



PD Modification Application: PRS 24-1126
Zoning Hearing Master Date: N/A
BOCC Land Use Meeting Date: December 10, 2024

1.0 APPLICATION SUMMARY

Applicant: William Molloy
FLU Category: Residential-4 (RES-4)
Service Area: Urban
Site Acreage: 2.8 MOL
Community Plan Area: Greater Carrollwood Northdale
Overlay: None



Introduction Summary:

The subject Property is currently zoned PD 22-0864, which allows for an agricultural stand, residence, and harvest areas. The applicant is requesting to remove the transportation requirement for sidewalks and a crosswalk along the project frontage of West Bearss Avenue and Lake Magdalene Boulevard. The applicant contends that an agricultural stand is a temporary operation and that overrides the need for permanent improvements to the site.

Existing Approval(s):	Proposed Modification(s):
Requires sidewalks and a crosswalk along the project frontage of West Bearss Avenue and Lake Magdalene Boulevard.	Remove requirement for sidewalks and a crosswalk along the project frontage of West Bearss Avenue and Lake Magdalene Boulevard.

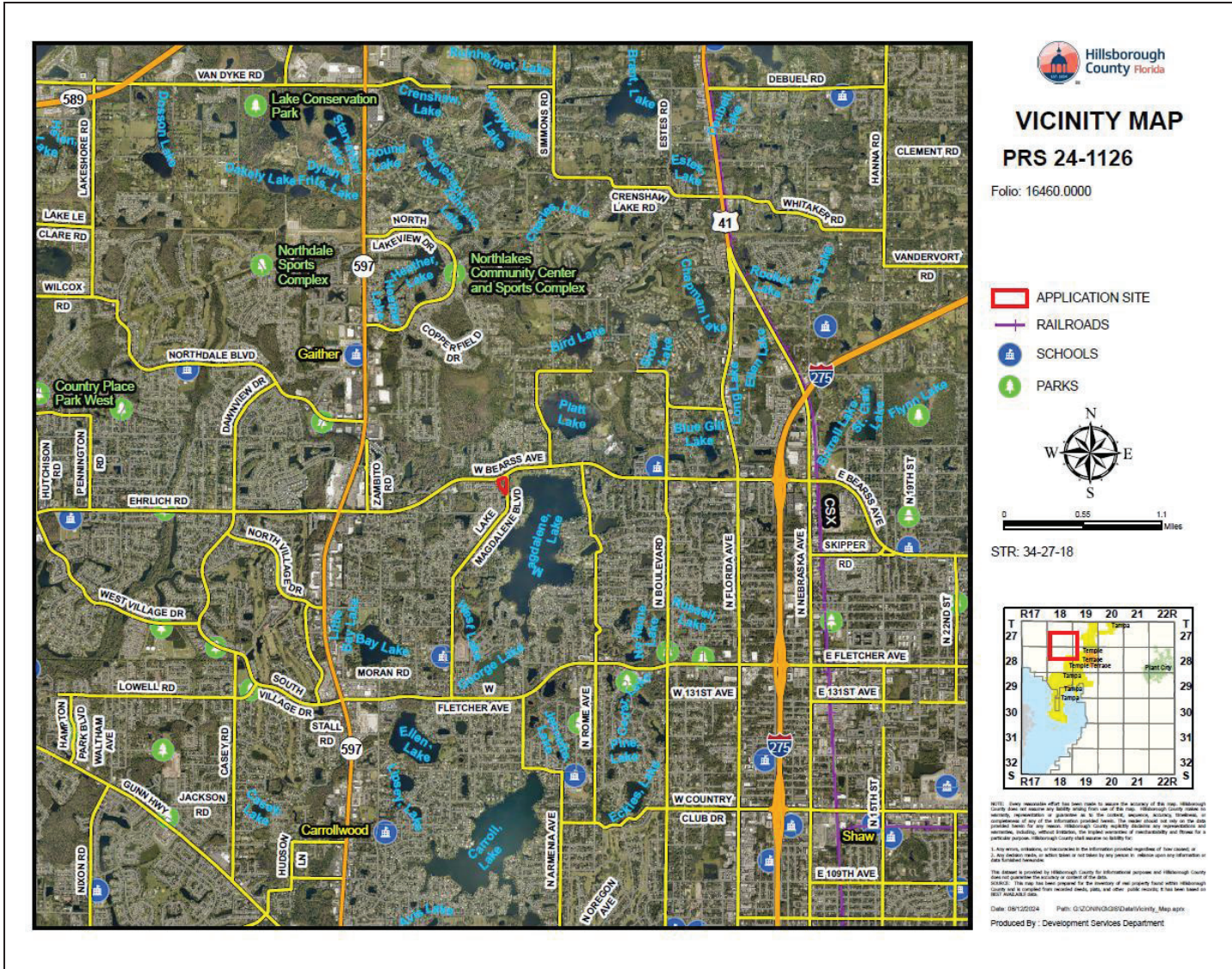
Additional Information:

PD Variation(s):	None Requested as part of this application
Waiver(s) to the Land Development Code:	None Requested as part of this application

Planning Commission Recommendation: N/A	Development Services Recommendation: Approvable, subject to proposed conditions
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2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map



Context of Surrounding Area:

The general area is developed primarily with single-family residential uses within the Carrollwood community. Commercial/Retail development can be found at the Bearss Avenue/N. Dale Mabry Highway intersection, located approximately 1.15 miles to the west, and the Bearss Avenue/N. Florida Avenue intersection, located approximately 2.25 miles to the east. Other uses developed along this segment of Bearss Avenue include a County library, private school, public school, office uses, churches, small-scaled commercial, as well as residential uses (multi and single).

2.0 LAND USE MAP SET AND SUMMARY DATA

2.2 Immediate Area Map



Hillsborough County Florida

ZONING MAP
PRS 24-1126
 Folio: 16460.0000

- APPLICATION SITE
- ZONING BOUNDARY
- PARCELS
- S SCHOOLS
- P PARKS

0 160 320 Feet

STR: 34-27-18

Notes: Every rezoning action has been made to assure the accuracy of this map. Hillsborough County does not assume any liability arising from use of this map. Hillsborough County reserves the right to amend, rezone, or discontinue any zoning ordinance at any time without notice. The rezoning of any parcel does not constitute any representation or warranty, including, without limitation, the implied warranty of non-negligence, and shall not be used for any purpose other than to provide information for informational purposes only. It is not intended to be used as a basis for any action or to be used in any way other than to provide information for informational purposes only. The rezoning of any parcel does not constitute any representation or warranty, including, without limitation, the implied warranty of non-negligence, and shall not be used for any purpose other than to provide information for informational purposes only. It is not intended to be used as a basis for any action or to be used in any way other than to provide information for informational purposes only.

This document is provided by Hillsborough County for informational purposes and Hillsborough County does not guarantee the accuracy or content of this document. This map has been prepared for the use of the property owner within Hillsborough County and is not intended to be used for any other purpose. It is not intended to be used as a basis for any action or to be used in any way other than to provide information for informational purposes only.

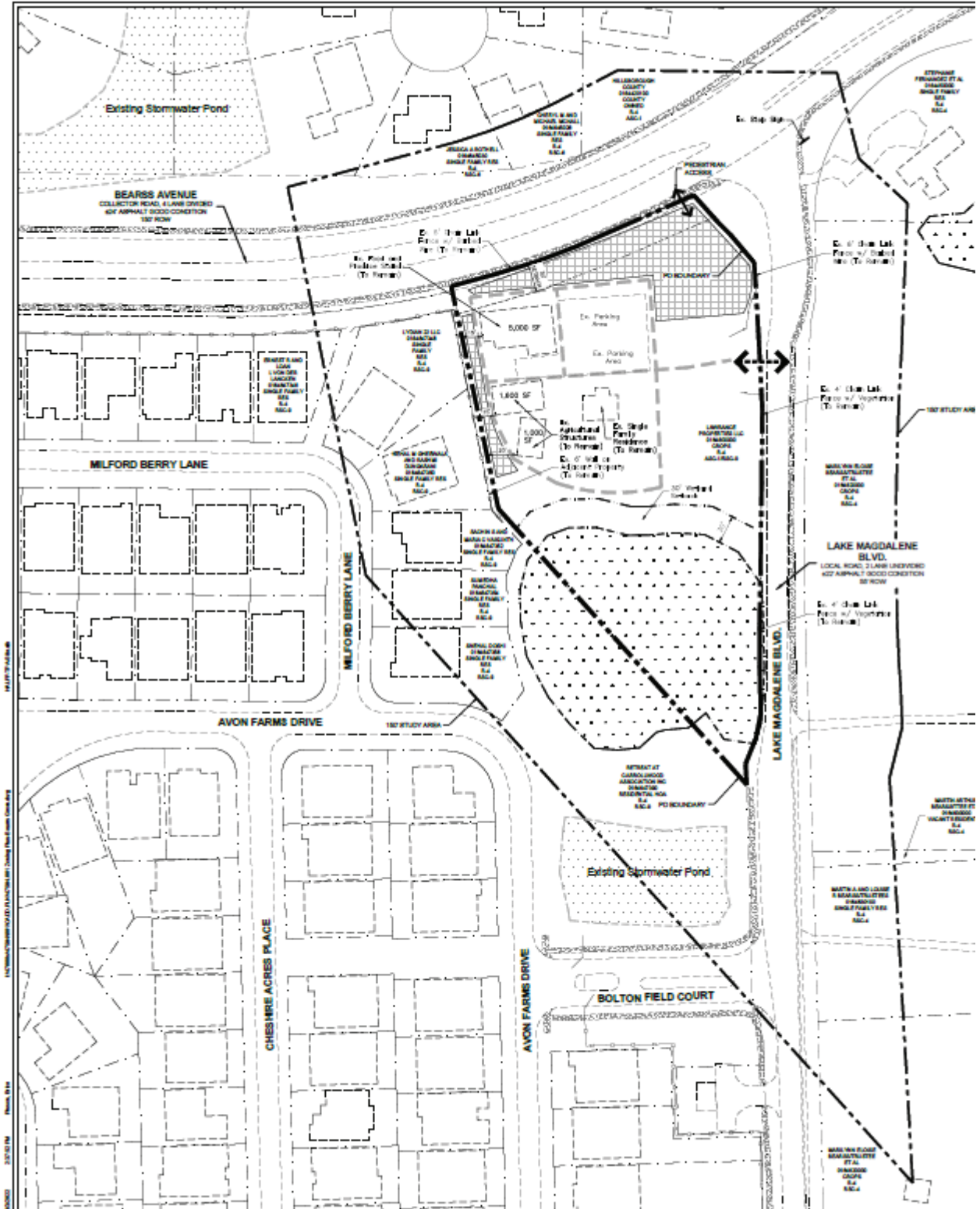
Date: 08/12/2024 Path: G:\ZONING\GIS\Draw\Zoning_Map.aprx
 Produced by : Development Services Department

Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	RSC-6 and ASC-1	RSC-6: 6 units per acre ASC-1: 1 unit per acre	RSC 6: Single-Family Residential ASC-1: Single-Family Residential/Agricultural	RSC-6 & ASC-1: Single-Family Residential
South	RSC-9 (R)	4 units per acre (R)	Single-Family Residential	Open Space and Stormwater
East	RSC-4	4 units per acre	Single-Family Residential	Single-Family Residential and Vacant
West	RSC-9 (R)	4 units per acre (R)	Single-Family Residential	Single-Family Residential

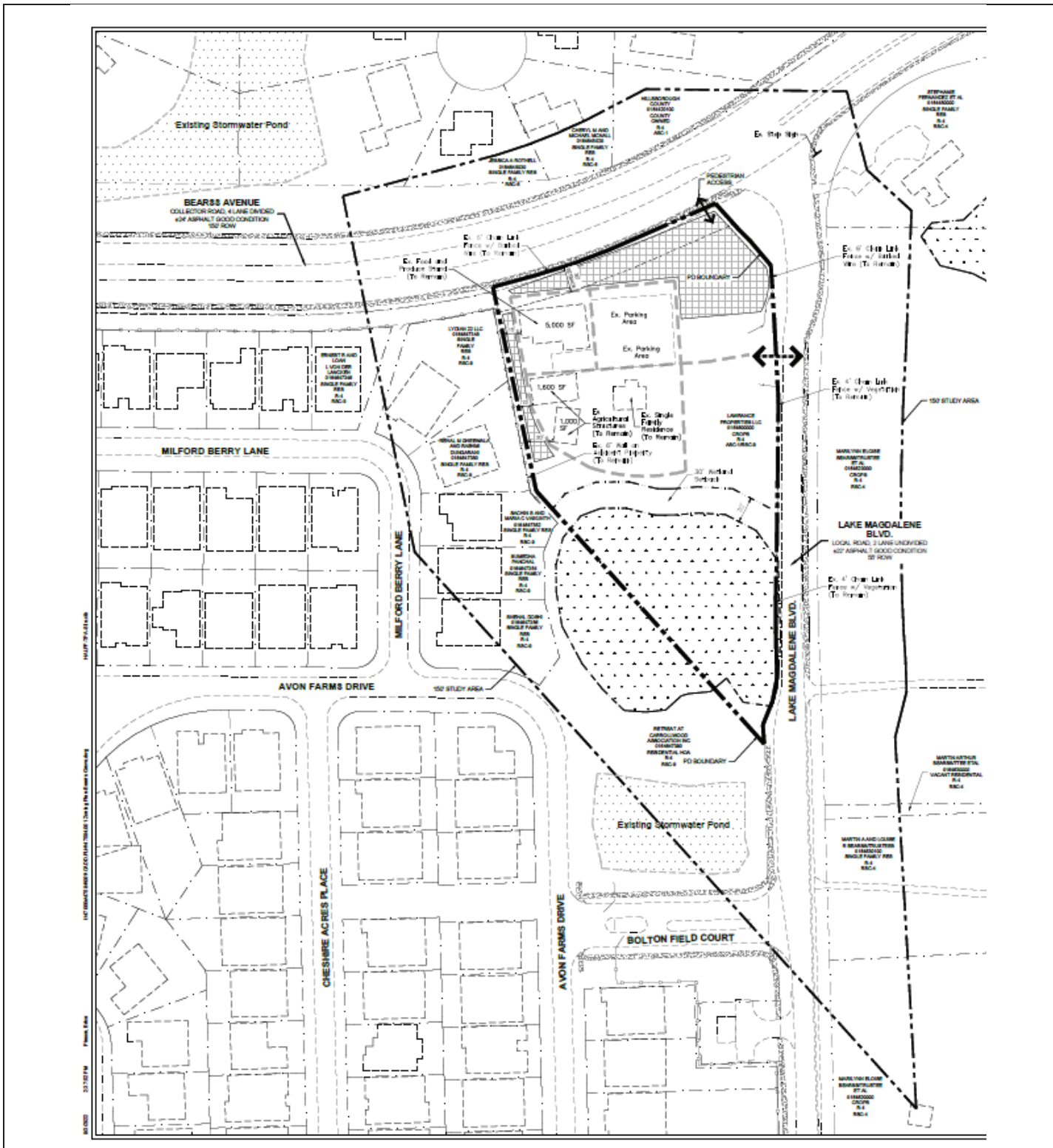
2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Approved Site Plan (partial provided below for size and orientation purposes. See Section 7.1 for full site plan)



2.0 LAND USE MAP SET AND SUMMARY DATA

2.4.1 Proposed Site Plan (partial provided below for size and orientation purposes. See Section 7.2 for full site plan)



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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
Lake Magdalene Blvd.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. 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
	Choose an item.	Choose an item. 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
	Choose an item.	Choose an item. 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	79	8	2
Proposed	79	8	2
Difference (+/-)	No Change	No Change	No Change

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

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

Notes: Although Lake Magdalene Blvd. is a substandard roadway, a Section 6.04.02.B. Administrative Variance was not needed since the project meets the County Engineer’s de minimis criteria and the roadway meets minimum life safety standards.

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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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Wetlands Present
Environmental Services	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
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	
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 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
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 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	
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 N/A				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comment
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 RECOMMENDATIONS

5.1 Compatibility

The approximate 2.8-acre subject site is located at 14316 Lake Magdalene Boulevard Tampa and is zoned PD 22-0864. The general area is developed primarily with single-family residential uses within the Carrollwood community. Commercial/Retail development can be found at the Bearss Avenue/N. Dale Mabry Highway intersection, located approximately 1.15 miles to the west, and the Bearss Avenue/N. Florida Avenue intersection, located approximately 2.25 miles to the east. Other uses developed along this segment of Bearss Avenue include a County library, private school, public school, office uses, churches, small-scaled commercial, as well as residential uses (multi and single). Existing conditions of approval allow an agricultural stand, residence, and harvest areas.

The applicant is proposing to remove the requirement for sidewalks and a crosswalk along the project frontage of West Bearss Avenue and Lake Magdalene Boulevard.

The Minor Modification request does not impact the site's compatibility with the surrounding area.

5.2 Recommendation

The transportation division reviewed the application and determined that the existing uses on the agriculture stand site constitute temporary uses. As such, sidewalk improvements required by Sec. 6.03.02. are not yet triggered.

Staff finds the request approvable subject to the conditions of approval.

6.0 PROPOSED CONDITIONS

Approval of the request, subject to the conditions listed, is based on the revised general site plan submitted July 30, 2024.

1. Development shall be limited to an agricultural stand, single-family residence, and fruit/vegetable harvest areas (to include two agricultural structures). Uses shall be developed where generally depicted on the general site plan. The depicted 1,600 sf and 1,000 sf agricultural structures shall be used for the growing of fruits and vegetables only.
2. A maximum of one (1) agricultural stand shall be permitted on the subject property.
3. Principal sales from the agricultural stand shall be restricted to:
 - legumes in the shell (parched, roasted or boiled);
 - fresh fruits and vegetables;
 - honey, cider, jams, jellies, relishes, pickles and syrups;
 - any processed food product primarily derived from an agricultural crop on the parcel where the stand is located;
 - hay;
 - unprocessed agricultural products; and
 - plants, flowers, and trees.

Additionally, the accessory sale of other processed or prepared foods for human consumption and bagged feed for farm animals shall be allowed provided such sales comprise no more than 49 percent of the gross sales revenue per calendar year.

4. The agricultural stand shall not utilize any portion of the on-site single family residence. This includes garages, carports or other similar attached structures.
5. Building permits shall be obtained for all structures utilized by the agricultural stand in accordance with the requirements of the Florida Building Code, unless otherwise exempted by state statute. A tent permit shall be obtained from the Hillsborough County Fire Marshal for any tents or canopies on the site related to the agricultural stand use.
6. The agricultural stand shall be limited to a maximum of 5,000 square feet of total ground coverage. Per Land Code Section 6.11.09.B.5, the site shall be reviewed through the site development process, subsequent to rezoning approval, and shall comply with stormwater drainage, public utilities, accessibility and parking requirements (although surfacing of the parking areas with gravel, shell or similar materials shall be permitted in lieu of paving).
7. Approval of this PD approves a variation to Land Development Code Section 6.06.06, permitting a 15-foot wide buffer and no screening along the western PD boundary.
8. The agricultural stand shall be setback a minimum of 30 feet from the northern PD boundary (Bearss Avenue). The agricultural stand and agricultural structures shall be setback 15 to 20 feet from the western PD boundary, as depicted on the general site plan.
9. The agricultural stand and two agricultural structures shall be limited to a maximum height of 30 feet.
10. Restroom facilities shall be available for use by agricultural stand employees and patrons.

11. A Hillsborough County occupational license for retail sales valid at the subject location is required for produce not grown on the subject site.
12. The sales of food other than legumes in the shell (parched, roasted or boiled) and fresh fruit and vegetables, shall require a current food permit from the Florida Department of Agriculture.
13. All employees and patron vehicles of the agricultural stand shall be parked on the subject parcel. Parking in road rights-of-way shall be prohibited and there shall be no interference with safe traffic movement on adjacent streets.
14. Agricultural stand sales shall be limited between 7:00am – 7:00pm.
15. Permits shall be obtained by a licensed contractor for all electrical connections.
16. The single-family residence shall be located where generally depicted on the general site plan. Building height shall be limited to a maximum of 40 feet. Should replacement or expansion of the single-family residence occur, the home shall be located a minimum of 50 feet from all PD boundaries and comply with any wetland setback requirement.
17. 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.
18. 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.
19. 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/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).
20. 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.
21. The project shall be restricted to one (1) vehicular access connection to Lake Magdalene Blvd. All other existing access connections shall be closed and sodded.
22. The developer shall construct one (1) pedestrian access connection to Bearss Ave. as generally shown on the PD site plan. Notwithstanding anything herein these conditions or on the PD site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the PD boundaries.

23. Pursuant to the County Engineer's de minimis criteria, and because Lake Magdalene Blvd. meets minimum life safety standards, the project shall not be required to make substandard road improvements to Lake Magdalene Blvd.
- ~~24. Notwithstanding anything shown on the PD site plan to the contrary:~~
- ~~A. The developer shall construct internal sidewalks as required pursuant to the LDC; and,~~
- ~~B. With respect to external sidewalks:~~
- ~~I. The developer shall construct a mid-block crossing of Lake Magdalene Blvd. in the vicinity of Bolton Field Ct. Such crossing must be approved by the Public Works Department, who may require the developer to perform warrant studies, and if found to be approvable, require the developer to install Rapid Rotating Flashing Beacons (RRFBs) or other signage or signalization as may be required to safely facilitate the crossing. In the event such crossing is not warranted, cannot be safely provided, or Public Works otherwise declines to approve such facility, the developer shall proceed to select Option 24.B.ii., below, or Option 24.B.iii., below.; or,~~
- ~~II. The developer shall construct a minimum 5 foot wide sidewalk along the project's Lake Magdalene Blvd. frontage, (to connect with the existing sidewalk terminus immediately south of the site); or,~~
- ~~III. The developer may attempt to obtain a Section 11.04 LDC variance from the requirement to construct the sidewalk. In the event such variance is not granted, the developer shall construct the sidewalk pursuant to Section 24.B.ii., above.~~
- ~~25:24.~~ The project shall comply with Section 6.11.09 requirements. Notwithstanding anything therein the contrary, the developer shall be required to pave required disabled parking spaces in accordance with Transportation Technical Manual (TTM) standards and ADA requirements.
- ~~26:25.~~ In accordance with LDC Section 5.03.07.C, the certified PD General Site Plan shall expire for the internal transportation network and external access points, as well as for any conditions related to the internal transportation network and external access points, if site construction plans, or equivalent thereof, have not been approved for all or part of the subject Planned Development within 5 years of the effective date of the PD unless an extension is granted as provided in the LDC. Upon expiration, re-certification of the PD General Site Plan shall be required in accordance with the provisions set forth in LDC Section 5.03.07.C.
- ~~27:26.~~ If the notes and/or graphics on the site plan are in conflict with specific zoning conditions and/or the LDC regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. Reference to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval.

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.

8.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 9/23/2024

REVIEWER: Michael J. Williams

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: GCN/ Northwest

PETITION NO: RZ 24-1126

- 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.

REVISED CONDITIONS OF APPROVAL

~~24. Notwithstanding anything shown on the PD site plan to the contrary:~~

~~A. The developer shall construct internal sidewalks as required pursuant to the LDC; and,~~

~~B. With respect to external sidewalks:~~

~~I. The developer shall construct a mid block crossing of Lake Magdalene Blvd in the vicinity of Bolton Field Ct. Such crossing must be approved by the Public Works Department, who may require the developer to perform warrant studies, and if found to be approvable, require the developer to install Rapid Rotating Flashing Beacons (RRFBs) or other signage or signalization as may be required to safely facilitate the crossing. In the event such crossing is not warranted, cannot be safely provided, or Public Works otherwise declines to approve such facility, the developer shall proceed to select Option 24.B.ii., below, or Option 24.B.iii., below.; or,~~

~~II. The developer shall construct a minimum 5 foot wide sidewalk along the project's Lake Magdalene Blvd. frontage, (to connect with the existing sidewalk terminus immediately south of the site); or,~~

~~III. The developer may attempt to obtain a Section 11.04 LDC variance from the requirement to construct the sidewalk. In the event such variance is not granted, the developer shall construct the sidewalk pursuant to Section 24.B.ii., above.~~

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting a minor modification, also known as a personal appearance (PRS) for a +/- 2.8 ac. parcel zoned Planned Development (PD) 22-0864. The PD is approved for an agricultural stand, single-family residence, and fruit/vegetable harvest areas (to include two agricultural structures). The applicant is requesting deletion of existing zoning condition 24, which is further discussed in the "Site Access and Pedestrian Connectivity" section hereinbelow.

As required by the Development Review Procedures Manual (DRPM), the applicant submitted a letter indicating the project would generate fewer than 50 peak hour trips and, as such, no transportation analysis

was required to process this rezoning. Utilizing data from this letter and the Institute of Transportation Engineer's Trip Generation Manual, 11th Edition, and based upon a generalized worst-case scenario, staff has prepared a comparison of the trip generation potential at project buildout under the existing and proposed zoning designations.

Existing Use:

Land Use/Size	24 Hour Two-Way Volume	Total Peak hour Trips	
		AM	PM
PD, 1 Single Family Detached Dwelling Units (ITE LUC 210)	9	1	1
PD, Agricultural Stand (Applicant's Analysis)	70 (est.)	7	1
Subtotal:	79	8	2

Proposed Use:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 1 Single Family Detached Dwelling Units (ITE LUC 210)	9	1	1
PD, Agricultural Stand (Applicant's Analysis)	70 (est.)	7	1
Subtotal:	79	8	2

Trip Generation Difference:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	No Change	No Change	No Change

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

Lake Magdalene Blvd. is a 2-lane, undivided, publicly maintained, substandard, collector roadway characterized by +/- 11-foot wide lanes in average condition. Along the project's frontage, the roadway lies within a variable width right-of-way (between +/- 50 and +/- 93 feet in width). There are +/- 5-foot wide sidewalks along portions of the east and west side of Lake Magdalene Blvd. in the vicinity of the proposed project. There are no bicycle facilities (or paved shoulders) along Lake Magdalene Blvd. in the vicinity of the proposed project.

Although Lake Magdalene Blvd. is substandard, by policy of the County Engineer projects generating fewer than 10 peak hour trips in total are generally exempt from the Section 6.04.03.L. LDC requirement whereby a project taking access to a substandard road must improve the road between the project access and nearest standard roadway, provided the roadway being accessed meets minimum life safety standards (i.e. 15 feet of pavement within a 20-foot wide clear area). Existing zoning conditions recognize this exemption, and therefore no substandard road improvements are required.

SITE ACCESS AND PEDESTRIAN CONNECTIVITY

The existing PD has one vehicular connection serving the site to Lake Magdalene Blvd. No changes to site access are proposed as a part of this request. Pedestrian access is being proposed to Bearss Ave.

The administrator reviewed the application and determined that the existing uses on the site constitute temporary uses. As such, sidewalk improvements required by Sec. 6.03.02. are not yet triggered. As such, staff supports the applicant’s requested removal of zoning condition 24.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Level of Service (LOS) information for adjacent roadway section(s) is reported below.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
Lake Magdalene Blvd.	Fletcher Ave.	Bearss Ave.	D	C

Source: Hillsborough County 2020 Level of Service Report.

**CURRENTLY
APPROVED**

Approval of the request, subject to the conditions listed, is based on the revised general site plan submitted August 31, 2022.

1. Development shall be limited to an agricultural stand, single-family residence, and fruit/vegetable harvest areas (to include two agricultural structures). Uses shall be developed where generally depicted on the general site plan. The depicted 1,600 sf and 1,000 sf agricultural structures shall be used for the growing of fruits and vegetables only.
2. A maximum of one (1) agricultural stand shall be permitted on the subject property.
3. Principal sales from the agricultural stand shall be restricted to:
 - legumes in the shell (parched, roasted or boiled);
 - fresh fruits and vegetables;
 - honey, cider, jams, jellies, relishes, pickles and syrups;
 - any processed food product primarily derived from an agricultural crop on the parcel where the stand is located;
 - hay;
 - unprocessed agricultural products; and
 - plants, flowers, and trees.

Additionally, the accessory sale of other processed or prepared foods for human consumption and bagged feed for farm animals shall be allowed provided such sales comprise no more than 49 percent of the gross sales revenue per calendar year.

4. The agricultural stand shall not utilize any portion of the on-site single family residence. This includes garages, carports or other similar attached structures.
5. Building permits shall be obtained for all structures utilized by the agricultural stand in accordance with the requirements of the Florida Building Code, unless otherwise exempted by state statute. A tent permit shall be obtained from the Hillsborough County Fire Marshal for any tents or canopies on the site related to the agricultural stand use.
6. The agricultural stand shall be limited to a maximum of 5,000 square feet of total ground coverage. Per Land Code Section 6.11.09.B.5, the site shall be reviewed through the site development process, subsequent to rezoning approval, and shall comply with stormwater drainage, public utilities, accessibility and parking requirements (although surfacing of the parking areas with gravel, shell or similar materials shall be permitted in lieu of paving).
7. Approval of this PD approves a variation to Land Development Code Section 6.06.06, permitting a 15-foot wide buffer and no screening along the western PD boundary.
8. The agricultural stand shall be setback a minimum of 30 feet from the northern PD boundary (Bears Avenue). The agricultural stand and agricultural structures shall be setback 15 to 20 feet from the western PD boundary, as depicted on the general site plan.
9. The agricultural stand and two agricultural structures shall be limited to a maximum height of 30 feet.

10. Restroom facilities shall be available for use by agricultural stand employees and patrons.
11. A Hillsborough County occupational license for retail sales valid at the subject location is required for produce not grown on the subject site.
12. The sales of food other than legumes in the shell (parched, roasted or boiled) and fresh fruit and vegetables, shall require a current food permit from the Florida Department of Agriculture.
13. All employees and patron vehicles of the agricultural stand shall be parked on the subject parcel. Parking in road rights-of-way shall be prohibited and there shall be no interference with safe traffic movement on adjacent streets.
14. Agricultural stand sales shall be limited between 7:00am – 7:00pm.
15. Permits shall be obtained by a licensed contractor for all electrical connections.
16. The single-family residence shall be located where generally depicted on the general site plan. Building height shall be limited to a maximum of 40 feet. Should replacement or expansion of the single-family residence occur, the home shall be located a minimum of 50 feet from all PD boundaries and comply with any wetland setback requirement.
17. 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.
18. 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.
19. 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/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).
20. 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.
21. The project shall be restricted to one (1) vehicular access connection to Lake Magdalene Blvd. All other existing access connections shall be closed and sodded.
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23. Pursuant to the County Engineer's de minimis criteria, and because Lake Magdalene Blvd. meets minimum life safety standards, the project shall not be required to make substandard road improvements to Lake Magdalene Blvd.
24. Notwithstanding anything shown on the PD site plan to the contrary:
 - A. The developer shall construct internal sidewalks as required pursuant to the LDC; and,
 - B. With respect to external sidewalks:
 - I. The developer shall construct a mid-block crossing of Lake Magdalene Blvd. in the vicinity of Bolton Field Ct. Such crossing must be approved by the Public Works Department, who may require the developer to perform warrant studies, and if found to be approvable, require the developer to install Rapid Rotating Flashing Beacons (RRFBs) or other signage or signalization as may be required to safely facilitate the crossing. In the event such crossing is not warranted, cannot be safely provided, or Public Works otherwise declines to approve such facility, the developer shall proceed to select Option 24.B.ii., below, or Option 24.B.iii., below.; or,
 - II. The developer shall construct a minimum 5-foot wide sidewalk along the project's Lake Magdalene Blvd. frontage, (to connect with the existing sidewalk terminus immediately south of the site); or,
 - III. The developer may attempt to obtain a Section 11.04 LDC variance from the requirement to construct the sidewalk. In the event such variance is not granted, the developer shall construct the sidewalk pursuant to Section 24.B.ii., above.
25. The project shall comply with Section 6.11.09 requirements. Notwithstanding anything therein the contrary, the developer shall be required to pave required disabled parking spaces in accordance with Transportation Technical Manual (TTM) standards and ADA requirements.
26. In accordance with LDC Section 5.03.07.C, the certified PD General Site Plan shall expire for the internal transportation network and external access points, as well as for any conditions related to the internal transportation network and external access points, if site construction plans, or equivalent thereof, have not been approved for all or part of the subject Planned Development within 5 years of the effective date of the PD unless an extension is granted as provided in the LDC. Upon expiration, re-certification of the PD General Site Plan shall be required in accordance with the provisions set forth in LDC Section 5.03.07.C.
27. If the notes and/or graphics on the site plan are in conflict with specific zoning conditions and/or the LDC regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. Reference to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval.



AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 9/23/2024

REVIEWER: Michael J. Williams

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: GCN/ Northwest

PETITION NO: RZ 24-1126

- 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.

REVISED CONDITIONS OF APPROVAL

~~24. Notwithstanding anything shown on the PD site plan to the contrary:~~

~~A. The developer shall construct internal sidewalks as required pursuant to the LDC; and,~~

~~B. With respect to external sidewalks:~~

~~I. The developer shall construct a mid block crossing of Lake Magdalene Blvd. in the vicinity of Bolton Field Ct. Such crossing must be approved by the Public Works Department, who may require the developer to perform warrant studies, and if found to be approvable, require the developer to install Rapid Rotating Flashing Beacons (RRFBs) or other signage or signalization as may be required to safely facilitate the crossing. In the event such crossing is not warranted, cannot be safely provided, or Public Works otherwise declines to approve such facility, the developer shall proceed to select Option 24.B.ii., below, or Option 24.B.iii., below.; or,~~

~~II. The developer shall construct a minimum 5 foot wide sidewalk along the project's Lake Magdalene Blvd. frontage, (to connect with the existing sidewalk terminus immediately south of the site); or,~~

~~III. The developer may attempt to obtain a Section 11.04 LDC variance from the requirement to construct the sidewalk. In the event such variance is not granted, the developer shall construct the sidewalk pursuant to Section 24.B.ii., above.~~

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting a minor modification, also known as a personal appearance (PRS) for a +/- 2.8 ac. parcel zoned Planned Development (PD) 22-0864. The PD is approved for an agricultural stand, single-family residence, and fruit/vegetable harvest areas (to include two agricultural structures). The applicant is requesting deletion of existing zoning condition 24, which is further discussed in the "Site Access and Pedestrian Connectivity" section hereinbelow.

As required by the Development Review Procedures Manual (DRPM), the applicant submitted a letter indicating the project would generate fewer than 50 peak hour trips and, as such, no transportation analysis

was required to process this rezoning. Utilizing data from this letter and the Institute of Transportation Engineer’s Trip Generation Manual, 11th Edition, and based upon a generalized worst-case scenario, staff has prepared a comparison of the trip generation potential at project buildout under the existing and proposed zoning designations.

Existing Use:

Land Use/Size	24 Hour Two-Way Volume	Total Peak hour Trips	
		AM	PM
PD, 1 Single Family Detached Dwelling Units (ITE LUC 210)	9	1	1
PD, Agricultural Stand (Applicant’s Analysis)	70 (est.)	7	1
Subtotal:	79	8	2

Proposed Use:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 1 Single Family Detached Dwelling Units (ITE LUC 210)	9	1	1
PD, Agricultural Stand (Applicant’s Analysis)	70 (est.)	7	1
Subtotal:	79	8	2

Trip Generation Difference:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	No Change	No Change	No Change

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

Lake Magdalene Blvd. is a 2-lane, undivided, publicly maintained, substandard, collector roadway characterized by +/- 11-foot wide lanes in average condition. Along the project’s frontage, the roadway lies within a variable width right-of-way (between +/- 50 and +/- 93 feet in width). There are +/- 5-foot wide sidewalks along portions of the east and west side of Lake Magdalene Blvd. in the vicinity of the proposed project. There are no bicycle facilities (or paved shoulders) along Lake Magdalene Blvd. in the vicinity of the proposed project.

Although Lake Magdalene Blvd. is substandard, by policy of the County Engineer projects generating fewer than 10 peak hour trips in total are generally exempt from the Section 6.04.03.L. LDC requirement whereby a project taking access to a substandard road must improve the road between the project access and nearest standard roadway, provided the roadway being accessed meets minimum life safety standards (i.e. 15 feet of pavement within a 20-foot wide clear area). Existing zoning conditions recognize this exemption, and therefore no substandard road improvements are required.

SITE ACCESS AND PEDESTRIAN CONNECTIVITY

The existing PD has one vehicular connection serving the site to Lake Magdalene Blvd. No changes to site access are proposed as a part of this request. Pedestrian access is being proposed to Bearss Ave.

The administrator reviewed the application and determined that the existing uses on the site constitute temporary uses. As such, sidewalk improvements required by Sec. 6.03.02. are not yet triggered. As such, staff supports the applicant's requested removal of zoning condition 24.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Level of Service (LOS) information for adjacent roadway section(s) is reported below.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
Lake Magdalene Blvd.	Fletcher Ave.	Bearss Ave.	D	C

Source: Hillsborough County 2020 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
Lake Magdalene Blvd.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. 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
	Choose an item.	Choose an item. 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
	Choose an item.	Choose an item. 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	79	8	2
Proposed	79	8	2
Difference (+/-)	No Change	No Change	No Change

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

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

Notes: Although Lake Magdalene Blvd. is a substandard roadway, a Section 6.04.02.B. Administrative Variance was not needed since the project meets the County Engineer's de minimis criteria and the roadway meets minimum life safety standards.

Transportation Comment Sheet

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

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AGENCY COMMENT SHEET

REZONING	
<p>HEARING DATE: 10/8/2024</p> <p>PETITION NO.: 24-1126</p> <p>EPC REVIEWER: Melissa Yañez</p> <p>CONTACT INFORMATION: (813) 627-2600 X 1360</p> <p>EMAIL: yanezm@epchc.org</p>	<p>COMMENT DATE: 9/3/2024</p> <p>PROPERTY ADDRESS: 14316 Lake Magdalene Blvd, Tampa, FL 33618</p> <p>FOLIO #: 0164600000</p> <p>STR: 34-27S-18E</p>
<p>REQUESTED ZONING: Minor modification to PD</p>	
FINDINGS	
WETLANDS PRESENT	YES
SITE INSPECTION DATE	NA
WETLAND LINE VALIDITY	NA
WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)	Southern portion of subject parcel via aerials and soil survey, and expired ERP
<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 	

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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.

my / cb

ec: wmolloy@mjlaw.us



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:** 8/5/2024
REVIEWER: Kim Cruz, Environmental Supervisor **REVIEW DATE:** 8/16/2024
PROPERTY OWNER: Lawrance Properties LLC **PID:** 24-1126
APPLICANT: William Malloy
LOCATION: 14316 Lake Magdalene Blvd. Tampa, FL 33618
FOLIO NO.: 16460.0000

AGENCY REVIEW COMMENTS:

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

Hillsborough County EVSD has no recommended conditions and no request for additional information.

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

PETITION NO.: PRS 24-1126 REVIEWED BY: Clay Walker, E.I. DATE: 8/13/2024

FOLIO NO.: 16460.0000

WATER

- The property lies within the ____ Water Service Area. The applicant should contact the provider to determine the availability of water service.
- A 12 inch water main exists (approximately __ feet from the site), (adjacent to the site), and is located east of the subject property within the east Right-of-Way of Lake Magdalene Boulevard. 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 10 inch wastewater forcemain exists (approximately __ feet from the project site), (adjacent to the site) and is located east of the subject property within the west Right-of-Way of Lake Magdalene Boulevard. 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.