

PD Modification Application MM 21-0038

Zoning Hearing Master Date: June 14, 2021

BOCC Land Use Meeting Date: August 10, 2021



**Hillsborough
County Florida**

Development Services Department

1.0 APPLICATION SUMMARY

Applicant: DDKR, LLC
FLU Category: CMU-12
Service Area: Urban
Site Acreage: 0.32
Community Plan Area: East Lake/Orient Park
Overlay: None
Request: Major Modification to PD



Existing Approvals:

PD 92-0058

Proposed Modifications:

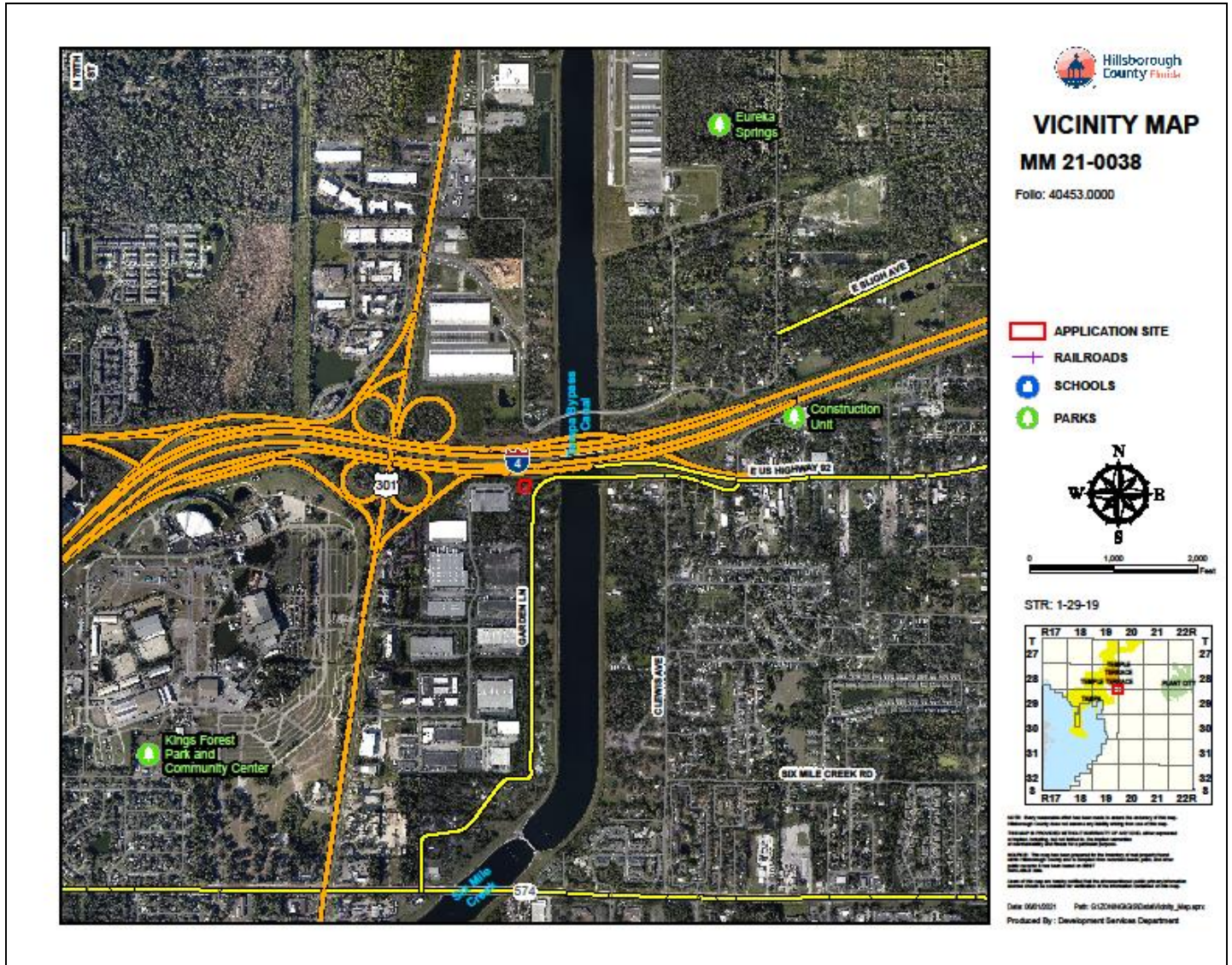
The applicant is requesting a Major Modification to one of 3 parcels designated Planned Development (PD 92-0058) to allow for the retention of the existing single-family home and to allow limited number of Business Professional Office (BPO) uses and the display of cars, fencing, landscaping equipment, sheds and exterior home improvement items.

Additional Information:

PD Variations	Administrative variance (Transportation)
Waivers	None requested
Planning Commission Recommendation	Consistent
Development Services Department Recommendation	Approvable, Subject to Conditions

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map



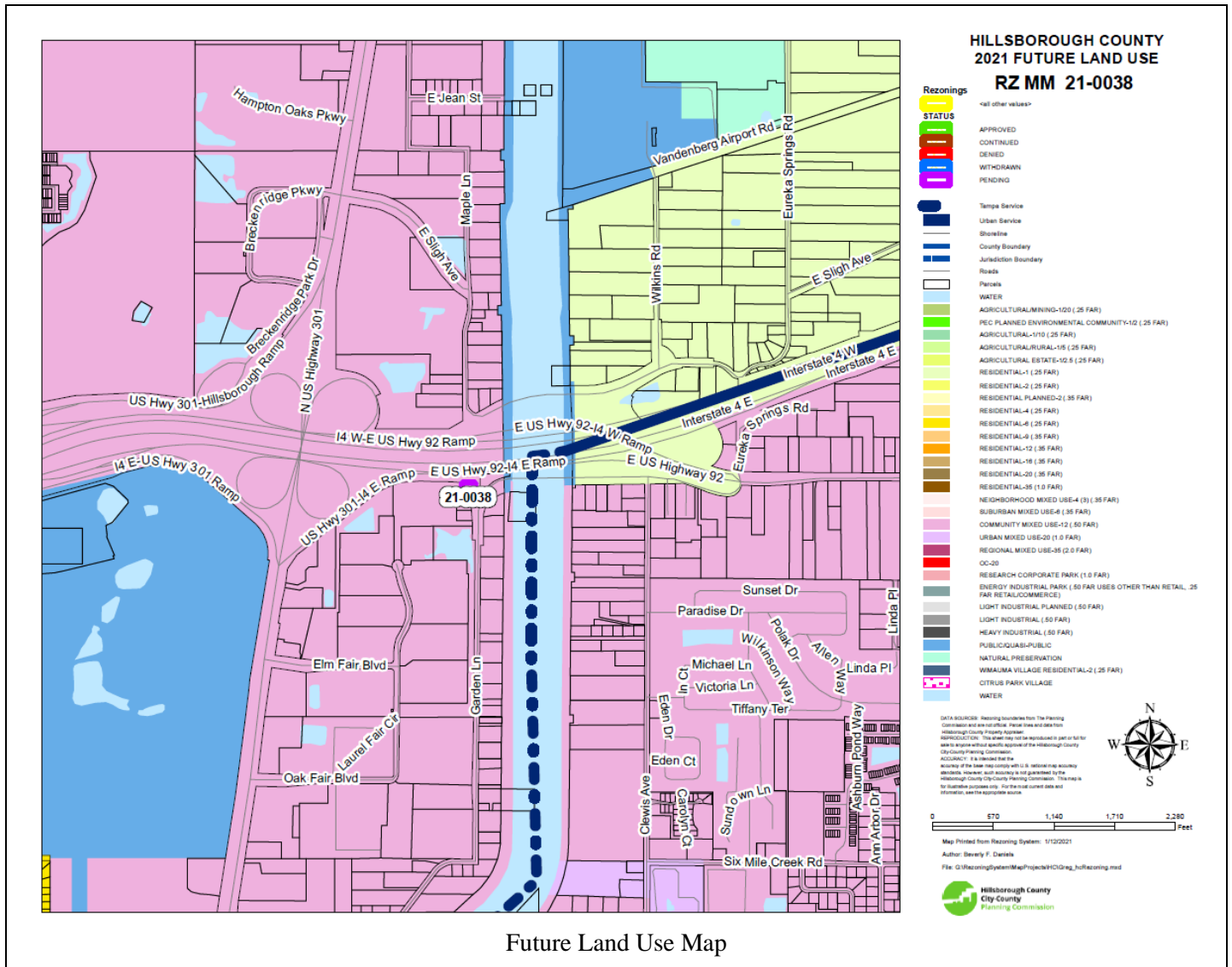
Context of Surrounding Area:

The subject property is located to the south of I-4 Hwy. near the intersection of Fort King Hwy., in Tampa.

The subject property is zoned Planned Development (PD) and is developed with single family residential. Across Garden Lane, to the east are properties zoned Commercial General (CG), vacant or developed with single family residential. Interstate Planned Development-2 (IPD-2) is located to the north, west and south and is developed with light industrial uses.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.2 Future Land Use Map



Future Land Use Map

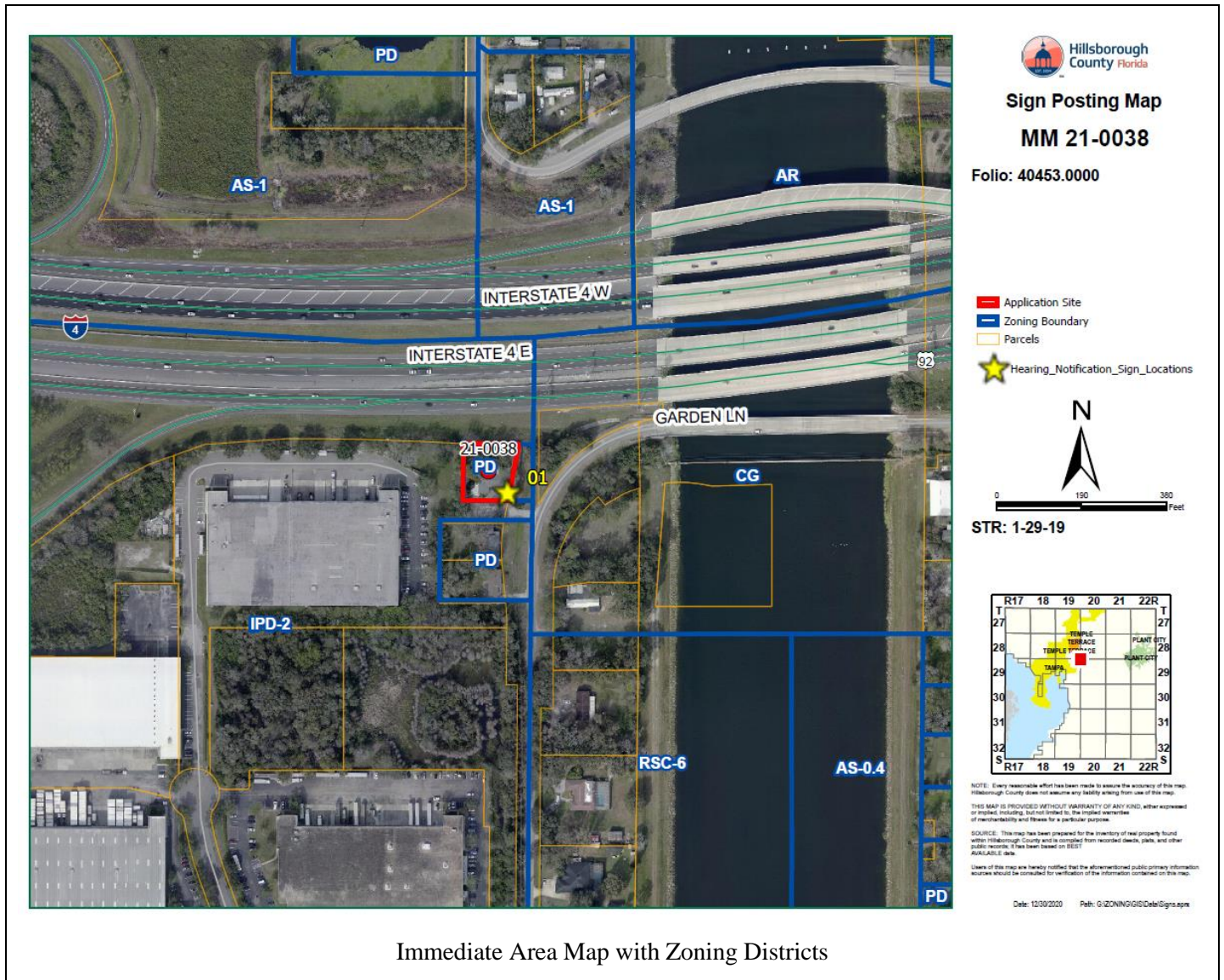
Future Land Use Category Description: CMU-12 (Community Mixed Use 12)

Maximum FAR: 0.5

Maximum Density: 12 DU/GA

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map

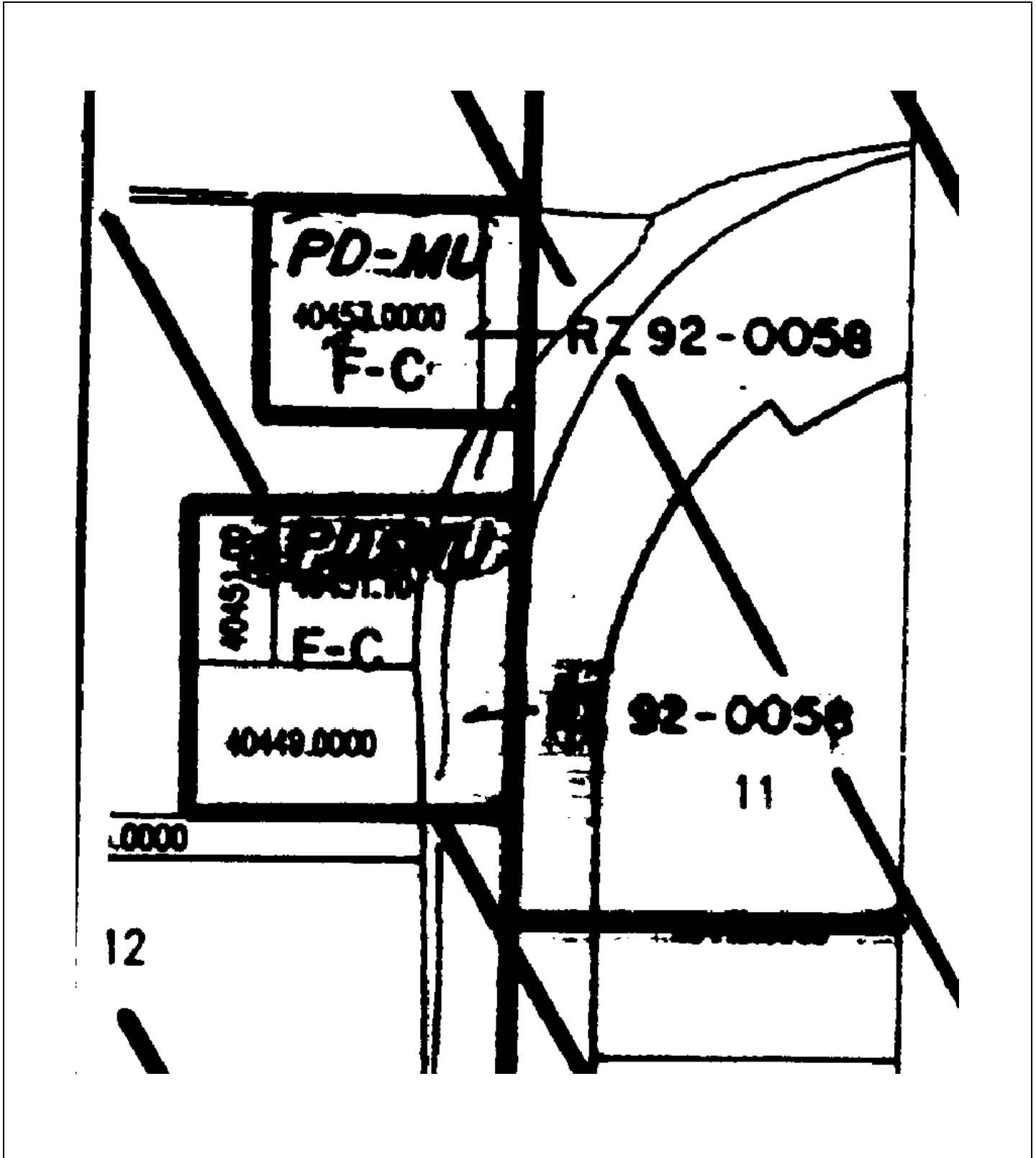


Immediate Area Map with Zoning Districts

Adjacent Zonings and Uses					
Location:	Zoning:	Future Land Use:	Density/F.A.R.	Permitted Use:	Existing Use:
North	IPD-2 90-0108	CMU-12	12 DU/GA 0.5	ROW	ROW
South	IPD-2 90-0108	CMU-12	12 DU/GA 0.5	Office, service center, warehouse, light industrial	Light Industrial
West	IPD-2 90-0108	CMU-12	12 DU/GA 0.5	Office, service center, warehouse, light industrial	Light Industrial
East	CG	CMU-12	12 DU/GA 0.5	Vacant/ Single Family	Vacant/ Single Family

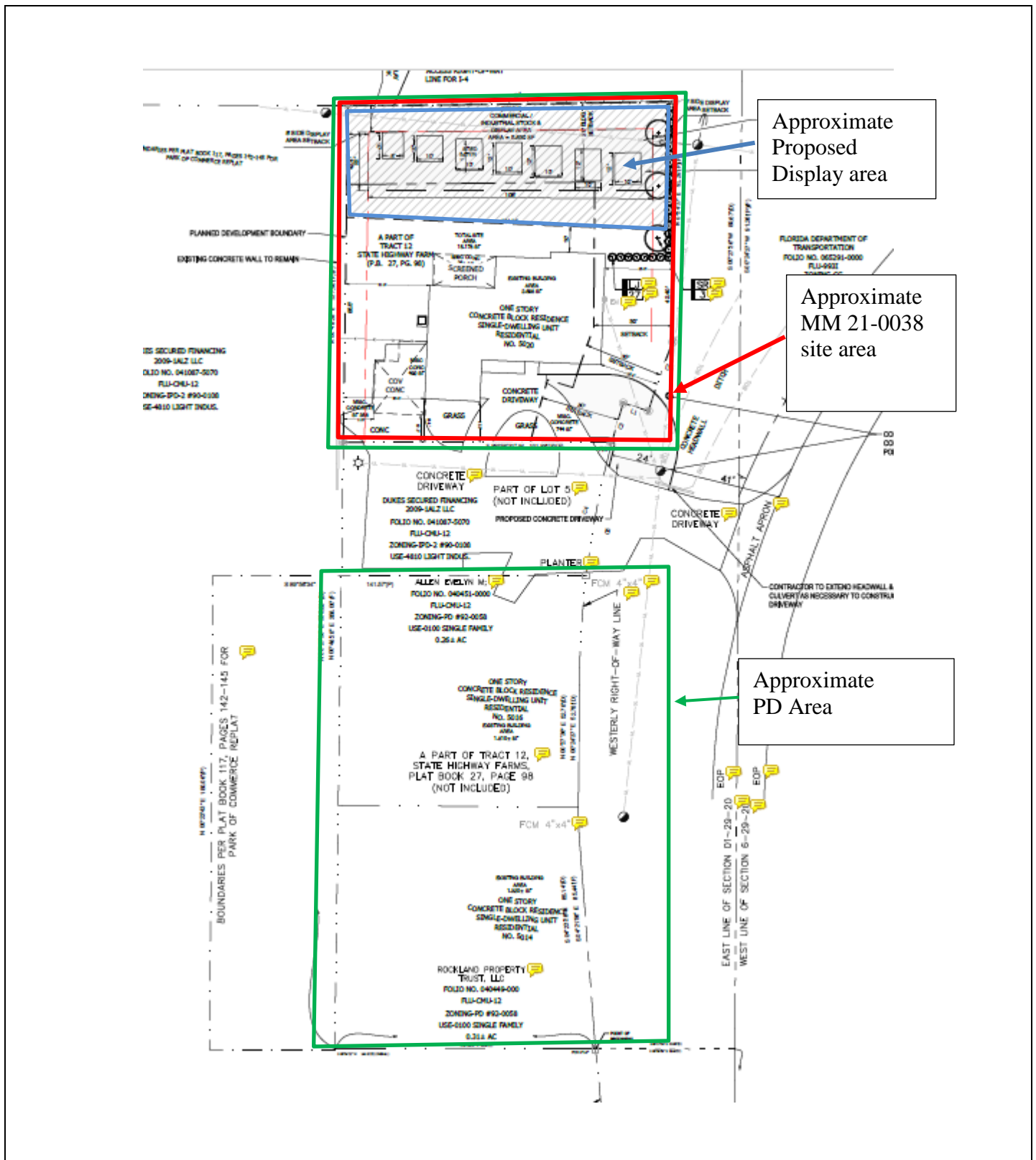
2.0 LAND USE MAP SET AND SUMMARY DATA

2.4 Existing Site Plan



2.0 LAND USE MAP SET AND SUMMARY DATA

2.5 Proposed Site Plan



3.0 TRANSPORTATION SUMMERY (FULL TRANSPORTATION REPORT IN SECTION 8 OF STAFF REPORT)

Adjoining Roadways (check if applicable)

Road Name	Classification	Current Conditions	Select Future Improvements
Garden Road	County Collector - Urban	8 Lanes <input checked="" type="checkbox"/> Substanard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements Required <input type="checkbox"/> Proposed Vehicular Access <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
Proposed	73	9	9
Difference (+/-)			

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

Design Exceptions/Administrative Variance Not applicable for this request

Road Name	Type	Finding
Garden Lane	Administrative Variance Requested	Approvable
Notes: Subject to conditions		

Required Connectivity Not applicable for this request

Project Boundary	Status
North	Not Required and Not Proposed
South	Required and Proposed
East	Not Required and Not Proposed
West	Not Required and Not Proposed
Other:	

Cross Access Not applicable for this request

Type of Cross Access	Required	If Yes, Location(s)	If Yes, Proposed by Applicant
Vehicular and Pedestrian Cross Access	<input type="checkbox"/> Yes	<input type="checkbox"/> North <input type="checkbox"/> South	<input type="checkbox"/> Yes
	<input type="checkbox"/> No	<input type="checkbox"/> East <input type="checkbox"/> West	<input type="checkbox"/> No, see above for Adm. Variance
Pedestrian Only Cross Access	<input type="checkbox"/> Yes	<input type="checkbox"/> North <input type="checkbox"/> South	<input type="checkbox"/> Yes
	<input type="checkbox"/> No	<input type="checkbox"/> East <input type="checkbox"/> West	<input type="checkbox"/> No, see above for Adm. Variance

4.0 AGENCY COMMENTS SUMMARY

AGENCY (Check Applicable Information)	OBJECTIONS	CONDITIONS REQUESTED	INFORMATION/COMMENTS
Environmental Protection Commission <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Natural Resources <input type="checkbox"/> Wellhead Protection Area <input checked="" type="checkbox"/> Surface Water Resource Protection Area <input checked="" 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"/> Other _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Conservation & Environmental Lands Management <input type="checkbox"/> Adjacent to ELAPP property	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Transportation <input type="checkbox"/> Design Exception Requested <input type="checkbox"/> Off-site Improvements Required	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Administrative variance request only applicable to Folio# 040453.0000
Utilities Service Area/ Water & Wastewater <input type="checkbox"/> Urban Service Area <input checked="" type="checkbox"/> Tampa Service Area <input type="checkbox"/> Rural Service Area	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Density Bonus Requested <input checked="" type="checkbox"/> Consistent <input type="checkbox"/> Inconsistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input 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 checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Impact/Mobility Fees N/A, No additional structures. No additional impacts.			

5.0 IMPLEMENTATION RECOMMENDATION

5.1 Compatibility

The proposed uses to be added are comparable to the Light Industrial and business Professional Uses uses approved by PD 92-0058; and does not create further incompatibilities with the surrounding area. No increase in FAR is being proposed.

Given the above, staff finds the proposed modification to be compatible with the surrounding properties and in keeping the general development pattern of the area.

5.2 Recommendation

Approvable, subject to conditions.

6.0 PROPOSED CONDITIONS

Approval -Approval of the request, subject to the conditions listed, is based on the revised general site plan submitted October 27, 2020.

Requirements for Certification:

Prior to PD Site Plan Certification, the applicant shall revise the PD site plan to add a note stating that "Minimum off-street parking spaces shall be provided for per Sec. 6.05.00 of the LDC."

1. The maximum densities and intensities of any new use must not exceed the requirements of the UL-2 Land Use Category.
2. Permitted uses are all existing legally permitted uses and legal non-conforming activities, structures, or buildings existing or occurring on the subject property on December 19, 1991.
3. Permitted uses shall also include the following:
 - (A) Agricultural, horticulture and general farming, including pasturage, forestry, livestock citrus groves, stables, barns, sheds, plant nurseries (wholesale and retail), greenhouses, truck gardening, fish hatcheries or fish pools;
 - (B) Animal hospitals or Veterinary clinics, Aquariums, Auditorium, Automobile, Boat, Recreational Vehicle or Truck Sales (new vehicles and boats only), Automotive Service Stations, Automotive Parts (new only, and excluding service);
 - (C) Banks (including drive-in), Bowling Alley, Club (private), Lodge, Fraternity and Sorority, Convenience Store, Dairy Bars and Ice Cream Manufacturers, Dry Cleaners, Dwellings (Single Family, Mobile Home w/agricultural use);
 - (D) Food catering service, Food Delicatessen Meat and Fish Store (excluding any slaughtering and warehousing), Food distribution (wholesale w/o outside storage), Funeral Parlor or Mortuaries, Golf Courses and Driving Ranges (no miniature golf course), Ice Delivery Station;
 - (E) Light Industrial with related office and showroom (industrial uses permitted are those which manufacture, assemble, process, package, store and distribute small unit products as optical devices, precision instruments, electronic equipment, toys, and fishing tackle);
 - (F) Mail Order Offices, Medical, Dental, or Research Laboratories (including facilities devoted to commercial industrial or scientific research), Motels and Hotels, Office (including administrative, business, or professional use);
 - (G) Parks, Park Security Mobile Home, Radio and Television Stations, Recreational Vehicle Park (as provided in the zoning code, as amended) Recyclable Household Goods Collection Facilities (permanent structures), Schools (including industrial or business training), Skating rink (enclosed structures), Tennis Clubs, Theater (no drive-in), Warehousing (only wholesale/distribution with no outside storage)
 - (H) Special Use Permits are required for the following: Adult Care Facility, Public Use and Service Facilities, Recyclable Household Goods Collection Facilities (truck trailers), Temporary Mobile Home Permits, Wastewater Treatment Facilities;
4. All previous conditions of approval, except those in direct conflicts with conditions stated above, shall be applicable.
5. New Development shall be in accordance with all applicable regulations and ordinances, including Subdivision and Site Development Regulations.
6. This development order/permit is issued with the understanding that the concurrency requirements of Chapter 163, Part II, Florida Statutes became effective on February 1, 1990 and that approval of this development order/permit does not constitute a guarantee that there will be public facilities in place at the time of application for subsequent development orders or permits.

7. The Planning and Development Management Department is authorized to approve minor changes in the approved original Development Site Plan, as long as the changes are in harmony with the originally approved General Development Site Plan but shall not have the power to approve changes that constitute a conceptual modification.
8. Maximum height, minimum setbacks, maximum lot coverage, FAR, and other bulk requirements shall be that of the CG zoning district.
9. Required buffering of all non-residential uses shall meet the requirements of Section 7.12. Buffers and Screening, as set forth in the Hillsborough County Zoning and/or land Development, as amended.

The following conditions apply to parcel folio 40453.0000 only:

1. Commercial and Industrial Display uses shall be permitted and will be limited to the following items.

- Storage Sheds
- Carports
- Children's Outdoor Swing Sets and Slides.
- Swimming Pools & Hot Tubs.
- Recreational Vehicles (RV's, including travel trailers and various types of motorhomes).
- Automobiles.
- Boats (on trailers).
- Commercial Trailers.
- Exterior improvement items (fencing, sheds, decorative items, plants, urns, fountains, stone, etc.)
- Landscaping equipment (new tractors, lawn mowers, etc.)
- Portable and modular storage containers.

1.1. Commercial and Industrial Display uses shall be permitted within the area depicted in the site plan, and for a minimum duration of one month.

1.2 All display items shall be newly manufactured

2. Development and Display standards shall be as shown in the certified site plan.

3. If MM 21-0038 is approved, the County Engineer will approve with conditions a Section 6.04.02. Administrative Variance (dated May 5, 2021) which was found approvable by the County Engineer (on May 21, 2021). Approval of this Administrative Variance will waive the Garden Ln. substandard road improvements required by Section 6.04.03.L. of the LDC.

4.The request Administrative Variance, if approved, shall only apply to Folio# 040453.0000.

5.The driveway shall meet the minimum standard of 24 feet wide for nonresidential driveways.


6.The permitted uses shall generate no more than 10 peak hour trips.

7.Notwithstanding anything shown on the site plan, ADA/sidewalk connections shall be provided from all site access points to all building entrances.

1.1 SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDNACE WITH HILLSBOROGUH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.

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

Zoning Administrator Sign Off:



J. Brian Grady
Mon Jun 7 2021 11:32:12

APPLICATION NUMBER: PD 21-0038

ZHM HEARING DATE: June 14, 2021

BOCC LUM MEETING DATE: August 10, 2021

Case Reviewer: Tania Chapela

7.0 ADDITIONAL INFORMATION

8.0 FULL TRANSPORTATION REPORT

See Attached.

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Development Services Department

DATE: 6/2/2021
Revised: 6/3/2021

REVIEWER: Richard Perez, AICP

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: Central/ELOP

PETITION NO: MM 21-0038

- 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.

REPORT HIGHLIGHTS AND CONCLUSIONS

- The proposed zoning modification is anticipated to generate 73 average daily trips, 9 AM peak hour trips, and 9 PM peak hour trips based on the maximum trip generation potential of the subject site at buildout.
- Garden Lane is a substandard collector roadway. The applicant requested a Section 6.04.02.B. Administrative Variance from the Section 6.04.03.L. requirement to improve the substandard roadway, which was found approvable with conditions by the County Engineer. If the rezoning is approved, the County Engineer will approve the Administrative Variance, upon which the developer will not be required to make improvements to Garden Lane.
- Transportation Review Section staff has no objection to this request, subject to the revised conditions provided herein below.

NEW CONDITION OF APPROVAL

1. If MM 21-0038 is approved, the County Engineer will approve with conditions a Section 6.04.02. Administrative Variance (dated May 5, 2021) which was found approvable by the County Engineer (on May 21, 2021). Approval of this Administrative Variance will waive the Garden Ln. substandard road improvements required by Section 6.04.03.L. of the LDC.
2. The request Administrative Variance, if approved, shall only apply to Folio# 040453.0000.
3. The driveway shall meet the minimum standard of 24 feet wide for nonresidential driveways.
4. The proposed use shall generate no more than 10 peak hour trips.
5. Notwithstanding anything shown on the site plan, ADA/sidewalk connections shall be provided from all site access points to all building entrances.

OTHER CONDITIONS

- Prior to PD Site Plan Certification, the applicant shall revise the PD site plan to add a note stating that "Minimum off-street parking spaces shall be provided for per Sec. 6.05.00 of the LDC."

PROJECT OVERVIEW AND ANALYSIS

The applicant is requesting a Major Modification to one of 3 parcels designated Planned Development (PD 92-0058) to allow for the retention of the existing single-family home and to allow limited number of Business Professional Office (BPO) uses and the display of cars, fencing, landscaping equipment, sheds and exterior home improvement items.

The approximately 0.33+/- acre subject site is located on the west side of Garden Lane, south of Interstate-4. The site is currently developed with a single-family home. The currently approved PD 92-0058 zoning allows for broad list of BPO uses.

As required by the Development Review Procedures Manual (DRPM), the applicant submitted a letter indicating that the proposed development does not trigger the threshold whereby a transportation analysis is required to process this rezoning. Utilizing data from the Institute of Transportation Engineer’s Trip Generation Manual, 10th Edition, staff has prepared a comparison of the trips generated by development under the existing approvals and proposed modifications, utilizing a generalized worst-case scenario.

Proposed Uses:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
7,200 s.f. Office General (ITE LUC 710)	73	9	9

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

Garden lane is a 2-lane, undivided, substandard collector roadway characterized by +/- 10-foot wide travel lanes within a +/- 20 feet of pavement in average condition. Sidewalks and bicycles facilities are not present in the vicinity of the project.

SITE ACCESS AND CONNECTIVITY

Site access to the project will be from Garden Lane.

The subject parcel is currently serviced by a driveway which is located on the adjacent property and is not part of the approved PD. As a result, the Applicant will need to add a driveway from their property directly accessing Garden Lane, as depicted in the proposed site development plan.

At the time of construction/site plan review, the applicant will be required to show ADA/sidewalk connections from all site access points to all building entrances and parking areas consistent with Section 6.02.03. B. of the LDC.

ADMINISTRATIVE VARIANCE

The applicant’s EOR submitted (on May 5, 2021) a Section 6.04.02.B. Administrative Variance request for Garden Lane requesting relief from the Section 6.04.03.L requirement to improve Garden Lane, between E. Hillsborough Avenue and the project access, to current County standards for a Type TS-7 Typical Section as found within the Hillsborough County Transportation Technical Manual (TTM). On May 21, 2020 the County Engineer found the variance approvable with the following conditions:

- The approved variance applies only to folio 040453.0000 (part of PD 92-0058),
- The access driveway width must be 24 feet, and
- The proposed use will have no more than 10 peak hour trips.

All conditions are addressed within the applicant's proposed site development plan. As such, no improvements to that portion of for Garden Lane would be required.

If the rezoning is approved, the County Engineer will approve the Administrative Variance.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Garden Lane is not included in the Hillsborough County LOS Report.

PD Modification

3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 8 OF STAFF REPORT)

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
Garden Road	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 Required <input type="checkbox"/> Proposed Vehicular Access <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
Proposed	73	9	9

Design Exceptions/Administrative Variance <input type="checkbox"/> Not applicable for this request		
Road Name	Type	Finding
Garden Lane	Administrative Variance Requested	Approvable
Notes: Subject to conditions		

Required Connectivity <input checked="" type="checkbox"/> Not applicable for this request	
Project Boundary	Status
North	Not Required and Not Proposed
South	Required and Proposed
East	Not Required and Not Proposed
West	Not Required and Not Proposed
Other:	

Cross Access <input checked="" type="checkbox"/> Not applicable for this request			
Type of Cross Access	Required	If Yes, Location(s)	If Yes, Proposed by Applicant
Vehicular and Pedestrian Cross Access	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> North <input type="checkbox"/> South <input type="checkbox"/> East <input type="checkbox"/> West	<input type="checkbox"/> Yes <input type="checkbox"/> No, see above for Adm. Variance
Pedestrian Only Cross Access	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> North <input type="checkbox"/> South <input type="checkbox"/> East <input type="checkbox"/> West	<input type="checkbox"/> Yes <input type="checkbox"/> No, see above for Adm. Variance

INFORMATION/REVIEWING AGENCY	OBJECTIONS	CONDITIONS REQUESTED	ADDITIONAL INFORMATION/COMMENTS
Transportation <input type="checkbox"/> Design Exception Requested <input type="checkbox"/> Off-site Improvements Required	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Administrative variance request only applicable to Folio# 040453.0000



May 5, 2021

Mr. Michael J. Williams, P.E., County Engineer
Director, Development Review Division
Hillsborough County Development Services Department
601 E Kennedy Blvd., 20th Floor
Tampa, FL 33602

Re: Administrative Variance – Section 6.04.04 L and Section 6.04.07
5020 Garden Lane, Tampa, FL Folio 040453-0000, part of PD 92-0058
MM 21-0038

Dear Mr. Williams,

The purposed of this letter is to provide the justification for the variance request to the following sections of the Hillsborough County Land Development:

1. Section 6.04.03 L Roadway Improvement

Project Narrative

DDKR, LLC proposes to add a Commercial/Industrial Display Area to an existing lot (Folio 040453-0000) within PD 92-0058. The purpose of the display area is to showcase sheds, landscape equipment, new vehicles, plants, etc. for passers-by on the I-4 highway to see. If they would like to purchase an item, they can do so through a website, which would then deliver the product to them from a supplier as no on-site sales center will be present. The display area will not generate traffic, as it is only seen from the Interstate. Currently the PD consists of 3 single family residences on 3 tax parcels. The proposed major modification application only effects 1 of the three parcels within the PD as the two other parcels within the PD are owned by separate entities. The parcel (Folio 040453-0000) with the proposed modification will consist of 1 single family residence and 2,376 sf of Commercial/Industrial Display Area. The current home at the subject parcel is serviced by a driveway which is located on the adjacent property and is not part of this PD. As a result, the Applicant will need to add a driveway on their land which provides access to Garden Lane. See attached Site Plan. Additionally, the applicant seeks relief from improving a segment of Garden Lane. Garden Lane is a two lane collector road, classified by the County as substandard, with a posted speed limit of 30 MPH.

The criteria for the variance request as outlined in Section 6.04.02.B. of the Hillsborough County Land Development Code (LDC) from the Sec. 6.04.03.L requirement to improve the roadway to current County standards between the project driveway(s) and the nearest standard roadway. The distance of road between 5020 Garden Lane and the nearest standard roadway (E. Hillsborough Avenue) is just over 2,500 feet. The criteria outlined in the LDC and the justification for not improving the segment of Garden Lane is as follows:

(a) There is an unreasonable burden on the applicant.

The justification for not improving Garden Lane is as follows:

1. The addition of the Commercial/Industrial Display area will not increase the traffic by more than 10 peak hour trips, therefore the Applicant should not bear the burden of improving 2,500 feet of road.
2. The subject parcel will be down-zoned to restrict the uses to those that are below the roadway improvement threshold. See enclosed Project Narrative.



(b) The variance would not be detrimental to the public health, safety and welfare,

As there will not be an increase in traffic for the addition of the Commercial/Industrial Display area, granting this variance will not be detrimental to the public health, safety and welfare, as additional vehicles will not traverse on Garden Lane.

(c) Without the variance, reasonable access cannot be provided. In the evaluation of the variance request, the issuing authority shall give valid consideration to the land use plans, policies, and local traffic circulation/operation of the site and adjacent areas.

Currently the existing driveway is shared with the property to the south, Folio 040451.0000, which is currently vacant. It was previously used as a Family Child Care Home, as permitted by the Land Development Code, as a use permitted without special zoning approval. Here is a breakdown of the trips for the existing driveway with the current and/or most recent uses.

Current Joint Drive Trips

Trips for Folio 040453-0000 & 040451-0000 with Current Use									
Land Use Code	Description	Unit	AM			PM			PD Description
			Enter	Exit	Total	Enter	Exit	Total	
210	Single-Family Detached Housing (Folio 040453-0000)	1 Unit	1	1	2	1	1	2	Single Family, Mobile Home with Agricultural use
565	Day Care Center (Folio 040451-0000)	12 children	5	4	9	4	5	9	Based on definition of Family Child Care Home with maximum of 12 children under 13 years of age, as defined in the LDC

As seen from above the existing uses exceed a total of 10 trips for the driveway entrance by 1 but was based upon the most current use. Considering the parcel to the south, Folio 040451.0000, is currently vacant the joint driveway will experience less than 10 trips, but above was given based upon most current uses for the joint driveway to be conservative.

Worst Case Joint Drive Trips

The PD modification proposes to remove uses from the Planned Development language for the Project Site (Folio 040453-0000) to only allow uses that have proposed trips less than or equal to 10 peak hour trips. See Table 4 in project narrative for future down zone land uses for Folio 040453-0000. The **down zoning** of the parcel (Folio 040453-0000) reduces the future traffic from the site if it is redeveloped in the future.



**Worst Case Trips at Joint Driveway for
Folio 040453-0000 (Down Zoned) & 040451-0000 (PD Allowed Land Uses)**

Land Use Code	Description	Unit	AM			PM			PD Description
			Enter	Exit	Total	Enter	Exit	Total	
710	General Office Building (Folio 040453-0000)	6,500 SF	7	2	9	2	8	10	Office, Radio and Television Stations
851	Convenience Market (Folio 040451-0000)	5,600 SF	175	175	350	140	135	275	Convenience Store

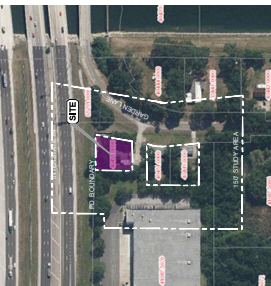
Based upon table above the worst case from traffic generated by down zoned parcel is 10 trips in the am or pm. If or when the If in the future the property to the south (Folio 040451.00) is developed under the existing PD 92-0058 legislation, traffic generated by that parcel at the joint driveway will exceed 10-trips significantly mainly because of taking the worst-case scenario for redevelopment Folio 040451-0000 based upon allowed FAR. See Table 5 within Project Narrative of traffic at joint driveway based upon allowed/down zoned uses.

As seen in Table 1 of the Project Narrative the existing PD 92-0058 allows for various uses and traffic generated by the uses varies from as little as 11 trips to over 1,000 trips for all three parcels in the PD. The proposed down zoning of the parcel (Folio 040453-0000) will reduce those trips listed in Table 1, (maximum per table 3) as the applicant does not control what happens in the future on the parcels to the south (Folio 040451-0000 and 040449-000). As a result of the allowed uses under PD 92-0058 the applicant proposes when any of the parcels are redeveloped a full traffic evaluation is preformed based upon the actual proposed use. This will then determine if roadway improvements or turn lanes are required based upon actual use of the three parcels. If necessary, this could be a condition of the Major Modification.

As seen above, the joint driveway with current/former uses is seeking a variance for 1 additional trip over the allowed 10 trips.

Sincerely,

Alison Yovine, PLA



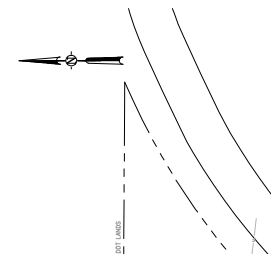
PROJECT BOUNDARY MAP

PROPERTY LOCATION:
5020 GARDEN LANE
HILLSBOROUGH COUNTY, FLORIDA 33610-8812

PROPERTY FOLIO NUMBER:
04003-0001

PROPERTY ZONING:
PCAM PLANNED DEVELOPMENT-TAKED USE, #62-258

FUTURE LAND USE:
CMA-2

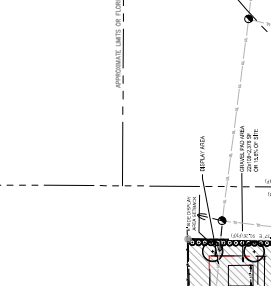


ZONING MAP

Planned Development

- PD
- IPD-1
- IPD-2
- IPD-3

FLOOD ZONE:
THIS PROPERTY LIES IN FLOOD ZONE "X", AS PER FEMA PANEL NUMBER 13057C (080), LAST REVISION 08/16/2010



Proposed Driveway

PD APPLICATION INTENT:
INAPPROPRIATE COMMERCIAL INDUSTRIAL STOCK & DISPLAY AREA

PROPERTY USE: **EXISTING**
SINGLE FAMILY RESIDENCE - 100%

USE: **PROPOSED**
COMMERCIAL INDUSTRIAL STOCK & DISPLAY AREA - 15.6%

PLANTING SCHEDULE

ABRV	BOTANICAL NAME	COMMON NAME	CITY	SIZE	REMARKS
LJ	LOUSTRUM JAPONICUM	GREEN PRIVET	27'	6' HT.	MAINTAIN AS A HEDGE
SR	SYMPLOCAS ROMANOFFIANA	QUEEN PALM	3'	10' HT. MIN.	20' O.C.

PLANTING SCHEDULE

DATE	DESCRIPTION	BY	REVIEWED BY	DATE	PROJ. MANAGER	DATE
1/16/21	SUFFICIENCY COMMENTS 1/3/21				CHIEF DESIGNER	1/16/21
2/16/21	COUNTY TRAFFIC COMMENTS				DRAWN BY	2/16/21
3/16/21	COUNTY COMMENTS				CHECKED BY	3/16/21
3/30/21	COUNTY COMMENTS					

THE ALTERATION OF THIS MATERIAL IN ANY WAY, UNLESS DONE UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND ARCHITECT OR AN ARCHITECT, ENGINEER, OR ANOTHER PROFESSIONAL PERSON, IS A VIOLATION OF THE NEW YORK STATE ENGINEERING AND ARCHITECTURE LAW AND IS A CLASS "A" MISDEMEANOR.

MAXIMUM BUILDING HEIGHT:
HEIGHT: 35'
EAST SIDE 35'
WEST SIDE 35'

BUILDING SETBACK REQUIREMENTS:
FRONT 35'
SIDE 10'
REAR 10'

DISPLAY AREA SETBACK REQUIREMENTS:
FRONT 10'
SIDE 10'
REAR 10'

LOT COVERAGE CALCULATIONS:

EXISTING	PROPOSED
REGULAR USE AREA	11.74%
SEWAGE CONC. AREA	0.00%
TOTAL EXISTING AREA	11.74%
REGULAR USE AREA	11.74%
SEWAGE CONC. AREA	0.00%
TOTAL PROPOSED AREA	11.74%
TOTAL SITE AREA	100.00%

PROPOSED PAIR OF EXISTING RESIDENCE AT 5020 GARDEN LANE IS UTILIZED FOR NON-RESIDENTIAL PURPOSES:

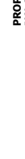
PROPOSED:
-CONCRETE TRAILERS
-EXTERIOR IMPROVEMENT ITEMS (FENCINGS, SHEERS, DECORATIVE ITEMS, PLANTS, LANS, FOUNTAINS, FOUNTAINS, ETC.)
-LANDSCAPING EQUIPMENT (NEW TRACTORS, LAWN MOWERS, ETC.)
-RECREATIONAL VEHICLES (BOATS, SKI BOATS, CANoes, POOLS, U-HAULS, AND OTHER WELL-KNOWN NATIONAL MOVING AND STORAGE COMPANIES)

NOTES:

- PROJECT IS LOCATED IN EAST LAKE ORENT PARK COMMUNITY DISTRICT.
- PROJECT IS NOT LOCATED IN COASTAL HIGH HAZARD AREA AND PROJECT IS NOT LOCATED IN URBAN SERVICE AREA WATER AND SEWER SERVICES TO BE PROVIDED BY HILLSBOROUGH COUNTY.
- NO COMMON OPEN SPACE RECREATION AREAS ARE PROPOSED.
- NO ARCHITECTURAL DESIGNS PROPOSED.
- NO LANDSCAPE BUFFER ALTERNATIVES PROPOSED.
- NO NEW RESIDENTIAL USES ARE PROPOSED.
- NO NEW RESIDENTIAL USES ARE PROPOSED WITHIN OR ADJACENT TO PROJECT.
- NO SCENIC ROADWAY CORRIDOR WITHIN OR ADJACENT TO PROJECT.
- NO SCENIC ROADWAY CORRIDOR WITHIN OR ADJACENT TO PROJECT.
- NO FLEET OF THE COMPREHENSIVE PLAN BOUNDARY PROPOSED.
- NO FLEET OF THE COMPREHENSIVE PLAN BOUNDARY PROPOSED.
- NO PUBLIC PARK LANDS OR PUBLIC SCHOOL SITES ARE PROPOSED.

LEGEND:

- DISPLAY AREA
- DISPLAY AREA BOUNDARY/IMPROVEMENT AREA



TYPICAL SINGLE SHRUB PLANTING

SCALE: 1" = 30'

DATE: OCTOBER 2020

C-2

SHEET 1 OF 1



Engineering and Land Surveying, P.C.
1533 Crescent Road - Clifton Park, NY 12065

DRAFT

SEAL

FLORIDA

COUNTY OF HILLSBOROUGH

**RECOMMENDATION OF THE
LAND USE HEARING OFFICER**

APPLICATION NUMBER: MM 21-0038

DATE OF HEARING: June 14, 2021

APPLICANT: DDKR, LLC

PETITION REQUEST: The Major Modification request is to modify PD 92-0058 to keep the existing single-family home, permit BPO uses and display cars, fencing, landscaping equipment, sheds and exterior home improvement items

LOCATION: 5020 Garden Lane

SIZE OF PROPERTY: 0.32 acres, m.o.l.

EXISTING ZONING DISTRICT: PD 92-0058

FUTURE LAND USE CATEGORY: CMU-12

SERVICE AREA: Urban

COMMUNITY PLAN: East Lake Orient Park

DEVELOPMENT REVIEW STAFF REPORT

1.0 APPLICATION SUMMARY



Applicant:	DDKR, LLC
FLU Category:	CMU-12
Service Area:	Urban
Site Acreage:	0.32
Community Plan Area:	East Lake/Orient Park
Overlay:	None
Request:	Major Modification to PD

Existing Approvals:

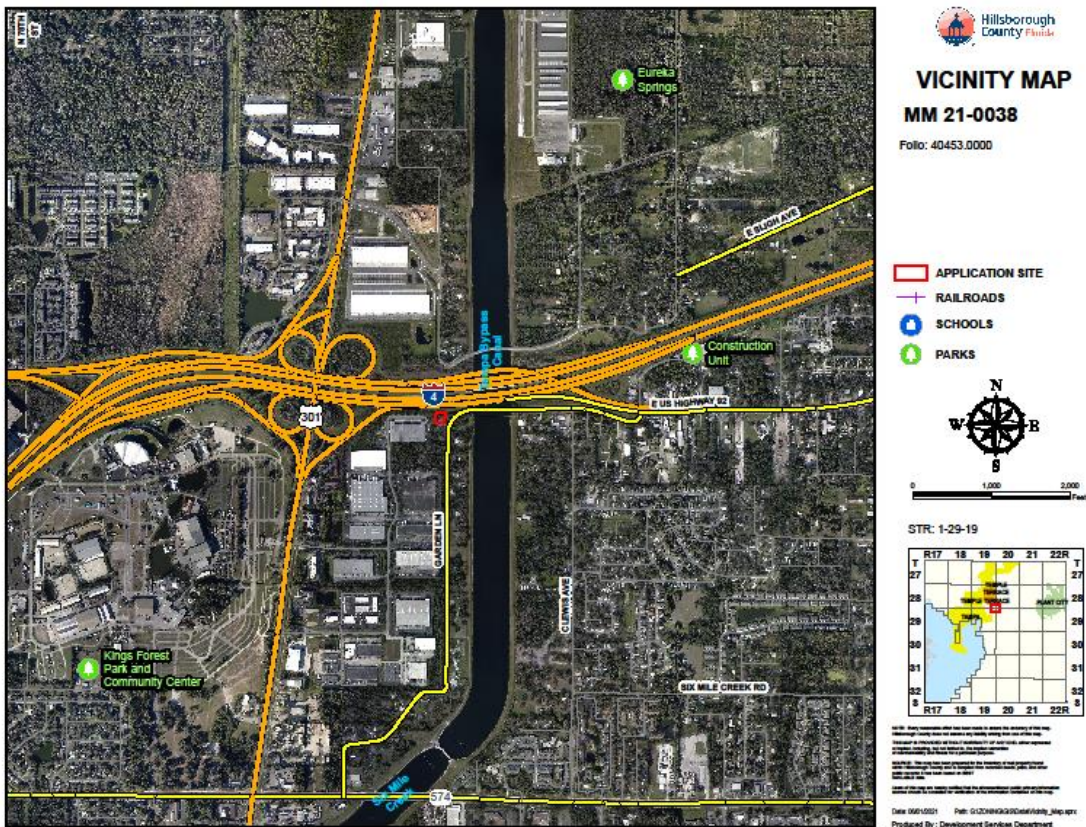
PD 92-0058

Proposed Modifications:

The applicant is requesting a Major Modification to one of 3 parcels designated Planned Development (PD 92-0058) to allow for the retention of the existing single-family home and to allow limited number of Business Professional Office (BPO) uses and the display of cars, fencing, landscaping equipment, sheds and exterior home improvement items.

Additional Information:	
PD Variations	Administrative variance (Transportation)
Waivers	None requested
Planning Commission Recommendation	Consistent
Development Services Department Recommendation	Approvable, Subject to Conditions

2.0 LAND USE MAP SET AND SUMMARY DATA 2.1 Vicinity Map

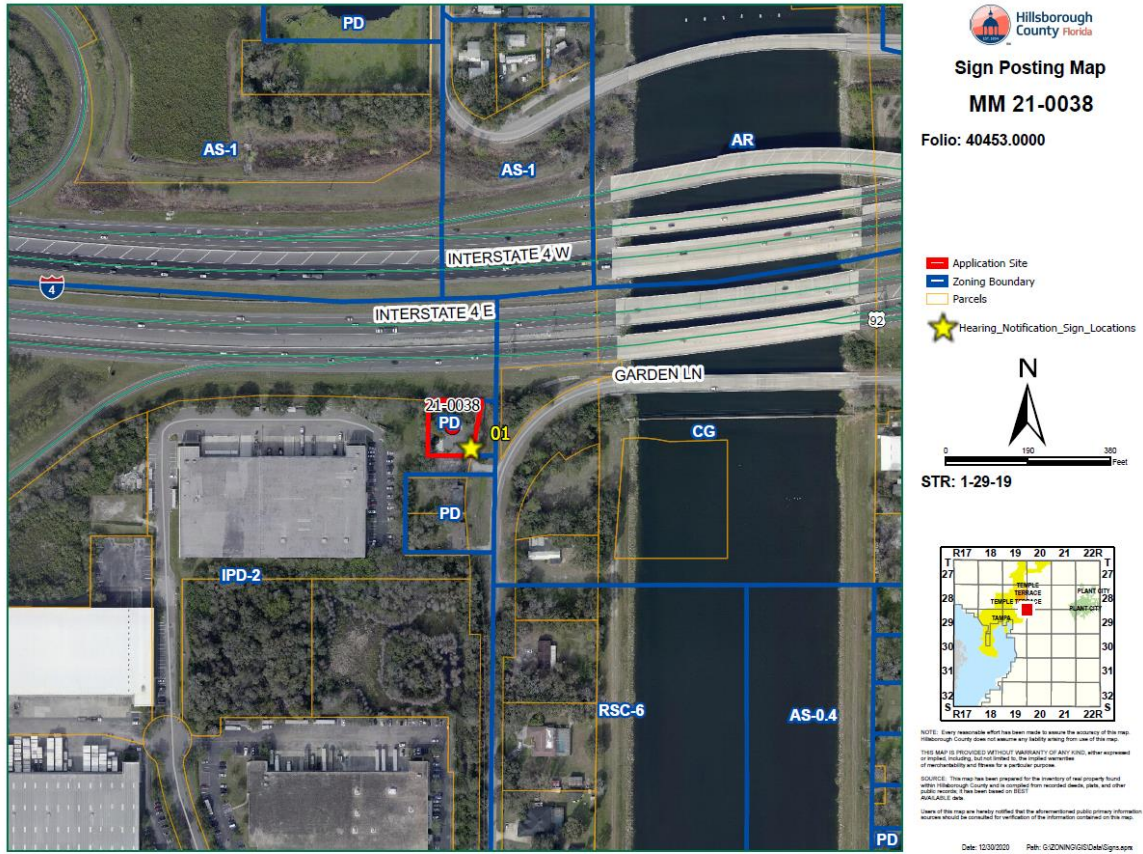


Context of Surrounding Area:

The subject property is located to the south of I-4 Hwy. near the intersection of Fort King Hwy., in Tampa.

The subject property is zoned Planned Development (PD) and is developed with single family residential. Across Garden Lane, to the east are properties zoned

2.0 LAND USE MAP SET AND SUMMARY DATA 2.3 Immediate Area Map

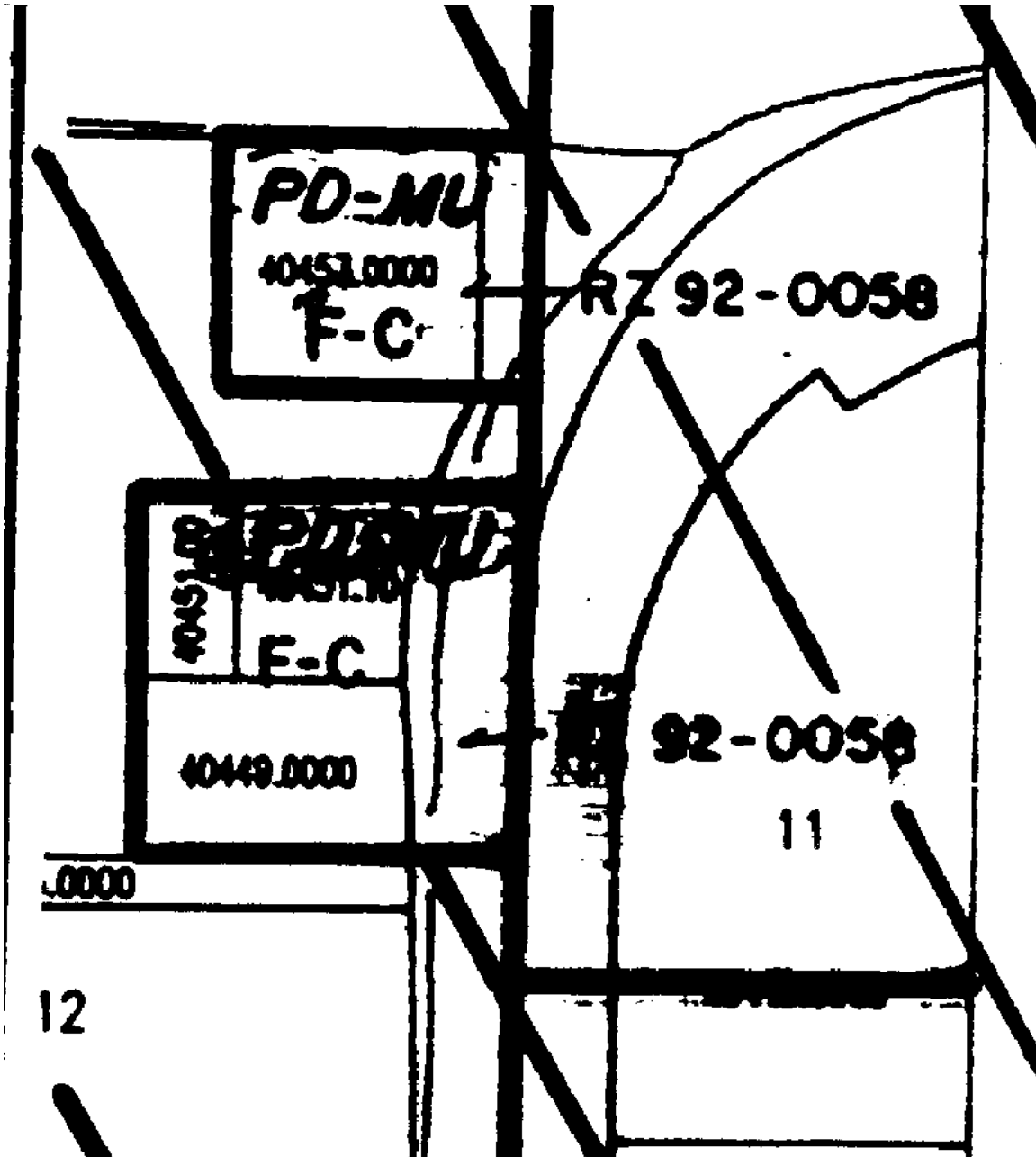


Immediate Area Map with Zoning Districts

Adjacent Zonings and Uses					
Location:	Zoning:	Future Land Use:	Density/F.A.R.	Permitted Use:	Existing Use:
North	IPD-2 90-0108	CMU-12	12 DU/GA 0.5	ROW	ROW
South	IPD-2 90-0108	CMU-12	12 DU/GA 0.5	Office, service center, warehouse, light industrial	Light Industrial
West	IPD-2 90-0108	CMU-12	12 DU/GA 0.5	Office, service center, warehouse, light industrial	Light Industrial

East	CG	CMU-12	12 DU/GA 0.5	Vacant/ Single Family	Vacant/ Single Family
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2.0 LAND USE MAP SET AND SUMMARY DATA 2.4 Existing Site Plan



2.0 LAND USE MAP SET AND SUMMARY DATA 2.5 Proposed Site Plan

3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 8 OF STAFF REPORT)

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
Garden Road	County Collector - Urban	8 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 Required <input type="checkbox"/> Proposed Vehicular Access <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
Proposed	73	9	9
Difference (+/-)			

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

Design Exceptions/Administrative Variance <input checked="" type="checkbox"/> Not applicable for this request		
Road Name	Type	Finding
Garden Lane	Administrative Variance Requested	Approvable
Notes: Subject to conditions		

Required Connectivity <input type="checkbox"/> Not applicable for this request	
Project Boundary	Status
North	Not Required and Not Proposed
South	Required and Proposed
East	Not Required and Not Proposed
West	Not Required and Not Proposed
Other:	

Cross Access <input checked="" type="checkbox"/> Not applicable for this request			
Type of Cross Access	Required		If Yes, Proposed by Applicant

		If Yes, Location(s)	
Vehicular and Pedestrian Cross Access	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> North <input type="checkbox"/> South <input type="checkbox"/> East <input type="checkbox"/> West	<input type="checkbox"/> Yes <input type="checkbox"/> No, see above for Adm. Variance
Pedestrian Only Cross Access	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> North <input type="checkbox"/> South <input type="checkbox"/> East <input type="checkbox"/> West	<input type="checkbox"/> Yes <input type="checkbox"/> No, see above for Adm. Variance

4.0 AGENCY COMMENTS SUMMARY

AGENCY (Check Applicable Information)	OBJECTIONS	CONDITIONS REQUESTED	INFORMATION/COMMENTS
Environmental Protection Commission <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Natural Resources <input type="checkbox"/> Wellhead Protection Area <input checked="" type="checkbox"/> Surface Water Resource Protection Area <input checked="" 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"/> Other	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Conservation & Environmental Lands Management		<input type="checkbox"/> Yes <input type="checkbox"/> No	

<input type="checkbox"/> Adjacent to ELAPP property	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A		
Transportation <input type="checkbox"/> Design Exception Requested <input type="checkbox"/> Off-site Improvements Required	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Administrative variance request only applicable to Folio# 040453.0000
Utilities Service Area/ Water & Wastewater <input type="checkbox"/> Urban Service Area <input checked="" type="checkbox"/> Tampa Service Area <input type="checkbox"/> Rural Service Area	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Density Bonus Requested <input checked="" type="checkbox"/> Consistent <input type="checkbox"/> Inconsistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input 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 checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Impact/Mobility Fees N/A, No additional structures. No additional impacts.			

5.0 IMPLEMENTATION RECOMMENDATION

5.1 Compatibility

The proposed uses to be added are comparable to the Light Industrial and business Professional Uses uses approved by PD 92-0058; and does not create

further incompatibilities with the surrounding area. No increase in FAR is being proposed.

Given the above, staff finds the proposed modification to be compatible with the surrounding properties and in keeping the general development pattern of the area.

5.2 Recommendation

Approvable, subject to conditions.

Zoning conditions were presented to the Zoning Hearing Master at the hearing and are hereby incorporated into the Zoning Hearing Master's recommendation.

SUMMARY OF HEARING

THIS CAUSE came on for hearing before the Hillsborough County Land Use Hearing Officer on June 14, 2021. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition and distributed a revised staff report.

Ms. Alison Yovine of MJ Engineering 1533 Crescent Road Clifton Park New York testified on behalf of the applicant, DDKR. Ms. Yovine stated that she was presenting a modification to an existing PD. She showed a graphic to discuss the location of the property adjacent to Garden Lane and Interstate-4. She also showed a copy of the zoning map and stated that the adjacent properties are within the same PD. The existing single-family home is proposed to remain. A commercial industrial display area will be added such that cars driving down Interstate-4 will see a display area of sheds, garden display, cars and boats. The items will be displayed for approximately one month and can be purchased on-line. The public will not be visiting the subject property. An existing concrete wall will remain. Screening will be in accordance with Type B standards.

Mr. Jamie Easton of Prime Companies, 621 Columbia Street Cohoes New York testified as the engineer for the applicant. Mr. Easton stated that the area is very small and will be developed as an outdoor display area. He added that the items will most likely be on-site for about six months. If a car is driving down I-4 and item peaks the driver's interest, there will be a website or phone number to call to purchase the item. There will be different types of fencing, sheds or other outdoor amenities for use with a single-family home. Mr. Easton testified that the PD was approved in 1992 and the parcel proposed for the modification is the northern parcel of land. The proposed display use is less intense than the permitted bowling alley.

Hearing Master Finch asked Mr. Easton how the site will work logistically if a driver on I-4 sees a shed, how does the driver know how to contact to purchase. Mr. Easton replied that a sign will be placed at the northeastern side of the

property with visibility on both sides. He added that the use is similar to the existing Sunrise Landscaping but the subject sign would be smaller. The site will not be seen from Garden Lane due to the proposed screening.

Hearing Master Finch asked if there will be on-site sales. Mr. Easton replied no.

Ms. Tania Chapela, of the Development Services Department, testified regarding the County staff report. Ms. Chapela showed a graphic to discuss the Future Land Use category and location of the property. She stated that the request is to keep the existing single-family home and retain the BPO uses while permitting the display of cars, fencing, sheds, landscaping equipment and exterior home improvement items. She stated that staff finds the request approvable.

Hearing Master Finch asked Ms. Chapela what the PD permits on the subject parcel currently. Ms. Chapela replied that there is a list of uses that include agricultural, vet clinic, bank, light industrial and other numerous land uses.

Ms. Yeneka Mills of the Planning Commission testified regarding the Planning Commission staff report. Ms. Mills stated that the property is designated Community Mixed Use-12 on the Future Land Use map and located in the Urban Service Area and the East Lake Orient Community Plan. She stated that the property is adjacent to single-family residential to the east and fronts Interstate-4. She added that the request complies Policies 16.2 in regard to the buffering and screening techniques. The rezoning is consistent with the East Lake Orient Community Plan which envisions new development that does not adversely impact established neighborhoods. Ms. Mills stated that staff finds the request consistent with the Comprehensive Plan.

Hearing Master Finch asked audience members if there were any proponents of the application. None replied.

Hearing Master Finch asked audience members if there were any opponents of the application. None replied.

Mr. Easton testified during the rebuttal period that approximately 80 percent of the permitted uses on the parcel will be stricken. The display area will be 40 feet by 120 feet in length. It will be screened toward the residential side.

Hearing Master Finch then concluded the hearing.

EVIDENCE SUBMITTED

No documents were submitted 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 site is 0.32 acres in size and is zoned Planned Development (92-0058). The property is designated CMU-12 by the Comprehensive Plan and located in the Urban Service Area and the East Lake Orient Community Plan.
2. The Planned Development is currently approved for a wide range of agricultural, commercial, office, and limited light industrial.
3. The Major Modification request is to recognize the existing single-family home, retain the BPO land uses and add an outdoor display area for cars, fencing, sheds, landscaping equipment and exterior home improvement items.
4. The Planning Commission found the request consistent Policies 16.1 and 16.2 with regards to the buffering and screening techniques. The Planning Commission staff also found the request to be consistent with the East Lake Orient Community Plan and the Comprehensive Plan.
5. The applicant's representative testified that no on-site sales will be conducted from the subject property. The outdoor items will be displayed for approximately six months at the time. A sign will be on the property to provide a driver viewing the items from Interstate 4 a web site address and phone number to buy the item(s).
6. The applicant's representative testified that the display area will be screened from view of the adjacent residential to the east as well as Garden Lane.
7. The proposed Major Modification request is consistent with the character of the area and intent of the Land Development Code and the Comprehensive Plan.

FINDINGS OF COMPLIANCE/NON-COMPLIANCE WITH THE HILLSBOROUGH COUNTY COMPREHENSIVE PLAN

The Major Modification request is in compliance with and does further the intent of the Goals, Objectives and the Policies of the Future of Hillsborough Comprehensive Plan.

CONCLUSIONS OF LAW

Based on the Findings of Fact cited above, there is substantial competent evidence to demonstrate that the requested Major Modification to the Planned Development zoning is in conformance with the applicable requirements of the Land Development Code and with applicable zoning and established principles of zoning law.

SUMMARY

The Major Modification to Planned Development 92-0058 requests to recognize the existing single-family home, retain the BPO land uses and add an outdoor display area for cars, fencing, sheds, landscaping equipment and exterior home improvement items.

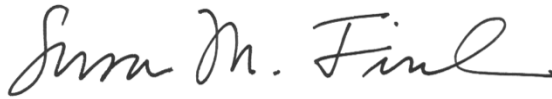
The Planning Commission found the modification to be consistent with the East Lake Orient Community Plan and the Comprehensive Plan.

The applicant's representative testified that no on-site sales will be conducted from the subject property. The outdoor items will be displayed for approximately six months at the time. A sign will be on the property to provide a driver viewing the items from Interstate 4 a web site address and phone number to buy the item(s). The representative also testified that the display area will be screened from view of the adjacent residential to the east as well as Garden Lane.

The modification is consistent with both the Land Development Code and the Comprehensive Plan.

RECOMMENDATION

Based on the foregoing, this recommendation is for **APPROVAL** of the Major Modification to Planned Development 92-0058 as indicated by the Findings of Fact and Conclusions of Law stated above subject to the zoning conditions prepared by the Development Services Department.



July 5, 2021

Susan M. Finch, AICP
Land Use Hearing Officer

Date



**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: June 14, 2021 Report Prepared: June 3, 2021	Petition: MM 21-0038 5020 Garden Lane <i>West side of Garden Lane, south of Interstate-4</i>
Summary Data:	
Comprehensive Plan Finding:	CONSISTENT
Adopted Future Land Use:	Community Mixed Use-12 (12 du/ga; 0.50 FAR)
Service Area	Urban
Community Plan:	East Lake Orient Park
Requested Modification:	Major Modification to Planned Development (PD 92-0058) to allow for the retention of the existing single-family home, Business Professional Office (BPO) uses, and the display of cars, fencing, landscaping equipment, sheds, and exterior improvement items
Parcel Size (Approx.):	0.32+/- acres
Street Functional Classification:	Garden Lane – Collector
Locational Criteria	N/A
Evacuation Zone	The subject property is within Evacuation Zone C



Context

- The approximately 0.32+/- acre site is located on the west side of Garden Lane, south of Interstate-4. The site is currently developed with a single-family home. The subject property is located within the Urban Service Area (USA) and within the limits of the East Lake Orient Park Community Plan.
- The subject site's Future Land Use designation is Community Mixed Use-12 (CMU-12). Typical uses in CMU-12 include: residential, community scale retail commercial, office uses, research corporate park uses, light industrial multi-purpose and clustered residential and/or mixed use projects at appropriate locations. Non-residential land uses must be compatible with residential uses through established techniques of transition or by restricting the location of incompatible uses.
- The subject property is zoned Planned Development (PD) and is developed with single family residential. Commercial General (CG) is located to the east and is developed with single family residential. Interstate Planned Development-2 (IPD-2) is located to the north, west and south and is developed with light industrial uses.
- The applicant is requesting a Major Modification to Planned Development (92-0058) to allow for the retention of the existing single-family home and to allow Business Professional Office (BPO) uses and the display of cars, fencing, landscaping equipment, sheds and exterior improvement items.

Compliance with Comprehensive Plan:

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

Future Land Use Element

Urban Service Area

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.*

Land Use Categories

Objective 8: *The Future Land Use Map will include Land Use Categories which outline the maximum level of intensity or density and range of permitted land uses allowed and planned for an area. A table of the land use categories and description of each category can be found in Appendix A.*

Policy 8.1: *The character of each land use category is defined by building type, residential density, functional use, and the physical composition of the land. The integration of these factors sets the general atmosphere and character of each land use category. Each category has a range of potentially permissible uses which are not exhaustive, but are intended to be illustrative*

of the character of uses permitted within the land use designation. Not all of those potential uses are routinely acceptable anywhere within that land use category.

Policy 8.2: Each potential use must be evaluated for compliance with the goals, objectives, and policies of the Future Land Use Element and with applicable development regulations.

Neighborhood/Community Development

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

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

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

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

Policy 16.5: Development of higher intensity non-residential land uses that are adjacent to established neighborhoods shall be restricted to collectors and arterials and to locations external to established and developing neighborhoods.

Community Design Component

5.0 NEIGHBORHOOD LEVEL DESIGN

5.1 COMPATIBILITY

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.

Policy 12-1.4: Compatibility may be achieved through the utilization of site design techniques including but not limited to transitions in uses, buffering, setbacks, open space and graduated height restrictions, to affect elements such as height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture.

Livable Communities Element: East Lake Orient Park Community Plan

Vision

The East Lake-Orient Park Community Plan includes a number of vastly diverse communities that provide a variety of residential lifestyles, from highly-urbanized to suburban to rural. Residents

are able to choose which intensity of development is most suitable for their needs. Our residential streets are quiet safe and suitable for all lifestyles.

New development in our communities does not adversely impact the existing neighborhoods. Residents are actively involved in the development decision making process. Developers meet with community representatives in advance of land use decisions. Commercial activities are compatible with and designed to serve the community.

Staff Analysis of Goals, Objectives, and Policies:

The applicant is requesting a Major Modification to allow for an existing, single-family residential, home to become Business Professional Office use as well as a display area to include cars, fencing, landscaping equipment, sheds, and exterior improvement items. The proposed uses are consistent with the Community Mixed Use-12 Future Land use classification, as this plan category is intended for urban intensity and density of uses, as well as a mixture of uses, which the applicant is proposing.

The site is located within the Urban Service Area of unincorporated Hillsborough County, specifically located on the west side of Garden Lane, and south of Interstate-4. The subject property is in a unique area with residential and intensive non-residential uses. Though the west side of Garden Lane is developed with intense uses, the eastern side of Garden Lane is developed with single family residential. Because the site is adjacent to single family residential to the east, the applicant is providing screening which will mitigate for the single family residential in the area. Additionally, the applicant is orienting the display area toward Interstate-4, meeting the intent of Future Land Use Element (FLUE) Policies 16.2 and 16.3 of the Comprehensive Plan regarding appropriate mitigation of any adverse effects of development on the surrounding area.

FLUE Policy 17.7 states that new development and redevelopment must mitigate the adverse noise, visual, odor and vibration impacts created by that development upon all adjacent land uses. The applicant is providing tree plantings along the eastern edge of the display area to alleviate visual impacts on the adjacent single family residential on the eastern side of Garden Lane. Additionally, the Community Design Component (CDC) in the Future Land Use Element also contains policy direction about designing developments that relate to the predominate character of the surroundings (*CDC Goal 12*). It further states that new developments should recognize the existing community and be designed in a way that is compatible with the character of an area (*CDC Objective 12-1*). Allowing the proposed modification would be in character with the surrounding development pattern.

The Comprehensive Plan encourages higher intensity, non-residential uses on collectors and arterials, and locations external to established neighborhoods (*Policy 16.5*). The request is consistent with this policy direction, as it is located along Garden Lane, which is designated as a collector roadway.

The modification request supports the vision of the East Lake Orient Park Community Plan, which envisions new development that does not adversely impact the existing neighborhoods and commercial activities that are compatible with and designed to serve the community. The applicant is proposing screening to mitigate any impacts to the single family residential that is located to the east of the subject site.

Overall, the proposed modification would allow for development that is consistent with the Goals, Objectives and Policies of the *Future of Hillsborough Comprehensive Plan for*

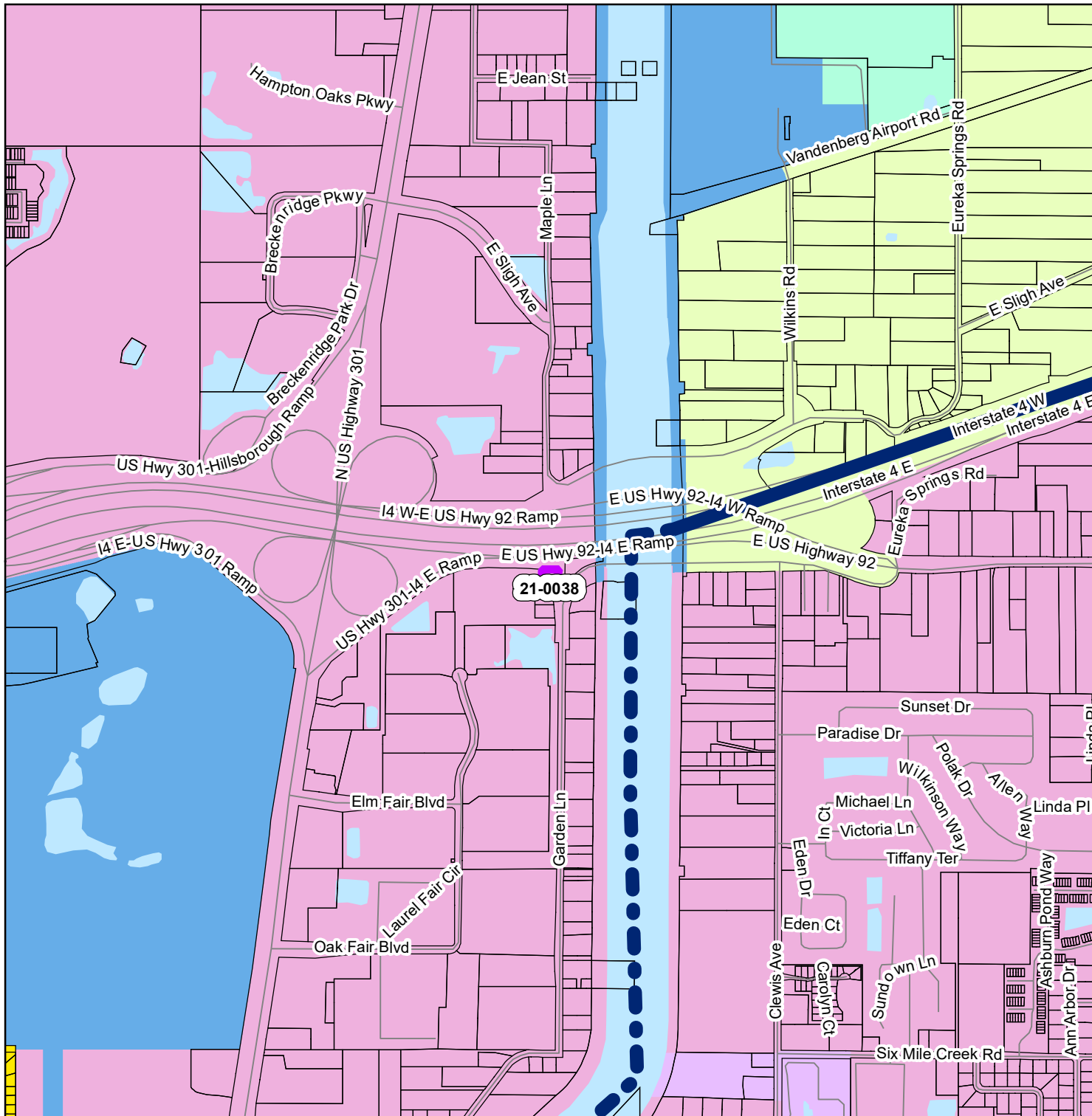
***Unincorporated Hillsborough County* and is compatible with the existing and planned development pattern found in the surrounding area.**

Recommendation

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

HILLSBOROUGH COUNTY 2021 FUTURE LAND USE

RZ MM 21-0038



- Rezoning**
- <all other values>
 - STATUS**
 - APPROVED
 - CONTINUED
 - DENIED
 - WITHDRAWN
 - PENDING
 - Tampa Service
 - Urban Service
 - Shoreline
 - County Boundary
 - Jurisdiction Boundary
 - Roads
 - Parcels
 - WATER
 - AGRICULTURAL/MINING-1/20 (.25 FAR)
 - PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)
 - AGRICULTURAL-1/10 (.25 FAR)
 - AGRICULTURAL/RURAL-1/5 (.25 FAR)
 - AGRICULTURAL ESTATE-1/2.5 (.25 FAR)
 - RESIDENTIAL-1 (.25 FAR)
 - RESIDENTIAL-2 (.25 FAR)
 - RESIDENTIAL PLANNED-2 (.35 FAR)
 - RESIDENTIAL-4 (.25 FAR)
 - RESIDENTIAL-6 (.25 FAR)
 - RESIDENTIAL-9 (.35 FAR)
 - RESIDENTIAL-12 (.35 FAR)
 - RESIDENTIAL-16 (.35 FAR)
 - RESIDENTIAL-20 (.35 FAR)
 - RESIDENTIAL-35 (1.0 FAR)
 - NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)
 - SUBURBAN MIXED USE-6 (.35 FAR)
 - COMMUNITY MIXED USE-12 (.50 FAR)
 - URBAN MIXED USE-20 (1.0 FAR)
 - REGIONAL MIXED USE-35 (2.0 FAR)
 - OC-20
 - RESEARCH CORPORATE PARK (1.0 FAR)
 - ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)
 - LIGHT INDUSTRIAL PLANNED (.50 FAR)
 - LIGHT INDUSTRIAL (.50 FAR)
 - HEAVY INDUSTRIAL (.50 FAR)
 - PUBLIC/QUASI-PUBLIC
 - NATURAL PRESERVATION
 - WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
 - CITRUS PARK VILLAGE
 - WATER

DATA SOURCES: Rezoning boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser.

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ACCURACY: It is intended that the accuracy of the base map comply with U.S. national map accuracy standards. However, such accuracy is not guaranteed by the Hillsborough County City-County Planning Commission. This map is for illustrative purposes only. For the most current data and information, see the appropriate source.

Map Printed from Rezoning System: 1/12/2021
 Author: Beverly F. Daniels
 File: G:\RezoningSystemMapProjects\HCG\HCG_rezoning.mxd





**GENERAL
SITE PLAN
FOR
CERTIFICATION**



DEVELOPMENT SERVICES

PO Box 1110, Tampa, FL 33601-1110

HILLSBOROUGH COUNTY
DEVELOPMENT SERVICES DEPARTMENT

GENERAL SITE PLAN REVIEW/CERTIFICATION

DEPUTY COUNTY ADMINISTRATOR

Lucia E. Garsys

Project Name: 5020 Garden Lane

Zoning File: None Modification: 21-0038

Atlas Page: None Submitted: 07/29/21

To Planner for Review: 07/29/21 Date Due: ASAP

Contact Person: MJ Engineering And Land Surveying p.c Phone: (518)371-0799/ayovine@mjels.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: Tania C Chapela Date: 07/29/2021

Date Agent/Owner notified of Disapproval:

5020 GARDEN LANE

HILLSBOROUGH COUNTY, FLORIDA

MAY 26, 2021

PD - MAJOR MODIFICATION
MM 21-0038

INDEX OF SHEETS

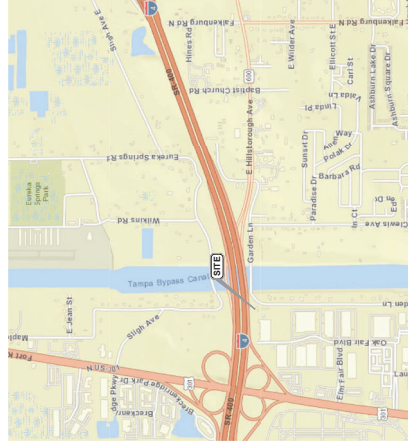
- COVER SHEET
- EXISTING CONDITIONS
- DEVELOPMENT PLAN
- AERIAL MAP

- C-0
- C-1
- C-2
- C-3

RECORD OF SUBMISSION

- FIRST SUBMISSION
- SECOND SUBMISSION
- THIRD SUBMISSION
- FOURTH SUBMISSION
- FIFTH SUBMISSION
- SIXTH SUBMISSION
- SEVENTH SUBMISSION

- OCTOBER 2, 2020
- JANUARY 15, 2021
- FEBRUARY 19, 2021
- MARCH 1, 2021
- MARCH 18, 2021
- MARCH 30, 2021
- MAY 26, 2021



LOCATION MAP

PROFESSIONAL TEAM

PROPERTY OWNER:
MARIAH FOSTER
5020 GARDEN LANE
TAMPA, FL 33610-5812

APPLICANT:
DDKR, LLC
ATTN: DEAN DEVITO
621 COLUMBIA STREET
COHOES, NY 12047
PHONE: (518) 785-9000
E-MAIL: ddevito@cdcpnme.net

CIVIL ENGINEER:
MJ ENGINEERING & LAND SURVEYING
ATTN: ALISON YOVINE
1533 CRESCENT ROAD
CLIFTON PARK, NY 12065
PHONE: (518) 371-0789
E-MAIL: ayovine@mjels.com

SURVEYOR:
AMERICAN SURVEYING INC.
ATTN: ROBERT J. BREEDLOVE, PSM
4847 NORTH FLORIDA AVENUE
TAMPA, FL 33603
PHONE: (813) 234-0103
E-MAIL:

PRELIMINARY DRAWINGS. NOT FOR CONSTRUCTION.

THE ALTERATION OF THIS MATERIAL IN ANY WAY, UNLESS DONE UNDER THE CLOSE PERSONAL SUPERVISION OF THE PROFESSIONAL SEAL ARCHITECT, ENGINEER, ARCHITECT, ENGINEER FOR AN ARCHITECT, ENGINEER FOR AN ARCHITECT, ARCHITECT FOR A LANDSCAPE ARCHITECT IS A VIOLATION OF THE NEW YORK STATE PROFESSIONAL SEAL ACT AND IS A CLASS 'A' MISDEMEANOR.

No.	DATE	DESCRIPTION	BY	REVIEWED BY	DATE	PROJ. MANAGER	DATE
1	1/19/21	SUFFICIENCY COMMENTS 1/3/21				JWE	
2	2/19/21	COUNTY TRAFFIC COMMENTS				JWE	
3	3/1/21	COUNTY COMMENTS				JWE	
4	3/1/21	COUNTY COMMENTS				JWE	
5	3/30/21	COUNTY COMMENTS				JWE	
6	5/26/21	COUNTY COMMENTS				JWE	

SCALE: NTS	DATE: OCTOBER 2020
M/PROJ. No.: 1901.01	
C-0	
SHEET 1 OF 1	

DRAFT



**Engineering and
Land Surveying, P.C.**
1533 Crescent Road - Clifton Park, NY 12065

DDKR, LLC
COVER
5020 GARDEN LANE
COUNTY OF HILLSBOROUGH
FLORIDA



PROJECT BOUNDARY MAP

PROPERTY LOCATION:
 5020 GARDEN LANE
 HILLSBOROUGH COUNTY, FLORIDA 33610-9812

PROPERTY FOLIO NUMBER:
 04063-0004

PROPERTY ZONING:
 PD-MU (PLANNED DEVELOPMENT-MIXED USE, #R2-58)
 LAST FILED: 08/27/2020

FUTURE LAND USE:
 CM-1-2

PD APPLICATION INTENT:
 INCORPORATE COMMERCIAL/INDUSTRIAL STOCK & DISPLAY AREA

PROPERTY USE: EXISTING
 SINGLE FAMILY RESIDENCE - 100%

USE: PROPOSED
 COMMERCIAL / INDUSTRIAL STOCK & DISPLAY AREA - 15.6%

MAXIMUM BUILDING HEIGHT: PROPOSED
 14'-0" (MAX)

BUILDING SETBACK REQUIREMENTS:
 FRONT: 30'
 EAST SIDE: 30'
 WEST SIDE: 30'
 REAR: 0'
 REAR: 0'

DISPLAY AREA SETBACK REQUIREMENTS:
 FRONT: 10'
 EAST SIDE: 10'
 WEST SIDE: 10'
 REAR: 10'

LOT COVERAGE CALCULATIONS:

REGULATORY AREA / CATEGORY	EXISTING	PROPOSED
REGULATORY AREA / CATEGORY	3,145 SF	8,238 SF
REGULATORY AREA / CATEGORY	0.1%	0.1%
REGULATORY AREA / CATEGORY	0 SF	0 SF
REGULATORY AREA / CATEGORY	2,652 SF	2,232 SF
REGULATORY AREA / CATEGORY	17.2%	11.3%
REGULATORY AREA / CATEGORY	9,435 SF	14,038 SF
REGULATORY AREA / CATEGORY	92.0%	98.6%
TOTAL SITE AREA	15,178 SF	100.0%

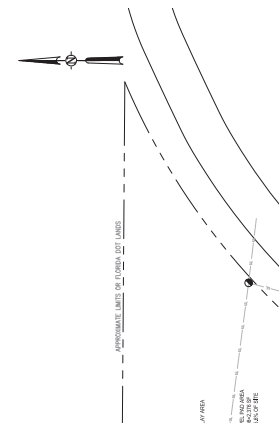
NOTE: MAXIMUM PER ALLOWABLE IMPERVIOUS AREA = 70%

PROPOSED FAR OF EXISTING RESIDENCE AT 5020 GARDEN LANE IS UTILIZED FOR NON-RESIDENTIAL PURPOSES:

AREA (ACRE)	BLDG AREA (SF)	F.A.R.
0.348	2,698	0.18
15.178	100,000	0.50

PROPOSED:
 14. COMMERCIAL/INDUSTRIAL STOCK & DISPLAY AREA WITHIN AN OVERLAY DISTRICT.
 15. NO DISPERSED HISTORIC LANDMARKS AND OTHER HISTORICAL OR ARCHEOLOGICAL SITES AND STRUCTURES ARE LOCATED WITHIN 150' OF THE PROJECT BOUNDARIES.
 16. WITHIN 150' OF PROJECT BOUNDARIES, THERE ARE NO OPEN SPACES OR OPEN SPACES WITHIN 150' OF PROJECT BOUNDARIES.
 17. THE EXISTING DEVELOPMENT COMPLIES WITH THE APPROVED ZONING ORDINANCE.
 18. NO RIGHT-OF-WAY CONVEYANCE OR PRESERVATION IS PROPOSED BY THE PROJECT.
 19. PROJECT TO BE COMPLETED IN ONE SINGLE PHASE.
 20. ALL CONSTRUCTION SHALL BE PERFORMED BY AMERICAN SURVEYING INC.
 21. THE COMMERCIAL/INDUSTRIAL STOCK & DISPLAY AREA (CISDA) SHALL NOT BE UTILIZED AS AN OPEN SPACE STORAGE AREA.
 22. SITE SCREENING AND BUFFERING MEETS STANDARD 'B' IN SEC 6.0.6.0.C.1 IN THE LDC.

PRELIMINARY DRAWINGS. NOT FOR CONSTRUCTION.



ZONING MAP

Planned Development
 PD
 Interstate Planned Development
 IPD-1
 Interstate Planned Development
 IPD-2
 Interstate Planned Development
 IPD-3

FLOOD ZONE:
 THIS PROPERTY LIES IN FLOOD ZONE 'X', AS PER FIRM PANEL NUMBER 15057C (0804), LAST FILED: 08/27/2020

PROPOSED:
 SINGLE FAMILY RESIDENCE - 94.4%
 COMMERCIAL / INDUSTRIAL STOCK & DISPLAY AREA - 15.6%

PROPOSED:
 SINGLE FAMILY RESIDENCE - 100%

PROPOSED:
 14'-0" (MAX)

PROPOSED:
 COMMERCIAL / INDUSTRIAL STOCK & DISPLAY AREA - 15.6%

PROPOSED:
 COMMERCIAL TRAILERS
 EXTERIOR IMPROVEMENTS (FENCING, SHEERS, DECORATIVE ITEMS, PLANTS, UNITS, FOUNTAINS, LIGHTS, ETC.)
 LANDSCAPING EQUIPMENT (TRACTORS, LAWN MOWERS, ETC.)
 RECREATIONAL VEHICLES (INCLUDING TRAILERS, TRAILERS AND VARIOUS TYPES OF MOTORHOMES), BOATS (ON TRAILERS)

LEGEND:

- DISPLAY AREA
- DISPLAY AREA BOUNDARY/IMPROVEMENT AREA



TYPICAL SINGLE SHRUB PLANTING
 N.T.S.

ABRV	BOTANICAL NAME	COMMON NAME	CITY	SIZE	SPACING	REMARKS
L1	LOUSTRUM JAPONICUM	GREEN PRIVET	SHRUBS	27' 6" HT.	3' O.C.	MAINTAIN AS A HEDGE
S1	SYAGRUS ROMANZOFFIANA	QUEEN PALM	TREES	3' TO 10' HT. MIN.	20' O.C.	

PLANTING SCHEDULE

INTERSTATE 4
 INTERSTATE 4 OVERPASS
 INTERSTATE 4 OVERPASS

GARDEN LANE
 GARDEN LANE
 GARDEN LANE

ADJACENT AREA
 ADJACENT AREA
 ADJACENT AREA

CONCRETE DRIVEWAY
 CONCRETE DRIVEWAY
 CONCRETE DRIVEWAY

PLANTER
 PLANTER
 PLANTER

BOUNDARIES PARK OF COMMERCE
 BOUNDARIES PARK OF COMMERCE
 BOUNDARIES PARK OF COMMERCE

ROCKLAND PROPERTY
 ROCKLAND PROPERTY
 ROCKLAND PROPERTY

PLANTING SCHEDULE

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100' 0' 50'

PRELIMINARY DRAWINGS: NOT FOR CONSTRUCTION

SCALE: 1"=100'
PROJECT NO. 1901.01
DATE: OCTOBER 2020
C-3
SHEET 1 OF 1

DDKR, LLC
AERIAL MAP
 5020 GARDEN LANE
 COUNTY OF HILLSBOROUGH
 FLORIDA



**Engineering and
Land Surveying, P.C.**
 1533 Crescent Road - Clifton Park, NY 12065

DRAFT

SUBMITTAL REVISIONS		DATE	DESCRIPTION	BY	REVIEWED BY	DATE	PROJECT MANAGER / VICE CHIEF DESIGNER: JWE
1	SUFFICIENCY COMMENTS 10/21	11/19/21	SUFFICIENCY COMMENTS 10/21				JWE
2	COUNTY TRAFFIC COMMENTS	2/19/21	COUNTY TRAFFIC COMMENTS				JWE
3	COUNTY COMMENTS	3/19/21	COUNTY COMMENTS				JWE
4	COUNTY COMMENTS	3/30/21	COUNTY COMMENTS				JWE
5	COUNTY COMMENTS	3/30/21	COUNTY COMMENTS				JWE
6	COUNTY COMMENTS	5/26/21	COUNTY COMMENTS				JWE

THE ALTERATION OF THIS MATERIAL IN ANY WAY, UNLESS DONE UNDER THE CLOSE PERSONAL SUPERVISION OF THE PROFESSIONAL ARCHITECT OR ARCHITECTURAL FIRM, SHALL BE CONSIDERED A VIOLATION OF THE NEW YORK STATE ARCHITECTURE AND LAND SURVEYING LAW AND IS A CLASS "A" MISDEMEANOR.



AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Development Services Department

DATE: 6/2/2021
Revised: 6/3/2021

REVIEWER: Richard Perez, AICP

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: Central/ELOP

PETITION NO: MM 21-0038

- 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.

REPORT HIGHLIGHTS AND CONCLUSIONS

- The proposed zoning modification is anticipated to generate 73 average daily trips, 9 AM peak hour trips, and 9 PM peak hour trips based on the maximum trip generation potential of the subject site at buildout.
- Garden Lane is a substandard collector roadway. The applicant requested a Section 6.04.02.B. Administrative Variance from the Section 6.04.03.L. requirement to improve the substandard roadway, which was found approvable with conditions by the County Engineer. If the rezoning is approved, the County Engineer will approve the Administrative Variance, upon which the developer will not be required to make improvements to Garden Lane.
- Transportation Review Section staff has no objection to this request, subject to the revised conditions provided herein below.

NEW CONDITION OF APPROVAL

1. If MM 21-0038 is approved, the County Engineer will approve with conditions a Section 6.04.02. Administrative Variance (dated May 5, 2021) which was found approvable by the County Engineer (on May 21, 2021). Approval of this Administrative Variance will waive the Garden Ln. substandard road improvements required by Section 6.04.03.L. of the LDC.
2. The request Administrative Variance, if approved, shall only apply to Folio# 040453.0000.
3. The driveway shall meet the minimum standard of 24 feet wide for nonresidential driveways.
4. The proposed use shall generate no more than 10 peak hour trips.
5. Notwithstanding anything shown on the site plan, ADA/sidewalk connections shall be provided from all site access points to all building entrances.

OTHER CONDITIONS

- Prior to PD Site Plan Certification, the applicant shall revise the PD site plan to add a note stating that "Minimum off-street parking spaces shall be provided for per Sec. 6.05.00 of the LDC."

PROJECT OVERVIEW AND ANALYSIS

The applicant is requesting a Major Modification to one of 3 parcels designated Planned Development (PD 92-0058) to allow for the retention of the existing single-family home and to allow limited number of Business Professional Office (BPO) uses and the display of cars, fencing, landscaping equipment, sheds and exterior home improvement items.

The approximately 0.33+/- acre subject site is located on the west side of Garden Lane, south of Interstate-4. The site is currently developed with a single-family home. The currently approved PD 92-0058 zoning allows for broad list of BPO uses.

As required by the Development Review Procedures Manual (DRPM), the applicant submitted a letter indicating that the proposed development does not trigger the threshold whereby a transportation analysis is required to process this rezoning. Utilizing data from the Institute of Transportation Engineer's Trip Generation Manual, 10th Edition, staff has prepared a comparison of the trips generated by development under the existing approvals and proposed modifications, utilizing a generalized worst-case scenario.

Proposed Uses:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
7,200 s.f. Office General (ITE LUC 710)	73	9	9

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

Garden lane is a 2-lane, undivided, substandard collector roadway characterized by +/- 10-foot wide travel lanes within a +/- 20 feet of pavement in average condition. Sidewalks and bicycles facilities are not present in the vicinity of the project.

SITE ACCESS AND CONNECTIVITY

Site access to the project will be from Garden Lane.

The subject parcel is currently serviced by a driveway which is located on the adjacent property and is not part of the approved PD. As a result, the Applicant will need to add a driveway from their property directly accessing Garden Lane, as depicted in the proposed site development plan.

At the time of construction/site plan review, the applicant will be required to show ADA/sidewalk connections from all site access points to all building entrances and parking areas consistent with Section 6.02.03. B. of the LDC.

ADMINISTRATIVE VARIANCE

The applicant's EOR submitted (on May 5, 2021) a Section 6.04.02.B. Administrative Variance request for Garden Lane requesting relief from the Section 6.04.03.L requirement to improve Garden Lane, between E. Hillsborough Avenue and the project access, to current County standards for a Type TS-7 Typical Section as found within the Hillsborough County Transportation Technical Manual (TTM). On May 21, 2020 the County Engineer found the variance approvable with the following conditions:

- The approved variance applies only to folio 040453.0000 (part of PD 92-0058),
- The access driveway width must be 24 feet, and
- The proposed use will have no more than 10 peak hour trips.

All conditions are addressed within the applicant's proposed site development plan. As such, no improvements to that portion of for Garden Lane would be required.

If the rezoning is approved, the County Engineer will approve the Administrative Variance.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Garden Lane is not included in the Hillsborough County LOS Report.

PD Modification

3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 8 OF STAFF REPORT)

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
Garden Road	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 Required <input type="checkbox"/> Proposed Vehicular Access <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
Proposed	73	9	9

Design Exceptions/Administrative Variance <input type="checkbox"/> Not applicable for this request		
Road Name	Type	Finding
Garden Lane	Administrative Variance Requested	Approvable
Notes: Subject to conditions		

Required Connectivity <input checked="" type="checkbox"/> Not applicable for this request	
Project Boundary	Status
North	Not Required and Not Proposed
South	Required and Proposed
East	Not Required and Not Proposed
West	Not Required and Not Proposed
Other:	

Cross Access <input checked="" type="checkbox"/> Not applicable for this request			
Type of Cross Access	Required	If Yes, Location(s)	If Yes, Proposed by Applicant
Vehicular and Pedestrian Cross Access	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> North <input type="checkbox"/> South <input type="checkbox"/> East <input type="checkbox"/> West	<input type="checkbox"/> Yes <input type="checkbox"/> No, see above for Adm. Variance
Pedestrian Only Cross Access	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> North <input type="checkbox"/> South <input type="checkbox"/> East <input type="checkbox"/> West	<input type="checkbox"/> Yes <input type="checkbox"/> No, see above for Adm. Variance

INFORMATION/REVIEWING AGENCY	OBJECTIONS	CONDITIONS REQUESTED	ADDITIONAL INFORMATION/COMMENTS
Transportation <input type="checkbox"/> Design Exception Requested <input type="checkbox"/> Off-site Improvements Required	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Administrative variance request only applicable to Folio# 040453.0000



May 5, 2021

Mr. Michael J. Williams, P.E., County Engineer
Director, Development Review Division
Hillsborough County Development Services Department
601 E Kennedy Blvd., 20th Floor
Tampa, FL 33602

Re: Administrative Variance – Section 6.04.04 L and Section 6.04.07
5020 Garden Lane, Tampa, FL Folio 040453-0000, part of PD 92-0058
MM 21-0038

Dear Mr. Williams,

The purposed of this letter is to provide the justification for the variance request to the following sections of the Hillsborough County Land Development:

1. Section 6.04.03 L Roadway Improvement

Project Narrative

DDKR, LLC proposes to add a Commercial/Industrial Display Area to an existing lot (Folio 040453-0000) within PD 92-0058. The purpose of the display area is to showcase sheds, landscape equipment, new vehicles, plants, etc. for passers-by on the I-4 highway to see. If they would like to purchase an item, they can do so through a website, which would then deliver the product to them from a supplier as no on-site sales center will be present. The display area will not generate traffic, as it is only seen from the Interstate. Currently the PD consists of 3 single family residences on 3 tax parcels. The proposed major modification application only effects 1 of the three parcels within the PD as the two other parcels within the PD are owned by separate entities. The parcel (Folio 040453-0000) with the proposed modification will consist of 1 single family residence and 2,376 sf of Commercial/Industrial Display Area. The current home at the subject parcel is serviced by a driveway which is located on the adjacent property and is not part of this PD. As a result, the Applicant will need to add a driveway on their land which provides access to Garden Lane. See attached Site Plan. Additionally, the applicant seeks relief from improving a segment of Garden Lane. Garden Lane is a two lane collector road, classified by the County as substandard, with a posted speed limit of 30 MPH.

The criteria for the variance request as outlined in Section 6.04.02.B. of the Hillsborough County Land Development Code (LDC) from the Sec. 6.04.03.L requirement to improve the roadway to current County standards between the project driveway(s) and the nearest standard roadway. The distance of road between 5020 Garden Lane and the nearest standard roadway (E. Hillsborough Avenue) is just over 2,500 feet. The criteria outlined in the LDC and the justification for not improving the segment of Garden Lane is as follows:

(a) There is an unreasonable burden on the applicant.

The justification for not improving Garden Lane is as follows:

1. The addition of the Commercial/Industrial Display area will not increase the traffic by more than 10 peak hour trips, therefore the Applicant should not bear the burden of improving 2,500 feet of road.
2. The subject parcel will be down-zoned to restrict the uses to those that are below the roadway improvement threshold. See enclosed Project Narrative.



(b) The variance would not be detrimental to the public health, safety and welfare,

As there will not be an increase in traffic for the addition of the Commercial/Industrial Display area, granting this variance will not be detrimental to the public health, safety and welfare, as additional vehicles will not traverse on Garden Lane.

(c) Without the variance, reasonable access cannot be provided. In the evaluation of the variance request, the issuing authority shall give valid consideration to the land use plans, policies, and local traffic circulation/operation of the site and adjacent areas.

Currently the existing driveway is shared with the property to the south, Folio 040451.0000, which is currently vacant. It was previously used as a Family Child Care Home, as permitted by the Land Development Code, as a use permitted without special zoning approval. Here is a breakdown of the trips for the existing driveway with the current and/or most recent uses.

Current Joint Drive Trips

Trips for Folio 040453-0000 & 040451-0000 with Current Use									
Land Use Code	Description	Unit	AM			PM			PD Description
			Enter	Exit	Total	Enter	Exit	Total	
210	Single-Family Detached Housing (Folio 040453-0000)	1 Unit	1	1	2	1	1	2	Single Family, Mobile Home with Agricultural use
565	Day Care Center (Folio 040451-0000)	12 children	5	4	9	4	5	9	Based on definition of Family Child Care Home with maximum of 12 children under 13 years of age, as defined in the LDC

As seen from above the existing uses exceed a total of 10 trips for the driveway entrance by 1 but was based upon the most current use. Considering the parcel to the south, Folio 040451.0000, is currently vacant the joint driveway will experience less than 10 trips, but above was given based upon most current uses for the joint driveway to be conservative.

Worst Case Joint Drive Trips

The PD modification proposes to remove uses from the Planned Development language for the Project Site (Folio 040453-0000) to only allow uses that have proposed trips less than or equal to 10 peak hour trips. See Table 4 in project narrative for future down zone land uses for Folio 040453-0000. The **down zoning** of the parcel (Folio 040453-0000) reduces the future traffic from the site if it is redeveloped in the future.



5020 Garden Lane, Administrative Variance
May 5, 2021
Page 3 of 3

**Worst Case Trips at Joint Driveway for
Folio 040453-0000 (Down Zoned) & 040451-0000 (PD Allowed Land Uses)**

Land Use Code	Description	Unit	AM			PM			PD Description
			Enter	Exit	Total	Enter	Exit	Total	
710	General Office Building (Folio 040453-0000)	6,500 SF	7	2	9	2	8	10	Office, Radio and Television Stations
851	Convenience Market (Folio 040451-0000)	5,600 SF	175	175	350	140	135	275	Convenience Store

Based upon table above the worst case from traffic generated by down zoned parcel is 10 trips in the am or pm. If or when the If in the future the property to the south (Folio 040451.00) is developed under the existing PD 92-0058 legislation, traffic generated by that parcel at the joint driveway will exceed 10-trips significantly mainly because of taking the worst-case scenario for redevelopment Folio 040451-0000 based upon allowed FAR. See Table 5 within Project Narrative of traffic at joint driveway based upon allowed/down zoned uses.

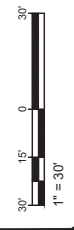
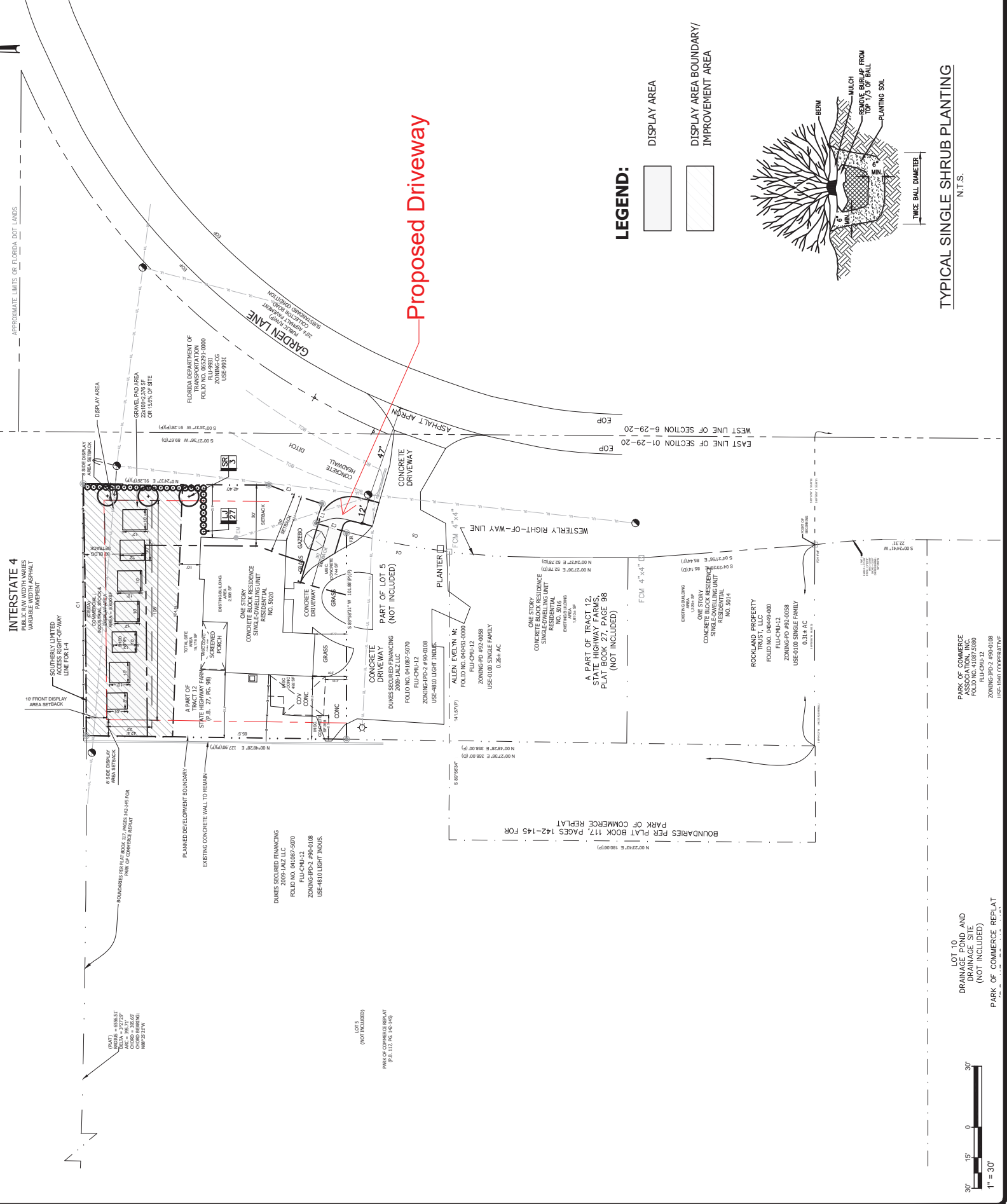
As seen in Table 1 of the Project Narrative the existing PD 92-0058 allows for various uses and traffic generated by the uses varies from as little as 11 trips to over 1,000 trips for all three parcels in the PD. The proposed down zoning of the parcel (Folio 040453-0000) will reduce those trips listed in Table 1, (maximum per table 3) as the applicant does not control what happens in the future on the parcels to the south (Folio 040451-0000 and 040449-000). As a result of the allowed uses under PD 92-0058 the applicant proposes when any of the parcels are redeveloped a full traffic evaluation is preformed based upon the actual proposed use. This will then determine if roadway improvements or turn lanes are required based upon actual use of the three parcels. If necessary, this could be a condition of the Major Modification.

As seen above, the joint driveway with current/former uses is seeking a variance for 1 additional trip over the allowed 10 trips.

Sincerely,

Alison Yovine, PLA

PLANTING SCHEDULE				
ABRV	BOTANICAL NAME	COMMON NAME	QTY	REMARKS
LJ	LIGUSTRUM JAPONICUM	GREEN PRIVET	27 6' HT.	MAINTAIN AS A HEDGE
SR	SYAGRUS ROMANZOFFIANA	QUEEN PALM	3 10' HT. MIN.	20' O.C.



SUBMITTAL / REVISIONS		
No.	DATE	DESCRIPTION
1	1/15/21	SUFFICIENCY COMMENTS 1/3/21
2	2/19/21	COUNTY TRAFFIC COMMENTS
3	3/1/21	COUNTY COMMENTS
4	3/18/21	COUNTY COMMENTS
5	3/30/21	COUNTY COMMENTS

DATE	REVIEWED BY:	BY
	PROJ. MANAGER: JWE	
	CHIEF DESIGNER: JWE	
	DESIGNED BY: JWE	
	DRAWN BY: JWE	
	CHECKED BY:	

DATE	REVIEWED BY:	BY
	PROJ. MANAGER: JWE	
	CHIEF DESIGNER: JWE	
	DESIGNED BY: JWE	
	DRAWN BY: JWE	
	CHECKED BY:	

DATE	REVIEWED BY:	BY
	PROJ. MANAGER: JWE	
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	DESIGNED BY: JWE	
	DRAWN BY: JWE	
	CHECKED BY:	

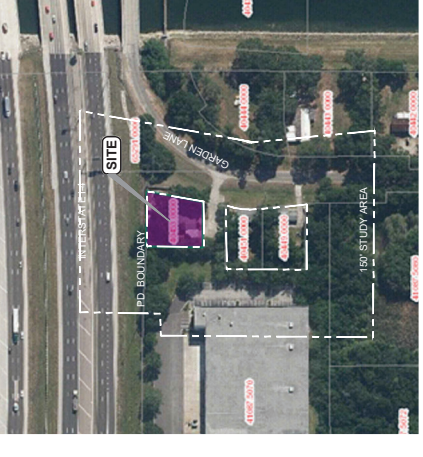
DRAFT



**Engineering and
Land Surveying, P.C.**
1533 Crescent Road - Clifton Park, NY 12065

DEVELOPMENT PLAN
5020 GARDEN LANE
COUNTY OF HILLSBOROUGH
FLORIDA

DDKR, LLC
C-2
SHEET 1 OF 1



PROJECT BOUNDARY MAP

PROPERTY LOCATION:
5020 GARDEN LANE
HILLSBOROUGH COUNTY, FLORIDA 33610-5812

PROPERTY FOLIO NUMBER:
040453-0000

PROPERTY ZONING:
PD-MU (PLANNED DEVELOPMENT-MIXED USE, #92-58)

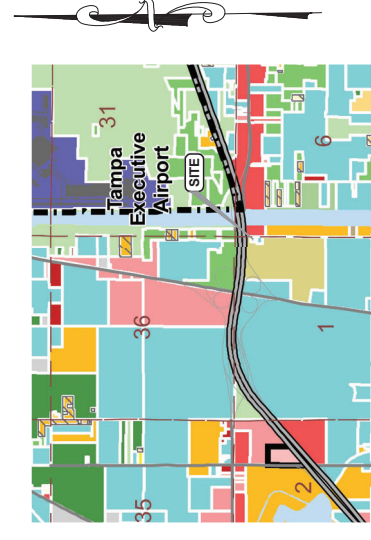
FUTURE LAND USE:
CMU-12

PD APPLICATION INTENT:
INCORPORATE COMMERCIAL/INDUSTRIAL STOCK & DISPLAY AREA

PROPERTY USE: EXISTING PROPOSED
SINGLE FAMILY RESIDENCE - 100% SINGLE FAMILY RESIDENCE - 84.4%
COMMERCIAL / INDUSTRIAL STOCK & DISPLAY AREA - 15.6%

MAXIMUM BUILDING HEIGHT: ALLOWED PROPOSED
50' = < 50'

FLOOD ZONE:
THIS PROPERTY LIES IN FLOOD ZONE "X", AS PER FIRM, PANEL NUMBER 12057C 0380J, LAST REVISED 08/27/2013



ZONING MAP

- Planned Development PD
- Interstate Planned Development IPD-1
- Interstate Planned Development IPD-2
- Interstate Planned Development IPD-3

- DISPLAY AREA ITEMS COULD INCLUDE (NEWLY MANUFACTURED) FOR A PERIOD OF AT LEAST ONE MONTH:**
- STORAGE SHEDS
 - CARPORTS
 - CHILDRENS OUTDOOR SWING SETS AND SLIDES
 - SWIMMING POOLS & HOT TUBS
 - RECREATIONAL VEHICLES (RVs, INCLUDING TRAVEL TRAILERS AND VARIOUS TYPES OF MOTORHOMES)
 - AUTOMOBILES
 - BOATS (ON TRAILERS)

- DISPLAY AREA SETBACK REQUIREMENTS:**
- FRONT: 10'
EAST SIDE: 8'
WEST SIDE: 8'

LOT COVERAGE CALCULATIONS:

	EXISTING	PROPOSED
BUILDING AREA & CISDA	2,898 SF	17,778 SF
VERTICULAR USE AREA	0 SF	0 SF
SIDEWALK/MISC CONC. AREA	1,875 SF	1,875 SF
ISR TOTAL IMPERVIOUS AREA	4,773 SF	10,203 SF
TOTAL PERVIOUS AREA	10,805 SF	4,975 SF
TOTAL SITE AREA	15,178 SF	15,178 SF
	100.00%	100.00%

PROPOSED FAR OF EXISTING RESIDENCE AT 5020 GARDEN LANE IF UTILIZED FOR NON-RESIDENTIAL PURPOSES:

AREA (ACRE)	BLDG AREA (SF)	F.A.R.	F.A.R. (PROPOSED MAXIMUM)
0.348	2,698	0.062	0.18
15.178	0.348	0.062	0.50

- NOTES:**
- PROJECT IS LOCATED IN EAST LAKE ORIENT PARK COMMUNITY PLANNING AREA.
 - PROJECT IS NOT LOCATED IN AN OVERLAY DISTRICT.
 - PROJECT IS NOT LOCATED IN COASTAL HIGH HAZARD AREA AND POTABLE WATER BUFFER AREA.
 - PROJECT IS LOCATED IN THE URBAN SERVICE AREA. WATER AND SEWER SERVICES TO BE PROVIDED BY HILLSBOROUGH COUNTY UTILITIES.
 - NO COMMON OPEN SPACE/RECREATION AREAS ARE PROPOSED.
 - NO ARCHITECTURAL DESIGNS PROPOSED.
 - NO LANDSCAPE BUFFER ALTERNATIVES PROPOSED.
 - NO NON-RESIDENTIAL OR MULTI-FAMILY STRUCTURES PROPOSED.
 - NO SCENIC ROADWAY CORRIDOR WITHIN OR ADJACENT TO PROJECT.
 - NO EASEMENTS LOCATED WITHIN 150' OF PROJECT BOUNDARIES.
 - NO FLEX OF THE COMPREHENSIVE PLAN BOUNDARY PROPOSED.
 - NO PUBLIC PARK LANDS OR PUBLIC SCHOOL SITES ARE

- PROPOSED:**
- NO ENVIRONMENTALLY SENSITIVE AREAS WITHIN SITE.
 - NO DESIGNATED HISTORIC LANDMARKS AND OTHER HISTORICAL OR ARCHEOLOGICAL SITES AND STRUCTURES ARE LOCATED WITHIN 150' OF THE PROJECT BOUNDARIES.
 - NO EXISTING NATURAL OR MAN-MADE WATER BODIES IN OR WITHIN 150' OF PROJECT BOUNDARIES.
 - THE EXISTING DEVELOPMENT COMPLIES WITH THE APPROVED CERTIFIED GENERAL SITE PLAN.
 - NO RIGHT-OF-WAY CONVEYANCE OR PRESERVATION IS PROPOSED BY THE PROJECT.
 - PROJECT TO BE COMPLETED IN ONE SINGLE PHASE.
 - PROPERTY BOUNDARY SURVEY PREPARED BY AMERICAN SURVEYING INC.
 - THE COMMERCIAL / INDUSTRIAL STOCK & DISPLAY AREA (CISDA) AREA SHALL NOT BE UTILIZED AS AN OPEN OUTSIDE STORAGE AREA.
 - SITE SCREENING AND BUFFERING MEETS STANDARD 'B' IN SEC 6.06.06.C.4 IN THE LDC.

PRELIMINARY DRAWINGS: NOT FOR CONSTRUCTION

COMMISSION

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



DIRECTORS

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

AGENCY COMMENT SHEET

REZONING	
<p>HEARING DATE: 2/15/2021</p> <p>PETITION NO.: 21-0038</p> <p>EPC REVIEWER: Melissa Yanez</p> <p>CONTACT INFORMATION: (813) 627-2600 X1360</p> <p>EMAIL: Yanezm@epchc.org</p>	<p>COMMENT DATE: 2/1/2021</p> <p>PROPERTY ADDRESS: 5020 Garden Ln, Tampa, FL 33610</p> <p>FOLIO #: 0404530000</p> <p>STR: 01-29S-19E</p>
<p>REQUESTED ZONING: Modification to PD</p>	
FINDINGS	
<p>WETLANDS PRESENT</p>	<p>NO</p>
<p>SITE INSPECTION DATE</p>	<p>N/A</p>
<p>WETLAND LINE VALIDITY</p>	<p>N/A</p>
<p>WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)</p>	<p>N/A - Aerial Historic Soil Survey and EPC File Review conducted. No wetlands apparent within parcel.</p>
<p>INFORMATIONAL COMMENTS:</p> <p>Wetlands Management Division staff of the Environmental Protection Commission of Hillsborough County (EPC) conducted an aerial review of 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. The review revealed that no wetlands or other surface waters were apparent within the above referenced parcel.</p> <p>Please be advised this wetland determination is informal and non-binding. A formal wetland delineation may be applied for by submitting a “WDR30 - Delineation Request Application”. Once approved, the formal wetland delineation would be binding for five years.</p>	

My/mst



AVIATION AUTHORITY LAND USE REVIEW
Hillsborough County - OPTIX

DATE: May 28, 2021

PROPOSED USE INFORMATION:

Case No.: 21-0038 Reviewer: Tony Mantegna

Location: 5020 Garden Lane

Folio: 40453.0000

Current use of Land: Single family home

Zoning: PD

REQUEST: Allow a Commercial/Industrial Stock and Display Area

COMMENTS:

The proposed site falls within Zone "A" on the Airport Height Zoning Map. Any structure including construction equipment that exceeds 50 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) - _____

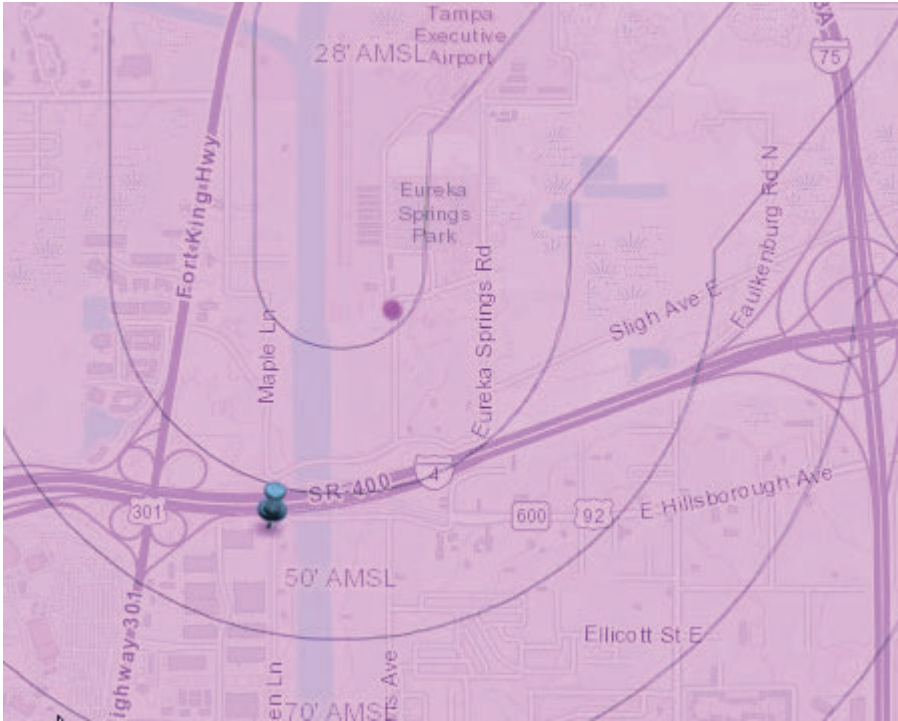
Not compatible (comments) - _____

Compatible with conditions (see comments above) – Any new buildings constructed on this property will need an Airport Height Zoning Permit.

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

50' Above Mean Sea Level

FAA determination required for any new building construction.





AGENCY REVIEW COMMENT SHEET

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: 02/12/2021

REVIEWER: Ron Barnes, Impact & Mobility Fee Coordinator

APPLICANT: DDKR, LLC

PETITION NO: 21-0038

LOCATION: 5020 Garden Lane

FOLIO NO: 40453.0000

Estimated Fees:

N/A

Project Summary/Description:

No additional structures. No additional impacts.

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Planning Growth Management

DATE: 14 Dec 2020

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

APPLICANT: Jamie Easton

PETITION NO: MM 21-0038

LOCATION: 5020 Garden Ln., Tampa, FL 33610

FOLIO NO: 40453.0000

SEC: 01 TWN: 29 RNG: 19

- 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.: MM21-0038 REVIEWED BY: Randy Rochelle DATE: 12/9/2020

FOLIO NO.: 40453.0000

This agency would (support), (conditionally support) the proposal.

WATER

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

WASTEWATER

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

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



VERBATIM TRANSCRIPT

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HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

ZONING HEARING MASTER HEARINGS
June 14, 2021
ZONING HEARING MASTER: SUSAN FINCH

D3:

Application Number: MM 21-0038
Applicant: DDKR, LLC
Location: 5020 Garden Ln.
Folio Number: 040453.0000
Acreage: 0.32 acres, more or less
Comprehensive Plan: CMU-12
Service Area: Urban
Existing Zoning: PD (92-0058)
Request: Major Modification to a Planned
Development

1 MR. GRADY: Madam Hearing Officer, we'll
2 pause for a moment because we've got some people
3 we're letting in.

4 HEARING MASTER FINCH: Sure. Absolutely.

5 MR. GRADY: Just it'll be a little noisy, so
6 we'll --

7 HEARING MASTER FINCH: Okay.

8 MR. GRADY: -- let them come in and then
9 we'll start.

10 HEARING MASTER FINCH: All right.

11 MR. GRADY: I think we can go ahead and get
12 started. The next item is agenda item D-3, Major
13 Modification 21-0038.

14 The request is for a Major Modification to
15 existing Planned Development. Tania Chapela will
16 provide staff recommendation after presentation by
17 the applicant.

18 HEARING MASTER FINCH: All right. Is the
19 applicant here? I understand the applicant is
20 online.

21 MS. YOVINE: Yes. This is Alison Yovine
22 from MJ Engineering. Address is 1533 Crescent
23 Road, Clifton Park, New York.

24 And I'm here on behalf of the applicant DDKR
25 and I'll share my screen here.

1 THE CLERK: Can you, please, restate your
2 name for the record, please.

3 MS. YOVINE: Of course. Alison Yovine. And
4 I'm here to present a modification to an existing
5 PD. The existing PD consists of the folio
6 40453.000, and this is on bordering the Ferguson
7 Fire Fabrication. This is Garden Lane, and this is
8 Interstate-4.

9 And here's the zoning map showing the folio,
10 and these two folio numbers to the south are all
11 part of the same existing PD. And the same thing.
12 And we are -- I'll show you the site plan.

13 We are proposing to keep the existing house,
14 single-family residence on the site and then add a
15 Commercial Industrial display area. So,
16 essentially, as you're driving from Interstate-4,
17 we would have an area where it would display all
18 new things, such as sheds, garden display, new
19 cars, boats.

20 And it'll be here on display for about a
21 month at a time, and you would be able to see the
22 items from Interstate-4 and then purchase them
23 online. You would not be visiting the site to
24 reduce traffic.

25 We are only proposing improvements on this

1 portion of the PD. Here's the site plan showing
2 the area of the commercial industrial stock area so
3 the residence would remain.

4 And then we also have an existing concrete
5 wall is to remain, and then we are proposing
6 screening which satisfies Section B of the
7 screening in the Land Development Code.

8 And I think that might be it. And we also
9 have Jamie Easton here for the engineer of the
10 applicant, if you have anything else to add.

11 MR. EASTON: Yes. Good evening, Board.
12 Jamie Easton from Prime Companies located at 621
13 Columbia Street. That's in Cohoes, New York.

14 I previously worked at MJ and worked with --
15 on behalf of the applicant when I was at MJ for the
16 development of this parcel, and as you can see,
17 it's a very small area that we're trying to
18 basically have an outdoor display area.

19 Most likely these items will be there for
20 much longer than a month. Probably six months to a
21 year. Go around depending on the -- I'll say the
22 display that we want to do.

23 Typically, we envision outdoor items that
24 you could basically drive by, see, and then if
25 you -- you pique your interest, it'll direct you to

1 a website or to a telephone number in which you
2 could call and purchase that item.

3 So we -- we envision whether that's
4 basically different styles of fencing, as you've
5 driven by before, or, you know, sheds or more of
6 outdoor display items of what we refer to outdoor
7 amenity items to a single -- single-family
8 structure as amenity use for the home.

9 We are in concurrence with the
10 recommendations of what county planning has said
11 and other staff members. We have no additional
12 comments on that. But just for the public to
13 understand and for the Board to understand is that
14 this PD dates back to 1992.

15 And it encompasses three parcels of land,
16 and at the end of the day, we're only really
17 rezoning or restricting the zoning on the northern
18 parcel land. We are really downzoning the parcel
19 of land under the 1992 allowed uses for PD.

20 Why are we doing that? Well, some of the
21 uses under the 1992 zoning code allowed uses under
22 the PD really don't make sense for this based upon
23 the new farm requirements in updated Hillsborough
24 County zoning requirements.

25 For example, like a bowling alley is

1 allowed. But because the parcel is so small,
2 realistically you get one lane in there. It's just
3 the reality.

4 So we stripped out some of the really old
5 uses that could be potentially used for the parcel
6 and then really consolidated based upon what the
7 visions and goals of the current Comprehensive Plan
8 are and what's more allowed uses based upon the
9 surrounding areas.

10 At this point I'll turn it over to the
11 Board, and if they have any additional questions,
12 I'll certainly be happy to answer along with
13 Alison.

14 HEARING MASTER FINCH: I do have a question
15 about how this will work operationally. So as I
16 look at the aerial, the property, obviously, has
17 visibility from Interstate-4 and also Garden Lane,
18 I guess. I have not been to the property yet, but
19 I will.

20 And so logistically, how does this work? I
21 mean, if you're driving at a high rate of speed
22 down Interstate-4 and you happen to notice sheds
23 that are displayed on your property, how at that
24 speed does anyone know to -- how to contact you to
25 pursue purchasing that?

1 MR. EASTON: Okay. So, realistically, a
2 sign -- you are correct. Due to high speed and
3 limited front visibility there, what we do is
4 probably put a sign at the very -- I'd say maybe
5 the northeastern side of the property.

6 That way -- we're only looking to obtain
7 views -- or, you know, I'll say views not from both
8 sides of traffic, but really I'll call it the west
9 or eastbound traffic.

10 So we placed the sign on the northeast side,
11 and because there is a lot of visibility there
12 approaching it on both sides, you'll -- you will be
13 able to see it for some time without causing --
14 I'll call it -- as an engineer, I'll call it a line
15 of sight or visual impact.

16 Certainly, on a smaller scale, you know,
17 this project will be, but it's very similar to
18 Sunrise Landscaping that's just up the road. And
19 as you drive down 75, you actually see that. You
20 see the landscaping plant. Obviously, their sign
21 is much bigger.

22 We don't envision that big of a sign for
23 this project, but it gives you the intent that you
24 see the product being displayed out there. And as
25 you drive by, it piques your interest. And then

1 there's, you know -- obviously, there's a very
2 large sign to grab you where to call to or you can
3 pull off the highway to eventually get there.

4 This project will not be seen from
5 realistically Garden Lane. Due to the proposed
6 landscaping and planning comments that wanted to be
7 completely screened from any of the residential
8 neighbors on Garden Lane so you do not see it.

9 HEARING MASTER FINCH: And there is no -- I
10 think Ms. Yovine mentioned this. So I just want to
11 verify for the record. There's no on-site sales;
12 there's not a representative there. This is just a
13 display of products. So even if you pulled off the
14 road and went over to look at it, there's no
15 on-site purchase or anything like that going on; is
16 that correct?

17 MR. EASTON: That is correct. Yes.

18 HEARING MASTER FINCH: All right. All
19 right. That was end of my questions. Thank you
20 very much. Does that conclude your presentation?

21 MR. EASTON: Yes, it does.

22 HEARING MASTER FINCH: All right. Thank
23 you.

24 We'll go to Development Services.

25 MS. CHAPELA: Good evening. Tania Chapela,

1 Hillsborough County Development Services.

2 The property as stated with Major
3 Modification 21-0038 has a Future Land Use
4 designation of CMU-12, Community Mixed-Use-12.

5 The CMU-12 permits consideration of
6 residential density up to a maximum density of 12
7 dwelling units per acre and nonresidential
8 intensities of up to a maximum FAR of 0.5.

9 The subject rezoning parcel is located in
10 the -- the southern of I-4 highway near the
11 intersection of Fort King Highway. I'm going to
12 share my screen.

13 MR. LAMPE: We have the city map up.

14 MS. CHAPELA: The surrounding zoning and
15 development pattern consists of IPD-2 with a
16 maximum of 0.5 FAR and the CG with a maximum of 0.5
17 FAR and RSC-6 with a maximum six dwelling units per
18 acre.

19 Okay. The immediate area is developed with
20 Light Industrial uses, Offices, and Warehouse uses.
21 And it's currently developed with Light Industrial,
22 and also we have single-family homes to the south
23 of the project.

24 The applicant is requesting a Major
25 Modification to the currently approved PD 92-0058.

1 And it's just to modify the section, the northern
2 parcel -- this is one of three parcels -- to allow
3 for the retention of the existing single-family
4 home and to allow limited number of Business
5 Professional Office uses, which are allowed. And
6 the display of cars, fencing, landscaping
7 equipment, sheds, and exterior home improvement
8 items.

9 The project does not entail any FAR
10 increase. Based on the CMU-12 Future Land
11 classification, the surrounding zoning and
12 development pattern and the proposed use, and
13 development standards for the PD 92-0058 zoning
14 district, staff finds the request approvable.

15 This concludes my presentation, and I am
16 available for any questions.

17 HEARING MASTER FINCH: Just a quick question
18 just to clarify, this parcel -- this specific
19 parcel, I understand, has the existing
20 single-family home. But under the current zoning,
21 under the current Planned Development zoning, what
22 are they allowed to do on that parcel?

23 MS. CHAPELA: There is a list of uses, which
24 includes from agricultural uses, vet clinics, even
25 an auditorium, a bank, light industrial offices.

1 So it's a -- it's a large amount of uses permitted
2 in the property.

3 So we were discussing with the applicant to
4 see what -- which of those uses would they like to
5 take from all those so we could work with the
6 Transportation Staff, especially the Transportation
7 Staff, to determine the use of the adjacent
8 right-of-way.

9 So right now the uses -- the permitted uses
10 entail many, many different options. I hope that
11 answers your question.

12 HEARING MASTER FINCH: It does, and I
13 appreciate you showing that on the screen so I
14 could see that. All right. Thank you very much
15 for your testimony.

16 We'll go to the Planning Commission.

17 MS. MILLS: Yeneka Mills, Planning
18 Commission staff.

19 The subject property is located within the
20 Community Mixed-Use-12 Future Land Use
21 classification. It's also located within the Urban
22 Service Area and the East Lake Orient Community
23 Plan.

24 The proposed uses are consistent with the
25 Community Mixed-Use-12 Future Land Use

1 classification as this plan category is intended
2 for urban intensity and density of uses, as well as
3 a mixture of uses which the applicant is proposing.

4 The subject property is in a unique area
5 with residential as well as intensive
6 nonresidential uses. The west side of Garden Lane
7 is developed with intense uses. The eastern side
8 of Garden Lane is developed with single-family
9 residential.

10 Because the site is adjacent to
11 single-family residential to the east, the
12 applicant is providing screening to mitigate for
13 the single-family in the area.

14 Additionally, the applicant is orienting the
15 uses towards Interstate-4 meeting the intent of
16 Future Land Use Element Policy 16.2 and 16.3 of the
17 Comprehensive Plan.

18 The Comprehensive Plan also encourages higher
19 intensity, nonresidential uses on collectors and
20 arterials and locations external to established
21 neighborhoods, which is Policy 16.5. Garden Lane
22 is designated as a collector roadway.

23 This modification request supports the
24 vision of the East Lake Orient Community Plan,
25 which envisions new development that does not

1 adversely impact established neighborhoods and
2 commercial activities that are compatible and
3 design to serve the community.

4 And based on those considerations, Planning
5 Commission found the proposed rezoning consistent
6 with the Future of Hillsborough Comprehensive Plan.
7 Thank you.

8 HEARING MASTER FINCH: Thank you. I
9 appreciate it.

10 All right. At this time we'll turn to
11 anyone that wants to speak in support. Anyone in
12 favor of this application? Raise your hand if you
13 want to speak in support either in the building or
14 online? Anybody? All right. I see no one.

15 Anyone who would like to speak in
16 opposition? Anyone against this application, if
17 you'd like to speak, raise your hand. No one. All
18 right. No one online?

19 All right. County Staff, we'll go back to
20 you.

21 MR. GRADY: Nothing further to add.

22 HEARING MASTER FINCH: All right. Go back
23 to the applicant.

24 MR. EASTON: Thank you, Board. No. From
25 the applicant's point of view, I think we presented

1 information. Just so we talked about we are
2 downzoning this. As the -- the commission just
3 saw, there was a laundry list of items that were
4 there. In the information that's been submitted,
5 probably over 80 percent of those uses will be
6 stricken.

7 The area that we're looking at to really
8 have as a display area, it is approximately, you
9 know, 40 feet by 100 feet in length or 120 feet in
10 length. So you're looking around 5,000 square feet
11 of area. So this is a small area that we're
12 talking about, but we are screening it to the
13 residential side. So that's what I'd like to end
14 on.

15 HEARING MASTER FINCH: All right. Thank you
16 very much for your testimony.

17 With that, we'll close Major Modification
18 21-0038 and go to the next case.

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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
Land Use Hearing Master

DATE: Monday, May 17, 2021

TIME: Commencing at 6:00 p.m.
Concluding at 10:31 p.m.

PLACE: Cisco Webex

Reported By:

Christina M. Walsh, RPR
Executive Reporting Service
Ulmerton Business Center
13555 Automobile Blvd., Suite 100
Clearwater, FL 33762
(800) 337-7740

1 being continued to the July 26th, 2021, Zoning
2 Hearing Master Hearing.

3 Item A-6, Rezoning-PD 20-1253. This
4 application is being continued by the applicant to
5 the June 14th, 2021, Zoning Hearing Master Hearing.
6 Actually, A-6, the changes, it's an out of order
7 continuance to the June 14th, 2021, Zoning Hearing
8 Master Hearing.

9 Item A-7, Major Mod Application 21-0036.
10 This application is out of order to be heard and is
11 being continued to the June 14, 2021, Zoning
12 Hearing Master Hearing.

13 Item A-8, Major Mod Application 21-0038.
14 This application is being continued by staff to the
15 June 14th, 2021, Zoning Hearing Master Hearing.

16 Item A-9, Rezoning-PD 21-0113. This
17 application is out of order to be heard and is
18 being continued to the September 13, 2021, Zoning
19 Hearing Master Hearing.

20 Item A-10, Major Mod 21-0116. This
21 application is being continued by the applicant to
22 the June 14, 2021, Zoning Hearing Master Hearing.

23 Item A-11, Rezoning-PD 21-0220. This
24 application is continued by the applicant to the
25 June 14, 2021, Zoning Hearing Master Hearing.

HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: SUSAN FINCH
Land Use Hearing Master

DATE: Monday, April 19, 2021

TIME: Commencing at 6:00 p.m.
Concluding at 8:03 p.m.

PLACE: Cisco Webex

Reported By:

Christina M. Walsh, RPR
Executive Reporting Service
Ulmerton Business Center
13555 Automobile Blvd., Suite 100
Clearwater, FL 33762
(800) 337-7740

1 application is being withdrawn from the Zoning
2 Hearing Master process.

3 Item A-3, Major Mod Application 20-1068.
4 This application is out of order to be heard and is
5 being continued to the May 17th, 2021, Zoning
6 Hearing Master Hearing.

7 Item A-4, Rezoning-PD 20-1198. This
8 application is being continued by the applicant to
9 the May 17th, 2021, Zoning Hearing Master Hearing.

10 Item A-5, Rezoning-PD 20-1377. This
11 application is out of order to be heard and is
12 being continued to the July 26, 2021, Zoning
13 Hearing Master Hearing.

14 Item A-6, Major Mod Application 21-0036.
15 This application is out of order to be heard and is
16 being continued to the May 17, 2021, Zoning Hearing
17 Master Hearing.

18 Item A-7, Major Mod Application 21-0038.
19 This application is being continued by staff to the
20 May 17, 2021, Zoning Hearing Master Hearing.

21 Item A-8, PD 21-0123. This application is
22 being continued by staff to the May 17th, 2021,
23 Zoning Hearing Master Hearing.

24 Item A-9, Major Mod Application 21-0169.
25 This application is being continued by staff to the

1 Hearing Master process.

2 Item A-5, Major Mod Application 20-0377.

3 This application is being withdrawn by the Zoning
4 Administrator in accordance with LDC Section
5 10.03.02.C.2.

6 Item A-6, Rezoning-PD 20-1071. This
7 application is being continued by the applicant to
8 the May 17th, 2021, Zoning Hearing Master Hearing.

9 Item A-7, Major Mod Application 20-1138.
10 This application is being withdrawn from the Zoning
11 Hearing Master process.

12 Item A-8, Rezoning-PD 20-1198. This
13 application is out of order to be heard and is
14 being continued to the April 19th, 2021, Zoning
15 Hearing Master Hearing.

16 Item A-9, Rezoning-PD 20-1256. This
17 application has been continued by the applicant to
18 the April 19th, 2021, Zoning Hearing Master
19 Hearing.

20 Item A-10, Major Mod Application 21-0038
21 (sic). This application is continued by staff to
22 the April 19th, 2021, Zoning Hearing Master
23 Hearing.

24 Item A-11, Rezoning-PD 21-0110. This
25 application is being continued by the applicant to

1 being continued to the March 15th, 2021, Zoning
2 Hearing Master Hearing.

3 Item A-16, Rezoning-PD 20-1270. This
4 application is out of order to be heard and is
5 being continued to the March 15th, 2021, Zoning
6 Hearing Master Hearing.

7 Item A-17, Rezoning 20-1377. This
8 application is out of order to be heard and is
9 being continued to the April 19, 2021, Zoning
10 Hearing Master Hearing.

11 I'll note for the record that the -- again,
12 the statement that was in the backup that outlined
13 this continuance had the wrong hearing date and we
14 submitted the corrected statement into the record.

15 A-18, Major Mod 21-0024. This application is
16 being continued by the applicant to the March 15,
17 2021, Zoning Hearing Master Hearing.

18 Item A-19, Rezoning 21-0034. This
19 application is continued by staff to the
20 March 15th, 2021, Zoning Hearing Master Hearing.

21 Item A-20, Major Mod 21-0036. This
22 application is out of order to be heard and is
23 being continued to the April 19, 2021, Zoning
24 Hearing Master Hearing.

25 Item A-21, Major Mod 21-0038. This

1 application is being continued by staff to the
2 March 15th, 2021, Zoning Hearing Master Hearing.

3 Item A-22, Rezoning-PD 21-0113. This
4 application is being continued by the applicant to
5 the May 17th, 2021, Zoning Hearing Master Hearing.

6 Item A-23, Major Mod 21-0116. This
7 application is being continued by staff to the
8 March 15th, 2021, Zoning Hearing Master Hearing.

9 Item A-24, Rezoning-PD 21-121. This
10 application is out of order to be heard and is
11 being continued to the March 15th, 2021, Zoning
12 Hearing Master Hearing.

13 Item A-25, RZ-PD 21-0123. This application
14 is being continued by the applicant to the
15 March 15th, 2021, Zoning Hearing Master Hearing.

16 And item A-26, Rezoning-Standard 21-0242.
17 This application is being continued by staff to the
18 March 15th, 2021, Zoning Hearing Master.

19 That concludes all withdrawals and
20 continuances.

21 HEARING MASTER HATLEY: Thank you,
22 Mr. Grady.

23 All right. Before we get into the hearings
24 tonight, I'm going to go over some procedures. The
25 agenda tonight consists of items that require a



**EXHIBITS SUBMITTED
DURING THE ZHM HEARING**

NONE



**PARTY OF
RECORD**

NONE