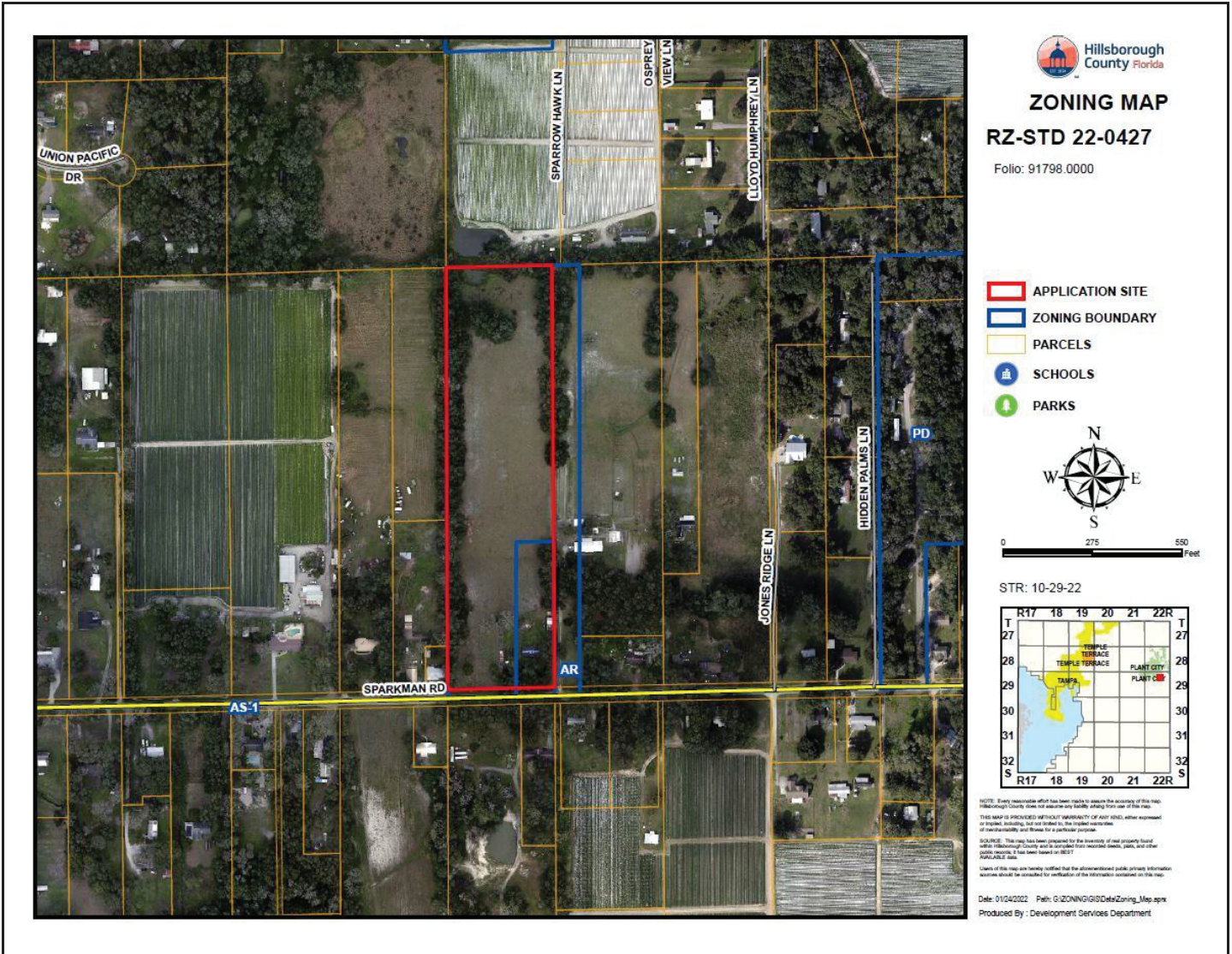
2.2 Future Land Use Map



Subject Site Future Land Use Category:	Residential 1 (Res-1)
Maximum Density/F.A.R.:	1 dwelling unit per Gross Acre (ga)/ 0.25 F.A.R.
Typical Uses:	Farms, ranches, residential uses, rural scale neighborhood commercial uses, offices, and multi-purpose projects. Commercial, office, and multi-purpose uses shall meet locational criteria for specific land use projects. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



Adjacent Zonings and Uses

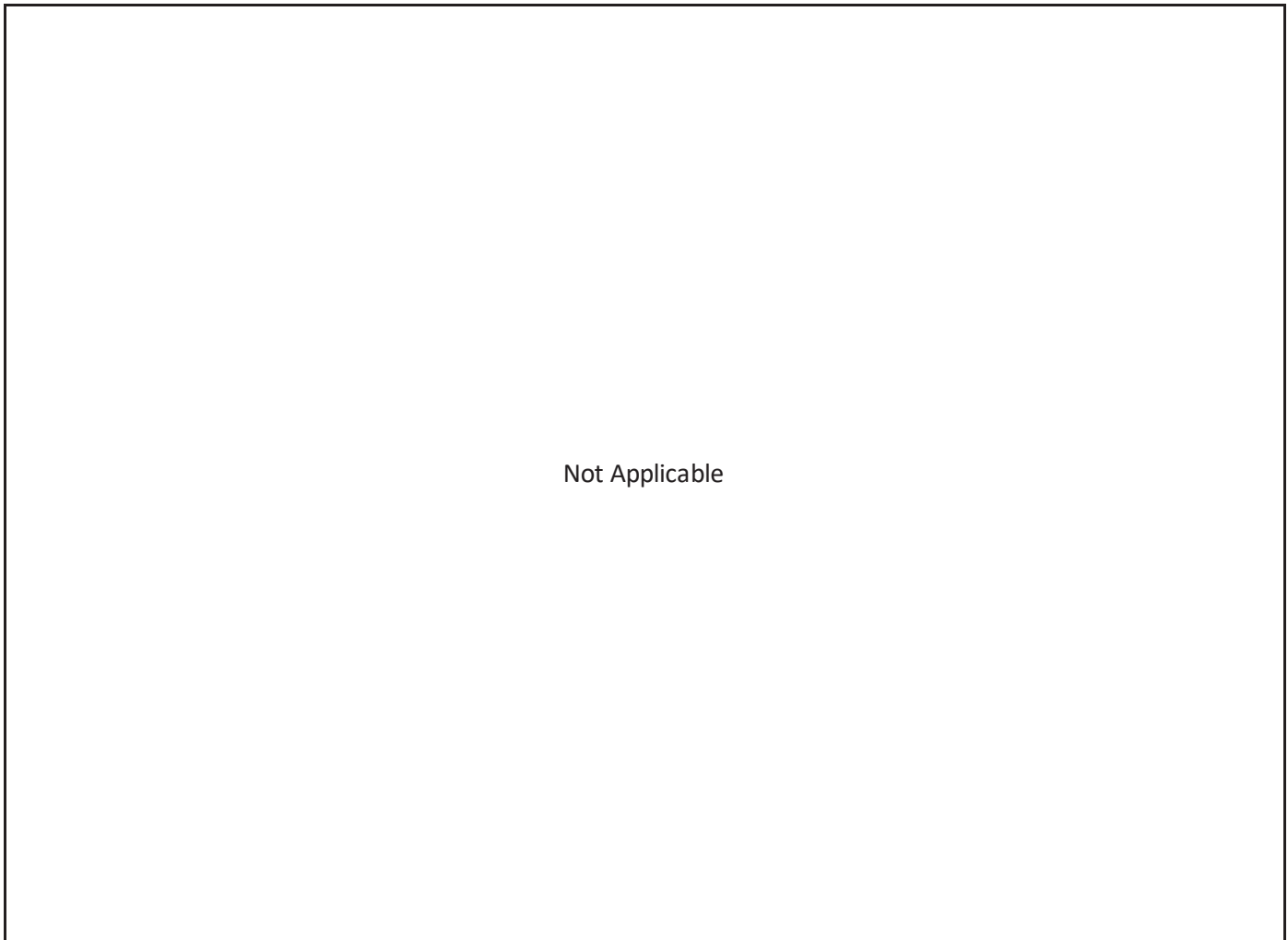
Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	Agricultural - Single-Family (AS-1)	1 du / 1 a	Single-Family Residential/Agricultural	Agricultural - Single-Family
South	Sparkman Road	Street	Street	Street
	Agricultural - Single-Family (AS-1)	1 du / 1 a	Single-Family Residential/Agricultural	Agricultural - Single-Family

Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
East	Agricultural - Single-Family (AS-1)	1 du / 1 a	Single-Family Residential/Agricultural	Agricultural - Single-Family
West	Agricultural - Single-Family (AS-1)	1 du / 1 a	Single-Family Residential/Agricultural	Agricultural - Single-Family

2.0 LAND USE MAP SET AND SUMMARY DATA

2.4 Proposed Site Plan (partial provided below for size and orientation purposes. See Section 8.0 for full site plan)



APPLICATION NUMBER: RZ STD 22-0427

ZHM HEARING DATE: March 14, 2022

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
Sparkman Road	County Collector - Rural	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	18	2	2
Proposed	85	7	9
Difference (+/-)	+67	+5	+7

*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:	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Review at time of development
Natural Resources	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	No Comments
Conservation & Environmental Lands Mgmt.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	This agency has no comments.
Check if Applicable: <input checked="" 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 checked="" type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input 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:	Objections	Conditions Requested	Additional Information/Comments
Transportation <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 checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
Utilities Service Area/ Water & Wastewater <input type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input checked="" type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Impact/Mobility Fees N/A			
Comprehensive Plan:	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The site is located in an area comprised of agricultural and single-family residential uses. A majority of the area surrounding the site is within the Res-1 FLU category which permits agricultural and single-family residential uses.

The properties to the North, South, East and West of the subject site are within the Res-1 category which has the potential to permit low density residential and agricultural uses. The adjacent properties are zoned AS-1 to the north, south, east and west.

The site is located outside of the within the Hillsborough County Urban Service Area. The subject site is located outside of the Hillsborough County Urban Service Area; therefore, water and/or wastewater service is not generally allowed. The subject property should be served by private well water and septic system for wastewater.


The size and depth of the subject parcel in relation to other adjacent agricultural and residential uses would create a zoning/development pattern that is consistent with the existing zoning and development pattern of the agricultural and residential uses/zoning districts in the area.

5.2 Recommendation

Based on the above considerations, staff finds the proposed ASC-1 zoning district is compatible with the existing zoning districts and development pattern in the area. Staff finds the request **Approvable**.

6.0 PROPOSED CONDITIONS:

N/A

<p>Zoning Administrator Sign Off:</p>	 <p>J. Brian Grady Wed Mar 2 2022 08:41:27</p>
---------------------------------------	---

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

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

N/A

8.0 PROPOSED SITE PLAN (FULL)

Not Applicable

9.0 FULL TRANSPORTATION REPORT (see following pages)

COUNTY OF HILLSBOROUGH

**RECOMMENDATION OF THE
LAND USE HEARING OFFICER**

APPLICATION NUMBER:	RZ STD 22-0427
DATE OF HEARING:	March 14, 2022
APPLICANT:	Bricklemyer Law Group
PETITION REQUEST:	The request is to rezone a parcel of land from AR and AS-1 to ASC-1
LOCATION:	1702 Sparkman Road
SIZE OF PROPERTY:	9.78 acres m.o.l.
EXISTING ZONING DISTRICT:	AR and AS-1
FUTURE LAND USE CATEGORY:	RES-1
SERVICE AREA:	Rural

DEVELOPMENT REVIEW STAFF REPORT*

***Please note that formatting errors 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: Clayton Brickleyer, Brickleyer Law Group, P.L.

FLU Category: Residential -1 (Res-1)

Service Area: Rural

Site Acreage: 9.78+/-

Community Plan Area: East Rural

Overlay: None

Request: Rezone from **Agricultural Rural (AR) & Agricultural Single-Family Residential-1 (AS-1) to Agricultural Single-Family Residential Conventional-1 (ASC-1).**

Request Summary:

The request is to rezone from the existing Agricultural Rural (AR) & Agricultural Single-Family Residential-1 (AS-1) zoning districts to the proposed to Agricultural Single-Family Residential-1 (ASC-1) zoning district. The proposed zoning for ASC-1 permits agricultural and related uses and single-family conventional development on lots containing a minimum of one (1) acre.

Zoning:

	Current AR Zoning	Current AS-1 Zoning	Proposed ASC-1 Zoning
Uses	Agricultural & Agricultural Single Family Residential	Agricultural & Agricultural Single Family Residential	Agricultural & Agricultural Single Family Residential Conventional
Acreage	8.58+/- Acres (ac)	1.2+/- ac	9.78+/- ac
Density / Intensity	1 dwelling unit (du)/ 5 acres	1 du/1 acre	1 du/1 acre
Mathematical Maximum*	1 dwelling unit	1 dwelling unit	9 dwelling unit

** Mathematical Maximum entitlements may be reduced due to roads, stormwater and other improvements.*

Development Standards:

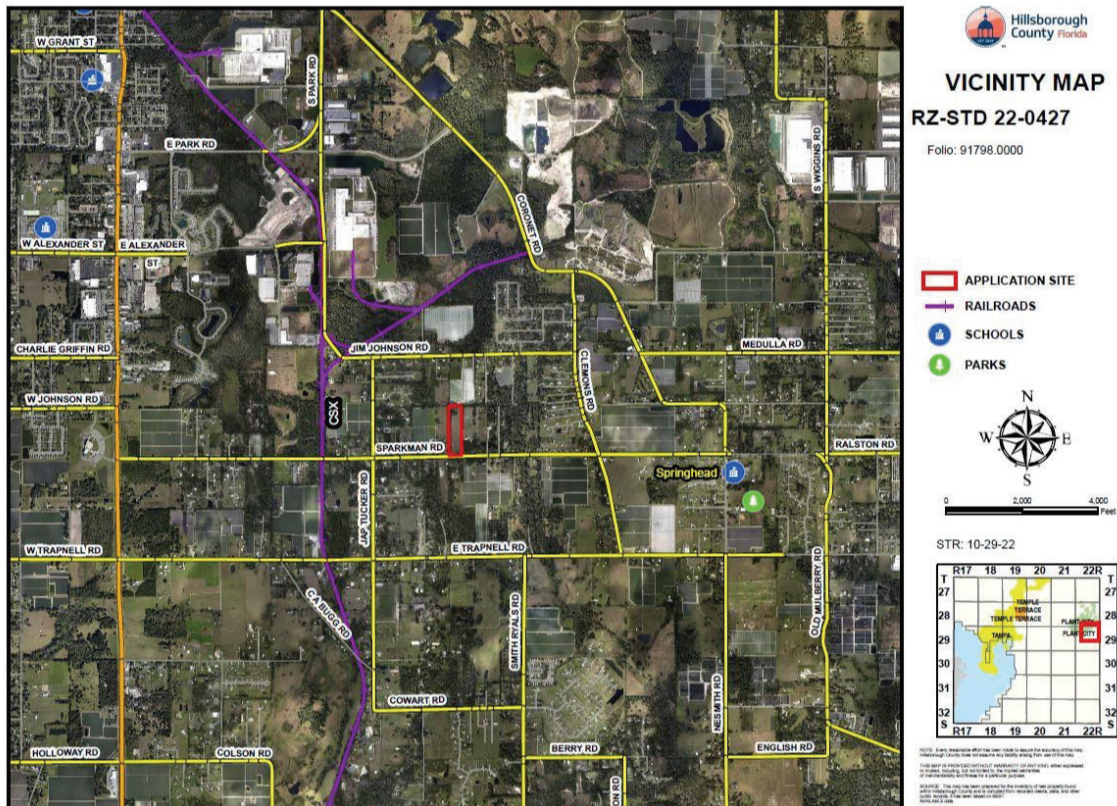
	Current AR Zoning	Current AS-1 Zoning	Proposed ASC-1 Zoning
Density / Intensity	1 du/ 5 Ac	1 du/ 1 Ac	1 du/ Ac
Lot Size/ Lot Width	5 acres (217,800 sf)/150'	1 Ac (43,560 sf)/150'	1 Ac (43,560 sf)/150'
Setbacks/Buffering and Screening	50' - Front (South) 25' – Sides (East & West) 50' – Rear (North)	50' - Front (South) 15' – Sides (East & West) 50' – Rear (North)	50' - Front (South) 15' – Sides (East & West) 50' – Rear (North)
Height	50'	50'	50'

Additional Information:

PD Variations	N/A
---------------	-----

Waiver(s) to the Land Development Code	None
Additional Information:	
Planning Commission Recommendation	Consistent
Development Services Department Recommendation	Approvable

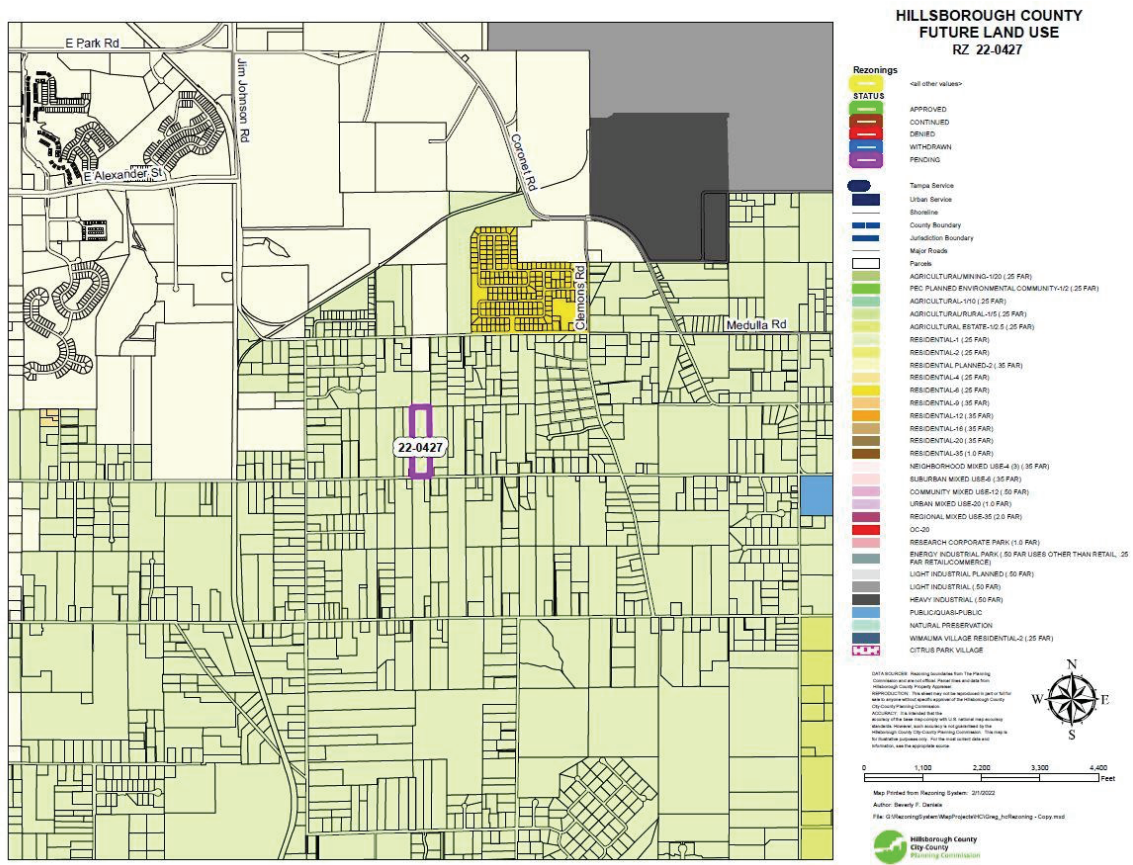
2.0 LAND USE MAP SET AND SUMMARY DATA 2.1 Vicinity Map



Context of Surrounding Area:

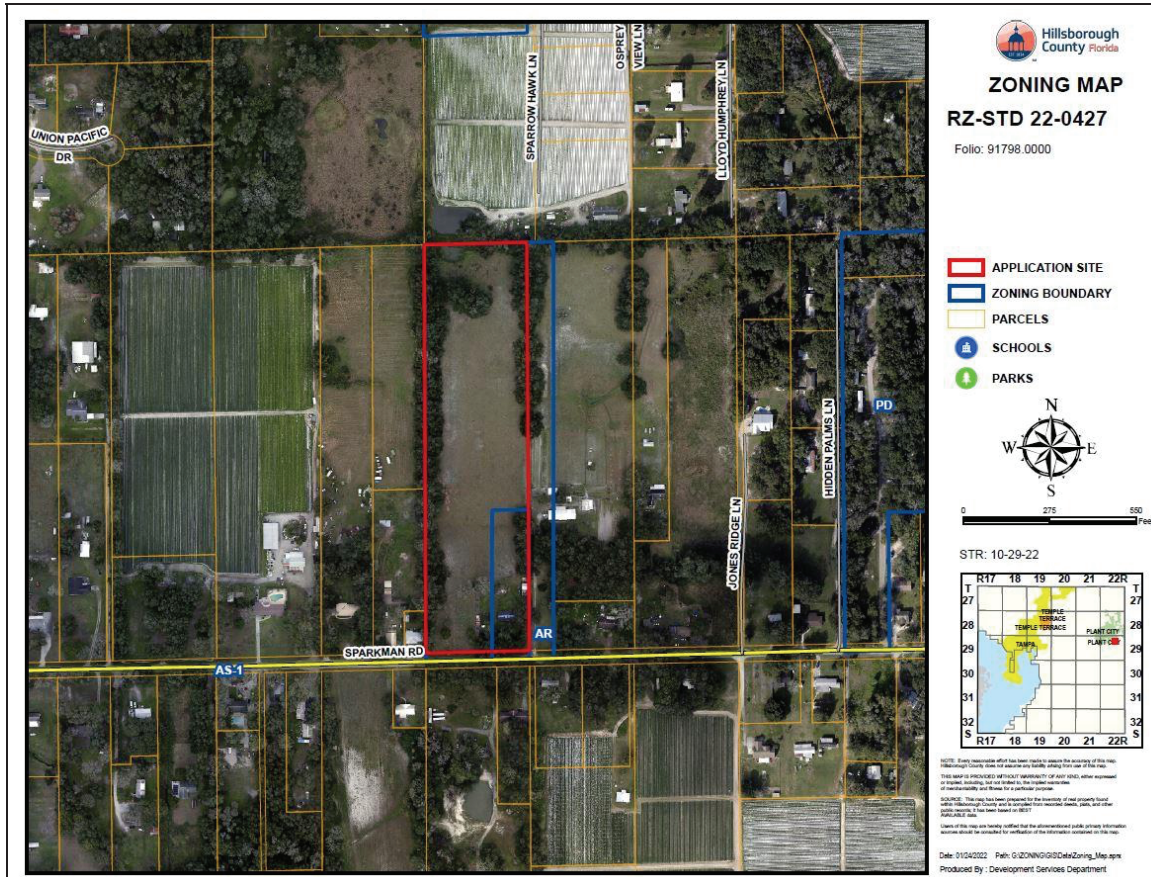
The site is located in an area comprised of agricultural and single-family residential uses. A majority of the area surrounding the site is within the Res-1 FLU category which permits agricultural and single-family residential uses. The properties to the North, South, East and West of the subject site are within the Res-1 category which has the potential to permit low density residential and agricultural uses. The adjacent properties are zoned AS-1 to the north, south, east and west.

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



Subject Site Future Land Use Category:	Residential 1 (Res-1)
Maximum Density/F.A.R.:	1 dwelling unit per Gross Acre (ga)/ 0.25 F.A.R.
Typical Uses:	Farms, ranches, residential uses, rural scale neighborhood commercial uses, offices, and multi-purpose projects. Commercial, office, and multi-purpose uses shall meet locational criteria for specific land use projects. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.

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



Adjacent Zonings and Uses

Location :	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	Agricultural - Single-Family (AS-1)	1 du / 1 a	Single-Family Residential/Agricultural	Agricultural - Single-Family
South	Sparkman Road	Street	Street	Street
	Agricultural - Single-Family (AS-1)	1 du / 1 a	Single-Family Residential/Agricultural	Agricultural - Single-Family

Adjacent Zonings and Uses				
Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
East	Agricultural - Single-Family (AS-1)	1 du / 1 a	Single-Family Residential/Agricultural	Agricultural - Single-Family
West	Agricultural - Single-Family (AS-1)	1 du / 1 a	Single-Family Residential/Agricultural	Agricultural - Single-Family

2.0 LAND USE MAP SET AND SUMMARY DATA

2.4 Proposed Site Plan (partial provided below for size and orientation purposes. See Section 8.0 for full site plan)

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
Sparkman Road	County Collector - Rural	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	18	2	2
Proposed	85	7	9
Difference (+/-)	+67	+5	+7

*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

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY			
Environmental:	Objections	Conditions Requested	Additional Information/Comments
	.		
Environmental Protection Commission	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Review at time of development
	.		
Natural Resources	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	No Comments
Conservation & Environmental Lands Mgmt.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	This agency has no comments.
Check if Applicable: <input checked="" 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 checked="" type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input 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:	Objections	Conditions Requested	Additional Information/Comments
			.
Transportation			
<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 checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
Utilities Service Area/ Water & Wastewater			
<input type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input checked="" type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No .	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No .	

Hillsborough County School Board			
Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Impact/Mobility Fees			
N/A			
Comprehensive Plan:	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A	<input type="checkbox"/> Inconsistent <input checked="" 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 site is located in an area comprised of agricultural and single-family residential uses. A majority of the area surrounding the site is within the Res-1 FLU category which permits agricultural and single-family residential uses.

The properties to the North, South, East and West of the subject site are within the Res-1 category which has the potential to permit low density residential and agricultural uses. The adjacent properties are zoned AS-1 to the north, south, east and west.

The site is located outside of the within the Hillsborough County Urban Service Area. The subject site is located outside of the Hillsborough County Urban Service Area; therefore, water and/or wastewater service is not generally allowed. The subject property should be served by private well water and septic system for wastewater.

The size and depth of the subject parcel in relation to other adjacent agricultural and residential uses would create a zoning/development pattern that is consistent with the existing zoning and development pattern of the agricultural and residential uses/zoning districts in the area.

5.2 Recommendation

Based on the above considerations, staff finds the proposed ASC-1 zoning district is compatible with the existing zoning districts and development pattern in the area. Staff finds the request **Approvable**.

SUMMARY OF HEARING

THIS CAUSE came on for hearing before the Hillsborough County Land Use Hearing Officer on March 14, 2022. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

Mr. Clayton Bricklemyer 4427 West Kennedy Blvd testified on behalf of the applicant. Mr. Bricklemyer stated that he would not be providing a presentation and was available for questions.

Ms. Isis Brown of the Development Services staff, testified regarding the County's staff report. Ms. Brown stated that the request is to rezone the property from Agricultural Rural and Agricultural Single-Family-1 to Agricultural Single-Family Conventional-1. She described the surrounding zoning and stated that staff recommends approval.

Ms. Jillian Massey, Planning Commission staff testified regarding the Planning Commission staff report. Ms. Massey stated that the subject property is within the Residential-1 Future Land Use classification and the Rural Service Area. Ms. Massey testified that the request is consistent with Objective 4 regarding the intent to maintain low density residential land uses. She added that the request is also consistent with Objective 9 that all development must comply with federal, state and local land development regulations as well as Policies 29.4 and 30.6 regarding the preservation and expansion of agricultural land uses in the Rural Area. She stated that the Planning Commission finds the proposed rezoning consistent with the Future of Hillsborough Comprehensive Plan.

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. None replied.

County staff and Mr. Bricklemyer did not have additional comments.

The hearing was then concluded.

EVIDENCE SUBMITTED

No documents were submitted 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 9.78 acres in size and is currently zoned Agricultural Rural (AR) and Agricultural Single-Family-1 (AS-1) and is designated Residential-1 (RES-1) by the Comprehensive Plan. The property is located within the Rural Service Area.
2. The applicant is requesting a rezoning to the Agricultural Single-Family Conventional-1 (ASC-1) zoning district. The ASC-1 zoning district permits single-family homes on a minimum one-acre lot.
3. The Planning Commission staff supports the request. The Planning Commission found that the request is consistent with Objective 4 regarding the intent to maintain low density residential land uses. Staff also found that the request is also consistent with Objective 9 that states that all development must comply with federal, state and local land development regulations as well as Policies 29.4 and 30.6 regarding the preservation and expansion of agricultural land uses in the Rural Area. The Planning Commission found the application consistent with the Comprehensive Plan.
4. The Development Services Department staff also supports the request as the property is bordered by parcels zoned AS-1.
5. The request for the ASC-1 zoning district on the subject property is compatible with the surrounding zoning districts and the RES-1 Future Land Use category.

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 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

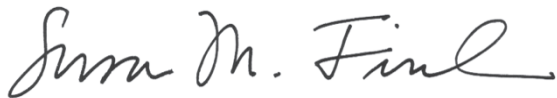
The applicant is requesting a rezoning to the ASC-1 zoning district. The property is 9.78 acres in size and is currently zoned AR and AS-1 and designated RES-1 by the Comprehensive Plan. The property is located in the Rural Service Area.

The Planning Commission found the request compatible with the surrounding area and supports the rezoning application.

The request for the ASC-1 zoning district on the subject property is compatible with the surrounding zoning districts and the RES-1 Future Land Use category.

RECOMMENDATION

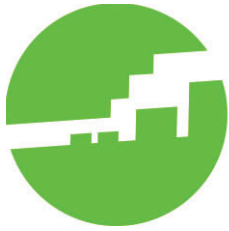
Based on the foregoing, this recommendation is for **APPROVAL** of the ASC-1 rezoning request as indicated by the Findings of Fact and Conclusions of Law stated above.



April 4, 2022

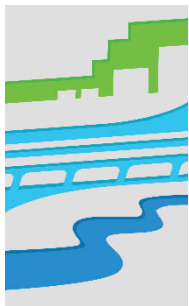
Susan M. Finch, AICP
Land Use Hearing Officer

Date



**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: March 14, 2022 Report Prepared: March 2, 2022	RZ 22-0427 1702 Sparkman Road <i>North of Sparkman Road, south of Jim Johnson Road, east of Jap Tucker Road, and west of Clemson Road.</i>
Summary Data:	
Comprehensive Plan Finding:	CONSISTENT
Adopted Future Land Use:	Residential-1 (1du/ac; 0.25 FAR)
Service Area	Rural Service Area (RSA)
Community Plan:	Not within the limits of a Community Plan
Requested Zoning:	Applicant is seeking standard rezoning from Agricultural Rural (AR) and Agricultural Single-Family-1 (AS-1) to Agricultural Single-Family Conventional-1 (ASC-1) to allow for single family lots on each acre.
Parcel Size (Approx.):	9.77 +/- acres (425,581 square feet)
Street Functional Classification:	Sparkman Road – County Collector Jim Johnson- County Collector Jap Tucker Road- County Collector Clemson Road- County Collector
Locational Criteria	Not Applicable
Evacuation Zone	Not Applicable



Context

- The 9.77 acre subject site is located at 1702 Sparkman Road, north of Sparkman Road, south of Jim Johnson Road, east of Jap Tucker Road, and west of Clemson Road.
- The subject site is located in the Rural Service Area (RSA) and is not within the limits of a Community Plan.
- The applicant is requesting to rezone the subject site from Agricultural Rural (AR) and Agricultural Single-Family-1 (AS-1) to Agricultural Single-Family Conventional-1 (ASC-1) to allow for one (1) acre single family lots.
- The subject site is located in the Residential-1 (RES-1) Future Land Use Category.
- The property is currently vacant.

Compliance with Comprehensive Plan:

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

Future Land Use Element

Goal: *Ensure that the character and location of land uses optimizes the combined potentials for economic benefit and the enjoyment and the protection of natural resources while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses, and environmental degradation.*

GROWTH MANAGEMENT STRATEGY

The Sustainable Growth Management Strategy serves as a vehicle to structure County spending and planning policies to optimize investment for services and infrastructure, protect the vulnerability of the natural environment, reduce the exposure and risk to natural hazards and provide a clear direction for achieving an efficient development pattern. This strategy is comprised of three primary components, an environmental overlay, an urban service area and a defined rural area.

The rural area is that area planned to remain in long term agriculture, mining or large lot residential development. Within the rural area, some “rural communities” exist. These communities have historically served as a center of community activity within the rural environment. They include, Thonotosassa, Keystone, Lutz, and others. The diversity and unique character of these communities will be reflected through the application of “community-based planning” techniques specifically designed to retain their rural character while providing a level of service appropriate to the community and its surrounding environment. To foster the rural environment and reinforce its character, rural design guidelines will be developed to distinguish between the more urban environment. Additionally rural areas should have differing levels of service for supporting facilities such as emergency services, parks and libraries from those levels of service adopted in urban areas.

This Plan also provides for the development of planned villages within rural areas. These villages are essentially self supporting communities that plan for a balanced mix of land uses, including

residential, commercial, employment and the supporting services such as schools, libraries, parks and emergency services. The intent of these villages is to maximize internal trip capture and avoid the creation of single dimensional communities that create urban sprawl.

PURPOSE

Control Urban Sprawl.

Create a clear distinction between long range urban and rural community forms.

Define the future urban form through the placement of an urban service area that establishes a geographic limit of urban growth.

Define areas within the urban service area where growth can occur concurrent with infrastructure capacities and where public investment decisions can be made more rationally in a manner that does not perpetuate urban sprawl.

Identify a distinct rural area characterized by the retention of land intensive agricultural uses, the preservation of natural environmental areas and ecosystems and the maintenance of a rural lifestyle without the expectation of future urbanization.

Apply an overlay of ecosystems and greenways that preserve natural environmental systems and open space while simultaneously reducing exposure to natural hazards.

Create compatible development patterns through the design and location of land uses.

FUTURE LAND USE ELEMENT

Rural Area

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

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

Policy 4.4: *Private wells and septic tanks are permitted for use in accordance with all adopted health regulations and the goals, objectives and policies of this Plan.*

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.

Land Use Categories

Objective 8: The Future Land Use Map will include Land Use Categories which outline the maximum level of intensity or density and range of permitted land uses allowed and planned for an area. A table of the land use categories and description of each category can be found in Appendix A.

Policy 8.1: The character of each land use category is defined by building type, residential density, functional use, and the physical composition of the land. The integration of these factors sets the general atmosphere and character of each land use category. Each category has a range of potentially permissible uses which are not exhaustive, but are intended to be illustrative of the character of uses permitted within the land use designation. Not all of those potential uses are routinely acceptable anywhere within that land use category.

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.

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*

Policy 16.8: *The overall density and lot sizes of new residential projects shall reflect the character of the surrounding area, recognizing the choice of lifestyles described in this Plan.*

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

Agriculture-General Considerations

Objective 29: *In recognition of the importance of agriculture as an industry and valuable economic resource, Hillsborough County shall protect the economic viability of agricultural activities by recognizing and providing for its unique characteristics in land use planning and land development regulations.*

Policy 29.1: *Promote the development and maintenance of agriculture market centers to strengthen the agricultural economy, encouraging agricultural uses within and around such centers.*

Policy 29.6: *Agricultural and agricultural related uses shall be permitted in non-rural land use categories.*

Agriculture - Retention

Objective 30: *Recognizing that the continued existence of agricultural activities is beneficial, the county will develop, in coordination with appropriate entities, economic incentives to encourage and expand agricultural activities.*

Policy 30.6: *Agriculture and agricultural support uses are the preferred uses in rural areas.*

4.0 COMMUNITY LEVEL DESIGN

4.1 RURAL RESIDENTIAL CHARACTER

GOAL 7: *Preserve existing rural uses as viable residential alternatives to urban and suburban areas.*

OBJECTIVE 7-1: Support existing agricultural uses for their importance as a historical component of the community, their economic importance to the County and for the open space they provide.

Policy 7-1.1: Preserve natural areas in rural residential lot development.

Policy 7-1.2: Vary lot size in order to encourage diversity of housing product types and respect natural resources.

5.0 NEIGHBORHOOD LEVEL DESIGN

5.1 COMPATIBILITY

GOAL 12: Design neighborhoods which are related to the predominant character of the surroundings.

OBJECTIVE 12-1: New developments should recognize the existing community and be designed in a way that is compatible (as defined in FLUE policy 1.4) with the established character of the surrounding neighborhood.

Policy 12-1.4: Compatibility may be achieved through the utilization of site design techniques including but not limited to transitions in uses, buffering, setbacks, open space and graduated height restrictions, to affect elements such as height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture.

Staff Analysis of Goals, Objectives and Policies:

The applicant is requesting to rezone the 9.77 +/- acre subject property from Agricultural Rural (AR) and Agricultural Single-Family-1 (AS-1) to Agricultural Single-Family Conventional-1 (ASC-1) for the development of one (1) acre residential lots.

Objective 4 of the Future Land Use Element (FLUE) of the Comprehensive Plan notes that 20% of the growth in the region will occur in the Rural Service Area. The subject site is in the Rural Service Area and the proposal therefore meets the intent of Objective 4 and Policy 4.1 of the FLUE by maintaining the low-density large lot residential character of the Rural Area.

According to Objective 9 of the FLUE, all development must comply with all federal, state and local land development regulations. Policy 9.1 states that “each land use plan category shall have a set of zoning districts that may be permitted within that land use plan category.” The subject site is located in the Rural Area and has a Future Land Use Classification of Residential-1 (RES-1) which permits 1 dwelling unit per gross acre (du/ga). The intent of the RES-1 category is to designate areas for low density, large lot residential uses that are compatible with short-term agricultural uses. The proposal meets the requirements of the RES-1 Future Land Use category, Objective 9, and Policies 9.1 and 9.2.

The subject properties are identified with wetlands according to the Environmental Protection Commission. However, a wetland acreage was identified on the Hillsborough County GIS Map and a wetland was not provided. Since this is a standard rezoning, wetlands will be reviewed in detail at the permitting stage and should they exceed 25% of the subject site will comply with Policy 13.3 of the FLUE.

Objective 16 and its accompanying policies 16.1, 16.2, 16.3, protect existing neighborhoods and development by ensuring compatibility with the surrounding area through various buffering requirements and mitigation techniques. Policy 16.8 specifically requires the density and lot sizes of the surrounding area to be compatible with new development. The existing uses in the area are primarily agricultural with low density residential dwellings interspersed throughout. Policy 16.10 states that *“any density increase shall be compatible with existing, proposed or planned surrounding development. Compatibility is defined as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture. Compatibility does not mean “the same as”. Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.”* In this case, the surrounding area has AR and AS-1 zoning which is compatible with the ASC-1 proposed zoning district. The ASC-1 zoning district helps preserve the existing rural residential character of the area.

The proposed rezoning also meets the intent of the agricultural general and retention policies 29.4 and 30.6 of Objective 29 and 30 that provide for the preservation and expansion of agricultural and related uses, especially in the Rural Area.

Furthermore, the proposed rezoning would allow for development that is consistent with Goal 7 which seeks to preserve rural residential areas and Goal 12 which directs development to be 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 **CONSISTENT** with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*.

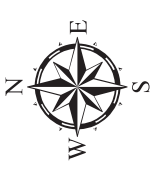
HILLSBOROUGH COUNTY FUTURE LAND USE RZ 22-0427

Rezonings
STATUS

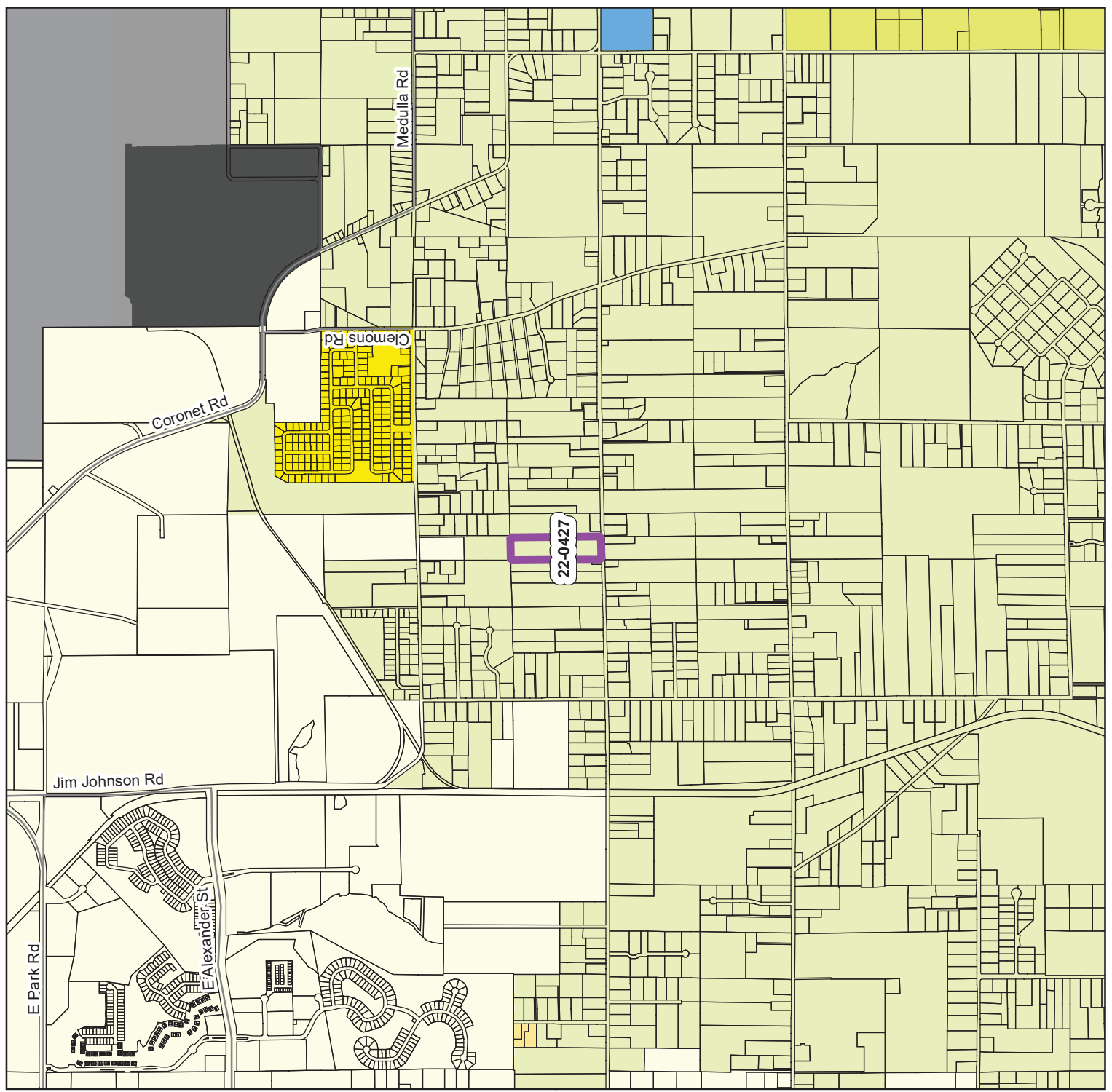
- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

- Tampa Service
- Urban Service
- Shoreline
- County Boundary
- Jurisdiction Boundary
- Major Roads
- Parcels

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



Map Printed from Rezoning System: 2/12/2022
 Author: Beverly F. Daniels
 File: G:\Rezoning\System\MapProjects\HC\Reg_H\Rezoning - Copy.mxd



DATA SOURCES: Rezoning boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. The rezoning boundaries are subject to change without specific approval of the Hillsborough County City-County Planning Commission.
 ACCURACY: It is intended that the information shown on this map is accurate to the best of our knowledge. However, such accuracy is not guaranteed by the Hillsborough County City-County Planning Commission. This map is for illustrative purposes only. For the most current data and information, visit the appropriate website.



AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department
REVIEWER: Alex Steady, Senior Planner
PLANNING AREA/SECTOR: East Rural/Central

DATE: 02/28/2022
AGENCY/DEPT: Transportation
PETITION NO.: STD 22-0427

- 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 67 average daily trips, 5 trips in the a.m. peak hour, and 7 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 +/- 9.77 ac parcel from Agricultural Rural (AR) and Agricultural Single-Family - 1 (AS-1) to Agricultural Single-Family - 1 (AS-1). The site is located +/- 0.38 miles east of the intersection of Sparkman Road and Jap Tucker Road. The Future Land Use designation of the site is Residential - 1 (R-1).

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
AR, 1 Single Family Detached Dwelling Unit (ITE Code 210)	9	1	1
AS-1, 1 Single Family Detached Dwelling Unit (ITE Code 210)	9	1	1
Total	18	2	2

Proposed Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
AS-1, 9 Single Family Detached Dwelling Units (ITE Code 210)	85	7	9

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	+67	+5	+7

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 67 average daily trips, 5 trips in the a.m. peak hour, and 7 trips in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on Sparkman Road. Sparkman Road is a 2-lane, undivided, Hillsborough County maintained, substandard, collector roadway with +/- 10-foot travel lanes. Sparkman Road does not have any sidewalks, bikes lanes, or curb and gutter in the vicinity of the proposed project.

SITE ACCESS

It is anticipated that the site will have access to Sparkman Road. 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

Sparkman Road is not a regulated roadway and is not included in the Hillsborough County 2020 Level of Service Report. As such, roadway Level of Service (LOS) data cannot be provided.

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
Sparkman Road	County Collector - Rural	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	18	2	2
Proposed	85	7	9
Difference (+/-)	+67	+5	+7

*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	

COMMISSION

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



DIRECTORS

Janet D. Lorton EXECUTIVE DIRECTOR
 Elaine S. DeLeeuw ADMIN DIVISION
 Sam Elrabi, P.E. WATER DIVISION
 Rick Muratti, Esq. LEGAL DEPT
 Reginald Sanford, MPH AIR DIVISION
 Steffanie L. Wickham WASTE DIVISION
 Sterlin Woodard, P.E. WETLANDS DIVISION

AGENCY COMMENT SHEET

REZONING	
HEARING DATE: March 14, 2022 PETITION NO.: 22-0427 EPC REVIEWER: Jackie Perry Cahanin CONTACT INFORMATION: (813) 627-2600 X 1241 EMAIL: cahaninj@epchc.org	COMMENT DATE: February 22, 2022 PROPERTY ADDRESS: 1702 Sparkman Road, Plant City FOLIO #: 091798-0000 STR: 10-29S-22E
REQUESTED ZONING: AR to AS-1	
FINDINGS	
WETLANDS PRESENT	YES
SITE INSPECTION DATE	02/22/2022
WETLAND LINE VALIDITY	NO
WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)	Wetland present in northwest corner of parcel. OSW ditch present along western property boundary.
<p>The EPC Wetlands Division has reviewed the proposed rezoning. In the site plan's current configuration, a resubmittal is not necessary. If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again. This project as submitted is conceptually justified to move forward through the zoning review process as long as the following conditions are included:</p> <ul style="list-style-type: none"> Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals. The construction and location of any proposed wetland impacts are not approved by this correspondence, but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property. Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ 	

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

OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).

- Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.

INFORMATIONAL COMMENTS:

The following specific comments are made for informational purposes only and to provide guidance as to the EPC review process. However, future EPC staff review is not limited to the following, regardless of the obviousness of the concern as raised by the general site plan and EPC staff may identify other legitimate concerns at any time prior to final project approval.

- The subject property contains wetland/OSW areas, which have not been delineated. Knowledge of the actual extent of the wetland and OSW are necessary in order to verify the avoidance of wetland impacts pursuant to Chapter 1-11. Prior to the issuance of any building or land alteration permits or other development, the wetlands/OSWs must be field delineated in their entirety by EPC staff or Southwest Florida Water Management District staff (SWFWMD) and the wetland line surveyed. Once delineated, surveys must be submitted for review and formal approval by EPC staff.
- Chapter 1-11, prohibits wetland impacts unless they are necessary for reasonable use of the property. Staff of the EPC recommends that this requirement be taken into account during the earliest stages of site design so that wetland impacts are avoided or minimized to the greatest extent possible. The size, location, and configuration of the wetlands may result in requirements to reduce or reconfigure the improvements depicted on the plan.
- The Hillsborough County Land Development Code (LDC) defines wetlands and other surface waters as Environmentally Sensitive Areas. Pursuant to the LDC, wetlands and other surface waters are further defined as Conservation Areas or Preservation Areas and these areas must be designated as such on all development plans and plats. A minimum setback must be maintained around the Conservation/Preservation Area and the setback line must also be shown on all future plan submittals.
- Any activity interfering with the integrity of wetland(s) or other surface water(s), such as clearing, excavating, draining or filling, without written authorization from the Executive Director of the EPC or authorized agent, pursuant to Section 1-11.07, would be a violation of Section 17 of the Environmental Protection Act of Hillsborough County, Chapter 84-446, and of Chapter 1-11.

Jpc/mst

ec: clayton@bricklawgroup.com



Adequate Facilities Analysis: Rezoning

Date: 2/24/2022	Acreage: 9.77 (+/- acres)
Jurisdiction: Hillsborough	Proposed Zoning: ASC-1
Case Number: RZ 22-0427	Future Land Use: RES-1
HCPS #: RZ-431	Maximum Residential Units: 10
Address: 1702 E Sparkman Rd, Plant City, FL 33566	Residential Type: Single-Family Detached
Parcel Folio Number(s): 091798-0000	

School Data	Springhead Elementary	Marshall Middle	Plant City High
FISH Capacity Total school capacity as reported to the Florida Inventory of School Houses (FISH)	874	1236	2507
2021-22 Enrollment K-12 enrollment on 2021-22 40 th day of school. This count is used to evaluate school concurrency per Interlocal Agreements with area jurisdictions	688	973	2361
Current Utilization Percentage of school capacity utilized based on 40 th day enrollment and FISH capacity	79%	79%	94%
Concurrency Reservations Existing concurrency reservations due to previously approved development. Source: CSA Tracking Sheet as of 2/24/2022	47	260	146
Students Generated Estimated number of new students expected in development based on adopted generation rates. Source: Duncan Associates, School Impact Fee Study for Hillsborough County, Florida, Dec. 2019	2	1	2
Proposed Utilization School capacity utilization based on 40 th day enrollment, existing concurrency reservations, and estimated student generation for application	84%	100%	100%

Notes: While there is adequate capacity for this project at this time, please note that previously approved development and the estimated number of students the development may produce is projected to bring Marshall Middle School and Plant City High School to full capacity. In these cases, state law requires the school district to consider whether capacity exists in adjacent concurrency service areas (i.e. school attendance boundaries) or whether a school capacity project will be available to serve the project in the next three years. At this time, adjacent capacity and a capacity project exists to serve this project at the middle and high school level, respectively.

This is an analysis for adequate facilities only and is NOT a determination of school concurrency. A school concurrency review will be issued PRIOR TO preliminary plat or site plan approval.

Matthew Pleasant

Matthew Pleasant
 Department Manager, Planning & Siting
 Growth Management Department
 Hillsborough County Public Schools
 E: matthew.pleasant@hcps.net
 P: 813.272.4429

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

PETITION NO.: STD22-0427 REVIEWED BY: Randy Rochelle DATE: 2/17/2022

FOLIO NO.: 91798.0000

WATER

- The property lies within the _____ 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 _____ 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: The subject site is located outside of the Hillsborough County Urban Service Area, therefore water and/or wastewater service is not generally allowed. if the site is required or otherwise allowed to connect to the potable water and/or wastewater systems, there will be offsite improvements required that extend beyond a connection to the closest location with existing infrastructure. These points-of-connection will have to be determined at time of application fo service as additional anaysis will be required to make the final determination .



VERBATIM TRANSCRIPT

HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

```

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

```

ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: SUSAN FINCH
 Land Use Hearing Master

DATE: Monday, March 14, 2022

TIME: Commencing at 6:00 p.m.
 Concluding at 10:07 p.m.

PLACE: Robert W. Saunders, Sr. Public
 Library
 Ada T. Payne Community Room
 1505 N. Nebraska Avenue
 Tampa, Florida 33602

Reported via Cisco Webex Videoconference by:

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

ZONING HEARING MASTER HEARINGS
March 14, 2022
ZONING HEARING MASTER: SUSAN FINCH

C2:
Application Number: RZ-STD 22-0427
Applicant: Bricklemyer Law Group
Location: 1702 Sparkman Rd.
Folio Number: 091798.0000
Acreage: 9.78 acres, more or less
Comprehensive Plan: R-1
Service Area: Rural
Existing Zoning: AR, 71-0251 & AS-1
Request: Rezone to ASC-1

1 MR. GRADY: The next item is agenda item
2 C-2, Rezoning-Standard 22-0427. The applicant is
3 Bricklemyer Law Group. The request is to rezone
4 from AR and AS-1 to ASC-1.

5 Isis Brown will provide staff recommendation
6 after presentation by the applicant.

7 HEARING MASTER FINCH: All right. I
8 understand -- oh, Mr. Bricklemyer, good evening.

9 MR. BRICKLEMYER: Good evening. Can you
10 hear me?

11 HEARING MASTER FINCH: I can.

12 MR. BRICKLEMYER: All right. Thank you,
13 Ms. Finch. Clayton Bricklemyer, Bricklemyer Law
14 Group, 4427 West Kennedy Boulevard, representing
15 the applicant.

16 I will spare you a presentation and just
17 tell you I'm available for questions.

18 HEARING MASTER FINCH: I don't have any
19 questions at this time, but I appreciate it.

20 Development Services, please.

21 MS. BROWN: Good evening. Isis Brown,
22 Development Services. Can you see me okay?

23 HEARING MASTER FINCH: I can.

24 MS. BROWN: All right. Good evening. Isis
25 Brown, Development Services.

1 Property -- case in question, 22-0427. The
2 request is to rezone from an existing AR,
3 Agricultural Rural, and AS-1, Agricultural
4 Single-Family Residential, to -- zoning district to
5 the proposed Agricultural Single-Family
6 Residential, ASC-1, zoning district.

7 The proposed zoning districts for ASC-1
8 permits agricultural and related uses and
9 single-family conventional development on lots
10 containing a minimum of 1 acre.

11 The property in question is a total of
12 9.7 acres approximately. Of which, 8.58 --
13 approximately 8.58 acres is the AR's portion of it
14 and 1.2 -- plus or minus 1.2 acres is ASC-1.

15 The density of the AR is one dwelling unit
16 per 5 acres, and of the current AS -- AS-1 zoning
17 district is one dwelling unit per 1 acre. The
18 proposed is one dwelling unit per 1 acre.

19 The site is located on the north side of
20 Sparkman Road in Plant City, Florida. The site is
21 located in the area comprising of agricultural and
22 single-family residential uses. The majority of
23 the surrounding area and sites are in the RES-1
24 Future Land Use Category which permits Agricultural
25 and Single-Family Residential uses.

1 The property is surrounded by RES-1 category
2 properties as well, and the adjacent properties to
3 the north, south, east, and west are ASC-1 -- AS-1,
4 sorry.

5 The site is located outside of the
6 Hillsborough County Urban Service Area. So the
7 site will be serviced by -- the subject site is
8 located outside of the Hillsborough County Urban
9 Service Area; therefore, water and wastewater
10 service will not -- will be private well and
11 septic.

12 The -- sorry. The size and depth of the
13 subject parcel in relation to the other adjacent
14 agricultural and residential uses would create a
15 zoning development pattern that is consistent with
16 the existing zoning and development pattern of the
17 agricultural and residential zoning districts in
18 the area.

19 Based on the RES-1 Future Land Use
20 classification, the surrounding zoning and
21 development pattern, and the proposed ASC-1 zoning
22 districts, staff finds the request approvable.

23 This concludes my presentation, and I'm
24 available for any questions.

25 HEARING MASTER FINCH: No questions at this

1 time but thank you so much.

2 Planning Commission, please.

3 MS. MASSEY: This is Jillian Massey with the
4 Planning Commission staff.

5 The subject property is located in the
6 Residential-1 Future Land Use Category. It's
7 located in the Rural Area and not located within
8 the limits of a community plan.

9 Objective 4 of the Future Land Use Element
10 notes that 20 percent of the growth in the region
11 will occur in the Rural Service Area. The subject
12 site is in the Rural Area, and the proposal meets
13 the intent of the objective and policies mentioned
14 by maintaining a low density, large lot residential
15 character.

16 According to Objective 9 of the Future Land
17 Use Element, all development must comply with
18 federal, state, and local land development
19 regulations. Policy 9.1 states that each land use
20 plan category shall have a set of zoning districts
21 that may be permitted within the land use category.

22 The intent of the Residential-1 category is
23 to designate areas for low density, large lot
24 residential uses that are compatible with
25 short-term agricultural uses.

1 Therefore, the proposal meets the
2 requirements of the Residential-1 land use
3 designation. Objective 16 and its accompanying
4 policies protect existing neighborhoods in
5 development by ensuring compatibility with the
6 surrounding area through buffering requirements and
7 mitigation techniques.

8 Policy 16.8 specifically requires that the
9 density and lot sizes of the surrounding area to be
10 compatible with new development. The existing uses
11 in the area are primarily agricultural with low
12 density residential dwellings interspersed
13 throughout.

14 The surrounding area has AR and AS-1 zoning,
15 which is compatible with the ASC-1 proposed zoning
16 district. The proposed rezoning meets the intent
17 of the Agricultural General and retention policies
18 29.4 and 30.6 of Objective 29 and 30 to provide the
19 preservation and expansion of agricultural and
20 related uses, especially in the Rural Area.

21 And based upon those considerations,
22 Planning Commission staff finds the proposed
23 rezoning consistent with the Future of Hillsborough
24 Comprehensive Plan for unincorporated Hillsborough
25 County. And I'm available for questions.

1 HEARING MASTER FINCH: No questions at this
2 time but thank you.

3 Is there anyone in the room or online that
4 would like to speak in support of this application?
5 Anyone in favor?

6 Seeing no one, anyone in opposition to this
7 request? Either in the room or online? All right.
8 No one.

9 Mr. Grady, anything else?

10 MR. GRADY: Nothing further.

11 HEARING MASTER FINCH: Mr. Bricklemyer?

12 MR. BRICKLEMYER: Thank you very much.

13 HEARING MASTER FINCH: All right. And with
14 that, we will close Rezoning 22-0427 and go to the
15 next case.

16

17

18

19

20

21

22

23

24

25



**EXHIBITS SUBMITTED
DURING THE ZHM HEARING**

NONE



**PARTY OF
RECORD**

NONE