

Rezoning Application: RZ-STD 21-0985

Zoning Hearing Master Date: October 18, 2021

BOCC Land Use Meeting Date: December 14, 2021

1.0 APPLICATION SUMMARY

Applicant: Carlos A. Fuentes
FLU Category: Office Commercial-20 (OC-20) and Residential-12 (RES-12)
Service Area: Urban
Site Acreage: 4.75 MOL
Community Plan Area: East Lake/Orient Park
Overlay: None



Introduction Summary:

The existing zoning is Planned Development (PD 92-0056 as most recently modified by MM 21-0036), Residential Duplex Conventional-12 (RDC-12) and Residential – Multi-Family Conventional-12 (RMC-12) which permits General Commercial, Office and Personal Services, Single-Family and Two-Family (Conventional) and Multi-Family Residential uses pursuant to the development standards in the table below. The proposed zoning is Commercial Intensive Restricted (CI-R) for the entire parcel to allow Intensive Commercial, Office and Personal Services uses pursuant to the development standards in the table below.

Zoning:	Existing			Proposed
District(s)	PD 92-0056	RMC-12	RDC-12	CI-R
Typical General Use(s)	General Commercial, Office and Personal Services	Multi-Family Residential	Single-Family and Two-Family (Conventional)	Intensive Commercial, Office and Personal Services
Acreage	3 MOL	.9 MOL	.85 MOL	4.75 MOL
Density/Intensity	.27 F.A.R.	12 du/gross acre	12 du/gross acre	.30 F.A.R.
Mathematical Maximum*	35,284 sf	10 units	10 units	62,073 sf

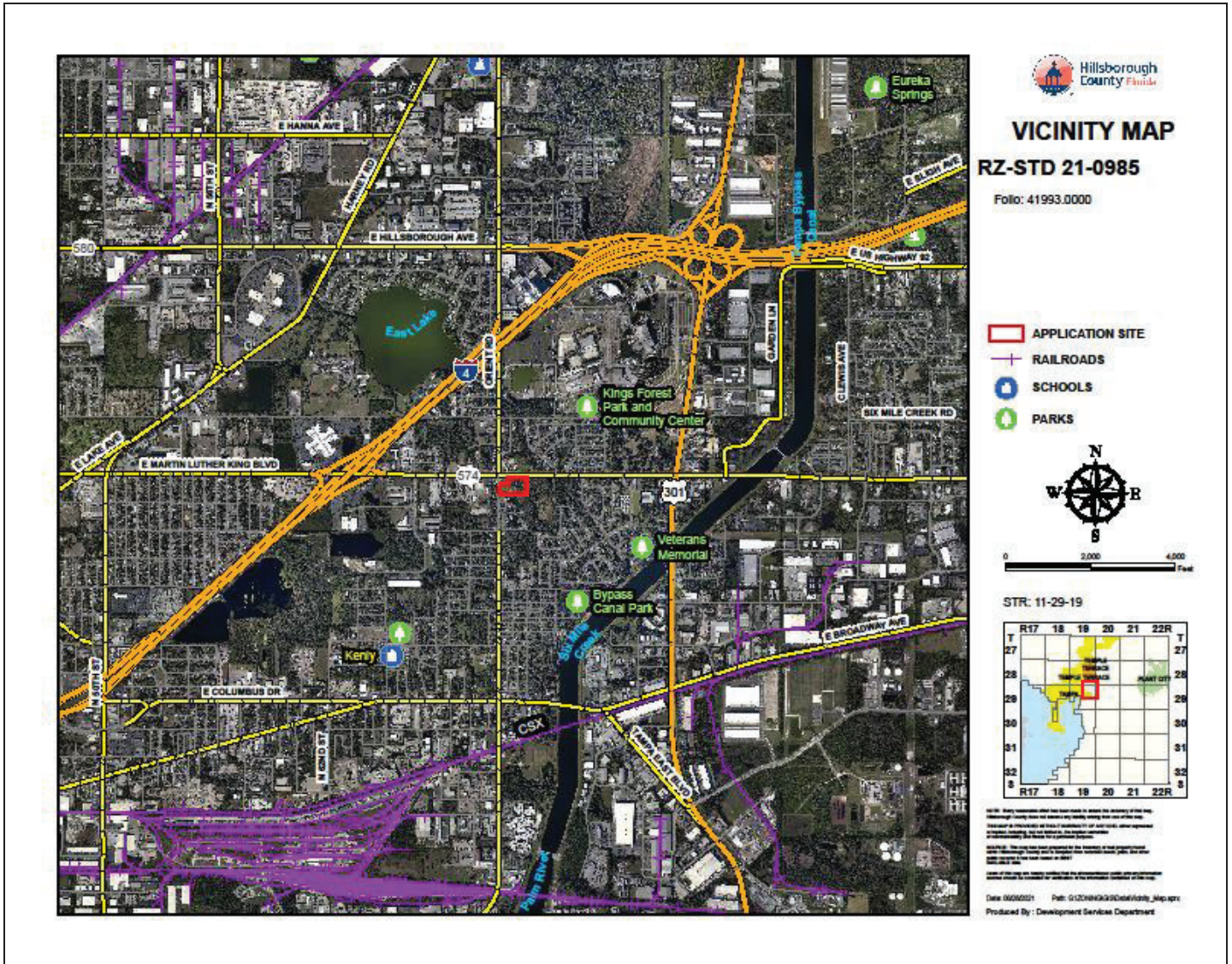
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Development Standards	Existing			Proposed
District(s)	PD 92-0056	RMC-12	RDC-12	CI-R
Lot Size / Lot Width	10,000 sf / 75'	10,890 sf / 70'	3,500 sf / 40'	20,000 sf / 100'
Setbacks/Buffering and Screening	30' Front Buffer Rear Buffer Sides	25' Front 20' Rear 10' Sides	20' Front 20' Rear 5' Sides	30' Front Buffer Rear Buffer Sides
Height	50'	35'	35'	50'

Planning Commission Recommendation: Consistent	Development Services Recommendation: Approvable
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2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

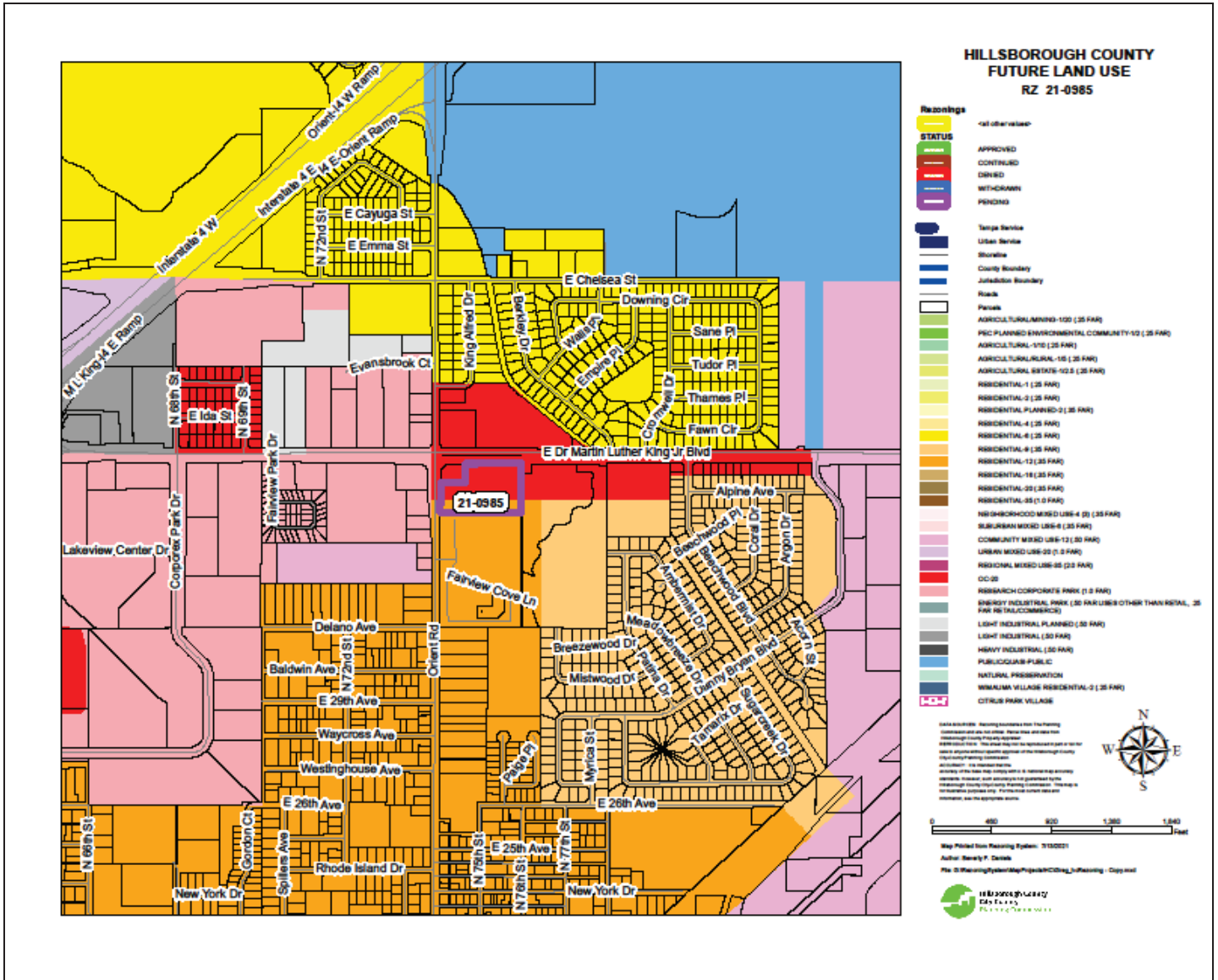


Context of Surrounding Area:

The area is located on a principal arterial that consists of multi-family residential and commercial uses. The subject parcel is directly adjacent to multi-family residential to the south and vacant commercial and two-family residential to the east.

2.0 LAND USE MAP SET AND SUMMARY DATA

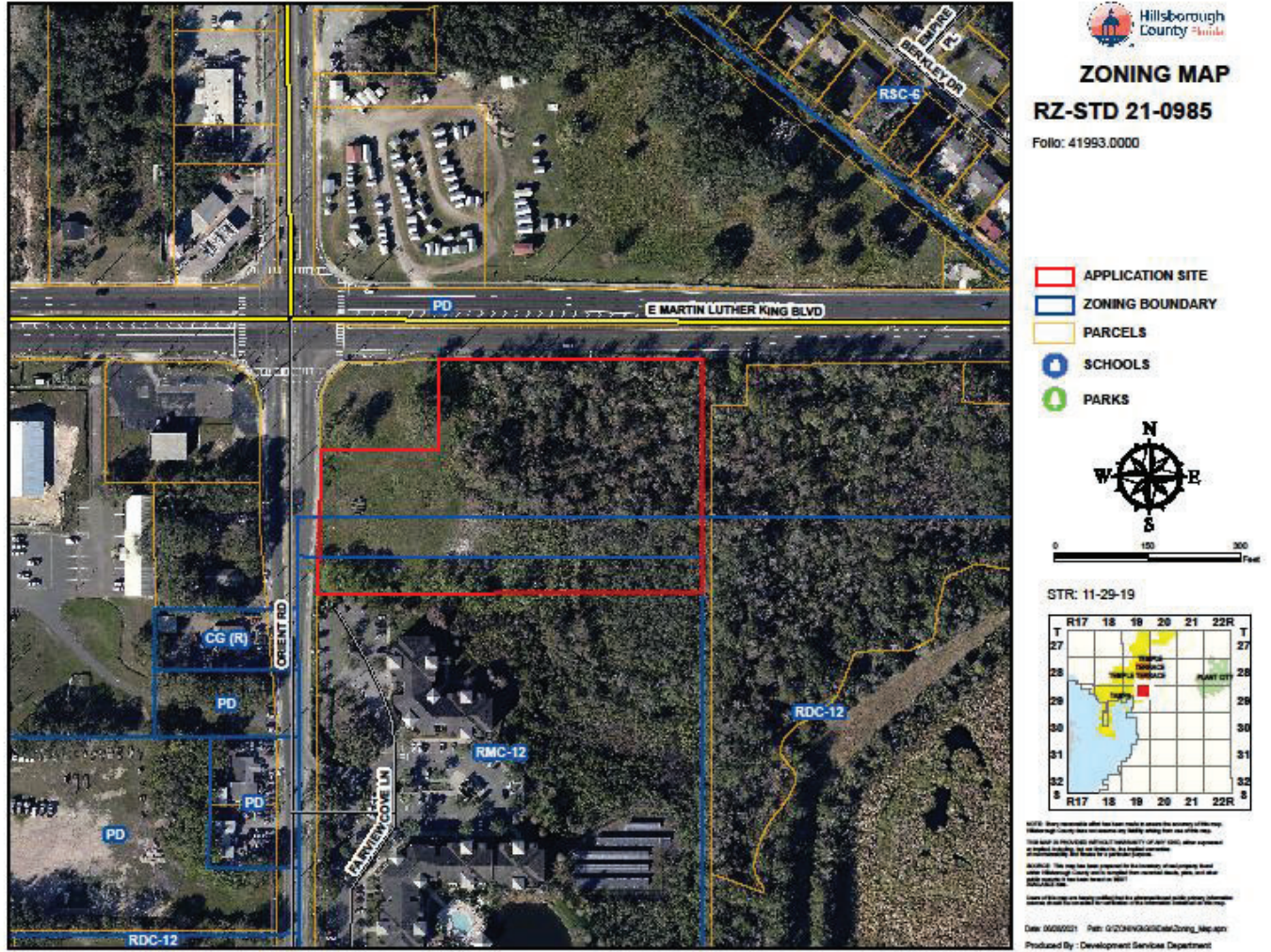
2.2 Future Land Use Map



Subject Site Future Land Use Category:	Office Commercial-20 (OC-20) and Residential-12 (RES-12)
Maximum Density/F.A.R.:	OC-20: 20 du per ga/0.75 FAR RES-12: 12 du per ga/0.50 FAR
Typical Uses:	<p>OC-20: Community commercial type uses, office uses, mixed use developments, and compatible residential uses.</p> <p>RES-12: Residential, urban scale neighborhood commercial, office uses, multi-purpose projects and mixed-use development. Non-residential uses shall meet established locational criteria for specific land use.</p>

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 92-0056	.27 F.A.R.	General Commercial, Office and Personal Services	Commercial, Vacant
South	RMC-12	12 du/gross acre	Multi-Family Residential	Multi-Family Residential
East	PD 92-0056, RDC-12	.27 F.A.R., 12 du/gross acre	General Commercial, Office and Personal Services, Single-Family and Two-Family Residential (Conventional)	Vacant
West	PD 92-0056	.27 F.A.R.	General Commercial, Office and Personal Services	Commercial

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
Orient Rd.	County Collector - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
Martin Luther King Jr. Blvd.	FDOT Arterial - Urban	4 Lanes <input 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 Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	11,332	893	1,029
Proposed	15,932	1,053	776
Difference (+/-)	+4,600	+160	-253

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

Connectivity and Cross Access Not applicable for this request

Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		None	None	Meets LDC
South		None	None	Meets LDC
East		None	None	Meets LDC
West		None	None	Meets LDC
Notes:				

Design Exception/Administrative Variance Not applicable for this request

Road Name/Nature of Request	Type	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes:		

4.0 Additional Site Information & Agency Comments Summary

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

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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Wetlands on northern and eastern portion of parcel
Natural Resources	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input type="checkbox"/> Yes <input checked="" 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 checked="" type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input 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 checked="" type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input checked="" type="checkbox"/> Other: Zone A on the Airport Height Zoning Map			
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-Site Improvements Provided <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
Service Area/ Water & Wastewater <input checked="" type="checkbox"/> Urban <input checked="" 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	
Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
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 type="checkbox"/> Minimum Density Met <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The purpose of the rezoning is to allow for the sale of sod to the public. The site is located at 3809 Orient Road, which is 500 feet southeast of the East Martin Luther King Boulevard and Orient Road intersection. The parcel is located in an area comprised of commercial to the north and multi-family residential to the south. To the east is vacant with commercial and Single-Family and Two-Family (Conventional) allowed uses. To the west are commercial uses. The subject parcel borders two FLU categories; Office Commercial-20 (OC-20) to the north and Residential-12 (RES-12) to the south.

The proposed Commercial - Intensive use would have allowed open storage adjacent to the multi-family residential to the south. The open storage of equipment and materials of the business raised compatibility issues/concerns with the neighboring lot. Also, the Residential-12 (RES-12) to the south would be incompatible with most CI uses. In addition, there are traffic concerns due to the proximity of the subject parcel to residential uses.

Notwithstanding the concerns to the south, the area to the north of the parcel zoned PD 92-0056 allows for similar uses also permitted in the Commercial Intensive zoning; such as, recreational vehicle and construction equipment sales and service and automotive service stations. PD 92-0056 also allows agricultural uses such as plant nurseries (wholesale and retail) and truck gardening which is similar to the intended use of the applicant.

The applicant has offered restrictions to mitigate compatibility concerns: 1) The following uses shall be prohibited: open storage, liquor stores, pawn shops, gun ranges, major motor vehicle repair and body work/painting. 2) Those CI zoning district uses (building and structures containing those uses) that are not also permissible in the CG zoning district shall not be permitted within 90 feet of the southern property boundary as that area is within the RES-12 Future Land Use classification. CI uses are not permitted in the RES-12 portion of the property, therefore, the proposed restriction regarding uses within 90 feet of the southern boundary is necessary for compliance with the Hillsborough County Comprehensive Plan. After the submittal of the proposed restrictions by the applicant, the Planning Commission found the proposed use consistent with the Comprehensive Plan. Development Services concurs with that assessment.

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


5.2 Recommendation

Approvable, with Restrictions.

As noted, the applicant has offered the following restrictions:

- 1) The following uses shall be prohibited: open storage, liquor stores, pawn shops, gun ranges, major motor vehicle repair and body work/painting.
- 2) Those CI zoning district uses (building and structures containing those uses) that are not also permissible in the CG zoning district shall not be permitted within 90 feet of the southern property boundary as that area is within the RES-12 Future Land Use classification.

Zoning Administrator Sign Off:



J. Brian Grady
Fri Oct 8 2021 08:27:33

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.

6.0 FULL TRANSPORTATION REPORT (see following pages)**AGENCY REVIEW COMMENT SHEET****TO:** Zoning Technician, Development Services Department**REVIEWER:** Alex Steady, Senior Planner**PLANNING AREA:** East Lake Orient Park**DATE:** 10/06/2021**AGENCY/DEPT:** Transportation**PETITION NO:** RZ-STD 21-0985

- | | |
|-------------------------------------|--|
| <input type="checkbox"/> | This agency has no comments. |
| <input checked="" type="checkbox"/> | This agency has no objection. |
| <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 4,600 average daily trips, and by 160 trips in the a.m. peak hour. The proposed rezoning would result in a decrease of trips potentially generated by the development of the site by 253 trips 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 within the Hillsborough County Land Development Code and Transportation Technical Manual.
- Transportation Review Section staff has no objection to this request.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone two parcels totaling +/- 4.74 acres from PD 92-0056, RMC-12, and RDC-12 to Commercial Intensive (CI). The site is located +/- 200 feet south the of the intersection of Dr Martin Luther King Jr Blvd and Orient Rd. The Future Land Use designation of the site is OC-20 and RES-12.

Trip Generation Analysis

In accordance with the Development Review Procedures Manual (DRPM), no transportation analysis was required to process the proposed rezoning. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer's Trip Generation Manual, 10th Edition.

Approved Zoning:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RMC-12, 11,000 sf Tavern ITE Code (925)	n/a*	n/a*	125
RDC-12, 15,000 sf Adult Care Center (ITE Code 565)	714	165	167
RMC-12 11,000 sf Medical Office (ITE Code 720)	353	31	38
PD 92-0056 35,000 sf Supermarket (ITE Code 850)	3737	134	323
PD 92-0056 5,000 sf Super Convenience Market/Gas Station (ITE Code 960)	4,199	416	346
PD 92-0056, 5,000 sf Bank with Drive Through	500	48	102

(ITE Code 912)			
PD 92-0056, 52,000 sf Medical Office (ITE Code 720)	1,810	145	180
Subtotal:	11,332	939	1,281
Less Internal Capture:	Not Available	32	120
Passerby Trips:	Not Available	14	132
Net External Trips:	11,332	893	1,029

*Daily and AM peak hour trips information is unavailable.

Proposed Zoning:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CI, 15,000 sf Pharmacy /Drugstore with Drive-Through Window (ITE Code 881)	1,637	58	154
CI, 10,000 sf Fast-Food Restaurant with Drive Through Window (ITE Code 934)	4,710	402	327
CI, 8,000 sf Bank with drive thru (ITE Code 912)	800	76	164
CI, 3,000 sf Coffee Donut Shop with Drive Thru (ITE Code 937)	2,461	267	130
CI, 20,000 sf of Super Market (ITE Code 850)	2,136	76	185
CI, 5,000 sf Super Convenience Market/Gas Station (ITE Code 960)	4,188	416	346
Subtotal:	15,932	1,295	1,306
Less Internal Capture:	Not Available	26	270
Passerby Trips:	Not Available	216	260
Net External Trips:	15,932	1,053	776

Trip Generation Difference:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	+4,600	+160	-253

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 4,600 average daily trips, and by 160 trips in the a.m. peak hour. The proposed rezoning would result in a decrease of trips potentially generated by the development of the site by 253 trips in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on Orient Rd and Dr Martin Luther King Jr Blvd. Orient Rd is a 2-lane, undivided, collector, Hillsborough County maintained roadway with +/- 11-foot travel lanes. Dr Martin Luther King Jr Blvd. is a 6-lane principal arterial FDOT maintained roadway. Along the project frontage of the subject site, Orient road has a range of the roadway lies within a +/- 109-foot to +/- 85-foot-wide right-of-way and

Dr Martin Luther King Blvd 107 feet and 112 feet of right of way. There are sidewalks on both sides of Orient Rd in the vicinity of the proposed project. There is no bicycle facility on Orient Rd.

Orient Rd is shown on the Hillsborough County Corridor Preservation Plan as a future 4-lane roadway.

SITE ACCESS

It is anticipated pedestrian and vehicular access will be from Orient Rd. and Martin Luther King Blvd. 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.

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
ORIENT RD	SR 60/ ADAMO DR	HILLSBOROUGH AVE	D	D

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

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

Application number:	RZ STD 21-0985
Hearing date:	October 18, 2021
Applicant:	Carlos A. Fuentes
Request:	Rezone to CI-R
Location:	3809 Orient Road, south side of State Road 574, east of Orient Road intersection
Parcel size:	4.75 acres +/-
Existing zoning:	PD 92-0056, RMC-12, and RDC-12
Future land use designation:	Office Commercial-20 (up to 0.75 FAR for office or residential support uses), and Residential-12 (0.25 FAR)
Service area:	Urban
Community planning area:	East Lake Orient Park

A. APPLICATION REVIEW

**DEVELOPMENT SERVICES STAFF REPORT
APPLICATION REVIEW SUMMARY AND RECOMMENDATION**

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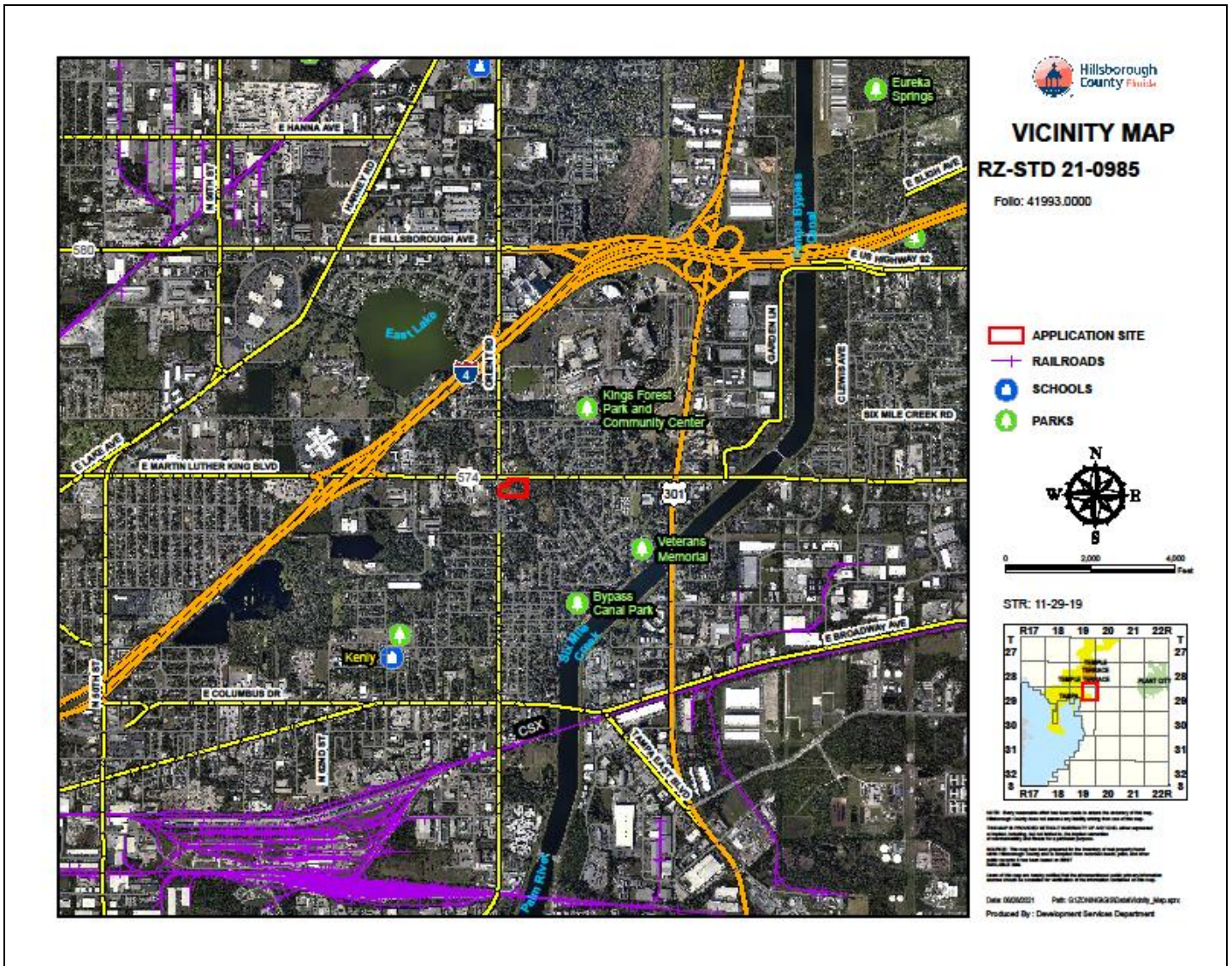
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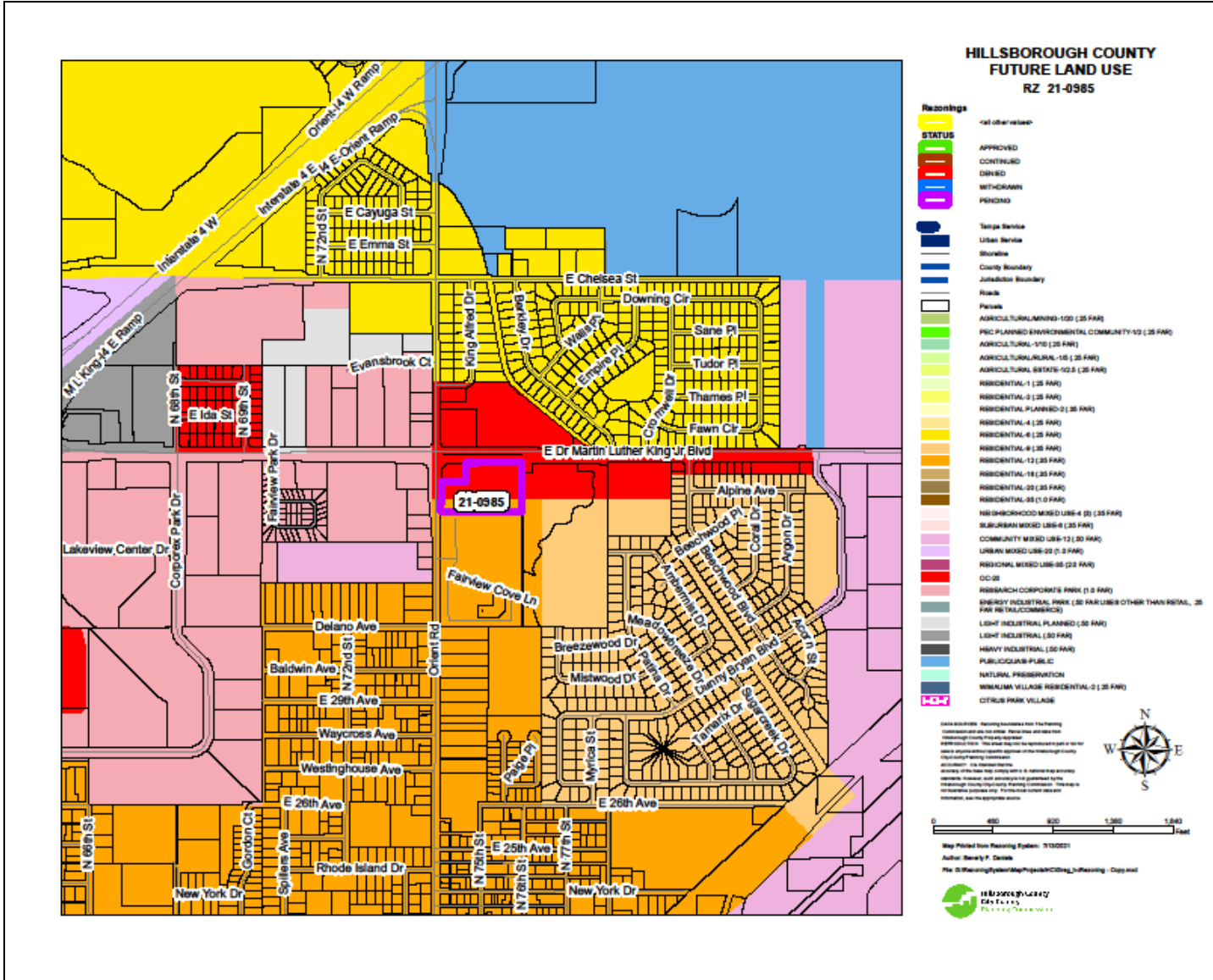


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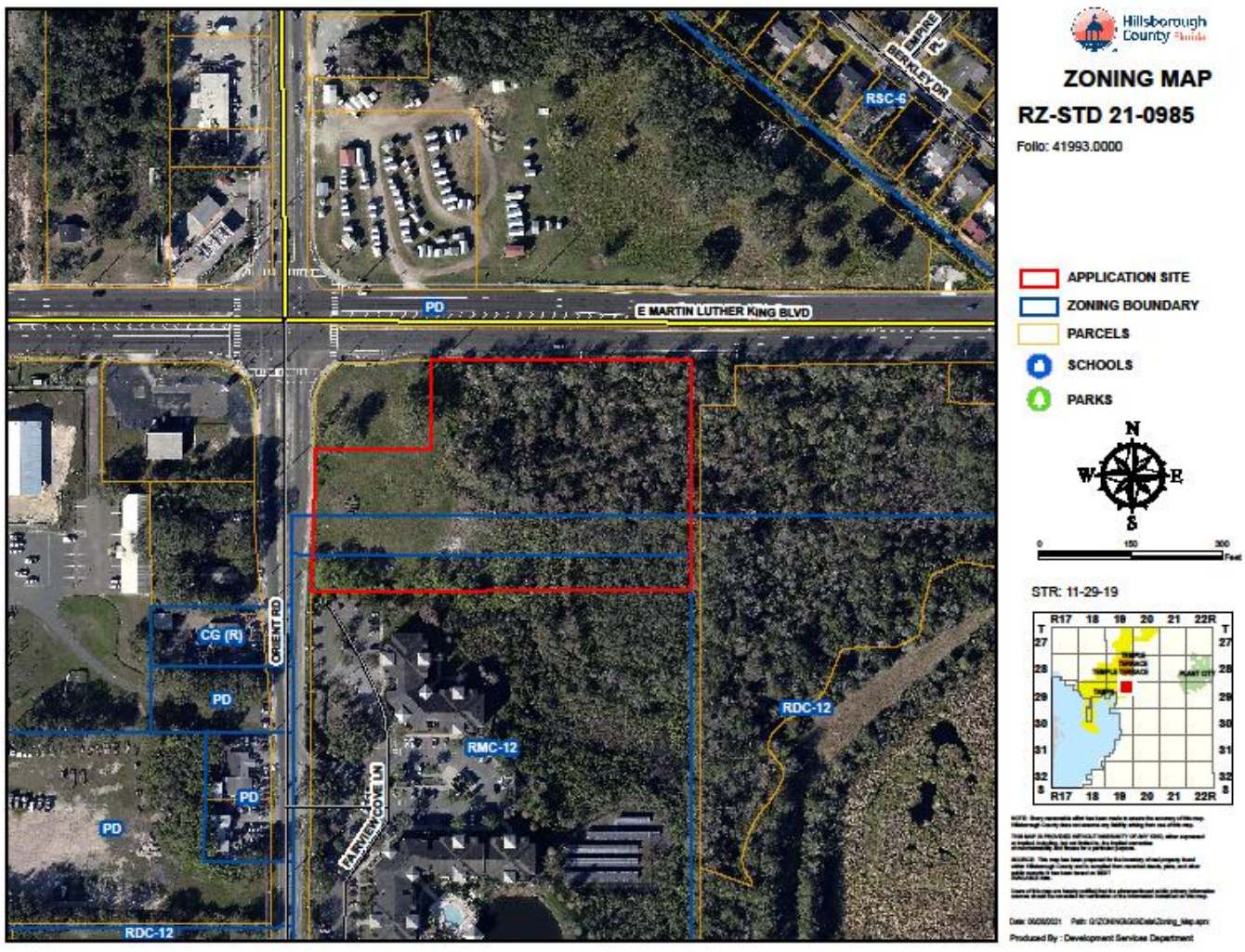
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Martin Luther King Jr. Blvd.	FDOT Arterial - Urban	4 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

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Natural Resources	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
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Check if Applicable: <input checked="" type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input 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 checked="" type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input checked="" type="checkbox"/> Other: Zone A on the Airport Height Zoning Map				
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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 type="checkbox"/> Minimum Density Met <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The purpose of the rezoning is to allow for the sale of sod to the public. The site is located at 3809 Orient Road, which is 500 feet southeast of the East Martin Luther King Boulevard and Orient Road intersection. The parcel is located in an area comprised of commercial to the north and multi-family residential to the south. To the east is vacant with commercial and Single-Family and Two-Family (Conventional) allowed uses. To the west are commercial uses. The subject parcel borders two FLU categories; Office Commercial-20 (OC-20) to the north and Residential-12 (RES-12) to the south.

The proposed Commercial - Intensive use would have allowed open storage adjacent to the multi-family residential to the south. The open storage of equipment and materials of the business raised compatibility issues/concerns with the neighboring lot. Also, the Residential-12 (RES-12) to the south would be incompatible with most CI uses. In addition, there are traffic concerns due to the proximity of the subject parcel to residential uses.

Notwithstanding the concerns to the south, the area to the north of the parcel zoned PD 92-0056 allows for similar uses also permitted in the Commercial Intensive zoning; such as, recreational vehicle and construction equipment sales and service and automotive service stations. PD 92-0056 also allows agricultural uses such as plant nurseries (wholesale and retail) and truck gardening which is similar to the intended use of the applicant.

The applicant has offered restrictions to mitigate compatibility concerns: 1) The following uses shall be prohibited: open storage, liquor stores, pawn shops, gun ranges, major motor vehicle repair and body work/painting. 2) Those CI zoning district uses (building and structures containing those uses) that are not also permissible in the CG zoning district shall not be permitted within 90 feet of the southern property boundary as that area is within the RES-12 Future Land Use classification. CI uses are not permitted in the RES-12 portion of the property, therefore, the proposed restriction regarding uses within 90 feet of the southern boundary is necessary for compliance with the Hillsborough County Comprehensive Plan. After the submittal of the proposed restrictions by the applicant, the Planning Commission found the proposed use consistent with the Comprehensive Plan. Development Services concurs with that assessment.

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


5.2 Recommendation

Approvable, with Restrictions.

As noted, the applicant has offered the following restrictions:

- 1) The following uses shall be prohibited: open storage, liquor stores, pawn shops, gun ranges, major motor vehicle repair and body work/painting.
- 2) Those CI zoning district uses (building and structures containing those uses) that are not also permissible in the CG zoning district shall not be permitted within 90 feet of the southern property boundary as that area is within the RES-12 Future Land Use classification.

Zoning Administrator Sign Off:



J. Brian Grady
Fri Oct 8 2021 08:27:33

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.

B. HEARING SUMMARY

This case was heard by the Hillsborough County Land Use Hearing Officer on October 18, 2021. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

Applicant

Mr. Carlos Fuentes spoke on behalf of the applicant. He described the location and area of the subject property and stated the applicant agreed to the Commercial Intensive-Restrictive zoning designation after initially requesting Commercial Intensive. He stated the applicant agreed to some use restrictions, however, any use allowed under CG zoning will be a permitted use throughout the subject property.

Development Services Department

Mr. Chris Grandlienard, Hillsborough County Development Services Department, presented a summary of the findings and analysis as detailed in the staff report previously submitted into the record. He stated the proposed Commercial Intensive-Restricted use is to allow for the sale of sod to the public.

Planning Commission

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

Proponents

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

Opponents

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

Development Services Department

Mr. Grady stated Development Services Department had nothing further.

Applicant Rebuttal

Mr. Fuentes stated he is satisfied with the outcome and appreciates all the work and consideration of staff.

The hearing officer closed the hearing on RZ PD 21-0985.

C. EVIDENCE SUBMITTED

No additional documentary evidence was submitted into the record at the hearing.

D. FINDINGS OF FACT

1. The Subject Property is approximately 4.75 acres located at 3809 Orient Road, on the south side of State Road 574 and east of the Orient Road intersection.
2. The Subject Property is currently zoned PD 92-0056, Residential Duplex Conventional-12, and Residential Multi-family Conventional-12, which permits General Commercial, Office and Personal Services, single-family and two-family conventional, and multi-family residential uses.
3. The Subject Property is designated Office Commercial-20 and Residential-12 on the comprehensive plan Future Land Use Map.
4. The Subject Property is in the Urban Service Area and is within the boundaries of the East Lake Orient Park Community Plan.
5. The Subject Property is in an area that is comprised of commercial uses to the north and multi-family residential to the south. To the east of the Subject Property is vacant land with commercial and single-family and two-family conventional allowed uses. To the west of the Subject Property are commercial uses.
6. The applicant has requested a rezoning to Commercial-Intensive-Restricted. The purpose of the rezoning is to allow for the sale of sod to the public. As specified in the Development Services staff report, open storage, liquor stores, pawn shops, gun ranges, major motor vehicle repair and body work/painting shall be prohibited uses throughout the Subject Property, and those CI uses that are not also permissible in the CG zoning district shall not be permissible within 90 feet of the southern boundary of the Subject Property.
7. The proposed rezoning with the specified restrictions is compatible with surrounding land uses and consistent with the comprehensive plan.

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

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

F. CONCLUSIONS OF LAW

A development order is consistent with the comprehensive plan if “the land uses, densities or intensities, and other aspects of development permitted by such order...are compatible with and further the objectives, policies, land uses, and densities or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government.” § 163.3194(3)(a), Fla. Stat. (2021). Based on the evidence and testimony submitted in

the record and at the hearing, including reports and testimony of Development Services Staff and Planning Commission staff, applicant's testimony and evidence, there is substantial competent evidence demonstrating the requested rezoning is consistent with the Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County, and does comply with the applicable requirements of the Hillsborough County Land Development Code.


G. SUMMARY

The applicant has requested a rezoning to Commercial-Intensive-Restricted. The purpose of the rezoning is to allow for the sale of sod to the public. As specified in the Development Services staff report, open storage, liquor stores, pawn shops, gun ranges, major motor vehicle repair and body work/painting shall be prohibited uses throughout the Subject Property, and those CI uses that are not also permissible in the CG zoning district shall not be permissible within 90 feet of the southern boundary of the Subject Property.

H. RECOMMENDATION

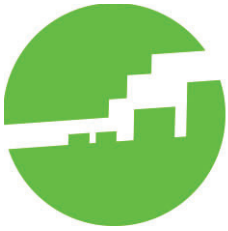
Based on the foregoing Findings of Fact and Conclusions of Law, this recommendation is for **APPROVAL** of the rezoning request to CI-R subject to the following restrictions:

1. The following uses shall be prohibited: open storage, liquor stores, pawn shops, gun ranges, major motor vehicle repair and body work/painting.
2. Those CI zoning district uses (building and structures containing those uses) that are not also permissible in the CG zoning district shall not be permitted within 90 feet of the southern property boundary as that area is within the RES-12 Future Land Use classification.


Pamela Jo Hatley PhD, JD
Land Use Hearing Officer

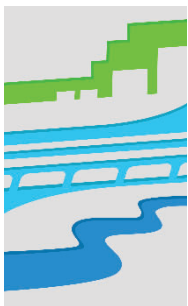
November 3, 2021

Date:



**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: October 18, 2021 Report Prepared: October 6, 2021	Petition: RZ 21-0985 3809 Orient Road <i>South of State Road 574 and east of Orient Road intersection</i>
Summary Data:	
Comprehensive Plan Finding:	CONSISTENT
Adopted Future Land Use:	Office Commercial-20 (Up to 0.75 FAR for office or residential support uses) and Residential-12 (0.25 FAR)
Service Area	Urban
Community Plan:	East Lake Orient Park
Requested Zoning:	Planned Development (PD) and Residential - Multi-Family Conventional (RMC-12) to Commercial Intensive-Restricted (CI-R) to permit a sod sales business
Parcel Size (Approx.):	4.75 acres (206,910 sq. ft)
Street Functional Classification:	State Road 574 – State Principal Arterial Orient Road – Collector
Locational Criteria	Meets
Evacuation Zone	D



Context

- The approximately 4.75 +/- acre subject site is located in the southeast quadrant of State Road 574 and Orient Road. The subject site is located within the Urban Service Area and is within the limits of the East Lake Orient Park Community Plan.
- The subject site's Future Land Use classification is Office Commercial-20 (OC-20) and Residential-12 (RES-12). Typical uses of OC-20 include community commercial type uses, office uses, mixed use developments, and compatible residential uses. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element. Typical uses of RES-12 include residential, urban scale neighborhood commercial, office uses, multi-purpose projects and mixed use development. Non-residential uses must meet established locational criteria for each specific land use. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.
- OC-20 surrounds the subject site on the north and east. RES-12 is located to the south of the site. Research Corporate Park (RCP) is located to the northwest of the subject site. Residential-9 (RES-9) is located further southeast of the site.
- The subject site is currently vacant residential. The site to the immediate northwest is vacant commercial. Further north across State Road 574, are heavy industrial, vacant commercial, light commercial, public institutional and single-family residential uses. To the west are heavy industrial, single-family residential, light commercial and heavy commercial uses and vacant lots. The property is immediately adjacent to a multi-family residential use on the south and a public institutional use on the east.
- The subject site is currently zoned as Planned Development (PD) and Residential - Multi-Family Conventional (RMC-12). PD zoning is located to the north, west, and east of the site. Residential - Duplex Conventional (RDC-12) zoning is also located east and further south of the site. There is one parcel to the west with Commercial – General (CG) zoning. Further north is Residential - Single-Family Conventional (RSC-6) zoning.
- The applicant is requesting to rezone the subject site from Planned Development (PD) and Residential - Multi-Family Conventional (RMC-12) to Commercial Intensive-Restricted (CI-R) to permit a sod sales business. The applicant is proposing to prohibit the following uses on site: open storage, liquor stores, pawn shops, gun ranges, major motor vehicle repair and body work/painting.

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 1.4: 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.

Relationship to Land Development Regulations

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

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

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

Neighborhood/Community Development

Objective 16: Neighborhood Protection The neighborhood is 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 16.1: 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 16.5: Development of higher intensity non-residential land uses that are adjacent to established neighborhoods shall be restricted to collectors and arterials and to locations external to established and developing neighborhoods.

Policy 16.10: Any density increase shall be compatible with existing, proposed or planned surrounding development. Compatibility is defined as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture. Compatibility does not mean “the same as”. Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.

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

Commercial Locational Criteria

Objective 22: To avoid strip commercial development, locational criteria for neighborhood serving commercial uses shall be implemented to scale new commercial development consistent with the character of the areas and to the availability of public facilities and the market.

Policy 22.1: The locational criteria for neighborhood serving non-residential uses in specified land uses categories will:

- provide a means of ensuring appropriate neighborhood serving commercial development without requiring that all neighborhood commercial sites be designated on the Future Land Use Map;
- establish a maximum square footage for each proposed neighborhood serving commercial intersection node to ensure that the scale of neighborhood serving commercial development defined as convenience, neighborhood, and general types of commercial uses, is generally consistent with surrounding residential character; and
- establish maximum frontages for neighborhood serving commercial uses at intersections ensuring that adequate access exists or can be provided.

Policy 22.2: The maximum amount of neighborhood-serving commercial uses permitted in an area shall be consistent with the locational criteria outlined in the table and diagram below. The table identifies the intersection nodes that may be considered for non-residential uses. The locational criteria is based on the land use category of the property and the classification of the intersection of roadways as shown on the adopted Highway Cost Affordable Long Range Transportation Plan. The maximums stated in the table/diagram may not always be achieved, subject to FAR limitations and short range roadway improvements as well as other factors such as land use compatibility and environmental features of the site.

In the review of development applications consideration shall also be given to the present and short-range configuration of the roadways involved. The five year transportation Capital Improvement Program, MPO Transportation Improvement Program or Long Range Transportation Needs Plan shall be used as a guide to phase the development to coincide with the ultimate roadway size as shown on the adopted Long Range Transportation Plan.

Roadways listed in the table as 2 or 4 lane roadways must be shown on the Highway Cost Affordable Long Range Transportation Plan; major local roadways are defined in the definitions section of this element.

At least 75% of the subject property must fall within the specified distance from the intersection. All measurements should begin at the edge of the road right-of-way.

Policy 22.7: Neighborhood commercial activities that serve the daily needs of residents in areas designated for residential development in the Future Land Use Element shall be considered provided that these activities are compatible with surrounding existing and planned residential development and are developed in accordance with applicable development regulations, including phasing to coincide with long range transportation improvements.

The locational criteria outlined in Policy 22.2 are not the only factors to be considered for approval of a neighborhood commercial or office use in a proposed activity center. Considerations involving land use compatibility, adequacy and availability of public services, environmental impacts, adopted service levels of effected roadways and other policies of the Comprehensive Plan and zoning regulations would carry more weight than the locational criteria in the approval of the potential neighborhood commercial use in an activity center. The locational criteria would only designate locations that could be considered, and they in no way guarantee the approval of a particular neighborhood commercial or office use in a possible activity center.

Community Design Component

7.0 SITE DESIGN

7.1 DEVELOPMENT PATTERN

GOAL 17: Develop commercial areas in a manner which enhances the County's character and ambiance.

OBJECTIVE 17-1: Facilitate patterns of site development that appear purposeful and organized.

Policy 17-1.4: Affect the design of new commercial structures to provide an organized and purposeful character for the whole commercial environment.

Livable Communities Element – East Lake Orient Park Community Plan

Vision

The East Lake-Orient Park Community Plan includes a number of vastly diverse communities that provide a variety of residential lifestyles, from highly-urbanized to suburban to rural. Residents are able to choose which intensity of development is most suitable for their needs. Our residential streets are quiet safe and suitable for all lifestyles. New development in our communities does not adversely impact the existing neighborhoods. Residents are actively involved in the development decision making process. Developers meet with community representatives in advance of land use decisions. Commercial activities are compatible with and designed to serve the community. Amenities, such as parks, libraries, public safety facilities, and shopping are

accessible to and adequate for the needs of all residents. Public infrastructure is properly maintained and updated.

Economic Development – Provide opportunities for business growth and jobs in the East Lake-Orient Park community.

- *Establish higher density mixed use employment/activity center as identified along Harney Road adjacent to Davis Road and US 301.*
- *Establish design guidelines and protection of adjacent residential uses prior to granting higher densities in mixed use employment/activity centers.*
- *Business uses are encouraged along US 301 from the Tampa By-Pass Canal to Hillsborough Avenue. Appropriate land use and zoning changes should be allowed to accomplish this strategy.*
- *Create a commercial redevelopment area along 56th Street from the Temple Terrace boundary to Harney Road and along Hillsborough Avenue from 56th Street to Orient Road.*
- *Existing industrial uses and employment should be preserved and protected.*
- *Create a commercial/mixed-use district along Orient Road from Hillsborough Avenue to Columbus Drive.*

Staff Analysis of Goals, Objectives and Policies

The approximately 4.75 +/- acre subject site is located south of State Road 574 and east of Orient Road. The subject site is located within the Urban Service Area and is within the limits of the East Lake Orient Park Community Plan. The applicant is requesting to rezone the subject site from Planned Development (PD) and Residential - Multi-Family Conventional (RMC-12) to Commercial Intensive-Restricted (CI-R) to permit a sod sales business. The applicant is proposing to prohibit the following uses on site: open storage, liquor stores, pawn shops, gun ranges, major motor vehicle repair and body work/painting.

Objective 1 of the Future Land Use Element (FLUE) of the Comprehensive Plan states that 80 percent of population growth will be in the Urban Service Area. According to 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.”*

The surrounding area contains multi-family residential directly to the south and single-family residential to the north, west and east. Placing Commercial Intensive uses next to residential properties presents a compatibility concern. As the proposed rezoning is through a standard zoning district, Planning Commission staff is unable to evaluate a site plan and the placement of each of the uses and how the proposed rezoning would maintain the character of existing development in the surrounding area. In order to address these compatibility concerns, the applicant has agreed to two restrictions. The first restriction is to prohibit the more intense Commercial Intensive zoning uses on site such as open storage and major motor vehicle repair. The second restriction is that the uses allowed in the Commercial Intensive (CI) zoning district (the building and structures containing the uses) that are not permissible within the Commercial General (CG) zoning district will not be permitted within 90 feet of the southern property boundary, since that area is within the

RES-12 Future Land Use classification. This will be documented in the restrictions and is the cornerstone of Planning Commission staff's finding of consistent with the Plan.

The proposed rezoning with these two restrictions does meet the intent of FLUE Policy 1.4 and the neighborhood protection policy direction under FLUE Objective 16 and its accompanying policies (FLUE Policies 16.1, 16.2, 16.3, 16.5, 16.10). Only allowing CG uses on the RES-12 portion of the site allows for a gradual transition of uses and intensities moving from the intersection node to the immediately adjacent multi-family properties south of the site and the single-family residential to the west, north or east. Limiting the CI uses reduces the intensity of commercial uses allowed on site and meets the intent of Policy 17.7 as the restriction will help mitigate for adverse noise, visual, odor and vibration impacts upon all adjacent land uses.

The portion of the subject site located within RES-12 does meet Commercial-Locational Criteria per Policy 22.2. At least 75% of the subject site is within the 1000-foot distance from the State Road 574 and Orient Road node. Commercial Locational Criteria does not apply to the OC-20 Future Land Use category. The Community Design Component provides policy guidance on the development of commercial areas within Hillsborough County. Goal 17 seeks a unified approach to commercial development, Objective 17-1 and Policy 17-1.4 urges purposeful and organized development of commercial uses. The proposed rezoning with the CI use and location restrictions will allow for a transition of uses to ensure an organized approach to commercial development adjacent to residential properties.

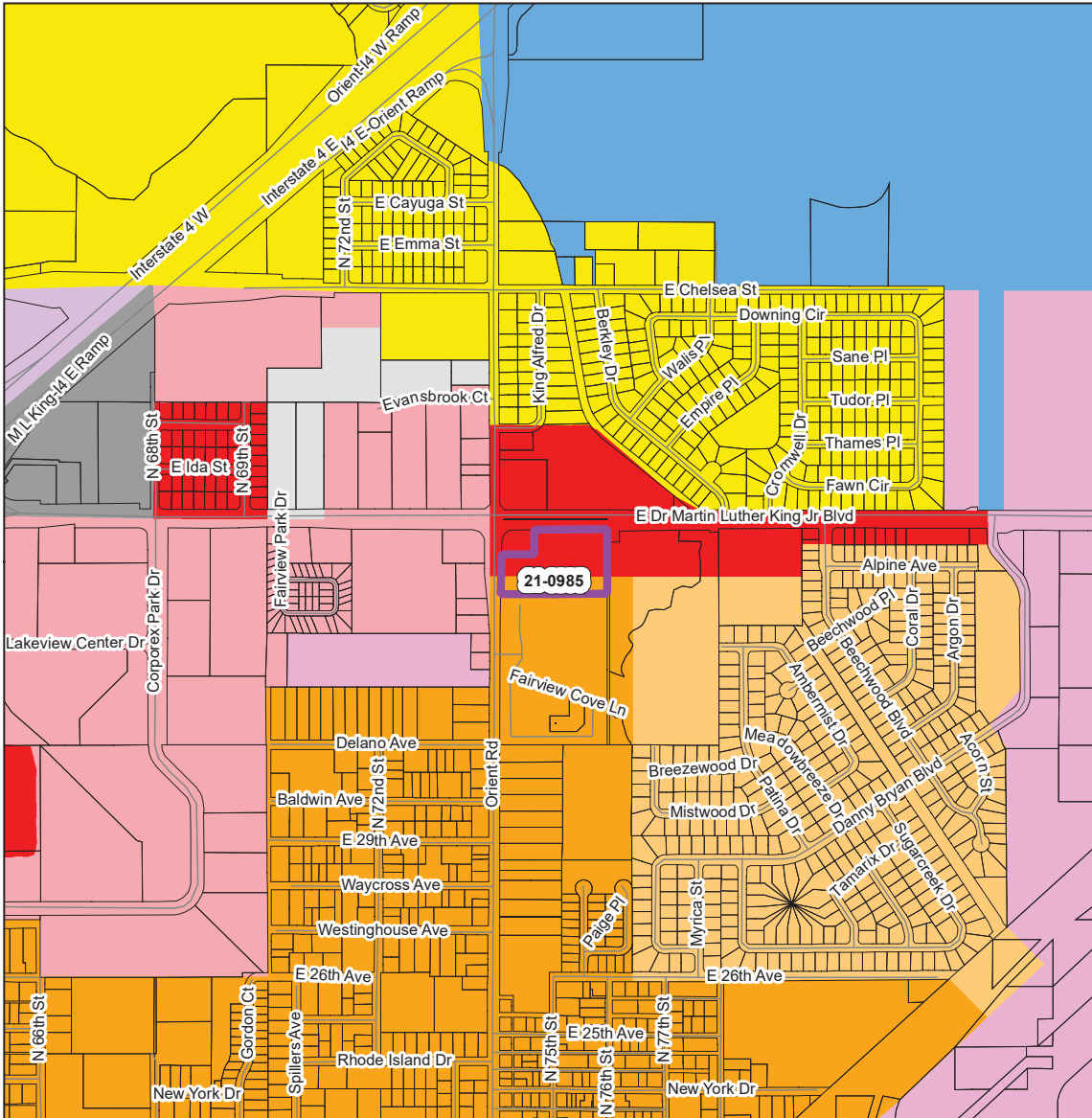
The proposed rezoning meets the intent of the East Lake Orient Park Community Plan. The vision of the plan states that new development in the community must not adversely impact the existing neighborhoods and commercial activities should be compatible and designed to serve the community. The economic development portion of the plan states to create a commercial/mixed-use district along Orient Road from Hillsborough Avenue to Columbus Drive. The proposed development is a commercial use along Orient Road and the proposed restrictions to CI uses permits a development that is compatible with the existing community and does not impact existing neighborhoods. Thus, the subject site meets the intent of the East Lake Orient Park Community Plan.

Overall, Planning Commission staff does not have compatibility concerns with regard to the proposed use and its intensity adjacent to existing residential development given the proposed restrictions. Planning Commission staff finds that the proposed restrictions allow for a gradual transition of intensities and the site does contribute to a development pattern that is consistent with the Goals, Objectives and Policies of the Comprehensive Plan for Unincorporated Hillsborough County.

Recommendation

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

HILLSBOROUGH COUNTY FUTURE LAND USE RZ 21-0985

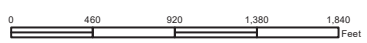


- Rezoning**
- <all other values>
- STATUS**
- APPROVED
 - CONTINUED
 - DENIED
 - WITHDRAWN
 - PENDING
- Tampa Service
 - Urban Service
 - Shoreline
 - County Boundary
 - Jurisdiction Boundary
 - Roads
 - Parcels
- AGRICULTURAL/MINING-1/20 (.25 FAR)
 - PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)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

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

REPRODUCTION: This sheet may not be reproduced in part or full for sale to anyone without specific approval of the Hillsborough County City/County Planning Commission.

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



Map Printed from Rezoning System: 7/13/2021
 Author: Beverly F. Daniels
 File: G:\Rezoning\System\MapProjects\H\CG\Greg_hr\Rezoning - Copy.mxd





AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department
REVIEWER: Alex Steady, Senior Planner
PLANNING AREA: East Lake Orient Park

DATE: 10/06/2021
AGENCY/DEPT: Transportation
PETITION NO: RZ-STD 21-0985

- | | |
|-------------------------------------|--|
| <input type="checkbox"/> | This agency has no comments. |
| <input checked="" type="checkbox"/> | This agency has no objection. |
| <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 4,600 average daily trips, and by 160 trips in the a.m. peak hour. The proposed rezoning would result in a decrease of trips potentially generated by the development of the site by 253 trips 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 within the Hillsborough County Land Development Code and Transportation Technical Manual.
- Transportation Review Section staff has no objection to this request.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone two parcels totaling +/- 4.74 acres from PD 92-0056, RMC-12, and RDC-12 to Commercial Intensive (CI). The site is located +/- 200 feet south the of the intersection of Dr Martin Luther King Jr Blvd and Orient Rd. The Future Land Use designation of the site is OC-20 and RES-12.

Trip Generation Analysis

In accordance with the Development Review Procedures Manual (DRPM), no transportation analysis was required to process the proposed rezoning. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer’s Trip Generation Manual, 10th Edition.

Approved Zoning:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RMC-12, 11,000 sf Tavern ITE Code (925)	n/a*	n/a*	125
RDC-12, 15,000 sf Adult Care Center (ITE Code 565)	714	165	167
RMC-12 11,000 sf Medical Office (ITE Code 720)	353	31	38
PD 92-0056 35,000 sf Supermarket (ITE Code 850)	3737	134	323
PD 92-0056 5,000 sf Super Convenience Market/Gas Station (ITE Code 960)	4,199	416	346
PD 92-0056, 5,000 sf Bank with Drive Through	500	48	102

(ITE Code 912)			
PD 92-0056, 52,000 sf Medical Office (ITE Code 720)	1,810	145	180
Subtotal:	11,332	939	1,281
<i>Less Internal Capture:</i>	<i>Not Available</i>	32	120
<i>Passerby Trips:</i>	<i>Not Available</i>	14	132
Net External Trips:	11,332	893	1,029

*Daily and AM peak hour trips information is unavailable.

Proposed Zoning:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CI, 15,000 sf Pharmacy /Drugstore with Drive-Through Window (ITE Code 881)	1,637	58	154
CI, 10,000 sf Fast-Food Restaurant with Drive Through Window (ITE Code 934)	4,710	402	327
CI, 8,000 sf Bank with drive thru (ITE Code 912)	800	76	164
CI, 3,000 sf Coffee Donut Shop with Drive Thru (ITE Code 937)	2,461	267	130
CI, 20,000 sf of Super Market (ITE Code 850)	2,136	76	185
CI, 5,000 sf Super Convenience Market/Gas Station (ITE Code 960)	4,188	416	346
Subtotal:	15,932	1,295	1,306
<i>Less Internal Capture:</i>	<i>Not Available</i>	26	270
<i>Passerby Trips:</i>	<i>Not Available</i>	216	260
Net External Trips:	15,932	1,053	776

Trip Generation Difference:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	+4,600	+160	-253

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 4,600 average daily trips, and by 160 trips in the a.m. peak hour. The proposed rezoning would result in a decrease of trips potentially generated by the development of the site by 253 trips in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on Orient Rd and Dr Martin Luther King Jr Blvd. Orient Rd is a 2-lane, undivided, collector, Hillsborough County maintained roadway with +/- 11-foot travel lanes. Dr Martin Luther King Jr Blvd. is a 6-lane principal arterial FDOT maintained roadway. Along the project frontage of the subject site, Orient road has a range of the roadway lies within a +/- 109-foot to +/- 85-foot-wide right-of-way and

Dr Martin Luther King Blvd 107 feet and 112 feet of right of way. There are sidewalks on both sides of Orient Rd in the vicinity of the proposed project. There is no bicycle facility on Orient Rd.

Orient Rd is shown on the Hillsborough County Corridor Preservation Plan as a future 4-lane roadway.

SITE ACCESS

It is anticipated pedestrian and vehicular access will be from Orient Rd. and Martin Luther King Blvd. 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.

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
ORIENT RD	SR 60/ ADAMO DR	HILLSBOROUGH AVE	D	D

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
Orient Rd.	County Collector - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
Martin Luther King Jr. Blvd.	FDOT Arterial - Urban	4 Lanes <input 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	11,332	893	1,029
Proposed	15,932	1,053	776
Difference (+/-)	+4,600	+160	-253

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

Connectivity and Cross Access <input checked="" type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		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 checked="" type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes:		

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

COMMISSION

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 Pat Kemp VICE-CHAIR
 Harry Cohen
 Ken Hagan
 Gwendolyn “Gwen” W. Myers
 Kimberly Overman
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 Andy Schipfer, P.E. WETLANDS DIVISION
 Steffanie L. Wickham WASTE DIVISION
 Sterlin Woodard, P.E. AIR DIVISION

AGENCY COMMENT SHEET

REZONING	
HEARING DATE: August 16, 2021 PETITION NO.: 21-0985 EPC REVIEWER: Mike Thompson CONTACT INFORMATION: (813) 627-2600 X 1219 EMAIL: thompson@epchc.org	COMMENT DATE: July 22, 2021 PROPERTY ADDRESS: 7301 E MLK Blvd. FOLIO #: 41993.0000 STR: 11-29S-19E
REQUESTED ZONING: CI	
FINDINGS	
WETLANDS PRESENT	YES
SITE INSPECTION DATE	NA
WETLAND LINE VALIDITY	NA
WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)	Wetlands on northern and eastern portion of parcel
<p>The EPC Wetlands Division has reviewed the proposed rezoning. In the site plan’s current configuration, a resubmittal is not necessary. If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again. This project as submitted is conceptually justified to move forward through the zoning review process as long as the following conditions are included:</p> <ul style="list-style-type: none"> Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals. The construction and location of any proposed wetland impacts are not approved by this correspondence, but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property. 	

- Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).
- Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.

INFORMATIONAL COMMENTS:

The following specific comments are made for informational purposes only and to provide guidance as to the EPC review process. However, future EPC staff review is not limited to the following, regardless of the obviousness of the concern as raised by the general site plan and EPC staff may identify other legitimate concerns at any time prior to final project approval.

- The subject property contains wetland/OSW areas, which have not been delineated. Knowledge of the actual extent of the wetland and OSW are necessary in order to verify the avoidance of wetland impacts pursuant to Chapter 1-11. Prior to the issuance of any building or land alteration permits or other development, the wetlands/OSWs must be field delineated in their entirety by EPC staff or Southwest Florida Water Management District staff (SWFWMD) and the wetland line surveyed. Once delineated, surveys must be submitted for review and formal approval by EPC staff.
- Chapter 1-11, prohibits wetland impacts unless they are necessary for reasonable use of the property. Staff of the EPC recommends that this requirement be taken into account during the earliest stages of site design so that wetland impacts are avoided or minimized to the greatest extent possible. The size, location, and configuration of the wetlands may result in requirements to reduce or reconfigure the improvements depicted on the plan.
- The Hillsborough County Land Development Code (LDC) defines wetlands and other surface waters as Environmentally Sensitive Areas. Pursuant to the LDC, wetlands and other surface waters are further defined as Conservation Areas or Preservation Areas and these areas must be designated as such on all development plans and plats. A minimum setback must be maintained around the Conservation/Preservation Area and the setback line must also be shown on all future plan submittals.
- Any activity interfering with the integrity of wetland(s) or other surface water(s), such as clearing, excavating, draining or filling, without written authorization from the Executive Director of the EPC or authorized agent, pursuant to Section 1-11.07, would be a violation of Section 17 of the Environmental Protection Act of Hillsborough County, Chapter 84-446, and of Chapter 1-11.



AVIATION AUTHORITY LAND USE REVIEW
Hillsborough County - OPTIX

DATE: September 1, 2021

PROPOSED USE INFORMATION:

Case No.: 21-0985 Reviewer: Tony Mantegna

Location: 7301 E Martin Luther King Blvd

Folio: 41993.0000

Current use of Land: vacant

Zoning: RMC-12

REQUEST: rezone to C1

COMMENTS:

The proposed site falls within Zone "A" on the Airport Height Zoning Map. Any structure including construction equipment that exceeds 110 feet Above Mean Sea Level may require an Airport Height Zoning Permit and must be reviewed by the Airport Zoning Director.

Compatible without conditions (see comments above) - _____

Not compatible (comments) - _____

Compatible with conditions (see comments above) – _____

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

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Planning Growth Management

DATE: 18 July 2021

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

APPLICANT: Job Jean

PETITION NO: RZ-STD 21-0985

LOCATION: Not listed

FOLIO NO: 41993.0000

SEC: 11 TWN: 29 RNG: 19

- This agency has no comments.

- This agency has no objection.

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

- This agency objects, based on the listed or attached conditions.

COMMENTS: _____.

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

PETITION NO.: STD21-0985

REVIEWED BY: Randy Rochelle

DATE: 7/7/2021

FOLIO NO.: 41993.0000

WATER

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

WASTEWATER

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

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



VERBATIM TRANSCRIPT

HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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ZONE HEARING MASTER )
HEARINGS )
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ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: PAMELA JO HATLEY and SUSAN FINCH
Land Use Hearing Master

DATE: Monday, October 18, 2021

TIME: Commencing at 6:00 p.m.
Concluding at 10:33 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

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HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

ZONING HEARING MASTER HEARINGS
October 18, 2021
ZONING HEARING MASTER: PAMELA JO HATLEY

C1:
Application Number: RZ-STD 21-0985
Applicant: Carlos A. Fuentes
Location: 500' SE of E. Martin Luther
King Blvd. & Orient Rd.
intersection
Folio Number: 0419993.0000
Acreage: 4.75 acres, more or less
Comprehensive Plan: OC-20 & R-12
Service Area: Urban
Existing Zoning: PD 92-0056, RMC-12 & RDC-12
Request: Rezone to CI-R

1 MR. GRADY: The next item is agenda item
2 C-1. It's Rezoning-Standard 21-0985. The
3 applicant's Carlos Fuentes. The request is to
4 rezone from PD, RMC-12, and RDC-12 to Commercial
5 Intensive with Restrictions.

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

8 HEARING MASTER HATLEY: All right. Hear
9 from the applicant, please.

10 MR. FUENTES: Carlos Fuentes, 23738 Peace
11 Pipe Court, Lutz, Florida.

12 I'm a consultant in this case representing
13 the applicant. So we have a 4.75-acre piece. We
14 have a site plan that should be up on the screen
15 shortly to show you the location of the site corner
16 of MLK -- southeast corner of MLK and Orient Road
17 in Tampa.

18 So we have agreed to accepting the
19 Commercial Intensive-Restricted zoning. We
20 originally applied for Commercial Intensive, but we
21 worked out a reasonable answer to the problem, and
22 that was that anything that is approved under CG,
23 in terms of structures and uses, will be approved
24 throughout the entire site.

25 So there was some zoning restrictions or use

1 restrictions that we have agreed to and accepted,
2 taking into account that anything that would be
3 permissible in CG would apply to our site as well.

4 Anything else?

5 HEARING MASTER HATLEY: Anything else? No.
6 I have no questions for you, sir.

7 MR. FUENTES: No. I'm good in terms of what
8 we have done. We have worked very closely with the
9 planning division, and I have meetings and
10 contacted, and we have come to this final decision
11 which we have accepted, and we think that it's a
12 great solution.

13 HEARING MASTER HATLEY: All right. Thank
14 you, sir. Please sign in with the clerk's office.

15 MR. FUENTES: Sure. Thank you.

16 HEARING MASTER HATLEY: All right.
17 Development Services, please.

18 MR. GRANDLIENARD: Sorry. Chris
19 Grandlienard. I'm speaking for -- about the
20 rezone, 21-0985.

21 The rezoning from PD 92-0056, RMC-12, and
22 RDC-12 zoning districts to the proposed Commercial
23 Intensive Restricted zoning district. The site is
24 located at 3809 Orient Road in Tampa, which is
25 located 500 feet southeast of the intersection of

1 East MLK Boulevard and Orient Road. It's located
2 in the Urban Service Area, and it's located in the
3 East Lake Orient Park Plan area.

4 The Future Land Use designation is -- it's
5 two different districts. It's Office
6 Commercial-20, OC-20, and Residential-12 or RES-12.
7 The subject parcel borders two FLU categories.
8 OC-20's to the north and RES-12 is to the south.

9 The density of each OC-20 is 20 -- 20
10 dwelling units per acre; .75 of FAR; RES-12, 12
11 dwelling units per acre and .50 FAR. And I have a
12 blowup of -- there's a smaller -- small portion to
13 the south of the RES-12. It's mostly OC-20 to the
14 north.

15 Currently, it's zoned Planned Development
16 92-0056, Residential Multifamily Conventional-12,
17 and Residential Duplex Conventional-12. Zoning
18 districts immediately to the north is PD 92-0056.
19 To the south, RMC-12. To the east, 92-0056 again
20 and RDC-12 and to the west, again, PD 92-0056.

21 Current uses, PD 92-0056 is commercial,
22 office, and personal uses. Mathematical maximum of
23 35,284 square feet. For the RMC area, to the
24 south, multifamily residential, ten units
25 maximum -- mathematical maximum. And RDC-12 zoning

1 district to the south, the maximum of ten units.

2 And the proposed Commercial
3 Intensive-Restricted; intensive commercial, office,
4 and personal services; mathematical maximum
5 62,073 square feet.

6 The areas located on a principal arterial
7 that consist of multifamily residential and
8 commercial uses. Subject parcel is directly
9 adjacent to a multifamily residential to the south
10 and vacant commercial and two family residential to
11 the east.

12 The proposed Commercial Intensive-Restricted
13 use is to allow for the sale of sod to the public.
14 The proposed commercial intensive use would have
15 allowed open storage adjacent to the multifamily to
16 the south, which raised compatibility issues
17 concerns with the neighboring lot to the south.

18 Also, the RES-12 to the south would be
19 incompatible with most CI uses. In addition, there
20 are traffic concerns due to the proximity to the
21 residential uses to the south.

22 Notwithstanding concerns to the south, the
23 area to the north of the parcel, which is zoned PD
24 92-0056, allows for similar uses which are
25 permitted in the Commercial Intensive zoning, such

1 as RV, recreational vehicle, and construction
2 equipment sales, service, and automotive service
3 stations.

4 PD 92-0056 also allows agricultural uses,
5 such as plant nurseries, whole and retail and truck
6 gardening, which is similar to what is intended of
7 the applicant.

8 As we spoke, the applicant has offered
9 restrictions to mitigate the compatibility
10 concerns. The following uses shall be prohibited:
11 Open storage, liquor stores, pawn shops, gun
12 ranges, motor vehicle repair body work, painting.

13 Number 2, these Commercial Intensive zoning
14 district uses, building and structure containing
15 those uses that are not also permissible in the CG
16 zoning district shall not be permitted within
17 90 feet of the southern boundary as that area is
18 within the RES-12 Future Land Use classification.

19 The CI uses that are not permitted in the
20 RES-12 portion of the property. Therefore, the
21 proposed restriction regarding uses within 90 feet
22 of the southern boundary is necessary for
23 compliance with the Hillsborough County
24 Comprehensive Plan.

25 After the submittal of the proposed

1 restrictions by the applicant, the Planning
2 Commission found the proposed use consistent with
3 the Comprehensive Plan.

4 We -- Development Services confirms with
5 that assessment. The applicant is requesting to
6 rezone from PD 92-0056, RMC-12, and RDC-12 to
7 Commercial Intensive-Restricted.

8 Based on OC-20 and RES-12 Future Land Use
9 classification, the surrounding zoning and
10 development pattern and the proposed uses
11 development standards for the Commercial
12 Intensive-Restricted rezoning district, the staff
13 finds the requested -- staff finds the request
14 approvable with the restrictions.

15 Glad to answer any questions you may have.

16 HEARING MASTER HATLEY: Thank you. I have
17 no questions for you.

18 All right. Planning Commission.

19 MS. MASSEY: Good evening. This is Jillian
20 Massey, Planning Commission staff.

21 The subject property is located in the
22 Office Commercial-20 and Residential-12 Future Land
23 Use Categories. It's in the Urban Service Area and
24 located within the limits of the East Lake Orient
25 Park Community Plan.

1 The surrounding area contains multifamily
2 residential directly to the south and single-family
3 residential to the north, west, and east. Placing
4 Commercial Intensive uses next to residential
5 properties presents a compatibility concern.

6 As the proposed rezoning is a standard
7 zoning district, Planning Commission staff is
8 unable to evaluate a site plan in the placement of
9 each of the uses in how the proposed rezoning would
10 maintain the character of the existing development
11 and the surrounding area.

12 In order to address these compatibility
13 concerns, the applicant has agreed to two
14 restrictions. The first restriction is to prohibit
15 the more intense Commercial Intensive zoning uses
16 on-site, such as open storage and major motor
17 vehicle repair.

18 The second restriction is that the use is
19 allowed in the Commercial Intensive zoning district
20 that are not permissible within the Commercial
21 General zoning district will not be permitted
22 within 90 feet of the southern boundary since that
23 area is within the RES-12 Future Land Use
24 classification.

25 This will be documented in the restriction

1 and -- in the restrictions and is the cornerstone
2 of the Planning Commission's staff finding of
3 consistent with the plan.

4 The proposed rezoning with these two
5 restrictions does meet the intent of the Future
6 Land Use Element Policy 1.4 and the neighborhood
7 protection policy direction under FLU Objective 16
8 and the accompanying policies.

9 Only allowing CG uses on the RES-12 portion
10 of the site allows for a gradual transition of uses
11 and intensifies moving from the intersection node
12 to the immediately adjacent multifamily properties
13 south of the site and the single-family residential
14 to the west, north, or east.

15 Limiting to CI uses reduces the intensity of
16 commercial uses allowed on the site and meets the
17 intent of Policy 17.7 as the restriction will help
18 mitigate for adverse noise, visual, odor, and
19 vibration impacts upon all adjacent land uses.

20 The apportion of the subject site located
21 within RES-12 does meet commercial locational
22 criteria per Policy 22.2. At least 75 percent of
23 the subject site is within the 1,000-foot distance
24 from the State Road 574 and Orient Road node. The
25 commercial locational criteria does not apply to

1 the OC-20 Future Land Use Category.

2 Proposed rezoning meets the intent of the
3 East Lake Orient Park Community Plan. The vision
4 of the plan states that new development in the
5 community must not adversely impact the existing
6 neighborhoods, and commercial activities should be
7 compatible and designed to serve the community.

8 The economic development portion of the plan
9 states to create a commercial mixed-use district
10 along Orient Road from Hillsborough Avenue to
11 Columbus Drive.

12 The proposed development is a commercial use
13 along Orient Road, and the proposed restriction to
14 CI uses permits a development that is compatible
15 with the existing community and does not impact
16 existing neighborhoods. Thus the site meets the
17 intent of the community plan.

18 Overall, the Planning Commission staff does
19 not have compatibility concerns with regards to the
20 proposed use and its intensity adjacent to existing
21 residential development given the proposed
22 restrictions.

23 And based on those considerations, Planning
24 Commission staff finds the proposed rezoning
25 consistent with the Future of Hillsborough

1 Comprehensive Plan for unincorporated Hillsborough
2 County. Thank you.

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

5 Are there any persons in the audience
6 tonight or online who wish to speak in support of
7 this item? Any proponents who wish to speak to
8 this item? All right. Hear none.

9 Are there any persons here or online who wish
10 to speak in opposition to this item tonight? None
11 online. Don't hear any.

12 All right. Development Services, anything
13 further?

14 MR. GRADY: Nothing further.

15 HEARING MASTER HATLEY: Okay. Applicant,
16 you have five minutes for rebuttal in summation if
17 you wish to take it.

18 MR. FUENTES: No, thank you. I'm satisfied
19 with the outcome and I appreciate all the work and
20 consideration of staff. Thank you.

21 HEARING MASTER HATLEY: All right. Thank
22 you, sir.

23 All right. With that, we'll close
24 Rezoning 21-0985.

25

1 Hearing.

2 Item A-23, Rezoning-Standard 21-0985. This
3 application is out of order to be heard and is
4 being continued to the October 18, 2021, Zoning
5 Hearing Master Hearing.

6 And item A-24, Rezoning-Standard 21-1085.
7 This application is out of order to be heard and is
8 being continued to the October 18, 2021, Zoning
9 Hearing Master Hearing.

10 And that concludes all withdrawals and
11 continuances.

12 HEARING MASTER FINCH: All right. Thank you
13 so much, Mr. Grady. I appreciate it.

14 Let me start by going over tonight's
15 procedures. Tonight's agenda consists of agenda
16 items that require a public hearing that is to be
17 held before a Zoning Hearing Master prior to the
18 final decision by the Hillsborough County Board of
19 County Commissioners.

20 I'll conduct the hearing tonight as the
21 Hearing Master and will make a recommendation on
22 each application within 15 business days following
23 tonight's hearing. The recommendations will then
24 be sent to the Board of County Commissioners, who
25 will make the final decision at their public

HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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ZONING HEARING MASTER (ZHM) )
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ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: SUSAN FINCH
Zoning Hearing Master

DATE: Monday, August 16, 2021

TIME: Commencing at 6:00 p.m.
Concluding 8/17/21 at 12:04 a.m.

PLACE: Hybrid Meeting/Cisco Webex
R.W. Saunders Sr. Public Library
Ada T. Payne Community Room
1505 Nebraska Avenue
Tampa, Florida

Andrew Mayes
Executive Reporting Service
Ulmerton Business Center, Suite 130
Clearwater, FL 33762

1 Item A.26., rezoning standard 21-0985. This
2 application is out of order to be heard and is
3 being continued to the September 13, 2021, Zoning
4 Hearing Master hearing.

5 And item A.27., rezoning standard 21-0986.
6 This application is out of order to be heard and
7 is being continued to the September 13, 2021,
8 Zoning Hearing Master hearing.

9 That concludes all withdrawals and
10 continuances.

11 HEARING MASTER FINCH: Thank you, Mr. Grady.
12 I appreciate it.

13 All right. Let me start by going over our
14 procedures this evening. Tonight's agenda
15 consists of agenda items that require a public
16 hearing be held before a Zoning Hearing Master
17 prior to the final decision which is made by the
18 Hillsborough County Board of County Commissioners.
19 I'll conduct the hearing tonight as the hearing
20 officer and will make recommendations on each
21 application 15 business days following tonight's
22 hearing. That recommendation will then be sent to
23 the Board for their final decision at their public
24 meeting.

25 Our hearing process is as follows: Our



**EXHIBITS SUBMITTED
DURING THE ZHM HEARING**

NONE



**PARTY OF
RECORD**

NONE