

PD Modification Application: PRS 24-0511

BOCC Land Use Meeting Date: May 7, 2024



**Hillsborough
County** Florida

Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Peter M. Gottschalk

FLU Category: Residential-4

Service Area: Urban

Site Acreage: Approximately 6.71 acres
(folios 5542.0178 & 5542.0180)

Community Plan Area: Town N' Country

Overlay: None

Request: Minor Modification to PD 01-0351



Existing Approvals:

PD 01-0351 was approved for an approximate 29.5-acre mixed-use development consisting of 26 single-family lots subject to RSC-9 zoning district standards.

Current Proposal:

The subject minor modification (PRS 24-0511) is located in an area of single-family homes. The applicant requests to allow the construction of a single-family residence with a height up to 45 feet and not to exceed fifteen percent of the single-family home footprint located on folios 5542.0178 and 5542.0180 comprising +/-6.71 acres. The proposed single-family home shall be in conformance with all other RSC-9 development standards. The lots are located off Tampa Bay and require a minimum 50-foot preservation setback.

Existing Approval(s):	Proposed Modification(s):
The approved site plan allows: (1) Single family home with a maximum 35-foot height.	The requested change is to allow: (1) Single family home with a maximum 45-foot height, not to exceed 15% of the structure's footprint.

Additional Information:	
PD Variation(s):	None Requested
Waiver(s) to the Land Development Code:	None Requested.

Planning Commission Recommendation: N/A	Development Services Recommendation: Approvable, subject to proposed conditions
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The 6.71 ± acre subject site is located at the end of March Pointe Drive off of a cul-de-sac and approximately 1,300 feet south-southeast from the intersection of Marsh Pointe Drive and Race Track Road. Property to the north, east and west are designated for single-family homes and is surrounded on three sides by land within the same Planned Development (PD 01-0351). Less than 400 feet, as the crow flies, is the Pinellas County line.

2.0 LAND USE MAP SET AND SUMMARY DATA

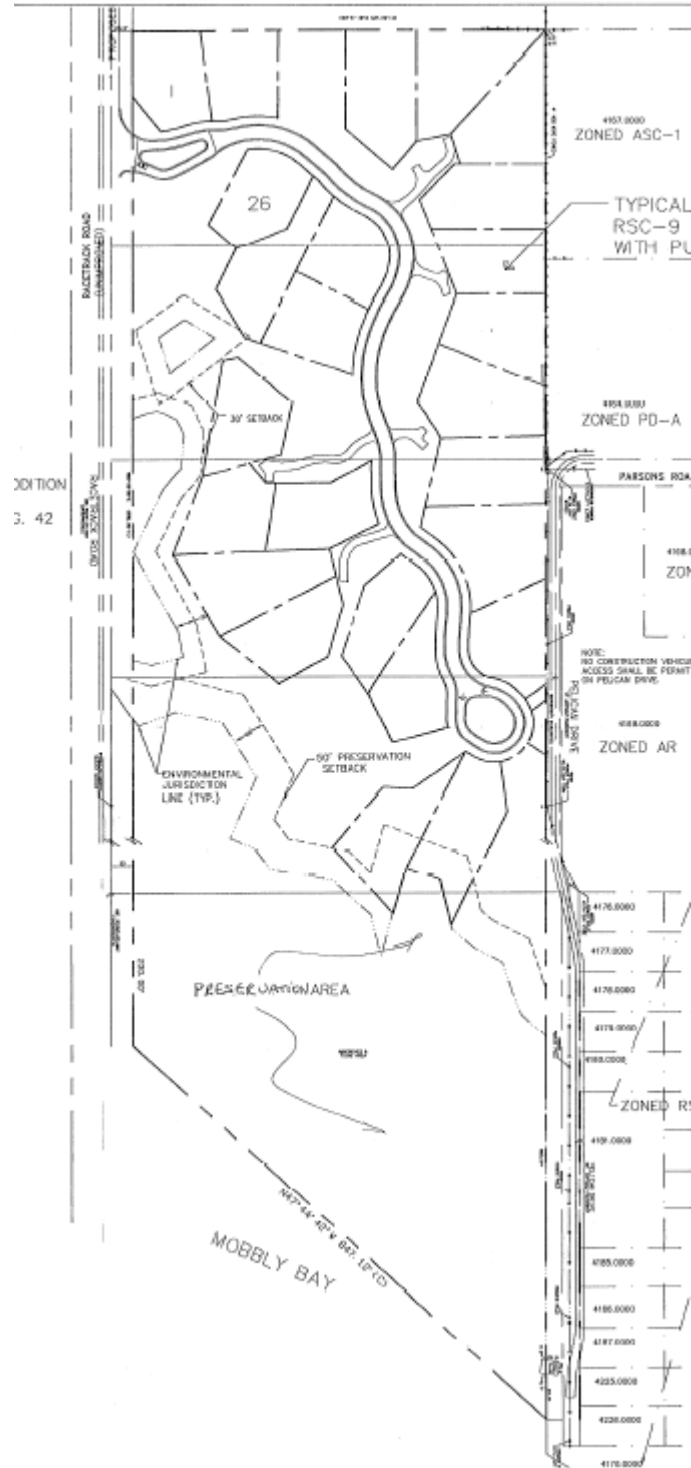
2.2 Immediate Area Map



Adjacent Zonings and Uses					
Location:	Zoning:	Future Land Use:	Density/F.A.R.	Permitted Use:	Existing Use:
North	PD 01-0351	R-4	Min. Lot Area: 5,000 sf	Single-family homes	Single family homes
South	Tampa Bay	NA	NA	NA	NA
East	PD 01-0351	R-4	Min. Lot Area: 5,000 sf	Single-family homes	Vacant
West	PD 01-0351	R-4	Min. Lot Area: 5,000 sf	Single-family homes	Vacant

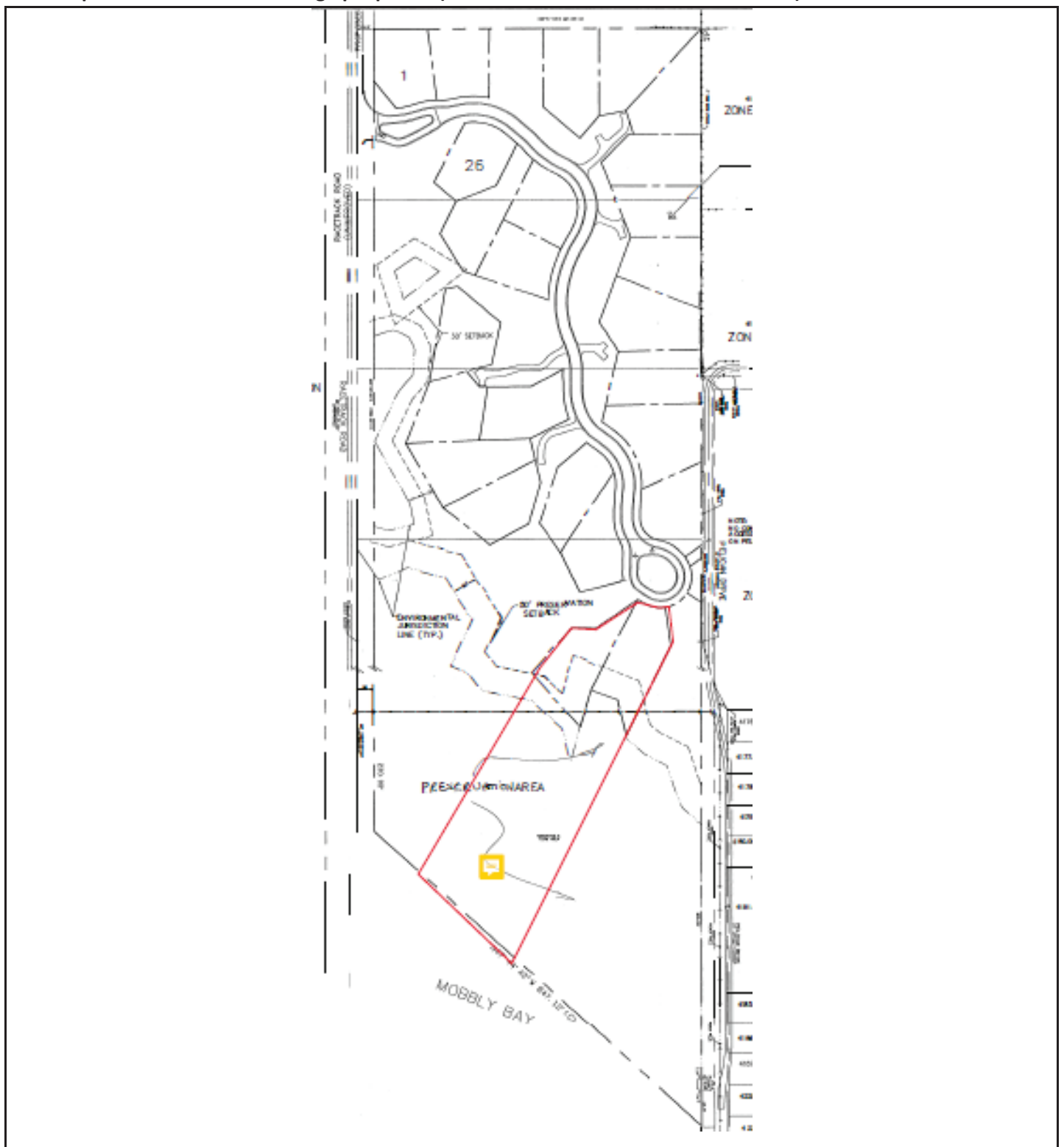
2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Existing Site Plan (Partial)



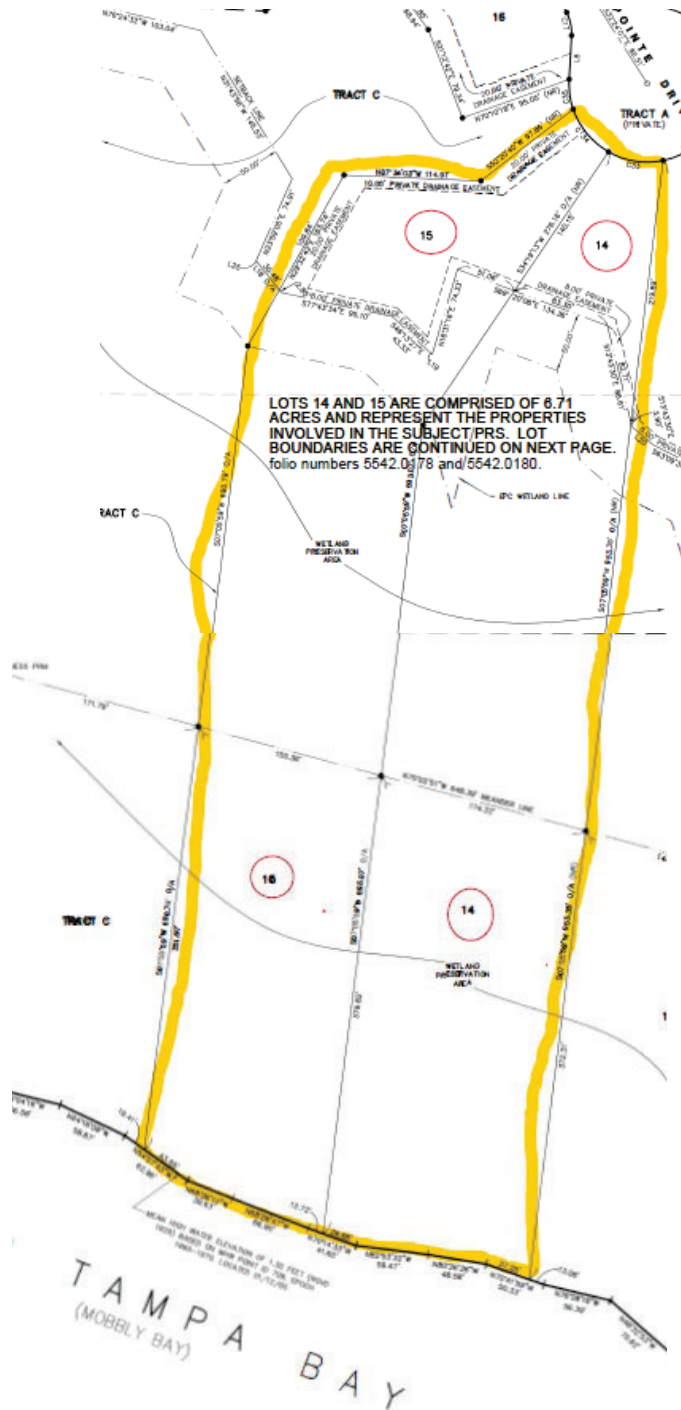
2.0 LAND USE MAP SET AND SUMMARY DATA

2.2 Proposed Site Plan –No change proposed (Area of Modification shown within PD)



2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Proposed Site Plan –No change proposed (Area of Modification shown: Close-up)



Folio Numbers 5542.0178 and 5542.0180

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
Marsh Pointe Dr.	Private	2 Lanes <input type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation ☐ Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	19	1	2
Proposed	19	1	2
Difference (+/-)	0	0	0

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

Connectivity and Cross Access ☒ Not applicable for this request

Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		None	None	Meets LDC
South		None	None	Meets LDC
East		None	None	Meets LDC
West		None	None	Meets LDC
Notes:				

Design Exception/Administrative Variance ☒ 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	See EPC Staff Report.
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Check if Applicable: <input checked="" type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input checked="" type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	See Transportation Staff Report.
Service Area/ Water & Wastewater <input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The subject rezoning includes parcels that are within the Urban Service Area and would require connection to the County's wastewater system. The subject area is located within the Hillsborough County Wastewater Service Area and will be served by the Northwest Regional Water Reclamation Facility.
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 checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Impact/Mobility Fees Not required.				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATION

5.1 Compatibility

The applicant seeks a minor modification of PD 01-0351 to allow an increase in height from 35 feet to 45 feet for a single-family home. The applicant proposes the increased height to apply to a maximum of fifteen percent of the single-family home.

Condition 2 requires that the single-family homes within the Planned Development be allowed to be developed with RSC-9 zoning district standards. The maximum allowable height in the RSC-9 zoning district, per LDC Section 6.01.01 is 35 feet. The applicant's request is to allow a single-family home located on parcel folios 5542.0178 & 5542.0180 to be up to 45 feet in height. The applicant also proposes to limit the height increase to a maximum of fifteen percent (15%) of the home's footprint which, if approved, are codified in proposed Condition 10. Due to the relatively modest increase affecting a small portion of the footprint, along with the all other RSC-9 zoning district standards conditioned to remain, staff finds no compatibility issues, as the immediate surrounding area is comprised of single-family dwellings, vacant parcels and Tampa Bay.

The applicant requests no new PD variations from the routine site development requirements found in LDC Part 6.07.00, Fences and Walls Requirements, LDC Part 6.05.00, Parking and Loading, or LDC Part 6.06.00, Landscaping, Irrigation and Buffering. No other changes are being sought as a result of the proposed modification. The proposed changes do not impact the transportation network and as such, Transportation staff has no objection to the proposed minor modification.

5.2 Recommendation

Based upon the above considerations, staff finds the request is **APPROVABLE, subject to conditions.**

6.0 PROPOSED CONDITIONS

Staff finds the request Approvable, subject to the following conditions listed below, and based on the general site plan submitted April 23, 2024.

1. The project shall be permitted maximum of 26 single-family lots.
2. Minimum lot size shall be 1/3 acre. To provide maximum flexibility in project design to preserve existing trees, the project shall be permitted RSC-9 development standards. In addition, the lot pattern shown on the general site can be modified to preserve existing trees.
3. One access shall be permitted to the project via Racetrack Road as generally depicted on the site plan. The final location, design and construction shall be subject to review and approval of the Environmental Protection Commission and Hillsborough County.
4. Construction vehicles, including dirt haulers, shall be restricted to access via Racetrack Road.
5. Prior to Construction Site Plan approval, the developer shall provide a traffic analysis, signed by a Professional Engineer, showing the amount of left turn storage needed to serve development traffic. If warranted by the results of the transportation analysis, and as determined by Hillsborough County, the developer shall provide, at his expense, left turn storage of sufficient length to accommodate anticipated left turning traffic, for southbound traffic, on State Street, onto Racetrack Road where a left turn is permitted. The Hillsborough County Planning and Growth Management Department with review and approval from FDOT, Pinellas County/City of Oldsmar shall approve the design and construction of this left turn lane, if applicable. All roadway construction of said left turn lane shall be completed with proper transitions from the widened section to the existing roadway pavement.
6. Development of the site must comply with all rules and regulations of the Environmental Protection Commission (EPC). Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals.
7. Prior to final plat approval for the project, the developer must provide a Project Compatibility Plan which will address, at a minimum, the following issues which could have a negative impact on the adjacent environmental preservation lands lying within Pinellas County/City of Oldsmar, and identify actions to be taken to mitigate those impacts: light pollution; illegal access; prohibition of horseback riding in the preserve; introduction of exotic nuisance plant species; free roaming pets which prey on wildlife; and the ability of Pinellas County/City of Oldsmar to continue essential site management activities, including but not limited to prescribed burning, removal of exotic nuisance plants, control of feral cats and dogs, etc. The project Compatibility Plan will be submitted to and reviewed by Hillsborough County staff.
8. Approval of this application does not ensure that water will be available at the time when the applicant seeks approval to actually develop
9. The project shall use public water and public sewer.

10. In addition to the conditions contained herein, per PRS 24-0511, folio numbers 5542.0178 and 5542.0180 shall be subject to the following:
- A maximum height of up to 45 feet is permitted for one single-family home with such height not exceeding more than fifteen percent of the building footprint, and the balance of the building footprint to adhere to RSC-9 standards.
 - Folios 5542.0178 and 5542.0180 shall be combined prior to any building permit issuance pursuant to the Certified Parcel Subdivision process.
 - Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals.
 - The construction and location of any proposed wetland impacts are not approved by this zoning petition but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property.
 - Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).
 - Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.
- ~~10~~ 11. The development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.
- ~~11~~ 12. Within ninety days of approval of RZ 01-0351 by the Hillsborough County Board of County Commissioners, the developer shall submit to the County Planning and Growth Management Department a revised General Development Plan for certification reflecting all the conditions outlined above.
- ~~12~~ 13. Effective as of February 1, 1990, this development order/permit shall meet the concurrency requirements of Chapter 163, Part II, Florida Statutes. Approval of this development order/permit does not constitute a guarantee that there will be public facilities at the time of application for subsequent development orders or permits to allow issuance of such development orders or permits.

SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDNACE WITH HILLSBOROGUH 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.

Zoning Administrator Sign Off:

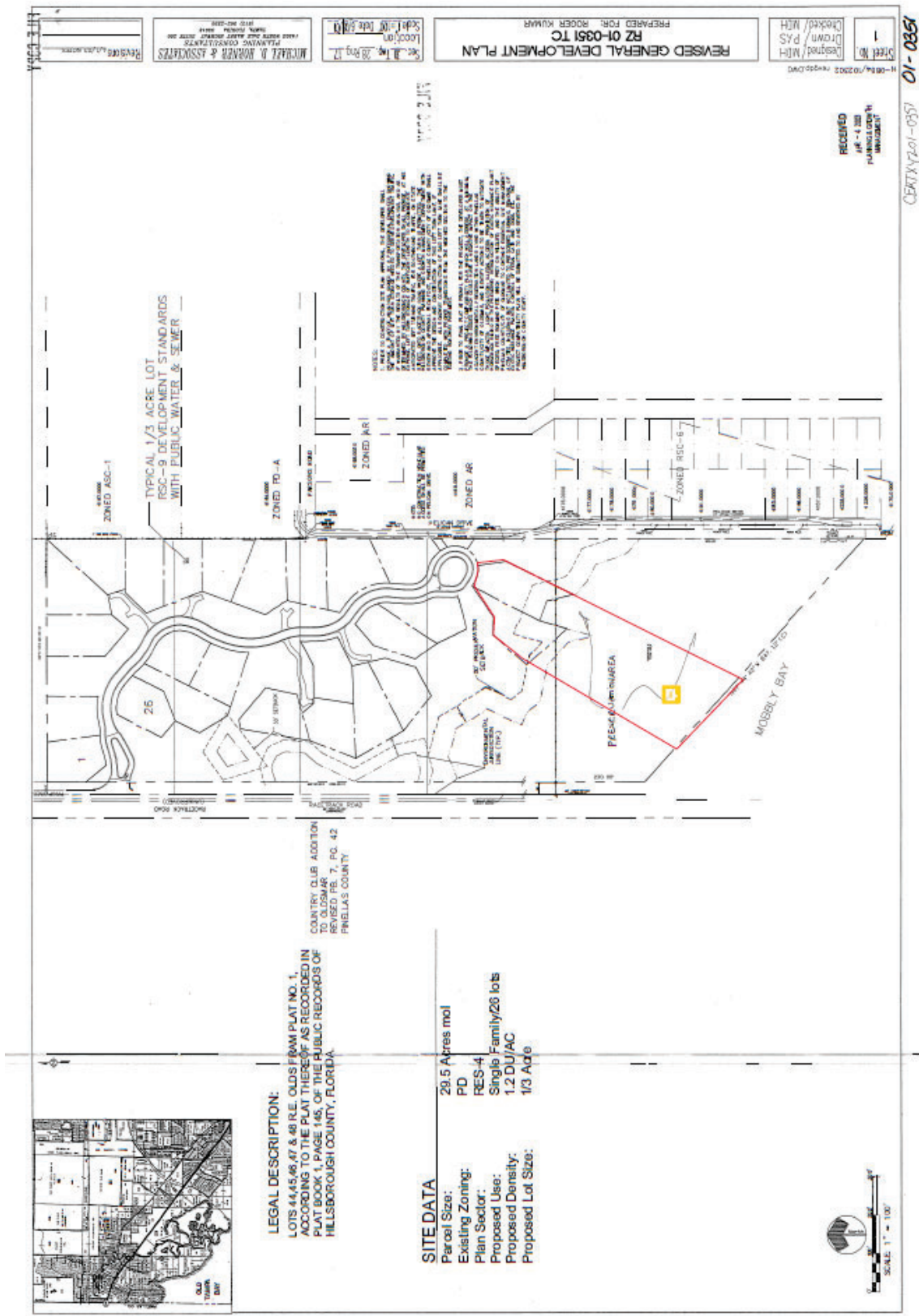
A handwritten signature in black ink, appearing to read 'J. Brian Grady', is written over a faint, light gray watermark that says 'IntegrSign Desktop'.

J. Brian Grady
Thu Apr 25 2024 16:18:30

7.0 ADDITIONAL INFORMATION

8.0 Site Plan

8.2 Proposed Site Plan (Full) NO CHANGE PROPOSED: Area of modification shown



8.0 FULL TRANSPORTATION REPORT

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 4/17/2024

REVIEWER: Richard Perez, AICP

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: Northwest

PETITION NO: PRS 24-0511

- ☐ This agency has no comments.
- ☒ This agency has no objection.
- ☐ This agency has no objection, subject to the listed or attached conditions.
- ☐ This agency objects for the reasons set forth below.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting a minor modification, also known as Personal Appearance (PRS) to Planned Development (PD) #01-0351 approved for 26 single-family lots. The area of proposed modification consists of 2 lots totaling +/-6.71 acres. The property is located east of Race Track Rd. and south of Marsh Pointe Dr.

The modification proposes to allow increased building height. There is no proposed change to the use or intensity. As such the modification will not result in any change in trip generation.

County staff has prepared a comparison of the potential trips generated by development permitted and the proposed modification, based upon the Institute of Transportation Engineer's Trip Generation Manual, 11th Edition, utilizing a generalized worst-case scenario for informational purposes.

Existing PD Zoning (PRS):

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD: 2 Single Family Unit (ITE LUC 210)	19	1	2

Proposed PD Modification:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD: 1 Single-Family Unit (ITE LUC 210)	19	1	2

Trip Generation Difference

Land Use/Size	24 Hour Two-Way Volume	Total Peak	Hour Trips
		AM	PM
Difference	0	0	0

The proposed PD modification will not change the project trip generation.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

Marsh Pointe Dr. is a private, 2-lane, local roadway characterized by +/- 10-foot travel lanes with curb, gutter and sidewalks on both sides.

SITE ACCESS AND CONNECTIVITY

There is no proposed change to vehicular and pedestrian access.

ROADWAY LEVEL OF SERVICE

Marsh Pointe Dr. is not a regulated roadway in the County Level of Service Report.

Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
Marsh Pointe Dr.	Private	2 Lanes <input type="checkbox"/> Substandard Road <input checked="" 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	19	1	2
Proposed	19	1	2
Difference (+/-)	0	0	0

*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	

**CURRENTLY
APPROVED**

FINAL CONDITIONS
OF APPROVAL

PETITION NUMBER: RZ 01-0351-TC
BOCC MEETING DATE: September 25, 2001
DATE TYPED: September 28, 2001

Approval - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted June 26, 2001.

1. The project shall be permitted maximum of 26 single-family lots.
2. Minimum lot size shall be 1/3 acre. To provide maximum flexibility in project design to preserve existing trees, the project shall be permitted RSC-9 development standards. In addition, the lot pattern shown on the general site can be modified to preserve existing trees.
3. One access shall be permitted to the project via Racetrack Road as generally depicted on the site plan. The final location, design and construction shall be subject to review and approval of the Environmental Protection Commission and Hillsborough County.
4. Construction vehicles, including dirt haulers, shall be restricted to access via Racetrack Road.
5. Prior to Construction Site Plan approval, the developer shall provide a traffic analysis, signed by a Professional Engineer, showing the amount of left turn storage needed to serve development traffic. If warranted by the results of the transportation analysis, and as determined by Hillsborough County, the developer shall provide, at his expense, left turn storage of sufficient length to accommodate anticipated left turning traffic, for southbound traffic, on State Street, onto Racetrack Road where a left turn is permitted. The Hillsborough County Planning and Growth Management Department with review and approval from FDOT, Pinellas County/City of Oldsmar shall approve the design and construction of this left turn lane, if applicable. All roadway construction of said left turn lane shall be competed with proper transitions from the widened section to the existing roadway pavement.
6. Development of the site must comply with all rules and regulations of the Environmental Protection Commission (EPC). Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals.
7. Prior to final plat approval for the project, the developer must provide a Project Compatibility Plan which will address, at a minimum, the following issues which could have a negative impact on the adjacent environmental preservation lands lying within Pinellas County/City of Oldsmar, and identify actions to be taken to mitigate those impacts: light pollution; illegal access; prohibition of horseback riding in the preserve; introduction of exotic nuisance plant species; free roaming pets which prey on wildlife; and the ability of Pinellas County/City of Oldsmar to continue essential site management activities, including but not limited to prescribed burning, removal of exotic nuisance plants, control of feral cats and dogs, etc. The project Compatibility Plan will be submitted to and reviewed by Hillsborough County staff.
8. Approval of this application does not ensure that water will be available at the time when the applicant seeks approval to actually develop
9. The project shall use public water and public sewer.

FINAL CONDITIONS
OF APPROVAL

PETITION NUMBER: RZ 01-0351-TC
BCCC MEETING DATE: September 25, 2001
DATE TYPED: September 28, 2001

10. The development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.
11. Within ninety days of approval of RZ 01-0351 by the Hillsborough County Board of County Commissioners, the developer shall submit to the County Planning and Growth Management Department a revised General Development Plan for certification reflecting all the conditions outlined above.
12. Effective as of February 1, 1990, this development order/permit shall meet the concurrency requirements of Chapter 163, Part II, Florida Statutes. Approval of this development order/permit does not constitute a guarantee that there will be public facilities at the time of application for subsequent development orders or permits to allow issuance of such development orders or permits.



AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 4/17/2024

REVIEWER: Richard Perez, AICP

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: Northwest

PETITION NO: PRS 24-0511

- ☐ This agency has no comments.
- ☒ This agency has no objection.
- ☐ This agency has no objection, subject to the listed or attached conditions.
- ☐ This agency objects for the reasons set forth below.

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The applicant is requesting a minor modification, also known as Personal Appearance (PRS) to Planned Development (PD) #01-0351 approved for 26 single-family lots. The area of proposed modification consists of 2 lots totaling +/-6.71 acres. The property is located east of Race Track Rd. and south of Marsh Pointe Dr.

The modification proposes to allow increased building height. There is no proposed change to the use or intensity. As such the modification will not result in any change in trip generation.

County staff has prepared a comparison of the potential trips generated by development permitted and the proposed modification, based upon the Institute of Transportation Engineer's Trip Generation Manual, 11th Edition, utilizing a generalized worst-case scenario for informational purposes.

Existing PD Zoning (PRS):

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD: 2 Single Family Unit (ITE LUC 210)	19	1	2

Proposed PD Modification:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
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PD: 1 Single-Family Unit (ITE LUC 210)	19	1	2

Trip Generation Difference

Land Use/Size	24 Hour Two-Way Volume	Total Peak	Hour Trips
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TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

Marsh Pointe Dr. is a private, 2-lane, local roadway characterized by +/- 10-foot travel lanes with curb, gutter and sidewalks on both sides.

SITE ACCESS AND CONNECTIVITY

There is no proposed change to vehicular and pedestrian access.

ROADWAY LEVEL OF SERVICE

Marsh Pointe Dr. is not a regulated roadway in the County Level of Service Report.

Transportation Comment Sheet

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Project Trip Generation <input type="checkbox"/> Not applicable for this request			
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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	

COMMISSION

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Harry Cohen VICE-CHAIR
Donna Cameron Cepeda
Ken Hagan
Pat Kemp
Michael Owen
Joshua Wostal



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Steffanie L. Wickham WASTE DIVISION

AGENCY COMMENT SHEET

REZONING	
HEARING DATE: May 7, 2024	COMMENT DATE: April 3, 2024
PETITION NO.: 24-0511	PROPERTY ADDRESSES: 7808 and 7812 Marsh Pointe Drive, Tampa
EPC REVIEWER: Kelly M. Holland	FOLIO #s: 0055420178 and 0055420180
CONTACT INFORMATION: (813) 627-2600 X 1222	STR: 30-28S-17E
EMAIL: hollandk@epchc.org	
REQUESTED ZONING: Request for a variance to building height requirements	
FINDINGS	
WETLANDS PRESENT	YES
SITE INSPECTION DATE	NA
WETLAND LINE VALIDITY	EXPIRED
WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)	Most of the parcels are wetland
<p>The EPC Wetlands Division has reviewed the proposed rezoning. In the site plan's current configuration, a resubmittal is not necessary. If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again. This project as submitted is conceptually justified to move forward through the zoning review process as long as the following conditions are included:</p> <ul style="list-style-type: none">• Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals.• The construction and location of any proposed wetland impacts are not approved by this correspondence but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property.• Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The	

Environmental Excellence in a Changing World

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

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

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

INFORMATIONAL COMMENTS:

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

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

Kmh / app

ec: Peter Gottschalk, Applicant – pgottschalk@frontier.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:** 3/5/2024

REVIEWER: Kim Cruz, Environmental Supervisor **REVIEW DATE:** 3/11/2024

PROPERTY OWNER: Bradley Whitman and Christine Whitman **PID:** 24-0511

APPLICANT: Peter M Gottschalk

LOCATION: 7808 Marsh Pointe Dr. Tampa, FL 33635
7812 Marsh Pointe Dr. Tampa, FL 33635

FOLIO NO.: 5542.0178, 5542.0180

AGENCY REVIEW COMMENTS:

According to the Hillsborough County BOCC approved maps adopted in the Comprehensive Plan at this time, the site does not appear to be located within a Wellhead Resource Protection Area (WRPA), Surface Water Resource Protection Area (SWRPA), and/or Potable Water Wellfield Protection Area (PWWPA), as defined in Part 3.05.00 of the Hillsborough County Land Development Code (LDC).

Hillsborough County Environmental Services Division (HC EVSD) has no objections.

WATER RESOURCE SERVICES
REZONING REVIEW COMMENT SHEET: WATER & WASTEWATER

PETITION NO.: PRS 24-0511 REVIEWED BY: Clay Walker, E.I. DATE: 3/11/2024

FOLIO NO.: 5542.0178, 5542.0180

WATER

- ☐ The property lies within the ____ Water Service Area. The applicant should contact the provider to determine the availability of water service.
- ☒ A 6 inch water main exists ☒ (adjacent to the site), ☐ (approximately ____ feet from the site) and is located east of the subject property within the west Right-of-Way of Marsh Pointe Drive. This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.
- ☐ Water distribution system improvements will need to be completed prior to connection to the County's water system. The improvements include _____ and will need to be completed by the _____ prior to issuance of any building permits that will create additional demand on the system.

WASTEWATER

- ☐ The property lies within the _____ Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.
- ☒ A 4 inch wastewater forcemain exists ☐ (adjacent to the site), ☒ (approximately 960 feet from the site) and is located northwest of the subject property within the east Right-of-Way of Race Track Road. This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.
- ☐ Wastewater collection system improvements will need to be completed prior to connection to the County's wastewater system. The improvements include _____ and will need to be completed by the _____ prior to issuance of any building permits that will create additional demand on the system.

COMMENTS: The subject rezoning includes parcels that are within the Urban Service Area and would require connection to the County's wastewater system. The subject area is located within the Hillsborough County Wastewater Service Area and will be served by the Northwest Regional Water Reclamation Facility.



PARTY OF RECORD

**Hillsborough
County Florida**
Development Services

Additional / Revised Information Sheet

Office Use Only**Application Number:** PRS 24-0511**Received Date:****Received By:**

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

Application Number: PRS 24-0511 Applicant's Name: Peter M Gottschalk
Reviewing Planner's Name: Timothy Lampkin Date: April 23, 2024

Application Type:

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

Current Hearing Date (if applicable): May 7, 2024**Important Project Size Change Information**

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

Will this revision add land to the project? ☐ Yes ☒ No

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

Will this revision remove land from the project? ☐ Yes ☒ No

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

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

ZoningIntake-DSD@hcflgov.net

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

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

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

/s/ Peter M Gottschalk

Signature

April 23, 2024

Date



**Hillsborough
County Florida**
Development Services

Identification of Sensitive/Protected Information and Acknowledgement of Public Records

Pursuant to [Chapter 119 Florida Statutes](#), all information submitted to Development Services is considered public record and open to inspection by the public. Certain information may be considered sensitive or protected information which may be excluded from this provision. Sensitive/protected information may include, but is not limited to, documents such as medical records, income tax returns, death certificates, bank statements, and documents containing social security numbers.

While all efforts will be taken to ensure the security of protected information, certain specified information, such as addresses of exempt parcels, may need to be disclosed as part of the public hearing process for select applications. If your application requires a public hearing and contains sensitive/protected information, please contact [Hillsborough County Development Services](#) to determine what information will need to be disclosed as part of the public hearing process.

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

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

I hereby confirm that the material submitted with application PRS 24-0511

☐ Includes sensitive and/or protected information.

Type of information included and location _____

☒ Does not include sensitive and/or protected information.

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

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

Signature: /s/ Peter M Gottschalk
(Must be signed by applicant or authorized representative)

Intake Staff Signature: _____ Date: _____



**Hillsborough
County Florida**
Development Services

Additional / Revised Information Sheet

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

Included	Submittal Item
1 <input checked="" type="checkbox"/>	Cover Letter** If adding or removing land from the project site, the final list of folios must be included
2 <input type="checkbox"/>	Revised Application Form**
3 <input type="checkbox"/>	Copy of Current Deed* Must be provided for any new folio(s) being added
4 <input type="checkbox"/>	Affidavit to Authorize Agent* (If Applicable) Must be provided for any new folio(s) being added
5 <input type="checkbox"/>	Sunbiz Form* (If Applicable) Must be provided for any new folio(s) being added
6 <input type="checkbox"/>	Property Information Sheet**
7 <input type="checkbox"/>	Legal Description of the Subject Site**
8 <input type="checkbox"/>	Close Proximity Property Owners List**
9 <input checked="" type="checkbox"/>	Site Plan** All changes on the site plan must be listed in detail in the Cover Letter.
10 <input type="checkbox"/>	Survey
11 <input type="checkbox"/>	Wet Zone Survey
12 <input type="checkbox"/>	General Development Plan
13 <input checked="" type="checkbox"/>	Project Description/Written Statement
14 <input type="checkbox"/>	Design Exception and Administrative Variance requests/approvals
15 <input type="checkbox"/>	Variance Criteria Response
16 <input type="checkbox"/>	Copy of Code Enforcement or Building Violation
17 <input type="checkbox"/>	Transportation Analysis
18 <input type="checkbox"/>	Sign-off form
19 <input checked="" type="checkbox"/>	Other Documents (please describe): <div style="border: 1px solid black; padding: 5px; min-height: 60px;"> Updated redline conditions of approval; HOA letter for height increase approval. </div>

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

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

April 23, 2024

Timothy Lampkin
Development Services Department
County Center
601 E. Kennedy Blvd., 19th Floor
Tampa, FL 33602

RE: PRS 24-0511 – Revised Information

Dear Mr. Lampkin:

Pursuant to your request, enclosed herein please find the following documents:

- A copy of PD 01-0351's certified site plan with the proposed modification area highlighted;
- A revised narrative reflecting the following changes: 1) clarification on the specific folios within the PD that are being modified; 2) clarification on the number of single-family homes to be built on the site; and 3) clarification on the proposed height being requested;
- Updated Redline Conditions of Approval; and
- An HOA approval letter for the height increase.

Please accept the attached documents for filing. Thank you.

Sincerely,



Peter M. Gottschalk, Architect



(813) 996-2555 Cell: (813) 713-5034
4745 Patagonia Place, Land O Lakes FL 34638



February 02, 2024

RE: 7808 Marsh Pointe Dr Modification Approval

Dear Bradley & Christine Whitman:

We are pleased to inform you the Marsh Pointe Property Owners Association, Inc. has approved your application for the following items:

County Zoning Variance

The approval is contingent upon compliance with the specifications set forth in the approved application. If any modifications are made to the original request, re-submission of a modification request is required. Additionally, all permits must be secured prior to commencement of construction.

This report is made on the basis of aesthetic considerations only, and the Modification Committee does not bear any responsibility for ensuring the structural integrity or soundness of approved construction nor for ensuring compliance with building codes and other governmental requirements. Compliance with approved plans should not be construed as representing or guarantee that any item identified above is built in a manner using good workmanship or free from defect. This compliance report does not relieve the contractor of his obligations under the Design Guidelines.

Please retain this letter in your files. If you have any questions, do not hesitate to contact us at 866-4-REALSERVICE.

Regards,

Elizabet Valentin
General Manager

On Behalf of the Marsh Pointe Property Owners Association, Inc. Modification Committee

From: MARPOINT@ciramail.com
Date: February 2, 2024 at 9:14:49 AM EST
To: christywhitman@ymail.com
Subject: 7808 Marsh Pointe Dr. - ACC Decision - County Zoning Variance

Dear Homeowner,

Your ARC Application for **COUNTY ZONING VARIANCE WITH ATTACHED DESCRIPTION OF REQUEST** has been approved. You may use this email to begin your project.

Project:	County Zoning Variance
Property:	7808 Marsh Pointe Dr
Submitted By:	Bradley Whitman
Received from:	12/14/2023
Line #:	209321
Category:	Variance
Allowance Category:	
Allowance Sub-Category:	
Allowance Start Date:	
Allowance End Date:	
Due Date:	
Description:	County Zoning Variance; Please see attached description of request
Approval Status:	Approved
Finalized:	No