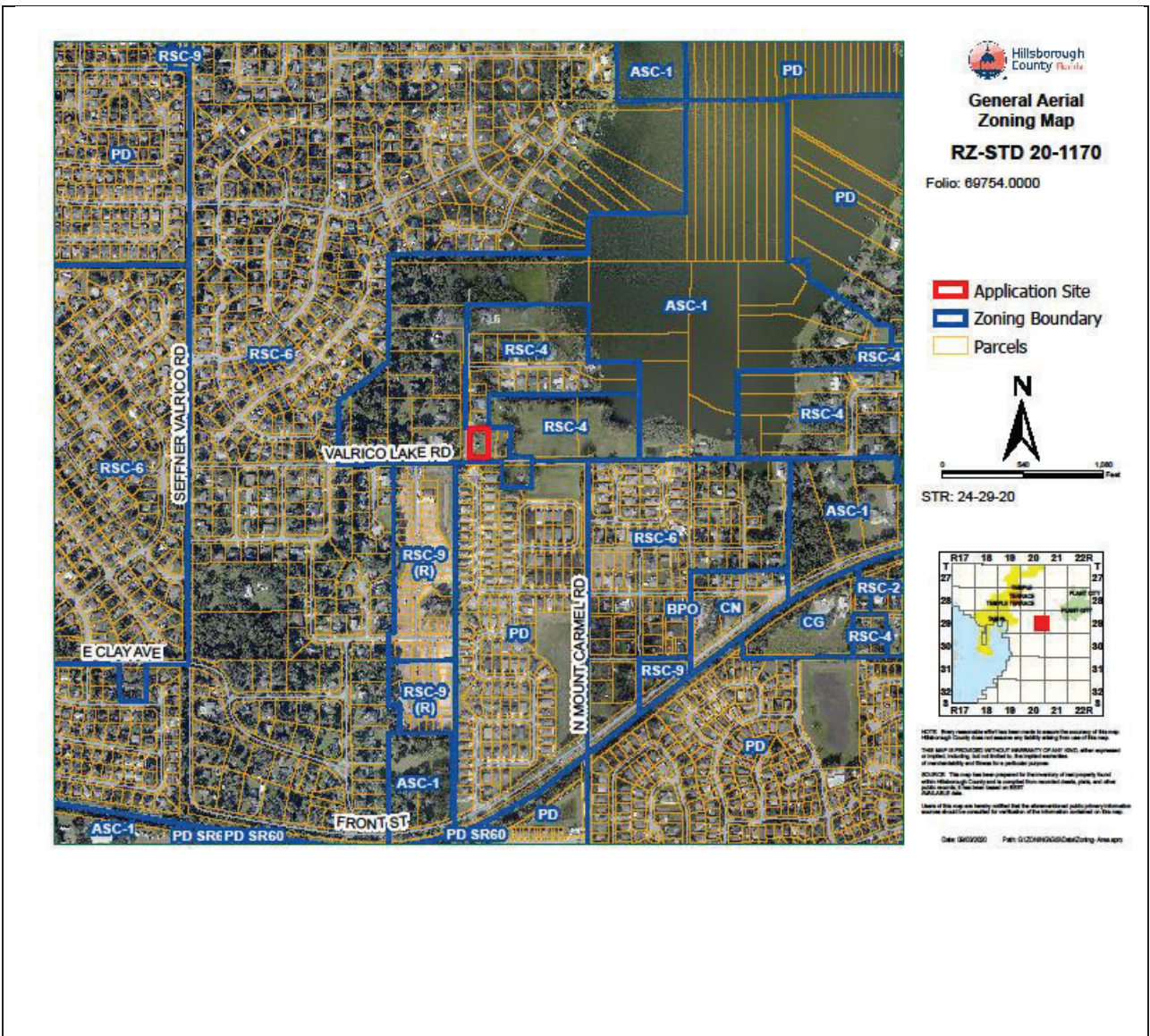




# Hillsborough County Florida

## STAFF REPORT

<b>SUBJECT:</b>	RZ 20-1170	<b>PLANNING AREA:</b>	Valrico
<b>REQUEST:</b>	Rezoning to RSC-9 (R)	<b>SECTOR:</b>	Central
<b>APPLICANT:</b>	Jonathan Waysman		
<b>Existing Zoning:</b>	ASC-1	<b>Comp Plan Category:</b>	RES-6



## Application Review Summary and Recommendation

### 1.0 Summary

#### 1.1 Project Narrative

The request is to rezone a 0.68-acre parcel from ASC-1 (Agricultural, Single Family Conventional) to RSC-9 (Residential, Single-Family Conventional). The parcel is located 45 feet northeast of the intersection of Valrico Lake Road and Booth Drive. The applicant has indicated the purpose of the rezoning is to allow for development of the site as a single-family subdivision. The applicant is proposing to restrict the number of lots in the subdivision to three; two lots with a minimum lot width of 70 feet and one lot with 60-foot minimum lot width. The applicant also proposes to restrict the three lots to only allow access from Booth Drive.

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

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

#### 1.3 Evaluation of Existing and Planned Public Facilities

The site is located in the Urban Service Area; therefore, Hillsborough County Water and/or Wastewater Service will be available to serve the subject property.

~~The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 349 average daily trips, 27 trips in the a.m. peak hour, and 37 trips in the p.m. peak hour. South 16<sup>th</sup> Avenue is not shown on the Hillsborough County Corridor Preservation Plan, as such, no preservation is needed. South 16<sup>th</sup> Avenue is considered a substandard road. The developer will be required to improve South 16<sup>th</sup> Avenue to current County standards unless otherwise approved through the Section 6.04.02.B. administrative variance process. As this is a Euclidean zoning request, the administrative variance and/or design exception from the TTM will be considered at the time of plat/site/construction plan review. Transportation Review Section staff has no objection.~~

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 19 average daily trips, 2 trips in the a.m. peak hour, and 1 trip in the p.m. peak hour. As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations; however, it is anticipated that access to the lots would be from Booth Drive. Please note the Section 6.04.03.I. of the LDC governs the number of allowable access points. The project would need approximately 180 homes before there are enough trips generated to warrant a second driveway on Valrico Lake Road. Valrico Lake Road is a 2-lane, substandard undivided collector roadway with +/- 10-foot lanes within 50 feet of right-of-way. There is a +/- 5-foot sidewalks on the south side of the right-of-way. There are no paved shoulders or curb and gutter on either side of the roadway. Booth Drive is a local roadway within 50 feet of right-of-way. There are no sidewalks or no paved shoulders/ curb and gutter on either side of the roadway. Valrico Lake Road and Booth Drive are not shown on the Hillsborough County Corridor Preservation Plan as such no right-of-way preservation is needed at this time.

Estimated impact and mobility fees (Fee estimate is based on a 2,000 square foot, 3 bedroom, Single Family Detached) are as follows:

Mobility: \$5,094.00 \* 3 units = \$15,282.00

Parks: \$416.72 \* 3 units = \$ 1,250.16

School: \$8,227.00 \* 3 units = \$24,681.00

Fire: \$335.00 \* 3 units = \$ 1,005.00

Total Single Family Detached = \$42,218.16

#### **1.4 Comprehensive Plan Consistency**

The Comprehensive Plan Designation for the parcel is RES - 6. The Planning Commission finds the application **Consistent** with the Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County.

#### **1.7 Compatibility**

The adjacent parcel to the north is a single family dwelling zoned RSC-4. To the east is another single family dwelling zoned RSC-4. To the south across Valrico Lake Road are single-family homes zoned PD (04-0400). To the west across Booth Drive is a single family dwelling zoned ASC-1. Also, an RSC-9 zoned subdivision is being developed directly southwest of the subject property.

The surrounding uses in the area consist entirely of single-family lots, moreover, the proposed limitations on number of lots and lot width furthers compatibility. Therefore, the rezoning of the subject parcel from ASC-1 to RSC-9 would be consistent with the existing zoning pattern of the area.

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

#### **1.6 Agency Comments**

The following reviewing agencies provided comments and had no objections to this request:

- Conservation and Environmental Lands Management
- Transportation Review
- Water Resource Services
- Impact & Mobility Fee Assessment
- Environmental Protection Commission

#### **1.7 Exhibits**

Exhibit 1: Project Aerial

Exhibit 2: Zoning Map

Exhibit 3: Future Land Use Map

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APPLICATION: RZ 20-1170

ZHM HEARING DATE: November 16, 2020

BOCC MEETING DATE: January 12, 2021

CASE REVIEWER: Chris Grandlienard

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**2.0 Recommendation**

Based on the above staff finds the request approvable, with the following restrictions:

1. The subdivision is restricted to three lots.
2. Two lots shall have a minimum lot width of 70 feet and one lot shall have a minimum lot width of 60 feet
3. All three lots will only have access from Booth Drive.



<b>Staff's Recommendation: Approvable, with Restrictions</b>	
Zoning Administrator Sign-off:	 J. Brian Grady Fri Nov 6 2020 09:14:20



# General Aerial Zoning Map

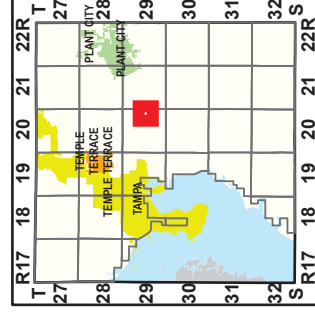
## RZ-STD 20-1170

Folio: 69754.0000

-  Application Site
-  Zoning Boundary
-  Parcels



STR: 24-29-20

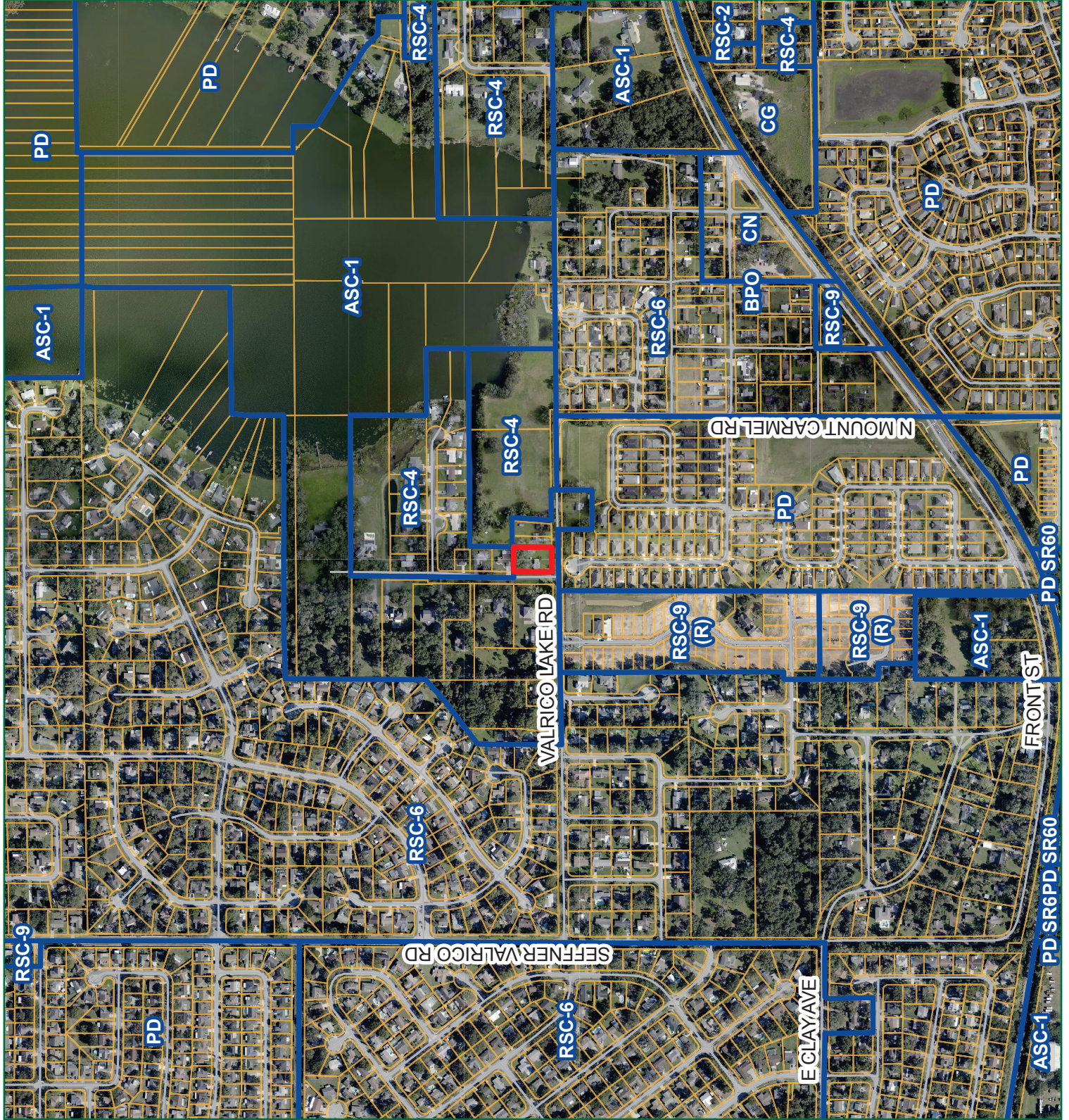


NOTE: Every reasonable effort has been made to assure the accuracy of this map. Hillsborough County does not assume any liability arising from use of this map.

THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose.

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

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

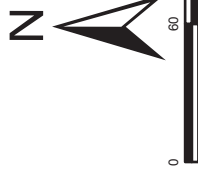


# Immediate Aerial Zoning Map

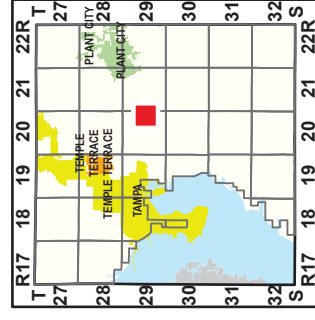
## RZ-STD 20-1170

Folio: 69754.0000

- Application Site
- Zoning Boundary
- Parcels



STR: 24-29-20

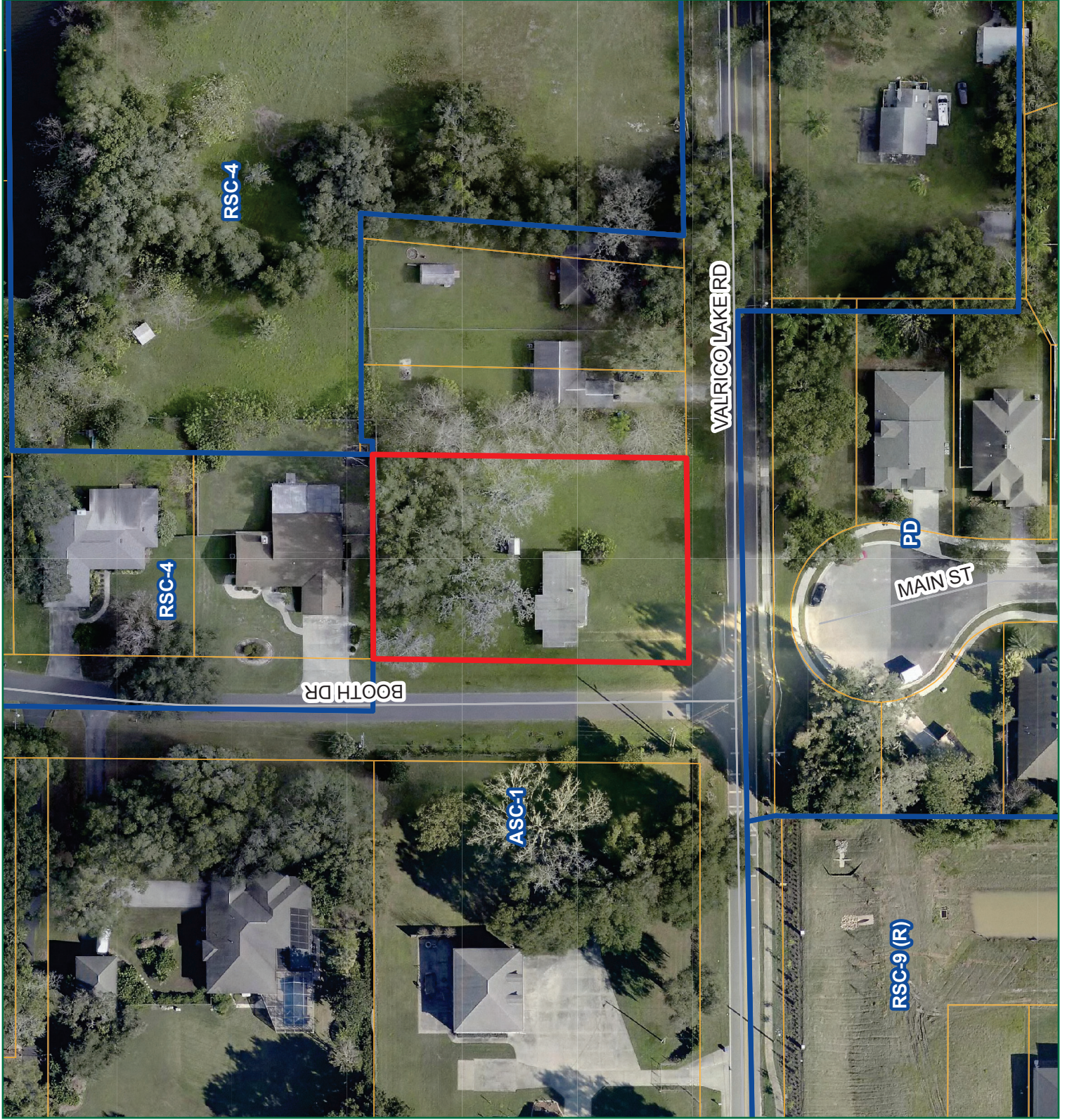


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# HILLSBOROUGH COUNTY 2020 FUTURE LAND USE

## RZ 20-1170

**Rezonings**  
<all other values>

**STATUS**

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

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

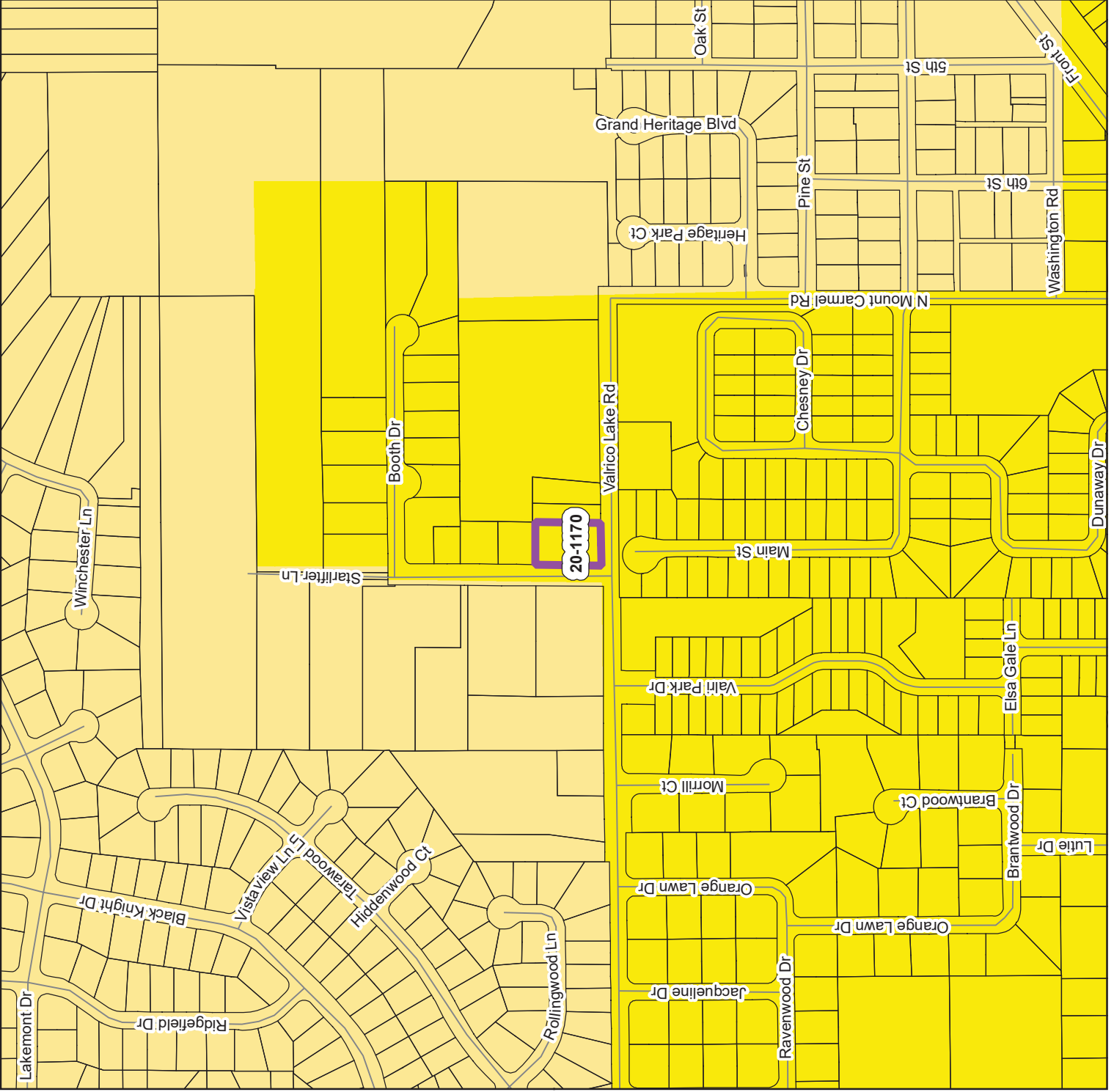
- AGRICULTURAL/MINING-1/20 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)
- AGRICULTURAL-1/10 (.25 FAR)
- AGRICULTURAL/RURAL-1/5 (.25 FAR)
- AGRICULTURAL ESTATE-1/25 (.25 FAR)
- RESIDENTIAL-1 (.25 FAR)
- RESIDENTIAL-2 (.25 FAR)
- RESIDENTIAL PLANNED-2 (.35 FAR)
- RESIDENTIAL-4 (.25 FAR)
- RESIDENTIAL-6 (.25 FAR)
- RESIDENTIAL-9 (.35 FAR)
- RESIDENTIAL-12 (.35 FAR)
- RESIDENTIAL-16 (.35 FAR)
- RESIDENTIAL-20 (.35 FAR)
- RESIDENTIAL-35 (1.0 FAR)
- NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)
- SUBURBAN MIXED USE-6 (.35 FAR)
- COMMUNITY MIXED USE-12 (.50 FAR)
- URBAN MIXED USE-20 (1.0 FAR)
- REGIONAL MIXED USE-35 (2.0 FAR)
- OC-20
- RESEARCH CORPORATE PARK (1.0 FAR)
- ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)
- LIGHT INDUSTRIAL PLANNED (.50 FAR)
- LIGHT INDUSTRIAL (.50 FAR)
- HEAVY INDUSTRIAL (.50 FAR)
- PUBLIC/QUASI-PUBLIC
- NATURAL PRESERVATION
- WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE
- WATER

Map Printed from Rezoning System: 9/12/2020  
 Author: Beverly F. Daniels  
 File: C:\Rezoning\System\Map\Projects\HIC\Reg\_16\Rezoning.mxd

DATA SOURCES: Rezoning boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. This map is for informational purposes only. It is not intended for use as a legal document. It is not intended to be used for any other purpose without specific approval of the Hillsborough County City/County Planning Commission. ACCURACY: It is intended to be used for informational purposes only. It is not intended to be used for any other purpose without specific approval of the Hillsborough County City/County Planning Commission. This map is for informational purposes only. For the most current data and information, use appropriate resources.

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Hillsborough County  
City/County  
Planning Commission



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

**APPLICATION NUMBER:** RZ-STD 20-1170

**DATE OF HEARING:** November 16, 2020

**APPLICANT:** Jonathan Waysman

**PETITION REQUEST:** The request is to rezone a 0.68-acre parcel from ASC-1 (Agricultural, Single-Family Conventional) to RSC-9 (Residential, Single-Family Conventional).

**LOCATION:** 1502 Valrico Lake Rd.

**SIZE OF PROPERTY:** 0.68 Acre±

**EXISTING ZONING:** ASC-1

**FUTURE LAND USE:** R - 6

**SERVICE AREA:** Urban

**COMMUNITY PLAN:** No Plan – N/A

# APPLICATION REVIEW SUMMARY AND RECOMMENDATION

## DEVELOPMENT REVIEW STAFF REPORT

### 1.0 Summary

#### 1.1 Project Narrative

The request is to rezone a 0.68-acre parcel from ASC-1 (Agricultural, Single-Family Conventional) to RSC-9 (Residential, Single-Family Conventional). The parcel is located 45 feet northeast of the intersection of Valrico Lake Road and Booth Drive. The applicant has indicated the purpose of the rezoning is to allow for development of the site as a single-family subdivision. The applicant is proposing to restrict the number of lots in the subdivision to three; two lots with a minimum lot width of 70 feet and one lot with 60-foot minimum lot width. The applicant also proposes to restrict the three lots to only allow access from Booth Drive.

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

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

#### 1.3 Evaluation of Existing and Planned Public Facilities

The site is located in the Urban Service Area; therefore, Hillsborough County Water and/or Wastewater Service will be available to serve the subject property.

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 19 average daily trips, 2 trips in the a.m. peak hour, and 1 trip in the p.m. peak hour. As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations; however, it is anticipated that access to the lots would be from Booth Drive. Please note the Section 6.04.03.I. of the LDC governs the number of allowable access points. The project would need approximately 180 homes before there are enough trips generated to warrant a second driveway on Valrico Lake Road. Valrico Lake Road is a 2-lane, substandard undivided collector roadway with +/- 10-foot lanes within 50 feet of right-of-way. There is a +/- 5-foot sidewalk on the south side of the right-of-way. There are no paved shoulders or curb and gutter on either side of the roadway. Booth Drive is a local roadway within 50 feet of right-of-way. There are no sidewalks or no paved shoulders/ curb and gutter on either side of the roadway. Valrico Lake Road and Booth Drive are not shown on the Hillsborough County Corridor Preservation Plan as such no right-of-way preservation is needed at this time.<sup>1</sup>

Estimated impact and mobility fees (Fee estimate is based on a 2,000 square foot, 3 bedroom, Single-Family Detached) are as follows:

Mobility: \$5,094.00 * 3 units	= \$15,282.00
Parks: \$416.72 * 3 units	= \$ 1,250.16
School: \$8,227.00 * 3 units	= \$24,681.00
Fire: \$335.00 * 3 units	= \$ 1,005.00
Total Single-Family Detached	= \$42,218.16

#### 1.4 Comprehensive Plan Consistency

The Comprehensive Plan Designation for the parcel is RES - 6. The Planning Commission finds the

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<sup>1</sup> The underlined text is replacement text entered by staff of Development Services as it was determined during the course of the Zoning Hearing Master hearing that text previously submitted was in error.

application **Consistent** with the Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County.

### **1.7 Compatibility**

The adjacent parcel to the north is a single-family dwelling zoned RSC-4. To the east is another single-family dwelling zoned RSC-4. To the south across Valrico Lake Road are single-family homes zoned PD (04-0400). To the west across Booth Drive is a single-family dwelling zoned ASC-1. Also, an RSC-9 zoned subdivision is being developed directly southwest of the subject property.

The surrounding uses in the area consist entirely of single-family lots, moreover, the proposed limitations on number of lots and lot width furthers compatibility. Therefore, the rezoning of the subject parcel from ASC-1 to RSC-9 would be consistent with the existing zoning pattern of the area.

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

### **1.6 Agency Comments**

The following reviewing agencies provided comments and had no objections to this request:

- Conservation and Environmental Lands Management
- Transportation Review
- Water Resource Services
- Impact & Mobility Fee Assessment
- Environmental Protection Commission

### **1.7 Exhibits**

Exhibit 1: Project Aerial

Exhibit 2: Zoning Map

Exhibit 3: Future Land Use Map

### **2.0 Recommendation**

Based on the above staff finds the request approvable, with the following restrictions:

1. The subdivision is restricted to three lots.
2. Two lots shall have a minimum lot width of 70 feet and one lot shall have a minimum lot width of 60 feet.
3. All three lots will only have access from Booth Drive.

**Staff's Recommendation: Approvable, with Restrictions**

## **SUMMARY OF HEARING<sup>2</sup>**

THIS CAUSE came on for hearing before the Hillsborough County Land Use Hearing Officer on November 16, 2020. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

Jonathan Waysman, 1562 Valrico Road, Valrico, Florida 33594, testified that the request is rezone the .68-acre parcel zoned Agricultural Single-Family Conventional to Residential Single-Family Conventional-

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<sup>2</sup> The summary of testimony is intended only to summarize pertinent points of testimony received. For a thorough understanding of testimony the reader is referred to the verbatim transcript made part of the hearing record.

Restricted to divide it into three residential lots. There is an existing home on the property and they would like to keep the lots consistent with the surrounding residential zoning in the area. He explained that this particular piece is somewhat of an anomaly in Agricultural zoning, and they brought it to the Zoning Department because they would like to develop two additional houses on the oversized lot.

Chris Grandlienard with the Development Services Department provided a summary of his previously submitted staff report.

Melissa Lienhard with the Planning Commission staff testified that the subject property is located in the Residential-6 Future Land Use category. It is in the Urban Service Area and the subject property is not located within the limits of a community plan. The subject property is surrounded predominately by single-family residential lots. Given the site's acreage, the minimum allowed density in this Future Land Use category is three units while the maximum allowable density is four units. According to the restrictions, the applicant has agreed to restrict the zoning to three residential lots. The proposed rezoning would allow for development that is comparable to the residential development pattern in the surrounding area. The rezoning would maximize the efficiency of the subject site and facilitate low-density residential development, which is allowed under the Residential-6 Future Land Use category. The subject site is also located in the Urban Service Area where 80 percent or more of the new growth is directed per the Comprehensive Plan. Overall, the rezoning would allow for development that is consistent with Goals, Objectives, and Policies of the Future Land Use Element of the Comprehensive Plan and is also compatible with the existing development pattern found in the surrounding area. Planning Commission staff found that the request would encourage development that complements the surrounding character of the area. Based upon those considerations, Planning Commission found the proposed rezoning consistent with the Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County.

The Zoning Hearing Master then asked for any audience members in support of the request. There were none.

The Zoning Hearing Master then asked for any audience members in opposition to the request.

Alan Kadesky, 1520 Booth Drive, Valrico, Florida 33594, testified that there was some confusion. The home in question at 1502 Valrico Lake Road has been up for rent many times since he has lived in the neighborhood for 17 years. He has seen new tenants every year and the latest tenants that moved in were looking to open a day care center there. They fenced it, placed toys in the yard and installed a banner attached to their fence with the name of the day care center. Hence, he was under the impression that this hearing was to get approval to open a day care center at the entrance to his neighborhood in a completely residential community. From what he heard, that is not the issue. He requested some clarity.

The Hearing Officer explained that this is an existing ASC-1 zoned property, and the applicant is requesting to rezone to RSC-9, both residential districts. The request is an attempt to create a three-lot subdivision of the property. It is not about a day care, but he welcomed Mr. Kadesky's comments if he had any on this residential rezoning request.

Mr. Kadesky provided no further comments in opposition.

Kevin McKnight, 1450 Booth Drive, Valrico, Florida 33594, expressed concerns for the transportation related component of the Development Service staff report indicating that the report referenced a street that was not in the vicinity of the project.

Mr. Grandlienard with Development Services stated that those were comments made by their Transportation Review Section.

The Hearing Officer addressed James Ratliff with the Development Services Transportation Review

Section and pointed out that Section 1.3, paragraph 4 refers to South 16<sup>th</sup> Avenue, which does not appear to exist in the vicinity.

Mr. Ratliff responded that Valrico Lake Road is a substandard road. However, it is important to note that the policy of the County Engineer is that projects that generate fewer than 10-peak-hour trips are not required to make improvements to substandard roads provided that they meet minimum fire safety standards.

Brian Grady with Development Services indicated that staff would provide a corrected staffs report.

Mr. McKnight continued with his opposition testimony and asked what improvements to Valrico Lake Road would be made. It said the developer would have to make those improvements, and that is unclear.

James Ratliff, Transportation Review Section, explained that because of the small nature of this project, there would be no improvements required. Staff simply noted that the road is substandard; that because it is exceedingly low trip generation, essentially almost de minimis, there would be no improvements required.

The Hearing Officer stated that he thought that the paragraph might have other errors. It says, "The developer will be required to improve Valrico Lake Road to correct County Standards unless otherwise approved in Section 6.04.02.B administrative variance process." Was that never part of the reports? Mr. Ratliff replied that the Transportation report in Optix that he is looking at, under the section for site access analysis and connectivity, talks about the current policy that although it is substandard, there would be no improvements required. He thought there might have been a copy-and-paste error from Zoning staff's report, but that from what he could tell looking at the Transportation staff report, that was not contained in the Transportation staff report.

The Hearing Officer addressed Mr. McKnight and stated that there is a Transportation staff report that has the correct information, and it looks like there was some scrivener's error in the staff report, but there is not an improvement required.

Mr. McKnight continued with his testimony and stated that it sounds like no improvements to the road. His only other objection is why go to RSC-9 when RSC-6 would probably be more appropriate, would restrict to just three or four lots where RSC-9 would allow more. The RSC-9 is really not keeping with the neighborhood. There are larger homes all around. Those that are smaller are in Planned Developments nearby where there are curbs and sidewalks and formal entrances and other improvements made, and that is not the case with this request.

Deborah McKnight, 1450 Booth Drive, Valrico, Florida 33594, asked why are the driveways going to go on Booth Drive. Booth Drive is a very narrow road.

The Hearing Officer indicated to Ms. McKnight that this is her opportunity to provide comments, and if there is staff that can address her question, they would do so in the order of the hearing. He asked if Ms. McKnight had any further comments. Ms. McKnight replied that she had just one more, and it is about the narrowness of the road. If the owners of the three lots have a party or anything, they would have to park on other people's lawns because the road is too narrow to park on and get around.

Keith LaPlant, 1509 Booth Drive, Valrico, Florida 33954, testified that he is in opposition to the rezoning. The house sits right in the middle of the property and he was not sure how they could get two additional houses around it. All the lots on Booth Drive are 0.3 acres or bigger. If he has his math right, these lots will be .226 acre. He did not think zoning it for three homes is in the best interest of his neighborhood.

The opposition testimony was then concluded.

Brian Grady with Development Services made some comments in response to the questions by some of

the opposition. Regarding the RSC-6, the minimum lot width under RSC-6 is 70 feet. Therefore, as the applicant wants some of the lots to be 60 feet wide, it could not be accommodated under the RSC-6. Two of the lots widths would be consistent with RSC-6, but the third lot would not be consistent with its 60-foot lot width. Regarding access, it was his understanding that given the Valrico Lake Road and the proximity of Booth Drive and Valrico Lake Road intersection, there is not sufficient space and the appropriateness to have an access point on the Valrico Lake Road for the lot. Therefore, that is why access to Booth Drive is appropriate.

The Hearing Officer addressed Mr. Grady and stated that this request is not a subdivision request for approval. It is a rezoning request and the subdivision approval may have other constraints that may make it infeasible. He asked if Mr. Grady knew if there was any consideration given to whether the lot on the corner would actually work given there would be two front setbacks? He thought that goes with the last speaker's question. Mr. Grady replied that he was not aware of anything.

Jonathan Waysman provided rebuttal testimony. He stated that he appreciated everybody's time and thought this would be a lovely development for the community and he would definitely take everyone's interest into consideration. But given the space and the spacing between the properties, he thought there would be no issues regarding density for the local community.

The hearing was then concluded.

### **EVIDENCE SUBMITTED**

The following evidence was submitted at the hearing:

**None**

### **FINDINGS OF FACT**

1. The subject site is presently zoned Agricultural Single-Family Conventional-1 (ASC-1) and lies within the Residential-6 Future Land Use category of the Comprehensive Plan, within the Urban Service Area. The property is not located within the limits of a Community Plan.
2. The application proposes a rezoning from Agricultural Single-Family Conventional-1 (ASC-1) to Residential Single-Family Conventional-9 (RSC-9)) with restrictions that limit any subdivision to three lots; two lots at 70 feet and one at 60 feet in minimum width. All lots will have access from Booth Drive.
3. Given the site's acreage, the minimum allowed density in this Future Land Use category is three units while the maximum allowable density is four units. The applicant has agreed to restrict the rezoning to three residential lots.
4. The subject property is classified as a single-family lot with Agricultural Single-Family Conventional-1 (ASC-1) zoning. Single-family lots are located to the north with Residential Single-Family Conventional-4 (RSC-4). Single-family and vacant lots are located to the east with ASC-1 and RSC-4 zoning. Single-family lots and a public/quasi-public lot are located to the south with Planned Development (PD) zoning. Single-family with ASC-1 zoning are located to the west.
5. While it was determined during the course of the Zoning Hearing Master hearing that a scrivener error in the Development Services staff report placed transportation information into the report that was not applicable to the project, this matter was clarified by Transportation staff that indicated that **Valrico Lake Road** is a substandard road. However, it is the policy of the County Engineer that projects that generate fewer than 10-peak-hour trips are not required to make improvements to substandard roads provided that they meet minimum fire safety standards. The Development Services staff report was appropriately corrected.

6. The rezoning would maximize the efficiency of the subject site and facilitate low-density residential development, which is allowed under the Residential-6 Future Land Use category. The subject site is also located in the Urban Service Area where 80 percent or more of the new growth is directed per the Comprehensive Plan.
7. The surrounding uses in the area consist entirely of single-family lots; moreover, the proposed limitations on number of lots and lot width furthers compatibility. Therefore, the rezoning of the subject parcel from ASC-1 to RSC-9 would be consistent with the existing zoning pattern of the area.
8. The proposed rezoning to this Restricted RSC-9 zoning district would allow development compatible with the development pattern in the surrounding area.

#### **FINDINGS OF COMPLIANCE/NON-COMPLIANCE WITH COMPREHENSIVE PLAN**

The rezoning request is in compliance with and does further the intent of the Concept Plan and 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 competent substantial evidence to demonstrate that the requested Restricted RSC-9 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 application proposes a rezoning from Agricultural Single-Family Conventional-1 (ASC-1) to Residential Single-Family Conventional-9 (RSC-9)) with restrictions that limit any subdivision to three lots; two lots at 70 feet and one at 60 feet in minimum width. All lots will have access from Booth Drive.

Given the site's acreage, the minimum allowed density in this Future Land Use category is three units while the maximum allowable density is four units. The applicant has agreed to restrict the rezoning to three residential lots. The surrounding uses in the area consist entirely of single-family lots; moreover, the proposed limitations on number of lots and lot width furthers compatibility. Therefore, the rezoning of the subject parcel from ASC-1 to RSC-9 would be consistent with the existing zoning pattern of the area.

The proposed rezoning to this Restricted RSC-9 zoning district would allow development compatible with the development pattern in the surrounding area.

#### **RECOMMENDATION**

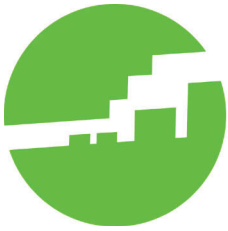
Based on the foregoing, this recommendation is for **APPROVAL** of the rezoning request to a Restricted Residential, Single-Family Conventional-9 (RSC-9 (R)) zoning district, as indicated by the Findings of Fact and Conclusions of Law stated above.

  
James A. Scarola                      12/9/20  
Land Use Hearing Officer              Date

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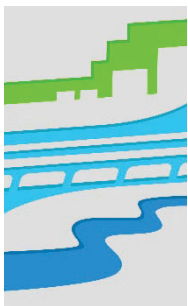
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**Hillsborough County  
City-County  
Planning Commission**

<b>Unincorporated Hillsborough County Rezoning</b>	
<b>Hearing Date:</b> November 16, 2020	<b>Petition: RZ 20-1170</b>
<b>Report Prepared:</b> November 5, 2020	<i>Northeastern quadrant of the Booth Drive and Valrico Lake Road</i>
<b>Summary Data:</b>	
<b>Comprehensive Plan Finding:</b>	<b>CONSISTENT</b>
<b>Adopted Future Land Use:</b>	<b>Residential-6 (6 du/ac; 0.25 FAR)</b>
<b>Service Area</b>	<b>Urban</b>
<b>Community Plan:</b>	<b>N/A</b>
<b>Requested Rezoning:</b>	Agricultural Single-Family Conventional-1 (ASC-1) to Residential Single-Family Conventional-9 (RSC-9 R) with restrictions
<b>Parcel Size (Approx.):</b>	0.56 +/- acres
<b>Street Functional Classification:</b>	Valrico Lake Road – <b>Local</b> Booth Drive – <b>Local</b>
<b>Locational Criteria</b>	N/A
<b>Evacuation Area</b>	The subject property is not located within an Evacuation Zone.



## **Context**

- The subject property is located on approximately 0.56 acres northeastern quadrant of the Booth Drive and Valrico Lake Road. The property is not located within the limits of a Community Plan. It is located within the Urban Service Area.
- The subject site is designated Residential-6 (RES-6). Typical uses in Residential-6 (RES-6) include residential, suburban scale neighborhood commercial, office uses, multi-purpose projects and mixed-use development. Non-residential uses shall meet established locational criteria for specific land use. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.
- RES-6 is located to the north, east and south of the subject property. Residential-4 (RES-4) is located to the west.
- The subject property is classified as a single-family lot with Agricultural Single-Family Conventional-1 (ASC-1) zoning. Single family lots are located to the north with Residential Single-Family Conventional-4 (RSC-4). Single-family and vacant lots are located to the east with ASC-1 and RSC-4 zoning. Single-family lots and public/quasi-public lot are located to the south with Planned Development (PD) zoning. Single-family with ASC-1 zoning are located to the west.
- The application proposes a rezoning from Agricultural Single-Family Conventional-1 (ASC-1) to Residential Single-Family Conventional-9 (RSC-9 R) with restrictions.

## **Compliance with Comprehensive Plan:**

The following Goals, Objectives and Policies apply to this Planned Development request and are used as a basis for 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:*** 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 a functional unit of community development. There is a need to protect existing neighborhoods and communities and those that will emerge in the future. To preserve, protect and enhance neighborhoods and communities, all new development must conform to the following policies.

**Policy 16.3:** *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*

### **Community Design Component**

#### **5.0 NEIGHBORHOOD LEVEL DESIGN**

##### **5.1 COMPATIBILITY**

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

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

**Policy 12-1.1:** *Lots on the edges of new developments that have both a physical and visual relationship to adjacent property that is parceled or developed at a lower density should mitigate such impact with substantial buffering and/or compatible lot sizes.*

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

The subject property is located on approximately 0.56 acres northeastern quadrant of the Booth Drive and Valrico Lake Road. The property is not located within the limits of a Community Plan. It is located within the Urban Service Area. The application proposes a rezoning from Agricultural Single-Family Conventional-1 (ASC-1) to Residential Single-Family Conventional-9 (RSC-9 R) with restrictions.

The subject property is surrounded predominately by single-family residential lots. The minimum allowable density is three units, while the maximum allowable density is 4 units. According to Development Services staff, the applicant has agreed to restrict the rezoning to three residential lots. The proposed rezoning would allow development comparable to the residential development pattern in the surrounding area. The rezoning would maximize the efficiency of the subject site and facilitate low density residential development which is allowed under the RES-6 Future Land Use category. The subject site is located in the Urban Service Area, where 80% or more of new growth is directed per the Comprehensive Plan (Objective 1, FLUE).

Overall, the rezoning would allow for development that is consistent with the Goals, Objectives and Policies of the Future Land Use Element of the Unincorporated Hillsborough County Comprehensive Plan and is compatible with the existing development pattern found within the surrounding area. Planning Commission staff finds

**the request would encourage development that complements the surrounding character of the area.**

**Recommendation**

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

# HILLSBOROUGH COUNTY 2020 FUTURE LAND USE RZ 20-1170

- Rezonings
- <all other values>
  - APPROVED
  - CONTINUED
  - DENIED
  - WITHDRAWN
  - PENDING

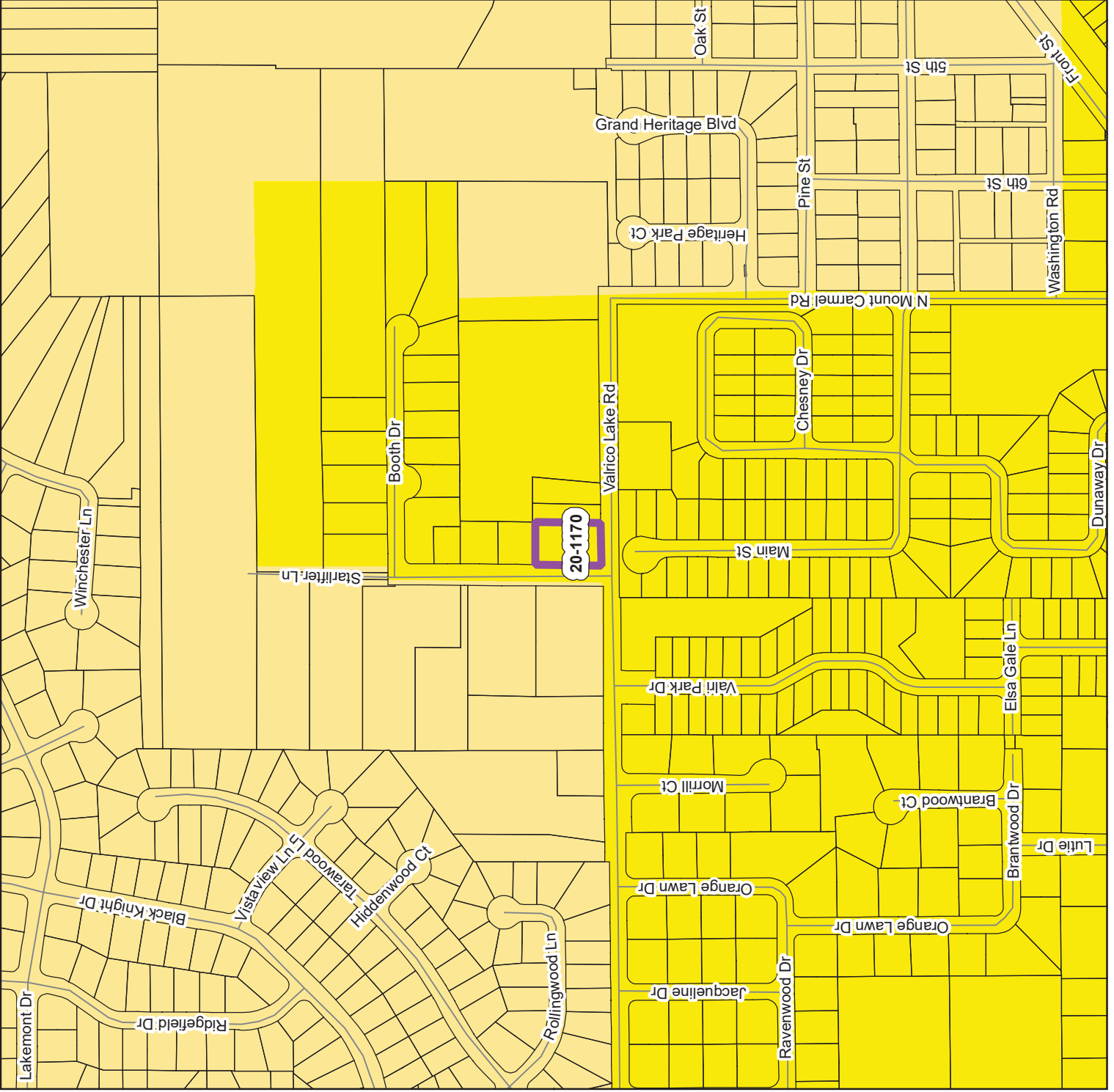
- Tampa Service Area
- Urban Service Area
- Shoreline
- County Boundary
- Jurisdiction Boundary
- Roads
- Parcels

- AGRICULTURAL/MINING-120 (25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-12 (.25 FAR)
- AGRICULTURAL-110 (25 FAR)
- AGRICULTURAL/RURAL-105 (25 FAR)
- AGRICULTURAL ESTATE-102.5 (.25 FAR)
- RESIDENTIAL-1 (.25 FAR)
- RESIDENTIAL-2 (.25 FAR)
- RESIDENTIAL PLANNED-2 (.35 FAR)
- RESIDENTIAL-4 (.25 FAR)
- RESIDENTIAL-6 (.25 FAR)
- RESIDENTIAL-9 (.35 FAR)
- RESIDENTIAL-12 (.35 FAR)
- RESIDENTIAL-16 (.35 FAR)
- RESIDENTIAL-20 (.35 FAR)
- RESIDENTIAL-35 (1.0 FAR)
- NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)
- SUBURBAN MIXED USE-6 (.35 FAR)
- COMMUNITY MIXED USE-12 (.50 FAR)
- URBAN MIXED USE-20 (1.0 FAR)
- REGIONAL MIXED USE-35 (2.0 FAR)
- OC-20
- RESEARCH CORPORATE PARK (1.0 FAR)
- ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)
- LIGHT INDUSTRIAL PLANNED (.50 FAR)
- HEAVY INDUSTRIAL (.50 FAR)
- PUBLIC/QUASI-PUBLIC
- NATURAL PRESERVATION
- WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE
- WATER



DATA SOURCES: Rezonings boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser.  
 This map is intended for informational purposes only. It is not intended for use as a legal document. It is not intended for use as a legal document. It is not intended for use as a legal document. It is not intended for use as a legal document.

Map Printed from Rezoning System: 9/12/2020  
 Author: Beverly F. Daniels  
 File: C:\Rezoning\System\Map\Projects\HIC\Reg\_16\Rezoning.mxd



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# **AGENCY COMMENTS**

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**AGENCY REVIEW COMMENT SHEET**

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

**DATE:** 11/05/2020

**REVIEWER:** Sofia Garantiva, Senior Planner

**AGENCY/DEPT:** Transportation

**PLANNING AREA/SECTOR:** Valrico (VR)

**PETITION NO:** RZ-STD 20-1170

<input type="checkbox"/>	This agency has no comments.
<input checked="" type="checkbox"/>	<b>This agency has no objection.</b>
<input type="checkbox"/>	This agency has no objection, subject to the listed or attached conditions.
<input type="checkbox"/>	This agency objects for the reasons set forth below.

**REPORT SUMMARY AND CONCLUSIONS**

- The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 19 average daily trips, 2 trips in the a.m. peak hour, and 1 trip in the p.m. peak hour
- As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations; however, it is anticipated that access to the lots would be from Booth Drive.

**PROJECT SUMMARY AND TRANSPORTATION ANALYSIS**

The applicant is requesting to rezone from Agricultural Single Family Conventional (ASC-1) to Residential Single Family Conventional, 6 (RSC-6). The site is on the northeast corner the intersection of Valrico Lake Road and Booth Drive (Folio # 69754.0000) and consists of 0.56 acres. The Future Land Use designation is R-6. The applicant is requesting to subdivide the lot.

**Trip Generation Analysis**

Since this is a Standard Rezoning, the applicant is not required to submit a transportation analysis study. However, staff has prepared a comparison of the potential trips generated by development permitted, based upon the Institute of Transportation Engineer’s Trip Generation Manual, 10th Edition, under the existing and proposed zoning designations utilizing a generalized worst-case scenario. Staff’s analysis is summarized below. Based on the assumption that the existing property is a legal non-conforming lot, the maximum development allowed would be one (1) single family dwelling unit under ASC-1 zoning.

**Existing Use:**

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
ASC-1, 1 Single Family DU (ITE Code 210)	9	1	1

**Proposed Use:**

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RSC-9, 3 Single Family DU (ITE LUC 210)	28	3	2

**Trip Generation Difference:**

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference</b>	<b>(+) 19</b>	<b>(+) 2</b>	<b>(+) 1</b>

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 19 average daily trips, 2 trips in the a.m. peak hour, and 1 trip in the p.m. peak hour

**TRANSPORTATION INFRASTRUCTURE ANALYSIS**

Valrico Lake Road is a 2-lane, substandard undivided collector roadway with +/- 10-foot lanes within 50 feet of right-of-way. There is a +/- 5-foot sidewalks on the south side of the right-of-way. There are no paved shoulders or curb and gutter on either side of the roadway.

Booth Drive is a local roadway within 50 feet of right-of-way. There are no sidewalks or no paved shoulders/ curb and gutter on either side of the roadway.

Valrico Lake Road and Booth Drive are not shown on the Hillsborough County Corridor Preservation Plan as such no right-of-way preservation is needed at this time.

**SITE ACCESS ANALYSIS & CONNECTIVITY**

As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual; however, it is anticipated that access to the lots would be from Booth Drive. Please note the Section 6.04.03.I. of the LDC governs the number of allowable access points. The project would need approximately 180 homes before there are enough trips generated to warrant a second driveway on Valrico Lake Road.

Note that Valrico Lake Road is a substandard road, however by policy of the County Engineer projects generating 10 or fewer total peak hour trips are considered de minimis provided the roadways meet minimum fire safety standards (i.e. 15 feet of pavement in a 20-foot clear area).

**ROADWAY LEVEL OF SERVICE (LOS)**

Valrico Lake Road and Booth Drive are not considered major county or state roadways and are not included in the [2019 Hillsborough County Level of Service \(LOS\) Report](#).

**COMMISSION**

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 Sterlin Woodard, P.E. AIR DIVISION

**AGENCY COMMENT SHEET**

REZONING	
<p><b>HEARING DATE:</b> 10/19/2020</p> <p><b>PETITION NO.:</b> 20-1170</p> <p><b>EPC REVIEWER:</b> Melissa Yañez</p> <p><b>CONTACT INFORMATION:</b> (813) 627-2600 X1360</p> <p><b>EMAIL:</b> yanezm@epchc.org</p>	<p><b>COMMENT DATE:</b> 10/7/2020</p> <p><b>PROPERTY ADDRESS:</b> 1502 Valrico Lake Rd, Valrico, FL 33594</p> <p><b>FOLIO #:</b> 0697540000</p> <p><b>STR:</b> 24-29S-20E</p>
<p><b>REQUESTED ZONING:</b> From ASC-1 to RSC-9</p>	
FINDINGS	
<p><b>WETLANDS PRESENT</b></p> <p><b>SITE INSPECTION DATE</b></p> <p><b>WETLAND LINE VALIDITY</b></p> <p><b>WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)</b></p>	<p>NO</p> <p>N/A</p> <p>N/A</p> <p>N/A - Aerial, Historic Soil Survey and EPC File Review conducted. No wetlands apparent within parcel.</p>
<p><b>INFORMATIONAL COMMENTS:</b></p> <p>Wetlands Management Division staff of the Environmental Protection Commission of Hillsborough County (EPC) conducted an aerial review of the above referenced site in order to determine the extent of any wetlands and other surface waters pursuant to Chapter 1-11, Rules of the EPC. The review revealed that no wetlands or other surface waters were apparent within the above referenced parcel.</p> <p>Please be advised this wetland determination is informal and non-binding. A formal wetland delineation may be applied for by submitting a "WDR30 - Delineation Request Application". Once approved, the formal wetland delineation would be binding for five years.</p>	

my/mst

**AGENCY REVIEW COMMENT SHEET**

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

**DATE: 4 Sep. 2020**

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

**APPLICANT: Jonathan Waysman**

**PETITION NO: RZ-STD 20-1170**

**LOCATION: 1502 Valrico Lake Rd, Valrico, FL 33594**

**FOLIO NO: 69754.0000**

**SEC: 24 TWN: 29 RNG: 20**

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

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



**AGENCY REVIEW COMMENT SHEET**

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

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**TO:** Zoning Review, Development Services

**DATE:** 10/02/2020

**REVIEWER:** Ron Barnes, Impact & Mobility Fee Coordinator

**APPLICANT:** Jonathan Waysman

**PETITION NO:** 20-1170

**LOCATION:** 3113 N Armenia Ave

**FOLIO NO:** 69754.0000

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**Estimated Fees:**

(Fee estimate is based on a 2,000 square foot, 3 bedroom, Single Family Detached)

Mobility: \$5,094.00 \* 3 units = \$15,282.00

Parks: \$416.72 \* 3 units = \$ 1,250.16

School: \$8,227.00 \* 3 units = \$24,681.00

Fire: \$335.00 \* 3 units = \$ 1,005.00

Total Single Family Detached = \$42,218.16

**Project Summary/Description:**

Urban Mobility, Central Park/Fire - 3 Single Family Units

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

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PETITION NO.: PD20-1170      REVIEWED BY: Randy Rochelle      DATE: 11/4/2020

FOLIO NO.: 69754.0000

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

**WATER**

- The property lies within the Hillsborough County Water Service Area. The applicant should contact the provider to determine the availability of water service.
- No Hillsborough County water line of adequate capacity is presently available.
- A 4 inch water main exists  (adjacent to the site),  (approximately      feet from the site) and is located within the north Right-of-Way of Valrico Lake Road.
- Water distribution improvements may be needed prior to connection to the County's water system.
- No CIP water line is planned that may provide service to the proposed development.
- The nearest CIP water main (     inches), will be located  (adjacent to the site),  (feet from the site at     ). Expected completion date is     .

**WASTEWATER**

- The property lies within the Hillsborough County Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.
- No Hillsborough County wastewater line of adequate capacity is presently available.
- A 4 inch wastewater force main exists  (adjacent to the site),  (approximately 2050 feet from the site) and is located east of the subject property within the west Right-of-Way of 5<sup>th</sup> Street.
- Wastewater distribution improvements may be needed prior to connection to the County's wastewater system.
- No CIP wastewater line is planned that may provide service to the proposed development.
- The nearest CIP wastewater main (     inches), will be located  (adjacent to the site),  (feet from the site at     ). Expected completion date is     .

COMMENTS: This site is located within the Hillsborough County Urban Service Area, therefore the subject property should be served by Hillsborough County Water and Wastewater Service. This comment sheet does not guarantee water or wastewater service or a point of connection. Developer is responsible for submitting a utility service request at the time of development plan review and will be responsible for any on-site improvements as well as possible off-site improvements.



# **VERBATIM TRANSCRIPT**

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HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

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ZONING HEARING MASTER HEARING  
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: JAMES SCAROLA and SUSAN FINCH  
 Land Use Hearing Masters

DATE: Monday, November 16, 2020

TIME: Commencing at 6:00 p.m.  
 Concluding at 11:38 p.m.

PLACE: Appeared via Webex Videoconference

Reported By:

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

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HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS  
  
ZONING HEARING MASTER HEARINGS  
November 16, 2020  
ZONING HEARING MASTER: JAMES SCAROLA

C2:  
Application Number: RZ-STD 20-1170  
Applicant: Jonathan Waysman  
Location: 1502 Valrico Lake Rd.  
Folio Number: 069754.0000  
Acreage: 0.68 acres, more or less  
Comprehensive Plan: R-6  
Service Area: Urban  
Existing Zoning: ASC-1  
Request: Rezone to RSC-9

1 MR. GRADY: The next item is agenda item  
2 C-2, Rezoning Standard 20-1170. The applicant is  
3 Jonathan Waysman. The request is to rezone from  
4 Agricultural Single-Family Conventional-1 to RSC-9  
5 with Restrictions.

6 Chris Grandlienard will provide staff  
7 recommendation after presentation by the applicant.

8 HEARING MASTER SCAROLA: Okay. And the  
9 applicant. Good evening, sir.

10 MR. WAYSMAN: Good evening. My name is  
11 Jonathan Waysman.

12 I'm interested in rezoning a current  
13 .68-acre lot that's zoned Agricultural to three  
14 residential lots. There's a current home that sits  
15 on the property and thinking was that we wanted to  
16 keep it consistent with the surrounding residential  
17 zoning in the area.

18 This particular piece is somewhat of an  
19 anomaly in Agricultural zoning, and we brought it  
20 in front of the zoning department to try achieve  
21 that goal of adding two additional houses on this  
22 lot -- oversized lot, I should say.

23 HEARING MASTER SCAROLA: Anything else, sir?

24 MR. WAYSMAN: No, sir.

25 HEARING MASTER SCAROLA: All right. Thank

1           you for your presentation.

2           MR. WAYSMAN: Thank you.

3           HEARING MASTER SCAROLA: All right. Step  
4 right over here and sign in, sir.

5           Development Services.

6           MR. GRANDLIENARD: Good evening. Chris  
7 Grandlienard, Development Services.

8           The request is to rezone 0.68-acre parcel  
9 from ASC-1, Agricultural Single-Family  
10 Conventional, to RSC-9-R, Residential Single-Family  
11 Conventional-Restricted.

12           The parcel is located 45 feet northeast of  
13 the intersection of Valrico Lake Road and Booth  
14 Drive. The applicant has indicated the purpose of  
15 the rezoning is to allow for development of the  
16 site as a single-family subdivision.

17           The applicant is proposing to restrict the  
18 number of lots in the subdivision to three. Two  
19 lots with a minimum lot width of 70 feet and one  
20 lot with 60 feet minimum lot width.

21           The applicant has also proposed to restrict  
22 the three lots to allow -- only allow access from  
23 Booth Drive. The adjacent parcel to the north is a  
24 single-family dwelling zoned RSC-4. To the east is  
25 another single-family dwelling zoned RSC-4. To the

1 south across Valrico Lake Road are single-family  
2 homes zoned PD. To the west across Booth Drive is  
3 a single-family dwelling zoned ASC-1. Also an  
4 RSC-9 zoned subdivision is being developed directly  
5 southwest of the subject property.

6 The surrounding uses in the area consists  
7 entirely of single-family lots. Moreover, the  
8 proposed limitations on a number of lots and lot  
9 width furthers compatibility. Therefore, the  
10 rezoning of the subject parcel from ASC-1 to  
11 RSC-9-R, Restricted, would be consistent with the  
12 existing zoning pattern of the area.

13 Based on the above, staff finds the request  
14 approvable with the following restrictions: The  
15 subdivision restricted to three lots. Two lots  
16 have a -- No. 2, two lots have a minimum lot width  
17 of 70 feet. One lot shall have a minimum lot width  
18 of 60 feet. And No. 3, all three lots will only  
19 have access from Booth Drive.

20 There are no agency objections. I'll happy  
21 to answer any questions you may have.

22 HEARING MASTER SCAROLA: Not just yet, but  
23 thank you for the testimony.

24 And the Planning Commission.

25 MS. LIENHARD: Thank you. Melissa Lienhard,

1 Planning Commission staff.

2 The subject property is located in the  
3 Residential-6 Future Land Use category. It is in  
4 the Urban Service Area and the subject property is  
5 not located within the limits of a community plan.

6 The subject property is surrounded  
7 predominately by single-family residential lots.  
8 Given the site's acreage, the minimum allowed  
9 density in this Future Land Use category is three  
10 units while the maximum allowable density is four  
11 units.

12 According to the restrictions, the applicant  
13 has agreed to restrict the zoning to three  
14 residential lots. The proposed rezoning would  
15 allow for development that is comparable to the  
16 residential development pattern in the surrounding  
17 area.

18 The rezoning would maximize the efficiency  
19 of the subject site and facilitate low density  
20 residential development, which is allowed under the  
21 Residential-6 Future Land Use category. The  
22 subject site is also located in the Urban Service  
23 Area where policy direction says that more than  
24 80 percent of the new growth is directed there.

25 Overall, the rezoning would allow for

1 development that is consistent with goals,  
2 objectives, and policies of the Future Land Use  
3 Element of the Comprehensive Plan and is also  
4 compatible with the existing development pattern  
5 found in the surrounding area.

6 Planning Commission staff finds the request  
7 would encourage development that complements the  
8 surrounding character of the area.

9 And based upon those considerations,  
10 Planning Commission finds the proposed rezoning  
11 consistent with the Future of Hillsborough  
12 Comprehensive Plan for unincorporated Hillsborough  
13 County. Thank you.

14 HEARING MASTER SCAROLA: All right. Thank  
15 you for the testimony.

16 Is there anybody here tonight in support of  
17 this request?

18 Yeah. I think we had some registered in  
19 opposition. How many total do we have?

20 MR. LAMPE: Do we have Andre McCarrol  
21 (phonetic) and Linda McCarrol signed up for this?  
22 Are you logged in? Andre or Linda McCarrol, are  
23 you there?

24 Okay. Going on to the next person will be  
25 Alan Kadesky.

1 HEARING MASTER SCAROLA: So how many are  
2 actually going to speak? Do we know? Okay.

3 MR. KADESKY: Alan Kadesky here.

4 HEARING MASTER SCAROLA: Sir, did you need  
5 to speak as well?

6 MR. KADESKY: Yes.

7 HEARING MASTER SCAROLA: Okay. Give us a  
8 minute. How long do you think you need?

9 MR. KADESKY: (Not on audio.)

10 HEARING MASTER SCAROLA: Okay. Go right  
11 ahead.

12 MR. LAMPE: Go ahead, Alan.

13 MR. KADESKY: Okay. I'm a bit confused.  
14 The home that's in question that we're talking  
15 about now at 1502 Valrico Lake Road is a home  
16 that's been up for rent many, many times since I've  
17 lived here in the neighborhood 17 years.

18 Actually I live on Booth Drive right down  
19 the street. And it's been rented ever since I've  
20 been here with new tenants every year. And,  
21 lately, the latest tenants that moved in were  
22 looking to open a day care center there.

23 They fenced it. They put toys in the yard  
24 as such to make a day care center, and they even  
25 have a sign, you know, just not a big sign, but



1           like a banner attached to their fence with the name  
2           of the day care center. So I was under the  
3           conception that this hearing was as they're trying  
4           to get approval to open a day care center of the  
5           entrance to our neighborhood in a completely  
6           residential community.

7                       From what I'm hearing in the beginning of  
8           this hearing was that that is not what the issue  
9           is. So I need some clarity on that, please.

10                      HEARING MASTER SCAROLA: In short, sir, this  
11           an existing ASC-1 zoned property, and the applicant  
12           is requesting to rezone to RSC-9, both residential  
13           districts. The reported request is an attempt to  
14           do a three-lot subdivision of the property.

15                      So it is not about a day care, but I still  
16           welcome your comments if you have any. It's a  
17           residential request.

18                      MR. KADESKY: Okay. That was what I thought  
19           the hearing was for because whoever's taken over  
20           that house or rented that home was looking to open  
21           a day care. So I thought they were having to get  
22           the appropriate zoning to open a day care facility  
23           on the corner of our neighborhood, which is  
24           100 percent residential area with no businesses  
25           probably within a year.

1           But if this hearing is about subdividing a  
2           land to build three homes on it, then I really  
3           don't have a say in that matter.

4           HEARING MASTER SCAROLA: I appreciate the  
5           comments, though.

6           THE CLERK: Can you state your name for the  
7           record, sir?

8           MR. KADESKY: Alan Kadesky, 1520 Booth  
9           Drive, Valrico, 33594.

10          UNIDENTIFIED SPEAKER: We have one more  
11          person in opposition.

12          HEARING MASTER SCAROLA: Okay.

13          MR. LAMPE: Kevin McKnight, are you there?

14          MR. MCKNIGHT: Yes, I'm here. Can you hear  
15          me?

16          MR. LAMPE: Yes, we can. Go ahead.

17          MR. MCKNIGHT: Okay. I'm Kevin McKnight. I  
18          live at 1450 Booth Drive. It's northwest across  
19          the street from the property in question.

20                 I have a question regarding the staff  
21          report. I hope it's appropriate right now, but in  
22          Section 1.3, there's a reference to South 16th  
23          Avenue considered a substandard road, and I'm  
24          assuming that was meant to say Booth Drive is a  
25          substandard road.

1 I wonder if anyone could respond to that?  
2 It does say the developer will be asked to improve  
3 that road. And I'd be curious as to what those --

4 HEARING MASTER SCAROLA: Sir, give us just a  
5 minute. I think staff's going to look that up for  
6 you.

7 MR. MCKNIGHT: Okay. Section 1.3,  
8 evaluation of existing and planned public  
9 facilities.

10 MR. GRANDLIENARD: Was it South 16th Avenue?  
11 What was that?

12 MR. MCKNIGHT: Yeah. Within the report,  
13 it's Section 1.3. It's right in the middle of that  
14 second paragraph. It says, South 16th Avenue is  
15 considered a substandard road, and then goes on to  
16 say the developer will be required to improve it.

17 MR. GRANDLIENARD: Yes. That was comments  
18 made by our transportation section.

19 MR. MCKNIGHT: I have no idea what South  
20 16th Avenue is. There's no such road around here.  
21 I'm thinking they meant to say Booth Drive.

22 HEARING MASTER SCAROLA: Give me one second  
23 at this point.

24 Do we have anybody here from transportation  
25 section?

1 MR. RATLIFF: Yes. This is James Ratliff  
2 with Transportation Review section.

3 HEARING MASTER SCAROLA: So the comment --  
4 do you have the staff report handy, James? Do you  
5 know where we're talking about?

6 MR. RATLIFF: Yeah. I was just pulling  
7 up -- this is for -- let's see. I want to make  
8 sure I'm looking at the right one, 11 -- 20-1170;  
9 is that correct?

10 HEARING MASTER SCAROLA: And it's  
11 paragraph 4, which refers to South 16th Avenue,  
12 which there doesn't appear to be.

13 MR. RATLIFF: Is this within -- this is case  
14 item 20-1170; is that correct?

15 MR. GRADY: I just reviewed the agency  
16 comments from transportation. There's no reference  
17 to 16th. So I think this is a typo or there's a  
18 mistake in the report.

19 HEARING MASTER SCAROLA: Okay. Can we find  
20 out what road that needs to be addressed?

21 MR. GRADY: Yeah. I can -- hold on a  
22 second.

23 HEARING MASTER SCAROLA: Actually, James  
24 might be able to answer that.

25 MR. RATLIFF: Yes, I'm here.

1 HEARING MASTER SCAROLA: Are you still with  
2 me?

3 MR. RATLIFF: I'm here.

4 HEARING MASTER SCAROLA: James, I assume you  
5 can hear me.

6 MR. RATLIFF: Yes.

7 HEARING MASTER SCAROLA: It looks like.  
8 Okay. So, James, paragraph 1.3 of the staff report  
9 refers to South 16th Avenue. James, you didn't  
10 write that, but can you tell us from your -- from  
11 your report which road is considered a substandard  
12 road?

13 MR. RATLIFF: Yes. I believe it was Valrico  
14 Lake Road. I'm just pulling up Sophia's Road.  
15 Yes. Valrico Lake Road is a substandard road.  
16 However, it's important to note that policy of the  
17 county engineer, projects that generate fewer than  
18 10-peak-hour trips are not required to make  
19 improvements to substandard roads provided that  
20 they meet minimum fire safety standard.

21 So I do want to put that clarification on  
22 the record.

23 HEARING MASTER SCAROLA: Okay.

24 MR. GRADY: Mr. Scarola, we'll correct the  
25 staff report and make the correct record --

1 reference.

2 HEARING MASTER SCAROLA: All right. So back  
3 to the gentleman that was appearing in opposition,  
4 sir, it was intended to be Valrico Lake Road, and  
5 you're welcome to go ahead and continue with your  
6 testimony.

7 MR. MCKNIGHT: Okay. So I would ask then  
8 what are the improvements to Valrico Lake Road that  
9 are referenced there? It said the developer would  
10 have to make those improvements. That's kind of  
11 unclear.

12 MR. GRANDLIENARD: Again, those were  
13 comments made by transportation. That's from the  
14 transportation department.

15 HEARING MASTER SCAROLA: Sir, so I was  
16 giving you a little bit of latitude here because  
17 you made a good point about what turned out to be a  
18 scrivener's mistake. But it is contained in the  
19 report that's on the record.

20 James, I don't know if you need to add  
21 anything about that, if you heard the testimony.

22 MR. RATLIFF: Yeah. For the record, James  
23 Ratliff, Transportation Review section.

24 There -- because of the small nature of this  
25 project, there would be no improvements that would

1           be required. So we're simply noting that the road  
2           is substandard, but that because it is, you know,  
3           exceedingly low trip generation, essentially almost  
4           de minimis, there would be no improvements that are  
5           required.

6                   HEARING MASTER SCAROLA: And I think the  
7           issue here is that Mr. McKnight rightly points out  
8           that -- I think the paragraph may have other errors  
9           in it. It says, The developer will be required to  
10          improve Valrico Lake Road to correct county  
11          standards unless otherwise approved in  
12          Section 6.04.02.B administrative variance process.

13                   Was that never part of your reports?

14                   MR. RATLIFF: No. The transportation report  
15          that is in Optix that I'm looking at, under the  
16          section site access analysis and connectivity,  
17          talks about the current policy that although it is  
18          substandard, there would be no improvements that  
19          are required.

20                   So I think that may have been copy-and-paste  
21          error from zoning staff's report, but that from  
22          what I can tell looking at our staff report, that  
23          was not contained in the transportation staff  
24          report.

25                   HEARING MASTER SCAROLA: Thank you,

1 Mr. Ratliff.

2 Mr. McKnight, back to you, sir. So there is  
3 a transportation staff report that has the correct  
4 information. It looks like there was some  
5 scrivener's error in the staff report, but you were  
6 right; that wasn't an improvement. So go ahead,  
7 Mr. McKnight.

8 MR. MCKNIGHT: Okay. So it sounds like no  
9 improvements to the road. The only other objection  
10 I have is why go to RSC-9 when RSC-6 would probably  
11 be more appropriate, would restrict, I believe, to  
12 just three or four lots where RSC-9 would allow  
13 more. Regardless of what's being proposed, why not  
14 zone it accordingly?

15 And I just -- RSC-9 is really not keeping  
16 with the neighborhood. There's larger homes all  
17 around. Those that are smaller are in planned  
18 developments nearby where there are curbs and  
19 sidewalks and formal entrances and other  
20 improvements made. And that's not -- not the case  
21 here.

22 HEARING MASTER SCAROLA: (Not on audio),  
23 Mr. McKnight?

24 MR. MCKNIGHT: I'm sorry?

25 HEARING MASTER SCAROLA: Is that it for you,



1 sir?

2 MR. LAMPE: Is that it, sir?

3 MR. MCKNIGHT: Yes, that's it for me.

4 MS. MCKNIGHT: Could I just add? Booth  
5 Drive, why --

6 HEARING MASTER SCAROLA: Ma'am, go ahead say  
7 your name before you speak.

8 MS. MCKNIGHT: Oh, sorry. Deborah McKnight.  
9 Why are the driveways going to go on Booth Drive?  
10 Is there a reason for that, because Booth Drive is  
11 a very narrow road?

12 HEARING MASTER SCAROLA: Okay. I'm going  
13 to -- I'll let you put your question on the record,  
14 but it's not really a question-answer period. It's  
15 your opportunity to give comments, and if there's  
16 staff that can address that, I'm sure they will  
17 later. So -- but let me know if you have any other  
18 comments.

19 MS. MCKNIGHT: I just have one more, and  
20 it's just with the narrowness of the road. If with  
21 these three lots, then, you know, they have a party  
22 or anything, they have to park on other people's  
23 lawn or -- you know, because the road's too narrow  
24 to, you know, park on and get around.

25 HEARING MASTER SCAROLA: Thank you, ma'am.

1 Thank you, sir.

2 Yes, sir, back to you.

3 MR. LAPLANT: My name is Keith LaPlant,  
4 L-a-p-l-a-n-t. I live at 1509 Booth Drive.

5 And I just am up here to speak in opposition  
6 to this zoning. The property in question -- the  
7 house sits right in the middle of the property.  
8 I'm not sure how you're going to get two other  
9 houses around it.

10 All the lots on Booth Drive are .3 acres or  
11 bigger. If I do my math right, these lots will be  
12 .226 per acre. I don't think zoning it for three  
13 homes is in the best interest of our neighborhood.  
14 Thank you.

15 HEARING MASTER SCAROLA: Okay. Thank you  
16 for your comments, sir.

17 Anybody else in opposition?

18 Seeing none, any comments from Development  
19 Services?

20 MR. GRADY: Just a couple of comments in  
21 response to the questions by some of the opposition  
22 about going to RSC-6. The minimum lot width under  
23 RSC-6 is 70 feet. Therefore, as noted, the  
24 applicant wants some of the lots to be 60 feet  
25 wide.

1           Therefore, again, it could not accommodate  
2           under the RSC-6. Two of the lots widths would be  
3           consistent with RSC-6, but the third lot would not  
4           be consistent with that since it proposes  
5           60-foot-wide lot.

6           And my understanding, and transportation can  
7           confirm this, but given -- given the Valrico Road  
8           and the proximity of Booth Drive and Valrico road  
9           intersection, there's just -- there's not  
10          sufficient space in there and the appropriateness  
11          to have an access point on the Valrico Lake Road  
12          for the lot. Therefore, that's why access to Booth  
13          is the appropriate.

14          HEARING MASTER SCAROLA: Brian, I understand  
15          that this isn't a subdivision approval. It is a  
16          rezoning request and the subdivision approval may  
17          have other constraints in it that may make it  
18          infeasible.

19          But do you know if there's any consideration  
20          given to whether the lot on the corner would  
21          actually work given there'll be two front setbacks?  
22          I think that goes to the gentleman's last -- the  
23          last speaker's question. Do you know if there's  
24          any consideration given to that?

25          MR. GRADY: I'm not aware. I'm not sure

1 that was looked at. I'm not aware if that was --

2 HEARING MASTER SCAROLA: Okay. All right.

3 Anything else from the Planning Commission?

4 MS. LIENHARD: No. Thank you.

5 HEARING MASTER SCAROLA: Thanks.

6 And then the applicant, sir. It's your  
7 chance for any rebuttal. You had some opposition  
8 testimony there.

9 MR. WAYSMAN: I appreciate everybody's time.  
10 I think it will be a lovely development for the  
11 community and will definitely take everyone's  
12 interest into consideration. But given the space  
13 and the spacing in between the properties, I think  
14 there'll be no issues, too much density for the  
15 local community.

16 HEARING MASTER SCAROLA: And your name for  
17 the record.

18 MR. WAYSMAN: My name is Jonathan Waysman.

19 HEARING MASTER SCAROLA: All right. Thank  
20 you, sir.

21 And with that, we're going to close  
22 Rezoning 20-1170.

23

24

25



**EXHIBITS SUBMITTED  
DURING THE ZHM HEARING**

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## Camacho, Juan

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**From:** Hearings  
**Sent:** Tuesday, November 17, 2020 4:12 PM  
**To:** Timoteo, Rosalina  
**Cc:** Camacho, Juan  
**Subject:** FW: Comments of Rezoning Case RZ-STD-20-1170

### **Bianca O. Vazquez**

**Planning and Zoning Technician**

Development Services Department

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**P:** (813) 276-2156

**F:** (813) 635-7362

**E:** [vazquezb@HillsboroughCounty.org](mailto:vazquezb@HillsboroughCounty.org)

**W:** [HCFLGov.net](http://HCFLGov.net)

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### **Hillsborough County**

601 E. Kennedy Blvd. 20<sup>th</sup> Floor, Tampa, FL 33602

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**From:** Russell Forrest <rpforrest@gmail.com>  
**Sent:** Monday, November 16, 2020 11:28 PM  
**To:** Hearings <Hearings@HillsboroughCounty.ORG>  
**Subject:** Comments of Rezoning Case RZ-STD-20-1170

[External]

To whom it may concern:

I am compelled to express my concern and opposition to the rezoning of the parcel (Folio: 069754-0000) at 1502 Valrico Lake Rd. in Valrico Florida (33594), zoning application number RZ-STD-20-1170. The nature of the rezoning request is for the one parcel with current ASC-1 zoning to be changed to RSC-9. The 0.68-acre parcel would then be subdivided into three small residential lots of between 0.21 and 0.24 acres.

Due to comments received during the County's review of the rezoning request and subsequent subdivision, all three of the subdivided parcels would require driveways that empty onto Booth Drive.

My objection to the plan is twofold. First and most importantly, the addition of three driveways on the north side of Booth Dr., all within 200 feet of the collector road (Valrico Lake Road), would create an unsafe condition for vehicles turning from the collector road onto Booth Drive (inbound vehicle) . The new driveways would require a vehicle exiting one of the new parcels (outbound vehicle) to cross the inbound lane of Booth Drive. An inbound vehicle could face a situation where the inbound lane of Booth Drive was either partially or wholly blocked as an outbound vehicle leaves one of the three new driveways, thereby forcing the inbound vehicle to slow or stop in the critical time of trying to clear the travel lanes of the collector road. Also, with the increased trip activities associated with home deliveries as well as regular daily and weekly services (i.e. waste pick up, mail delivery), an inbound vehicle could very well be blocked during those events. Again, I believe that allowing the additional three driveways on the north, inbound side of the road would create an unsafe traffic condition with the real possibility of damage to life and property.

Second, the proposed zoning of RCS-9 on Booth Drive is out of character with the adjacent parcels and homesites in the immediate vicinity. Yes, that same zoning was granted to the ongoing Valri Lakes subdivision, however, that rezoning is a case of a self-contained development with a

single point of access to Valrico Lake Road. The subdivision of a single, almost three quarters of an acre parcel into three very small homesite lots is very unlike the surrounding neighbors on Booth Drive.

In close, if the County is serious about maintaining safety and keeping to principals of sound growth management, you will not allow this rezoning request to be approved.

Respectfully Yours,

Russell P. Forrest  
1519 Booth Drive  
Valrico, FL 33594

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September 17, 2020

Zoning Hearing Master

App. No. 20-1170

PO Box 1110

Date 08-25-2020

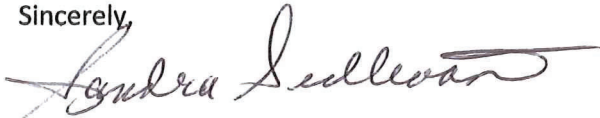
Tampa, Fl. 33601

In regards to the application of rezoning property from asc-1 to rsc-9 I am NOT in favor of this and wish to express my disapproval. They want to split the lot into 3 or 4 separate ones and build on it. The property all around this area has been rezoned continually to build more houses cramming in houses. There seems to be no end in changing the zoning to allow more people in smaller lots.

Also the said location 1502 split up would leave the main house on the property with very little set backs which is not what the other older houses all around it now have. That area was built with large lots for a reason. Keep it open and not crowded up on each other. Now these people want to change. Its bad enough that the Seffner Lake Road was rezoned to build a large upscale subdivision. All that extra traffic right near this location.

I believe they should stick with the zoning they have when they purchased the property. We need less people, less traffic in that small neighborhood....not more. .AND small lots require smaller houses than the rest of the neighborhood, I VOTE NO for this rezoning.

Sincerely,



Sandra Sullivan

1504 VL Rd.