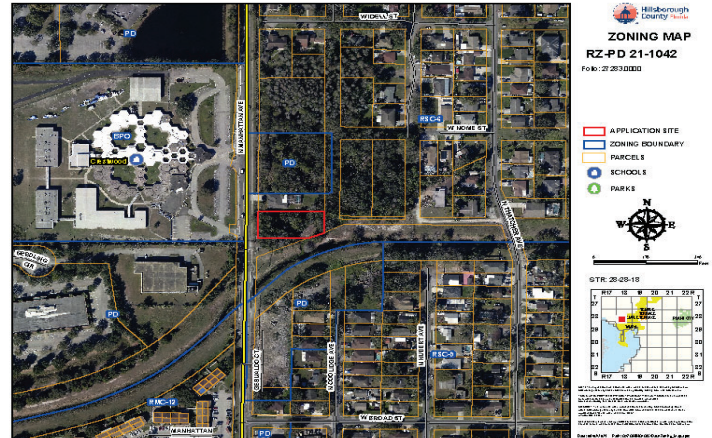


Rezoning Application: RZ-PD 21-1042
Zoning Hearing Master Date: January 18, 2022
BOCC Land Use Meeting Date: March 8, 2022

1.0 APPLICATION SUMMARY

Applicant: DANVA REAL ESTATE, LLC
FLU Category: Residential-9 (RES-9 or R-9)
Service Area: Urban
Site Acreage: 0.5 acres
Community Plan Area: Egypt Lake
Overlay: None



Introduction Summary:

The request is to rezone the subject property from the existing Residential, Single-Family Conventional-6 (RSC-6) zoning district to a new Planned Development (PD) zoning district to be allowed to develop the property with a maximum of four (4) single-family attached residential units.

Zoning:	Existing	Proposed
District(s)	RSC-6	PD
Typical General Use(s)	Single-Family Residential (Conventional Only)	Single-Family Attached Residential
Acreage	0.508	0.508
Density/Intensity	9 units per acre	7.01 units per acre
Mathematical Maximum*	4.56 units	4 units

*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	RSC-6	PD
Lot Size / Lot Width	7,000 sf / 70'	800 sf / 20'
Setbacks/Buffering and Screening	25' Front 25' Rear 7.5' Sides	15' Front 85' Rear 15' Sides
Height	35'	35'

Additional Information:

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

APPLICATION NUMBER: RZ-PD 21-1042

ZHM HEARING DATE: January 18, 2022

BOCC LUM MEETING DATE: March 8, 2022

Case Reviewer: Kevie Defranc

Planning Commission Recommendation:

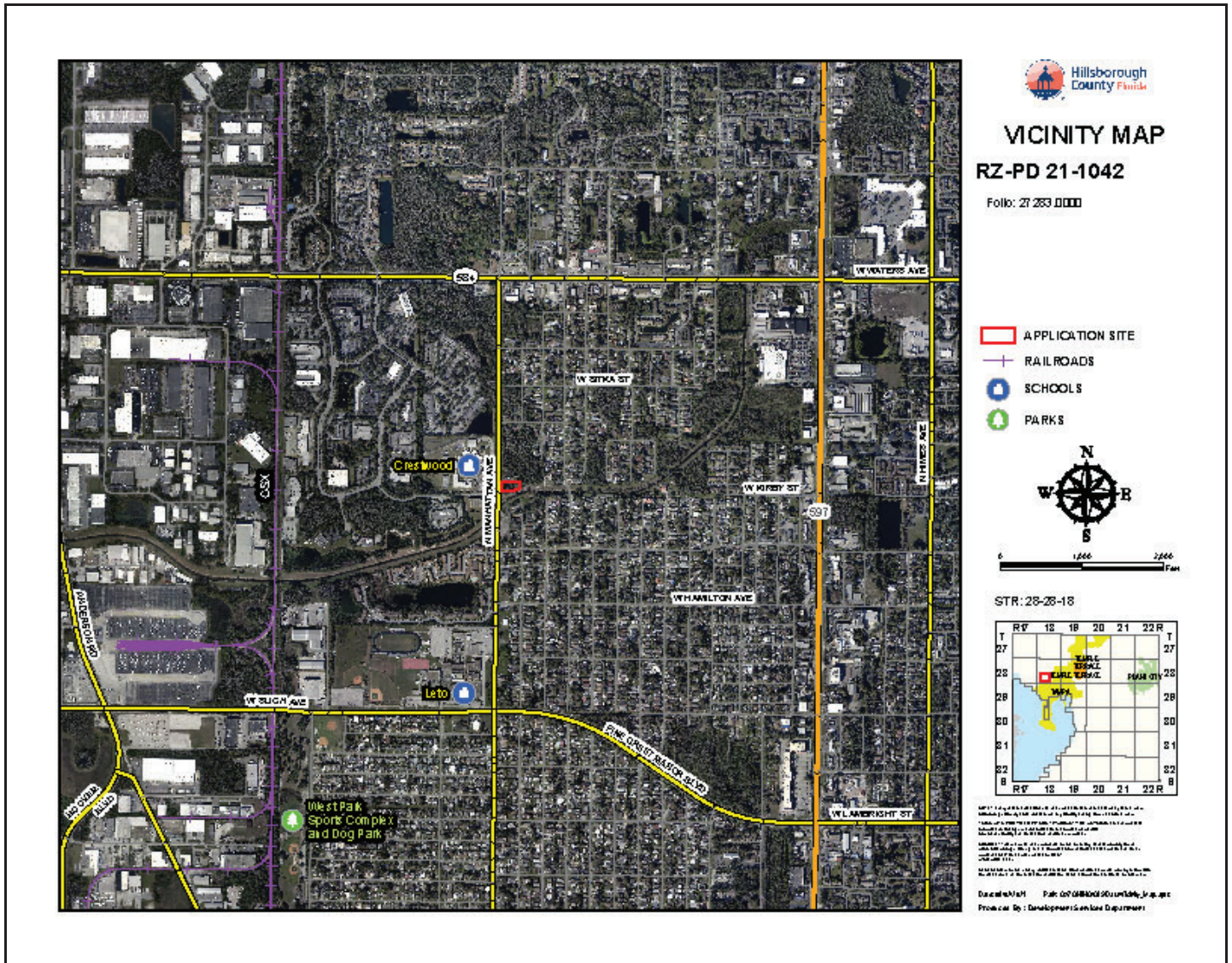
Consistent

Development Services Recommendation:

Approvable, subject to proposed conditions

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

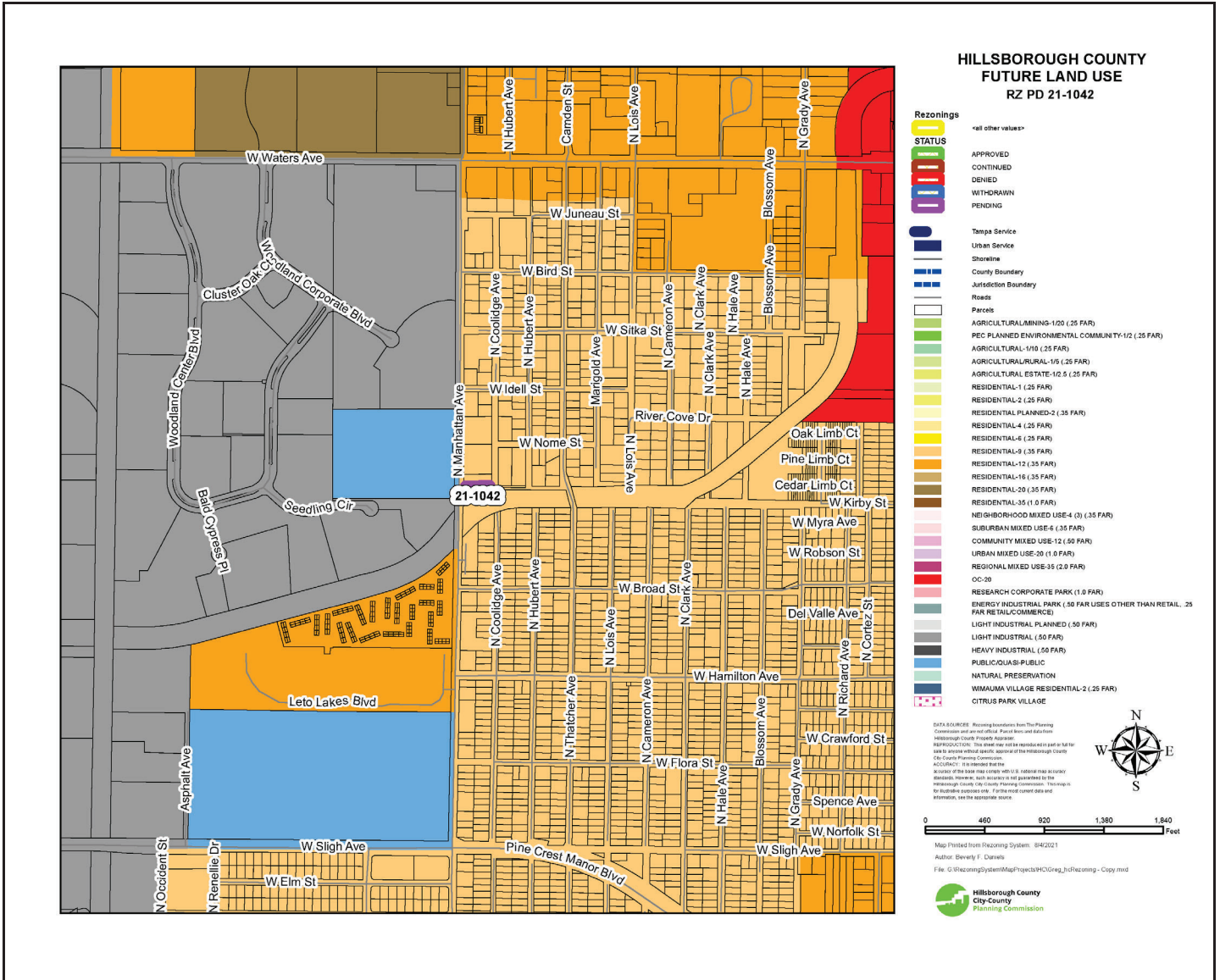


Context of Surrounding Area:

Existing land uses within the area include public service (utility and Sweetwater Creek Channel H), cultural/institutional (public school), and residential (single-family residential lot and vacant residential lots) uses.

2.0 LAND USE MAP SET AND SUMMARY DATA

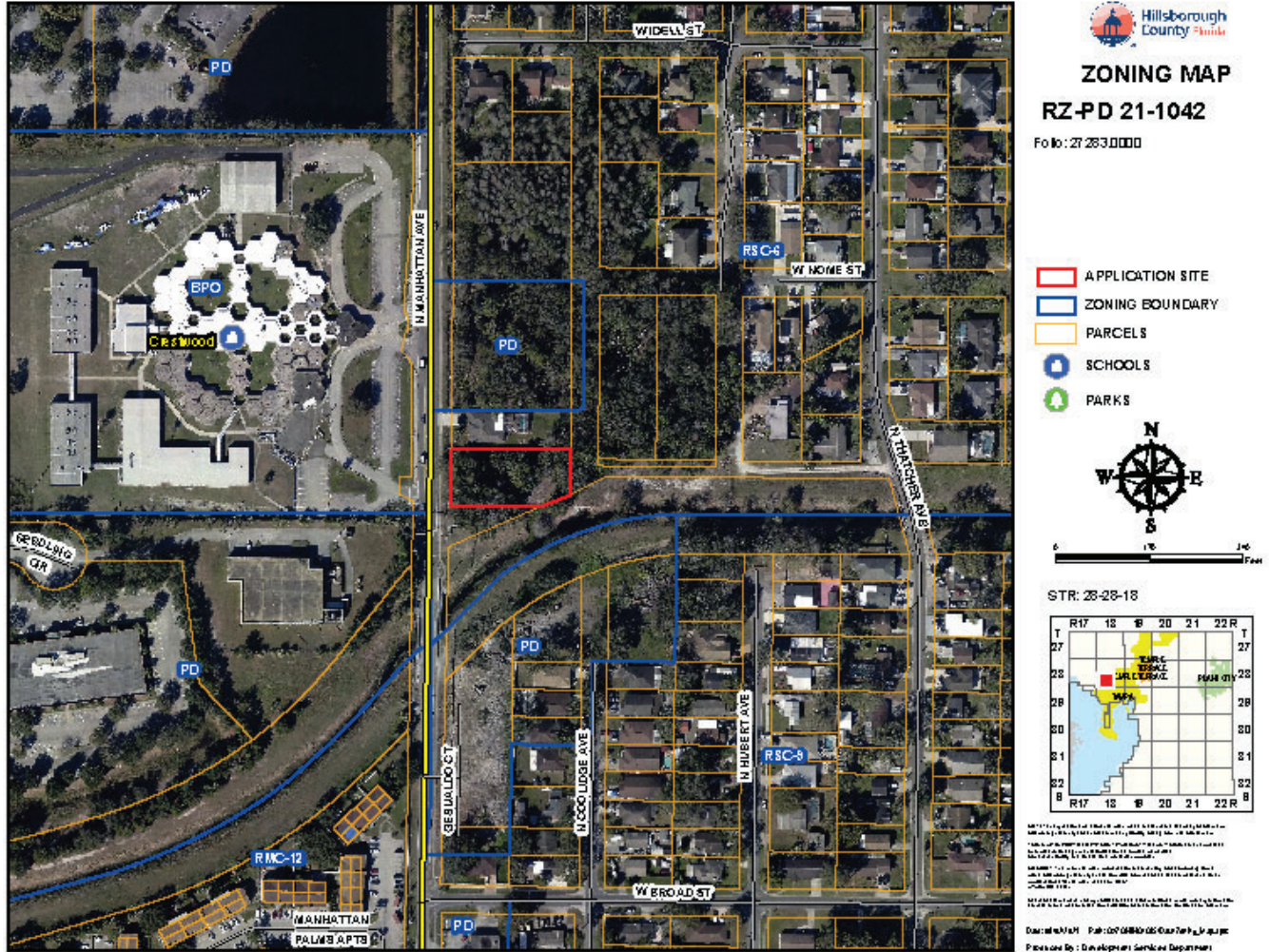
2.2 Future Land Use Map



Subject Site Future Land Use Category:	Residential-9 (RES-9 or R-9)
Maximum Density/F.A.R.:	9 dwelling units per gross acre / 0.50 for urban scale neighborhood commercial, office, multi-purpose, or mixed use type of uses
Typical Uses:	Residential, urban scale neighborhood commercial, office uses, multi-purpose projects and mixed use development.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



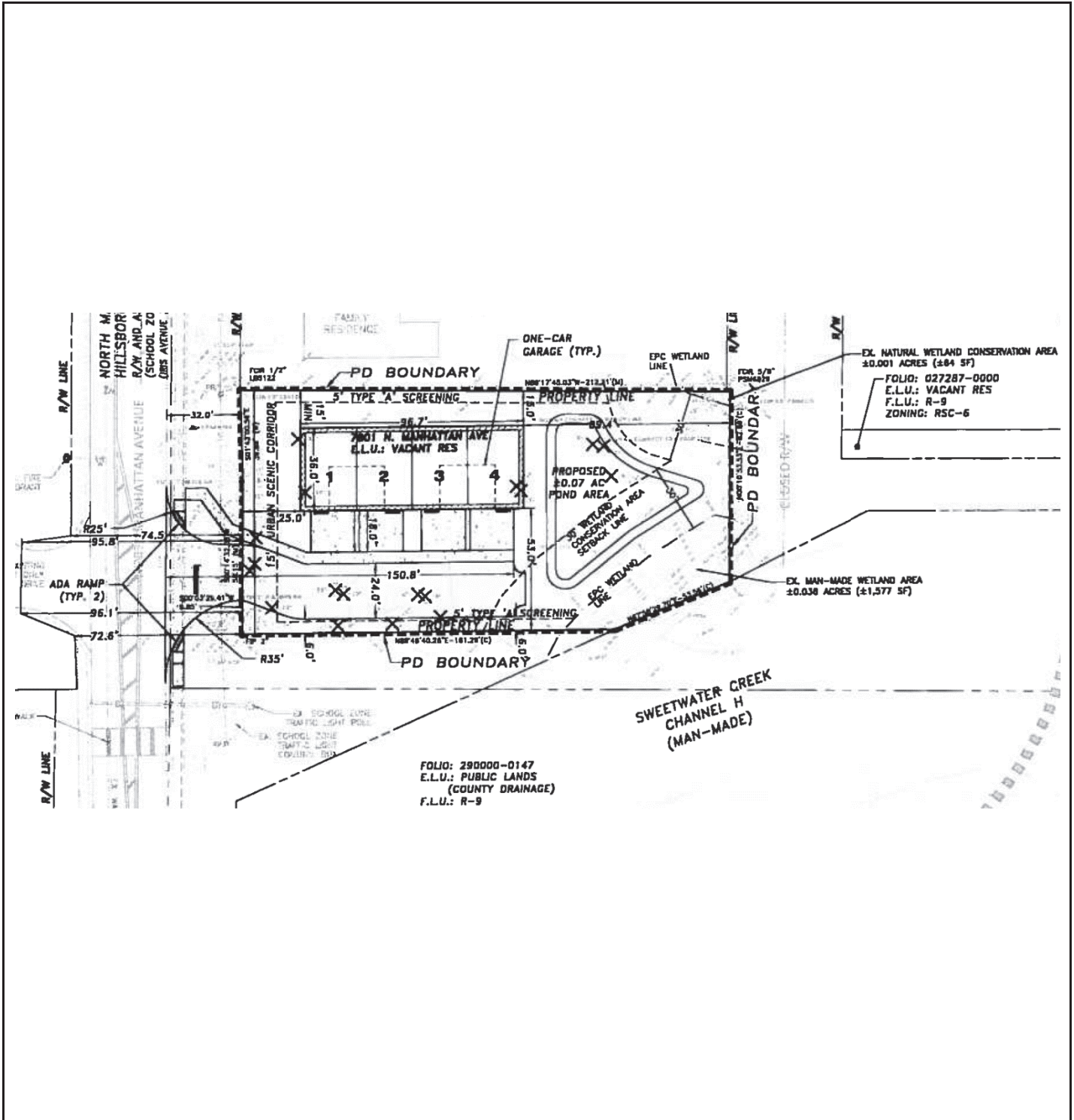
Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	RSC-6	7,000 square feet per dwelling unit	Residential uses per LDC 2.02.02 and single-family conventional development	Single Family Residence
South	RSC-6 and PD	RSC-6 – 7,000 square feet per dwelling unit PD – 9 townhouse units and 8 single-family conventional homes	RSC-6 – Residential uses per LDC 2.02.02 and single-family conventional development PD – Townhouse units and single-family conventional homes	North Manhattan Avenue right-of-way and Sweetwater Creek Channel H

East	RSC-6	7,000 square feet per dwelling unit	Residential uses per LDC 2.02.02 and single-family conventional development	Public right-of-way and Vacant
West	RSC-6 and BPO	RSC-6 – 7,000 square feet per dwelling unit BPO – NA / 0.20	RSC-6 – Residential uses per LDC 2.02.02 and single-family conventional development BPO – Office uses per LDC Section 2.02.02 and office development	North Manhattan Avenue right-of-way and Public School

2.0 LAND USE MAP SET AND SUMMARY DATA

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



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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
N Manhattan Avenue	County Collector - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	28	2	3
Proposed	38	3	4
Difference (+/1)	+10	+1	+1

*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		None	None	Meets LDC
South		None	None	Meets LDC
East		None	None	Meets LDC
West	X	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
	Administrative Variance Requested	Approvable
	Design Exception Requested	Previously Approved
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<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

			<p>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).</p> <ul style="list-style-type: none">• A wetland delineation by EPC staff determined that wetlands exist onsite. On February 16, 2017, EPC staff requested surveys to be submitted to EPC for formal review and approval. To date, those surveys have not been received and therefore the wetland lines have not been approved. Please continue to provide the necessary information to complete the wetland/ OSW delineation file (EPC file #62697). 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
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				<p>review and formal approval by EPC staff. The wetland 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).</p> <ul style="list-style-type: none"> • 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.
<p>Natural Resources</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>1. Wetlands or other surface waters are considered Environmentally Sensitive Areas and are subject to Conservation Area and Preservation Area setbacks. The setback from the boundaries of the Wetland Conservation Area must be a minimum of 30 feet. No filling, excavating or construction of permanent structures or other impervious surface may occur within the setback except as specified in Section 4.01.07.B.4 of the Hillsborough County Land Development</p>

			<p>Code. A minimum setback must be maintained around these areas which shall be designated on all future plan submittals.</p> <p>2. Approval of this petition by Hillsborough County does not constitute a guarantee that Natural Resources approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impacts to trees, natural plant communities or wildlife habitat, and does not grant any implied or vested right to environmental approvals.</p> <p>3. The construction and location of any proposed environmental impacts are not approved by this correspondence, but shall be reviewed by Natural Resources staff through the site and subdivision development plan process pursuant to the Land Development Code.</p> <p>4. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise.</p>
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				References 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.
Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Check if Applicable:	<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"/> Wellhead Protection Area <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Surface Water Resource Protection Area <input checked="" type="checkbox"/> Other <u>Zone "A" on the Airport Height Zoning Map</u>			
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	See Staff Report.
Service Area/ Water & Wastewater <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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	This site is located within the Hillsborough County Urban Wastewater Service Area, therefore the subject property should be served by Hillsborough County Wastewater Service. The site also falls within the City of Tampa Water Service Area. This comment sheet does not guarantee wastewater service or a point of connection. Developer is responsible for submitting a utility service request at the time of development plan review and will

				be responsible for any on-site improvements as well as possible off-site improvements.
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 (Fee estimate is based on a 1,500 square foot, 3 bedroom, Townhouse Unit 1-2 Stories) Mobility: \$5,995 * 4 units = \$23,980.00 Parks: \$1,957 * 4 units = \$7,828.00 School: \$7,027 * 4 units = \$28,108.00 Fire: \$249 * 4 units = \$996.00 Total Townhouse = \$60,912.00				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input checked="" type="checkbox"/> N/A	<input 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

Based on the adjacent zonings and uses identified above in the report, staff finds the proposed PD zoning district compatible with the existing zoning districts and development pattern in the area. The immediate surrounding area primarily consist of PD zoning district permitting similar uses, vacant properties and residential support/institutional uses.

5.2 Recommendation

Based on the above considerations, staff recommends approval of the request, subject to conditions.

6.0 PROPOSED CONDITIONS

Approval - Approval of the request, subject to the conditions listed below, is based on the general site development plan received December 15, 2021.

1. Development of the project shall be limited to a maximum of 4 single-family attached residential units (townhomes).

2. The single family attached residential units (townhomes) shall be developed according to the following development standards.

Minimum lot area:	800 square feet
Minimum lot width:	20 feet
Minimum front yard setback:	15 feet
Minimum side yard setback:	15 feet
Minimum rear yard setback:	85 feet
Maximum building height:	35 feet, 2 stories

3. Landscape buffering and screening shall be in accordance with Land Development Code Section 6.06.06. except as provided herein:

a. A 5-foot buffer with Type A screening shall be provided along the north and south property boundaries, excluding the wetland areas.

4. Parking shall be in accordance with Land Development Code Section 6.05.02.

5. Approval of this application does not ensure that public wastewater and potable water services will be available at the time when the applicant seeks permits to actually develop.

6. Wetlands or other surface waters are considered Environmentally Sensitive Areas and are subject to Conservation Area and Preservation Area setbacks. The setback from the boundaries of the Wetland Conservation Area must be a minimum of 30 feet. No filling, excavating or construction of permanent structures or other impervious surface may occur within the setback except as specified in Section 4.01.07.B.4 of the Hillsborough County Land Development Code. A minimum setback must be maintained around these areas which shall be designated on all future plan submittals.

7. Approval of this petition by Hillsborough County does not constitute a guarantee that Natural Resources approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impacts to trees, natural plant communities or wildlife habitat, and does not grant any implied or vested right to environmental approvals.

8. The construction and location of any proposed environmental impacts are not approved by this correspondence, but shall be reviewed by Natural Resources staff through the site and subdivision development plan process pursuant to the Land Development Code.

9. 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.

10. 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.

11. 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).

12. A wetland delineation by EPC staff determined that wetlands exist onsite. On February 16, 2017, EPC staff requested surveys to be submitted to EPC for formal review and approval. To date, those surveys have not been received and therefore the wetland lines have not been approved. Please continue to provide the necessary information to complete the wetland/ OSW delineation file (EPC file #62697). 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. The wetland 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).

13. 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.

14. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References 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.


15. The Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Development Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.

16. Within 90 days of approval by the Hillsborough County Board of County Commissioners, the applicant shall submit to the Development Services Department a revised General Site Development Plan for certification which conforms the notes and graphic of the plan to the conditions outlined above and the Land Development Code (LDC). Subsequent to certification of the plan, if it is determined the certified plan does not accurately reflect the conditions of approval or requirements of the LDC, said plan will be deemed invalid and certification of the revised plan will be required.

ZHM HEARING DATE: January 18, 2022
BOCC LUM MEETING DATE: March 8, 2022

Case Reviewer: Kevie Defranc

Zoning Administrator Sign Off:



J. Brian Grady
Fri Jan 7 2022 08:21:50

SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.

Approval of this re-zoning petition by Hillsborough County does not constitute a guarantee that the project will receive approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are being waived or otherwise approved. The project will be required to comply with the Site Development Plan Review approval process in addition to obtain all necessary building permits for on-site structures.

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

7.1 - The Aviation Authority provided land use review comments that include the following:

“The proposed site falls within Zone "A" on the Airport Height Zoning Map. Any structure including construction equipment that exceeds 110' feet Above Mean Sea Level may require an Airport Height Zoning Permit and must be reviewed by the Airport Zoning Director.

Compatible with conditions (see comments above) – Potential buyers should be informed this location is in close proximity to Tampa International Airport and will be subject to aircraft overflight. The property falls outside of the 65 dnl noise contour around the airport and is a compatible but occupants may be subjected to noise from aircraft operating to and from the airport. The Aviation Authority suggests a noise reduction level of at least 25 db be incorporated into design.”

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

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

DATE: 01/06/2022
AGENCY/DEPT: Transportation
PETITION NO: PD 21-1042

- | | |
|-------------------------------------|---|
| <input type="checkbox"/> | This agency has no comments. |
| <input checked="" type="checkbox"/> | This agency has no objection. |
| <input type="checkbox"/> | This agency has no objection, subject to the listed or attached conditions. |
| <input type="checkbox"/> | This agency objects for the reasons set forth below. |

REPORT SUMMARY AND CONCLUSIONS

- The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 10 average daily trips, 1 trip in the a.m. peak hour, and 1 trip in the p.m. peak hour.
- Transportation Review Section staff has no objection to the proposed request.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a +/-0.5-acre parcel from Residential, Single Family Conventional- 6 (RSC-6) to Planned Development (PD). The proposed Planned Development includes 4 single family dwelling units. The site is located 0.5 miles south of the intersection of W Waters Ave and N Manhattan Ave. The Future Land Use designation of the site is R-9. In accordance with the Development Review Procedures Manual (DRPM), no transportation analysis was required to process the proposed rezoning.

Trip Generation Analysis

Staff has prepared a comparison of the trips potentially generated under the previously approved zoning and the proposed planned development including the additional residential units, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer’s Trip Generation Manual, 10th Edition.

Approved Zoning:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RSC-6, 3 Single Family Dwelling Units (ITE code 210)	28	2	3

Proposed Zoning:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 4 Single Family Dwelling Units (ITE code 210)	38	3	4

Trip Generation Difference:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	+10	+1	+1

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 10 average daily trips, 1 trip in the a.m. peak hour, and 1 trip in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

N Manhattan Ave. is a 2-lane, substandard, Hillsborough County maintained, collector roadway, characterized by +/-11 ft. travel lanes. The existing right-of-way on Lowell Rd. is +/-72 ft. There are sidewalks and bike lanes on both side of the N Manhattan Ave. and curb and gutter only on the west side of the road within the vicinity of the proposed project.

SITE ACCESS

The project is proposing one full access (1) connection on N Manhattan Ave. If PD 21-1042 is approved, vehicular and pedestrian access will be via N Manhattan Ave.

ROADWAY 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
N MANHATTAN	HENRY AVE	HUMPHREY	D	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 Manhattan Avenue	County Collector - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	28	2	3
Proposed	38	3	4
Difference (+/-)	+10	+1	+1

*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		None	None	Meets LDC
South		None	None	Meets LDC
East		None	None	Meets LDC
West	X	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 type="checkbox"/> Yes <input type="checkbox"/> N/A <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	See Staff Report.

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

Application number:	RZ-PD 21-1042
Hearing date:	January 18, 2022
Applicant:	Danva Real Estate, LLC
Request:	Rezone from RSC-6 to Planned Development allowing development of up to four single-family attached residential units.
Location:	7801 N. Manhattan Avenue, Tampa East side of North Manhattan Avenue and 880 feet north of West Broad Street
Parcel size:	0.508 acres +/-
Existing zoning:	RSC-6
Future land use designation:	Res-9 (9 du/ga; 0.35 FAR)
Service area:	Urban
Community planning area:	N/A

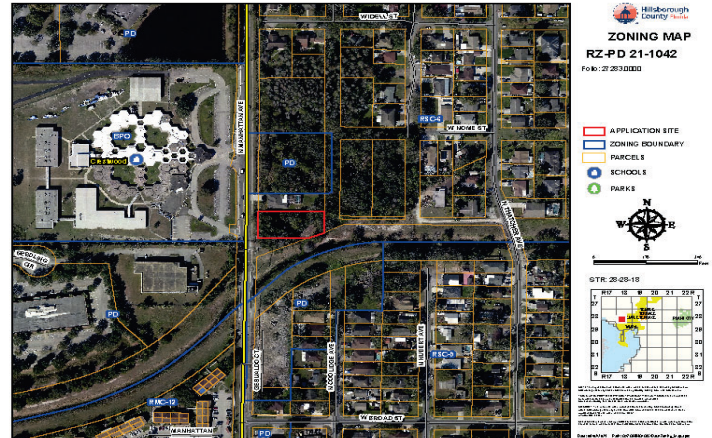
A. APPLICATION REVIEW

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

Rezoning Application: RZ-PD 21-1042
Zoning Hearing Master Date: January 18, 2022
BOCC Land Use Meeting Date: March 8, 2022

1.0 APPLICATION SUMMARY

Applicant: DANVA REAL ESTATE, LLC
FLU Category: Residential-9 (RES-9 or R-9)
Service Area: Urban
Site Acreage: 0.5 acres
Community Plan Area: Egypt Lake
Overlay: None



Introduction Summary:

The request is to rezone the subject property from the existing Residential, Single-Family Conventional-6 (RSC-6) zoning district to a new Planned Development (PD) zoning district to be allowed to develop the property with a maximum of four (4) single-family attached residential units.

Zoning:	Existing	Proposed
District(s)	RSC-6	PD
Typical General Use(s)	Single-Family Residential (Conventional Only)	Single-Family Attached Residential
Acreage	0.508	0.508
Density/Intensity	9 units per acre	7.01 units per acre
Mathematical Maximum*	4.56 units	4 units

*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	RSC-6	PD
Lot Size / Lot Width	7,000 sf / 70'	800 sf / 20'
Setbacks/Buffering and Screening	25' Front 25' Rear 7.5' Sides	15' Front 85' Rear 15' Sides
Height	35'	35'

Additional Information:

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

APPLICATION NUMBER: RZ-PD 21-1042

ZHM HEARING DATE: January 18, 2022

BOCC LUM MEETING DATE: March 8, 2022

Case Reviewer: Kevie Defranc

Planning Commission Recommendation:

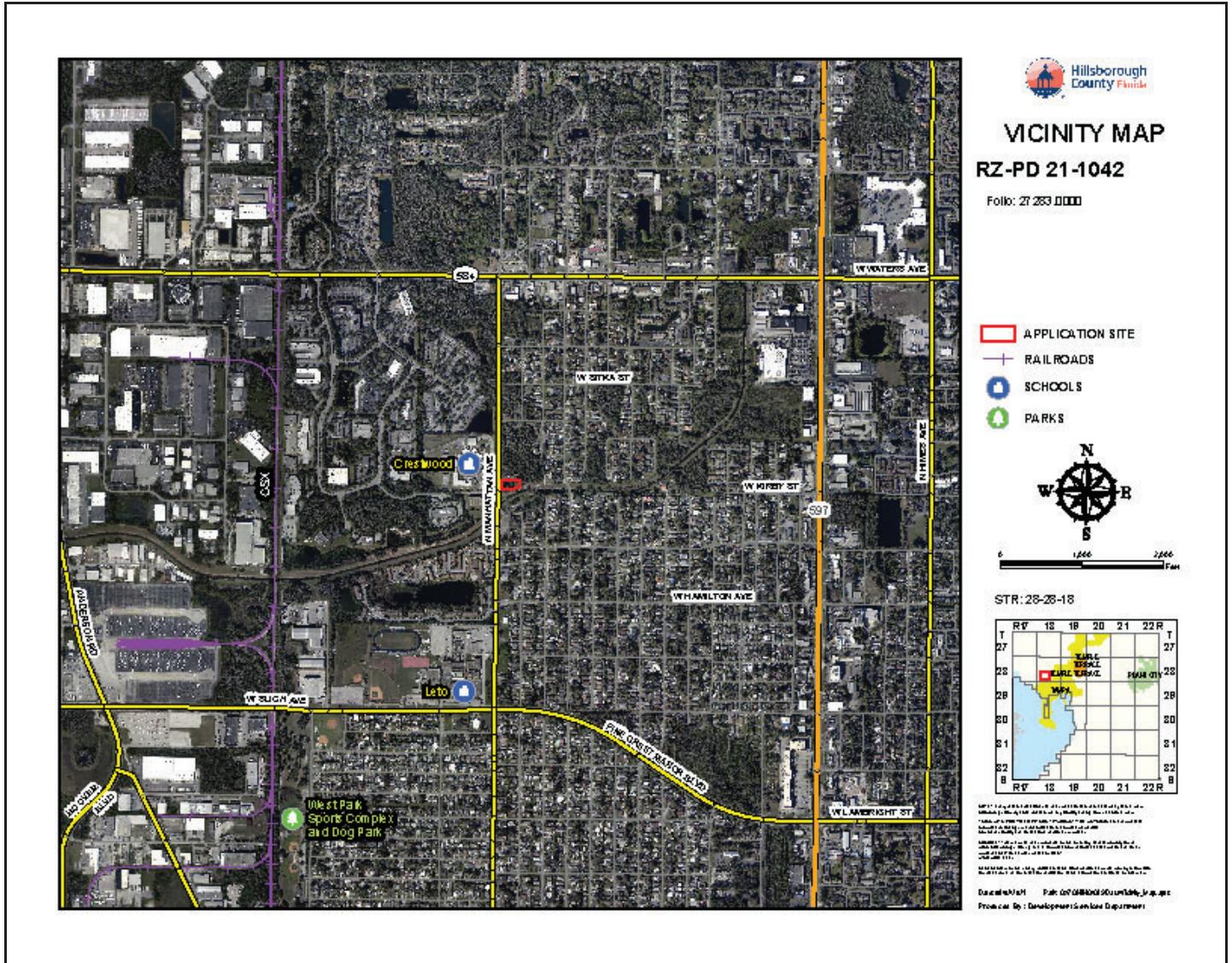
Consistent

Development Services Recommendation:

Approvable, subject to proposed conditions

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

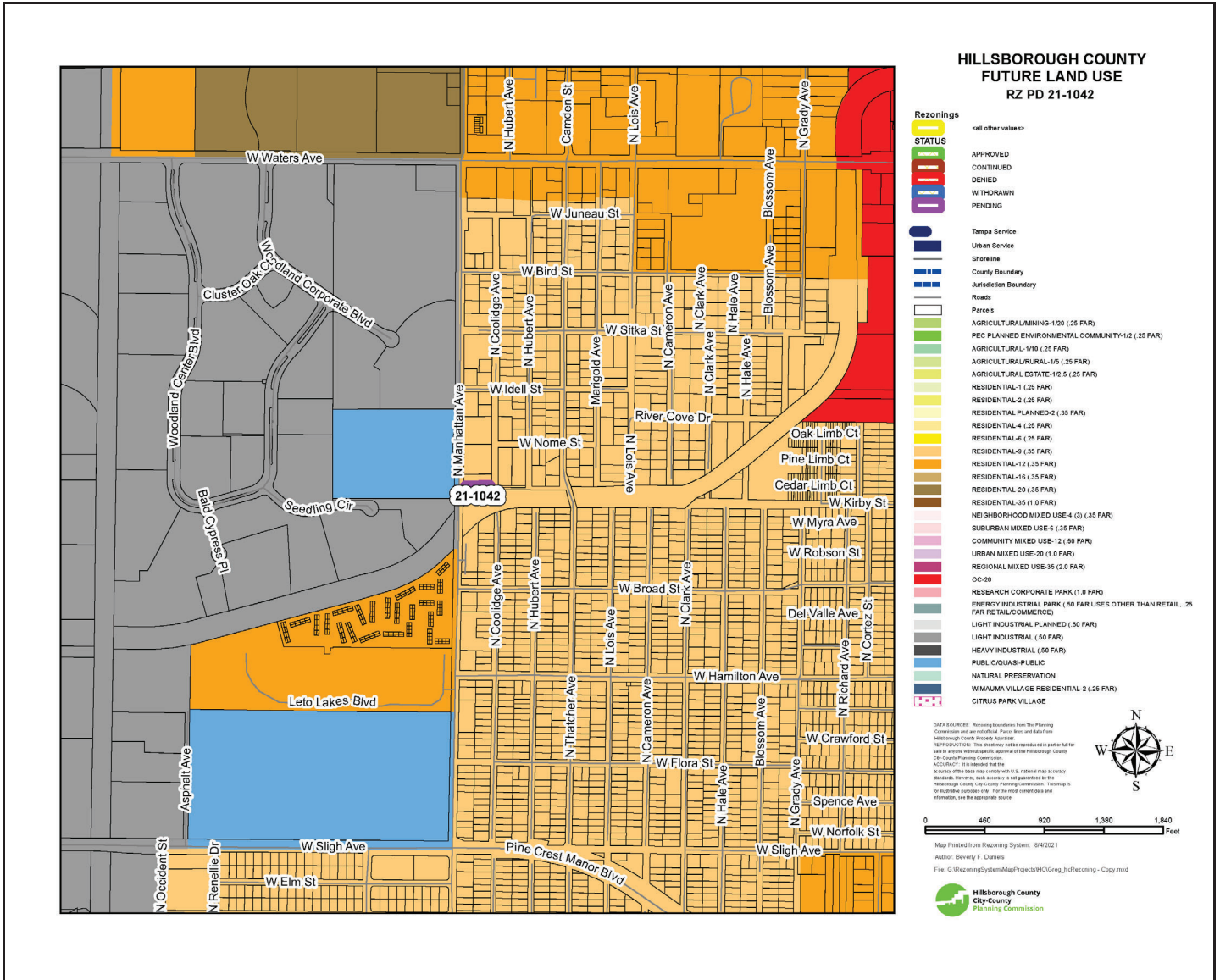


Context of Surrounding Area:

Existing land uses within the area include public service (utility and Sweetwater Creek Channel H), cultural/institutional (public school), and residential (single-family residential lot and vacant residential lots) uses.

2.0 LAND USE MAP SET AND SUMMARY DATA

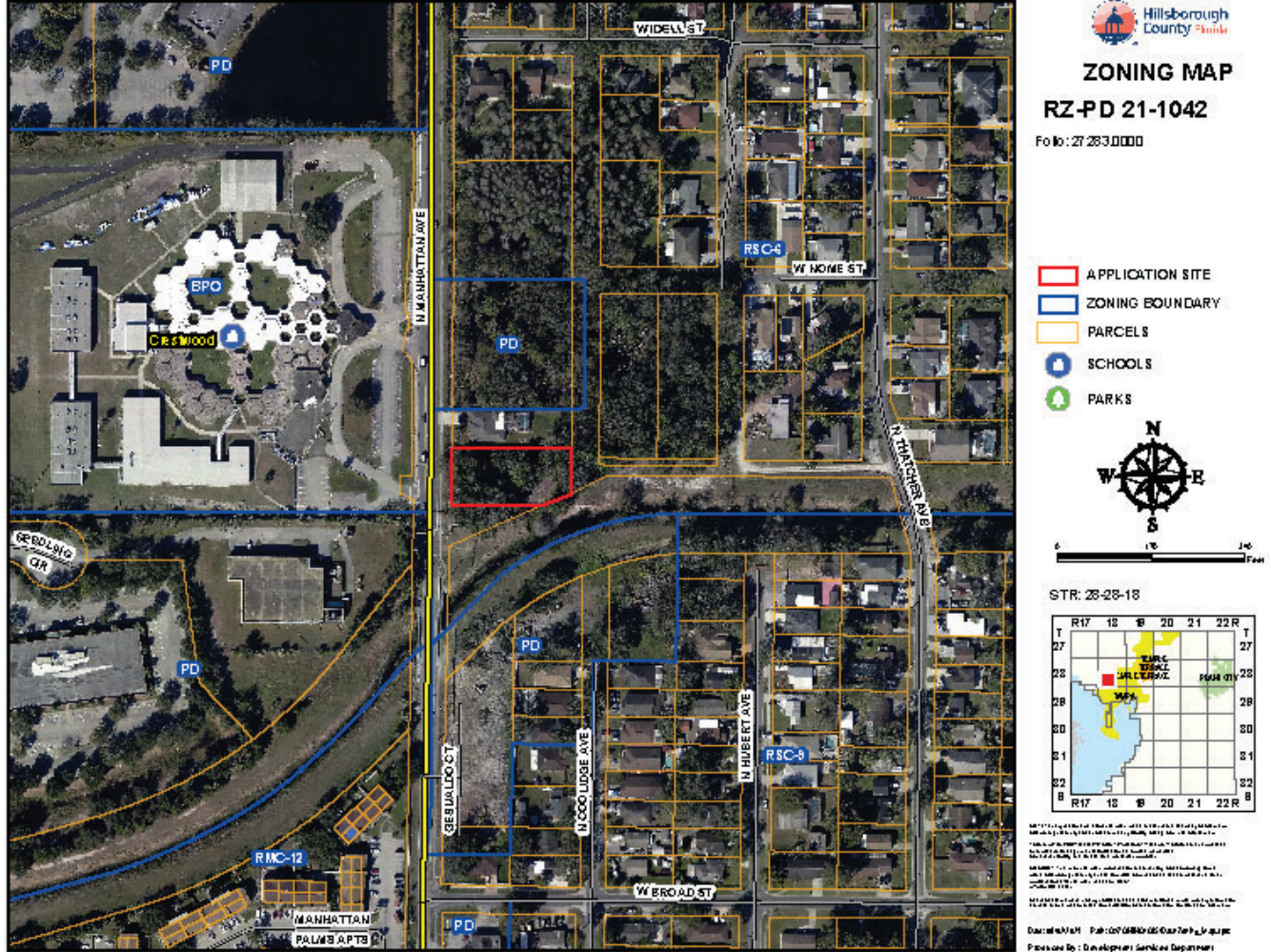
2.2 Future Land Use Map



Subject Site Future Land Use Category:	Residential-9 (RES-9 or R-9)
Maximum Density/F.A.R.:	9 dwelling units per gross acre / 0.50 for urban scale neighborhood commercial, office, multi-purpose, or mixed use type of uses
Typical Uses:	Residential, urban scale neighborhood commercial, office uses, multi-purpose projects and mixed use development.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



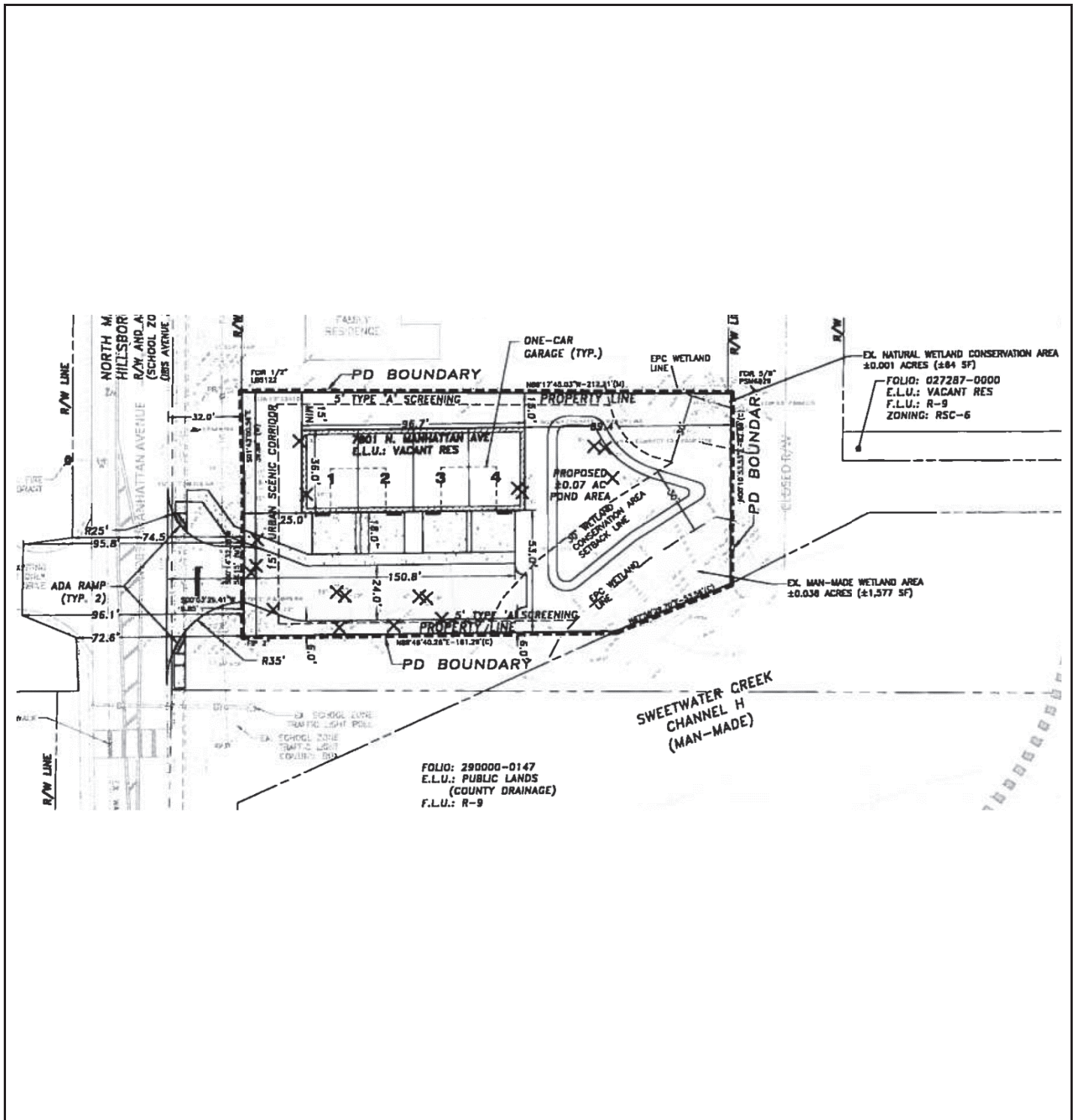
Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	RSC-6	7,000 square feet per dwelling unit	Residential uses per LDC 2.02.02 and single-family conventional development	Single Family Residence
South	RSC-6 and PD	RSC-6 – 7,000 square feet per dwelling unit PD – 9 townhouse units and 8 single-family conventional homes	RSC-6 – Residential uses per LDC 2.02.02 and single-family conventional development PD – Townhouse units and single-family conventional homes	North Manhattan Avenue right-of-way and Sweetwater Creek Channel H

East	RSC-6	7,000 square feet per dwelling unit	Residential uses per LDC 2.02.02 and single-family conventional development	Public right-of-way and Vacant
West	RSC-6 and BPO	RSC-6 – 7,000 square feet per dwelling unit BPO – NA / 0.20	RSC-6 – Residential uses per LDC 2.02.02 and single-family conventional development BPO – Office uses per LDC Section 2.02.02 and office development	North Manhattan Avenue right-of-way and Public School

2.0 LAND USE MAP SET AND SUMMARY DATA

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



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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
N Manhattan Avenue	County Collector - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	28	2	3
Proposed	38	3	4
Difference (+/1)	+10	+1	+1

*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		None	None	Meets LDC
South		None	None	Meets LDC
East		None	None	Meets LDC
West	X	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
	Administrative Variance Requested	Approvable
	Design Exception Requested	Previously Approved
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<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

			<p>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).</p> <ul style="list-style-type: none">• A wetland delineation by EPC staff determined that wetlands exist onsite. On February 16, 2017, EPC staff requested surveys to be submitted to EPC for formal review and approval. To date, those surveys have not been received and therefore the wetland lines have not been approved. Please continue to provide the necessary information to complete the wetland/ OSW delineation file (EPC file #62697). 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
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				<p>review and formal approval by EPC staff. The wetland 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).</p> <ul style="list-style-type: none"> • 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.
<p>Natural Resources</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>1. Wetlands or other surface waters are considered Environmentally Sensitive Areas and are subject to Conservation Area and Preservation Area setbacks. The setback from the boundaries of the Wetland Conservation Area must be a minimum of 30 feet. No filling, excavating or construction of permanent structures or other impervious surface may occur within the setback except as specified in Section 4.01.07.B.4 of the Hillsborough County Land Development</p>

			<p>Code. A minimum setback must be maintained around these areas which shall be designated on all future plan submittals.</p> <p>2. Approval of this petition by Hillsborough County does not constitute a guarantee that Natural Resources approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impacts to trees, natural plant communities or wildlife habitat, and does not grant any implied or vested right to environmental approvals.</p> <p>3. The construction and location of any proposed environmental impacts are not approved by this correspondence, but shall be reviewed by Natural Resources staff through the site and subdivision development plan process pursuant to the Land Development Code.</p> <p>4. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise.</p>
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				References 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.
Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
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 checked="" type="checkbox"/> Other <u>Zone "A" on the Airport Height Zoning Map</u>			
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	See Staff Report.
Service Area/ Water & Wastewater <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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	This site is located within the Hillsborough County Urban Wastewater Service Area, therefore the subject property should be served by Hillsborough County Wastewater Service. The site also falls within the City of Tampa Water Service Area. This comment sheet does not guarantee wastewater service or a point of connection. Developer is responsible for submitting a utility service request at the time of development plan review and will

				be responsible for any on-site improvements as well as possible off-site improvements.
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 (Fee estimate is based on a 1,500 square foot, 3 bedroom, Townhouse Unit 1-2 Stories) Mobility: \$5,995 * 4 units = \$23,980.00 Parks: \$1,957 * 4 units = \$7,828.00 School: \$7,027 * 4 units = \$28,108.00 Fire: \$249 * 4 units = \$996.00 Total Townhouse = \$60,912.00				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input checked="" type="checkbox"/> N/A	<input 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

Based on the adjacent zonings and uses identified above in the report, staff finds the proposed PD zoning district compatible with the existing zoning districts and development pattern in the area. The immediate surrounding area primarily consist of PD zoning district permitting similar uses, vacant properties and residential support/institutional uses.

5.2 Recommendation

Based on the above considerations, staff recommends approval of the request, subject to conditions.

6.0 PROPOSED CONDITIONS

Approval - Approval of the request, subject to the conditions listed below, is based on the general site development plan received December 15, 2021.

1. Development of the project shall be limited to a maximum of 4 single-family attached residential units (townhomes).

2. The single family attached residential units (townhomes) shall be developed according to the following development standards.

Minimum lot area:	800 square feet
Minimum lot width:	20 feet
Minimum front yard setback:	15 feet
Minimum side yard setback:	15 feet
Minimum rear yard setback:	85 feet
Maximum building height:	35 feet, 2 stories

3. Landscape buffering and screening shall be in accordance with Land Development Code Section 6.06.06. except as provided herein:

a. A 5-foot buffer with Type A screening shall be provided along the north and south property boundaries, excluding the wetland areas.

4. Parking shall be in accordance with Land Development Code Section 6.05.02.

5. Approval of this application does not ensure that public wastewater and potable water services will be available at the time when the applicant seeks permits to actually develop.

6. Wetlands or other surface waters are considered Environmentally Sensitive Areas and are subject to Conservation Area and Preservation Area setbacks. The setback from the boundaries of the Wetland Conservation Area must be a minimum of 30 feet. No filling, excavating or construction of permanent structures or other impervious surface may occur within the setback except as specified in Section 4.01.07.B.4 of the Hillsborough County Land Development Code. A minimum setback must be maintained around these areas which shall be designated on all future plan submittals.

7. Approval of this petition by Hillsborough County does not constitute a guarantee that Natural Resources approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impacts to trees, natural plant communities or wildlife habitat, and does not grant any implied or vested right to environmental approvals.

8. The construction and location of any proposed environmental impacts are not approved by this correspondence, but shall be reviewed by Natural Resources staff through the site and subdivision development plan process pursuant to the Land Development Code.

9. 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.

10. 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.

11. 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).

12. A wetland delineation by EPC staff determined that wetlands exist onsite. On February 16, 2017, EPC staff requested surveys to be submitted to EPC for formal review and approval. To date, those surveys have not been received and therefore the wetland lines have not been approved. Please continue to provide the necessary information to complete the wetland/ OSW delineation file (EPC file #62697). 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. The wetland 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).

13. 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.

14. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References 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.


15. The Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Development Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.

16. Within 90 days of approval by the Hillsborough County Board of County Commissioners, the applicant shall submit to the Development Services Department a revised General Site Development Plan for certification which conforms the notes and graphic of the plan to the conditions outlined above and the Land Development Code (LDC). Subsequent to certification of the plan, if it is determined the certified plan does not accurately reflect the conditions of approval or requirements of the LDC, said plan will be deemed invalid and certification of the revised plan will be required.

ZHM HEARING DATE: January 18, 2022
BOCC LUM MEETING DATE: March 8, 2022

Case Reviewer: Kevie Defranc

Zoning Administrator Sign Off:



J. Brian Grady
Fri Jan 7 2022 08:21:50

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.

B. HEARING SUMMARY

This case was heard by the Hillsborough County Land Use Hearing Officer on January 18, 2022. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

Applicant

Mr. John LaRocca spoke on behalf of the applicant. He stated the subject property is approximately one-half acre on North Manhattan Avenue, which is a county collector road. He stated the subject property is in the Egypt Lake area. He stated the applicant is proposing a four-unit, single-family attached townhouse development that is similar to a rezoning obtained approximately two years ago to the north.

Mr. LaRocca stated the applicant applied for a Planned Development to accommodate some site issues and concerns of properties located directly east of an elementary school. He stated there were some driveway issues. He stated Sweetwater Creek is to the south and alignment and layout of driveways and placement of the units on the property perpendicular to the road made sense and the property has been reviewed accordingly. He stated the applicant is proposing four single-family attached townhouse units at a density of seven units per acre based on the calculation. He stated the site plan is very specific with regard to setbacks and design.

Mr. LaRocca stated there are a number of mixed uses in the area that the proposal would be consistent and compatible with. He stated the applicant concurs with the conditions recommended by Development Services staff, including the environmental survey lines and setbacks from conservation areas. He stated the applicant will meet those obligations if the rezoning is approved. He stated the applicant concurs with the reports and comments made by staff and the conditions as indicated.

Development Services Department

Mr. Kevie Defranc, 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 and Mr. Defranc stated the Development Services Department had nothing further.

Applicant Rebuttal

Mr. LaRocca stated the applicant had nothing further.

The hearing officer closed the hearing on rezoning 21-1042.

C. EVIDENCE SUBMITTED

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

D. FINDINGS OF FACT

1. The Subject Property consists of approximately 0.508 acres located at 7801 North Manhattan Avenue, at the east side of North Manhattan Avenue and 880 feet north of West Broad Street in Tampa.
2. The Subject Property is zoned RSC-6 and is designated Res-9 on the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County Future Land Use Map*.
3. The Subject Property is in the Urban Services Area and not within the boundaries of a community plan.
4. The applicant is requesting to rezone the Subject Property to Planned Development to allow development of student housing of up to four single-family attached dwelling units.
5. The surrounding area is developed with residential uses, a public school, and Sweetwater Creek Channel H.
6. Property north of the Subject Property is zoned RSC-6 and developed with a single-family residence and vacant properties. South of the Subject Property is Channel H, single-family conventional and townhouse residential uses, and vacant properties. East of the Subject Property is public right-of-way and vacant properties zoned RSC-6. West of the Subject Property is North Manhattan Avenue right-of-way, a public school, light commercial, and public communications utilities.
7. County staff found the proposed rezoning compatible with the surrounding area and recommends approval subject to the conditions stated in the Development

Services staff report based on the applicant's general site development plan received December 15, 2021.

8. Planning Commission staff found the proposed rezoning to be compatible with the surrounding area and concluded the request is consistent with the county's 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

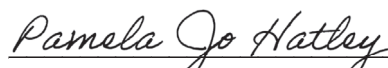
A development order is consistent with the comprehensive plan if "the land uses, densities or intensities, and other aspects of development permitted by such order...are compatible with and further the objectives, policies, land uses, and densities or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government." § 163.3194(3)(a), Fla. Stat. (2020). 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 is requesting to rezone the Subject Property to Planned Development to allow development of up to four single-family attached residences.

H. RECOMMENDATION

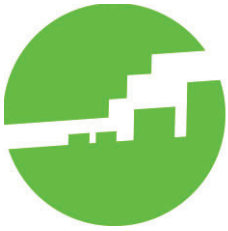
Based on the foregoing Findings of Fact and Conclusions of Law, this recommendation is for **APPROVAL** of the rezoning request subject to the conditions stated in the Hillsborough County Development Services staff report based on the applicant's general site development plan received December 15, 2021.



Pamela Jo Hatley PhD, JD
Land Use Hearing Officer

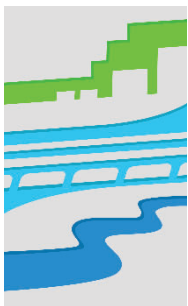
2-8-2022

Date:



**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: January 18, 2022	Petition: PD 21-1042
Report Prepared: January 6, 2022	7801 North Manhattan Avenue <i>East of North Manhattan Avenue and south of Idell Street W</i>
Summary Data:	
Comprehensive Plan Finding:	CONSISTENT
Adopted Future Land Use:	Residential-9 (9 du/ga;0.35 FAR)
Service Area:	Urban
Community Plan:	N/A
Requested Zoning:	Residential Single-Family Conventional-6 (RSC-6) to Planned Development (PD) to develop a 4-unit single-family attached residence (townhomes)
Parcel Size (Approx.):	0.508 +/- acres (22,128 square feet)
Street Functional Classification:	North Manhattan Avenue – Collector
Locational Criteria	N/A
Evacuation Zone	The subject property is in evacuation zone E



Context

- The approximately 0.508 +/- acre subject property is located on the east side of North Manhattan Avenue and south of Idell Street West. The site is currently a vacant residential lot. The site is located in the Urban Service Area and is not located within the limits of a Community Plan.
- The subject site's Future Land Use designation is Residential-9 (RES-9). Typical allowable uses in this Future Land Use Category include residential, urban scale neighborhood commercial, office uses, multi-purpose projects and mixed use development. Non-residential uses shall meet established locational criteria for the specific land use. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element. Directly north, south, and east is also designated as Residential-9 (RES-9). West of the site is Public/Quasi-Public (P/QP) and Light Industrial (LI). Further southwest is Residential-12 (RES-12).
- The subject property is zoned Residential Single-Family Conventional-6 (RSC-6). The properties immediately to the north, south and east are designated Residential Single-Family Conventional -6 (RSC-6) and are developed with single family residential and vacant lots. To the west across North Manhattan Avenue is Business-Professional Office (BPO) and Planned Development (PD) developed with Crestwood Elementary, light commercial and public communications/utilities.
- The applicant is requesting to rezone the site from Residential Single-Family Conventional-6 (RSC-6) to a Planned Development (PD) to develop a 4-unit single-family attached residence (townhomes).

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 (USA)

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.*

Relationship to the Future Land Use Map

Objective 7: *The Future Land Use Map is a graphic illustration of the county's policies governing the determination of its pattern of development in the unincorporated areas of Hillsborough County through the year 2025.*

Policy 7.1: *The Future Land Use Map shall be used to make an initial determination regarding the permissible locations for various land uses and the maximum possible levels of residential*

densities and/or non-residential intensities, subject to any special density provisions, locational criteria and exceptions of the Future Land Use Element text.

Relationship to Land Development Regulations

Policy 9.2: Developments must meet or exceed the requirements of all land development regulations as established and adopted by Hillsborough County, the state of Florida and the federal government unless such requirements have been previously waived by those governmental bodies.

Neighborhood/Community Development

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

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

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

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

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

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

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.

Community Design Component

5.0 NEIGHBORHOOD LEVEL DESIGN

5.1 COMPATIBILITY

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

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

Staff Analysis of Goals, Objectives, and Policies

The applicant is requesting to rezone the site from Residential Single-Family Conventional-6 (RSC-6) to a Planned Development (PD) to develop a 4-unit single-family attached residences (townhomes). The site is currently vacant residential. The site is located in the Urban Service Area and is not located within the limits of a Community Plan. The subject site's Future Land Use designation is Residential-9 (RES-9). The maximum permitted density on site per the Future Land Use category is 4 units. The applicant is requesting the maximum permitted.

The subject property is in a residential Future Land Use classification. The development pattern along the east side of North Manhattan Avenue consists predominantly of single-family residential dwellings and vacant residential properties. Per Policy 1.4, compatibility does not mean "the same as." Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development. Objective 16 and its accompanying policies 16.1, 16.2, and 16.3 seek to protect existing neighborhoods and development by ensuring compatibility with the surrounding area through various buffering requirements and mitigation techniques. Goal 12 and Objective 12-1 of the Community Design Component require that new developments be designed in a way that is compatible with the established character of the surrounding neighborhood. The proposed 4-unit townhomes are allowed in the Residential-9 (RES-9) Future Land Use category. The subject property is in the Urban Service Area and is compatible with adjacent single family residential lots and vacant residential lots to the north, south, and east. The existing lots in the area west of North Manhattan Avenue include a school (Crestwood Elementary), light commercial, and public communications/utilities. The townhomes will be located on the northern portion of the property. The southern portion of the property will be used for parking, sidewalk, and open space. This will provide additional buffering to the existing adjacent single family residential property to the north. In addition, the applicant will be consistent with the minimum tree planting requirements per the Land Development Code for the existing urban scenic corridor along the project's western frontage. The proposal is therefore compatible with the surrounding area and meets the intent of Policy 1.4, Objective 16, and Policies 16.1, 16.2, 16.3, 16.8, and 16.10 and Goal 12 and Objective 12-1 (FLUE).

Per FLUE Policy 9.2, developments must meet or exceed the requirements of all land development regulations as established and adopted by Hillsborough County. The latest site plan has been amended to meet the minimum 30 ft. Wetland Area Setback Line requirement as mandated by the Natural Resources Department. However, there will be a condition of approval in which no filling, excavating or construction of permanent structures or other impervious surface may occur within the setback. Based upon this condition, this application is consistent with Policy 9.2 as the site meets Section 4.01.07.B.4 of the Hillsborough County Land Development Code.

Recommendation

Based upon the above considerations, the Planning Commission staff finds the proposed Planned Development **CONSISTENT** with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*, subject to the conditions proposed by the Development Services Department of Hillsborough County.

HILLSBOROUGH COUNTY FUTURE LAND USE RZ PD 21-1042

Rezonings STATUS

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

Tempa Service
Urban Service
Shoreline
County Boundary
Jurisdiction Boundary
Roads
Parcels

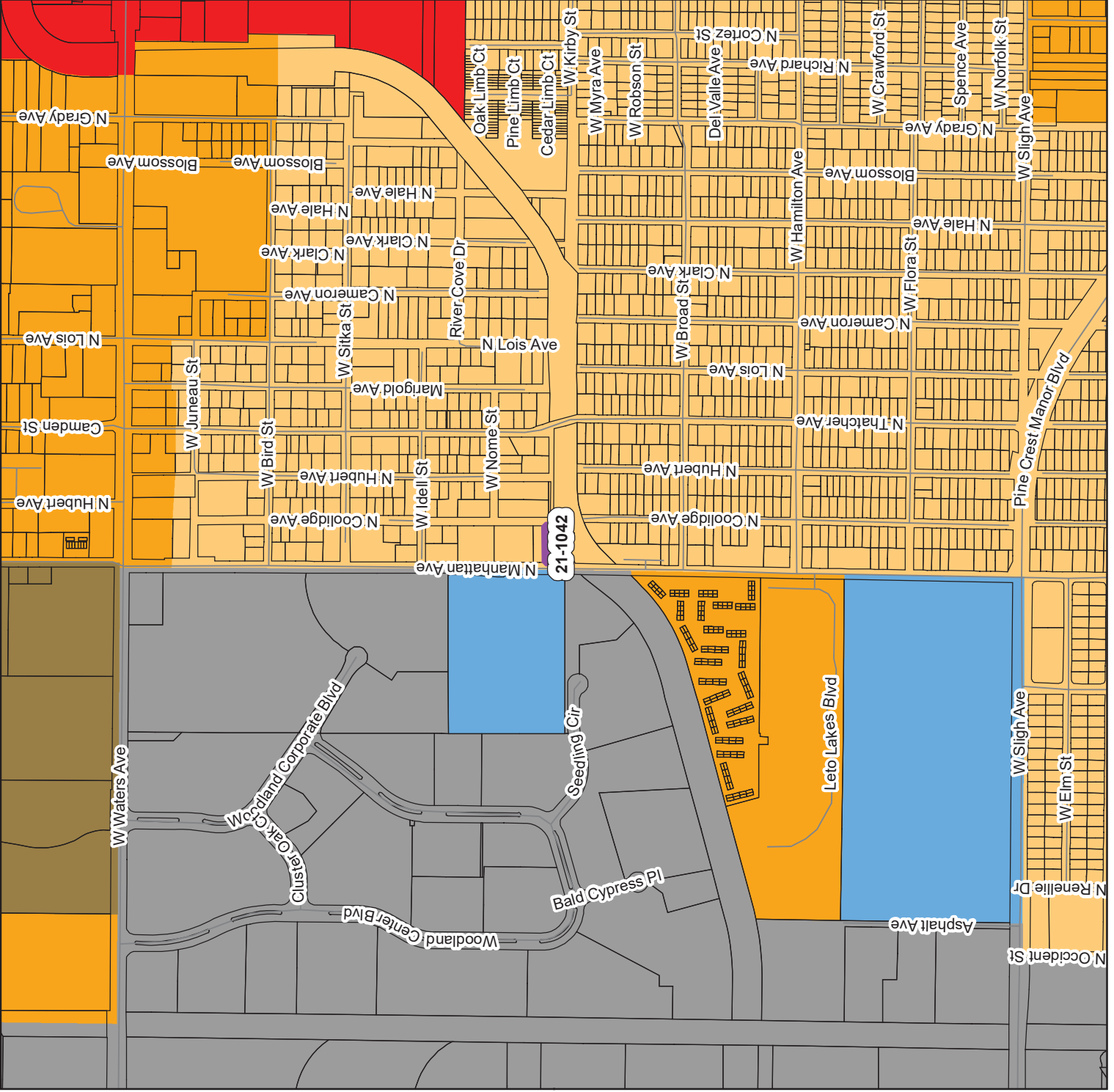
AGRICULTURAL/MINING-120 (.25 FAR)
PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)
AGRICULTURAL-1/10 (.25 FAR)
AGRICULTURAL/RURAL-1/5 (.25 FAR)
AGRICULTURAL ESTATE-1/2.5 (.25 FAR)
RESIDENTIAL-1 (.25 FAR)
RESIDENTIAL-2 (.25 FAR)
RESIDENTIAL PLANNED-2 (.35 FAR)
RESIDENTIAL-4 (.25 FAR)
RESIDENTIAL-6 (.25 FAR)
RESIDENTIAL-9 (.35 FAR)
RESIDENTIAL-12 (.35 FAR)
RESIDENTIAL-16 (.35 FAR)
RESIDENTIAL-20 (.35 FAR)
RESIDENTIAL-35 (1.0 FAR)
NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)
SUBURBAN MIXED USE-6 (.35 FAR)
COMMUNITY MIXED USE-12 (.50 FAR)
URBAN MIXED USE-20 (1.0 FAR)
REGIONAL MIXED USE-35 (2.0 FAR)
OC-20

RESEARCH CORPORATE PARK (1.0 FAR)
ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)
LIGHT INDUSTRIAL PLANNED (.50 FAR)
LIGHT INDUSTRIAL (.50 FAR)
HEAVY INDUSTRIAL (.50 FAR)
PUBLIC/QUASH-PUBLIC
NATURAL PRESERVATION
WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
CITRUS PARK VILLAGE

DATA SOURCES: Rezonings boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. The information on this map is for informational purposes only. It is intended that the user of this map will verify the accuracy of the information with the appropriate authority. Hillsborough County City-County Planning Commission. ACCURACY: It is intended that the user of this map will verify the accuracy of the information with the appropriate authority. Hillsborough County City-County Planning Commission. This map is for informational purposes only. For the most current data and information, visit the appropriate website.

0 460 920 1,380 1,840 Feet

Map Printed from Rezoning System: 8/4/2021
 Author: Beverly F. Daniels
 File: G:\Rezoning\System\MapProjects\HC\094_HRRezoning_Copy.mxd





**GENERAL
SITE PLAN
FOR
CERTIFICATION**



**Hillsborough
County Florida**

DEVELOPMENT SERVICES

PO Box 1110, Tampa, FL 33601-1110
(813) 272-5600

**HILLSBOROUGH COUNTY
DEVELOPMENT SERVICES DEPARTMENT**

GENERAL SITE PLAN REVIEW/CERTIFICATION

**BOARD OF COUNTY
COMMISSIONERS**

Harry Cohen
Ken Hagan
Pat Kemp

Gwendolyn "Gwen" Myers
Kimberly Overman
Mariella Smith
Stacy R. White

COUNTY ADMINISTRATOR

Bonnie M. Wise

COUNTY ATTORNEY

Christine M. Beck

INTERNAL AUDITOR

Peggy Caskey

DEPUTY COUNTY ADMINISTRATOR

Gregory S. Horwedel

Project Name: 7801 N Manhattan Townhomes

Zoning File: RZ-PD (21-1042) Modification: None

Atlas Page: None Submitted: 02/21/22

To Planner for Review: 02/21/22 Date Due: ASAP

Contact Person: John N. LaRocca Phone: 813-222-8923/ john.larocca@murphyarocca.com

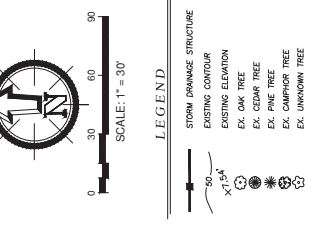
Right-Of-Way or Land Required for Dedication: Yes No

The Development Services Department HAS NO OBJECTION to this General Site Plan.

The Development Services Department RECOMMENDS DISAPPROVAL of this General Site Plan for the following reasons:

Reviewed by: J. Brian Grady Date: 2/21/22

Date Agent/Owner notified of Disapproval: _____



VICINITY MAP
HILLSBOROUGH COUNTY, FLORIDA
SECTION 28, TOWNSHIP 28 SOUTH, RANGE 18 EAST

LEGAL DESCRIPTION:
RD VSTA, LOTS 2, 3, AND 36, LESS CHANNEL H, RIGHT-OF-WAY, LOTS 4, 5 AND DED. 34' TO ST, BLD. BLOCK 41,
TOTALING 0.508 ACRES OF LAND, MORE OR LESS.

SITE DESIGN FLEXIBILITY:
The Planned Development (PD) site designed zoning district is being sought for needed flexibility with the design parameters of the zoning district. The power of the zoning district is intended to be retained. The proposed rezoning will be subject to the current traffic circulation (gross and gross) pattern there is need to allow the site's access to the proposed residential rezoning. The rezoning will be subject to the proposed rezoning. The rezoning will be subject to the proposed rezoning. The rezoning will be subject to the proposed rezoning.

JUSTIFICATION FOR PD APPLICATION AND SITE DESIGN FLEXIBILITY:
The proposed building layout and site design configuration best meets the intent of the zoning district as illustrated on the General Zoning Ordinance. The proposed building layout and site design configuration best meets the intent of the zoning district as illustrated on the General Zoning Ordinance. The proposed building layout and site design configuration best meets the intent of the zoning district as illustrated on the General Zoning Ordinance.

DEVELOPER:
SECTION SWCS
2205 W 9TH AVE
HIALEAH, FL 33010
(781) 447-9922

OWNER:
BLANNER:
MARVEL LARCA CONSULTING GROUP, INC
2815 W COMANCHE AVE
TAMPA, FL 33614

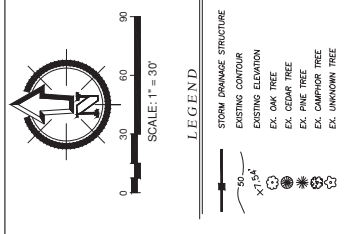
ENGINEER:
FUXAN ENGINEERING, INC
15018 MAURINE COVE LANE
SUITE 2420
TAMPA, FL 33602
(813) 244-6384

RZ PD 21-1042
PD GENERAL SITE PLAN
ALINA SOUTH
TOWNHOMES
7801 North Manhattan Avenue
Hillsborough County, Florida

Prepared For:
DANVA Construction Services
2208 West 9th Avenue
Hialeah, FL 33010

Prepared By:
Fuxan Engineering, Inc.
15018 Maurine Cove Ln,
Odessa, Florida 33556
Phone: 813-244-6384
email: dfox@fuxan.com
Engineering Business Certificate of Authorization No. 200849

Rev: 12/14/2021
Rev: 10/27/2021
Rev: 09/15/2021
Rev: 08/18/2021
Rev: 04/12/2021
Rev: 01/26/2021
Date: 01/26/2022



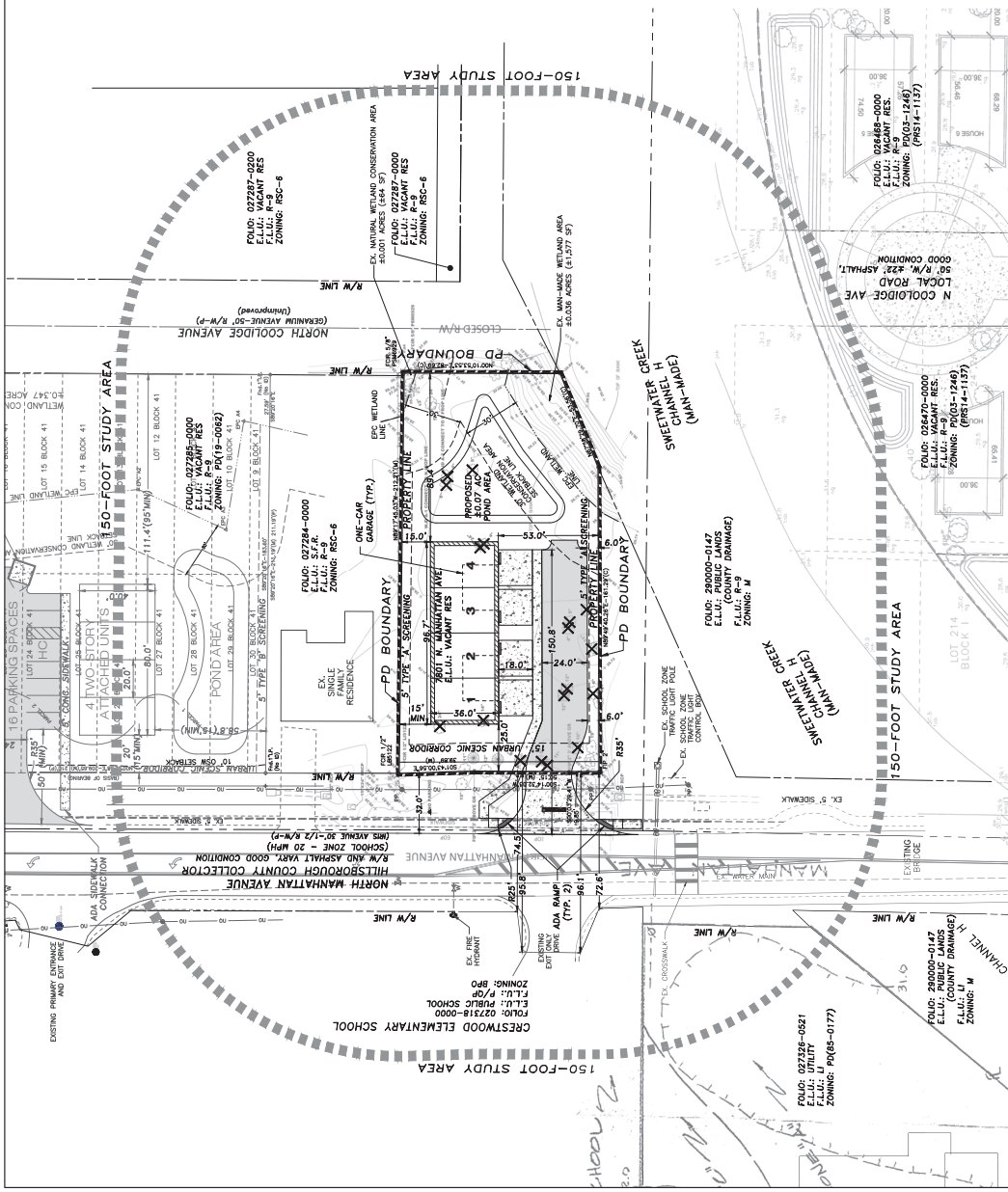
PROJECT SITE DATA:

- Existing Zoning: RSC-6
- Comprehensive Plan Designation: R-9
- Parcel Total Area: 0.508 Acres
- Parcel Total Area: 0.508 Acres
- Residential Use: Single-Dwelling Family Attached
- Element of the Future of Hillsborough County with Policy 13.2 Environmentally Sensitive Land Ordinance
- Soils Project Density: 7.01 Dwelling Units per Acre
- Non-adjacent streets: Deletion Period: 0.02 ± AC.
- Minimum Lot Size: 20' x 40'
- Lot (Rear): 85 Feet (Minimum)
- Lot (Side): 15 Feet (Minimum)
- Lot (Front): 15 Feet (Minimum)
- Proposed Parking: (4) Garage Spaces + (8) driveway spaces = 12 Proposed Parking Spaces.

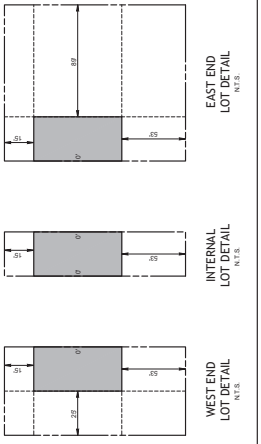
PROJECT NOTES:

- The project lies within Flood Zone "X" according to FEMA-FIRM Community Panel Number 1202750154H, effective August 28, 2018.
- The project is located within the 110' AMSL Airport Height Restriction Area.
- The project is not located within any Special Environmental Zone.
- The project is not located within the North Manhattan Avenue Urban Storm Recovery Corridor.
- Adjacent lots are not to contain any Historical or Archaeological Landmarks.
- 150' Study Area surrounding project does not contain any existing plat or any portion thereof to be vacated from within the Project Site.
- No modifications are proposed to any surrounding PD Sites.
- The project consists of 6 Single Phase.
- No optional building elevations are proposed.
- Open space is not proposed with adjacent properties.
- All adjacent streets appear to be in good condition.
- All adjacent improved streets are paved.
- No adjacent streets have dedicated bikeways and none are proposed.
- No Public Transit Facility is required per the Intermodal Act forth in LDC Section 8.02.17 or Section 8.03.09, and none is proposed.
- Wastewater service to be provided by Hillsborough County.
- There are no existing public Right-of-Ways within the Project Boundary.
- Boundary, Easement, and Common areas shall be maintained by a Homeowners' Association.

STATEMENT OF LIMITATION AND CONDITIONS FOR NOT PROVIDING OF THE PROJECT SITE DATA:
The use of this information is restricted to the specific project and site shown on the drawings. It is not to be used for any other purpose without the written consent of the engineer. The engineer is not responsible for the accuracy of the information provided by others. The engineer is not responsible for the accuracy of the information provided by others. The engineer is not responsible for the accuracy of the information provided by others.



TYPICAL TOWNHOME LOT LAYOUTS





AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

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

DATE: 01/06/2022
AGENCY/DEPT: Transportation
PETITION NO: PD 21-1042

- | | |
|-------------------------------------|---|
| <input type="checkbox"/> | This agency has no comments. |
| <input checked="" type="checkbox"/> | This agency has no objection. |
| <input type="checkbox"/> | This agency has no objection, subject to the listed or attached conditions. |
| <input type="checkbox"/> | This agency objects for the reasons set forth below. |

REPORT SUMMARY AND CONCLUSIONS

- The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 10 average daily trips, 1 trip in the a.m. peak hour, and 1 trip in the p.m. peak hour.
- Transportation Review Section staff has no objection to the proposed request.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a +/-0.5-acre parcel from Residential, Single Family Conventional- 6 (RSC-6) to Planned Development (PD). The proposed Planned Development includes 4 single family dwelling units. The site is located 0.5 miles south of the intersection of W Waters Ave and N Manhattan Ave. The Future Land Use designation of the site is R-9. In accordance with the Development Review Procedures Manual (DRPM), no transportation analysis was required to process the proposed rezoning.

Trip Generation Analysis

Staff has prepared a comparison of the trips potentially generated under the previously approved zoning and the proposed planned development including the additional residential units, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer’s Trip Generation Manual, 10th Edition.

Approved Zoning:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RSC-6, 3 Single Family Dwelling Units (ITE code 210)	28	2	3

Proposed Zoning:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 4 Single Family Dwelling Units (ITE code 210)	38	3	4

Trip Generation Difference:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	+10	+1	+1

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 10 average daily trips, 1 trip in the a.m. peak hour, and 1 trip in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

N Manhattan Ave. is a 2-lane, substandard, Hillsborough County maintained, collector roadway, characterized by +/-11 ft. travel lanes. The existing right-of-way on Lowell Rd. is +/-72 ft. There are sidewalks and bike lanes on both side of the N Manhattan Ave. and curb and gutter only on the west side of the road within the vicinity of the proposed project.

SITE ACCESS

The project is proposing one full access (1) connection on N Manhattan Ave. If PD 21-1042 is approved, vehicular and pedestrian access will be via N Manhattan Ave.

ROADWAY 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
N MANHATTAN	HENRY AVE	HUMPHREY	D	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 Manhattan Avenue	County Collector - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	28	2	3
Proposed	38	3	4
Difference (+/-)	+10	+1	+1

*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		None	None	Meets LDC
South		None	None	Meets LDC
East		None	None	Meets LDC
West	X	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 type="checkbox"/> Yes <input type="checkbox"/> N/A <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	See Staff Report.

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 Pat Kemp VICE-CHAIR
 Harry Cohen
 Ken Hagan
 Gwendolyn “Gwen” W. Myers
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 Steffanie L. Wickham WASTE DIVISION
 Sterlin Woodard, P.E. AIR DIVISION

AGENCY COMMENT SHEET

REZONING	
<p>HEARING DATE: 10/18/2021</p> <p>PETITION NO.: 21-1042</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: 8/17/2021</p> <p>PROPERTY ADDRESS: 7801 N Manhattan Dr, Tampa, FL 33614</p> <p>FOLIO #: 0272830000</p> <p>STR: 28-28S-18E</p>
<p>REQUESTED ZONING: RSC-6 to PD</p>	
FINDINGS	
<p>WETLANDS PRESENT</p>	<p>YES</p>
<p>SITE INSPECTION DATE</p>	<p>8/17/2021</p>
<p>WETLAND LINE VALIDITY</p>	<p>N/A</p>
<p>WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)</p>	<p>Wetland delineation done 2/16/2017 – wetland in northeast corner. Canal cuts through parcel in the southeast corner</p>
<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. 	

Environmental Excellence in a Changing World

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

- 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).
- A wetland delineation by EPC staff determined that wetlands exist onsite. On February 16, 2017, EPC staff requested surveys to be submitted to EPC for formal review and approval. To date, those surveys have not been received and therefore the wetland lines have not been approved. Please continue to provide the necessary information to complete the wetland/ OSW delineation file (EPC file #62697). 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. The wetland 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.

My/mst

cc: Rodelky Penton - rodelky29@gmail.com
Danva Real Estate - info@danvaconstruction.com
John LaRocca - John.larocca@murphylarocca.com

AGENCY COMMENT SHEET

TO: **Zoning/Code Administration, Development Services Department**

FROM: **Reviewer:** Carla Shelton Knight **Date:** January 4, 2022

Agency: Natural Resources **Petition #:** 21-1042

- This agency has **no comment**
- This agency has **no objections**
- This agency has **no objections, subject to listed or attached conditions**
- This agency **objects, based on the listed or attached issues.**

1. Wetlands or other surface waters are considered Environmentally Sensitive Areas and are subject to Conservation Area and Preservation Area setbacks. The setback from the boundaries of the Wetland Conservation Area must be a minimum of 30 feet. No filling, excavating or construction of permanent structures or **other impervious surface may occur within the setback** except as specified in Section 4.01.07.B.4 of the Hillsborough County Land Development Code. A minimum setback must be maintained around these areas which shall be designated on all future plan submittals.
2. Approval of this petition by Hillsborough County does not constitute a guarantee that Natural Resources approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impacts to trees, natural plant communities or wildlife habitat, and does not grant any implied or vested right to environmental approvals.
3. The construction and location of any proposed environmental impacts are not approved by this correspondence, but shall be reviewed by Natural Resources staff through the site and subdivision development plan process pursuant to the Land Development Code.
4. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References 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.



NOTE: THIS IS ONLY FOR ESTIMATE PURPOSES, BASED ON THE FEES AT THE TIME THE REVIEW WAS MADE. ACTUAL FEES WILL BE ASSESSED BASED ON PERMIT APPLICATIONS RECEIVED AND BASED ON THE FEE SCHEDULE AT THE TIME OF BUILDING PERMIT APPLICATION.

TO: Zoning Review, Development Services

DATE: 12/21/2021

REVIEWER: Ron Barnes, Impact & Mobility Fee Coordinator

APPLICANT: Danva Real Estate, LLC

PETITION NO: 21-1042

LOCATION: 7801 N Manhattan Ave

FOLIO NO: 27283.0000

Estimated Fees:

(Fee estimate is based on a 1,500 square foot, 3 bedroom, Townhouse Unit 1-2 Stories)

Mobility: \$5,995 * 4 units = \$23,980.00

Parks: \$1,957 * 4 units = \$ 7,828.00

School: \$7,027 * 4 units = \$ 28,108.00

Fire: \$249 * 4 units = \$ 996.00

Total Townhouse = \$60,912.00

Project Summary/Description:

Urban Mobility, Northwest Parks/Fire - 4 Townhouse Units

revised fees estimated based on Jan 1, 2022 schedule

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Planning Growth Management

DATE: 28 July 2021

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

APPLICANT: John La Rocca

PETITION NO: RZ-PD 21-1042

LOCATION: 7801 N. Manhattan Ave., Tampa, FL 33614

FOLIO NO: 27283.0000

SEC: 28 TWN: 28 RNG: 18

- 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: _____.



AVIATION AUTHORITY LAND USE REVIEW
Hillsborough County - OPTIX

DATE: July 28, 2021

PROPOSED USE INFORMATION:

Case No.: 21-1042 Reviewer: Tony Mantegna

Location: 2815 W Comanche Ave

Folio: 27283.0000

Current use of Land: Residential

Zoning: RSC-6

REQUEST: Townhomes

COMMENTS:

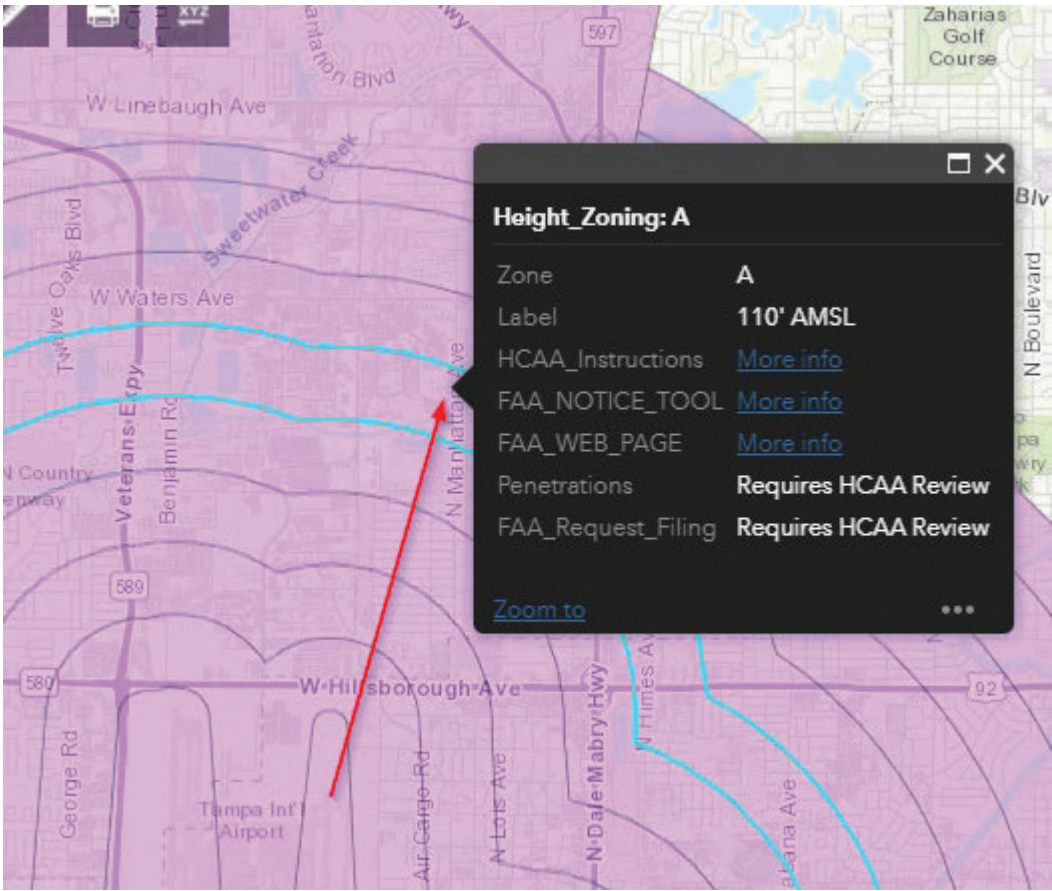
The proposed site falls within Zone "A" on the Airport Height Zoning Map. Any structure including construction equipment that exceeds 110' feet Above Mean Sea Level may require an Airport Height Zoning Permit and must be reviewed by the Airport Zoning Director.

Compatible without conditions (see comments above) - _____

Not compatible (comments) - _____

Compatible with conditions (see comments above) – Potential buyers should be informed this location is in close proximity to Tampa International Airport and will be subject to aircraft overflight. The property falls outside of the 65 dnl noise contour around the airport and is a compatible but occupants may be subjected to noise from aircraft operating to and from the airport. The Aviation Authority suggests a noise reduction level of at least 25 db be incorporated into design.

cc: Aviation Authority Zoning Director/Legal/Records Management/Central Records





VERBATIM TRANSCRIPT

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HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

ZONING HEARING MASTER HEARINGS
January 18, 2022
ZONING HEARING MASTER: PAMELA JO HATLEY

D6:
Application Number: RZ-PD 21-1042
Applicant: Danva Real Estate, LLC
Location: E side of N. Manhattan Ave. &
880' N of W Broad St.
Folio Number: 027283.0000
Acreage: 0.5 acres, more or less
Comprehensive Plan: R-9
Service Area: Urban
Existing Zoning: RSC-6
Request: Rezone to Planned Development

1 MR. GRADY: The next item is agenda item
2 D-6. It's Rezoning-PD 21-1042. The applicant is
3 Danva Real Estate, LLC. The request is to rezone
4 from RSC-6 to Planned Development.

5 Kevie Defranc will provide staff
6 recommendation after presentation by the applicant.

7 MR. LAROCCA: Good evening again. My name
8 is John LaRocca, planning consultant with Murphy
9 LaRocca Consulting Group, and I am the
10 representative for the owner/applicant, Danva Real
11 Estate.

12 As submitted in the staff reports -- and
13 it's very detailed in terms of the assessment
14 that's been done on this property -- the property
15 involves approximately a half acre of land on a
16 Hillsborough County collector road, North Manhattan
17 Avenue.

18 The property is located within the Egypt
19 Lake Community Planning Area. What is proposed is
20 a four-unit, single-family attached townhouse
21 development. Similar to a similar rezoning
22 obtained approximately two years ago, not directly
23 or adjacent to the north but jumping over another
24 lot to the north.

25 The reason why we applied for a Planned

1 Development zoning, the Land Use plan is RES-9.
2 The PD is to accommodate some site issues and site
3 concerns of properties located directly east of an
4 elementary school. There was some driveway issues.

5 There is Sweetwater Creek to the south. The
6 alignment and layout of driveways and the placement
7 of the units on the property perpendicular to the
8 road made sense, and the property's been reviewed
9 accordingly.

10 What is proposed are four single-family
11 attached townhouse units at a density of seven
12 units per acre based on the calculation. The site
13 plan is very specific with regard to setbacks and
14 design.

15 There are a number of mixed uses in the area
16 that the townhouse proposal -- it would be
17 consistent and compatible with the surrounding
18 community and neighborhoods and the mix of uses
19 that occur in that area.

20 There are conditions that are recommended by
21 the Development Services staff that the applicant
22 concurs with. There were some issues with regard
23 to more detailed design and specificity with regard
24 to environmental survey lines and setbacks from
25 conservation areas. And we've agreed to all of

1 those conditions, and we'll meet those obligations
2 should this application be approved. That
3 concludes my recommendation. We concur with all of
4 the reports made and comments made in the staff and
5 the conditions as indicated. Thank you.

6 HEARING MASTER HATLEY: Yes, sir. Thank
7 you.

8 All right. Development Services.

9 MR. DEFRANC: Hello again. Kevie Defranc
10 with Development Services. I am sharing my screen
11 now. Is it visible?

12 HEARING MASTER HATLEY: Yes.

13 MR. DEFRANC: Awesome. So as Mr. John
14 LaRocca explained, the request is to rezone the
15 subject property from the existing RSC-6 zoning
16 district to the proposed PD to be allowed to
17 develop the property with a maximum of four
18 single-family attached residential units or
19 townhomes.

20 The subject property is located at 7801
21 North Manhattan Avenue in Tampa, which is on the
22 east side of North Manhattan Avenue; approximately
23 880 feet north of West Broad Street.

24 The subject property has a FLU designation
25 of RES-9, and the maximum density within the RES-9

1 FLU category is nine dwelling units per gross acre.
2 And the nearby FLU categories are PQP,
3 Public/Quasi-Public, and Light Industrial, LI.

4 And the subject property is adjacent to
5 property zoned RSC-6 to the north, east, and south,
6 and PD to the south. Within the general area,
7 there are other properties zoned BPO to the west,
8 RMC-12 to the southwest, and RSC-9 to the
9 southeast.

10 The subject property is located in an area
11 comprised of public service, institutional, suggest
12 a public school, and residential single-family
13 residential lots uses.

14 And as Mr. LaRocca explained, the property
15 not adjacent to the north but -- north of the
16 adjacent property to the north was approved for PD
17 for a similar use.

18 And as stated, prior development of the
19 project shall be limited to a maximum of four
20 single-family attached residential units as shown
21 in the graphics.

22 And based on the RES-9 FLU category, the
23 surrounding zoning, and development pattern, and
24 the proposed uses or use and development standards
25 for the PD zoning district, staff finds the request

1 approvable subject to the conditions listed.

2 That concludes my presentation, and I'm
3 available for questions. Thank you.

4 HEARING MASTER HATLEY: All right. Thank
5 you.

6 We'll hear from Planning Commission.

7 MS. MASSEY: Hi. This is Jillian Massey
8 with Planning Commission staff.

9 The site is located in the Urban Service
10 Area and not located within the limits of a
11 community plan. The proposed four-unit townhomes
12 are permitted in the Residential-9 Future Land Use
13 Category. It's compatible with the adjacent
14 single-family residential lots to the north, south,
15 and east.

16 The -- the proposed development is
17 compatible with Policies 1.4, Objective 16, and its
18 associated policies relating to neighborhood
19 protection.

20 Per FLUE Policy 9.2, developments must meet
21 or exceed the requirements of all land development
22 regulations as established and adopted by
23 Hillsborough County. The latest site plan has
24 amended to meet the minimum 30-foot Wetland Area
25 Setback line. A required -- a requirement as

1 mandated by the Natural Resources department.

2 However, there will be a condition of
3 approval in which no filling, excavating, or
4 construction of the permanent structures or other
5 impervious surface may occur within the setback.

6 Based upon this condition, this application
7 is consistent with Policy 9.2 as it meets the
8 sections relating to this in the Hillsborough
9 County Land Development Code.

10 And based upon these considerations,
11 Planning Commission staff finds the proposal is
12 consistent with the Future of Hillsborough
13 Comprehensive Plan for unincorporated Hillsborough
14 County subject to the conditions proposed by the
15 Development Services Department. And that
16 concludes my presentation.

17 HEARING MASTER HATLEY: All right. Thank
18 you.

19 Okay. Is there anyone here or online who
20 wishes to speak in support of this application? Do
21 not hear anyone.

22 Is there anyone here or online who wishes to
23 speak in opposition to this application? All
24 right. Not hearing anyone.

25 Development Services, anything further?

1 MR. GRADY: Nothing further.

2 MR. DEFRANC: No, nothing further.

3 HEARING MASTER HATLEY: Okay. Applicant,
4 anything further?

5 MR. LAROCCA: Nothing to add. Thank you.

6 HEARING MASTER HATLEY: All right. Thank
7 you.

8 This will close the hearing then on
9 Rezoning 21-1042.

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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: SUSAN FINCH
Land Use Hearing Master

DATE: Monday, December 13, 2021

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

1 Hearing Master Hearing.

2 Item A-14, Rezoning-PD 21-1042. This
3 application is being continued by the applicant to
4 the January 18, 2022, Zoning Hearing Master
5 Hearing.

6 Item A-15, Major Mod Application 21-1106.
7 This application is being continued by the
8 applicant to the January 18, 2022, Zoning Hearing
9 Master Hearing.

10 Item A-16, Major Mod Application 21-1108.
11 This application is being continued by the
12 applicant to the January 18, 2022, Zoning Hearing
13 Master Hearing.

14 Item A-17, Major Mod Application 21-1226.
15 This application is being continued by the
16 applicant to the January 18, 2022, Zoning Hearing
17 Master Hearing.

18 Item A-18, Rezoning-PD 21-1231. This
19 application is being continued by staff to the
20 January 18, 2022, Zoning Hearing Master Hearing.

21 Item A-19, Major Mod Application 21-1270.
22 This application is out of order to be heard and is
23 being continued to the January 18, 2022, Zoning
24 Hearing Master Hearing.

25 Item A-20, Rezoning-PD 21-1321. This

HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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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

1 November 15, 2021, Zoning Hearing Master Hearing.

2 Item A-10, Rezoning-PD 21-0863. This
3 application is being continued by the applicant to
4 the November 15, 2021, Zoning Hearing Master
5 Hearing.

6 Item A-11, Rezoning-PD 21-0864. This
7 application is being continued by the applicant to
8 the November 15, 2021, Zoning Hearing Master
9 Hearing.

10 Item A-12, Major Mod Application 21-0884.
11 This application is being continued by the
12 applicant to the November 15, 2021, Zoning Hearing
13 Master Hearing.

14 Item A-13, Rezoning-PD 21-0959. This
15 application is being continued by the applicant to
16 the November 15, 2021, Zoning Hearing Master
17 Hearing.

18 Item A-14, Rezoning-PD 21-0969. This
19 application is continued by the applicant to the
20 November 15, 2021, Zoning Hearing Master Hearing.

21 Item A-15, Rezoning-PD 21-1042. This
22 application is being continued by the applicant to
23 the December 13, 2021, Zoning Hearing Master
24 Hearing.

25 For item A-16, as I noted, that application



**EXHIBITS SUBMITTED
DURING THE ZHM HEARING**

NONE



**PARTY OF
RECORD**

NONE