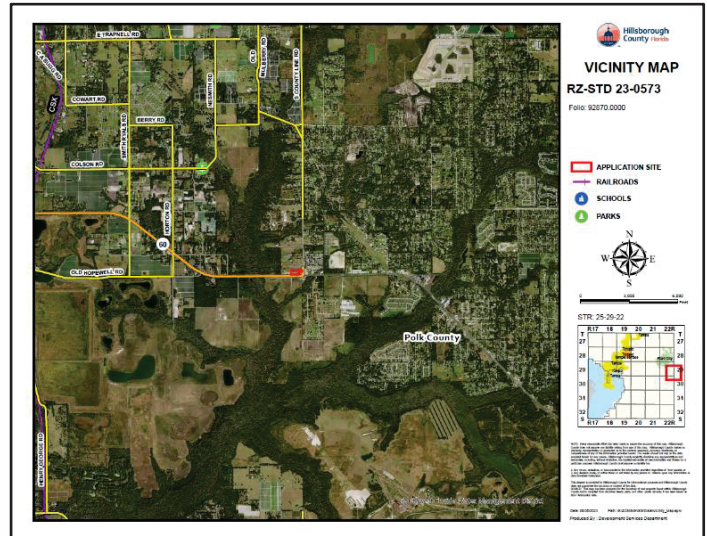


Rezoning Application: 23-0573
Zoning Hearing Master Date: September 18, 2023
BOCC Land Use Meeting Date: November 7, 2023

1.0 APPLICATION SUMMARY

Applicant: 3 Nickels, LLC
FLU Category: Agricultural Estate-1/.25 (AE-1/2.5)
Service Area: Rural
Site Acreage: 3.74
Community Plan Area: N/A
Overlay: None



Request Summary:

Request to rezone a split-zoned parcel from Agricultural – Single-Family (AS-0.4) & Commercial General (CG) to Commercial General Restricted (CG-R) to allow for commercial uses. Restrictions include additional requirements to buffer and screening standards along the north property line and preservation of vegetation along the western property line.

| Zoning: | Existing | | Proposed |
|------------------------|--|--|--|
| District(s) | AS-0.4 | CG | CG-R |
| Typical General Use(s) | Single-Family Residential (Conventional/Mobile Home) | General Commercial, Office and Personal Services | General Commercial, Office and Personal Services |
| Acreage | 1.95 (84,942 sf) | 1.79 (77,972.4 sf) | 3.74 (162,914.4 sf) |
| Density/Intensity | 2.5 unit per acre | .27 FAR | .27 FAR |
| Mathematical Maximum* | 4 units | 21,052.54 sf | 43,986.88 sf |

*number represents a pre-development approximation

| Development Standards: | Existing | | Proposed |
|----------------------------------|--|--|---|
| District(s) | AS-0.4 | CG | CG-R |
| Lot Size / Lot Width | 108,900 43,560 sf / 150' | 10,000 sf / 75' | 10,000 sf / 75' |
| Setbacks/Buffering and Screening | 50' Front (East) 50' Rear (West) 15' Sides (North & South) | 30' Front (East) 20' Side Buffer/Type B Screening (North) 0' Side Buffer/No Screening (South) 20' Rear Buffer/Type B Screening (West) | 35 0' Front (East) 35 0' Front (South) 25 0' Side B-Screening (North), plus restrictions 20' Side B-Screening (West), <u>plus restrictions</u> |
| Height | 50' | 50' | 50' |

Additional Information:

| | |
|-----------------|-----|
| PD Variation(s) | N/A |
|-----------------|-----|

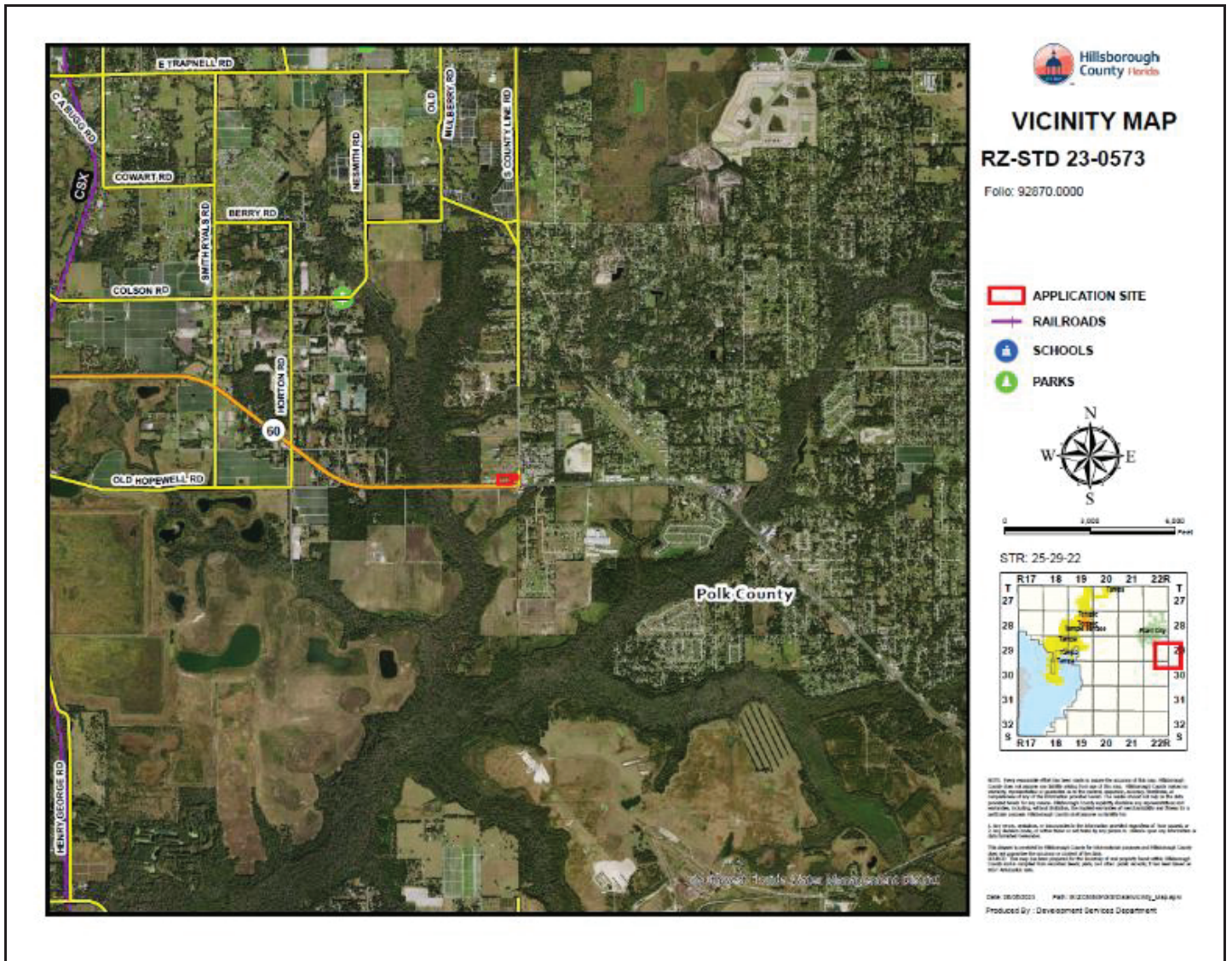
Waiver(s) to the Land Development Code None

Planning Commission Recommendation: Consistent

Development Services Recommendation: Approvable, subject to restrictions

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

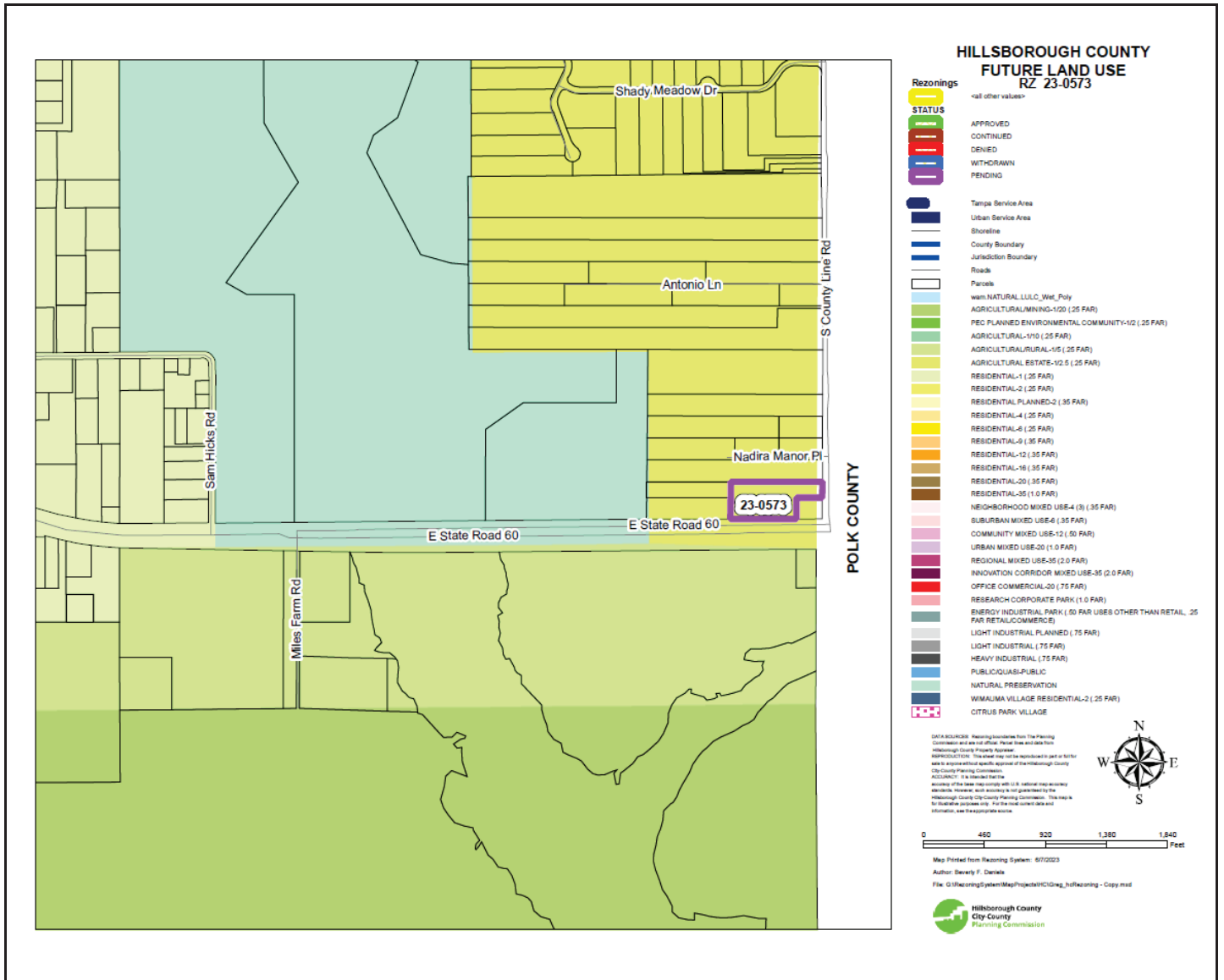


Context of Surrounding Area:

The subject property is located at the corner of State Road 60 and County Line Road and borders the eastern boundary line of Hillsborough County. The property is bordered by zoning districts AS-0.4 to the north, AR to the south, and CG to the east and west. Uses in the area comprise of agriculture activities, mobile home communities and commercial uses such as a restaurants and convenience stores. A large solar power farm exists to the south across the highway.

2.0 LAND USE MAP SET AND SUMMARY DATA

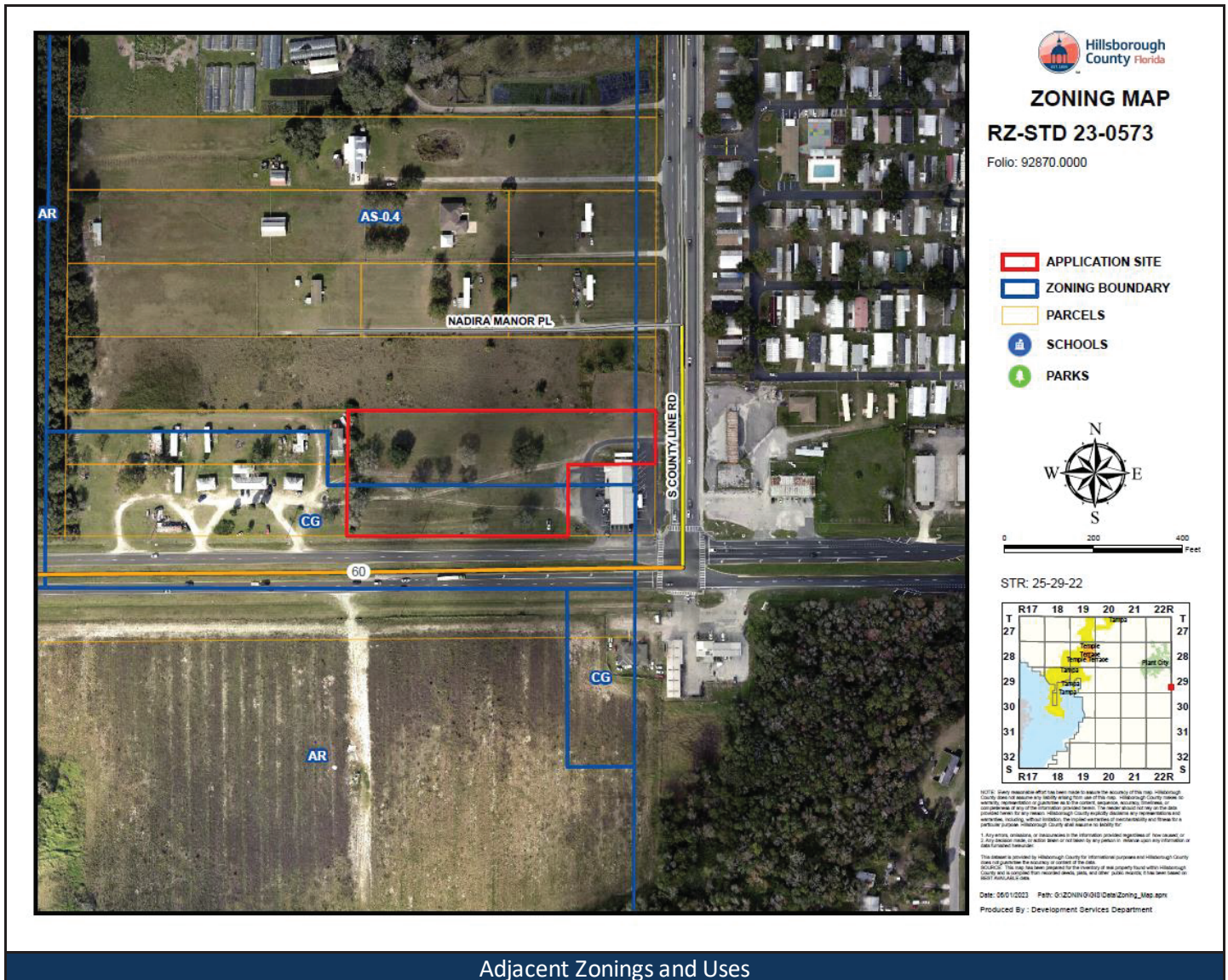
2.2 Future Land Use Map



| | |
|--|--|
| Subject Site Future Land Use Category: | Agricultural Estate-1/.25 (AE-1/2.5) |
| Maximum Density/F.A.R.: | 20,000 sq. ft or .25 FAR |
| Typical Uses: | Farms, ranches, residential uses, rural scale neighborhood commercial uses, offices, and multipurpose projects. Commercial, office, and multipurpose uses shall meet locational criteria for specific land use projects. Adoption/child caring communities are permitted subject to the criteria outlined in Objective 55 and related policies |

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



| Location: | Zoning: | Maximum Density/F.A.R. Permitted by Zoning District: | Allowable Use: | Existing Use: |
|-----------|---------|--|--|-------------------------|
| North | AS-0.4 | 1 du per 2.5 ga | Single-Family/Mobile Homes/Agriculture | Vacant |
| South | AR | 1 du per 5 ga | Single-Family/Mobile Homes/Agriculture | Solar Power Farm |
| East | | | | Restaurant/Liquor Store |
| West | CG | .27 | Commercial/Office | Mobile Home Park |

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)

N/A

3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 9.0 OF STAFF REPORT)

| Adjoining Roadways (check if applicable) | | | |
|---|---------------------------------|---|--|
| Road Name | Classification | Current Conditions | Select Future Improvements |
| S County Line Rd | Polk County - Collector | 2 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width | <input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other |
| SR 60 | FDOT Principal Arterial - Rural | 8 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width | <input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other |

| Project Trip Generation | | | |
|--------------------------------|-----------------------------------|-----------------------------|-----------------------------|
| | Average Annual Daily Trips | A.M. Peak Hour Trips | P.M. Peak Hour Trips |
| Existing | 4,935 | 397 | 346 |
| Proposed | 7,731 | 663 | 543 |
| Difference (+/1) | +2,796 | +266 | +197 |

*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 | | None | None | Meets LDC |
| South | | None | None | Meets LDC |
| East | | None | None | Meets LDC |
| West | | None | None | Meets LDC |
| Notes: | | | | |

| Design Exception/Administrative Variance <input checked="" type="checkbox"/> Not applicable for this request | | |
|---|-----------------|-----------------|
| Road Name/Nature of Request | Type | Finding |
| N/A | 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 | No wetlands within the project boundaries. |
| Natural Resources | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| Conservation & Environ. Lands Mgmt. | <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 | No comments |
| 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 type="checkbox"/> Coastal High Hazard Area <input checked="" 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"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| 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 type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| Impact/Mobility Fees N/A | | | | |
| Comprehensive Plan: | Comments Received | Findings | Conditions Requested | Additional Information/Comments |
| Planning Commission <input checked="" type="checkbox"/> Meets Locational Criteria <input type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The subject parcel, generally located at 3806 East 60 Highway, is split-zoned as Agricultural Single-Family (AS 0.4) and Commercial General (CG). The total acreage of the property is 3.74 acres, with approximately 1.79 acres zoned CG and 1.95 acres zoned AS 0.4. The proposed rezoning will bring the extent of the CG zoning further north to align with the CG zoning on the property to the west but will include additional restrictions across the entire property.

The property is situated at the intersection of Highway 60 and County Line Road that includes other Commercial General (CG) zoned properties with various non-residential uses such as a liquor store and convenient stores. Across the highway, the property is zoned Agricultural Rural (AR) and contains a large solar farm. It is currently owned by The Tampa Electric Company. The properties directly across East County Line Road are under Polk County's jurisdiction and are designated for commercial uses. The existing building is currently occupied by a small supermarket.

To the north, the property is zoned Agricultural Single-Family (AS 0.4) and is currently undeveloped. Planning Commission staff has raised compatibility concerns and the applicant agreed to offer restrictions to the zoning to require development to increase the width of the buffer to 25 feet and to adhere to Screening Standard B, with an additional row of evergreen shade trees along the abutting Agricultural Single-Family (AS 0.4) zoning district.

To the west, the adjacent two parcels are zoned Commercial General (CG) and currently contain four single-family homes and 6 mobile homes. The standard buffer and screening requirements, Screening Standard B and 20-foot wide buffer will apply to the western property line; however, a restriction was included by the applicant requiring the preservation of the existing vegetative buffer along this boundary if the adjacent property is utilized for residential purposes. The applicant also owns this property and plans to develop it along with the subject property.

The subject property is designated as Agricultural Estate (AE) on the Future Land Use Plan. The proposed zoning is not consistent with the future land use designation; however, the property does meet Commercial-Locational Criteria. As a result, the Planning Commission has determined that the proposal, with the added restrictions offered by the applicant, is consistent with the Comprehensive Plan. The uses and zoning districts around the intersection are consistent with the proposed Commercial General zoning district, and thus, the rezoning request of the property from Agricultural Single-Family 0.4 & Commercial General to Commercial General, with the proposed restrictions, would be compatible with the existing development and zoning trends in the area.

5.2 Recommendation

Based on the above considerations, staff finds the proposed CG-R zoning district approvable, with the following restrictions:

- a. Existing vegetation shall be retained where said vegetation is at least 6 feet in height and an overall screening opacity of seventy-five percent shall be required along the western boundary. Additional plantings may be required if existing vegetation does not meet the seventy-five percent opacity threshold. This restriction only applies if the adjacent property is utilized by residential uses.
- b. The north property boundary shall provide a 25-foot buffer with Type "B" screening. A second staggered row of evergreen shade trees shall also be provided along the northern property boundary.

Zoning Administrator Sign Off:



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.

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

N/A

8.0 PROPOSED SITE PLAN (FULL)

N/A

APPLICATION NUMBER: RZ 23-0573

ZHM HEARING DATE: September 18, 2023

BOCC LUM MEETING DATE: November 7, 2023

Case Reviewer: Jared Follin

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Development Services Department

DATE: 9/07/2023

REVIEWER: Richard Perez, AICP

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: EAST RURAL

PETITION NO: RZ 23-0573

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

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone the +/-3.74-acre subject parcel from +/-2.46 acres of Agricultural, Single-Family 0.4 (AS-0.4) and +/-1.28 acres of Commercial General (CG) to Commercial General (CG) for the entire site. The subject property has frontage on S. County Line Rd and State Road 60 and is partially developed with commercial uses encroaching from the adjacent parcel to the southeast (folio#92869.0000) at the intersection of S. County Line Rd and State Road 60. The site currently takes access to S. County Line Rd which is public right-of-way under the Polk County jurisdiction.

Since the proposed applicant seeks a Euclidean zoning district, no transportation analysis is required to process this request per the development review procedures manual.

SITE ACCESS

Generally, for projects with a Euclidean zoning designation, a project's potential transportation impacts, site access requirements, substandard road issues, site layout and design, other issues related to project access, and compliance with other applicable Hillsborough County Comprehensive Plan, Hillsborough County Land Development Code (LDC) and Hillsborough County Transportation Technical Manual (TTM) requirements are evaluated at the time of plat/site/construction plan review. Given the limited information available as is typical of all Euclidean zoned properties and/or non-regulatory nature of any conceptual plans provided, Transportation Review Section staff did review the proposed rezoning to determine (to the best of our ability) whether the zoning is generally consistent with applicable policies of the Hillsborough County Comprehensive Plan, LDC and TTM (e.g. to ensure that the proposed rezoning would not result in a violation of the requirement whereby access to commercial properties cannot be taken through residentially or agriculturally zoned properties), and/or whether, in staff's opinion, some reasonable level of development under the proposed zoning designation could be supported based on current access management standards (e.g. to ensure that a project was not seeking an intensification of a parcel which cannot meet minimum access spacing requirements).

Transportation Section staff did not identify any concerns that would require a more detailed staff report be filed. Staff notes that, regardless of this review, the developer/property owner will be required to comply with all Comprehensive Plan, LDC, TTM and other applicable rules and regulations at the time of plat/site/construction plan review. As such, staff has no objection to this request.

Staff notes that any plans or graphics presented as a part of a Euclidean zoning case is non-binding and will have no regulatory value at the time of plat/site/construction plan review.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Level of Service (LOS) information is reported below.

| FDOT Generalized Level of Service | | | | |
|-----------------------------------|----------------|------------------|--------------|-------------------------|
| Roadway | From | To | LOS Standard | Peak Hr Directional LOS |
| SR 60 | SMITH-RYALS RD | S COUNTY LINE RD | D | C |
| COUNTY LINE RD | SR 60 | EWELL RD | C | C |

Source: [2020 Hillsborough County Level of Service \(LOS\) Report](#)

Transportation Comment Sheet

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

| Adjoining Roadways (check if applicable) | | | |
|--|---------------------------------|---|--|
| Road Name | Classification | Current Conditions | Select Future Improvements |
| S County Line Rd | Polk County - Collector | 4 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width | <input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other |
| SR 60 | FDOT Principal Arterial - Rural | 4 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width | <input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other |

| Project Trip Generation <input type="checkbox"/> Not applicable for this request | | | |
|--|----------------------------|----------------------|----------------------|
| | Average Annual Daily Trips | A.M. Peak Hour Trips | P.M. Peak Hour Trips |
| Existing | 4,935 | 397 | 346 |
| Proposed | 7,731 | 663 | 543 |
| Difference (+/-) | +2,796 | +266 | +197 |

*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 | | None | None | Meets LDC |
| South | | None | None | Meets LDC |
| East | | None | None | Meets LDC |
| West | | None | None | Meets LDC |
| Notes: | | | | |

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

4.0 Additional Site Information & Agency Comments Summary

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

COUNTY OF HILLSBOROUGH

**RECOMMENDATION OF THE
LAND USE HEARING OFFICER**

| | |
|----------------------------------|--|
| APPLICATION NUMBER: | RZ STD 23-0573 |
| DATE OF HEARING: | September 18, 2023 |
| APPLICANT: | 3 Nickels, LLC |
| PETITION REQUEST: | The request is to rezone a parcel of land from CG and AS-0.4 to CG-R |
| LOCATION: | 3806 E. Hwy. 60 |
| SIZE OF PROPERTY: | 3.74 acres m.o.l. |
| EXISTING ZONING DISTRICT: | CG and AS-0.4 |
| FUTURE LAND USE CATEGORY: | AE |
| SERVICE AREA: | Rural |

DEVELOPMENT REVIEW STAFF REPORT

***Note:** Formatting issues prevented the entire Development Services Department staff report from being copied into the Hearing Master's Recommendation. Therefore, please refer to the Development Services Department web site for the complete staff report.

1.0 APPLICATION SUMMARY

Applicant: 3 Nickels, LLC
FLU Category: Agricultural Estate-1/.25 (AE-1/2.5)
Service Area: Rural
Site Acreage: 3.74

Community Plan Area: N/A

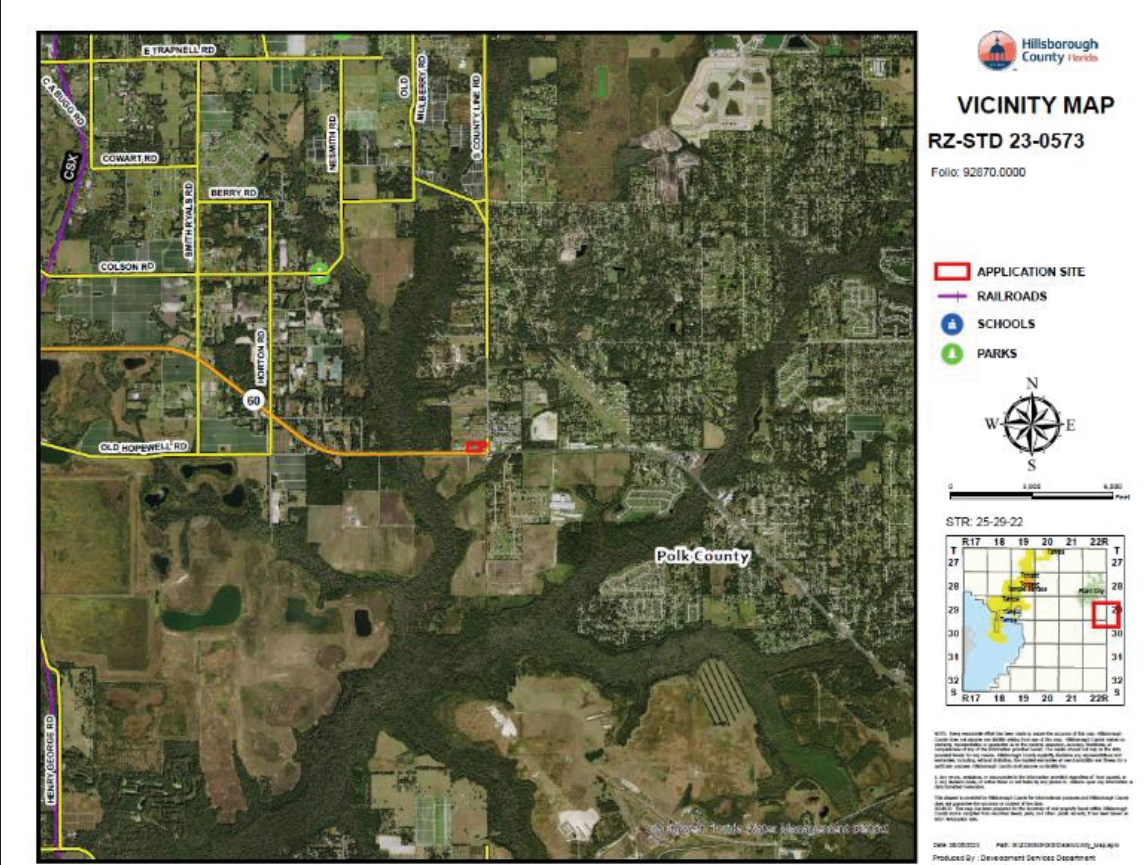
Overlay: None

Request to rezone a split-zoned parcel from Agricultural – Single-Family (AS-0.4) & Commercial General (CG) to Commercial General Restricted (CG-R) to allow for commercial uses. Restrictions include additional requirements to buffer and screening standards along the north property line and preservation of vegetation along the western property line.

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

Planning Commission Recommendation: Consistent

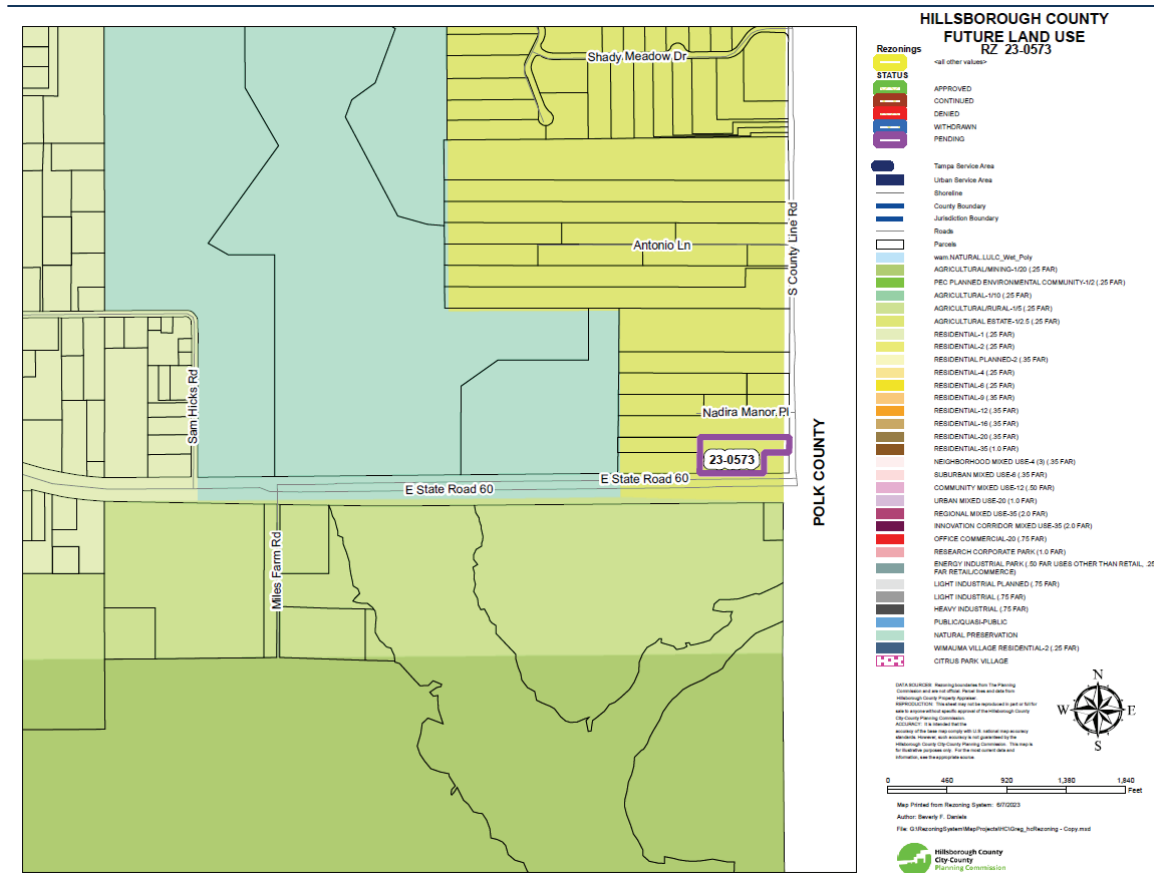
Development Services Recommendation: Approvable, subject to restrictions



Context of Surrounding Area:

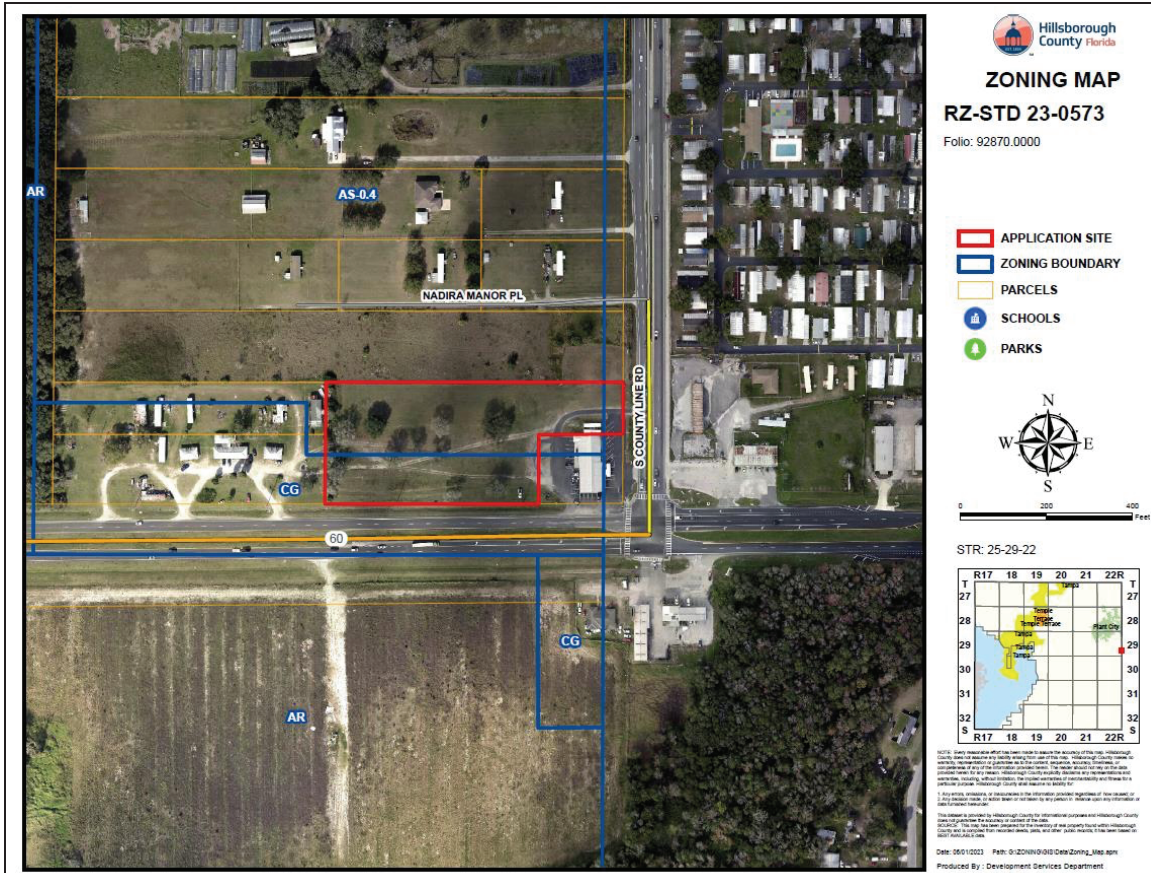
The subject property is located at the corner of State Road 60 and County Line Road and borders the eastern boundary line of Hillsborough County. The property is bordered by zoning districts AS-0.4 to the north, AR to the south, and CG to the east and west. Uses in the area comprise of agriculture activities, mobile home communities and commercial uses such as a restaurants and convenience stores. A large solar power farm exists to the south across the highway.

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



| | |
|--|--|
| Subject Site Future Land Use Category: | Agricultural Estate- 1/.25 (AE-1/2.5) |
| Maximum Density/F.A.R.: | 20,000 sq. ft or .25 FAR |
| Typical Uses: | Farms, ranches, residential uses, rural scale neighborhood commercial uses, offices, and multipurpose projects. Commercial, office, and multipurpose uses shall meet locational criteria for specific land use projects. Adoption/child caring communities are permitted subject to the criteria outlined in Objective 55 and related policies |

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: |
|----------|--------|--|----------------|---------------|
| : | : | : | : | : |

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)

Classification Current Conditions Select Future Improvements

3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 9.0 OF STAFF REPORT)

| Adjoining Roadways (check if applicable) | | | |
|---|---------------------------------|---|--|
| S County Line Rd | Polk County - Collector | 2 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width | <input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other |
| SR 60 | FDOT Principal Arterial - Rural | 8 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width | <input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other |

Project Trip Generation

Connectivity and Cross Access Not applicable for this request

Design Exception/Administrative Variance

Road Name/Nature of Request

N/A Notes:

Not applicable for this request

Environmental Protection Commission Natural Resources Conservation & Environ. Lands Mgmt.

No wetlands within the project boundaries.

No comments

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY
Environmental:

Check if Applicable:

Wetlands/Other Surface Waters

Use of Environmentally Sensitive Land Credit

Wellhead Protection Area

Surface Water Resource Protection Area

Potable Water Wellfield Protection Area Significant Wildlife Habitat

Coastal High Hazard Area

Urban/Suburban/Rural Scenic Corridor Adjacent to ELAPP property

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"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| 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 type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | |

| Impact/Mobility Fees | | | | |
|---|--|---|---|---------------------------------|
| N/A | | | | |
| Comprehensive Plan: | Comments Received | Findings | Conditions Requested | Additional Information/Comments |
| Planning Commission <input checked="" type="checkbox"/> Meets Locational Criteria <input type="checkbox"/> N/A <input type="checkbox"/> <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |

Density Bonus Requested Consistent Inconsistent

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The subject parcel, generally located at 3806 East 60 Highway, is split-zoned as Agricultural Single-Family (AS 0.4) and Commercial General (CG). The total acreage of the property is 3.74 acres, with approximately 1.79 acres zoned CG and 1.95 acres zoned AS 0.4. The proposed rezoning will bring the extent of the CG zoning further north to align with the CG zoning on the property to the west but will include additional restrictions across the entire property.

The property is situated at the intersection of Highway 60 and County Line Road that includes other Commercial General (CG) zoned properties with various non-residential uses such as a liquor store and convenient stores. Across the highway, the property is zoned Agricultural Rural (AR) and contains a large solar farm. It is currently owned by The Tampa Electric Company. The properties directly across East County Line Road are under Polk County’s jurisdiction and are designated for commercial uses. The existing building is currently occupied by a small supermarket.

To the north, the property is zoned Agricultural Single-Family (AS 0.4) and is currently undeveloped. Planning Commission staff has raised compatibility concerns and the applicant agreed to offer restrictions to the zoning to require development to increase the width of the buffer to 25 feet and to adhere to Screening Standard B, with an additional row of evergreen shade trees along the abutting Agricultural Single-Family (AS 0.4) zoning district.

To the west, the adjacent two parcels are zoned Commercial General (CG) and currently contain four single-family homes and 6 mobile homes. The standard buffer and screening requirements, Screening Standard B and 20-foot wide buffer will apply to the western property line; however, a restriction was included by the applicant requiring the preservation of the existing vegetative buffer along this boundary if the adjacent property is utilized for residential purposes. The applicant also owns this property and plans to develop it along with the subject property.

The subject property is designated as Agricultural Estate (AE) on the Future Land Use Plan. The proposed zoning is not consistent with the future land use designation; however, the property does meet Commercial-Locational Criteria. As a result, the Planning Commission has determined that the proposal, with the added restrictions offered by the applicant, is consistent with the Comprehensive Plan. The uses and zoning districts around the intersection are consistent with the proposed Commercial General zoning district, and thus, the rezoning request of the property from Agricultural Single-Family 0.4 & Commercial General to Commercial General, with the proposed restrictions, would be compatible with the existing development and zoning trends in the area.

5.2 Recommendation

Based on the above considerations, staff finds the proposed CG-R zoning district approvable, with the following restrictions:

1. Existing vegetation shall be retained where said vegetation is at least 6 feet in height and an overall screening opacity of seventy-five percent shall be required along the western boundary. Additional plantings may be required if existing vegetation does not meet the seventy-five percent opacity threshold. This restriction only applies if the adjacent property is utilized by residential uses.
2. The north property boundary shall provide a 25-foot buffer with Type “B” screening. A second staggered row of evergreen shade trees shall also be provided along the northern property boundary.

SUMMARY OF HEARING

THIS CAUSE came on for hearing before the Hillsborough County Land Use Hearing Officer on September 18, 2023. Ms. Michelle Heinrich of the Hillsborough County Development Services Department introduced the petition.

Ms. Isabelle Albert 1000 North Ashley Drive Suite 900 testified on behalf of the applicant. Ms. Albert stated that the subject property is zoned Commercial General and AS-0.4. She showed a PowerPoint presentation to describe the location of the property and roadways in the area. She stated that the subject property owner also owns the core parcel which is a bar use and the remainder

of the property is developed with mobile homes. The property owner would like to develop the property under one development but needs to zone the northeast corner Commercial General like the remainder of the parcel. Ms. Albert testified that the parcel to the east is located in Polk County and zoned commercial and the area to the north is zoned residential. The parcel to the south is a solar farm and the parcel to the west is owned by Hillsborough County. She stated that the original rezoning request was for Commercial General but added the Restriction based on compatibility concerns by the Planning Commission. Their concerns pertain to the adjacent vacant residential property. A 20-foot buffer with Type B screening is required by the Land Development Code to address compatibility and incompatible land uses. The Planning Commission requested an increase in the buffering and screening not only along the northern boundary but also along the western boundary. Ms. Albert testified that the applicant agreed to the Restrictions with additional buffering and screening because they did not want a finding of inconsistency. She added that she does not have the same opinion about the need for the additional buffering and screening. Ms. Albert stated that the property is under one ownership and the Planning Commission is requesting more than what is required with the 25 foot buffer and an additional row of trees along 700 feet of property lines. This will result in double the number of trees. She stated that she asked the Planning Commission for the reasoning behind the buffering and screening request and was told that it is because the property is located in the Rural Service Area and adjacent to residential but that is provided for under the existing Land Development Code buffering and screening regulations. Ms. Albert testified that the mobile homes to the west have been on-site since 1970 and considered a non-conforming use. The Code states that if one is adjacent to a nonconforming use, a buffer is required except when an administrative waiver is provided if the property owner agrees to waive the buffer and screening. Because the applicant is the owner of the adjacent property, they would certainly sign the waiver. She added that the 20-foot buffer with Type B screening is sufficient which addresses the compatibility issue. Additionally, Ms. Albert stated that the Planning Commission staff report states that the applicant agreed to an additional setback and buffer but that the applicant only agreed to the buffer. Ms. Albert stated that the Development Services Department told her that they did not see any compatibility concerns but added the Restriction at the Planning Commission's request. Ms. Albert concluded her presentation by stating that she would submit alternative Restrictions for the alternative proposal for screening.

Hearing Master Finch asked Ms. Albert if the alternative screening would remove the Type B screening and instead provide a fence. Ms. Albert replied yes and stated that she would prefer no Restrictions to the CG zoning.

Mr. Jared Follin, Development Services staff, testified regarding the County's staff report. Mr. Follin stated that the applicant is requesting a rezoning from CG and AS-0.4 to Commercial General with Restrictions. He stated that the property is undeveloped and there is an adjacent bar, liquor store and convenience store

adjacent to the site. He described the surrounding area and stated that the Planning Commission expressed compatibility concerns and requested Restrictions to protect the residential land uses. The first Restriction requires an increase in the buffering area from 20 feet to 25 feet and screening in the form of an additional line of trees along the northern property line. The second Restriction requires that the additional vegetation along the western property line be preserved and that the screening be at least 75 percent opaque as long as the property is used residentially. If the residential uses are removed, that Restriction would not be required. Mr. Follin concluded his presentation by stating that staff finds the request approvable.

Ms. Jillian Massey, Planning Commission staff testified regarding the Planning Commission staff report. Ms. Massey stated that the subject property is within the Agricultural Estate Future Land Use classification and the Rural Service Area. Ms. Massey testified that the increase in buffering would provide a gradual transition between the intensity of uses including the residential zoned land to the north and residential uses to the west. She concluded her presentation by stating that the property meets commercial locational criteria and that the Planning Commission staff found the proposed rezoning is consistent with the Future of Hillsborough Comprehensive Plan.

Hearing Master Finch asked for members of the audience in support of the application. No one replied.

Hearing Master Finch asked for members of the audience in opposition to the application. No one replied.

County staff did not have additional comments.

Ms. Albert testified during the rebuttal period that she is a certified land use planner.

The hearing was then concluded.

EVIDENCE SUBMITTED

Ms. Heinrich submitted a copy of the revised County staff report into the record. Ms. Albert submitted a copy of her PowerPoint presentation and revised Restrictions 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 3.74 acres in size and is zoned Agricultural Single Family (AS-0.4) and Commercial General and is designated Agricultural Estate-1/2.5 (AE 1/2.5) by the Comprehensive Plan. The property is located within the Rural Service Area.
2. The applicant is requesting a rezoning to the Commercial General-Restricted (CG-R) zoning district.

It is noted that the applicant originally filed a rezoning application for Commercial General (CG) but agreed to add Restrictions pertaining to an increase in buffering and screening based upon a request from the Planning Commission.

3. The Planning Commission staff supports the rezoning request. The Planning Commission found the increase in buffering and screening would provide a gradual transition between the intensity of uses including the residential zoned land to the north and residential uses to the west. Staff found that the property meets commercial locational criteria and the rezoning is consistent with the Comprehensive Plan.
4. The Development Services Department staff supports the rezoning request.

The applicant's representative testified that Development Services Department staff advised her that they did not have concerns regarding compatibility but agreed to the Restrictions to the Commercial General zoning district based upon the Planning Commission's issues and request.

5. No testimony in opposition was provided at the Zoning Hearing Master hearing.
6. The subject parcel is immediately adjacent to the southwest to a parcel zoned CG and developed with a bar, liquor store and convenience store. The subject parcel is also adjacent to the west to a parcel that is developed with mobile homes. The applicant's representative testified that the mobile homes have been on-site since 1970 and are considered a non-conforming use.

The subject parcel and the mobile home parcel are under single-ownership.

7. The applicant's representative testified that the applicant agreed to the Restrictions being added to the CG zoning district to gain the Planning Commission's support. The applicant's representative testified that she is a certified land use planner and in her professional opinion, the Land Development Code required 20 foot wide buffer with Type B screening adjacent to the parcels zoned agriculturally served to increase compatibility between the two land uses and stated that the additional 5 feet of buffer (25 feet total) and additional row of trees requested by the Planning Commission was not justified given the vacant property to the north and common ownership of the mobile home property to the west.

The applicant's representative submitted alternative Restrictions that remove the requirement to retain the existing vegetation (at 6 feet) and provide an overall opacity of 75 percent with additional plantings if the mobile home parcel is used residentially. The alternative Restrictions also reduced the amount of the buffer on the northern property line to the Land Development Code required 20-feet with Type B screening and the requested second row of trees or a 6-foot high fence.

8. The Land Development Code required 20-foot wide buffer and Type B screening for commercial uses adjacent to agriculturally zoned property to the north is the LDC standard that is applied in Euclidean zoning applications.
9. The Restriction proposed to maintain vegetation at 75 percent opacity to the west only if the parcel is continues to be developed residentially when the property is under single ownership and the mobile home parcel is currently zoned CG is unwarranted. This is due to the Land Development Code's existing provision to request an administrative waiver of the buffering and screening to a non-conforming use if the property owner agrees to waive the requirement. It is emphasized that the subject property and the mobile home property are under single ownership.
10. The request for CG-R including the applicant's proposed revised Restriction to provide a 20-foot buffer with Type B screening and a second row of evergreen shade trees along the northern boundary or a 6-foot high fence serves to provide a compatible land use in the area.

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 CG-R zoning district. The property is 3.74 acres in size and is currently zoned CG and AS-0.4 and designated AE by the Comprehensive Plan. The parcel is located within the Rural Service Area.

The applicant is requesting a rezoning to the Commercial General-Restricted (CG-R) zoning district. It is noted that the applicant originally filed a rezoning application for Commercial General (CG) but agreed to add Restrictions pertaining to an increase in buffering and screening based upon a request from the Planning Commission.

The Planning Commission staff supports the rezoning request. The Planning Commission found the increase in buffering and screening would provide a gradual transition between the intensity of uses including the residential zoned land to the north and residential uses to the west. Staff found that the property meets commercial locational criteria and the rezoning is consistent with the Comprehensive Plan.

The Development Services Department staff supports the rezoning request. The applicant's representative testified that Development Services Department staff told her that they did not have concerns regarding compatibility but agreed to the Restrictions to the Commercial General zoning district based upon the Planning Commission's issues and request.

The subject parcel is immediately adjacent to the southwest to a parcel zoned CG and developed with a bar, liquor store and convenience store. The subject parcel is also adjacent to the west to a park that is developed with mobile homes. The applicant's representative testified that the mobile homes have been on-site since 1970 and are considered a non-conforming use. The subject parcel and the mobile home parcel are under single-ownership.

The Land Development Code required 20-foot wide buffer and Type B screening for commercial uses adjacent to agriculturally zoned property to the north is the LDC standard that is applied in Euclidean zoning applications. The Restriction proposed to maintain vegetation at 75 percent opacity to the west only if the parcel is continues to be developed residentially when the property is under

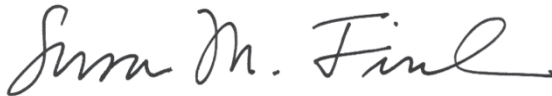
single ownership and the mobile home parcel is currently zoned CG is unwarranted. This is due to the Land Development Code's existing provision to request an administrative waiver of the buffering and screening to a non-conforming use if the property owner agrees to waive the requirement. It is emphasized that the subject property and the mobile home property are under single ownership.

The request for CG-R including the applicant's proposed revised Restriction to provide a 20-foot buffer with Type B screening and a second row of evergreen shade trees along the northern boundary or a 6-foot high fence serves to provide a compatible land use in the area.

RECOMMENDATION

Based on the foregoing, this recommendation is for **APPROVAL** of the CG-R rezoning request with the applicant's alternative Restriction as follows as indicated by the Findings of Fact and Conclusions of Law stated above.

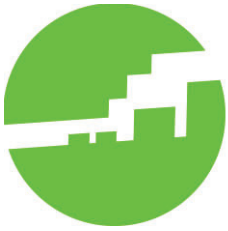
1. The north property boundary shall provide a 20-foot buffer with a Type B screening. A second staggered row of evergreen shade trees shall be provided along the northern property boundary or a 6-foot high fence.



October 9, 2023

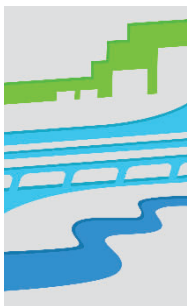
Susan M. Finch, AICP
Land Use Hearing Officer

Date



**Hillsborough County
City-County
Planning Commission**

| Unincorporated Hillsborough County Rezoning | |
|--|--|
| Hearing Date: September 18, 2023 | Petition: RZ 23-0573 |
| Report Prepared: September 6, 2023 | 3806 East State Road 60 Highway <i>North of East State Road 60 and west of South County Line Road</i> |
| Summary Data: | |
| Comprehensive Plan Finding | CONSISTENT |
| Adopted Future Land Use | Agricultural Estate-1/2.5 (1 du/2.5 ga; 0.25 FAR) |
| Service Area | Rural |
| Community Plan | None |
| Rezoning Request | Agricultural, Single-Family Estate (AS-0.4) and Commercial General (CG) to Commercial General with Restrictions (CG-R) |
| Parcel Size (Approx.) | 3.75 +/- acres |
| Street Functional Classification | State Road 60 – Principal Arterial County Line Road - County Collector |
| Locational Criteria | Meets |
| Evacuation Area | None |



Context

- The subject site is located north of East State Road 60 and west of South County Line Road on approximately 3.75 acres.
- The site is in the Rural Area and not within the limits of a Community Plan.
- The site has a Future Land Use designation of Agricultural Estate-1/2.5 (AE-1/2.5), which allows for consideration of up to 1 dwelling unit per 2.5 gross acres and a maximum Floor Area Ratio (FAR) of 0.25. Typical allowable uses in the AE-1/2.5 include farms, ranches, residential uses, rural scale neighborhood commercial uses, offices, and multi-purpose projects. Commercial, office, and multi-purpose uses shall meet locational criteria for specific land use projects.
- The subject site is surrounded by the AE-1/2.5 designation to the north, west and south. Polk County is located directly to the east. Further south is the Agricultural Rural 1/5 (AR-1/5) designation and further west is the Natural Preservation (N) designation. Surrounding uses include vacant residential land, mobile homes, single family homes, and public institutional land. There is a light commercial use classified as a night club directly abutting the site at the corner of State Road 60 and County Line Road.
- The subject site is zoned Agricultural, Single-Family Estate (AS-0.4) and Commercial General (CG). In the general vicinity, the site is surrounded by AS-0.4 to the north, Agricultural Rural (AR) zoning to the west and south, and Commercial, General (CG) zoning to the west and south abutting the site.
- The applicant requests to rezone the subject site from Agricultural, Single-Family Estate (AS-0.4) and Commercial General (CG) to Commercial General with Restrictions (CG-R).

Compliance with Comprehensive Plan:

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

FUTURE LAND USE ELEMENT

Rural Area

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.*

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

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.

Community Design Component (CDC)

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.*

Policy 9-1.2: Avoid “strip development” patterns for commercial uses.

5.0 NEIGHBORHOOD LEVEL DESIGN

5.1 COMPATIBILITY

OBJECTIVE 12-1: *New developments should recognize the existing community and be designed in a way that is compatible 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.*

7.0 SITE DESIGN

7.1 DEVELOPMENT PATTERN

GOAL 17: *Develop commercial areas in a manner which enhances the County’s character and ambiance.*

OBJECTIVE 17-1: *Facilitate patterns of site development that appear purposeful and organized.*

Policy 17-1.4: *Affect the design of new commercial structures to provide an organized and purposeful character for the whole commercial environment.*

Staff Analysis of Goals Objectives and Policies:

The subject site is located north of East State Road 60 and west of South County Line Road on approximately 3.75 acres. The site is in the Rural Area and not within the limits of a Community Plan. Surrounding uses include vacant residential land, mobile homes, single family homes, and public institutional land. There is a light commercial use classified as a night club directly abutting the site at the corner of State Road 60 and County Line Road. The applicant requests to rezone the subject site from Agricultural, Single-Family Estate (AS-0.4) and Commercial General (CG) to Commercial General with Restrictions (CG-R). The proposed restrictions include the following:

- a) Existing vegetation shall be retained where said vegetation is at least 6 feet in height and provides an overall opacity of seventy-five percent along the western boundary as long as the adjacent property is utilized for residential purposes.
- b) The north property boundary shall provide a 25-foot buffer with Type “B” screening. A second staggered row of evergreen shade trees shall also be provided along the northern property boundary.

The subject site is in the Rural Area, which is intended for long term, agricultural uses and large lot, low density rural residential uses which can exist without the threat of urban or suburban encroachment. According to the Future Land Use Element (FLUE) of the Comprehensive Plan, the goal is that no more than 20% of all population growth within the County occur in the Rural Area. The Agricultural Estate-1/2.5 Future Land Use (FLU) designation allows for considerations of rural scale neighborhood commercial uses subject to locational criteria.

The proposed standard rezoning to CG-R will allow for the use of buffer and screening to ensure a gradual transition between intensity of uses as the applicant has agreed to enhance the setback and buffer on the west and northern boundaries which abut a residential use to the west and vacant residentially zoned land (AS-0.4) to the north. The proposed rezoning meets the intent of the Neighborhood Protection Policies of the Future Land Use Element (Objective 16 and Policies 16.1, 16.2, 16.3, 16.5 and Policy 9.2, and Goal 12 and Objective 12-1). The proposed rezoning to CG-R would allow for a gradual transition of intensities between the land uses that surround the subject site to the north and west and is therefore consistent with policy direction.

The subject site meets Commercial Locational Criteria in accordance with Objective 22 and Policies 22.1 and 22.2 of the FLUE. The site is located in the AE-1/2.5 Future Land Use designation and within the required 660-foot distance from the closest qualifying intersection of State Road 60 and County Line Road. Nonresidential development shall be limited to 20,000 SF.

Objective 12-1 and Policy 12-1.4 of the Community Design Component (CDC) discuss how new development shall be compatible with the established character of the surrounding area. The development pattern and character of this area includes vacant residential land, mobile homes, single family homes, light commercial and public institutional land. Goal 17 of the CDC encourages commercial developments that enhance the County's character. Objective 17-1 and Policy 17.1-4 seek to facilitate patterns of development that are organized and purposeful.

Overall, staff finds that the proposed rezoning to CG-R would allow for rural scale neighborhood commercial uses that support the intent of the Rural Area. The proposed rezoning would allow for development that is consistent with the Goals, Objectives, and Policies of the Future Land Use Element of the *Unincorporated Hillsborough County Comprehensive Plan*.

Recommendation

Based upon the above considerations, Planning Commission staff finds the proposed rezoning **CONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*, subject to the restrictions proposed by the Development Services Department.

HILLSBOROUGH COUNTY FUTURE LAND USE RZ 23-0573

<all other values>

Rezoning

STATUS

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

Tampa Service Area

Urban Service Area

Shoreline

County Boundary

Jurisdiction Boundary

Roads

Parcels

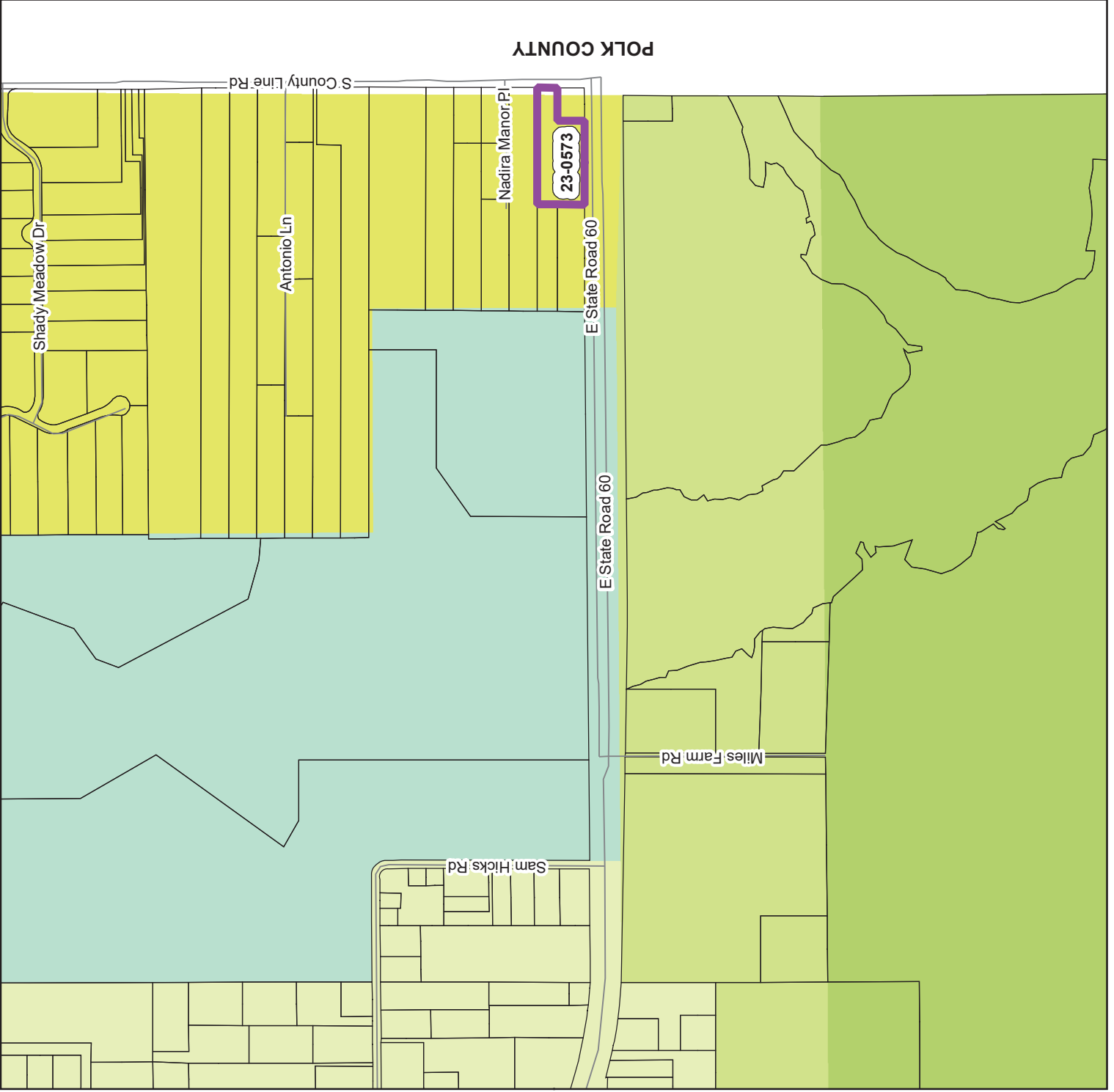
- WATER NATURAL LULC_Water_Poly
- AGRICULTURAL/MINING-1/20 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)
- AGRICULTURAL-1/10 (.25 FAR)
- AGRICULTURAL/RURAL-1/5 (.25 FAR)
- AGRICULTURAL ESTATE-1/2.5 (.25 FAR)
- RESIDENTIAL-1 (.25 FAR)
- RESIDENTIAL-2 (.25 FAR)
- RESIDENTIAL-4 (.25 FAR)
- 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)
- INNOVATION CORRIDOR MIXED USE-35 (2.0 FAR)
- OFFICE COMMERCIAL-20 (.75 FAR)
- RESEARCH CORPORATE PARK (1.0 FAR)
- ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)
- LIGHT INDUSTRIAL PLANNED (.75 FAR)
- LIGHT INDUSTRIAL (.75 FAR)
- HEAVY INDUSTRIAL (.75 FAR)
- PUBLIC/QUASIPUBLIC
- NATURAL PRESERVATION
- WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE

DATA SOURCES: Rezoning boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. The rezoning status is for informational purposes only and is 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.



Map Printed from Rezoning System: 6/7/2023
 Author: Beverly F. Daniels
 File: G:\Rezoning\System\MapProjects\HC\Gis\ReZoning - Copy.mxd





AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Development Services Department

DATE: 9/07/2023

REVIEWER: Richard Perez, AICP

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: EAST RURAL

PETITION NO: RZ 23-0573

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

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone the +/-3.74-acre subject parcel from +/-2.46 acres of Agricultural, Single-Family 0.4 (AS-0.4) and +/-1.28 acres of Commercial General (CG) to Commercial General (CG) for the entire site. The subject property has frontage on S. County Line Rd and State Road 60 and is partially developed with commercial uses encroaching from the adjacent parcel to the southeast (folio#92869.0000) at the intersection of S. County Line Rd and State Road 60. The site currently takes access to S. County Line Rd which is public right-of-way under the Polk County jurisdiction.

Since the proposed applicant seeks a Euclidean zoning district, no transportation analysis is required to process this request per the development review procedures manual.

SITE ACCESS

Generally, for projects with a Euclidean zoning designation, a project's potential transportation impacts, site access requirements, substandard road issues, site layout and design, other issues related to project access, and compliance with other applicable Hillsborough County Comprehensive Plan, Hillsborough County Land Development Code (LDC) and Hillsborough County Transportation Technical Manual (TTM) requirements are evaluated at the time of plat/site/construction plan review. Given the limited information available as is typical of all Euclidean zoned properties and/or non-regulatory nature of any conceptual plans provided, Transportation Review Section staff did review the proposed rezoning to determine (to the best of our ability) whether the zoning is generally consistent with applicable policies of the Hillsborough County Comprehensive Plan, LDC and TTM (e.g. to ensure that the proposed rezoning would not result in a violation of the requirement whereby access to commercial properties cannot be taken through residentially or agriculturally zoned properties), and/or whether, in staff's opinion, some reasonable level of development under the proposed zoning designation could be supported based on current access management standards (e.g. to ensure that a project was not seeking an intensification of a parcel which cannot meet minimum access spacing requirements).

Transportation Section staff did not identify any concerns that would require a more detailed staff report be filed. Staff notes that, regardless of this review, the developer/property owner will be required to comply with all Comprehensive Plan, LDC, TTM and other applicable rules and regulations at the time of plat/site/construction plan review. As such, staff has no objection to this request.

Staff notes that any plans or graphics presented as a part of a Euclidean zoning case is non-binding and will have no regulatory value at the time of plat/site/construction plan review.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Level of Service (LOS) information is reported below.

| FDOT Generalized Level of Service | | | | |
|-----------------------------------|----------------|------------------|--------------|-------------------------|
| Roadway | From | To | LOS Standard | Peak Hr Directional LOS |
| SR 60 | SMITH-RYALS RD | S COUNTY LINE RD | D | C |
| COUNTY LINE RD | SR 60 | EWELL RD | C | C |

Source: [2020 Hillsborough County Level of Service \(LOS\) Report](#)

Transportation Comment Sheet

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

| Adjoining Roadways (check if applicable) | | | |
|---|---------------------------------|---|--|
| Road Name | Classification | Current Conditions | Select Future Improvements |
| S County Line Rd | Polk County - Collector | 4 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width | <input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other |
| SR 60 | FDOT Principal Arterial - Rural | 4 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width | <input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other |

| Project Trip Generation <input type="checkbox"/> Not applicable for this request | | | |
|---|----------------------------|----------------------|----------------------|
| | Average Annual Daily Trips | A.M. Peak Hour Trips | P.M. Peak Hour Trips |
| Existing | 4,935 | 397 | 346 |
| Proposed | 7,731 | 663 | 543 |
| Difference (+/-) | +2,796 | +266 | +197 |

*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 | | None | None | Meets LDC |
| South | | None | None | Meets LDC |
| East | | None | None | Meets LDC |
| West | | None | None | Meets LDC |
| Notes: | | | | |

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

4.0 Additional Site Information & Agency Comments Summary

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



Florida Department of Transportation

RON DESANTIS
GOVERNOR

11201 North McKinley Drive
Tampa, FL 33612

JARED W. PERDUE, P.E.
SECRETARY

MEMORANDUM

DATE: June 23, 2023

TO: Brice Pinson, Halff

FROM: Lindsey Mineer, FDOT

COPIES: Daniel Santos, FDOT
Donald Marco, FDOT
Mecale' Roth, FDOT
Richard Perez, Hillsborough County

SUBJECT: RZ-STD 23-0573, 3806 E Hwy, Plant City

This project is on a state road, SR 60, and Florida Department of Transportation (FDOT) drainage and access permits are required. It is recommended that the applicant meet with FDOT before zoning approval. FDOT pre-application meetings may be scheduled through Ms. Mecale Roth at the District Seven Tampa Operations offices. She can be reached at Mecale.Roth@dot.state.fl.us or 813-612-3237.

Please be advised that FDOT conducted a Project Development & Environment (PD&E) study to consider widening a portion of SR 60 that extends from Valrico Road to the Polk County Line. The concept page from the PD&E is attached.

Thank you for the opportunity to comment.

END OF MEMO

Attachment: Adopted PD&E Concept Page for SR 60 at folio 92870.0000



LEGEND

| | | | |
|--|--------------------|--|----------------|
| | WETLANDS | | EXISTING ROW |
| | FLOODPLAINS | | PROPOSED ROW |
| | CURB AND GUTTER | | SIDEWALK |
| | TRAFFIC SEPARATOR | | PAVED SHOULDER |
| | CONTAMINATION SITE | | |

| | | | |
|---|-------------|---|-------------|
| DATE | DESCRIPTION | DATE | DESCRIPTION |
| | | | |
| REVISIONS | | RUMMEL, KIEPPER & KARL, LLP (RK&K) CHRISTOPHER A. PIAZZA P.E. LICENSE NUMBER 66509 14055 RIVEREDGE DRIVE, SUITE 130 TAMPA, FL 33637 CERTIFICATE OF AUTHORIZATION NO. 26879 | |
| SCALE: 0 40 200 Feet DATE OF AERIAL: 8/31/2002 | | STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION ROAD NO. 60 COUNTY HILLSBOROUGH FINANCIAL PROJECT ID 430055-1-25-01 | |
| SR 60 PD&E STUDY RECOMMENDED ALTERNATIVE | | SHEET NO. 23 | |

COMMISSION

Joshua Wostal CHAIR
 Harry Cohen VICE-CHAIR
 Donna Cameron Cepeda
 Ken Hagan
 Pat Kemp
 Gwendolyn “Gwen” W. Myers
 Michael Owen



DIRECTORS

Janet D. Lorton EXECUTIVE DIRECTOR
 Elaine S. DeLeeuw ADMIN DIVISION
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 Michael Lynch WETLANDS DIVISION
 Rick Muratti, Esq. LEGAL DEPT
 Steffanie L. Wickham WASTE DIVISION
 Sterlin Woodard, P.E. AIR DIVISION

AGENCY COMMENT SHEET

| REZONING | |
|---|---|
| <p>HEARING DATE: July 24, 2023</p> <p>PETITION NO.: 23-0573</p> <p>EPC REVIEWER: Kelly M. Holland</p> <p>CONTACT INFORMATION: (813) 627-2600 X 1222</p> <p>EMAIL: hollandk@epchc.org</p> | <p>COMMENT DATE: June 30, 2023</p> <p>PROPERTY ADDRESS: 3806 East State Road 60, Plant City</p> <p>FOLIO #: 0928700000</p> <p>STR: 25-29S-22E</p> |
| <p>REQUESTED ZONING: Rezoning a portion of the property from ASC to CG</p> | |
| FINDINGS | |
| WETLANDS PRESENT | NO |
| SITE INSPECTION DATE | NA |
| WETLAND LINE VALIDITY | NA |
| WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES) | No wetlands within the project boundaries |
| <p>INFORMATIONAL COMMENTS:</p> <p>On June 30, 2023, EPC staff examined previous reviews, soils information and aerial photographs related to 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. Through this review, it appears that no wetlands or other surface waters exist onsite.</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> | |

kmh / app

ec: Brice Pinson, Agent - bpinson@half.com



Agency Review Comment Sheet

NOTE: Wellhead Resource Protection Areas (WRPA), Potable Water Wellfield Protection Areas (PWWPA), and Surface Water Resource Protection Areas (SWRPA) reviews are based on the most current available data on the Hillsborough County maps, as set forth in Part 3.05.00 of the Land Development Code.

TO: Zoning Review, Development Services **REQUEST DATE:** 8/23/2023

REVIEWER: Kim Cruz, Environmental Supervisor **REVIEW DATE:** 8/24/2023

APPLICANT: 3 Nickels, LLC **PID:** 23-0573

LOCATION: 3806 E 60 Hwy Plant City, Fl 33567

FOLIO NO.: 92870.0000

AGENCY REVIEW COMMENTS:

Based on the most current data, the proposed project is not located within a Wellhead Resource Protection Area (WRPA), Surface Water Resource Protection Area (SWRPA), and/or a Potable Water Wellfield Protection Area (PWWPA), as defined in Part 3.05.00 of the Land Development Code. Hillsborough County Environmental Services Division (EVSD) has no objection.

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Planning Growth Management

DATE: 15 June 2023

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

APPLICANT: Brice Pinson

PETITION NO: RZ-STD 23-0573

LOCATION: 3806 E. 60 Hwy, Plant City, FL 33567

FOLIO NO: 92870.0000

SEC: 25 TWN: 29 RNG: 22

- 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: _____.



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, September 18, 2023

TIME: Commencing at 6:00 p.m.
 Concluding at 10:54 p.m.

LOCATION: Hillsborough County BOCC
 601 East Kennedy Boulevard
 Tampa, FL 33601

Reported by:
Diane DeMarsh, AAERT No. 1654

1 (Off the record at 8:05 p.m.)

2 (On the record at 8:12 p.m.)

3 HEARING MASTER: Ms. Heinrich, we're ready?

4 MS. HEINRICH: Yeah. Our next application is Item
5 C.4. This is Standard District Rezoning 23-0573. The applicant
6 is requesting a rezoning from CG and AS-0.4 to CGR. Jared
7 Follin of Development Services will provide staff findings. And
8 you should have received a revised staff report that provides
9 some minor revisions to the district standards on Page 1 and
10 Page 4.

11 HEARING MASTER: I see that. Thank you so much.

12 The applicant.

13 MS. ALBERT: Good evening. Isabelle Albert with Halff
14 Associates, 1000 North Ashley Drive, Suite 900. I have a
15 presentation for you.

16 HEARING MASTER: Okay.

17 MS. ALBERT: So what I have before you is a piece of
18 property. It's actually split zoned commercial-general and
19 AS-0.4. The portion in red is actually the residential portion,
20 while the remainder of the parcel is zoned commercial. The site
21 is located on two major arterials, which is State Road 60 and
22 County Line Road. County Line Road goes all the way to I-4, and
23 State Road 60 just basically goes across the state.

24 So, more specifically, what we have is, again, the
25 green portion of the -- located within the yellow outline is the

1 area that we're gonna be discussing tonight. We -- the property
2 owner owns not only this parcel but owns the core parcel, which
3 is a bar use, and the remainder of the property right now which
4 has some mobile homes on there to the west, and he also owns
5 that. And basically they want to redevelop the whole area under
6 one development. And before doing so, they needed to have that
7 portion on the northeast corner to be zoned commercial-general,
8 just like the remainder of the property.

9 Across the east, these -- that's actually Polk County
10 and those areas outlined in red are commercial uses, while to
11 the north of there is residential uses. To the south of us is
12 AR which is owned by Tiko, and it's a solar farm. And to the
13 west of us is AR property owned by Hillsborough County. So what
14 we're requesting is commercial-general. When we originally
15 filed, it was for commercial-general, and then that was
16 converted to -- with some restrictions because the Planning
17 Commission had some concerns with compatibility.

18 And so their concerns had to do with being adjacent to
19 vacant residential properties. That's shown right here. And
20 when we first came in and looked at that, you know, we -- we --
21 the applicant and myself, were aware that we would have to have
22 a 20-foot buffer with Type B screening which is what the code
23 requires. And the code requires these buffers and screening in
24 order to address compatibility and incompatible between land
25 uses. In some instance, you may require a greater buffer or

1 greater screening in, you know, specific scenarios that would
2 warrant that.

3 In this case, you know, Planning Commission had some
4 concerns. So, therefore, they are requesting a greater buffer
5 and greater screening not only along the northern boundary but
6 along the western boundary, which I'm gonna show you on the next
7 slide. We agree to these restrictions because, if not, we would
8 have had an inconsistency from the Planning Commission. Again,
9 we agree with the conditions. However, I still want to make the
10 case that I am not of the same opinion as the Planning
11 Commission in terms of compatibility concerns, and for the
12 reason as follows:

13 This is, again, under outline, it's under unified one
14 ownership, and the Planning Commission is requesting a 25-foot
15 buffer, five foot more than what's required, with Type B
16 screening with an additional row of trees. And this is along
17 700 feet of the property line. And so you would have the double
18 amount of trees at that location. It doesn't matter that the
19 rest of the property is also zoned CG. They would only require,
20 you know, a 20-foot buffer with the Type B screening.

21 And they also requested to have, you know, the 20-foot
22 buffer, Type B, along the western property line. And this is
23 why it only -- only here, because this is what's -- the site
24 that's under rezoning, the residential portion of that. And
25 they requested to have the 20-foot buffer screening or use the

1 existing vegetation for anything that's over six feet and 75
2 percent opaque. If not -- let's go back -- if not, you have to
3 replace it with planting. So it's not giving us the freedom of
4 using the 20-foot buffer that would be otherwise required. They
5 say you have to do -- you have to replace that thing with
6 planting.

7 And so, again, this could be somewhat difficult when
8 you come in to develop the site. Now, like I stated, I don't
9 see, you know, the -- the reasoning. I've questioned staff,
10 like, why is it that this would require more. The answer is
11 it's in the rural service area. I understand. It's along a
12 highway -- along two highways. It's adjacent to residential. I
13 understand because it's also, you know, the code does reference
14 to that. But what's so special? I -- I still haven't received
15 an answer where I'm confident and comfortable agreeing with
16 that.

17 And furthermore, if you look at the code, it says you
18 have to have your, you know, your buffer and screening if you
19 have a nonconforming use. The mobile home to the west is on
20 commercial-general. Since 1970, this area, all there, was zoned
21 highway-commercial. And back in the 70s, you had also these
22 mobile homes; they were there. So they've been there forever.
23 So it's -- whether legal nonconforming or it's a nonconforming
24 use, it's a nonconforming use. And the code says if you are
25 going to -- if you're adjacent to a nonconforming use however

1 that received permits after a certain date, you do have to
2 zone -- you do have to buffer yourself according to the use
3 there.

4 However, there's an out to that. It says the buffer
5 requirement may be administratively waived upon written consent
6 of the owner of the property. The applicant definitely wants to
7 waive that, but with this restriction in place, it doesn't give
8 us the freedom to apply this that we have the right to apply
9 for. So, you know, we're requesting to not have a
10 requirement -- an additional further requirement along these two
11 lots. Just leave it -- if it's a 20 B, it's a 20 B; and we can
12 request administratively not to have it -- not -- not to apply.
13 This gives us the right to apply for that.

14 And to the north, I understand that we agree to it.
15 And -- and, in my professional opinion, I still think that the
16 20-foot buffer with Type B screening is certainly compatible.
17 It meets a lot of the policy of the comprehensive plan with
18 neighborhood compatibility and things as such. However, if you
19 seem to be inclined to understand the Planning Commission and go
20 with what they're recommending, you know, instead of the -- or
21 in lieu of the screening, the additional row of screening, we
22 would like to have maybe the option of, instead of doing that,
23 we put the 6-foot fence. Because, to me, their concern is the
24 compatibility, you know, being able to have commercial next to
25 residential. We can see it. Well, better screening would be,

1 you know, the -- the 6-foot, and so we would have the
2 opportunity to have that option.

3 And I just wanted to clarify here with the Planning
4 Commission report that they said that we agreed to enhance
5 setback and buffer, not the setback. I just wanted to make sure
6 that that was clarified that that was not part of the agreement.

7 And that brings us to agency comments. For State
8 Road, Florida Department, they didn't have any concerns. They
9 said all of that was gonna be addressed at the time of
10 construction review. And most importantly is Development
11 Services. We worked a lot with them, and, you know, one of the
12 questions was would you still find this supportable without
13 those restrictions, and staff said, "Yes. We don't see any
14 compatibility concerns." However, we're gonna add them because
15 we agreed to it because of what was asked by the Planning
16 Commission. And so but they -- they agreed that there is no
17 compatibility concerns with just a standard rezoning without any
18 restrictions. And then you can see other agencies reviewed it.

19 And, last but not least, there were no objections from
20 any of the neighbors. This is a very intense intersection. I'm
21 sure you've driven by it. It's State Road 60. Across the
22 street, there's gas stations, and on the other side, it's all
23 commercial along that major heavy intersection.

24 And that concludes my presentation. If you have any
25 questions, I'll be more than happy to answer them. And I have

1 my conditions -- proposed conditions just to put into the
2 record.

3 HEARING MASTER: That are the alternative?

4 MS. ALBERT: Yeah, alternative of having a fence.

5 HEARING MASTER: I see. Okay. Oh, so they -- do
6 they -- do your alternative conditions remove the Type B
7 screening, right? The B and instead you would --

8 MS. ALBERT: Yes. It would just -- it would just be
9 one.

10 HEARING MASTER: I see.

11 MS. ALBERT: Obviously, I'd rather not have any
12 restrictions because, again, the -- 75 percent of the site is
13 already zoned commercial and doesn't have any restrictions on
14 there. But that's -- leave it up to you. And then I -- I will
15 append it to the record.

16 HEARING MASTER: No. I think you explained it
17 perfectly. I understand the issue. Thank you very much.

18 MS. ALBERT: Thank you.

19 HEARING MASTER: I appreciate it. If you would please
20 sign in.

21 All right. Development Services. Good evening.

22 MR. FOLLIN: Good evening. Jared Folling with
23 Development Services. So, yeah, this is a request to rezone a
24 parcel that is zoned currently agricultural single-family 0.4
25 and commercial-general. And they're proposing

1 commercial-general restrictive. The property is currently
2 undeveloped, and it is located at the northwest corner of the
3 intersection of Highway 60 and County Line Road, which is near
4 Polk County or right on the border. The immediate area
5 primarily consists of residential and commercial uses. Those
6 commercial uses are concentrated towards the intersection around
7 it. Uses currently there are bar, liquor store, convenience
8 store. And zoning as well is commercial for all properties,
9 which is consistent with the proposal. So we find that
10 consistent with what they're proposing on the property for
11 commercial-general.

12 Directly adjacent to the north is a vacant residential
13 zoned agricultural single-family 0.4. And to the west is a
14 commercial-general property with various residential dwellings,
15 some single-family and some mobile homes. Concerns were raised
16 by the Planning Commission regarding compatibility to these
17 properties, and they requested restrictions to protect these
18 residential uses. And so the applicant has agreed to offer up
19 two restrictions, to beef up the buffer and screening along
20 those properties. Restriction one will require an increased
21 buffer and screening standard along the northern property line
22 by requiring a 25-foot wide buffer, which is an increase of five
23 feet normally and an additional row of evergreen shade trees was
24 normally one.

25 Restriction number two would require that the existing

1 vegetation along the western property line be preserved and that
2 screening opacity of at least 75 percent be maintained so long
3 as the property is utilized for residential uses. So as long as
4 that property there now is being utilized for residential, that
5 restriction would be applied. But whenever that residential
6 stuff -- or uses are taken away, they would not have to abide by
7 that restriction.

8 So based on our analysis and based on our
9 consideration of the restrictions, staff does find the proposal
10 approvable, and no other agency has objected to the request.
11 I'd be happy to answer any questions.

12 HEARING MASTER: Not at this time. Thank you, sir.

13 MR. FOLLIN: Thank you.

14 HEARING MASTER: Planning Commission.

15 MS. MASSEY: Jillian Massey, Planning Commission
16 staff. The subject site is in the agricultural estate 1/2.5
17 Future Land Use category, is in a rural area, and not located
18 within the limits of a community plan. The proposed standard
19 rezoning to CGR would allow for the use of buffer and screening
20 to ensure gradual transition between intensity of uses, as the
21 applicant has agreed to enhance the setback, which the applicant
22 corrected, the buffer on the west and northern boundaries which
23 abut a residential use to the west and vacant, residentially
24 zoned land to the north. The proposed rezoning meets the intent
25 of the neighborhood protection policy of the Future Land Use

1 Element. The proposed rezoning to CGR would allow for gradual
2 transition of intensities between land uses that surround the
3 subject site to the north and west, and is therefore consistent
4 with policy direction.

5 The agricultural estate 1/2.5 Future Land Use
6 designation allows for consideration of rural scale neighborhood
7 commercial uses subject to location criteria. The subject site
8 does meet locational criteria in accordance with Objective 22.
9 The site is in the agricultural estate 1/2.5 Future Land Use
10 designation and within the required 660 foot distance from the
11 closest qualifying intersection of State Road 60 and County Line
12 Road, and nonresidential development shall be limited to 20,000
13 square feet.

14 And based on these considerations, Planning Commission
15 staff has found the proposed rezoning consistent with the
16 Unincorporated Hillsborough County Comprehensive Plan subject to
17 the restrictions proposed by the Development Services
18 Department.

19 HEARING MASTER: All right. Thank you so much. I
20 appreciate it. Is there anyone in the room or online that would
21 like to speak in support? Anyone in favor? Seeing no one.
22 Anyone in opposition to this request? No one.

23 Ms. Heinrich, anything else?

24 MS. HEINRICH: No, ma'am.

25 HEARING MASTER: Ms. Albert, anything before we close?

1 MS. ALBERT: No. I just want to thank you. And, just
2 for the record, Isabelle Albert; I am a certified planner.
3 Thank you.

4 HEARING MASTER: Thank you. I appreciate it. With
5 that, we'll close 23-0573 and go to the next case.

6 MS. HEINRICH: Our next case is Item C.5, Standard
7 Rezoning 23-0640. The applicant is requesting to rezone from
8 BPO to CGR. Isis Brown with Development Services will present
9 staff findings. And there is a revised staff report that's been
10 provided to you that makes a correction in the introduction
11 summary to reflect the access restriction.

12 HEARING MASTER: I see it. Thank you very much.
13 Good evening.

14 MS. MAI: Good evening, Zoning Hearing Master. My
15 name is Tu Mai, 14031 North Dale Mabry Highway, Tampa, Florida,
16 33618. I'm here representing the applicant. Petition 23-0640
17 is a request to rezone a 0.35 acre parcel Folio number 049244.22
18 from BPO to CG restricted with the following restricted uses:
19 Alcoholic beverage establishments, ambulance services, bank and
20 credit unions, bowling alleys, brew pubs, carwash facilities,
21 taverns, bars, lounges, night clubs, dance halls, tobacco shops,
22 trade schools, and wedding chapels, just to name a few
23 restricted uses. The complete list of proposed restrictions has
24 been submitted to the record prior to tonight.

25 Policy 16.2 of the compatibility plan, as a

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: PAMELA JO HATLEY
 Land Use Hearing Master

DATE: Monday, August 21, 2023

TIME: Commencing at 6:00 p.m.
 Concluding at 8:43 p.m.

LOCATION: Hillsborough County BOCC
 601 East Kennedy Boulevard
 Tampa, Florida 33601

Reported by:
Diane DeMarsh, AAERT No. 1654

1 hearing.

2 Item A.14, Major Mod 23-0518. This application is out
3 of order to be heard and is being continued to the
4 September 18, 2023 ZHM hearing.

5 Item A.15, PD 23-0519. This application is out of
6 order to be heard and is being continued to the
7 September 18, 2023 ZHM hearing.

8 Item A.16, Major Mod 23-0520. This application is out
9 of order to be heard and is being continued to the
10 September 18, 2023 ZHM hearing.

11 Item A.17, PD 23-0522. This application is out of
12 order to be heard and is being continued to the
13 September 18, 2023 ZHM hearing.

14 Item A.18, Standard Rezoning 23-0552. This
15 application is out of order to be heard and is being continued
16 to the September 18, 2023 ZHM hearing.

17 Item A.19, Standard Rezoning 23-0573. This
18 application is being continued by Staff to the
19 September 18, 2023 ZHM hearing.

20 Item A.20, Major Mod 23-0578. This application is out
21 of order to be heard and is being continued to the
22 September 18, 2023 ZHM hearing.

23 Item A.21, Standard Rezoning 23-0588. This
24 application is out of order to be heard and is being continued
25 to the September 18, 2023 ZHM hearing.

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: PAMELA JO HATLEY
 Land Use Hearing Master

DATE: Monday, July 24,
 2023

TIME: Commencing at 6:00
 p.m.
 Concluding at 9:30 p.m.

Reported via Cisco Webex Videoconference by:
Samantha Kozlowski, Digital Reporter

1 is being continued by the applicant to the September 18, 2023
2 ZHM hearing.

3 Item A.19, Standard Rezoning 23-0552. This
4 application is out of order to be heard and is being continued
5 to the August 21, 2023 ZHM hearing.

6 Item A.20, Standard Rezoning 23-0571. This
7 application is being continued by the applicant to the
8 September 18, 2023 ZHM hearing.

9 Item A.21, Standard Rezoning 23-0573. This
10 application is out of order to be heard and is being continued
11 to the August 21, 2023 ZHM hearing.

12 And that concludes the continues.

13 HEARING MASTER: All right. Thank you very much.

14 All right. So the meeting procedures tonight, first
15 of all -- again, if you have any items that our noisemakers,
16 please turn those off or silence those at this time.

17 The agenda tonight consists of items that require a
18 public hearing by a hearing master before going to the Board of
19 County Commissioners for a final decision. I will conduct a
20 hearing on each item today and will submit a written
21 recommendation. My written recommendation will be filed with
22 the clerk of the Board within 15 working days after the
23 conclusion of today's public hearings.

24 The Board of County Commissioners will consider the
25 record of today's public hearing and my recommendation and will



**EXHIBITS SUBMITTED
DURING THE ZHM HEARING**

SIGN-IN SHEET: RFR, ZHM PHM, LUHO

PAGE 1 OF 6

DATE/TIME: 9/18/2023 6pm HEARING MASTER: Susan Finch

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

| | |
|--|---|
| APPLICATION # <u>23-0369</u> | PLEASE PRINT NAME <u>Todd Pressman</u> MAILING ADDRESS <u>206 2nd Ave S. #451</u> CITY <u>St. Pete</u> STATE <u>FL</u> ZIP <u>33701</u> PHONE _____ |
| APPLICATION # <u>23-0203</u> | PLEASE PRINT NAME <u>SUSAN SWIFT</u> MAILING ADDRESS <u>607 S. Alexander St #101</u> CITY <u>Plant City</u> STATE <u>FL</u> ZIP <u>335</u> PHONE <u>813 247 9100</u> |
| APPLICATION # <u>23-0082</u> | PLEASE PRINT NAME <u>Todd Pressman</u> MAILING ADDRESS <u>200 2nd Ave S #451</u> CITY <u>St. Pete</u> STATE <u>FL</u> ZIP <u>33701</u> PHONE <u>727-524 1260</u> |
| APPLICATION # <u>23-0082</u> | PLEASE PRINT NAME <u>Michael Bernstein</u> MAILING ADDRESS <u>19537 Deer Lake Rd</u> CITY <u>Thutz</u> STATE <u>FL</u> ZIP <u>33549</u> PHONE <u>813 293 1930</u> |
| APPLICATION # <u>23-0082</u> | PLEASE PRINT NAME <u>JAY A MUFFLY</u> MAILING ADDRESS <u>102 5TH AVE SE</u> CITY <u>LUTE</u> STATE <u>FL</u> ZIP <u>33549</u> PHONE <u>813 949-2224</u> |
| APPLICATION # <u>23-0552</u> <u>VS</u> | PLEASE PRINT NAME <u>Gloria Linda Stewart</u> MAILING ADDRESS <u>6997-B Professional Parkway East</u> CITY <u>Sarasota</u> STATE <u>FL</u> ZIP <u>34246</u> PHONE _____ |

SIGN-IN SHEET: RFR, ZHM, PHM, LUHO

PAGE 2 OF 6

DATE/TIME: 9/18/23 6pm HEARING MASTER: Susan Finch

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

| | |
|--|--|
| APPLICATION # <u>23-0552</u> <u>VS</u> | PLEASE PRINT NAME <u>Mollie Usher</u> MAILING ADDRESS <u>5513 Rain Frog Ln.</u> CITY <u>Plant City</u> STATE <u>FL</u> ZIP <u>33567</u> PHONE _____ |
| APPLICATION # <u>23-0552</u> | PLEASE PRINT NAME <u>Jonathan Hoke</u> MAILING ADDRESS <u>5513 Rain Frog Ln</u> CITY <u>Plant City</u> STATE <u>FL</u> ZIP <u>33567</u> PHONE <u>813-7205151</u> |
| APPLICATION # <u>23-0552</u> | PLEASE PRINT NAME <u>Gretchen Genrich Hoke</u> MAILING ADDRESS <u>5513 Rain Frog Lane</u> CITY <u>Plant City</u> STATE <u>FL</u> ZIP <u>33567</u> PHONE <u>813-707-7000</u> <u>760-3981</u> |
| APPLICATION # <u>23-0552</u> <u>VS</u> | PLEASE PRINT NAME <u>Mollie Genrich</u> MAILING ADDRESS <u>5521 Rain Frog Ln.</u> CITY <u>Plant City</u> STATE <u>FL</u> ZIP <u>33567</u> PHONE _____ |
| APPLICATION # <u>23-0552</u> <u>VS</u> | PLEASE PRINT NAME <u>Margaret Thompson</u> MAILING ADDRESS <u>5507 Rain Frog Ln</u> CITY <u>Plant City</u> STATE <u>FL</u> ZIP <u>33567</u> PHONE _____ |
| APPLICATION # <u>23-0552</u> <u>VS</u> | PLEASE PRINT NAME <u>Charles Genrich</u> MAILING ADDRESS <u>5521 Rain Frog Ln.</u> CITY <u>Plant City</u> STATE <u>FL</u> ZIP <u>33567</u> PHONE _____ |

SIGN-IN SHEET: RFR, ZHM, PHM, LUHO

PAGE 3 OF 6

DATE/TIME: 9/18/23 6pm HEARING MASTER: Susan Finch

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

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|---------------------------------|---|
| APPLICATION # <u>23-0571</u> | PLEASE PRINT NAME <u>Ruth Londono</u> MAILING ADDRESS <u>1502 W. Busch Blvd</u> CITY <u>Tpa</u> STATE <u>FL</u> ZIP <u>33612</u> PHONE <u>(813) 919-7802</u> |
| APPLICATION # <u>23-0572</u> | PLEASE PRINT NAME <u>Isabelle Albert</u> MAILING ADDRESS <u>1000 W. Ashley Dr.</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813 331-0976</u> |
| APPLICATION # <u>23-6640</u> | PLEASE PRINT NAME <u>Tu Mai</u> MAILING ADDRESS <u>14031 N. Dale Mabry Hwy</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33618</u> PHONE <u>(813) 962-6230</u> |
| APPLICATION # <u>23-8792</u> | PLEASE PRINT NAME <u>Tu Mai</u> MAILING ADDRESS <u>14031 N. Dale Mabry Hwy.</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33618</u> PHONE <u>(813) 962-6230</u> |
| APPLICATION # <u>23-0792</u> | PLEASE PRINT NAME <u>Hung Mai</u> MAILING ADDRESS <u>14031 N. Dale Mabry</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33618</u> PHONE <u>813 962-6230</u> |
| APPLICATION # <u>23-0792</u> | PLEASE PRINT NAME <u>Aleathea Hoskins</u> MAILING ADDRESS <u>2108 Siloam Springs Dr</u> CITY <u>Dover</u> STATE <u>FL</u> ZIP <u>33527</u> PHONE <u>813-431-9903</u> |

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PAGE 4 OF 6

DATE/TIME: 9/18/23 6pm HEARING MASTER: Susan Finch

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|--------------------------------------|---|
| APPLICATION # <u>23-0792</u> | PLEASE PRINT NAME <u>Teri Wagner</u> MAILING ADDRESS <u>2108 Arch McDonald Dr</u> CITY <u>Dover</u> STATE <u>FL</u> ZIP <u>33507</u> PHONE <u>8134346722</u> |
| APPLICATION # <u>23-0792</u> | PLEASE PRINT NAME <u>Dana Wilson</u> MAILING ADDRESS <u>2102 Arch McDonald Drive</u> CITY <u>Dover</u> STATE <u>FL</u> ZIP <u>33527</u> PHONE <u>309-287-9739</u> |
| APPLICATION # <u>23-0792</u> | PLEASE PRINT NAME <u>Th Mai</u> MAILING ADDRESS <u>14031 N. Dale Mabry Hwy</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33618</u> PHONE <u>(813)962-6230</u> |
| APPLICATION # <u>23-0792</u> | PLEASE PRINT NAME <u>Justin Tillman</u> MAILING ADDRESS <u>2106 Siloam Springs</u> CITY <u>Dover</u> STATE <u>FL</u> ZIP <u>32527</u> PHONE <u>813335-484</u> |
| APPLICATION # <u>23-0792</u> | PLEASE PRINT NAME <u>Jow Berry</u> MAILING ADDRESS <u>1620 S Dover Rd</u> CITY <u>Dover</u> STATE <u>FL</u> ZIP <u>33527</u> PHONE <u>8132307536</u> |
| APPLICATION # <u>23-08416</u> | PLEASE PRINT NAME <u>Kami Corbett</u> MAILING ADDRESS <u>101 E Kennedy Blvd</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-277-8421</u> |

SIGN-IN SHEET: RFR, ZHM, PHM, LUHO

PAGE 5 OF 6

DATE/TIME: 9/18/23 6 PM HEARING MASTER: Susan Finch

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

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| APPLICATION # <u>23-0846</u> | PLEASE PRINT NAME <u>Kathryn Barry</u> MAILING ADDRESS <u>3028 Colonial Ridge Dr</u> CITY <u>Brandon</u> STATE <u>FL</u> ZIP <u>33511</u> PHONE <u>540-419-5122</u> |
| APPLICATION # <u>23-0846</u> | PLEASE PRINT NAME <u>STEVE HENRY</u> MAILING ADDRESS <u>5023 W. LAMAR ST</u> CITY <u>TPA</u> STATE <u>FL</u> ZIP <u>33607</u> PHONE <u>813-289-0039</u> |
| APPLICATION # <u>23-0059</u> | PLEASE PRINT NAME <u>Mark Bentley</u> MAILING ADDRESS <u>401 E Jackson</u> CITY <u>TPA</u> STATE _____ ZIP _____ PHONE <u>813-225-2250</u> |
| APPLICATION # <u>23-0059</u> | PLEASE PRINT NAME <u>RYAN MANASSE</u> MAILING ADDRESS <u>401 E JACKSON ST</u> <u>STE 3100</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-225-2500</u> |
| APPLICATION # <u>23-0109</u> <u>VS</u> | PLEASE PRINT NAME <u>Steve Schmitt</u> MAILING ADDRESS <u>5545 Wildwood Dr.</u> CITY <u>Reno</u> STATE <u>NV</u> ZIP <u>89511</u> PHONE _____ |
| APPLICATION # <u>23-0414</u> | PLEASE PRINT NAME <u>Kevin Reali</u> MAILING ADDRESS <u>401 E Jackson ST #2100</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-222-5059</u> |

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PAGE 6 OF 6

DATE/TIME: 9/18/23 6 PM HEARING MASTER: Susan Finch

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

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| APPLICATION # <u>23-0578</u> | PLEASE PRINT NAME <u>Alexandra Schaler</u> MAILING ADDRESS <u>400 N. Ashley Dr. Suite 1100</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-319-0702</u> |
| APPLICATION # <u>23-0578</u> | PLEASE PRINT NAME <u>KATHY REYES</u> MAILING ADDRESS <u>10433 ALDER GREEN DR</u> CITY <u>RIVERVIEW</u> STATE <u>FL</u> ZIP <u>33578</u> PHONE <u>815-598-7541</u> |
| APPLICATION # <u>23-0578</u> | PLEASE PRINT NAME <u>ARMY ANTON</u> MAILING ADDRESS <u>10371 Scarlett Skimmer Dr.</u> CITY <u>Riverview</u> STATE <u>FL</u> ZIP <u>33578</u> PHONE <u>706-410-7933</u> |
| APPLICATION # <u>23-0578</u> <u>VS</u> | PLEASE PRINT NAME <u>Cathy Aponte</u> MAILING ADDRESS <u>1340 Scarlett Skimmer Dr.</u> CITY <u>Riverview</u> STATE <u>FL</u> ZIP <u>33578</u> PHONE _____ |
| APPLICATION # <u>23-0578</u> | PLEASE PRINT NAME <u>STEVE HENRY</u> MAILING ADDRESS <u>5023 WILLOW ST</u> CITY <u>TPA</u> STATE <u>FL</u> ZIP <u>33607</u> PHONE <u>813-789-0039</u> |
| APPLICATION # | PLEASE PRINT NAME _____ MAILING ADDRESS _____ CITY _____ STATE _____ ZIP _____ PHONE _____ |

HEARING TYPE:

ZHM, PHM, VRH, LUHO

DATE: September 18, 2023

HEARING MASTER:


Susan Finch

PAGE: 1 OF 1


| APPLICATION # | SUBMITTED BY | EXHIBITS SUBMITTED | HRG. MASTER YES OR NO |
|---------------|-------------------|-----------------------------------|-----------------------|
| RZ 23-0203 | Susan Swift | 1. Applicant Presentation Packet | No |
| RZ 23-0082 | Michelle Heinrich | 1. Revised Staff Report – Email | No |
| RZ 23-0082 | Todd Pressman | 2. Applicant Presentation Packet | No |
| RZ 23-0552 | Michelle Heinrich | 1. Revised Staff Report – Email | No |
| RZ 23-0552 | Jonathan Hoke | 2. Opposition Presentation Packet | No |
| RZ 23-0552 | Gretchen Hoke | 3. Opposition Presentation Packet | No |
| RZ 23-0571 | Michelle Heinrich | 1. Revised Staff Report – Email | No |
| RZ 23-0571 | Ruth Londono | 2. Applicant Presentation Packet | No |
| RZ 23-0573 | Michelle Heinrich | 1. Revised Staff Report – Email | No |
| RZ 23-0573 | Isabelle Albert | 2. Applicant Presentation Packet | Yes (Copy) |
| RZ 23-0640 | Michelle Heinrich | 1. Revised Staff Report – Email | No |
| RZ 23-0792 | Aleathea Hoskins | 1. Opposition Presentation Packet | No |
| RZ 23-0792 | Tu Mai | 2. Applicant Presentation Packet | No |
| RZ 23-0846 | Michelle Heinrich | 1. Revised Staff Report – Email | No |
| RZ 23-0846 | Kami Corbett | 2. Applicant Presentation Packet | No |
| RZ 23-0059 | Mark Bentley | 1. Applicant Presentation Packet | Yes (Copy) |
| RZ 23-0109 | Michelle Heinrich | 1. Revised Staff Report – Email | No |
| MM 23-0414 | Michelle Heinrich | 1. Revised Staff Report- Email | No |
| MM 23-0414 | Kevin Reali | 2. Applicant Presentation Packet | No |
| MM 23-0578 | Michelle Heinrich | 1. Revised Staff Report – Email | No |
| MM 23-0578 | Alexandra Schaler | 2. Applicant Presentation Packet | No |
| | | | |
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SEPTEMBER 18, 2023 - ZONING HEARING MASTER

The Zoning Hearing Master (ZHM), Hillsborough County, Florida, met in Regular Meeting, scheduled for Monday, September 18, 2023, at 6:00 p.m., in the Boardroom, Frederick B. Karl County Center, Tampa, Florida, and held virtually.

 Susan Finch, ZHM, called the meeting to order at 6:00 p.m., led in the pledge of allegiance to the flag, and introduced Development Services (DS).

A. WITHDRAWALS AND CONTINUANCES

 Michelle Heinrich, DS, introduced staff, and reviewed changes/withdrawals/continuances.

 Susan Finch, ZHM, overview of ZHM process.

 Mary Dorman, Senior Assistant County Attorney, overview of oral argument/ZHM process.

 Susan Finch, ZHM, Oath.

B. REMANDS

B.1. RZ 23-0203

 Michelle Heinrich, DS, called RZ 23-0203.

 Testimony provided.


 Susan Finch, ZHM, closed RZ 23-0203.

C. REZONING STANDARD (RZ-STD):

C.1. RZ 23-0082

 Michelle Heinrich, DS, called RZ 23-0082.

 Testimony provided.


 Susan Finch, ZHM, closed RZ 23-0082.

MONDAY, SEPTEMBER 18, 2023

C.2. RZ 23-0552

 Michelle Heinrich, DS, called RZ 23-0552.

 Testimony provided.

 Susan Finch, ZHM, closed RZ 23-0552.

C.3. RZ 23-0571

 Michelle Heinrich, DS, called RZ 23-0571.

 Testimony provided.

 Susan Finch, ZHM, closed RZ 23-0571.

C.4. RZ 23-0573

 Michelle Heinrich, DS, called RZ 23-0573.


 Testimony provided.

 Susan Finch, ZHM, closed RZ 23-0573.

C.5. RZ 23-0640

 Michelle Heinrich, DS, called RZ 23-0640.


 Testimony provided.

 Susan Finch, ZHM, closed RZ 23-0640.

C.6. RZ 23-0792

 Michelle Heinrich, DS, called RZ 23-0792.

 Testimony provided.


 Susan Finch, ZHM, closed RZ 23-0792.

MONDAY, SEPTEMBER 18, 2023

C.7. RZ 23-00846

 Michelle Heinrich, DS, called RZ 23-0846.

 Testimony provided.


 Susan Finch, ZHM, closed RZ 23-0846.

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

D.1. RZ 23-0059

 Michelle Heinrich, DS, called RZ 23-0059.


 Testimony provided.

 Susan Finch, ZHM, closed RZ 23-0059.

D.2. RZ 23-0109

 Michelle Heinrich, DS, called RZ 23-0109.

 Testimony provided.

 Susan Finch, ZHM, closed RZ 23-0109.

D.3. RZ 23-0369

 Michelle Heinrich, DS, called RZ 23-0369.


 Testimony presented.

 Susan Finch, ZHM, continued RZ 23-0369 to November 13, 2023, ZHM.

D.4. MM 23-0414

 Michelle Heinrich, DS, called MM 23-0414.

 Testimony provided.


 Susan Finch, ZHM, closed MM 23-0414.

MONDAY, SEPTEMBER 18, 2023


D.5. MM 23-0578

 Michelle Heinrich, DS, called MM 23-0578.

 Testimony provided.

 Susan Finch, ZHM, closed MM 23-0578.

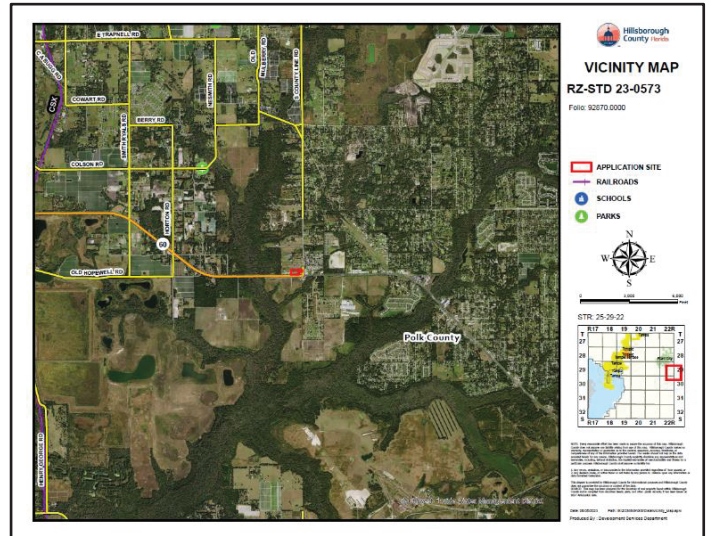
ADJOURNMENT

 Susan Finch, ZHM, adjourned meeting at 10:54 p.m.

Rezoning Application: 23-0573
Zoning Hearing Master Date: September 18, 2023
BOCC Land Use Meeting Date: November 7, 2023

1.0 APPLICATION SUMMARY

Applicant: 3 Nickels, LLC
FLU Category: Agricultural Estate-1/.25 (AE-1/2.5)
Service Area: Rural
Site Acreage: 3.74
Community Plan Area: N/A
Overlay: None



Request Summary:
 Request to rezone a split-zoned parcel from Agricultural – Single-Family (AS-0.4) & Commercial General (CG) to Commercial General Restricted (CG-R) to allow for commercial uses. Restrictions include additional requirements to buffer and screening standards along the north property line and preservation of vegetation along the western property line.

| Zoning: | Existing | | Proposed |
|------------------------|--|--|--|
| District(s) | AS-0.4 | CG | CG-R |
| Typical General Use(s) | Single-Family Residential (Conventional/Mobile Home) | General Commercial, Office and Personal Services | General Commercial, Office and Personal Services |
| Acreage | 1.95 (84,942 sf) | 1.79 (77,972.4 sf) | 3.74 (162,914.4 sf) |
| Density/Intensity | 2.5 unit per acre | .27 FAR | .27 FAR |
| Mathematical Maximum* | 4 units | 21,052.54 sf | 43,986.88 sf |

*number represents a pre-development approximation

| Development Standards: | Existing | | Proposed |
|----------------------------------|--|--|---|
| District(s) | AS-0.4 | CG | CG-R |
| Lot Size / Lot Width | 108,900 43,560 sf / 150' | 10,000 sf / 75' | 10,000 sf / 75' |
| Setbacks/Buffering and Screening | 50' Front (East) 50' Rear (West) 15' Sides (North & South) | 30' Front (East) 20' Side Buffer/Type B Screening (North) 0' Side Buffer/No Screening (South) 20' Rear Buffer/Type B Screening (West) | 35 0' Front (East) 35 0' Front (South) 25 0' Side B-Screening (North), plus restrictions 20' Side B-Screening (West), <u>plus restrictions</u> |
| Height | 50' | 50' | 50' |

| Additional Information: | |
|-------------------------|-----|
| PD Variation(s) | N/A |

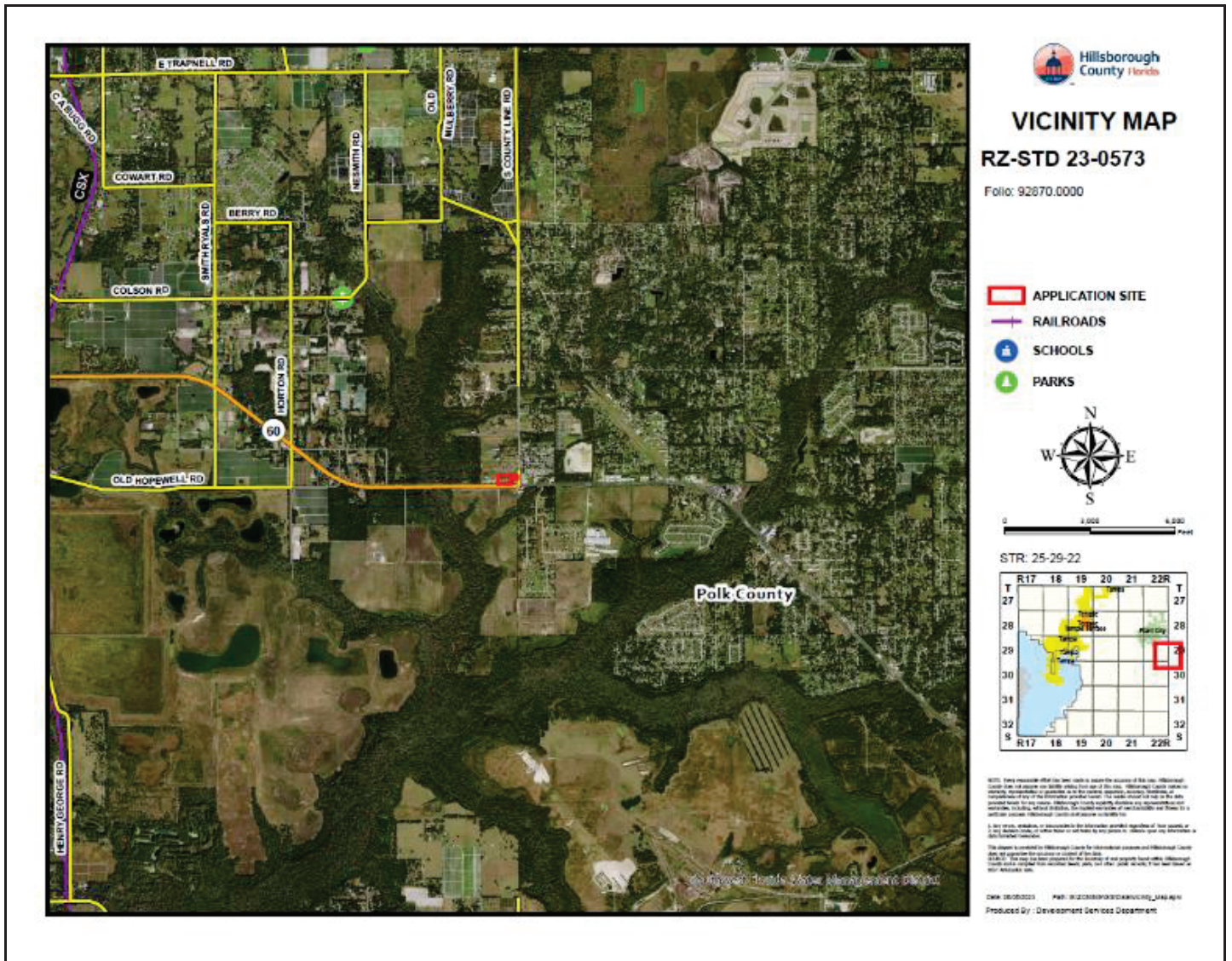
Waiver(s) to the Land Development Code None

Planning Commission Recommendation: Consistent

Development Services Recommendation: Approvable, subject to restrictions

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

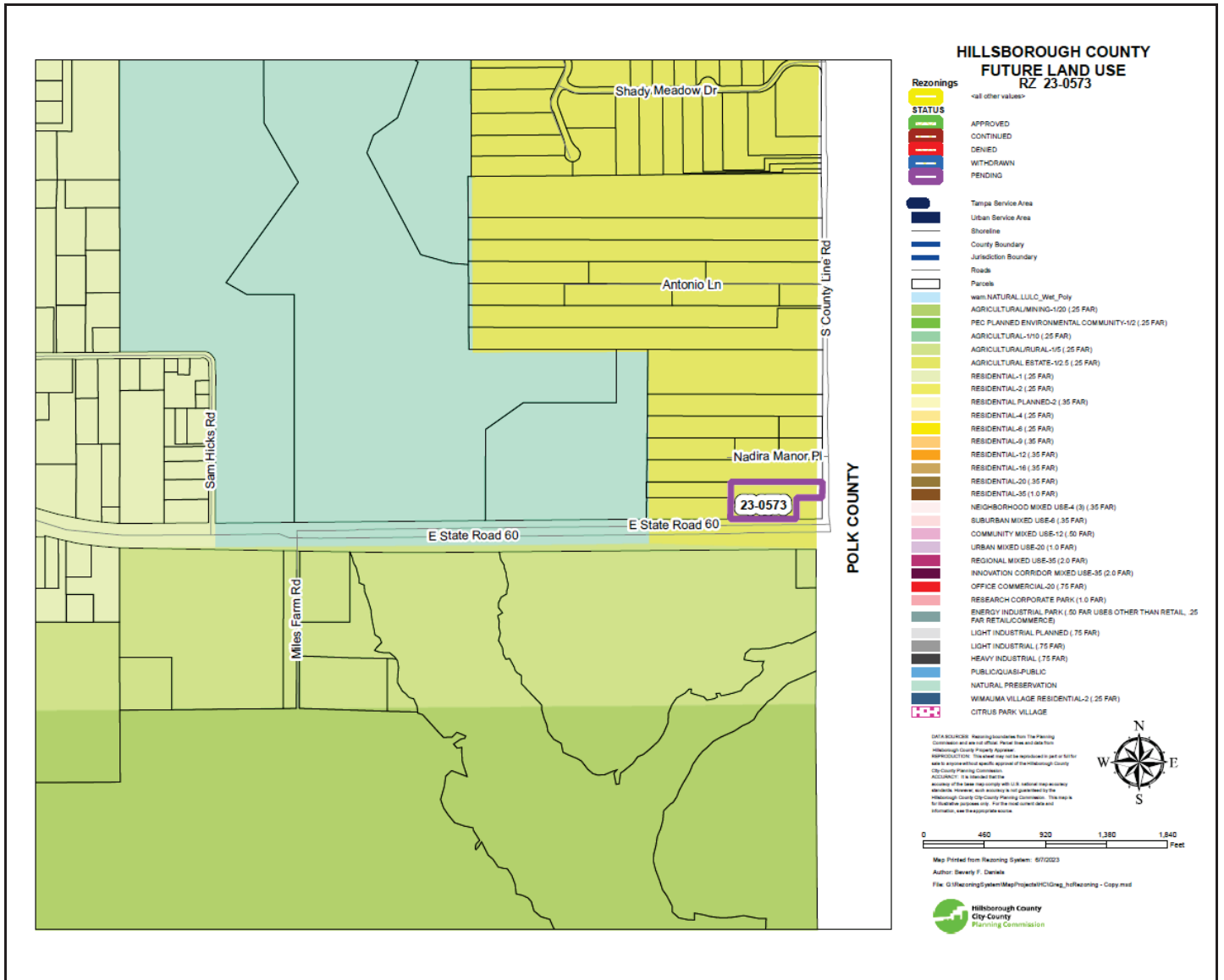


Context of Surrounding Area:

The subject property is located at the corner of State Road 60 and County Line Road and borders the eastern boundary line of Hillsborough County. The property is bordered by zoning districts AS-0.4 to the north, AR to the south, and CG to the east and west. Uses in the area comprise of agriculture activities, mobile home communities and commercial uses such as a restaurants and convenience stores. A large solar power farm exists to the south across the highway.

2.0 LAND USE MAP SET AND SUMMARY DATA

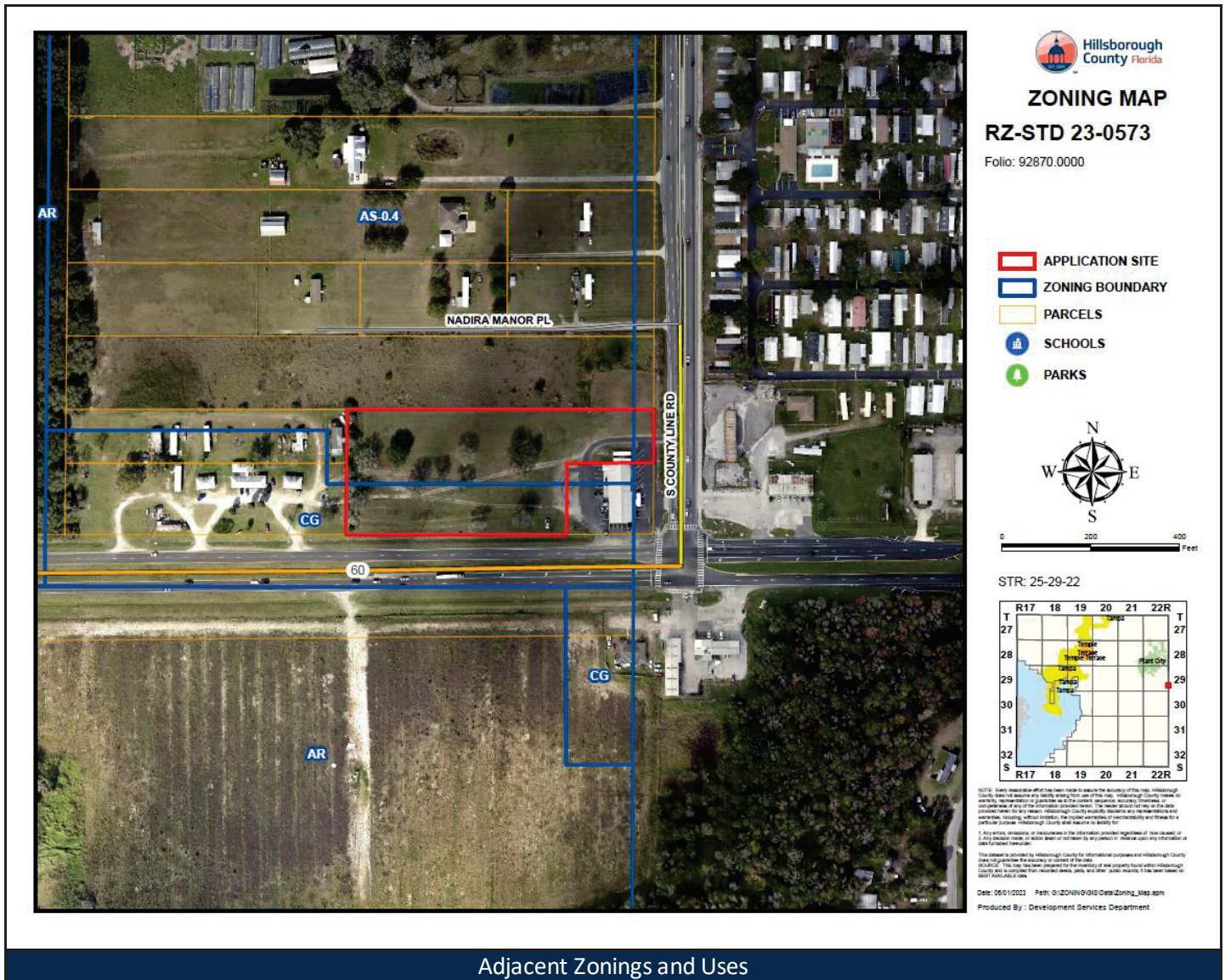
2.2 Future Land Use Map



| | |
|--|--|
| Subject Site Future Land Use Category: | Agricultural Estate-1/.25 (AE-1/2.5) |
| Maximum Density/F.A.R.: | 20,000 sq. ft or .25 FAR |
| Typical Uses: | Farms, ranches, residential uses, rural scale neighborhood commercial uses, offices, and multipurpose projects. Commercial, office, and multipurpose uses shall meet locational criteria for specific land use projects. Adoption/child caring communities are permitted subject to the criteria outlined in Objective 55 and related policies |

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



| Location: | Zoning: | Maximum Density/F.A.R. Permitted by Zoning District: | Allowable Use: | Existing Use: |
|-----------|---------|--|--|-------------------------|
| North | AS-0.4 | 1 du per 2.5 ga | Single-Family/Mobile Homes/Agriculture | Vacant |
| South | AR | 1 du per 5 ga | Single-Family/Mobile Homes/Agriculture | Solar Power Farm |
| East | | | | Restaurant/Liquor Store |
| West | CG | .27 | Commercial/Office | Mobile Home Park |

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)

N/A

3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 9.0 OF STAFF REPORT)

| Adjoining Roadways (check if applicable) | | | |
|---|---------------------------------|---|--|
| Road Name | Classification | Current Conditions | Select Future Improvements |
| S County Line Rd | Polk County - Collector | 2 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width | <input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other |
| SR 60 | FDOT Principal Arterial - Rural | 8 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width | <input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other |

| Project Trip Generation | | | |
|--------------------------------|-----------------------------------|-----------------------------|-----------------------------|
| | Average Annual Daily Trips | A.M. Peak Hour Trips | P.M. Peak Hour Trips |
| Existing | 4,935 | 397 | 346 |
| Proposed | 7,731 | 663 | 543 |
| Difference (+/1) | +2,796 | +266 | +197 |

*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 | | None | None | Meets LDC |
| South | | None | None | Meets LDC |
| East | | None | None | Meets LDC |
| West | | None | None | Meets LDC |
| Notes: | | | | |

| Design Exception/Administrative Variance <input checked="" type="checkbox"/> Not applicable for this request | | |
|---|-----------------|-----------------|
| Road Name/Nature of Request | Type | Finding |
| N/A | 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 | No wetlands within the project boundaries. |
| Natural Resources | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| Conservation & Environ. Lands Mgmt. | <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 | No comments |
| 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 type="checkbox"/> Coastal High Hazard Area <input checked="" 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"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| 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 type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| Impact/Mobility Fees N/A | | | | |
| Comprehensive Plan: | Comments Received | Findings | Conditions Requested | Additional Information/Comments |
| Planning Commission <input checked="" type="checkbox"/> Meets Locational Criteria <input type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The subject parcel, generally located at 3806 East 60 Highway, is split-zoned as Agricultural Single-Family (AS 0.4) and Commercial General (CG). The total acreage of the property is 3.74 acres, with approximately 1.79 acres zoned CG and 1.95 acres zoned AS 0.4. The proposed rezoning will bring the extent of the CG zoning further north to align with the CG zoning on the property to the west but will include additional restrictions across the entire property.

The property is situated at the intersection of Highway 60 and County Line Road that includes other Commercial General (CG) zoned properties with various non-residential uses such as a liquor store and convenient stores. Across the highway, the property is zoned Agricultural Rural (AR) and contains a large solar farm. It is currently owned by The Tampa Electric Company. The properties directly across East County Line Road are under Polk County's jurisdiction and are designated for commercial uses. The existing building is currently occupied by a small supermarket.

To the north, the property is zoned Agricultural Single-Family (AS 0.4) and is currently undeveloped. Planning Commission staff has raised compatibility concerns and the applicant agreed to offer restrictions to the zoning to require development to increase the width of the buffer to 25 feet and to adhere to Screening Standard B, with an additional row of evergreen shade trees along the abutting Agricultural Single-Family (AS 0.4) zoning district.

To the west, the adjacent two parcels are zoned Commercial General (CG) and currently contain four single-family homes and 6 mobile homes. The standard buffer and screening requirements, Screening Standard B and 20-foot wide buffer will apply to the western property line; however, a restriction was included by the applicant requiring the preservation of the existing vegetative buffer along this boundary if the adjacent property is utilized for residential purposes. The applicant also owns this property and plans to develop it along with the subject property.

The subject property is designated as Agricultural Estate (AE) on the Future Land Use Plan. The proposed zoning is not consistent with the future land use designation; however, the property does meet Commercial-Locational Criteria. As a result, the Planning Commission has determined that the proposal, with the added restrictions offered by the applicant, is consistent with the Comprehensive Plan. The uses and zoning districts around the intersection are consistent with the proposed Commercial General zoning district, and thus, the rezoning request of the property from Agricultural Single-Family 0.4 & Commercial General to Commercial General, with the proposed restrictions, would be compatible with the existing development and zoning trends in the area.

5.2 Recommendation

Based on the above considerations, staff finds the proposed CG-R zoning district approvable, with the following restrictions:

- a. Existing vegetation shall be retained where said vegetation is at least 6 feet in height and an overall screening opacity of seventy-five percent shall be required along the western boundary. Additional plantings may be required if existing vegetation does not meet the seventy-five percent opacity threshold. This restriction only applies if the adjacent property is utilized by residential uses.
- b. The north property boundary shall provide a 25-foot buffer with Type "B" screening. A second staggered row of evergreen shade trees shall also be provided along the northern property boundary.

Zoning Administrator Sign Off:



J. Brian Grady
Fri Sep 8 2023 13:09:58

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.

ZHM HEARING DATE: September 18, 2023

BOCC LUM MEETING DATE: November 7, 2023

Case Reviewer: Jared Follin

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

N/A

8.0 PROPOSED SITE PLAN (FULL)

N/A

APPLICATION NUMBER: RZ 23-0573

ZHM HEARING DATE: September 18, 2023

BOCC LUM MEETING DATE: November 7, 2023

Case Reviewer: Jared Follin

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Development Services Department

DATE: 9/07/2023

REVIEWER: Richard Perez, AICP

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: EAST RURAL

PETITION NO: RZ 23-0573

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

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone the +/-3.74-acre subject parcel from +/-2.46 acres of Agricultural, Single-Family 0.4 (AS-0.4) and +/-1.28 acres of Commercial General (CG) to Commercial General (CG) for the entire site. The subject property has frontage on S. County Line Rd and State Road 60 and is partially developed with commercial uses encroaching from the adjacent parcel to the southeast (folio#92869.0000) at the intersection of S. County Line Rd and State Road 60. The site currently takes access to S. County Line Rd which is public right-of-way under the Polk County jurisdiction.

Since the proposed applicant seeks a Euclidean zoning district, no transportation analysis is required to process this request per the development review procedures manual.

SITE ACCESS

Generally, for projects with a Euclidean zoning designation, a project's potential transportation impacts, site access requirements, substandard road issues, site layout and design, other issues related to project access, and compliance with other applicable Hillsborough County Comprehensive Plan, Hillsborough County Land Development Code (LDC) and Hillsborough County Transportation Technical Manual (TTM) requirements are evaluated at the time of plat/site/construction plan review. Given the limited information available as is typical of all Euclidean zoned properties and/or non-regulatory nature of any conceptual plans provided, Transportation Review Section staff did review the proposed rezoning to determine (to the best of our ability) whether the zoning is generally consistent with applicable policies of the Hillsborough County Comprehensive Plan, LDC and TTM (e.g. to ensure that the proposed rezoning would not result in a violation of the requirement whereby access to commercial properties cannot be taken through residentially or agriculturally zoned properties), and/or whether, in staff's opinion, some reasonable level of development under the proposed zoning designation could be supported based on current access management standards (e.g. to ensure that a project was not seeking an intensification of a parcel which cannot meet minimum access spacing requirements).

Transportation Section staff did not identify any concerns that would require a more detailed staff report be filed. Staff notes that, regardless of this review, the developer/property owner will be required to comply with all Comprehensive Plan, LDC, TTM and other applicable rules and regulations at the time of plat/site/construction plan review. As such, staff has no objection to this request.

Staff notes that any plans or graphics presented as a part of a Euclidean zoning case is non-binding and will have no regulatory value at the time of plat/site/construction plan review.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Level of Service (LOS) information is reported below.

| FDOT Generalized Level of Service | | | | |
|-----------------------------------|----------------|------------------|--------------|-------------------------|
| Roadway | From | To | LOS Standard | Peak Hr Directional LOS |
| SR 60 | SMITH-RYALS RD | S COUNTY LINE RD | D | C |
| COUNTY LINE RD | SR 60 | EWELL RD | C | C |

Source: [2020 Hillsborough County Level of Service \(LOS\) Report](#)

Transportation Comment Sheet

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

| Adjoining Roadways (check if applicable) | | | |
|---|---------------------------------|---|--|
| Road Name | Classification | Current Conditions | Select Future Improvements |
| S County Line Rd | Polk County - Collector | 4 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width | <input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other |
| SR 60 | FDOT Principal Arterial - Rural | 4 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width | <input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other |

| Project Trip Generation <input type="checkbox"/> Not applicable for this request | | | |
|---|----------------------------|----------------------|----------------------|
| | Average Annual Daily Trips | A.M. Peak Hour Trips | P.M. Peak Hour Trips |
| Existing | 4,935 | 397 | 346 |
| Proposed | 7,731 | 663 | 543 |
| Difference (+/-) | +2,796 | +266 | +197 |

*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 | | None | None | Meets LDC |
| South | | None | None | Meets LDC |
| East | | None | None | Meets LDC |
| West | | None | None | Meets LDC |
| Notes: | | | | |

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

4.0 Additional Site Information & Agency Comments Summary

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



Application No 23-0573
 Name: Isabelle Albert
 Entered at Public Hearing: ZHM
 Exhibit # 2 Date: 9/18/23

Hillsborough County Zoning Hearing Master Hearing

RZ 23-0573
 Standard Rezoning

September 18, 2023



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halff.com

LOCATION



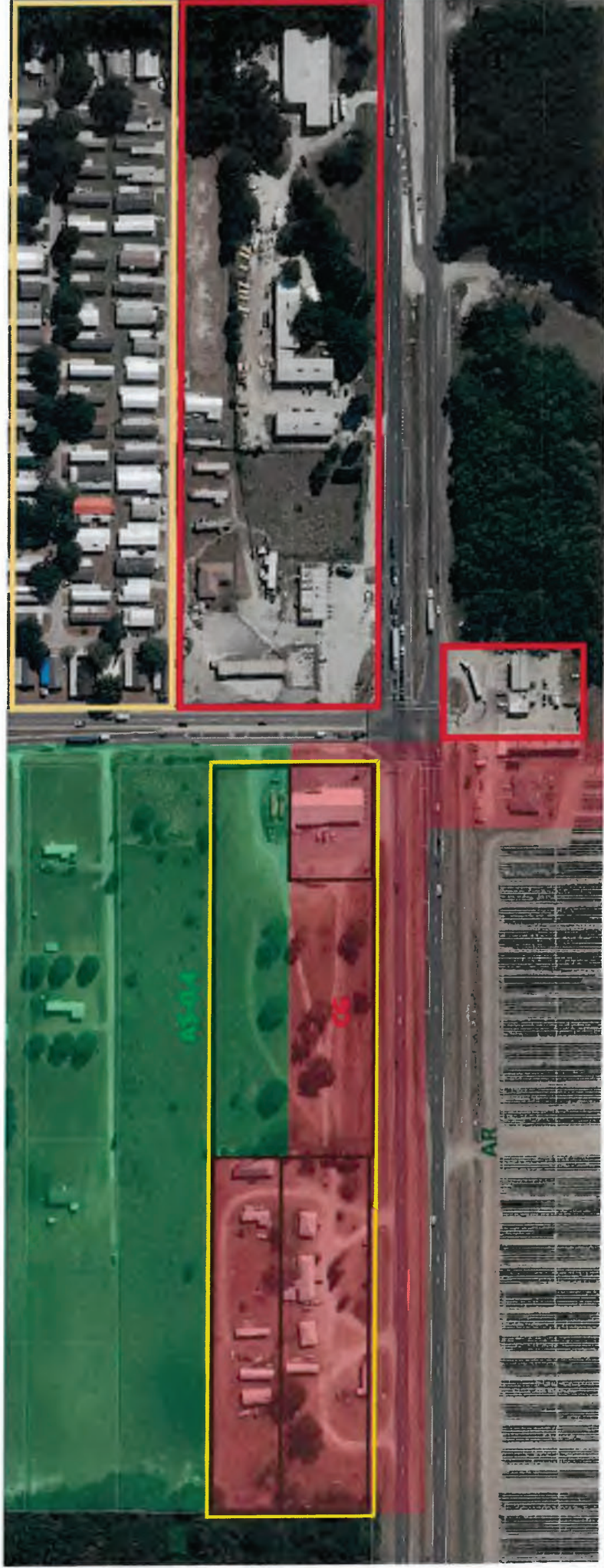
PORCION OF FOLIO
92870.0000

LOCATED IN THE
RURAL SERVICE
AREA

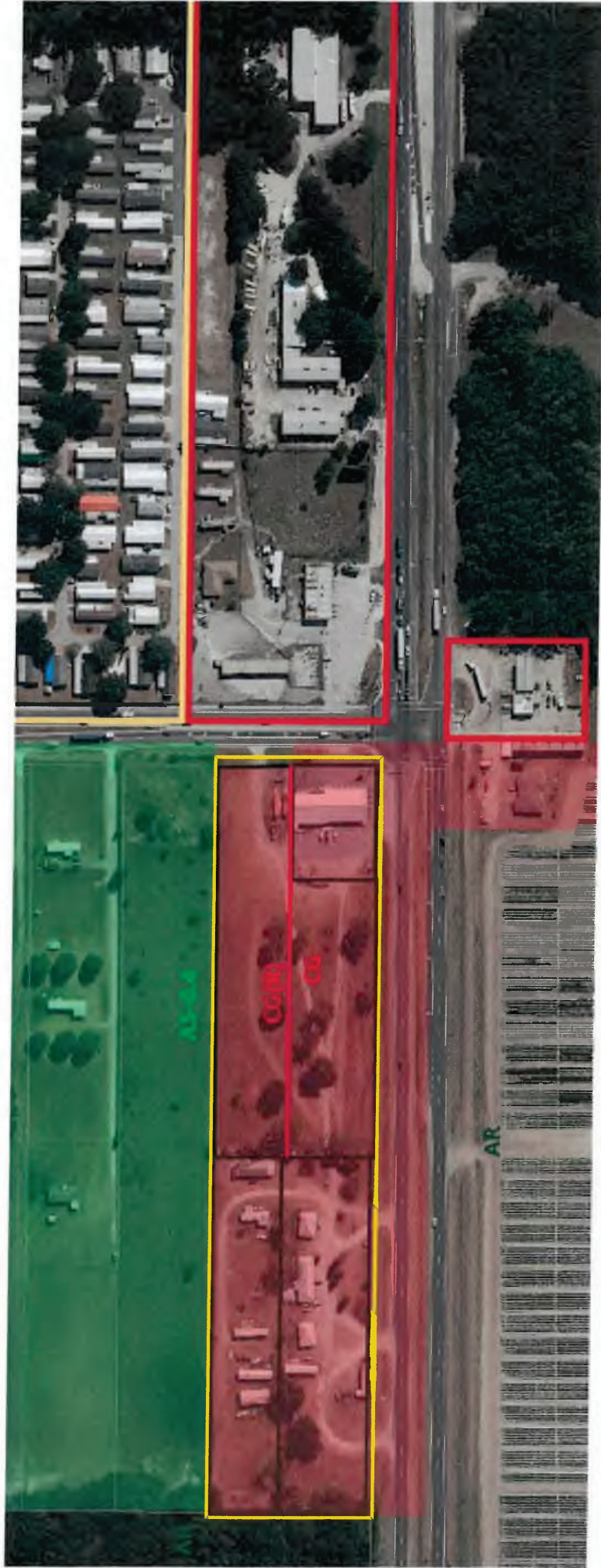
EAST OF THE
COUNTY



CURRENT ZONING DESIGNATION



PROPOSED ZONING DESIGNATION



PROPOSED RESTRICTED CONDITIONS

STAFF REQUEST CONDITIONS OF APPROVAL FOR ADDRESSING CONCERNS WITH COMPATIBILITY WITH THE VACANT RESIDENTIAL LOT TO THE NORTH

The north property boundary shall provide a 25-foot buffer with Type "B" screening. A second staggered row of evergreen shade trees shall also be provided along the northern property boundary.

Existing vegetation shall be retained where said vegetation is at least 6 feet in height and an overall screening opacity of seventy-five percent shall be required along the western boundary. Additional plantings may be required if existing vegetation does not meet the seventy-five percent opacity threshold. This restriction only applies if the adjacent property is utilized by residential uses.

Sec. 6.06.06. - Buffering And Screening Requirements

| Proposed Use Intensity Group | Abutting Use Intensity Group |
|------------------------------|------------------------------|
| 5 | 20/B |



PROPOSED RESTRICTED CONDITIONS



PROPOSED RESTRICTED CONDITIONS BY THE APPLICANT

HOW IS THIS SITE DIFFERENT THAN ALL OTHER SITES IN HILLSBROUGH COUNTY?

The north property boundary shall provide a 20-foot buffer with a Type “B” screening. A second staggered row of evergreen shade trees shall also be provided along the northern property boundary or a 6’ fence.

Sec. 6.06.06.

Buffers Between Incompatible Land Uses

“...if the adjacent property is developed solely with a **nonconforming residential use**, the buffer requirement shall be determined based on the residential use. However, in such cases the **buffering requirement may be administratively waived upon written consent of the owner of the property** occupied by the nonconforming residential use.



PLANNING COMMISSION STAFF REPORT

The proposed standard rezoning to CG-R will allow for the use of buffer and screening to ensure a gradual transition between intensity of uses as the applicant has agreed to enhance the setback and buffer on the west and northern boundaries which about a residential use to the west and vacant residentially zoned land (AS-0.4) to the north.



AGENCY COMMENTS – NO OBJECTIONS

- Florida Department of Transportation (FDOT)
- Development Services Department
- Environmental Protection Commission (EPC)
- Environmental Service Division
- Transportation Division

- No opposition from the neighbors!

THANK YOU

halff

*Isabelle submitted
revised conditions*

September 18, 2023

Proposed conditions of approval CG(R) 23-0573

1. The north property boundary shall provide a 20-foot buffer with a Type "B" screening. A second staggered row of evergreen shade trees shall be provided along the northern property boundary or a 6' fence.

September 18, 2023

Proposed conditions of approval CG(R) 23-0573

1. The north property boundary shall provide a 20-foot buffer with a Type "B" screening. A second staggered row of evergreen shade trees shall be provided along the northern property boundary or a 6' fence.



**PARTY OF
RECORD**

NONE