

Rezoning Application: RZ STD 24-0862
Zoning Hearing Master Date: 08/19/2024
BOCC Land Use Meeting Date: 10/08/2024

1.0 APPLICATION SUMMARY

Applicant: Todd Pressman
FLU Category: SMU-6
Service Area: Urban
Site Acreage: 1.06 acres +/-
Community Plan Area: Seffner Mango
Overlay: None
Special District: None
Request: Rezone from CG to CI-R



Introduction Summary:

The applicant is requesting to rezone a portion of property from CG (Commercial, General) to CI (Commercial, Intensive) with restrictions. The proposed restriction is to limit the allowable use to open storage of domestic vehicles in conjunction with a towing company. The property is currently split zoned, with the approximate 130' to the rear being zoned AS-1. The proposal is to rezone the front +/- 1.06 acres to CI-R, leaving northern half of the parcel zoned AS-1 and CG. The proposed CI-R zoned area will align with the dimensions of the two abutting eastern lots and their platted lots.

Zoning:	Existing	Proposed
District(s)	CG	CI-R
Typical General Use(s)	General Commercial, Office and Personal Services	Intensive Commercial, Office and Personal Services
Acreage	1.06 +/-	1.06 +/-
Density/Intensity	0.27 FAR	0.30 FAR
Mathematical Maximum*	12,466.9 square feet	13,851.2 square feet

*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	CG	CI-R
Lot Size / Lot Width	10,000 sf / 75'	20,000 sf / 100'
Setbacks/Buffering and Screening	30' Front (South) 0' Sides 0' Rear	30' Front (South) 0' Sides 0' Rear
Height	50'	50'

Additional Information:

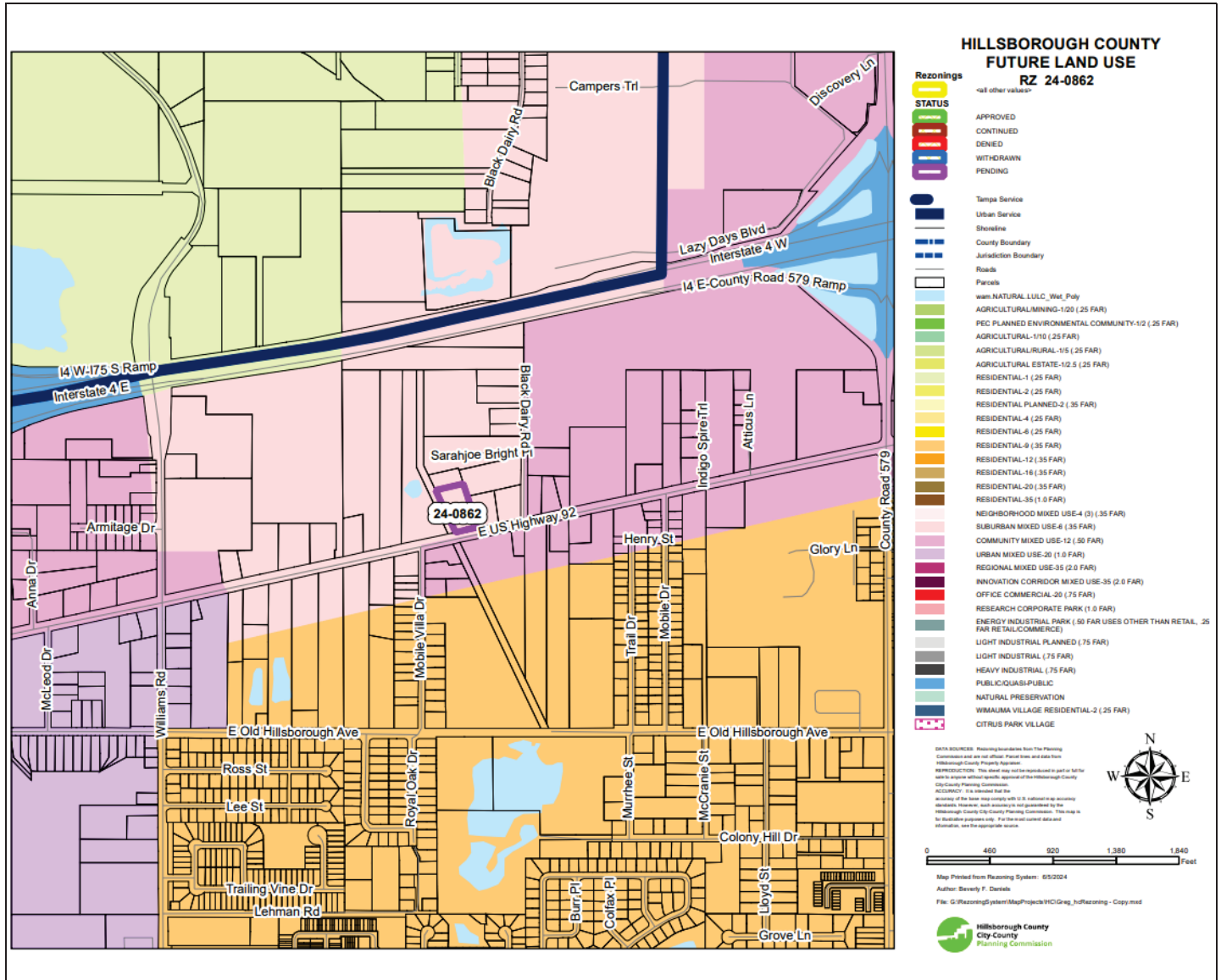
PD Variation(s)	None requested as part of this application.
Waiver(s) to the Land Development Code	None requested as part of this application.

Planning Commission Recommendation:
Consistent

Development Services Recommendation:
Not supportable

2.0 LAND USE MAP SET AND SUMMARY DATA

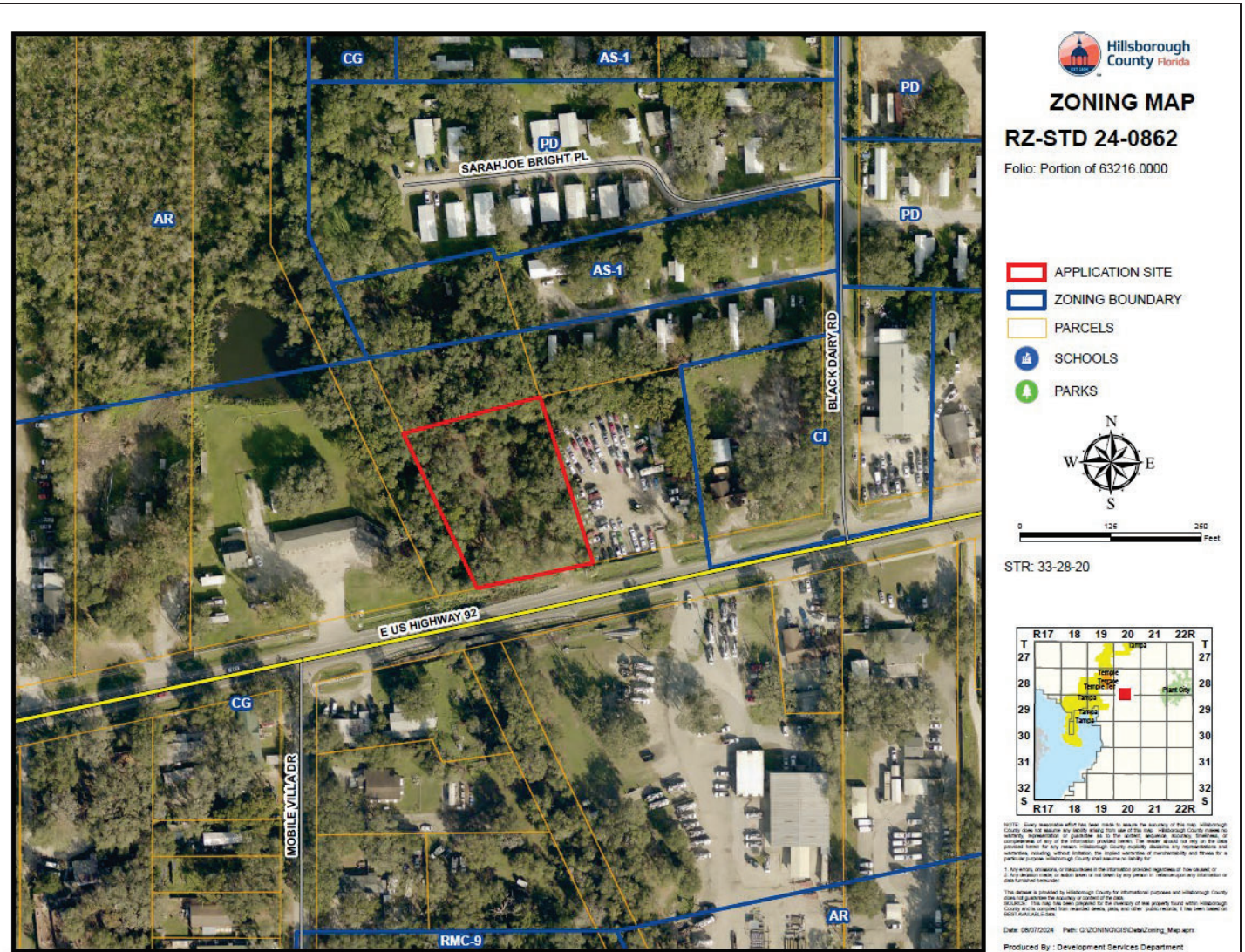
2.2 Future Land Use Map



Future Land Use Category:	SMU-6 (Suburban Mixed Use-6)
Maximum Density/F.A.R.:	6 DU/GA 0.25 FAR: suburban scale neighborhood commercial 0.35 FAR: office uses, research corporate park uses, multipurpose, and mixed uses 0.5 FAR: light industrial uses
Typical Uses:	Residential, suburban commercial, offices, research parks, light industrial, multi-purpose, clustered residential, mixed-use

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	CG	0.27 FAR	General Commercial	Vacant
South	CG	0.27 FAR	General Commercial	Warehousing
East	CG	0.27 FAR	General Commercial	Vehicle Salvage/Storage
West	CG	0.27 FAR	General Commercial	Public Lands

2.0 LAND USE MAP SET AND SUMMARY DATA

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

N/A

APPLICATION NUMBER: RZ-STD 24-0862

ZHM HEARING DATE: August 19th, 2024

BOCC LUM MEETING DATE: October 8th, 2024

Case Reviewer: Michelle Montalbano

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
E. US Highway 92	FDOT Arterial - Urban	2 Lanes ☐ Substandard Road ☐ Sufficient ROW Width	☒ Corridor Preservation Plan ☐ Site Access Improvements ☐ Substandard Road Improvements ☒ Other (TBD)

Project Trip Generation ☐ Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	4,694	452	464
Proposed	34	2	3
Difference (+/-)	-4,660	-450	-461

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

Connectivity and Cross Access ☒ Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
Notes:				

Design Exception/Administrative Variance ☒ Not applicable for this request		
Road Name/Nature of Request	Type	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes:		

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	☒ Yes ☐ No	☐ Yes ☒ No	☐ Yes ☒ No	
Natural Resources	☐ Yes ☒ No	☐ Yes ☐ No	☐ Yes ☐ No	
Conservation & Environ. Lands Mgmt.	☒ Yes ☐ No	☐ Yes ☒ No	☐ Yes ☒ No	
Check if Applicable: ☐ Wetlands/Other Surface Waters ☐ Use of Environmentally Sensitive Land Credit ☐ Wellhead Protection Area ☒ Surface Water Resource Protection Area ☐ Potable Water Wellfield Protection Area ☐ Significant Wildlife Habitat ☐ Coastal High Hazard Area ☐ Urban/Suburban/Rural Scenic Corridor ☐ Adjacent to ELAPP property ☐ Other _____				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation ☐ Design Exc./Adm. Variance Requested ☐ Off-site Improvements Provided	☒ Yes ☐ No	☒ Yes ☐ No	☐ Yes ☐ No ☒ N/A	See full report.
Service Area/ Water & Wastewater ☒ Urban ☐ City of Tampa ☐ Rural ☐ City of Temple Terrace	☒ Yes ☐ No	☐ Yes ☒ No	☐ Yes ☒ No	
Hillsborough County School Board Adequate ☐ K-5 ☐ 6-8 ☐ 9-12 ☒ N/A Inadequate ☐ K-5 ☐ 6-8 ☐ 9-12 ☒ N/A	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	
Impact/Mobility Fees				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission ☐ Meets Locational Criteria ☐ N/A ☐ Locational Criteria Waiver Requested ☐ Minimum Density Met ☐ N/A ☐ Density Bonus Requested	☒ Yes ☐ No	☐ Inconsistent ☒ Consistent	☐ Yes ☒ No	See agency report.

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The applicant is proposing to rezone a portion of the property located along US Hwy 92 in Seffner. Approximately 1.06 acres of the total 2.03-acre lot is requested to be rezoned from CG to CI-R. The parcel is currently split zoned CG and AS-1, but the AS-1 area will not be rezoned in this proposal. The proposed restriction is to limit the allowable use to the depositing and open storage of domestic vehicles in conjunction with a towing company. The parcel is currently classified as vacant, but aerials show the land may be in use, as the land was recently cleared.

The property is located along a commercial strip of US Hwy 92. The surrounding zoning districts are mainly CG and CI, occupied by various commercial uses. Neighboring the project to the ~~west~~ east is a CG zoned parcel currently occupied by a vehicle salvage use, and further ~~west~~ east a CI zoned property with an open storage use. To the ~~east~~ west is a small strip of vacant public lands, and then a motel zoned CG. Along US Hwy 92 are several CI zoned properties or PD's allowing commercial intensive uses.

To the rear of the full parcel are mobile home residential properties zoned AS-1 and PD 82-0436. The portion of the parcel being rezoned to CI-R will not directly neighbor these residential dwellings. The area abutting the residential properties will remain AS-1 and CG zoned, and the proposed open storage use will not be permitted in that area.

Transportation staff has objections to the rezoning request, in part due to comments received from FDOT regarding the property's anticipated access to US Hwy 92. County staff notes additional information is necessary to determine if the proposal can be supported, which the applicant did not provide. See transportation staff's report for their rational for objection.

5.2 Recommendation

Staff finds the rezoning request **not supportable**.

6.0 PROPOSED CONDITIONS

The applicant is proposing the following condition:

1. The use shall be limited to the depositing and open storage of domestic vehicles in conjunction with a towing company. The only exception shall be commercial vehicles parked, stored, and used on the site by the operating towing company.

Zoning Administrator Sign Off:



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

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

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

Not applicable.

8.0 PROPOSED SITE PLAN (FULL)

Not applicable.

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 08/09/2024

REVIEWER: Sarah Rose, Senior Planner

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: SM/Central

PETITION NO: RZ 24-0862

☐

This agency has no comments.

☐

This agency has no objection.

☐

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

☒

This agency objects for the reasons set forth below.

RATIONAL FOR OBJECTION

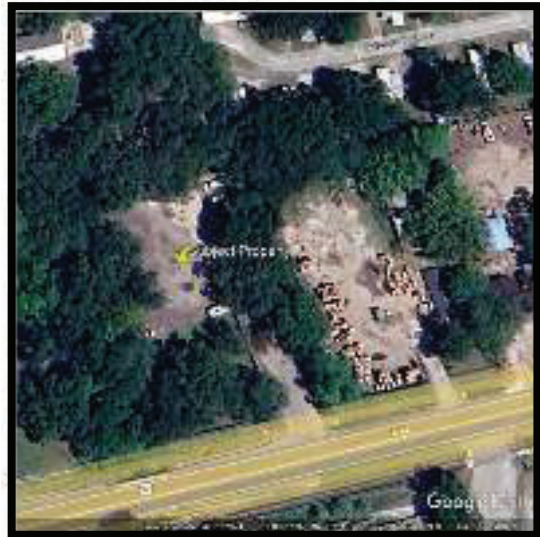
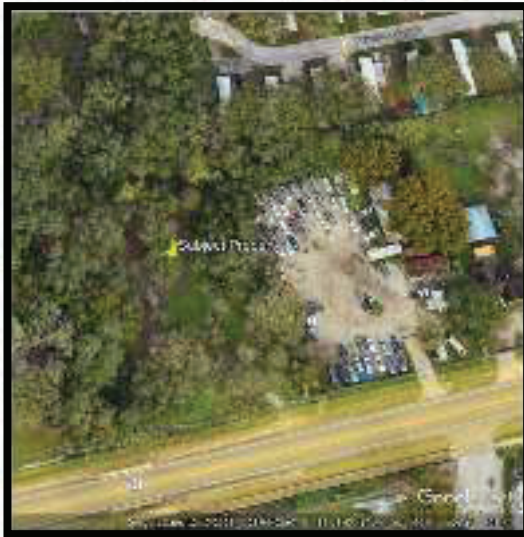
1. On August 6th, 2024, the applicant met with Florida Department of Transportation (FDOT) staff and County staff to discuss the applicants proposed use in this application and access to a state-maintained roadway. FDOT staff had several questions, comments, and concerns. Specifically, FDOT staff mentioned that:
 - a. The FDOT driveway spacing requirement for this section of the roadway on US HWY 92 is 440 feet between connections. The project cannot meet minimum spacing standards (staff notes the existing access is located +/- 14 feet from the next closest driveway to the east) and any driveway connection would be considered non-confirming. As such, such connection would be considered temporary, and the project would be required to take access from the adjacent property (i.e. to the east) which would require certain stub outs to accommodate this future access configuration.
 - b. FDOT staff has expressed safety and operational concerns regarding the ability of the larger tow truck or car carrier to enter or exit the parcel and requested a conceptual site plan and an AutoTurn analysis. This information was requested to demonstrate that this site has the ability to accommodate the drop-off and pick up of vehicles wholly within the site (staff notes other similar uses in the county have created issues by loading and unloading inventory in adjacent rights of way) and to ensure that the larger vehicles are able to turn around within the site (i.e. without backing out into US Hwy 92).
 - c. FDOT staff expressed concerns about the proximity of the commercial driveway to the existing guard rail and the limited frontage available, both of which may impact the applicant's ability to meet geometric and other requirements for the intended use.
2. County staff has not provided any information to FDOT in order to address these concerns as of the time of the filing of this report. During the above referenced meeting County staff offered to assist the applicant in crafting restrictions which could address some or all of the concerns raised by FDOT staff. The applicant did not take staff up on the offer.

3. County staff notes that the applicant is proposing to rezone to a single use, which FDOT has expressed the above concerns about, which might affect their ability to permit access. Approval of this application could lead to a situation where FDOT is compelled to permit substandard, unsafe or otherwise unacceptable access due to this zoning action removing all other existing permitted uses, some of which would not generate large truck traffic, or otherwise be placed in a position that could result in a regulatory taking.
4. County staff inquired why the applicant was eliminating existing uses approved under the current zoning, such as a Kennel, Gunsmith, Adult Care Center, Barber or Beauty Shop, or Family Support Services, to name a few, which may not be objectionable to FDOT since these uses do not typically involve large truck traffic. The applicant said they would look into the issue with their client but has not offered any explanations/alternatives.
5. Staff notes that regardless of the project's reduction in the maximum trip generation potential of the subject site, trip generation is only one facet, of what constitutes the ability to provide safe access. Given FDOT's request for additional information and expressed concerns, and the applicant's failure to proffer any restrictions which could address FDOT comments, staff has no alternative but to object to the proposed zoning. Staff remains hopeful that if the case is continued, the record can be supplemented with additional information requested by FDOT and/or proposed restriction which would allow staff to support this request.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a portion of the existing parcel in the amount of +/- 1.07 acres from Commercial General (CG) to Commercial Intensive – Restricted (CI-R). The proposed restriction would allow for open vehicle storage and associated towing operations. The site is located on the north side of E. US Highway 92 and approximately +/- 352 feet west of the intersection of Black Diary Road and E US Highway 92. The Future Land Use designation of the site is Suburban Mixed Use-6 (SMU-6).

County staff notes that based on recent aerial and other photography it appears the site may be in use and/or land was recently cleared. See below photos. Staff searched county records and could not find any evidence that these activities were permitted. Staff notes that even if this use is ultimately approved, the site will be required to be permitted through the site/construction review process to address Land Development Code requirements (LDC) including but not limited to the paving of parking and drive isles, required sidewalks, etc.



Trip Generation Analysis

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

Since ITE does not provide rates for open storage uses, a methodology was developed to allow estimation of trip impacts associated with such use. Specifically, the acreage of the portion of the site dedicated to these uses was multiplied by the maximum allowable floor-area-ratio for the underlying future land use of the site in order to calculate a square-footage value which could then be analyzed as mini-storage uses, which staff believes is the closest analog use currently available from ITE for the proposed use.

Approved Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CG, Fast Food with Drive Thru (ITE Code 934) 8,000sqft	3,740	357	264
CG, Bank with Drive Thru (ITE Code 912) 9,524sqft	954	95	200
Total	4,694	452	464

Proposed Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CI-R, Open Storage of Vehicles (ITE Code 151) 23,288sqft	34	2	3

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	- 4,660	-450	-461

Transportation Infrastructure Serving the Site

The site has frontage on E. US Highway 92. E. US Highway 92 is a 2-lane, undivided, FDOT maintained, Urban Arterial roadway. The roadway is characterized by +/- 11 ft wide travel lanes, no bike lanes on either side within the vicinity of the proposed project, and +/- 5 ft wide sidewalk on the south side of the roadway, within +/- 80 ft of the right of way.

Pursuant to the Hillsborough County corridor preservation plan E. US Highway 92 is designated for a future six lane enhancement.

SITE ACCESS

It is anticipated that the site will have access to US 92. As noted in the “Rationale for Objection” section hereinabove, FDOT staff indicated additional information was necessary to review site access; however, the applicant did not provide any additional information or propose any restrictions that might assuage FDOT’s concerns. While many Euclidean zonings are for sites with sufficient frontage and/or can otherwise meet applicable access and other requirements, some sites (such as the subject site) require additional review and discussion in order to determine whether the proposed intensity and/or use(s) are supportable and can be permitted at the time of site/construction plan review.

Staff notes it is unadvisable to approve a zoning which permits only one use on a site which cannot provide a conforming access, and where the applicant has not provided additional information or restrictions to otherwise address the issue, and which may not be able to accommodate large vehicles which are a central feature of similar uses (and where the applicant hasn’t proposed restrictions regarding same).

Without the additional information, FDOT staff was unable to complete its conceptual review and cannot definitively state that the only use the applicant is proposing would be supported.

Roadway Level of service (LOS) INFORMATION

E. US Highway 92 roadway level of service is for information purposes only.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr. Directional LOS
E. US Highway 92	Williams Road	Pine Street	D	C

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

**COUNTY OF HILLSBOROUGH
ZONING HEARING MASTER'S RECOMMENDATION**

Application number:	RZ-STD 24-0862
Hearing date:	August 19, 2024
Applicant:	Todd Pressman
Request:	Rezone the Subject Property to CI-R
Location:	North side of East U.S. Highway 92, west of County Road 579 and east of Williams Road, Seffner
Parcel size:	1.06 acres +/-
Existing zoning:	CG
Future land use designation:	SMU-6 (6 du/ga; 0.25/ 0.35/ 0.50 FAR)
Service area:	Urban Services Area
Community planning area:	Seffner Mango Community Plan

A. APPLICATION REVIEW

DEVELOPMENT SERVICES STAFF REPORT APPLICATION REVIEW SUMMARY AND RECOMMENDATION

Rezoning Application: RZ STD 24-0862**Zoning Hearing Master Date:** 08/19/2024**BOCC Land Use Meeting Date:** 10/08/2024**Hillsborough
County Florida**

Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Todd Pressman

FLU Category: SMU-6

Service Area: Urban

Site Acreage: 1.06 acres +/-

Community Plan Area: Seffner Mango

Overlay: None

Special District: None

Request: Rezone from CG to CI-R

**Introduction Summary:**

The applicant is requesting to rezone a portion of property from CG (Commercial, General) to CI (Commercial, Intensive) with restrictions. The proposed restriction is to limit the allowable use to open storage of domestic vehicles in conjunction with a towing company. The property is currently split zoned, with the approximate 130' to the rear being zoned AS-1. The proposal is to rezone the front +/- 1.06 acres to CI-R, leaving northern half of the parcel zoned AS-1 and CG. The proposed CI-R zoned area will align with the dimensions of the two abutting eastern lots and their platted lots.

Zoning:	Existing	Proposed
District(s)	CG	CI-R
Typical General Use(s)	General Commercial, Office and Personal Services	Intensive Commercial, Office and Personal Services
Acreage	1.06 +/-	1.06 +/-
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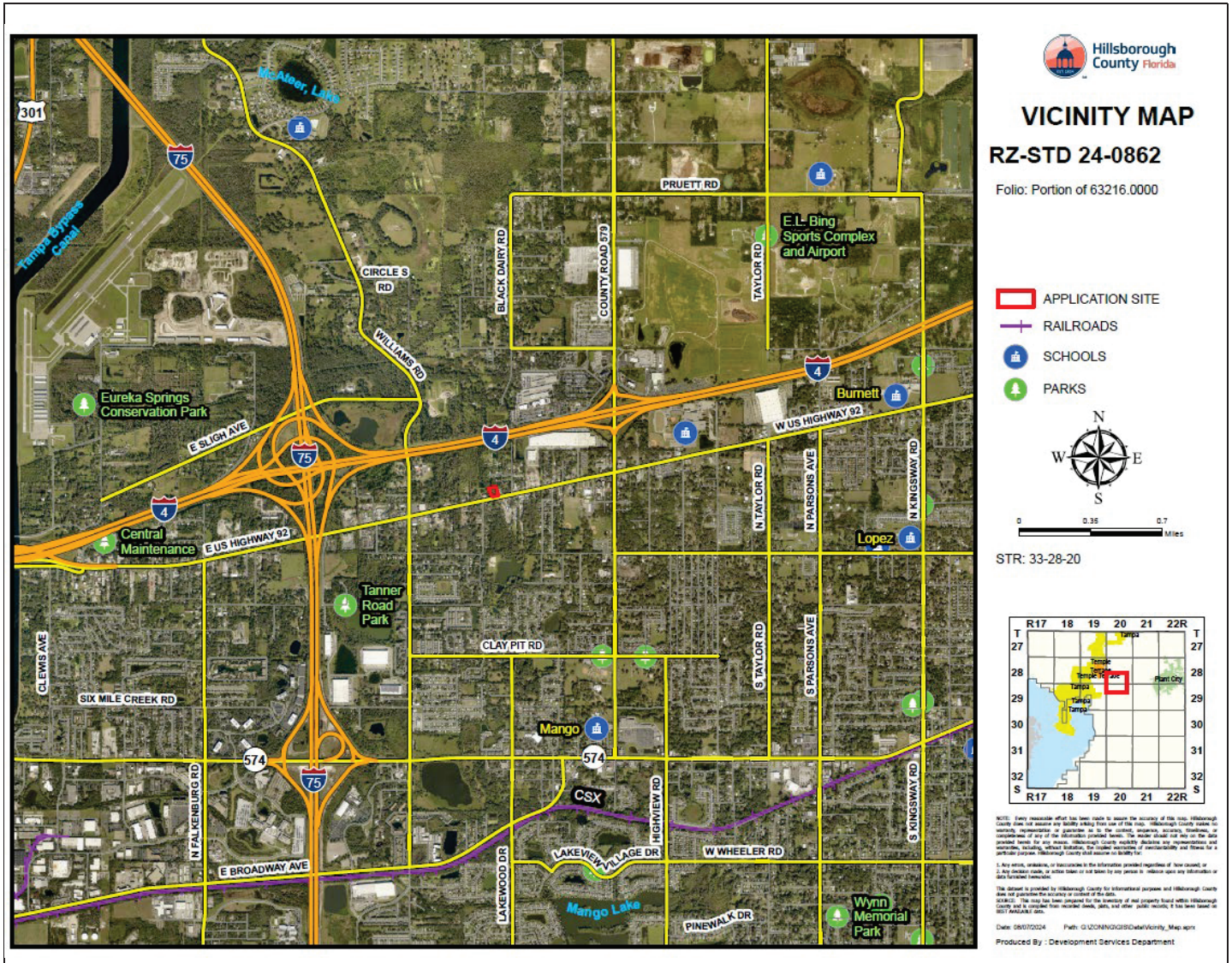
Additional Information:

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

Planning Commission Recommendation:
Consistent**Development Services Recommendation:**
Not supportable

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

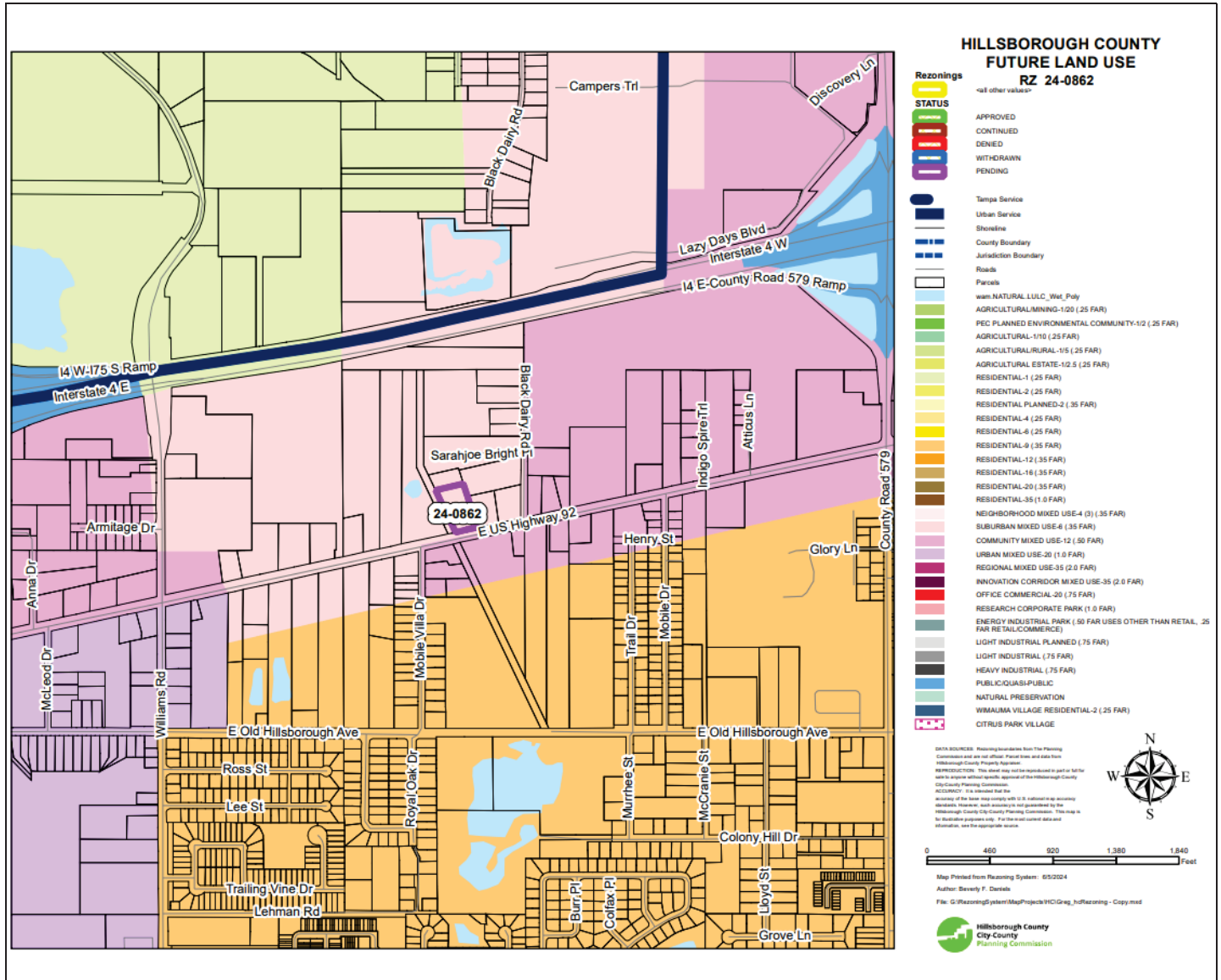


Context of Surrounding Area:

The property is located in Seffner, just west of County Line Road 579 and along US Highway 92. The property is located along a commercial corridor with various general and intensive commercial uses. Off the main roads are residential developments of various zoning districts. Further to the north and west of the site are larger properties with agricultural zoning districts.

2.0 LAND USE MAP SET AND SUMMARY DATA

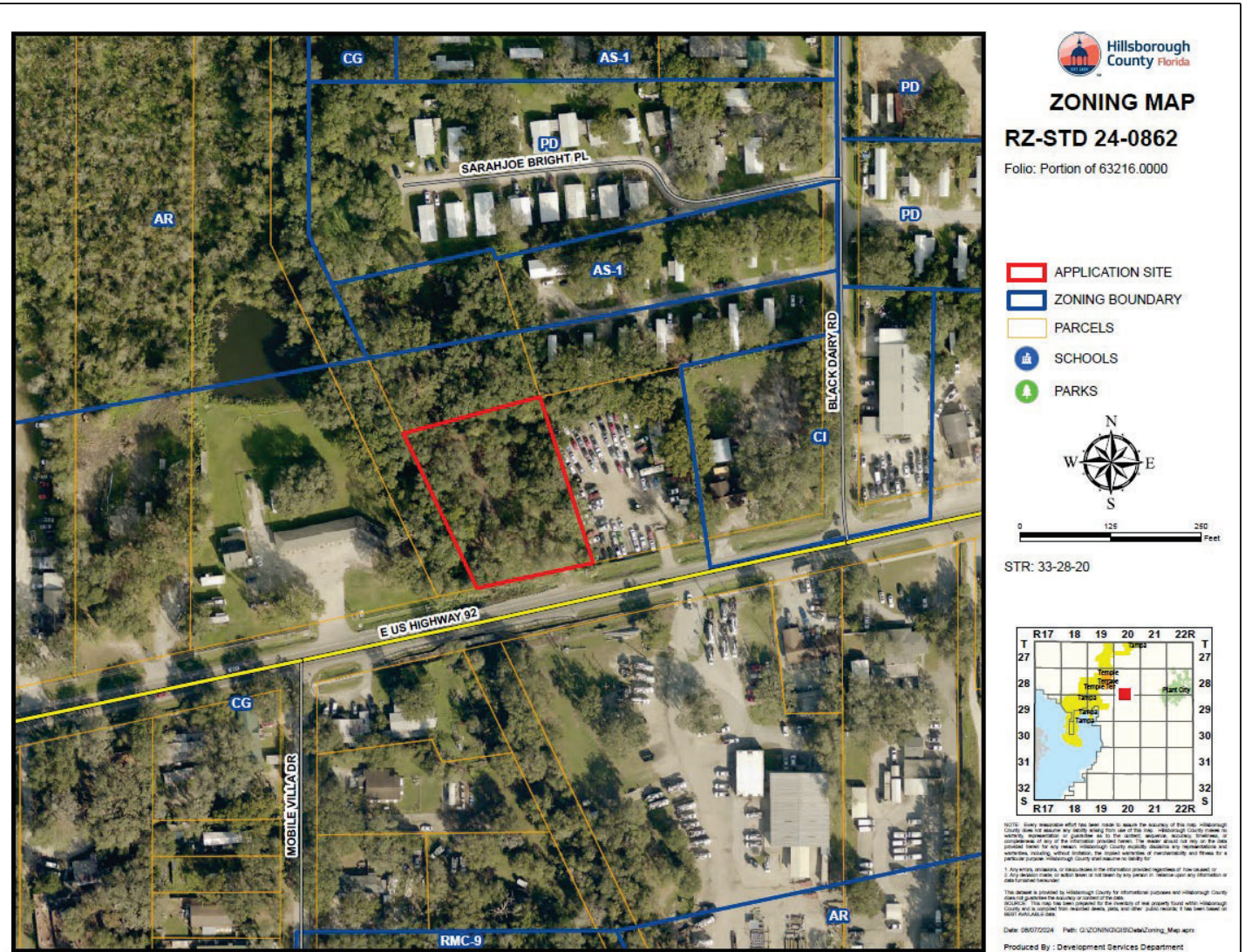
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2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	CG	0.27 FAR	General Commercial	Vacant
South	CG	0.27 FAR	General Commercial	Warehousing
East	CG	0.27 FAR	General Commercial	Vehicle Salvage/Storage
West	CG	0.27 FAR	General Commercial	Public Lands

2.0 LAND USE MAP SET AND SUMMARY DATA

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

N/A

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ZHM HEARING DATE: August 19th, 2024

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Case Reviewer: Michelle Montalbano

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
E. US Highway 92	FDOT Arterial - Urban	2 Lanes ☐ Substandard Road ☐ Sufficient ROW Width	☒ Corridor Preservation Plan ☐ Site Access Improvements ☐ Substandard Road Improvements ☒ Other (TBD)

Project Trip Generation ☐ Not applicable for this request			
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Connectivity and Cross Access ☒ Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
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West		Choose an item.	Choose an item.	Choose an item.
Notes:				

Design Exception/Administrative Variance ☒ Not applicable for this request		
Road Name/Nature of Request	Type	Finding
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4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	☒ Yes ☐ No	☐ Yes ☒ No	☐ Yes ☒ No	
Natural Resources	☐ Yes ☒ No	☐ Yes ☐ No	☐ Yes ☐ No	
Conservation & Environ. Lands Mgmt.	☒ Yes ☐ No	☐ Yes ☒ No	☐ Yes ☒ No	
Check if Applicable: ☐ Wetlands/Other Surface Waters ☐ Use of Environmentally Sensitive Land Credit ☐ Wellhead Protection Area ☒ Surface Water Resource Protection Area ☐ Potable Water Wellfield Protection Area ☐ Significant Wildlife Habitat ☐ Coastal High Hazard Area ☐ Urban/Suburban/Rural Scenic Corridor ☐ Adjacent to ELAPP property ☐ Other _____				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation ☐ Design Exc./Adm. Variance Requested ☐ Off-site Improvements Provided	☒ Yes ☐ No	☒ Yes ☐ No	☐ Yes ☐ No ☒ N/A	See full report.
Service Area/ Water & Wastewater ☒ Urban ☐ City of Tampa ☐ Rural ☐ City of Temple Terrace	☒ Yes ☐ No	☐ Yes ☒ No	☐ Yes ☒ No	
Hillsborough County School Board Adequate ☐ K-5 ☐ 6-8 ☐ 9-12 ☒ N/A Inadequate ☐ K-5 ☐ 6-8 ☐ 9-12 ☒ N/A	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	
Impact/Mobility Fees				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission ☐ Meets Locational Criteria ☐ N/A ☐ Locational Criteria Waiver Requested ☐ Minimum Density Met ☐ N/A ☐ Density Bonus Requested	☒ Yes ☐ No	☐ Inconsistent ☒ Consistent	☐ Yes ☒ No	See agency report.

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The applicant is proposing to rezone a portion of the property located along US Hwy 92 in Seffner. Approximately 1.06 acres of the total 2.03-acre lot is requested to be rezoned from CG to CI-R. The parcel is currently split zoned CG and AS-1, but the AS-1 area will not be rezoned in this proposal. The proposed restriction is to limit the allowable use to the depositing and open storage of domestic vehicles in conjunction with a towing company. The parcel is currently classified as vacant, but aerials show the land may be in use, as the land was recently cleared.

The property is located along a commercial strip of US Hwy 92. The surrounding zoning districts are mainly CG and CI, occupied by various commercial uses. Neighboring the project to the ~~west~~ east is a CG zoned parcel currently occupied by a vehicle salvage use, and further ~~west~~ east a CI zoned property with an open storage use. To the ~~east~~ west is a small strip of vacant public lands, and then a motel zoned CG. Along US Hwy 92 are several CI zoned properties or PD's allowing commercial intensive uses.

To the rear of the full parcel are mobile home residential properties zoned AS-1 and PD 82-0436. The portion of the parcel being rezoned to CI-R will not directly neighbor these residential dwellings. The area abutting the residential properties will remain AS-1 and CG zoned, and the proposed open storage use will not be permitted in that area.

Transportation staff has objections to the rezoning request, in part due to comments received from FDOT regarding the property's anticipated access to US Hwy 92. County staff notes additional information is necessary to determine if the proposal can be supported, which the applicant did not provide. See transportation staff's report for their rational for objection.

5.2 Recommendation

Staff finds the rezoning request **not supportable**.

6.0 PROPOSED CONDITIONS

The applicant is proposing the following condition:

1. The use shall be limited to the depositing and open storage of domestic vehicles in conjunction with a towing company. The only exception shall be commercial vehicles parked, stored, and used on the site by the operating towing company.

Zoning Administrator Sign Off:

J. Brian Grady

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

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7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

Not applicable.

8.0 PROPOSED SITE PLAN (FULL)

Not applicable.

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 08/09/2024

REVIEWER: Sarah Rose, Senior Planner

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: SM/Central

PETITION NO: RZ 24-0862

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This agency has no comments.

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This agency has no objection.

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

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This agency objects for the reasons set forth below.

RATIONAL FOR OBJECTION

1. On August 6th, 2024, the applicant met with Florida Department of Transportation (FDOT) staff and County staff to discuss the applicants proposed use in this application and access to a state-maintained roadway. FDOT staff had several questions, comments, and concerns. Specifically, FDOT staff mentioned that:
 - a. The FDOT driveway spacing requirement for this section of the roadway on US HWY 92 is 440 feet between connections. The project cannot meet minimum spacing standards (staff notes the existing access is located +/- 14 feet from the next closest driveway to the east) and any driveway connection would be considered non-confirming. As such, such connection would be considered temporary, and the project would be required to take access from the adjacent property (i.e. to the east) which would require certain stub outs to accommodate this future access configuration.
 - b. FDOT staff has expressed safety and operational concerns regarding the ability of the larger tow truck or car carrier to enter or exit the parcel and requested a conceptual site plan and an AutoTurn analysis. This information was requested to demonstrate that this site has the ability to accommodate the drop-off and pick up of vehicles wholly within the site (staff notes other similar uses in the county have created issues by loading and unloading inventory in adjacent rights of way) and to ensure that the larger vehicles are able to turn around within the site (i.e. without backing out into US Hwy 92).
 - c. FDOT staff expressed concerns about the proximity of the commercial driveway to the existing guard rail and the limited frontage available, both of which may impact the applicant's ability to meet geometric and other requirements for the intended use.
2. County staff has not provided any information to FDOT in order to address these concerns as of the time of the filing of this report. During the above referenced meeting County staff offered to assist the applicant in crafting restrictions which could address some or all of the concerns raised by FDOT staff. The applicant did not take staff up on the offer.

3. County staff notes that the applicant is proposing to rezone to a single use, which FDOT has expressed the above concerns about, which might affect their ability to permit access. Approval of this application could lead to a situation where FDOT is compelled to permit substandard, unsafe or otherwise unacceptable access due to this zoning action removing all other existing permitted uses, some of which would not generate large truck traffic, or otherwise be placed in a position that could result in a regulatory taking.
4. County staff inquired why the applicant was eliminating existing uses approved under the current zoning, such as a Kennel, Gunsmith, Adult Care Center, Barber or Beauty Shop, or Family Support Services, to name a few, which may not be objectionable to FDOT since these uses do not typically involve large truck traffic. The applicant said they would look into the issue with their client but has not offered any explanations/alternatives.
5. Staff notes that regardless of the project's reduction in the maximum trip generation potential of the subject site, trip generation is only one facet, of what constitutes the ability to provide safe access. Given FDOT's request for additional information and expressed concerns, and the applicant's failure to proffer any restrictions which could address FDOT comments, staff has no alternative but to object to the proposed zoning. Staff remains hopeful that if the case is continued, the record can be supplemented with additional information requested by FDOT and/or proposed restriction which would allow staff to support this request.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a portion of the existing parcel in the amount of +/- 1.07 acres from Commercial General (CG) to Commercial Intensive – Restricted (CI-R). The proposed restriction would allow for open vehicle storage and associated towing operations. The site is located on the north side of E. US Highway 92 and approximately +/- 352 feet west of the intersection of Black Diary Road and E US Highway 92. The Future Land Use designation of the site is Suburban Mixed Use-6 (SMU-6).

County staff notes that based on recent aerial and other photography it appears the site may be in use and/or land was recently cleared. See below photos. Staff searched county records and could not find any evidence that these activities were permitted. Staff notes that even if this use is ultimately approved, the site will be required to be permitted through the site/construction review process to address Land Development Code requirements (LDC) including but not limited to the paving of parking and drive isles, required sidewalks, etc.



Trip Generation Analysis

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

Since ITE does not provide rates for open storage uses, a methodology was developed to allow estimation of trip impacts associated with such use. Specifically, the acreage of the portion of the site dedicated to these uses was multiplied by the maximum allowable floor-area-ratio for the underlying future land use of the site in order to calculate a square-footage value which could then be analyzed as mini-storage uses, which staff believes is the closest analog use currently available from ITE for the proposed use.

Approved Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CG, Fast Food with Drive Thru (ITE Code 934) 8,000sqft	3,740	357	264
CG, Bank with Drive Thru (ITE Code 912) 9,524sqft	954	95	200
Total	4,694	452	464

Proposed Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CI-R, Open Storage of Vehicles (ITE Code 151) 23,288sqft	34	2	3

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	- 4,660	-450	-461

Transportation Infrastructure Serving the Site

The site has frontage on E. US Highway 92. E. US Highway 92 is a 2-lane, undivided, FDOT maintained, Urban Arterial roadway. The roadway is characterized by +/- 11 ft wide travel lanes, no bike lanes on either side within the vicinity of the proposed project, and +/- 5 ft wide sidewalk on the south side of the roadway, within +/- 80 ft of the right of way.

Pursuant to the Hillsborough County corridor preservation plan E. US Highway 92 is designated for a future six lane enhancement.

SITE ACCESS

It is anticipated that the site will have access to US 92. As noted in the “Rationale for Objection” section hereinabove, FDOT staff indicated additional information was necessary to review site access; however, the applicant did not provide any additional information or propose any restrictions that might assuage FDOT’s concerns. While many Euclidean zonings are for sites with sufficient frontage and/or can otherwise meet applicable access and other requirements, some sites (such as the subject site) require additional review and discussion in order to determine whether the proposed intensity and/or use(s) are supportable and can be permitted at the time of site/construction plan review.

Staff notes it is unadvisable to approve a zoning which permits only one use on a site which cannot provide a conforming access, and where the applicant has not provided additional information or restrictions to otherwise address the issue, and which may not be able to accommodate large vehicles which are a central feature of similar uses (and where the applicant hasn’t proposed restrictions regarding same).

Without the additional information, FDOT staff was unable to complete its conceptual review and cannot definitively state that the only use the applicant is proposing would be supported.

Roadway Level of service (LOS) INFORMATION

E. US Highway 92 roadway level of service is for information purposes only.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr. Directional LOS
E. US Highway 92	Williams Road	Pine Street	D	C

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

B. HEARING SUMMARY

This case was heard by the Hillsborough County Zoning Hearing Master on August 19, 2024. Ms. Michelle Heinrich of the Hillsborough County Development Services Department introduced the petition. Ms. Heinrich noted a revised staff report correcting a typographical error had been submitted to the record. The zoning master acknowledged receipt of the revised staff report.

Applicant

Mr. Todd Pressman spoke on behalf of the property owner. Mr. Pressman presented the rezoning request, responded to the zoning master's questions, and provided testimony as reflected in the hearing transcript.

Ms. Linelle Creech spoke as a company representative of the property owner. Ms. Creech provided testimony related to the property owner's business and proposed use of the Subject Property and responded to the hearing officer's questions as reflected in the hearing transcript.

Development Services Department

Ms. Michelle Montalbano, Hillsborough County Development Services Department, presented a summary of the findings and analysis as detailed in the staff report previously submitted to the record, responded to the zoning master's questions, and provided testimony as reflected in the hearing transcript.

Mr. Richard Perez, Transportation Review Section, provided testimony related to the Transportation Review staff report and the Florida Department of Transportation agency comments and responded to the zoning master's questions as reflected in the hearing transcript.

Planning Commission

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

Proponents

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

Opponents

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

Development Services Department

Ms. Heinrich stated the Development Services Department had nothing further.

Applicant Rebuttal

Mr. Pressman stated the applicant would be willing to consider an additional restriction on the proposed rezoning that restricts the type of commercial vehicles that could be used on the Subject Property in connection with a towing operation. Ms. Heinrich confirmed Development Services Department staff would need time to evaluate the additional restriction, which would require continuance of the case. Mr. Pressman declined to request a continuance of the rezoning case to a later date in order to provide county staff with time to evaluate the additional restriction.

The hearing officer closed the hearing on RZ-STD 24-0862.

C. EVIDENCE SUBMITTED

Ms. Rosa Timoteo, Hillsborough County Development Services Department, entered into the record at the hearing a copy of the revised staff report and attachments.

Mr. Pressman entered into the record at the hearing a copy of the applicant's presentation slides.

D. FINDINGS OF FACT

1. The Subject Property consists of approximately 1.06 undeveloped acres situated on the north side of East U.S. Highway 92, west of County Road 579 and east of Williams Road, Seffner.
2. The Subject Property is designated SMU-6 on the Future Land Use Map and is zoned CG. The Subject Property is a portion of an approximately 2-acre parent parcel that is split-zoned. The north approximately 130 feet of the parent parcel is zoned AS-1. If the requested rezoning to CI-R is granted, the north portion of the parent parcel will remain in AS-1 zoning, a middle portion will remain in CG zoning, and the southern portion, which is the Subject Property in this rezoning case, will be in CI-1 zoning.
3. The Subject Property is in the Urban Services Area and is located within the boundaries of the Seffner-Mango Community Plan.
4. The Subject Property is located on a commercial corridor along U.S. Highway 92. The general area surrounding the Subject Property consists of a mix of residential and non-residential uses, including intensive commercial uses along U.S. Highway 92. Adjacent properties include a residential mobile home park to the north and east; a commercial business to the east; a utility line construction business to the south across U.S. Highway 92; a 56-foot-wide public lands corridor to the west and a motel further west.
5. The applicant is requesting to rezone the Subject Property to CI-Restricted to allow open storage of domestic vehicles in conjunction with a vehicle towing operation. The proposed rezoning would be subject to a condition stating:

The use shall be limited to the depositing and open storage of domestic vehicles in conjunction with a towing company. The only exception shall be commercial vehicles parked, stored, and used on the site by the operating towing company.

6. The LDC defines "Domestic Vehicle" as:

Any vehicle, other than commercial vehicles, recreational vehicles and utility trailers as defined by this Code, licensed by any state of the United States or Mexico or Province or Territory of Canada, as a private vehicle for operation on streets and may include but not be limited to automobiles, private pickup trucks, and vans.

7. The LDC defines "Commercial Vehicle" as:

Any vehicle, whether motorized or not, utilized for commercial purposes, or designed by the manufacturer to be used primarily for commercial purposes, or altered or converted for the purpose of being so used, but not including vehicles having a capacity of one ton or less or meeting the definition of a domestic vehicle.

8. Development Services Department staff found the proposed rezoning not supportable. Staff noted additional information is necessary to determine whether the proposal can be supported, and the applicant did not provide the required additional information.
9. Hillsborough County Transportation staff stated objections based in part on comments received from the Florida Department of Transportation (FDOT) related to the Subject Property's access to U.S. Highway 92. The Transportation Review staff report states FDOT expressed safety and operational concerns related to the ability of tow trucks or car carriers to enter and exit the Subject Parcel, and concerns related to an existing guard rail and the Subject Parcel's limited frontage along U.S. Highway 92. The Transportation Review staff report also states the Subject Property cannot meet minimum access spacing requirements. The staff report further states that the proposed rezoning would limit the Subject Property to a single use and would eliminate all other potential uses allowed under the Subject Property's current zoning. Staff noted a concern that approval of the proposed rezoning limiting the Subject Property to a single allowable use could result in a situation where approval of a substandard or unsafe access is compelled in order to avoid a regulatory taking claim.
10. The Planning Commission staff report states the comprehensive plan requires all development to meet or exceed the LDC requirements. The report notes that at the time Planning Commission staff submitted the report, comments were not yet available from Transportation Review staff. Therefore, the Planning Commission staff report did not consider the objections stated in the Transportation Review staff report. Otherwise, Planning Commission staff found the proposed rezoning

consistent with the *Unincorporated Hillsborough County Comprehensive Plan* subject to the restrictions stated in the Development Services Department staff report.

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

The record evidence demonstrates the proposed rezoning request does not meet LDC criteria related to access, and is therefore not in compliance with and does not further the intent of the Goals, Objectives, and Policies of *Unincorporated Hillsborough County Comprehensive Plan*, which requires all development to meet or exceed LDC requirements.

F. CONCLUSIONS OF LAW

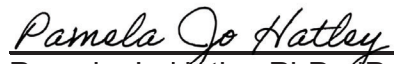
A development order is consistent with the comprehensive plan if “the land uses, densities or intensities, and other aspects of development permitted by such order...are compatible with and further the objectives, policies, land uses, and densities or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government.” § 163.3194(3)(a), Fla. Stat. (2022). Based on the evidence and testimony submitted in the record and at the hearing, including reports and testimony of Development Services staff, Transportation Review staff, and Planning Commission staff, applicant’s testimony and evidence, there is substantial competent evidence demonstrating the requested rezoning does not meet LDC criteria regarding access, and is therefore not consistent with the *Unincorporated Hillsborough County Comprehensive Plan* and does not comply with the applicable requirements of the Hillsborough County Land Development Code.

G. SUMMARY

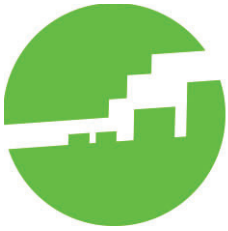
The applicant is requesting to rezone the Subject Property to CI-Restricted to allow open storage of domestic vehicles in conjunction with a vehicle towing operation.

H. RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, this recommendation is for **DENIAL** of the request to rezone the Subject Property to CI-R.


Pamela Jo Hatley PhD, JD
Land Use Hearing Officer

September 10, 2024
Date:



**Hillsborough County
City-County
Planning Commission**

Plan Hillsborough
planhillsborough.org
planner@plancom.org
813 – 272 – 5940
601 E Kennedy Blvd
18th floor
Tampa, FL, 33602

Unincorporated Hillsborough County Rezoning Consistency Review	
Hearing Date: August 19, 2024 Report Prepared: August 8, 2024	Case Number: RZ 24-0862 Folio(s): 63216.0000 General Location: North of East US Highway 92, west of Black Dairy Road, south of Interstate 4, and east of Williams Road.
Comprehensive Plan Finding	CONSISTENT
Adopted Future Land Use	Suburban Mixed Use-6 (6 du/ga; 0.25/0.35/0.50 FAR)
Service Area	Urban
Community Plan(s)	Seffner Mango
Rezoning Request	Rezone a portion of the parcel from Commercial, General (CG) to Commercial, Intensive - Restricted (CI-R) for vehicle open storage in conjunction with a towing company.
Parcel Size	+/- 2.03 acres (partial rezoning of +/- 1.06 acres)
Street Functional Classification	Black Dairy Road – Local US Highway 92 – State Principal Arterial Interstate 4 – State Principal Arterial
Commercial Locational Criteria	Not applicable

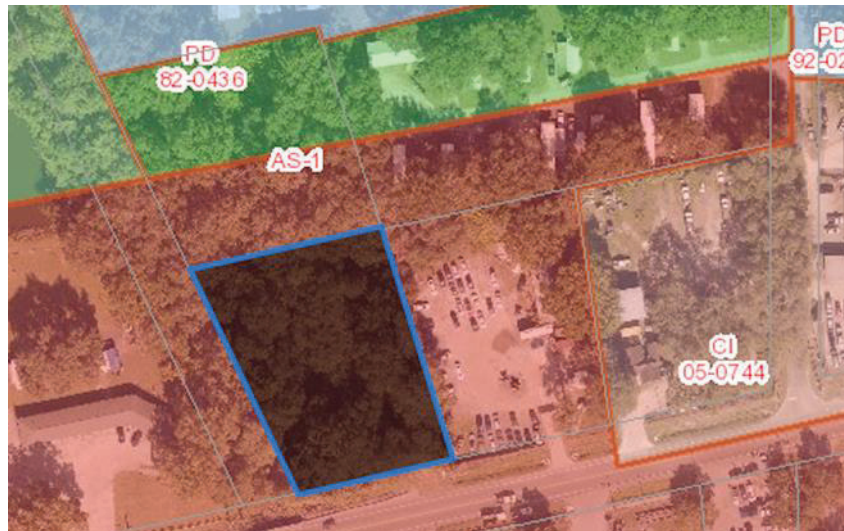
Evacuation Area	Zone C
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Table 1: COMPARISON OF SURROUNDING PROPERTIES			
Vicinity	Future Land Use Designation	Zoning	Existing Land Use
Subject Property	Suburban Mixed Use-6	AS-1 + CG	Vacant
North	Suburban Mixed Use-6	PD	Mobile Home Park
South	Community Mixed Use-12	CG	Light Industrial + Public / Quasi-Public / Institutions
East	Community Mixed Use-12 + Suburban Mixed Use-6	CG	Heavy Commercial + Mobile Home Park
West	Suburban Mixed Use-6	CG	Public / Quasi-Public / Institutions + Light Commercial

Staff Analysis of Goals, Objectives and Policies:

The 1.06 ± acre subject site is located east of Williams Road, west of Black Dairy Road, south of Interstate 4, and north of East US Highway 92. The site is located within the Urban Service Area (USA) and is located within the limits of the Seffner Mango Community Plan.

The applicant is requesting to rezone from Commercial, General (CG) to Commercial, Intensive Restrictive (CI) with a use restriction for vehicle open storage in conjunction with a towing company. The entire parcel (63216.0000) is approximately 2.03 acres; however, the applicant is proposing to rezone only a portion of the parcel, approximately 1.06 acres. The subject property has multiple zoning designations and follows the general zoning pattern of the area. The smaller zoning district in the northern portion of the lot is zoned AS-1 and the southern and larger portion of the lot is zoned CG. The applicant is requesting to rezone a portion of the CG zoning district within the subject site to CI and requesting that the AS-1 portion, and a small portion of the existing CG zoning district to remain. Ultimately, the applicant is proposing one parcel to have three different zoning districts to be located on the subject site.



Adjacent to the subject site's northeastern boundary is a parcel (63218.1000) that has two zoning districts. On the northern portion of this parcel is AS-1 and the southern portion is CG, however, the entire parcel has a current use of a mobile home park. The applicant has proposed the CI rezoning area to not be adjacent to the residential uses to the east and by doing this, it maintains the existing CI zoning pattern to the east. The zoning restriction that is a part of this request is only applicable to the area being rezoned to CI and the areas with CG and AS-1 will have full entitlements that their respective zoning districts would allow.

The subject site is not required to meet Commercial Locational Criteria (CLC) in accordance with Objective 22 of the FLUE. Typical uses within the Suburban Mixed Use-6 category are residential, suburban scale neighborhood commercial, office uses, research corporate park uses, light industrial multi-purpose and clustered residential and/or mixed-use projects at appropriate locations. Neighborhood Commercial uses shall meet locational criteria or be part of larger mixed use planned development. Office uses are not subject to locational criteria. The applicant is proposing industrial related uses which are not subject to CLC requirements.

The site has a Future Land Use designation of Suburban Mixed Use-6 (SMU-6), which allows for consideration of up to 6.0 dwelling units per gross acre and a maximum Floor Area Ratio (FAR) of 0.25. The SMU-6 Future Land Use is intended to designate areas that are suitable for residential, suburban scale neighborhood commercial, office uses, research corporate park uses, light industrial multi-purpose and clustered residential and/or mixed-use projects at appropriate locations. In addition, neighborhood commercial uses shall meet locational criteria or be part of larger mixed use planned development. Office uses are not subject to locational criteria.

The subject site is in the Urban Service Area where according to Objective 1 of the Future Land Use Element (FLUE), 80 percent of the county's growth is to be directed. This request maintains the neighborhood compatibility by not proposing any CI uses that are adjacent to residential uses and continues the existing historical pattern of the CI zoning districts that are nearby. Policy 1.4 requires all new developments to be compatible with the surrounding area, noting that "Compatibility does not mean 'the same as.'" Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development."

The Comprehensive Plan requires that all development meet or exceed the land development regulations in Hillsborough County (FLUE Objective 9, FLUE Policy 9.1 and FLUE Policy 9.2). However, at the time of uploading this report, Transportation comments were not yet available in Optix and thus were not taken into consideration for analysis of this request.

The proposed rezoning meets the intent of the Seffner Mango Community Plan. Per the Seffner Mango Community Plan, goal 3 is to direct commercial development to the US 92 and Martin Luther King Boulevard corridors with strategies to support that goal by supporting in-fill development and redevelopment within the Urban Service Area and supporting office and light industrial uses along US 92 and Martin Luther King Boulevard between I-75 and CR 579 (Mango Road).

Overall, staff finds that the proposed rezoning is consistent with the intent of the Urban Service Area and the existing development pattern found within the surrounding area and does support the vision of the Seffner Mango Community Plan. The proposed rezoning would allow for development that is consistent with the Goals, Objectives, and Policies in the Unincorporated Hillsborough County Comprehensive Plan. The request is compatible with the existing and planned development pattern found within the surrounding area.

Recommendation

Based upon the above considerations and the following Goals, Objectives and Policies, Planning Commission staff finds the proposed major modification **CONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*, subject to the restrictions proposed by the Development Services Department.

Staff Identified Goals, Objectives and Policies of the *Unincorporated Hillsborough County Comprehensive Plan* Related to the Request:

FUTURE LAND USE ELEMENT

Urban Service Area

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

Policy 1.4: 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.*

Relationship to Land Development Regulations

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

Policy 9.1: *Each land use plan category shall have a set of zoning districts that may be permitted within that land use plan category, and development shall not be approved for zoning that is inconsistent with the plan.*

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

Neighborhood/Community Development

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

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

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

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

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

- a) the creation of like uses; or*
- b) creation of complementary uses; or*
- c) mitigation of adverse impacts; and*

d) transportation/pedestrian connections

Policy 16.5: *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.*

Objective 17: Neighborhood and Community Serving Uses – *Certain non-residential land uses, including but not limited to residential support uses and public facilities, shall be allowed within residential neighborhoods to directly serve the population. These uses shall be located and designed in a manner to be compatible to the surrounding residential development pattern.*

Policy 17.7: *New development and redevelopment must mitigate the adverse noise, visual, odor and vibration impacts created by that development upon all adjacent land uses.*

LIVABLE COMMUNITIES ELEMENT: SEFFNER MANGO COMMUNITY PLAN

Goal 3: *Commercial development should be directed to the US 92 and Martin Luther King Boulevard corridors.*

Strategies:

- Establish an overlay district along US 92 to enhance the appearance and value of properties as they develop and redevelop. The overlay district will address aspects of site development such as signage and landscaping, parking and parking lots, street design, the location and appearance of stormwater facilities, and building standards such as height, bulk, design and placement.
- Recognize the commercial character of US 92 and Martin Luther King Boulevard within the Urban Service Area.
- Restrict retail development along US 92 and Martin Luther King Boulevard outside the Urban Service Area to existing commercial zoning districts.
- Support Florida friendly landscaping and encourage native and drought tolerant plant materials.
- Require monument signs when free standing signs are desired, prohibit pole signs. Limit monument signs to a maximum height of fifteen feet (15') with a minimum ten foot (10') setback.
- Improve sidewalks, landscaping and signage and require all new development to provide sidewalks.
- Discourage further strip retail development along those portions of US 92 and Martin Luther King Boulevard that are in the Rural Service Area.
- Support in-fill development and redevelopment within the Urban Service Area.
- Encourage revitalization and redevelopment of older existing commercial areas and uses.
- Support office and light industrial uses along US 92 and Martin Luther King Boulevard between I-75 and CR 579 (Mango Road).
- Support office uses along Martin Luther King Boulevard between CR 579 (Mango Road) and Kingsway Road.
- Illegal non-conforming property that is rezoned for commercial or other nonresidential uses shall be brought into compliance with all applicable Land Development Code requirements and be consistent with Community Plan.
- Establish an overlay district along Martin Luther King Boulevard to establish design standards that will enhance the appearance and value of the development sites. The overlay district will address aspects of site development such as signage and landscaping, parking and parking lots, street design, the location and appearance of stormwater facilities, and building standards such as height, bulk, design and placement.

- Non-residential development at intersections south of US 92 and north of Martin Luther King Boulevard that meet locational criteria as established in the Hillsborough County Comprehensive Plan as of June 18, 2009, for consideration of commercial uses, shall be limited to office uses and child care and places of worship. Buildings shall be residential in appearance with pitched roofs. Metal buildings shall not be allowed.

HILLSBOROUGH COUNTY
FUTURE LAND USE

RZ 24-0862

<all other values>

Rezoning

STATUS

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

Tampa Service

Urban Service

Shoreline

County Boundary

Jurisdiction Boundary

Roads

Parcels

warm NATURAL LULC_Wet_Poly

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)

INNOVATION CORRIDOR MIXED USE-35 (2.0 FAR)

OFFICE COMMERCIAL-20 (.75 FAR)

RESEARCH CORPORATE PARK (1.0 FAR)

ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)

LIGHT INDUSTRIAL PLANNED (.75 FAR)

LIGHT INDUSTRIAL (.75 FAR)

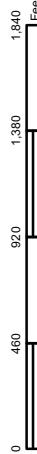
HEAVY INDUSTRIAL (.75 FAR)

PUBLIC/QUASI-PUBLIC

NATURAL PRESERVATION

WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)

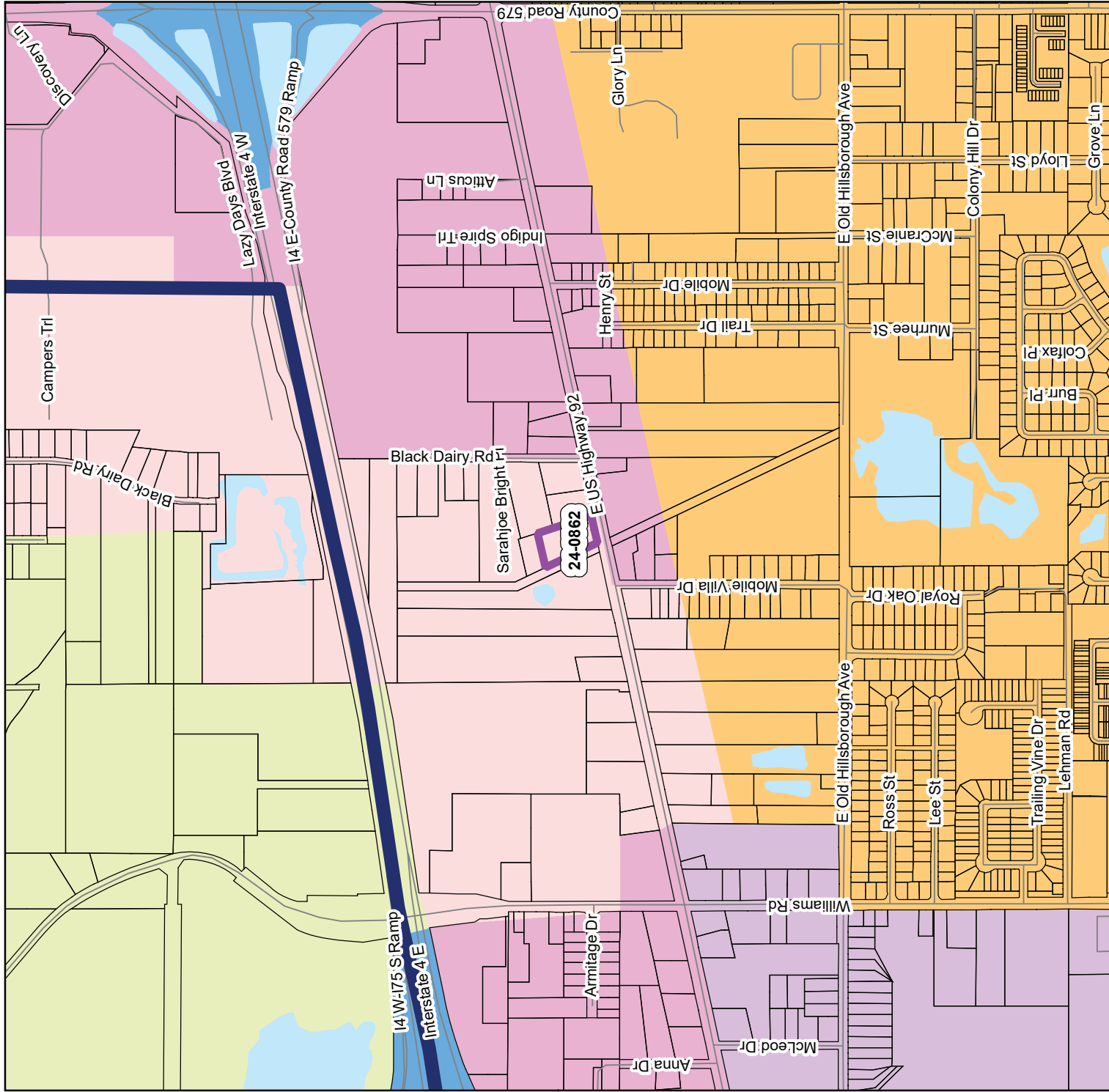
CITRUS PARK VILLAGE



Map Printed from Rezoning System: 6/5/2024

Author: Beverly F. Daniels

File: G:\Rezoning\System\MapProject\Hillsborough\hillsborough - Copy.mxd





AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 08/09/2024

REVIEWER: Sarah Rose, Senior Planner

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: SM/Central

PETITION NO: RZ 24-0862

☐

This agency has no comments.

☐

This agency has no objection.

☐

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

☒

This agency objects for the reasons set forth below.

RATIONAL FOR OBJECTION

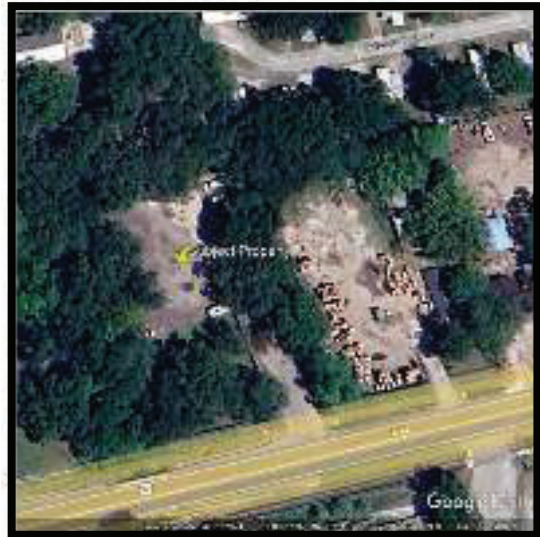
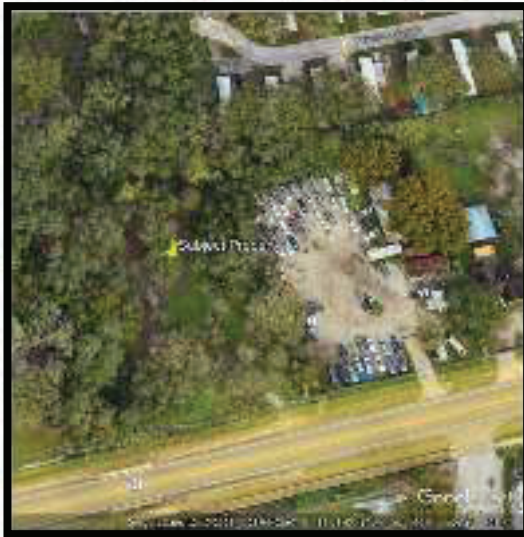
1. On August 6th, 2024, the applicant met with Florida Department of Transportation (FDOT) staff and County staff to discuss the applicants proposed use in this application and access to a state-maintained roadway. FDOT staff had several questions, comments, and concerns. Specifically, FDOT staff mentioned that:
 - a. The FDOT driveway spacing requirement for this section of the roadway on US HWY 92 is 440 feet between connections. The project cannot meet minimum spacing standards (staff notes the existing access is located +/- 14 feet from the next closest driveway to the east) and any driveway connection would be considered non-confirming. As such, such connection would be considered temporary, and the project would be required to take access from the adjacent property (i.e. to the east) which would require certain stub outs to accommodate this future access configuration.
 - b. FDOT staff has expressed safety and operational concerns regarding the ability of the larger tow truck or car carrier to enter or exit the parcel and requested a conceptual site plan and an AutoTurn analysis. This information was requested to demonstrate that this site has the ability to accommodate the drop-off and pick up of vehicles wholly within the site (staff notes other similar uses in the county have created issues by loading and unloading inventory in adjacent rights of way) and to ensure that the larger vehicles are able to turn around within the site (i.e. without backing out into US Hwy 92).
 - c. FDOT staff expressed concerns about the proximity of the commercial driveway to the existing guard rail and the limited frontage available, both of which may impact the applicant's ability to meet geometric and other requirements for the intended use.
2. County staff has not provided any information to FDOT in order to address these concerns as of the time of the filing of this report. During the above referenced meeting County staff offered to assist the applicant in crafting restrictions which could address some or all of the concerns raised by FDOT staff. The applicant did not take staff up on the offer.

3. County staff notes that the applicant is proposing to rezone to a single use, which FDOT has expressed the above concerns about, which might affect their ability to permit access. Approval of this application could lead to a situation where FDOT is compelled to permit substandard, unsafe or otherwise unacceptable access due to this zoning action removing all other existing permitted uses, some of which would not generate large truck traffic, or otherwise be placed in a position that could result in a regulatory taking.
4. County staff inquired why the applicant was eliminating existing uses approved under the current zoning, such as a Kennel, Gunsmith, Adult Care Center, Barber or Beauty Shop, or Family Support Services, to name a few, which may not be objectionable to FDOT since these uses do not typically involve large truck traffic. The applicant said they would look into the issue with their client but has not offered any explanations/alternatives.
5. Staff notes that regardless of the project's reduction in the maximum trip generation potential of the subject site, trip generation is only one facet, of what constitutes the ability to provide safe access. Given FDOT's request for additional information and expressed concerns, and the applicant's failure to proffer any restrictions which could address FDOT comments, staff has no alternative but to object to the proposed zoning. Staff remains hopeful that if the case is continued, the record can be supplemented with additional information requested by FDOT and/or proposed restriction which would allow staff to support this request.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a portion of the existing parcel in the amount of +/- 1.07 acres from Commercial General (CG) to Commercial Intensive – Restricted (CI-R). The proposed restriction would allow for open vehicle storage and associated towing operations. The site is located on the north side of E. US Highway 92 and approximately +/- 352 feet west of the intersection of Black Diary Road and E US Highway 92. The Future Land Use designation of the site is Suburban Mixed Use-6 (SMU-6).

County staff notes that based on recent aerial and other photography it appears the site may be in use and/or land was recently cleared. See below photos. Staff searched county records and could not find any evidence that these activities were permitted. Staff notes that even if this use is ultimately approved, the site will be required to be permitted through the site/construction review process to address Land Development Code requirements (LDC) including but not limited to the paving of parking and drive isles, required sidewalks, etc.



Trip Generation Analysis

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

Since ITE does not provide rates for open storage uses, a methodology was developed to allow estimation of trip impacts associated with such use. Specifically, the acreage of the portion of the site dedicated to these uses was multiplied by the maximum allowable floor-area-ratio for the underlying future land use of the site in order to calculate a square-footage value which could then be analyzed as mini-storage uses, which staff believes is the closest analog use currently available from ITE for the proposed use.

Approved Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CG, Fast Food with Drive Thru (ITE Code 934) 8,000sqft	3,740	357	264
CG, Bank with Drive Thru (ITE Code 912) 9,524sqft	954	95	200
Total	4,694	452	464

Proposed Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CI-R, Open Storage of Vehicles (ITE Code 151) 23,288sqft	34	2	3

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	- 4,660	-450	-461

Transportation Infrastructure Serving the Site

The site has frontage on E. US Highway 92. E. US Highway 92 is a 2-lane, undivided, FDOT maintained, Urban Arterial roadway. The roadway is characterized by +/- 11 ft wide travel lanes, no bike lanes on either side within the vicinity of the proposed project, and +/- 5 ft wide sidewalk on the south side of the roadway, within +/- 80 ft of the right of way.

Pursuant to the Hillsborough County corridor preservation plan E. US Highway 92 is designated for a future six lane enhancement.

SITE ACCESS

It is anticipated that the site will have access to US 92. As noted in the “Rationale for Objection” section hereinabove, FDOT staff indicated additional information was necessary to review site access; however, the applicant did not provide any additional information or propose any restrictions that might assuage FDOT’s concerns. While many Euclidean zonings are for sites with sufficient frontage and/or can otherwise meet applicable access and other requirements, some sites (such as the subject site) require additional review and discussion in order to determine whether the proposed intensity and/or use(s) are supportable and can be permitted at the time of site/construction plan review.

Staff notes it is unadvisable to approve a zoning which permits only one use on a site which cannot provide a conforming access, and where the applicant has not provided additional information or restrictions to otherwise address the issue, and which may not be able to accommodate large vehicles which are a central feature of similar uses (and where the applicant hasn’t proposed restrictions regarding same).

Without the additional information, FDOT staff was unable to complete its conceptual review and cannot definitively state that the only use the applicant is proposing would be supported.

Roadway Level of service (LOS) INFORMATION

E. US Highway 92 roadway level of service is for information purposes only.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr. Directional LOS
E. US Highway 92	Williams Road	Pine Street	D	C

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

Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
E. US Highway 92	FDOT Arterial - Urban	2 Lanes ☐ Substandard Road ☐ Sufficient ROW Width	☒ Corridor Preservation Plan ☐ Site Access Improvements ☐ Substandard Road Improvements ☒ Other (TBD)

Project Trip Generation ☐ Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	4,694	452	464
Proposed	34	2	3
Difference (+/-)	- 4,660	-450	-461

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

Connectivity and Cross Access ☒ Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
Notes:				

Design Exception/Administrative Variance ☒ Not applicable for this request		
Road Name/Nature of Request	Type	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes:		

4.0 Additional Site Information & Agency Comments Summary

Transportation	Objections	Conditions Requested	Additional Information/Comments
☐ Design Exception/Adm. Variance Requested ☐ Off-Site Improvements Provided ☒ N/A	☐ Yes ☐ N/A ☒ No	☐ Yes ☐ No ☒ N/A	



Florida Department of Transportation

RON DESANTIS
GOVERNOR

2822 Leslie Road
Tampa, FL 33612-6456

JARED W. PERDUE, P.E.
SECRETARY

August 6th 2024

Outside Vehicle Storage 11218 E US 92, Seffner

SR 600
10 030 000
Class 5 @ 50 MPH
MP 8.531
Folio # 063216-0000

RE: Pre-Application Meeting Request

THIS DOCUMENT IS NOT A PERMIT APPROVAL

THE COMMENTS AND FINDINGS FROM THIS PRE-APPLICATION MEETING MAY BE SUBJECT TO CHANGE AND ARE NOT BINDING ON THE DEPARTMENT OR THE APPLICANT.

Attendees:

Guests: Todd Pressman, Sarah Rose, Richard Perez, and James Ratliff

FDOT Staff: Todd Croft, Mecale' Roth, Nancy Porter, Allison Carroll, Dan Santos, Lindsey Mineer, Leanna Schail, and Tony Celani

Proposed Conditions:

This development is proposing access to **SR 600**, a **class 5** roadway with a posted speed limit of **50 MPH**. Florida Administrative Code, Rule Chapter 14-97, requires **440'** driveway spacing, **660'** directional, **2640'** full median opening spacing, and **2640'** signal spacing requirements.

Proposed development will provide outdoor vehicle storage of domestic vehicles in conjunction with a towing company. This is a Euclidian non-site plan rezoning. There is no site plan and the use is restricted to an extremely low trip generator.

FDOT Recommendations:



Florida Department of Transportation

RON DESANTIS
GOVERNOR

2822 Leslie Road
Tampa, FL 33612-6456

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SECRETARY

1. This section of SR 600 is a Class 5, 50 MPH roadway with driveway spacing of 440' between connections.
2. The Department has safety and operational concerns regarding the proposed use discussed, vehicle storage facility for this parcel and the ability of the larger tow truck or car carrier to enter or exit the parcel.
3. As a site plan has not been provided and an AutoTurn for the largest vehicle has not been provided, the Department is unable to provide specific comments for the proposed use of the parcel.
4. The proposed driveway connection is required to meet the minimum standards as outlined in FDOT Design Manual and Standard Plans.
5. The proposed access does not meet minimum spacing standards and would be considered a non-conforming access subject to **removal or relocation in the future**.
 - a. The submitted plans are to include a callout stating that the proposed access connection is subject to removal in the future with access taken from the adjacent property.
 - b. A one-way cross access agreement will be required to take access from the adjacent property.
6. Any proposed development on the subject parcel, irrespective of use, is required to obtain an access connection permit from the Department of Transportation.
7. The access connection permit is required to include a complete site development plan, AutoTurn exhibit of the largest anticipated vehicle, signing and pavement marking plan, and driveway detail plan.
8. The permit application is required to be made via the Department's One Stop Permitting website for review and approval by FDOT staff
9. Conditions in zoning (for restricted use) will need to be clearly defined and verified by the Department.
 - a. FDOT or the applicant must specify any specific conditions for the County to respond to because Euclidian zoning does not allow the County to impose conditions; they can only approve or deny proposed uses.
10. No loading or unloading in the state roadway.
11. The proposed property to be secured (fenced in and gated).
 - a. Gate setback far enough into the parcel to provide staging of largest anticipated vehicle without interfering with the roadway or sidewalk path.
 - b. Provide AutoTurn showing that the fence and gate will accommodate the movement of the largest anticipated vehicle.
12. Access Management minimum requirement is for a Category B commercial property driveway. The required geometry may not be achieved within the available amount of property frontage.



Florida Department of Transportation

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13. The Department will require local government approval to permit the proposed development.
14. The driveway is to be designed in accordance with FDM standards for driveway connections based on the category of access.
15. Drainage Comments:
 - a. Fill out and submit the Exemption Questionnaire to see if you qualify.
 - b. District 7 requires 1' of freeboard from 100-year critical storm event to the top of the bank around the pond. Need District Drainage Engineer approval for anything less than required.
 - c. Provide SWFWMD permit.
 - d. Provide pre and post basin maps.
 - e. Provide full set of plans.
 - f. Provide site photos.
 - g. See the DCP checklist for additional requirements.
16. There are currently FDOT construction projects within the proposed work zone that may impact your project. Please contact the Project Manager for current project information:
 - a. FPID 450339-1 (Resurfacing); letting date 12/15/25; Project Manager: Jason Jordan, Jason.jordan@dot.state.fl.us, (813)975-6169
 - b. FPID 447155-1 (Mango Road Intersection Improvements) will be done in advance of the PD&E. Letting date 12/5/2039; Project Manager: Charlie Xie Charlie.Xie@dot.state.fl.us or (813)975-6287
 - c. FPID 447156-1 (Add Lanes & Reconstruct); letting date TBD; Project Manager: Charlie Xie Charlie.Xie@dot.state.fl.us or (813)975-6287
 - d. PD&E Study 435749-1 (Add Lanes & Reconstruct US 92 from McIntosh Rd to SR 566); letting date TBD; Project Manager: Kirk Bogen at Kirk.bogen@dot.state.fl.us, or (813)975-6448
 - i. Plan Sheets 4 & 5 for Segments 1 & 2 are attached to the meeting notes. All needed right-of-way will be taken from the south side of US 92.
17. Contact Leanna Schail or Tammer Al-Turk for any traffic or access related questions at Leanna.schail@dot.state.fl.us, Tammer.alturk@dot.state.fl.us, or at 813-975-6000.
18. Contact Todd, Nancy or Mecale' (makayla) for permit, pre app, or general questions at todd.croft@dot.state.fl.us, nancy.porter@dot.state.fl.us, mecale.roth@dot.state.fl.us, or 813-612-3200.
19. Contact Amanda Serra for drainage related questions at amanda.serra@dot.state.fl.us or 813-262-8257.

Summary:



Florida Department of Transportation

RON DESANTIS
GOVERNOR

2822 Leslie Road
Tampa, FL 33612-6456

JARED W. PERDUE, P.E.
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After reviewing and discussing the information presented in this meeting, the Department has determined we are

- ☐ in favor (considering the conditions stated above)
- ☐ not in favor
- ☒ willing to revisit a revised plan

The access, as proposed in this meeting, would be considered

- ☐ conforming
- ☒ non-conforming
- ☐ N/A (no access proposed)

in accordance with the rule chapters 1996/97 for connection spacing. The following state permits will need to be applied for by visiting our One Stop Permitting website (osp.fdot.gov):

- ☒ access-category A or B
- ☐ access-category C, D, E, or F
 - ☒ traffic study required
- ☐ access safety upgrade
- ☒ drainage
 - or
 - ☒ drainage exception
 - ☐ construction agreement
 - ☐ utility
 - ☐ general Use
 - ☐ other _____

Thank you for allowing us the opportunity to review and discuss this project in advance. Please feel free to contact me with any questions. We look forward to working with you again.

Respectfully,

Nancy Porter

Permit Coordinator II
2822 Leslie Rd.
Tampa, FL 33619
Office - 813-612-3237
M-F 7:30 AM – 4:00 PM





Florida Department of Transportation

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Additional Comments/Standard Information:

(These comments may or may not apply to this project, they are standard comments)

1. Document titles need to reflect what the document is before it is uploaded into OSP, and please do not upload unnecessary documents.
2. Documents need to be signed and sealed or notarized.
3. Include these notes with the application submittal.
4. Permits that fall within the limit of a FDOT project must contact project manager, provide a work schedule, and coordinate construction activities prior to permit approval. Ask Mecale' for information if not provided in the notes.
5. Plans shall be per the current Standard Plans and FDM.
6. All the following project identification information must be on the Cover Sheet of the plans:
 - a. all associated FDOT permit #'s
 - b. state road # (& local road name) and road section ID #
 - c. mile post # and left (Lt) or right (Rt) side of the roadway (when facing north or east)
 - d. roadway classification # and posted speed limit (MPH)
7. All typical driveway details are to be placed properly:
 - a. 24" thermoplastic white stop bar equal to the lane width placed 4' behind crosswalk or a minimum of 25' in front of it
 - b. 36" stop sign mounted on a 3" round post, aligned with the stop bar
 - c. if applicable, a "right turn only" sign mounted below the stop sign (FTP-55R-06 or FTP-52-06)
 - d. double yellow 6" lane separation lines
 - e. 6' wide, high emphasis, ladder style crosswalk straddling the detectable warning mats
 - f. warning mats to be red in color unless specified otherwise
 - g. directional arrow(s) 25' behind the stop bar
 - h. all markings on concrete are to be high contrast with black border
 - i. all striping within and approaching FDOT ROW shall be thermoplastic
8. Maintain 20' x 20' pedestrian sight triangles and draw the triangles on the plans to show there are no obstructions taller than 24" within the triangles. Also, no parking spaces can be in these triangles Measure 20' up the sidewalk and 20' up the driveway from the point at which the sidewalk meets the driveway. Here is an example of what these triangles look like and how they are positioned.



(white

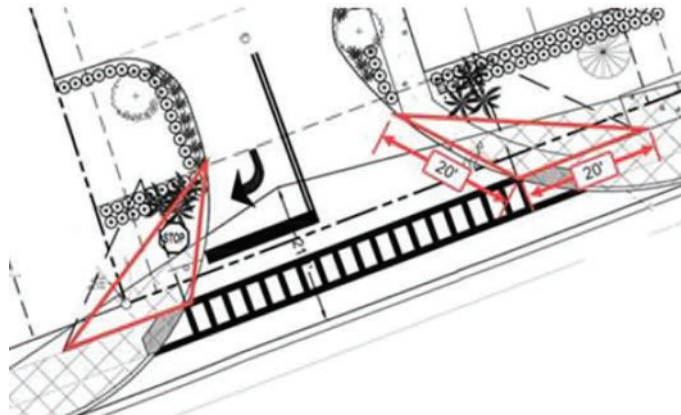


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9. Any relocation of utilities, utility poles, signs, or other agency owned objects must be coordinated with the Department and the **existing and proposed location** must be clearly labeled on the plans. Contact the Permits Department for more details and contact information.
10. Make note on plans that it is the responsibility of the contractor to not only restore the ROW, but they are also responsible for maintaining the ROW for the duration of the project.

Context Classification

Here is the link to find information about context classification to see what class standards the proposed project needs to be built to

<https://kai.maps.arcgis.com/apps/webappviewer/index.html?id=b5ecc163fe04491d4feb44194851ba93>

Below is the standard table for sidewalk width for each class:



Florida Department of Transportation

RON DESANTIS
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2822 Leslie Road
Tampa, FL 33612-6456

JARED W. PERDUE, P.E.
SECRETARY

Topic #625-000-002
FDOT Design Manual

January 1, 2020

Table 222.1.1 Standard Sidewalk Widths

Context Classification	Sidewalk Width (feet)
C1 Natural	5
C2 Rural	5
C2T Rural Town	6
C3 Suburban	6
C4 Urban General	6
C5 Urban Center	10
C6 Urban Core	12
Notes: (1) For C2T, C3 and C4, sidewalk width may be increased up to 8 feet when the demand is demonstrated. (2) For C5 and C6, when standard sidewalk width cannot be attained, provide the greatest attainable width possible, but not less than 6 feet. (3) For RRR projects, unaltered sidewalk with width 4 feet or greater may be retained within any context classification. (4) See FDM 260.2.2 for sidewalk width requirements on bridges.	

Provide the following minimum unobstructed sidewalk width (excluding the width of the curb) when there is no practical alternative to placing a pole within the sidewalk:

- 36 inches for aboveground utilities. This 36 inch width may be reduced to 32 inches, not exceeding 24 inches in length, when there is no practical alternative available to avoid an obstruction.
- 48 inches for signal, light, sign poles

When used for plantings and street furniture, the area between the back of curb and the sidewalk should be 5 feet or greater in width. Consider providing treewells in areas where on-street parking is provided.

Lighting

Lighting of sidewalks and/or shared paths must be to current standards (FDM section 231). Newly implemented FDOT Context classifications updated the required sidewalk widths (FDM section 222.2.1.1). Where sidewalk is being added and/or widened, the lighting will be analyzed to ensure sidewalks are properly lighted per FDOT FDM standards.

Reference the following link and table for details:



Florida Department of Transportation

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https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/roadway/fdm/2020/2020fdm231lighting.pdf?sfvrsn=2ad35fbf_2

Topic #625-000-002
FDOT Design Manual

January 1, 2020

Table 231.2.1 Lighting Initial Values

Roadway Classification	Illumination Level Average Foot Candle		Illumination Uniformity Ratios		Veiling Luminance Ratio
Or Project Type	Horizontal (H.F.C.)	Vertical (V.F.C.)	Avg./Min.	Max./Min.	$L_{V(MAX)}/L_{AVG}$
Conventional Lighting					
Limited Access Facilities	1.5	N/A	4:1 or Less	10:1 or Less	0.3:1 or Less
Major Arterials	1.5				
Other Roadways	1.0				
High Mast Lighting					
All Roadway Classifications	0.8 to 1.0	N/A	3:1 or Less	10:1 or Less	N/A
Signalized Intersection Lighting					
New Reconstruction	3.0	2.3	4:1 or Less	10:1 or Less	N/A
Lighting Retrofit	1.5 Std. 1.0 Min.	1.5 Std. 1.0 Min.			
Midblock Crosswalk Lighting					
Low Ambient Luminance	N/A	2.3	N/A	N/A	N/A
Medium & High Ambient Luminance		3.0			
Sidewalks and Shared Use Paths					
Facilities Separated from the Roadway	2.5	N/A	4:1 or Less	10:1 or Less	N/A
Sign Lighting					
Low Ambient Luminance	15-20	N/A	N/A	6:1	N/A
Medium & High Ambient Luminance	25-35				
Rest Area Lighting					
All Roadways and Parking Areas	1.5	N/A	4:1 or Less	10:1 or Less	N/A



REVISIONS		ENGINEER OF RECORD		STATE OF FLORIDA		US 92 / SR 600		SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION	DEPARTMENT OF TRANSPORTATION	COUNTY	FINANCIAL PROJECT ID	PLAN SHEETS SEG 1	
				ROAD NO. 600	HILLSBOROUGH	4357491-22-01	PREFERRED ALIGNMENT	
Derek D. Dean, PE Inwood Consulting Engineers, Inc. Certificate of Authorization No. 7074 3000 Dava Drive, Suite 200, Florida 32765 P. 407.971.8850				11/14/2017		9/6/18 AM		4



DATE		DESCRIPTION		REVISIONS		DESCRIPTION		ENGINEER OF RECORD		STATE OF FLORIDA		US 92 / SR 600		SHEET NO.			
								Derek D. Dwin, PE PE No. 51905 Inwood Consulting Engineers, Inc. Certificate of Authorization No. 7074 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765 P 407.971.8850		DEPARTMENT OF TRANSPORTATION		PLAN SHEETS SEG 2		5			
										ROAD NO. 600		COUNTY HILLSBOROUGH		FINANCIAL PROJECT ID 435749+1-22-01		PREFERRED ALIGNMENT	
														11/14/2017 9:46:59 AM F:\Projects\DTI-002-01\roadway\Preferred_Planets\PLMR002_PREFERRED.dwg			

COMMISSION

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Steffanie L. Wickham WASTE DIVISION

AGENCY COMMENT SHEET

REZONING	
HEARING DATE: 07-22-2024	COMMENT DATE: 6/11/2024
PETITION NO.: 24-0862	PROPERTY ADDRESS: E 92 Hwy, Seffner, FL 33584
EPC REVIEWER: Melissa Yañez	FOLIO #: 0632160000
CONTACT INFORMATION: (813) 627-2600 X 1360	STR: 33-28-20
EMAIL: yanezm@epchc.org	
REQUESTED ZONING: CG to CI-R	
FINDINGS	
WETLANDS PRESENT	NO
SITE INSPECTION DATE	6/11/2024
WETLAND LINE VALIDITY	NA
WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)	No onsite wetlands
The EPC Wetlands Division has reviewed the proposed rezoning. In the site plan's current configuration, a resubmittal is not necessary. If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again. INFORMATIONAL COMMENTS: The following specific comments are made for informational purposes only and to provide guidance as to the EPC review process. However, future EPC staff review is not limited to the following, regardless of the obviousness of the concern as raised by the general site plan and EPC staff may identify other legitimate concerns at any time prior to final project approval. EPC staff reviewed the above referenced parcel in order to determine the extent of any wetlands and other surface waters pursuant to Chapter 1-11, Rules of the EPC. This determination was performed using aerial photography, soil surveys, and reviewing EPC files. Through this review, it appears that no wetlands or other surface waters exist onsite/ within the proposed construction boundaries. 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.	

My/cb

ec: todd@pressmaninc.com / linelle11@hotmail.com

Environmental Excellence in a Changing World

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



Agency Review Comment Sheet

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

TO: Zoning Review, Development Services **REQUEST DATE:** 5/31/2024

REVIEWER: Kim Cruz, Environmental Supervisor **REVIEW DATE:** 6/12/2024

PROPERTY OWNER: Api Properties Florida Avenue, LLC **PID:** 24-0862

APPLICANT: Todd Pressman

LOCATION: 0 Seffner, FL 33584

FOLIO NO.: 63216.0000

AGENCY REVIEW COMMENTS:

The applicant proposes to rezone to Commercial Intensive (CI-R) zoning category restricted to the depositing & open storage of domestic vehicles in conjunction with a towing company. The application states that the only exception requested is for commercial vehicles parked, stored and used on the site by the operating towing company. CI zoning is only proposed for the front portion, with the rear approximately 113' is zoned differently.

At this time, according to the Hillsborough County BOCC approved maps adopted in the Comprehensive Plan, the site appears to be located within Surface Water Resource Protection Area (SWRPA), as defined in Part 3.05.00 of the Hillsborough County Land Development Code (LDC). At this time, the site is subject to the prohibitions and restrictions applicable to SWRPAs. Junkyards and Regulated Substances (not limited to) are Prohibited Activities within SWRPAs. Article XII of the LDC defines junkyards as "Land used for the storage, keeping, handling, or display of junk" and defines junk as "Old, dilapidated, scrap or abandoned materials that would not be considered to be economical to recycle, such as building materials, equipment, glass, appliances, furniture, parts of motor vehicles, etc." The LDC defines Regulated Substances as "The elements and compounds and hazardous waste appearing in 40 Code of Federal Regulations Chapter 1, Table 302.4, including Appendices A and B §302.4, but excluding any elements, or compounds that are naturally occurring in the soils, and are present in only de minimis or de micromis amounts."



Any portion of the land located within the protection area illustrated on the current SWRPA Map adopted into the Hillsborough County Comprehensive Plan (HCCP) shall not be utilized for Prohibited Activities. The County is in the process of updating and submitting a new map for adoption into the HCCP. The areas that are currently within the SWRPA may be utilized for Prohibited Activities if both the following conditions are met: (1) after Hillsborough County has adopted the updated SWRPA *and* (2) if the areas utilized for Prohibited Activities are determined to be located outside of the updated SWRPA.

In situations where a new Prohibited Activity will serve an overriding public interest or a compelling public purpose by being located within a SWRPA, a Prohibited Use Operating Permit under Section 3.05.07 may be sought. The Board of County Commissioners must make a finding of an overriding public interest being served by the prohibited use in order for the Prohibited Use Operating Permit to be approved. An applicant must meet the provisions of Section 3.05.07 Prohibited Use Operating Permits of the LDC.

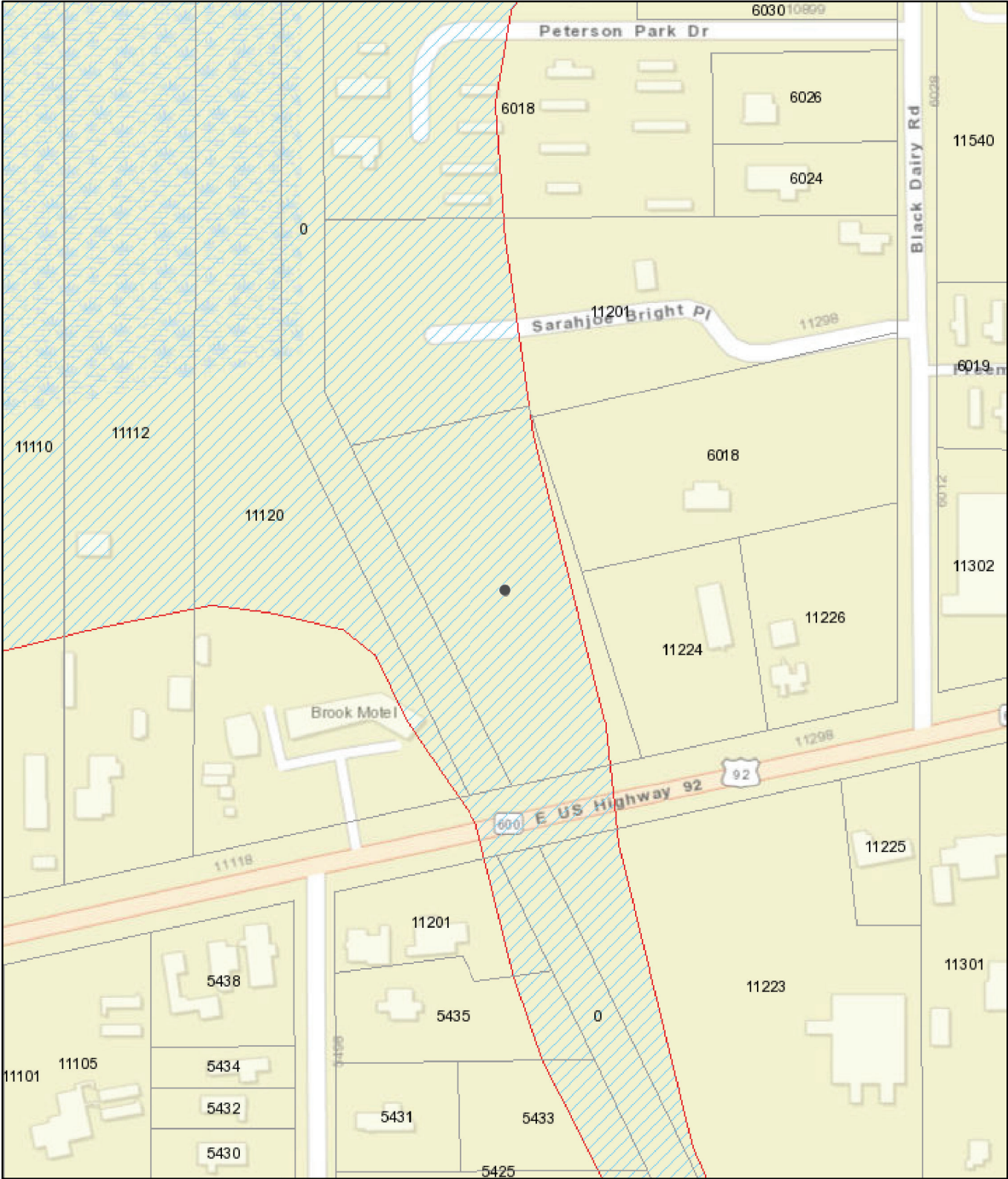
Restricted Activities in a SWRPA shall require an Operating Permit and may require a Closure Permit from the County, under Section 3.05.08 of the LDC. In order to be approved by the County, the applicant shall demonstrate the use of Best Available Technology (BAT) and/or Best Management Practices (BMP) for the particular activity.

Approval of this application by Hillsborough County does not constitute a guarantee that the Environmental Services Division of Hillsborough County (EVSD) will approve/issue permits that may be necessary for the development as proposed, does not itself serve to justify any Prohibited and/or Restricted Activity impact to the SWRPA, and does not grant any implied or vested right to environmental approvals.

The construction or use of any Prohibited and/or Restricted Activity associated with the SWRPA, as defined in Section 3.05.03 and Section 3.05.04 respectively are not approved by this correspondence but shall be reviewed by EVSD staff under separate process pursuant to the LDC and Hillsborough County Development Review Procedures Manual.

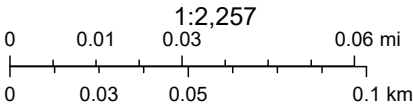
At this time, according to the Hillsborough County BOCC approved maps adopted in the Comprehensive Plan, the site does not appear to be located within a Wellhead Resource Protection Area (WRPA) and/or Potable Water Wellfield Protection Area (PWPPA), as defined in Part 3.05.00 of the Hillsborough County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

24-0862 SWRPA Map



6/13/2024, 3:13:28 PM

-  Parcels
-  Surface Water Protection Areas



University of South Florida, City of Tampa, Esri, HERE, Garmin, INCREMENT P, NGA, USGS, EGIS

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Planning Growth Management

DATE: 3 June 2024

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

APPLICANT: Todd Pressman

PETITION NO: RZ-STD 24-0862

LOCATION: Seffner, FL 33584

FOLIO NO: 63216.0000

SEC: 33 TWN: 28 RNG: 20

- ☒ 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.: RZ-STD 24-0862

REVIEWED BY: Ryan Curll, P.E.

DATE: 8/9/2024

FOLIO NO.: 63216.0000

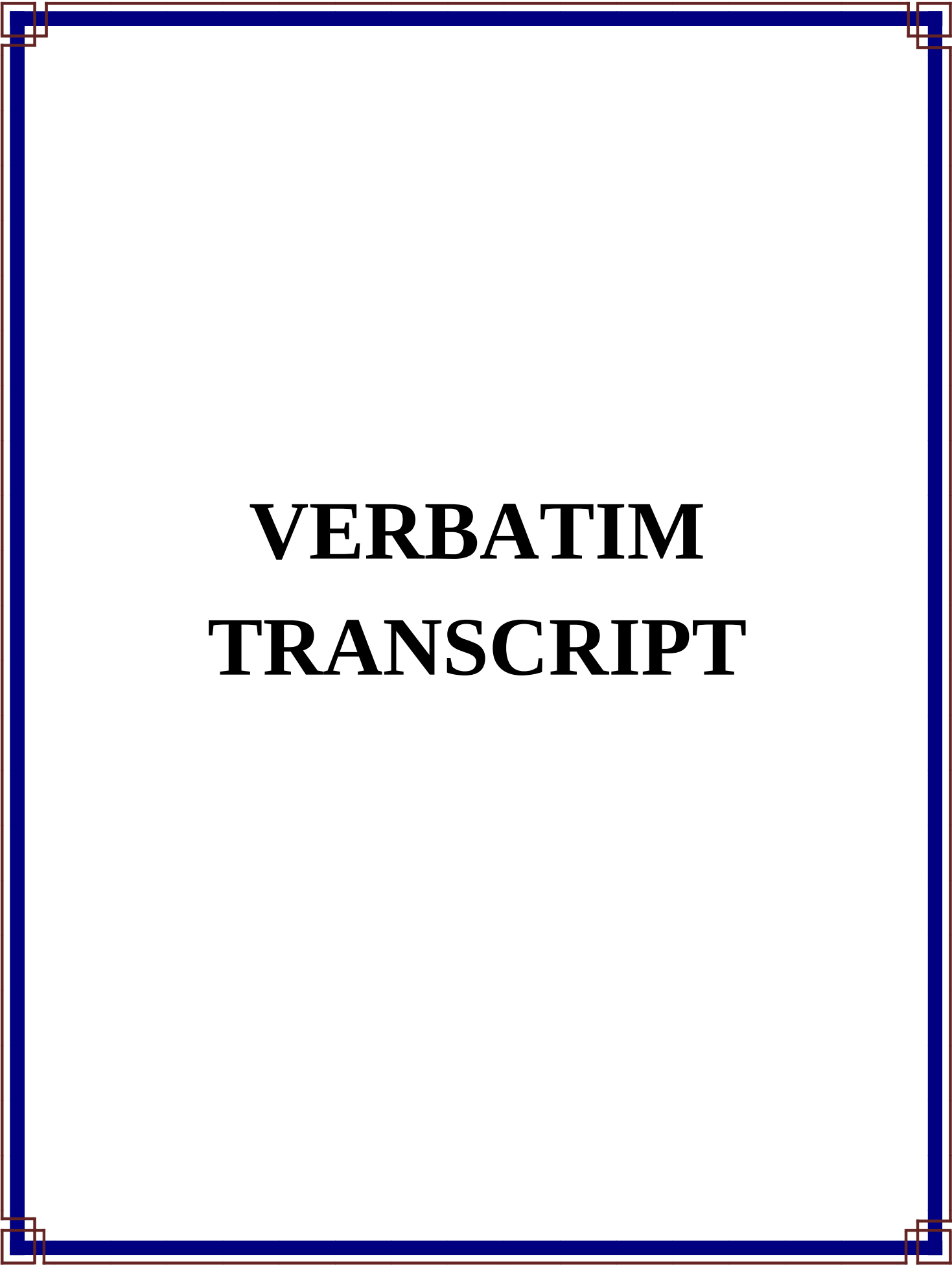
WATER

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

WASTEWATER

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

COMMENTS: The Water Resources Department has no comments or objections.



VERBATIM TRANSCRIPT

Zoning Hearing Master Hearing
August 19, 2024

HILLSBOROUGH COUNTY, FLORIDA
Board of County Commissioners

-----X
IN RE:)
)
ZONE Hearing Master)
HEARINGS)
)
-----X

ZONING Hearing Master HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: Pamela Jo Hatley
Land Use Hearing Master

DATE: Monday, August 19, 2024

TIME: Commencing at 6:00 p.m.
Concluding at 8:57 p.m.

LOCATION: Hillsborough County BOCC
Development Services Department -
Second Floor Boardroom
601 East Kennedy Boulevard
Tampa, Florida 33601

Reported by:
Diane DeMarsh, AAERT No. 1654
Digital Reporter

Zoning Hearing Master Hearing
August 19, 2024

1 MS. HEINRICH: Our next item is Item C.2, Standard
2 Rezoning 24-0862. The applicant is requesting to rezone
3 property from CG to CR restricted or CI restricted.
4 Michelle Montalbano with Development Services will provide staff
5 findings after the applicant's presentation. And you should
6 have already received a revised staff report that corrected a
7 typo on page eight.

8 HEARING MASTER: I did receive it. Thank you.

9 All right. Is the applicant here?

10 MR. PRESSMAN: Good evening, Hearing Officer.
11 Todd Pressman, 200 Second Avenue South on 451 in
12 Saint Petersburg. This is RZ Standard 24-0862, rezoning from CG
13 to CIR at 1.06 acres, Future Land Use Categories SMU-6. We're
14 located in the Seffner Mango area along Highway 92. This is as
15 the property appraiser has it, again, on Highway 92.

16 Planning Commission finds the site consistent. The
17 restriction, which is very important for this application is the
18 use is for just an open storage of domestic vehicles in
19 conjunction with the towing company. That's a use that's very
20 quiet, extremely low trips, no infrastructure, extremely low
21 activity. Additionally, only the front entire property will be
22 rezoned, leaving the northern half zoned as it currently exists.
23 I'll show you that in detail.

24 So looking at the zoning map, we have CG on one side,
25 CI and CG on the other side with a CI very close by. CG across

1 the street. The AS-1 which currently is AS-1 stays the same.
2 The part that would be zoned to CI restricted is shown here and
3 is the -- the record under legal. The idea from staff was they
4 wanted to see the uses push more towards Highway 92 away from
5 the residential and the AS-1 in the rear, which -- which we were
6 happy to accommodate.

7 So as the property appraiser shows that the area of
8 rezoning for the CIR lines up with the lot lines to the east, as
9 you can see here. And that would be the area towards the front
10 on Highway 92. That allows great buffers and screening. On the
11 west, there's a public land strip of 56 feet that runs through
12 the area. And I have it at about 210 feet from the rear where
13 the residential is located.

14 HEARING MASTER: Okay. Can that stop you one second,
15 please? I just want to make sure I understand the zoning.

16 So there's a part of the parcel that is AS-1 and that
17 is not being rezoned at all?

18 MR. PRESSMAN: Correct.

19 HEARING MASTER: All right. And then there's a -- the
20 parcel, the rest of it, is CG and part of it is being left CG,
21 but part of it is being requested to rezone to CI restricted, is
22 that correct?

23 MR. PRESSMAN: Absolutely correct.

24 HEARING MASTER: Okay. Thank you.

25 MR. PRESSMAN: Yeah. Thank you.

1 Looking along the corridor, CI and CG zoning
2 categories are located all throughout the corridor. It's a very
3 intensive corridor. Located at the Future Land Use Map, the
4 site is SMU-6, which allows light industrial, multipurpose
5 research, corporate parks, neighborhood commercial. So it's a
6 very intensive Future Land Use Category course. CMU-12 is
7 across the street a little bit to the east, which is even more
8 intense Future Land Use Category. And looking at the corridor
9 it is either all SMU-6 or CMU-12, very intensive.

10 Development Services notes located along the
11 commercial corridor, there's general and intensive commercial
12 uses neighboring to the east. There's a CG zoned parcel that
13 occupies a vehicle salvage yard -- salvage yard. To the west,
14 it's a small strip and motel zoned CG. And you can see in the
15 aerial that there's a very intensive uses in the immediate
16 vicinity, various commercial and industrial as Development
17 Services Department notes.

18 Highway 92 is a very busy roadway. It carries 12,400
19 vehicles per day. It is stated under Hillsborough County
20 roadway classification as a principal state arterial highway,
21 which is the highest function of the roadways in Hillsborough
22 County.

23 The comprehensive plan does have one main policy about
24 offering a sentence for higher land use densities and
25 intensities along the transit emphasis local service corridors.

1 That's designed, of course, to bring in density and intensity
2 where roadways are compatible and where investments in those
3 roadways are widening or making them more efficient for
4 transportation.

5 Now, Seffner Mango Community Plan under goal, and this
6 is a goal which is a major direction of the community plan, is
7 that commercial dominance should be directed to the US 92 and
8 Martin Luther King Boulevard -- Martin Luther King Boulevard
9 corridors. And that's also found as well in a strategy under
10 the community plan, recognizing the commercial character of
11 US 19 and Martin Luther King Boulevard within urban areas. So
12 these plans, the entire Seffner Mango Community Plan area,
13 designate two roadways and two -- two roadways only, that these
14 type of uses should be directed towards. And Seffner Mango
15 Community Plan also notes under strategy to support in-fill
16 development and redevelopment within the urban service area
17 while providing compatibility with existing uses. So this is
18 certainly an in-fill site and according to the Planning
19 Commission and of course, our opinion, is that we are compatible
20 with the existing uses.

21 And the Planning Commission notes the proposed re --
22 the proposed rezoning is consistent with the urban service area
23 and the existing development pattern. It does support the
24 Seffner Mango Community plan, it allows for development is
25 consistent and compatible with the development pattern in the

1 surrounding area.

2 Under FDOT and transportation department, this is a
3 standard application. We have not submitted any transportation.
4 It wasn't required, as you well know. There was no site plan.
5 Our position, our direction is that these elements and these
6 concerns, of course, would have to be addressed in permitting
7 and site planning if the zoning is approved. FDOT in their
8 reports to us envisions potentially large long multi-car
9 carriers. This operator only uses single car operators tow -- a
10 single car tow truck or a single flatbed. The transportation
11 communications do offer solutions, like using adjacent --
12 adjacent access. We'll, of course, have a transportation
13 engineer address and look at those issues at that time. And
14 FDOT also questioned why we're restricting only to a single use,
15 which I think we made very apparent as the owner intends to use
16 it strictly for their business, which they're very active with
17 in the county.

18 When you look at the county transportation report, of
19 course, this use has a very low trip rate, 34 trips in a
20 24-hour, a 2:00 a.m. peak and a 3:00 p.m. peak, which according
21 to the county report, compared to what could be permissible or
22 as they made the comparison, would be a drastic reduction what
23 could be permissible at the site.

24 The operators have been operating at Hillsborough
25 County for quite some time. They have a great history. I

1 wanted to present a letter from the Florida Highway Patrol
2 lieutenant, Dave Fry, who notes that this company has been with
3 FHP for two years. They provide excellent services for the
4 public and agency. They operate in several zones. They keep
5 trucks presentable. Background driver license checks always
6 are -- are included and always are very positive. And from
7 sheriff -- Sheriff's Office, Melissa Brewster, who is in charge
8 of vehicle -- as the vehicle impound officer, notes that they
9 worked with the Sheriff's Office since 1997. They've been asked
10 through the agency and they operate in several zones. So their
11 work is primarily involved with the law enforcement agencies and
12 those agencies that need a response for tow trucks for their
13 work.

14 So with that, in summary, we have significantly
15 reduced and reshaped the area of the rezoning. We've increased
16 the buffers and the screening. It is a use that it's extremely
17 low in activity and trips. The only thing really that could be
18 lower are -- is a cell tower supported by adjoining a nearby
19 zoning and roadway intensity supported by the intensive Future
20 Land Use category.

21 Planning Commission supports Seffner Mango plan
22 supports. They have a great operating history in the County.
23 And as of August 17th, I've checked, there's been no
24 neighborhood contact or letters or emails into the County.
25 They've noticed -- the areas been noticed twice for a total of

1 32 public notices, plus the yellow sign on site.

2 So with that, we appreciate your attention and I'm
3 happy to answer any questions you might have.

4 HEARING MASTER: Okay. Just a couple.

5 First, on the staff report, there's a proposed
6 condition. And it -- I don't really quite understand the way
7 the condition is worded. It says the use shall be limited to
8 depositing and open storage of domestic vehicles in conjunction
9 with the towing service. That's pretty straightforward. But
10 the other sentence is, the only exception shall be commercial
11 and vehicles or I'm sorry, commercial vehicles, parks -- parks
12 stored and used on the sight by the towing company. So that
13 would be the towing vehicles?

14 MR. PRESSMAN: That would be -- they're excluded -- as
15 I understand it, they're excluding commercial vehicles, large
16 trucks, 18 wheelers, equipment, things of the nature, as I
17 understand it.

18 HEARING MASTER: That are used by the business, right?

19 MR. PRESSMAN: No. That's the point, is they don't --
20 they don't include those type of vehicles in their operation.
21 So --

22 HEARING MASTER: I guess I just don't understand the
23 way it's worded. They use is limited to depositing and -- and
24 open storage of domestic vehicles. The only exception shall be
25 commercial vehicles parked, stored or used on the site. What

1 does that mean to you?

2 MR. PRESSMAN: Well, actually I'm going to pull it up
3 so I can --

4 HEARING MASTER: Okay.

5 MR. PRESSMAN: -- make sure I'm on the same page as
6 you.

7 HEARING MASTER: I just want to make sure I -- how the
8 applicant understands that is how it's intended. I'm -- I'm not
9 sure I quite understand it.

10 MR. PRESSMAN: Which page are you on if I may ask?

11 HEARING MASTER: The -- this is -- in the staff report
12 on page eight. And it -- I don't want to put you on the spot,
13 Mr. Pressman, if you aren't prepared to speak on what that
14 means, I'll ask staff to explain it.

15 MR. PRESSMAN: Why don't we do that and I'll --

16 HEARING MASTER: Okay.

17 MR. PRESSMAN: -- review it while --

18 HEARING MASTER: Okay.

19 MR. PRESSMAN: -- the other speak. Thank you.

20 HEARING MASTER: That's fine. Thank you for that.

21 Also, I guess it -- it doesn't seem in this case there's any
22 concern with compatibility. It seems that's pretty clear, but
23 the transportation reviewing staff had a concern and I believe
24 that's about access. So I guess -- I mean, the only other thing
25 your -- your client could have requested a plan development

1 zoning, so that that was addressed upfront.

2 MR. PRESSMAN: That could have been an option. I -- I
3 will say, and this is a criticism, it's -- it's real easy to
4 make a direction or suggestion due to a PD. But for smaller
5 businesses, the PDs are extremely expensive. The filing fees
6 are expensive, civil engineering, transportation analysis, that
7 generates into environmental reviews. It has a cascading
8 effect. So on smaller business perspective, they'd like to go
9 through the first step and see if the zoning use is going to be
10 permissible. If it is, then they'll go onto step number two.
11 And they have assurance and certainty that they can do what they
12 want to do. I think that's reasonable. Clearly, that's how the
13 zoning category is either a standard or a PD. I think we move
14 forward with a standard, the purpose of the standard to is see
15 if you get on approval.

16 HEARING MASTER: All right.

17 MR. PRESSMAN: And go from there.

18 HEARING MASTER: And then I guess following that
19 logic, if zoning approval occurs and then you get held up in
20 the -- in the site development stage because you -- you can't
21 provide access that's acceptable, aren't you back to square one?

22 MR. PRESSMAN: Well, I think you're at square two, but
23 you work through those issues.

24 HEARING MASTER: Okay.

25 MR. PRESSMAN: But I think the important thing is that

1 the transportation department and FDOT are clearly on the record
2 as to what their concerns are --

3 HEARING MASTER: Okay.

4 MR. PRESSMAN: -- and the applicant's aware of those.
5 I always make the applicant aware that there's concerns in that
6 regard. But I -- there clearly is always a working area with a
7 good transportation expert to work with the transportation
8 people. I can tell you the FDOT and the transportation part of
9 the county want to get people approved if they can. So it's
10 usually a good work product. It's usually a good relationship
11 to work forward at that step.

12 HEARING MASTER: Okay. All right. That's all my
13 questions for you. Thank you.

14 And I -- I guess well, one more thought is, I suppose
15 if you had a transportation expert with you tonight, you would
16 introduce them --

17 MR. PRESSMAN: Yes, we would.

18 HEARING MASTER: -- already and you don't. Okay.

19 MR. PRESSMAN: Yeah.

20 MR. PRESSMAN: And I -- if you want to go back to that
21 condition. Okay. So I do reread it, and I appreciate that
22 because I do a different understanding. I -- I believe, as I
23 understand it, and staff will communicate as well, that they're
24 accepting if there's any commercial vehicles that are normally
25 in the operation of the towing company.

Zoning Hearing Master Hearing
August 19, 2024

1 HEARING MASTER: The -- yeah, that's what the --

2 MR. PRESSMAN: That would be the only exception.

3 HEARING MASTER: The towing company's own vehicles.

4 MR. PRESSMAN: Yeah.

5 HEARING MASTER: Okay. Thank you.

6 MR. PRESSMAN: Thank you. Any other questions?

7 HEARING MASTER: No. No more questions for you.

8 MR. PRESSMAN: Thank you.

9 HEARING MASTER: Thank you so much. All right. And
10 be sure and sign in, Mr. Pressman.

11 MR. PRESSMAN: This says five minutes remaining,
12 correct?

13 HEARING MASTER: Yes.

14 MR. PRESSMAN: Okay. Ms. Creech would like to make a
15 comment or two.

16 Do you still want to make a comment?

17 If she may, please.

18 HEARING MASTER: All right.

19 MS. CREECH: Hi. My name is Linelle Creech. I --
20 we -- we are the owners, my husband and I, of any of the APR
21 property at this location at 11222 US 92, Seffner, Florida
22 33584.

23 Like he said, we're a small family owned, family
24 operated towing company. We do pretty much mainly sheriff's
25 rotation, Tampa Police Department, Florida Highway Patrol. The

1 amount of vehicles that we get there is maximum five, on
2 average, three including the one person that works there. We
3 are limited to a certain area that everyone wants us to be in
4 and this is the area that they're saying that they want us to be
5 in that accommodates everybody and it accommodates for the --
6 the site location.

7 Like he said, we -- we are a small comp -- a small
8 family company. We don't have that kind of money to do all that
9 additional stuff, especially if it comes back and then it's not
10 going to work for us, then we just lost all that money. We
11 don't have that kind of money. And that was it.

12 HEARING MASTER: Okay. Are you operating at this --
13 at the subject property now or where are you -- where is your
14 business operating.

15 MS. CREECH: We have a couple of different locations.
16 As of right now, I -- yes. Yes. We're -- my husband -- yes,
17 we're operating right there as of right now.

18 HEARING MASTER: You are operating there?

19 MS. CREECH: Yes.

20 HEARING MASTER: Okay. Thank you.

21 MS. CREECH: Thank you.

22 MS. MONTALBANO: Good evening. This is
23 Michelle Montalbano with Development Services. I'm here to
24 present 24-0862.

25 The applicant is requesting to rezone approximately

1 1.06 acres of property from commercial general to commercial
2 intensive with restrictions. The request is a parcel rezoning
3 of approximately the front half of the property facing
4 US Highway 92. The remaining property remain in the respective
5 zoning district of AS-1 and CG.

6 The proposed restriction is to limit the allowable use
7 to the open storage of domestic vehicles in conjunction with the
8 towing company. I want to go back to that condition. You said
9 you had questions about it. It was straight from their request.
10 So it's -- the only exception to the domestic vehicles parked
11 would be the commercial vehicles with -- in conjunction with the
12 towing company.

13 HEARING MASTER: Okay. And so just to make sure I
14 understand that. That would be the towing company's own
15 vehicles, right?

16 MS. MONTALBANO: Correct.

17 HEARING MASTER: All right. And so, the depositing
18 and open storage of dome -- domestic vehicles, that contemplates
19 the kind of vehicles they will be towing and storing onsite.

20 MS. MONTALBANO: Correct.

21 HEARING MASTER: Okay. Thank you.

22 MS. MONTALBANO: No problem. The land is classified
23 as vacant, but and there are no -- no site development
24 applications in the record, but the land may already be in use
25 as the land recently cleared.

1 The surrounding zoning districts are mainly CG and CI
2 with residential uses off of the main roads. Abutting the
3 property to the east is a CG zoned property with an open storage
4 use. Abutting to the west are a strip of public lands and then
5 a motel zoned CG. To the rear of the full parcel are mobile
6 home residences zoned AS-1, but the partial rezoning will not
7 directly abut these parcels.

8 The proposed open storage use will not be permitted in
9 AS-1 and CG zoned area. Transportation review staff has
10 objections to the request to the property's anticipated access
11 to US Highway 92. FDOT staff also had concerns in their
12 comments. County staff notes that more information is necessary
13 to determine -- to determine if the proposal can be supported.

14 For these reasons, staff finds the request not
15 supportable. If you have any questions, let me know.

16 HEARING MASTER: Well, I would like to hear from the
17 transportation staff just to put that on the record, what their
18 objection is.

19 MS. MONTALBANO: Okay. I believe somebody is on the
20 line.

21 MS. HEINRICH: We should have transportation staff
22 available to speak.

23 HEARING MASTER: All right.

24 MR. PEREZ: Good evening, Madam -- Madam Zoning
25 Hearing Master. This is Richard Perez with the transportation

1 review section.

2 Staff's comments provided for the report are in
3 objection to this proposed rezoning. As it's standard practice,
4 the County requires FDOT to review and provide comments when a
5 site's access is taken from their facility to ensure that access
6 can be permitted. If FDOT cannot permit access for the proposed
7 us, we cannot support the proposed rezoning.

8 In this case, FDOT expressed safety and operational
9 concerns with the proposed use and indicated that additional
10 information was necessary to review the site access. However,
11 the applicant did not provide any additional or propose any
12 additional information on proposing restrictions that might
13 address FDOT's concerns of -- of specific note, the -- the
14 access concerns related to vehicles, large vehicles going --
15 other vehicles, making those movements in and out of the site.
16 Additionally, the -- the ability to drop them off and
17 accommodate them on site so that that drop off doesn't have to
18 take place out in the right of way and potentially impeding
19 traffic.

20 FDOT also expressed concerns about the proximity of
21 the -- the commercial driveway that would be needed to serve
22 this site with guard railing that's along the front edge of the
23 property, which would limit the ability to locate that driveway
24 on US 92.

25 Additionally, while the applicant did say that the

1 operator doesn't -- that the -- that -- that the operator
2 doesn't utilize certain types of vehicles, there -- there were
3 no proposed restrictions related to the type or size of vehicles
4 that would be operated that could possibly be enforceable to
5 address that concern.

6 And last but not least, it is noted in our comments,
7 it's not advisable to approve a zoning district which allows
8 only one use on a site which could potentially not provide a
9 conforming access to FDOT standards.

10 HEARING MASTER: Okay. So I guess my question for you
11 then would be, what other -- what additional information might
12 the applicant have provided or might they provide that would
13 address those concerns or at least all of the concerns except
14 zoning for one particular use?

15 MR. PEREZ: Certainly. So FDOT did provide written
16 comments. And at the meeting that the applicant attended,
17 county staff was there as well. They indicated that auto turn
18 analysis could be provided to show that those vehicles -- how
19 those vehicles would -- the largest vehicles that would be used,
20 could enter and exit the site. And they did indicate a
21 conceptual site plan would be necessary for them to properly
22 evaluate the access to the site.

23 HEARING MASTER: All right. Thank you very much.
24 That's all my questions for you.

25 All right. Then, Planning Commission.

1 MR. HEY: Thank you. David Hey, Planning Commission
2 staff.

3 The site is located within the suburban mixed use six
4 Future Land Use Category. It is located within the urban
5 service area and does fall within the Seffner Mango Community
6 Plan boundaries.

7 The subject property has multiple zoning designations
8 and follows the general zoning pattern of the area. The smaller
9 zoning district in the northern portion of the lot is zoned AS-1
10 and the southern and larger portion of the lot is zoned CG. The
11 applicant is requesting to rezone a portion of the CG zoning
12 district within the subject site to CI and requesting that the
13 AS-1 portion and a small portion of the existing CG zoning
14 district to remain.

15 Ultimately, the applicant is proposing one parcel to
16 have three different zoning districts to be located on the
17 subject site. The subject site is not required to meet
18 commercial locational criteria in accordance with Objective 22
19 of the Future Land Use Element. The -- it is considered
20 industrial related use under that CI. And so, it's not CLC
21 requirements or it's not subject to those.

22 Under the suburban mixed use six Future Land Use
23 Category, this type use is anticipated under that category.
24 This request maintains the neighborhood compatibility by not
25 proposing any CI uses that are adjacent to residential uses and

1 continues the existing historic -- historical pattern of the CI
2 zoning districts that are nearby.

3 Policy 1.4 requires all new developments to be
4 compatible with the surrounding area. And it refers to the
5 sensitivity of the -- of that development proposals in
6 maintaining the character of the existing development.

7 The proposed rezoning meets the intent of the Seffner
8 Mango Community Plan per the Seffner -- Seffner Mango Community
9 Plan Goal three is to direct commercial development to the US 92
10 and Dr. Martin Luther King Junior Boulevard quarters with
11 strategies to support that goal by supporting in-fill
12 development and redevelopment within the urban service area and
13 supporting office and light industrial uses along US 92 and
14 Dr. Martin Luther King Junior Boulevard between I-75 and
15 County Road 579 Mango Road.

16 Overall, staff finds that the proposed rezoning is
17 consistent with the intent of the urban service area and the
18 existing development pattern found in the surrounding area and
19 does support the vision of the Seffner Mango Community Plan.
20 The proposed rezoning would allow for development that is
21 consistent with the goals, objectives and policies in the
22 Unincorporated Hillsborough County Comprehensive Plan. The
23 request is compatible with the existing and planned development
24 pattern found within the surrounding area.

25 Based upon those considerations and the goals,

1 objectives and policies contained within the submitted staff
2 report, Planning Commission staff finds the proposed major
3 modification actual rezoning consistent with the Unincorporated
4 Hillsborough County Comprehensive Plan subject to any
5 restrictions proposed by the Development Services Department.
6 Thank you.

7 HEARING MASTER: All right. Thank you. Okay. Is
8 there anyone here or online who wishes to speak in support of
9 this application? All right, I don't hear anyone.

10 Is there anyone here or online who wishes to speak in
11 opposition to this application? I do not hear anyone.

12 County Development Services, anything further?

13 MS. HEINRICH: No, ma'am.

14 HEARING MASTER: All right. Thank you.

15 Applicant.

16 MR. PRESSMAN: Thank you, Hearing Officer.

17 I will add, we've had a lot of discussion about the
18 type of vehicles that would be used and we would be open to a
19 restriction that the -- any of the towing operation would only
20 be a single towed vehicle operation. So it would be one vehicle
21 per tow truck, whether that be a tow truck or a flatbed. And if
22 that condition makes it more comfortable for you, I think it
23 would for the staff potential in the future, that would be a
24 restriction we would be happy to accept.

25 HEARING MASTER: All right. Most likely that's

Zoning Hearing Master Hearing
August 19, 2024

1 something that staff would have to take back and evaluate. And
2 it might require a continuance of the case. Is -- would that be
3 correct, Ms. Heinrich?

4 MS. HEINRICH: Yes, ma'am.

5 HEARING MASTER: All right. Would you --

6 MR. PRESSMAN: No. We'll move --

7 HEARING MASTER: -- consider that?

8 MR. PRESSMAN: No. We've forward.

9 HEARING MASTER: You'll move forward.

10 MR. PRESSMAN: Yeah.

11 HEARING MASTER: Okay. Anything further then you wish
12 to --

13 MR. PRESSMAN: No, but thank you.

14 HEARING MASTER: All right. Thank you, Mr. Pressman.

15 All right. That closes the hearing on Rezoning
16 Standard 24-0862.

HILLSBOROUGH COUNTY, FLORIDA
Board of County Commissioners

-----X
IN RE:)
)
ZONE HEARING MASTER)
HEARINGS)
)
-----X

ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: Susan Finch
Land Use Hearing Master

DATE: Monday, July 22, 2024

TIME: Commencing at 6:00 p.m.
Concluding at 9:32 p.m.

LOCATION: Hillsborough County BOCC
601 East Kennedy Boulevard
Second Floor Boardroom
Tampa, Florida 33601

Reported by:
Diane DeMarsh, AAERT No. 1654
Digital Reporter

1 to be heard and is being continued to the August 16, 2024 ZHM
2 Hearing.

3 Item A.11, Major Mod 24-0674. This application is out
4 of order to be heard and is being continued to the August 19,
5 2024 ZHM Hearing.

6 Item A.12, Major Mod 24-0675. This application is out
7 of order to be heard and is being continued to the August 19,
8 2024 ZHM Hearing.

9 Item A.13, Major Mod 24-0677. This application is
10 being continued by the applicant to the August 19, 2024 ZHM
11 Hearing.

12 Item A.14, PD 24-0679. This application is out of
13 order to be heard and is being continued to the August 19, 2024
14 ZHM hearing.

15 Item A.15, PD 24-0697. This application is out of
16 order to be heard and is being continued to the August 19, 2024
17 ZHM Hearing.

18 Item A.16, Standard Rezoning 24-0725. This
19 application is -- this application is being continued by the
20 applicant to the August 19, 2024 ZHM Hearing.

21 Item A.17, Standard Rezoning 24-0732. This
22 application has been withdrawn by the applicant from the hearing
23 process.

24 Item A.18, Standard Rezoning 24-0862. This
25 application is out of order to be heard and is being continued

1 to the August 19, 2024 ZHM Hearing.

2 Item A.19, Standard Rezoning 24-0877. This
3 application is out of order to be heard and is being continued
4 to the August 19, 2024 ZHM Hearing.

5 Item A.20, Standard Rezoning 24-0878. This
6 application is out of order to be heard and is being continued
7 to the August 19, 2024 ZHM Hearing.

8 And that concludes all the withdrawals and
9 continuances.

10 HEARING MASTER: Thank you so much. I appreciate it.

11 Let me start by going over our hearing procedures for
12 tonight's agenda. Our hearing today consists of agenda items
13 that require a public hearing by a zoning hearing master. I'll
14 conduct the hearing on each agenda item and we'll file a
15 recommendation within 15 business days following tonight's
16 hearing. Those recommendations are then sent to the Board of
17 County Commissioners, who will make the final decision on each
18 agenda item.

19 Our hearing tonight is informal. I'll ask questions
20 related to the scope of direct testimony. I may call and
21 question witnesses as I deem appropriate. And I'll decide all
22 questions of procedure. I'll take evidence, but will exclude
23 evidence that is irrelevant, immaterial or unduly repetitious.
24 Evidence may be presented in written form and all testimony must
25 be under oath. Hearsay evidence may be used to supplement or

**EXHIBITS SUBMITTED
DURING THE ZHM HEARING**

DATE/TIME: 8/19/24 6:00pm HEARING MASTER: Pamela Jo HatleyPLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # <u>RZ-SD 24-0871</u>	PLEASE PRINT NAME <u>Jessica Kowal (Landis Evans+Partners)</u> MAILING ADDRESS <u>3810 Northdale Blvd</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>336042</u> PHONE <u>813.949.7449</u>
APPLICATION # <u>RZ 24-0725</u>	PLEASE PRINT NAME <u>RYAN MANASSA</u> MAILING ADDRESS <u>400 N. ASHLEY DR. STE 310</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>225-250</u>
APPLICATION # <u>RZ 24-0862</u>	PLEASE PRINT NAME <u>Todd Pressman</u> MAILING ADDRESS <u>200 2nd Ave S #491</u> CITY <u>T. Idas</u> STATE <u>TX</u> ZIP <u>77701</u> PHONE <u>707-804-1760</u>
APPLICATION # <u>RZ 24-0862</u>	PLEASE PRINT NAME <u>Linnelle Creech</u> MAILING ADDRESS <u>11222 US 90</u> CITY <u>Seffner</u> STATE <u>FL</u> ZIP <u>33584</u> PHONE <u>813.760.4488</u>
APPLICATION # <u>RZ 24-0918</u>	PLEASE PRINT NAME <u>Brian Aungst (Brian Aungst)</u> MAILING ADDRESS <u>625 Court St, Suite 200</u> CITY <u>Clearwater</u> STATE <u>FL</u> ZIP <u>33756</u> PHONE <u>727.444-0903</u>
APPLICATION # <u>RZ 24-0918</u>	PLEASE PRINT NAME <u>Susan Harris</u> MAILING ADDRESS <u>1818 W. BLAUSS AVE</u> CITY <u>Tpa</u> STATE <u>FL</u> ZIP <u>33613</u> PHONE <u>813-629-3733</u>

DATE/TIME: 8/19/24 6:00 pm HEARING MASTER: Pamela Jo HatleyPLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # <u>RZ</u> <u>24-0238</u>	PLEASE PRINT NAME <u>J.D. ALSABBAGH</u> MAILING ADDRESS <u>8370 W. HILKBOROUGH AVE #205</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33615</u> PHONE <u>813 889 0700</u>
APPLICATION # <u>RZ</u> <u>24-0579</u>	PLEASE PRINT NAME <u>Isabelle Albert</u> MAILING ADDRESS <u>1000 W. Ashley Dr.</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33629</u> PHONE <u>813 331-0976</u>
APPLICATION # <u>mm</u> <u>24-0674</u>	PLEASE PRINT NAME <u>David M. Smith</u> MAILING ADDRESS <u>401 E. Jackson St. Ste 2100</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33601</u> PHONE <u>813 222 5010</u>
APPLICATION # <u>RZ</u> <u>24-0697</u>	PLEASE PRINT NAME <u>Kamala Corbett</u> MAILING ADDRESS <u>101 E Kennedy Blvd Ste 2700</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-227 8421</u>
APPLICATION # <u>RZ</u> <u>24-0697</u>	PLEASE PRINT NAME <u>Steve Hanin</u> MAILING ADDRESS <u>5023 W. LAMAR ST</u> CITY <u>TPA</u> STATE <u>FL</u> ZIP <u>33607</u> PHONE <u>813 789 0037</u>
APPLICATION # <u>RZ</u> <u>24-0697</u>	PLEASE PRINT NAME <u>Steve Luce</u> MAILING ADDRESS <u>111 S. ARMENIA</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33609</u> PHONE <u>813-767-5763</u>

SIGN-IN SHEET: RFR, ZHM, PHM, LUHO

PAGE 3 OF 3

DATE/TIME: 8/19/24 6:00pm HEARING MASTER: Pamela Jo Hatley

PLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # <u>mm</u> <u>24-0784</u>	PLEASE PRINT NAME <u>David M Smith</u> MAILING ADDRESS <u>401 E Jackson St. Suite 2100</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33647</u> PHONE <u>813 222-5010</u>
APPLICATION # <u>mm</u> <u>24-0796</u>	PLEASE PRINT NAME <u>Brice Pinson, Halff</u> MAILING ADDRESS <u>1000 N Ashley Dr. Ste 900</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813 ⁶²⁰ 4500</u>
APPLICATION #	PLEASE PRINT NAME _____ MAILING ADDRESS _____ CITY _____ STATE _____ ZIP _____ PHONE _____
APPLICATION #	PLEASE PRINT NAME _____ MAILING ADDRESS _____ CITY _____ STATE _____ ZIP _____ PHONE _____
APPLICATION #	PLEASE PRINT NAME _____ MAILING ADDRESS _____ CITY _____ STATE _____ ZIP _____ PHONE _____
APPLICATION #	PLEASE PRINT NAME _____ MAILING ADDRESS _____ CITY _____ STATE _____ ZIP _____ PHONE _____

DATE: 8/19/2024

PAGE: 1 of 1

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AUGUST 19, 2024 - ZONING HEARING MASTER

The Zoning Hearing Master (ZHM), Hillsborough County, Florida, met in Regular Meeting, scheduled for Monday, August 19, 2024, at 6:00 p.m., in the Boardroom, Frederick B. Karl County Center, Tampa, Florida, and held virtually.

▶ Pamela Jo Hatley, ZHM, called the meeting to order at 6:00 p.m., led in the pledge of allegiance to the flag, and introduction.

A. WITHDRAWALS AND CONTINUANCES

▶ Michelle Heinrich, Development Services (DS), introduced staff and reviewed the changes/withdrawals/continuances.

▶ Pamela Jo Hatley, ZHM, overview of ZHM process.

▶ Senior Assistant County Attorney Cameron Clark, overview of evidence/ZHM/BOCC Land Use process.

▶ Pamela Jo Hatley, ZHM, Oath.

B. REMANDS - **None**.

C. REZONING STANDARD (RZ-STD):

C.1. RZ 24-0725

▶ Michelle Heinrich, DS, called RZ 24-0725.

▶ Testimony provided.

▶ Pamela Jo Hatley, ZHM, closed RZ 24-0725.

C.2. RZ 24-0862

▶ Michelle Heinrich, DS, called RZ 24-0862.

▶ Testimony provided.

▶ Pamela Jo Hatley, ZHM, closed RZ 24-0862.

C.3. RZ 24-0877

▶ Michelle Heinrich, DS, called RZ 24-0877.

▶ Testimony provided.

▶ Pamela Jo Hatley, ZHM, closed RZ 24-0877.

TUESDAY, AUGUST 19, 2024

C.4. RZ 24-0918

- ▶ Michelle Heinrich, DS, called RZ 24-0918.
- ▶ Testimony provided.
- ▶ Pamela Jo Hatley, ZHM, closed RZ 24-0918.

D. REZONING-PLANNED DEVELOPMENT (RZ-PD) & MAJOR MODIFICATION (MM) :

D.1. RZ 24-0238

- ▶ Michelle Heinrich, DS, called RZ 24-0238.
- ▶ Testimony provided.
- ▶ Pamela Jo Hatley, ZHM, closed RZ 24-0238.

D.2. RZ 24-0579

- ▶ Michelle Heinrich, DS, called RZ 24-0579.
- ▶ Testimony provided.
- ▶ Pamela Jo Hatley, ZHM, closed RZ 24-0579.

D.3. MM 24-0674

- ▶ Michelle Heinrich, DS, called MM 24-0674.
- ▶ Testimony provided.
- ▶ Pamela Jo Hatley, ZHM, closed MM 24-0674.

D.4. RZ 24-0697

- ▶ Michelle Heinrich, DS, called RZ 24-0697.
- ▶ Testimony provided.
- ▶ Pamela Jo Hatley, ZHM, closed RZ 24-0697.

D.5. MM 24-0784

- ▶ Michelle Heinrich, DS, called MM 24-0784.
- ▶ Testimony provided.

TUESDAY, AUGUST 19, 2024

▶ Pamela Jo Hatley, ZHM, closed MM 24-0784.

D.6. MM 24-0796

▶ Michelle Heinrich, DS, called MM 24-0796.

▶ Testimony provided.

▶ Pamela Jo Hatley, ZHM, closed MM 24-0796.

E. ZHM SPECIAL USE - **None**.

ADJOURNMENT

▶ Pamela Jo Hatley, ZHM, adjourned the meeting at 8:56 p.m.

Rezoning Application: RZ STD 24-0862**Zoning Hearing Master Date:** 08/19/2024**BOCC Land Use Meeting Date:** 10/08/2024**Hillsborough
County Florida****Development Services Department****1.0 APPLICATION SUMMARY****Applicant:** Todd Pressman**FLU Category:** SMU-6**Service Area:** Urban**Site Acreage:** 1.06 acres +/-**Community Plan Area:** Seffner Mango**Overlay:** None**Special District:** None**Request:** Rezone from CG to CI-R

Application No. 24-0862

Name: Rosa Timoteo

Entered at Public Hearing: ZHM

Exhibit #1

Date: 8-19-2024

**Introduction Summary:**

The applicant is requesting to rezone a portion of property from CG (Commercial, General) to CI (Commercial, Intensive) with restrictions. The proposed restriction is to limit the allowable use to open storage of domestic vehicles in conjunction with a towing company. The property is currently split zoned, with the approximate 130' to the rear being zoned AS-1. The proposal is to rezone the front +/- 1.06 acres to CI-R, leaving northern half of the parcel zoned AS-1 and CG. The proposed CI-R zoned area will align with the dimensions of the two abutting eastern lots and their platted lots.

Zoning:	Existing	Proposed
District(s)	CG	CI-R
Typical General Use(s)	General Commercial, Office and Personal Services	Intensive Commercial, Office and Personal Services
Acreage	1.06 +/-	1.06 +/-
Density/Intensity	0.27 FAR	0.30 FAR
Mathematical Maximum*	12,466.9 square feet	13,851.2 square feet

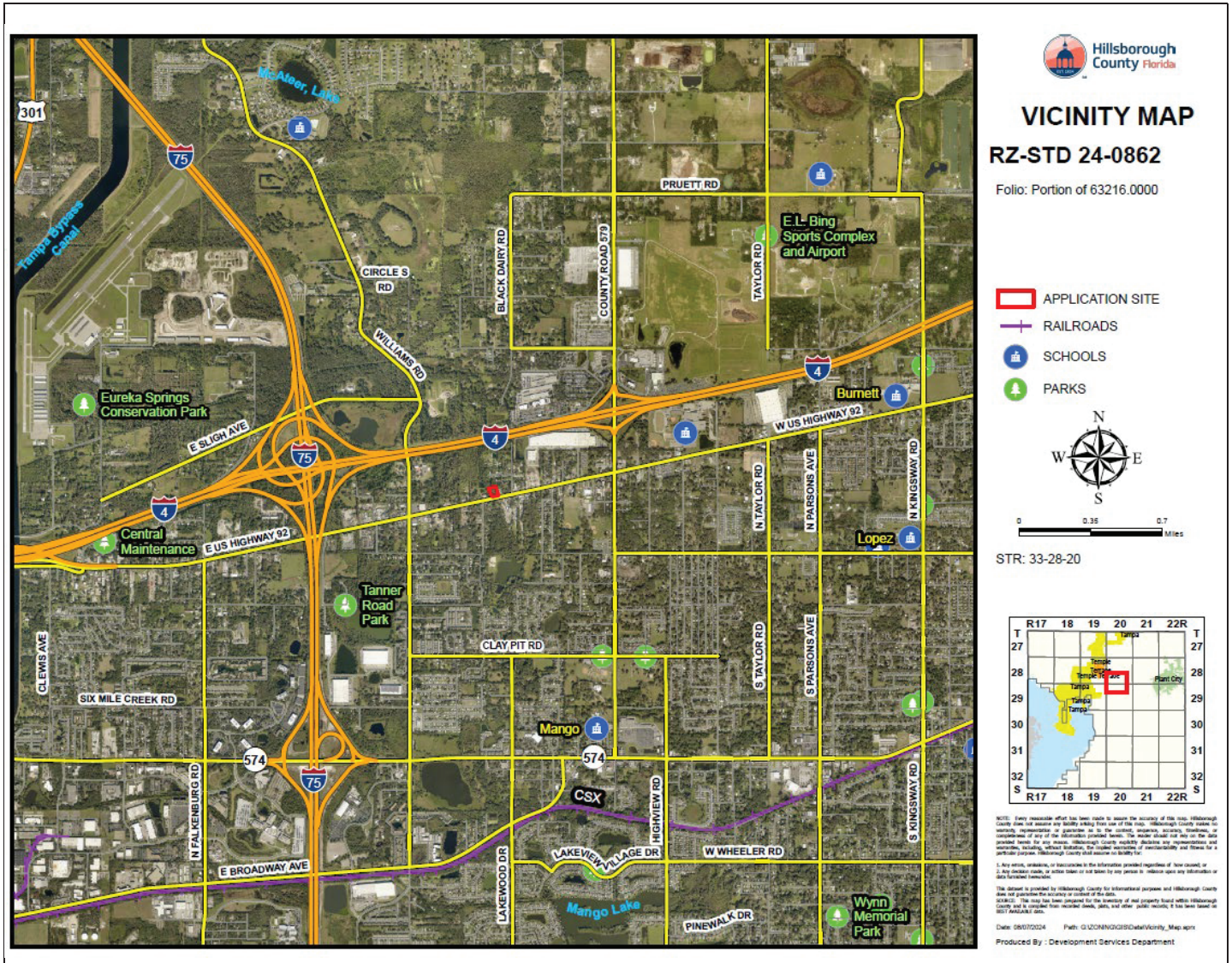
*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	CG	CI-R
Lot Size / Lot Width	10,000 sf / 75'	20,000 sf / 100'
Setbacks/Buffering and Screening	30' Front (South) 0' Sides 0' Rear	30' Front (South) 0' Sides 0' Rear
Height	50'	50'

Additional Information:**PD Variation(s)** None requested as part of this application.**Waiver(s) to the Land Development Code** None requested as part of this application.**Planning Commission Recommendation:**
Consistent**Development Services Recommendation:**
Not supportable

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

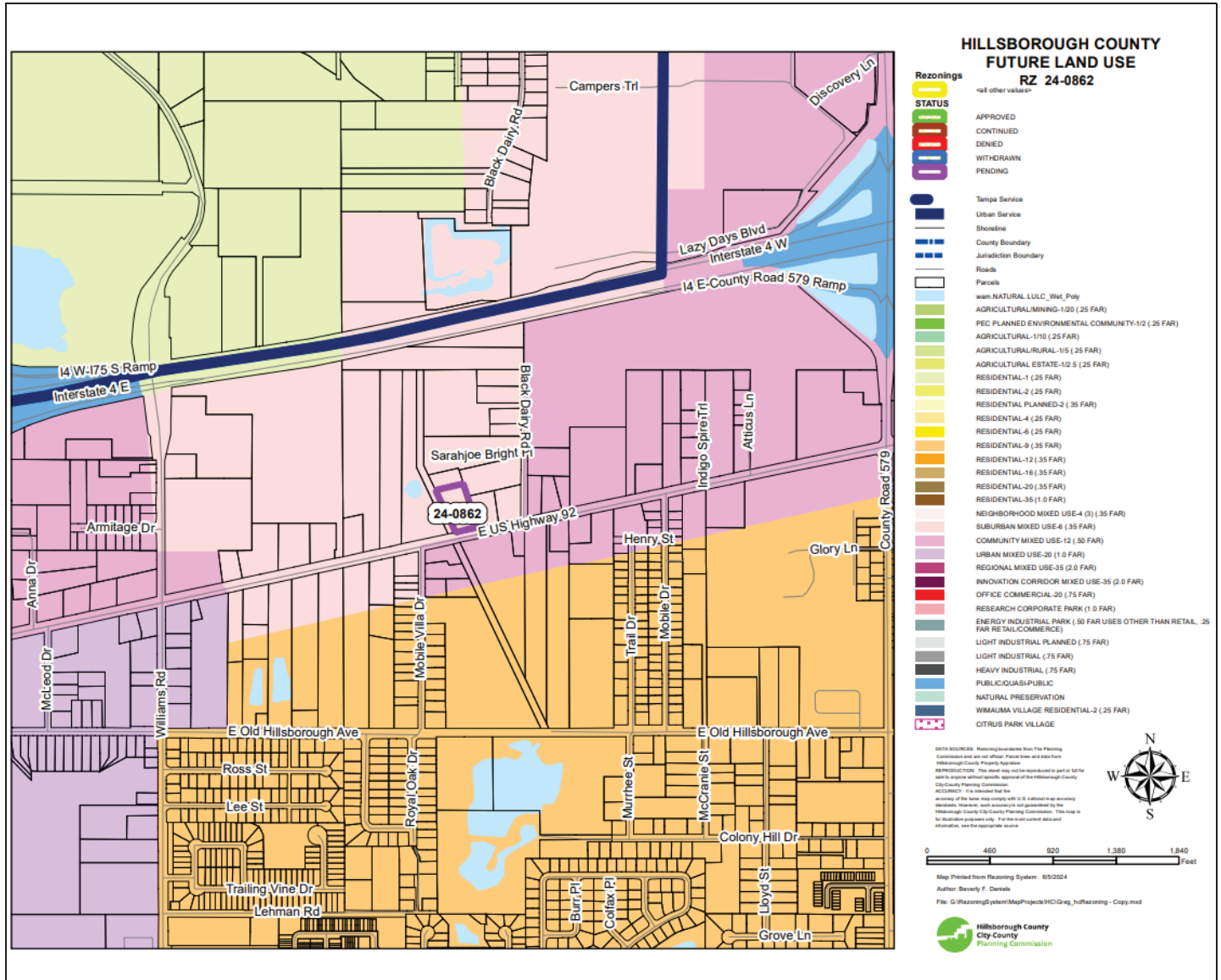


Context of Surrounding Area:

The property is located in Seffner, just west of County Line Road 579 and along US Highway 92. The property is located along a commercial corridor with various general and intensive commercial uses. Off the main roads are residential developments of various zoning districts. Further to the north and west of the site are larger properties with agricultural zoning districts.

2.0 LAND USE MAP SET AND SUMMARY DATA

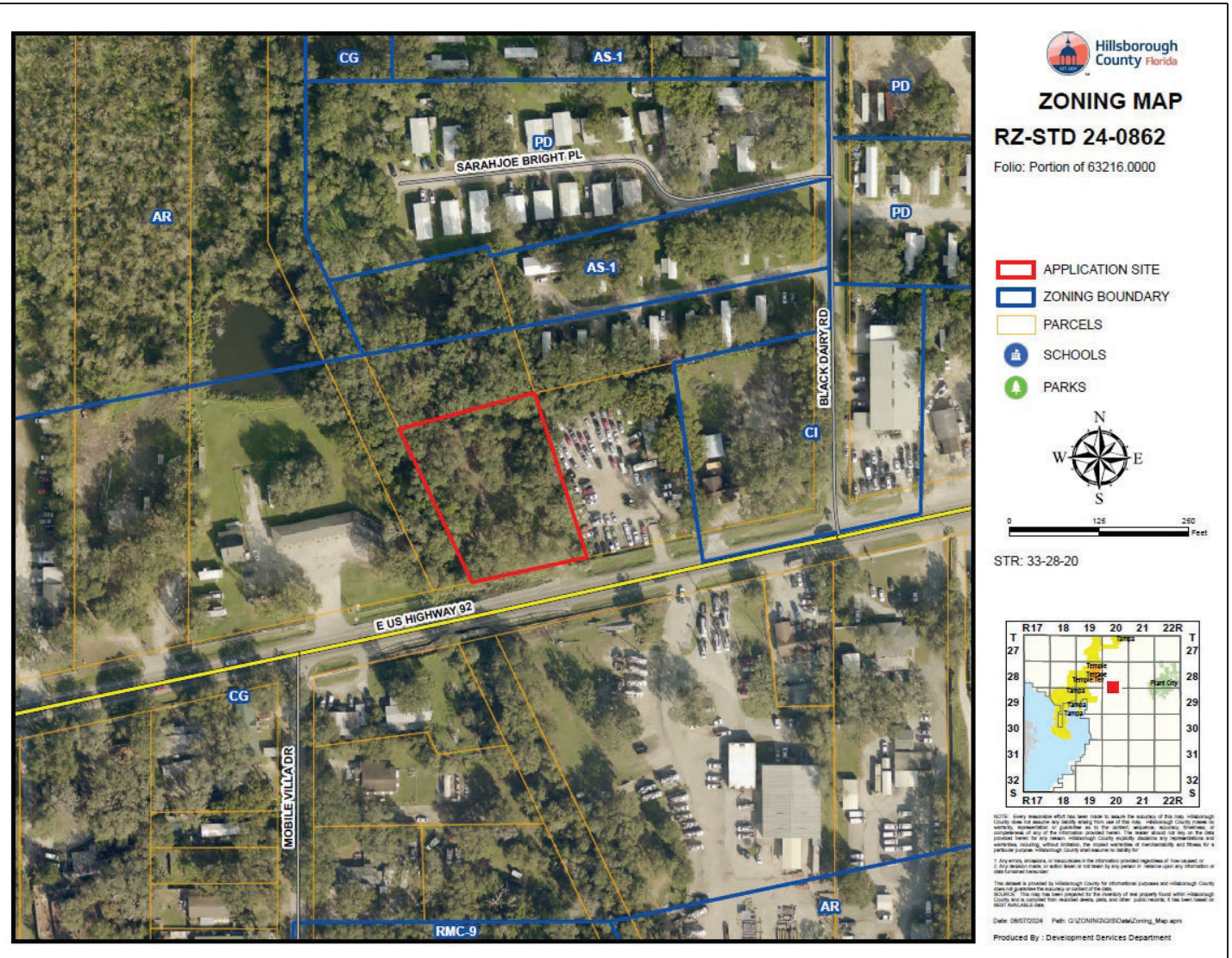
2.2 Future Land Use Map



Future Land Use Category:	SMU-6 (Suburban Mixed Use-6)
Maximum Density/F.A.R.:	6 DU/GA 0.25 FAR: suburban scale neighborhood commercial 0.35 FAR: office uses, research corporate park uses, multipurpose, and mixed uses 0.5 FAR: light industrial uses
Typical Uses:	Residential, suburban commercial, offices, research parks, light industrial, multi-purpose, clustered residential, mixed-use

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	CG	0.27 FAR	General Commercial	Vacant
South	CG	0.27 FAR	General Commercial	Warehousing
East	CG	0.27 FAR	General Commercial	Vehicle Salvage/Storage
West	CG	0.27 FAR	General Commercial	Public Lands

2.0 LAND USE MAP SET AND SUMMARY DATA

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

N/A

APPLICATION NUMBER: RZ-STD 24-0862

ZHM HEARING DATE: August 19th, 2024

BOCC LUM MEETING DATE: October 8th, 2024

Case Reviewer: Michelle Montalbano

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
E. US Highway 92	FDOT Arterial - Urban	2 Lanes ☐ Substandard Road ☐ Sufficient ROW Width	☒ Corridor Preservation Plan ☐ Site Access Improvements ☐ Substandard Road Improvements ☒ Other (TBD)

Project Trip Generation ☐ Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	4,694	452	464
Proposed	34	2	3
Difference (+/-)	-4,660	-450	-461

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

Connectivity and Cross Access ☒ Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
Notes:				

Design Exception/Administrative Variance ☒ Not applicable for this request		
Road Name/Nature of Request	Type	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes:		

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	☒ Yes ☐ No	☐ Yes ☒ No	☐ Yes ☒ No	
Natural Resources	☐ Yes ☒ No	☐ Yes ☐ No	☐ Yes ☐ No	
Conservation & Environ. Lands Mgmt.	☒ Yes ☐ No	☐ Yes ☒ No	☐ Yes ☒ No	
Check if Applicable: ☐ Wetlands/Other Surface Waters ☐ Use of Environmentally Sensitive Land Credit ☐ Wellhead Protection Area ☒ Surface Water Resource Protection Area ☐ Potable Water Wellfield Protection Area ☐ Significant Wildlife Habitat ☐ Coastal High Hazard Area ☐ Urban/Suburban/Rural Scenic Corridor ☐ Adjacent to ELAPP property ☐ Other _____				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation ☐ Design Exc./Adm. Variance Requested ☐ Off-site Improvements Provided	☒ Yes ☐ No	☒ Yes ☐ No	☐ Yes ☐ No ☒ N/A	See full report.
Service Area/ Water & Wastewater ☒ Urban ☐ City of Tampa ☐ Rural ☐ City of Temple Terrace	☒ Yes ☐ No	☐ Yes ☒ No	☐ Yes ☒ No	
Hillsborough County School Board Adequate ☐ K-5 ☐ 6-8 ☐ 9-12 ☒ N/A Inadequate ☐ K-5 ☐ 6-8 ☐ 9-12 ☒ N/A	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	
Impact/Mobility Fees				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission ☐ Meets Locational Criteria ☐ N/A ☐ Locational Criteria Waiver Requested ☐ Minimum Density Met ☐ N/A ☐ Density Bonus Requested	☒ Yes ☐ No	☐ Inconsistent ☒ Consistent	☐ Yes ☒ No	See agency report.

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The applicant is proposing to rezone a portion of the property located along US Hwy 92 in Seffner. Approximately 1.06 acres of the total 2.03-acre lot is requested to be rezoned from CG to CI-R. The parcel is currently split zoned CG and AS-1, but the AS-1 area will not be rezoned in this proposal. The proposed restriction is to limit the allowable use to the depositing and open storage of domestic vehicles in conjunction with a towing company. The parcel is currently classified as vacant, but aerials show the land may be in use, as the land was recently cleared.

The property is located along a commercial strip of US Hwy 92. The surrounding zoning districts are mainly CG and CI, occupied by various commercial uses. Neighboring the project to the ~~west~~ east is a CG zoned parcel currently occupied by a vehicle salvage use, and further ~~west~~ east a CI zoned property with an open storage use. To the ~~east~~ west is a small strip of vacant public lands, and then a motel zoned CG. Along US Hwy 92 are several CI zoned properties or PD's allowing commercial intensive uses.

To the rear of the full parcel are mobile home residential properties zoned AS-1 and PD 82-0436. The portion of the parcel being rezoned to CI-R will not directly neighbor these residential dwellings. The area abutting the residential properties will remain AS-1 and CG zoned, and the proposed open storage use will not be permitted in that area.

Transportation staff has objections to the rezoning request, in part due to comments received from FDOT regarding the property's anticipated access to US Hwy 92. County staff notes additional information is necessary to determine if the proposal can be supported, which the applicant did not provide. See transportation staff's report for their rational for objection.

5.2 Recommendation

Staff finds the rezoning request **not supportable**.

6.0 PROPOSED CONDITIONS

The applicant is proposing the following condition:

1. The use shall be limited to the depositing and open storage of domestic vehicles in conjunction with a towing company. The only exception shall be commercial vehicles parked, stored, and used on the site by the operating towing company.

Zoning Administrator Sign Off:	
---	--

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

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

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

Not applicable.

8.0 PROPOSED SITE PLAN (FULL)

Not applicable.

9.0 FULL TRANSPORTATION REPORT (see following pages)

Rezoning Application: RZ STD 24-0862**Zoning Hearing Master Date:** 08/19/2024**BOCC Land Use Meeting Date:** 10/08/2024**Hillsborough
County Florida****Development Services Department****1.0 APPLICATION SUMMARY****Applicant:** Todd Pressman**FLU Category:** SMU-6**Service Area:** Urban**Site Acreage:** 1.06 acres +/-**Community Plan Area:** Seffner Mango**Overlay:** None**Special District:** None**Request:** Rezone from CG to CI-R

Application No. 24-0862

Name: Rosa Timoteo

Entered at Public Hearing: ZHM

Exhibit # 2

Date: 8-19-2024

**Introduction Summary:**

The applicant is requesting to rezone a portion of property from CG (Commercial, General) to CI (Commercial, Intensive) with restrictions. The proposed restriction is to limit the allowable use to open storage of domestic vehicles in conjunction with a towing company. The property is currently split zoned, with the approximate 130' to the rear being zoned AS-1. The proposal is to rezone the front +/- 1.06 acres to CI-R, leaving northern half of the parcel zoned AS-1 and CG. The proposed CI-R zoned area will align with the dimensions of the two abutting eastern lots and their platted lots.

Zoning:	Existing	Proposed
District(s)	CG	CI-R
Typical General Use(s)	General Commercial, Office and Personal Services	Intensive Commercial, Office and Personal Services
Acreage	1.06 +/-	1.06 +/-
Density/Intensity	0.27 FAR	0.30 FAR
Mathematical Maximum*	12,466.9 square feet	13,851.2 square feet

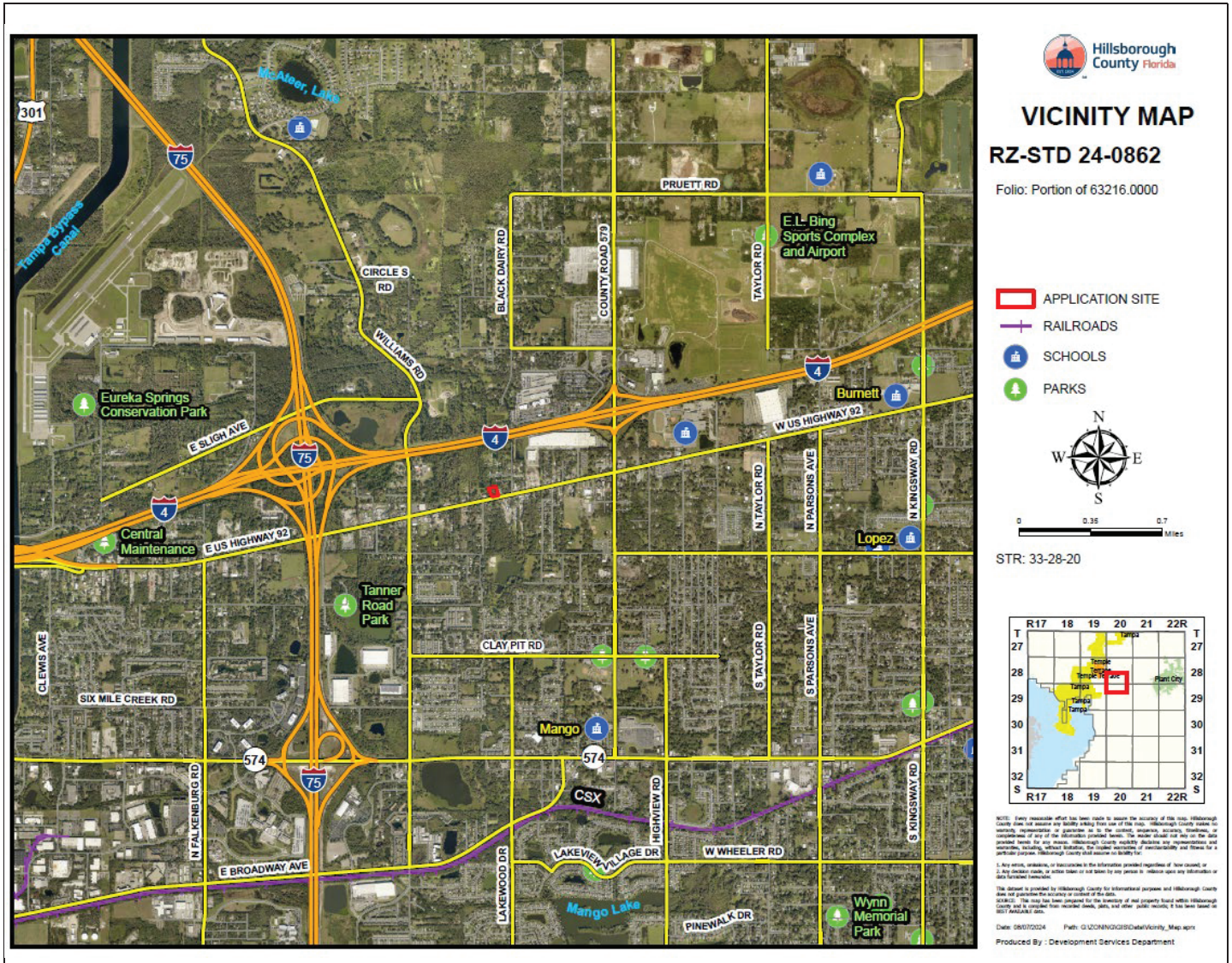
*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	CG	CI-R
Lot Size / Lot Width	10,000 sf / 75'	20,000 sf / 100'
Setbacks/Buffering and Screening	30' Front (South) 0' Sides 0' Rear	30' Front (South) 0' Sides 0' Rear
Height	50'	50'

Additional Information:**PD Variation(s)** None requested as part of this application.**Waiver(s) to the Land Development Code** None requested as part of this application.**Planning Commission Recommendation:**
Consistent**Development Services Recommendation:**
Not supportable

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

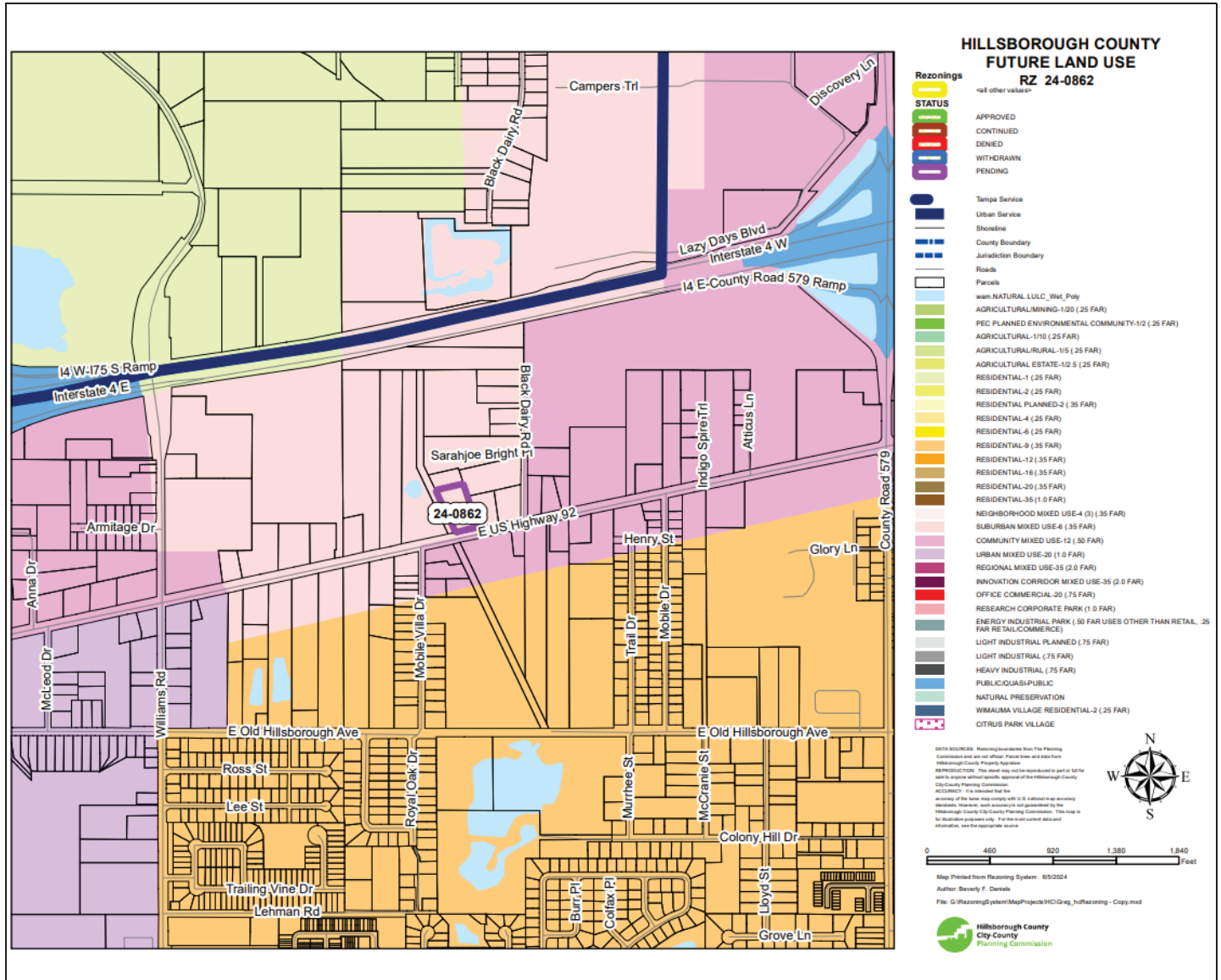


Context of Surrounding Area:

The property is located in Seffner, just west of County Line Road 579 and along US Highway 92. The property is located along a commercial corridor with various general and intensive commercial uses. Off the main roads are residential developments of various zoning districts. Further to the north and west of the site are larger properties with agricultural zoning districts.

2.0 LAND USE MAP SET AND SUMMARY DATA

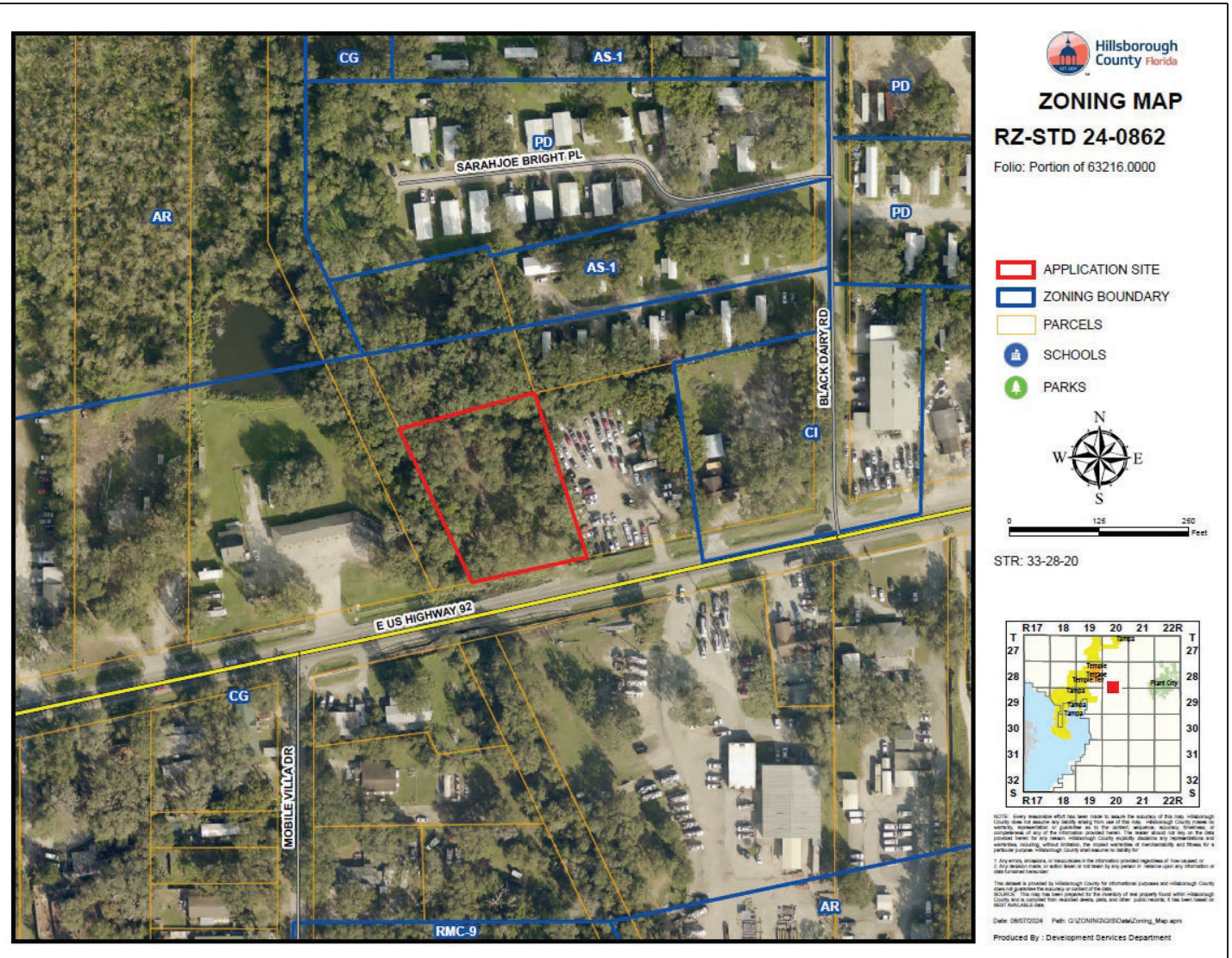
2.2 Future Land Use Map



Future Land Use Category:	SMU-6 (Suburban Mixed Use-6)
Maximum Density/F.A.R.:	6 DU/GA 0.25 FAR: suburban scale neighborhood commercial 0.35 FAR: office uses, research corporate park uses, multipurpose, and mixed uses 0.5 FAR: light industrial uses
Typical Uses:	Residential, suburban commercial, offices, research parks, light industrial, multi-purpose, clustered residential, mixed-use

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	CG	0.27 FAR	General Commercial	Vacant
South	CG	0.27 FAR	General Commercial	Warehousing
East	CG	0.27 FAR	General Commercial	Vehicle Salvage/Storage
West	CG	0.27 FAR	General Commercial	Public Lands

2.0 LAND USE MAP SET AND SUMMARY DATA

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

N/A

APPLICATION NUMBER: RZ-STD 24-0862

ZHM HEARING DATE: August 19th, 2024

BOCC LUM MEETING DATE: October 8th, 2024

Case Reviewer: Michelle Montalbano

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
E. US Highway 92	FDOT Arterial - Urban	2 Lanes ☐ Substandard Road ☐ Sufficient ROW Width	☒ Corridor Preservation Plan ☐ Site Access Improvements ☐ Substandard Road Improvements ☒ Other (TBD)

Project Trip Generation ☐ Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	4,694	452	464
Proposed	34	2	3
Difference (+/-)	-4,660	-450	-461

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

Connectivity and Cross Access ☒ Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
Notes:				

Design Exception/Administrative Variance ☒ Not applicable for this request		
Road Name/Nature of Request	Type	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes:		

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	☒ Yes ☐ No	☐ Yes ☒ No	☐ Yes ☒ No	
Natural Resources	☐ Yes ☒ No	☐ Yes ☐ No	☐ Yes ☐ No	
Conservation & Environ. Lands Mgmt.	☒ Yes ☐ No	☐ Yes ☒ No	☐ Yes ☒ No	
Check if Applicable: ☐ Wetlands/Other Surface Waters ☐ Use of Environmentally Sensitive Land Credit ☐ Wellhead Protection Area ☒ Surface Water Resource Protection Area ☐ Potable Water Wellfield Protection Area ☐ Significant Wildlife Habitat ☐ Coastal High Hazard Area ☐ Urban/Suburban/Rural Scenic Corridor ☐ Adjacent to ELAPP property ☐ Other _____				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation ☐ Design Exc./Adm. Variance Requested ☐ Off-site Improvements Provided	☒ Yes ☐ No	☒ Yes ☐ No	☐ Yes ☐ No ☒ N/A	See full report.
Service Area/ Water & Wastewater ☒ Urban ☐ City of Tampa ☐ Rural ☐ City of Temple Terrace	☒ Yes ☐ No	☐ Yes ☒ No	☐ Yes ☒ No	
Hillsborough County School Board Adequate ☐ K-5 ☐ 6-8 ☐ 9-12 ☒ N/A Inadequate ☐ K-5 ☐ 6-8 ☐ 9-12 ☒ N/A	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	
Impact/Mobility Fees				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission ☐ Meets Locational Criteria ☐ N/A ☐ Locational Criteria Waiver Requested ☐ Minimum Density Met ☐ N/A ☐ Density Bonus Requested	☒ Yes ☐ No	☐ Inconsistent ☒ Consistent	☐ Yes ☒ No	See agency report.

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The applicant is proposing to rezone a portion of the property located along US Hwy 92 in Seffner. Approximately 1.06 acres of the total 2.03-acre lot is requested to be rezoned from CG to CI-R. The parcel is currently split zoned CG and AS-1, but the AS-1 area will not be rezoned in this proposal. The proposed restriction is to limit the allowable use to the depositing and open storage of domestic vehicles in conjunction with a towing company. The parcel is currently classified as vacant, but aerials show the land may be in use, as the land was recently cleared.

The property is located along a commercial strip of US Hwy 92. The surrounding zoning districts are mainly CG and CI, occupied by various commercial uses. Neighboring the project to the ~~west~~ east is a CG zoned parcel currently occupied by a vehicle salvage use, and further ~~west~~ east a CI zoned property with an open storage use. To the ~~east~~ west is a small strip of vacant public lands, and then a motel zoned CG. Along US Hwy 92 are several CI zoned properties or PD's allowing commercial intensive uses.

To the rear of the full parcel are mobile home residential properties zoned AS-1 and PD 82-0436. The portion of the parcel being rezoned to CI-R will not directly neighbor these residential dwellings. The area abutting the residential properties will remain AS-1 and CG zoned, and the proposed open storage use will not be permitted in that area.

Transportation staff has objections to the rezoning request, in part due to comments received from FDOT regarding the property's anticipated access to US Hwy 92. County staff notes additional information is necessary to determine if the proposal can be supported, which the applicant did not provide. See transportation staff's report for their rational for objection.

5.2 Recommendation

Staff finds the rezoning request **not supportable**.

6.0 PROPOSED CONDITIONS

The applicant is proposing the following condition:

1. The use shall be limited to the depositing and open storage of domestic vehicles in conjunction with a towing company. The only exception shall be commercial vehicles parked, stored, and used on the site by the operating towing company.

Zoning Administrator Sign Off:

J. Brian Grady

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

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

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

Not applicable.

8.0 PROPOSED SITE PLAN (FULL)

Not applicable.

9.0 FULL TRANSPORTATION REPORT (see following pages)

Rezoning Application: RZ STD 24-0862**Zoning Hearing Master Date:** 08/19/2024**BOCC Land Use Meeting Date:** 10/08/2024**Hillsborough
County Florida****Development Services Department****1.0 APPLICATION SUMMARY****Applicant:** Todd Pressman**FLU Category:** SMU-6**Service Area:** Urban**Site Acreage:** 1.06 acres +/-**Community Plan Area:** Seffner Mango**Overlay:** None**Special District:** None**Request:** Rezone from CG to CI-R

Application No. 24-0862

Name: Rosa Timoteo

Entered at Public Hearing: ZHM

Exhibit #3

Date: 8-19-2024

**Introduction Summary:**

The applicant is requesting to rezone a portion of property from CG (Commercial, General) to CI (Commercial, Intensive) with restrictions. The proposed restriction is to limit the allowable use to open storage of domestic vehicles in conjunction with a towing company. The property is currently split zoned, with the approximate 130' to the rear being zoned AS-1. The proposal is to rezone the front +/- 1.06 acres to CI-R, leaving northern half of the parcel zoned AS-1 and CG. The proposed CI-R zoned area will align with the dimensions of the two abutting eastern lots and their platted lots.

Zoning:	Existing	Proposed
District(s)	CG	CI-R
Typical General Use(s)	General Commercial, Office and Personal Services	Intensive Commercial, Office and Personal Services
Acreage	1.06 +/-	1.06 +/-
Density/Intensity	0.27 FAR	0.30 FAR
Mathematical Maximum*	12,466.9 square feet	13,851.2 square feet

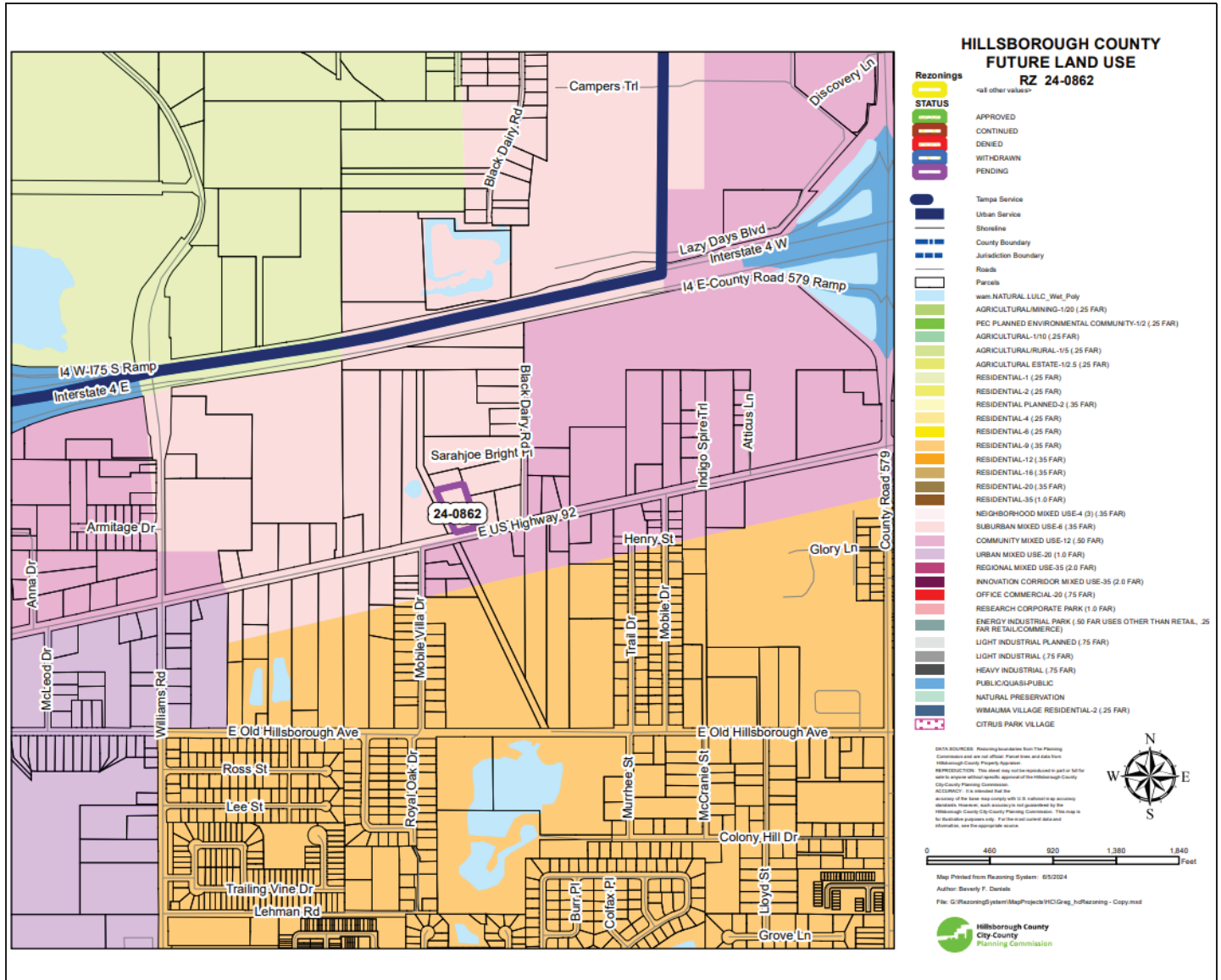
*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	CG	CI-R
Lot Size / Lot Width	10,000 sf / 75'	20,000 sf / 100'
Setbacks/Buffering and Screening	30' Front (South) 0' Sides 0' Rear	30' Front (South) 0' Sides 0' Rear
Height	50'	50'

Additional Information:**PD Variation(s)** None requested as part of this application.**Waiver(s) to the Land Development Code** None requested as part of this application.**Planning Commission Recommendation:**
Consistent**Development Services Recommendation:**
Not supportable

2.0 LAND USE MAP SET AND SUMMARY DATA

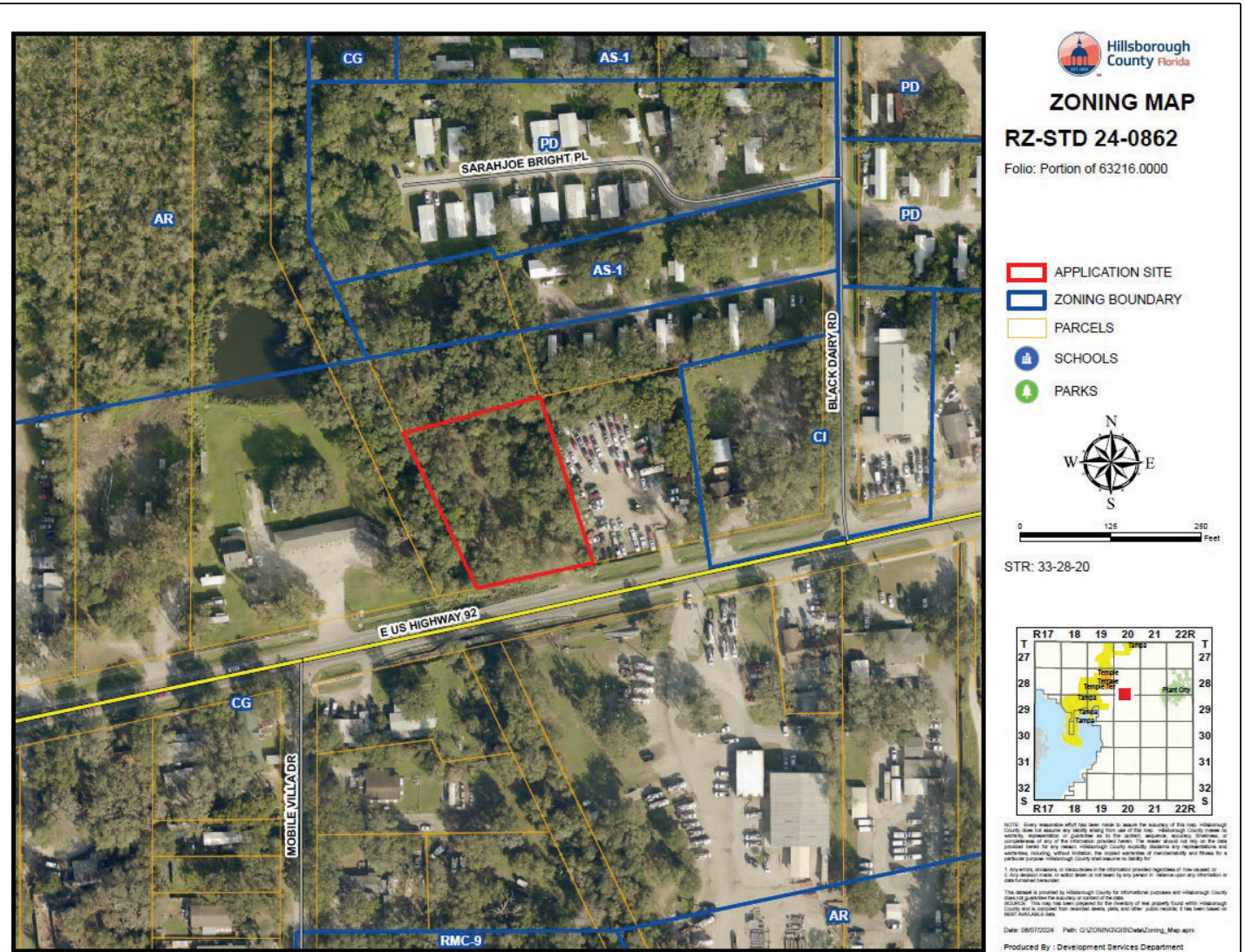
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2.0 LAND USE MAP SET AND SUMMARY DATA

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

N/A

APPLICATION NUMBER: RZ-STD 24-0862

ZHM HEARING DATE: August 19th, 2024

BOCC LUM MEETING DATE: October 8th, 2024

Case Reviewer: Michelle Montalbano

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South		Choose an item.	Choose an item.	Choose an item.
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West		Choose an item.	Choose an item.	Choose an item.
Notes:				

Design Exception/Administrative Variance ☒ Not applicable for this request		
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Conservation & Environ. Lands Mgmt.	☒ Yes ☐ No	☐ Yes ☒ No	☐ Yes ☒ No	
Check if Applicable: ☐ Wetlands/Other Surface Waters ☐ Use of Environmentally Sensitive Land Credit ☐ Wellhead Protection Area ☒ Surface Water Resource Protection Area ☐ Potable Water Wellfield Protection Area ☐ Significant Wildlife Habitat ☐ Coastal High Hazard Area ☐ Urban/Suburban/Rural Scenic Corridor ☐ Adjacent to ELAPP property ☐ Other _____				
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Service Area/ Water & Wastewater ☒ Urban ☐ City of Tampa ☐ Rural ☐ City of Temple Terrace	☒ Yes ☐ No	☐ Yes ☒ No	☐ Yes ☒ No	
Hillsborough County School Board Adequate ☐ K-5 ☐ 6-8 ☐ 9-12 ☒ N/A Inadequate ☐ K-5 ☐ 6-8 ☐ 9-12 ☒ N/A	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	
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Planning Commission ☐ Meets Locational Criteria ☐ N/A ☐ Locational Criteria Waiver Requested ☐ Minimum Density Met ☐ N/A ☐ Density Bonus Requested	☒ Yes ☐ No	☐ Inconsistent ☒ Consistent	☐ Yes ☒ No	See agency report.

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5.1 Compatibility

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Transportation staff has objections to the rezoning request, in part due to comments received from FDOT regarding the property's anticipated access to US Hwy 92. County staff notes additional information is necessary to determine if the proposal can be supported, which the applicant did not provide. See transportation staff's report for their rational for objection.

5.2 Recommendation

Staff finds the rezoning request **not supportable**.

6.0 PROPOSED CONDITIONS

The applicant is proposing the following condition:

1. The use shall be limited to the depositing and open storage of domestic vehicles in conjunction with a towing company. The only exception shall be commercial vehicles parked, stored, and used on the site by the operating towing company.

Zoning Administrator Sign Off:

J. Brian Grady

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

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

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

Not applicable.

8.0 PROPOSED SITE PLAN (FULL)

Not applicable.

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 08/09/2024

REVIEWER: Sarah Rose, Senior Planner

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: SM/Central

PETITION NO: RZ 24-0862

☐

This agency has no comments.

☐

This agency has no objection.

☐

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

☒

This agency objects for the reasons set forth below.

RATIONAL FOR OBJECTION

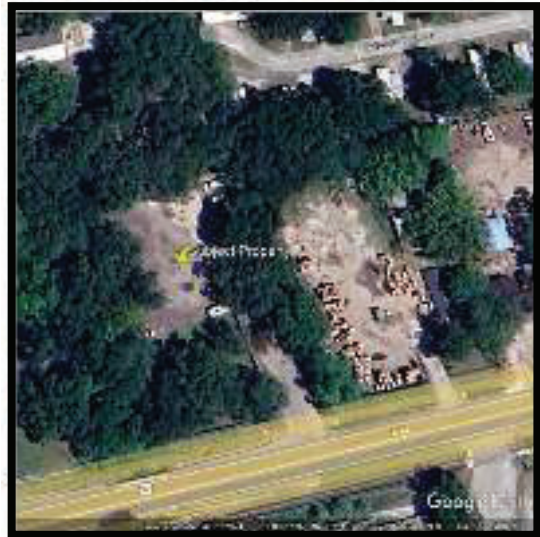
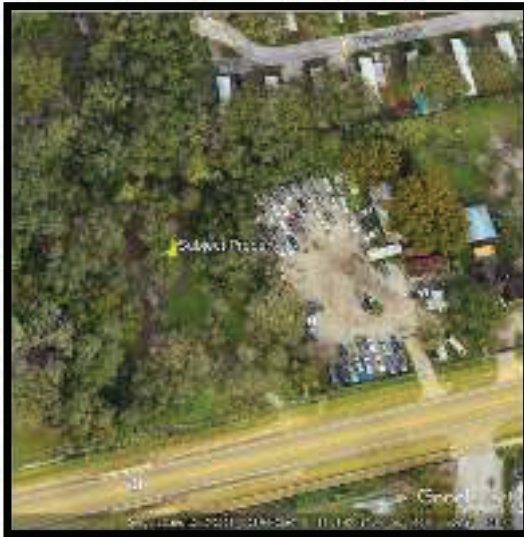
1. On August 6th, 2024, the applicant met with Florida Department of Transportation (FDOT) staff and County staff to discuss the applicants proposed use in this application and access to a state-maintained roadway. FDOT staff had several questions, comments, and concerns. Specifically, FDOT staff mentioned that:
 - a. The FDOT driveway spacing requirement for this section of the roadway on US HWY 92 is 440 feet between connections. The project cannot meet minimum spacing standards (staff notes the existing access is located +/- 14 feet from the next closest driveway to the east) and any driveway connection would be considered non-confirming. As such, such connection would be considered temporary, and the project would be required to take access from the adjacent property (i.e. to the east) which would require certain stub outs to accommodate this future access configuration.
 - b. FDOT staff has expressed safety and operational concerns regarding the ability of the larger tow truck or car carrier to enter or exit the parcel and requested a conceptual site plan and an AutoTurn analysis. This information was requested to demonstrate that this site has the ability to accommodate the drop-off and pick up of vehicles wholly within the site (staff notes other similar uses in the county have created issues by loading and unloading inventory in adjacent rights of way) and to ensure that the larger vehicles are able to turn around within the site (i.e. without backing out into US Hwy 92).
 - c. FDOT staff expressed concerns about the proximity of the commercial driveway to the existing guard rail and the limited frontage available, both of which may impact the applicant's ability to meet geometric and other requirements for the intended use.
2. County staff has not provided any information to FDOT in order to address these concerns as of the time of the filing of this report. During the above referenced meeting County staff offered to assist the applicant in crafting restrictions which could address some or all of the concerns raised by FDOT staff. The applicant did not take staff up on the offer.

3. County staff notes that the applicant is proposing to rezone to a single use, which FDOT has expressed the above concerns about, which might affect their ability to permit access. Approval of this application could lead to a situation where FDOT is compelled to permit substandard, unsafe or otherwise unacceptable access due to this zoning action removing all other existing permitted uses, some of which would not generate large truck traffic, or otherwise be placed in a position that could result in a regulatory taking.
4. County staff inquired why the applicant was eliminating existing uses approved under the current zoning, such as a Kennel, Gunsmith, Adult Care Center, Barber or Beauty Shop, or Family Support Services, to name a few, which may not be objectionable to FDOT since these uses do not typically involve large truck traffic. The applicant said they would look into the issue with their client but has not offered any explanations/alternatives.
5. Staff notes that regardless of the project's reduction in the maximum trip generation potential of the subject site, trip generation is only one facet, of what constitutes the ability to provide safe access. Given FDOT's request for additional information and expressed concerns, and the applicant's failure to proffer any restrictions which could address FDOT comments, staff has no alternative but to object to the proposed zoning. Staff remains hopeful that if the case is continued, the record can be supplemented with additional information requested by FDOT and/or proposed restriction which would allow staff to support this request.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a portion of the existing parcel in the amount of +/- 1.07 acres from Commercial General (CG) to Commercial Intensive – Restricted (CI-R). The proposed restriction would allow for open vehicle storage and associated towing operations. The site is located on the north side of E. US Highway 92 and approximately +/- 352 feet west of the intersection of Black Diary Road and E US Highway 92. The Future Land Use designation of the site is Suburban Mixed Use-6 (SMU-6).

County staff notes that based on recent aerial and other photography it appears the site may be in use and/or land was recently cleared. See below photos. Staff searched county records and could not find any evidence that these activities were permitted. Staff notes that even if this use is ultimately approved, the site will be required to be permitted through the site/construction review process to address Land Development Code requirements (LDC) including but not limited to the paving of parking and drive isles, required sidewalks, etc.



Trip Generation Analysis

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

Since ITE does not provide rates for open storage uses, a methodology was developed to allow estimation of trip impacts associated with such use. Specifically, the acreage of the portion of the site dedicated to these uses was multiplied by the maximum allowable floor-area-ratio for the underlying future land use of the site in order to calculate a square-footage value which could then be analyzed as mini-storage uses, which staff believes is the closest analog use currently available from ITE for the proposed use.

Approved Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CG, Fast Food with Drive Thru (ITE Code 934) 8,000sqft	3,740	357	264
CG, Bank with Drive Thru (ITE Code 912) 9,524sqft	954	95	200
Total	4,694	452	464

Proposed Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CI-R, Open Storage of Vehicles (ITE Code 151) 23,288sqft	34	2	3

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	- 4,660	-450	-461

Transportation Infrastructure Serving the Site

The site has frontage on E. US Highway 92. E. US Highway 92 is a 2-lane, undivided, FDOT maintained, Urban Arterial roadway. The roadway is characterized by +/- 11 ft wide travel lanes, no bike lanes on either side within the vicinity of the proposed project, and +/- 5 ft wide sidewalk on the south side of the roadway, within +/- 80 ft of the right of way.

Pursuant to the Hillsborough County corridor preservation plan E. US Highway 92 is designated for a future six lane enhancement.

SITE ACCESS

It is anticipated that the site will have access to US 92. As noted in the “Rationale for Objection” section hereinabove, FDOT staff indicated additional information was necessary to review site access; however, the applicant did not provide any additional information or propose any restrictions that might assuage FDOT’s concerns. While many Euclidean zonings are for sites with sufficient frontage and/or can otherwise meet applicable access and other requirements, some sites (such as the subject site) require additional review and discussion in order to determine whether the proposed intensity and/or use(s) are supportable and can be permitted at the time of site/construction plan review.

Staff notes it is inadvisable to approve a zoning which permits only one use on a site which cannot provide a conforming access, and where the applicant has not provided additional information or restrictions to otherwise address the issue, and which may not be able to accommodate large vehicles which are a central feature of similar uses (and where the applicant hasn’t proposed restrictions regarding same).

Without the additional information, FDOT staff was unable to complete its conceptual review and cannot definitively state that the only use the applicant is proposing would be supported.

Roadway Level of service (LOS) INFORMATION

E. US Highway 92 roadway level of service is for information purposes only.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr. Directional LOS
E. US Highway 92	Williams Road	Pine Street	D	C

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

RZ STD 24-0862

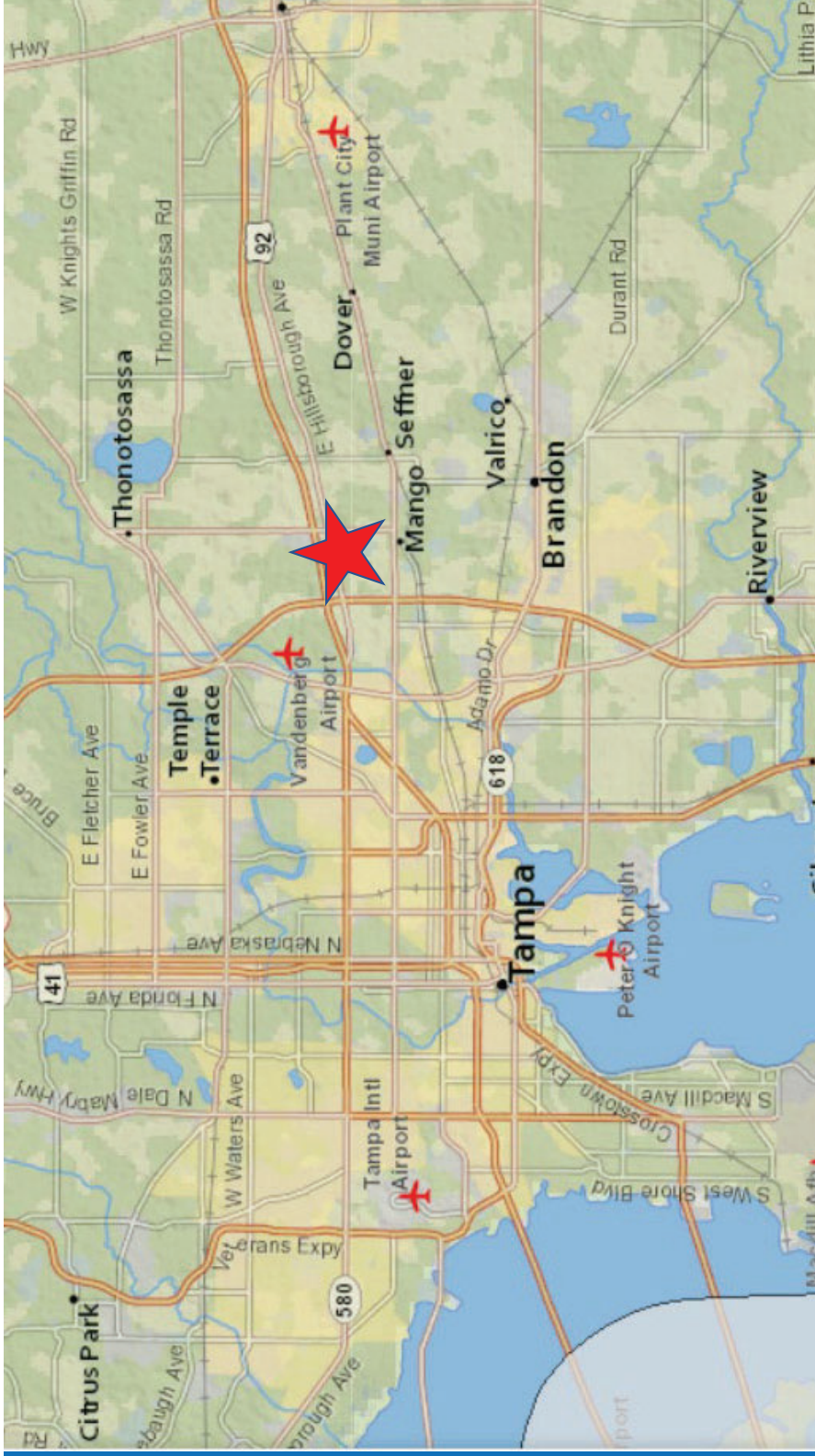
Rezone from CG to CI-R

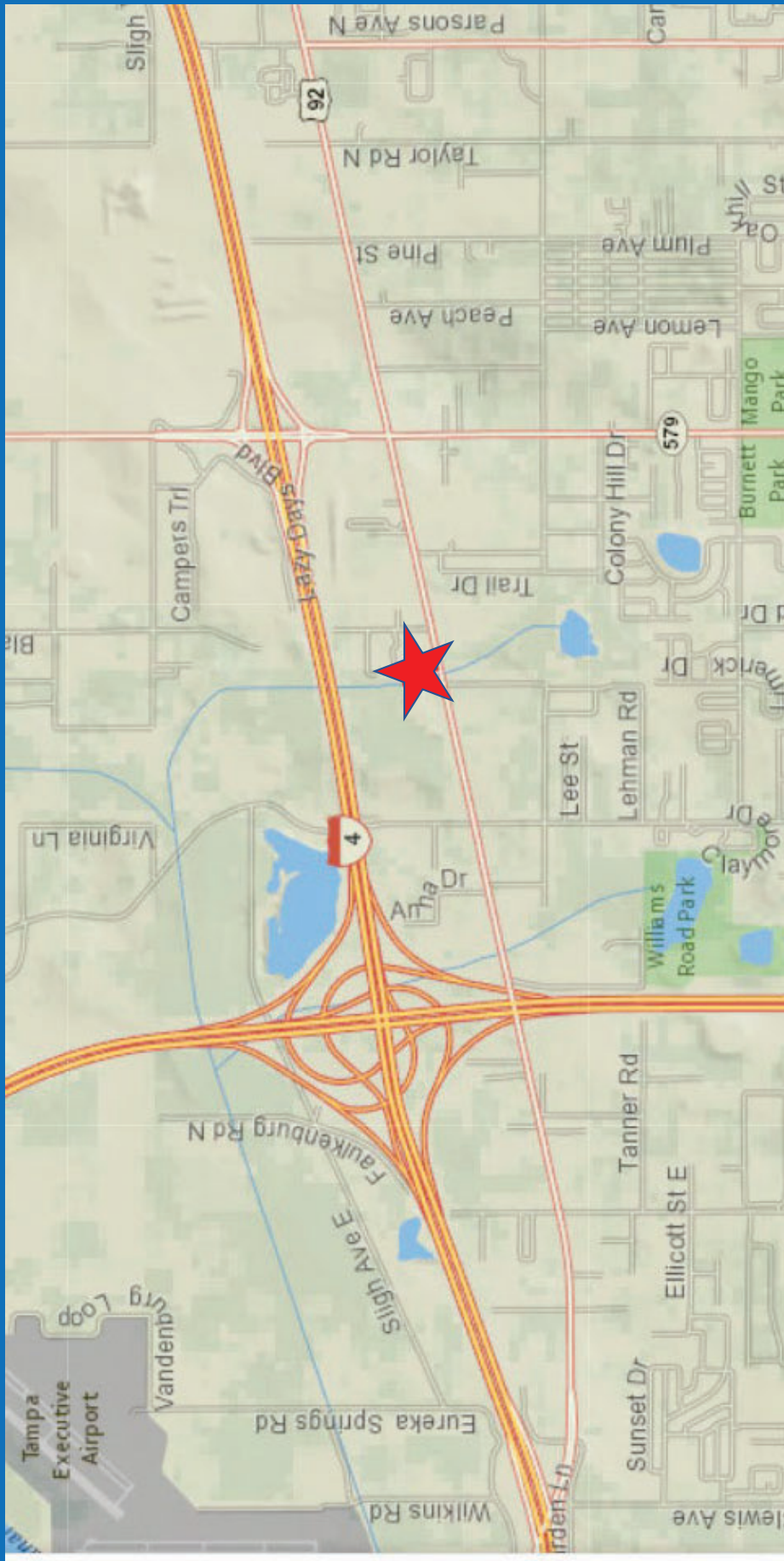
1.06 acres

FLU: SMU-6

Application No. 24-0862
Name: Todd Pressman
Entered at Public Hearing: ZHM
Exhibit #4
Date: 8-19-2024

Seffner- Mango Area







Highway 92

E US Highway 92

Black Oak Rd

Black Oak Rd

Henry St

Henry St

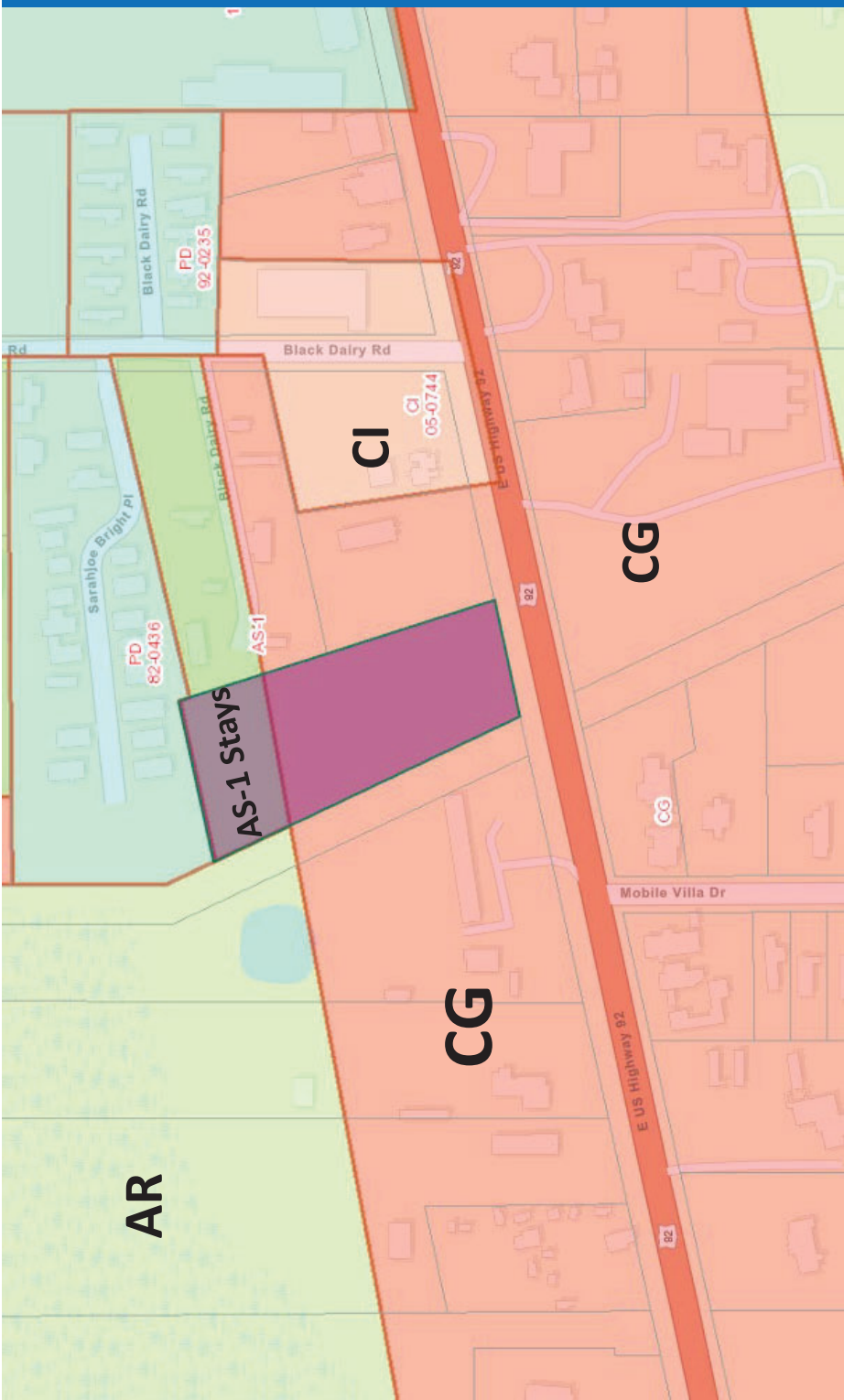
Plan Comm. Consistent

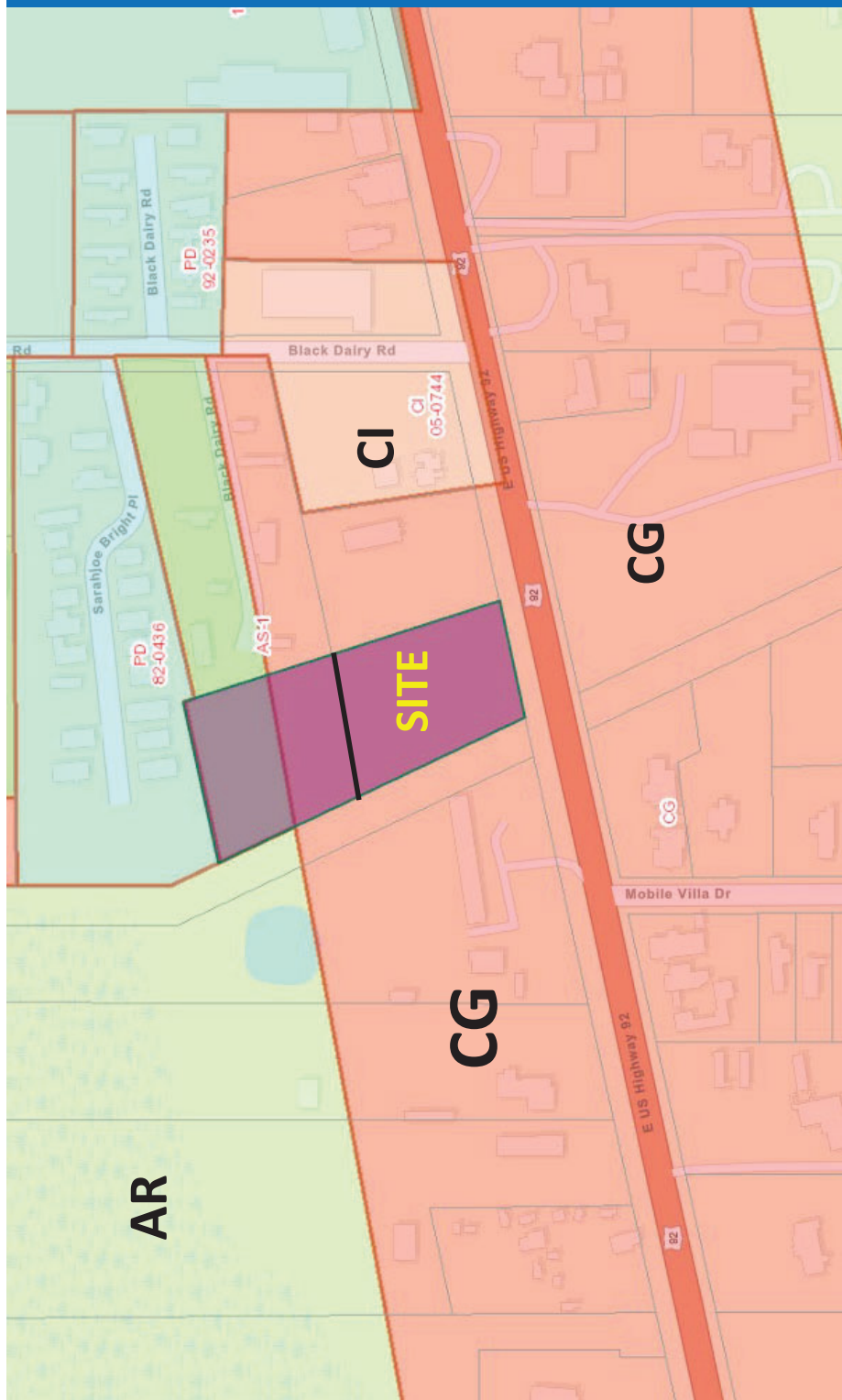
Restriction:

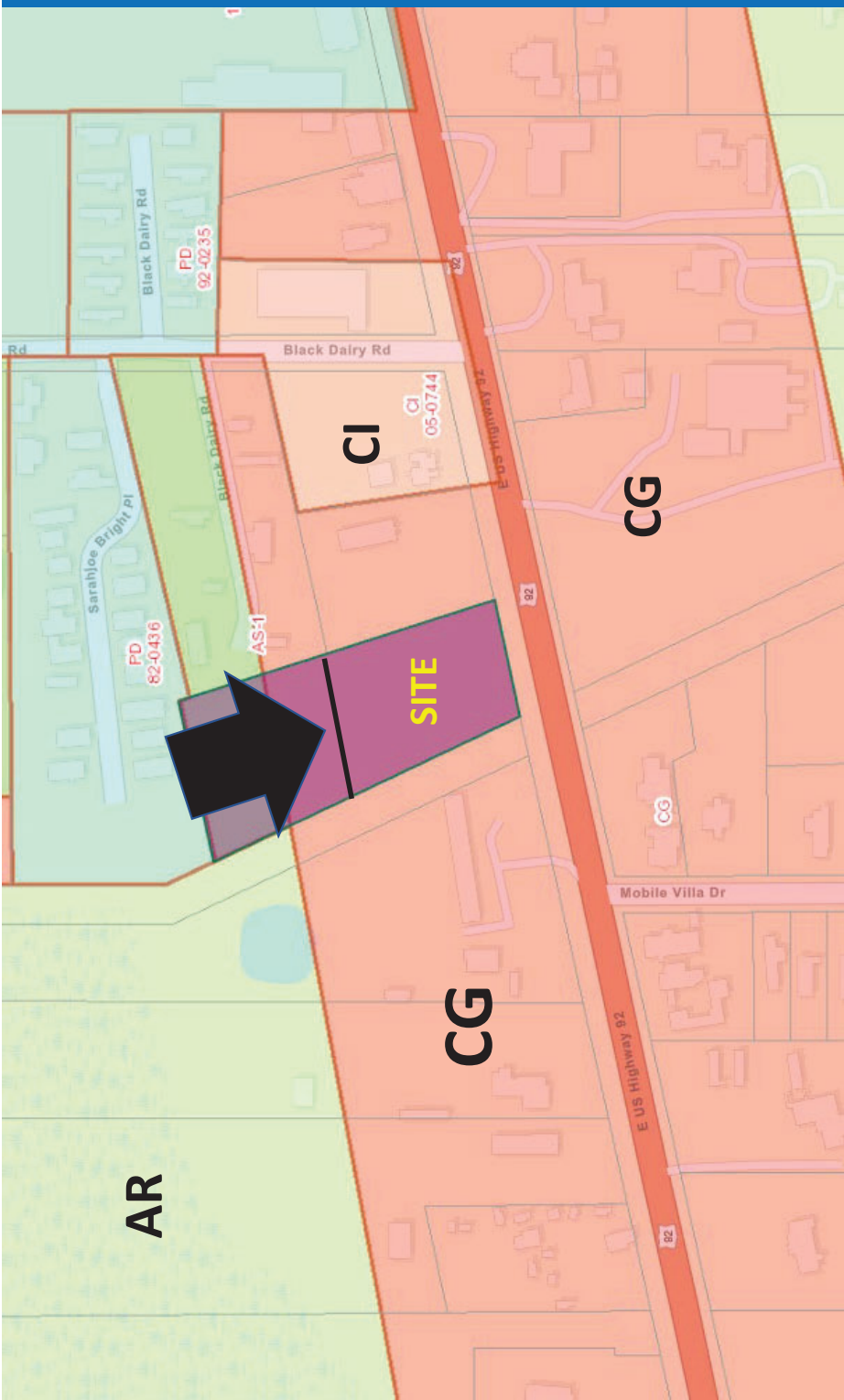
1) USE: open storage of domestic vehicles in conjunction with a towing company.

Quiet. Extreme low trips. No infrastructure. Extreme low activity.

The front 1.06 acres is to be rezoned, leaving the Northern half zoned as it exists: AS-1 & CG.







Property Appraiser

Area of rezoning to CI-R

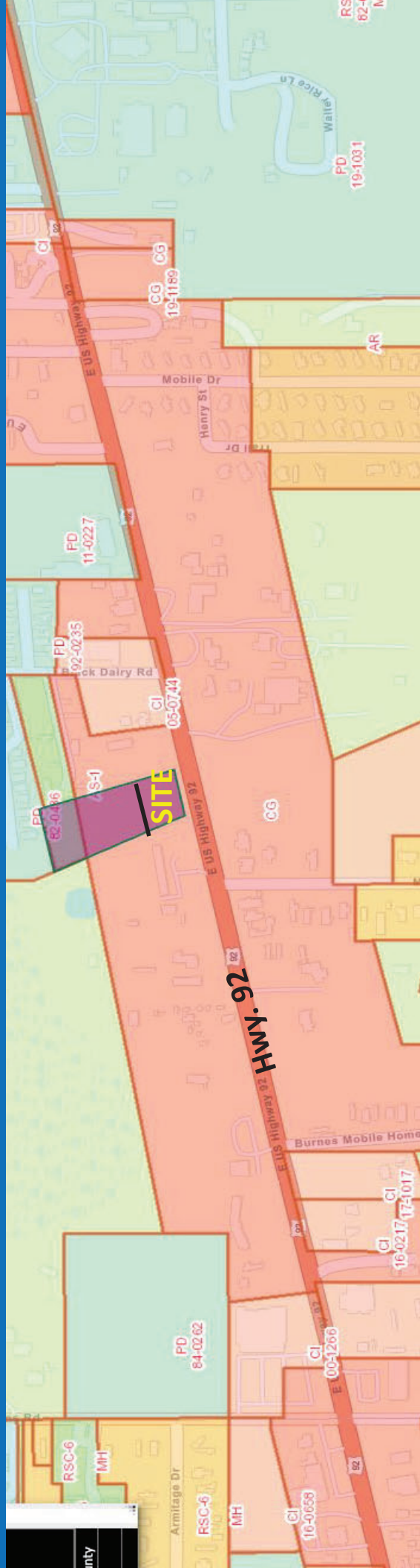
Runs along lot lines



Great Buffers and Screening

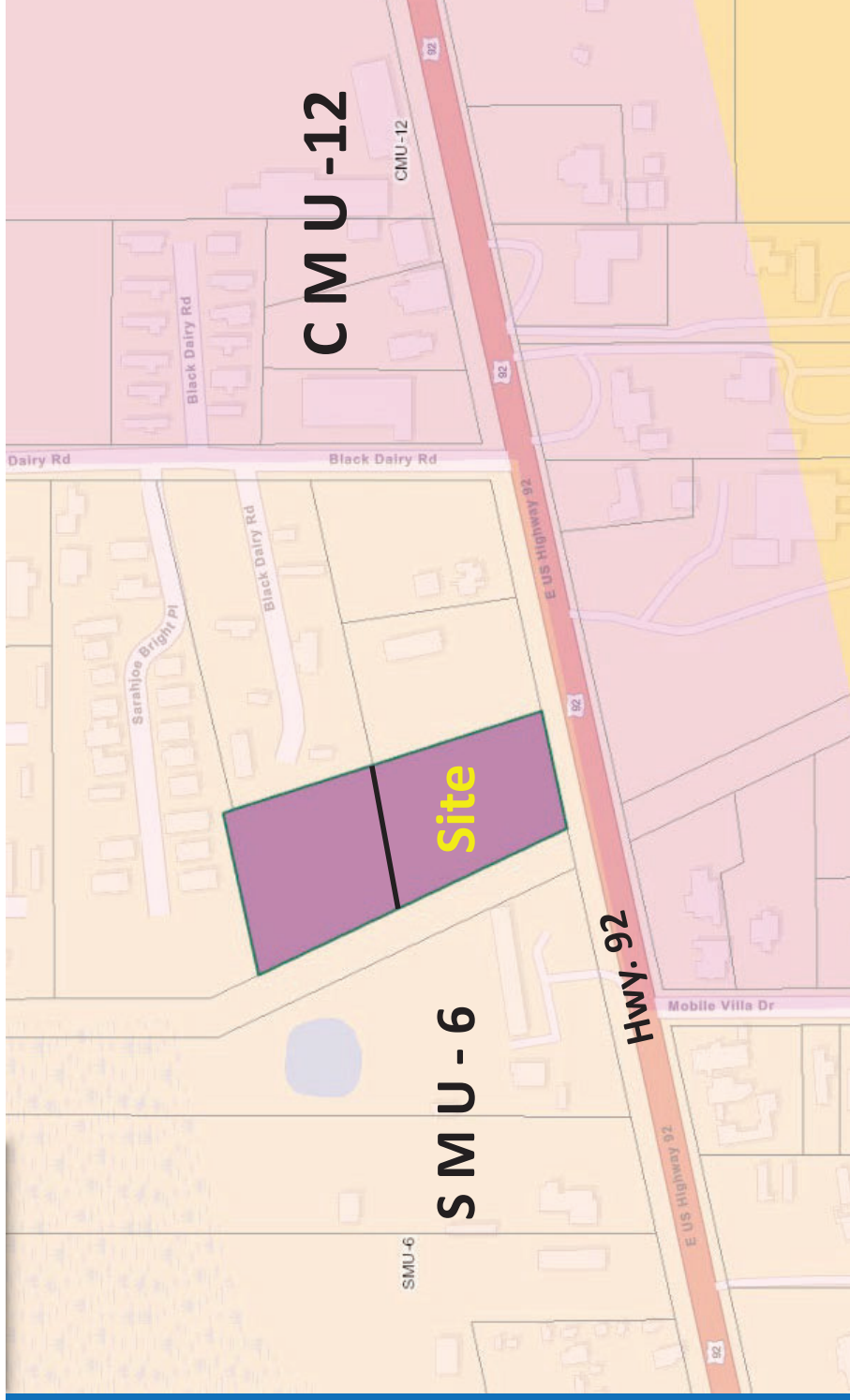


CI & CG zoning categories all along the corridor

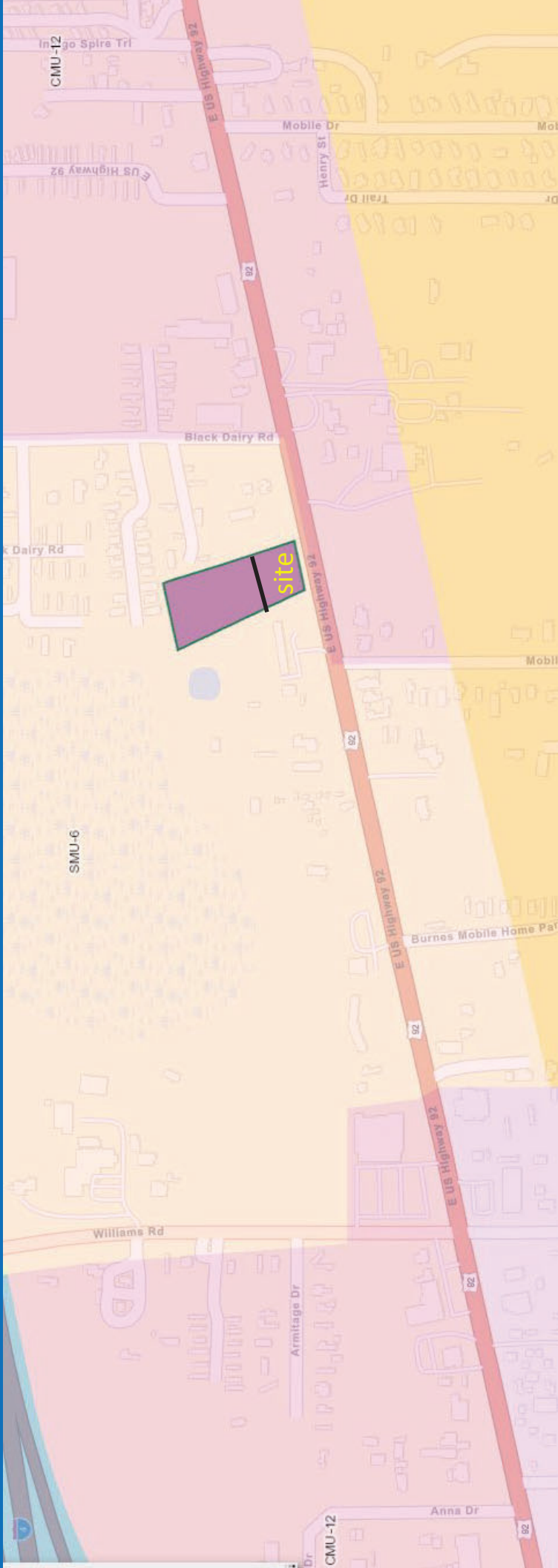


Future Land Use map

SMU-6: Light Industrial,
multi-purpose, research
corp. parks,
neighborhood
commercial



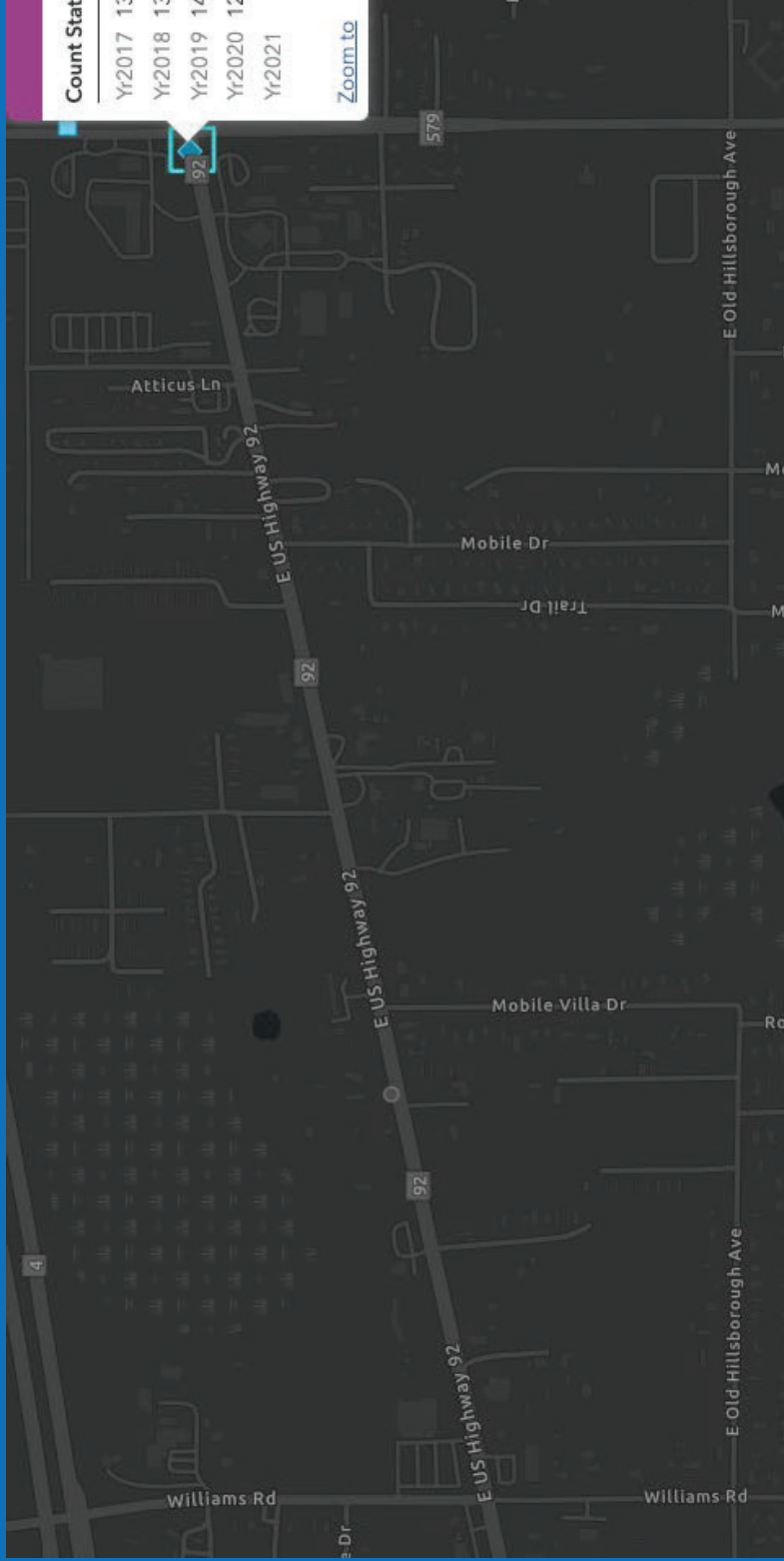
Corridor is all Comp. Plan SMU-6 & CMU-12



DSD, “ ...located along a commercial corridor with various general and intensive commercial uses...neighboring on the east is a CG zoned parcel occupied by a vehicle salvage yard...to the west is a small strip and motel zoned CG”



12,400
vehicles/day



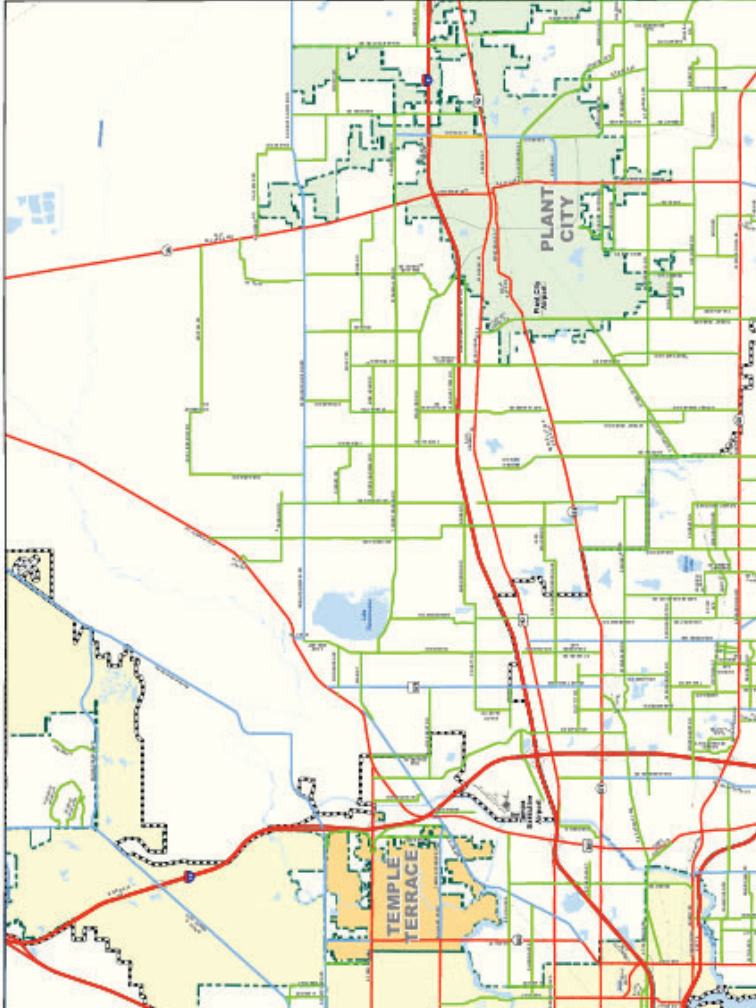
HILLSBOROUGH COUNTY ROADWAYS FUNCTIONAL CLASSIFICATION

Infrastructure & Development Services



Legend

- Functional Classifications
Authority, Classification
- State, Principal Arterial
 - State, Arterial
 - Hillsborough, Arterial
 - Hillsborough, Collector
 - Urban Service Area Boundary
 - City Limits



Principal State Arterial Roadway



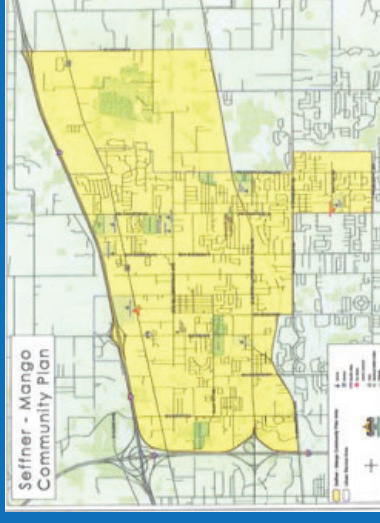
Comprehensive Plan for Unincorporated Hillsborough County

TRANSPORTATION ELEMENT

Policy 2.1.6: Offer incentives for higher land-use densities and intensities along Transit Emphasis Local Service Corridors...

SEFFNER-MANGO COMMUNITY PLAN

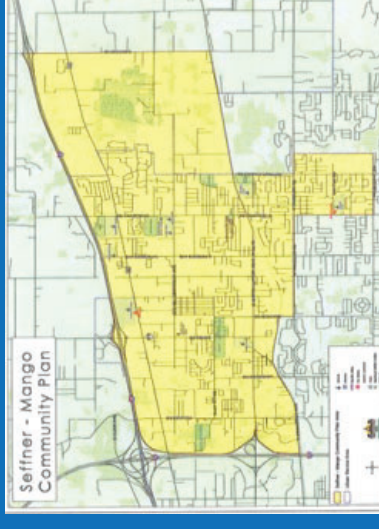
Goal: Commercial development should be directed to the US 92 and Martin Luther King Boulevard corridors.



SEFFNER-MANGO COMMUNITY PLAN

Strategies:

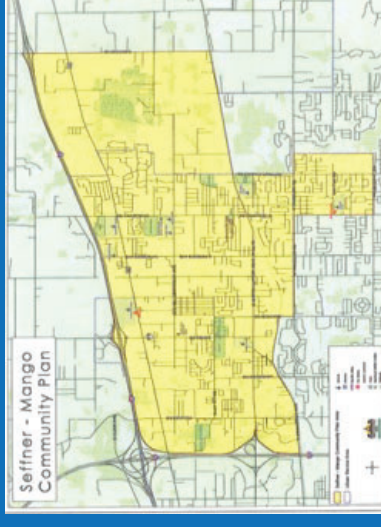
- Recognize the commercial character of US 92 and Martin Luther King Boulevard within the Urban Service Area.



SEFFNER-MANGO COMMUNITY PLAN

Strategies:

- Support in-fill development and redevelopment within the Urban Service Area while providing for compatibility with existing uses.



PLAN COMM:. “Overall, staff finds that the **proposed rezoning** is consistent with the intent of the Urban Service Area and the **existing development pattern** found within the surrounding area and **does support the vision of the Seffner Mango Community Plan**. The proposed rezoning would allow for development **that is consistent** with the Goals, Objectives, and Policies in the Unincorporated Hillsborough County Comprehensive Plan.

The request is **compatible with the existing and planned development pattern** found within the surrounding area.

FDOT/Transportation Dept.

- Standard zoning application. No site plan. No transportation required. Next step.
- FDOT envisions large long multi-car carrier trucks
- Offers solutions , i.e. . adjacent access, transportation engineer will address
- Questioned restriction to a single use

County Transportation Report

Proposed Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CI-R, Open Storage of Vehicles (ITE Code 151) 23,288sqft	34	2	3

County Transportation Report

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	- 4,660	-450	-461

To Whom it May Concern:

B&D Towing has served on the Florida Highway Patrol's rotation wrecker program for two years. They have provided excellent service to the public and our agency during their tenure. Currently, they operate in several of our zones in Hillsborough County, including the south zone from their facility on College Avenue.

As part of the Florida Highway Patrol's rotation wrecker service, wrecker companies are required to keep their trucks presentable, carry required items set by our agency, conduct background checks and driver license checks on their drivers and provide a facility within the zone they are operating.

The Florida Highway Patrol requires specific items for wrecker facilities such as secured storage space, signage, and staffing. With the population increase in Hillsborough County, the Florida Highway Patrol's calls for crashes and our requests for wreckers at crash scenes has increased. This has put a burden on many of our wrecker companies due to limited storage space for towed vehicles and the wreckers that operate in that zone.



Lieutenant David L. Frye
Florida Highway Patrol
Troop C -Tampa District
11305 North McKinley Drive
Tampa, Florida 33612

**'Been with FHP for 2
years...excellent service to
the public and
agency...operate in several
zones...keep trucks
presentable, background and
driver license checks...'**



June 16, 2023

To Whom It May Concern:

B&D Towing has served on the Hillsborough County Sheriff's Office rotation wrecker program since 1997. They have been an asset to our agency, and we look forward to further working with them. Currently, they operate in several of our zones in Hillsborough County.

The Hillsborough County Sheriff's Office requests from the towing companies on our rotation to respond to accidents, arrests, and abandoned vehicles. They also help transport our vehicles when they are disabled, and transport vehicles to our crime scene when we need.

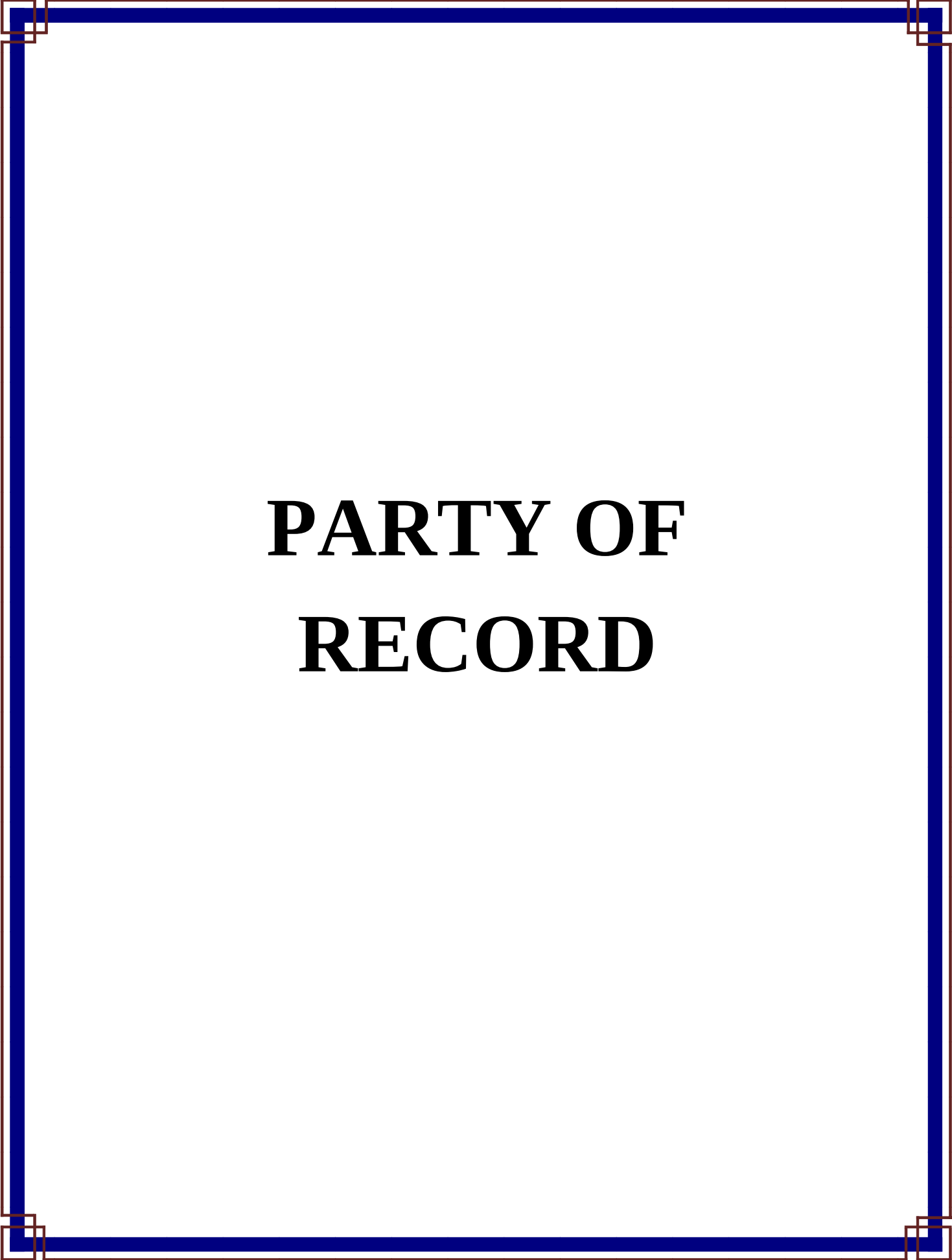
A handwritten signature in black ink, appearing to read "Melissa Brewster".

Melissa Brewster ABN 251431
Hillsborough County Sheriff's Office
Vehicle Impound Officer/Gate Codes

'Since 1997...been an
asset to the
agency...and operate
in several zones'.

Summary:

- Reduced, re-shaped the area of rezoning
 - Increased buffers and screening
- Use that is extreme low intensity, activity and trips. Only lower cell tower
 - Supported by adjoining and nearby zoning & roadway intensity
 - Supported by intensive FLU category
 - Plan. Comm. Supports. Seffner-Mango Plan supports
 - Great operating history
- As of 8/17/24 no neighbor contact; 14 noticed & 2 HOA's – twice – 32 total.



PARTY OF RECORD

NONE