



# Hillsborough County Florida

SM  
STAFF REPORT

<b>SUBJECT:</b>	RZ 21-0047	<b>PLANNING AREA:</b>	East Lake Orient Park
<b>REQUEST:</b>	Rezone to Residential- Single-Family Conventional – 9	<b>SECTOR:</b>	CENTRAL
<b>APPLICANT:</b>	Hichem Melliti		
<b>Existing Zoning District:</b>	Commercial General (CG)	<b>Future Land Use Category:</b>	Residential - 12 (Res-12)



## **Application Review Summary and Recommendation**

### **1.0 Summary**

#### **1.1 Project Narrative**

The request is to rezone one parcel totaling approximately 0.1588 acres from the existing Commercial General (CG) zoning district to the proposed Residential- Single-Family Conventional – 9(RSC-9) zoning district. The site is located approximately 1/10 mile north of the Locicero Drive and E. Broadway Avenue (CR 574) intersection. The underlying future land use (FLU) category of the subject parcel is Residential 12 (Res -12).

#### **1.2 Compliance Overview with Land Development Code and Technical Manuals**

No variation or variances to the Hillsborough County Land Development Code (LDC) are being requested at this time. The site will comply with and conform to applicable policies and regulations, including but not limited to, the LDC, Site Development and Technical Manuals.

#### **1.3 Analysis of Recommended Conditions**

N/A

#### **1.4 Evaluation of Existing and Planned Public Facilities**

This site is located within the City of Tampa Water and Wastewater Service Area. The applicant should contact the City of Tampa's Water and Wastewater Departments to determine the availability of Water and/or Wastewater Service and for their Comments. If the applicant feels that the proposed development is located within the County Urban Service Area and can provide verification, then it's possible that Hillsborough County Water and Wastewater Service could be provided.

Transit service is not located to service this site.

The subject property is located on E 18<sup>th</sup> Avenue, an undivided 2-lane local roadway. The roadway consists of approximately 10-foot-wide lanes. Based on the property appraiser linework, it appears there is +/- 30 feet of right-of-way.

Transportation staff has reviewed the application and offers no objections. The site has frontage on E 18th Avenue. E 18th Avenue is an urban local roadway with +/- 18 feet of pavement. There are no sidewalks or bike lanes on either side of the roadway. There are no paved shoulders or curb and gutter. As such, E 18th Avenue is considered a substandard local road.

As this is a Euclidean zoning request, substandard roadway requirements will be considered at the time of plat/site/construction plan review; however, by policy of the County Engineer projects generating 10 or fewer total peak hour trips are considered de minimis provided the roadways meet minimum fire safety standards (i.e. 15 feet of pavement in a 20-foot clear area).

#### **1.5 Environmental/Natural Resources**

The Environmental Protection Commission (EPC) reviewed the request and finds that no wetland or other surface water areas exist on the site.

### **1.6 Comprehensive Plan Consistency**

The subject property is designated Residential-12 (RES-412 on the Future Land Use Map. Planning Commission staff sees no initial concerns with the proposed use and finds the proposed use consistent with Comprehensive Plan.

### **1.7 Compatibility**

The subject site is surrounded by High-Density Residential (RES-12). A majority of the area surrounding the site is of residential uses; and thus, the proposed rezoning is consistent with the surrounding development pattern.

As shown in Exhibit 2, the site is adjacent to properties zoned CG (to the north), RDC-12(to the east and west), and Commercial Industrial (CI (to the south).

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

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

### **1.8 Agency/Department Comments**

The following agencies and departments reviewed the request and offer no objections:

- Water Resource Services
- Conservation and Environmental Lands Management
- Environmental Protection Commission
- Transportation

### **1.9 Exhibits**

Exhibit 1: Project Aerial

Exhibit 2: Zoning Map

Exhibit 3: Future Land Use Map

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APPLICATION: RZ 21-0047

ZHM HEARING DATE: February 15, 2021

BOCC MEETING DATE: April 13, 2021

CASE REVIEWER: Isis Brown

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**2.0 Recommendation**

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


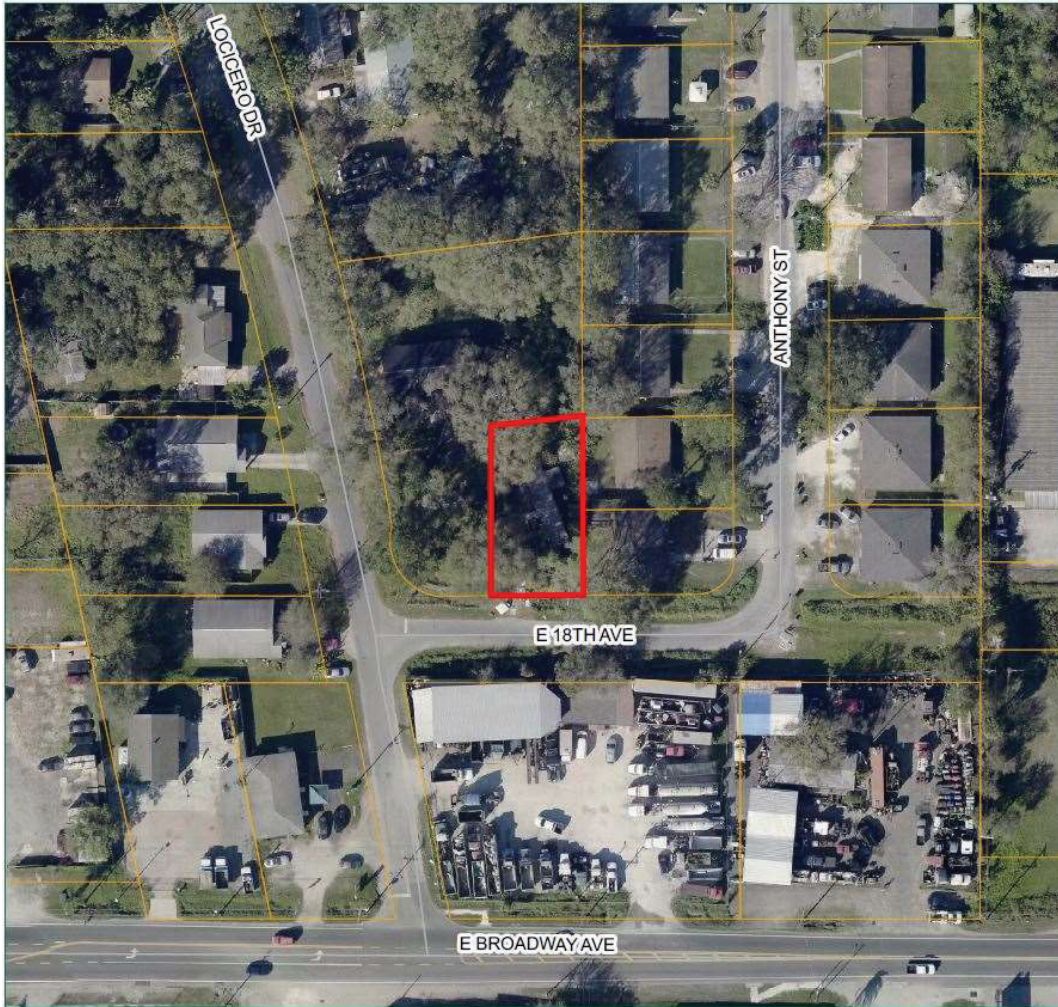
<b>Staff's Recommendation: Approvable</b>	
Zoning Administrator Sign-off:	 J. Brian Grady Tue Feb 2 2021 13:08:49



EXHIBIT 1



Project Location Map

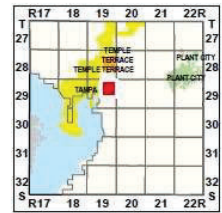
RZ-STD 21-0047

Folio: 42194.0000

- Application Site
- Parcels



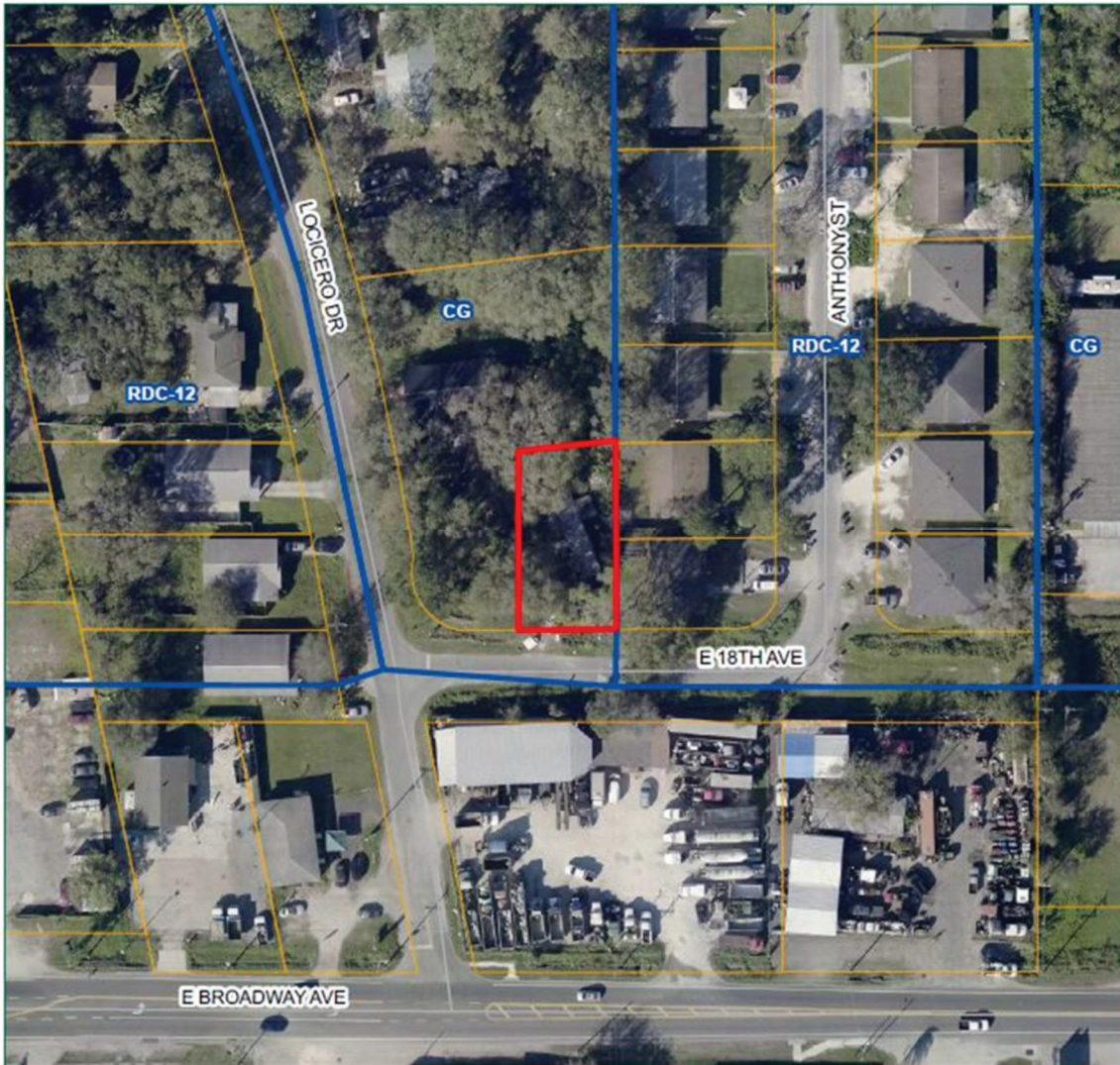
STR: 11-29-19



NOTE: Every reasonable effort has been made to ensure the accuracy of this map. Hillsborough County does not assume any liability arising from use of this map. THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose. SOURCE: This map has been prepared for the inventory of real property found within Hillsborough County and is compiled from recorded deeds, plats, and other public records. It has been based on BEST AVAILABLE data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map.



EXHIBIT 2



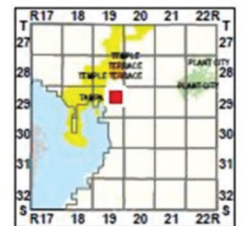
**Immediate Aerial  
Zoning Map  
RZ-STD 21-0047**

Folio: 42194.0000

- Application Site
- Zoning Boundary
- Parcels



STR: 11-29-19

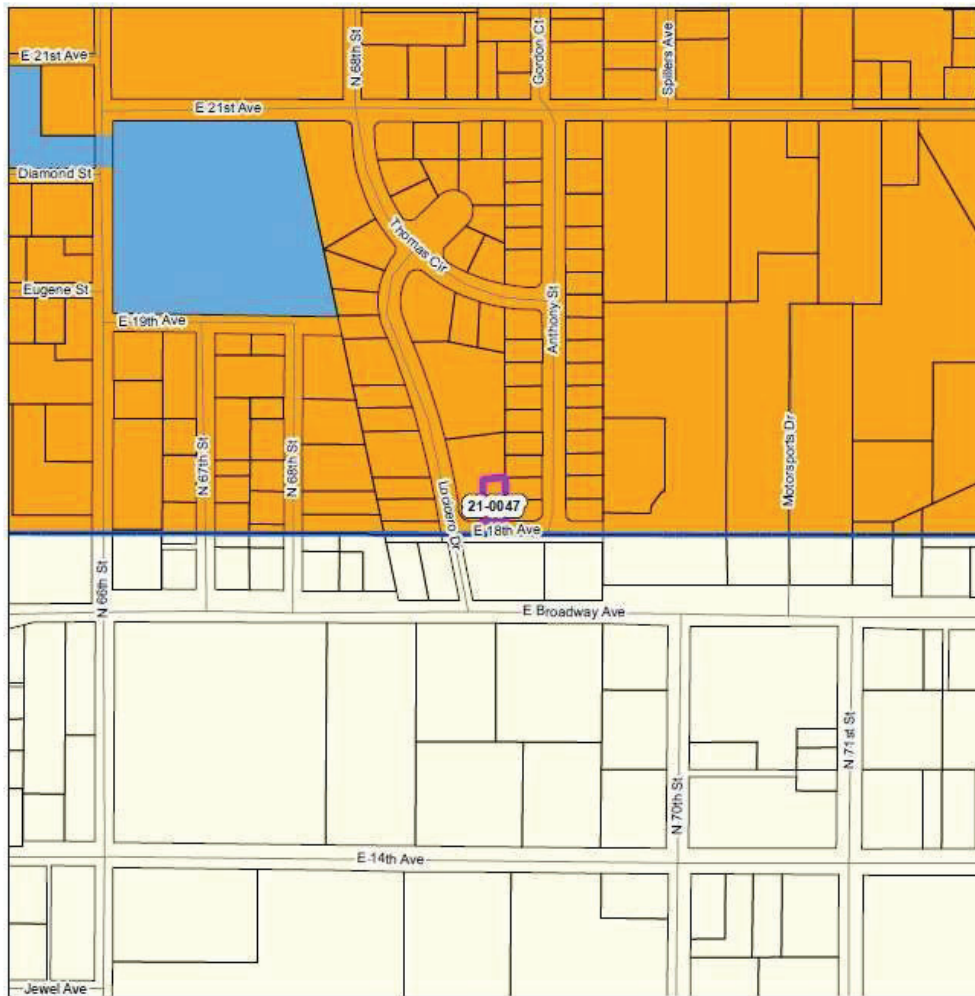


NOTE: Every reasonable effort has been made to ensure the accuracy of this map. Hillsborough County does not warrant and hereby disclaims any liability for any errors or omissions, including, but not limited to, the implied warranties of land ownership and zoning for a particular parcel.

SOURCE: This map has been prepared for the inventory of real property found within Hillsborough County and is compiled from various deeds, plans, and other public records. It has been based on BEST AVAILABLE data.

Users of this map are hereby notified that the aforementioned public utility information shown should be consulted for verification of the information contained on this map.

EXHIBIT 3



**HILLSBOROUGH COUNTY  
2020 FUTURE LAND USE  
RZ 21-0047**

**Rezonings**

**STATUS**

- APPROVED
- CONTINGENT
- PENDING
- WITHDRAWN
- PENDING

- Temp Service Area
- Local Service Area
- JURISDICTION LINE
- ROADS
- POWERS

- AGRICULTURAL/PLANNING 100 (30 FAR)
- PLANNED ENVIRONMENTAL COMMUNITY 100 (20 FAR)
- AGRICULTURAL 1/10 (30 FAR)
- AGRICULTURAL/URAL 1/10 (20 FAR)
- AGRICULTURAL 2/10 (10 FAR)
- RESIDENTIAL 1 (20 FAR)
- RESIDENTIAL 2 (20 FAR)
- RESIDENTIAL PLANNED 2 (30 FAR)
- RESIDENTIAL 4 (20 FAR)
- RESIDENTIAL 6 (20 FAR)
- RESIDENTIAL 8 (20 FAR)
- RESIDENTIAL 12 (20 FAR)
- RESIDENTIAL 18 (20 FAR)
- RESIDENTIAL 20 (20 FAR)
- RESIDENTIAL 24 (10 FAR)
- RESIDENTIAL MIXED USE 4 (20 FAR)
- RESIDENTIAL MIXED USE 6 (20 FAR)
- COMMUNITY MIXED USE 12 (30 FAR)
- URBAN MIXED USE 20 (10 FAR)
- REGIONAL MIXED USE 30 (10 FAR)
- DD 30
- RESEARCH CORPORATE PARK (10 FAR)
- ENERGY INDUSTRIAL PARK (50 FAR LOTS OTHER THAN RETAIL 20 FAR RETAIL CORNER LOTS)
- LIGHT INDUSTRIAL PLANNED (50 FAR)
- LIGHT INDUSTRIAL (50 FAR)
- HEAVY INDUSTRIAL (50 FAR)
- PUBLIC/QUASIPUBLIC
- NATURAL PRESERVATION
- WILDLIFE VILLAGE RESIDENTIAL 2 (20 FAR)
- UTILITY PARK VILLAGE
- WATER
- WETLAND

Map Projection: Esri North Carolina State Plane  
Coordinate System: NAD 83  
Units: Feet  
Scale: 1:50,000  
Map Date: 1/15/2021  
Map Author: Isis Brown  
Map Contact: Isis Brown, Planning Department, Hillsborough County, 100 S. Salisbury Street, Raleigh, NC 27601  
Phone: 919.859.2222  
Fax: 919.859.2222  
Email: Isis.Brown@hillsboroughcountync.gov

**Hillsborough County  
Planning Department**

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

<b>Application number:</b>	RZ 21-0047
<b>Hearing date:</b>	February 15, 2021
<b>Applicant:</b>	Hichem Melliti
<b>Request:</b>	Rezone a 0.1588 acre parcel from CG to RSC-9
<b>Location:</b>	6904 E. 18th Avenue, Tampa  1/10 mile north of Locicero Drive and E. Broadway Avenue (CR 574) intersection
<b>Parcel size:</b>	0.1588 acres
<b>Existing zoning:</b>	Commercial General
<b>Future land use designation:</b>	Residential-12 (12 du/ga; 0.50 FAR)
<b>Service area:</b>	Urban
<b>Community planning area:</b>	East Lake-Orient Park



**A. APPLICATION REVIEW**  
**DEVELOPMENT SERVICES STAFF REPORT**

## **Application Review Summary and Recommendation**

### **1.0 Summary**

#### **1.1 Project Narrative**

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#### **1.3 Analysis of Recommended Conditions**

N/A

#### **1.4 Evaluation of Existing and Planned Public Facilities**

This site is located within the City of Tampa Water and Wastewater Service Area. The applicant should contact the City of Tampa's Water and Wastewater Departments to determine the availability of Water and/or Wastewater Service and for their Comments. If the applicant feels that the proposed development is located within the County Urban Service Area and can provide verification, then it's possible that Hillsborough County Water and Wastewater Service could be provided.

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

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

### **1.8 Agency/Department Comments**

The following agencies and departments reviewed the request and offer no objections:

- Water Resource Services
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### **1.9 Exhibits**

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APPLICATION: RZ 21-0047

ZHM HEARING DATE: February 15, 2021


BOCC MEETING DATE: April 13, 2021

CASE REVIEWER: Isis Brown

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**2.0 Recommendation**

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

<b>Staff's Recommendation: Approvable</b>	
Zoning Administrator Sign-off:	 J. Brian Grady Tue Feb 2 2021 13:08:49



## **B. HEARING SUMMARY**

This case was heard by the Hillsborough County Land Use Hearing Officer on February 15, 2021. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

### **Applicant**

Mr. Hichem Melliti, who is the applicant, stated he bought the subject property with the intention of building a house. He stated he did not pay attention to the zoning because there are lots of houses and duplexes around the property. Mr. Melliti stated he submitted plans, and everything was approved up to the building department, but then he was denied because of the zoning. He stated someone called him and asked if he was going to live in the house, and he told them he was going to build it and sell it or rent it out. He said that was pretty much it.

The hearing officer asked the applicant to confirm his intention for the property is to rezone from CG to RSC-9 and to build a single-family home. Mr. Melliti confirmed that was his intention. Mr. Melliti stated he had nothing further.

### **Development Services Department**

Ms. Isis Brown, Hillsborough County Development Services Department, presented a summary of the findings and analysis as detailed in the staff report previously submitted into the record. She stated the proposed RSC-9 zoning district is compatible with the zoning districts and development pattern in the area, and staff recommends approval.

### **Planning Commission**

Ms. Melissa Lienhard, 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. She stated the proposed rezoning furthers various policies of the comprehensive plan, and is consistent with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*.

### **Proponents**

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

### **Opponents**

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

### **Development Services Department**

Mr. Grady stated there were no further comments for Hillsborough County Development Services.

### **Applicant Rebuttal**

The applicant had no further comments.

The hearing officer closed the hearing on application 21-0047.

### **C. EVIDENCE SUBMITTED**

The applicant submitted no additional documentary evidence at the hearing.

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

1. The subject property consists of approximately 0.1588 acres located at 6904 E. 18th Avenue, approximately 1/10 mile north of the Locicero Drive and East Broadway Avenue (CR 574) intersection.
2. The subject property is designated Residential-12 on the Future Land Use Map. The subject property is in the Urban Services Area and is within the boundaries of the East Lake-Orient Park Community Plan.
3. The subject property is currently zoned Commercial General.
4. Adjacent properties are zoned CG to the north, RDC-12 to the east and west, and CI to the south. Surrounding properties are designated Res-12 on the Future Land Use Map.
5. The applicant is requesting to rezone the subject property to Residential Single-Family Conventional-9. The applicant intends to build a house on the property.
6. The rezoning would result in a zoning and development pattern that is compatible with the existing zoning and development pattern of the residential uses and zoning districts in the surrounding area.
7. The rezoning to RSC-9 is consistent with the Future Land Use designation of Res-12, and furthers the objectives, policies, land uses, and densities or intensities in the comprehensive plan.

### **E. FINDING OF COMPLIANCE OF NON-COMPLIANCE WITH COMPREHENSIVE PLAN**

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

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

A development order is consistent with the comprehensive plan if “the land uses, densities or intensities, and other aspects of development permitted by such order...are compatible with and further the objectives, policies, land uses, and densities or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government.”


§ 163.3194(3)(a), Fla. Stat. (2020). Based on the evidence and testimony submitted in the record and at the hearing, including reports and testimony of Development Services Staff and Planning Commission staff, applicant's testimony and evidence, there is substantial competent evidence demonstrating the requested rezoning is consistent with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*, and does comply with the applicable requirements of the Hillsborough County Land Development Code.

#### G. SUMMARY

The applicant is seeking to rezone a 0.1588-acre parcel from to CG to RSC-9.

#### H. RECOMMENDATION

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

  
Pamela Jo Hatley, PhD, JD  
Land Use Hearing Officer

March 3, 2021  
Date



**Hillsborough County  
City-County  
Planning Commission**

<b>Unincorporated Hillsborough County Rezoning</b>	
<b>Hearing Date:</b> February 15, 2021  <b>Report Prepared:</b> February 2, 2021	<b>Petition: 21-0047</b>  <b>6904 East 18th Avenue</b>  <i>East of East 18<sup>th</sup> Avenue and Locicero Drive intersection</i>
<b>Summary Data:</b>	
<b>Comprehensive Plan Finding:</b>	<b>CONSISTENT</b>
<b>Adopted Future Land Use:</b>	<b>Residential-12 (12 du/ga; 0.50 FAR)</b>
<b>Service Area</b>	<b>Urban</b>
<b>Community Plan:</b>	<b>East Lake-Orient Park</b>
<b>Requested Zoning:</b>	Commercial General (CG) to Residential - Single-Family Conventional – 9 (RSC-9)
<b>Parcel Size (Approx.):</b>	0.155 +/- acres (6,773 square feet)
<b>Street Functional Classification:</b>	East 18 <sup>th</sup> Avenue – <b>Local</b>
<b>Locational Criteria</b>	N/A
<b>Evacuation Zone</b>	Evacuation Zone D





## Context

- The 0.155 +/- acre subject site is located approximately 1/10 mile north of the Locicero Drive and E. Broadway Avenue (CR 574) intersection. The site is located within the Urban Service Area and within the limits of the East Lake Orient Park Community Plan .
- The applicant has indicated that they would like to build a single family home on the parcel.
- The subject site is designated as Residential-12 (RES-12) on the Future Land Use Map. Typical allowable uses within the RES-12 Future Land Use category include residential, urban scale neighborhood commercial, office uses, multi-purpose projects and mixed use development. Non-residential uses must meet established locational criteria for specific land use.
- RES-12 surrounds the subject site on all sides. The Public/Quasi-Public (P/QP) Future Land Use category is located to the northwest of the subject property and to the west and east is the Office Commercial-20 (OC-20) Future Land Use category. Further west along E. Broadway Avenue (CR 574), the Future Land Use categories start to intensify and include the OC-20, Light Industrial (LI), and Light Industrial-Planned (LI-P) Future Land Use categories.
- The subject site is currently zoned Commercial General (CG) along with the adjacent eastern properties fronting along Locicero Drive. The adjacent sites are developed with single family residential homes. The west side of Locicero Drive is zoned Residential Duplex Conventional-12 (RDC-12) with single family homes. Immediately adjacent and east of the subject parcel is RDC-12 zoned properties with duplex homes along Anthony Street. Directly across and backing up to East 18<sup>th</sup> Avenue is the E & J South Truck Company, with numerous semi-truck trailers and dump trucks on site. CG and Planned Development (PD) zoned parcels are further east of the site. Along East Broadway Avenue to the south, within the jurisdictional limits of the City of Tampa, are properties zoned Commercial Industrial (CI), Industrial General (IG) and Industrial Heavy (IH) zoned properties.
- A mobile home is currently located on site. Adjacent and the west of the site is a single family home. To the north are single family homes, Kenly Elementary School and Kenly Park. South of the site is a commercial truck company. To the east are duplex homes. Overall, the immediate area is characterized by residential uses and commercial uses which are specifically along E. Broadway Avenue (CR 574).
- The applicant is requesting to rezone the subject site from Commercial General (CG) to Residential Single-Family Conventional-9 (RSC-9).

### **Compliance with Comprehensive Plan:**

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

### ***Future Land Use Element***

***Objective 1:*** Hillsborough County shall pro-actively direct new growth into the urban service area with the goal that at least 80% of all population growth will occur within the USA during the planning horizon of this Plan. Within the Urban Service Area, Hillsborough County will not impede

agriculture. Building permit activity and other similar measures will be used to evaluate this objective.

**Policy 1.2: Minimum Density** All new residential or mixed use land use categories within the USA shall have a density of 4 du/ga or greater unless environmental features or existing development patterns do not support those densities.

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

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

### **Neighborhood/Community Development**

**Objective 16:** Neighborhood Protection The neighborhood is 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 and protect neighborhoods and communities, all new development must conform to the following policies.

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

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

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

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

- the creation of like uses; or
- creation of complementary uses; or
- mitigation of adverse impacts; and
- transportation/pedestrian connections

**Policy 16.7:** Residential neighborhoods shall be designed to include an efficient system of internal circulation and street stub-outs to connect adjacent neighborhoods together.

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

**Policy 16.10:** Any density increase shall be compatible with existing, proposed, or planned surrounding development. Compatibility is defined as the characteristics of different uses or

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

**Policy 16.11:** Within residential projects, site planning techniques shall be encouraged to ensure a variety and variation of lot sizes, block faces, setbacks and housing types.

## **Community Design Component**

### **5.0 NEIGHBORHOOD LEVEL DESIGN**

#### **5.1 COMPATIBILITY**

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

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

**Policy 12-1.3:** New development in existing, lower density communities should utilize the planned development process of rezoning in order to fully address impacts on the existing community. Additionally, pre-application conferences are strongly encouraged with the staffs of the Planning Commission and Hillsborough County Planning and Growth Management Department.

## **EAST LAKE-ORIENT PARK COMMUNITY PLAN**

### **GOALS**

**Neighborhood Identity** – Promote development that recognizes the needs and distinct identities of the East Lake-Orient Park neighborhoods and enhances the quality of life.

- As required by the Land Development Code, notice of pending rezoning proposals shall be given to registered neighborhood organizations within the affected area of the East Lake-Orient Park Community Plan boundary. Upon request of the notified organization, the project developer shall meet with said organization to ensure consistency of the proposal with the community’s plan.

**Housing** – Create housing opportunities.

- New residential developments that provide home ownership are preferred.

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

The applicant is requesting to rezone the subject site from Commercial General (CG) to Residential – Single-Family Conventional-9 (RSC-9).

Objective 16 and its accompanying policies require the protection of existing neighborhoods through various mechanisms (Future Land Use Element, or FLUE, Policies

16.1, 16.3). FLUE Policy 16.2 states that gradual transitions between intensities are necessary as new developments are proposed and developed.

In this case, the proposed rezoning of the subject site from Commercial General (CG) to Residential – Single-Family Conventional-9 (RSC-9) meets this policy intent by providing a transition between the residential single-family homes and the duplex dwellings as well as allowing for a creation of complementary uses. As a result, this use is compatible with the surrounding area and meets the intent of FLUE Policy 16.10.

This rezoning proposal is further supported by the Community Design Component, Objective 12-1, which recognizes an existing community and the requirement that all new development be compatible with existing development.

The East Lake-Orient Park Community Plan includes a primary goal is to preserve its community and neighborhood identity. This goal calls for strategies that promote development that recognizes the needs and distinct identities of its neighborhoods as well as enhances the quality of life. Furthermore, its housing goal seeks to create new housing opportunities and promote home ownership. This proposed rezoning meets both community plan goals.

Overall, the proposed rezoning would allow for development that is consistent with the Goals, Objectives and Policies of the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*, and that is compatible with the existing development pattern found in the surrounding area.

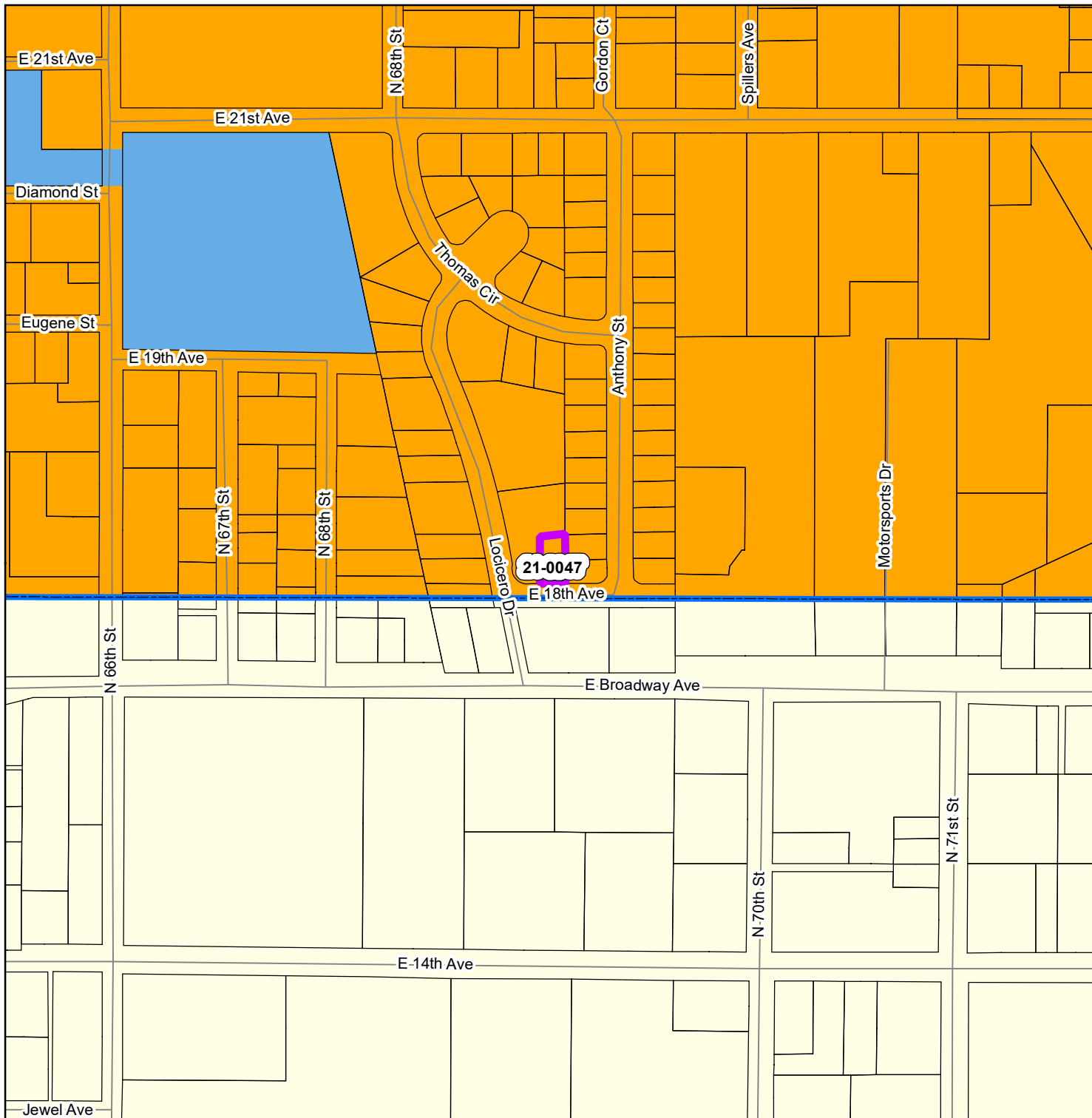
#### **Recommendation**

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



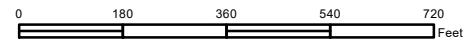
# HILLSBOROUGH COUNTY 2020 FUTURE LAND USE

## RZ 21-0047



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

DATA SOURCES: Rezoning boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser.  
 REPRODUCTION: This sheet may not be reproduced in part or full for sale to anyone without specific approval of the Hillsborough County City-County Planning Commission.  
 ACCURACY: It is intended that the accuracy of the base map comply with U.S. national map accuracy standards. However, such accuracy is not guaranteed by the Hillsborough County City-County Planning Commission. This map is for illustrative purposes only. For the most current data and information, see the appropriate source.



Map Printed from Rezoning System: 12/14/2020  
 Author: Beverly F. Daniels  
 File: G:\RezoningSystem\MapProjects\HIC\Greg\_hcRezoning.mxd





# **AGENCY COMMENTS**

**AGENCY REVIEW COMMENT SHEET**

**TO:** Zoning Technician, Development Services Department

**DATE:** 01/11/2021

**REVIEWER:** Sofia Garantiva, AICP, Senior Planner

**AGENCY/DEPT:** Transportation

**PLANNING AREA/SECTOR:** ELOP

**PETITION NO:** RZ-STD 21-0047

	This agency has no comments.
<b>X</b>	<b>This agency has no objection.</b>
	This agency has no objection, subject to the listed or attached conditions.
	This agency objects for the reasons set forth below.

**REPORT SUMMARY AND CONCLUSIONS**

- The proposed rezoning would result in a decrease of trips potentially generated by development of the subject site by 1,132 average daily trips, 133 trips in the a.m. peak hour, and 92 trips in the p.m. peak hour.
- S 16<sup>th</sup> Avenue is not shown on the Hillsborough County Corridor Preservation Plan, as such, no preservation is needed.
- S 16<sup>th</sup> Avenue is not considered a major county or state roadway and is not included in the 2019 Hillsborough County Level of Service (LOS) Report.
- S 16<sup>th</sup> Avenue is considered a substandard road; however, by policy of the County Engineer projects generating 10 or fewer total peak hour trips are considered de minimis provided the roadways meet minimum fire safety standards (i.e. 15 feet of pavement in a 20-foot clear area).

**PROJECT SUMMARY AND ANALYSIS**

The applicant is requesting to rezone from Commercial General (CG) to Residential, Single Family Conventional (RSC-9) to build a single-family home. The site is located 80 feet northeast of the intersection of Locicero Drive and E 18<sup>th</sup> Avenue. The site consists Folio # 42194.0000 and is 0.15 acres in size. The Future Land Use designation is R-12.

***Trip Generation Analysis***

Since this is a Standard Rezoning, the applicant is not required to submit a transportation analysis study. However, staff has prepared a comparison of the potential trips generated by development permitted, based upon the Institute of Transportation Engineer’s Trip Generation Manual, 10th Edition, under the existing and proposed zoning designations utilizing a generalized *worst-case* scenario. Staff’s analysis is summarized below. Please note that urban scale neighborhood commercial, office multi-purpose or mixed-use projects with a R-12 future land use designation are limited to 175,000 sq. ft. or .50 FAR, whichever is less intense.

**Existing Use:**

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM

CG: 3,267 SF Fast Food Restaurant with No Drive Through (ITE Code 933)	<b>1,132</b>	<b>134</b>	<b>93</b>
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**Proposed Use:**

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RSC-9: 1 Single Family DU's (ITE LUC 210)	<b>9</b>	<b>1</b>	<b>1</b>

**Trip Generation Difference:**

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference</b>	<b>(-) 1,123</b>	<b>(-) 133</b>	<b>(-) 92</b>

The proposed rezoning would result in a decrease of trips potentially generated by development of the subject site by 1,132 average daily trips, 133 trips in the a.m. peak hour, and 92 trips in the p.m. peak hour.

**TRANSPORTATION INFRASTRUCTURE SERVING THE SITE**

The site has frontage on E 18<sup>th</sup> Avenue. E 18<sup>th</sup> Avenue is an urban local roadway with +/- 18 feet of pavement. There are no sidewalks or bike lanes on either side of the roadway. There are no paved shoulders or curb and gutter. As such, E 18<sup>th</sup> Avenue is considered a substandard local road.

As this is a Euclidean zoning request, substandard roadway requirements will be considered at the time of plat/site/construction plan review; however, by policy of the County Engineer projects generating 10 or fewer total peak hour trips are considered de minimis provided the roadways meet minimum fire safety standards (i.e. 15 feet of pavement in a 20-foot clear area).

E 18<sup>th</sup> Avenue is not shown on the Hillsborough County Corridor Preservation Plan, as such, no preservation is needed.

**SITE ACCESS ANALYSIS & CONNECTIVITY**

There is no access point serving the site. As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual; however, it is anticipated pedestrian and vehicular access will be from E 18<sup>th</sup> Avenue.

**LEVEL OF SERVICE (LOS)**

E 18<sup>th</sup> Avenue is not considered a major county or state roadway and is not included in the [2019 Hillsborough County Level of Service \(LOS\) Report](#).

**COMMISSION**

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



**DIRECTORS**

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

**AGENCY COMMENT SHEET**

REZONING	
<b>HEARING DATE:</b> January 19, 2021  <b>PETITION NO.:</b> 21-0047  <b>EPC REVIEWER:</b> Abbie Weeks  <b>CONTACT INFORMATION:</b> (813)627-2600 X1101  <b>EMAIL:</b> weeksa@epchc.org	<b>COMMENT DATE:</b> December 30, 2020  <b>PROPERTY ADDRESS:</b> 6904 E 18th Ave, Tampa, FL 33619  <b>FOLIO #:</b> 042194.0000  <b>STR:</b> 11-29S-19E
<b>REQUESTED ZONING: From CG to RSC-9</b>	
FINDINGS	
<b>WETLANDS PRESENT</b>	NO
<b>SITE INSPECTION DATE</b>	12/28/2020
<b>WETLAND LINE VALIDITY</b>	N/A
<b>WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)</b>	No wetlands located within the property boundary. An Other Surface Water (OSW) ditch is located in the right-of-way of 18 <sup>th</sup> Ave.
<b>INFORMATIONAL COMMENTS:</b>  Wetlands Management Division staff of the Environmental Protection Commission of Hillsborough County (EPC) inspected the above referenced site in order to determine the extent of any wetlands and other surface waters pursuant to Chapter 1-11, Rules of the EPC. This determination was performed using the methodology described within Chapter 62-340, Florida Administrative Code, and adopted into Chapter 1-11. The site inspection revealed that no wetlands or other surface waters exist within the above referenced parcel.  Please be advised this wetland determination is informal and non-binding. A formal wetland delineation may be applied for by submitting a “WDR30 - Delineation Request Application”. Once approved, the formal wetland delineation would be binding for five years.	

aow

**AGENCY REVIEW COMMENT SHEET**

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

**DATE: 14 Dec 2020**

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

**APPLICANT: Hichem Melliti**

**PETITION NO: RZ-STD 21-0047**

**LOCATION: 6904 18<sup>th</sup> Ave, Tampa, FL 33619**

**FOLIO NO: 42194.0000**

**SEC: 11 TWN: 29 RNG: 19**

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

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



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

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PETITION NO.: STD21-0047      REVIEWED BY: Randy Rochelle      DATE: 12/3/2020

FOLIO NO.: 42194.0000

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

**WATER**

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

**WASTEWATER**

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

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



# **VERBATIM TRANSCRIPT**

HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

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

BEFORE:                  PAMELA JO HATLEY  
                                  Land Use Hearing Master

DATE:                    Monday, February 15, 2021

TIME:                    Commencing at 6:00 p.m.  
                                  Concluding at 11:35 p.m.

PLACE:                   Appeared via Cisco Webex  
                                  Videoconference

Reported By:

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

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HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS  
  
ZONING HEARING MASTER HEARINGS  
February 15, 2021  
ZONING HEARING MASTER: PAMELA JO HATLEY

C3:  
Application Number: RZ-STD 21-0047  
Applicant: Hichem Melliti  
Location: 6904 18th Ave.  
Folio Number: 042194.0000  
Acreage: 0.15 acres, more or less  
Comprehensive Plan: R-12  
Service Area: Urban  
Existing Zoning: CG  
Request: Rezone to RSC-9

1 MR. GRADY: The next item is agenda item  
2 C-3, Rezoning-Standard 21-0047. The applicant is  
3 Hichem Melliti. The request is to rezone -- I  
4 would ask everybody to exit out to their left,  
5 please. Thank you.

6 Again, the next item is agenda item C-3,  
7 Rezoning-Standard 21-0047. The applicant is Hichem  
8 Melliti. The request is to rezone from Commercial  
9 General to RSC-9.

10 Isis Brown will provide staff recommendation  
11 after presentation by the applicant. I believe the  
12 applicant's in the --

13 HEARING MASTER HATLEY: All right.  
14 Applicant.

15 MR. GRADY: Coming up.

16 MR. MELLITI: Good evening.

17 HEARING MASTER HATLEY: Good evening.  
18 Please state your name and address for the record  
19 and pull the microphone up so we can hear you.  
20 Thank you.

21 MR. MELLITI: Sure. My name is Melliti.  
22 First name is Hichem. I live in -- at 6813 Altier  
23 Estates Court.

24 Basically, I bought this piece of land with  
25 the intention of building a house. I didn't pay

1 attention to the zoning because -- there are lots  
2 of houses and duplexes around that particular lot.  
3 So, basically, I submitted the plans.

4 Everything was approved up to the building  
5 department, and then I got denied because of the  
6 zoning. Somebody called me over the phone and  
7 asked me if I was going to live at the house, and I  
8 said no. I'm just going to build it and sell it or  
9 rent it out, you know. That was pretty much it.

10 HEARING MASTER HATLEY: Okay. So that's  
11 your intention for the property?

12 MR. MELLITI: Yes, ma'am.

13 HEARING MASTER HATLEY: And you wish to  
14 rezone from Commercial General, CG, to RSC-9; is  
15 that correct?

16 MR. MELLITI: Yes, ma'am.

17 HEARING MASTER HATLEY: Okay. And you're  
18 building a single-family home?

19 MR. MELLITI: That is correct.

20 HEARING MASTER HATLEY: All right. Is that  
21 it?

22 MR. MELLITI: Yes, ma'am.

23 HEARING MASTER HATLEY: Thank you.

24 MR. MELLITI: Thank you.

25 HEARING MASTER HATLEY: Please see the clerk



1 here.

2 All right. Development Services.

3 MS. BROWN: Good evening. Isis Brown,  
4 Development Services.

5 The request is to rezone a parcel  
6 approximately 0.15 acres from existing Commercial  
7 General, CG, zoning district to the proposed  
8 Residential Single-Family Conventional, RSC-9  
9 zoning district.

10 The site is located approximately a tenth of  
11 a mile north of Locicero Drive and East Broadway  
12 Avenue intersection. Future Land Use is  
13 Residential -- Residential-12.

14 The subject site is surrounded by  
15 high-density residential RS-12, and the majority of  
16 the surrounding area beside is residential uses.  
17 So it's consistent with the surrounding development  
18 pattern.

19 The site is adjacent to property zoned CG to  
20 the north, RDS-12 to the east and west, and  
21 Commercial Industrial to the south.

22 Based on the above conditions, staff  
23 recommends proposed RSC-9 zoning district is  
24 compatible with the zoning districts and  
25 development pattern in the area and -- for

1 approval.

2 HEARING MASTER HATLEY: All right. Thank  
3 you.

4 Planning Commission.

5 MS. LIENHARD: Thank you. Melissa Lienhard,  
6 Planning Commission staff.

7 The subject property is located in the  
8 Residential-12 Future Land Use category. It is in  
9 the Urban Service Area and the subject property is  
10 located within the limits of the East Lake Orient  
11 Park Community Plan.

12 The applicant is requesting to rezone the  
13 subject site from Commercial General to Residential  
14 Single-Family Conventional-9. Objective 16 and its  
15 accompanying policies in the Future Land Use  
16 Element require the protection of existing  
17 neighborhoods through various mechanisms.

18 Policy 16.2 states that gradual transitions  
19 between intensities and densities are necessary as  
20 new developments are proposed and developed.

21 In this case the proposed rezoning of the  
22 subject site meets the policy intent by providing a  
23 transition between the residential single-family  
24 homes and a duplex dwelling as well as allowing for  
25 a creation of a complimentary use.

1           As a result, this use is compatible with the  
2           surrounding area and meets the intent of Future  
3           Land Use Element Policy 16.10.

4           The East Lake Orient Park Community Plan  
5           includes a primary goal to preserve its community  
6           and neighborhood identity. This goal calls for  
7           strategies that promote development that recognizes  
8           the need and distinct identities of its  
9           neighborhoods as well as enhances the quality of  
10          life.

11          Furthermore, its housing goals seeks to  
12          create new housing opportunities and promote  
13          homeownership. This proposed rezoning meets both  
14          community plan goals.

15          Based upon those considerations, Planning  
16          Commission staff finds the proposed rezoning  
17          consistent with the Future of Hillsborough  
18          Comprehensive Plan for unincorporated Hillsborough  
19          County. Thank you.

20                 HEARING MASTER HATLEY: Thank you.

21                 Is there anyone here in person tonight or  
22                 online who wishes to speak in support of this  
23                 proposal, Rezoning 21-0047?

24                 All right. Is there anyone here tonight or  
25                 online who wishes to speak in opposition to this

1 rezoning?

2 All right. Development Services, anything  
3 else?

4 MR. GRADY: Nothing further.

5 HEARING MASTER HATLEY: Okay. Applicant,  
6 did you have anything further to add? Okay. Thank  
7 you.

8 That will close the hearing on item 21-0047.  
9 Thank you.

10 MR. GRADY: Madam Hearing Officer, it's my  
11 understanding that the applicant for C-4 is not  
12 here. I would ask is the applicant for C-4, which  
13 is the Rezoning-Standard 21-0129 -- is he in the  
14 audience or online? Or she. Sorry. He or she.  
15 Ms. Howington?

16 I would -- I would recommend we go to the  
17 next agenda item, and I'll ask the case planner  
18 who's online, Ms. Brown, to see if she can contact  
19 the applicant to find out the status of -- if  
20 whether or not she's planning on coming tonight and  
21 we'll get back with -- we'll reassess once we hear  
22 back from the applicant.

23 So with that, we'll move to agenda item C-5,  
24 which is Rezoning-Standard 21-0130. The applicant  
25 is Rest Haven Memorial Park, Incorporated.

## P R O C E E D I N G S

1  
2 HEARING MASTER WELLS: Zoning Hearing Master  
3 Dwight Wells. We were here for the scheduled  
4 meeting of the Zoning Hearing program, and it's my  
5 understanding this hearing has in effect been  
6 continued.

7 MR. GRADY: Good evening, Mr. Hearing  
8 Officer. Brian Grady, Hillsborough County  
9 Development Services Department.

10 As noted, tonight's scheduled Zoning Hearing  
11 Master meeting is being continued, rescheduled to  
12 the February 15th, 2021, Zoning Hearing Master  
13 Hearing beginning at 6:00 p.m.

14 I will first read into the record the items  
15 that were scheduled to be heard at tonight's  
16 hearing that will be continued by staff to the  
17 February 15th, 2021, Zoning Hearing Master Hearing  
18 at 6 p.m.

19 Those items begin on page 6 of the agenda.  
20 The first item is agenda item C-1,  
21 Rezoning-Standard 21-0047. This is being continued  
22 by staff to the February 15th, Zoning Hearing  
23 Master Hearing beginning at 6:00 p.m.

24 The next item is item C-2, Rezoning-Standard  
25 21-0129. This application is being continued by

## P R O C E E D I N G S

1  
2 HEARING MASTER WELLS: Zoning Hearing Master  
3 Dwight Wells. We were here for the scheduled  
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15 that were scheduled to be heard at tonight's  
16 hearing that will be continued by staff to the  
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19 Those items begin on page 6 of the agenda.  
20 The first item is agenda item C-1,  
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22 by staff to the February 15th, Zoning Hearing  
23 Master Hearing beginning at 6:00 p.m.

24 The next item is item C-2, Rezoning-Standard  
25 21-0129. This application is being continued by





**EXHIBITS SUBMITTED  
DURING THE ZHM HEARING**

**NONE**



**PARTY OF  
RECORD**

**From:** [Hearings](#)  
**To:** [Timoteo, Rosalina](#)  
**Subject:** FW: APPLICATION NO: RZ-STD-21-00474 ADDRESS: 6904 18th Avenue , Tampa, FL 33619  
**Date:** Thursday, January 14, 2021 8:29:23 AM  
**Attachments:** [image001.png](#)

---

Good Morning Rosa,

For the POR.

**Connor MacDonald, MURP**  
**Planning & Zoning Technician**  
Development Services Department (DSD)

---

P: (813) 829-9602 | VoIP: 39402  
M: (813) 272-5600  
E: [macdonaldc@hillsboroughcounty.org](mailto:macdonaldc@hillsboroughcounty.org)  
W: [HillsboroughCounty.Org](http://HillsboroughCounty.Org)

**Hillsborough County**  
601 E. Kennedy Blvd., Tampa, FL 33602

[Facebook](#) | [Twitter](#) | [YouTube](#) | [LinkedIn](#) | [HCFL Stay Safe](#)

Please note: All correspondence to or from this office is subject to Florida's Public Records law.

**From:** Peter Chicouris [mailto:pgc@equityrealtyinc.com]  
**Sent:** Wednesday, January 13, 2021 4:55 PM  
**To:** Hearings <Hearings@HillsboroughCounty.ORG>  
**Subject:** Fwd: APPLICATION NO: RZ-STD-21-00474 ADDRESS: 6904 18th Avenue , Tampa, FL 33619

[External]

Dear Sir or Madam,

**This will serve as formal notice of my OBJECTION to the above referenced application to rezone the property at 6904 18th Avenue from commercial to residential.**

We recently purchased the property at 2807 Locicero Dr, which adjoins 6904 18th Ave. **The property was purchased as commercial property with the intention of developing it for commercial use.** Prior purchasing the property at 2807 Locicero Dr, we were advised by Hillsborough County Development Services Department that the property was zoned commercial and could not be divided for the purpose of single family homes as the property is on septic, which requires 1/2 acre per home. Given

this information and the fact that the majority of properties south of the Locicero lot to the Selmon Expressway are zoned and operating commercial businesses, we proceeded with the purchase property.

We are opposed to the adjacent lot zoning being changed from commercial to residential.

**Peter Chicouris- Broker, CDPE, 5Star Certified**

**Weichert Realtors® - Equity**

**6500 1 Ave N.**

**St.Petersburg, Fl 33710**

**Office 727-343-8100**

**Cell 727-410-7064**

**[pgc@weichert-equity.com](mailto:pgc@weichert-equity.com)**

**[www.weichert-equity.com](http://www.weichert-equity.com)**

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