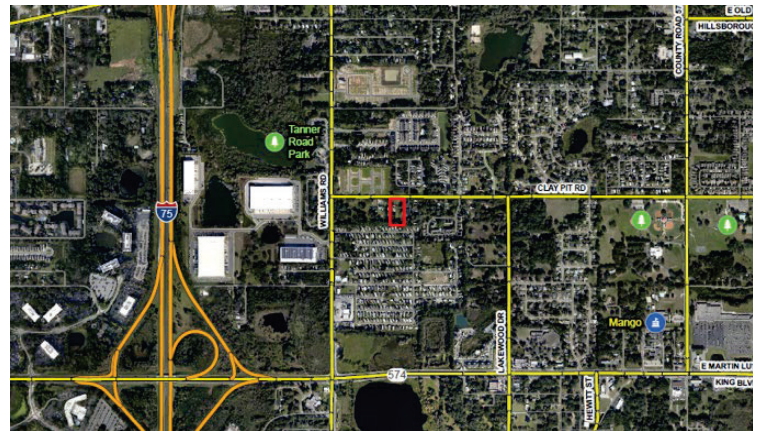




Rezoning Application: PD 21-1329
Zoning Hearing Master Date: February 14, 2022
BOCC Land Use Meeting Date: April 12, 2022

1.0 APPLICATION SUMMARY

Applicant: Nick Brackin – Brackin Renovations & Development LLC
FLU Category: RES-9
Service Area: Urban
Site Acreage: 1.899
Community Plan Area: Seffner Mango
Overlay: None



Introduction Summary:

The applicant proposes to rezone the subject property from AS-1 to PD to allow for 17 multi-family units.

Zoning:	Existing	Proposed
District(s)	AS-1	PD 21-1329
Typical General Use(s)	Single-Family Residential (Conventional/Mobile Home)	Multi-Family Residential (Single-Family Residential Attached)
Acreage	1.899	1.899
Density/Intensity	1 unit per acre	9 units per acre
Mathematical Maximum*	1 unit	17 units

*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	AS-1	PD 21-1329
Lot Size / Lot Width	1 acre / 150'	N/A
Setbacks/Buffering and Screening	50' Front (lot) 50' Rear (lot) 15' Sides (lot) No buffering and screening required	50' Front (project) 114.8' Rear (project) 24' West Side (project) 24' East Side (project) 5'/Type A buffering and screening along west 10'/Type A buffering and screening along east
Height	50'	27' / 2-stories

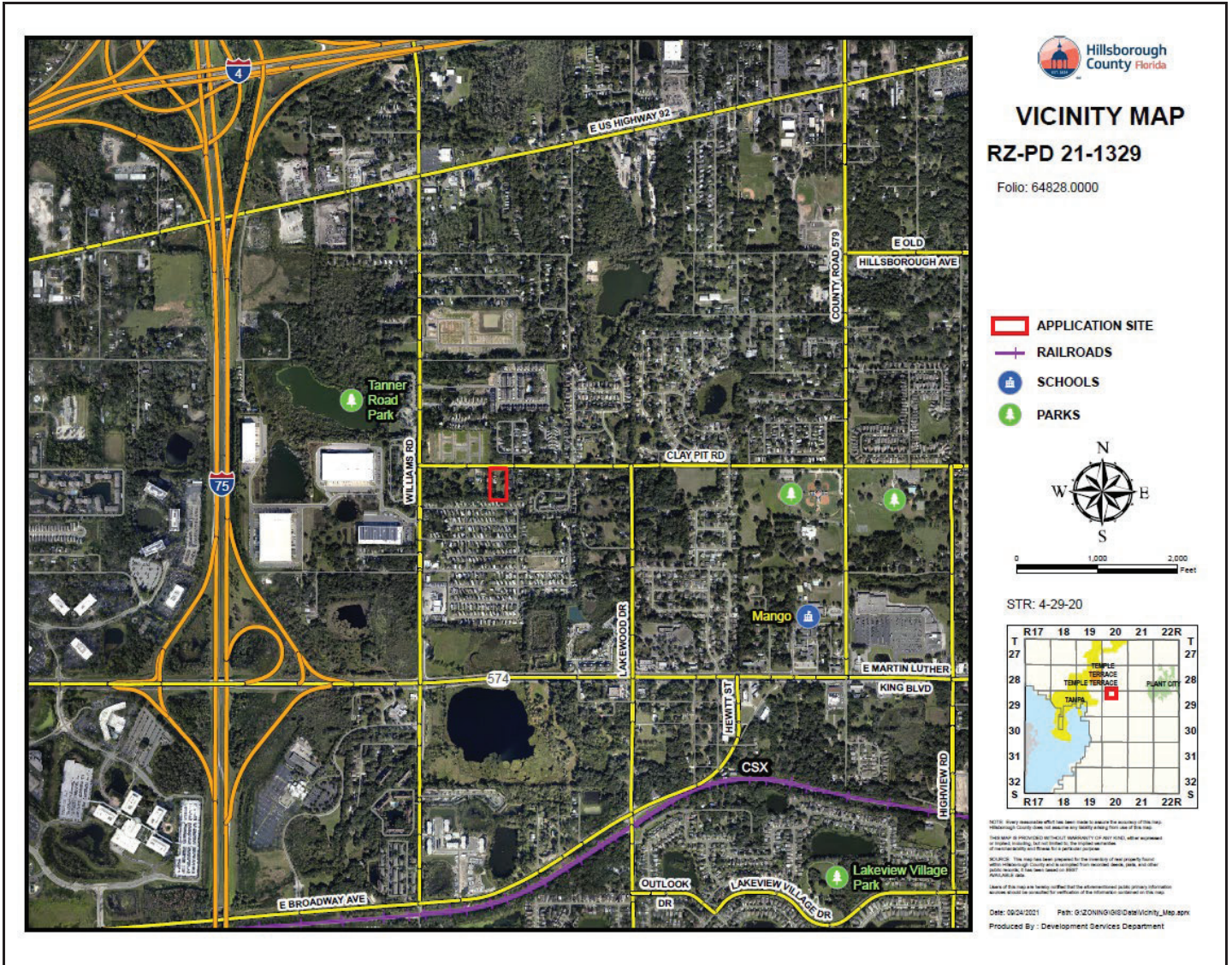
Additional Information:

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

Planning Commission Recommendation: Consistent	Development Services Recommendation: Approvable, subject to proposed conditions
--	---

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

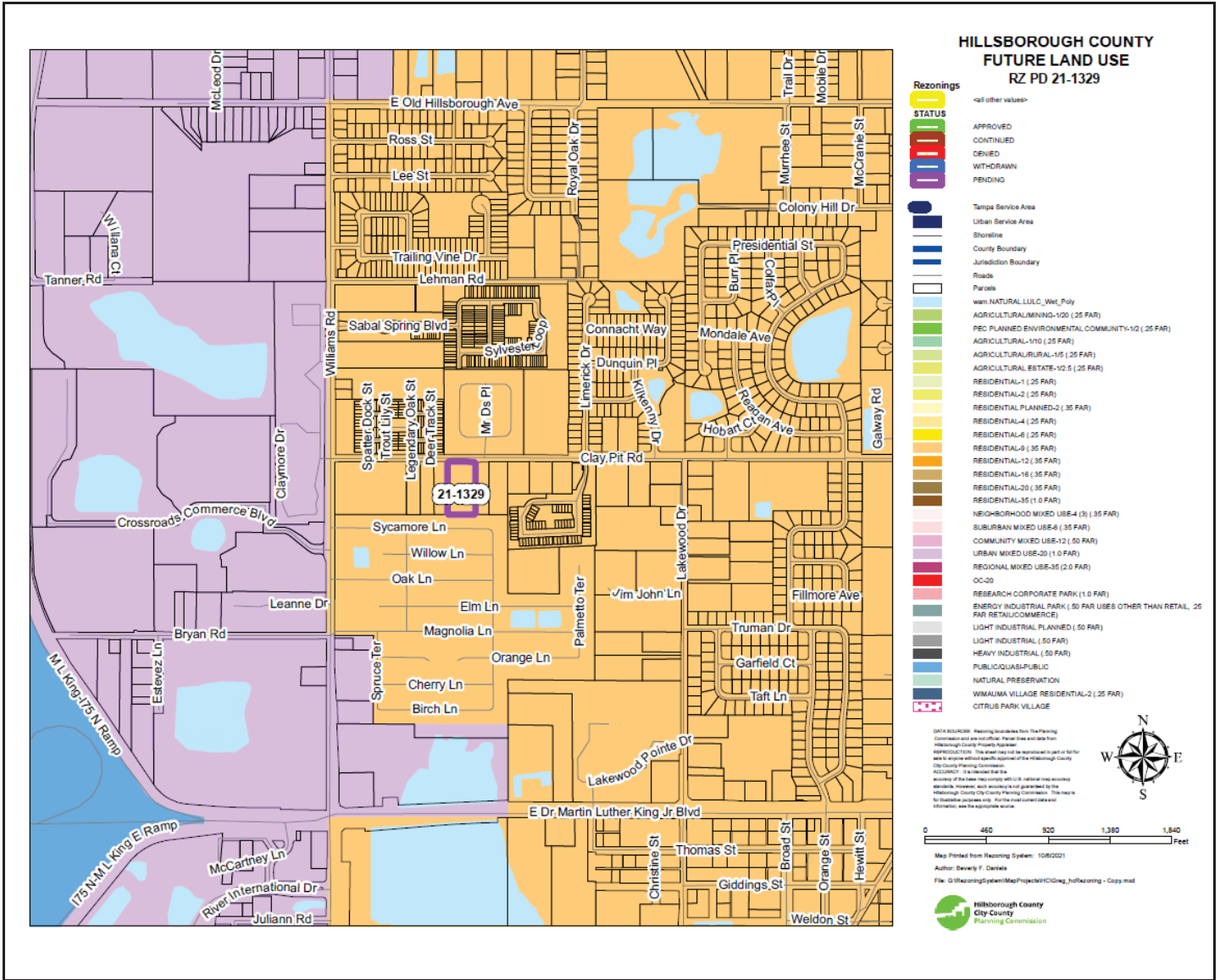


Context of Surrounding Area:

The site is located in the Seffner-Mango community within an area developed with various types of residential – this includes single-family detached, mobile home parks and single-family attached (townhomes). Given the FLU Category of the area and existing zonings, various lot sizes are present. Major roadways include I-75 approximately 0.6 miles to the west and Dr. Martin Luther King, Jr., Blvd approximately 0.4 miles to the south. With the exception of a large light industrial/distribution facility located approximately 0.2 miles west of the site, all non-residential development is found along the major roadways and intersections of the community.

2.0 LAND USE MAP SET AND SUMMARY DATA

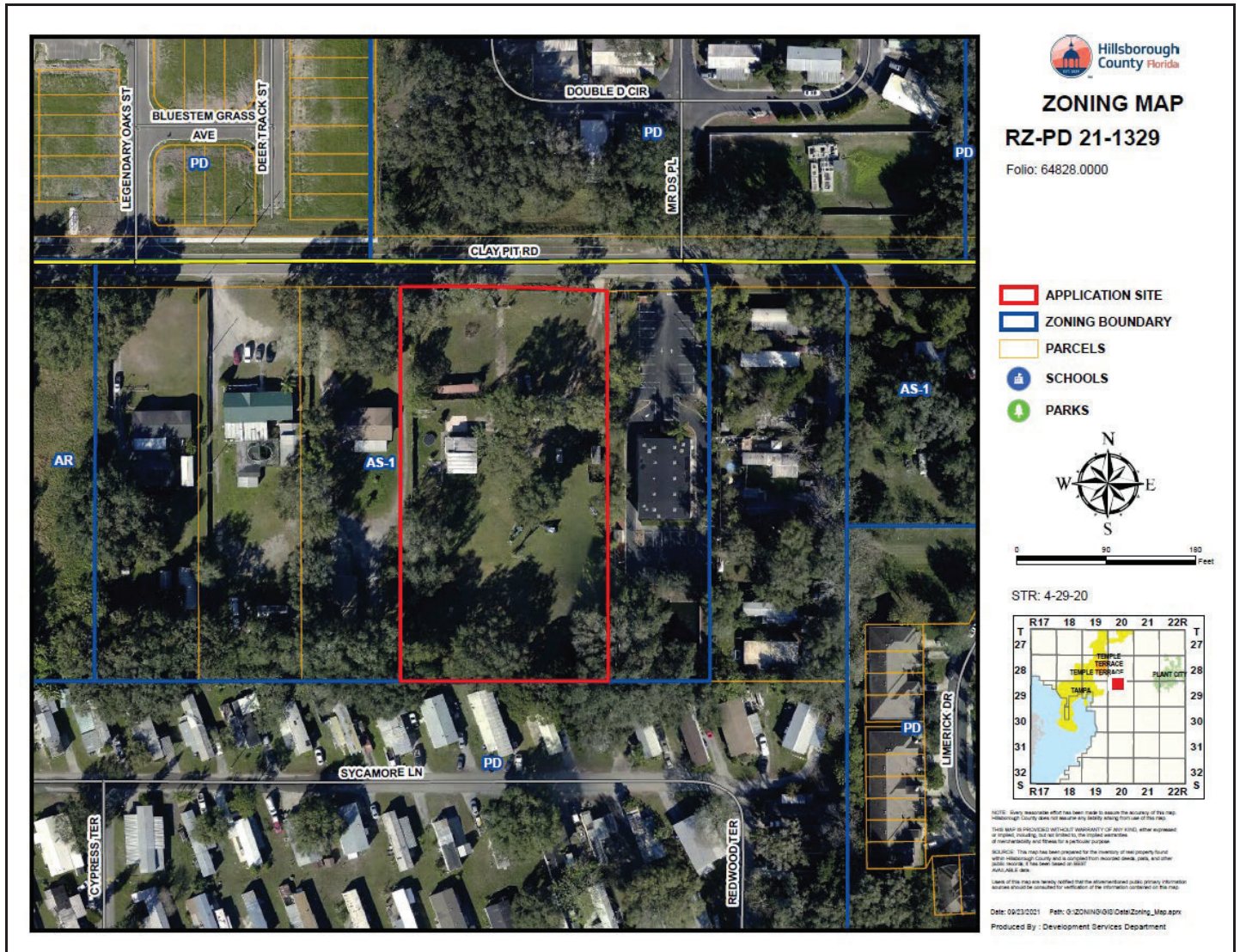
2.2 Future Land Use Map



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

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map

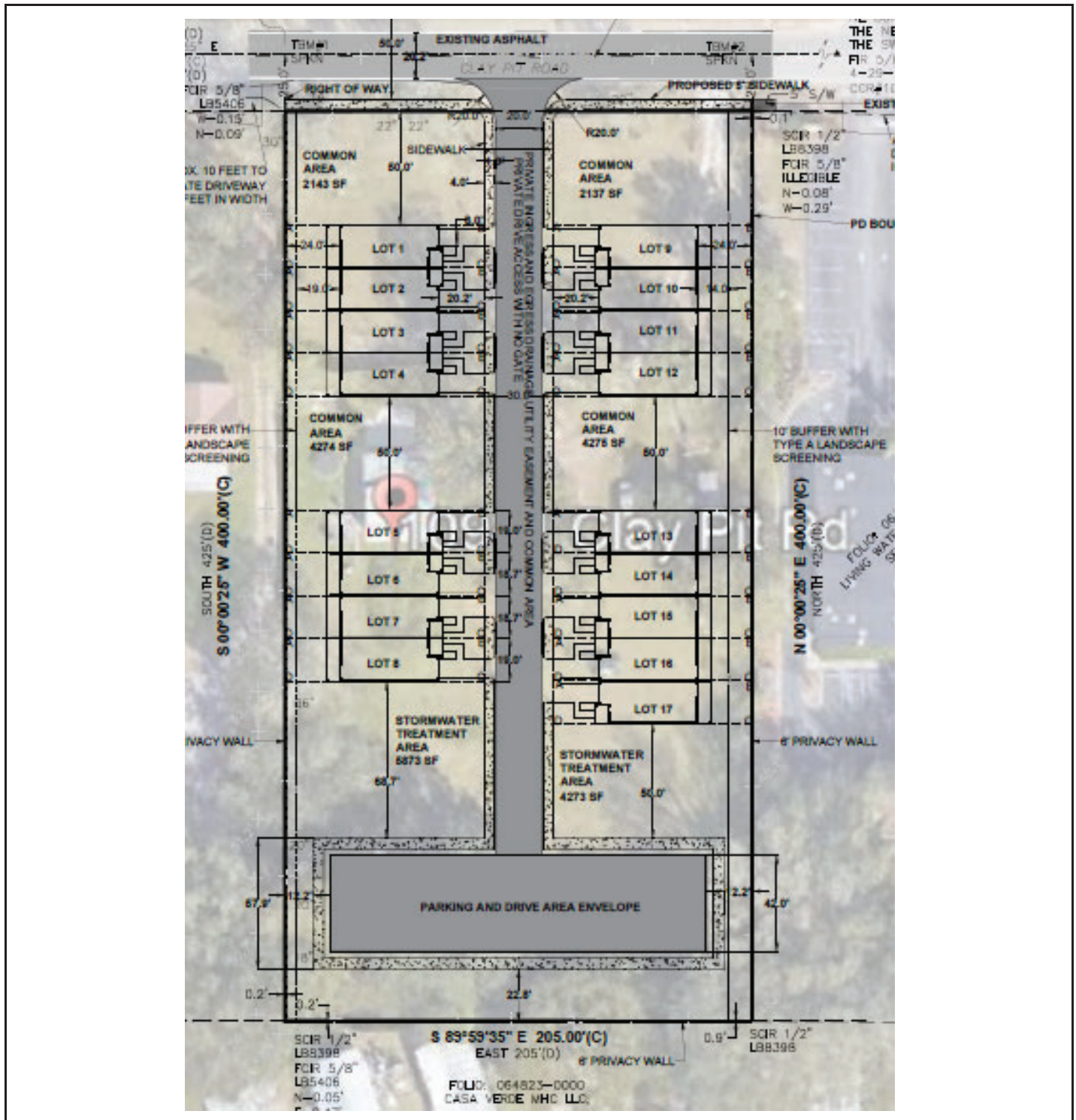


Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	PD 79-0190	7.27 units per acre	64 mobile homes	Mobile Home Park
South	PD 18-1373	7.06 units per acre	425 mobile homes (Parcel A)	Mobile Home Park
East	AS-1	1 unit per acre	Single-Family Residential and Residential Support	Church
West	AS-1	1 unit per acre (Legal Non-Conforming Lot)	Single-Family Residential	Single-Family Residential

2.0 LAND USE MAP SET AND SUMMARY DATA

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



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

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

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	9	1	1
Proposed	107	7	9
Difference (+/-)	+98	+6	+8

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

Connectivity and Cross Access <input type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North	X	None	None	Meets LDC
South		None	None	Meets LDC
East		None	None	Meets LDC
West		None	None	Meets LDC

Notes:

Design Exception/Administrative Variance <input type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
Clay Pit Road/Access Spacing	Administrative Variance Requested	Approvable
	Choose an item.	Choose an item.

Notes:

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Check if Applicable: <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input checked="" type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area	<input checked="" type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____			
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input checked="" type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Service Area/ Water & Wastewater <input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water and wastewater mains available within Clay Pit Road ROW
Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input checked="" type="checkbox"/> 6-8 <input checked="" type="checkbox"/> 9-12 <input type="checkbox"/> N/A Inadequate <input checked="" type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Additional capacity exists in adjacent service area at elementary level
Impact/Mobility Fees (Fee estimate is based on a 1,500 square foot, 3 bedroom, Townhouse Unit 1-2 Stories) Mobility: \$5,995 * 17 units = \$ 101,915.00 Parks: \$1,957 * 17 units = \$ 33,269.00 School: \$7,027 * 17 units = \$ 119,459.00 Fire: \$249 * 17 units = \$ 4,233.00 Total Townhouse = \$258,876.00				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input checked="" type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The applicant requests to rezone to allow for a single-family attached (townhome) use. This type of housing, along with other housing types, is found within the area and provides the applicant with the ability to meet the minimum density requirements of the Comprehensive Plan required for areas of the County within the USA and at or above a maximum density of 4 units per acre.

The housing type is considered a multi-family use (under 12 units per acre) requiring buffering and screening when adjacent to different uses to provide compatibility. To the immediate west of the site is a single-family residential use requiring a 5-foot buffer with Type A screening. To the immediate east of the site is a church use requiring a 10-foot buffer with Type A screening. The project proposes to meet both these requirements and provide the most intense Type A screening option which is a wall. No buffering or screening is required along the the northern or southern PD boundaries.

The proposed building height is 27 feet at western and eastern side yard setbacks of 24 feet. When applying the 2:1 setback requirement, the minimum setback is 14 feet. When adding the required buffers, this results in a minimum setback of 19 feet along the west and 24 feet along the east. The project complies with the setback requirement.

The structures will be placed at least 50 feet from Clay Pit Road, which is the same front yard setback for the Agricultural zoning district found to the east and west, on the south side of Clay Pit Road. From the south, units will be placed over 100 feet from the common boundary line and a 6-foot high wall will be provided.

Given the above, staff has not identified any compatibility issues regarding this request.

5.2 Recommendation

Staff recommends approval, subject to proposed conditions of approval.

6.0 PROPOSED CONDITIONS

Requirements for Certification:

1. Typical West Lot Layouts to show correct rear yard of 19 feet, not 4 feet.
2. Add a note to the site plan that states "Sidewalks shall be provided in accordance with the Hillsborough County LDC."
3. Add a note to the site plan that states "Parking shall be provided in accordance with the Hillsborough County LDC."


Approval- Approval of the request, subject to the conditions listed below, is based on the general site plan submitted January 24, 2022.

1. Project shall be limited to a maximum of 17 multi-family (single-family attached) residential units.
2. Individual residential lots shall be developed in accordance with the following:

Minimum lot size:	1,472 square feet
Minimum lot width:	18 feet
Minimum front yard setback:	20 feet
Minimum rear yard setback along western PD boundary:	24 feet*
Minimum rear yard setback along eastern PD boundary:	24 feet**
Minimum side yard setback:	0 feet***
Maximum building height:	27 feet / 2-stories
Maximum number of attached units:	4 units

*this setback includes a 5-foot buffer resulting in a 19-foot rear yard
 **this setback includes a 10-foot buffer resulting in a 14-foot rear yard
 ***4-unit buildings to provide 50 feet of separation between buildings, as depicted on the site plan
3. Building areas, stormwater treatment areas, common/open space areas and parking/drive areas shall be located as generally depicted on the site plan.
4. A 5-foot wide buffer with Type A screening (to include a 6 foot high wall) shall be provided along the entire eastern PD boundary, as depicted on the site plan. This buffer shall be platted as a separate tract to be owned and maintained by the Homeowner’s Association or similar entity.
5. A 10-foot wide buffer with Type A screening (to include a 6 foot high wall) shall be provided along the entire western PD boundary, as depicted on the site plan. This buffer shall be platted as a separate tract to be owned and maintained by the Homeowner’s Association or similar entity.
5. A 6 foot high wall shall be provided along the entire southern PD boundary, as depicted on the site plan.
6. If PD 21-1329 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance from the Section 6.04.07 access spacing requirements (dated November 30, 2021) which was found approvable by the County Engineer (on December 2, 2021). Approval of this Administrative Variance will permit the reduction of minimum access spacing between the project driveway and next closest driveway to the west to +/- 90 feet and +/- 135 feet to the driveway to the east.
7. If the notes and/or graphics on the site plan are in conflict with specific zoning conditions and/or the LDC regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to

development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval.

Zoning Administrator Sign Off:	 J. Brian Grady Mon Feb 7 2022 09:48:56
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SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.
Approval of this re-zoning petition by Hillsborough County does not constitute a guarantee that the project will receive approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are being waived or otherwise approved. The project will be required to comply with the Site Development Plan Review approval process in addition to obtain all necessary building permits for on-site structures.

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

None.

8.0 PROPOSED SITE PLAN (FULL)

PRELIMINARY SITE PLAN
BRACKIN RENOVATIONS AND DEVELOPMENT, LLC.

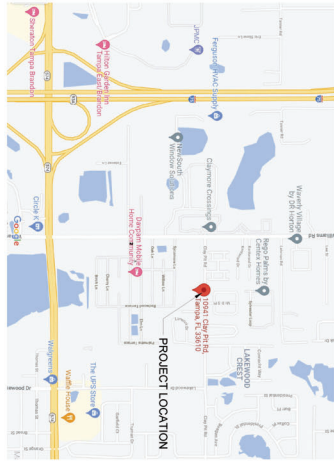
CLAY PIT RD TOWNHOMES

10941 CLAY PIT RD
TAMPA, FLORIDA

OWNER:
BRACKIN RENOVATIONS AND DEVELOPMENT, LLC.
3211 STONEBRIDGE TRL
VALRICO, FLORIDA 33598-9252
ATTENTION: NICK BRACKIN
PHONE: 813-453-7597
EMAIL: BRACKINDEVELOPMENT@GMAIL.COM

ENGINEER:
K&K ENGINEER AND CONSULTING, LLC
12408 POINT CLAY
TAMPA, FLORIDA 33626
ATTENTION: JENNIFER L. GRISSOM, PE
PHONE: 813-220-3832
EMAIL: JENNIFER@K&KENG.COM

SURVEYOR:
LEGEND SURVEYING
843 SYMPHONY ISLES BLVD,
APOLLO BEACH, FL 33572
PHONE: (813)833-2617
ATTENTION: DUSTIN FRANKLIN
DFRANKLIN@LEGENDSURVEYING.COM



LEGAL DESCRIPTION: BEGINNING AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 29 SOUTH, RANGE 20 EAST, 425 FEET; THENCE RUNNING EAST, 205 FEET; THEN NORTH, 425 FEET; THENCE WEST, 205 FEET TO THE POINT OF BEGINNING, LESS THE NORTH 25 FEET THEREOF FOR ROAD RIGHT OF WAY.

SHEET INDEX
0 OF 3 COVER SHEET
1 OF 3 SURVEY/EXISTING CONDITIONS
2 OF 3 PRELIMINARY SITE PLAN

NO.	DATE	BY	DESCRIPTION
1	02/14/2022	JL	PRELIMINARY SITE PLAN
2	02/14/2022	JL	REVISION
3	02/14/2022	JL	REVISION
4	02/14/2022	JL	REVISION
5	02/14/2022	JL	REVISION



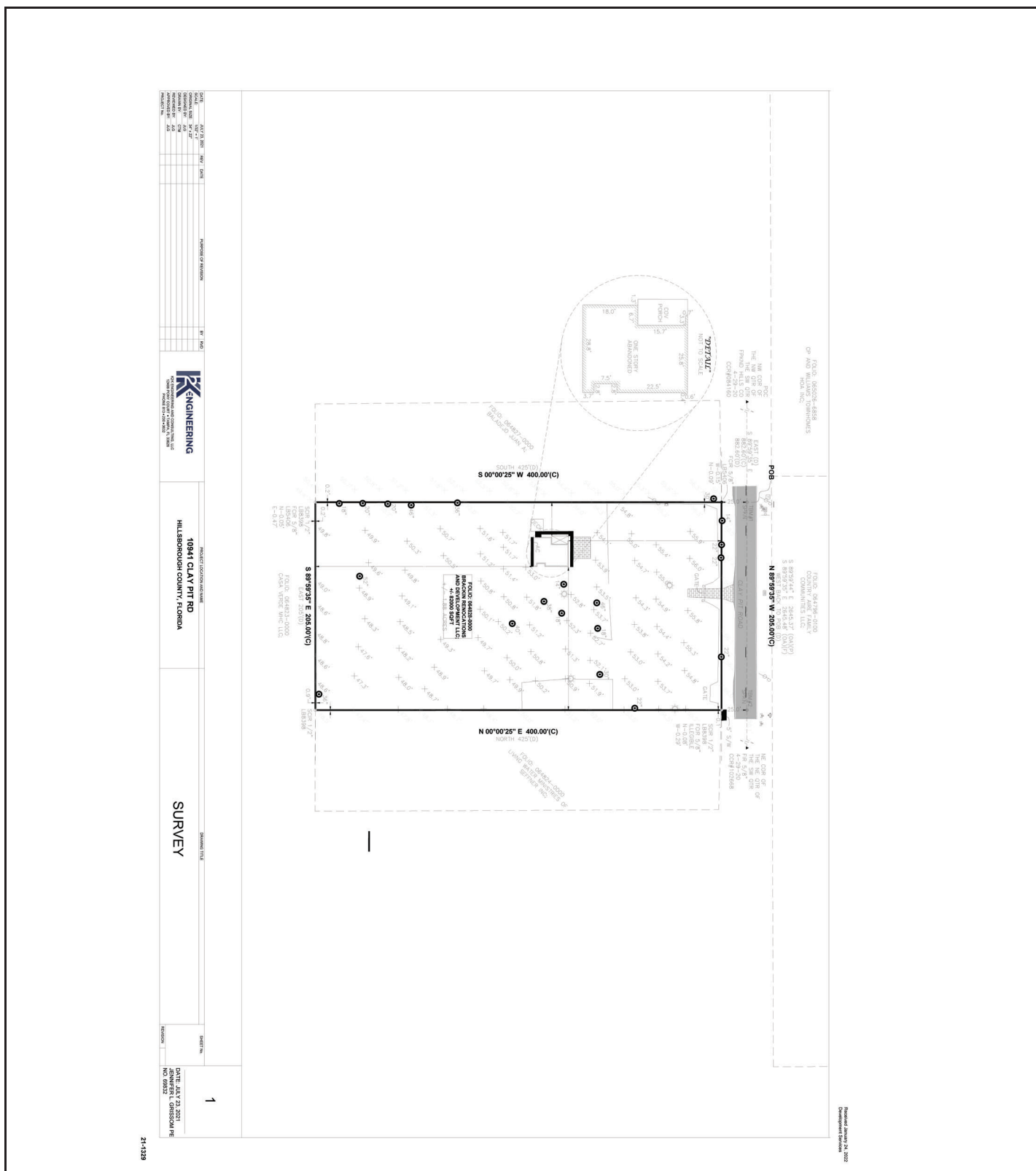
PROJECT LOCATION NAME:
10941 CLAY PIT RD
HILLSBOROUGH COUNTY, FLORIDA

DRAWING TITLE:
COVER SHEET

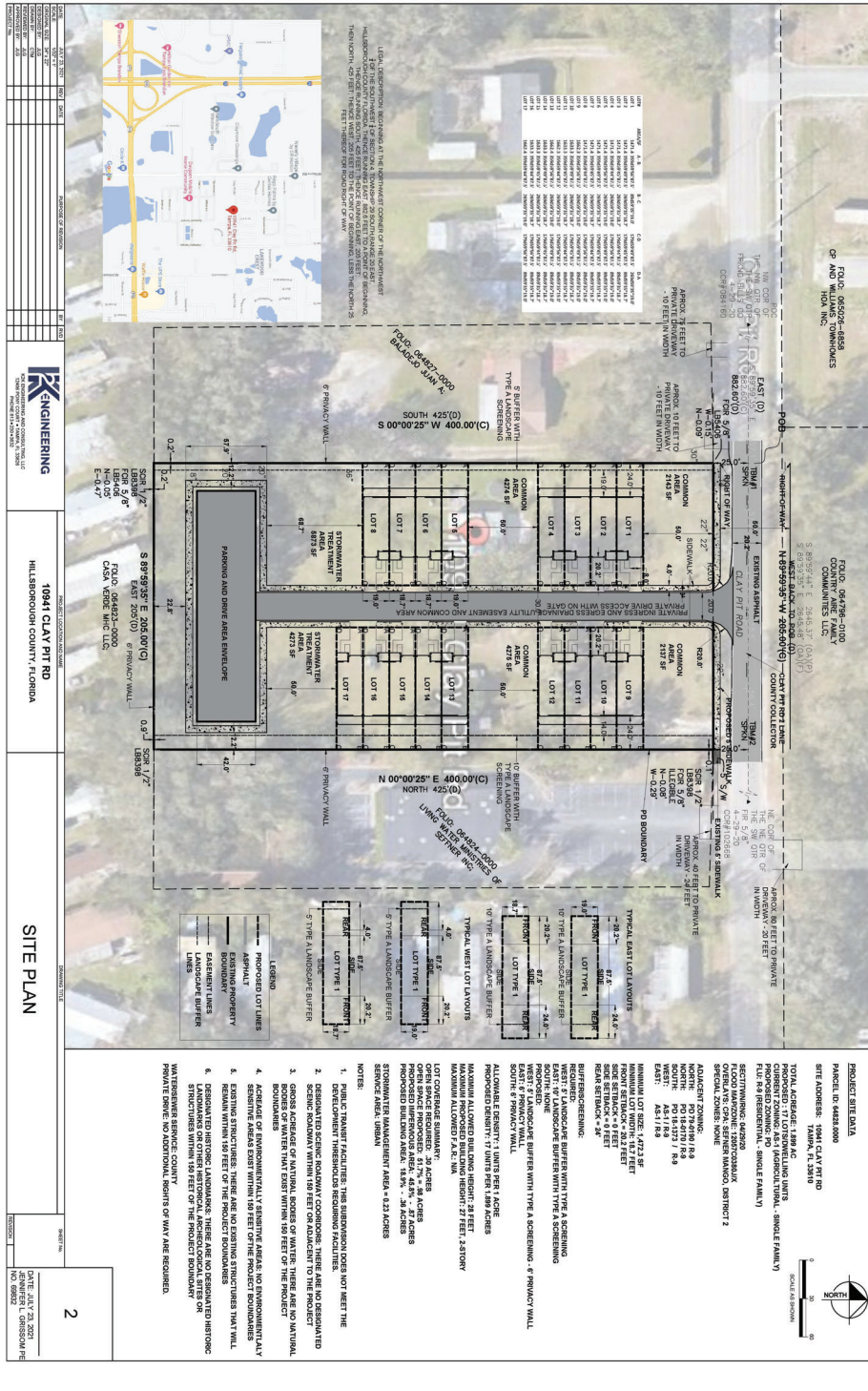
SHEET NO.
0

DATE: JULY 23, 2022
BY: JENNIFER L. GRISSOM, PE
NO. 058532

8.0 PROPOSED SITE PLAN (FULL)



8.0 PROPOSED SITE PLAN (FULL)



9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department
REVIEWER: Alex Steady, Senior Planner
PLANNING AREA/SECTOR: Seffner Mango/ Northeast

DATE: 02/01/2022
AGENCY/DEPT: Transportation
PETITION NO: PD 21-1329

- | | |
|----------|---|
| | This agency has no comments. |
| | This agency has no objection. |
| X | 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 an increase of trips potentially generated by development of the subject site by 98 average daily trips, 6 trips in the a.m. peak hour, and 8 trips in the p.m. peak hour.
- If PD 21-1329 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance from the Section 6.04.07 access spacing requirements (dated November 30, 2021) which was found approvable by the County Engineer (on December 2, 2021). Approval of this Administrative Variance will permit the reduction of minimum access spacing between the project driveway and next closest driveway to the west to +/- 90 feet and +/- 135 feet to the driveway to the east.
- Transportation Review Section staff has no objection to the proposed request, subject to the conditions of approval provided hereinbelow.

CONDITIONS OF APPROVAL

Staff is requesting the following new and other conditions:

New Condition:

- If PD 21-1329 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance from the Section 6.04.07 access spacing requirements (dated November 30, 2021) which was found approvable by the County Engineer (on December 2, 2021). Approval of this Administrative Variance will permit the reduction of minimum access spacing between the project driveway and next closest driveway to the west to +/- 90 feet and +/- 135 feet to the driveway to the east.

Other Conditions:

Prior to PD site plan certification, the applicant shall revise the PD site plan to:

- Add a note to the site plan that states “Sidewalks shall be provided in accordance with the Hillsborough County LDC.”
- Add a note to the site plan that states “Parking shall be provided in accordance with the Hillsborough County LDC.”

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone one parcel totaling 1.89 acres from Agricultural, Single Family – 1 (AS-1) to Plated Development (PD) to allow for 17 townhomes. The site is located +/- 900 feet east of the intersection of Williams Road and Clay Pit Rd. The Future Land Use designation of the site is R-9.

Trip Generation Analysis

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

Approved Zoning:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
AS-1, 1 Single Family Residential Dwelling Unit (ITE code 210)	9	1	1

Proposed Zoning:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 17 Multi Family Dwelling Units (ITE code 220)	107	7	9

Trip Generation Difference:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	+98	+6	+8

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 98 average daily trips, 6 trips in the a.m. peak hour, and 8 trips in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

Clay Pit Rd. is a 2-lane, substandard, Hillsborough County maintained, collector roadway, characterized by +/-10 feet travel lanes. The existing right-of-way on Clay Pit Rd. is +/-50 feet. There are no bike lanes or sidewalks on Clay Pit Rd. in the vicinity of the proposed project.

SITE ACCESS

Access to the project will be via a single access connection to Clay Pit Road. Cross-access is not required, consistent with Section 6.04.03.Q. of the LDC.

REQUESTED VARIANCE

If PD 21-1329 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance from the Section 6.04.07 access spacing requirements (dated November 30, 2021) which was found approvable by the County Engineer (on December 2, 2021). Approval of this Administrative Variance will permit the reduction of minimum access spacing between the project driveway and next closest driveway to the west to +/- 90 feet and +/- 135 feet to the driveway to the east.

ROADWAY LEVEL OF SERVICE (LOS)

Level of Service (LOS) information is reported below.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr Directional LOS
CLAY PIT RD	WILLIAMS RD	CR 579	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
Clay Pit Road	County Collector - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	9	1	1
Proposed	107	7	9
Difference (+/-)	+98	+6	+8

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

Connectivity and Cross Access <input type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North	X	None	None	Meets LDC
South		None	None	Meets LDC
East		None	None	Meets LDC
West		None	None	Meets LDC
Notes:				

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

4.0 Additional Site Information & Agency Comments Summary

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

November 30, 2021

Michael Williams, PE

Development Review Director

County Engineer

Development Services Department

601 E. Kennedy Blvd., 20th Floor

Tampa, FL 33602

Re: Clay Pit Rd Townhomes

Folio No: 64828.0000

RZ: 21-1329

The purpose of this letter is to request a Section 6.04.02.B Administrative Variance to Section 6.04.07 of the Hillsborough County Land Development Code for access to the Clay Pit Rd Townhomes. The developer proposes to rezone the property to a Planned Development to allow up to 17 Townhomes:

Table 1 provides the trip generation for the proposed project. The access for the project is to be via one (1) full access to Clay Pit Rd.

The subject property is within the Urban Service Area and according to the Hillsborough County Roadways Functional Classification Map, Clay Pit Rd is a collector road.

The request is for Administrative Variance to Section 6.04.07 of the Hillsborough County LDC for the access spacing on Clay Pit Rd. Based on Section 6.04.07, the access spacing for Clay Pit Rd is 330 feet. The spacing for access is 90 feet from the driveway to the west and 135 feet to the driveway to the east. This is geographically shown in Figure 1.

The justification is as follows:

(a) there is unreasonable burden on the applicant,

1. The subject property has limited footage along Clay Pit Rd.
2. The proposed access to the project is in the geographical location of the existing access for the property. The existing access is to be removed in conjunction with the development of the project.

Therefore, it is not reasonable or feasible for the project to modify the location of the access to meet the current LDC spacing criteria.

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

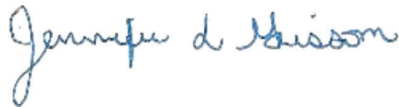
There are two existing driveways on this property and this project will be reducing it to one. The center most existing access serving the project is to be removed and replaced with the proposed access in the same general location which is at the centerline of the property. The other existing access, closest to the projects west boundary, will be removed. In addition, there are multiple single-family driveways along the subject segment of Clay Pit Rd. In our opinion, the proposed variance would not be detrimental to the public health, safety and well-being.

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

The main access to the project is proposed t be via Clay Pit Rd. The access is needed to provide reasonable access to the project.

Please do not hesitate to contact us if you have any questions or require and additional information.

Best Regards,



Jennifer L Grissom, P.E.

Managing Partner

K2K Engineering

Based on the information provided by the applicant this request is:

_____ Approved with Conditions

_____ Approved

_____ Disapproved

Michael J. Williams, P.E.

Hillsborough County Engineer on _____

Notice: Consent with Section 6.04.02B.8. of the LDC, the results of this variance application may be appealed, as further described in Section 10.05.01. of the LDC, to the Land Use Hearing Officer within 30 calendar days of the date of the above action.

TABLE 1

TRIP GENERATION (1)

Land Use	ITE LUC	Size	Daily Trips Ends	PM Peak Hour Trip Ends		
				In	Out	Total
Townhome	220	17 DU's	14			14

Per the ITE Trip Generation, 10th Edition Volume 2 the number of Peak Hour Trips for Multi-Family Housing (Low-Rise), Land Use 220, is calculated as follows:

-LN (Total Number of PM Peak Hour Trips) = $0.89 * LN (\text{Number of Units}) - .02$

-LN (Total Number of PM Peak Hour Trips) = 2.64

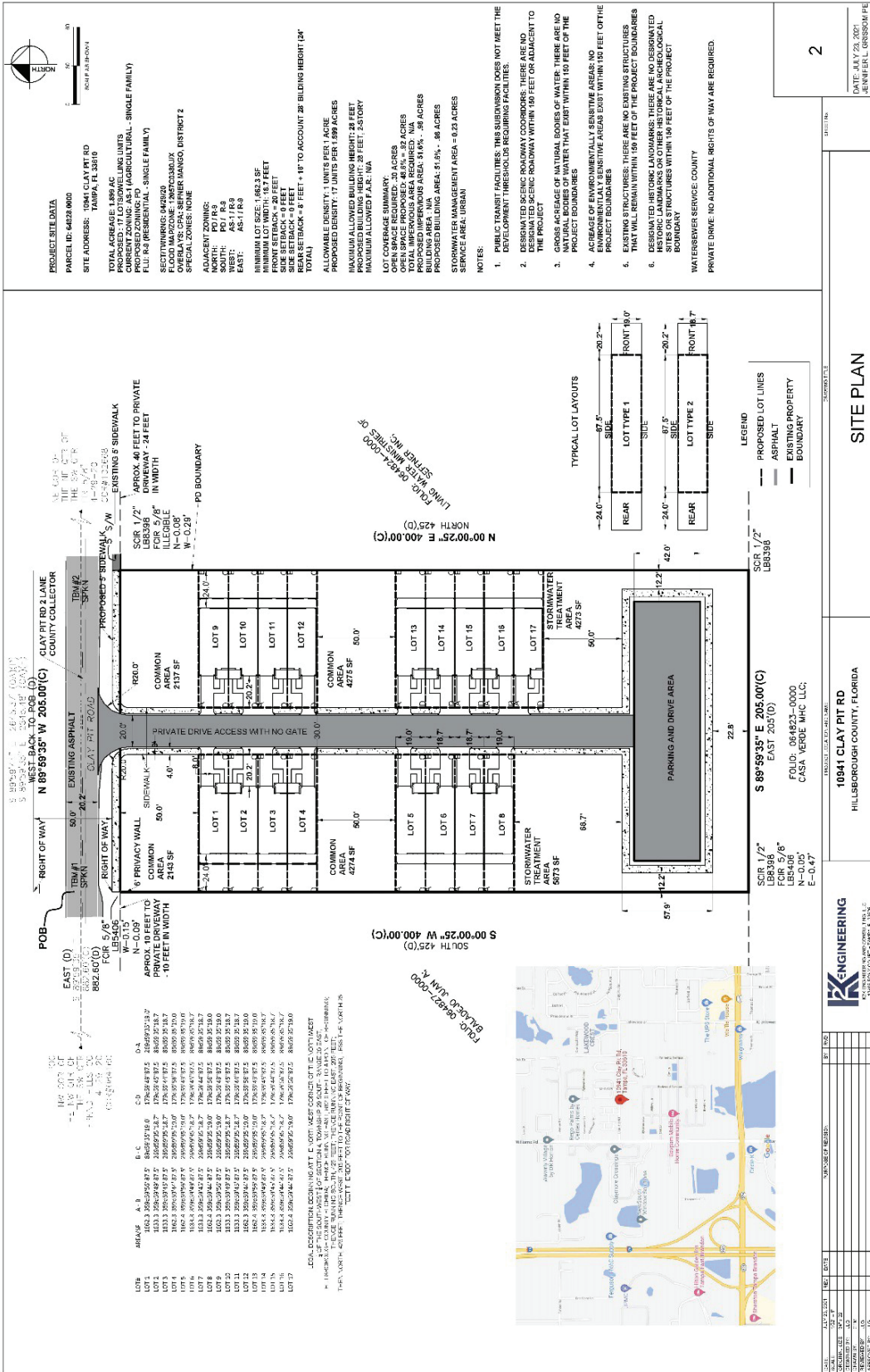
-Total Number of PM Peak Hour Trips = 14

Figure 1.

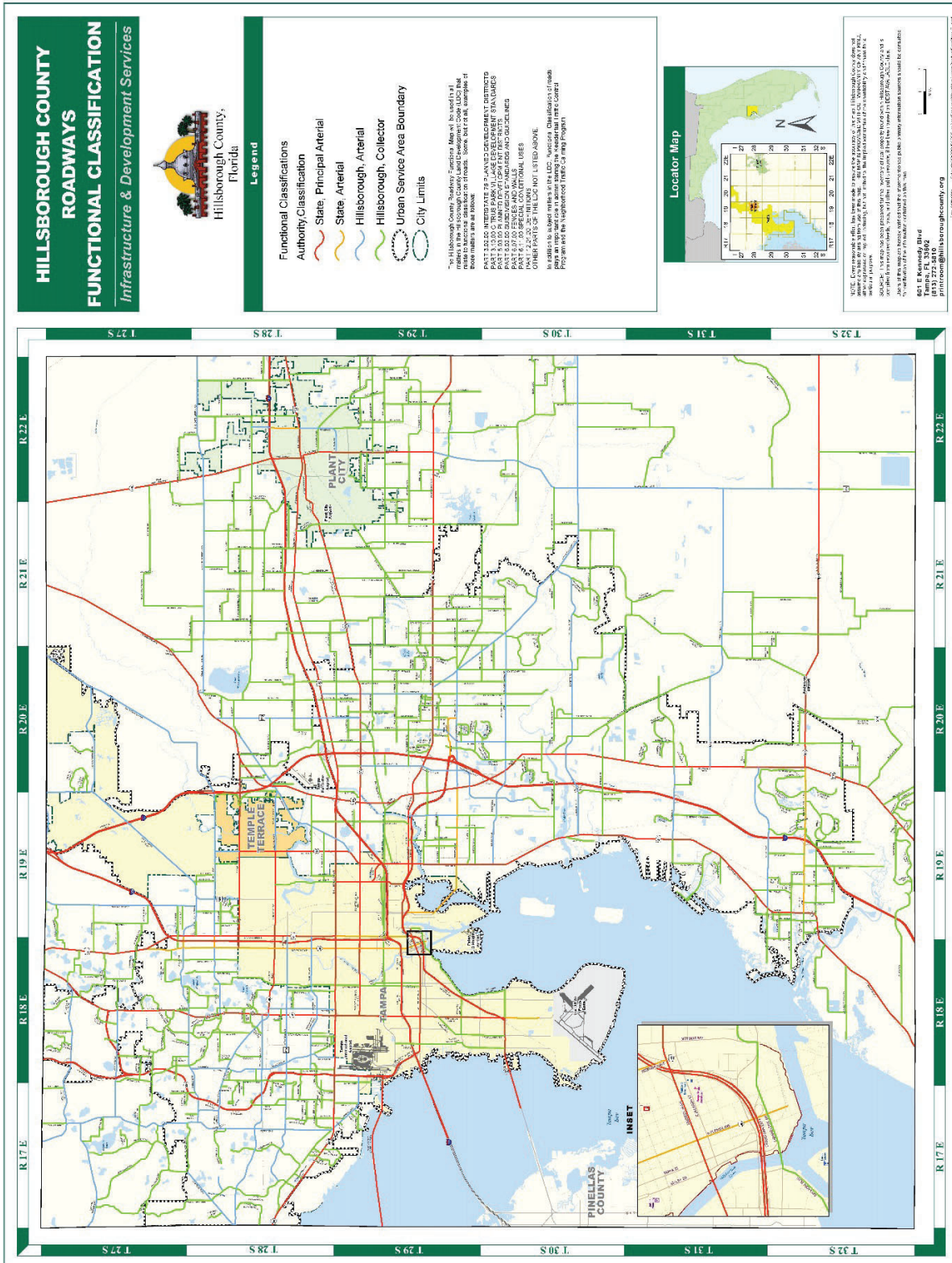


Appendix

PD Site Plan



Hillsborough County Roadway Functional Classification Map



Hillsborough County Land Development Code Section 6.04.07

- **Sec. 6.04.05. - Access Pavement Requirements**

A. Type I

1. Rural Section—Driveway does not need to be paved except for a four-foot paved transition extending from the edge of the roadway towards the site. The purpose of the paved transition is to protect the edge of pavement of the public roadway from damage and deterioration. This requirement does not apply when the public roadway has a four-foot (or wider) paved shoulder.

2. Urban Section—Driveway shall be paved to the right-of-way line or to the back of sidewalk, whichever is less.

B. Type II

1. Urban Section. These accesses shall be paved to the right-of-way line or to the back of sidewalk, whichever is distance is less.

2. Rural Section. These accesses shall be paved to the right-of-way line.

C. Type III

Rural and Urban Sections. These accesses shall be paved to the right-of-way line.

D. Surfacing Requirements

The pavement should be structurally adequate to meet the expected traffic loads and shall not be less than the requirements contained in the Hillsborough County Transportation Technical Manual, latest edition.

- **Sec. 6.04.06. - Maintenance Responsibilities**

A. Introduction

The purpose of this section is to identify the various responsibilities relative to maintenance of access points. The occupant and the owner of the property services by the access shall be responsible for meeting the terms and conditions of the permit, if any.

B. Maintenance Responsibility by Jurisdiction

1. State Highway System. For those connections onto the State Highway System, the Florida Department of Transportation will normally maintain the connection surface, sidewalks, and all drainage facilities within the right-of-way.

2. County Roadway System. For the connections onto the County Roadway System, within the unincorporated portion of the County, the County Public Works Department will maintain the first four feet, nearest the edge of pavement, of the connection. In addition, the Department will maintain drainage structures within the right-of-way which accommodates roadway drainage.

3. Traffic Control Devices. All traffic control devices, including signs, signals and pavement markings, installed and properly permitted on the public right-of-way or public easements to control traffic

utilizing the connection, shall be maintained by the County. Any devices required by the permit but installed off the public right-of-way shall be maintained by the permittee in a condition satisfactory to the County's Director of Public Works. The permittee shall be responsible for correcting any on-site deficiencies in an appropriate and timely manner.

▪ **Sec. 6.04.07. - Table: Minimum Spacing**

MINIMUM SPACING			
ACCESS CLASSIFICATION(See Notes)	MINIMUM CONNECTION SPACING	MINIMUM MEDIAN; OPENING SPACING (Directional)	MINIMUM MEDIAN OPENING SPACING (Full)
CLASS 1	(See Federal Highway Administration and FDOT Requirements)		
Roadway providing for high speed, high volume traffic movement serving interstate, interregional and intercity needs as well as some intracity travel. These roadways do not provide direct property connections.			
CLASS 2			
A specially protected corridor distinguished by an extensive existing or planned system of access roads and restrictive median treatments.	>45 mph 1320 ft ≤45 mph 660 ft	>45 mph 1320 ft ≤45 mph 660'	>45 mph 2640 ft ≤45 mph 1320 ft
CLASS 3			
New and existing roadways primarily in areas without extensive development or extensive subdivided properties. These corridors will be distinguished by existing or desired restrictive median treatments. Two lane highways with a desired high degree of access management should also be included.	>45 mph 660 ft ≤45 mph 330 ft	>45 mph 1320 ft ≤45 mph 660 ft	>45 mph 2640 ft ≤45 mph 1320 ft

MINIMUM SPACING			
ACCESS CLASSIFICATION(See Notes)	MINIMUM CONNECTION SPACING	MINIMUM MEDIAN; OPENING SPACING (Directional)	MINIMUM MEDIAN OPENING SPACING (Full)
CLASS 4			
New and existing roadways primarily in areas without extensive development or extensive subdivided properties. These corridors will be distinguished by nonrestrictive median treatments or highways with two-way left turn lanes.	>45 mph 660 ft≤45 mph 330 ft	N.A.	N.A.
CLASS 5			
Existing roadways primarily in areas with moderate or extensive development or where the land is extensively subdivided. These corridors will be distinguished by existing or desired restrictive median treatments.	>45 mph 330 ft ≤ 45 mph 245 ft	All Speeds 660 ft	>45 mph 1320 ft ≤ 45 mph 660 ft
CLASS 6			
Existing roadways primarily in areas with extensive development or where the land is extensively subdivided. These corridors will be distinguished by existing or expected non restrictive medians, such as an undivided two or four lane highway or multi-lane highways with two-way left turn lanes.	>45 mph 330 ft ≤45 mph 245 ft	N.A.	N.A.
CLASS 7			
Subdivision roads and all other local roadways functioning as subdivision roads.	TYPE I = 10 ft Type II = 50 ft (<5000 vpd*)	ALL SPEEDS 330 ft	ALL SPEEDS 330 ft

MINIMUM SPACING			
ACCESS CLASSIFICATION(See Notes)	MINIMUM CONNECTION SPACING	MINIMUM MEDIAN; OPENING SPACING (Directional)	MINIMUM MEDIAN OPENING SPACING (Full)
	175 ft (\geq 5000 vpd*)		
March 1, 1991	Type III =50 ft (<5000 vpd*) 250 ft (\geq 5000 vpd*) * refers to volume on adjacent roadway		

NOTES AND SPECIAL REQUIREMENTS

1. Access road systems in Access Class 2 assumes the provision of an access road system or adequate internal property circulation through existing or new public and private roads in transportation and comprehensive plans and through local land development regulations.
2. Minimum connection and directional median spacing openings specified here may not be adequate if extensive right or left-turn storage is required. Greater distances may be required to provide sufficient site-specific storage.
3. Connections and median openings on the public roadway system located up to $\frac{1}{4}$ mile from an interchange area or up to the first intersection with an arterial roadway, whichever distance is less, shall be regulated to protect the safety and operational efficiency of the limited access facility and the interchange area. The $\frac{1}{4}$ mile distance shall be measured from the end of the taper of the ramp furthest from the interchange.
 - a. The distance to the first connection shall be at least 660 feet where the posted speed limit is greater than 45 mph or 440 feet where the posted speed limit is 45 mph or less. The distance will be measured from the end of the taper for the particular quadrant of the interchange. If the above connection spacing cannot be provided, a single connection per property will be provided if no other reasonable access to the property exists and the issuing authority determines that the connection does not create a safety, operational or weaving hazard.

b. The minimum distance to the first median opening shall be at least 1,320 feet as measured from the end of the taper of the egress ramp.

c. Connections and median openings meeting the above spacing standards still may not be permitted in the location requested in the permit application, when the issuing authority determines, based on traffic engineering principles, that the safety or operation of the interchange or the limited access highway would be adversely affected.

(Ord. No. 00-21, § 2, 5-18-00; Ord. No. 08-15, § 2, 6-12-08, eff. 10-1-08)

▪ **Sec. 6.04.08. - Table: Corner Clearance at Intersections**

CORNER CLEARANCE AT INTERSECTIONS For Isolated Corner Properties Only		
Position	Access Allowed	Minimum Clearance
With Restrictive Median		
Approaching Intersection	Right In/Out	115'
Approaching Intersection	Right In Only	75'
Departing Intersection	Right In Out	230' (125)*
Departing Intersection	Right Out Only	100'
Without Restrictive Median		
Approaching Intersection	Full Access	230' (125)*
Approaching Intersection	Right In Only**	100'
Departing Intersection	Full Access	230' (125)*
Departing Intersection	Right Out Only**	100'

Isolated corner properties that, because of size or configuration cannot meet the above spacing requirements may apply for a variance as provided in [6.04.02 C](#).

* Access Class 7 may use the measurements in parenthesis if the posted speed limit is 35 MPH or less.

** Right In/Out Right in Only and Right Out Only connections on roadways without restrictive medians shall, by design of the connection, effectively eliminate unpermitted movements.

COUNTY OF HILLSBOROUGH

**RECOMMENDATION OF THE
LAND USE HEARING OFFICER**

APPLICATION NUMBER: RZ PD 21-1329

DATE OF HEARING: February 14, 2022

APPLICANT: Nick Brackin / Brackin Renovations & Development, LLC

PETITION REQUEST: A request to rezone property from AS-1 to PD to permit 17 multi-family dwelling units

LOCATION: 10941 Clay Pit Road

SIZE OF PROPERTY: 1.9 acres, m.o.l.

EXISTING ZONING DISTRICT: AS-1

FUTURE LAND USE CATEGORY: RES-9

SERVICE AREA: Urban

COMMUNITY PLAN: Seffner Mango

DEVELOPMENT REVIEW STAFF REPORT

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

1.0 APPLICATION SUMMARY



Applicant: Nick Brackin – Brackin Renovations & Development LLC

FLU Category: RES-9

Service Area: Urban

Site Acreage: 1.899

Community Plan Area: Seffner Mango

Overlay: None

Introduction Summary:

The applicant proposes to rezone the subject property from AS-1 to PD to allow for 17 multi-family units.

Zoning: Existing Proposed

District(s)	AS-1	PD 21-1329
Typical General Use(s)	Single-Family Residential (Conventional/Mobile Home)	Multi-Family Residential (Single-Family Residential Attached)
Acreage	1.899	1.899
Density/Intensity	1 unit per acre	9 units per acre
Mathematical Maximum*	1 unit	17 units

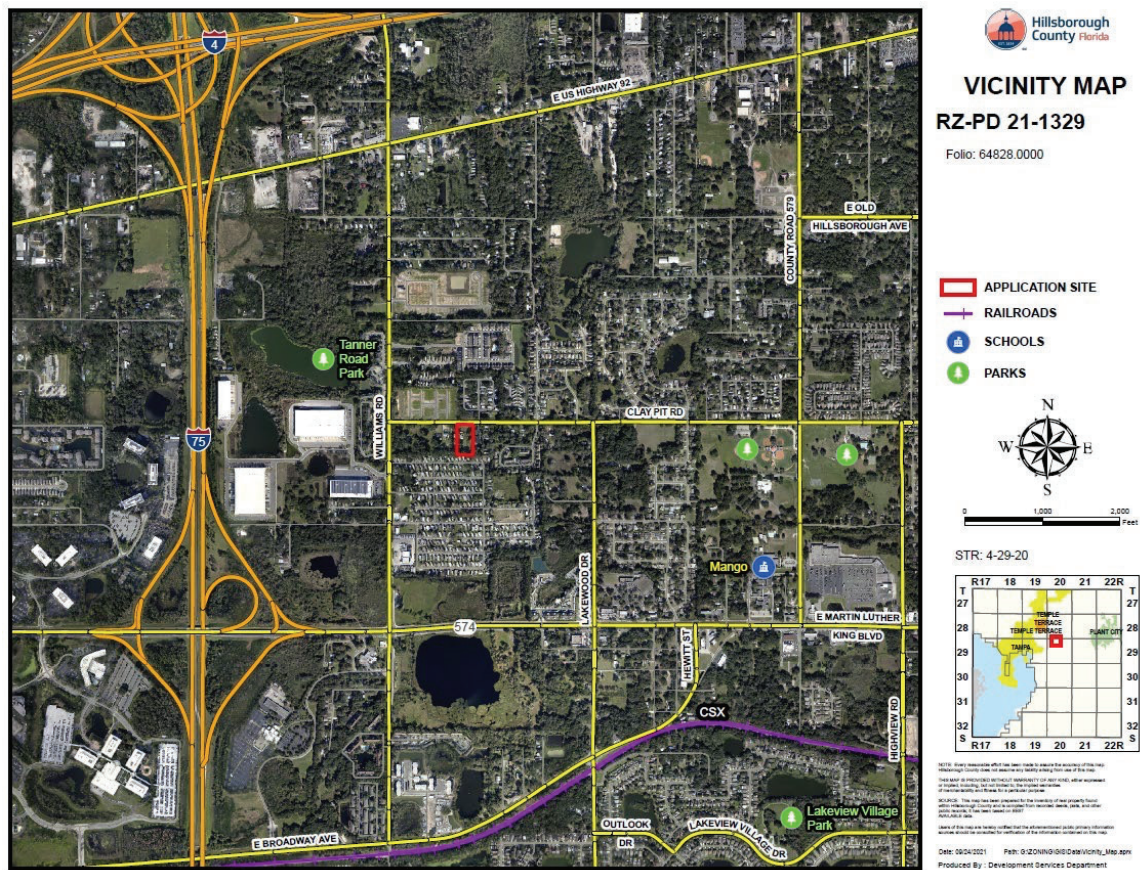
*number represents a pre-development approximation

Development Standards: Existing Proposed

District(s)	AS-1	PD 21-1329
Lot Size / Lot Width	1 acre / 150'	N/A
Setbacks/Buffering and Screening	50' Front (lot) 50' Rear (lot) 15' Sides (lot) No buffering and screening required	50' Front (project) 114.8' Rear (project) 24' West Side (project) 24' East Side (project) 5'/Type A buffering and screening along west 10'/Type A buffering and screening along east
		27' / 2-stories

Height	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: Approvable, subject to proposed conditions	

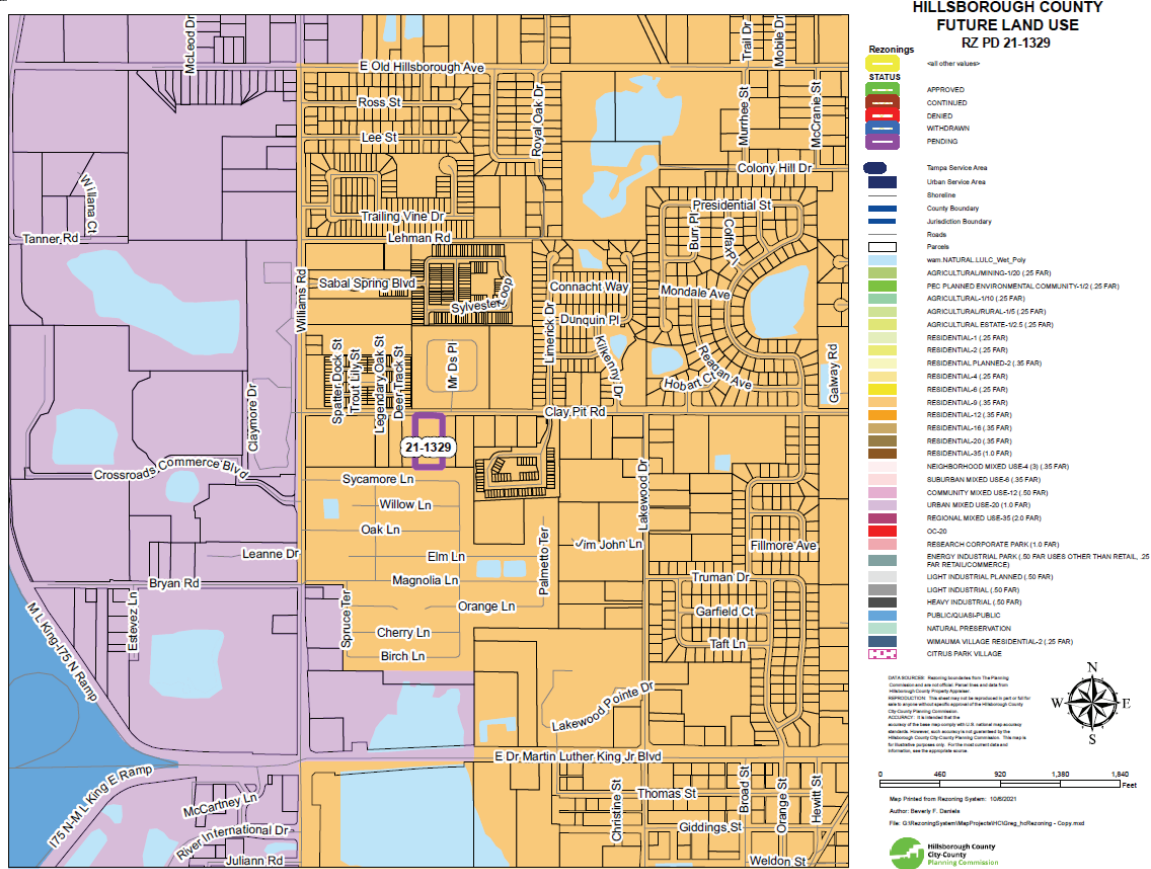
2.0 LAND USE MAP SET AND SUMMARY DATA 2.1 Vicinity Map



Context of Surrounding Area:

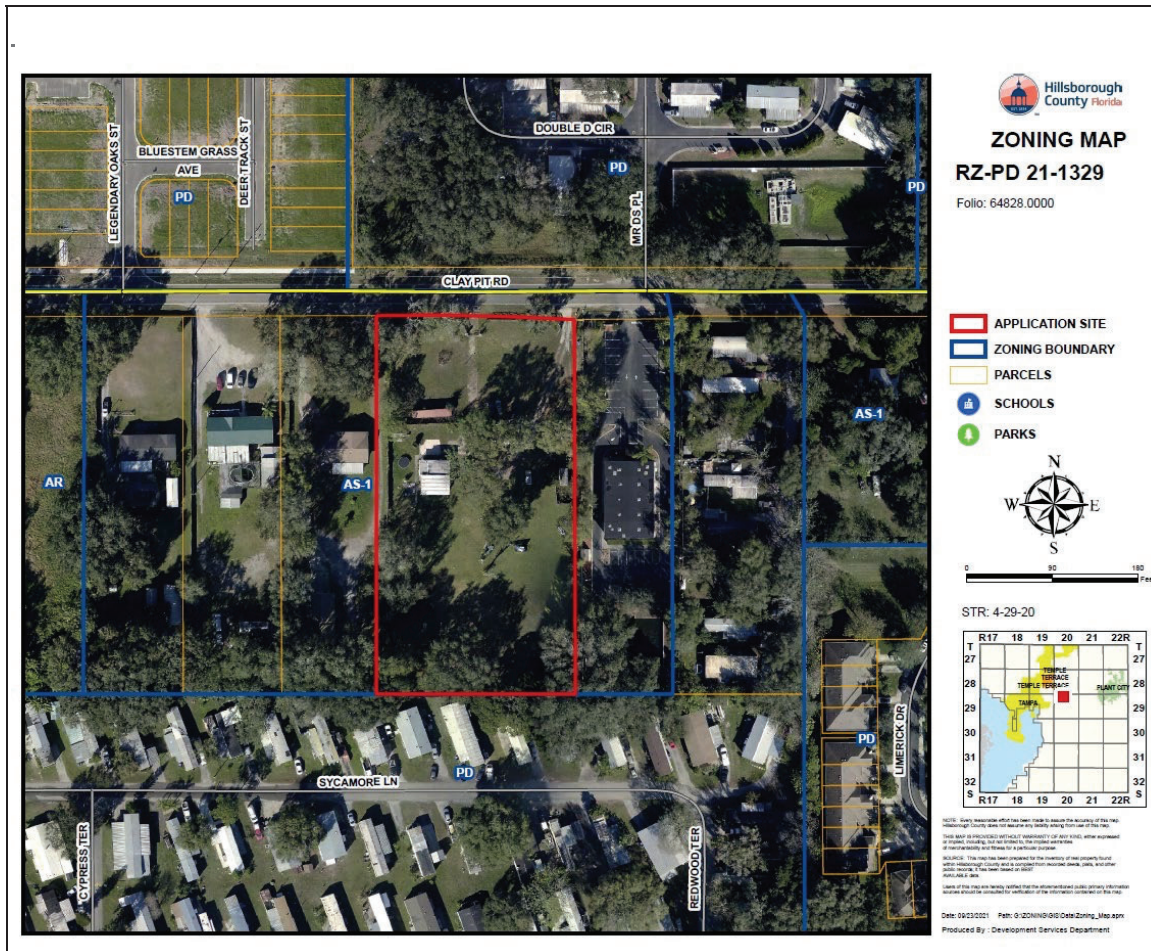
The site is located in the Seffner-Mango community within an area developed with various types of residential – this includes single-family detached, mobile home parks and single-family attached (townhomes). Given the FLU Category of the area and existing zonings, various lot sizes are present. Major roadways include I-75 approximately 0.6 miles to the west and Dr. Martin Luther King, Jr., Blvd approximately 0.4 miles to the south. With the exception of a large light industrial/distribution facility located approximately 0.2 miles west of the site, all non-residential development is found along the major roadways and intersections of the community.

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



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

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



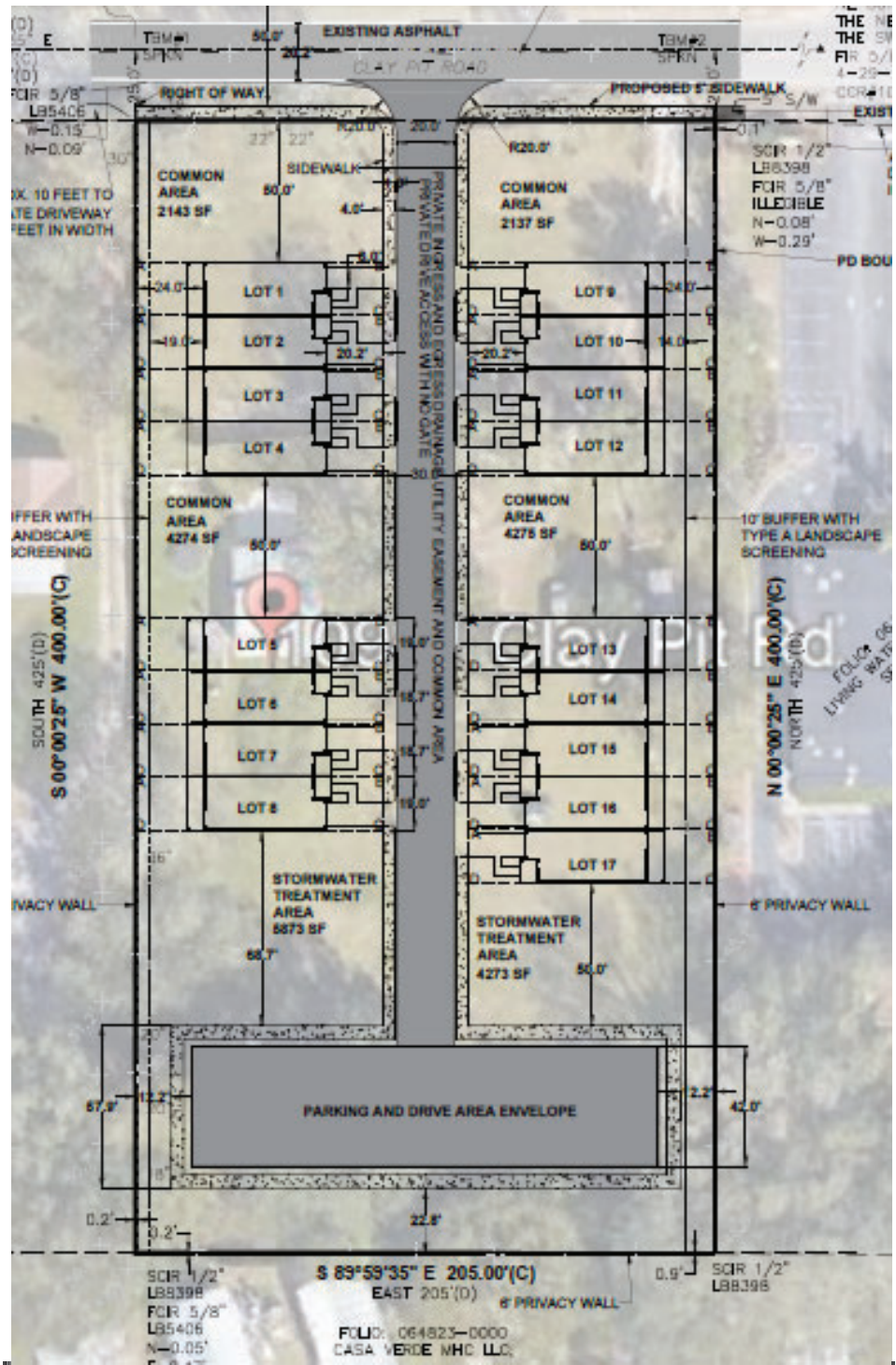
Adjacent Zonings and Uses

Location	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	PD 79-0190	7.27 units per acre	64 mobile homes	Mobile Home Park
South	PD 18-1373	7.06 units per acre	425 mobile homes (Parcel A)	Mobile Home Park
East	AS-1	1 unit per acre	Single-Family Residential and	Church

			Residential Support	
- West	AS-1	1 unit per acre (Legal Non-Conforming Lot)	Single-Family Residential	Single-Family Residential

2.0 LAND USE MAP SET AND SUMMARY DATA

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



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

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

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	9	1	1
Proposed	107	7	9
Difference (+/-)	+98	+6	+8

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

Connectivity and Cross Access <input type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North	X	None	None	Meets LDC
South		None	None	Meets LDC
East		None	None	Meets LDC
West		None	None	Meets LDC
Notes:				

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

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental:				
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Check if Applicable: <input type="checkbox"/> 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 <input checked="" type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Service Area/ Water & Wastewater <input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water and wastewater mains available within Clay Pit Road ROW
Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input checked="" type="checkbox"/> 6-8 <input checked="" type="checkbox"/> 9-12 <input type="checkbox"/> N/A Inadequate <input checked="" type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Additional capacity exists in adjacent service area at elementary level

Impact/Mobility Fees

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

Mobility:\$5,995*17units Parks:\$1,957*17 units School:\$7,027 *17 units Fire:\$249*17 units

=\$ 101,915.00 = \$ 33,269.00 = \$ 119,459.00 = \$ 4,233.00				
Total Townhouse = \$258,876.00				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> <input type="checkbox"/> Locational Criteria Waiver Requested <input checked="" type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The applicant requests to rezone to allow for a single-family attached (townhome) use. This type of housing, along with other housing types, is found within the area and provides the applicant with the ability to meet the minimum density requirements of the Comprehensive Plan required for areas of the County within the USA and at or above a maximum density of 4 units per acre.

The housing type is considered a multi-family use (under 12 units per acre) requiring buffering and screening when adjacent to different uses to provide compatibility. To the immediate west of the site is a single-family residential use requiring a 5-foot buffer with Type A screening. To the immediate east of the site is a church use requiring a 10-foot buffer with Type A screening. The project proposes to meet both these requirements and provide the most intense Type A screening option which is a wall. No buffering or screening is required along the northern or southern PD boundaries.

The proposed building height is 27 feet at western and eastern side yard setbacks of 24 feet. When applying the 2:1 setback requirement, the minimum setback is 14 feet. When adding the required buffers, this results in a minimum setback of 19 feet along the west and 24 feet along the east. The project complies with the setback requirement.

The structures will be placed at least 50 feet from Clay Pit Road, which is the same front yard setback for the Agricultural zoning district found to the east and west, on the south side of Clay Pit Road. From the south, units will be placed over 100 feet from the common boundary line and a 6-foot high wall will be provided.

Given the above, staff has not identified any compatibility issues regarding this request.

5.2 Recommendation

Staff recommends approval, subject to proposed conditions of approval.

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

SUMMARY OF HEARING

THIS CAUSE came on for hearing before the Hillsborough County Land Use Hearing Officer on February 14, 2022. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

Mr. Nick Brackin 10941 Clay Pit Road Tampa testified as the applicant. Mr. Brackin stated that his engineer Jen Grissom would handle the presentation.

Ms. Jennifer Grissom 12406 Pony Court Tampa testified on behalf of the applicant. Ms. Grissom stated that the request is to rezone 1.89 acres from AS-1 to PD to develop a 17-unit townhome complex with a private driveway. An administrative variance was granted for the driveway location. The request is consistent with the surrounding land uses including a mobile home park to the south and residential to the west as well as the church to the east. No PD variations are requested.

Ms. Michelle Heinrich, Development Services Department testified regarding the County's staff report. Ms. Heinrich stated that the request is to rezone property from AS-1 to Planned Development to allow for a 17 attached units. She described the acreage and location of the property and added that the site is located within the RES-9 Future Land Use category. No PD variations are requested. Ms. Heinrich detailed the surrounding residential land uses and stated that the proposed building height is 27 feet or two stories. The site will comply with the required 2 to 1 setback for buildings over 20 feet in height. Ms. Heinrich concluded her presentation by stating that the staff finds the request approvable.

Ms. Andrea Papandrew of the Planning Commission staff testified that the property is within the Residential-9 Future Land Use category and located in the

Urban Service Area and the Seffner Mango Community Planning Area. She described the request for the 17 dwelling units and stated that it represented the maximum number of units allowed by the density. The request is consistent with Policies 16.1, 16.2, 16.3 and 16.8 regarding compatibility. She concluded her remarks by stating that the rezoning request is consistent with the Future of Hillsborough Comprehensive Plan.

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

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

County staff and Mr. Brackin did not have additional comments.

The hearing was then concluded.

EVIDENCE SUBMITTED

No documents were submitted into the record.

PREFACE

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

FINDINGS OF FACT

1. The subject site is 1.9 acres in size and is zoned Agricultural Single-Family-1 (AS-1). The property is designated Residential-9 (RES-9) by the Comprehensive Plan and located in the Urban Service Area and the Seffner Mango Community Planning Area.
2. The purpose of the rezoning from AS-1 to PD is to permit a maximum of 17 single-family attached dwelling units.
3. The Planning Commission found the request represents the maximum number of units permitted by the RES-9 Future Land Use category and that it is compatible with the surrounding area. The Planning Commission stated that rezoning is consistent with the Future of Hillsborough Comprehensive Plan.
4. The surrounding area is developed with mobile home parks to the north and south, a church to the east and single-family residential to the west.

5. The rezoning to Planned Development for 17 single-family attached dwelling units serves to provide a compatible land use given the residential development pattern.

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

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

CONCLUSIONS OF LAW

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

SUMMARY

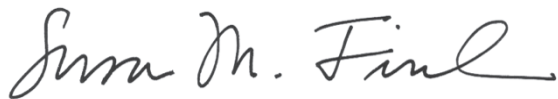
The request is to rezone 1.9 acres from AS-1 to PD to a maximum of 17 single-family attached dwelling units.

The Planning Commission found the request compatible with the surrounding land uses and consistent with the Future of Hillsborough Comprehensive Plan.

The surrounding area is developed with a mix of residential housing types. The proposed 17 single-family attached dwelling units provide a compatible land use given the residential development pattern.

RECOMMENDATION

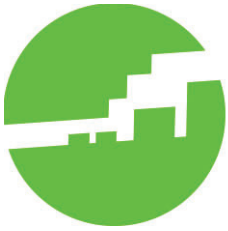
Based on the foregoing, this recommendation is for **APPROVAL** of the Planned Development rezoning request as indicated by the Findings of Fact and Conclusions of Law stated above subject to the zoning conditions prepared by the Development Services Department.



Susan M. Finch, AICP
Land Use Hearing Officer

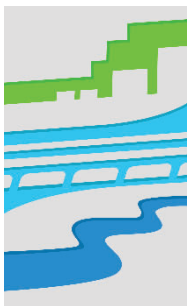
March 6, 2022

Date



**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: February 14, 2022 Report Prepared: February 1, 2022	Petition: PD 21-1329 10941 Clay Pitt Road <i>Southside of the Clay Pitt Road, east of Williams Road</i>
Summary Data:	
Comprehensive Plan Finding:	CONSISTENT
Adopted Future Land Use:	Residential-9 (9 du/ga; 0.35 FAR)
Service Area:	Urban
Community Plan:	Seffner-Mango
Requested Rezoning:	Agricultural Single-Family-1 (AS-1) to Planned Development (PD) allowing for up to 17 Townhomes
Parcel Size (Approx.):	1.89 +/- acres
Street Functional Classification:	Clay Pitt Road – Collector Williams Road – Collector
Locational Criteria:	N/A (residential development)
Evacuation Zone:	The site is not within an Evacuation Zone



Context

- The subject property is located on approximately 1.89 acres east of Williams Road and south of Clay Pitt Road. The site is located within the Urban Service Area and within the limits of the Seffner-Mango Community Plan.
- The property's Future Land Use designation is Residential-9 (RES-9), which includes typical uses of residential, urban scale neighborhood commercial, office uses, multi-purpose projects and mixed-use development. Non-residential uses are required to meet established locational criteria for specific land uses.
- The subject property is surrounded by Residential-9 (RES-9), to the north, south, east, and west. Further west along Williams Road the Future Land use intensifies to a Urban Mixed Use-20 Future Land use.
- The subject property is classified as a single-family lot within Agricultural Single-Family-1 (AS-1) zoning. Single-family lots are located to the west with Agricultural Single-Family-1 (AS-1) and Agricultural Rural (AR) zoning. A church is located directly east of the site with a Agricultural Single-Family-1 zoning. A mobile home park is located south and to the north, across Clay Pitt Road with a Planned Development zoning.
- The applicant requests to rezone the subject property from Agricultural Single-Family-1 (AS-1) to Planned Development (PD) allowing for up to 17 townhome units.

Compliance with Comprehensive Plan:

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

Future Land Use Element

Urban Service Area (USA)

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, protect, and enhance neighborhoods and communities, all new development must conform to the following policies.*

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

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

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

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

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

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.*

Livable Communities Element: Seffner-Mango Community Plan

1. *Goal: Enhance community character and ensure quality residential and nonresidential development.*

Strategies:

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

Staff Analysis of Goals Objectives and Policies:

The subject property is located on approximately 1.89 acres east of Williams Road and south of the Clay Pitt Road. The site is located within the Urban Service Area and within the limits of the Seffner-Mango Community Plan. The applicant requests to rezone the subject property from Agricultural Single-Family-1 (AS-1) to Planned Development (PD) allowing for up to 17 townhome units.

The subject property is located within the Urban Service Area. Per FLUE Policy 1.2, the site must satisfy minimum density requirements. The maximum allowable density on the subject site is 17 dwelling units and the minimum allowable density is 12 dwelling units. The application requests the maximum dwelling units allowed and satisfies Policy 1.2.

The subject property is designated Residential-9 (RES-9) on the Future Land Use Map. The intent of the RES-9 Future Land Use category is to designate areas that are suitable for low-medium density residential, as well as urban scale neighborhood commercial, office, single-purpose projects, and mixed use developments when in compliance with the Goals, Objectives, and Policies of the Land Use Element and applicable development regulations and locational criteria for specific land use. The proposed use is permissible within the RES-9 Future Land Use category. The proposed residential development would allow for uses that are compatible with the surrounding development pattern and satisfies the intent of Objective 16 and Policies 16.1, 16.2, 16.3 and 16.8.

The subject property is located within the limits of the Seffner-Mango Community Plan. The proposed residential development furthers the goal of the Seffner Mango Community Plan which seeks to enhance community character and ensure quality residential and nonresidential development by supporting in-fill development and redevelopment within the Urban Service Area while providing for compatibility with existing uses.

Overall, Planning Commission staff finds the proposed use and density to be compatible with the surrounding area. The proposed residential development also meets the intent of the Seffner-Mango Community Plan, which supports in-fill development and redevelopment within the Urban Service Area while providing for compatibility with existing uses. The proposed development is consistent with the Residential-9 (RES-9) Future Land Use category. The request would allow for a development that is consistent with the Goals, Objectives and Policies of the Future Land Use Element of the *Future of Unincorporated Hillsborough County Comprehensive Plan for Unincorporated Hillsborough County*.

Recommendation

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

HILLSBOROUGH COUNTY FUTURE LAND USE RZ PD 21-1329

©All other values

Rezoning

Color	STATUS
Green	APPROVED
Yellow	CONTINUED
Red	DENIED
Purple	WITHDRAWN
Blue	PENDING

Other Symbols

- Tampa Service Area
- Urban Service Area
- Shoreline
- County Boundary
- Jurisdiction Boundary
- Reads
- Parcels
- WATER NATURAL LULC, Wet Poly
- AGRICULTURAL/MINING-120 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)
- AGRICULTURAL-1/10 (.25 FAR)
- AGRICULTURAL/RURAL-1/5 (.25 FAR)
- AGRICULTURAL/ESTATE-1/2.5 (.25 FAR)
- RESIDENTIAL-1 (.25 FAR)
- RESIDENTIAL-2 (.25 FAR)
- RESIDENTIAL PLANNED-2 (.35 FAR)
- RESIDENTIAL-4 (.25 FAR)
- RESIDENTIAL-6 (.25 FAR)
- RESIDENTIAL-9 (.35 FAR)
- RESIDENTIAL-12 (.35 FAR)
- RESIDENTIAL-16 (.35 FAR)
- RESIDENTIAL-20 (.35 FAR)
- RESIDENTIAL-35 (1.0 FAR)
- NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)
- SUBURBAN MIXED USE-6 (.35 FAR)
- COMMUNITY MIXED USE-12 (.50 FAR)
- URBAN MIXED USE-20 (1.0 FAR)
- REGIONAL MIXED USE-35 (2.0 FAR)
- OC-20
- RESEARCH CORPORATE PARK (1.0 FAR)
- ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCIAL)
- LIGHT INDUSTRIAL PLANNED (.50 FAR)
- LIGHT INDUSTRIAL (.50 FAR)
- HEAVY INDUSTRIAL (.50 FAR)
- PUBLIC/QUASIPUBLIC
- NATURAL PRESERVATION
- WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE

Map Legend

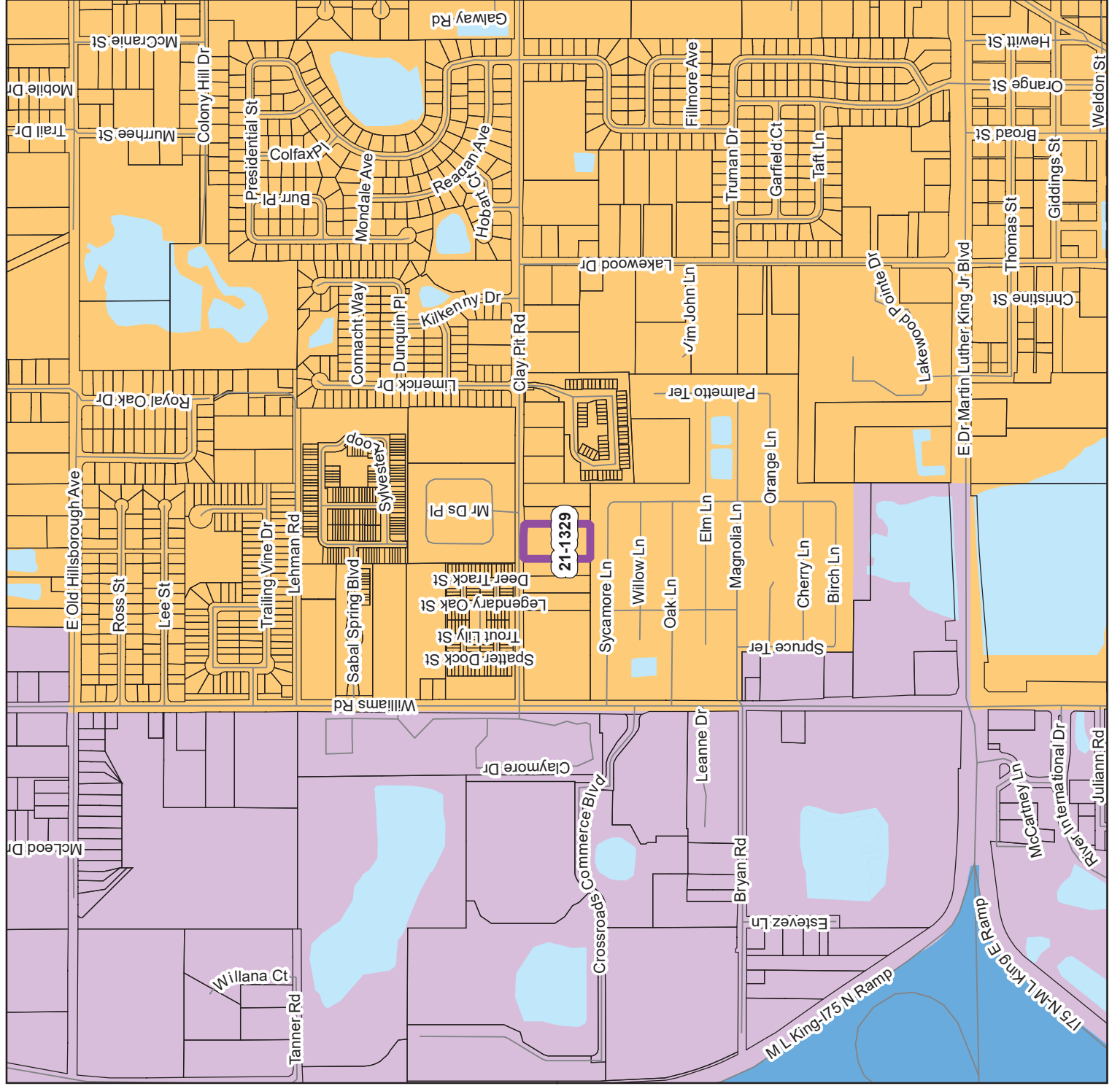
- Map Printed from Rezoning System: 10/6/2021
- Author: Beverly F. Daniels
- File: G:\Rezoning\System\MapProjects\HC\G\Reg_H\Rezoning_Copy.mxd

Scale

0 460 920 1,380 1,840 Feet

North Arrow

Disclaimer: DATA SOURCES: Rezoning boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. The rezoning and all other information on this map are for informational purposes only and do not constitute an offer to approve without specific approval of the Hillsborough County City/County Planning Commission. ACCURACY: It is intended that the information on this map is accurate to the best of our knowledge. However, such accuracy is not guaranteed by the Hillsborough County City/County Planning Commission. This map is for informational purposes only. For the most current data and information, visit the appropriate website.





**GENERAL
SITE PLAN
FOR
CERTIFICATION**



DEVELOPMENT SERVICES

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

**HILLSBOROUGH COUNTY
DEVELOPMENT SERVICES DEPARTMENT**

GENERAL SITE PLAN REVIEW/CERTIFICATION

**BOARD OF COUNTY
COMMISSIONERS**

Harry Cohen
Ken Hagan
Pat Kemp

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

COUNTY ADMINISTRATOR

Bonnie M. Wise

COUNTY ATTORNEY

Christine M. Beck

INTERNAL AUDITOR

Peggy Caskey

DEPUTY COUNTY ADMINISTRATOR

Gregory S. Horwedel

Project Name: Clay Pit Road Townhomes

Zoning File: RZ-PD (21-1329) Modification: None

Atlas Page: None Submitted: 03/21/22

To Planner for Review: 03/21/22 Date Due: ASAP

Contact Person: Jennifer L. Grissom, P.E Phone: 813-230-3632/ jennifer@k2keng.com

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

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

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

Reviewed by: Michelle Heinrich Date: 3/21/22

Date Agent/Owner notified of Disapproval: _____

PRELIMINARY SITE PLAN BRACKIN RENOVATIONS AND DEVELOPMENT, LLC.

CLAY PIT RD TOWNHOMES 10941 CLAY PIT RD TAMPA, FLORIDA

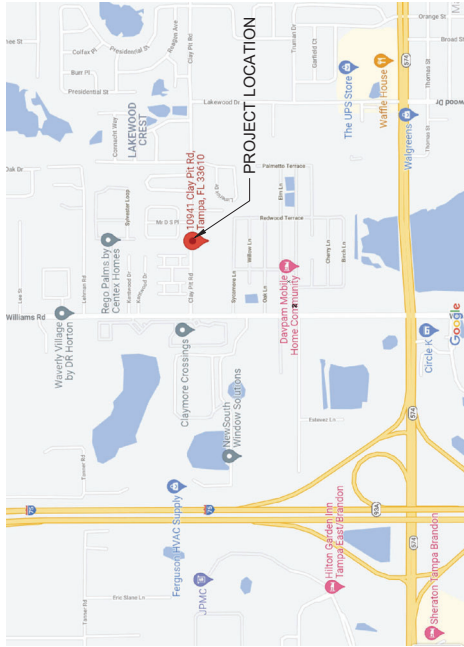
OWNER:
BRACKIN RENOVATIONS AND DEVELOPMENT, LLC.
3211 STONEBRIDGE TRL
VALRICO, FLORIDA 33596-9252
ATTENTION: NICK BRACKIN
PHONE: 813-453-7597
EMAIL: BRACKINDEVELOPMENT@GMAIL.COM

ENGINEER:
K2K ENGINEER AND CONSULTING, LLC
12406 PONY CT
TAMPA, FLORIDA 33626
ATTENTION: JENNIFER L. GRISSOM, PE
PHONE: 813-230-3632
EMAIL: JENNIFER@K2KENG.COM

SURVEYOR:
LEGEND SURVEYING
843 SYMPHONY ISLES BLVD.
APOLLO BEACH, FL 33572
PHONE: (813)883-2617
ATTENTION: DUSTIN FRANKLIN
DFRANKLIN@LEGENDSURVEYING.COM

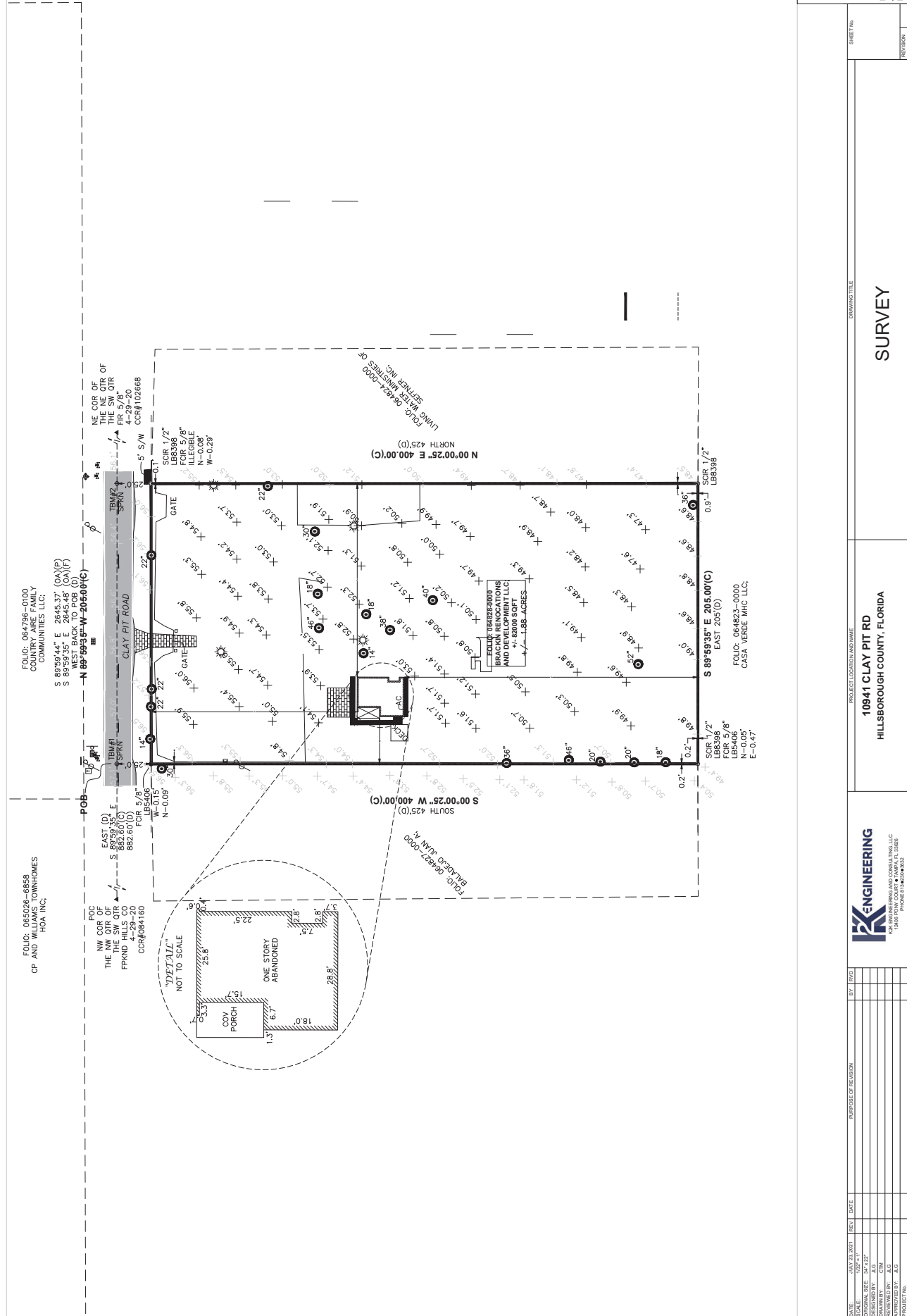
SHEET INDEX

- 0 OF 3 COVER SHEET
- 1 OF 3 SURVEY/EXISTING CONDITIONS
- 2 OF 3 PRELIMINARY SITE PLAN



LEGAL DESCRIPTION: BEGINNING AT THE NORTHWEST CORNER OF THE NORTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 4, TOWNSHIP 28 SOUTH RANGE 20 EAST, HILLSBOROUGH COUNTY FLORIDA; THENCE RUNNING EAST, 882.6 FEET TO A POINT OF BEGINNING; THENCE RUNNING SOUTH, 425 FEET; THENCE RUNNING EAST, 205 FEET; THEN NORTH, 425 FEET; THENCE WEST, 205 FEET TO THE POINT OF BEGINNING, LESS THE NORTH 25 FEET THEREOF FOR ROAD RIGHT OF WAY.

DATE: JULY 23, 2021 JENNIFER L. GRISSOM PE NO. 08952	SHEET NO. 0
PROJECT LOCATION AND NAME 10941 CLAY PIT RD HILLSBOROUGH COUNTY, FLORIDA	DRAWING TITLE COVER SHEET
 K2K ENGINEERING K2K ENGINEERING AND CONSULTING, LLC 12406 PONY CT TAMPA, FL 33626 TEL: 813-230-3632 FAX: 813-230-3632	
SCALE: AS SHOWN GRAPHIC SCALE: 1"=200'	PURPOSE OF REGION
DRAWN BY: JLG	BY: JLG
CHECKED BY: JLG	
DATE: 7/23/21	
PROJECT NO.:	
REVISION:	

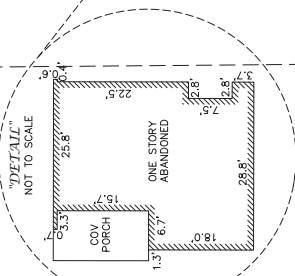


POC
NW COR OF
THE SW QTR
FPKND HILLS CO
4-29-20
CCR#084160

FOIUC: 064796-0100
COUNTRY AIRE FAMILY
COMMUNITIES LLC;
S 89°59'44\"/>

NE COR OF
THE NE QTR OF
THE SW QTR
LIVING WATER MINISTRIES OF
CHRISTIANITY
4-29-20
CCR#102668

FOIUC: 064823-0000
CASA VERDE MHC LLC;
N-0.05'
E-0.47'



DATE	BY	TITLE	SCALE
JULY 23, 2021	JLS	DESIGN	AS SHOWN
JULY 23, 2021	JLS	CHECK	AS SHOWN
JULY 23, 2021	JLS	FINAL	AS SHOWN

PURPOSE OF REGION	BY	TITLE

PROJECT LOCATION AND NAME	DATE	BY	TITLE
10841 CLAY PIT RD HILLSBOROUGH COUNTY, FLORIDA	JULY 23, 2021	JLS	DESIGN
	JULY 23, 2021	JLS	CHECK
	JULY 23, 2021	JLS	FINAL

REVISION	DATE	BY	TITLE



PROJECT SITE DATA

PARCEL ID: 64828.0000
SITE ADDRESS: 10941 CLAY PIT RD
TAMPA, FL 33610

TOTAL ACREAGE: 1.899 AC
PROPOSED: 17 LOT DWELLING UNITS
PROPOSED ZONING: PD (AGRICULTURAL - SINGLE FAMILY)
PROPOSED ZONING: PD (RESIDENTIAL - SINGLE FAMILY)

SECT 17 W/1/2 S 89°59'35" W 205.00'(C)
OVERLAYS: CPA; SE NE W/1/2 S 89°59'35" W 205.00'(C)
SPECIAL ZONES: NONE

ADJACENT ZONINGS:
NORTH: PD 7A0190/R-9
NORTH: PD 18-0170/R-9
SOUTH: PD 18-0373/R-9
WEST: AS-1/R-9
EAST: AS-1/R-9

MINIMUM LOT SIZE: 1,473.3 SF
MINIMUM LOT WIDTH: 16.7 FEET
MINIMUM SETBACK: 20.2 FEET
FRONT SETBACK = 0 FEET
SIDE SETBACK = 24 FEET
REAR SETBACK = 24 FEET

BUFFER SCREENING:
WEST: 5' LANDSCAPE BUFFER WITH TYPE A SCREENING REQUIRED;
EAST: 10' LANDSCAPE BUFFER WITH TYPE A SCREENING SOUTH: NONE

ALLOWABLE DENSITY: 1 UNITS PER 1 ACRE
PROPOSED DENSITY: 17 UNITS PER 1.899 ACRES

MAXIMUM ALLOWED BUILDING HEIGHT: 28 FEET
MAXIMUM ALLOWED LOT COVERAGE: 30%
MAXIMUM ALLOWED F.A.R.: N/A

LOT COVERAGE SUMMARY:
OPEN SPACE REQUIRED: .30 ACRES
TOTAL LOT AREA: 2,847.0 ACRES
PROPOSED IMPERVIOUS AREA: 47% = .90 ACRES
PROPOSED BUILDING AREA: 19% = .36 ACRES

STORMWATER MANAGEMENT AREA = 0.23 ACRES
SERVICE AREA: URBAN

NOTES:

- PUBLIC TRANSIT FACILITIES: THIS SUBDIVISION DOES NOT MEET THE DEVELOPMENT THRESHOLDS REQUIRING FACILITIES.
- DESIGNATED SCENIC ROADWAY CORRIDORS: THERE ARE NO DESIGNATED SCENIC ROADWAY WITHIN 150 FEET OR ADJACENT TO THE PROJECT BODIES OF WATER THAT EXIST WITHIN 150 FEET OF THE PROJECT BOUNDARIES
- GROSS ACREAGE OF NATURAL BODIES OF WATER: THERE ARE NO NATURAL BODIES OF WATER THAT EXIST WITHIN 150 FEET OF THE PROJECT BOUNDARIES
- ACREAGE OF ENVIRONMENTALLY SENSITIVE AREAS: NO ENVIRONMENTALLY SENSITIVE AREAS EXIST WITHIN 150 FEET OF THE PROJECT BOUNDARIES
- EXISTING STRUCTURES: THERE ARE NO EXISTING STRUCTURES THAT WILL REMAIN WITHIN 100 FEET OF THE PROJECT BOUNDARIES
- DESIGNATED HISTORIC LANDMARKS: THERE ARE NO DESIGNATED HISTORIC LANDMARKS OR OTHER HISTORICAL ARCHEOLOGICAL SITES OR FEATURES WITHIN 100 FEET OF THE PROJECT BOUNDARIES
- BIOWALKS SHALL BE PROVIDED IN ACCORDANCE WITH THE HILLSBOROUGH COUNTY LDC.
- PARKING SHALL BE PROVIDED IN ACCORDANCE WITH THE HILLSBOROUGH COUNTY LDC.

WATERSEWER SERVICE: COUNTY
PRIVATE DRIVE: NO ADDITIONAL RIGHTS OF WAY ARE REQUIRED.

2

SHEET NO.
REVISION

DATE: JULY 23, 2021
JENNIFER L. GRISSOM PE
NO. 08952

SITE PLAN

PROJECT LOCATION AND NAME
10941 CLAY PIT RD
HILLSBOROUGH COUNTY, FLORIDA

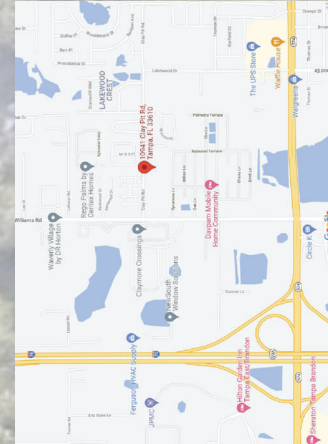


NO.	DATE	BY	REVISION



UTM	NAD 83	NAD 83	NAD 83	NAD 83	NAD 83	NAD 83
1071	1471.4	350659742.4	178659782.4	304659719.0		
1072	1471.4	350659782.4	178659782.4	304659719.0		
1073	1471.4	350659822.4	178659782.4	304659719.0		
1074	1471.4	350659862.4	178659782.4	304659719.0		
1075	1471.4	350659902.4	178659782.4	304659719.0		
1076	1471.4	350659942.4	178659782.4	304659719.0		
1077	1471.4	350659982.4	178659782.4	304659719.0		
1078	1471.4	350660022.4	178659782.4	304659719.0		
1079	1471.4	350660062.4	178659782.4	304659719.0		
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1081	1471.4	350660142.4	178659782.4	304659719.0		
1082	1471.4	350660182.4	178659782.4	304659719.0		
1083	1471.4	350660222.4	178659782.4	304659719.0		
1084	1471.4	350660262.4	178659782.4	304659719.0		
1085	1471.4	350660302.4	178659782.4	304659719.0		
1086	1471.4	350660342.4	178659782.4	304659719.0		
1087	1471.4	350660382.4	178659782.4	304659719.0		
1088	1471.4	350660422.4	178659782.4	304659719.0		
1089	1471.4	350660462.4	178659782.4	304659719.0		
1090	1471.4	350660502.4	178659782.4	304659719.0		

LEGAL DESCRIPTION BEGINNING AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 29 SOUTH, RANGE 20 EAST, COUNTY OF HILLSBOROUGH COUNTY, FLORIDA; THENCE PLANNING SOUTH, 425 FEET; THENCE PLANNING EAST, 200 FEET; BEGINNING, THEN NORTH, 425 FEET; THENCE WEST, 200 FEET TO THE POINT OF BEGINNING, LESS THE NORTH 25 FEET THEREOF FOR ADJACENT OF WAY.





AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department
REVIEWER: Alex Steady, Senior Planner
PLANNING AREA/SECTOR: Seffner Mango/ Northeast

DATE: 02/01/2022
AGENCY/DEPT: Transportation
PETITION NO: PD 21-1329

- | | |
|----------|---|
| | This agency has no comments. |
| | This agency has no objection. |
| X | 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 an increase of trips potentially generated by development of the subject site by 98 average daily trips, 6 trips in the a.m. peak hour, and 8 trips in the p.m. peak hour.
- If PD 21-1329 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance from the Section 6.04.07 access spacing requirements (dated November 30, 2021) which was found approvable by the County Engineer (on December 2, 2021). Approval of this Administrative Variance will permit the reduction of minimum access spacing between the project driveway and next closest driveway to the west to +/- 90 feet and +/- 135 feet to the driveway to the east.
- Transportation Review Section staff has no objection to the proposed request, subject to the conditions of approval provided hereinbelow.

CONDITIONS OF APPROVAL

Staff is requesting the following new and other conditions:

New Condition:

- If PD 21-1329 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance from the Section 6.04.07 access spacing requirements (dated November 30, 2021) which was found approvable by the County Engineer (on December 2, 2021). Approval of this Administrative Variance will permit the reduction of minimum access spacing between the project driveway and next closest driveway to the west to +/- 90 feet and +/- 135 feet to the driveway to the east.

Other Conditions:

Prior to PD site plan certification, the applicant shall revise the PD site plan to:

- Add a note to the site plan that states “Sidewalks shall be provided in accordance with the Hillsborough County LDC.”
- Add a note to the site plan that states “Parking shall be provided in accordance with the Hillsborough County LDC.”

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone one parcel totaling 1.89 acres from Agricultural, Single Family – 1 (AS-1) to Planed Development (PD) to allow for 17 townhomes. The site is located +/- 900 feet east of the intersection of Williams Road and Clay Pit Rd. The Future Land Use designation of the site is R-9.

Trip Generation Analysis

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

Approved Zoning:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
AS-1, 1 Single Family Residential Dwelling Unit (ITE code 210)	9	1	1

Proposed Zoning:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 17 Multi Family Dwelling Units (ITE code 220)	107	7	9

Trip Generation Difference:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	+98	+6	+8

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 98 average daily trips, 6 trips in the a.m. peak hour, and 8 trips in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

Clay Pit Rd. is a 2-lane, substandard, Hillsborough County maintained, collector roadway, characterized by +/-10 feet travel lanes. The existing right-of-way on Clay Pit Rd. is +/-50 feet. There are no bike lanes or sidewalks on Clay Pit Rd. in the vicinity of the proposed project.

SITE ACCESS

Access to the project will be via a single access connection to Clay Pit Road. Cross-access is not required, consistent with Section 6.04.03.Q. of the LDC.

REQUESTED VARIANCE

If PD 21-1329 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance from the Section 6.04.07 access spacing requirements (dated November 30, 2021) which was found approvable by the County Engineer (on December 2, 2021). Approval of this Administrative Variance will permit the reduction of minimum access spacing between the project driveway and next closest driveway to the west to +/- 90 feet and +/- 135 feet to the driveway to the east.

ROADWAY LEVEL OF SERVICE (LOS)

Level of Service (LOS) information is reported below.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr Directional LOS
CLAY PIT RD	WILLIAMS RD	CR 579	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
Clay Pit Road	County Collector - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	9	1	1
Proposed	107	7	9
Difference (+/-)	+98	+6	+8

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

Connectivity and Cross Access <input type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North	X	None	None	Meets LDC
South		None	None	Meets LDC
East		None	None	Meets LDC
West		None	None	Meets LDC
Notes:				

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

4.0 Additional Site Information & Agency Comments Summary

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

November 30, 2021

Michael Williams, PE

Development Review Director

County Engineer

Development Services Department

601 E. Kennedy Blvd., 20th Floor

Tampa, FL 33602

Re: Clay Pit Rd Townhomes

Folio No: 64828.0000

RZ: 21-1329

The purpose of this letter is to request a Section 6.04.02.B Administrative Variance to Section 6.04.07 of the Hillsborough County Land Development Code for access to the Clay Pit Rd Townhomes. The developer proposes to rezone the property to a Planned Development to allow up to 17 Townhomes:

Table 1 provides the trip generation for the proposed project. The access for the project is to be via one (1) full access to Clay Pit Rd.

The subject property is within the Urban Service Area and according to the Hillsborough County Roadways Functional Classification Map, Clay Pit Rd is a collector road.

The request is for Administrative Variance to Section 6.04.07 of the Hillsborough County LDC for the access spacing on Clay Pit Rd. Based on Section 6.04.07, the access spacing for Clay Pit Rd is 330 feet. The spacing for access is 90 feet from the driveway to the west and 135 feet to the driveway to the east. This is geographically shown in Figure 1.

The justification is as follows:

(a) there is unreasonable burden on the applicant,

1. The subject property has limited footage along Clay Pit Rd.
2. The proposed access to the project is in the geographical location of the existing access for the property. The existing access is to be removed in conjunction with the development of the project.

Therefore, it is not reasonable or feasible for the project to modify the location of the access to meet the current LDC spacing criteria.

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

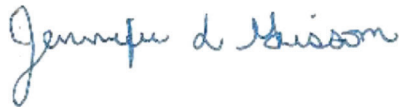
There are two existing driveways on this property and this project will be reducing it to one. The center most existing access serving the project is to be removed and replaced with the proposed access in the same general location which is at the centerline of the property. The other existing access, closest to the projects west boundary, will be removed. In addition, there are multiple single-family driveways along the subject segment of Clay Pit Rd. In our opinion, the proposed variance would not be detrimental to the public health, safety and well-being.

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

The main access to the project is proposed t be via Clay Pit Rd. The access is needed to provide reasonable access to the project.

Please do not hesitate to contact us if you have any questions or require and additional information.

Best Regards,



Jennifer L Grissom, P.E.

Managing Partner

K2K Engineering

Based on the information provided by the applicant this request is:

_____ Approved with Conditions

_____ Approved

_____ Disapproved

Michael J. Williams, P.E.

Hillsborough County Engineer on _____

Notice: Consent with Section 6.04.02B.8. of the LDC, the results of this variance application may be appealed, as further described in Section 10.05.01. of the LDC, to the Land Use Hearing Officer within 30 calendar days of the date of the above action.

TABLE 1

TRIP GENERATION (1)

Land Use	ITE LUC	Size	Daily Trips Ends	PM Peak Hour Trip Ends		
				In	Out	Total
Townhome	220	17 DU's	14			14

Per the ITE Trip Generation, 10th Edition Volume 2 the number of Peak Hour Trips for Multi-Family Housing (Low-Rise), Land Use 220, is calculated as follows:

$$-LN (\text{Total Number of PM Peak Hour Trips}) = 0.89 * LN (\text{Number of Units}) - .02$$

$$-LN (\text{Total Number of PM Peak Hour Trips}) = 2.64$$

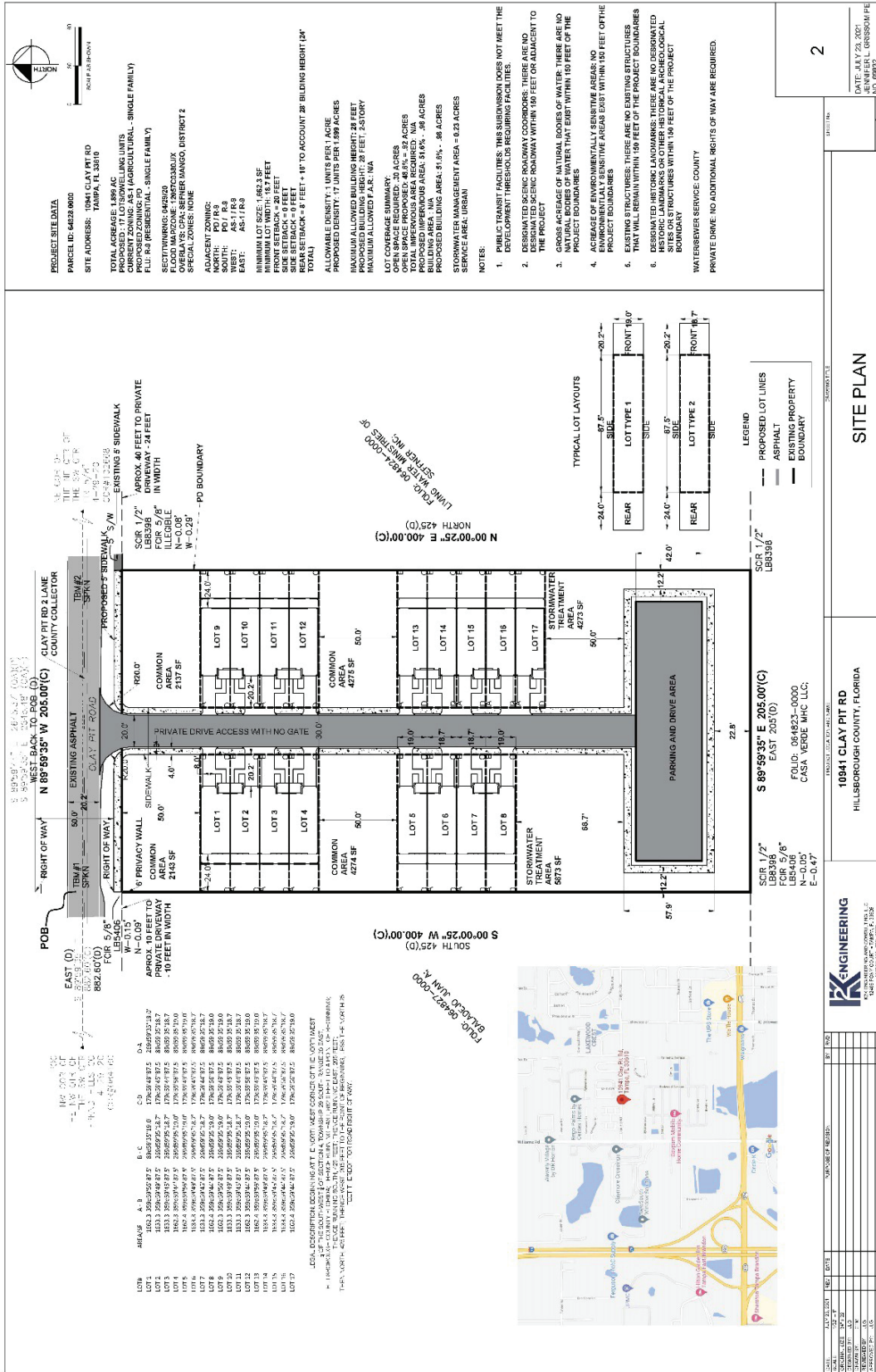
$$-\text{Total Number of PM Peak Hour Trips} = 14$$

Figure 1.

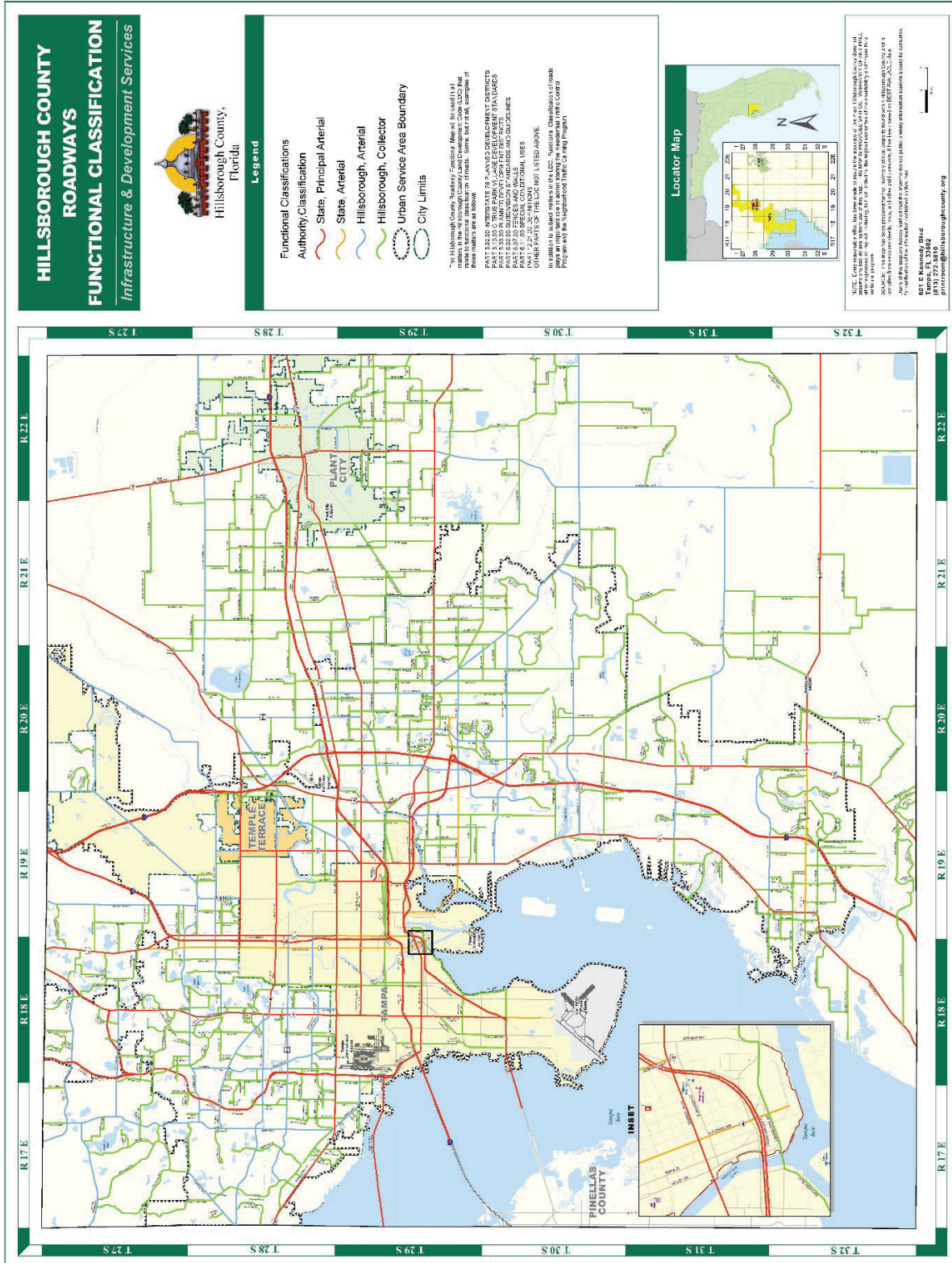


Appendix

PD Site Plan



Hillsborough County Roadway Functional Classification Map



Hillsborough County Land Development Code Section 6.04.07

- **Sec. 6.04.05. - Access Pavement Requirements**

A. Type I

1. Rural Section—Driveway does not need to be paved except for a four-foot paved transition extending from the edge of the roadway towards the site. The purpose of the paved transition is to protect the edge of pavement of the public roadway from damage and deterioration. This requirement does not apply when the public roadway has a four-foot (or wider) paved shoulder.

2. Urban Section—Driveway shall be paved to the right-of-way line or to the back of sidewalk, whichever is less.

B. Type II

1. Urban Section. These accesses shall be paved to the right-of-way line or to the back of sidewalk, whichever is distance is less.

2. Rural Section. These accesses shall be paved to the right-of-way line.

C. Type III

Rural and Urban Sections. These accesses shall be paved to the right-of-way line.

D. Surfacing Requirements

The pavement should be structurally adequate to meet the expected traffic loads and shall not be less than the requirements contained in the Hillsborough County Transportation Technical Manual, latest edition.

- **Sec. 6.04.06. - Maintenance Responsibilities**

A. Introduction

The purpose of this section is to identify the various responsibilities relative to maintenance of access points. The occupant and the owner of the property services by the access shall be responsible for meeting the terms and conditions of the permit, if any.

B. Maintenance Responsibility by Jurisdiction

1. State Highway System. For those connections onto the State Highway System, the Florida Department of Transportation will normally maintain the connection surface, sidewalks, and all drainage facilities within the right-of-way.

2. County Roadway System. For the connections onto the County Roadway System, within the unincorporated portion of the County, the County Public Works Department will maintain the first four feet, nearest the edge of pavement, of the connection. In addition, the Department will maintain drainage structures within the right-of-way which accommodates roadway drainage.

3. Traffic Control Devices. All traffic control devices, including signs, signals and pavement markings, installed and properly permitted on the public right-of-way or public easements to control traffic

utilizing the connection, shall be maintained by the County. Any devices required by the permit but installed off the public right-of-way shall be maintained by the permittee in a condition satisfactory to the County's Director of Public Works. The permittee shall be responsible for correcting any on-site deficiencies in an appropriate and timely manner.

▪ **Sec. 6.04.07. - Table: Minimum Spacing**

MINIMUM SPACING			
ACCESS CLASSIFICATION(See Notes)	MINIMUM CONNECTION SPACING	MINIMUM MEDIAN; OPENING SPACING (Directional)	MINIMUM MEDIAN OPENING SPACING (Full)
CLASS 1	(See Federal Highway Administration and FDOT Requirements)		
Roadway providing for high speed, high volume traffic movement serving interstate, interregional and intercity needs as well as some intracity travel. These roadways do not provide direct property connections.			
CLASS 2			
A specially protected corridor distinguished by an extensive existing or planned system of access roads and restrictive median treatments.	>45 mph 1320 ft ≤45 mph 660 ft	>45 mph 1320 ft ft ≤ 45 mph 660'	>45 mph 2640 ft ft ≤ 45 mph 1320 ft
CLASS 3			
New and existing roadways primarily in areas without extensive development or extensive subdivided properties. These corridors will be distinguished by existing or desired restrictive median treatments. Two lane highways with a desired high degree of access management should also be included.	>45 mph 660 ft ≤45 mph 330 ft	>45 mph 1320 ft ft ≤45 mph 660 ft	>45 mph 2640 ft ft ≤45 mph 1320 ft

MINIMUM SPACING			
ACCESS CLASSIFICATION(See Notes)	MINIMUM CONNECTION SPACING	MINIMUM MEDIAN; OPENING SPACING (Directional)	MINIMUM MEDIAN OPENING SPACING (Full)
CLASS 4			
New and existing roadways primarily in areas without extensive development or extensive subdivided properties. These corridors will be distinguished by nonrestrictive median treatments or highways with two-way left turn lanes.	>45 mph 660 ft≤45 mph 330 ft	N.A.	N.A.
CLASS 5			
Existing roadways primarily in areas with moderate or extensive development or where the land is extensively subdivided. These corridors will be distinguished by existing or desired restrictive median treatments.	>45 mph 330 ft ≤ 45 mph 245 ft	All Speeds 660 ft	>45 mph 1320 ft ≤ 45 mph 660 ft
CLASS 6			
Existing roadways primarily in areas with extensive development or where the land is extensively subdivided. These corridors will be distinguished by existing or expected non restrictive medians, such as an undivided two or four lane highway or multi-lane highways with two-way left turn lanes.	>45 mph 330 ft ≤45 mph 245 ft	N.A.	N.A.
CLASS 7			
Subdivision roads and all other local roadways functioning as subdivision roads.	TYPE I = 10 ft Type II = 50 ft (<5000 vpd*)	ALL SPEEDS 330 ft	ALL SPEEDS 330 ft

MINIMUM SPACING			
ACCESS CLASSIFICATION(See Notes)	MINIMUM CONNECTION SPACING	MINIMUM MEDIAN; OPENING SPACING (Directional)	MINIMUM MEDIAN OPENING SPACING (Full)
	175 ft (\geq 5000 vpd*)		
March 1, 1991	Type III =50 ft (<5000 vpd*) 250 ft (\geq 5000 vpd*) * refers to volume on adjacent roadway		

NOTES AND SPECIAL REQUIREMENTS

1. Access road systems in Access Class 2 assumes the provision of an access road system or adequate internal property circulation through existing or new public and private roads in transportation and comprehensive plans and through local land development regulations.
2. Minimum connection and directional median spacing openings specified here may not be adequate if extensive right or left-turn storage is required. Greater distances may be required to provide sufficient site-specific storage.
3. Connections and median openings on the public roadway system located up to $\frac{1}{4}$ mile from an interchange area or up to the first intersection with an arterial roadway, whichever distance is less, shall be regulated to protect the safety and operational efficiency of the limited access facility and the interchange area. The $\frac{1}{4}$ mile distance shall be measured from the end of the taper of the ramp furthest from the interchange.
 - a. The distance to the first connection shall be at least 660 feet where the posted speed limit is greater than 45 mph or 440 feet where the posted speed limit is 45 mph or less. The distance will be measured from the end of the taper for the particular quadrant of the interchange. If the above connection spacing cannot be provided, a single connection per property will be provided if no other reasonable access to the property exists and the issuing authority determines that the connection does not create a safety, operational or weaving hazard.

b. The minimum distance to the first median opening shall be at least 1,320 feet as measured from the end of the taper of the egress ramp.

c. Connections and median openings meeting the above spacing standards still may not be permitted in the location requested in the permit application, when the issuing authority determines, based on traffic engineering principles, that the safety or operation of the interchange or the limited access highway would be adversely affected.

(Ord. No. 00-21, § 2, 5-18-00; Ord. No. 08-15, § 2, 6-12-08, eff. 10-1-08)

▪ **Sec. 6.04.08. - Table: Corner Clearance at Intersections**

CORNER CLEARANCE AT INTERSECTIONS For Isolated Corner Properties Only		
Position	Access Allowed	Minimum Clearance
With Restrictive Median		
Approaching Intersection	Right In/Out	115'
Approaching Intersection	Right In Only	75'
Departing Intersection	Right In Out	230' (125)*
Departing Intersection	Right Out Only	100'
Without Restrictive Median		
Approaching Intersection	Full Access	230' (125)*
Approaching Intersection	Right In Only**	100'
Departing Intersection	Full Access	230' (125)*
Departing Intersection	Right Out Only**	100'

Isolated corner properties that, because of size or configuration cannot meet the above spacing requirements may apply for a variance as provided in [6.04.02 C](#).

* Access Class 7 may use the measurements in parenthesis if the posted speed limit is 35 MPH or less.

** Right In/Out Right in Only and Right Out Only connections on roadways without restrictive medians shall, by design of the connection, effectively eliminate unpermitted movements.

COMMISSION

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

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 Steffanie L. Wickham WASTE DIVISION
 Sterlin Woodard, P.E. AIR DIVISION

AGENCY COMMENT SHEET

REZONING	
<p>HEARING DATE: 12/13/2021</p> <p>PETITION NO.: 21-1329</p> <p>EPC REVIEWER: Sarah Hartshorn</p> <p>CONTACT INFORMATION: (813) 627-2600 X 1237</p> <p>EMAIL: hartshorns@epchc.org</p>	<p>COMMENT DATE: 10/7/2021</p> <p>PROPERTY ADDRESS: 10941 Clay Pit Rd, Tampa, FL 33610</p> <p>FOLIO #: 64828.0000</p> <p>STR: 04-29S-20E</p>
<p>REQUESTED ZONING: AS-1 to PD</p>	
FINDINGS	
WETLANDS PRESENT	NO
SITE INSPECTION DATE	NA
WETLAND LINE VALIDITY	NA
WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)	No Wetlands Apparent Per Aerial Review
<p>INFORMATIONAL COMMENTS:</p> <p>On October 7, 2021 The Wetlands Division staff of the Environmental Protection Commission of Hillsborough County (EPC) 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.</p> <p>Please be advised this wetland determination is informal and non-binding. A formal wetland delineation may be applied for by submitting a “WDR30 - Delineation Request Application”. Once approved, the formal wetland delineation would be binding for five years.</p>	

Sjh/mst

Adequate Facilities Analysis: Rezoning

Date: 12/6/2021

Acreage: 1.9 (+/- acres)

Jurisdiction: Hillsborough County

Proposed Zoning: Planned Development

Case Number: RZ 21-1329

Future Land Use: R-9

HCPS #: RZ-417

Maximum Residential Units: 17 Units

Address: 10941 Clay Pit Rd., Tampa, 33610

Residential Type: Single-family attached

Parcel Folio Number(s): 64828.0000

School Data	Mango Elementary	Jennings Middle	Armwood High
FISH Capacity Total school capacity as reported to the Florida Inventory of School Houses (FISH)	667	1203	2465
2020-21 Enrollment K-12 enrollment on 2021-22 40 th day of school. This count is used to evaluate school concurrency per Interlocal Agreements with area jurisdictions	690	726	2176
Current Utilization Percentage of school capacity utilized based on 40 th day enrollment and FISH capacity	103%	60%	88%
Concurrency Reservations Existing concurrency reservations due to previously approved development. Source: CSA Tracking Sheet as of 12/6/2021	0	103	206
Students Generated Estimated number of new students expected in development based on adopted generation rates. Source: Duncan Associates, School Impact Fee Study for Hillsborough County, Florida, Dec. 2019	2	1	2
Proposed Utilization School capacity utilization based on 40 th day enrollment, existing concurrency reservations, and estimated student generation for application	104%	69%	97%

Notes: Jennings Middle and Armwood High School currently have adequate capacity for the proposed development. Please note that Mango Elementary's enrollment is currently above its capacity. In these cases, state law requires the school district to consider whether additional capacity exists in adjacent concurrency service areas (i.e. school attendance boundaries). At this time, additional capacity exists in adjacent service areas at the elementary level.

This is an analysis for adequate facilities only and is NOT a determination of school concurrency. A school concurrency review will be issued PRIOR TO preliminary plat or site plan approval.



Matthew Pleasant
Department Manager, Planning & Siting
Growth Management Department
Hillsborough County Public Schools
E: matthew.pleasant@hcps.net
P: 813.272.4429



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

TO: Zoning Review, Development Services

DATE: 12/21/2021

REVIEWER: Ron Barnes, Impact & Mobility Fee Coordinator

APPLICANT: Brackin Renovations & Development LLC

PETITION NO: 21-1329

LOCATION: 10941 Clay Pit Rd

FOLIO NO: 64828.0000

Estimated Fees:

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

Mobility: \$5,995 * 17 units = \$101,915.00

Parks: \$1,957 * 17 units = \$ 33,269.00

School: \$7,027 * 17 units = \$119,459.00

Fire: \$249 * 17 units = \$ 4,233.00

Total Townhouse = \$258,876.00

Project Summary/Description:

Urban Mobility, Northeast Parks/Fire - 17 Townhouse Units

revised fees estimated based on Jan 1, 2022 schedule

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

PETITION NO.: PD21-1329 REVIEWED BY: Randy Rochelle DATE: 10/4/2021

FOLIO NO.: 64828.0000

WATER

- The property lies within the _____ Water Service Area. The applicant should contact the provider to determine the availability of water service.
- A 8 inch water main exists (adjacent to the site), (approximately 45 feet from the site) and is located within the north Right-of-Way of Clay Pit Road. 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 6 inch wastewater force main exists (adjacent to the site), (approximately feet from the site) and is located within the south Right-of-Way of Clay Pit Road. This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.
- Wastewater collection system improvements will need to be completed prior to connection to the County's wastewater system. The improvements include _____ and will need to be completed by the _____ prior to issuance of any building permits that will create additional demand on the system.

COMMENTS: The subject rezoning includes parcels that are within the Urban Service Area and would require connection to the County's potable water and wastewater systems .

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Planning Growth Management

DATE: 22 September 2021

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

APPLICANT: Nick Branckin

PETITION NO: RZ-PD 21-1329

LOCATION: 10941 Clay Pit Rd, Tampa, FL 33610

FOLIO NO: 64828.0000

SEC: 04 TWN: 29 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: _____.



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: SUSAN FINCH
 Land Use Hearing Master

DATE: Monday, February 14, 2022

TIME: Commencing at 6:00 p.m.
 Concluding at 8:48 p.m.

PLACE: Robert W. Saunders, Sr. Public
 Library
 Ada T. Payne Community Room
 1505 N. Nebraska Avenue
 Tampa, Florida 33602

Reported via Cisco Webex Videoconference by:

 Christina M. Walsh, RPR
 Executive Reporting Service
 Ulmerton Business Center
 13555 Automobile Blvd., Suite 130
 Clearwater, FL 33762
 (800) 337-7740

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HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

ZONING HEARING MASTER HEARINGS
February 14, 2022
ZONING HEARING MASTER: SUSAN FINCH

D2:
Application Number: RZ-PD 21-1329
Applicant: Nick Brackin; Brackin
Renovations & Development, LLC
Location: 10941 Clay Pit Rd.
Folio Number: 064828.0000
Acreage: 1.9 acres, more or less
Comprehensive Plan: R-9
Service Area: Urban
Existing Zoning: AS-1
Request: Rezone to Planned Development

1 MR. GRADY: The next item is agenda item
2 D-2, Rezoning-PD 21-1329. The applicant's Nick
3 Brackin of Brackin Renovations & Development, LLC.
4 The request is to rezone from AS-1 to a Planned
5 Development.

6 Michelle Heinrich will provide staff
7 recommendation after presentation by the applicant.

8 HEARING MASTER FINCH: Good evening.

9 MR. BRACKIN: Good evening. Nick Brackin
10 with Brackin Renovations & Development. 10941 Clay
11 Pit Road, Tampa, 33610.

12 I'll actually be handing off my presentation
13 to my engineer of record, Jen Grissom.

14 HEARING MASTER FINCH: Okay.

15 MS. GRISSOM: Good evening, everyone. I
16 just want to introduce myself. Jennifer Grissom,
17 12406 Pony Court, Tampa, Florida. The owner is --

18 THE CLERK: Can you state your name again?

19 MS. GRISSOM: I'm sorry. Jennifer Grissom.

20 HEARING MASTER FINCH: Go ahead.

21 MS. GRISSOM: The owner is proposing to
22 rezone the 1.89-acre property from AS-1 to PD in
23 order to develop the 17-unit townhome complex with
24 a private driveway.

25 The Future Land Use for the property is R-9

1 with a maximum density allowed of nine units per
2 acre. The proposed density of 17 units is
3 consistent with the allowable Future Land Use
4 density of 17.09.

5 We're proposing a townhome -- sorry. We're
6 proposing a PD because townhome developments are
7 unique and do not adhere to any of the county
8 standard zoning districts; and therefore, the
9 rezoning to Planned Development is requested.

10 It's consistent with the Code, and we've
11 already received an administrative variance
12 approval for the driveway location. It's not
13 within 50 feet of either driveway on either side,
14 but we've already received approval for that
15 location from traffic.

16 It's consistent also with surrounding land
17 uses, and mobile home parks to the south as well as
18 residential to the west and PDs to the north and a
19 church to the east. And, again, we are not
20 requesting any variations for site design.

21 I'll handle it over to staff. Thank you.

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

24 Then we'll go to the Development Services
25 Department staff person, please. Thank you.

1 MS. HEINRICH: Hi. Good evening. This is
2 Michelle Heinrich with Development Services, and
3 I'll go ahead and share my screen.

4 And, hopefully, that's showing up for you.

5 HEARING MASTER FINCH: I see it.

6 MS. HEINRICH: Okay. Great. As stated,
7 this is Rezoning Application 21-1329. And this is
8 a request to rezone property that is currently
9 zoned AS-1 to PD to allow for 17 single-family
10 attached units.

11 The property is 1.899 acres in size and
12 located on the south side of Clay Pit Road east of
13 Williams Road. It is in the RES-9 Future Land Use
14 Category, within the Seffner Mango Community Plan,
15 and the Urban Service Area.

16 There are no PD variation requests
17 associated with this application. As stated, the
18 property is located in the RES-9 Future Land Use
19 Category. This allows for a maximum density of
20 nine units per acre. It directs growth to areas
21 with existing infrastructure in compatible
22 development patterns.

23 Typical uses in this zoning -- or I'm sorry,
24 in this Future Land Use Category include
25 residential, neighborhood commercial, office uses,

1 multipurpose projects, and mixed-use development.

2 In the general area, staff found that there's
3 multiple residential types. Noted single-family
4 detached, single-family attached, and mobile home
5 parks.

6 To the north and south of the subject
7 property outlined here on the map in red are
8 existing mobile home parks. To the west is
9 property zoned AS-1 developed with a single-family
10 residence, and to the east is AS-1 property
11 developed with a church.

12 This slide shows a close-up of the proposed
13 layout for the project. Again, it is for a maximum
14 of 17 single-family attached units. Those units
15 will have the 50-foot setback along Clay Pit Road.
16 Slightly over 114 feet setback from the southern PD
17 boundary, and a 24-foot setback from the western
18 and eastern PD boundaries.

19 The proposed maximum building height is
20 27 feet, two stories, which at the setback proposed
21 is in compliance with the 2-to-1 setback that
22 requires 2 feet for every 1-foot over 20 feet in
23 height.

24 The project is also providing the code
25 required buffering and screening along the east and

1 west. A 5-foot Type A is required along the west
2 while a 10-foot Type A is required along the east.

3 And to sum up our review, we found that the
4 use is present within the area and compatible with
5 adjacent uses given the layout and proposed
6 development standards. Again, no PD variations are
7 requested.

8 The project does not exceed the maximum
9 density allowed under the Comprehensive Plan. The
10 Planning Commission staff did find this consistent
11 with the Comprehensive Plan, and there were no
12 objections by reviewing agencies.

13 Therefore, staff finds this approvable
14 subject to conditions, and I'm available for any
15 questions you have.

16 HEARING MASTER FINCH: No questions but
17 thank you.

18 Planning Commission.

19 MS. PAPANDREW: Andrea Papandrew, Planning
20 Commission staff.

21 Subject property is within the Residential-9
22 Future Land Use Category. It is within the Urban
23 Service Area and is located within the Seffner
24 Mango Community Plan.

25 The maximum allowable density on the site is

1 17 dwelling units, and the minimum allowable
2 density is 12 dwelling units. The application
3 requests the maximum dwelling units allowed and
4 satisfies Policy 1.2.

5 Subject property is designated Residential-9
6 in the Future Land Use Map. The intent of the
7 Residential-9 Future Land Use Category is to
8 designate areas that are suitable for low, medium
9 density residential as well as urban scale
10 neighborhood commercial, office, single-purpose
11 projects, and mixed-use developments.

12 The proposed use is permissible within the
13 Residential-9 Future Land Use Category. The
14 proposed residential development will allow for
15 uses that are compatible with the surrounding
16 development pattern and satisfies the intent of
17 Objective 16 and Policy 16.1, 16.2, 16.3, and 16.8.

18 Subject property is located within the limits
19 of the Seffner Mango Community Plan. The proposed
20 residential development furthers the goals of the
21 plan and which seeks to enhance community character
22 and ensure quality residential and nonresidential
23 development by supporting infill development and
24 redevelopment within the Urban Service Area while
25 providing for compatibility to existing uses.

1 Based upon the above considerations,
2 Planning Commission staff finds the proposed
3 Planned Development consistent with the Future of
4 Hillsborough Comprehensive Plan for unincorporated
5 Hillsborough County subject to the conditions of
6 Development Services Department. Thank you.

7 HEARING MASTER FINCH: Thank you.

8 Is there anyone in the room or online that
9 would like to speak in support? Anyone in favor?

10 Seeing no one, anyone in opposition to this
11 request? In the room, online? No one.

12 All right. Mr. Grady, anything else?

13 MR. GRADY: Nothing further.

14 HEARING MASTER FINCH: Sir, anything else
15 before we close? All right.

16 Then we'll close Rezoning 21-1329 and go to
17 the next case.

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HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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

BEFORE: PAMELA JO HATLEY
Land Use Hearing Master

DATE: Monday, January 18, 2022

TIME: Commencing at 6:00 p.m.
Concluding at 10:27 p.m.

PLACE: Robert W. Saunders, Sr. Public
Library
Ada T. Payne Community Room
1505 N. Nebraska Avenue
Tampa, Florida 33602

Reported via Cisco Webex Videoconference by:

Christina M. Walsh, RPR
Executive Reporting Service
Ulmerton Business Center
13555 Automobile Blvd., Suite 130
Clearwater, FL 33762
(800) 337-7740

1 application is out of order to be heard and is
2 being continued to the February 14th, 2022, Zoning
3 Hearing Master Hearing.

4 Item A-12, Major Mod Application 21-1270.
5 This application is out of order to be heard and is
6 being continued to the February 14th, 2022, Zoning
7 Hearing Master Hearing.

8 Item A-13, Rezoning-PD 21-1321. This
9 application is out of order to be heard and is
10 being continued to February 14th, 2022, Zoning
11 Hearing Master Hearing.

12 Item A-14, Rezoning-PD 21-1329. This
13 application is out of order to be heard and is
14 being continued to the February 14th, 2022, Zoning
15 Hearing Master Hearing.

16 Item A-15, Major Mod Application 21-1334.
17 This application is being continued by the
18 applicant to the February 14th, 2022, Zoning
19 Hearing Master Hearing.

20 Item A-16, Rezoning-PD 21-1335. This
21 application is out of order to be heard and is
22 being continued to the February 14th, 2022, Zoning
23 Hearing Master.

24 Item A-17, we did as part of the changes and
25 that's a continuance RZ-PD 21-1337. The applicant

HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: SUSAN FINCH
Land Use Hearing Master

DATE: Monday, December 13, 2021

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

PLACE: Cisco Webex

Reported By:

Christina M. Walsh, RPR
Executive Reporting Service
Ulmerton Business Center
13555 Automobile Blvd., Suite 130
Clearwater, FL 33762
(800) 337-7740

1 application is being continued by staff to the
2 January 18, 2022, Zoning Hearing Master Hearing.

3 Item A-21, Rezoning-PD 21-1329. This
4 application is being continued by the applicant to
5 the January 18, 2022, Zoning Hearing Master
6 Hearing.

7 Item A-22, Rezoning-PD 21-1330. This
8 application is being continued by the applicant to
9 the February 14, 2022, Zoning Hearing Master
10 Hearing.

11 Item A-23, Rezoning-PD 21-1332. This
12 application is being continued by the applicant to
13 the February 14, 2022, Zoning Hearing Master
14 Hearing.

15 Item A-24, Major Mod Application 21-1334.
16 This application is being continued by staff to the
17 January 18, 2022, Zoning Hearing Master Hearing.

18 Item A-25, Rezoning-PD 21-1335. This
19 application is out of order to be heard and is
20 being continued to the January 18, 2022, Zoning
21 Hearing Master Hearing.

22 Item A-26, Rezoning-PD 21-1336. This
23 application is being continued by the applicant to
24 the January 18, 2022, Zoning Hearing Master
25 Hearing.



**EXHIBITS SUBMITTED
DURING THE ZHM HEARING**

NONE



**PARTY OF
RECORD**

Rome, Ashley

From: Hearings
Sent: Tuesday, November 30, 2021 2:41 PM
To: Timoteo, Rosalina; Rome, Ashley; Heinrich, Michelle
Subject: FW: APP NO RZ - PD 21-1329

From: Juan B Vasquez <jbts1716@gmail.com>
Sent: Tuesday, November 23, 2021 11:23 AM
To: Hearings <Hearings@HillsboroughCounty.ORG>
Cc: rposada@comcast.net
Subject: APP NO RZ - PD 21-1329

External email: Use caution when clicking on links and attachments from outside sources.

Good morning

My is Juan Baladejo

Add 10931 Clay Pit Rd, Tampa, FL 33610 .

My concern is this development

If going to have a issue with my property. I own a property that I can park a 18 Wheeler For the past 21 yearsI did everything the city and the county Ask me to do I complain for every stepTo the city and the county Plus I went to a hearing(12 people work for the city of Tampa government) vote on my favor. Before I buy the property I went to the city and checked the record and and the regulation. The city and the county Ask me what I'm gonna do with the property and I explain I'm going to park at 18 Wheeler The first day did I have an issue I went to the city and county and they (grandfather grandfather the land I have every single paper the city and the county Give me. I just wanted to make Sure it's not going to be an issue With people living there. I am hard working person pay my bills my taxes. I did everything everything that I supposed to do by the city and the county and that's why I been Leaving there for pass 21 years because I did the right thing by the city and county (REGULATION 21 YEARS AGO)

Thanks

Juan Baladejo

From: [Heinrich, Michelle](#)
To: [Timoteo, Rosalina](#)
Subject: FW: Juan Baladejo - 10931 Clay Pit Rd.
Date: Tuesday, December 7, 2021 11:54:47 AM
Attachments: [Juan Baladejo.msg](#)
[image001.png](#)
[10931 clay pit rd Tampa Florida 33610.msg](#)
[image003.png](#)
[image002.png](#)

Rosa,

Can you please place in the support/opposition folder in Optix for PD 21-1329.

Thanks,

Michelle Heinrich, AICP

Principal Planner

Development Services Department

P: (813) 276-2167

E: heinrichm@HCFLGov.net

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: Norris, Marylou <NorrisM@hillsboroughcounty.org>
Sent: Monday, December 6, 2021 5:11 PM
To: Heinrich, Michelle <HeinrichM@HillsboroughCounty.ORG>
Cc: Rome, Ashley <RomeA@hillsboroughcounty.org>
Subject: Juan Baladejo - 10931 Clay Pit Rd.

Please see the attached.

Marylou Norris

Administrative Specialist

Community Development Section

Development Services Department

P: (813) 276-8398

E: NorrisM@HCFLGov.net

W: HCFLGov.net

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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5 December 2021

Michelle Heinrich
Principal Planner, Development Services Department
HeinrichM@hillsboroughcounty.org
Hillsborough County
601 E. Kennedy Blvd.,
Tampa, FL 33602

and

DSD-Community Development Division
Hearings@HCFLGov.net

RE: Property Development, 10941 Clay Pit Rd (Nick Brackin)

In regards to the development project adjacent to me on my east side, I want to document my concern and also make known my needs. I have approval from the county to park my 18-wheeler, tractor-trailer, on my property. Even though the county acknowledged the same, I am concern that any new property owner may not be comfortable with my truck being park next to their property, if they are not aware of this approval before they sign a contract to purchase property next to my house.

Therefore, I am insisting that the developer, in conjunction with the county, put something in place for any potential buyer of a townhouse, condominium, apartment, or house is aware that my property has the approval from the county to maintain, park, and store an 18-wheeler, tractor-trailer. Furthermore, that as a condition of purchasing property adjacent to me that a potential homeowner acknowledges the existence of my approval to park my 18 wheeler, tractor-trailer, on my property.

As with any property owner, we all want to live in peace. I do not want to have to respond to every homeowner who maybe concerned about parking next to my house, because of my truck.

Thanks,

Juan Baladejo
10931 Clay Pit Rd.
Tampa, FL 33610
813-967-8519
jbts1716@gmail.com

cc: Nick Brackin
brackindevelopment@gmail.com

From: [Heinrich, Michelle](#)
To: [Timoteo, Rosalina](#)
Subject: FW: Juan Baladejo - 10931 Clay Pit Rd.
Date: Tuesday, December 7, 2021 11:54:47 AM
Attachments: [Juan Baladejo.msg](#)
[image001.png](#)
[10931 clay pit rd Tampa Florida 33610.msg](#)
[image003.png](#)
[image002.png](#)

Rosa,

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Thanks,

Michelle Heinrich, AICP

Principal Planner

Development Services Department

P: (813) 276-2167

E: heinrichm@HCFLGov.net

Hillsborough County

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From: Norris, Marylou <NorrisM@hillsboroughcounty.org>
Sent: Monday, December 6, 2021 5:11 PM
To: Heinrich, Michelle <HeinrichM@HillsboroughCounty.ORG>
Cc: Rome, Ashley <RomeA@hillsboroughcounty.org>
Subject: Juan Baladejo - 10931 Clay Pit Rd.

Please see the attached.

Marylou Norris

Administrative Specialist

Community Development Section

Development Services Department

P: (813) 276-8398

E: NorrisM@HCFLGov.net

W: HCFLGov.net

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5 December 2021

Michelle Heinrich
Principal Planner, Development Services Department
HeinrichM@hillsboroughcounty.org
Hillsborough County
601 E. Kennedy Blvd.,
Tampa, FL 33602

and

DSD-Community Development Division
Hearings@HCFLGov.net

RE: Property Development, 10941 Clay Pit Rd (Nick Brackin)

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Thanks,

Juan Baladejo
10931 Clay Pit Rd.
Tampa, FL 33610
813-967-8519
jbts1716@gmail.com

cc: Nick Brackin
brackindevelopment@gmail.com

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To: [Timoteo, Rosalina](#)
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E: heinrichm@HCFLGov.net

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Sent: Monday, December 6, 2021 5:11 PM
To: Heinrich, Michelle <HeinrichM@HillsboroughCounty.ORG>
Cc: Rome, Ashley <RomeA@hillsboroughcounty.org>
Subject: Juan Baladejo - 10931 Clay Pit Rd.

Please see the attached.

Marylou Norris

Administrative Specialist

Community Development Section

Development Services Department

P: (813) 276-8398

E: NorrisM@HCFLGov.net

W: HCFLGov.net

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5 December 2021

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Principal Planner, Development Services Department
HeinrichM@hillsboroughcounty.org
Hillsborough County
601 E. Kennedy Blvd.,
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and

DSD-Community Development Division
Hearings@HCFLGov.net

RE: Property Development, 10941 Clay Pit Rd (Nick Brackin)

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As with any property owner, we all want to live in peace. I do not want to have to respond to every homeowner who maybe concerned about parking next to my house, because of my truck.

Thanks,

Juan Baladejo
10931 Clay Pit Rd.
Tampa, FL 33610
813-967-8519
jbts1716@gmail.com

cc: Nick Brackin
brackindevelopment@gmail.com

Rome, Ashley

From: Hearings
Sent: Friday, December 10, 2021 8:32 AM
To: Timoteo, Rosalina; Rome, Ashley; Heinrich, Michelle
Subject: FW: 10941 Clay Pit Road Development
Attachments: Letter to Baladejo.pdf

From: Leighton Hyde <lhyde@hydelawoffice.com>
Sent: Thursday, December 9, 2021 11:45 AM
To: jbts1716@gmail.com
Cc: Heinrich, Michelle <HeinrichM@HillsboroughCounty.ORG>; brackindevelopment@gmail.com; Hearings <Hearings@HillsboroughCounty.ORG>
Subject: 10941 Clay Pit Road Development

External email: Use caution when clicking on links and attachments from outside sources.

Please review the attached correspondence.

Regards,
Leighton J. Hyde, Esq.
The Law Office of Leighton J. Hyde, P.A.
Fishhawk Office
14016 Spector Road
Lithia, FL 33547
Greater Brandon Area Office
10845 Boyette Road
Riverview, FL 33569
(813)870-9555 phone
(813)702-1442 fax

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December 9, 2021

Juan Baladejo
10931 Clay Pit Road
Tampa, FL 33602

VIA Electronic Mail to: jbts1716@gmail.com

Re: Development of 10941 Clay Pit Road

Dear Mr. Baladejo:

As you know, I represent Nick Brackin and Brackin Renovations and Development, LLC in regards to the development of the property located at 10941 Clay Pit Road, Tampa, FL 33610.

I am in receipt of your letter dated December 5, 2021, to Michelle Heinrich with Hillsborough County in regards to your concerns.

Let this letter serve as a commitment by my client to advise all purchasers in the proposed development project about your vested rights to park your eighteen wheeler on your property. Further, my client will give each purchaser a copy of the variance letter you received from Hillsborough County confirming your rights to park your truck on your property.

We look forward to a continued working relationship with you.

Sincerely,

/s/ Leighton J. Hyde, Esq.

cc: HeinrichM@hillsboroughcounty.org; brackindevelopment@gmail.com;
hearings@hcflgov.net

Rome, Ashley

From: Hearings
Sent: Friday, December 10, 2021 8:32 AM
To: Timoteo, Rosalina; Rome, Ashley; Heinrich, Michelle
Subject: FW: 10941 Clay Pit Road Development
Attachments: Letter to Baladejo.pdf

From: Leighton Hyde <lhyde@hydelawoffice.com>
Sent: Thursday, December 9, 2021 11:45 AM
To: jbtts1716@gmail.com
Cc: Heinrich, Michelle <HeinrichM@HillsboroughCounty.ORG>; brackindevelopment@gmail.com; Hearings <Hearings@HillsboroughCounty.ORG>
Subject: 10941 Clay Pit Road Development

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Regards,
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December 9, 2021

Juan Baladejo
10931 Clay Pit Road
Tampa, FL 33602

VIA Electronic Mail to: jbts1716@gmail.com

Re: Development of 10941 Clay Pit Road

Dear Mr. Baladejo:

As you know, I represent Nick Brackin and Brackin Renovations and Development, LLC in regards to the development of the property located at 10941 Clay Pit Road, Tampa, FL 33610.

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Sincerely,

/s/ Leighton J. Hyde, Esq.

cc: HeinrichM@hillsboroughcounty.org; brackindevelopment@gmail.com;
hearings@hcflgov.net

Rome, Ashley

From: Juan B Vasquez <jbts1716@gmail.com>
Sent: Monday, December 6, 2021 6:50 AM
To: Hearings
Subject: Juan Baladejo
Attachments: Juan -2.pdf

External email: Use caution when clicking on links and attachments from outside sources.

10931 Clay Pit Rd, Tampa, FL 33610

5 December 2021

Michelle Heinrich
Principal Planner, Development Services Department
HeinrichM@hillsboroughcounty.org
Hillsborough County
601 E. Kennedy Blvd.,
Tampa, FL 33602

and

DSD-Community Development Division
Hearings@HCFLGov.net

RE: Property Development, 10941 Clay Pit Rd (Nick Brackin)

In regards to the development project adjacent to me on my east side, I want to document my concern and also make known my needs. I have approval from the county to park my 18-wheeler, tractor-trailer, on my property. Even though the county acknowledged the same, I am concern that any new property owner may not be comfortable with my truck being park next to their property, if they are not aware of this approval before they sign a contract to purchase property next to my house.

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As with any property owner, we all want to live in peace. I do not want to have to respond to every homeowner who maybe concerned about parking next to my house, because of my truck.

Thanks,

Juan Baladejo
10931 Clay Pit Rd.
Tampa, FL 33610
813-967-8519
jbts1716@gmail.com

cc: Nick Brackin
brackindevelopment@gmail.com

Rome, Ashley

From: Juan B Vasquez <jbts1716@gmail.com>
Sent: Monday, December 6, 2021 6:56 AM
To: Hearings
Subject: 10931 clay pit rd Tampa Florida 33610
Attachments: Juan -2.pdf

External email: Use caution when clicking on links and attachments from outside sources.

Thanks
Juan Baladejo
813-967-8519
Jbts1716@gmail.com

5 December 2021

Michelle Heinrich
Principal Planner, Development Services Department
HeinrichM@hillsboroughcounty.org
Hillsborough County
601 E. Kennedy Blvd.,
Tampa, FL 33602

and

DSD-Community Development Division
Hearings@HCFLGov.net

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Thanks,

Juan Baladejo
10931 Clay Pit Rd.
Tampa, FL 33610
813-967-8519
jbts1716@gmail.com

cc: Nick Brackin
brackindevelopment@gmail.com

Rome, Ashley

From: Hearings
Sent: Thursday, December 16, 2021 10:21 AM
To: Timoteo, Rosalina; Rome, Ashley; Heinrich, Michelle
Subject: FW: Development of 10941 Clay Pit Rd Tampa Florida 33610
Attachments: Development 10941 Clay Pit Road.pdf

From: Juan B Vasquez <jbts1716@gmail.com>
Sent: Wednesday, December 15, 2021 7:30 PM
To: brackindevelopment@gmail.com
Cc: Heinrich, Michelle <HeinrichM@HillsboroughCounty.ORG>; rposada@comcast.net
Subject: Development of 10941 Clay Pit Rd Tampa Florida 33610

External email: Use caution when clicking on links and attachments from outside sources.

Mr Leighton,

I reviewed the letter with reference Development 10941 Clay Pit Road dated 12/9/21 (see attached document) please see my below comments to each point:

1. It should be included in the buying contract as a restrictive clause like a covenant that includes clear language that this is not an option and that the buyer accepts the conditions in which I (Juan Baladejo) am protected from a litigation under the variance. Not leave it as an option but a clause of their buying contract to be accepted.
2. The developer must also acknowledge in clear writing their awareness of the variance and that any development must include the rights under which I (Juan Baladejo) am protected under the variance.
3. Point 3 is perfect.

Please read my comments.

I look forward to hear from you.

Regards,
Juan Baladejo



December 9, 2021

Juan Baladejo
10931 Clay Pit Road
Tampa, FL 33602

VIA Electronic Mail to: jbts1716@gmail.com

Re: Development of 10941 Clay Pit Road

Dear Mr. Baladejo:

As you know, I represent Nick Brackin and Brackin Renovations and Development, LLC in regards to the development of the property located at 10941 Clay Pit Road, Tampa, FL 33610. I am in receipt of your letter dated December 5, 2021, to Michelle Heinrich with Hillsborough County in regards to your concerns.

Let this letter serve as a commitment by my client to advise all purchasers in the proposed development project about your vested rights to park your eighteen-wheeler on your property as follows:

1. Each purchaser will sign a document acknowledging and agreeing that they have received a copy of the variance, understand the rights outlined in the variance and will not seek to pursue any change to the variance or legal action against you regarding your rights under the variance.
2. Any association formed by the developer shall, in writing, acknowledge and agree indicating their awareness of the variance and the vested rights it affords to you.
3. Any future sales shall, in writing, acknowledge and agree that they have received a copy of the variance, understand the rights outlined in the variance and will not seek to pursue any change to the variance or legal action against you regarding your rights under the variance.

We look forward to a continued working relationship with you.

Sincerely,

/s/ Leighton J. Hyde, Esq.

cc: HeinrichM@hillsboroughcounty.org; brackindevelopment@gmail.com;
hearings@hcflgov.net

Tampa Office: 10845 Boyette Road, Riverview, FL 33569
Phone: (813) 870-9555 • Fax: 813-336-1528
lhyde@hydelaoffice.com • www.hydelaoffice.com

Rome, Ashley

From: Hearings
Sent: Thursday, December 16, 2021 12:09 PM
To: Timoteo, Rosalina; Rome, Ashley; Heinrich, Michelle
Subject: FW: Development of 10941 Clay Pit Rd Tampa Florida 33610

From: Juan B Vasquez <jbts1716@gmail.com>
Sent: Thursday, December 16, 2021 11:52 AM
To: Nick Brackin <brackindevelopment@gmail.com>
Cc: Heinrich, Michelle <HeinrichM@HillsboroughCounty.ORG>
Subject: Re: Development of 10941 Clay Pit Rd Tampa Florida 33610

External email: Use caution when clicking on links and attachments from outside sources.

Sir,

- 1) I feel that I have not asked for anything unreasonable, and I am not requesting anything new that I had not been asking to you. Can you tell me how you consider I had been unreasonable?
- 2) My intention is to protect all rights presently acquired by my property granted by Hillsborough County and to work with you so you are successful with your project.
- 3) The letter (agreement) verbiage has to be very clear not exposing my self or my property to a present or future claims against me or my property from anybody.
- 4) I am not exchanging anything or resigning to any rights already acquired or granted from the County.
- 5) In the event of any future sales you should inform in the sales agreement my rights to park my 18 wheel truck to avoid potential litigations.

I trust we will continue working together.

On Thu, Dec 16, 2021, 7:02 AM Nick Brackin <brackindevelopment@gmail.com> wrote:

No sir, we are done making changes to this letter. We have amended this several times to satisfy your concerns and we are at a point now where I feel you are being unreasonable. Thank you for your feedback and concerns, I trust we will still work well together. Thank you.

On Wed, Dec 15, 2021 at 7:30 PM Juan B Vasquez <jbts1716@gmail.com> wrote:

Mr Leighton,

I reviewed the letter with reference Development 10941 Clay Pit Road dated 12/9/21 (see attached document) please see my below comments to each point:

1. It should be included in the buying contract as a restrictive clause like a covenant that includes clear language that this is not an option and that the buyer accepts the conditions in which I (Juan Baladejo) am protected from a litigation under the variance. Not leave it as an option but a clause of their buying contract to be accepted.
2. The developer must also acknowledge in clear writing their awareness of the variance and that any development must include the rights under which I (Juan Baladejo) am protected under the variance.
3. Point 3 is perfect.

Please read my comments.

I look forward to hear from you.

Regards,
Juan Baladejo

Rome, Ashley

From: Hearings
Sent: Thursday, December 16, 2021 2:14 PM
To: Timoteo, Rosalina; Rome, Ashley; Heinrich, Michelle
Subject: FW: 10931 clay pit rd Tampa Florida 33610. And 10941 clay pit rd Tampa Florida 33610

From: Juan B Vasquez <jbts1716@gmail.com>
Sent: Thursday, December 16, 2021 1:07 PM
To: Nick Brackin <brackindevelopment@gmail.com>
Cc: Hearings <Hearings@HillsboroughCounty.ORG>
Subject: 10931 clay pit rd Tampa Florida 33610. And 10941 clay pit rd Tampa Florida 33610

External email: Use caution when clicking on links and attachments from outside sources.

Thanks Sir,

Just to be clear This is not a language change.

What I have been asking you is only that this information be included as a clause in the sales agreement and not in a letter. Actually, if you agree to protect my rights, I do not understand why you do not agree with this.

I reiterate my position that for me to agree to the project you should include my right in a clause in the sales contracts.

Rome, Ashley

From: Hearings
Sent: Thursday, December 16, 2021 2:27 PM
To: Timoteo, Rosalina; Rome, Ashley; Heinrich, Michelle
Subject: FW: 10941 clay pit rd Tampa Florida 33610

From: Juan B Vasquez <jbts1716@gmail.com>
Sent: Thursday, December 16, 2021 2:18 PM
To: Heinrich, Michelle <HeinrichM@HillsboroughCounty.ORG>
Cc: Hearings <Hearings@HillsboroughCounty.ORG>
Subject: 10941 clay pit rd Tampa Florida 33610

External email: Use caution when clicking on links and attachments from outside sources.

Hello Michelle

I in Grand rapids, mi

Working / Driving a tractor trailer. I send new document to you and the hearings department hillsborough .I can't be on the (website virtual) because my work .

Thanks

Juan Baladejo

I hope you understand.

I send this to Mr nick Brackin

I don't Make those letters Came from you by email. Those letters was to get what you want and that was To protect yourself . Pretty clear not to protect me.

And before It was a different (offer) from you side to me. I don't have nothing nothing against you Future And I respect what you try to do For your future and your family.

But you have to understand that I have to protect my future My family And what I do for living. I try to do this the simple way ask you For what I need And this Latter's. But what you been asking me for the day one is for your convenience .

Juan Baladejo.