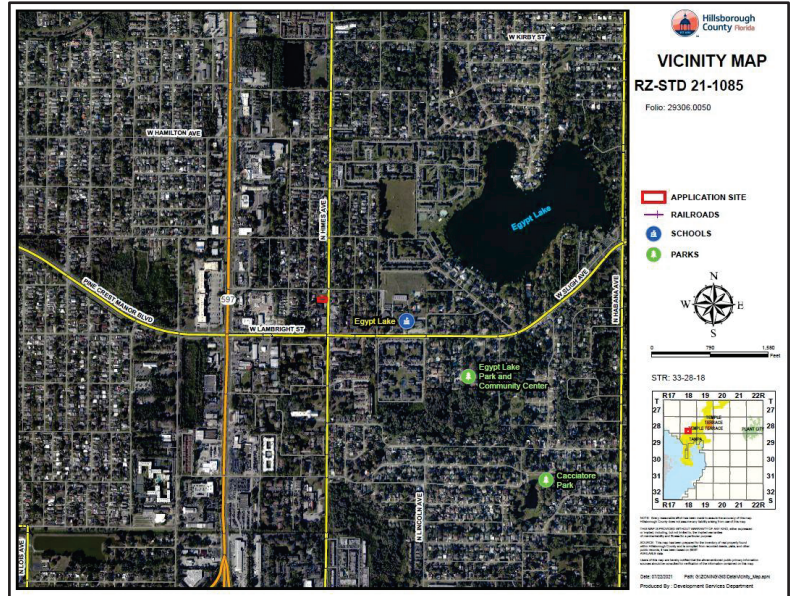


**Rezoning Application: 21-1085**  
**Zoning Hearing Master Date: October 18, 2021**  
**BOCC Land Use Meeting Date: December 14, 2021**

**1.0 APPLICATION SUMMARY**

**Applicant:** Jomarcell Nguyen  
**FLU Category:** Residential -20 (Res-20)  
**Service Area:** Urban  
**Site Acreage:** 0.14  
**Community Plan Area:** Egypt Lake  
**Overlay:** None



**Introduction Summary:**

The request is to rezone from the existing **Business Professional Office (BPO)** and **Residential, Single-Family Conventional-9 (RSC-9)** zoning districts to the proposed to **Residential, Single-Family Conventional-9 (RSC-9)** zoning district. The proposed zoning permits single-family conventional development on lots containing a minimum area of 5,000 square feet (sf).

Zoning:	Existing		Proposed
District(s)	BPO	RSC-9	RSC-9
Typical General Use(s)	Office	Single-Family Residential (Conventional Only)	Single-Family Residential (Conventional Only)
Acreage	0.14		0.14
Density/Intensity	0.20 F.A.R.	1 dwelling unit (du) per 5,000 sf	1 du/ 5,000 sf
Mathematical Maximum*	0.20 F.A.R.	1 dwelling unit	1 dwelling units

\*number represents a pre-development approximation

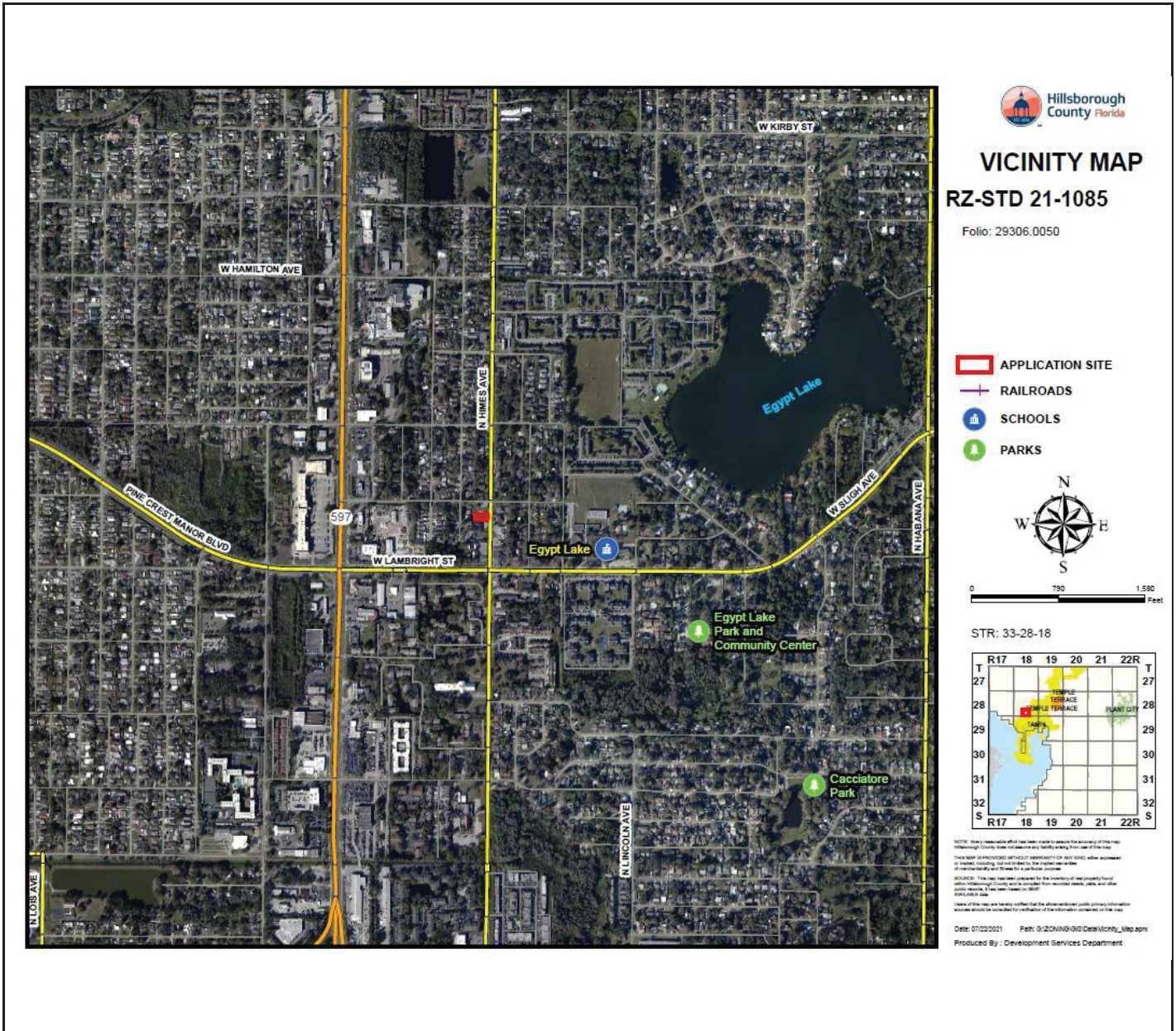
Development Standards:	Existing		Proposed
District(s)	BPO	RSC-9	RSC-9
Lot Size / Lot Width	7,000 sf / 70 feet	5,000 sf / 50 feet	5,000 sf / 50 feet
Setbacks/Buffering and Screening	30' Front 50' Rear	20' Front 5' Sides 20' Rear	20' Front 5' Sides 20' Rear
Height	50'	35'	35'

**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
<b>Planning Commission Recommendation:</b> Consistent	<b>Development Services Recommendation:</b> Approvable

## 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.1 Vicinity Map



#### Context of Surrounding Area:

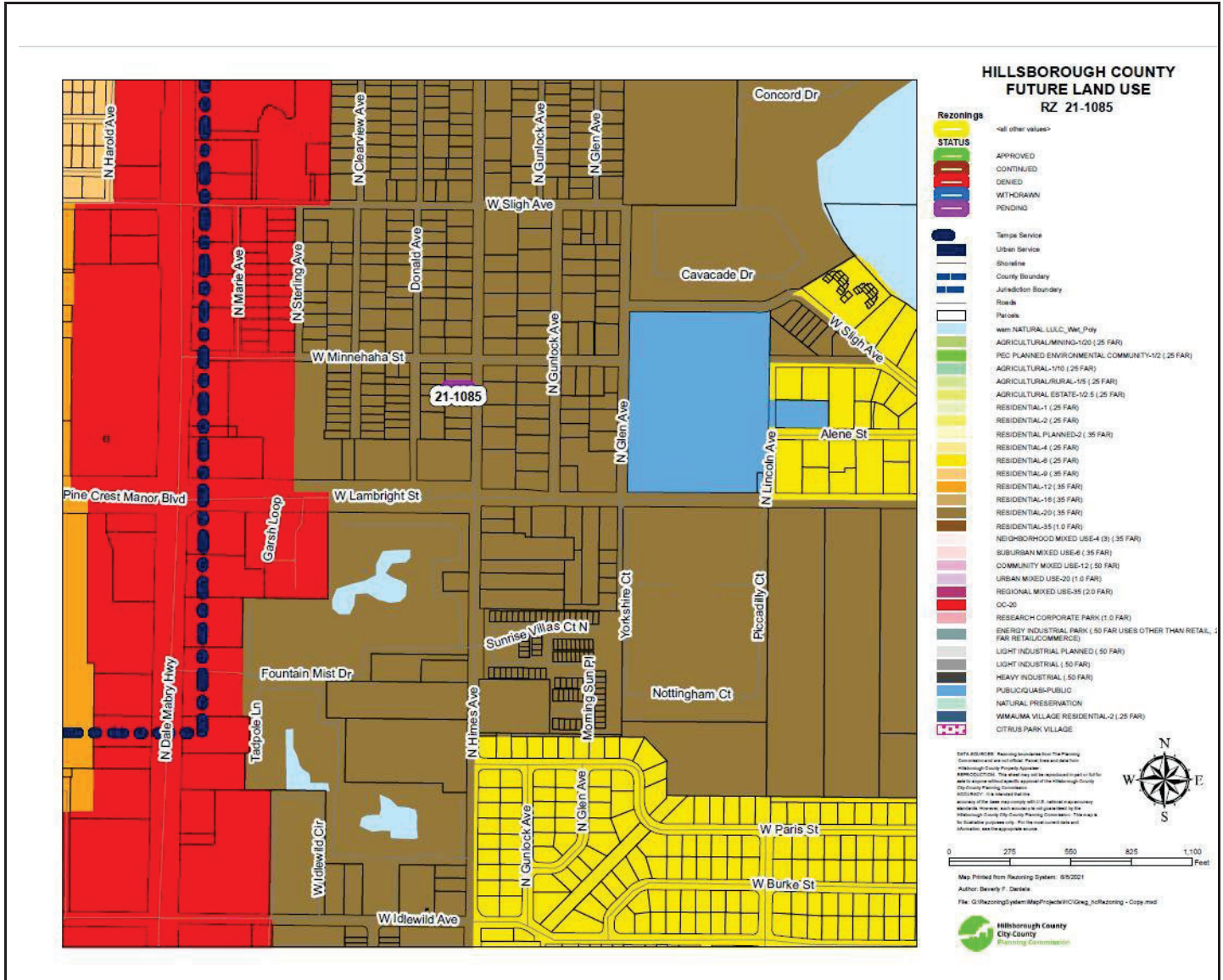
The site is surrounded by single-family residential, office and neighborhood-commercial type uses. The subject site is surrounded by Res-20 Future Land Use (FLU) categories which permits single-family residential, office and neighborhood-commercial uses. The adjacent properties are zoned (BPO) Business Professional Office Agricultural Rural and (CN) Commercial Neighborhood (to the south and east); and (RSC-9) Residential, Single-Family Conventional-9 (to the north and west).





**2.0 LAND USE MAP SET AND SUMMARY DATA**

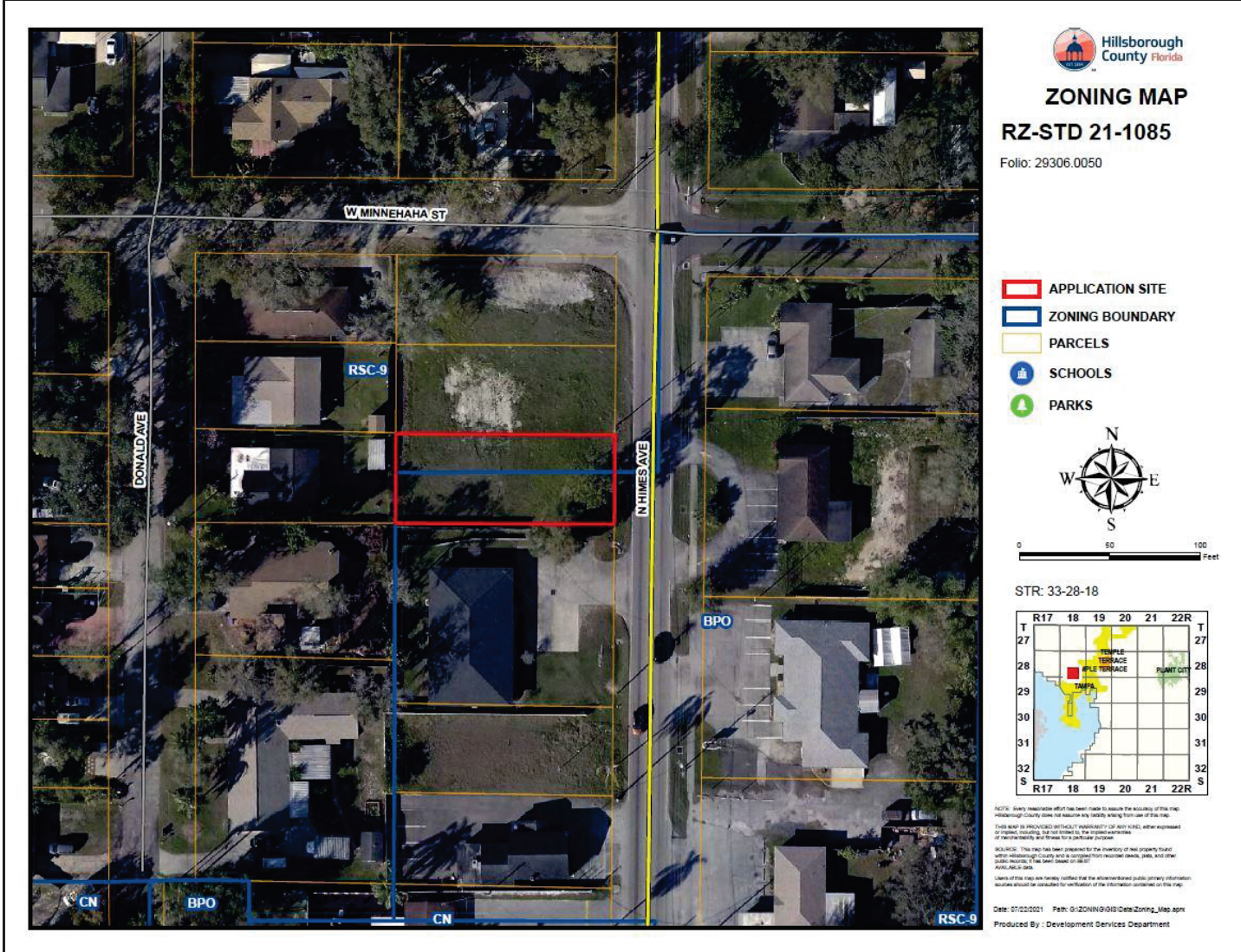
**2.2 Future Land Use Map**



Subject Site Future Land Use (FLU) Category:	Residential 20 (Res-20)
Maximum Density/F.A.R.:	1 dwelling unit per Gross Acre (ga)/0.35 F.A.R.
Typical Uses:	High density residential development, as well as urban scale neighborhood commercial, office, multi-purpose projects, and mixed-use developments in accordance with the Goals, Objectives and Policies of the Land Use Element and applicable development regulations and locational criteria for specific land use.

**2.0 LAND USE MAP SET AND SUMMARY DATA**

**2.3 Immediate Area Map**



**Adjacent Zonings and Uses**

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	Residential, Single-Family Conventional-9 (RSC-9)	1 du / 5,000 sq. ft	Single-Family Residential (Conventional Only)	Vacant
South	Business Professional Office (BPO)	0.20 F.A.R.	Office	Office



**Rezoning Application: 21-1085**  
**Zoning Hearing Master Date: October 18, 2021**  
**BOCC Land Use Meeting Date: December 14, 2021**



**Hillsborough  
 County Florida**

Development Services Department

Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
East	Business Professional Office (BPO)	0.20 F.A.R.	Office	Office
West	Residential, Single-Family Conventional-9 (RSC-9)	1 du / 5,000 sq. ft	Single-Family Residential (Conventional Only)	Single-Family Residential

**Rezoning Application: 21-1085**  
**Zoning Hearing Master Date:** October 18, 2021  
**BOCC Land Use Meeting Date:** December 14, 2021



**Hillsborough  
County Florida**

Development Services Department

## 2.0 LAND USE MAP SET AND SUMMARY DATA

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

Not Applicable



APPLICATION NUMBER: PD 21-1085

ZHM HEARING DATE: October 18, 2021

**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
N Himes Ave.	County Collector - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" 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	58	7	8
Proposed	9	1	1
Difference (+/-)	-49	-6	-7

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

**Connectivity and Cross Access**  Not applicable for this request

Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		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
	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	If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again.
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This agency has no comments.
Check if Applicable: <ul style="list-style-type: none"> <li><input type="checkbox"/> Wetlands/Other Surface Waters</li> <li><input type="checkbox"/> Use of Environmentally Sensitive Land Credit</li> <li><input type="checkbox"/> Wellhead Protection Area</li> <li><input type="checkbox"/> Surface Water Resource Protection Area</li> <li><input checked="" type="checkbox"/> Potable Water Wellfield Protection Area</li> <li><input type="checkbox"/> Significant Wildlife Habitat</li> <li><input type="checkbox"/> Coastal High Hazard Area</li> <li><input checked="" type="checkbox"/> Urban/Suburban/Rural Scenic Corridor</li> <li><input type="checkbox"/> Adjacent to ELAPP property</li> <li><input type="checkbox"/> Other _____</li> </ul>				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
<b>Transportation</b> <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
<b>Service Area/ Water &amp; Wastewater</b> <input checked="" type="checkbox"/> Urban <input checked="" 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	
<b>Hillsborough County School Board</b> Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Impact/Mobility Fees:</b> No Comments Provided.				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
<b>Planning Commission</b> <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"/> Density Bonus Requested <input checked="" type="checkbox"/> Consistent <input type="checkbox"/> Inconsistent	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	



**5.0 IMPLEMENTATION RECOMMENDATIONS**

**5.1 Compatibility**

The site is located in an area comprised of single-family residential, office and neighborhood-commercial type uses. The subject site is surrounded by Res-20 FLU category which permits single-family residential, office and neighborhood-commercial uses.

The site is adjacent to properties with similar zoning district designations. The properties to the immediate north and east are zoned (BPO) Business Professional; and (RSC-9) Residential, Single-Family Conventional-9 (to the north and west).

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


The site is located within the City of Tampa 's Water and Wastewater Service Area; therefore, the subject property should be served by the City of Tampa

**5.2 Recommendation**

Based on the above considerations, staff finds the proposed RSC-9 zoning district is compatible with the existing zoning districts and development pattern in the area.

**6.0 PROPOSED CONDITIONS**

N/A

<b>Zoning Administrator Sign Off:</b>	 J. Brian Grady Wed Oct 6 2021 13:43:22
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**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 a approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are being waived or otherwise approved. The project will be required to comply with the Site Development Plan Review approval process in addition to obtain all necessary building permits for on-site structures.

ZHM HEARING DATE: October 18, 2021  
BOCC LUM MEETING DATE: December 14, 2021

Case Reviewer: Planner Isis Brown

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**7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS**

N/A



## 8.0 PROPOSED SITE PLAN (FULL)

Not Applicable

**9.0 FULL TRANSPORTATION REPORT (see following pages)**

**AGENCY REVIEW COMMENT SHEET**

<b>TO:</b> Zoning Technician, Development Services Department	<b>DATE:</b> 10/05/2021
<b>REVIEWER:</b> Alex Steady, Senior Planner	<b>AGENCY/DEPT:</b> Transportation
<b>PLANNING AREA/SECTOR:</b> Egypt Lake/Northwest	<b>PETITION NO:</b> STD 21-1085

- |                                     |  |
|-------------------------------------|--|
| <input type="checkbox"/>            | This agency has no comments.                         |
| <input checked="" type="checkbox"/> | <b>This agency has no objection.</b>                 |
| <input type="checkbox"/>            | This agency objects for the reasons set forth below. |

**REPORT SUMMARY AND CONCLUSIONS**

- The proposed rezoning would result in a decrease of trips potentially generated by development of the subject site by 49 average daily trips, 6 trips in the a.m. peak hour, and 7 trips in the p.m. peak hour.
- As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.
- Transportation Review Section staff has no objection to this request.

**PROJECT SUMMARY AND ANALYSIS**

The applicant is requesting to rezone one parcel totaling +/- 0.14 acres from BPO and RSC-9 to RSC-9. The site is located +/- 115 feet south the of the intersection of Minnehaha St and Himes Ave. The Future Land Use designation of the site is RES-20.

***Trip Generation Analysis***

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

**Approved Zoning:**

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
BPO 3,000 sf Small Office Building (ITE Code 712)	49	6	7
RSC-9, 1 Single Family Detached Dwelling Unit (ITE Code 210)	9	1	1
<b>Total</b>	<b>58</b>	<b>7</b>	<b>8</b>

**Proposed Zoning:**

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RSC-9, 1 Single Family Detached Dwelling Unit (ITE Code 210)	9	1	1

**Trip Generation Difference:**

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference</b>	<b>-49</b>	<b>-6</b>	<b>-7</b>

The proposed rezoning would result in a decrease of trips potentially generated by development of the subject site by 49 average daily trips, 6 trips in the a.m. peak hour, and 7 trips in the p.m. peak hour.

**TRANSPORTATION INFRASTRUCTURE SERVING THE SITE**

The site has frontage on N Himes Ave. N Himes Ave is a 2-lane, undivided, collector, substandard, Hillsborough County maintained roadway with +/- 10-foot travel lanes. Along the project frontage of the subject site, Himes Ave lies within a +/- 77-foot-wide right-of-way. There are no sidewalks on the East side of Himes Ave and no bike lanes in the vicinity of the proposed project.

Himes Ave is shown on the Hillsborough County Corridor Preservation Plan as a future 4-lane roadway.

**SITE ACCESS**

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

**LEVEL OF SERVICE (LOS)**

Level of Service (LOS) information is reported below.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr Directional LOS
HIMES AVE	CITY LIMITS	BUSCH BLVD	E	D

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

**COUNTY OF HILLSBOROUGH  
LAND USE HEARING OFFICER'S RECOMMENDATION**

<b>Application number:</b>	RZ STD 21-1085
<b>Hearing date:</b>	October 18, 2021
<b>Applicant:</b>	Jomarcell Nguyen
<b>Request:</b>	Rezone to RSC-9
<b>Location:</b>	West side of North Himes Avenue, south of West Minnehaha Street
<b>Parcel size:</b>	0.14 acres +/- (6,098 square feet)
<b>Existing zoning:</b>	BPO and RSC-9
<b>Future land use designation:</b>	Residential-20 (20 du/ga; 0.75 FAR)
<b>Service area:</b>	Urban
<b>Community planning area:</b>	None



**A. APPLICATION REVIEW**

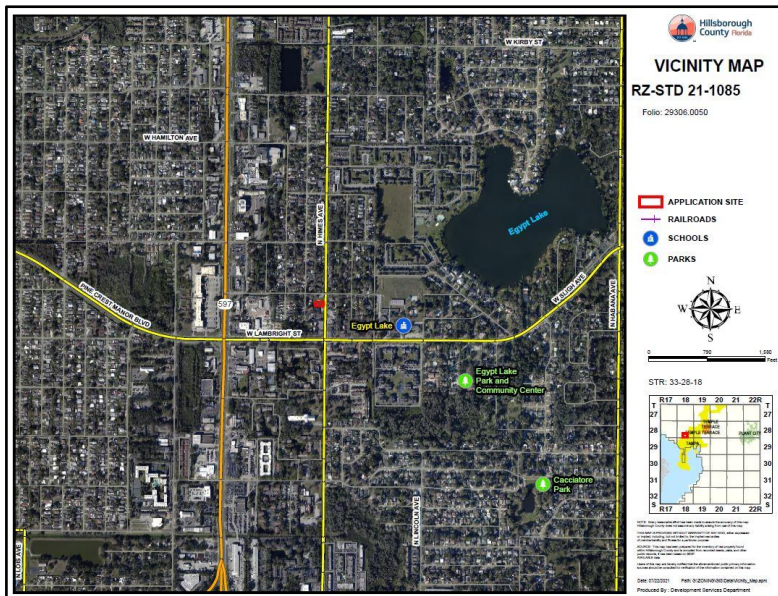
**DEVELOPMENT SERVICES STAFF REPORT  
APPLICATION REVIEW SUMMARY AND RECOMMENDATION**



**Rezoning Application: 21-1085**  
**Zoning Hearing Master Date: October 18, 2021**  
**BOCC Land Use Meeting Date: December 14, 2021**

**1.0 APPLICATION SUMMARY**

**Applicant:** Jomarcell Nguyen  
**FLU Category:** Residential -20 (Res-20)  
**Service Area:** Urban  
**Site Acreage:** 0.14  
**Community Plan Area:** Egypt Lake  
**Overlay:** None



**Introduction Summary:**

The request is to rezone from the existing **Business Professional Office (BPO)** and **Residential, Single-Family Conventional-9 (RSC-9)** zoning districts to the proposed to **Residential, Single-Family Conventional-9 (RSC-9)** zoning district. The proposed zoning permits single-family conventional development on lots containing a minimum area of 5,000 square feet (sf).

Zoning:	Existing		Proposed
District(s)	BPO	RSC-9	RSC-9
Typical General Use(s)	Office	Single-Family Residential (Conventional Only)	Single-Family Residential (Conventional Only)
Acreage	0.14		0.14
Density/Intensity	0.20 F.A.R.	1 dwelling unit (du) per 5,000 sf	1 du/ 5,000 sf
Mathematical Maximum*	0.20 F.A.R.	1 dwelling unit	1 dwelling units

\*number represents a pre-development approximation

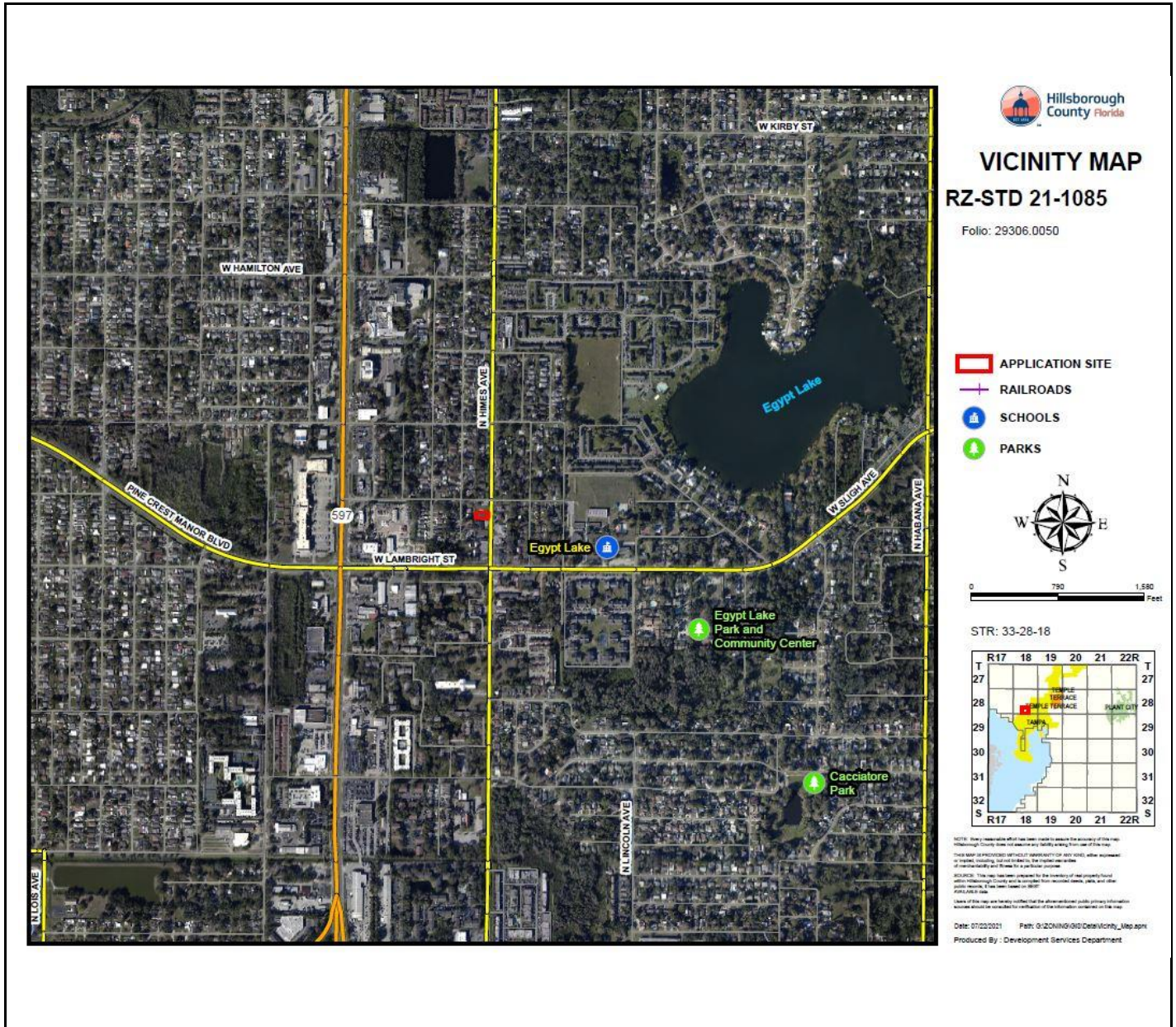
Development Standards:	Existing		Proposed
District(s)	BPO	RSC-9	RSC-9
Lot Size / Lot Width	7,000 sf / 70 feet	5,000 sf / 50 feet	5,000 sf / 50 feet
Setbacks/Buffering and Screening	30' Front 50' Rear	20' Front 5' Sides 20' Rear	20' Front 5' Sides 20' Rear
Height	50'	35'	35'

**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
<b>Planning Commission Recommendation:</b> Consistent	<b>Development Services Recommendation:</b> Approvable

## 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.1 Vicinity Map



#### Context of Surrounding Area:

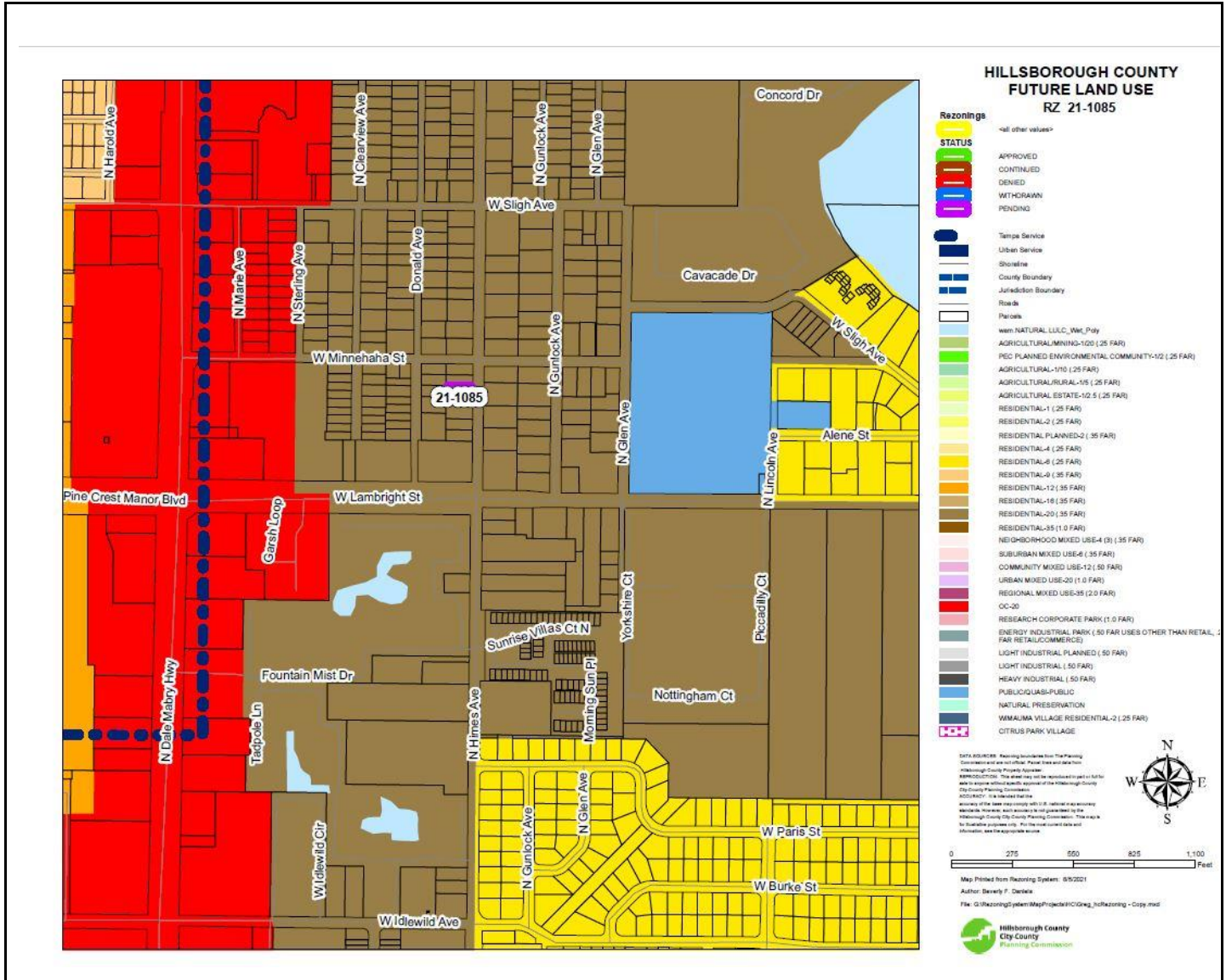
The site is surrounded by single-family residential, office and neighborhood-commercial type uses. The subject site is surrounded by Res-20 Future Land Use (FLU) categories which permits single-family residential, office and neighborhood-commercial uses. The adjacent properties are zoned (BPO) Business Professional Office Agricultural Rural and (CN) Commercial Neighborhood (to the south and east); and (RSC-9) Residential, Single-Family Conventional-9 (to the north and west).





**2.0 LAND USE MAP SET AND SUMMARY DATA**

**2.2 Future Land Use Map**

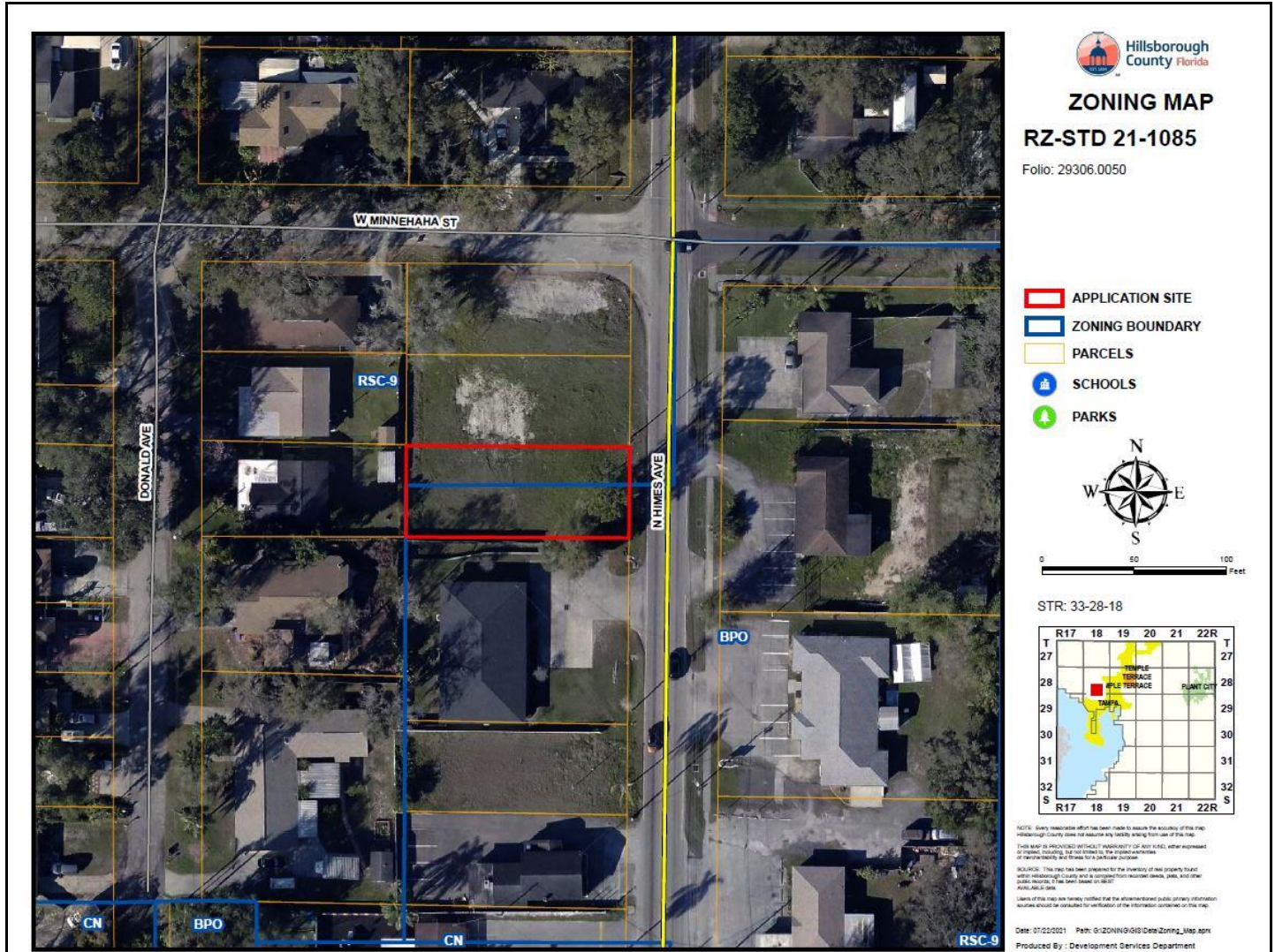


Subject Site Future Land Use (FLU) Category:	Residential 20 (Res-20)
Maximum Density/F.A.R.:	1 dwelling unit per Gross Acre (ga)/0.35 F.A.R.
Typical Uses:	High density residential development, as well as urban scale neighborhood commercial, office, multi-purpose projects, and mixed-use developments in accordance with the Goals, Objectives and Policies of the Land Use Element and applicable development regulations and locational criteria for specific land use.



**2.0 LAND USE MAP SET AND SUMMARY DATA**

**2.3 Immediate Area Map**



**Adjacent Zonings and Uses**

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	Residential, Single-Family Conventional-9 (RSC-9)	1 du / 5,000 sq. ft	Single-Family Residential (Conventional Only)	Vacant
South	Business Professional Office (BPO)	0.20 F.A.R.	Office	Office



**Rezoning Application: 21-1085**  
**Zoning Hearing Master Date: October 18, 2021**  
**BOCC Land Use Meeting Date: December 14, 2021**

**Adjacent Zonings and Uses**

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
East	Business Professional Office (BPO)	0.20 F.A.R.	Office	Office
West	Residential, Single-Family Conventional-9 (RSC-9)	1 du / 5,000 sq. ft	Single-Family Residential (Conventional Only)	Single-Family Residential

**Rezoning Application: 21-1085**  
**Zoning Hearing Master Date:** October 18, 2021  
**BOCC Land Use Meeting Date:** December 14, 2021



**Hillsborough  
County Florida**

**Development Services Department**

## 2.0 LAND USE MAP SET AND SUMMARY DATA

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

Not Applicable

APPLICATION NUMBER: PD 21-1085

ZHM HEARING DATE: October 18, 2021

**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
N Himes Ave.	County Collector - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" 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	58	7	8
Proposed	9	1	1
Difference (+/-)	-49	-6	-7

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

**Connectivity and Cross Access**  Not applicable for this request

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

Notes:



**4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY**

<b>INFORMATION/REVIEWING AGENCY</b>				
<b>Environmental:</b>	<b>Comments Received</b>	<b>Objections</b>	<b>Conditions Requested</b>	<b>Additional Information/Comments</b>
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	If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again.
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This agency has no comments.
Check if Applicable: <ul style="list-style-type: none"> <li><input type="checkbox"/> Wetlands/Other Surface Waters</li> <li><input type="checkbox"/> Use of Environmentally Sensitive Land Credit</li> <li><input type="checkbox"/> Wellhead Protection Area</li> <li><input type="checkbox"/> Surface Water Resource Protection Area</li> <li><input checked="" type="checkbox"/> Potable Water Wellfield Protection Area</li> <li><input type="checkbox"/> Significant Wildlife Habitat</li> <li><input type="checkbox"/> Coastal High Hazard Area</li> <li><input checked="" type="checkbox"/> Urban/Suburban/Rural Scenic Corridor</li> <li><input type="checkbox"/> Adjacent to ELAPP property</li> <li><input type="checkbox"/> Other _____</li> </ul>				
<b>Public Facilities:</b>	<b>Comments Received</b>	<b>Objections</b>	<b>Conditions Requested</b>	<b>Additional Information/Comments</b>
<b>Transportation</b> <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
<b>Service Area/ Water &amp; Wastewater</b> <input checked="" type="checkbox"/> Urban <input checked="" 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	
<b>Hillsborough County School Board</b> Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Impact/Mobility Fees:</b> No Comments Provided.				
<b>Comprehensive Plan:</b>	<b>Comments Received</b>	<b>Findings</b>	<b>Conditions Requested</b>	<b>Additional Information/Comments</b>
<b>Planning Commission</b> <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"/> Density Bonus Requested <input checked="" type="checkbox"/> Consistent <input type="checkbox"/> Inconsistent	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

**5.0 IMPLEMENTATION RECOMMENDATIONS**

**5.1 Compatibility**

The site is located in an area comprised of single-family residential, office and neighborhood-commercial type uses. The subject site is surrounded by Res-20 FLU category which permits single-family residential, office and neighborhood-commercial uses.

The site is adjacent to properties with similar zoning district designations. The properties to the immediate north and east are zoned (BPO) Business Professional; and (RSC-9) Residential, Single-Family Conventional-9 (to the north and west).

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


The site is located within the City of Tampa 's Water and Wastewater Service Area; therefore, the subject property should be served by the City of Tampa

**5.2 Recommendation**

Based on the above considerations, staff finds the proposed RSC-9 zoning district is compatible with the existing zoning districts and development pattern in the area.

**6.0 PROPOSED CONDITIONS**

N/A

<p><b>Zoning Administrator Sign Off:</b></p>	 <p>J. Brian Grady Wed Oct 6 2021 13:43:22</p>
<p><b>SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN &amp; BUILDING REVIEW AND APPROVAL.</b></p> <p>Approval of this re-zoning petition by Hillsborough County does not constitute a guarantee that the project will receive a 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.</p>	

## **B. HEARING SUMMARY**

This case was heard by the Hillsborough County Land Use Hearing Officer on October 18, 2021. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

### **Applicant**

Mr. Anh Nguyen stated he is the applicant and is representing the owner of the subject property. He stated the current zoning is BPO and RSC-9 and the owner wishes to rezone to RSC-9 to be consistent with the surrounding area.

### **Development Services Department**

Ms. Isis Brown, Hillsborough County Development Services Department, presented a summary of the findings and analysis as detailed in the staff report previously submitted into the record.

### **Planning Commission**

Ms. Jillian Massey, Hillsborough County City-County Planning Commission, presented a summary of the findings and analysis as detailed in the Planning Commission report previously submitted into the record.

### **Proponents**

The hearing officer asked whether there was anyone at the hearing in person or online to speak in support of the application. There were none.

### **Opponents**

The hearing officer asked whether there was anyone at the hearing in person or online to speak in opposition to the application. There were none.

### **Development Services Department**

Mr. Grady stated Development Services Department had nothing further.

### **Applicant Rebuttal**

Mr. Nguyen stated had nothing further.

The hearing officer closed the hearing on RZ PD 21-1085.

## **C. EVIDENCE SUBMITTED**

No additional documentary evidence was submitted into the record at the hearing.

#### **D. FINDINGS OF FACT**

1. The Subject Property is approximately 0.14 acres located on the west side of North Himes Avenue south of West Minnehaha Street.
2. The Subject Property is currently zoned BPO and RSC-9.
3. The Subject Property is designated R-20 on the comprehensive plan Future Land Use Map.
4. The Subject Property is in the Urban Service Area and is not within the boundaries of a Community Plan.
5. The Subject Property is surrounded by single-family residential, office, and neighborhood-commercial uses. Adjacent properties to the south and east are zoned BPO and Commercial Neighborhood, and to the north and west are zoned RSC-9. The Subject Property is surrounded by properties with the Res-20 Future Land Use designation.
6. The applicant has requested a rezoning to RSC-9.
7. The proposed rezoning is compatible with surrounding land uses and consistent with the comprehensive plan.

#### **E. FINDINGS OF COMPLIANCE OR NON-COMPLIANCE WITH COMPREHENSIVE PLAN**

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

#### **F. CONCLUSIONS OF LAW**

A development order is consistent with the comprehensive plan if “the land uses, densities or intensities, and other aspects of development permitted by such order...are compatible with and further the objectives, policies, land uses, and densities or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government.” § 163.3194(3)(a), Fla. Stat. (2021). Based on the evidence and testimony submitted in the record and at the hearing, including reports and testimony of Development Services Staff and Planning Commission staff, applicant’s testimony and evidence, there is substantial competent evidence demonstrating the requested rezoning is consistent with the Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County, and does comply with the applicable requirements of the Hillsborough County Land Development Code.



### G. SUMMARY

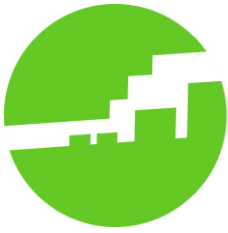
The applicant has requested a rezoning from BPO and RSC-9 to RSC-9.

### H. RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, this recommendation is for **APPROVAL** of the rezoning request.

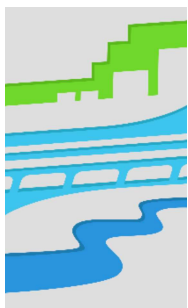
*Pamela Jo Hatley*  
Pamela Jo Hatley PhD, JD  
Land Use Hearing Officer

November 3, 2021  
Date:



**Hillsborough County  
City-County  
Planning Commission**

<b>Unincorporated Hillsborough County Rezoning</b>	
<b>Hearing Date:</b> October 18, 2021  <b>Report Prepared:</b> October 6, 2021	<b>Petition: RZ 21-1085</b>  <i>West of North Himes Avenue and south of West Minnehaha Street</i>
<b>Summary Data:</b>	
<b>Comprehensive Plan Finding:</b>	<b>CONSISTENT</b>
<b>Adopted Future Land Use:</b>	Residential-20 (20 du/ga; 0.75 FAR)
<b>Service Area:</b>	Urban
<b>Community Plan:</b>	None
<b>Requested Zoning:</b>	Business - Professional Office (BPO) and Residential - Single-Family Conventional-9 (RSC-9) to Residential - Single-Family Conventional-9 (RSC-9)
<b>Parcel Size (Approx.):</b>	0.14 +/- acres (6,098 square feet)
<b>Street Functional Classification:</b>	N Himes Avenue – <b>County Arterial</b> W Minnehaha Street – <b>Local</b>
<b>Locational Criteria:</b>	N/A
<b>Evacuation Area:</b>	None



## **Context**

- The subject property is located on 0.14 acres immediately west of North Himes Avenue and south of West Minnehaha Street. The subject property is located within the Urban Service Area and is not within the limits of a Community Plan.
- The subject property is designated as Residential-20 (RES-20) on the Future Land Use Map. RES-20 surrounds the subject property on all sides. Typical uses in this category include Residential, neighborhood commercial, office uses, multi-purpose projects and mixed use developments. Non-residential uses are required to meet locational criteria for specific land use projects. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.
- The subject property is currently classified as vacant residential. The property is currently zoned Business - Professional Office (BPO) and Residential - Single-Family Conventional (RSC-9). Immediately to the north and west of the subject property are single-family lots and vacant parcels residential zoned RSC-9. Light commercial lots zoned BPO are located immediately east across North Himes Avenue. Light commercial and vacant commercial lots zoned BPO are located south. Further south is the Paradise Learning Center zoned BPO. Overall, the area is a mixture of single family and vacant residential lots and light commercial with vacant and office building uses.
- The application requests to rezone the subject property from Business - Professional Office (BPO) and Residential - Single-Family Conventional-9 (RSC-9) to Residential - Single-Family Conventional-9 (RSC-9) to allow for a 3,000 sq. ft. two-story single family residential home.

## **Compliance with Comprehensive Plan:**

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

## **Future Land Use Element**

### ***Urban Service Area Boundary***

*This boundary is established to designate on the Future Land Use Map the location for urban level development in the County. The boundary shall serve as a means to provide an efficient use of land and public and private investment, and to contain urban sprawl.*

### ***Urban Service Area (USA)***

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

### **Policy 1.2: Minimum Density**

*All new residential or mixed use land use categories within the USA shall have a density of 4 du/ga or greater unless environmental features or existing development patterns do not support those densities.*

*Within the USA and in categories allowing 4 units per acre or greater, new development or redevelopment shall occur at a density of at least 75% of the allowable density of the land use category, unless the development meets the criteria of Policy 1.3.*

### **Policy 1.3:**

*Within the USA and within land use categories permitting 4 du/ga or greater, new rezoning approvals for residential development of less than 75% of the allowable density of the land use category will be permitted only in cases where one or more of the following criteria are found to be met:*

- *Development at a density of 75% of the category or greater would not be compatible (as defined in Policy 1.4) and would adversely impact with the existing development pattern within a 1,000 foot radius of the proposed development;*
- *Infrastructure (Including but not limited to water, sewer, stormwater and transportation) is not planned or programmed to support development.*
- *Development would have an adverse impact on environmental features on the site or adjacent to the property.*
- *The site is located in the Coastal High Hazard Area.*
- *The rezoning is restricted to agricultural uses and would not permit the further subdivision for residential lots.*

**Policy 1.4:** *Compatibility is defined as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture. Compatibility does not mean “the same as.” Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.*

### **Neighborhood/Community Development**

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

**Policy 16.1:** *Established and planned neighborhoods and communities shall be protected by restricting incompatible land uses through mechanisms such as:*



- a) locational criteria for the placement of non-residential uses as identified in this Plan,
- b) limiting commercial development in residential land use categories to neighborhood scale;
- c) requiring buffer areas and screening devices between unlike land uses;

**Policy 16.2:** Gradual transitions of intensities between different land uses shall be provided for as new development is proposed and approved, through the use of professional site planning, buffering and screening techniques and control of specific land uses.

**Policy 16.3:** Development and redevelopment shall be integrated with the adjacent land uses through:

- a) the creation of like uses; or
- b) creation of complementary uses; or
- c) mitigation of adverse impacts; and
- d) transportation/pedestrian connections

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

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

#### **Staff Analysis of Goals Objectives and Policies:**

The application requests to rezone the subject property from Business - Professional Office (BPO) and Residential - Single-Family Conventional-9 (RSC-9) to Residential - Single-Family Conventional-9 (RSC-9) to allow for a 3,000 sq. ft. two-story single family residential home. The site has split zoning and the applicant would like to rezone the entire property to RSC-9. This zoning district is consistent with the Residential-20 (RES-20) Future Land Use classification. The area is a combination of single-family lots, vacant residential and light commercial, which are compatible with the applicant’s request. The existing land uses are complementary to the proposed development and meet the intent of Policy 16.3, 16.8 and 16.10. The request is consistent with Future Land Use Element (FLUE) Policy 1.4, as the subject property is in the Urban Service Area and will provide a height, scale and mass that is compatible with adjacent residential and commercial uses.

Policy 1.2 states that new development in the Urban Service Area is required to meet a minimum density of at least 75% of the allowable density of the land use category unless the development meets the criteria of Policy 1.3. The +/- 0.14-acre subject property has a minimum density requirement of two dwelling units. The applicant is only proposing one single-family residential home. However, per Policy 1.3, the minimum density requirement can be waived if the Development at a density of 75% of the category or greater would not be compatible and would adversely impact with the existing development pattern within a 1,000 foot radius of the proposed development. The subject property is surrounded by single-family residential homes on small lots. Adding additional units to the 0.14 acre

property wouldn't be representative of the historical pattern of development surrounding the parcel. Based on this, the subject property qualifies for the exception per Policy 1.3.

Overall, the rezoning would allow for development that is consistent with the Goals, Objectives and Policies of the Future Land Use Element of the *Unincorporated Hillsborough County Comprehensive Plan* and is compatible with the existing development pattern found within the surrounding area. Planning Commission staff finds the request would encourage development that complements the surrounding character of the area.

**Recommendation**

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

# HILLSBOROUGH COUNTY FUTURE LAND USE

RZ 21-1085

Rezonings  
STATUS

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

- Tempa Service
- Urban Service
- Shoreline
- County Boundary
- Jurisdiction Boundary
- Roads
- Parcels

- W/M NATURAL/LULC, Wet P/4Y
- AGRICULTURAL/MINING-1/20 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY+1/2 (.25 FAR)
- AGRICULTURAL-1/10 (.25 FAR)
- AGRICULTURAL/RURAL-1/5 (.25 FAR)
- AGRICULTURAL ESTATE-1/2.5 (.25 FAR)
- RESIDENTIAL-1 (.25 FAR)
- RESIDENTIAL-2 (.25 FAR)
- RESIDENTIAL PLANNED-2 (.35 FAR)
- RESIDENTIAL-4 (.25 FAR)
- RESIDENTIAL-6 (.25 FAR)
- RESIDENTIAL-9 (.35 FAR)
- RESIDENTIAL-12 (.35 FAR)
- RESIDENTIAL-16 (.35 FAR)
- RESIDENTIAL-20 (.35 FAR)
- RESIDENTIAL-35 (1.0 FAR)
- NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)
- SUBURBAN MIXED USE-6 (.35 FAR)
- COMMUNITY MIXED USE-12 (.50 FAR)
- URBAN MIXED USE-20 (1.0 FAR)
- REGIONAL MIXED USE-35 (2.0 FAR)
- OC-20
- RESEARCH CORPORATE PARK (1.0 FAR)
- ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)
- LIGHT INDUSTRIAL PLANNED (.50 FAR)
- LIGHT INDUSTRIAL (.50 FAR)
- HEAVY INDUSTRIAL (.50 FAR)
- PUBLIC/QUASIPUBLIC
- NATURAL PRESERVATION
- WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE



Map Printed from Rezoning System: 8/5/2021  
Author: Beverly F. Daniels

File: G:\Rezoning\System Map\Projects\VC\Eng\_Hdr\Rezoning - Copy.mxd





# **AGENCY COMMENTS**



**AGENCY REVIEW COMMENT SHEET**

**TO:** Zoning Technician, Development Services Department  
**REVIEWER:** Alex Steady, Senior Planner  
**PLANNING AREA/SECTOR:** Egypt Lake/Northwest

**DATE:** 10/05/2021  
**AGENCY/DEPT:** Transportation  
**PETITION NO:** STD 21-1085

- |                                     |  |
|-------------------------------------|--|
| <input type="checkbox"/>            | This agency has no comments.                         |
| <input checked="" type="checkbox"/> | <b>This agency has no objection.</b>                 |
| <input type="checkbox"/>            | This agency objects for the reasons set forth below. |

**REPORT SUMMARY AND CONCLUSIONS**

- The proposed rezoning would result in a decrease of trips potentially generated by development of the subject site by 49 average daily trips, 6 trips in the a.m. peak hour, and 7 trips in the p.m. peak hour.
- As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.
- Transportation Review Section staff has no objection to this request.

**PROJECT SUMMARY AND ANALYSIS**

The applicant is requesting to rezone one parcel totaling +/- 0.14 acres from BPO and RSC-9 to RSC-9. The site is located +/- 115 feet south the of the intersection of Minnehaha St and Himes Ave. The Future Land Use designation of the site is RES-20.

***Trip Generation Analysis***

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

**Approved Zoning:**

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
BPO 3,000 sf Small Office Building (ITE Code 712)	49	6	7
RSC-9, 1 Single Family Detached Dwelling Unit (ITE Code 210)	9	1	1
<b>Total</b>	<b>58</b>	<b>7</b>	<b>8</b>

**Proposed Zoning:**

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RSC-9, 1 Single Family Detached Dwelling Unit (ITE Code 210)	9	1	1

**Trip Generation Difference:**

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference</b>	<b>-49</b>	<b>-6</b>	<b>-7</b>

The proposed rezoning would result in a decrease of trips potentially generated by development of the subject site by 49 average daily trips, 6 trips in the a.m. peak hour, and 7 trips in the p.m. peak hour.

**TRANSPORTATION INFRASTRUCTURE SERVING THE SITE**

The site has frontage on N Himes Ave. N Himes Ave is a 2-lane, undivided, collector, substandard, Hillsborough County maintained roadway with +/- 10-foot travel lanes. Along the project frontage of the subject site, Himes Ave lies within a +/- 77-foot-wide right-of-way. There are no sidewalks on the East side of Himes Ave and no bike lanes in the vicinity of the proposed project.

Himes Ave is shown on the Hillsborough County Corridor Preservation Plan as a future 4-lane roadway.

**SITE ACCESS**

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

**LEVEL OF SERVICE (LOS)**

Level of Service (LOS) information is reported below.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr Directional LOS
HIMES AVE	CITY LIMITS	BUSCH BLVD	E	D

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

Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
N Himes Ave.	County Collector - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" 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	58	7	8
Proposed	9	1	1
Difference (+/-)	-49	-6	-7

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

Connectivity and Cross Access <input checked="" type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		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
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes:		

4.0 Additional Site Information & Agency Comments Summary

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

**COMMISSION**

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



**DIRECTORS**

Janet L. Dougherty EXECUTIVE DIRECTOR  
 Elaine S. DeLeeuw ADMIN DIVISION  
 Sam Elrabi, P.E. WATER DIVISION  
 Rick Muratti, Esq. LEGAL DEPT  
 Andy Schipfer, P.E. WETLANDS DIVISION  
 Steffanie L. Wickham WASTE DIVISION  
 Sterlin Woodard, P.E. AIR DIVISION

**AGENCY COMMENT SHEET**

REZONING	
<p><b>HEARING DATE:</b> 9/13/2021</p> <p><b>PETITION NO.:</b> 21-1085</p> <p><b>EPC REVIEWER:</b> Sarah Hartshorn</p> <p><b>CONTACT INFORMATION:</b> (813) 627-2600 X 1237</p> <p><b>EMAIL:</b> hartshorns@epchc.org</p>	<p><b>COMMENT DATE:</b> 8/12/2021</p> <p><b>PROPERTY ADDRESS:</b> N Himes Ave, Tampa, FL 33614</p> <p><b>FOLIO #:</b> 0293060050</p> <p><b>STR:</b> 33-28S-18E</p>
<p><b>REQUESTED ZONING:</b> From BPO to RSC-9</p>	
FINDINGS	
<b>WETLANDS PRESENT</b>	NO
<b>SITE INSPECTION DATE</b>	N/A
<b>WETLAND LINE VALIDITY</b>	N/A
<b>WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)</b>	N/A
<p><b>INFORMATIONAL COMMENTS:</b></p> <p>Wetlands Division staff of the Environmental Protection Commission of Hillsborough County (EPC) reviewed the above referenced site in order to determine the extent of any wetlands and other surface waters pursuant to Chapter 1-11, Rules of the EPC. This determination was performed using aerial photography, soil surveys, and reviewing EPC files. Through this review, it appears that no wetlands or other surface waters exist onsite.</p> <p>Please be advised this wetland determination is informal and non-binding. A formal wetland delineation may be applied for by submitting a “WDR30 - Delineation Request Application”. Once approved, the formal wetland delineation would be binding for five years.</p>	

Sjh/mst



**AGENCY REVIEW COMMENT SHEET**

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**TO: ZONING TECHNICIAN, Planning Growth Management**

**DATE: 27 July 2020**

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

**APPLICANT: Anh Nguyen**

**PETITION NO: RZ-STD 21-1085**

**LOCATION: Not listed**

**FOLIO NO: 29306.0050**

**SEC: 33 TWN: 28 RNG: 18**

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- This agency has no comments.
  
- This agency has no objection.
  
- This agency has no objection, subject to listed or attached conditions.
  
- This agency objects, based on the listed or attached conditions.

COMMENTS: \_\_\_\_\_.

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

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PETITION NO.: STD21-1085

REVIEWED BY: Randy Rochelle

DATE: 7/22/2021

FOLIO NO.: 29306.0050

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**WATER**

- The property lies within the City of Tampa Water Service Area. The applicant should contact the provider to determine the availability of water service.
- No Hillsborough County water line of adequate capacity is presently available.
- A \_\_\_ inch water main exists  (adjacent to the site),  (approximately \_\_\_ feet from the site) \_\_\_\_\_.
- Water distribution improvements may be needed prior to connection to the County's water system.
- No CIP water line is planned that may provide service to the proposed development.
- The nearest CIP water main (\_\_\_ inches), will be located  (adjacent to the site),  (feet from the site at \_\_\_\_). Expected completion date is \_\_\_\_\_.

**WASTEWATER**

- The property lies within the City of Tampa Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.
- No Hillsborough County wastewater line of adequate capacity is presently available.
- A \_\_\_ inch wastewater main exists  (adjacent to the site),  (approximately \_\_\_ feet from the site) \_\_\_\_\_.
- Wastewater distribution improvements may be needed prior to connection to the County's wastewater system.
- No CIP wastewater line is planned that may provide service to the proposed development.
- The nearest CIP wastewater main (\_\_\_ inches), will be located  (adjacent to the site),  (feet from the site at \_\_\_\_). Expected completion date is \_\_\_\_\_.

COMMENTS: This site is located within the City of Tampa Water and Wastewater Service Area. The applicant should contact the City of Tampa's Water and Wastewater Departments to determine the availability of Water and/or Wastewater Service and for their Comments.



# **VERBATIM TRANSCRIPT**

HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

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IN RE: )
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ZONE HEARING MASTER )
HEARINGS )
)
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ZONING HEARING MASTER HEARING  
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: PAMELA JO HATLEY and SUSAN FINCH  
Land Use Hearing Master

DATE: Monday, October 18, 2021

TIME: Commencing at 6:00 p.m.  
Concluding at 10:33 p.m.

PLACE: Cisco Webex

Reported By:

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



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HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS  
  
ZONING HEARING MASTER HEARINGS  
October 18, 2021  
ZONING HEARING MASTER: PAMELA JO HATLEY

C2:  
Application Number: RZ-STD 21-1085  
Applicant: Jomarcell Nguyen  
Location: W side of N. Himes Ave. & 140'  
S of W. Minnehaha St.  
Folio Number: 029306.0050  
Acreage: 0.14 acres, more or less  
Comprehensive Plan: R-20  
Service Area: Urban  
Existing Zoning: BPO & RSC-9  
Request: Rezone to RSC-9

1 MR. GRADY: The next item is agenda item  
2 C-2, Rezoning-Standard 21-1085. The request is to  
3 rezone from Business Professional Office and RSC-9  
4 to RSC-9.

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

7 HEARING MASTER HATLEY: All right.  
8 Applicant come forward, please. Turn on the  
9 microphone, please.

10 MR. NGUYEN: Good evening. My name's Anh  
11 Nguyen. I'm at 310 North Glen Avenue. I'm the  
12 applicant and representing the owner for this  
13 folio.

14 And the current zoning for this folio is  
15 like BPO and RSC-9, which we try to rezone to RSC-9  
16 to be consistent with the surrounding area.

17 HEARING MASTER HATLEY: Okay.

18 MR. NGUYEN: And that's it.

19 HEARING MASTER HATLEY: That's it. Anything  
20 further?

21 MR. NGUYEN: No, ma'am.

22 HEARING MASTER HATLEY: All right. I need  
23 you to sign in with the clerk, please. Thank you.

24 All right. Development Services.

25 MR. GRADY: Ms. Brown, I think you're muted.

1 MR. PUTNAM: Isis, go ahead.

2 MS. BROWN: Can you hear me?

3 MR. PUTNAM: Yes, we can.

4 MS. BROWN: The request is to rezone from an  
5 existing BPO, Business Professional Office, and  
6 Residential Single-Family Conventional-9, RSC-9, to  
7 RSC-9.

8 The proposed zoning for RSC-9 permits  
9 single-family conventional development on lots  
10 containing a minimum of 5,000 square feet. Site  
11 has no address but is identified as folio  
12 No. 29306.0050. It's approximately 1200 feet  
13 northeast of the intersection of North Dale Mabry  
14 Highway and West Lambright Street.

15 It's also located approximately 460 feet  
16 north on Himes Avenue, just off of that  
17 intersection of Lambright Street and Himes Avenue.  
18 The site is located in the Urban Service Area and  
19 part of the Egypt Lake Community Plan Area.

20 It has a Future Land Use designation of  
21 Residential-20. Current density is one dwelling  
22 unit per 5 acres and the 0.20 FAR for the BPO. The  
23 proposed making that consistent to just one  
24 dwelling unit for the 5,000 square feet.

25 Okay. The -- as just stated -- all right.

1           The site is surrounded by single-family  
2           residential, office, and neighborhood  
3           commercial-type uses. The subject site is  
4           surrounded by RES-20 Future Land Use categories  
5           which permits single-family residential, office,  
6           and neighborhood commercial uses.

7           The size and depth of the site in relation  
8           to other adjacent office neighborhood commercial  
9           and residential uses would create a zoning  
10          development pattern that is consistent with the  
11          existing zoning and development pattern of the  
12          agricultural and residential uses in the zoning  
13          district area.

14          As the applicant is requesting to rezone from  
15          BPO and RSC-9 to RSC-9. Based on the RES -- I'm  
16          sorry. That's a typo. It's supposed to be RES-20  
17          Future Land Use classification. The surrounding  
18          zoning and development pattern and the proposed  
19          uses and development standards for RSC-9 zoning  
20          district staff finds the request approvable. I'm  
21          available for any questions.

22                   HEARING MASTER HATLEY: Thank you very much.

23                   All right. We'll hear from Planning  
24                   Commission, please.

25                   MS. MASSEY: Hi. This is Jillian Massey,

1 Planning Commission staff.

2 The subject property is located in the  
3 Residential-20 Future Land Use Category. It's  
4 located in the Urban Service Area and not located  
5 within the limits of a community plan.

6 The application request to rezone the  
7 subject property from BPO and RSC-9 to RSC-9 to  
8 allow for a 3,000-square-foot two-story  
9 single-family residential home.

10 The site has split zoning, and the applicant  
11 would like to rezone the entire property to RSC-9.  
12 This residential -- or this zoning district is  
13 consistent with the Residential-20 Future Land Use  
14 classification.

15 The area is a combination of single-family  
16 lots, vacant residential, and light commercial,  
17 which are compatible with the applicant's request.  
18 The existing land uses are complementary to the  
19 proposed development and meet the intent of  
20 Policy 16.3, 16.8, and 16.10.

21 The request is consistent with the Future  
22 Land Use Element Policy 1.4 as the subject property  
23 is in the Urban Service Area and will provide a  
24 height, scale, and mass that is compatible with the  
25 adjacent residential and commercial uses.

1 Policy 1.2 states that new development in  
2 the Urban Service Area is required to meet a  
3 minimum density of at least 75 percent of the  
4 allowable density of the Land Use category unless  
5 the development meets the criteria of Policy 1.3.

6 The approximately .1 point -- excuse me,  
7 1.14 acre subject property has a minimum density  
8 of -- a minimum density requirement of two dwelling  
9 units. The applicant is only proposing one  
10 single-family residential home.

11 However, per Policy 1.3, the minimum density  
12 requirement can be waived if the development of  
13 density of 75 percent of the category or greater  
14 would not be compatible and would adversely impact  
15 the existing development pattern within 1,000-foot  
16 radius of the proposed development.

17 The subject property is surrounded by  
18 single-family homes on small lots. Adding  
19 additional units to the .14-acre property wouldn't  
20 be representative of the historical pattern of the  
21 development surrounding parcel.

22 Based on this, the subject property  
23 qualifies for the exception per Policy 1.3.  
24 Overall, the rezoning would allow development that  
25 is consistent with the goals, objectives, and



1 policies of the Future Land Use Element of the  
2 unincorporated Hillsborough County Comprehensive  
3 Plan and is compatible with the existing  
4 development pattern found within the surrounding  
5 area.

6 The Planning Commission finds that the  
7 request would encourage development that  
8 complements the surrounding character of the area.  
9 And based on those considerations, Planning  
10 Commission staff finds the proposed development is  
11 consistent with the Future of Hillsborough  
12 Comprehensive Plan for unincorporated Hillsborough  
13 County subject to the conditions proposed by the  
14 Development Services Department. Thank you.

15 HEARING MASTER HATLEY: Thank you.

16 Is there anyone here or online who wishes to  
17 speak in support of this item? Hear none.

18 Is there anyone here or online who wishes to  
19 speak in opposition to this item? Don't hear  
20 anyone.

21 All right. Development Services, do you have  
22 anything further?

23 MR. GRADY: Nothing further.

24 HEARING MASTER HATLEY: All right.

25 Applicant, do you have anything further? No.

1 Thank you.

2 All right. This will close the hearing on  
3 Rezoning 21-1085.

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1 Hearing.

2 Item A-23, Rezoning-Standard 21-0985. This  
3 application is out of order to be heard and is  
4 being continued to the October 18, 2021, Zoning  
5 Hearing Master Hearing.

6 And item A-24, Rezoning-Standard 21-1085.  
7 This application is out of order to be heard and is  
8 being continued to the October 18, 2021, Zoning  
9 Hearing Master Hearing.

10 And that concludes all withdrawals and  
11 continuances.

12 HEARING MASTER FINCH: All right. Thank you  
13 so much, Mr. Grady. I appreciate it.

14 Let me start by going over tonight's  
15 procedures. Tonight's agenda consists of agenda  
16 items that require a public hearing that is to be  
17 held before a Zoning Hearing Master prior to the  
18 final decision by the Hillsborough County Board of  
19 County Commissioners.

20 I'll conduct the hearing tonight as the  
21 Hearing Master and will make a recommendation on  
22 each application within 15 business days following  
23 tonight's hearing. The recommendations will then  
24 be sent to the Board of County Commissioners, who  
25 will make the final decision at their public



**EXHIBITS SUBMITTED  
DURING THE ZHM HEARING**

**NONE**





**PARTY OF  
RECORD**

**NONE**