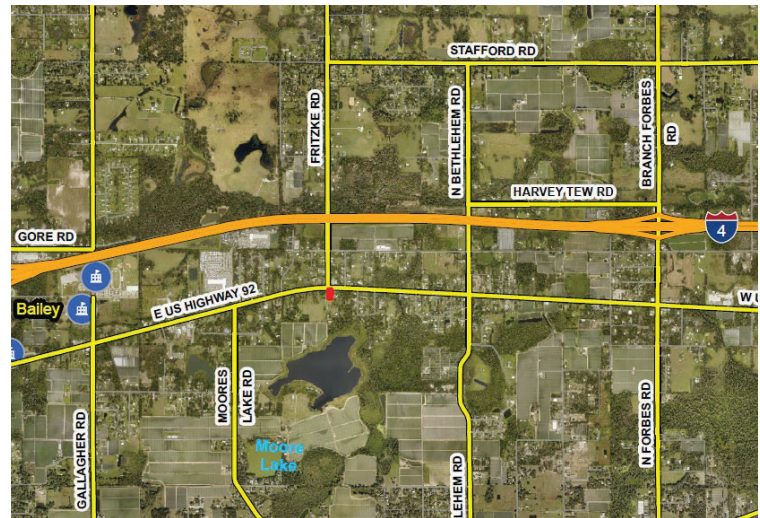


1.0 APPLICATION SUMMARY

Applicant: Gisselle Amparo
 FLU Category: RES-2 (Residential -2)
 Service Area: Rural
 Site Acreage: 0.53
 Community Plan Area: East Rural
 Overlay: None



Introduction Summary

The subject property received a nonconforming use, nonconforming lot, and nonconforming structure determination in March 2024 under DNC 24-0380. The use of two single-family structures being multi-family and consisting of a single-family conventional dwelling and a mobile home, on property zoned RSC-2 (Residential, Single-Family Conventional) was found to be legally nonconforming. Additionally, the setback for the fixed dwelling and mobile home was deemed to have a legally nonconforming front yard setbacks of 22.2 feet for the fixed dwelling and 10 feet for the mobile home (25 feet required in the RSC-2 zoning district). Moreover, the 90-foot lot width (100 feet required in RSC-2) was deemed legally nonconforming. Per Land Development Code (LDC), Section 11.03.06.J.1, any expansion, change or rebuilding of a legal nonconforming use requires approval by the Board of County Commissioners under a Nonconformity Special Use Permit. BOCC approved nonconformity expansions are permitted once and may not exceed 50% of the intensity.

Prior to the approval of DNC 24-0380, the mobile home was removed over the course of 2.5 weeks in the middle of December in 2023. Section 11.03.06.C permits a 90-calendar-day cease of a nonconforming use before subsequent uses of the premises are required to conform to zoning district regulations. This 90-day timeframe allows for the application to be considered for final action as long as the special use application is submitted before the 90 days expire. The parcel now contains one single-family, conventional, dwelling.

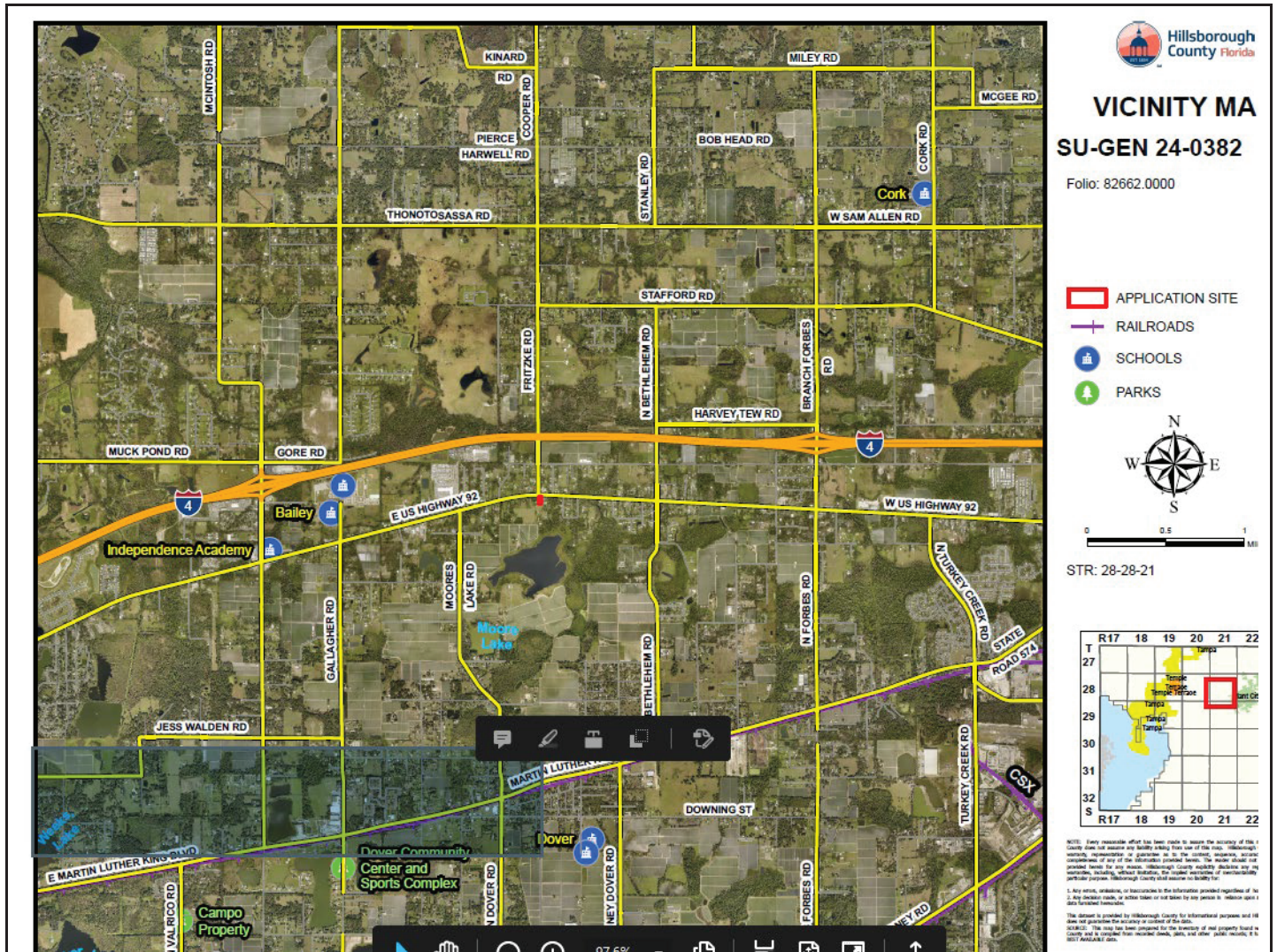
Existing Approval(s)	Proposed Modification(s)
Multi-family use	Replacement of one of the two dwellings (mobile home).

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

Planning Commission Recommendation Consistent	Development Services Recommendation Approvable, subject to proposed conditions
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2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

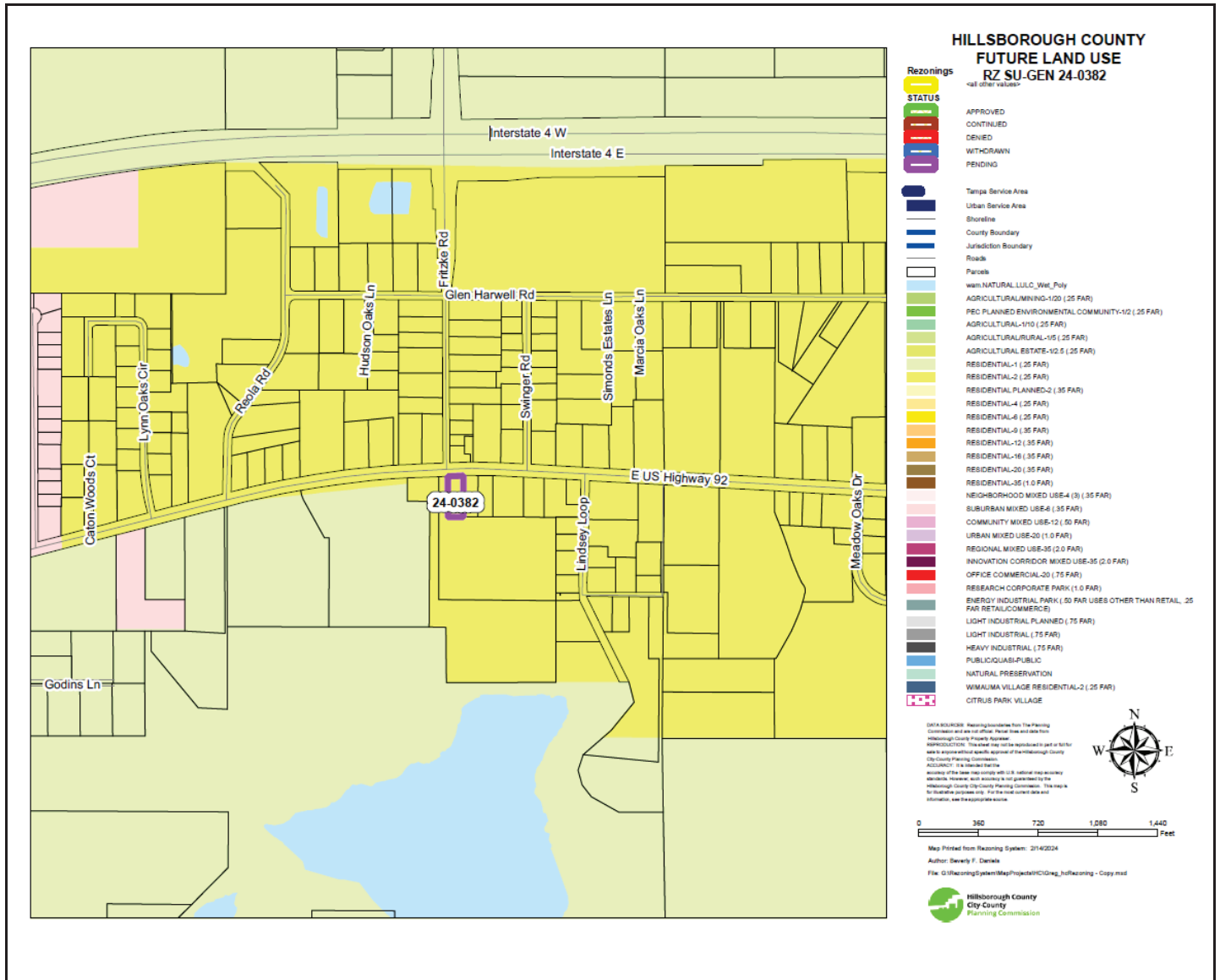


Context of Surrounding Area:

The subject property is located approximately 0.4 miles south of Interstate-4 at the Fritzke Road and E US Highway 92 intersection in the East Rural community. The uses in the immediate vicinity include retail, office, agriculture, multi-family and single-family residential, and vacant lands.

2.0 LAND USE MAP SET AND SUMMARY DATA

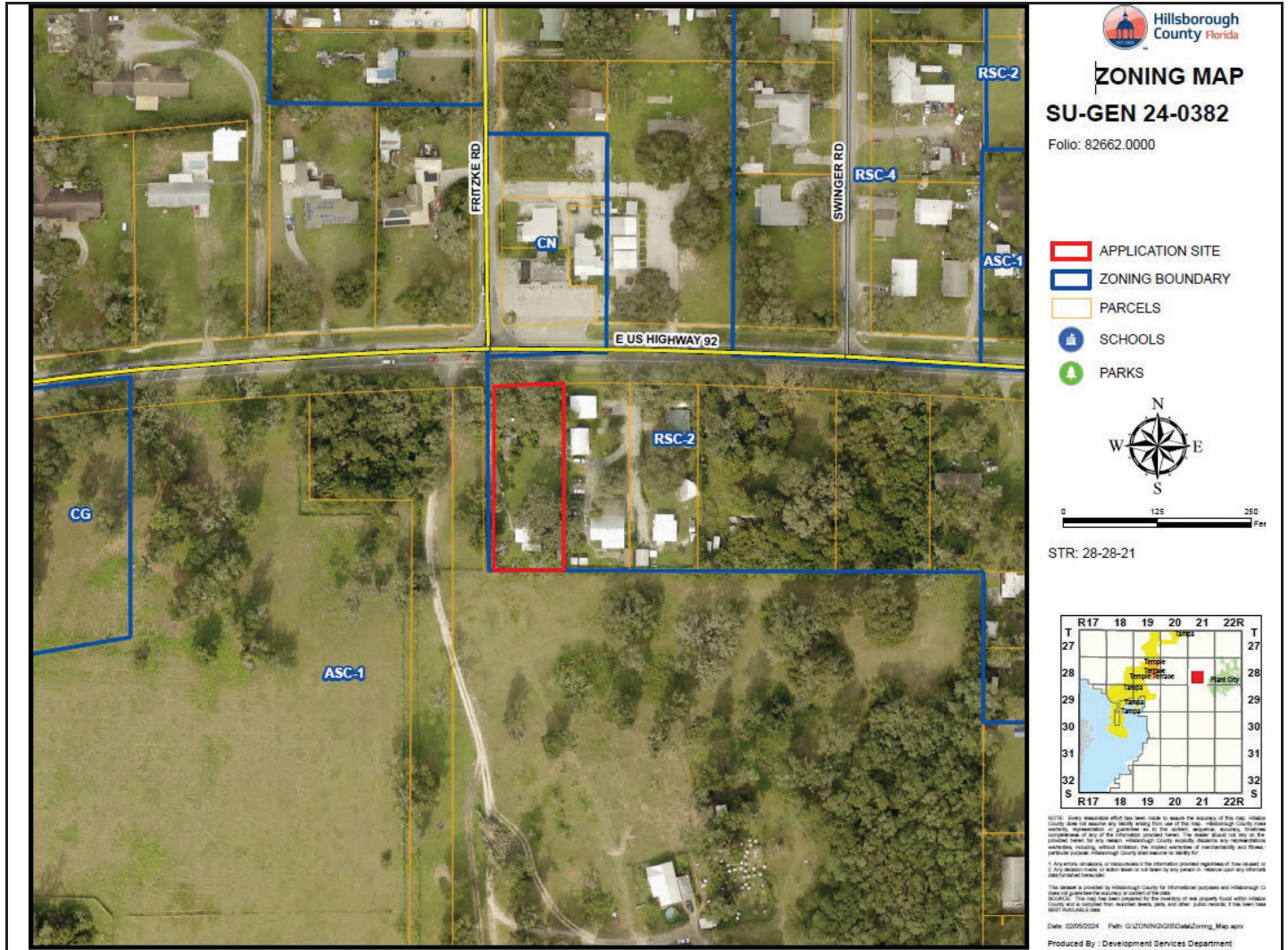
2.2 Future Land Use Map



Subject Site Future Land Use Category	Residential – 2 (R-2)
Maximum Density/FAR	2 dwelling units per gross acre (du/ga) / 0.50 FAR
Typical Uses	Residential, suburban scale neighborhood commercial, office, and multi-purpose projects.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



Adjacent Zonings and Uses

Location	Zoning	Maximum Density/FAR Permitted by Zoning District	Allowable Use	Existing Use
North	CN	DU/GA: NA FAR: 0.20	Retail (limited) and personal services	Convenience store
South	ASC-1	1 du/ga FAR: NA	Agriculture and related, and single-family, conventional	Agriculture (pasture)
East	RSC-2	2 du/ga FAR: NA	Single-family, conventional	Residential, multi-family
West	ASC-1	1 du/ga FAR: NA	Agriculture and related, and single-family, conventional	Agriculture (pasture)

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
Hillsborough Avenue (US Hwy 92)	FDOT Principal Arterial - Rural	2 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	15	1	1
Proposed	28	2	3
Difference (+/-)	+13	+1	+2

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

**The 11th Edition of the ITE Trip Generation Manual does not include daily trips for ITE Code 918 and as such daily trip generation cannot be compared.

Connectivity and Cross Access Not applicable for this request

Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North	X	Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.

Notes:

Design Exception/Administrative Variance Not applicable for this request

Road Name/Nature of Request	Type	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.

Notes:

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Environmental Services	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input 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: <ul style="list-style-type: none"> <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____ 				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	See staff report
Service Area/ Water & Wastewater <input type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input checked="" type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Impact/Mobility Fees				
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

The site is in a mixed-use rural area and abuts a multi-family property to the east with five multi-family dwellings retail and office to the north and agriculture to the south. The predominate development and land use pattern of the remaining area consists of agricultural and single-family use. The property fronts a portion of the US 92 right-of-way, which according to the State Department of Transportation adopted Project Development & Environmental study and Hillsborough County Corridor Preservation Plan, will be widened to accommodate the roadway improvement from a two-lane to a four-laned roadway. Additionally, the replacement mobile home will be required comply with RSC-2 zoning district setbacks providing 25-foot setbacks from the north and west and 10-foot setbacks from the east and south property lines.

Based upon the above, staff has not identified any compatibility issues associated with the requests.


5.2 Recommendation

Approvable, subject to conditions.

6.0 PROPOSED CONDITIONS

Approval - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted January 31, 2024.

- 1. This Special Use Permit shall the building of a nonconforming use, one fixed residential dwelling or siting of one mobile home, on the subject property identified using folio number 82662.0000.
- 2. ~~Structures~~ The mobile home shall be located where generally shown on the site plan and shall comply with the RSC-2 zoning district setbacks and maximum height requirements. ~~The minimum setback requirements for the mobile home shall be 25 feet from the front, north and west, property line, and ten feet from the side, east and south, property lines.~~
- 3. The single-family, conventional structure shall be permitted to remain legally nonconforming with a 22.2-foot setback from the west property line (second front on a corner lot) where a 25-foot front yard and a 10-foot side yard is required on a RSC-2 zoned property.

Zoning Administrator Sign Off:	 J. Brian Grady Mon Mar 25 2024 12:46:07
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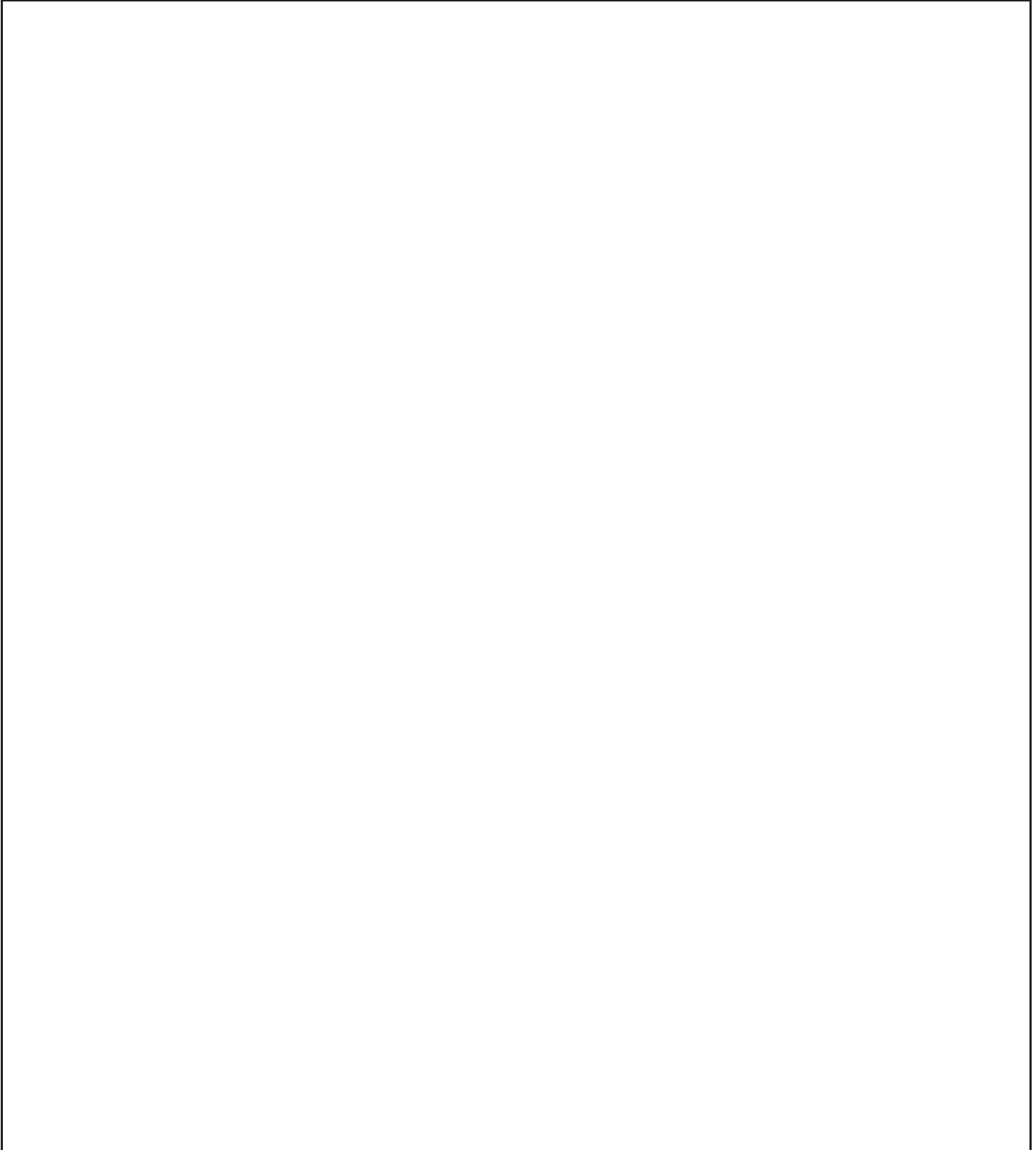
SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.

Approval of this re-zoning petition by Hillsborough County does not constitute a guarantee that the project will receive 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

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

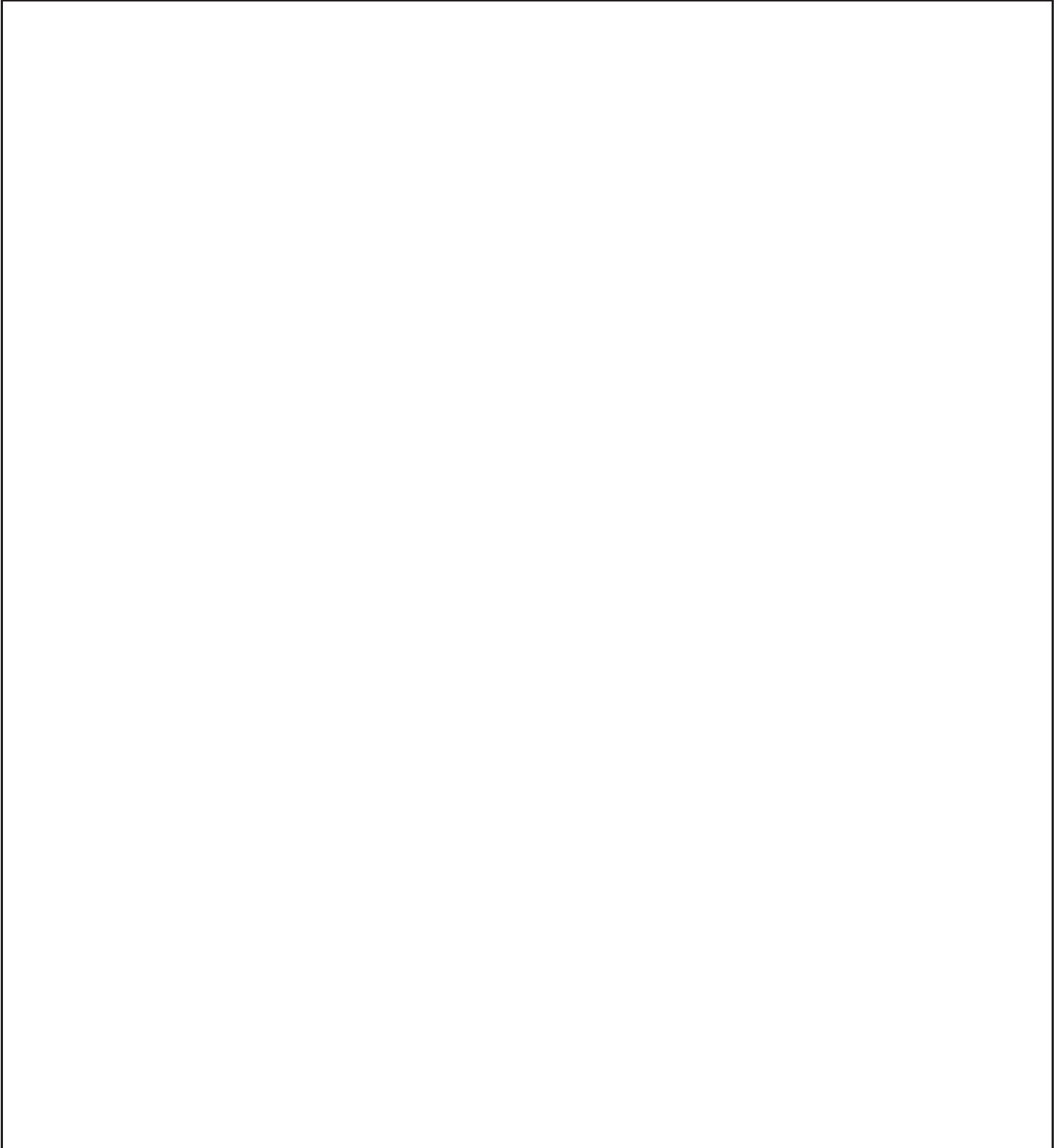
8.0 SITE PLANS (FULL)

8.1 Approved Site Plan (Full)



8.0 SITE PLANS (FULL)

8.2 Proposed Site Plan (Full)



APPLICATION NUMBER: SU 24-0382

ZHM HEARING DATE: March 25, 2024

BOCC LUM MEETING DATE: May 7, 2024

Case Reviewer: Sam Ball

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department
REVIEWER: Alex Steady, AICP
PLANNING AREA/SECTOR: East Rural/ Northeast

DATE: 03/13/2024
AGENCY/DEPT: Transportation
PETITION NO.: SU-GEN 24-0382

- | | |
|-------------------------------------|---|
| <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. |

PROJECT SUMMARY AND ANALYSIS

The applicant requests special use approval for a parcel totaling +/- 0.52 acres to build an additional mobile home on the property. The property owner demolished one of the mobile homes and is now seeking approval to build a mobile home totaling two dwelling units on the property. Without special use approval, the site would only be entitled to one dwelling unit.

The site is located on the south side of E Hillsborough Avenue, on the southeast corner of the intersection of Hillsborough Avenue and Fritzke Road. The zoning of the property is Residential Single Family Conventional – 2 (RSC-2). The Future Land Use designation of the property is Residential – 2 (R-2).

SITE ACCESS

The site has existing driveway access to Hillsborough Avenue. Hillsborough Avenue is an FDOT roadway, all access requirements will be per FDOT requirements. FDOT submitted documentation that drainage and access permits will be required.

Staff notes that, regardless of this review, the developer/property owner must comply with all applicable Comprehensive Plan, LDC, TTM, and other rules and regulations at the time of plat/site/construction plan review. As such, staff has no objection to this request.

Trip Generation Analysis

In accordance with the Development Review Procedures Manual (DRPM), no transportation analysis was required to process the special use review. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer’s Trip Generation Manual, 11th Edition.

Approved Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RSC-2, 1 Single-Family Dwelling Units (ITE Code 210)	15	1	1

Proposed Zoning:

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

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	+13	+1	+2

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on Hillsborough Avenue (E Hwy 92). Hillsborough Avenue (E Hwy 92) is a two-lane, undivided, Florida Department of Transportation (FDOT) maintained principal arterial roadway. Within the vicinity of the project, Hillsborough Avenue (E Hwy 92) has sidewalk along the north side of the roadway. Hillsborough Avenue (E Hwy 92) Road lies within +/- 81 feet of right of way within the vicinity of the project.

HILLSBOROUGH COUNTY CORRIDOR PRESERVATION PLAN

Hillsborough Avenue (E HWY 92) is included in the Hillsborough County Corridor Preservation Plan as a 4-lane roadway. FDOT has conducted a PD&E for the planned improvement.

ROADWAY LEVEL OF SERVICE

Level of Service (LOS) information is reported below.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr Directional LOS
US HWY 92	MCINTOSH RD	FORBES RD	D	C

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

Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
Hillsborough Avenue (US Hwy 92)	FDOT Principal Arterial - Rural	2 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	15	1	1
Proposed	28	2	3
Difference (+/-)	+13	+1	+2

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

**The 11th Edition of the ITE Trip Generation Manual does not include daily trips for ITE Code 918 and as such daily trip generation cannot be compared.

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

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

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

**COUNTY OF HILLSBOROUGH
RECOMMENDATION OF THE LAND USE HEARING
OFFICER**

APPLICATION NUMBER:	SU-GEN 24-0382
DATE OF HEARING:	March 25, 2024
APPLICANT:	Gisselle Amparo
PETITION REQUEST:	The request is for a Special Use Permit for the replacement of a mobile home on a lot that has an approved Legal Non-Conforming Lot, Non-Conforming Use and Non-Conforming Structure (DNC 24-0380)
LOCATION:	13603 E. Hwy. 92
EXISTING ZONING DISTRICT:	RSC-2
FUTURE LAND USE CATEGORY:	RES-2
SERVICE AREA:	Rural

STAFF REPORT

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

1.0 APPLICATION SUMMARY

Applicant: Gisselle Amparo

FLU Category: RES-2 (Residential -2)

Service Area: Rural

Site Acreage: 0.53

Community Plan Area: East Rural

Overlay: None

Introduction Summary

The subject property received a nonconforming use, nonconforming lot, and nonconforming structure determination in March 2024 under DNC 24-0380. The use of two single-family structures being multi-family and consisting of a single-family conventional dwelling and a mobile home, on property zoned RSC-2 (Residential, Single-Family Conventional) was found to be legally nonconforming. Additionally, the setback for the fixed dwelling and mobile home was deemed to have a legally nonconforming front yard setbacks of 22.2 feet for the fixed dwelling and 10 feet for the mobile home (25 feet required in the RSC-2 zoning district). Moreover, the 90-foot lot width (100 feet required in RSC-2) was deemed legally nonconforming. Per Land Development Code (LDC), Section 11.03.06.J.1, any expansion, change or rebuilding of a legal nonconforming use requires approval by the Board of County Commissioners under a Nonconformity Special Use Permit. BOCC approved nonconformity expansions are permitted once and may not exceed 50% of the intensity.

Prior to the approval of DNC 24-0380, the mobile home was removed over the course of 2.5 weeks in the middle of December in 2023. Section 11.03.06.C permits a 90-calendar-day cease of a nonconforming use before subsequent uses of the premises are required to conform to zoning district regulations. This 90-day timeframe allows for the application to be considered for final action as long as the special use application is submitted before the 90 days expire. The parcel now contains one single-family, conventional, dwelling.

Additional Information

PD Variation(s): None requested as part of this application.

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

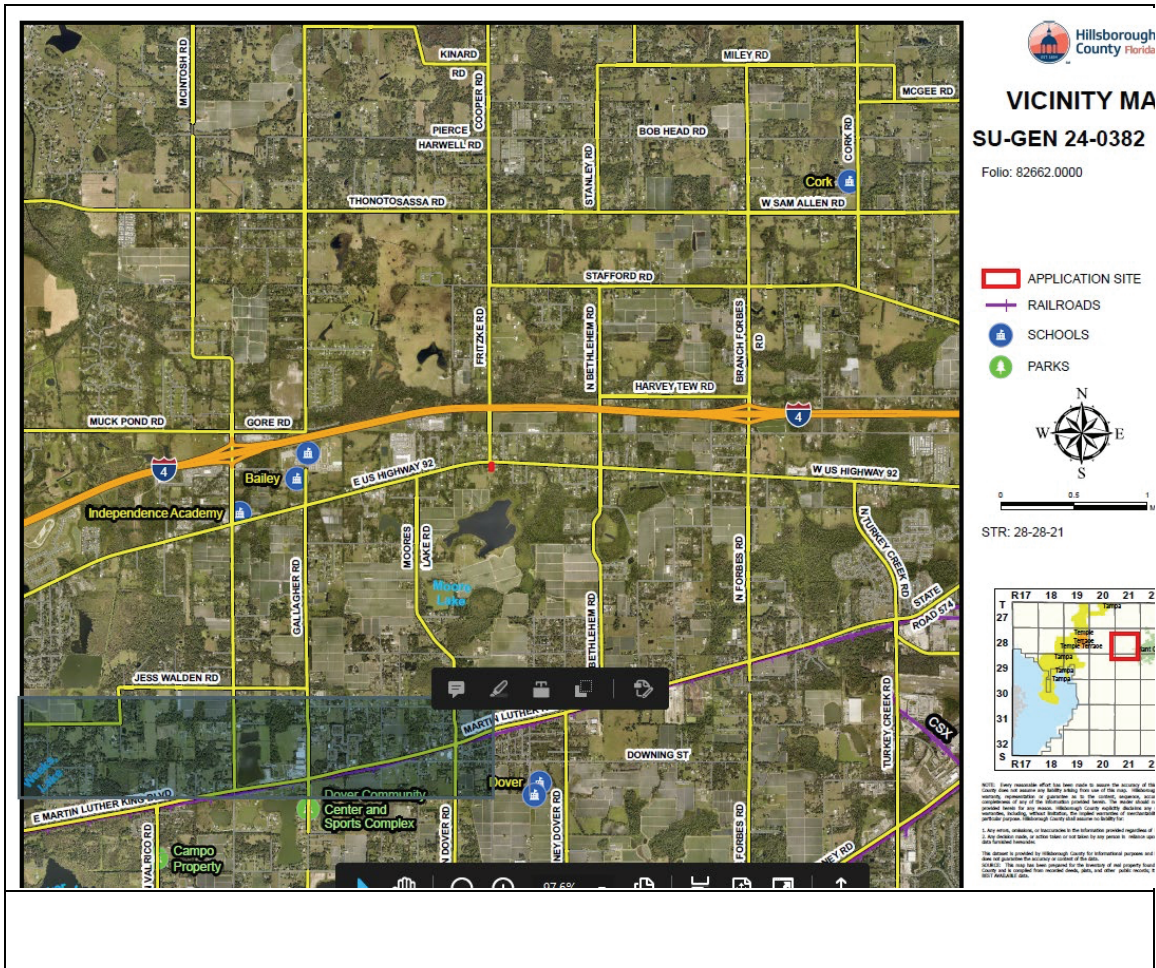
Proposed Modification(s)

Replacement of one of the two dwellings (mobile home).

Development Services Recommendation Approvable, subject to proposed conditions

Planning Commission Recommendation Consistent

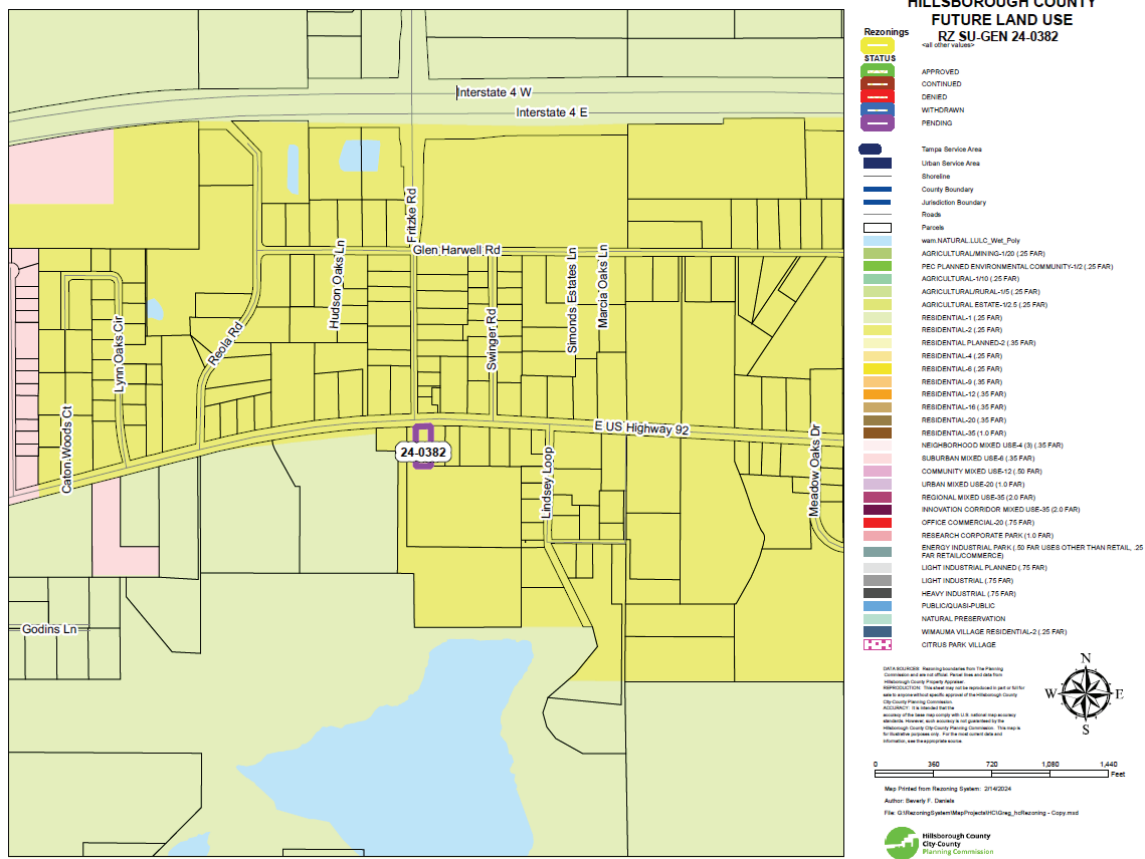
2.0 LAND USE MAP SET AND SUMMARY DATA 2.1 Vicinity Map



Context of Surrounding Area:

The subject property is located approximately 0.4 miles south of Interstate-4 at the Fritzke Road and E US Highway 92 intersection in the East Rural community. The uses in the immediate vicinity include retail, office, agriculture, multi- family and single-family residential, and vacant lands.

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



Subject Site Future Land Use Category	Residential – 2 (R-2)
Maximum Density/FAR	2 dwelling units per gross acre (du/ga) / 0.50 FAR
Typical Uses	Residential, suburban scale neighborhood commercial, office, and multi- purpose projects.

Classification Current Conditions Select Future Improvements

3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 9 OF STAFF REPORT)
Adjoining Roadways (check if applicable)

Hillsborough Avenue (US Hwy 92)	FDOT Principal Arterial - Rural	2 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
---------------------------------	---------------------------------	---	---

Design Exception/Administrative Variance Not applicable for this request

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY				
INFORMATION/REVIEWING AGENCY				
	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental:				

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

Check if Applicable:

- Wetlands/Other Surface Waters
- Use of Environmentally Sensitive Land Credit
- Wellhead Protection Area
- Surface Water Resource Protection Area
- Potable Water Wellfield Protection Area Significant Wildlife Habitat
- Coastal High Hazard Area
- Urban/Suburban/Rural Scenic Corridor Adjacent to ELAPP property
- Other _____

Public Facilities:

Transportation

Design Exc./Adm. Variance Requested Off-site Improvements Provided

Service Area/ Water & Wastewater

Urban City of Tampa
Rural City of Temple Terrace

Hillsborough County School Board

Adequate K-5 6-8 9-12 N/A Inadequate K-5 6-8 9-12 N/A

Planning Commission

Meets Locational Criteria N/A Locational Criteria Waiver Requested
Minimum Density Met N/A

5.0 IMPLEMENTATION RECOMMENDATIONS 5.1 Compatibility

The site is in a mixed-use rural area and abuts a multi-family property to the east with five multi-family dwellings retail and office to the north and agriculture to the south. The predominate development and land use pattern of the remaining area consists of agricultural and single-family use. The property fronts a portion of the US 92 right-of-way, which according to the State Department of Transportation adopted Project Development & Environmental study and Hillsborough County Corridor Preservation Plan, will be widened to accommodate the roadway improvement from a two-lane to a four-laned roadway. Additionally, the replacement mobile home will be required comply with RSC-2 zoning district setbacks providing 25-foot setbacks from the north and west and 10-foot setbacks from the east and south property lines.

Based upon the above, staff has not identified any compatibility issues associated with the requests.

5.2 Recommendation

Approvable, subject to conditions.

Special Use conditions, which were presented at the Zoning Hearing Master hearing, were reviewed and are incorporated by reference as a part of the Zoning Hearing Master Recommendation.

SUMMARY OF HEARING

This Cause came on for hearing before the Hillsborough County Land Use Hearing Officer on March 25, 2024. Ms. Michelle Heinrich of the Hillsborough County Development Services Department introduced the Petition.

Ms. Giselle Amparo 13603 US Highway 92 Dover testified as the property owner. Ms. Amparo stated that the property has had two dwelling units on it since 1947 and one of those units was a mobile home. She stated that it was very dated so she had it removed in order to replace it with a new one. The non-conforming issue came up during the process. She added that the non-conforming use was already approved and that staff found the request approvable.

Mr. Sam Ball of the Development Services staff testified regarding the County staff report. Mr. Ball stated that the request is for a Special Use permit for the replacement of a non-conforming use on RSC-2 property. He described the surrounding area and stated that the property received approval for a non-conforming use on the property zoned RSC-2 and added that the existing single-family home was built in 1947 and the mobile home was placed on-site in 1960 before the property was subject to zoning regulations. Mr. Ball stated that the property owner had the mobile home removed over the course of 2.5 weeks in December of 2023. The Land Development Code permits a 90 calendar day cease of a non-conforming use before the site is required to conform with zoning regulations. The Special Use application was submitted to the County prior to the 90 day time limit. Mr. Ball testified that the parcel currently has one-single family home on-site and the property owner would replace the prior mobile home is the application is approved. He concluded his presentation by stating that staff finds the request approvable subject to the proposed conditions.

Ms. Andrea Papandrew of the Planning Commission staff testified that the subject site is located in the Residential-2 Future Land Use Category and the Rural Service Area. She describe the history of the non-conformity and stated listed numerous policies that support the request. The Planning Commission staff found the Special Use request consistent with the Comprehensive Plan.

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

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

County staff and Ms. Amparo did not have additional comments.

The hearing was then concluded.

EVIDENCE SUBMITTED

Ms. Heinrich submitted a revised staff report into the record.

PREFACE

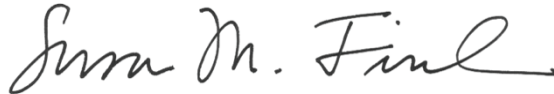
All matters that precede the Summary of Hearing section of this Decision are hereby incorporated into and shall constitute a part of the ensuing Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. The subject property is 0.53 acres in size and zoned Residential Single-Family Conventional-2 (RSC-2) and designated Residential-2 (RES-2) by the Comprehensive Plan. The property is located within the Rural Service Area.
2. The Special Use application is proposed for the replacement of a mobile home. The subject property has an approval for a non-conforming lot, use and structure. The property was approved for one single-family home which was built in 1947 and one mobile home which was established on-site in 1960 prior to zoning regulations. The property owner had the mobile home removed for a period of 2.5 weeks with the intent to replace it with another mobile home.
3. The Land Development Code permits a 90-day cease of a non-conforming use provided the Special Use application is submitted prior to the 90-day deadline. The property owner filed the Special Use application in accordance with the requirement.
4. The Planning Commission found the Special Use consistent with the Comprehensive Plan.
5. The Special Use is in accordance with the approved non-conforming use approval and is consistent with the provision in the Land Development Code.

RECOMMENDATION

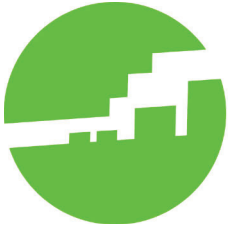
Based on the foregoing, the applicant has satisfied the criteria for issuance of a Special Use permit for the replacement of the mobile home. The Special Use is recommended for **APPROVAL**.



April 15, 2024

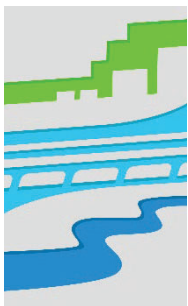
Susan M. Finch, AICP
Land Use Hearing Officer

Date



**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Special Use	
Hearing Date: March 25, 2024 Report Prepared: March 13, 2024	Petition: SU 24-0382 Folio: 82662.0000 <i>South of East US Highway 92 and east of Moores Lake Road</i>
Summary Data:	
Comprehensive Plan Finding	CONSISTENT
Adopted Future Land Use	Residential-2 (2 du/ga; 0.25 FAR)
Service Area	Rural
Community Plan	None
Special Use Request	Special use to replace a mobile home as a second dwelling unit as a legal nonconforming use
Parcel Size	0.53 ± acres (5,771.7 square feet)
Street Functional Classification	East Highway 92 – State Principal Arterial State Road 400 – State Principal Arterial Moores Lake Road – County Collector
Locational Criteria	N/A
Evacuation Area	A



Context

- The 0.53 ± acre subject site is located south of East US Highway 92 and east of Moores Lake Road
- The site is in the Rural Area and is not within the limits of a community plan.
- The subject site is located within the Residential-2 (RES-2) Future Land Use category, which can be considered for a maximum density of 2 dwelling units per gross acre and a maximum intensity of 0.25 Floor Area Ratio (FAR). The RES-2 Future Land Use category is intended to designate areas suitable for low density residential development. Typical uses include residential, suburban scale neighborhood commercial, offices, and multi-purpose projects. Non-residential uses shall meet locational criteria for specific land use projects.
- RES-2 surrounds the subject site. Residential-1 (RES-1) Future Land Use category exists to the south, west, and further north across State Road 400. Suburban Mixed Use-6 (SMU-6) is further west of the subject site, and Residential-4 (RES-4) Future Land Use is further east of the subject site.
- Saint Anne Catholic Church is located on the subject site and is designated as a public institutional use. Additional public institutional uses owned by the Northside Baptist Church are located directly north. Light industrial, vacant, and agricultural uses are located further north. Light commercial, heavy commercial, heavy industrial, multi-family and single-family uses are interspersed west of the site across North US Highway 41. Light commercial and vacant uses are located south. Light industrial uses are located directly east. The area has a wide range of commercial, public institutional, vacant, and industrial uses.
- The subject site is zoned as Residential Single Family Conventional-2 (RSC-2). RSC-2 extends to the north and east of the subject site. A pocket of Commercial Neighborhood (CN) zoning lies north of the subject site across East US Highway 92. Agricultural Single Family Conventional-1 (ASC-1) zoning lies to the west and south of the subject site. A pocket of Commercial General (CG) zoning lies further west, and a pocket of Residential Single family Conventional-4 (RSC-4) zoning lies further east.
- The applicant requests a Special Use approval for a legal nonconforming use to replace a mobile home that will serve as a second dwelling unit on the subject site.

Compliance with Comprehensive Plan:

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

Future Land Use Element

Rural Area

Rural areas will typically carry land use densities of 1 du/5 ga or lesser intense designations. The One Water Chapter outlines relevant language related to water, wastewater and septic in the Rural Area. Within the rural area there are existing developments that are characterized as suburban enclaves or rural communities. These are residential developments which have a more dense development pattern and character, usually 1 or 2 du/ga. These enclaves are recognized

through the placement of land use categories that permit densities higher than 1 du/5 acres. New development of a character similar to the established community will be permitted to infill in a limited manner, but not be permitted to expand into areas designated with lower land use densities. Rural communities, such as Lutz, Keystone and Thonotosassa will specifically be addressed through community-based planning efforts. These communities, and others like them, have historically served as centers for community activities within the rural environment.

Objective 4: The Rural Area will provide areas for long term, agricultural uses and large lot, low density rural residential uses which can exist without the threat of urban or suburban encroachment, with the goal that no more than 20% of all population growth within the County will occur in the Rural Area.

Policy 4.1: Rural Area Densities Within rural areas, densities shown on the Future Land Use Map will be no higher than 1 du/5 ga unless located within an area identified with a higher density land use category on the Future Land Use Map as a suburban enclave, planned village, a Planned Development pursuant to the PEC ½ category, or rural community which will carry higher densities.

Relationship to Land Development Regulations

Objective 9: All existing and future land development regulations shall be made consistent with the Comprehensive Plan, and all development approvals shall be consistent with those development regulations as per the timeframe provided for within Chapter 163, Florida Statutes. Whenever feasible and consistent with Comprehensive Plan policies, land development regulations shall be designed to provide flexible, alternative solutions to problems.

Policy 9.2: 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.

Policy 9.3: In implementing this Comprehensive Plan, Hillsborough County shall continue to recognize legal non-conforming uses and permit the rebuilding or expansion of existing legal non-conforming uses which do not have any significant adverse effects on adjacent properties. With the exception of principle residences, or uses or structures destroyed by an act of God, the expansion of non-conforming uses and rebuilding of non-conforming uses, shall not occur more than once. The expansion or rebuilding shall not result in an increase of the intensity of use which exceeds fifty (50) percent of the existing intensity or the maximum building square footage within the plan category, except in conformance with policy 21.4. However, the expansion may permit the construction of a use that is less intense than the existing non-conforming use. The new use may still be non-conforming with the plan. All expansions or rebuilding shall be consistent with other plan policies.

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

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

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

4.1 RURAL RESIDENTIAL CHARACTER

Goal 7: Preserve existing rural uses as viable residential alternatives to urban and suburban areas.

Objective 7-1: Support existing agricultural uses for their importance as a historical component of the community, their economic importance to the County and for the open space they provide.

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 0.53 ± acre subject site is located South of East US Highway 92 and east of Moores Lake Road. The site is in the Rural Area and is not within the limits of a community plan. The applicant requests a Special Use approval to replace a mobile home as a legal nonconforming use that will serve as a second dwelling unit on the subject site.

The Future Land Use Element permits new development within the Rural Area that is similar in character to the existing community. Objective 4 of the Future Land Use Element (FLUE) of the Comprehensive Plan notes that 20% of the growth in the region will occur within the Rural Area without the threat of urban or suburban encroachment. FLUE Policy 4.1 characterizes the Rural Area as low-density, large lot residential. The subject site is within the Rural Area and the proposed special use to replace a mobile home to serve as a second dwelling unit on the subject site within RES-2 and RSC-2 in the Rural Area is similar in character and compatible with the surrounding area.

The subject site is in the RES-2 Future Land Use category. This category allows for the consideration of up to two dwelling units per acre. According to FLUE Objective 9 and Policy 9.2, all development proposals must meet or exceed all local, state and federal land development regulations. Policy 9.3 recognizes legal non-conforming uses and permits the rebuilding or expansion of existing legal non-conforming uses, which shall not occur

more than once. The new use may still be non-conforming. The applicant has two dwelling units on the subject site, with one dwelling unit being a mobile home. The applicant is seeking to replace the previous mobile home on the subject site with a new mobile home on a legal nonconforming lot. The Special Use request is compatible with the RES-2 Future Land Use category and consistent with FLUE Objective 9 and Policies 9.2 and 9.3.

The proposed special use meets the intent of Objective 16 and associated policies relating to neighborhood protection. The subject site is surrounded by residential uses with a few areas of commercial, mixed-use, and public/quasi public institution uses mixed throughout the area. The proposal is consistent with the existing surrounding development. The application is consistent with Objective 12 and Policy 12-4.1 of the CDC as well as Policies 16.1, 16.2, and 16.3 of the FLUE.

Overall, staff finds that the proposed Special Use request would allow for development that is consistent with policies relating to legal nonconforming uses and the RES-2 Future Land Use category and is consistent with the Goals, Objectives, and Policies of the *Unincorporated Hillsborough County Comprehensive Plan*.

Recommendation

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

HILLSBOROUGH COUNTY FUTURE LAND USE RZ SU-GEN 24-0382

Rezoning
STATUS

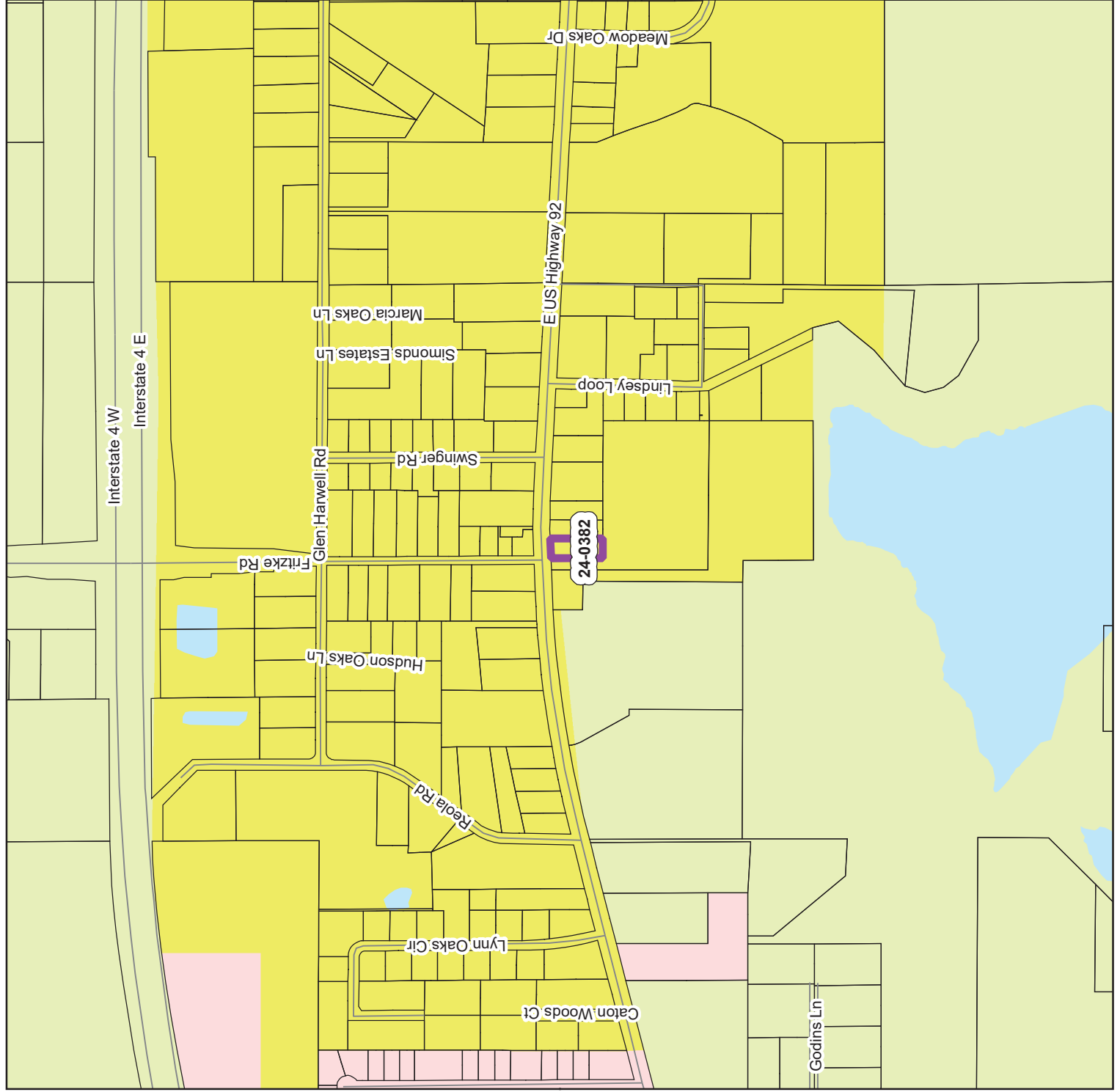
- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

Tampa Service Area
Urban Service Area
Shoreline
County Boundary
Jurisdiction Boundary
Roads
Parcels

- WATER NATURAL LULC_We_Poly
- 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)
- INNOVATION CORRIDOR MIXED USE-35 (2.0 FAR)
- OFFICE COMMERCIAL-20 (.75 FAR)
- RESEARCH CORPORATE PARK (1.0 FAR)
- ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)
- LIGHT INDUSTRIAL PLANNED (.75 FAR)
- LIGHT INDUSTRIAL (.75 FAR)
- HEAVY INDUSTRIAL (.75 FAR)
- PUBLIC/QUASIPUBLIC
- NATURAL PRESERVATION
- WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE

DATA SOURCES: Rezoning boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. The information on this map is for informational purposes only. It is intended that the City/County Planning Commission. ACCURACY: It is intended that the information on this map is for informational purposes only. It is intended that the information on this map is for informational purposes only. For the most current data and information, visit the appropriate website.

Map Printed from Rezoning System: 2/14/2024
Author: Beverly F. Daniels
File: G:\Rezoning\System\MapProjects\HC\Gen_H\Rezoning - Copy.mxd





AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department
REVIEWER: Alex Steady, AICP
PLANNING AREA/SECTOR: East Rural/ Northeast

DATE: 03/13/2024
AGENCY/DEPT: Transportation
PETITION NO.: SU-GEN 24-0382

- | | |
|-------------------------------------|---|
| <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. |

PROJECT SUMMARY AND ANALYSIS

The applicant requests special use approval for a parcel totaling +/- 0.52 acres to build an additional mobile home on the property. The property owner demolished one of the mobile homes and is now seeking approval to build a mobile home totaling two dwelling units on the property. Without special use approval, the site would only be entitled to one dwelling unit.

The site is located on the south side of E Hillsborough Avenue, on the southeast corner of the intersection of Hillsborough Avenue and Fritzke Road. The zoning of the property is Residential Single Family Conventional – 2 (RSC-2). The Future Land Use designation of the property is Residential – 2 (R-2).

SITE ACCESS

The site has existing driveway access to Hillsborough Avenue. Hillsborough Avenue is an FDOT roadway, all access requirements will be per FDOT requirements. FDOT submitted documentation that drainage and access permits will be required.

Staff notes that, regardless of this review, the developer/property owner must comply with all applicable Comprehensive Plan, LDC, TTM, and other rules and regulations at the time of plat/site/construction plan review. As such, staff has no objection to this request.

Trip Generation Analysis

In accordance with the Development Review Procedures Manual (DRPM), no transportation analysis was required to process the special use review. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer’s Trip Generation Manual, 11th Edition.

Approved Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RSC-2, 1 Single-Family Dwelling Units (ITE Code 210)	15	1	1

Proposed Zoning:

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

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	+13	+1	+2

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on Hillsborough Avenue (E Hwy 92). Hillsborough Avenue (E Hwy 92) is a two-lane, undivided, Florida Department of Transportation (FDOT) maintained principal arterial roadway. Within the vicinity of the project, Hillsborough Avenue (E Hwy 92) has sidewalk along the north side of the roadway. Hillsborough Avenue (E Hwy 92) Road lies within +/- 81 feet of right of way within the vicinity of the project.

HILLSBOROUGH COUNTY CORRIDOR PRESERVATION PLAN

Hillsborough Avenue (E HWY 92) is included in the Hillsborough County Corridor Preservation Plan as a 4-lane roadway. FDOT has conducted a PD&E for the planned improvement.

ROADWAY LEVEL OF SERVICE

Level of Service (LOS) information is reported below.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr Directional LOS
US HWY 92	MCINTOSH RD	FORBES RD	D	C

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

Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
Hillsborough Avenue (US Hwy 92)	FDOT Principal Arterial - Rural	2 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	15	1	1
Proposed	28	2	3
Difference (+/-)	+13	+1	+2

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

**The 11th Edition of the ITE Trip Generation Manual does not include daily trips for ITE Code 918 and as such daily trip generation cannot be compared.

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

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

4.0 Additional Site Information & Agency Comments Summary

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



Florida Department of Transportation

RON DESANTIS
GOVERNOR

11201 North McKinley Drive
Tampa, FL 33612

JARED W. PERDUE, P.E.
SECRETARY

MEMORANDUM

DATE: January 8, 2024

TO: Gisselle Amparo, Luna's Realty

FROM: Lindsey Mineer, FDOT

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

SUBJECT: SU-GEN 24-0382, 13603 E 92 Hwy, Dover.

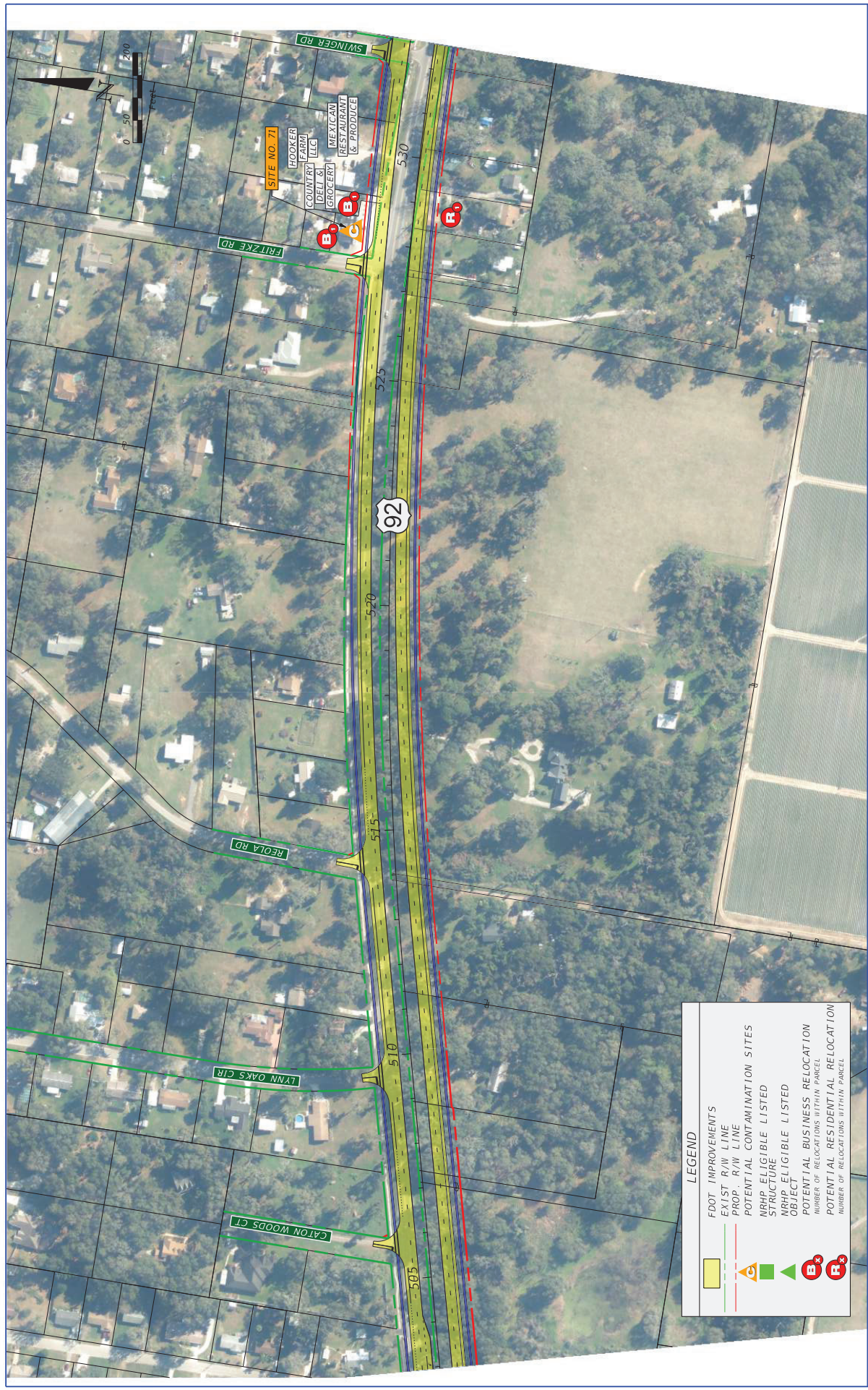
This project is on a state road, US 92. Florida Department of Transportation (FDOT) drainage and access permits are required. It is recommended that the applicant meet with FDOT before zoning approval to discuss access to a state road. A virtual or in-person pre-application meeting may be scheduled through Ms. Nancy Porter in the District Seven Tampa Operations offices. Ms. Porter can reach at 813-612-3205 or at Nancy.Porter@dot.state.fl.us

Please be advised that FDOT conducted a Project Development & Environment (PD&E) study to consider widening a portion of US 92 that extends from East of I-4 to East of County Line Road. The concept page from the adopted PD&E is attached. Right of way (ROW) is needed along this property.

Thank you for the opportunity to comment.

END OF MEMO

Attachment: Adopted PD&E Concept Page for US 92 at folio 82662.0000



LEGEND

- FDOT IMPROVEMENTS
- EXIST R/W LINE
- PROP. R/W LINE
- POTENTIAL CONTAMINATION SITES
- AIRHP ELIGIBLE LISTED SUBJECT
- AIRHP ELIGIBLE LISTED OBJECT
- POTENTIAL BUSINESS RELOCATION
- POTENTIAL RESIDENTIAL RELOCATION
- NUMBER OF RELOCATIONS WITHIN PARCEL
- NUMBER OF RELOCATIONS WITHIN PARCEL

DATE	DESCRIPTION	DATE	REVISIONS

ENGINEER OF RECORD Derek D. Dean, PE PE No. 51905 Inwood Consulting Engineers, Inc. Certificate of Authorization No. 7074 3000 Dovera Drive, Suite 206, Florida 32765 P. 407.871.8850	ROAD NO. 600 COUNTY HILLSBOROUGH	FINANCIAL PROJECT ID 4357491-22-01	US 92 / SR 600 PLAN SHEETS SEG 8 PREFERRED ALIGNMENT
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STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION HILLSBOROUGH COUNTY 11/14/2017 9:40:45 AM F:\Projects\0717-02-01\Vaasava\Preferred_Planet\VAAR03_Prefere.dwg	SHEET NO. 15
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COMMISSION

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AGENCY COMMENT SHEET

REZONING	
<p>HEARING DATE: March 25, 2024</p> <p>PETITION NO.: 24-0382</p> <p>EPC REVIEWER: Abbie Weeks</p> <p>CONTACT INFORMATION: (813) 627-2600 X1101</p> <p>EMAIL: weeksa@epchc.org</p>	<p>COMMENT DATE: March 5, 2024</p> <p>PROPERTY ADDRESS: 13603 E US HWY 92, Dover</p> <p>FOLIO #: 0826620000</p> <p>STR: 28-28S-21E</p>
<p>REQUESTED ZONING: From RSC-2 to SU-GEN</p>	
FINDINGS	
WETLANDS PRESENT	NO
SITE INSPECTION DATE	March 5, 2024
WETLAND LINE VALIDITY	NA
WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)	NA
<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.</p> <p>INFORMATIONAL COMMENTS: The following specific comments are made for informational purposes only and to provide guidance as to the EPC review process. However, future EPC staff review is not limited to the following, regardless of the obviousness of the concern as raised by the general site plan and EPC staff may identify other legitimate concerns at any time prior to final project approval.</p> <p>On March 5, 2024, EPC staff visited the above referenced site in order to determine the extent of any wetlands and other surface waters pursuant to Chapter 1-11, Rules of the EPC. This determination was performed using the methodology described within Chapter 62-340, Florida Administrative Code, and adopted into Chapter 1-11. The site inspection revealed that no wetlands or other surface waters exist within the above referenced parcel(s).</p> <ul style="list-style-type: none"> Please be advised this wetland determination is informal and non-binding. A formal wetland delineation may be applied for by submitting a “WDR30 - Delineation Request Application”. Once approved, the formal wetland delineation would be binding for five years. 	

aow/
 ec: amparogisselle@gmail.com



Agency Review Comment Sheet

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

TO: Zoning Review, Development Services **REQUEST DATE:** 2/1/2024
REVIEWER: Kim Cruz, Environmental Supervisor **REVIEW DATE:** 2/13/2024
PROPERTY OWNER: Luna's Realty LLC **PID:** 24-0382
APPLICANT: Gisselle Amparo
LOCATION: 13603 East 92 Hwy Dover, FL 33527
FOLIO NO.: 82662.0000

AGENCY REVIEW COMMENTS:

Based on the most current data, the project is not located within a Wellhead Resource Protection Area (WRPA), Potable Water Wellfield Protection Area (PWWPA), and/or a Surface Water Resource Protection Area (SWRPA), as defined in Part 3.05.00 of the Hillsborough County Land Development Code (LDC).

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

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Planning Growth Management

DATE: 8 Feb. 2024

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

APPLICANT: Gisselle Amparo

PETITION NO: SU-GEN 24-0382

LOCATION: 13603 E. Hwy 92, Dover, FL 33527

FOLIO NO: 82662.0000

SEC: 28 TWN: 28 RNG: 21

- This agency has no comments.

- This agency has no objection.

- This agency has no objection, subject to listed or attached conditions.

- This agency objects, based on the listed or attached conditions.

COMMENTS: _____.

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

PETITION NO.: SU-GEN 24-0382 REVIEWED BY: Clay Walker, E.I. DATE: 2/2/2024

FOLIO NO.: 82662.0000

WATER

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

WASTEWATER

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

COMMENTS: The subject site is located outside of the Hillsborough County Urban Service Area, therefore water and/or wastewater service is not generally allowed. If the site is required or otherwise allowed to connect to the potable water and/or wastewater systems, there will be offsite improvements required that extend beyond a connection to the closest location with existing infrastructure. These points-of-connection will have to be determined at time of application of service as additional analysis will be required to make the final determination .



**VERBATIM
TRANSCRIPT**

1 MS. HEINRICH: Our next item is Item E.2 and this
2 Special Use 24-0382. This is requesting a nonconforming special
3 use permit. And Sam Ball with Development Services will present
4 staff findings.

5 And also, there is a revised staff report that is in
6 OPTIX. I don't know if it was printed out for you tonight.

7 HEARING OFFICER: Let me look.

8 MS. HEINRICH: If not, we'd be happy to read that into
9 the record.

10 HEARING OFFICER: Give me one second. I do have a
11 revised Staff report.

12 MS. HEINRICH: Okay.

13 HEARING OFFICER: All right. Is the applicant here.

14 MS. AMPARO : Yes.

15 HEARING OFFICER: Good evening.

16 MS. AMPARO: Good evening.

17 HEARING OFFICER: Going. You made it to the end.

18 MS. AMPARO: I know. We all made it. My name is
19 Giselle and we're -- we're property 136 -- 1306, sorry, 13603
20 East U.S. Highway 92 in Dover. I purchased this property in --
21 and since 1947 it has had two dwellings on it, one -- one of
22 which was a mobile home. It was very dated, so I removed it and
23 I wanted to put a new one in. And then I came across this whole
24 issue.

25 I do have also a nonconforming use application that

1 was already approved. The staffing found this to be approvable.
2 So I would like to go ahead and please ask you that you -- that
3 it be approved.

4 HEARING OFFICER: All right.

5 MS. AMPARO: I don't have anything further.

6 HEARING OFFICER: All right. Thank you so much. If
7 you could please sign in.

8 Go to Development Services. Good evening.

9 MR. BALL: Good evening. Sam Ball with Hillsborough
10 County Development Services. This special use permit would
11 allow for the replacement of a nonconforming use on RSC-2 zoned
12 property located approximately 0.4 miles south of Interstate 4
13 at (indiscernible) Road east US 2 intersection.

14 The site is in a mixed use rural area and abuts a
15 multi-family property to the east with five multi-family
16 dwellings. Retail and office are to the north and agriculture
17 is to the south. The predominant development and land use
18 pattern or the remaining area consists of agricultural and
19 single family use. The property fronts a portion of the US 92
20 right-of-way into the north, which according to the State
21 Department of Transportation adopted project development
22 environmental study and Hillsborough County corridor
23 preservation plan will be widened to accommodate the roadway
24 improvement from a two lane to a four lane roadway.

25 The subject property received an approved

1 nonconforming uses termination in March under DNC 24-0380 for a
2 multi-family use on the properties zoned RSC-2. The structures
3 consisted of a conventional single-family structure that was
4 con -- which -- which was constructed in 1947 and a mobile home
5 that was placed on the property in 1960 before the project
6 was -- excuse me, before the property was subject to zoning
7 these restrictions.

8 Prior to the approval of ENC 24-2038 and the mobile
9 was removed over the course of two and a half weeks in the
10 middle of December of 2023. Section 11.03.6.C permits a 90
11 calendar day cease of nonconforming use before the subject --
12 uses of the permises are required to conform to the zoning
13 district regulations. This 90-day timeframe allows for the
14 application to be considered for final action as long as the
15 special use application was submitted prior to the 90 days,
16 which in this case it was.

17 The parcel now contains one single family conventional
18 dwelling. If the special use is approved, the property could be
19 used for multi-family with up to two dwellings. The replacement
20 dwelling would be required to comply with RSC-2 zoning district
21 setbacks, which includes 25 foot setbacks to the north and west
22 and a ten foot setback from the east and south property lines.

23 The applicant is not requesting any variations or
24 waivers to the development standards. Staff has not identified
25 any compatibility issues associated with the request and finds

1 the request approvable subject to conditions.

2 HEARING OFFICER: Thank you so much. I appreciate it.
3 Planning Commission.

4 MS. PAPANDREW: Andrea Papandrew, Planning Commission
5 Staff.

6 The site is in the residential two future land use
7 category. And it's not within a community plan. The site is in
8 the rural area. Future land use element permits new development
9 within the rural area that is similar in character to the
10 existing community. Policy 4.1 characterizes the rural area as
11 low density, large lot residential. Subject site is within the
12 rural area proposed special use to replace a mobile home to
13 serve as a second dwelling unit is similar in character and
14 compatible with the surrounding area.

15 The subject site is in the residential two, future
16 land use category. Allows up to two dwelling units per acre.
17 Per Objective 9 and 9.2 and Policy 9.2, all development
18 proposals must meet or exceed all local, state and federal land
19 regulations. Policy 9.3 recognizes legal nonconforming uses and
20 permits the rebuilding or expansion of existing legal
21 nonconforming uses, which shall never -- which shall not occur
22 more than once.

23 The new use may still be nonconforming. The applicant
24 has two dwelling units, one unit is a mobile home. The
25 applicant is seeking to replace the mobile home on a legal

1 nonconforming lot, a special use request is compatible with the
2 residential two future land use category. It consists of
3 objective 9 and Policies 9.2 and 9.3.

4 The propose also meets the intent of objective 16 and
5 associated policies relating to neighborhood protection. The
6 site is surrounded by residential uses with a few areas of
7 commercial mixed use and public -- public -- sorry, public/quasi
8 public institution uses. The proposal is consistent with
9 existing surrounding development and is consistent with
10 objective 12 and policy 12-4.1 of the community design
11 component, as well as policy 16.1, 16.2 and 16.3.

12 Based upon the above considerations, Planning
13 Commission Staff finds the proposed special use consistent with
14 the Unincorporated Hillsborough County Comprehensive Plan,
15 subject to conditions proposed by the county Development
16 Services Department.

17 HEARING OFFICER: Thank you so much. Is there anyone
18 in the room or online that would like to speak in support? I'm
19 seeing no one.

20 Anyone in opposition? No one.

21 Ms. Heinrich, anything else?

22 MS. HEINRICH: No ma'am.

23 HEARING OFFICER: All right. Ma'am, you have the last
24 word if you'd like it. All right.

25 Then with that, we'll Special Use 24-0382 and

1 adjourn the hearing.

2 Thank you all for your time and testimony.

3 (Off the record at 10:24 p.m.)

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**EXHIBITS SUBMITTED
DURING THE ZHM HEARING**

NONE



**PARTY OF
RECORD**

NONE