

Rezoning Application:

PD 22-1577

Zoning Hearing Master Date:

July 24, 2023

BOCC Land Use Meeting Date:

September 12, 2023

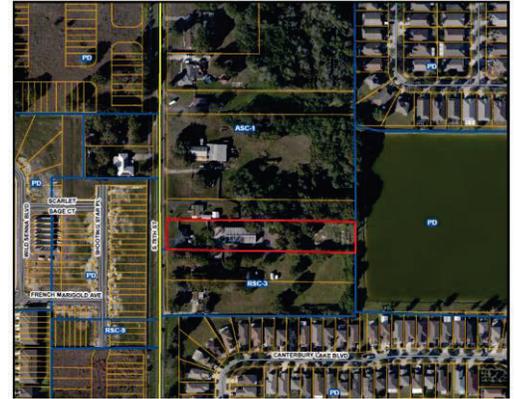


**Hillsborough
County Florida**

Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Todd Pressman
 FLU Category: Residential-9
 Service Area: Urban
 Site Acreage: +/- 1.4 acres
 Community Plan Area: Greater Palm River
 Overlay: None
 Request: Rezone from ASC-1 to PD



Introduction Summary:

The applicant proposes Planned Development (PD) to allow for a single-family home and contractor's office with enclosed storage on one parcel.

Zoning:	Existing	Proposed
District(s)	ASC-1	Planned Development
Typical General Use(s)	Single-Family Residential/Agricultural	A single-family home with a contractor's office and associated indoor storage
Acreage	+/- 1.4 acres	+/- 1.4 acres
Density/Intensity	Min. Lot size is 1 acre per SF dwelling.	Single parcel with one single-family home in front and a contractor's office located in the rear.
Mathematical Maximum*	One SF dwelling (1 du/ac.)	Proposed "Pocket A" +/-0.2 ac. (4.91 du/ac.) Proposed "Pocket B" +/-1.19 ac. (0.11 FAR)

*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	ASC-1	Planned Development
Lot Size / Lot Width	43,560 sf / 100.12 ft.	43,560 sf / 100.12 ft.
Setbacks/Buffering and Screening	50' Front 50' Rear 15' Sides	North (Side): 10' buffer w/ Type "B" Screening South (Side): 3' buffer w/ Type "A" Screening East (Rear): 20' buffer w/ Type "B" Screening
Height	50 ft.	20 ft.

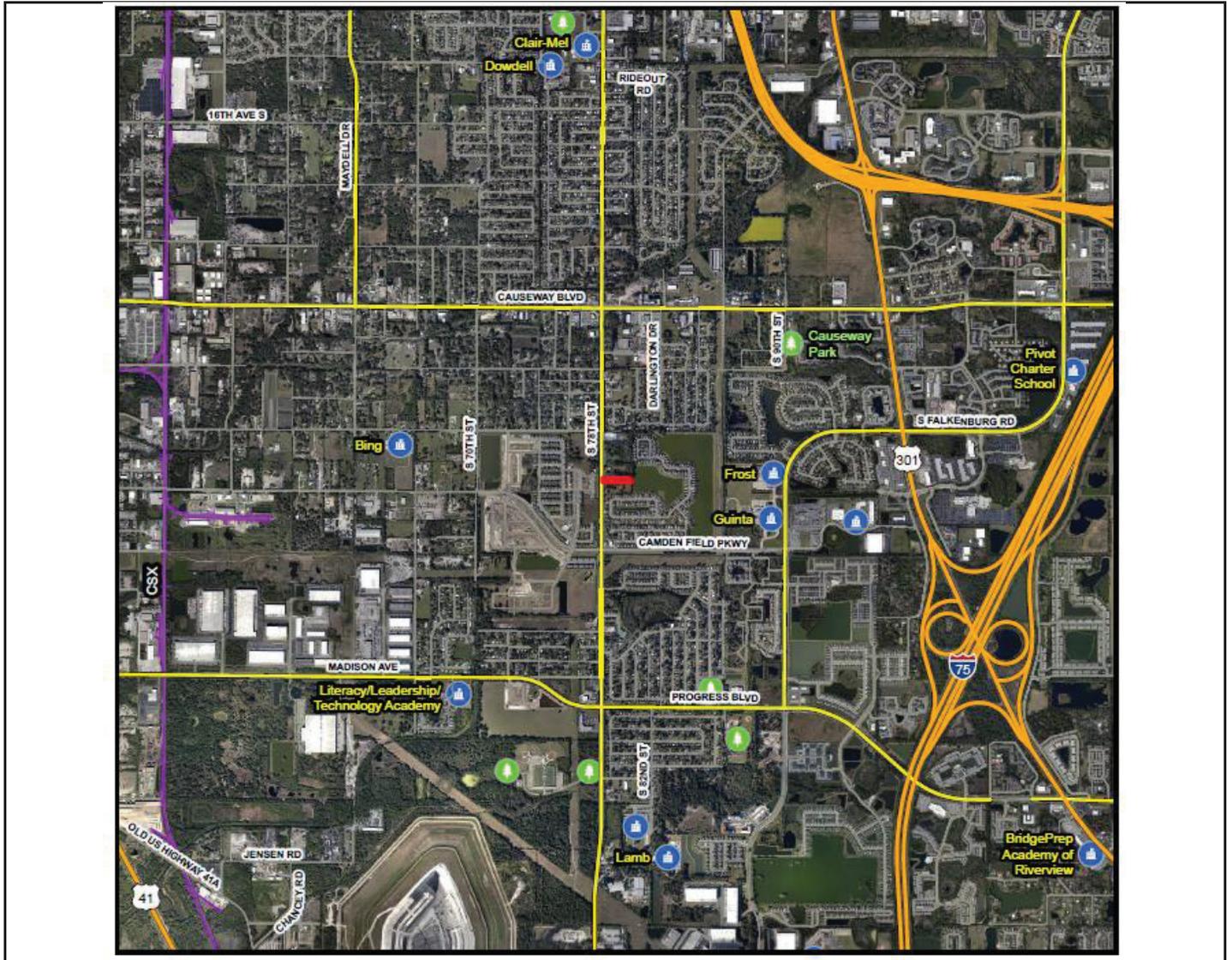
Additional Information:

PD Variation(s)	LDC Part 6.06.00 (Landscaping/Buffering)
Waiver(s) to the Land Development Code	None Requested.

Planning Commission Recommendation: Inconsistent	Development Services Recommendation: Not supportable.
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2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map



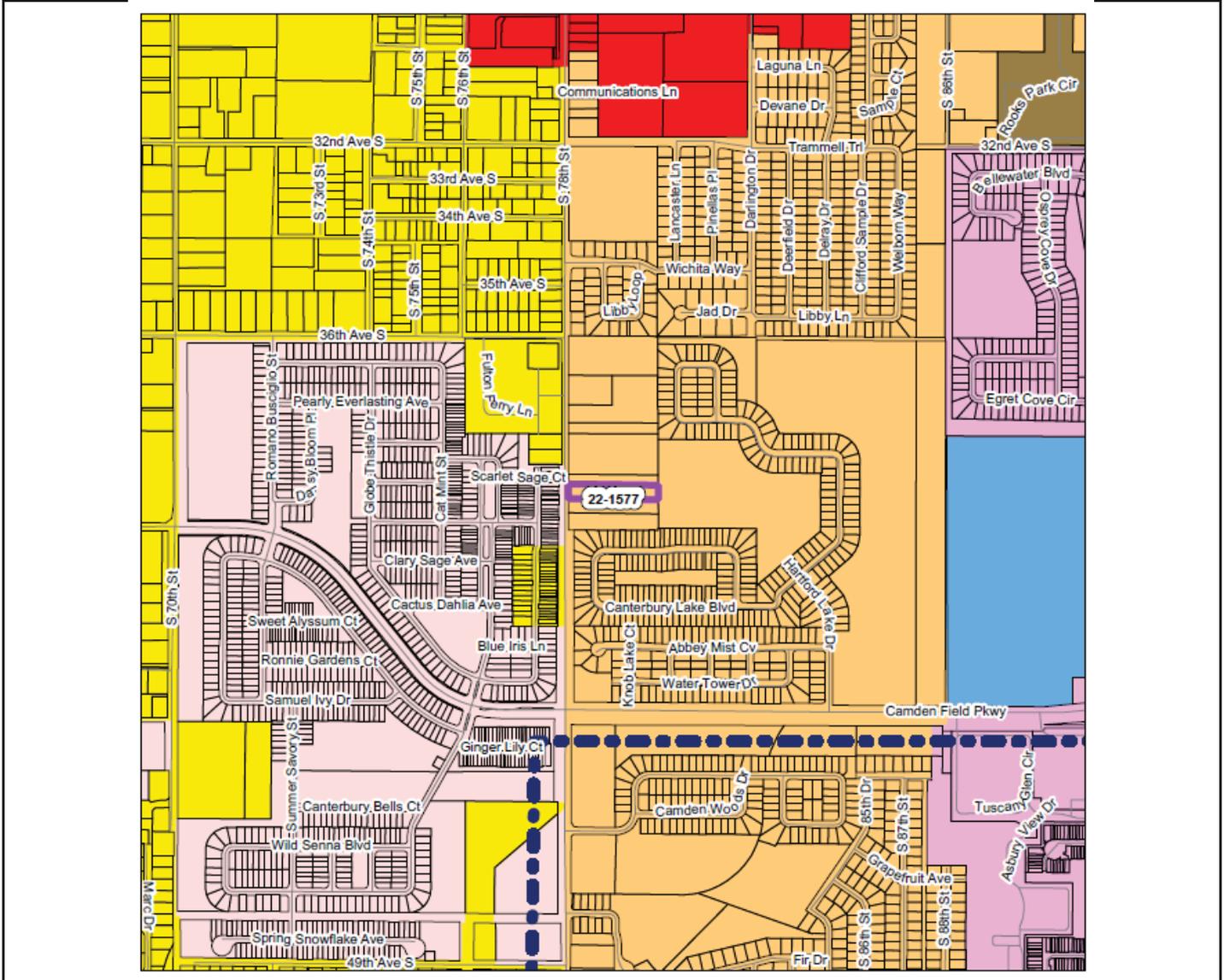
Context of Surrounding Area:

The 1.41 +/- acre site is located at 3826 S 78th Street, east of 78th Street and north of Camden Field Parkway within the Urban Service Area and within the limits of the Greater Palm River Community Plan. The subject property is zoned as Agricultural Single Family Conventional-1 (ASC-1).

North of the subject site is designated Residential Single-family Conventional-1 (RSC-1) zoning. To the south is Residential Single-family Conventional-3 (RSC-3) zoning and to the east and west is Planned Development (PD) zoning.

2.0 LAND USE MAP SET AND SUMMARY DATA

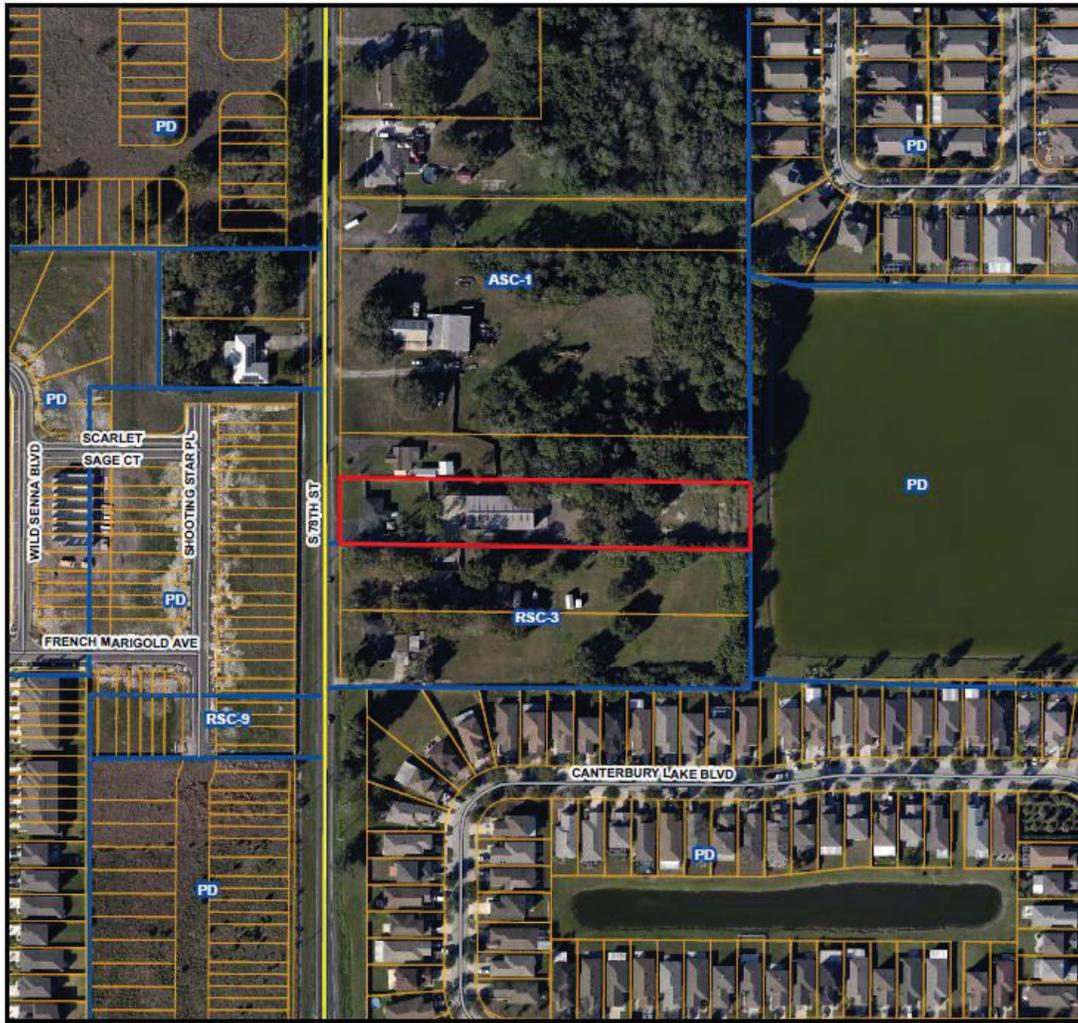
2.2 Future Land Use Map



Subject Site Future Land Use Category:	Residential-9 (Res-9)
Maximum Density/F.A.R.:	Max. 9 du per acre / Max. 0.50 FAR
Typical Uses:	Typical uses of RES-9 include residential, urban scale neighborhood commercial uses, offices, multi-purpose projects and mixed-use developments. Non-residential uses shall meet locational criteria for specific land use projects.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map

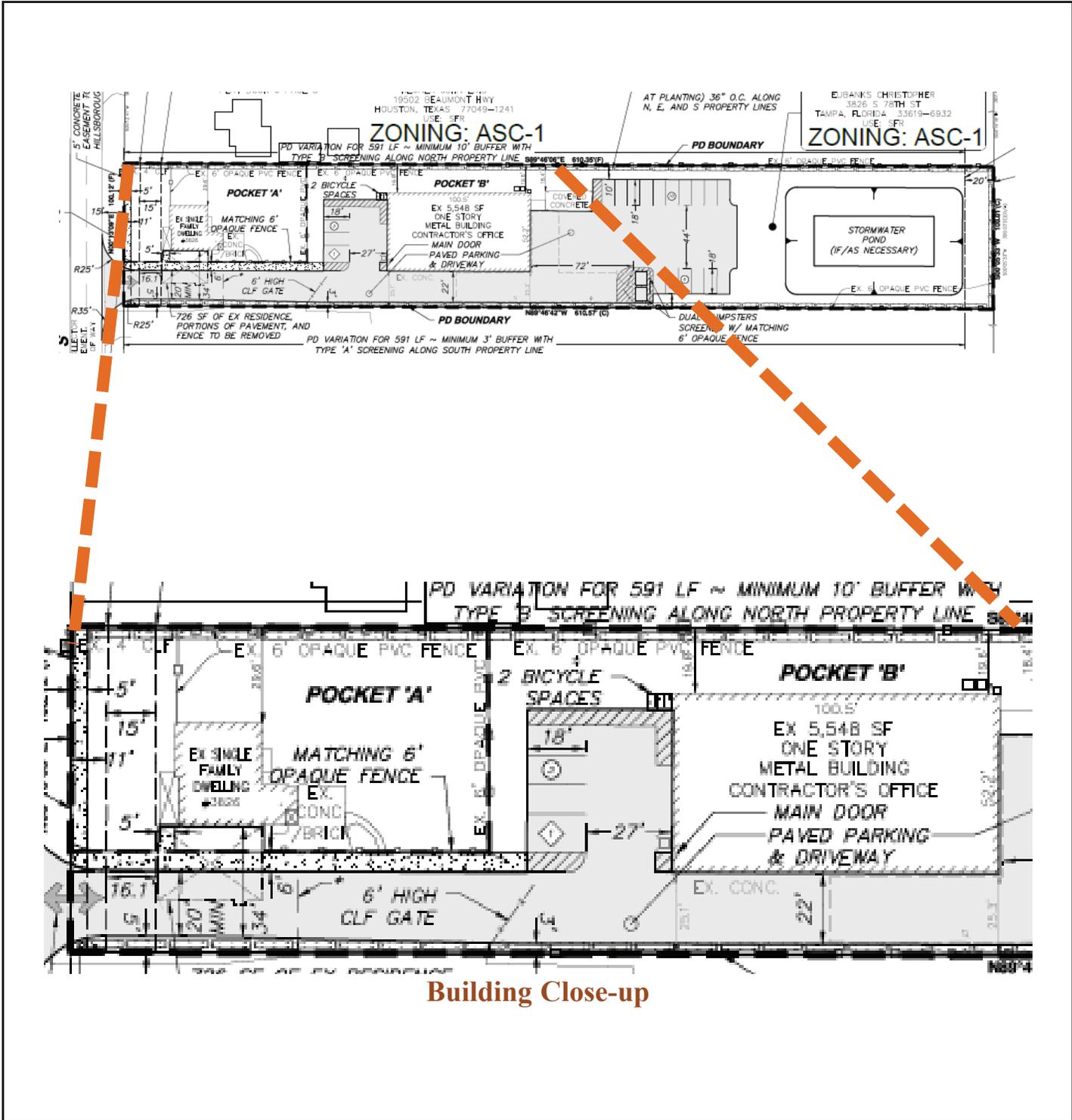


Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	ASC-1	1 du per acre	Agricultural and agricultural related and single-family	Single-family
South	RSC-3	Min. 14,520 sf min. lot size	Single-family	Single-family
East	PD 02-0789	Subject to RSC-9 standards. Maximum of 68 SF	Single-family homes	Single-family
West	PD 05-1947 / PRS 22-1267	Max. 468 SF and 530 Townhomes	SF and Townhomes	SF and Townhomes

2.0 LAND USE MAP SET AND SUMMARY DATA

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



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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
S. 78 th St.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width (for Urban Section)	<input checked="" 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	10	1	1
Proposed	64	10	11
Difference (+/-)	(+) 54	(+) 9	(+) 10

*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		Vehicular & Pedestrian (Future)	None	Meets LDC
East		None	None	Meets LDC
West	X	Vehicular & Pedestrian	None	Meets LDC

Notes:

Design Exception/Administrative Variance Not applicable for this request

Road Name/Nature of Request	Type	Finding
S. 78 th St./ Access Spacing	Administrative Variance Requested	Approvable
S. 78 th St./ Access Spacing	Administrative Variance Requested	Approvable
Not Applicable/ Internal Driveway Width	Design Exception Requested	Approvable

Notes:

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY																
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments												
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" 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: <table border="0" style="width:100%"> <tr> <td><input type="checkbox"/> Wetlands/Other Surface Waters</td> <td><input type="checkbox"/> Potable Water Wellfield Protection Area</td> </tr> <tr> <td><input type="checkbox"/> Use of Environmentally Sensitive Land Credit</td> <td><input type="checkbox"/> Significant Wildlife Habitat</td> </tr> <tr> <td><input type="checkbox"/> Wellhead Protection Area</td> <td><input type="checkbox"/> Coastal High Hazard Area</td> </tr> <tr> <td><input type="checkbox"/> Surface Water Resource Protection Area</td> <td><input checked="" type="checkbox"/> Urban/Suburban/Rural Scenic Corridor</td> </tr> <tr> <td></td> <td><input type="checkbox"/> Adjacent to ELAPP property</td> </tr> <tr> <td></td> <td><input type="checkbox"/> Other _____</td> </tr> </table>					<input type="checkbox"/> Wetlands/Other Surface Waters	<input type="checkbox"/> Potable Water Wellfield Protection Area	<input type="checkbox"/> Use of Environmentally Sensitive Land Credit	<input type="checkbox"/> Significant Wildlife Habitat	<input type="checkbox"/> Wellhead Protection Area	<input type="checkbox"/> Coastal High Hazard Area	<input type="checkbox"/> Surface Water Resource Protection Area	<input checked="" type="checkbox"/> Urban/Suburban/Rural Scenic Corridor		<input type="checkbox"/> Adjacent to ELAPP property		<input type="checkbox"/> Other _____
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	<input type="checkbox"/> Adjacent to ELAPP property															
	<input type="checkbox"/> Other _____															
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments												
Transportation <input checked="" type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No													
Service Area/ Water & Wastewater <input 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 checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No													
Impact/Mobility Fees Light Industrial (Per 1,000 s.f.) Mobility: \$4,230 Fire: \$57 Urban Mobility, Central Fire - Warehouse, Distribution, Industrial (unspecified size)																
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments												
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Inconsistent <input type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The applicant proposes to rezone from ASC-1 to Planned Development for a property located on the east side of South 78th Street, approximately 850 feet south of the intersection of South 26th Avenue and 78th Street South. North of the subject site is designated Residential Single-family Conventional-1 (RSC-1) zoning. To the south is Residential Single-family Conventional-3 (RSC-3) zoning. Both properties located to the immediate north and south of the subject site are developed with single-family homes. Staff notes that approximately 850 north of the subject site is Commercial Intensive, located on the west side of the intersection of South 36th Avenue and 78th Street South. Located on the southwest side of the same intersection is an area designated for future office and commercial pursuant to PD 19-1308.

Pursuant to the applicant's narrative request, the applicant notes that the existing single-family home was recently improved with landscaping (Figure 1) to provide an enhanced residential character view from the street. The applicant proposes to rezone PD to allow a contractor's office (no open storage) and one residential unit in front. The applicant proposed the following restrictions to create more compatibility with the immediate surrounding area.

1. The use will serve as an office and interior storage for an ac/heat repair company and the existing residential home will remain as a residential single family home use.
2. No free standing or wall signage permitted.
3. The exterior of the existing front residential home structure will remain in residential character.
4. There will be an opaque fence to code standards on all sides of the property.
5. All activity, including any storage and vehicles, will be interior.

Figure 1 (Applicant Submittal of Front Yard)



View of the subject site from the public street

Variations Requested

The applicant is requesting a variation to Hillsborough County LDC Section 6.06.06 Landscaping and Buffering Requirements which requires the perimeter of the subject site to have a 20-footwide Type "B" buffer along the north (side) and south (side) of the subject site boundary and the proposed use.

Variation #1:

The applicant requests a variation to Section 6.06.06 to reduce the required buffer from a 20-foot buffer with Type "B" screening along the northern (side) property boundary to a 10-foot buffer with Type "A" screening. The applicant provided additional justification which is included in the applicant's submittal for the variation of LDC

Section 6.06.06. Staff has reviewed the justification statement submitted by the applicant and finds Variation #1 may meet the criteria for approval per LDC Section 5.03.06.C.6. Staff also notes that the single-family home located to the immediate north is located approximately adjacent to the existing single-family home and the one-story contractor's office is located towards the rear of the property.

Variation #2:

The applicant requests a variation to Section 6.06.06 to reduce the required buffer from a 20-foot buffer with Type "B" screening along the southern (side) property boundary to a 3-foot buffer with Type "A" screening. The applicant provided additional justification which is included in the applicant's submittal for the variation of LDC Section 6.06.06. Staff has reviewed the justification statement submitted by the applicant and finds Variation #2 does not meet the criteria for approval per LDC Section 5.03.06.C.6. Variation #2 reduces the buffer to 3 feet along the access driveway to the contractor's office proposed to comprise a buffer that is fifteen percent of the required buffer width.

The Rezoning Hearing Master's recommendation for this application is required to include a finding on whether the requested variations meet the criteria for approval. Additional information regarding the rationale may be found in the applicant's narrative.

Transportation Design Exception / Administrative Variance**1. Administrative Variance for Minimum access spacing between the project driveway and the next closest driveway**

If PD 22-1577 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance (dated February 7, 2023) which was found approvable by the County Engineer (on May 30, 2023). Approval of this Administrative Variance will permit the reduction of minimum access spacing between the project driveway and the next closest driveway to the south to +/- 9 feet, and the next nearest driveway to the north to +/- 112 feet.

2. Administrative Variance to waive the S. 78th St. substandard road improvements

If PD 22-1577 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance (dated April 21, 2023) which was found approvable by the County Engineer (on May 30, 2023). Approval of this Administrative Variance will waive the S. 78th St. substandard road improvements required by Section 6.04.03.L. of the LDC.

3. Design Exception to permit the reduction of a portion of the internal project driveways from 24 feet to 20 feet.

If PD 22-1577 is approved, the County Engineer will approve a Design Exception (dated April 21, 2023) which was found approvable by the County Engineer (on May 30, 2023). Approval of this Design Exception will permit the reduction of a portion of the internal project driveways from 24 feet to 20 feet in width.

Planning Commission staff finds the proposed Planned Development is not consistent with the Unincorporated Hillsborough County Comprehensive Plan. Overall, the proposed rezoning would not allow for development that is consistent with the Goals, Objectives and Policies of the Unincorporated Hillsborough County Comprehensive Plan and is not compatible with the existing and planned development pattern found in the surrounding area.

5.2 Recommendation

Overall, the request is **NOT** supportable.

Zoning Administrator Sign Off:



IntegrISign Desktop

J. Brian Grady
Thu Jul 27 2023 08:48:24

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.

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7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

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9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 7/13/2023

Revised: 7/24/2023

REVIEWER: James Ratliff, AICP, PTP, Principal Planner

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: PR/ Central

PETITION NO: RZ 22-1577

- This agency has no comments.
- This agency has no objection.
- This agency has no objection, subject to the listed or attached conditions.
- This agency objects for the reasons set forth below.

CONDITIONS OF APPROVAL

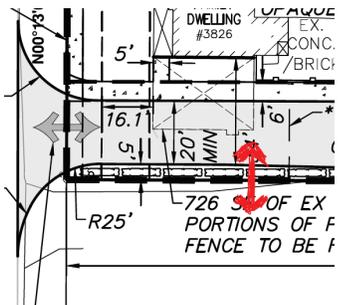
1. Notwithstanding anything herein these conditions or on the PD site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the project boundaries.
2. The project shall be served by, and limited to, one (1) vehicular access connections to S. 78th St. All other existing access connections, and/or portions of modified connections which are no longer necessary shall be closed and resodded.
3. In accordance with the Hillsborough County Corridor Preservation Plan and Capital Improvement Project #69666000, the developer shall preserve up to +/- 11 feet of right-of-way along its S. 78th St. frontage. Only those interim uses allowed by the Hillsborough County LDC shall be permitted within the preserved right-of-way. The right-of-way preservation area shall be shown on all future site plans, and building setbacks shall be calculated from the future right-of-way line.
4. The developer shall construct minimum 5-foot-wide sidewalks along its S. 78th St. project frontage. Given that the right-of-way is too small to accommodate the required sidewalk, the developer shall place the sidewalk within the subject site and dedicate and convey an easement (for public access and maintenance purposes) to the County. At the developer's sole option, the developer owner may choose to dedicate and convey the underlying fee to the County. Notwithstanding anything shown on the PD site plan to the contrary, the sidewalk shall be located consistent with the Transportation Technical Manual requirements for a TS-4 roadway and/or the CIP project plans, as applicable.
5. As proffered by the developer and with respect to the project driveway:
 - a. The first +/- 70 feet of the project driveway shall be considered a Shared Access Facility with folio 47615.0100 (i.e. the adjacent property owner to the south). This Shared Access Facility generally consists of the vehicular travel way and the 5-foot grass strip between the travel way and southern property boundary; and,
 - b. Together with the next site/construction plan review after approval of PD 22-1577, the developer shall record in the Official Records of Hillsborough County an easement and/or any other agreements necessary over the Shared Access Facility to permits the owner of folio 47615.0100 to take vehicular access through the subject PD in the event that property redevelops, or the existing building changes use to a non-residential use. In addition to access rights, such easement shall provide the adjacent property owner with the ability to

make modifications to the driveway as may be necessary to permit its future widening to 24-feet, should such widening be deemed necessary by the County.

6. All uses within the PD shall remain on a single parcel. No subdivisions of this parcel shall be permitted.
7. If PD 22-1577 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance (dated February 7, 2023) which was found approvable by the County Engineer (on May 30, 2023). Approval of this Administrative Variance will permit the reduction of minimum access spacing between the project driveway and the next closest driveway to the south to +/- 9 feet, and the next nearest driveway to the north to +/- 112 feet.
8. If PD 22-1577 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance (dated April 21, 2023) which was found approvable by the County Engineer (on May 30, 2023). Approval of this Administrative Variance will waive the S. 78th St. substandard road improvements required by Section 6.04.03.L. of the LDC.
9. If PD 22-1577 is approved, the County Engineer will approve a Design Exception (dated April 21, 2023) which was found approvable by the County Engineer (on May 30, 2023). Approval of this Design Exception will permit the reduction of a portion of the internal project driveways from 24 feet to 20 feet in width
10. Parking shall be provided in accordance with the Hillsborough County LDC and Transportation Technical Manual. Notwithstanding the above, parking for the Contractor's office portion of the site shall be permitted at a rate of 3.24 spaces per 1,000 g.s.f. Additionally, the developer shall provide bicycle parking for a minimum of 4 bicycles (i.e. 2 racks).

Other Conditions

- Prior to PD Site Plan Certification, the applicant shall revise the PD Site Plan to:
 - Correct the CIP project number from “69644001” to instead read “69666000”; and,
 - The developer shall add an access arrow along the southern property boundary as generally shown below and label as “Future Access to Shared Access Facility – See Conditions of Approval”.



PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a +/- 1.41 ac. parcel, from Agricultural Single-Family Conventional - 1 (ASC-1) to Planned Development (PD). The proposed PD is seeking entitlements to permit one (1) single-family detached dwelling unit and a 5,548 s.f. contractor's office without open storage on a single parcel. This case is a result of a code enforcement action, whereby the properly owner illegal constructed the proposed using without obtaining proper site plan and other approvals.

The proposed site plan provides a number of changes necessary to bring the site into conformance with current standards, some of which will require demolition of a portion of the single-family residence in order to allow a driveway of sufficient width to serve the existing and proposed uses. Additional discussion regarding project access has been included hereinbelow.

As required by the Development Review Procedures Manual (DRPM), the applicant submitted a trip generation letter for the proposed project indicating that because the project is generating fewer than 50 peak hour trips in total, no site access analysis was required to support the zoning request. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. The information below is based on data from the Institute of Transportation Engineer's Trip Generation Manual, 11th Edition.

Approved Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
ASC-1, 1 Single-Family Detached Dwelling Unit (ITE LUC 210)	10	1	1

Proposed Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 1 Single-Family Detached Dwelling Unit (ITE LUC 210)	10	1	1
PD, 5,548 s.f. Contractor's Office Without Open Storage (ITE LUC 180)	54	9	10
Subtotal:	64	10	11

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	(+) 54	(+) 9	(+) 10

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

S. 78th St. is a 2-lane, undivided, publicly maintained, substandard, collector roadway characterized by +/- 11-foot-wide travel lanes in average condition. The roadway lies within a +/- 72-foot-wide right-of-way in the vicinity of the proposed project. There are no bicycle facilities present along S. 78th St. in the vicinity of the proposed project. There are +/- 5-foot-wide sidewalks along portions of the west side of S. 78th St. in the vicinity of the proposed project.

The segment of S. 78th St. fronting the project is shown on the Hillsborough County Corridor Preservation Plan as a future 2-lane enhanced roadway. Pursuant to the S. 78th Corridor Improvements PD&E/ CIP 69644001, a total of 11-feet of right-of-way is needed for the enhancement project. As such, and in accordance with the Hillsborough County Corridor Preservation Plan, staff has proposed a condition requiring the applicant to preserve this right-of-way.

Staff notes that the applicant will be required construct sidewalks along all project frontages where such sidewalks do not exist (or are otherwise removed and reconstructed). Because the right-of-way is too small to accommodate the required sidewalk, pursuant to Sec. 6.03.02.D. of the LDC, the applicant will be required to place the sidewalk within the subject site and provide an easement (for public access and

maintenance purposes) acceptable to the County. At the property owner's sole option, as an alternative to an easement they may choose to dedicate the underlying fee to the County.

SITE ACCESS, SHARED ACCESS AND CONNECTIVITY

Generally

The applicant is proposing one (1) access connection to serve the proposed project, consistent with Section 6.04.03.I. of the LDC. No site access improvements are required to serve the proposed project consistent with Section 6.04.04.D. of the LDC.

Access Spacing/ Shared Access

The proposed access connection is located directly adjacent to the driveway serving the single-family home south of the subject site. This proposed access does not meet LDC Sec. 6.04.07 access spacing requirements. Given the limited parcel frontage and constraints related to the existing single-family home within the subject PD, the applicant has proffered within its Administrative Variance request the first 70 feet of the project driveway as a Shared Access Facility serving both the subject PD as well as adjacent folio 47615.0100 (which would be utilized in the event the adjacent property redevelops or otherwise changes use of the existing structure to a non-residential use)

Other Issues Related to Proposed Development

Consistent with Section 6.02.01 of the LDC, single-family detached residential uses (i.e. the proposed use within Pocket A) can generally only access the public roadway system via direct access to roadways. Additionally, when a single-family dwelling is permitted to take access via an easement, then a maximum of 3 homes are permitted on the easement (and such easement cannot be comingled with residential and non-residential uses). The applicant indicated that the proposed home is owned by business owner, and that this arrangement is not proposed to change. Given the above, the Pocket A use would not be permitted to be subdivided in the future, as doing so would violate various access management/ easement provisions. As such, staff has included a condition memorializing that the project parcel cannot be subdivided in the future while the single-family use remains.

Cross Access

Vehicular and pedestrian cross access is not currently required pursuant to Sec. 6.04.03.Q. of the LDC. IN the event the adjacent property changes to a non-residential use, the connection to the Shared Access Facility will serve as both regular access and vehicular cross access.

TRANSIT FACILITIES

Consistent with Section 6.03.09 of the LDC, transit facilities are not required for the subject project.

REQUESTED ADMINISTRATIVE VARIANCE #1 – ACCESS SPACING

The applicant's Engineer of Record (EOR) submitted a Section 6.04.02.B. Administrative Variance (AV) request (dated February 7, 2023) from the Section 6.04.07 LDC requirements governing access spacing. The Hillsborough LDC requires a minimum connection space of 245 feet for Class 6 roadways. Based on factors presented in the AV request, the County Engineer found the AV request approvable (on May 30, 2023). If the rezoning is approved, the County Engineer will approve the above referenced AV request, upon which the developer will be permitted to locate the S. 78th St. access +/- 9 feet from the nearest access to the south, and +/- 112 feet from the nearest access to the north.

Staff notes that as a part of the AV request, and given that it would be potentially unsafe to maintain two accesses +/- 9 feet apart particularly if they both serve non-residential uses, the developer proffered to designate a portion of the project's access as a Shared Access Facility, and record an easement in favor of

the property owner to the south (so that they can take access via the Shared Access Facility upon future redevelopment and/or change of use). This issue is further discussed in the Access Spacing/ Shared Access section of this report, hereinabove.

REQUESTED ADMINISTRATIVE VARIANCE #2 – SUBSTANDAR ROAD

The applicant’s Engineer of Record (EOR) submitted a Section 6.04.02.B. Administrative Variance (AV) request (dated April 21, 2023) from the Section 6.04.03.L. LDC requirement, whereby the developer is required to improve S. 78th St. (between the project driveway and the nearest roadway meeting applicable standards) to current County standards for a Type TS-4 (Transportation Technical Manual) collector roadway. Based on factors presented in the AV request, the County Engineer found the AV request approvable (on May 30, 2023). If the rezoning is approved, the County Engineer will approve the above referenced AV request, upon which the developer will not be required to make improvements to the roadway.

REQUESTED DESIGN EXCEPTION – DRIVEWAY WIDTH

The applicant’s Engineer of Record (EOR) submitted a Design Exception (DE) request (dated April 21, 2023) in accordance with Section 1.7.2. and other applicable sections of the Transportation Technical Manual (TTM). The applicant is requesting to reduce the width of the internal drive-aisles from the 24-foot width typically required for non-residential uses to the 20-foot width typically permitted for residential uses. Based on factors presented in the DE request, the County Engineer found the DE request approvable (on May 30, 2023). If the rezoning is approved, the County Engineer will approve the DE request, upon which 20-foot internal drive aisles will be permitted.

Staff notes that redevelopment of the adjacent site would trigger the Shared Access Facility provisions, at which point the drive aisle could potentially be expanded further (onto the adjacent property) if necessary to widen the driveway to accommodate the increased traffic that redevelopment would potentially generate.

REQUESTED PD VARIATION - PARKING

The applicant submitted a PD variation request to the Section 6.05 LDC parking standards for the Contractor’s Office portion of the use. The single-family use is being parked at the required rate of 2 per dwelling unit, and no changes to that rate are proposed. The LDC requires parking for this be provided at a rate of 3 spaces per 1,000 g.s.f. and 1 additional space per facility vehicle. According to the applicant, there are 11 facility vehicles, which when added to the 17 spaces required based on the square-footage of the building, results in a requirement for 28 parking spaces for this use. As noted in the applicant’s filings, and based on discussions with the applicant, staff notes that the proposed use is unique in several ways. First, the business operates on a single parcel with the home of the business owner (i.e. single-family dwelling unit at the front of the property). Also, the applicant indicated that most staff takes their vehicles home, and do not park their vehicles overnight on the property.

Staff examined the parking data from the 5th Edition of the Institute of Transportation Engineer’s Parking Generation Manual, and noted that the 85th percentile rate for LUC 180 is 4.06 spaces per 1,000 s.f. This rate captures all vehicles (facility or otherwise). When applied to the site, it would result in a parking demand for the contractor’s use of 23 spaces (rather than the 18 proposed by the applicant).

Staff notes that the applicant is proposing 2 bicycle parking racks which should be able to accommodate up to 4 bicycles.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Level of Service (LOS) information for adjacent roadway section(s) is reported below.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
S. 78 th St.	Madison Ave.	Causeway Blvd.	E	C

Source: Hillsborough County 2020 Level of Service Report.

**DESIGN EXCEPTION AND ADMINISTRATIVE VARAINCES WERE PERVIOUSLY
INCLUDED IN THE ORIGINAL (7/13/2023) VERSION OF THIS STAFF REPORT AND ARE
INCORPORATED HEREIN BY REFERENCE**

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
S. 78 th St.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width (for Urban Section)	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. 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
	Choose an item.	Choose an item. 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
	Choose an item.	Choose an item. 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	10	1	1
Proposed	64	10	11
Difference (+/-)	(+) 54	(+) 9	(+) 10

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

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

Design Exception/Administrative Variance <input type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
S. 78 th St./ Access Spacing	Administrative Variance Requested	Approvable
S. 78 th St./ Access Spacing	Administrative Variance Requested	Approvable
Not Applicable/ Internal Driveway Width	Design Exception Requested	Approvable
Notes:		

Transportation Comment Sheet

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

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

Application number:	RZ-PD 22-1577
Hearing date:	July 24, 2023
Applicant:	Todd Pressman
Request:	Rezone to Planned Development
Location:	3826 S. 78th Street, Tampa
Parcel size:	1.41 acres +/-
Existing zoning:	ASC-1
Future land use designation:	Res-9
Service area:	Urban Services Area
Community planning area:	Greater Palm River Community Plan

A. APPLICATION REVIEW

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

Rezoning Application:

PD 22-1577

Zoning Hearing Master Date:

July 24, 2023

BOCC Land Use Meeting Date:

September 12, 2023



**Hillsborough
County Florida**

Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Todd Pressman
 FLU Category: Residential-9
 Service Area: Urban
 Site Acreage: +/- 1.4 acres
 Community Plan Area: Greater Palm River
 Overlay: None
 Request: Rezone from ASC-1 to PD



Introduction Summary:

The applicant proposes Planned Development (PD) to allow for a single-family home and contractor's office with enclosed storage on one parcel.

Zoning:	Existing	Proposed
District(s)	ASC-1	Planned Development
Typical General Use(s)	Single-Family Residential/Agricultural	A single-family home with a contractor's office and associated indoor storage
Acreage	+/- 1.4 acres	+/- 1.4 acres
Density/Intensity	Min. Lot size is 1 acre per SF dwelling.	Single parcel with one single-family home in front and a contractor's office located in the rear.
Mathematical Maximum*	One SF dwelling (1 du/ac.)	Proposed "Pocket A" +/-0.2 ac. (4.91 du/ac.) Proposed "Pocket B" +/-1.19 ac. (0.11 FAR)

*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	ASC-1	Planned Development
Lot Size / Lot Width	43,560 sf / 100.12 ft.	43,560 sf / 100.12 ft.
Setbacks/Buffering and Screening	50' Front 50' Rear 15' Sides	North (Side): 10' buffer w/ Type "B" Screening South (Side): 3' buffer w/ Type "A" Screening East (Rear): 20' buffer w/ Type "B" Screening
Height	50 ft.	20 ft.

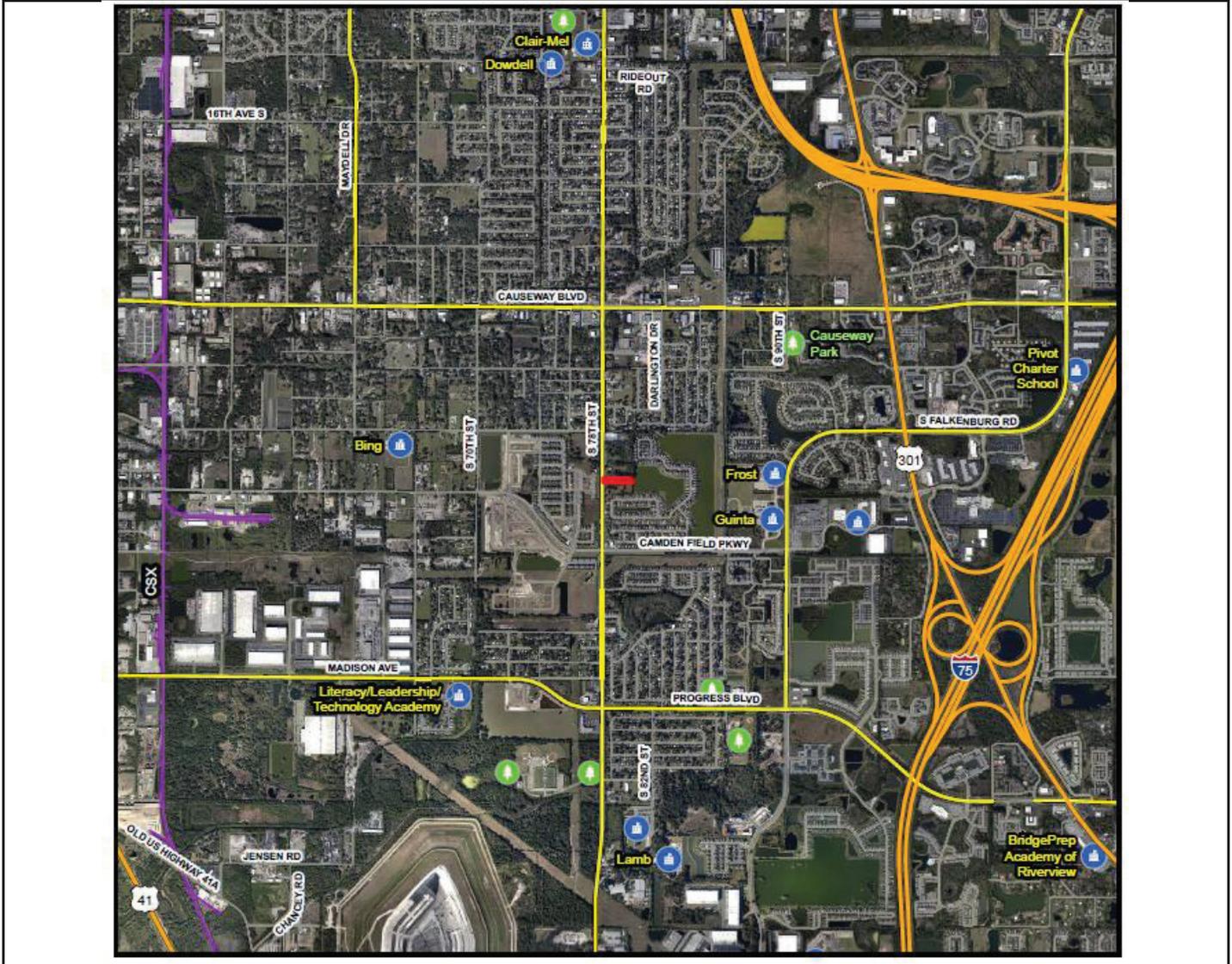
Additional Information:

PD Variation(s)	LDC Part 6.06.00 (Landscaping/Buffering)
Waiver(s) to the Land Development Code	None Requested.

Planning Commission Recommendation: Inconsistent	Development Services Recommendation: Not supportable.
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2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map



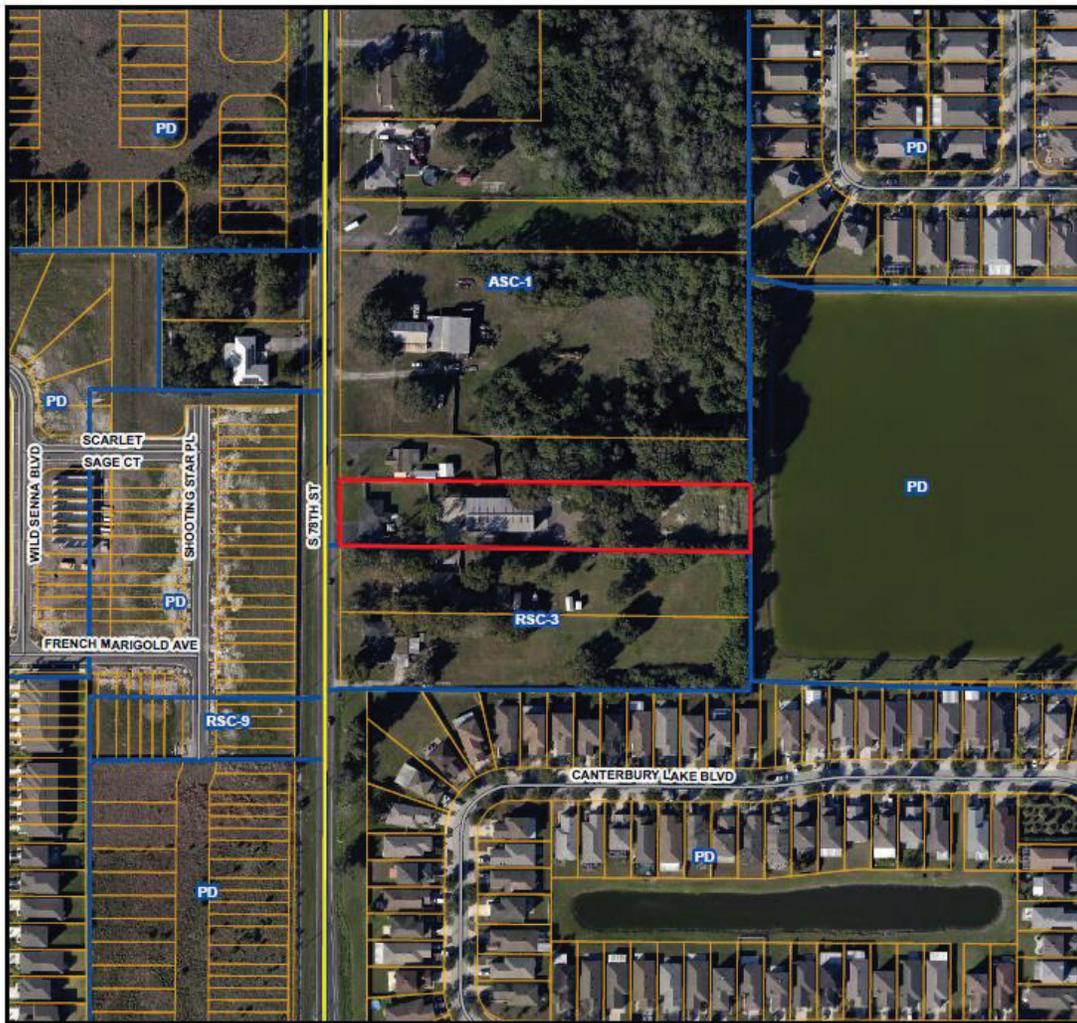
Context of Surrounding Area:

The 1.41 +/- acre site is located at 3826 S 78th Street, east of 78th Street and north of Camden Field Parkway within the Urban Service Area and within the limits of the Greater Palm River Community Plan. The subject property is zoned as Agricultural Single Family Conventional-1 (ASC-1).

North of the subject site is designated Residential Single-family Conventional-1 (RSC-1) zoning. To the south is Residential Single-family Conventional-3 (RSC-3) zoning and to the east and west is Planned Development (PD) zoning.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map

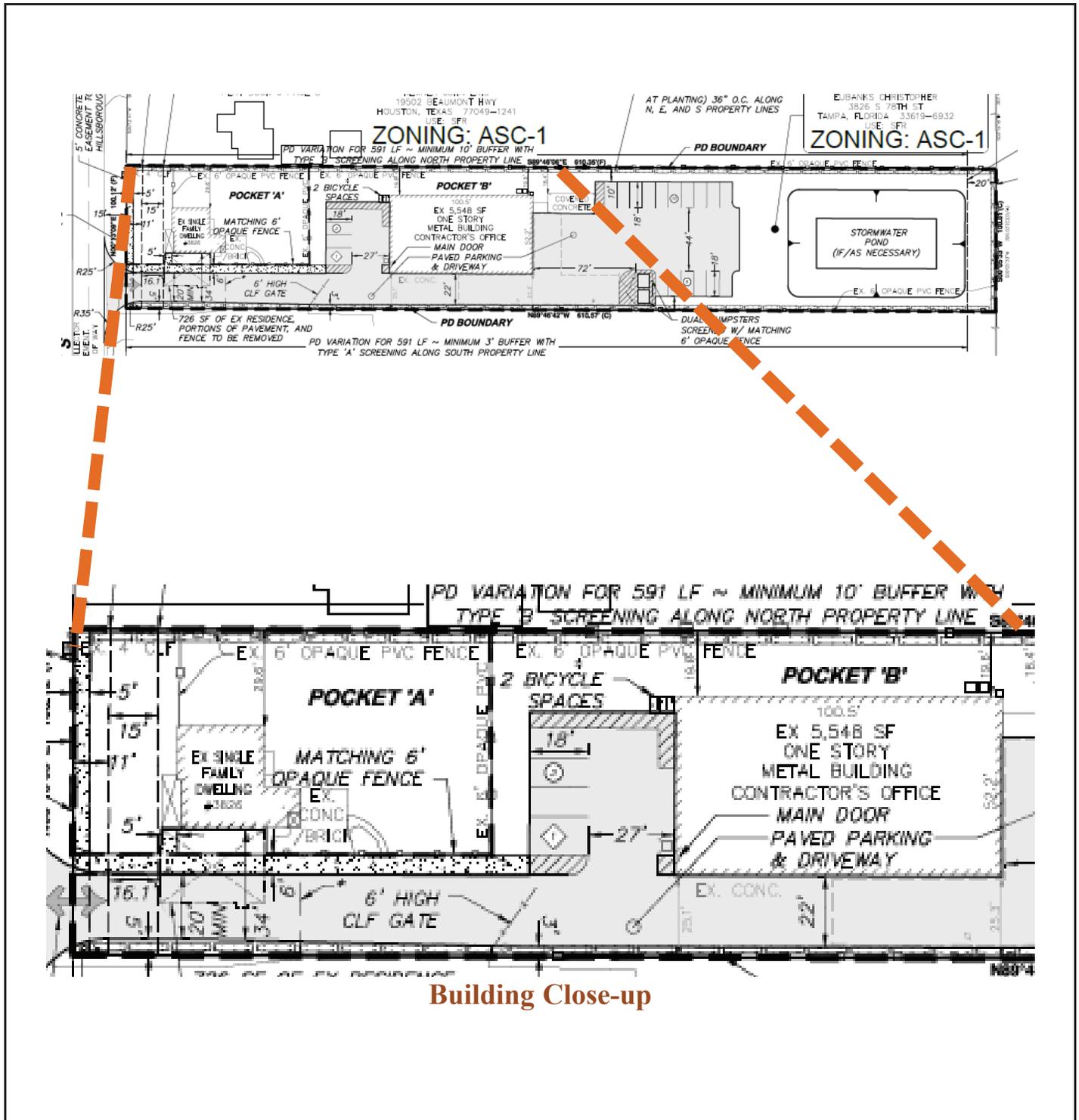


Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	ASC-1	1 du per acre	Agricultural and agricultural related and single-family	Single-family
South	RSC-3	Min. 14,520 sf min. lot size	Single-family	Single-family
East	PD 02-0789	Subject to RSC-9 standards. Maximum of 68 SF	Single-family homes	Single-family
West	PD 05-1947 / PRS 22-1267	Max. 468 SF and 530 Townhomes	SF and Townhomes	SF and Townhomes

2.0 LAND USE MAP SET AND SUMMARY DATA

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



Building Close-up

APPLICATION NUMBER: PD 22-1577

ZHM HEARING DATE: July 24, 2023

BOCC LUM MEETING DATE: September 12, 2023

Case Reviewer: Tim Lampkin, AICP

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
S. 78 th St.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width (for Urban Section)	<input checked="" 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	10	1	1
Proposed	64	10	11
Difference (+/-)	(+) 54	(+) 9	(+) 10

*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		Vehicular & Pedestrian (Future)	None	Meets LDC
East		None	None	Meets LDC
West	X	Vehicular & Pedestrian	None	Meets LDC

Notes:

Design Exception/Administrative Variance Not applicable for this request

Road Name/Nature of Request	Type	Finding
S. 78 th St./ Access Spacing	Administrative Variance Requested	Approvable
S. 78 th St./ Access Spacing	Administrative Variance Requested	Approvable
Not Applicable/ Internal Driveway Width	Design Exception Requested	Approvable

Notes:

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" 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: <ul style="list-style-type: none"> <input 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 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 type="checkbox"/> Other _____ 				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input checked="" type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Service Area/ Water & Wastewater <input 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 checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Impact/Mobility Fees Light Industrial (Per 1,000 s.f.) Mobility: \$4,230 Fire: \$57 Urban Mobility, Central Fire - Warehouse, Distribution, Industrial (unspecified size)				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Inconsistent <input type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The applicant proposes to rezone from ASC-1 to Planned Development for a property located on the east side of South 78th Street, approximately 850 feet south of the intersection of South 26th Avenue and 78th Street South. North of the subject site is designated Residential Single-family Conventional-1 (RSC-1) zoning. To the south is Residential Single-family Conventional-3 (RSC-3) zoning. Both properties located to the immediate north and south of the subject site are developed with single-family homes. Staff notes that approximately 850 north of the subject site is Commercial Intensive, located on the west side of the intersection of South 36th Avenue and 78th Street South. Located on the southwest side of the same intersection is an area designated for future office and commercial pursuant to PD 19-1308.

Pursuant to the applicant's narrative request, the applicant notes that the existing single-family home was recently improved with landscaping (Figure 1) to provide an enhanced residential character view from the street. The applicant proposes to rezone PD to allow a contractor's office (no open storage) and one residential unit in front. The applicant proposed the following restrictions to create more compatibility with the immediate surrounding area.

1. The use will serve as an office and interior storage for an ac/heat repair company and the existing residential home will remain as a residential single family home use.
2. No free standing or wall signage permitted.
3. The exterior of the existing front residential home structure will remain in residential character.
4. There will be an opaque fence to code standards on all sides of the property.
5. All activity, including any storage and vehicles, will be interior.

Figure 1 (Applicant Submittal of Front Yard)



View of the subject site from the public street

Variations Requested

The applicant is requesting a variation to Hillsborough County LDC Section 6.06.06 Landscaping and Buffering Requirements which requires the perimeter of the subject site to have a 20-footwide Type "B" buffer along the north (side) and south (side) of the subject site boundary and the proposed use.

Variation #1:

The applicant requests a variation to Section 6.06.06 to reduce the required buffer from a 20-foot buffer with Type "B" screening along the northern (side) property boundary to a 10-foot buffer with Type "A" screening. The applicant provided additional justification which is included in the applicant's submittal for the variation of LDC

Section 6.06.06. Staff has reviewed the justification statement submitted by the applicant and finds Variation #1 may meet the criteria for approval per LDC Section 5.03.06.C.6. Staff also notes that the single-family home located to the immediate north is located approximately adjacent to the existing single-family home and the one-story contractor's office is located towards the rear of the property.

Variation #2:

The applicant requests a variation to Section 6.06.06 to reduce the required buffer from a 20-foot buffer with Type "B" screening along the southern (side) property boundary to a 3-foot buffer with Type "A" screening. The applicant provided additional justification which is included in the applicant's submittal for the variation of LDC Section 6.06.06. Staff has reviewed the justification statement submitted by the applicant and finds Variation #2 does not meet the criteria for approval per LDC Section 5.03.06.C.6. Variation #2 reduces the buffer to 3 feet along the access driveway to the contractor's office proposed to comprise a buffer that is fifteen percent of the required buffer width.

The Rezoning Hearing Master's recommendation for this application is required to include a finding on whether the requested variations meet the criteria for approval. Additional information regarding the rationale may be found in the applicant's narrative.

Transportation Design Exception / Administrative Variance**1. Administrative Variance for Minimum access spacing between the project driveway and the next closest driveway**

If PD 22-1577 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance (dated February 7, 2023) which was found approvable by the County Engineer (on May 30, 2023). Approval of this Administrative Variance will permit the reduction of minimum access spacing between the project driveway and the next closest driveway to the south to +/- 9 feet, and the next nearest driveway to the north to +/- 112 feet.

2. Administrative Variance to waive the S. 78th St. substandard road improvements

If PD 22-1577 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance (dated April 21, 2023) which was found approvable by the County Engineer (on May 30, 2023). Approval of this Administrative Variance will waive the S. 78th St. substandard road improvements required by Section 6.04.03.L. of the LDC.

3. Design Exception to permit the reduction of a portion of the internal project driveways from 24 feet to 20 feet.

If PD 22-1577 is approved, the County Engineer will approve a Design Exception (dated April 21, 2023) which was found approvable by the County Engineer (on May 30, 2023). Approval of this Design Exception will permit the reduction of a portion of the internal project driveways from 24 feet to 20 feet in width.

Planning Commission staff finds the proposed Planned Development is not consistent with the Unincorporated Hillsborough County Comprehensive Plan. Overall, the proposed rezoning would not allow for development that is consistent with the Goals, Objectives and Policies of the Unincorporated Hillsborough County Comprehensive Plan and is not compatible with the existing and planned development pattern found in the surrounding area.

5.2 Recommendation

Overall, the request is **NOT** supportable.

Zoning Administrator Sign Off:



J. Brian Grady
Thu Jul 27 2023 08:48:24

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 July 24, 2023. Ms. Michelle Heinrich of the Hillsborough County Development Services Department introduced the petition.

Applicant

Mr. Todd Pressman spoke on behalf of the applicant. Mr. Pressman presented the rezoning request, responded to the hearing officer's questions, and provided testimony as reflected in the hearing transcript attached to and made a part of this recommendation.

Mr. Dhawn Richard Nevels spoke on behalf of the applicant and in support of the rezoning request. Mr. Nevels responded to the hearing officer's questions and provided testimony as reflected in the hearing transcript attached to and made a part of this recommendation.

Ms. Sara Ford spoke as an employee of the applicant and in support of the rezoning request. Mr. Nevels responded to the hearing officer's questions and provided testimony as reflected in the hearing transcript attached to and made a part of this recommendation.

Development Services Department

Mr. Tim Lampkin, Hillsborough County Development Services Department, presented a summary of the findings and analysis as detailed in the revised staff report, a copy of which was submitted to the record, responded to the hearing officer's questions, and provided testimony as reflected in the hearing transcript attached to and made a part of this recommendation.

Planning Commission

Ms. Andrea Papandrew, Hillsborough County City-County Planning Commission, presented a summary of the findings and analysis as detailed in the Planning Commission report previously submitted to 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

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

Applicant Rebuttal

Mr. Nevels provided rebuttal testimony and responded to the hearing officer's questions as reflected in the hearing transcript attached to and made a part of this recommendation.

Mr. Pressman provided rebuttal testimony as reflected in the hearing transcript attached to and made a part of this recommendation.

The hearing officer closed the hearing on RZ-PD 22-1577.

C. EVIDENCE SUBMITTED

Mr. Pressman submitted to the record at the hearing a copy of the applicant's presentation slides, statements in support of the proposed rezoning, request for site design variations along with variations criteria responses, proposed approval conditions, parking demand data, and a copy of the staff report.

Development Services Department staff submitted to the record at the hearing a copy of the revised staff report.

D. FINDINGS OF FACT

1. The Subject Property consists of approximately 1.41 acres at 3826 S. 78th Street, Tampa.
2. The Subject Property is designated Res-9 on the Future Land Use Map and is zoned ASC-1.
3. The Subject Property is in the Urban Services Area and is located within the boundaries of the Greater Palm River Community Plan.
4. The Subject Property is developed with a single-family home, which the Hillsborough County Property Appraiser's website shows was built in 1958, and a prefabricated metal building, which the Property Appraiser's website shows was built in 1983 and has an area of 5,000 square feet.
5. The applicant's deed shows the current owner, Christopher Eubank, acquired the Subject Property on March 22, 2019 by General Warranty Deed recorded March 28, 2019 as Instrument Number 2019131867 in the Public Records of Hillsborough County, Florida.
6. The general area surrounding the Subject Property consists primarily of residential uses, and includes single-family homes on unplatted lots, single-family home subdivisions, and townhome subdivisions. Properties in the surrounding area are zoned PD, RSC-9, RSC-3, and ASC-1. Approximately 850 feet north of the Subject Property at the intersection of South 78th Street and South 36th Avenue there is a parcel zoned CI and in use as Action Corrugated Packaging Company. Approximately 1,200 feet south of the Subject Property at the intersection of South 78th Street and Camden Field Parkway there is a parcel zoned PD and developed as a convenience store with gasoline pumps.

7. Properties adjacent to the Subject Property include: a residential parcel zoned ASC-1 to the north; a retention pond owned by a homeowners' association and zoned PD to the east; a residential parcel zoned RSC-3 to the south; and a residential townhome community zoned PD to the west across South 78th Street.
8. Mr. Dhawn Richard Nevels testified at the hearing that he and the property owner are business partners, that Mr. Nevels lives in the single-family home on the Subject Property, and that Mr. Nevels and Mr. Eubank operate their air conditioning business, Air 24/7, LLC, from the Subject Property. Mr. Nevels and the applicant's representative, Mr. Todd Pressman, testified at the hearing that the 5,000-square-foot building on the Subject Property is used for equipment storage. Ms. Sara Ford testified at the hearing that she is an employee of the air conditioning business, and she works at the Subject Property as a dispatcher.
9. The Hillsborough County Code Enforcement Department issued a Notice of Violation on October 4, 2021 in case CE21013851 for improper use in the zoning district. The case remains open and pending.
10. The applicant is requesting to rezone the Subject Property to Planned Development to allow the existing single-family home and to allow use of the existing 5,000-square-foot building as a contractor's office with enclosed storage.
11. The applicant is requesting a PD variation to LDC section 6.06.06 to reduce the required 20-foot-wide buffer with Type B screening along the Subject Property's north boundary to a 10-foot-wide buffer with Type A screening.
12. The applicant is requesting a PD variation to LDC Section 6.06.06 to reduce the required 20-foot-wide buffer with Type B screening along the Subject Property's south boundary to a 3-foot-wide buffer with Type A screening.
13. Mr. Lampkin testified at the hearing that the applicant submitted a request for a PD variation to reduce the vehicle use area buffer from six feet to three feet. The staff report does not reflect this variance request. Mr. Lampkin testified that the applicant submitted this variance request after the staff report was written. At the hearing, the applicant submitted a Variations for Site Design form stating "6' perimeter buffer adjacent to off-street access area is required per Sec. 6.06.04. and 3'buffer is requested," and Variations Criteria Review Form in support of the request. The LDC at section 6.06.04.E.1. provides:

A landscaped buffer a minimum of six feet in width shall be required between the off-street vehicular use area and any property boundary not fronted by a road right-of-way, unless the buffer or screening requirements of 6.06.06 and 6.06.06 C are more stringent, in which case the more stringent requirements shall apply. (Figure 6.9). The landscaped buffer shall not be required if such a buffer and required screening are provided on the adjacent property along said boundary.

The buffer and screening requirements of LDC section 6.06.06 and 6.06.06.C. are more stringent; therefore the more stringent requirements apply. The applicant's site plan indicates the applicant is requesting PD variations for the 591 linear feet along the Subject Property's entire north boundary and south boundary. This is consistent with the two PD variations described above and included in the Development Services Department staff report.

14. Mr. Lampkin testified at the hearing that the applicant requested a reduction in the number of parking spaces from 28. The revised Development Services Department staff report does not reflect this request. A late filed Agency Review Comment Sheet submitted by the Development Services Department Transportation Division states "...parking for the Contractor's office portion of the site shall be permitted at a rate of 3.24 spaces per 1,000 g.s.f..." The Transportation Division comment sheet further states, "The applicant submitted a PD variation request to the Section 6.05 LDC parking standards for the Contractor's Office portion of the use..."
15. The record shows the applicant submitted a Variations for Site Design form and Variance Review Criteria Form, which Development Services Department received February 22, 2023, seeking a reduction of parking spaces required under LDC Part 6.05.00. The applicant's Variations for Site Design form states the applicant is "seeking a reduction of parking spaces required from 30 parking spaces to 20 total, of which 1 would be a handicapped space..." The applicant's site plan, Note 9. states:

Parking for contractor's office per the LDC is 3 per 1,000 SF GFA plus 1 per company vehicle. Parking for SFR per the LDC is 2 per SFR. Therefore, the parking required for the project per the LDC is $3 \times 5.548 + 15 + 2 = 34$. A parking variation of 20 spaces is proposed."

Therefore, the Zoning Hearing Master will make findings, reflected in this Recommendation, related to the PD Variation to reduce the number of required parking spaces.

16. The applicant requested an Administrative Variance to permit reduction of minimum access spacing between the Subject Property's driveway and the nearest driveway to the south to approximately nine feet and reduce spacing to the nearest driveway to the north to approximately 112 feet. The County Engineer found the Administrative Variance approvable.
17. The applicant requested an Administrative Variance to waive the substandard roadway improvements for South 78th Street. The County Engineer found the Administrative Variance approvable.

18. The applicant requested a Design Exception to permit reduction of a portion of the internal project driveways from 24 feet in width to 20 feet in width. The County Engineer found the Design Exception approvable.
19. The Subject Property does not meet Commercial Locational Criteria, and the applicant has requested a waiver. Planning Commission staff found the proposed use too intensive for the area and the proposed mitigation insufficient to mitigate the impacts. Staff do not support the waiver of Locational Criteria.
20. Development Services staff found the proposed Planned Development rezoning not supportable.
21. Planning Commission staff found the proposed Planned Development rezoning would allow a use that is too intensive to be placed in a predominately residential area. Staff found the request inconsistent with the Greater Palm River Community Plan. Staff further found the proposed rezoning would allow development that is not compatible with the existing and planned development found in the surrounding area. Staff concluded the proposed Planned Development rezoning is inconsistent with the Unincorporated Hillsborough County Comprehensive Plan.
22. LDC section 5.03.06.C.6.d. requires recommendations of the Zoning Hearing Master and the Zoning Administrator shall include a finding regarding whether the variations requested as part of a Planned Development rezoning meet the variance criteria of LDC 5.03.06.C.6.b.

Findings on LDC 5.03.06.C.6.b. variation criteria:

- 1. The variation is necessary to achieve creative, innovative, and/or mixed-use development that could not be accommodated by strict adherence to current regulations.**

PD variation to LDC section 6.06.06 to reduce the required 20-foot-wide buffer with Type B screening along the Subject Property's north boundary to a 10-foot-wide buffer with Type A screening. Yes. The proposed contractor's office building was built in 1983, and the applicant's site plan shows the structure is situated 19.6 feet from the Subject Property's north boundary. The applicant's site plan shows the parking area behind (east of) the contractor's office building is 10 feet from the north property boundary. The site plan reflects screening that will consist of a 6-feet-high opaque PVC fence and hedge plantings that are 36" high (24" high at planting) and 36" on center along the Subject Property's north boundary. The residential parcel north of the Subject Property is developed with a single-family home and accessory buildings situated to the west, near 78th Street. The record supports a finding that the variation is necessary to accommodate a mixed-use development that could not be accommodated by strict adherence to current LDC regulations.

PD variation to LDC Section 6.06.06 to reduce the required 20-foot-wide buffer with Type B screening along the Subject Property's south boundary to a 3-foot-wide buffer with Type A screening. Yes. The proposed contractor's office building was built in 1983, and the applicant's site plan shows the structure is situated 25.1 feet from the Subject Property's south boundary. The applicant's site plan shows the entrance drive and vehicular use area are only 3 feet from the Subject Property's south boundary. The site plan also shows 726 square feet of the existing single-family home will be removed and the entrance driveway and vehicle use area will be 22-feet-wide. The site plan reflects screening will consist of a 6-foot-high opaque PVC fence and hedge plantings that are 36" high (24" high at planting) and 36" on center along the Subject Property's south boundary. The record supports a finding that the variation is necessary to accommodate a mixed-use development that could not be accommodated by strict adherence to current LDC regulations.

PD variation to LDC Part 6.05.00 to reduce the number of required parking spaces from 30 parking spaces to 20 total, of which 1 would be a handicapped space. Yes. The applicant's Variations Criteria Review Form and hearing testimony show that the property owner operates a dispatch service on the Subject Property, where field workers come and go throughout the day and do not park their vehicles overnight at the Subject Property. The record evidence demonstrates the intended use does not require the number of parking spaces otherwise required by the LDC. The record supports a finding that the variation is necessary to accommodate a mixed-use development that could not be accommodated by strict adherence to current LDC regulations.

2. The variation is mitigated through enhanced design features that are proportionate to the degree of variation.

PD variation to LDC section 6.06.06 to reduce the required 20-foot-wide buffer with Type B screening along the Subject Property's north boundary to a 10-foot-wide buffer with Type A screening. Yes. The proposed contractor's office building was built in 1983, and the applicant's site plan shows the structure is situated 19.6 feet from the Subject Property's north boundary. The applicant's site plan shows the parking area behind (east of) the contractor's office building is 10 feet from the north property boundary. The site plan reflects screening that will consist of a 6-foot-high opaque PVC fence and hedge plantings that are 36" high (24" high at planting) and 36" on center along the Subject Property's north boundary. The combination of a 6-foot-high opaque PVC fence and 36-inch-high hedge demonstrate an enhanced design feature. The record supports a finding that the variation is mitigated through enhanced design features that are proportionate to the degree of variation.

PD variation to LDC Section 6.06.06 to reduce the required 20-foot-wide buffer with Type B screening along the Subject Property's south boundary to a 3-foot-wide buffer with Type A screening. No. The proposed contractor's office

building was built in 1983, and the applicant's site plan shows the structure is situated 25.1 feet from the Subject Property's south boundary. The applicant's site plan shows the entrance drive and vehicular use area are only 3 feet from the Subject Property's south boundary. The site plan also shows 726 square feet of the existing single-family home will be removed and the entrance driveway and vehicle use area will be 22-feet-wide. The site plan reflects screening will consist of a 6-foot-high opaque PVC fence and hedge plantings that are 36" high (24" high at planting) and 36" on center along the Subject Property's south boundary. The record evidence does not demonstrate a PVC fence and hedge plantings are sufficient to mitigate reduction of the 20-foot-wide buffer to three feet where the proposed commercial use is adjacent to a residential use. The record does not support a finding that the variation is mitigated through enhanced design features that are proportionate to the degree of variation.

PD variation to LDC Part 6.05.00 to reduce the number of required parking spaces from 30 parking spaces to 20 total, of which 1 would be a handicapped space. No. The applicant's Variations Criteria Review Form and hearing testimony show that the property owner operates a dispatch service on the Subject Property, where field workers come and go throughout the day and do not park their vehicles overnight at the Subject Property. The record evidence demonstrates the intended use does not currently require the number of parking spaces otherwise required by the LDC. However, the applicant has not proposed any condition or other limitation on the intended use to mitigate the variance. There is no record evidence to support a finding that the variation is mitigated through enhanced design features that are proportionate to the degree of variation.

3. The variation is in harmony with the purpose and intent of the Hillsborough County Land Development Code.

PD variation to LDC section 6.06.06 to reduce the required 20-foot-wide buffer with Type B screening along the Subject Property's north boundary to a 10-foot-wide buffer with Type A screening. Yes. The proposed contractor's office building was built in 1983, and the applicant's site plan shows the structure is situated 19.6 feet from the Subject Property's north boundary. The applicant's site plan shows the parking area behind (east of) the contractor's office building is 10 feet from the north property boundary. The site plan reflects screening that will consist of a 6-foot-high opaque PVC fence and hedge plantings that are 36" high (24" high at planting) and 36" on center along the Subject Property's north boundary. The residential parcel north of the Subject Property is developed with a single-family home and accessory buildings situated to the west, near 78th Street. The record supports a finding that the variation is in harmony with the purpose and intent of the LDC to foster and preserve public health, safety, comfort and welfare, and to aid in the harmonious, orderly, and progressive development of the unincorporated areas of Hillsborough County.

PD variation to LDC Section 6.06.06 to reduce the required 20-foot-wide buffer with Type B screening along the Subject Property's south boundary to a 3-foot-wide buffer with Type A screening. No. The proposed contractor's office building was built in 1983, and the applicant's site plan shows the structure is situated 25.1 feet from the Subject Property's south boundary. The applicant's site plan shows the entrance drive and vehicular use area are only 3 feet from the Subject Property's south boundary. The site plan also shows 726 square feet of the existing single-family home will be removed and the entrance driveway and vehicle use area will be 22-feet-wide. The site plan reflects screening will consist of a 6-foot-high opaque PVC fence and hedge plantings that are 36" high (24" high at planting) and 36" on center along the Subject Property's south boundary. The record evidence does not demonstrate a PVC fence and hedge plantings are sufficient to mitigate reduction of the 20-foot-wide buffer to three feet where the proposed commercial use is adjacent to a residential use. The record does not support a finding that the variation is in harmony with the purpose and intent of the LDC to foster and preserve public health, safety, comfort and welfare, and to aid in the harmonious, orderly, and progressive development of the unincorporated areas of Hillsborough County.

PD variation to LDC Part 6.05.00 to reduce the number of required parking spaces from 30 parking spaces to 20 total, of which 1 would be a handicapped space. No. The applicant's Variations Criteria Review Form and hearing testimony show that the property owner operates a dispatch service on the Subject Property, where field workers come and go throughout the day and do not park their vehicles overnight at the Subject Property. The record evidence demonstrates the intended use does not currently require the number of parking spaces otherwise required by the LDC. However, the applicant has not proposed any condition or other limitation on the intended use to mitigate the variance. The record does not support a finding that the variation is in harmony with the purpose and intent of the LDC to foster and preserve public health, safety, comfort and welfare, and to aid in the harmonious, orderly, and progressive development of the unincorporated areas of Hillsborough County.

4. The variation will not substantially interfere with or injure the rights of adjacent property owners.

PD variation to LDC section 6.06.06 to reduce the required 20-foot-wide buffer with Type B screening along the Subject Property's north boundary to a 10-foot-wide buffer with Type A screening. Yes. The proposed contractor's office building was built in 1983, and the applicant's site plan shows the structure is situated 19.6 feet from the Subject Property's north boundary. The applicant's site plan shows the parking area behind (east of) the contractor's office building is 10 feet from the north property boundary. The site plan reflects screening that will consist of a 6-foot-high opaque PVC fence and hedge plantings that are 36" high (24" high at planting) and 36" on center along the Subject

Property's north boundary. The residential parcel north of the Subject Property is developed with a single-family home and accessory buildings situated to the west, near 78th Street. The record supports a finding that the variation will not substantially interfere with or injure the rights of adjacent property owners.

PD variation to LDC Section 6.06.06 to reduce the required 20-foot-wide buffer with Type B screening along the Subject Property's south boundary to a 3-foot-wide buffer with Type A screening. No. The proposed contractor's office building was built in 1983, and the applicant's site plan shows the structure is situated 25.1 feet from the Subject Property's south boundary. The applicant's site plan shows the entrance drive and vehicular use area are only 3 feet from the Subject Property's south boundary. The site plan also shows 726 square feet of the existing single-family home will be removed and the entrance driveway and vehicle use area will be 22-foot-wide. The site plan reflects screening will consist of a 6-foot-high opaque PVC fence and hedge plantings that are 36" high (24" high at planting) and 36" on center along the Subject Property's south boundary. The record evidence does not demonstrate a PVC fence and hedge plantings are sufficient to mitigate reduction of the 20-foot-wide buffer to three feet where the proposed commercial use is adjacent to a residential use. The record does not support a finding that the variation will not substantially interfere with or injure the rights of adjacent property owners.

PD variation to LDC Part 6.05.00 to reduce the number of required parking spaces from 30 parking spaces to 20 total, of which 1 would be a handicapped space. No. The applicant's Variations Criteria Review Form and hearing testimony show that the property owner operates a dispatch service on the Subject Property, where field workers come and go throughout the day and do not park their vehicles overnight at the Subject Property. The record evidence demonstrates the intended use does not currently require the number of parking spaces otherwise required by the LDC. However, the applicant has not proposed any condition or other limitation on the intended use to mitigate the variance. The record does not support a finding that the variation will not substantially interfere with or injure the rights of adjacent property owners.

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

The record evidence demonstrates the proposed Planned Development zoning is not in compliance with, and does not further the intent of the Goals, Objectives, and Policies of the Unincorporated Hillsborough County Comprehensive Plan.

F. CONCLUSIONS OF LAW

A development order is consistent with the comprehensive plan if "the land uses, densities or intensities, and other aspects of development permitted by such order...are compatible with and further the objectives, policies, land uses, and densities or intensities in the

comprehensive plan and if it meets all other criteria enumerated by the local government.” § 163.3194(3)(a), Fla. Stat. (2022). Based on the record as a whole, including evidence and testimony submitted in the record and at the hearing, reports and testimony of Development Services Staff and Planning Commission staff, applicant’s narrative, hearing testimony, and evidence, there is substantial competent evidence demonstrating the requested Planned Development rezoning is not consistent with the Unincorporated Hillsborough County Comprehensive Plan, and does not comply with the applicable requirements of the Hillsborough County Land Development Code.

G. SUMMARY

The applicant is requesting to rezone the Subject Property to Planned Development to allow the existing single-family home and to allow use of the existing 5,000-square-foot building as a contractor’s office with enclosed storage. The applicant is requesting a PD variation to LDC section 6.06.06 to reduce the required 20-foot-wide buffer with Type B screening along the Subject Property’s north boundary to a 10-foot-wide buffer with Type A screening. The applicant is requesting a PD variation to LDC Section 6.06.06 to reduce the required 20-foot-wide buffer with Type B screening along the Subject Property’s south boundary to a 3-foot-wide buffer with Type A screening. The applicant is requesting a reduction of parking spaces required from 30 parking spaces to 20 total, of which 1 would be a handicapped space.

The applicant requested two Administrative Variances, one for access spacing and the other for substandard roadway improvements. The County Engineer found the Administrative Variances approvable. The applicant requested a Design Exception to permit reduction of a portion of the internal project driveways from 24 feet in width to 20 feet in width. The County Engineer found the Design Exception approvable.

H. RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, this recommendation is for **DENIAL** of the Planned Development rezoning.

Pamela Jo Hatley
Pamela Jo Hatley PhD, JD
Land Use Hearing Officer

August 14, 2023
Date:

1 MS. HEINRICH: Our next application is Item D.2,
2 PD 22-1577. The applicant is requesting a rezoning from ASC-1
3 to PD. Tim Lampkin with Development Services will provide Staff
4 findings after the applicant's presentation.

5 HEARING MASTER: Okay.

6 MR. PRESSMAN: Good evening, Zoning Hearing Master.
7 Todd Pressman, 200 2nd Avenue South, Number 451, in Saint
8 Petersburg, Florida.

9 This is RZ-PD 22-1577. Is -- is the PowerPoint up for
10 you?

11 HEARING MASTER: It is not yet. Now it is.

12 MR. PRESSMAN: Okay. Great.

13 HEARING MASTER: I see it now.

14 MR. PRESSMAN: Great. Thank you.

15 This is located in the Greater Palm River Area as
16 indicated on the mapping. Located where the red star is, which
17 is south of Causeway, north of Progress Village Area and west of
18 I-75. As the property appraiser has it, long rectangle, long
19 and not very wide site.

20 The issue is this is a small business seeking ASC-1 to
21 PD for 1.41 acres to allow one residential unit and one
22 contractor's office with no outside storage. The business is
23 run as a dispatch operation, which is different than some of
24 these companies, which reduces the amount of activity, the
25 amount of trucks, the amount of employees at the site, which

1 I'll talk a little bit more about.

2 So this is the PD plan as it's been laid out. In the
3 front is a residential unit, which is existing and the office
4 for an AC and heat company. There are a number of conditions.
5 First is that the uses office interior storage for an AC heat
6 repair company, which the code recognizes the contractor's
7 office. The existing home will remain as a residential
8 single-family home. Second, there's no free standing or wall
9 sign is permitted. There's no customers that come to the site.
10 The exterior of the existing front residential home will remain
11 a residential character. There'll be an opaque fence to code
12 standards on all sides of the property. All activity, including
13 any storage of machinery or commercial vehicles will be interior
14 to the building. Some vehicle parking will be provided in the
15 very rear of the parcel, which is extremely well screened and
16 buffered. And there's no active mechanical AC or heat repairs
17 that occur on site.

18 So Mr. Nevels is here and he can further detail this,
19 but the basic operation is as a dispatch operation where the
20 repair guys will come at different points during the day. They
21 get most of their machinery at the manufacturer. They don't
22 keep too much there anymore. They pick up their orders, pick up
23 a few parts of that is and they're gone for the day. They keep
24 the trucks overnight. One of the perks is that they keep the
25 trucks as a vehicle that they use every day.

1 So our goal is to have the site act and sound like
2 really a mixed use site, which is a residential professional
3 office use. In the upper left, you can see what the residential
4 portion right in front by the street look like. It has been
5 pretty much upgraded. And that is at the front of the lot. As
6 you can see, they put a lot to that and that looks very nice.
7 That provides great screening of buffering from 78th. So what
8 I've shown you in an arrow -- area -- arrow because it's very
9 difficult to see is the rear area that the company is from one
10 side of 78th and the other side, extremely well buffered. If
11 you're driving by, you would never know that there's an AC heat
12 company there and that's done on purpose, of course.

13 We're in the Comp-9 RES category, which is open scale,
14 commercial, commercial uses, offices, multiuse, multipurpose.
15 Shown in the zoning map is the center is the site. To the north
16 is a CI zoning and an office in commercial zoning. And showing
17 to the south, the site is in the red square, there's a PD for a
18 convenience store and CN zoning. That is petitioned 020036
19 that -- that was a approved, which included light equipment,
20 rental and leasing. So there's more and more intensive uses
21 along 78th. 78th is very busy, it has 15,092 vehicles per day.
22 This trip generation is very low. It would be 54 in a two-hour
23 volume, which would be 9:00 a.m. -- 9:00 a.m. and ten in the
24 p.m.

25 Now, there is the test of time here. I looked through

1 aerals and a 95 I saw that the use or the structure of the use
2 was there, that's been over there quite a long period of time.
3 So again, we do the test of time here. And we have reached out
4 to the neighbor on the south. I have a letter in support from
5 the neighbor on the south. We tried to reach the owner to the
6 north. He's been un -- unreachable. It's -- it's vacant. We
7 have also sent a public notice actually, multiple times, I think
8 three times as well, with the large yellow sign out front. And
9 this is the letter of no opposition from the owner abutting on
10 the south. And abutting on the north is, as we've shown or
11 as -- as we're showing you is vacant.

12 The PD plan variance is supported or this variance is
13 supported, which is a 20-foot buffer with a Type B screening
14 along the northern side property boundary to a ten-foot buffer
15 with a Type A screening along the area shown and Staff supports
16 that. The variance to the south, Staff does not support.
17 That's a 20-foot buffer with a Type B screening along the
18 southern side, seeking for a three-foot buffer with Type A
19 screening.

20 What I do want to show you about that is that the
21 abutting use is also a driveway. Part of the conditions, which
22 I'll submit, include that they'll have a shared -- potential
23 shared access in the future. So driveway on our side, driveway
24 on the abutting side, who's in support, and for part of that
25 distance is a shared driveway. So we don't have the abutting

1 owner in opposition to it. So we felt that in terms of a
2 variation, that could be and should be. We would ask your
3 consideration to support.

4 On locational waiver, which has been submitted in
5 support of that, the use as conditioned is all interior. It
6 will remain residential character. I've shown you the great
7 buffering and screening from 78th. The existing residential in
8 the area, some of it is widespread and open, including a water
9 body in the rear. And again, this is a dispatch-like operation.
10 Under the Greater River Community Plan, it's located in the
11 mixed use business, professional office and residential oriented
12 development. And I'm showing you on the Greater Palm River
13 Community Plan, double check the distance to be sure were
14 included in that area, which is a 78th Street Overlay District,
15 which refers to appropriate to plan for the transition of
16 business and professional office uses. And again, our goal is
17 that this looks residential and professional office.

18 Greater River -- Greater Palm River Community Plan has
19 a number of conditions that we feel that we meet, which is to
20 provide improvements for the appearance and safety of primary
21 signature roadways, which includes 78th. Clearly, this is a
22 very improved face on 78th, enhanced community appearance,
23 beautification, including sign -- signage regulations, which
24 are -- conditioned there are none. And Division of the Greater
25 Palm River Area concept map illustrates unique qualities of land

1 use as related to distinct areas of community, future
2 development, redevelopment is required to comply with the
3 adopted concept map, which, as I've shown you, we do comply and
4 we meet with.

5 Waiver to locational criteria, as I indicated are all
6 the points that I presented to you, which we believe allow
7 improved compatibility and meet the intent of the overlay of the
8 78th. And that we've been successful with the neighbor on the
9 south, which we think is a critical factor. What it boils down
10 to, of course, I'm not speaking for the Staff, but our in our
11 opinion, what it boils down to is that Staff has an opinion that
12 there's not enough that's been done for compatibility. We feel
13 very strongly and successful that we provided a lot of elements
14 for compatibility for this site for it to work.

15 So I do have conditions to put into the record, which
16 I will in just a moment. But in summary, again, there's a lot
17 of conditions, a lot of molding for this site to make it work,
18 which is compatible, the residential component, the interior
19 use, neighbors support. It's a low trip generator, have the
20 test of time. There's been absolutely no complaints that we're
21 aware of. I did check online for support or opposition. There
22 were none listed whatsoever. Haven't been made aware of any
23 calls or any letters. And meet -- as far as we can see, meets a
24 lot of the Great Palm River Community Plan.

25 So with that, we appreciate your consideration. I'll

1 put these conditions in the record, if I may?

2 HEARING MASTER: Okay. And I have some questions for
3 you, Mr. Pressman.

4 MR. PRESSMAN:

5 HEARING MASTER: First of all, you -- you said the
6 single-family home is to remain. What is the use of the home?

7 MR. PRESSMAN: It's a single-family home. So -- and
8 Mr. Nevels may -- may give further details, but it's for the
9 use -- at the moment, the use of one of the employees.

10 MR. NEVELS: I live there.

11 MR. PRESSMAN: Mr. Nevels lives there. Mr. Nevels is
12 one of the owners of the business. He lives there. And we've
13 indicated that continued use would be residential. The idea is
14 that it would be for one of the employees or one of the owners
15 of the business.

16 HEARING MASTER: Okay. Mr. Nevels, could you please
17 step up to the microphone, please?

18 Thank you. You did answer a question from your seat,
19 so I think I need your name and your address on the record
20 please.

21 MR. NEVEL: It's Dhawn -- Dhawn Richard Nevels.

22 HEARING MASTER: And your address?

23 MR. NEVELS: 3826 South 78th Street.

24 HEARING MASTER: All right. Thank you. And is this
25 your property?

1 MR. NEVELS: It's me and my partner's. We started a
2 business like six years ago and we were driving by and we saw
3 that and well -- oh, I don't know what you asked then.

4 HEARING MASTER: Okay. Who is the -- who has title to
5 the property?

6 MR. NEVELS: Chris Eubank and Chris Eubank, my
7 partner.

8 HEARING MASTER: Okay. Chris Eubank is your partner?

9 MR. NEVELS: Business partner. We're 50/50.

10 HEARING MASTER: Okay. And you live in this -- in the
11 single-family house?

12 MR. NEVELS: Yeah. I've lived there since the
13 beginning, since we bought it over four years ago.

14 HEARING MASTER: Okay.

15 MR. NEVELS: Yeah.

16 HEARING MASTER: When was the 5,000 square foot
17 building erected?

18 MR. NEVELS: In 1985. It was there when we, you know,
19 when we moved in.

20 HEARING MASTER: Okay.

21 MR. NEVELS: It was a -- it was a wreck. I mean,
22 we've done a lot of work there, but yes, '85.

23 HEARING MASTER: Okay. And you use that building with
24 your business?

25 MR. NEVELS: Yes. We're a small business. We just

1 like -- have like two employees back in the office that answer
2 phone calls. And in the morning the guys come through and just
3 pick up paperwork. There's -- they take all their trucks at
4 home.

5 HEARING MASTER: All right. Have you -- did you do
6 some improvements to the site, some --

7 MR. NEVELS: Yeah. A lot, like over like \$200,000.
8 That we've done all the fencing. I mean, we -- we don't want no
9 signs up were you know, it's in the very -- I walk to work, of
10 course. I'm not -- that's not always a blessing, but -- but I
11 you know -- so there -- it looks like a normal residence. If
12 you ever came by there, you'd see you know, we don't put signs
13 up. Everything's way in the back.

14 HEARING MASTER: Okay.

15 MR. NEVELS: But -- so I don't know if I answered your
16 question.

17 HEARING MASTER: All right. And did you do some
18 paving or asphalt?

19 MR. NEVELS: That's next. So we're knocking down that
20 two-car garage and we're being told that we'd have to take down
21 the -- the two-car, it's going to be 24-feet, you know, from --
22 that we have -- we're going to have to spend like \$50,000 or
23 \$60,000, which is cheaper than trying to find another business
24 that big because everything -- we -- we can't afford something
25 else. And we got, you know, tools to take care of.

1 HEARING MASTER: Okay. And so is -- is the -- and
2 either one of you, please, Mr. Pressman, if you want to answer
3 this question or the property owner, it doesn't matter. But is
4 the purpose of the rezoning then an effort to comply the -- the
5 use of the site with the zoning?

6 MR. PRESSMAN: That's correct.

7 HEARING MASTER: Okay. Is -- is this property subject
8 to a code enforcement action?

9 MR. NEVELS: It is. I --

10 MR. PRESSMAN: I -- I believe it is.

11 HEARING MASTER: Okay.

12 MR. NEVELS: We got in trouble because the --

13 HEARING MASTER: All right. I'm sorry. One at a
14 time. Please step up to the microphone.

15 MR. NEVELS: Okay. No. So a code enforcement officer
16 came by and he had seen -- you know, the door was open and my
17 truck was parked in the warehouse. And he said that was a
18 no-no. Is that all I'm going to say? Okay.

19 MR. PRESSMAN: The answer is yes,

20 MR. NEVELS: Okay. Anyway, it was -- there was a
21 truck.

22 HEARING MASTER: Were you issued a notice of
23 violation?

24 MR. NEVELS: Yes, ma'am.

25 HEARING MASTER: Okay. So there's an active code

1 enforcement case. All right. Thank you for clarifying that.

2 I believe that's all the questions I have for you
3 right now.

4 MR. PRESSMAN: Did you want to --

5 MR. NEVELS: Well, yeah -- I just wanted to say I
6 mean, we're -- like I said, like he said everything, we're a
7 small business. It's just me and my wife live in the front. We
8 do employee probably about 15 employees. And then, you know,
9 with their wives and husbands.

10 HEARING MASTER: Okay.

11 MR. NEVELS: You -- you can look us on line,
12 air247.com. We're a five-star company. You can read what our
13 customers say. We do business all over, you know, Hillsborough
14 County. Were up with the BBB. We're not -- we're a really good
15 company. And we -- we -- is that all you want? Okay.

16 All right. Thank you.

17 HEARING MASTER: All right. Thank you, sir.

18 MR. PRESSMAN: I -- I do have a number of letters from
19 some of the employees I'd like to put on the record as well.

20 HEARING MASTER: Okay.

21 MR. PRESSMAN: And Sara, did you want to make a
22 comment?

23 HEARING MASTER: Mr. Blevins, yeah. I just need you
24 to sign in with the clerk, please. Thank you.

25 MS. FORD: Hi. Sara Ford. 534 Antigua Way, Mulberry,

1 Florida.

2 HEARING MASTER: Yes, ma'am.

3 MS. FORD: I just wanted to address. I've been a long
4 term employee with the customer -- I mean a long term employee
5 with the cus -- company. And it is my family's live --
6 livelihood. I'm the sole breadwinner for the family. And I
7 depend on the income I get from the company.

8 On the business side, we take great pride, I take
9 great pride as the dispatcher for the company and being able to
10 take care of other families in the community that -- we stay
11 very busy trying to beat the heat and the cold for the
12 customers. So we do take great pride in that. We're very
13 family oriented with all the employees. And we do feel as if
14 the customer -- the company, is responsible for the livelihood
15 of all of our employees. So we do our best to take care of
16 them.

17 We don't have hardly any traffic at our facility.
18 We -- you know, the guys take their trucks home. So the -- only
19 if they have to work that day, do they come into the office to
20 get their equipment for the day.

21 HEARING MASTER: Ms. Ford.

22 MS. FORD: Yes.

23 HEARING MASTER: Do you work at the property, at the
24 subject property, is that where your work is?

25 MS. FORD: Yes, ma'am.

1 HEARING MASTER: And is your work in -- which building
2 onsite is your --

3 MS. FORD: In -- in the warehouse in the back.

4 HEARING MASTER: Okay. All right. How many employees
5 are -- are -- work there all the time?

6 MS. FORD: In the office full time, we have myself and
7 one other employee. And then we have a young man that works in
8 the warehouse cleaning up outside and so forth.

9 HEARING MASTER: All right. So three full time
10 employees --

11 MS. FORD: Yes.

12 HEARING MASTER: -- on site?

13 MS. FORD: Yes.

14 HEARING MASTER: Okay. Anything further you wish to
15 add?

16 MS. FORD: No.

17 HEARING MASTER: All right. Thank you.

18 MS. FORD: Thank you.

19 HEARING MASTER: Be sure and sign in with the clerk.

20 MS. FORD: Okay. Thank you.

21 MR. PRESSMAN: I'm just clean up.

22 HEARING MASTER: All right. Thank you. We'll hear
23 from Staff.

24 MR. LAMPKIN: Good evening. Tim Lampkin,
25 Development Services. Introducing case 23-1577.

1 The request is to development an approximately 1.4
2 acres to allow a single-family home that's existing and a
3 contractor's office that's also existing. The property is
4 located at 3826 South 78th Street, east of 78th and north of
5 Camden Field Parkway. It is within the urban service boundaries
6 and within the limits as the -- as the applicant has showed in
7 his PowerPoint, the Greater Palm River Community Plan.

8 The subject property is currently zoned agricultural
9 single-family conventional. Staff notes that approximately
10 850-feet of the subject site is commercial intensive located
11 west of the intersection -- on the west side of the intersection
12 of South 36th Avenue in 78th Street south, located on the
13 southwest side of the same intersection as an area designated
14 for future office and commercial pursuant to a PD. Pursuant to
15 the applicant's narrative request, the applicant notes that the
16 existing single -- single-family home was recently improved,
17 excuse me, with landscaping to provide an enhanced residential
18 character view from the street as they showed. The applicant
19 proposes no open storage and the one residential unit in the
20 front. There are a few variations requested. The first
21 variation -- well, there's three variations to Section 6.06.06.
22 The first two are reducing the landscape buffer. The first one
23 is reducing it on the north side of the property from ten --
24 from 20 feet with a Type B to a ten-foot to a Type A. And Staff
25 finds that that does meet the criteria. It's located

1 approximately, adjacent to the rear of the yard and it would
2 have a less impact. And there's more of a buffer than the
3 second waiver to the south side, which is requesting a waiver
4 from a 20-foot buffer with Type B screening to a three-foot
5 buffer with Type A screening.

6 And then there is a third variation that the applicant
7 submitted after the staff report was written and they submitted
8 that into the record. And the third variation is to the vehicle
9 use area, which requires a six-foot buffer. And the applicant
10 is only providing a three-foot buffer. There are three
11 transportation -- or actually, there's four. There's three
12 design exceptions, administrative variances. The first is for
13 access spacing between the project driveway and the next closest
14 driveway. It has been found approvable by the county engineer.
15 The second is to waive the South 78th Street substandard road
16 improvements. It's also been found approvable. The third is to
17 permit a reduction of the portion of the internal driveways from
18 24-feet to 20-feet and it has been found approvable. The fourth
19 is, I have a revised staff report, transportation updated the
20 report to include the variation to the parking requirement from
21 28, which would be required to 18 spaces and found the request
22 approvable. And some of the background information from the ITE
23 was handed out prior to the meeting.

24 Overall, the Planning Commission Staff finds it is not
25 consistent with the Comp Plan and overall the request is not

1 supportable. And that concludes Staff's presentation, unless
2 you have any questions and I'll hand out the updated report.

3 HEARING MASTER: Well, Staff found the application not
4 supportable. What -- what are the primary issues that,

5 MR. LAMPKIN: The -- sorry.

6 The primary issue would be the request for the waiver
7 for the south -- south boundary.

8 HEARING MASTER: Okay. All right. Thank you very
9 much.

10 MR. LAMPKIN: Thank you.

11 HEARING MASTER: Planning Commission.

12 MS. PAPANDREW: Andrea Papandrew, Planning Commission
13 Staff. Zoning Hearing Master, Tim mentioned Development
14 Services mentioned that there's a third variation for the
15 vehicle use area buffer submitted after Staff Report. So
16 Planning Commission is -- staff is obligated by Land Development
17 Code to file 12 days before the hearing. So I'm not sure when
18 that variation was -- was submitted, but if it was after that
19 date, then it would not be in our -- taken into consideration
20 for our analysis. And I just wanted to -- to make that clear.

21 HEARING MASTER: Thank you.

22 MS. PAPANDREW: So the site is in the Residential-9
23 Future Land Use Category and within the Greater Palm River
24 Community Plan. Policy 1.4 requires all new development to be
25 compatible with the surrounding area. Noting that compatibility

1 does not mean the same as. Rather, it refers to the sensitivity
2 of development proposals and maintain the character of existing
3 development. The proposed development is not compatible and in
4 scale with the character of the area. Objective 16 of Policy
5 16.2 and 16.3 for the need to protect existing neighborhoods and
6 communities, as well as a gradual transition between uses. The
7 property is a Residential-9 Future Land Use Category, which is
8 also to the northeast and south. To the west is suburban mix
9 use six. And to the northwest and southwest is Residential-6.

10 The area is composed of single-family residential and
11 the proposed contractor's office increases intensity in the area
12 and is not considered a gradual transition of uses. The
13 proposed enclosed storage area introduces uses that are
14 compatible -- that are not compatible with the surrounding
15 residential character. The site does not meet commercial
16 locational criteria. The closest commercial node is Causeway
17 Boulevard and 78th Street. And the property is about 309 --
18 3,700 feet from that intersection.

19 The applicant has offered to restrict that
20 contractor's office to enclosed storage of materials and
21 equipment. However, Planning Commission Staff finds this
22 proposed use too intensive for the area and that mitigation is
23 still insufficient. The Greater Palm River Community Plan has a
24 strong desire to balance residential, commercial and other land
25 uses. The site is not located in an area identified for

1 commercial uses.

2 While the applicant proposes to limit the business
3 activity by providing all operation indoors and function as a
4 dispatch office, Planning Commission Staff finds that this type
5 of use is too intensive to be placed in a predominantly
6 residential area.

7 Based upon the above considerations. Planning
8 Commission Staff finds the proposed plan development
9 inconsistent with the Unincorporated Hillsborough County
10 Comprehensive Plan.

11 HEARING MASTER: Okay. Thank you very much. All
12 right. We'll go to the public.

13 Is there anyone here or online who wishes to speak in
14 support of this application? I do not hear anyone.

15 Is there anyone here or online who wishes to speak in
16 opposition to this application? All right. I don't hear
17 anyone.

18 Back to Development Services, anything further?

19 MS. HEINRICH: No, ma'am.

20 HEARING MASTER: All right. An applicant, I believe
21 the property owner wishes to speak as well. Come forward,
22 please.

23 MR. NEVELS: The stuff that she said literally like
24 less than 300 feet from me --

25 HEARING MASTER: All right. We need to hear you on

1 the microphone.

2 MR. NEVELS: Oh. Less than 300-feet from the
3 residential house, there is a company called Action Corrugated.
4 There's over 100 trucks parked in there on less acres than we
5 have. And it's a commercial business. They're in and out of
6 there all day long. So that wasn't true. There's also a
7 7-Eleven that I can walk to with, like from here to the -- down
8 to the stairs down there from my house.

9 And like I said, everything's behind there. But if
10 this is how it goes, thank you for, you know, ruining my -- I'll
11 be out of business.

12 HEARING MASTER: Sir, a question for you also.

13 MR. NEVELS: It is not not fair. They're not telling
14 everything. You can see it, like the -- the truth, but go
15 ahead.

16 HEARING MASTER: You also work onsite, is that
17 correct?

18 MR. NEVELS: Yeah. I do. I just work in the office
19 with the girls.

20 HEARING MASTER: Okay. And so your -- I believe
21 Ms. Ford said -- I think she listed about three employees in
22 that. And then you would be in addition to that, right?

23 MR. NEVELS: Well and I -- work there and I work in
24 the field, like a help worker --

25 HEARING MASTER: Okay.

1 MR. NEVELS: -- in air conditioners. Yes, ma'am.

2 HEARING MASTER: All right. Thank you, sir.

3 MR. NEVELS: Thank you.

4 HEARING MASTER: Mr. Pressman.

5 MR. PRESSMAN: We appreciate your consideration. I
6 believe that on the zoning maps we showed those different
7 activities. And I think we summed up what our position is
8 compared to the Staff's. We appreciate your consideration.
9 Place emphasis with multiple notices. There's absolutely no one
10 in opposition. Neighbor next door's in support. We think
11 that's a strong proposal. And we appreciate your consideration.
12 Thank you.

13 HEARING MASTER: Yes, sir. Thank you.

14 All right. This will close the hearing on Rezoning PD
15 22-1577.

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**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: July 24, 2023 Report Prepared: July 12, 2023	Petition: 22-1577 3826 S 78th Street <i>East of 78th Street and north of Camden Field Parkway</i>
Summary Data:	
Comprehensive Plan Finding	INCONSISTENT
Adopted Future Land Use	Residential-9 (9 du/ga; 0.50 FAR)
Service Area	Urban
Community Plan	Greater Palm River
Requested Zoning	Planned Development (PD) to allow for a contractor's office with enclosed storage on a residential lot
Parcel Size (Approx.)	1.41 +/- acres
Street Functional Classification	78 th Street- County Collector Camden Field Parkway – County Collector
Locational Criteria	Does not meet; waiver requested
Evacuation Zone	C



Context

- The 1.41 +/- acre site is located 3826 S 78th Street, east of 78th Street and north of Camden Field Parkway.
- The subject property is located within the Urban Service Area and within the limits of the Greater Palm River Community Plan.
- The subject property is designated as Residential-9 (RES-9) on the Future Land Use Map. Properties in the RES-9 Future Land Use category can be considered for a maximum density of 9 dwelling units per gross acre and a maximum intensity of 0.50 FAR. The RES-9 Future Land Use category is intended for low-medium density residential, as well as urban scale neighborhood commercial, office, multi-purpose projects, and mixed use developments. Typical uses of RES-9 include residential, urban scale neighborhood commercial uses, offices, multi-purpose projects and mixed-use developments. Non-residential uses shall meet locational criteria for specific land use projects.
- To the north, east and south is the RES-9 Future Land Use category. To the west is Suburban Mixed Use-6 (SMU-6), to the northwest and southwest is Residential-6 (RES-6) Future Land Use categories.
- The subject property is zoned as Agricultural Single Family Conventional-1 (ASC-1). To the north is also Residential Single-family Conventional-1 (RSC-1) zoning. To the south is Residential Single-family Conventional-3 (RSC-3) zoning and to the east and west is Planned Development (PD) zoning.
- The site is currently listed as single-family use and surrounding the property are also single-family uses.
- The applicant requests a Planned Development (PD) to allow for a contractor's office with enclosed storage on a residential lot.

Compliance with Comprehensive Plan:

The following Goals, Objectives, and Policies apply to this Planned Development request and are used as a basis for an inconsistency finding.

FUTURE LAND USE ELEMENT

Urban Service Area

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

Land Use Categories

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

Neighborhood/Community Development

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

Policy 16.2: 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 16.10: 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.

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.*

Policy 22.8: *The Board of County Commissioners may grant a waiver to the intersection criteria for the location of commercial uses outlined in Policy 22.2. The waiver would be based on the compatibility of the use with the surrounding area and would require a recommendation by the Planning Commission staff. Unique circumstances and specific findings should be identified by the staff or the Board of County Commissioners which would support granting a waiver to this section of the Plan. The Board of County Commissioners may reverse or affirm the Planning Commission staff's recommendation through their normal review of rezoning petitions. The waiver can only be related to the location of the neighborhood serving commercial or agriculturally oriented community serving commercial zoning or development. The square footage requirement of the plan cannot be waived.*

LIVABLE COMMUNITIES ELEMENT: GREATER PALM RIVER COMMUNITY PLAN

Planning and Growth /Economic Development

Goal 5a: *Planning and Growth – to promote and provide for opportunities for compatible well designed public use, residential, and business growth and jobs*

Strategies

1. *The Vision of Greater Palm River Area Concept Map illustrates the unique qualities and land uses related to distinct areas of the community. Future development and redevelopment is required to comply with the adopted Concept Map.*

3. *Encourage and support new, infill and redevelopment compatible with existing community patterns that maintains and enhances the Community's unique character and sense of place.*

5. *Building and site design for new and redeveloped residential and commercial projects will reflect the practices of the Livable Roadways Guidelines to service the needs of the community.*

8. *Support well designed, compatible densities and intensities at appropriate locations.*

14. *Support :*

A. *Design Study for Causeway Boulevard*

2. *To support the Scenic Corridor designation of Causeway Boulevard west of Maydell Drive, and to be compatible with the existing use and zoning patterns, Commercial Intensive should be discouraged east of Maydell Drive.*

E. Neighborhood Commercial Nodes

To ensure a sense of place neighborhood scale commercial intersections shall be developed with uses that do not exceed neighborhood commercial scale locational criteria applications. These include:

- *Palm River Road and Maydell Drive*
- *Causeway Boulevard and Maydell Drive*
- *Progress Boulevard/Madison Avenue and 78th Street*

F. Community Commercial Nodes

To ensure a sense of place community commercial intersections shall reflect a character compatible with the surrounding neighborhood land use structure and intensity either through actual land use or mitigation of impacts to the adjacent neighborhood. These include:

- *Palm River Road and 78th Street*
- *Causeway Boulevard and 78th Street*
- *Progress Boulevard and Falkenburg Road*

Goal 5b: Economic Development - Provide opportunities for business growth and jobs in the Palm River Area.

Strategies

3. Promote commercial development at scales that reflect the character of the community, such as, mixed uses along U.S. Hwy 41/50th Street from Palm River Bridge to south of Causeway Boulevard, commercial nodes for neighborhood and community scale uses at specific intersections with appropriate design features.

Staff Analysis of Goals, Objectives and Policies:

The 1.41 +/- acre site is located at 3826 S 78th Street, east of 78th Street and north of Camden Field Parkway. The subject property is located within the Urban Service Area and within the limits of the Greater Palm River Community Plan. The applicant requests a Planned Development (PD) to allow for a contractor's office with enclosed storage on a residential lot.

The subject property is designated as Residential-9 (RES-9) on the Future Land Use Map. Properties in the RES-9 Future Land Use category can be considered for a maximum density of 9 dwelling units per gross acre and a maximum intensity of 0.50 FAR. The RES-9 Future Land Use category is intended for low to medium density residential, as well as urban scale neighborhood commercial, office, multi-purpose projects, and mixed use developments. Typical uses of RES-9 include residential, urban scale neighborhood commercial uses, offices, multi-purpose projects and mixed-use developments. Non-residential uses shall meet locational criteria for specific land use projects.

The subject site is in the Urban Service Area where according to Objective 1 of the Future Land Use Element (FLUE), 80 percent of the county's growth is to be directed. Policy 1.4 requires all new developments to be compatible with the surrounding area, noting that "Compatibility does not mean "the same as." Rather, it refers to the sensitivity of

development proposals in maintaining the character of existing development.” The proposed development is not compatible and in scale with the character of the area, therefore does not meet the intent of Policy 1.4.

Objective 16, Policies 16.2 and 16.3 refer to the need to protect existing neighborhoods and communities as well as the utilization of a gradual transition between uses. As described in the context, the property has Residential-9 Future Land Use Classification. To the north, east and south is the RES-9 Future Land Use category. To the west is Suburban Mixed Use-6 (SMU-6), to the northwest and southwest is Residential-6 (RES-6) Future Land Use categories. The area is composed of single-family residential. The proposed contractor’s office increases intensity in the area and is not considered a gradual transition. Furthermore, this type of use is considered a Commercial General Use per the Land Development Code (LDC). However, if the property were to do open storage of materials and equipment it would be considered a Commercial Intensive Use per the LDC which is not allowed in the RES-9 Future Land Use Category. Overall, even with the proposed enclosed storage area the development would introduce other uses that are not compatible with the surrounding residential character.

The property does not meet Commercial Locational Criteria. The closest commercial node identified in the 2040 Cost Affordable Map is Causeway Boulevard and 78th Street. The required commercial distance for Causeway Boulevard (4-Lane state arterial) and 78th Street (2 lane County collector) is 1,000 feet. The property is located 3,700 linear feet from the qualifying intersection; therefore, it does not meet commercial locational criteria. A waiver has been requested. However, the applicant has failed to submit supporting evidence of why the waiver should be approved. The applicant has offered to restrict the contractor’s office to enclosed storage of materials and equipment. However, PC staff finds this proposed use too intensive for the area and the proposed mitigation is still insufficient to mitigate the impacts.

The Greater Palm River Community Plan has a strong desire to balance residential, commercial, and other land uses. The subject site is not located in an area identified for commercial uses. As previously mentioned the area is completely surrounded by single-family residential uses. While the applicant proposes to limit the business activity by providing all operations indoors and primarily function as a dispatch office, PC staff finds that this type of use is too intensive to be placed in a predominately residential area. PC staff finds this request inconsistent with the Greater Palm River Community Plan.

Overall, the proposed rezoning would not allow for development that is consistent with the Goals, Objectives and Policies of the Unincorporated Hillsborough County Comprehensive Plan and is not compatible with the existing and planned development pattern found in the surrounding area.

Recommendation

Based upon the above considerations, the Planning Commission staff finds the proposed Planned Development (PD) **INCONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*.

HILLSBOROUGH COUNTY FUTURE LAND USE RZ PD 22-1577

Rezonings

STATUS

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

Tempa Service Area

Urban Service Area

Shoreline

County Boundary

Jurisdiction Boundary

Roads

Parcels

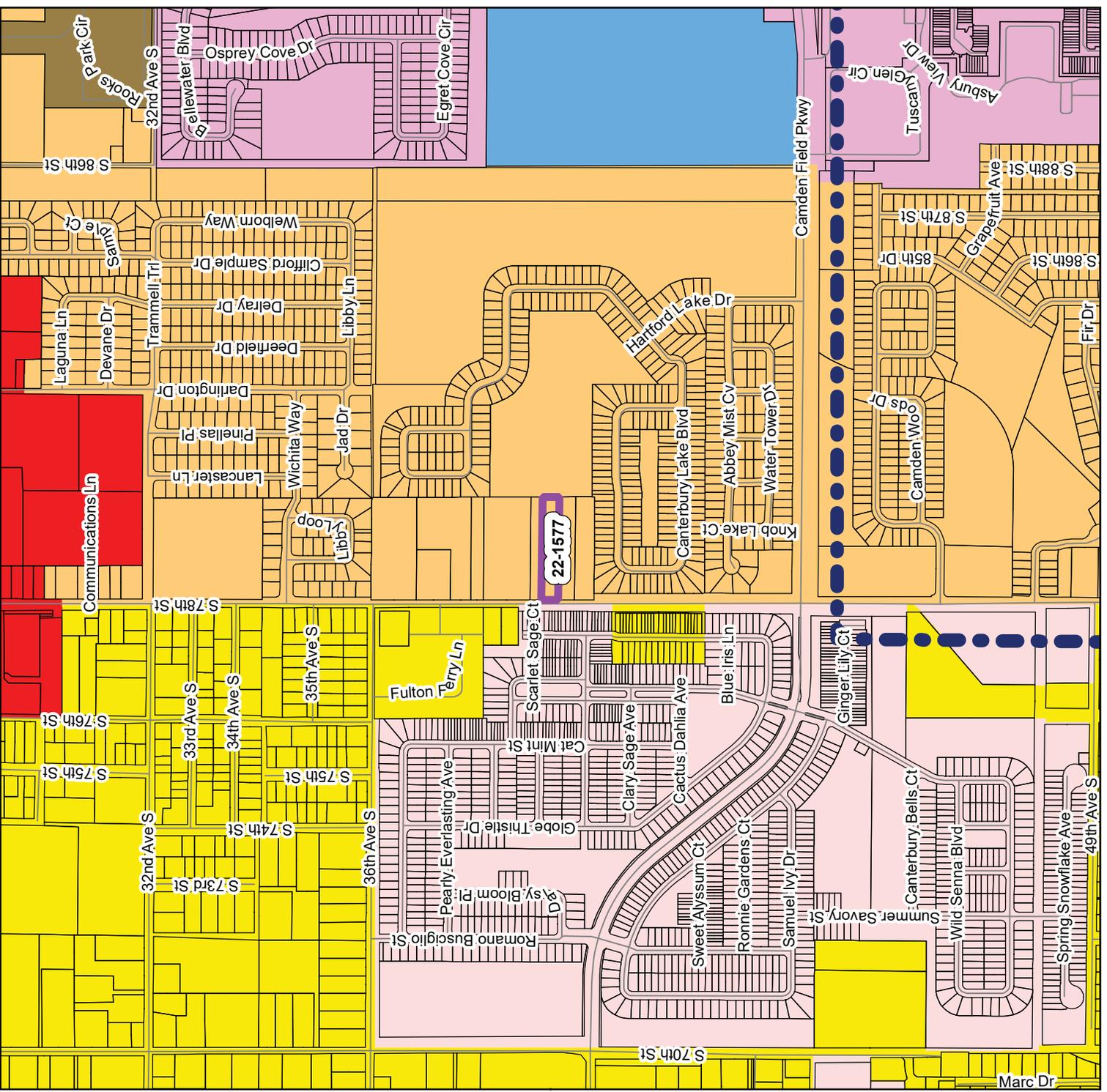
- AGRICULTURAL/MINING-120 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)
- AGRICULTURAL-1/10 (.25 FAR)
- AGRICULTURAL RURAL-1/5 (.25 FAR)
- AGRICULTURAL ESTATE-1/2.5 (.25 FAR)
- RESIDENTIAL-1 (.25 FAR)
- RESIDENTIAL-2 (.25 FAR)
- RESIDENTIAL PLANNED-2 (.35 FAR)
- RESIDENTIAL-4 (.25 FAR)
- RESIDENTIAL-6 (.25 FAR)
- RESIDENTIAL-9 (.35 FAR)
- RESIDENTIAL-12 (.35 FAR)
- RESIDENTIAL-16 (.35 FAR)
- RESIDENTIAL-20 (.35 FAR)
- RESIDENTIAL-35 (1.0 FAR)
- NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)
- SUBURBAN MIXED USE-6 (.35 FAR)
- COMMUNITY MIXED USE-12 (.50 FAR)
- URBAN MIXED USE-20 (1.0 FAR)
- REGIONAL MIXED USE-35 (2.0 FAR)
- OC-20
- RESEARCH CORPORATE PARK (1.0 FAR)
- ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)
- LIGHT INDUSTRIAL PLANNED (.50 FAR)
- LIGHT INDUSTRIAL (.50 FAR)
- HEAVY INDUSTRIAL (.50 FAR)
- PUBLIC/QUASIPUBLIC
- NATURAL PRESERVATION
- WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE

Map Printed from Rezoning System: 11/21/2022

Author: Beverly F. Daniels

File: G:\Rezonings\System\MapProjects\HillCo\Re_zoning - Copy.mxd

Hillsborough County
City-County
Planning Commission





**GENERAL
SITE PLAN
FOR
CERTIFICATION**



**Hillsborough
County Florida**

DEVELOPMENT SERVICES

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

**HILLSBOROUGH COUNTY
DEVELOPMENT SERVICES DEPARTMENT**

GENERAL SITE PLAN REVIEW/CERTIFICATION

**BOARD OF COUNTY
COMMISSIONERS**

Harry Cohen
Ken Hagan
Pat Kemp

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Michael Owen
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COUNTY

ADMINISTRATOR Bonnie
M. Wise **COUNTY**

ATTORNEY Christine M.
Beck **INTERNAL AUDITOR**
Peggy Caskey

DEPUTY COUNTY ADMINISTRATOR

Gregory S. Horwedel

Project Name: MIXED USE - RESIDENTIAL & CONTRACTOR'S OFFICE

Zoning File: RZ-PD (22-1577) **Modification:** None

Atlas Page: None **Submitted:** 08/22/23

To Planner for Review: 08/22/23 **Date Due:** ASAP

Contact Person: McNeal Engineering c/o Christopher S. McNeal **Phone:** 813-968-1081/permitting@mcnealengineering.com

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

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

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

Reviewed by: Tim Lampkin **Date:** 08-23-23

Date Agent/Owner notified of Disapproval: _____



AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 7/13/2023

Revised: 7/24/2023

REVIEWER: James Ratliff, AICP, PTP, Principal Planner

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: PR/ Central

PETITION NO: RZ 22-1577

- This agency has no comments.
- This agency has no objection.
- This agency has no objection, subject to the listed or attached conditions.
- This agency objects for the reasons set forth below.

CONDITIONS OF APPROVAL

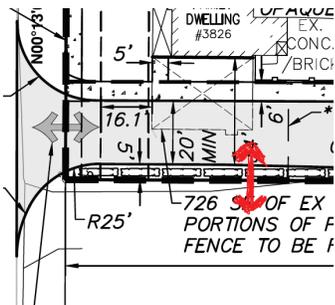
1. Notwithstanding anything herein these conditions or on the PD site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the project boundaries.
2. The project shall be served by, and limited to, one (1) vehicular access connections to S. 78th St. All other existing access connections, and/or portions of modified connections which are no longer necessary shall be closed and resodded.
3. In accordance with the Hillsborough County Corridor Preservation Plan and Capital Improvement Project #69666000, the developer shall preserve up to +/- 11 feet of right-of-way along its S. 78th St. frontage. Only those interim uses allowed by the Hillsborough County LDC shall be permitted within the preserved right-of-way. The right-of-way preservation area shall be shown on all future site plans, and building setbacks shall be calculated from the future right-of-way line.
4. The developer shall construct minimum 5-foot-wide sidewalks along its S. 78th St. project frontage. Given that the right-of-way is too small to accommodate the required sidewalk, the developer shall place the sidewalk within the subject site and dedicate and convey an easement (for public access and maintenance purposes) to the County. At the developer's sole option, the developer owner may choose to dedicate and convey the underlying fee to the County. Notwithstanding anything shown on the PD site plan to the contrary, the sidewalk shall be located consistent with the Transportation Technical Manual requirements for a TS-4 roadway and/or the CIP project plans, as applicable.
5. As proffered by the developer and with respect to the project driveway:
 - a. The first +/- 70 feet of the project driveway shall be considered a Shared Access Facility with folio 47615.0100 (i.e. the adjacent property owner to the south). This Shared Access Facility generally consists of the vehicular travel way and the 5-foot grass strip between the travel way and southern property boundary; and,
 - b. Together with the next site/construction plan review after approval of PD 22-1577, the developer shall record in the Official Records of Hillsborough County an easement and/or any other agreements necessary over the Shared Access Facility to permits the owner of folio 47615.0100 to take vehicular access through the subject PD in the event that property redevelops, or the existing building changes use to a non-residential use. In addition to access rights, such easement shall provide the adjacent property owner with the ability to

make modifications to the driveway as may be necessary to permit its future widening to 24-feet, should such widening be deemed necessary by the County.

6. All uses within the PD shall remain on a single parcel. No subdivisions of this parcel shall be permitted.
7. If PD 22-1577 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance (dated February 7, 2023) which was found approvable by the County Engineer (on May 30, 2023). Approval of this Administrative Variance will permit the reduction of minimum access spacing between the project driveway and the next closest driveway to the south to +/- 9 feet, and the next nearest driveway to the north to +/- 112 feet.
8. If PD 22-1577 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance (dated April 21, 2023) which was found approvable by the County Engineer (on May 30, 2023). Approval of this Administrative Variance will waive the S. 78th St. substandard road improvements required by Section 6.04.03.L. of the LDC.
9. If PD 22-1577 is approved, the County Engineer will approve a Design Exception (dated April 21, 2023) which was found approvable by the County Engineer (on May 30, 2023). Approval of this Design Exception will permit the reduction of a portion of the internal project driveways from 24 feet to 20 feet in width
10. Parking shall be provided in accordance with the Hillsborough County LDC and Transportation Technical Manual. Notwithstanding the above, parking for the Contractor's office portion of the site shall be permitted at a rate of 3.24 spaces per 1,000 g.s.f. Additionally, the developer shall provide bicycle parking for a minimum of 4 bicycles (i.e. 2 racks).

Other Conditions

- Prior to PD Site Plan Certification, the applicant shall revise the PD Site Plan to:
 - Correct the CIP project number from “69644001” to instead read “69666000”; and,
 - The developer shall add an access arrow along the southern property boundary as generally shown below and label as “Future Access to Shared Access Facility – See Conditions of Approval”.



PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a +/- 1.41 ac. parcel, from Agricultural Single-Family Conventional - 1 (ASC-1) to Planned Development (PD). The proposed PD is seeking entitlements to permit one (1) single-family detached dwelling unit and a 5,548 s.f. contractor's office without open storage on a single parcel. This case is a result of a code enforcement action, whereby the properly owner illegal constructed the proposed using without obtaining proper site plan and other approvals.

The proposed site plan provides a number of changes necessary to bring the site into conformance with current standards, some of which will require demolition of a portion of the single-family residence in order to allow a driveway of sufficient width to serve the existing and proposed uses. Additional discussion regarding project access has been included hereinbelow.

As required by the Development Review Procedures Manual (DRPM), the applicant submitted a trip generation letter for the proposed project indicating that because the project is generating fewer than 50 peak hour trips in total, no site access analysis was required to support the zoning request. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. The information below is based on data from the Institute of Transportation Engineer's Trip Generation Manual, 11th Edition.

Approved Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
ASC-1, 1 Single-Family Detached Dwelling Unit (ITE LUC 210)	10	1	1

Proposed Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 1 Single-Family Detached Dwelling Unit (ITE LUC 210)	10	1	1
PD, 5,548 s.f. Contractor's Office Without Open Storage (ITE LUC 180)	54	9	10
Subtotal:	64	10	11

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	(+) 54	(+) 9	(+) 10

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

S. 78th St. is a 2-lane, undivided, publicly maintained, substandard, collector roadway characterized by +/- 11-foot-wide travel lanes in average condition. The roadway lies within a +/- 72-foot-wide right-of-way in the vicinity of the proposed project. There are no bicycle facilities present along S. 78th St. in the vicinity of the proposed project. There are +/- 5-foot-wide sidewalks along portions of the west side of S. 78th St. in the vicinity of the proposed project.

The segment of S. 78th St. fronting the project is shown on the Hillsborough County Corridor Preservation Plan as a future 2-lane enhanced roadway. Pursuant to the S. 78th Corridor Improvements PD&E/ CIP 69644001, a total of 11-feet of right-of-way is needed for the enhancement project. As such, and in accordance with the Hillsborough County Corridor Preservation Plan, staff has proposed a condition requiring the applicant to preserve this right-of-way.

Staff notes that the applicant will be required construct sidewalks along all project frontages where such sidewalks do not exist (or are otherwise removed and reconstructed). Because the right-of-way is too small to accommodate the required sidewalk, pursuant to Sec. 6.03.02.D. of the LDC, the applicant will be required to place the sidewalk within the subject site and provide an easement (for public access and

maintenance purposes) acceptable to the County. At the property owner's sole option, as an alternative to an easement they may choose to dedicate the underlying fee to the County.

SITE ACCESS, SHARED ACCESS AND CONNECTIVITY

Generally

The applicant is proposing one (1) access connection to serve the proposed project, consistent with Section 6.04.03.I. of the LDC. No site access improvements are required to serve the proposed project consistent with Section 6.04.04.D. of the LDC.

Access Spacing/ Shared Access

The proposed access connection is located directly adjacent to the driveway serving the single-family home south of the subject site. This proposed access does not meet LDC Sec. 6.04.07 access spacing requirements. Given the limited parcel frontage and constraints related to the existing single-family home within the subject PD, the applicant has proffered within its Administrative Variance request the first 70 feet of the project driveway as a Shared Access Facility serving both the subject PD as well as adjacent folio 47615.0100 (which would be utilized in the event the adjacent property redevelops or otherwise changes use of the existing structure to a non-residential use)

Other Issues Related to Proposed Development

Consistent with Section 6.02.01 of the LDC, single-family detached residential uses (i.e. the proposed use within Pocket A) can generally only access the public roadway system via direct access to roadways. Additionally, when a single-family dwelling is permitted to take access via an easement, then a maximum of 3 homes are permitted on the easement (and such easement cannot be comingled with residential and non-residential uses). The applicant indicated that the proposed home is owned by business owner, and that this arrangement is not proposed to change. Given the above, the Pocket A use would not be permitted to be subdivided in the future, as doing so would violate various access management/ easement provisions. As such, staff has included a condition memorializing that the project parcel cannot be subdivided in the future while the single-family use remains.

Cross Access

Vehicular and pedestrian cross access is not currently required pursuant to Sec. 6.04.03.Q. of the LDC. IN the event the adjacent property changes to a non-residential use, the connection to the Shared Access Facility will serve as both regular access and vehicular cross access.

TRANSIT FACILITIES

Consistent with Section 6.03.09 of the LDC, transit facilities are not required for the subject project.

REQUESTED ADMINISTRATIVE VARIANCE #1 – ACCESS SPACING

The applicant's Engineer of Record (EOR) submitted a Section 6.04.02.B. Administrative Variance (AV) request (dated February 7, 2023) from the Section 6.04.07 LDC requirements governing access spacing. The Hillsborough LDC requires a minimum connection space of 245 feet for Class 6 roadways. Based on factors presented in the AV request, the County Engineer found the AV request approvable (on May 30, 2023). If the rezoning is approved, the County Engineer will approve the above referenced AV request, upon which the developer will be permitted to locate the S. 78th St. access +/- 9 feet from the nearest access to the south, and +/- 112 feet from the nearest access to the north.

Staff notes that as a part of the AV request, and given that it would be potentially unsafe to maintain two accesses +/- 9 feet apart particularly if they both serve non-residential uses, the developer proffered to designate a portion of the project's access as a Shared Access Facility, and record an easement in favor of

the property owner to the south (so that they can take access via the Shared Access Facility upon future redevelopment and/or change of use). This issue is further discussed in the Access Spacing/ Shared Access section of this report, hereinabove.

REQUESTED ADMINISTRATIVE VARIANCE #2 – SUBSTANDAR ROAD

The applicant’s Engineer of Record (EOR) submitted a Section 6.04.02.B. Administrative Variance (AV) request (dated April 21, 2023) from the Section 6.04.03.L. LDC requirement, whereby the developer is required to improve S. 78th St. (between the project driveway and the nearest roadway meeting applicable standards) to current County standards for a Type TS-4 (Transportation Technical Manual) collector roadway. Based on factors presented in the AV request, the County Engineer found the AV request approvable (on May 30, 2023). If the rezoning is approved, the County Engineer will approve the above referenced AV request, upon which the developer will not be required to make improvements to the roadway.

REQUESTED DESIGN EXCEPTION – DRIVEWAY WIDTH

The applicant’s Engineer of Record (EOR) submitted a Design Exception (DE) request (dated April 21, 2023) in accordance with Section 1.7.2. and other applicable sections of the Transportation Technical Manual (TTM). The applicant is requesting to reduce the width of the internal drive-aisles from the 24-foot width typically required for non-residential uses to the 20-foot width typically permitted for residential uses. Based on factors presented in the DE request, the County Engineer found the DE request approvable (on May 30, 2023). If the rezoning is approved, the County Engineer will approve the DE request, upon which 20-foot internal drive aisles will be permitted.

Staff notes that redevelopment of the adjacent site would trigger the Shared Access Facility provisions, at which point the drive aisle could potentially be expanded further (onto the adjacent property) if necessary to widen the driveway to accommodate the increased traffic that redevelopment would potentially generate.

REQUESTED PD VARIATION - PARKING

The applicant submitted a PD variation request to the Section 6.05 LDC parking standards for the Contractor’s Office portion of the use. The single-family use is being parked at the required rate of 2 per dwelling unit, and no changes to that rate are proposed. The LDC requires parking for this be provided at a rate of 3 spaces per 1,000 g.s.f. and 1 additional space per facility vehicle. According to the applicant, there are 11 facility vehicles, which when added to the 17 spaces required based on the square-footage of the building, results in a requirement for 28 parking spaces for this use. As noted in the applicant’s filings, and based on discussions with the applicant, staff notes that the proposed use is unique in several ways. First, the business operates on a single parcel with the home of the business owner (i.e. single-family dwelling unit at the front of the property). Also, the applicant indicated that most staff takes their vehicles home, and do not park their vehicles overnight on the property.

Staff examined the parking data from the 5th Edition of the Institute of Transportation Engineer’s Parking Generation Manual, and noted that the 85th percentile rate for LUC 180 is 4.06 spaces per 1,000 s.f. This rate captures all vehicles (facility or otherwise). When applied to the site, it would result in a parking demand for the contractor’s use of 23 spaces (rather than the 18 proposed by the applicant).

Staff notes that the applicant is proposing 2 bicycle parking racks which should be able to accommodate up to 4 bicycles.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Level of Service (LOS) information for adjacent roadway section(s) is reported below.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
S. 78 th St.	Madison Ave.	Causeway Blvd.	E	C

Source: Hillsborough County 2020 Level of Service Report.

**DESIGN EXCEPTION AND ADMINISTRATIVE VARAINCES WERE PERVIOUSLY
INCLUDED IN THE ORIGINAL (7/13/2023) VERSION OF THIS STAFF REPORT AND ARE
INCORPORATED HEREIN BY REFERENCE**

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
S. 78 th St.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width (for Urban Section)	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. 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
	Choose an item.	Choose an item. 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
	Choose an item.	Choose an item. 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	10	1	1
Proposed	64	10	11
Difference (+/-)	(+) 54	(+) 9	(+) 10

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

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

Design Exception/Administrative Variance <input type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
S. 78 th St./ Access Spacing	Administrative Variance Requested	Approvable
S. 78 th St./ Access Spacing	Administrative Variance Requested	Approvable
Not Applicable/ Internal Driveway Width	Design Exception Requested	Approvable
Notes:		

Transportation Comment Sheet

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

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AGENCY COMMENT SHEET

REZONING	
<p>HEARING DATE: 4/11/2023</p> <p>PETITION NO.: 22-1577</p> <p>EPC REVIEWER: Melissa Yanez</p> <p>CONTACT INFORMATION: (813) 627-2600 X1360</p> <p>EMAIL: yanezm@epchc.org</p>	<p>COMMENT DATE: 12/9/2022</p> <p>PROPERTY ADDRESS: 3826 S 78th St, Tampa, FL 33619</p> <p>FOLIO #: 0476160000</p> <p>STR: 36-29S-19E</p>
<p>REQUESTED ZONING: From ASC-1 to PD</p>	
FINDINGS	
WETLANDS PRESENT	NO
SITE INSPECTION DATE	06/22/2022
WETLAND LINE VALIDITY	NA
WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)	No wet per site visit
<p>INFORMATIONAL COMMENTS:</p> <p>Wetlands Division staff of the Environmental Protection Commission of Hillsborough County (EPC) inspected the above referenced site in order to determine the extent of any wetlands and other surface waters pursuant to Chapter 1-11, Rules of the EPC. This determination was performed using the methodology described within Chapter 62-340, Florida Administrative Code, and adopted into Chapter 1-11. The site inspection revealed that no wetlands or other surface waters exist within the above referenced parcel.</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/cb

Environmental Excellence in a Changing World

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



AGENCY REVIEW COMMENT SHEET

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

TO: Zoning Review, Development Services

DATE: 01/31/2023

REVIEWER: Ron Barnes, Impact & Mobility Fee Coordinator

APPLICANT: Christopher Eubanks

PETITION NO: 22-1577

LOCATION: 3826 S 78th St

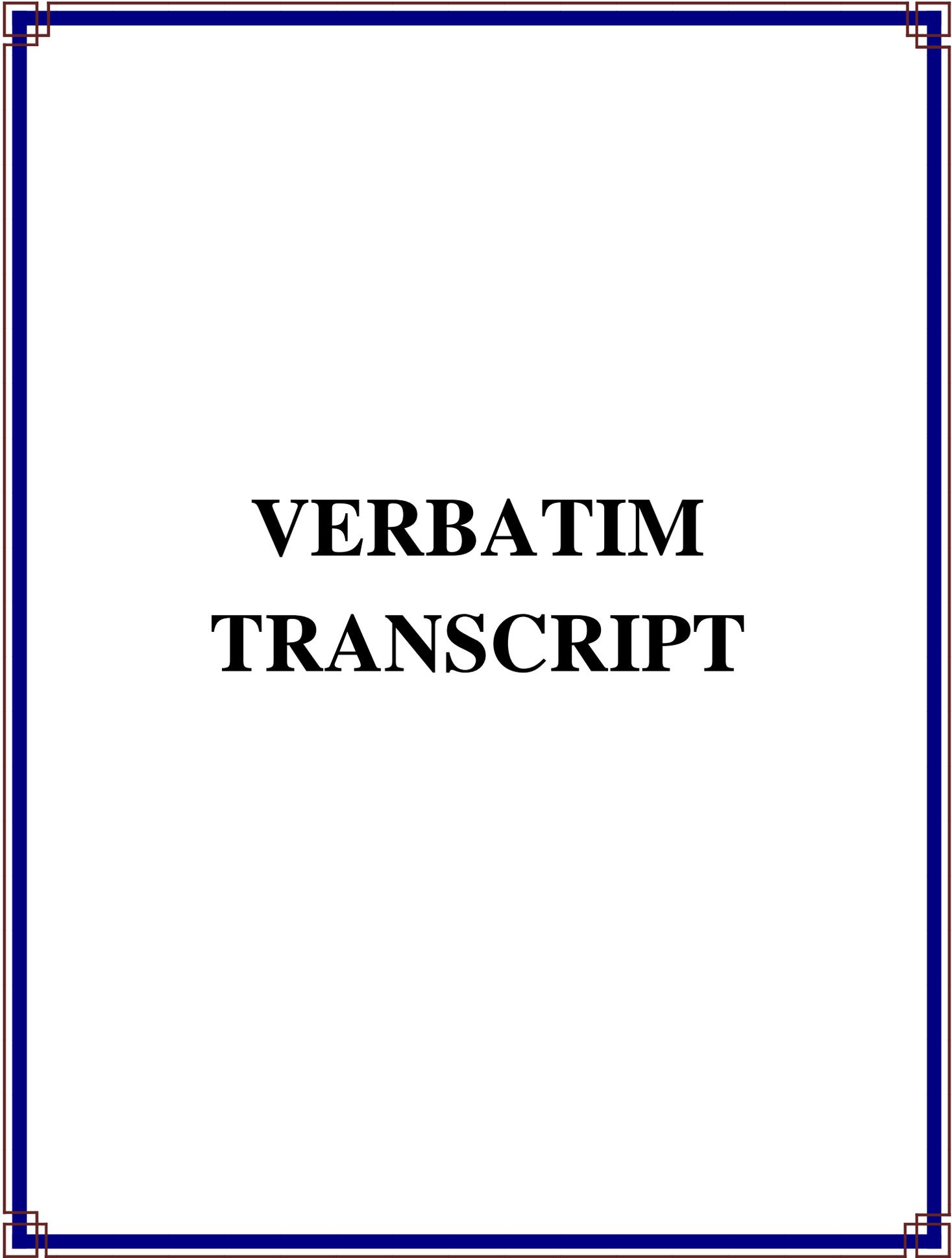
FOLIO NO: 47616.0000

Estimated Fees:

Light Industrial
(Per 1,000 s.f.)
Mobility: \$4,230
Fire: \$57

Project Summary/Description:

Urban Mobility, Central Fire - Warehouse, Distribution, Industrial (unspecified size)



VERBATIM TRANSCRIPT

1 MS. HEINRICH: Our next application is Item D.2,
2 PD 22-1577. The applicant is requesting a rezoning from ASC-1
3 to PD. Tim Lampkin with Development Services will provide Staff
4 findings after the applicant's presentation.

5 HEARING MASTER: Okay.

6 MR. PRESSMAN: Good evening, Zoning Hearing Master.
7 Todd Pressman, 200 2nd Avenue South, Number 451, in Saint
8 Petersburg, Florida.

9 This is RZ-PD 22-1577. Is -- is the PowerPoint up for
10 you?

11 HEARING MASTER: It is not yet. Now it is.

12 MR. PRESSMAN: Okay. Great.

13 HEARING MASTER: I see it now.

14 MR. PRESSMAN: Great. Thank you.

15 This is located in the Greater Palm River Area as
16 indicated on the mapping. Located where the red star is, which
17 is south of Causeway, north of Progress Village Area and west of
18 I-75. As the property appraiser has it, long rectangle, long
19 and not very wide site.

20 The issue is this is a small business seeking ASC-1 to
21 PD for 1.41 acres to allow one residential unit and one
22 contractor's office with no outside storage. The business is
23 run as a dispatch operation, which is different than some of
24 these companies, which reduces the amount of activity, the
25 amount of trucks, the amount of employees at the site, which

1 I'll talk a little bit more about.

2 So this is the PD plan as it's been laid out. In the
3 front is a residential unit, which is existing and the office
4 for an AC and heat company. There are a number of conditions.
5 First is that the uses office interior storage for an AC heat
6 repair company, which the code recognizes the contractor's
7 office. The existing home will remain as a residential
8 single-family home. Second, there's no free standing or wall
9 sign is permitted. There's no customers that come to the site.
10 The exterior of the existing front residential home will remain
11 a residential character. There'll be an opaque fence to code
12 standards on all sides of the property. All activity, including
13 any storage of machinery or commercial vehicles will be interior
14 to the building. Some vehicle parking will be provided in the
15 very rear of the parcel, which is extremely well screened and
16 buffered. And there's no active mechanical AC or heat repairs
17 that occur on site.

18 So Mr. Nevels is here and he can further detail this,
19 but the basic operation is as a dispatch operation where the
20 repair guys will come at different points during the day. They
21 get most of their machinery at the manufacturer. They don't
22 keep too much there anymore. They pick up their orders, pick up
23 a few parts of that is and they're gone for the day. They keep
24 the trucks overnight. One of the perks is that they keep the
25 trucks as a vehicle that they use every day.

1 So our goal is to have the site act and sound like
2 really a mixed use site, which is a residential professional
3 office use. In the upper left, you can see what the residential
4 portion right in front by the street look like. It has been
5 pretty much upgraded. And that is at the front of the lot. As
6 you can see, they put a lot to that and that looks very nice.
7 That provides great screening of buffering from 78th. So what
8 I've shown you in an arrow -- area -- arrow because it's very
9 difficult to see is the rear area that the company is from one
10 side of 78th and the other side, extremely well buffered. If
11 you're driving by, you would never know that there's an AC heat
12 company there and that's done on purpose, of course.

13 We're in the Comp-9 RES category, which is open scale,
14 commercial, commercial uses, offices, multiuse, multipurpose.
15 Shown in the zoning map is the center is the site. To the north
16 is a CI zoning and an office in commercial zoning. And showing
17 to the south, the site is in the red square, there's a PD for a
18 convenience store and CN zoning. That is petitioned 020036
19 that -- that was a approved, which included light equipment,
20 rental and leasing. So there's more and more intensive uses
21 along 78th. 78th is very busy, it has 15,092 vehicles per day.
22 This trip generation is very low. It would be 54 in a two-hour
23 volume, which would be 9:00 a.m. -- 9:00 a.m. and ten in the
24 p.m.

25 Now, there is the test of time here. I looked through

1 aerals and a 95 I saw that the use or the structure of the use
2 was there, that's been over there quite a long period of time.
3 So again, we do the test of time here. And we have reached out
4 to the neighbor on the south. I have a letter in support from
5 the neighbor on the south. We tried to reach the owner to the
6 north. He's been un -- unreachable. It's -- it's vacant. We
7 have also sent a public notice actually, multiple times, I think
8 three times as well, with the large yellow sign out front. And
9 this is the letter of no opposition from the owner abutting on
10 the south. And abutting on the north is, as we've shown or
11 as -- as we're showing you is vacant.

12 The PD plan variance is supported or this variance is
13 supported, which is a 20-foot buffer with a Type B screening
14 along the northern side property boundary to a ten-foot buffer
15 with a Type A screening along the area shown and Staff supports
16 that. The variance to the south, Staff does not support.
17 That's a 20-foot buffer with a Type B screening along the
18 southern side, seeking for a three-foot buffer with Type A
19 screening.

20 What I do want to show you about that is that the
21 abutting use is also a driveway. Part of the conditions, which
22 I'll submit, include that they'll have a shared -- potential
23 shared access in the future. So driveway on our side, driveway
24 on the abutting side, who's in support, and for part of that
25 distance is a shared driveway. So we don't have the abutting

1 owner in opposition to it. So we felt that in terms of a
2 variation, that could be and should be. We would ask your
3 consideration to support.

4 On locational waiver, which has been submitted in
5 support of that, the use as conditioned is all interior. It
6 will remain residential character. I've shown you the great
7 buffering and screening from 78th. The existing residential in
8 the area, some of it is widespread and open, including a water
9 body in the rear. And again, this is a dispatch-like operation.
10 Under the Greater River Community Plan, it's located in the
11 mixed use business, professional office and residential oriented
12 development. And I'm showing you on the Greater Palm River
13 Community Plan, double check the distance to be sure were
14 included in that area, which is a 78th Street Overlay District,
15 which refers to appropriate to plan for the transition of
16 business and professional office uses. And again, our goal is
17 that this looks residential and professional office.

18 Greater River -- Greater Palm River Community Plan has
19 a number of conditions that we feel that we meet, which is to
20 provide improvements for the appearance and safety of primary
21 signature roadways, which includes 78th. Clearly, this is a
22 very improved face on 78th, enhanced community appearance,
23 beautification, including sign -- signage regulations, which
24 are -- conditioned there are none. And Division of the Greater
25 Palm River Area concept map illustrates unique qualities of land

1 use as related to distinct areas of community, future
2 development, redevelopment is required to comply with the
3 adopted concept map, which, as I've shown you, we do comply and
4 we meet with.

5 Waiver to locational criteria, as I indicated are all
6 the points that I presented to you, which we believe allow
7 improved compatibility and meet the intent of the overlay of the
8 78th. And that we've been successful with the neighbor on the
9 south, which we think is a critical factor. What it boils down
10 to, of course, I'm not speaking for the Staff, but our in our
11 opinion, what it boils down to is that Staff has an opinion that
12 there's not enough that's been done for compatibility. We feel
13 very strongly and successful that we provided a lot of elements
14 for compatibility for this site for it to work.

15 So I do have conditions to put into the record, which
16 I will in just a moment. But in summary, again, there's a lot
17 of conditions, a lot of molding for this site to make it work,
18 which is compatible, the residential component, the interior
19 use, neighbors support. It's a low trip generator, have the
20 test of time. There's been absolutely no complaints that we're
21 aware of. I did check online for support or opposition. There
22 were none listed whatsoever. Haven't been made aware of any
23 calls or any letters. And meet -- as far as we can see, meets a
24 lot of the Great Palm River Community Plan.

25 So with that, we appreciate your consideration. I'll

1 put these conditions in the record, if I may?

2 HEARING MASTER: Okay. And I have some questions for
3 you, Mr. Pressman.

4 MR. PRESSMAN:

5 HEARING MASTER: First of all, you -- you said the
6 single-family home is to remain. What is the use of the home?

7 MR. PRESSMAN: It's a single-family home. So -- and
8 Mr. Nevels may -- may give further details, but it's for the
9 use -- at the moment, the use of one of the employees.

10 MR. NEVELS: I live there.

11 MR. PRESSMAN: Mr. Nevels lives there. Mr. Nevels is
12 one of the owners of the business. He lives there. And we've
13 indicated that continued use would be residential. The idea is
14 that it would be for one of the employees or one of the owners
15 of the business.

16 HEARING MASTER: Okay. Mr. Nevels, could you please
17 step up to the microphone, please?

18 Thank you. You did answer a question from your seat,
19 so I think I need your name and your address on the record
20 please.

21 MR. NEVEL: It's Dhawn -- Dhawn Richard Nevels.

22 HEARING MASTER: And your address?

23 MR. NEVELS: 3826 South 78th Street.

24 HEARING MASTER: All right. Thank you. And is this
25 your property?

1 MR. NEVELS: It's me and my partner's. We started a
2 business like six years ago and we were driving by and we saw
3 that and well -- oh, I don't know what you asked then.

4 HEARING MASTER: Okay. Who is the -- who has title to
5 the property?

6 MR. NEVELS: Chris Eubank and Chris Eubank, my
7 partner.

8 HEARING MASTER: Okay. Chris Eubank is your partner?

9 MR. NEVELS: Business partner. We're 50/50.

10 HEARING MASTER: Okay. And you live in this -- in the
11 single-family house?

12 MR. NEVELS: Yeah. I've lived there since the
13 beginning, since we bought it over four years ago.

14 HEARING MASTER: Okay.

15 MR. NEVELS: Yeah.

16 HEARING MASTER: When was the 5,000 square foot
17 building erected?

18 MR. NEVELS: In 1985. It was there when we, you know,
19 when we moved in.

20 HEARING MASTER: Okay.

21 MR. NEVELS: It was a -- it was a wreck. I mean,
22 we've done a lot of work there, but yes, '85.

23 HEARING MASTER: Okay. And you use that building with
24 your business?

25 MR. NEVELS: Yes. We're a small business. We just

1 like -- have like two employees back in the office that answer
2 phone calls. And in the morning the guys come through and just
3 pick up paperwork. There's -- they take all their trucks at
4 home.

5 HEARING MASTER: All right. Have you -- did you do
6 some improvements to the site, some --

7 MR. NEVELS: Yeah. A lot, like over like \$200,000.
8 That we've done all the fencing. I mean, we -- we don't want no
9 signs up were you know, it's in the very -- I walk to work, of
10 course. I'm not -- that's not always a blessing, but -- but I
11 you know -- so there -- it looks like a normal residence. If
12 you ever came by there, you'd see you know, we don't put signs
13 up. Everything's way in the back.

14 HEARING MASTER: Okay.

15 MR. NEVELS: But -- so I don't know if I answered your
16 question.

17 HEARING MASTER: All right. And did you do some
18 paving or asphalt?

19 MR. NEVELS: That's next. So we're knocking down that
20 two-car garage and we're being told that we'd have to take down
21 the -- the two-car, it's going to be 24-feet, you know, from --
22 that we have -- we're going to have to spend like \$50,000 or
23 \$60,000, which is cheaper than trying to find another business
24 that big because everything -- we -- we can't afford something
25 else. And we got, you know, tools to take care of.

1 HEARING MASTER: Okay. And so is -- is the -- and
2 either one of you, please, Mr. Pressman, if you want to answer
3 this question or the property owner, it doesn't matter. But is
4 the purpose of the rezoning then an effort to comply the -- the
5 use of the site with the zoning?

6 MR. PRESSMAN: That's correct.

7 HEARING MASTER: Okay. Is -- is this property subject
8 to a code enforcement action?

9 MR. NEVELS: It is. I --

10 MR. PRESSMAN: I -- I believe it is.

11 HEARING MASTER: Okay.

12 MR. NEVELS: We got in trouble because the --

13 HEARING MASTER: All right. I'm sorry. One at a
14 time. Please step up to the microphone.

15 MR. NEVELS: Okay. No. So a code enforcement officer
16 came by and he had seen -- you know, the door was open and my
17 truck was parked in the warehouse. And he said that was a
18 no-no. Is that all I'm going to say? Okay.

19 MR. PRESSMAN: The answer is yes,

20 MR. NEVELS: Okay. Anyway, it was -- there was a
21 truck.

22 HEARING MASTER: Were you issued a notice of
23 violation?

24 MR. NEVELS: Yes, ma'am.

25 HEARING MASTER: Okay. So there's an active code

1 enforcement case. All right. Thank you for clarifying that.

2 I believe that's all the questions I have for you
3 right now.

4 MR. PRESSMAN: Did you want to --

5 MR. NEVELS: Well, yeah -- I just wanted to say I
6 mean, we're -- like I said, like he said everything, we're a
7 small business. It's just me and my wife live in the front. We
8 do employee probably about 15 employees. And then, you know,
9 with their wives and husbands.

10 HEARING MASTER: Okay.

11 MR. NEVELS: You -- you can look us on line,
12 air247.com. We're a five-star company. You can read what our
13 customers say. We do business all over, you know, Hillsborough
14 County. Were up with the BBB. We're not -- we're a really good
15 company. And we -- we -- is that all you want? Okay.

16 All right. Thank you.

17 HEARING MASTER: All right. Thank you, sir.

18 MR. PRESSMAN: I -- I do have a number of letters from
19 some of the employees I'd like to put on the record as well.

20 HEARING MASTER: Okay.

21 MR. PRESSMAN: And Sara, did you want to make a
22 comment?

23 HEARING MASTER: Mr. Blevins, yeah. I just need you
24 to sign in with the clerk, please. Thank you.

25 MS. FORD: Hi. Sara Ford. 534 Antigua Way, Mulberry,

1 Florida.

2 HEARING MASTER: Yes, ma'am.

3 MS. FORD: I just wanted to address. I've been a long
4 term employee with the customer -- I mean a long term employee
5 with the cus -- company. And it is my family's live --
6 livelihood. I'm the sole breadwinner for the family. And I
7 depend on the income I get from the company.

8 On the business side, we take great pride, I take
9 great pride as the dispatcher for the company and being able to
10 take care of other families in the community that -- we stay
11 very busy trying to beat the heat and the cold for the
12 customers. So we do take great pride in that. We're very
13 family oriented with all the employees. And we do feel as if
14 the customer -- the company, is responsible for the livelihood
15 of all of our employees. So we do our best to take care of
16 them.

17 We don't have hardly any traffic at our facility.
18 We -- you know, the guys take their trucks home. So the -- only
19 if they have to work that day, do they come into the office to
20 get their equipment for the day.

21 HEARING MASTER: Ms. Ford.

22 MS. FORD: Yes.

23 HEARING MASTER: Do you work at the property, at the
24 subject property, is that where your work is?

25 MS. FORD: Yes, ma'am.

1 HEARING MASTER: And is your work in -- which building
2 onsite is your --

3 MS. FORD: In -- in the warehouse in the back.

4 HEARING MASTER: Okay. All right. How many employees
5 are -- are -- work there all the time?

6 MS. FORD: In the office full time, we have myself and
7 one other employee. And then we have a young man that works in
8 the warehouse cleaning up outside and so forth.

9 HEARING MASTER: All right. So three full time
10 employees --

11 MS. FORD: Yes.

12 HEARING MASTER: -- on site?

13 MS. FORD: Yes.

14 HEARING MASTER: Okay. Anything further you wish to
15 add?

16 MS. FORD: No.

17 HEARING MASTER: All right. Thank you.

18 MS. FORD: Thank you.

19 HEARING MASTER: Be sure and sign in with the clerk.

20 MS. FORD: Okay. Thank you.

21 MR. PRESSMAN: I'm just clean up.

22 HEARING MASTER: All right. Thank you. We'll hear
23 from Staff.

24 MR. LAMPKIN: Good evening. Tim Lampkin,
25 Development Services. Introducing case 23-1577.

1 The request is to development an approximately 1.4
2 acres to allow a single-family home that's existing and a
3 contractor's office that's also existing. The property is
4 located at 3826 South 78th Street, east of 78th and north of
5 Camden Field Parkway. It is within the urban service boundaries
6 and within the limits as the -- as the applicant has showed in
7 his PowerPoint, the Greater Palm River Community Plan.

8 The subject property is currently zoned agricultural
9 single-family conventional. Staff notes that approximately
10 850-feet of the subject site is commercial intensive located
11 west of the intersection -- on the west side of the intersection
12 of South 36th Avenue in 78th Street south, located on the
13 southwest side of the same intersection as an area designated
14 for future office and commercial pursuant to a PD. Pursuant to
15 the applicant's narrative request, the applicant notes that the
16 existing single -- single-family home was recently improved,
17 excuse me, with landscaping to provide an enhanced residential
18 character view from the street as they showed. The applicant
19 proposes no open storage and the one residential unit in the
20 front. There are a few variations requested. The first
21 variation -- well, there's three variations to Section 6.06.06.
22 The first two are reducing the landscape buffer. The first one
23 is reducing it on the north side of the property from ten --
24 from 20 feet with a Type B to a ten-foot to a Type A. And Staff
25 finds that that does meet the criteria. It's located

1 approximately, adjacent to the rear of the yard and it would
2 have a less impact. And there's more of a buffer than the
3 second waiver to the south side, which is requesting a waiver
4 from a 20-foot buffer with Type B screening to a three-foot
5 buffer with Type A screening.

6 And then there is a third variation that the applicant
7 submitted after the staff report was written and they submitted
8 that into the record. And the third variation is to the vehicle
9 use area, which requires a six-foot buffer. And the applicant
10 is only providing a three-foot buffer. There are three
11 transportation -- or actually, there's four. There's three
12 design exceptions, administrative variances. The first is for
13 access spacing between the project driveway and the next closest
14 driveway. It has been found approvable by the county engineer.
15 The second is to waive the South 78th Street substandard road
16 improvements. It's also been found approvable. The third is to
17 permit a reduction of the portion of the internal driveways from
18 24-feet to 20-feet and it has been found approvable. The fourth
19 is, I have a revised staff report, transportation updated the
20 report to include the variation to the parking requirement from
21 28, which would be required to 18 spaces and found the request
22 approvable. And some of the background information from the ITE
23 was handed out prior to the meeting.

24 Overall, the Planning Commission Staff finds it is not
25 consistent with the Comp Plan and overall the request is not

1 supportable. And that concludes Staff's presentation, unless
2 you have any questions and I'll hand out the updated report.

3 HEARING MASTER: Well, Staff found the application not
4 supportable. What -- what are the primary issues that,

5 MR. LAMPKIN: The -- sorry.

6 The primary issue would be the request for the waiver
7 for the south -- south boundary.

8 HEARING MASTER: Okay. All right. Thank you very
9 much.

10 MR. LAMPKIN: Thank you.

11 HEARING MASTER: Planning Commission.

12 MS. PAPANDREW: Andrea Papandrew, Planning Commission
13 Staff. Zoning Hearing Master, Tim mentioned Development
14 Services mentioned that there's a third variation for the
15 vehicle use area buffer submitted after Staff Report. So
16 Planning Commission is -- staff is obligated by Land Development
17 Code to file 12 days before the hearing. So I'm not sure when
18 that variation was -- was submitted, but if it was after that
19 date, then it would not be in our -- taken into consideration
20 for our analysis. And I just wanted to -- to make that clear.

21 HEARING MASTER: Thank you.

22 MS. PAPANDREW: So the site is in the Residential-9
23 Future Land Use Category and within the Greater Palm River
24 Community Plan. Policy 1.4 requires all new development to be
25 compatible with the surrounding area. Noting that compatibility

1 does not mean the same as. Rather, it refers to the sensitivity
2 of development proposals and maintain the character of existing
3 development. The proposed development is not compatible and in
4 scale with the character of the area. Objective 16 of Policy
5 16.2 and 16.3 for the need to protect existing neighborhoods and
6 communities, as well as a gradual transition between uses. The
7 property is a Residential-9 Future Land Use Category, which is
8 also to the northeast and south. To the west is suburban mix
9 use six. And to the northwest and southwest is Residential-6.

10 The area is composed of single-family residential and
11 the proposed contractor's office increases intensity in the area
12 and is not considered a gradual transition of uses. The
13 proposed enclosed storage area introduces uses that are
14 compatible -- that are not compatible with the surrounding
15 residential character. The site does not meet commercial
16 locational criteria. The closest commercial node is Causeway
17 Boulevard and 78th Street. And the property is about 309 --
18 3,700 feet from that intersection.

19 The applicant has offered to restrict that
20 contractor's office to enclosed storage of materials and
21 equipment. However, Planning Commission Staff finds this
22 proposed use too intensive for the area and that mitigation is
23 still insufficient. The Greater Palm River Community Plan has a
24 strong desire to balance residential, commercial and other land
25 uses. The site is not located in an area identified for

1 commercial uses.

2 While the applicant proposes to limit the business
3 activity by providing all operation indoors and function as a
4 dispatch office, Planning Commission Staff finds that this type
5 of use is too intensive to be placed in a predominantly
6 residential area.

7 Based upon the above considerations. Planning
8 Commission Staff finds the proposed plan development
9 inconsistent with the Unincorporated Hillsborough County
10 Comprehensive Plan.

11 HEARING MASTER: Okay. Thank you very much. All
12 right. We'll go to the public.

13 Is there anyone here or online who wishes to speak in
14 support of this application? I do not hear anyone.

15 Is there anyone here or online who wishes to speak in
16 opposition to this application? All right. I don't hear
17 anyone.

18 Back to Development Services, anything further?

19 MS. HEINRICH: No, ma'am.

20 HEARING MASTER: All right. An applicant, I believe
21 the property owner wishes to speak as well. Come forward,
22 please.

23 MR. NEVELS: The stuff that she said literally like
24 less than 300 feet from me --

25 HEARING MASTER: All right. We need to hear you on

1 the microphone.

2 MR. NEVELS: Oh. Less than 300-feet from the
3 residential house, there is a company called Action Corrugated.
4 There's over 100 trucks parked in there on less acres than we
5 have. And it's a commercial business. They're in and out of
6 there all day long. So that wasn't true. There's also a
7 7-Eleven that I can walk to with, like from here to the -- down
8 to the stairs down there from my house.

9 And like I said, everything's behind there. But if
10 this is how it goes, thank you for, you know, ruining my -- I'll
11 be out of business.

12 HEARING MASTER: Sir, a question for you also.

13 MR. NEVELS: It is not not fair. They're not telling
14 everything. You can see it, like the -- the truth, but go
15 ahead.

16 HEARING MASTER: You also work onsite, is that
17 correct?

18 MR. NEVELS: Yeah. I do. I just work in the office
19 with the girls.

20 HEARING MASTER: Okay. And so your -- I believe
21 Ms. Ford said -- I think she listed about three employees in
22 that. And then you would be in addition to that, right?

23 MR. NEVELS: Well and I -- work there and I work in
24 the field, like a help worker --

25 HEARING MASTER: Okay.

1 MR. NEVELS: -- in air conditioners. Yes, ma'am.

2 HEARING MASTER: All right. Thank you, sir.

3 MR. NEVELS: Thank you.

4 HEARING MASTER: Mr. Pressman.

5 MR. PRESSMAN: We appreciate your consideration. I
6 believe that on the zoning maps we showed those different
7 activities. And I think we summed up what our position is
8 compared to the Staff's. We appreciate your consideration.
9 Place emphasis with multiple notices. There's absolutely no one
10 in opposition. Neighbor next door's in support. We think
11 that's a strong proposal. And we appreciate your consideration.
12 Thank you.

13 HEARING MASTER: Yes, sir. Thank you.

14 All right. This will close the hearing on Rezoning PD
15 22-1577.

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1 So just for the record, make sure everybody got
2 that. That's Agenda, Page 6, Item B-1, Rezoning PD
3 22-04- -- 0648 being continued to the July 24th
4 ZHM, and also Agenda, Page 6, Item C-1, Rezoning
5 22-1681 also being continued to July 24th, 2023.

6 Ms. Heinrich, you want to continue with the
7 changes?

8 MS. HEINRICH: Okay. Sure. The first one is
9 Item A-1, PD 22-0075. This application is being
10 continued by the applicant to the July 24th, 2023
11 ZHM Hearing. Item A-2, Major Mod 22-0671. This
12 application is out of order to be heard and is
13 being continued to the July 24th, 2023 ZHM Hearing.

14 Item A-3, PD 22-0877. This application is
15 being withdrawn from the ZHM process. Item A-4,
16 Standard Rezoning 22-1431. This application is
17 withdrawn by the zoning administrator in accordance
18 with LDC Section 10.03.02.C.2.

19 Item A-5, PD Application 22-1503. This
20 application is out of order to be heard and is
21 being continued to the July 24th, 2023 ZHM Hearing.
22 Item A-6, Major Mod 22-1510. This application is
23 out of order to be heard and is being continued to
24 the July 24th, 2023 ZHM Hearing.

25 Item A-7, PD 22-1577. This application is out

1 of order to be heard and is being continued to the July
2 24th, 2023 ZHM Hearing. Item A-8, PD 22-1604.

3 This application is being withdrawn from the ZHM
4 process.

5 Item A-9, Major Mod 22-1637. This application
6 is out of order to be heard and is being continued
7 to the July 24th, 2023 ZHM Hearing. Item A-10,
8 Major Mod 22-1638. This application is out of
9 order to be heard and is being continued to the
10 July 24th, 2023 ZHM Hearing.

11 Item A-11, PD 22-1647. This application is
12 being continued by staff to the July 24th, 2023 ZHM
13 Hearing. Item A-12, PD 22-1688. This application
14 is out of order to be heard and is being continued
15 to the July 24th, 2023 ZHM Hearing.

16 Item A-13, PD Number 23-0059. This
17 application is out of order to be heard and is
18 being continued to the July 24th, 2023 ZHM Hearing.

19 Item A-14, Standard Rezoning 23-0082. This
20 application is out of order to be heard and is
21 being continued to the July 24th, 2023 ZHM Hearing.

22 Item A-15, Major Mod Application 23-0161.
23 This application is being withdrawn from the ZHM
24 process. Item A-16 PD 23-0181. This application
25 is being continued by the applicant to the July

1 application is out of order to be heard and is being continued
2 to the June 20, 2023, ZHM hearing.

3 Item A.3, PD 22-0877. This application is being
4 continued by staff to the June 20, 2023, ZHM hearings.

5 Item A.4, Major Mod 22-1239. This application is
6 being withdrawn by the zoning administrator in accordance with
7 LDC Section 10.03.02.C.2.

8 Item A.5, PD 22-1257. This application is being
9 withdrawn by the zoning administrator in accordance with LDC
10 Section 10.03.02.C.2.

11 Item A.6, PD 22-1330. This application is being
12 withdrawn from the ZHM process.

13 Item A.7, PD 22-1503. This application is out of
14 order to be heard and is being continued to the June 20, 2023,
15 ZHM hearing.

16 Item A.8, Major Mod application 22-1510. This
17 application is being continued by staff to the June 20, 2023,
18 ZHM hearing.

19 A.9, PD application, 22-1577. This application is
20 being continued by the applicant to the June 20, 2023, ZHM
21 hearing.

22 Item A.10, Major Mod 22-1637. This application is out
23 of order to be heard and is being continued to June 20, 2023,
24 ZHM hearing.

25 Item A.11, Major Mod application, 22-1638. This

1 continued by the applicant to the May 15, 2023 ZHM Hearing.

2 Item A.8, PD 22-1390. This application is being
3 continued by Staff to the May 15, 2023 Zoning Hearing Master
4 Hearing.

5 Item A.9, PD 22-1497. This application is being
6 withdrawn from the ZHM process.

7 Item A.10 PD 22-1503. This application is out of
8 order to be heard and is being continued to the May 15, 2023 ZHM
9 Hearing.

10 Item A.11, Major Mod 22-1510. This application is
11 being continued by the applicant to the May 15, 2023 ZHM
12 Hearing.

13 Item A.12, Major Mod 22-1543. This application is out
14 of order to be heard and is being continued to the
15 August 21, 2023 ZHM Hearing.

16 Item A.13, PD 22-1577. This application is out of
17 order to be heard and is being continued to the May 15, 2023 ZHM
18 Hearing.

19 Item A.14, Major Mod 22-1637. This application is out
20 of order to be heard and is continued to the May 15, 2023 ZHM
21 Hearing.

22 Item A.15, 22-1638. This application is out of order
23 to be heard and is being continued to the May 15, 2023 ZHM
24 Hearing.

25 Item A.16, Major Mod 1639. This application is being

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HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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

BEFORE: PAMELA JO HATLEY
Land Use Hearing Master

DATE: Monday, March 20, 2023

TIME: Commencing at 6:00 p.m.
Concluding at 8:08 p.m.

PLACE: Hillsborough County Board of
County Commissioners
601 East Kennedy Boulevard
2nd Floor Boardroom
Tampa, Florida 33601

Reported in person by:

Brittany Bridges, CER No. 1607
U.S. Legal Support
4200 West Cypress Street, Suite 750
Tampa, Florida 33607
(813)223-7321

1 application is out of order to be heard and is being
2 continued to the April 17, 2023 Zoning Hearing Master
3 Hearing.

4 Item A15, Rezoning PD 22-1577. This application is
5 out of order to be heard and is being continued to the
6 April 17, 2023 Zoning Hearing Master Hearing.

7 Item A16, Major Mod Application 22-1637. This
8 application is out of order to be heard and is being
9 continued to the April 17, 2023 Zoning Hearing Master
10 Hearing.

11 Item A17, Major Mod Application 22-1638. This
12 application is being continued by the applicant to the
13 April 17, 2023 Zoning Hearing Master Hearing.

14 Item A18, Major Mod Application 22-1639. This
15 application is out of order to be heard and is being
16 continued at the April 17, 2023 Zoning Hearing Master
17 Hearing.

18 Item A19, Rezoning PD 22-1640. This application is
19 out of order to be heard and is being continued to the
20 April 17, 2023 Zoning Hearing Master Hearing.

21 Item A20, Rezoning PD 22-1647. This application is
22 out of order to be heard and is being continued to the
23 April 17, 2023 Zoning Hearing Master Hearing.

24 Item A21, Rezoning Standard 22-1654. This application
25 is being -- is being continued by Staff to the May 15, 2023

HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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

BEFORE: PAMELA JO HATLEY
Land Use Hearing Master

DATE: Monday, February 20, 2023

TIME: Commencing at 6:00 p.m.
Concluding at 8:11 p.m.

LOCATION: Hillsborough County Planning
Commission Board Room-2nd Floor
601 East Kennedy Boulevard
Tampa, Florida 36602

Reported via Cisco Webex Videoconference by:
Samantha Kozlowski, CER

1 March 20, 2023 Zoning Hearing Master Hearing.

2 Item A.15, rezoning PD 22-1401. This application is
3 out of order to be heard and is being continued to the
4 April 17, 2023 Zoning Hearing Master Hearing.

5 Item A.16, rezoning standard 22-1431. This
6 application is being continued by the applicant to the
7 April 17, 2023 Zoning Hearing Master Hearing.

8 Item A.17, rezoning PD 22-1497. This application is
9 out of order to be heard and is being continued to the
10 April 17, 2023 Zoning Hearing Master Hearing.

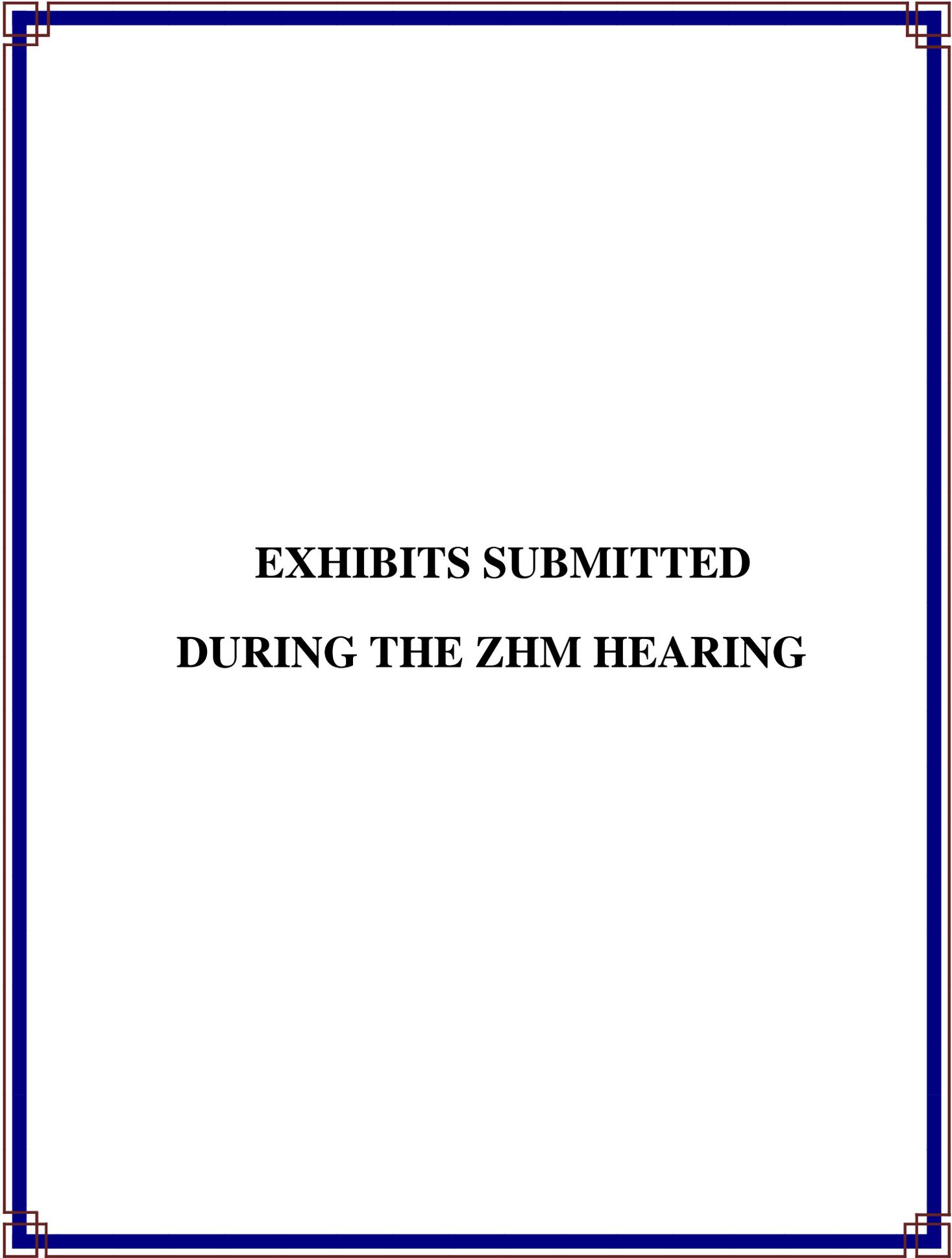
11 Item A.18, major mod application 22-1501. This
12 application is being continued by the applicant to the
13 March 20, 2023 Zoning Hearing Master Hearing.

14 Item A.19, rezoning PD 22-1503. This application is
15 out of order to be heard and is being continued to the
16 March 20, 2023 Zoning Hearing Master Hearing.

17 Item A.20, major mod application 22-1510. This
18 application is out of order to be heard and is being continued
19 to the March 20, 2023 Zoning Hearing Master Hearing.

20 Item A.21, major mod application 22-1543. This
21 application is out of order to be heard and is being continued
22 to the March 20, 2023 Zoning Hearing Master Hearing.

23 Item A.22, rezoning PD 22-1577. This application is
24 out of order to be heard and is being continued to the
25 March 20, 2023 Zoning Hearing Master Hearing.



**EXHIBITS SUBMITTED
DURING THE ZHM HEARING**

DATE/TIME: 7-24-23HEARING MASTER: Pamela Jo HarleyPLEASE **PRINT CLEARLY**. THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # 23-0443	PLEASE PRINT NAME <u>Todd Frossman</u> MAILING ADDRESS <u>200 2nd Ave S #451</u> CITY <u>St. Pet</u> STATE <u>FL</u> ZIP <u>33701</u> PHONE <u>804-1760</u>
APPLICATION # 23-0443	PLEASE PRINT NAME <u>TRISH LAWTON</u> MAILING ADDRESS <u>8310 Jana Dr.</u> CITY <u>Odessa</u> STATE <u>FL</u> ZIP <u>33556</u> PHONE _____
APPLICATION # 23-0443	PLEASE PRINT NAME <u>Melissa Nordbeck</u> MAILING ADDRESS <u>6008 Hammock Woods Dr.</u> CITY <u>Odessa</u> STATE <u>FL</u> ZIP <u>33557</u> PHONE <u>813-505-9315</u>
APPLICATION # 23-0443	PLEASE PRINT NAME <u>Elizabeth White (virtual)</u> MAILING ADDRESS <u>17905 Burrell Rd Burrell Road</u> CITY <u>Odessa</u> STATE <u>FL</u> ZIP _____ PHONE _____
APPLICATION # 22-0075	PLEASE PRINT NAME <u>Mac McGraw</u> MAILING ADDRESS <u>3000 W. San Nicholas St</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33629</u> PHONE <u>(813) 390-0627</u>
APPLICATION # 22-0075	PLEASE PRINT NAME <u>Keemi Corbett</u> MAILING ADDRESS <u>101 E Kennedy Blvd, Ste 5700</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-225-8421</u>

DATE/TIME: 7-24-23HEARING MASTER: Pamela Jo HatleyPLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # 22-0075	PLEASE PRINT NAME <u>Jane Graham for James Anderson</u> MAILING ADDRESS <u>737 Mar St, Ste 100</u> CITY <u>Safety Harbor</u> STATE <u>FL</u> ZIP <u>34695</u> PHONE <u>727 291 9522</u>
APPLICATION # 22-0075	PLEASE PRINT NAME <u>Ethel Hammer (virtual)</u> MAILING ADDRESS <u>19825 Angel Lane</u> CITY <u>Odessa</u> STATE <u>FL</u> ZIP <u>33556</u> PHONE _____
APPLICATION # 22-0075	PLEASE PRINT NAME <u>Gary Gibbons</u> MAILING ADDRESS <u>800 29th Avenue North</u> CITY <u>St. Petersburg</u> STATE <u>FL</u> ZIP <u>33704</u> PHONE <u>813-785-2028</u>
APPLICATION # 22-0075	PLEASE PRINT NAME <u>Sabine Prother</u> MAILING ADDRESS <u>1601 Bentwood Dr.</u> CITY <u>Seff</u> STATE <u>FL</u> ZIP <u>33523</u> PHONE <u>619-536-7381</u>
APPLICATION # 22-0075	PLEASE PRINT NAME <u>ALI AJEFI</u> MAILING ADDRESS <u>5023 West Laurel Street</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP _____ PHONE <u>813-289-0039</u>
APPLICATION # 22-0648	PLEASE PRINT NAME <u>David Wright (virtual)</u> MAILING ADDRESS <u>PO Box 273417</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33688</u> PHONE _____

DATE/TIME: 7-24-23HEARING MASTER: Pamela Jo HarleyPLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # 22-1510	PLEASE PRINT NAME <u>NEALE STRAW</u> MAILING ADDRESS <u>51 E LEWIS BLVD # 100</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33607</u> PHONE <u>727-409-6450</u>
APPLICATION # 22-1510	PLEASE PRINT NAME <u>Richard Crager (virtual)</u> MAILING ADDRESS <u>6400 East Chelsea Street</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33610</u> PHONE _____
APPLICATION # 22-1577	PLEASE PRINT NAME <u>Dhawn Richard Nevels</u> MAILING ADDRESS <u>3826 S. 78TH ST</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33618</u> PHONE <u>(863) 618-8789</u>
APPLICATION # 22-1577	PLEASE PRINT NAME <u>SARA FORD</u> MAILING ADDRESS <u>534 Antigua Way</u> CITY <u>Mulberry</u> STATE <u>FL</u> ZIP <u>33800</u> PHONE <u>813-895-9377</u>
APPLICATION # 22-1577	PLEASE PRINT NAME <u>Todd Pressman</u> MAILING ADDRESS <u>200 2nd Ave S #451</u> CITY <u>St. Pete</u> STATE <u>FL</u> ZIP <u>33709</u> PHONE <u>787-804-1760</u>
APPLICATION # 22-1688	PLEASE PRINT NAME <u>Todd Pressman</u> MAILING ADDRESS <u>200 2nd Ave S #451</u> CITY <u>St. Pete</u> STATE <u>FL</u> ZIP <u>33709</u> PHONE <u>787-804-1760</u>

DATE/TIME: 7-24-23HEARING MASTER: Pamela Jo HarleyPLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # 22-1688	PLEASE PRINT NAME <u>Debbie Caneen (virtual)</u> MAILING ADDRESS <u>1604 El Rancho Drive</u> CITY <u>Sun City Center</u> STATE <u>FL</u> ZIP <u>33573</u> PHONE _____
APPLICATION # 22-1688	PLEASE PRINT NAME <u>Atef Hanna (virtual)</u> MAILING ADDRESS <u>7345 Gunn Highway</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33625</u> PHONE _____
APPLICATION # 23-0181	PLEASE PRINT NAME <u>Kami Corbett</u> MAILING ADDRESS <u>101 S Kennedy B Wva 3700</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-225-8421</u>
APPLICATION # 23-0184	PLEASE PRINT NAME <u>Tyler Hudson</u> MAILING ADDRESS <u>460 W. Ashly Dr. #1100</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-335-4005</u>
APPLICATION # 23-0184	PLEASE PRINT NAME <u>Alex Schaler</u> MAILING ADDRESS <u>400 N. Ashley Dr. #1100</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-335-3907</u>
APPLICATION # 23-0184	PLEASE PRINT NAME <u>Stanley Bonilla</u> MAILING ADDRESS <u>1522 Old Country Rd</u> CITY <u>Plainview</u> STATE <u>NY</u> ZIP <u>11803</u> PHONE <u>631-539-0200</u>

DATE/TIME: 7-24-23

HEARING MASTER: Pamela Jo Harley

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

APPLICATION # 23-0257	PLEASE PRINT NAME <u>Todd Freeman</u> MAILING ADDRESS <u>200 1st Ave S #458</u> CITY <u>T. Pele</u> STATE <u>FL</u> ZIP <u>3314</u> PHONE <u>813-451-1100</u>
APPLICATION # 23-0257	PLEASE PRINT NAME <u>Nazneen Noorani</u> MAILING ADDRESS <u>8916 Riverlachen Way</u> CITY <u>Livermore</u> STATE <u>FL</u> ZIP <u>33578</u> PHONE <u>630-881-6506</u>
APPLICATION # 23-0269	PLEASE PRINT NAME <u>Catherine Cogle</u> MAILING ADDRESS <u>5312 N Sunnyside Ave</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33603</u> PHONE <u>813-767-2244</u>
APPLICATION #	PLEASE PRINT NAME _____ MAILING ADDRESS _____ CITY _____ STATE _____ ZIP _____ PHONE _____
APPLICATION #	PLEASE PRINT NAME _____ MAILING ADDRESS _____ CITY _____ STATE _____ ZIP _____ PHONE _____
APPLICATION #	PLEASE PRINT NAME _____ MAILING ADDRESS _____ CITY _____ STATE _____ ZIP _____ PHONE _____

JULY 24, 2023 - ZONING HEARING MASTER

The Land Use Hearing Officer (LUHO), Hillsborough County, Florida, met in Regular Meeting, scheduled for Monday, July 24, 2023, at 6:00 p.m., in the Boardroom, Frederick B. Karl County Center, Tampa, Florida, and held virtually.

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

A. WITHDRAWALS AND CONTINUANCES

▶ Michelle Heinrich, Development Services, reviewed the changes/withdrawals/continuances.

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

▶ Chief County Attorney Cameron Clark overview of oral argument/ZHM process.

▶ Pamela Jo Hatley, ZHM, Oath.

B. REMANDS

B.1. RZ 22-0075

▶ Michelle Heinrich, Development Services, called RZ 22-0075.

▶ Testimony provided.

▶ Susan Finch, ZHM, closed RZ 22-0075.

B.2. RZ 22-0648

▶ Michelle Heinrich, Development Services, called RZ 22-0648.

▶ Testimony provided.

▶ Pamela Jo Hatley, ZHM, closed RZ 22-0648.

C. REZONING STANDARD (RZ-STD):

C.1. RZ 23-0443

▶ Michelle Heinrich, Development Services, called RZ 23-0443.

▶ Testimony provided.

▶ Pamela Jo Hatley, ZHM, continued RZ 23-0443.

MONDAY, JULY 24, 2023

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

D.1. MM 22-1510

- ▶ Michelle Heinrich, Development Services, called MM 22-1510.
- ▶ Testimony provided.
- ▶ Pamela Jo Hatley, ZHM, closed MM 22-1510.

D.2. RZ 22-1577

- ▶ Michelle Heinrich, Development Services, called RZ 22-1577.
- ▶ Testimony provided.
- ▶ Pamela Jo Hatley, ZHM, closed RZ 22-1577.

D.3. RZ 22-1688

- ▶ Michelle Heinrich, Development Services, called RZ 22-1688.
- ▶ Testimony provided.
- ▶ Pamela Jo Hatley, ZHM, closed RZ 22-1688.

D.4. RZ 23-0181

- ▶ Michelle Heinrich, Development Services, called RZ 23-0181.
- ▶ Testimony provided.
- ▶ Pamela Jo Hatley, ZHM, closed RZ 23-0181.

D.5. RZ 23-0184

- ▶ Michelle Heinrich, Development Services, called RZ 23-0184.
- ▶ Testimony provided.
- ▶ Pamela Jo Hatley, ZHM, closed RZ 23-0184.

MONDAY, JULY 24, 2023

D.6. RZ 23-0193

- ▶ Michelle Heinrich, Development Services, called RZ 23-0193.
- ▶ Testimony provided.
- ▶ Pamela Jo Hatley, ZHM, closed RZ 23-0193.

D.7. RZ 23-0257

- ▶ Michelle Heinrich, Development Services, called RZ 23-0257.
- ▶ Testimony provided.
- ▶ Pamela Jo Hatley, ZHM, closed RZ 23-0257.

D.8. MM 23-0269

- ▶ Michelle Heinrich, Development Services, called MM 23-0269.
- ▶ Testimony provided.
- ▶ Pamela Jo Hatley, ZHM, closed MM 23-0269.

E. ZHM SPECIAL USE - None.

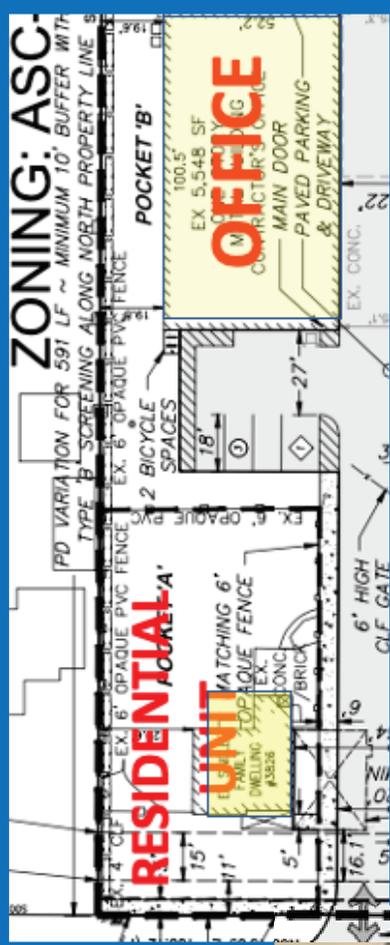
ADJOURNMENT

- ▶ Pamela Jo Hatley, ZHM, adjourned the meeting at 9:30 p.m.



10:57 AM Board of County Commissioners September 5, 2019

RZ-PD 22-1577

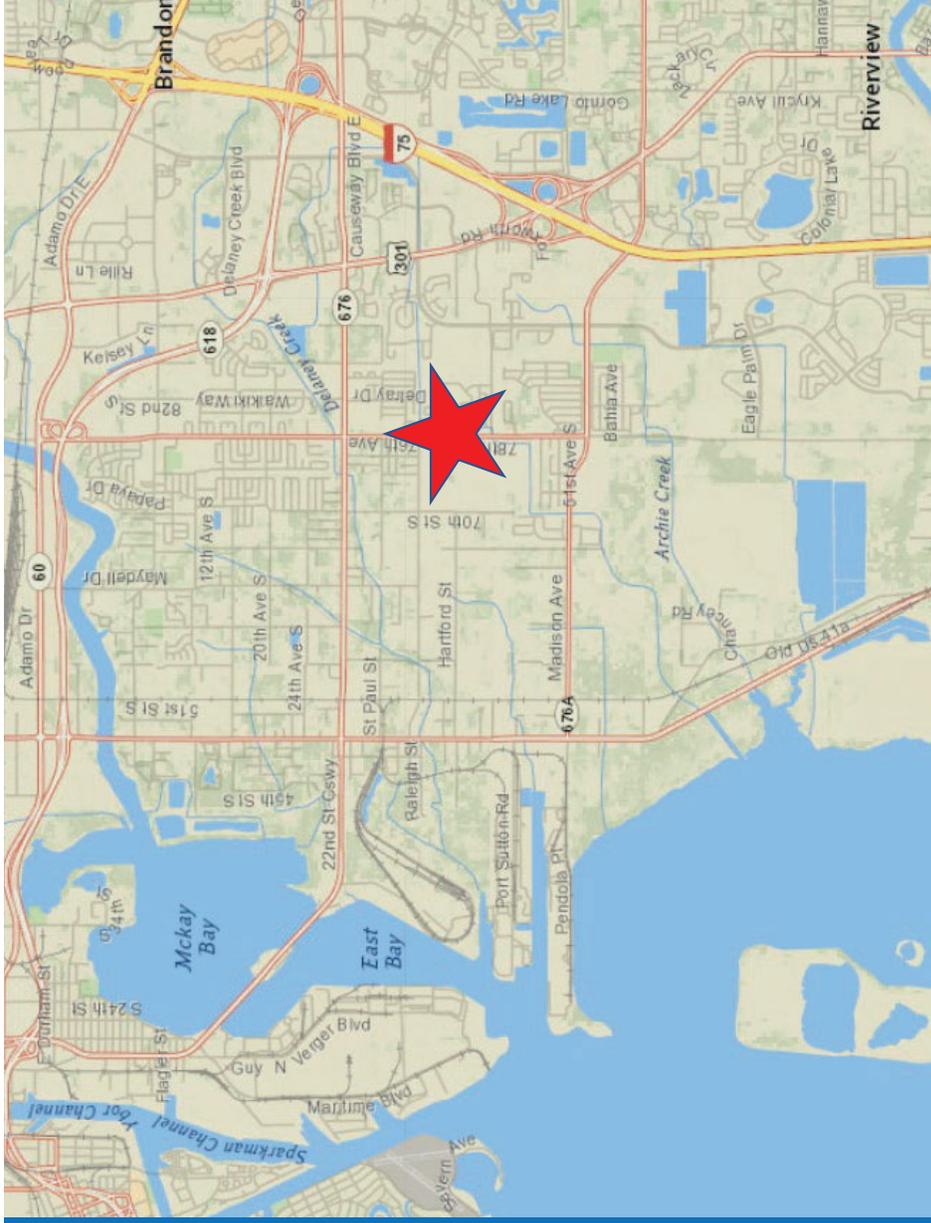


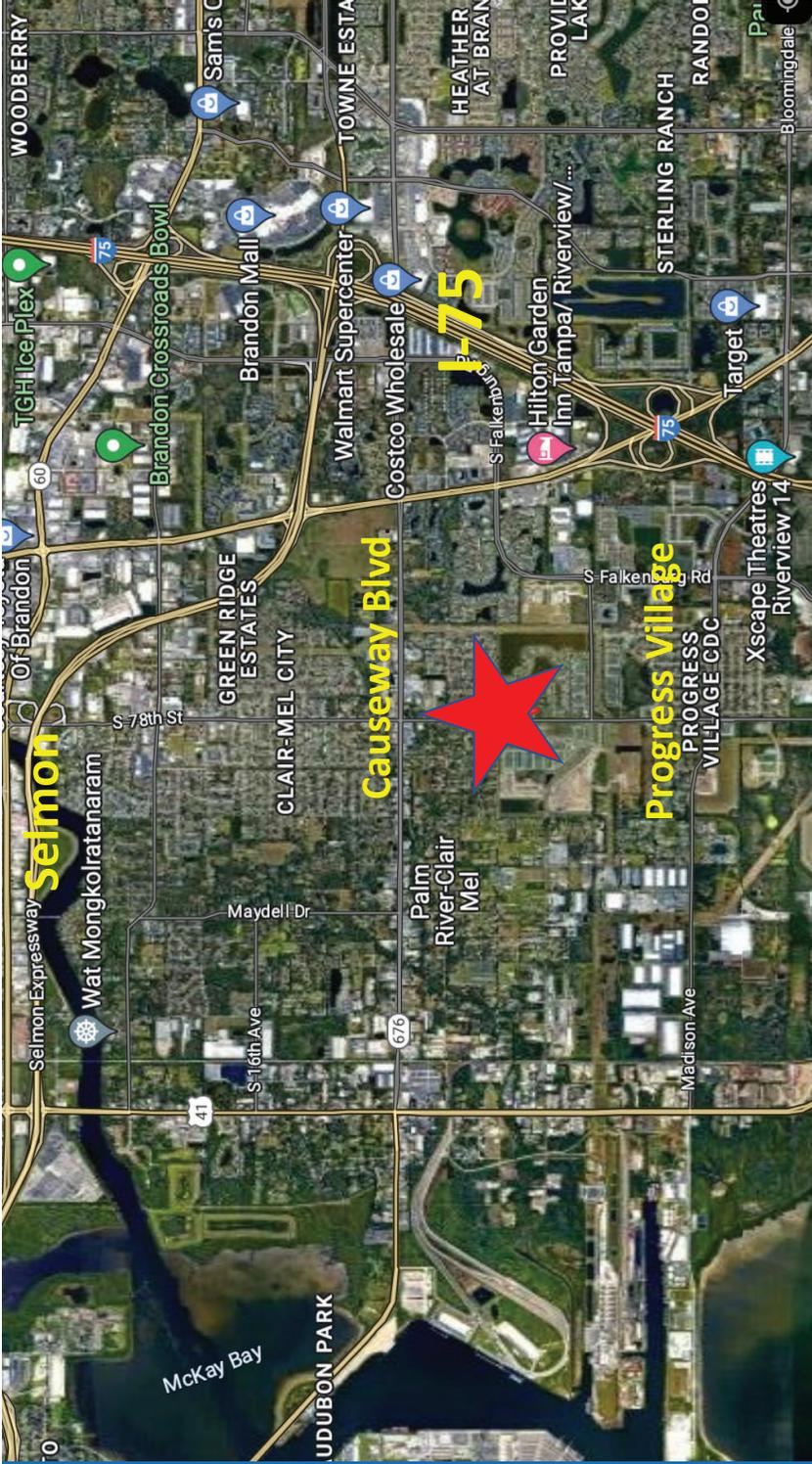
ZONING: ASC-
PD VARIATION FOR 591 LF ~ MINIMUM 10' BUFFER WITH
TYPE 'B' SCREENING ALONG NORTH PROPERTY LINE

OFFICE



Greater Palm River





Property Appraiser



Issue: Small Business

ASC-1 to PD. 1.41 acres mol

- Allow one residential unit and

- Allow contractor's office with no outside storage. Dispatch like operation

Conditions:

- a. Use is office and interior storage for an ac/heat repair company, code recognized as a 'Contractor's Office'. The existing residential home will remain as a residential single family home use.
- b. No free standing or wall signage permitted.
- c. The exterior of the existing front residential home structure will remain in residential character.

Conditions

- d. There will be an opaque fence to code standards on all sides of the property.
- e. All activity, including any storage of machinery or commercial vehicles, will be interior to the building. Some vehicle parking will be provided in the very rear of the parcel, extremely well screened and buffered.
- f. No active mechanical, AC or heat, repairs will occur on site.

**GOAL: look, act, sound like
Mixed Use Site -Professional
Office Use**

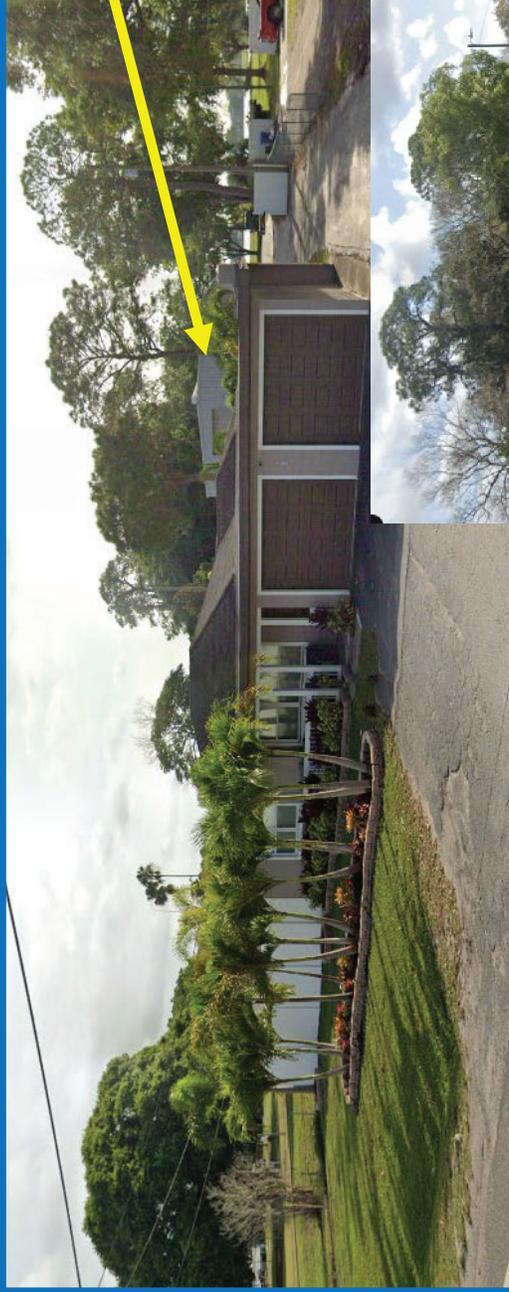
Upgraded, Residential in front



Prior

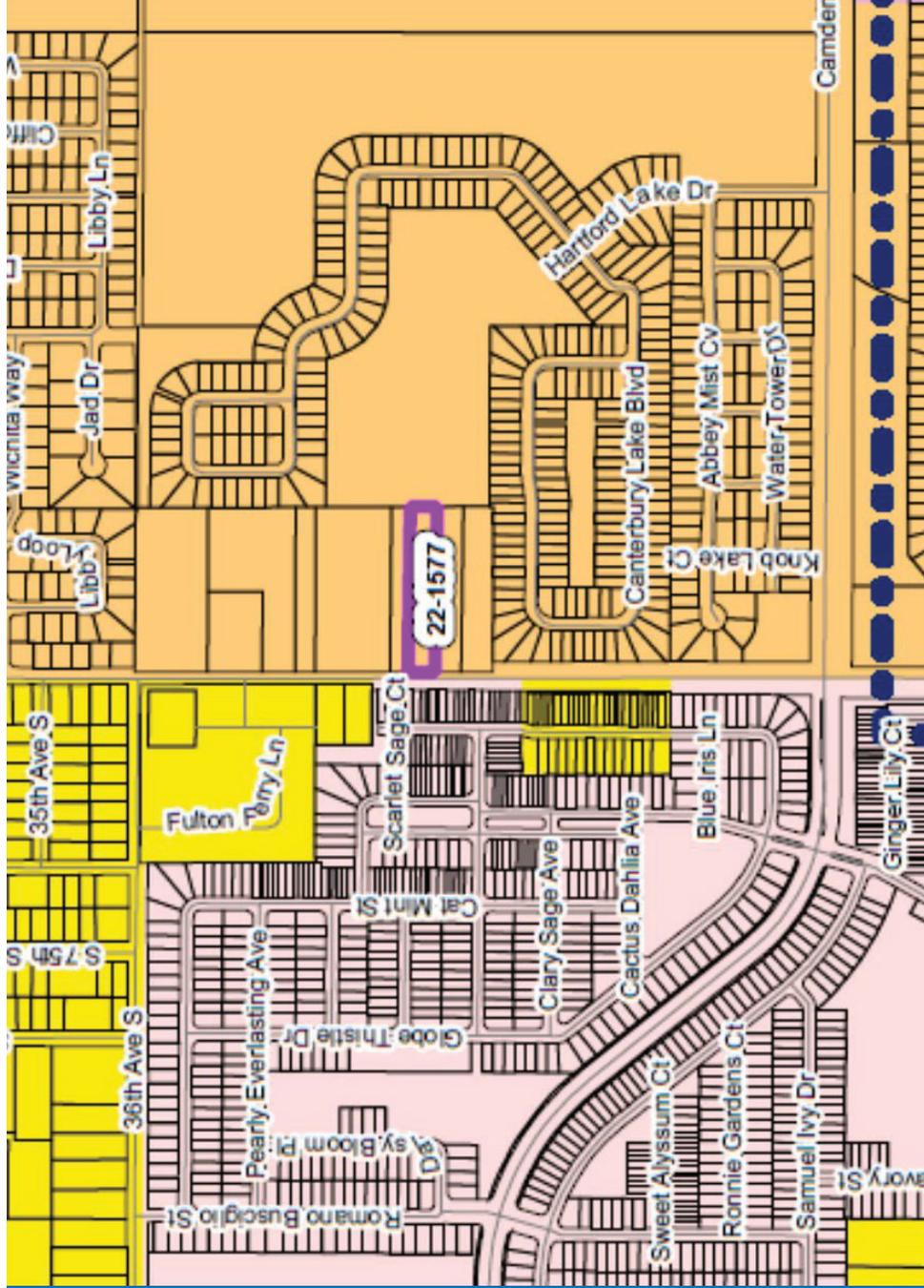


Great screening and buffering from 78th

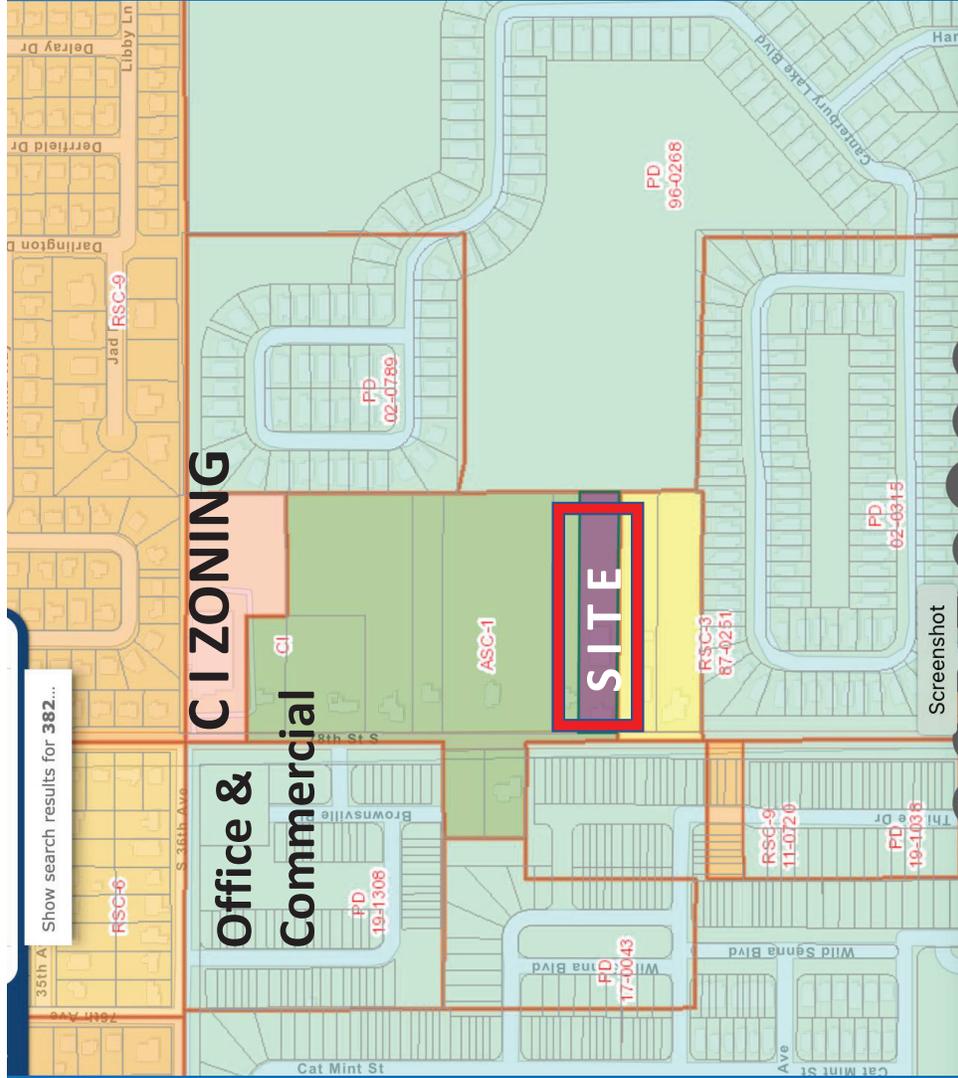


Comp. Plan Res-9

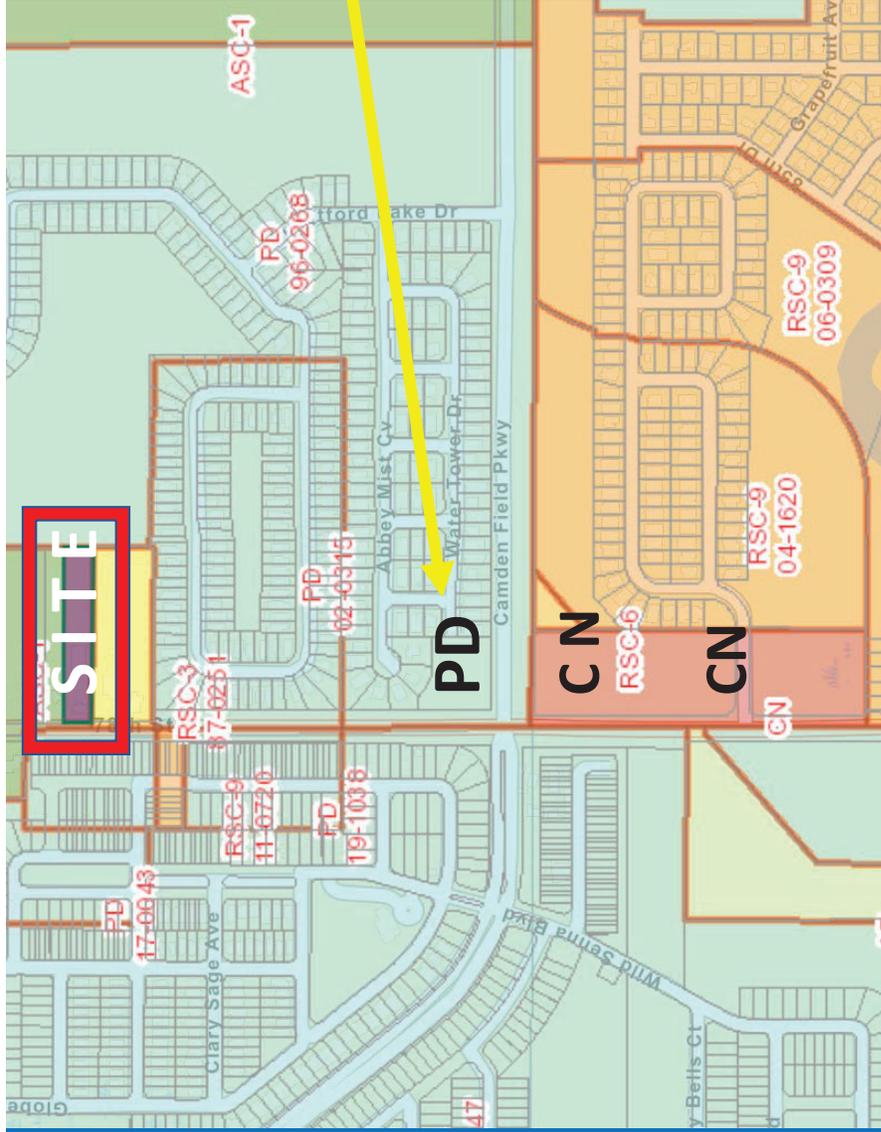
...Urban scale
neighborhood
commercial uses,
offices, multi-
purpose and mixed
use



Zoning Map



Zoning Map



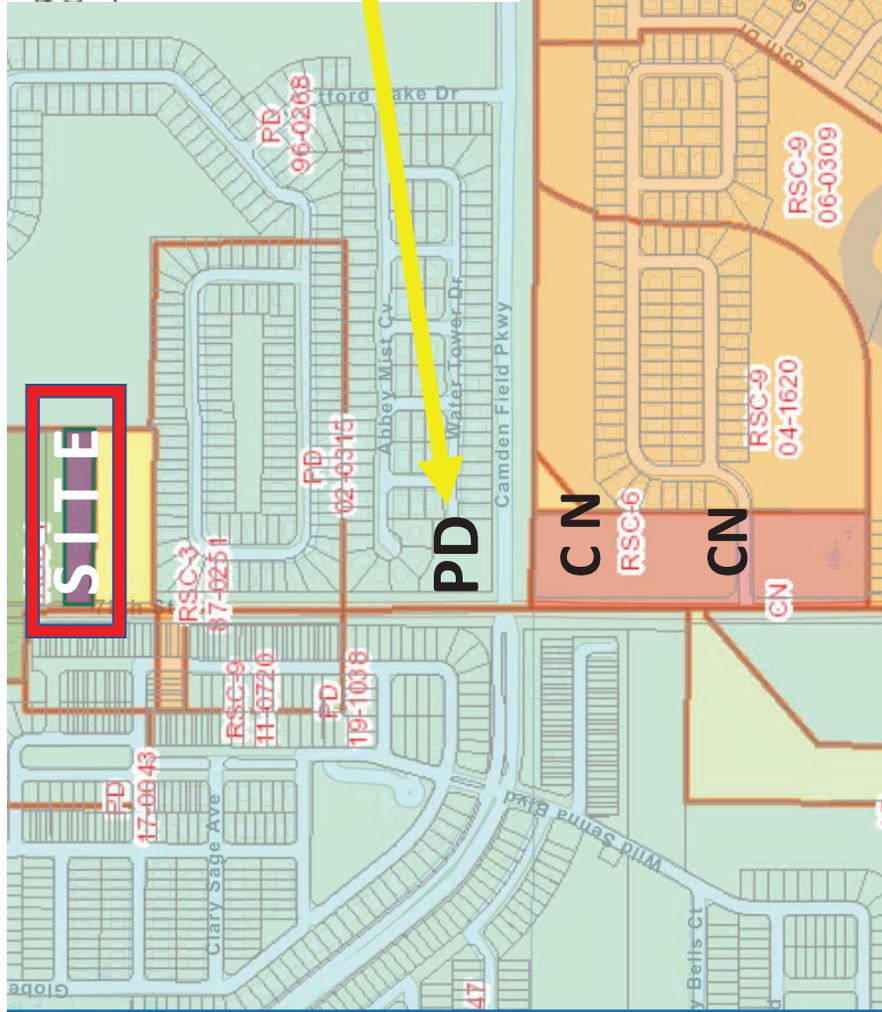
AMENDED
FINAL CONDITIONS
OF APPROVAL

PETITION NUMBER: PRS 02-0036-GR (96-268)
BOCC MEETING DATE: January 15, 2002
DATE TYPED: January 17, 2002

Approval, subject to the conditions listed below, is based on site plan received November 29, 2001

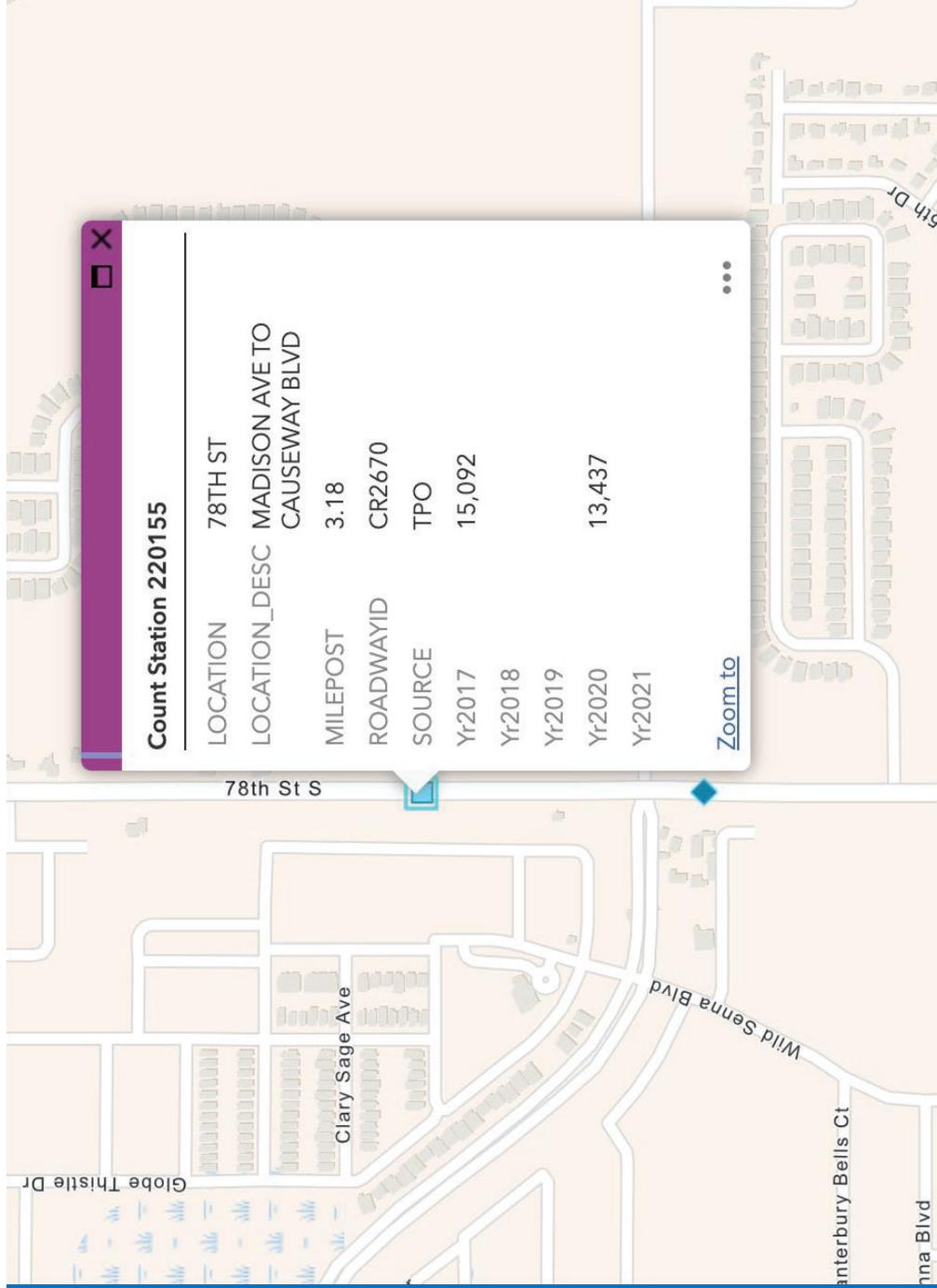
I. The commercial portion of the project shall be permitted 50,000 square feet of C-N uses and the following:

- Museums, art galleries
- Restaurant/Eating establishment (sit down within the main building)
- Lawn and Garden Supply
- Office Equipment Sales
- Radio and TV sales
- Drug store
- Light equipment rental and leasing



Includes "light equipment rental & leasing"

15,092 Vehicles/day



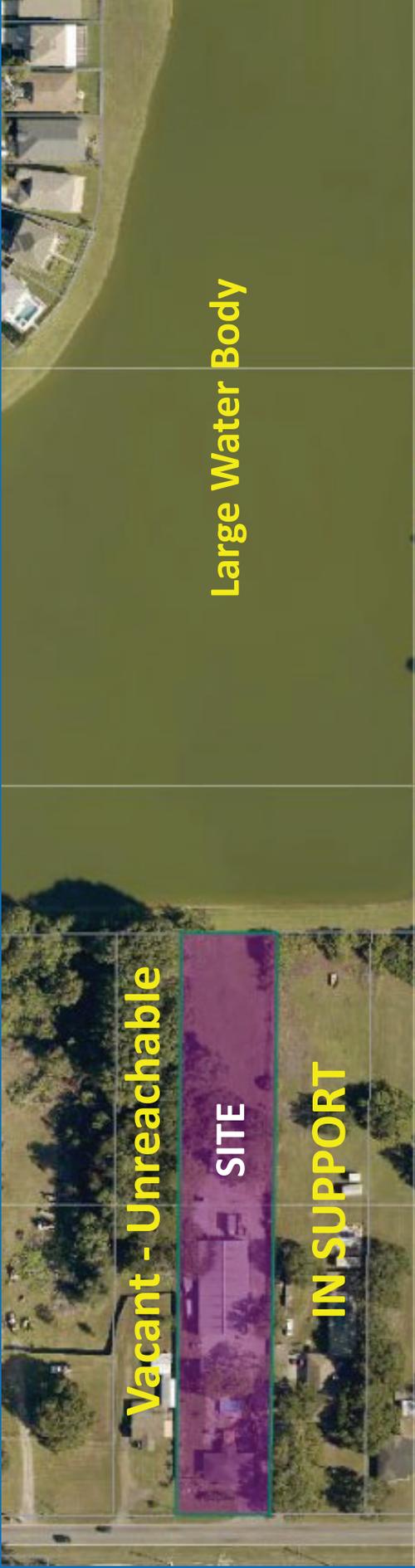
Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	(+) 54	(+) 9	(+) 10

1995

Test of Time





Public notice, multiple times,
64 persons

LETTER OF NO OPPOSITION

To the Hillsborough County Commission:

Please accept this letter of no opposition to the rezoning proposed on my neighbor's property, of which is 3826 S. 78th Street, currently used by Air 247 and is County file # RZ-PD 22-1577.

I do not object to the rezoning, they are a good neighbor, and the business and residence is run, maintained and managed very well.

Thank you.

Jedd A. Blea,
Name

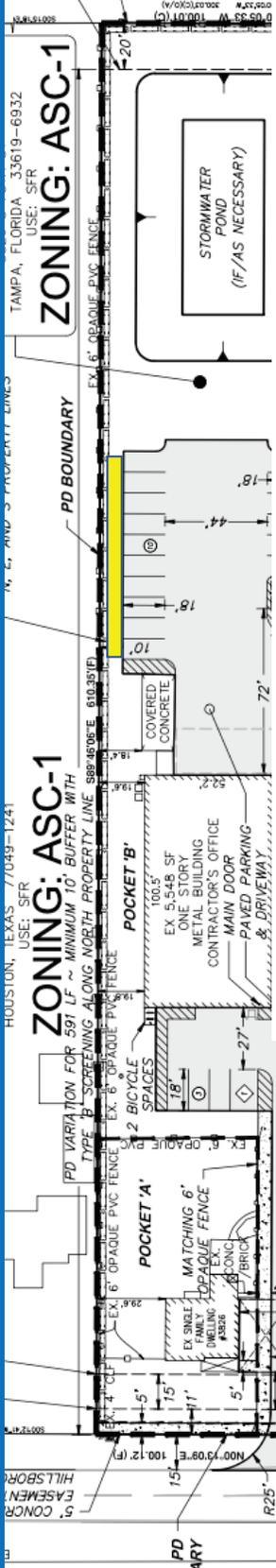
3838 S. 78th St.
Name
Address



Abutting South



Abutting North



**PD Plan
Variance
Supported**

HOUSTON, TEXAS 77049-1241
 USE: SFR
ZONING: ASC-1
 PD VARIATION FOR 591 LF ~ MINIMUM 10' BUFFER WITH TYPE 'B' SCREENING ALONG NORTH PROPERTY LINE S89°46'06"E 610.35'(F)

TRACT 5
 LOT 10
 OLIO NO. 047613-0000
 KEMNER JOHN ERIC
 19502 BEAUMONT HWY
 STON, TEXAS 77049-1241
 USE: SFR
ZONING: ASC-1
 F ~ MINIMUM 10' BUFFER WITH TYPE 'B' SCREENING ALONG NORTH PROPERTY LINE S89°46'06"E 610.35'(F)

TAMPA, FLORIDA 33619-6932
 USE: SFR
ZONING: ASC-1
 PD BOUNDARY
 EX. 6' OPAQUE PVC FENCE
 STORMWATER POND (IF/AS NECESSARY)

20-foot buffer with Type "B" screening along the northern (side) property boundary to a 10-foot buffer with Type "A" screening

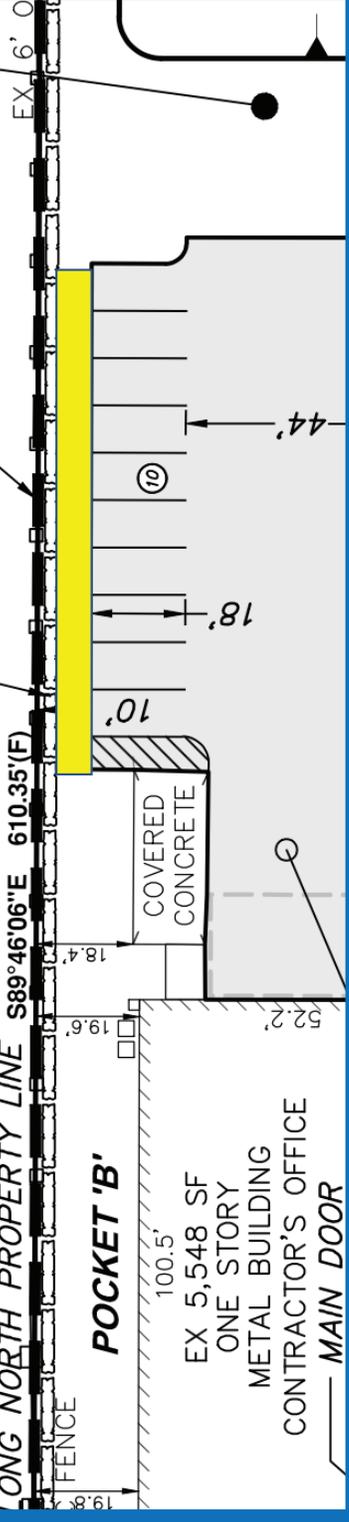
HEDGE: 36" HIGH (24" HIGH AT PLANTING) 36" O.C. ALONG N, E, AND S PROPERTY LINES

PD BOUNDARY

LONG NORTH PROPERTY LINE S89°46'06"E 610.35'(F)

POCKET 'B'
 EX 5,548 SF
 ONE STORY
 METAL BUILDING
 CONTRACTOR'S OFFICE
 MAIN DOOR

COVERED CONCRETE

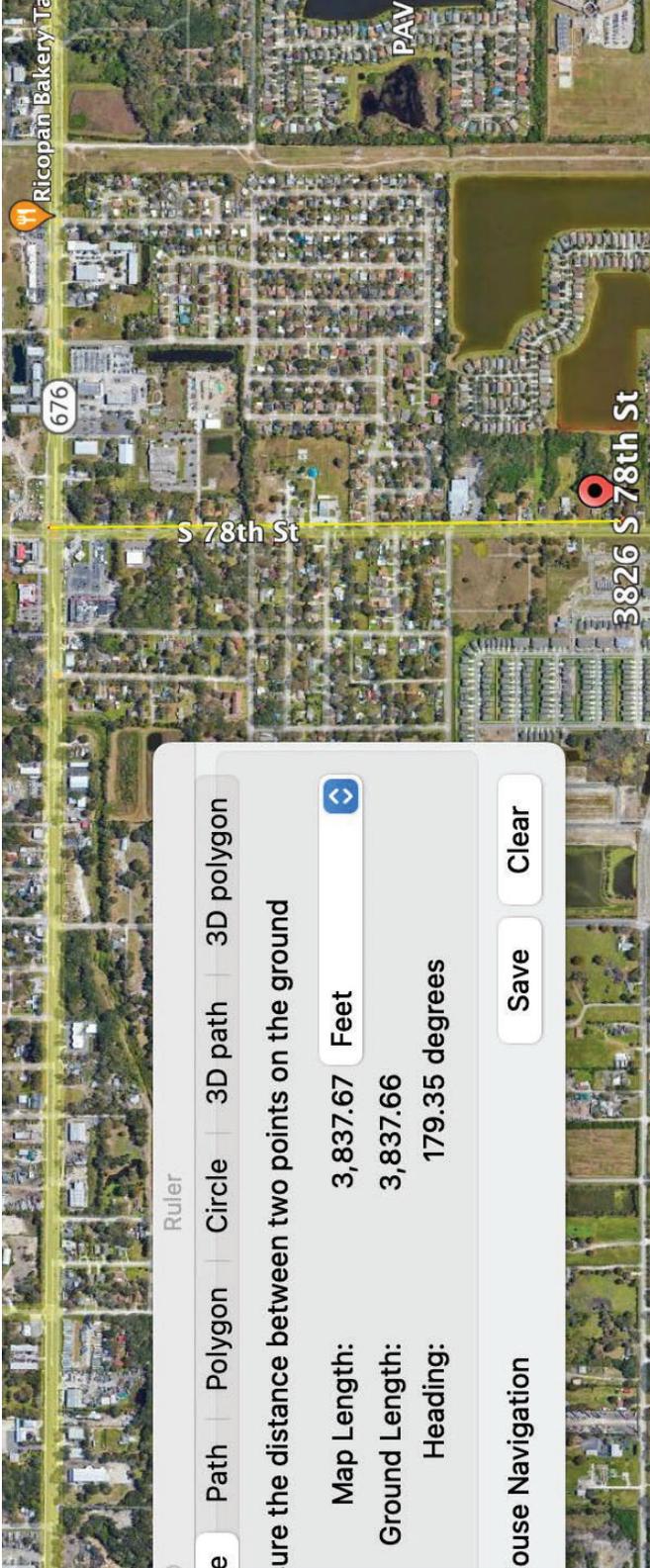




- Variation for Driveway only, not a structure
- Abutting neighbor is in support
- Abuts neighbor's driveway

Locational Waiver Support:

- All interior
- Residential character
- Great buffering and screening
- Existing residential is more widespread & open
 - Dispatch like operation



Ruler

Path Polygon Circle 3D path 3D polygon

Measure the distance between two points on the ground

Map Length: 3,837.67 Feet

Ground Length: 3,837.66

Heading: 179.35 degrees

House Navigation

Save

Clear

B. 78th Street Overlay District

- 1) An overlay district will be developed and adopted into the Land Development Code for the area along 78th Street (primarily properties adjacent to 78th Street), south of Palm River Road to just south of Causeway Boulevard not extending past the smaller developed residential parcels adjacent to the roadway (approximately 12,000 ft.) as appropriate to plan for the transition of business and professional office uses.
 - a. Permitted uses include primarily: existing residential, uses allowed in the Business-Professional Office, and uses allowed in existing zoning (RSC-9, BPO, PD, and ASC-1).

Improvements to the appearance and the safety of our primary, signature roadways: Palm River Road, and Maydell Drive and our commercial roadways—US 41/50th Street, Causeway Boulevard, US 301, 78th Street, and Progress Boulevard/Madison Avenue;

Greater Palm River Community Plan.

Enhance community appearance/beatification by enforcing existing littering, dumping, and signage regulations.

Strategies

1. The Vision of Greater Palm River Area Concept Map illustrates the unique qualities and land uses related to distinct areas of the community. Future development and redevelopment is required to comply with the adopted Concept Map.

Waiver to Locational Criteria

Based upon elements presented here for improved compatibility & use, overlay of 78th

Successful with neighbor

Boils Down To:

Staff's: 'not enough for compatibility'

Applicant: successful with compatibility

Summary

- Conditions make the site compatible, residential component, interior use, neighbor's support
- Low trip generator
- Test of time
- Zoning changes have been occurring
- Neighbor's support; no oppo.
- Meets Great Palm River Comm. Plan

Rezoning Application:

PD 22-1577

Zoning Hearing Master Date:
July 24, 2023

BOCC Land Use Meeting Date:
September 12, 2023



**Hillsborough
County Florida**

Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Todd Pressman
 FLU Category: Residential-9
 Service Area: Urban
 Site Acreage: +/- 1.4 acres
 Community Plan Area: Greater Palm River
 Overlay: None
 Request: Rezone from ASC-1 to PD



Introduction Summary:

The applicant proposes Planned Development (PD) to allow for a single-family home and contractor's office with enclosed storage on one parcel.

Zoning:	Existing	Proposed
District(s)	ASC-1	Planned Development
Typical General Use(s)	Single-Family Residential/Agricultural	A single-family home with a contractor's office and associated indoor storage
Acreage	+/- 1.4 acres	+/- 1.4 acres
Density/Intensity	Min. Lot size is 1 acre per SF dwelling.	Single parcel with one single-family home in front and a contractor's office located in the rear.
Mathematical Maximum*	One SF dwelling (1 du/ac.)	Proposed "Pocket A" +/-0.2 ac. (4.91 du/ac.) Proposed "Pocket B" +/-1.19 ac. (0.11 FAR)

*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	ASC-1	Planned Development
Lot Size / Lot Width	43,560 sf / 100.12 ft.	43,560 sf / 100.12 ft.
Setbacks/Buffering and Screening	50' Front 50' Rear 15' Sides	North (Side): 10' buffer w/ Type "B" Screening South (Side): 3' buffer w/ Type "A" Screening East (Rear): 20' buffer w/ Type "B" Screening
Height	50 ft.	20 ft.

Additional Information:

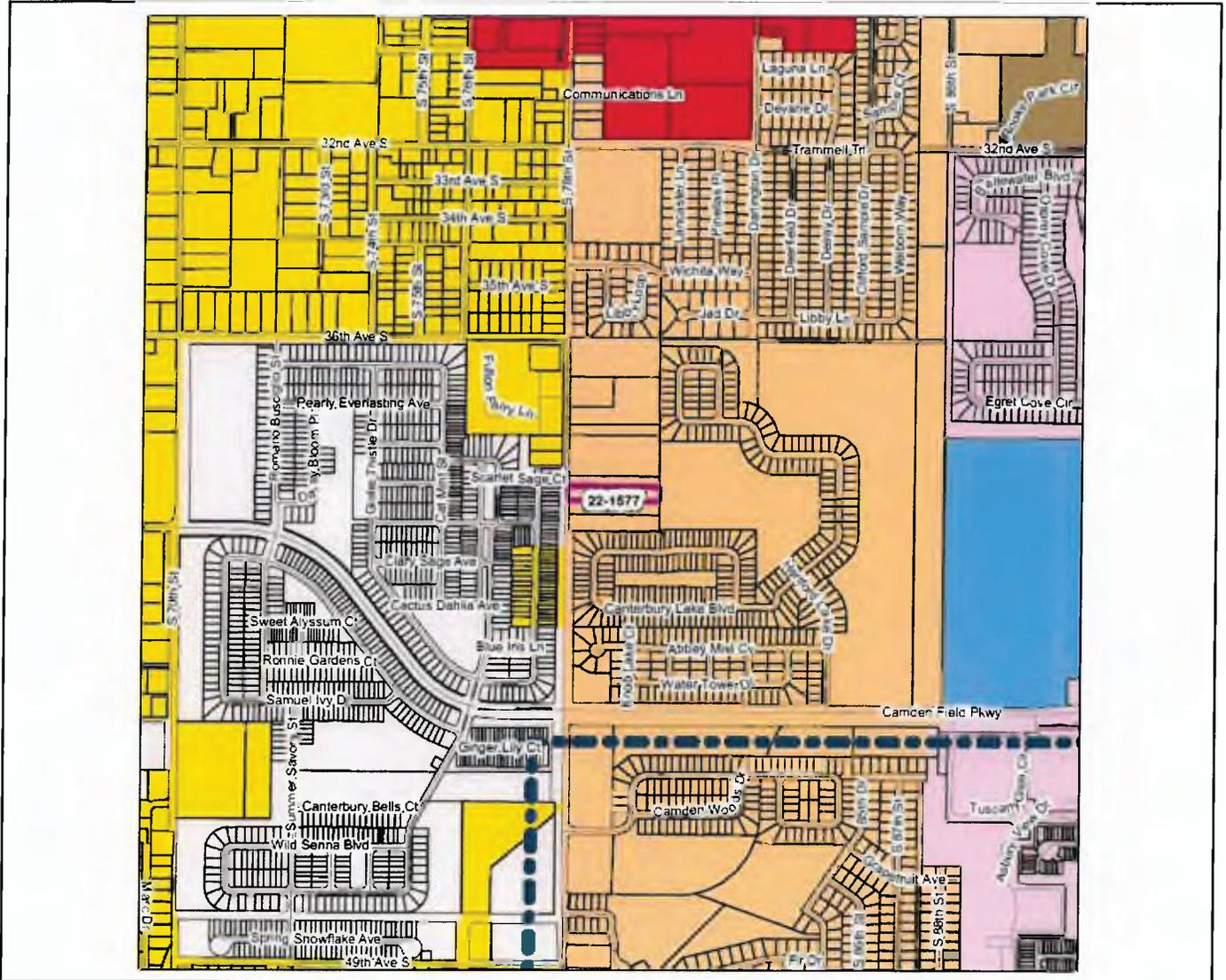
PD Variation(s)	LDC Part 6.06.00 (Landscaping/Buffering)
Waiver(s) to the Land Development Code	None Requested.

Planning Commission Recommendation: Inconsistent	Development Services Recommendation: Not supportable.
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Application No. 22-1577
 Name: Staff
 Entered at Public Hearing: ZHM
 Exhibit # 1 Date: 7-24-23

2.0 LAND USE MAP SET AND SUMMARY DATA

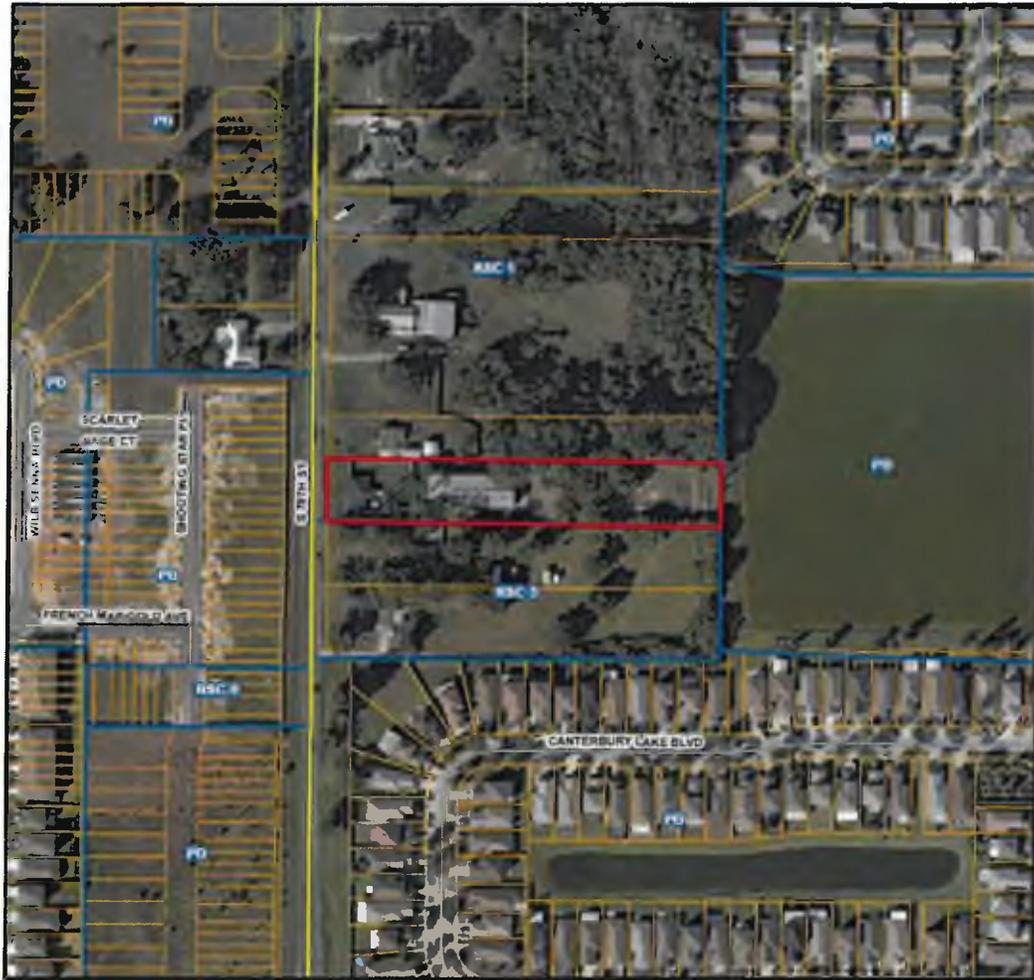
2.2 Future Land Use Map



Subject Site Future Land Use Category:	Residential-9 (Res-9)
Maximum Density/F.A.R.:	Max. 9 du per acre / Max. 0.50 FAR
Typical Uses:	Typical uses of RES-9 include residential, urban scale neighborhood commercial uses, offices, multi-purpose projects and mixed-use developments. Non-residential uses shall meet locational criteria for specific land use projects.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map

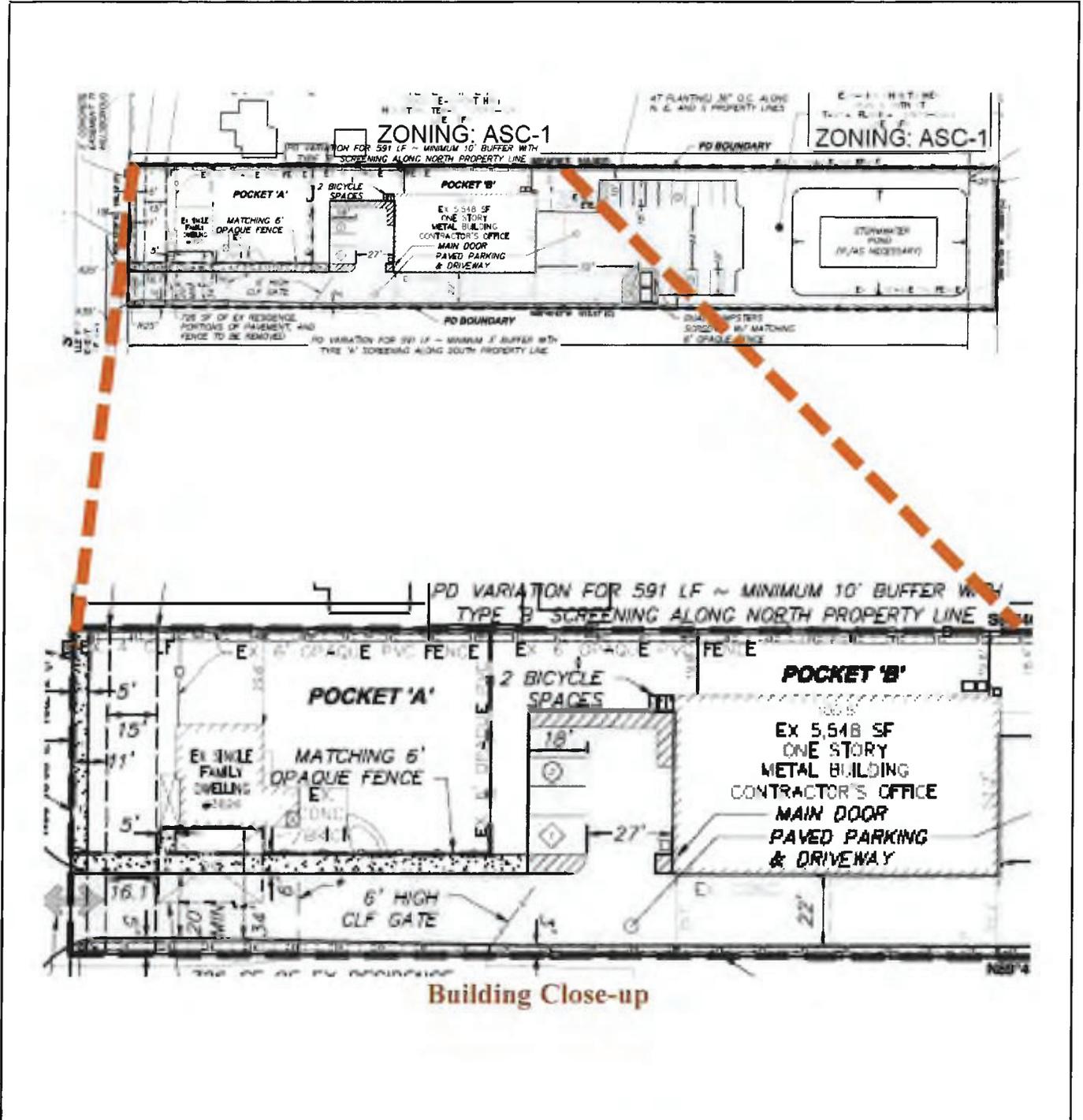


Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	ASC-1	1 du per acre	Agricultural and agricultural related and single-family	Single-family
South	RSC-3	Min. 14,520 sf min. lot size	Single-family	Single-family
East	PD 02-0789	Subject to RSC-9 standards. Maximum of 68 SF	Single-family homes	Single-family
West	PD 05-1947 / PRS 22-1267	Max. 468 SF and 530 Townhomes	SF and Townhomes	SF and Townhomes

2.0 LAND USE MAP SET AND SUMMARY DATA

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



APPLICATION NUMBER: PD 22-1577
 ZHM HEARING DATE: July 24, 2023
 BOCC LUM MEETING DATE: September 12, 2023

Case Reviewer: Tim Lampkin, AICP

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
S. 78 th St.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width (for Urban Section)	<input checked="" 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	10	1	1
Proposed	64	10	11
Difference (+/-)	(+) 54	(+) 9	(+) 10

*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		Vehicular & Pedestrian (Future)	None	Meets LDC
East		None	None	Meets LDC
West	X	Vehicular & Pedestrian	None	Meets LDC

Notes:

Design Exception/Administrative Variance Not applicable for this request

Road Name/Nature of Request	Type	Finding
S. 78 th St./ Access Spacing	Administrative Variance Requested	Approvable
S. 78 th St./ Access Spacing	Administrative Variance Requested	Approvable
Not Applicable/ Internal Driveway Width	Design Exception Requested	Approvable

Notes:

APPLICATION NUMBER: PD 22-1577

ZHM HEARING DATE: July 24, 2023

BOCC LUM MEETING DATE: September 12, 2023

Case Reviewer: Tim Lampkin, AICP

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY																
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments												
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" 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: <table border="0" style="width: 100%;"> <tr> <td><input type="checkbox"/> Wetlands/Other Surface Waters</td> <td><input type="checkbox"/> Potable Water Wellfield Protection Area</td> </tr> <tr> <td><input type="checkbox"/> Use of Environmentally Sensitive Land Credit</td> <td><input type="checkbox"/> Significant Wildlife Habitat</td> </tr> <tr> <td><input type="checkbox"/> Wellhead Protection Area</td> <td><input type="checkbox"/> Coastal High Hazard Area</td> </tr> <tr> <td><input type="checkbox"/> Surface Water Resource Protection Area</td> <td><input checked="" type="checkbox"/> Urban/Suburban/Rural Scenic Corridor</td> </tr> <tr> <td></td> <td><input type="checkbox"/> Adjacent to ELAPP property</td> </tr> <tr> <td></td> <td><input type="checkbox"/> Other _____</td> </tr> </table>					<input type="checkbox"/> Wetlands/Other Surface Waters	<input type="checkbox"/> Potable Water Wellfield Protection Area	<input type="checkbox"/> Use of Environmentally Sensitive Land Credit	<input type="checkbox"/> Significant Wildlife Habitat	<input type="checkbox"/> Wellhead Protection Area	<input type="checkbox"/> Coastal High Hazard Area	<input type="checkbox"/> Surface Water Resource Protection Area	<input checked="" type="checkbox"/> Urban/Suburban/Rural Scenic Corridor		<input type="checkbox"/> Adjacent to ELAPP property		<input type="checkbox"/> Other _____
<input type="checkbox"/> Wetlands/Other Surface Waters	<input type="checkbox"/> Potable Water Wellfield Protection Area															
<input type="checkbox"/> Use of Environmentally Sensitive Land Credit	<input type="checkbox"/> Significant Wildlife Habitat															
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<input type="checkbox"/> Surface Water Resource Protection Area	<input checked="" type="checkbox"/> Urban/Suburban/Rural Scenic Corridor															
	<input type="checkbox"/> Adjacent to ELAPP property															
	<input type="checkbox"/> Other _____															
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments												
Transportation <input checked="" type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No													
Service Area/ Water & Wastewater <input 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 checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No													
Impact/Mobility Fees Light Industrial (Per 1,000 s.f.) Mobility: \$4,230 Fire: \$57 Urban Mobility, Central Fire - Warehouse, Distribution, Industrial (unspecified size)																
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments												
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Inconsistent <input type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The applicant proposes to rezone from ASC-1 to Planned Development for a property located on the east side of South 78th Street, approximately 850 feet south of the intersection of South 26th Avenue and 78th Street South. North of the subject site is designated Residential Single-family Conventional-1 (RSC-1) zoning. To the south is Residential Single-family Conventional-3 (RSC-3) zoning. Both properties located to the immediate north and south of the subject site are developed with single-family homes. Staff notes that approximately 850 north of the subject site is Commercial Intensive, located on the west side of the intersection of South 36th Avenue and 78th Street South. Located on the southwest side of the same intersection is an area designated for future office and commercial pursuant to PD 19-1308.

Pursuant to the applicant's narrative request, the applicant notes that the existing single-family home was recently improved with landscaping (Figure 1) to provide an enhanced residential character view from the street. The applicant proposes to rezone PD to allow a contractor's office (no open storage) and one residential unit in front. The applicant proposed the following restrictions to create more compatibility with the immediate surrounding area.

1. The use will serve as an office and interior storage for an ac/heat repair company and the existing residential home will remain as a residential single family home use.
2. No free standing or wall signage permitted.
3. The exterior of the existing front residential home structure will remain in residential character.
4. There will be an opaque fence to code standards on all sides of the property.
5. All activity, including any storage and vehicles, will be interior.

Figure 1 (Applicant Submittal of Front Yard)



View of the subject site from the public street

Variations Requested

The applicant is requesting a variation to Hillsborough County LDC Section 6.06.06 Landscaping and Buffering Requirements which requires the perimeter of the subject site to have a 20-footwide Type "B" buffer along the north (side) and south (side) of the subject site boundary and the proposed use.

Variation #1:

The applicant requests a variation to Section 6.06.06 to reduce the required buffer from a 20-foot buffer with Type "B" screening along the northern (side) property boundary to a 10-foot buffer with Type "A" screening. The applicant provided additional justification which is included in the applicant's submittal for the variation of LDC

Section 6.06.06. Staff has reviewed the justification statement submitted by the applicant and finds Variation #1 may meet the criteria for approval per LDC Section 5.03.06.C.6. Staff also notes that the single-family home located to the immediate north is located approximately adjacent to the existing single-family home and the one-story contractor's office is located towards the rear of the property.

Variation #2:

The applicant requests a variation to Section 6.06.06 to reduce the required buffer from a 20-foot buffer with Type "B" screening along the southern (side) property boundary to a 3-foot buffer with Type "A" screening. The applicant provided additional justification which is included in the applicant's submittal for the variation of LDC Section 6.06.06. Staff has reviewed the justification statement submitted by the applicant and finds Variation #2 does not meet the criteria for approval per LDC Section 5.03.06.C.6. Variation #2 reduces the buffer to 3 feet along the access driveway to the contractor's office proposed to comprise a buffer that is fifteen percent of the required buffer width.

The Rezoning Hearing Master's recommendation for this application is required to include a finding on whether the requested variations meet the criteria for approval. Additional information regarding the rationale may be found in the applicant's narrative.

Transportation Design Exception / Administrative Variance

1. Administrative Variance for Minimum access spacing between the project driveway and the next closest driveway

If PD 22-1577 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance (dated February 7, 2023) which was found approvable by the County Engineer (on May 30, 2023). Approval of this Administrative Variance will permit the reduction of minimum access spacing between the project driveway and the next closest driveway to the south to +/- 9 feet, and the next nearest driveway to the north to +/- 112 feet.

2. Administrative Variance to waive the S. 78th St. substandard road improvements

If PD 22-1577 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance (dated April 21, 2023) which was found approvable by the County Engineer (on May 30, 2023). Approval of this Administrative Variance will waive the S. 78th St. substandard road improvements required by Section 6.04.03.L of the LDC.

3. Design Exception to permit the reduction of a portion of the internal project driveways from 24 feet to 20 feet.

If PD 22-1577 is approved, the County Engineer will approve a Design Exception (dated April 21, 2023) which was found approvable by the County Engineer (on May 30, 2023). Approval of this Design Exception will permit the reduction of a portion of the internal project driveways from 24 feet to 20 feet in width.

Planning Commission staff finds the proposed Planned Development is not consistent with the Unincorporated Hillsborough County Comprehensive Plan. Overall, the proposed rezoning would not allow for development that is consistent with the Goals, Objectives and Policies of the Unincorporated Hillsborough County Comprehensive Plan and is not compatible with the existing and planned development pattern found in the surrounding area.

5.2 Recommendation

Overall, the request is **NOT** supportable.

APPLICATION NUMBER: PD 22-1577

ZHM HEARING DATE: July 24, 2023

BOCC LUM MEETING DATE: September 12, 2023

Case Reviewer: Tim Lampkin, AICP

Zoning Administrator Sign Off:



J. Brian Grady
Mon Jul 17 2023 07:51:09

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.

APPLICATION NUMBER: PD 22-1577

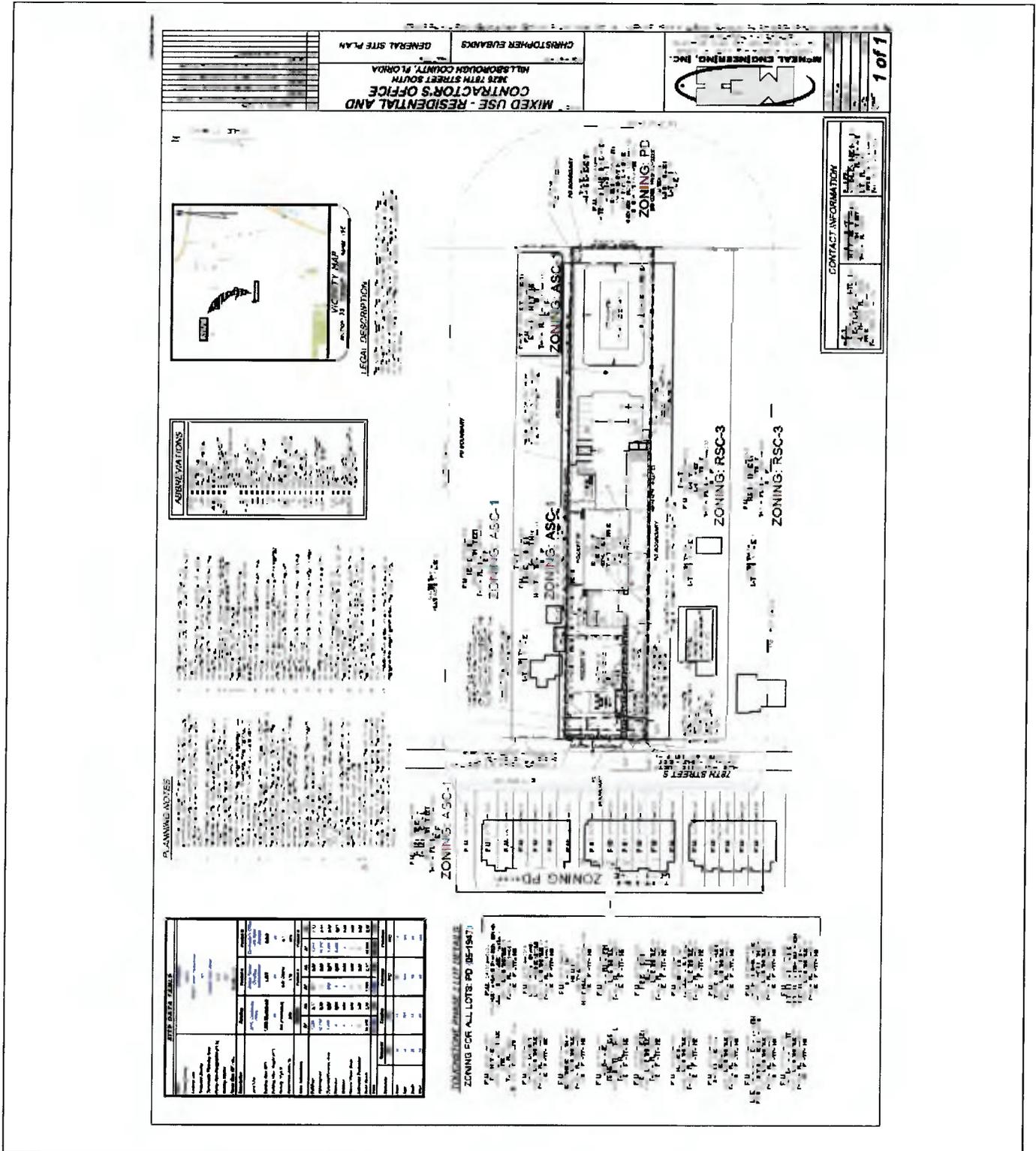
ZHM HEARING DATE: July 24, 2023

BOCC LUM MEETING DATE: September 12, 2023

Case Reviewer: Tim Lampkin, AICP

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

8.0 PROPOSED SITE PLAN (FULL)



APPLICATION NUMBER: PD 22-1577

ZHM HEARING DATE: July 24, 2023

BOCC LUM MEETING DATE: September 12, 2023

Case Reviewer: Tim Lampkin, AICP

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 7/13/2023

Revised: 7/24/2023

REVIEWER: James Ratliff, AICP, PTP, Principal Planner

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: PR/ Central

PETITION NO: RZ 22-1577

- This agency has no comments.
- This agency has no objection.
- This agency has no objection, subject to the listed or attached conditions.
- This agency objects for the reasons set forth below.

CONDITIONS OF APPROVAL

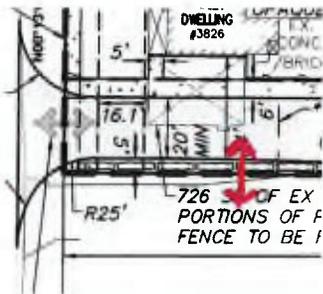
1. Notwithstanding anything herein these conditions or on the PD site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the project boundaries.
2. The project shall be served by, and limited to, one (1) vehicular access connections to S. 78th St. All other existing access connections, and/or portions of modified connections which are no longer necessary shall be closed and resodded.
3. In accordance with the Hillsborough County Corridor Preservation Plan and Capital Improvement Project #69666000, the developer shall preserve up to +/- 11 feet of right-of-way along its S. 78th St. frontage. Only those interim uses allowed by the Hillsborough County LDC shall be permitted within the preserved right-of-way. The right-of-way preservation area shall be shown on all future site plans, and building setbacks shall be calculated from the future right-of-way line.
4. The developer shall construct minimum 5-foot-wide sidewalks along its S. 78th St. project frontage. Given that the right-of-way is too small to accommodate the required sidewalk, the developer shall place the sidewalk within the subject site and dedicate and convey an easement (for public access and maintenance purposes) to the County. At the developer's sole option, the developer owner may choose to dedicate and convey the underlying fee to the County. Notwithstanding anything shown on the PD site plan to the contrary, the sidewalk shall be located consistent with the Transportation Technical Manual requirements for a TS-4 roadway and/or the CIP project plans, as applicable.
5. As proffered by the developer and with respect to the project driveway:
 - a. The first +/- 70 feet of the project driveway shall be considered a Shared Access Facility with folio 47615.0100 (i.e. the adjacent property owner to the south). This Shared Access Facility generally consists of the vehicular travel way and the 5-foot grass strip between the travel way and southern property boundary; and,
 - b. Together with the next site/construction plan review after approval of PD 22-1577, the developer shall record in the Official Records of Hillsborough County an easement and/or any other agreements necessary over the Shared Access Facility to permits the owner of folio 47615.0100 to take vehicular access through the subject PD in the event that property redevelops, or the existing building changes use to a non-residential use. In addition to access rights, such easement shall provide the adjacent property owner with the ability to

make modifications to the driveway as may be necessary to permit its future widening to 24-feet, should such widening be deemed necessary by the County.

6. All uses within the PD shall remain on a single parcel. No subdivisions of this parcel shall be permitted.
7. If PD 22-1577 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance (dated February 7, 2023) which was found approvable by the County Engineer (on May 30, 2023). Approval of this Administrative Variance will permit the reduction of minimum access spacing between the project driveway and the next closest driveway to the south to +/- 9 feet, and the next nearest driveway to the north to +/- 112 feet.
8. If PD 22-1577 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance (dated April 21, 2023) which was found approvable by the County Engineer (on May 30, 2023). Approval of this Administrative Variance will waive the S. 78th St. substandard road improvements required by Section 6.04.03.L. of the LDC.
9. If PD 22-1577 is approved, the County Engineer will approve a Design Exception (dated April 21, 2023) which was found approvable by the County Engineer (on May 30, 2023). Approval of this Design Exception will permit the reduction of a portion of the internal project driveways from 24 feet to 20 feet in width
10. Parking shall be provided in accordance with the Hillsborough County LDC and Transportation Technical Manual. Notwithstanding the above, parking for the Contractor's office portion of the site shall be permitted at a rate of 3.24 spaces per 1,000 g.s.f. Additionally, the developer shall provide bicycle parking for a minimum of 4 bicycles (i.e. 2 racks).

Other Conditions

- Prior to PD Site Plan Certification, the applicant shall revise the PD Site Plan to:
 - Correct the CIP project number from "69644001" to instead read "69666000"; and,
 - The developer shall add an access arrow along the southern property boundary as generally shown below and label as "Future Access to Shared Access Facility – See Conditions of Approval".



PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a +/- 1.41 ac. parcel, from Agricultural Single-Family Conventional - 1 (ASC-1) to Planned Development (PD). The proposed PD is seeking entitlements to permit one (1) single-family detached dwelling unit and a 5,548 s.f. contractor's office without open storage on a single parcel. This case is a result of a code enforcement action, whereby the property owner illegally constructed the proposed using without obtaining proper site plan and other approvals.

The proposed site plan provides a number of changes necessary to bring the site into conformance with current standards, some of which will require demolition of a portion of the single-family residence in order to allow a driveway of sufficient width to serve the existing and proposed uses. Additional discussion regarding project access has been included hereinbelow.

As required by the Development Review Procedures Manual (DRPM), the applicant submitted a trip generation letter for the proposed project indicating that because the project is generating fewer than 50 peak hour trips in total, no site access analysis was required to support the zoning request. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. The information below is based on data from the Institute of Transportation Engineer's Trip Generation Manual, 11th Edition.

Approved Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
ASC-1, 1 Single-Family Detached Dwelling Unit (ITE LUC 210)	10	1	1

Proposed Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 1 Single-Family Detached Dwelling Unit (ITE LUC 210)	10	1	1
PD, 5,548 s.f. Contractor's Office Without Open Storage (ITE LUC 180)	54	9	10
Subtotal:	64	10	11

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	(+) 54	(+) 9	(+) 10

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

S. 78th St. is a 2-lane, undivided, publicly maintained, substandard, collector roadway characterized by +/- 11-foot-wide travel lanes in average condition. The roadway lies within a +/- 72-foot-wide right-of-way in the vicinity of the proposed project. There are no bicycle facilities present along S. 78th St. in the vicinity of the proposed project. There are +/- 5-foot-wide sidewalks along portions of the west side of S. 78th St. in the vicinity of the proposed project.

The segment of S. 78th St. fronting the project is shown on the Hillsborough County Corridor Preservation Plan as a future 2-lane enhanced roadway. Pursuant to the S. 78th Corridor Improvements PD&E/ CIP 69644001, a total of 11-feet of right-of-way is needed for the enhancement project. As such, and in accordance with the Hillsborough County Corridor Preservation Plan, staff has proposed a condition requiring the applicant to preserve this right-of-way.

Staff notes that the applicant will be required construct sidewalks along all project frontages where such sidewalks do not exist (or are otherwise removed and reconstructed). Because the right-of-way is too small to accommodate the required sidewalk, pursuant to Sec. 6.03.02.D. of the LDC, the applicant will be required to place the sidewalk within the subject site and provide an easement (for public access and

maintenance purposes) acceptable to the County. At the property owner's sole option, as an alternative to an easement they may choose to dedicate the underlying fee to the County.

SITE ACCESS, SHARED ACCESS AND CONNECTIVITY

Generally

The applicant is proposing one (1) access connection to serve the proposed project, consistent with Section 6.04.03.I. of the LDC. No site access improvements are required to serve the proposed project consistent with Section 6.04.04.D. of the LDC.

Access Spacing/ Shared Access

The proposed access connection is located directly adjacent to the driveway serving the single-family home south of the subject site. This proposed access does not meet LDC Sec. 6.04.07 access spacing requirements. Given the limited parcel frontage and constraints related to the existing single-family home within the subject PD, the applicant has proffered within its Administrative Variance request the first 70 feet of the project driveway as a Shared Access Facility serving both the subject PD as well as adjacent folio 47615.0100 (which would be utilized in the event the adjacent property redevelops or otherwise changes use of the existing structure to a non-residential use)

Other Issues Related to Proposed Development

Consistent with Section 6.02.01 of the LDC, single-family detached residential uses (i.e. the proposed use within Pocket A) can generally only access the public roadway system via direct access to roadways. Additionally, when a single-family dwelling is permitted to take access via an easement, then a maximum of 3 homes are permitted on the easement (and such easement cannot be comingled with residential and non-residential uses). The applicant indicated that the proposed home is owned by business owner, and that this arrangement is not proposed to change. Given the above, the Pocket A use would not be permitted to be subdivided in the future, as doing so would violate various access management/ easement provisions. As such, staff has included a condition memorializing that the project parcel cannot be subdivided in the future while the single-family use remains.

Cross Access

Vehicular and pedestrian cross access is not currently required pursuant to Sec. 6.04.03.Q. of the LDC. IN the event the adjacent property changes to a non-residential use, the connection to the Shared Access Facility will serve as both regular access and vehicular cross access.

TRANSIT FACILITIES

Consistent with Section 6.03.09 of the LDC, transit facilities are not required for the subject project.

REQUESTED ADMINISTRATIVE VARIANCE #1 – ACCESS SPACING

The applicant's Engineer of Record (EOR) submitted a Section 6.04.02.B. Administrative Variance (AV) request (dated February 7, 2023) from the Section 6.04.07 LDC requirements governing access spacing. The Hillsborough LDC requires a minimum connection space of 245 feet for Class 6 roadways. Based on factors presented in the AV request, the County Engineer found the AV request approvable (on May 30, 2023). If the rezoning is approved, the County Engineer will approve the above referenced AV request, upon which the developer will be permitted to locate the S. 78th St. access +/- 9 feet from the nearest access to the south, and +/- 112 feet from the nearest access to the north.

Staff notes that as a part of the AV request, and given that it would be potentially unsafe to maintain two accesses +/- 9 feet apart particularly if they both serve non-residential uses, the developer proffered to designate a portion of the project's access as a Shared Access Facility, and record an easement in favor of

the property owner to the south (so that they can take access via the Shared Access Facility upon future redevelopment and/or change of use). This issue is further discussed in the Access Spacing/ Shared Access section of this report, hereinabove.

REQUESTED ADMINISTRATIVE VARIANCE #2 – SUBSTANDAR ROAD

The applicant's Engineer of Record (EOR) submitted a Section 6.04.02.B. Administrative Variance (AV) request (dated April 21, 2023) from the Section 6.04.03.L. LDC requirement, whereby the developer is required to improve S. 78th St. (between the project driveway and the nearest roadway meeting applicable standards) to current County standards for a Type TS-4 (Transportation Technical Manual) collector roadway. Based on factors presented in the AV request, the County Engineer found the AV request approvable (on May 30, 2023). If the rezoning is approved, the County Engineer will approve the above referenced AV request, upon which the developer will not be required to make improvements to the roadway.

REQUESTED DESIGN EXCEPTION – DRIVEWAY WIDTH

The applicant's Engineer of Record (EOR) submitted a Design Exception (DE) request (dated April 21, 2023) in accordance with Section 1.7.2. and other applicable sections of the Transportation Technical Manual (TTM). The applicant is requesting to reduce the width of the internal drive-aisles from the 24-foot width typically required for non-residential uses to the 20-foot width typically permitted for residential uses. Based on factors presented in the DE request, the County Engineer found the DE request approvable (on May 30, 2023). If the rezoning is approved, the County Engineer will approve the DE request, upon which 20-foot internal drive aisles will be permitted.

Staff notes that redevelopment of the adjacent site would trigger the Shared Access Facility provisions, at which point the drive aisle could potentially be expanded further (onto the adjacent property) if necessary to widen the driveway to accommodate the increased traffic that redevelopment would potentially generate.

REQUESTED PD VARIATION - PARKING

The applicant submitted a PD variation request to the Section 6.05 LDC parking standards for the Contractor's Office portion of the use. The single-family use is being parked at the required rate of 2 per dwelling unit, and no changes to that rate are proposed. The LDC requires parking for this be provided at a rate of 3 spaces per 1,000 g.s.f. and 1 additional space per facility vehicle. According to the applicant, there are 11 facility vehicles, which when added to the 17 spaces required based on the square-footage of the building, results in a requirement for 28 parking spaces for this use. As noted in the applicant's filings, and based on discussions with the applicant, staff notes that the proposed use is unique in several ways. First, the business operates on a single parcel with the home of the business owner (i.e. single-family dwelling unit at the front of the property). Also, the applicant indicated that most staff takes their vehicles home, and do not park their vehicles overnight on the property.

Staff examined the parking data from the 5th Edition of the Institute of Transportation Engineer's Parking Generation Manual, and noted that the 85th percentile rate for LUC 180 is 4.06 spaces per 1,000 s.f. This rate captures all vehicles (facility or otherwise). When applied to the site, it would result in a parking demand for the contractor's use of 23 spaces (rather than the 18 proposed by the applicant).

Staff notes that the applicant is proposing 2 bicycle parking racks which should be able to accommodate up to 4 bicycles.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Level of Service (LOS) information for adjacent roadway section(s) is reported below.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
S. 78 th St.	Madison Ave.	Causeway Blvd.	E	C

Source: Hillsborough County 2020 Level of Service Report.

Ratliff, James

From: Williams, Michael
Sent: Tuesday, May 30, 2023 8:13 AM
To: McNeal, Christopher
Cc: Carla Sansone; todd@pressmaninc.com; Ratliff, James; Lampkin, Timothy; Tirado, Sheida; PW-CEIntake; De Leon, Eleonor
Subject: FW: RZ PD 22-1577 - Design Exception and Administrative Variances Review
Attachments: 22-1577 DEAddInf 04-24-23.pdf; 22-1577 AVAddInf 04-24-23.pdf; 22-1577 AVReq 02-08-23_1.pdf
Importance: High

Chris,

I have found the attached Section 6.04.02.B. Administrative Variances (AV) and Design Exception (DE) for PD 22-1577 APPROVABLE.

Please note that it is you (or your client's) responsibility to follow-up with my administrative assistant, Eleonor De Leon (DeLeonE@hillsboroughcounty.org or 813-307-1707) after the BOCC approves the PD zoning or PD zoning modification related to below request. This is to obtain a signed copy of the DE/AV.

If the BOCC denies the PD zoning or PD zoning modification request, staff will request that you withdraw the AV/DE. In such instance, notwithstanding the above finding of approvability, if you fail to withdraw the request, I will deny the AV/DE (since the finding was predicated on a specific development program and site configuration which was not approved).

Once I have signed the document, it is your responsibility to submit the signed AV/DE(s) together with your initial plat/site/construction plan submittal. If the project is already in preliminary review, then you must submit the signed document before the review will be allowed to progress. Staff will require resubmittal of all plat/site/construction plan submittals that do not include the appropriate signed AV/DE documentation.

Lastly, please note that it is critical to ensure you copy all related correspondence to PW-CEIntake@hillsboroughcounty.org

Mike

Michael J. Williams, P.E.

Director, Development Review

County Engineer

Development Services Department

P: (813) 307-1851

M: (813) 614-2190

E: Williamsm@HillsboroughCounty.org

W: HCFLGov.net

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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

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

From: Tirado, Sheida <TiradoS@hillsboroughcounty.org>
Sent: Saturday, May 27, 2023 1:14 PM
To: Williams, Michael <WilliamsM@HillsboroughCounty.ORG>
Subject: RZ PD 22-1577 - Design Exception and Administrative Variances Review
Importance: High

Hello Mike,

The attached Design exception and Administrative Variances are approvable to me. Please include the following people in your email response:

cmcneal@mcnealengineering.com
csansone@mcnealengineering.com
todd@pressmaninc.com
lampkint@hillsboroughcounty.org
ratliffja@hillsboroughcounty.org

Best Regards,

Sheida L. Tirado, PE (317) 882-7441
Transportation Review Manager
Development Services Department

P: (813) 276-8364
E: tirados@HCFLGov.net
W: HCFLGov.net

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

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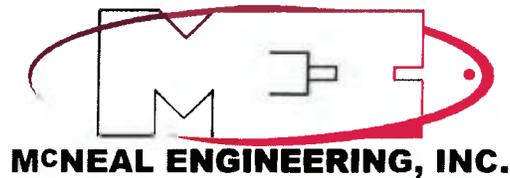


Supplemental Information for Transportation Related Administrative Reviews

Instructions:

- This form must be provided separately for each request submitted (including different requests of the same type).
- This form must accompany all requests for applications types shown below. Staff will not log in or assign cases that are not accompanied by this form, or where the form is partially incomplete.
- A response is required in every field. Blank fields or non-responsive answers will result in your application being returned.
- All responses must be typed.
- Please contact Ingrid Padron at padroni@hcpaf.fl.gov or via telephone at (813) 307-1709 if you have questions about how to complete this form.

Request Type (check one)	<input type="checkbox"/> Section 6.04.02.B. Administrative Variance <input checked="" type="checkbox"/> Technical Manual Design Exception Request <input type="checkbox"/> Alternative Parking Plan Request (Reference LDC Sec. 6.05.02.G3.) <input type="checkbox"/> Request for Determination of Required Parking for Unlisted Uses (Reference LDC Sec. 6.05.02.G.1. and G.2.)
Submittal Type (check one)	<input type="checkbox"/> New Request <input checked="" type="checkbox"/> Revised Request <input checked="" type="checkbox"/> Additional Information
Submittal Number and Description/Running History (check one and complete text box using instructions provided below)	<input type="checkbox"/> 1. Driveway Width DE - 01/20/2023 <input type="checkbox"/> 4. <input type="checkbox"/> 2. Driveway Width DE - 02/08/2023 <input type="checkbox"/> 5. <input checked="" type="checkbox"/> 3. Driveway Width DE - 04/21/2023 <input type="checkbox"/> 6.
<p><i>Important: To help staff differentiate multiple requests (whether of the same or different type), please use the above fields to assign a unique submittal number/name to each separate request. Previous submittals relating to the same project/phase shall be listed using the name and number previously identified. It is critical that the applicant reference this unique name in the request letter and subsequent filings/correspondence. If the applicant is revising or submitting additional information related to a previously submitted request, then the applicant would check the number of the previous submittal.</i></p>	
Project Name/ Phase	Mixed Use Residential AC/Heat
<p><i>Important: The name selected must be used on all future communications and submittals of additional/revised information relating to this variance. If request is specific to a discrete phase, please also list that phase.</i></p>	
Folio Number(s)	047616.0000
	<input type="checkbox"/> Check This Box If There Are More Than Five Folio Numbers
<p><i>Important: List all folios related to the project, up to a maximum of five. If there are additional folios, check the box to indicate such. Folio numbers must be provided in the format provided by the Hillsborough County Property Appraiser's website (i.e. 6 numbers, followed by a hyphen, followed by 4 additional numbers, e.g. "012345-6789"). Multiple records should be separated by a semicolon and a space e.g. "012345-6789; 054321-9876".</i></p>	
Name of Person Submitting Request	Christopher S. McNeal, PE
<p><i>Important: For Design Exception (DE) Requests, the person submitting must be a Professional Engineer (PE) licensed within the state of Florida. The DE request letter must be signed and sealed.</i></p>	
Current Property Zoning Designation	ASC-1
<p><i>Important: For Example, type "Residential Multi-Family Conventional - 9" or "RMC-9". This is not the same as the property's Future Land Use (FLU) Designation. Typing "N/A" or "Unknown" will result in your application being returned. This information may be obtained via the Official Hillsborough County Zoning Atlas, which is available at https://maps.hillsboroughcounty.org/maphillsborough/maphillsborough.html. For additional assistance, please contact the Zoning Counselors at the Center for Development Services at (813) 272-5600 Option 3.</i></p>	
Pending Zoning Application Number	PD 22-1577
<p><i>Important: If a rezoning application is pending, enter the application number preceded by the case type prefix, otherwise type "N/A" or "Not Applicable". Use PD for PD rezoning applications, MM for major modifications, PRS for minor modifications/personal appearances.</i></p>	
Related Project Identification Number (Site/Subdivision Application Number)	N/A
<p><i>Important: This 4-digit code is assigned by the Center for Development Services Intake Team for all Certified Parcel, Site Construction, Subdivision Construction, and Preliminary/Final Plat applications. If no project number exists, please type "N/A" or "Not Applicable".</i></p>	



Hillsborough County
Development Services
601 E Kennedy Blvd 20th Floor
Tampa, FL 33602

Re: **MIXED USE - RESIDENTIAL &
CONTRACTOR'S OFFICE**
3826 S 78th Street, Hillsborough
Folio #047616.0000
PD 22-1577

Attn: Mr. Michael J. Williams, PE
County Engineer

MEI File #22-087
April 21, 2023

REQUEST FOR DESIGN EXCEPTION

Mr. Williams,

The applicant is requesting a rezoning of folio # 040716.0000 consisting of approximately 1.4 acres from ASC-1 to PD for a Residential AC/Heat Business. The project is located at 3826 South 78th Street, Tampa. In anticipation of the Zoning Review Process, we are requesting a Design Exception per TTM Section 1.7 Typical Sections to reduce the proposed commercial driveway/drive aisle width which is intended to improve the existing access up to an acceptable width.

Driveway Width - Request made for the driveway width to be reduced to 20 feet for residential lanes instead of 24 feet for commercial uses, as per TD-7 of the Hillsborough County Transportation Technical Manual. Given the lower trip generation of the proposed use and the design vehicle, there is no conflict at the driveway with two way directional traffic. See Figure 1 below which depicts maneuvering capabilities within the 20-foot wide section of the driveway/drive aisle.

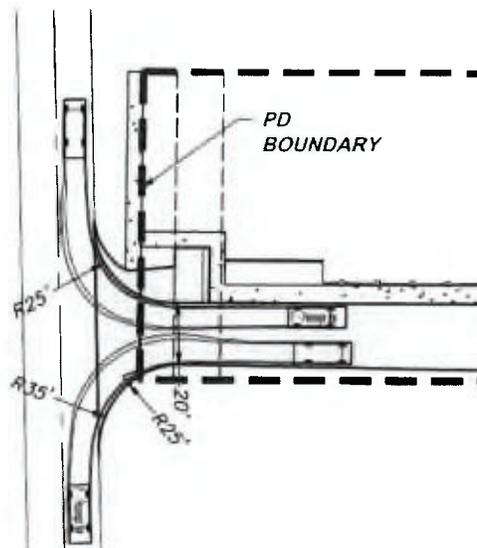


Figure 1: Vehicle Tracking Exhibit

Mr. Michael Williams, PE
MIXED USE - RESIDENTIAL & CONTRACTOR'S OFFICE
MEI File #22-087
April 21, 2023
Page 2 of 4

Additionally, this width is required for a limited area after which the driveway/drive aisle width is increased to 22 feet at the internal parking area. See **General Site Plan** attached.

The client's intent is to remove a portion of the existing structure, specifically the existing attached garage, to allow for the wider drive entrance (and pedestrian site accessibility) which is currently provided with a 14.3 foot driveway. A 20-foot driveway/drive aisle width (and 6-foot sidewalk) would provide safer ingress egress access and allow for a small border and buffer between both the remainder of the structure and the southern property line. In addition, an easement for a future shared/cross access will be provided for the adjacent southern property in the event the southern property is rezoned to commercial use. At that time, the access could be widened by the southern property owner to provide a combined improved access for both properties meeting the standard criteria.

A 24-foot driveway width would be a financial hardship to the client as it would require more existing structure removal, and may render the remainder of the building unusable, and the project financially unfeasible. In addition, the roadway width on South 78th Street, which is a Collector Road, is 22 feet. It would seem atypical to require this driveway/drive aisle to be wider than the adjacent Collector Road. In addition, there are no reported crashes within 1,000 feet in either direction on South 78th Street near this driveway/drive aisle location. See attached **crash report**.

We trust that this will be sufficient and approvable for the PD Zoning request. If you have questions, or need additional information, please feel free to contact our office at the phone number listed. Thank you very much for your consideration and assistance.

Sincerely,



Christopher S. McNeal, PE
MCNEAL ENGINEERING, INC.

attchs

c: Christopher Eubanks *via* email
Todd Pressman *via* email

Seal



Digitally signed by Christopher S McNeal
DN: CN=Christopher S McNeal,
dnQualifier=A01410C00000180D8F65FF8000C722C,
O=McNeal Engineering Inc, C=US
Reason: I have reviewed this document
Date: 2023.04.21 14:56:29-04'00'

*Christopher S. McNeal,
State of Florida,
Professional Engineer,
License No. 56193*

*This item has been digitally
signed and sealed by
Christopher S. McNeal, PE on
04/21/2023.*

*Printed copies of this document
are not considered signed and
sealed and signature must be
verified on any electronic copies.*

Mr. Michael Williams, PE
MIXED USE - RESIDENTIAL & CONTRACTOR'S OFFICE
MEI File #22-087
April 21, 2023
Page 3 of 4

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

- _____ Approved
- _____ Approved with Conditions
- _____ Disapproved

If there are any further questions or you need clarification, please contact Sheida Tirado, PE, at (813) 276-8364.

Sincerely,

Michael J. Williams, PE
Hillsborough County Engineer

Mr. Michael Williams, PE
MIXED USE - RESIDENTIAL & CONTRACTOR'S OFFICE
MEI File #22-087
April 21, 2023
Page 4 of 4

Mid-Denver County Crash Data Management | Data Search | Crash Opened/Ready | Print

Search

Top Locations Analysis

Crash Location Report

Results

System Reports

Search for reports with report

Select Report:

Report Title:

Comments:

Generate Report

Home | Back | Home | Home | Home | Home

Summary

No data was found. Please try your selections again.
0 crash records returned. (0 mapped)

Home > Reports > Crash Location Report

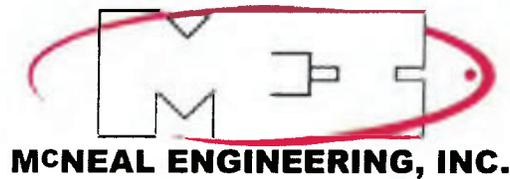


Supplemental Information for Transportation Related Administrative Reviews

Instructions:

- This form must be provided separately for each request submitted (including different requests of the same type).
- This form must accompany all requests for applications types shown below. Staff will not log in or assign cases that are not accompanied by this form, or where the form is partially incomplete.
- A response is required in every field. Blank fields or non-responsive answers will result in your application being returned.
- All responses must be typed.
- Please contact Ingrid Padron at padroni@hcpafil.gov or via telephone at (813) 307-1709 if you have questions about how to complete this form.

Request Type (check one)	<input checked="" type="checkbox"/> Section 6.04.02.B. Administrative Variance <input type="checkbox"/> Technical Manual Design Exception Request <input type="checkbox"/> Alternative Parking Plan Request (Reference LDC Sec. 6.05.02.G3.) <input type="checkbox"/> Request for Determination of Required Parking for Unlisted Uses (Reference LDC Sec. 6.05.02.G.1. and G.2.)
Submittal Type (check one)	<input type="checkbox"/> New Request <input checked="" type="checkbox"/> Revised Request <input checked="" type="checkbox"/> Additional Information
Submittal Number and Description/Running History (check one and complete text box using instructions provided below)	<input type="checkbox"/> 1. Ex Facilities AV - 01/20/2023 <input type="checkbox"/> 4. <input type="checkbox"/> 2. Ex Facilities AV - 03/8/2023 <input type="checkbox"/> 5. <input checked="" type="checkbox"/> 3. Ex Facilities AV - 04/21/2023 <input type="checkbox"/> 6.
<p>Important: To help staff differentiate multiple requests (whether of the same or different type), please use the above fields to assign a unique submittal number/name to each separate request. Previous submittals relating to the same project/phase shall be listed using the name and number previously identified. It is critical that the applicant reference this unique name in the request letter and subsequent filings/correspondence. If the applicant is revising or submitting additional information related to a previously submitted request, then the applicant would check the number of the previous submittal.</p>	
Project Name/ Phase	Mixed Use Residential AC/Heat
<p>Important: The name selected must be used on all future communications and submittals of additional/revised information relating to this variance. If request is specific to a discrete phase, please also list that phase.</p>	
Folio Number(s)	047616.0000
	<input type="checkbox"/> Check This Box If There Are More Than Five Folio Numbers
<p>Important: List all folios related to the project, up to a maximum of five. If there are additional folios, check the box to indicate such. Folio numbers must be provided in the format provided by the Hillsborough County Property Appraiser's website (i.e. 6 numbers, followed by a hyphen, followed by 4 additional numbers, e.g. "012345-6789"). Multiple records should be separated by a semicolon and a space e.g. "012345-6789; 054321-9876").</p>	
Name of Person Submitting Request	Christopher S. McNeal, PE
<p>Important: For Design Exception (DE) Requests, the person submitting must be a Professional Engineer (PE) licensed within the state of Florida. The DE request letter must be signed and sealed.</p>	
Current Property Zoning Designation	ASC-1
<p>Important: For Example, type "Residential Multi-Family Conventional – 9" or "RMC-9". This is not the same as the property's Future Land Use (FLU) Designation. Typing "N/A" or "Unknown" will result in your application being returned. This information may be obtained via the Official Hillsborough County Zoning Atlas, which is available at https://maps.hillsboroughcounty.org/maphillsborough/maphillsborough.html. For additional assistance, please contact the Zoning Counselors at the Center for Development Services at (813) 272-5600 Option 3.</p>	
Pending Zoning Application Number	PD 22-1577
<p>Important: If a rezoning application is pending, enter the application number preceded by the case type prefix, otherwise type "N/A" or "Not Applicable". Use PD for PD rezoning applications, MM for major modifications, PRS for minor modifications/personal appearances.</p>	
Related Project Identification Number (Site/Subdivision Application Number)	N/A
<p>Important: This 4-digit code is assigned by the Center for Development Services Intake Team for all Certified Parcel, Site Construction, Subdivision Construction, and Preliminary/Final Plat applications. If no project number exists, please type "N/A" or "Not Applicable".</p>	



Hillsborough County
Development Services
601 E. Kennedy Blvd, 20th Fl
Tampa, FL 33602

Re: **MIXED USE RESIDENTIAL AC/HEAT**
3826 South 78th Street
Hillsborough County
Folio # 047616.0000
PD 22-1577

Attn: Mr. Michael J. Williams, PE
Hillsborough County Engineer

MEI File # 22-087
April 21, 2023

REQUEST FOR ADMINISTRATIVE VARIANCE

Mr. Williams,

We are requesting an administrative variance per Hillsborough County Land Development Code (LDC) Section 6.04.02.B for relief from Section 6.04.03.L, Existing Facilities.

Our client is requesting a Zoning Modification from ASC-1 to PD of this parcel to incorporate a Mixed-Use Residential AC/Heat Business. We understand that the proposed application is being reviewed in accordance with current code standards, and as such, are requesting a variance from the above-mentioned section regarding the Improvement of an Existing Facility. Pursuant to the Hillsborough County LDC, a request for administrative variance is to be evaluated by the issuing authority based on the following conditions: (a) there is an unreasonable burden on the applicant, (b) the variance would not be detrimental to the public health, safety, and welfare, (c) without the variance, reasonable access cannot be provided. These items are addressed below for the variance requested.

6.04.03.L Improvement of Existing Facility

South 78th Street adjacent to this this project, is a 2-lane Rural Collector Roadway, that is 22 feet in width, with open ditches and a Sidewalk on the west side of the roadway. Per Hillsborough County's TTM TS-7, the roadway is deficient 2 feet of additional roadway pavement, 8-foot stabilized shoulders with 5 feet of the shoulders paved, a Sidewalk on the east side of the road, and sufficient Right-of-Way. The posted speed is 45 MPH. The surrounding land use is mixed, with single family lots, subdivisions, industrial type business, and a County fire station.

Our responses to review criteria a, b, and c are as follows:

- (a) Adding 2 feet of additional lane pavement to each side of the road and a short segment of paved shoulder is a significant financial burden to the client given limited right-of-way, limited frontage, and the rural section adjacent. That said, the client has set aside 11 feet of frontage for County Right-of-Way preservation supporting possible future roadway improvements. In addition, roadside drainage improvements as well as a 5-foot sidewalk will be constructed along this parcel to be more compatible with the TTM TS-7 Typical Section.
- (b) This existing roadway of South 78th Street currently has lower-than-average traffic volumes. There are no reported crashes near this location, within 1,000 feet in either

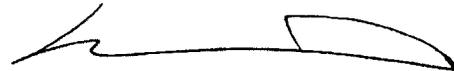
Mr. Michael J. Williams, PE
MIXED USE RESIDENTIAL AC/HEAT
MEI File # 22-087
April 21, 2023
Page 2 of 5

direction. The existing driveway is proposed to remain in its current location. (See attached crash report)

- (c) The existing roadway in its current configuration provides reasonable access for the proposed PD. Without use of the current roadway, the proposed Mixed-Use PD and future use of the parcel is not feasible.

If you have questions, or need additional information, please feel free to contact our office at the website or phone number listed. Thank you very much for your assistance.

Sincerely,



Christopher S. McNeal, PE
MCNEAL ENGINEERING, INC.

- c: Christopher Eubanks *via* email
Todd Pressman *via* email



Digitally signed by Christopher S McNeal
DN: CN=Christopher S McNeal,
dnQualifier=A01410C00000180D8F65FF8000C722C,
O=McNeal Engineering Inc, C=US
Reason: I have reviewed this document
Date: 2023.04.21 14:54:46-04'00'

*Christopher S. McNeal,
State of Florida,
Professional Engineer,
License No. 56193*

*This item has been digitally
signed and sealed by
Christopher S. McNeal, PE on
04/21/2023.*

*Printed copies of this document
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Mr. Michael J. Williams, PE
MIXED USE RESIDENTIAL AC/HEAT
MEI File # 22-087
April 21, 2023
Page 3 of 5

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

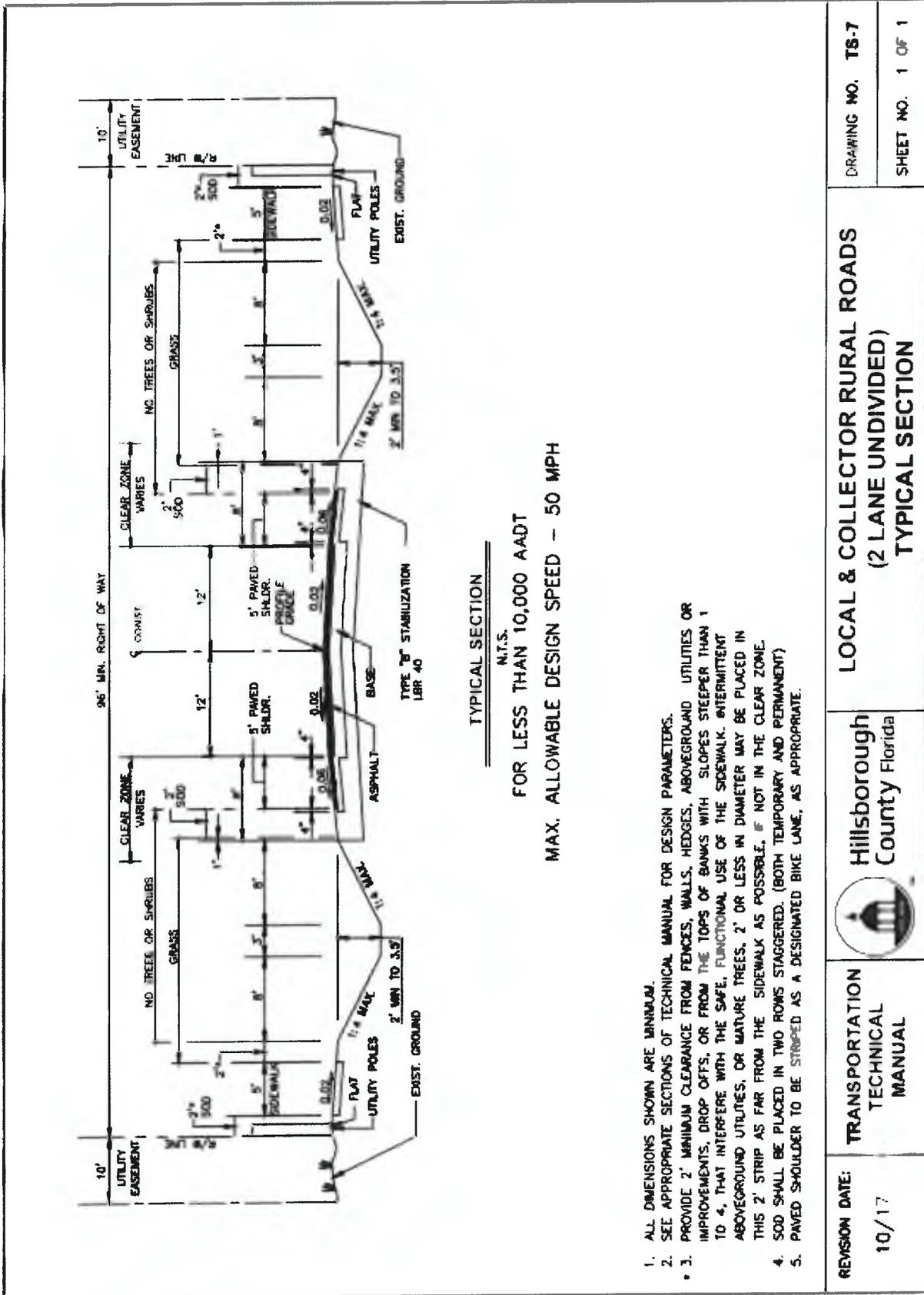
- Approved
- Approved with Conditions
- Disapproved

If there are any further questions or you need clarification, please contact Sheida Tirado, PE at (813) 276-8364.

Sincerely,

Michael J. Williams, PE
Hillsborough County Engineer

Mr. Michael J. Williams, PE
MIXED USE RESIDENTIAL AC/HEAT
MEI File # 22-087
April 21, 2023
Page 4 of 5



TYPICAL SECTION

N.T.S.

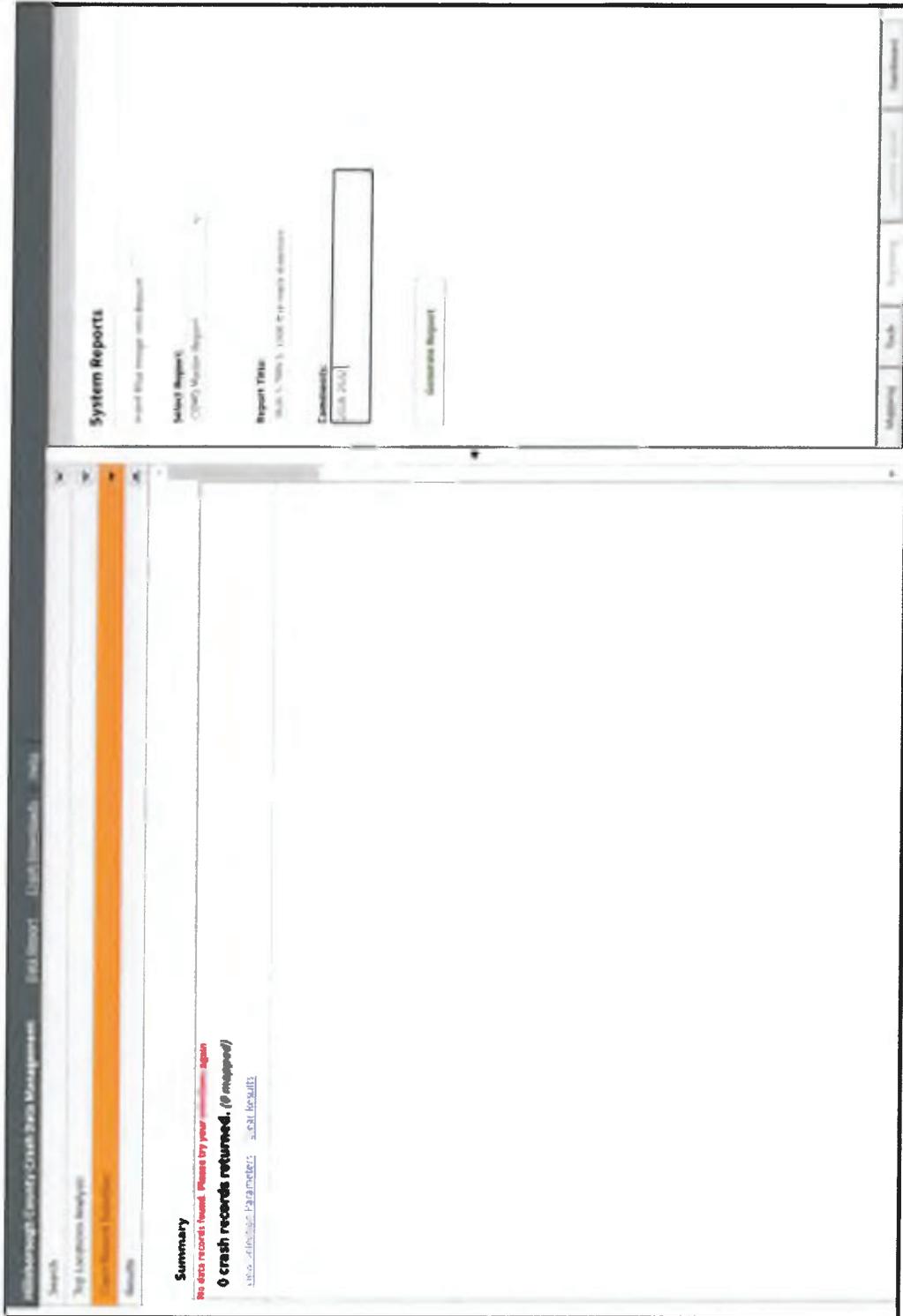
FOR LESS THAN 10,000 AADT

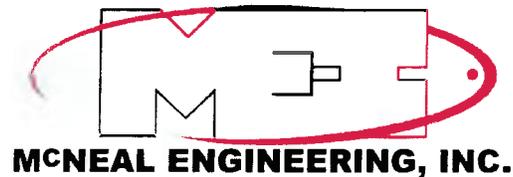
MAX. ALLOWABLE DESIGN SPEED - 50 MPH

1. ALL DIMENSIONS SHOWN ARE MINIMUM
2. SEE APPROPRIATE SECTIONS OF TECHNICAL MANUAL FOR DESIGN PARAMETERS.
3. PROVIDE 2' MINIMUM CLEARANCE FROM FENCES, WALLS, HEDGES, ABOVEGROUND UTILITIES OR IMPROVEMENTS, DROP OFFS, OR FROM THE TOPS OF BANKS WITH SLOPES STEEPER THAN 1 TO 4, THAT INTERFERE WITH THE SAFE, FUNCTIONAL USE OF THE SIDEWALK. INTERMITTENT ABOVEGROUND UTILITIES, OR MATURE TREES, 2' OR LESS IN DIAMETER MAY BE PLACED IN THIS 2' STRIP AS FAR FROM THE SIDEWALK AS POSSIBLE, IF NOT IN THE CLEAR ZONE.
4. SOD SHALL BE PLACED IN TWO ROWS STAGGERED. (BOTH TEMPORARY AND PERMANENT)
5. PAVED SHOULDER TO BE STRIPED AS A DESIGNATED BIKE LANE, AS APPROPRIATE.

REVISION DATE: 10/17	TRANSPORTATION TECHNICAL MANUAL	 Hillsborough County Florida	LOCAL & COLLECTOR RURAL ROADS (2 LANE UNDIVIDED) TYPICAL SECTION	DRAWING NO. TS-7 SHEET NO. 1 OF 1
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Mr. Michael J. Williams, PE
MIXED USE RESIDENTIAL AC/HEAT
MEI File # 22-087
April 21, 2023
Page 5 of 5





Hillsborough County
Development Services
601 E Kennedy Blvd 20th Floor
Tampa, FL 33602

Re: **MIXED USE - RESIDENTIAL &
CONTRACTOR'S OFFICE**
3826 S 78th Street, Hillsborough
Folio #047616.0000
PD 22-1577

Attn: Mr. Michael J. Williams, PE
County Engineer

MEI File # 22-087
February 7, 2023

REQUEST FOR ADMINISTRATIVE VARIANCE

Mr. Williams,

We are requesting an administrative variance per Hillsborough County Land Development Code (LDC) Section 6.04.02.B for relief from Section 6.04.07, Minimum Spacing.

Our client is requesting a Zoning Modification from ASC-1 to PD of this parcel to incorporate a Mixed-Use Residential AC/Heat Business. We understand that the proposed application is being reviewed in accordance with current code standards, and as such, are requesting a variance from the above-mentioned section for access spacing. Pursuant to the Hillsborough County LDC, a request for administrative variance is to be evaluated by the issuing authority based on the following conditions: (a) there is an unreasonable burden on the applicant, (b) the variance would not be detrimental to the public health, safety, and welfare, (c) without the variance, reasonable access cannot be provided. These items are addressed below for the variance requested.

6.04.07 Access Spacing

We are requesting a variance to reduce the required access spacing for a Class 6 roadway from 245 feet (per LDC) to approximately 124 and 226 feet for the neighboring driveways to the north, and approximately 9 and 180 feet for the neighboring driveways to the south.

South 78th Street adjacent to this this project, is a 2-lane Rural Collector Roadway, with open ditches and a Sidewalk on the west side of the roadway. The posted speed is 45 MPH. The land use is mixed, with single family lots, subdivisions, industrial type business, and a county fire station.

Our responses to review criteria a, b, and c are as follows:

- (a) The existing driveway location would be widened and improved and not be shifted or relocated along this frontage. The client does not own additional property adjacent to this parcel to provide for a consolidation of the adjacent private driveways and cannot obtain cross access through the existing residential neighboring parcels. To expect something of that from this rezoning would be a significant financial and legal burden the client cannot bear.
- (b) The existing driveway does not produce conflicts in its current location and current access to South 78th Street. South 78th street currently operates at a level of service E, with lower traffic volumes. There are no crashes near this current access location for 1,000 feet in either direction. See attached [crash report](#).

Mr. Michael Williams, PE
MIXED USE – RESIDENTIAL & CONTRACTOR’S OFFICE
MEI File # 22-087
February 7, 2023
Page 2 of 4

(c) The existing location of the current access would provide reasonable access for the proposed PD. Without use of the current access location, the proposed Mixed-Use PD and future use of the parcel is not feasible.

If you have questions, or need additional information, please feel free to contact our office at the website or phone number listed. Thank you very much for your assistance.

Sincerely,



Christopher S. McNeal, P.E.
MCNEALENGINEERING, INC.

attchs

c: Christopher Eubanks *via* email

Mr. Michael Williams, PE
MIXED USE – RESIDENTIAL & CONTRACTOR'S OFFICE
MEI File # 22-087
February 7, 2023
Page 3 of 4

Seal



Digitally signed by Christopher S McNeal
DN: CN=Christopher S McNeal,
o=Cualifer=A01410C0000180D8F65FF8000C722C
O=McNeal Engineering Inc, C=US
Reason: I have reviewed this document
Date: 2023.02.07 16:22:40-05'00'

Christopher S. McNeal,
State of Florida,
Professional Engineer,
License No. 56193

*This item has been digitally
signed and sealed by
Christopher S. McNeal, PE on
02/07/2023.*

*Printed copies of this document
are not considered signed and
sealed and signature must be
verified on any electronic copies.*

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

- _____ Approved
- _____ Approved with Conditions
- _____ Disapproved

If there are any further questions or you need clarification, please contact Sheida Tirado, PE at (813) 276-8364.

Sincerely,

Mr. Michael J. Williams, PE
County Engineer

Mr. Michael Williams, PE
MIXED USE – RESIDENTIAL & CONTRACTOR'S OFFICE
MEI File # 22-087
February 7, 2023
Page 4 of 4

The screenshot displays a web application interface. At the top, there is a navigation bar with the following items: "Williamson County Crash Data Management", "Crash Report", "Crash Statistics", and "Help". Below the navigation bar is a search bar and a list of menu items: "Top Locations Analysis", "Crash Report Overview", and "Results".

The main content area is divided into two sections. The upper section is titled "System Reports" and contains several options: "Print Map Image into Report", "Select Report" (with a dropdown menu showing "Crash Map Report"), "Report Title" (with the text "Crash Map Report"), "Comments" (with a text input field containing "0/0/2023"), and "Generate Report".

The lower section is titled "Summary" and contains a message: "No data records found. Please try your selections again." Below this message, it states "0 crash records returned. (0 mapped)".

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
S. 78 th St.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width (for Urban Section)	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. 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
	Choose an item.	Choose an item. 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
	Choose an item.	Choose an item. 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	10	1	1
Proposed	64	10	11
Difference (+/-)	(+) 54	(+) 9	(+) 10

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

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

Design Exception/Administrative Variance <input type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
S. 78 th St./ Access Spacing	Administrative Variance Requested	Approvable
S. 78 th St./ Access Spacing	Administrative Variance Requested	Approvable
Not Applicable/ Internal Driveway Width	Design Exception Requested	Approvable
Notes:		

Transportation Comment Sheet

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

Application No. 22-1577
Name: Tedd Pressman
Entered at Public Hearing: ZHM
Exhibit # 2 Date: 7-24-23



Air Conditioning & Heating

July 21, 2023

To whom it may concern:

My name is Richard Nevels' and I have been with the company since it started and have proven since then that we are a family oriented small business that provides excellent service to families in the Tampa Bay area. Our customers and their families are of utmost importance to us. I focus on the customers' needs and the needs of my employees. Their needs are very important to me, I feel if I meet the needs of our internal family then I can meet the needs of our customers. All our employees live by our office and would be inconvenient in their everyday lives.

We are a small family-oriented company and value the families that we take care of. We feel as if the company is responsible for the livelihood of all the employees we have, being so, we strive to do our best to take care of everyone in our employment.

We do not have much traffic at our facility during the day as our employees all take the company truck homes and dispatch from home.



Air Conditioning & Heating

July 21, 2023

To whom it may concern:

My name is Nikki Wetherington. I have worked for Air 24/7 Air Conditioning for four years. I am writing this letter to let you know how much my employment with the company means to me. I am a new homeowner, and two children that depend on the income that I get from this job.

I love my job as the office manager, and the fact that we are a family-oriented company. We take a lot of pride in our company for helping our customers and making sure they are taken care of. We don't have a lot of traffic in and out of here.

Air 24/7

Air Conditioning & Heating

July 21, 2023

To whom it may concern:

My name is Sara Ford and I am a long term employee with Air 24/7 Air Conditioning. I am writing this to let you know how much my employment with the company means to me, this is my family's lively hood. I am the sole bread winner.

On the business side, I take great pride as the dispatcher for the company in being able to take care of other families by working hard and staying very busy beating the heat for them. We are a small very family-oriented company and value the families that we take care of. Our owner does feel as if the company is responsible for the livelihood of all the employees that we have, being so, we strive to do our best to take care of everyone in our employ.

We as a company do not have much traffic during the day with our trucks and employees coming in and out of the facility, our technicians take their trucks home daily and only come to the office for their paperwork for their assignments. The technicians that oversee the service portion of the company are dispatched to their assignments and go directly to them from their homes.

We have formed a very close relationship with our neighbor that is on the south side of our business. Being so, we look out for him and his property as he does the same for us.

Air 24/7

Air Conditioning & Heating

July 21, 2023

To whom it may concern:

My name is Sara Ford and I am a long term employee with Air 24/7 Air Conditioning. I am writing this to let you know how much my employment with the company means to me, this is my family's lively hood. I am the sole bread winner for my family and depend on the income I get from them.

On the business side, I take great pride as the dispatcher for the company in being able to take care of other families by working hard and staying very busy beating the heat for them. We are a small very family-oriented company and value the families that we take care of. Our owner does feel as if the company is responsible for the livelihood of all the employees that we have, being so, we strive to do our best to take care of everyone in our employ.

We have very little traffic at our facility during the day and have formed a very close relationship with our neighbor that is on the south side of us. As such, we look out for him and his property as he does the same for us.



Variations for Site Design

Non-district LDC regulations that may be considered for variation as part of a Planned Development request include Part 6.05.00 (Parking/Loading), Part 6.06.00 (Landscaping/Buffering), and Part 6.07.00 (Fences/Walls). Does the request include a variation from non-district regulations? No Yes If yes, indicate each variation being requested in the space below. (example: A variation to Section 6.06.06 to allow a 10-foot buffer where a 20-foot buffer is required)

6' perimeter buffer adjacent to off-street access area is required per Sec. 6.06.04. and a 3' buffer is requested.



Variations Criteria Review Form

For each variation being requested, you must provide a detailed response to each of the following criteria. If additional space is needed, please attach extra pages to this application.

1. Explain how the variation is necessary to achieve creative, innovative, and/or mixed-use development that could not be accommodated by strict adherence to current regulations.

The property lot shape is very long and not very wide. The abutting property has a driveway in similar configuration & location (abutting this driveway) and this owner has also presented his written statement of support of the project. The buffer will also include a 6' fence which will help to provide a good visual screening. This request is only for the parking area.

2. Explain how the variation is mitigated through enhanced design features. Design Features must be clearly indicated on the site plan and the applicant must demonstrate how the feature is proportionate to the degree of variation being requested.

Because of the configuration of this lot, its driveway, and the abutting site, and its driveway, and the inclusion of a fence in the requested area and that this request only applies to the parking lot area provides unique features that address and mitigate the requested issue.

3. Explain how the variation is in harmony with the purpose and intent of the Hillsborough County Land Development Code.

The variation allows a parking area for this site to exist and recognizes that the ebuffer is more than adequate in regard to the conditions stated above. In that regard it is in harmony with the code.

4. Explain how the variation will not substantially interfere with or injure the rights of the adjacent property owners.

The adjoining property has a driveway that is similar to the circumstances requested here and is supporting this project.



Variations for Site Design

Non-district LDC regulations that may be considered for variation as part of a Planned Development request include Part 6.05.00 (Parking/Loading), Part 6.06.00 (Landscaping/Buffering), and Part 6.07.00 (Fences/Walls). Does the request include a variation from non-district regulations? No Yes If yes, indicate each variation being requested in the space below. (example: A variation to Section 6.06.06 to allow a 10-foot buffer where a 20-foot buffer is required)

6' perimeter buffer adjacent to off-street access area is required per Sec. 6.06.04. and a 3' buffer is requested.



Variations Criteria Review Form

For each variation being requested, you must provide a detailed response to each of the following criteria. If additional space is needed, please attach extra pages to this application.

1. Explain how the variation is necessary to achieve creative, innovative, and/or mixed-use development that could not be accommodated by strict adherence to current regulations.

The property lot shape is very long and not very wide. The abutting property has a driveway in similar configuration & location (abutting this driveway) and this owner has also presented his written statement of support of the project. The buffer will also include a 6' fence which will help to provide a good visual screening. This request is only for the parking area.

2. Explain how the variation is mitigated through enhanced design features. Design Features must be clearly indicated on the site plan and the applicant must demonstrate how the feature is proportionate to the degree of variation being requested.

Because of the configuration of this lot, its driveway, and the abutting site, and its driveway, and the inclusion of a fence in the requested area and that this request only applies to the parking lot area provides unique features that address and mitigate the requested issue.

3. Explain how the variation is in harmony with the purpose and intent of the Hillsborough County Land Development Code.

The variation allows a parking area for this site to exist and recognizes that the ebuffer is more than adequate in regard to the conditions stated above. In that regard it is in harmony with the code.

4. Explain how the variation will not substantially interfere with or injure the rights of the adjacent property owners.

The adjoining property has a driveway that is similar to the circumstances requested here and is supporting this project.



Variations for Site Design

Non-district LDC regulations that may be considered for variation as part of a Planned Development request include Part 6.05.00 (Parking/Loading), Part 6.06.00 (Landscaping/Buffering), and Part 6.07.00 (Fences/Walls). Does the request include a variation from non-district regulations? No Yes If yes, indicate each variation being requested in the space below. (example: A variation to Section 6.06.06 to allow a 10-foot buffer where a 20-foot buffer is required)

6' perimeter buffer adjacent to off-street access area is required per Sec. 6.06.04. and a 3' buffer is requested.



Variations Criteria Review Form

For each variation being requested, you must provide a detailed response to each of the following criteria. If additional space is needed, please attach extra pages to this application.

1. Explain how the variation is necessary to achieve creative, innovative, and/or mixed-use development that could not be accommodated by strict adherence to current regulations.

The property lot shape is very long and not very wide. The abutting property has a driveway in similar configuration & location (abutting this driveway) and this owner has also presented his written statement of support of the project. The buffer will also include a 6' fence which will help to provide a good visual screening. This request is only for the parking area.

2. Explain how the variation is mitigated through enhanced design features. Design Features must be clearly indicated on the site plan and the applicant must demonstrate how the feature is proportionate to the degree of variation being requested.

Because of the configuration of this lot, its driveway, and the abutting site, and its driveway, and the inclusion of a fence in the requested area and that this request only applies to the parking lot area provides unique features that address and mitigate the requested issue.

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4. Explain how the variation will not substantially interfere with or injure the rights of the adjacent property owners.

The adjoining property has a driveway that is similar to the circumstances requested here and is supporting this project.

Application No. 22-1577
Name: Todd Pressman
Entered at Public Hearing: ZHM
Exhibit # 3 Date: 7-24-23

Prior to site plan certification, we shall revise the following:

- Setbacks shall be corrected in the site data table. The existing lists the north setback as "19 ft" but the provided as "29 ft.". The south setback is listed as "14 ft." and the provided on "pocket A" is listed as "24 ft." No new structure is proposed so the existing should align with the proposed.
 - Correct the CIP project number from "69644001" to instead read "69666000"; and,
 - The developer shall add an access arrow along the southern property boundary as generally shown below and label as "Future Access to Shared Access Facility – See Conditions of Approval".
1. The site shall be limited to a single-family with a contractor's office and associated indoor storage as shown on the site plan, stamped April 24, 2023.
 2. Development shall comply with the following standards:
 - 2.1 Pocket "A" shall consist of +/-8,865 square feet of total area.
 - 2.2 Pocket "B" shall consist of +/-52,220 square feet of total area.
 - 2.3 Minimum building setbacks:
 - 2.3.1 North (Pocket "A"): 29 feet
 - 2.3.2 North (Pocket "B"): 19 feet
 - 2.3.3 East (Pocket "B"): 325 feet
 - 2.4 Additional Standards:
 - 2.4.1 Maximum Height: 20 feet
 - 2.4.2 Max. FAR (Pocket "B"): 0.11
 - 2.4.3 Max. Density (Pocket "A"): 4.91 du/acre
 3. Buffering and screening between uses shall be provided in accordance with the requirements of LDC Section 6.06.06, except as follows:
 - 3.1 A 10-foot buffer with Type "B" screening along the north property boundary
 - 3.2 A 3-foot buffer with Type "A" screening along the southern property boundary
 4. Buffering and screening for off-street vehicular use areas shall be provided in accordance with the requirements of LDC Section 6.06.04, except as follows:
 - 4.1 A 3-foot vehicle use area on the south property boundary.
 5. Parking shall be provided per Section 6.05.00 of the Hillsborough County Land Development Code except as follows:
 - 5.1 Parking to be provided per the approved parking variation requiring a minimum of 20 parking spaces and as generally depicted on the General Site Plan.
 6. Notwithstanding anything herein these conditions or on the PD site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the project boundaries.
 7. The project shall be served by, and limited to, one (1) vehicular access connections to S. 78th St. All other existing access connections, and/or portions of modified connections which are no longer necessary shall be closed and resodded.
 8. In accordance with the Hillsborough County Corridor Preservation Plan and Capital Improvement. Project #69666000, the developer shall preserve up to +/- 11 feet of right-of-way

along its S. 78th St. frontage. Only those interim uses allowed by the Hillsborough County LDC shall be permitted within the preserved right-of-way. The right-of-way preservation area shall be shown on all future site plans, and building setbacks shall be calculated from the future right-of-way line.

9. The developer shall construct minimum 5-foot-wide sidewalks along its S. 78th St. project frontage. Given that the right-of-way is too small to accommodate the required sidewalk, the developer shall place the sidewalk within the subject site and dedicate and convey an easement (for public access and maintenance purposes) to the County. At the developer's sole option, the developer owner may choose to dedicate and convey the underlying fee to the County. Notwithstanding anything shown on the PD site plan to the contrary, the sidewalk shall be located consistent with the Transportation Technical Manual requirements for a TS-4 roadway and/or the CIP project plans, as applicable.
10. As proffered by the developer and with respect to the project driveway:
 - 10.1 The first +/- 70 feet of the project driveway shall be considered a Shared Access Facility with folio 47615.0100 (i.e. the adjacent property owner to the south). This Shared Access Facility generally consists of the vehicular travel way and the 5-foot grass strip between the travel way and southern property boundary; and,
 - 10.2 Together with the next site/construction plan review after approval of PD 22-1577, then developer shall record in the Official Records of Hillsborough County an easement and/or any other agreements necessary over the Shared Access Facility to permits the owner of folio 47615.0100 to take vehicular access through the subject PD in the event that property redevelops, or the existing building changes use to a non-residential use. In addition to access rights, such easement shall provide the adjacent property owner with the ability to make modifications to the driveway as may be necessary to permit its future widening to 24-feet, should such widening be deemed necessary by the County.
11. All uses within the PD shall remain on a single parcel. No subdivisions of this parcel shall be permitted.
12. If PD 22-1577 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance (dated February 7, 2023) which was found approvable by the County Engineer (on May 30, 2023). Approval of this Administrative Variance will permit the reduction of minimum access spacing between the project driveway and the next closest driveway to the south to +/- 9 feet, and the next nearest driveway to the north to +/- 112 feet.
13. If PD 22-1577 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance (dated April 21, 2023) which was found approvable by the County Engineer (on May 30, 2023). Approval of this Administrative Variance will waive the S. 78th St. substandard road improvements required by Section 6.04.03.L. of the LDC.
14. If PD 22-1577 is approved, the County Engineer will approve a Design Exception (dated April 21, 2023) which was found approvable by the County Engineer (on May 30, 2023). Approval of this Design Exception will permit the reduction of a portion of the internal project driveways from 24 feet to 20 feet in width.

15. Parking shall be provided in accordance with the Hillsborough County LDC and Transportation Technical Manual. Notwithstanding the above, parking for the Contractor's office portion of the site shall be permitted at a rate of 3.24 spaces per 1,000 g.s.f. Additionally, the developer shall provide bicycle parking for a minimum of 4 bicycles (i.e. 2 racks).

16. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval.

17. The Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.

18. Approval of this development order/permit does not constitute a guarantee that there will be public facilities at the time of application for subsequent development orders or permits to allow issuance of such development orders or permits.

19. In accordance with LDC Section 5.03.07.C, the certified PD general site plan shall expire for the internal transportation network and external access points, as well as for any conditions related to the internal transportation network and external access points, if site construction plans, or equivalent thereof, have not been approved for all or part of the subject Planned Development within 5 years of the effective date of the PD unless an extension is granted as provided in the LDC. Upon expiration, recertification of the PD General Site Plan shall be required in accordance with provisions set forth in LDC Section 5.03.07.C

Application No. 22-1577
 Name: Staff
 Entered at Public Hearing: ZHM
 Exhibit # 4 Date: 7-24-23

22-1577

Land Use: 180 Specialty Trade Contractor

Description

A specialty trade contractor is a business primarily involved in providing contract repairs and services to meet industrial or residential needs. This land use includes businesses that provide the following services: plumbing, heating and cooling, machine repair, electrical and mechanical repair, industrial supply, roofing, locksmith, weed and pest control, and cleaning.

Time of Day Distribution for Parking Demand

The following table presents a time-of-day distribution of parking demand on a weekday at 18 general urban/suburban study sites.

Hour Beginning	Percent of Weekday Peak Parking Demand
12:00-4:00 a.m.	0
5:00 a.m.	0
6:00 a.m.	5
7:00 a.m.	39
8:00 a.m.	83
9:00 a.m.	97
10:00 a.m.	99
11:00 a.m.	100
12:00 p.m.	91
1:00 p.m.	94
2:00 p.m.	90
3:00 p.m.	92
4:00 p.m.	88
5:00 p.m.	64
6:00 p.m.	1
7:00 p.m.	0
8:00 p.m.	0
9:00 p.m.	0
10:00 p.m.	0
11:00 p.m.	0

Additional Data

The sites were surveyed in the 2010s in Texas.

Source Numbers

570, 571

Specialty Trade Contractor (180)

Peak Period Parking Demand vs: 1000 Sq. Ft. GFA

On a: Weekday (Monday - Friday)

Setting/Location: General Urban/Suburban

Peak Period of Parking Demand: 9:00 a.m. - 4:00 p.m.

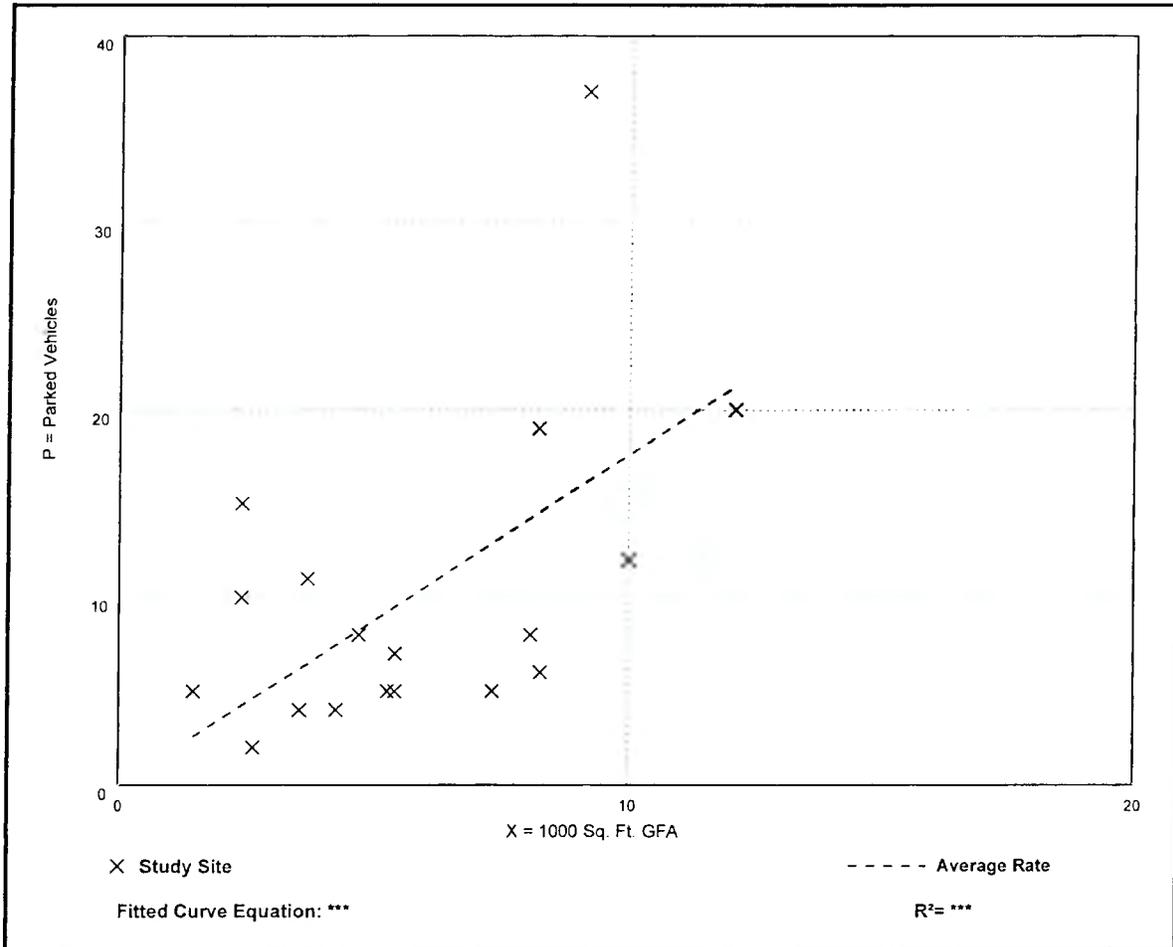
Number of Studies: 18

Avg. 1000 Sq. Ft. GFA: 5.8

Peak Period Parking Demand per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
1.76	0.68 - 6.25	0.96 / 4.06	***	1.29 (73%)

Data Plot and Equation



Specialty Trade Contractor (180)

Peak Period Parking Demand vs: Employees

On a: Weekday (Monday - Friday)

Setting/Location: General Urban/Suburban

Peak Period of Parking Demand: 9:00 a.m. - 4:00 p.m.

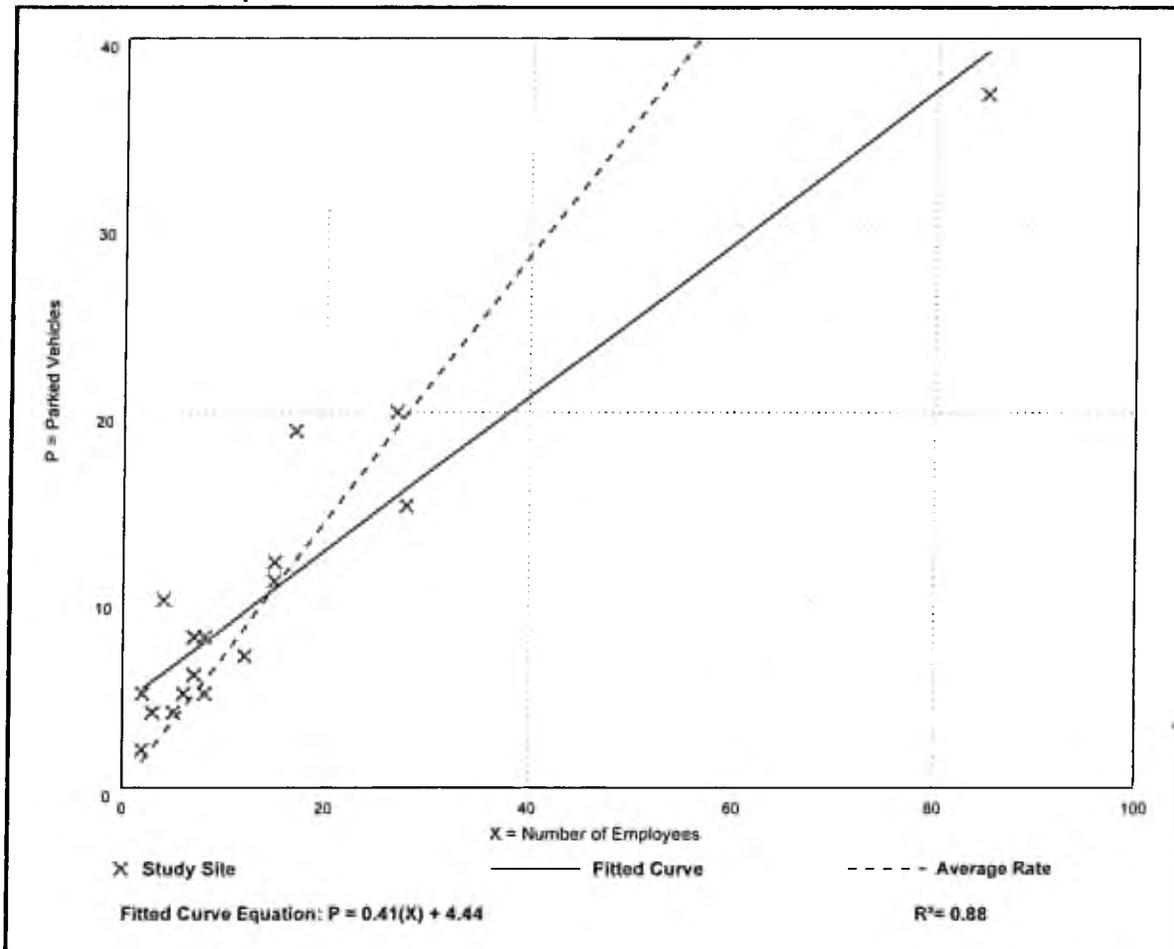
Number of Studies: 17

Avg. Num. of Employees: 15

Peak Period Parking Demand per Employee

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.71	0.44 - 2.50	0.74 / 1.68	***	0.38 (54%)

Data Plot and Equation



Rezoning Application:

PD 22-1577

Zoning Hearing Master Date:

July 24, 2023

BOCC Land Use Meeting Date:

September 12, 2023



**Hillsborough
County Florida**

Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Todd Pressman
 FLU Category: Residential-9
 Service Area: Urban
 Site Acreage: +/- 1.4 acres
 Community Plan Area: Greater Palm River
 Overlay: None
 Request: Rezone from ASC-1 to PD



Introduction Summary:

The applicant proposes Planned Development (PD) to allow for a single-family home and contractor's office with enclosed storage on one parcel.

Zoning:	Existing	Proposed
District(s)	ASC-1	Planned Development
Typical General Use(s)	Single-Family Residential/Agricultural	A single-family home with a contractor's office and associated indoor storage
Acreage	+/- 1.4 acres	+/- 1.4 acres
Density/Intensity	Min. Lot size is 1 acre per SF dwelling.	Single parcel with one single-family home in front and a contractor's office located in the rear.
Mathematical Maximum*	One SF dwelling (1 du/ac.)	Proposed "Pocket A" +/-0.2 ac. (4.91 du/ac.) Proposed "Pocket B" +/-1.19 ac. (0.11 FAR)

*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	ASC-1	Planned Development
Lot Size / Lot Width	43,560 sf / 100.12 ft.	43,560 sf / 100.12 ft.
Setbacks/Buffering and Screening	50' Front 50' Rear 15' Sides	North (Side): 10' buffer w/ Type "B" Screening South (Side): 3' buffer w/ Type "A" Screening East (Rear): 20' buffer w/ Type "B" Screening
Height	50 ft.	20 ft.

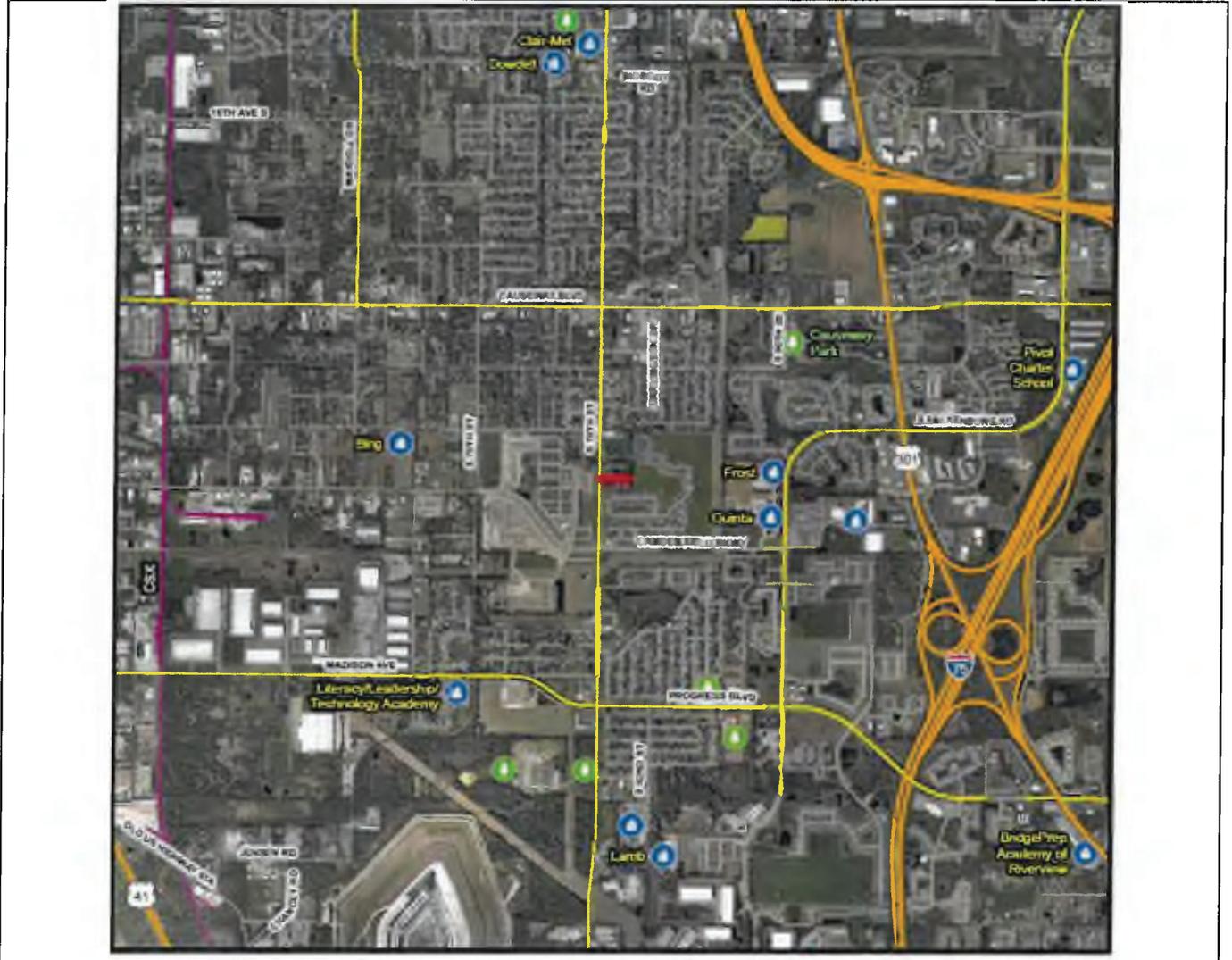
Additional Information:

PD Variation(s)	LDC Part 6.06.00 (Landscaping/Buffering)
Waiver(s) to the Land Development Code	None Requested.

Planning Commission Recommendation: Inconsistent	Development Services Recommendation: Not supportable.
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2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map



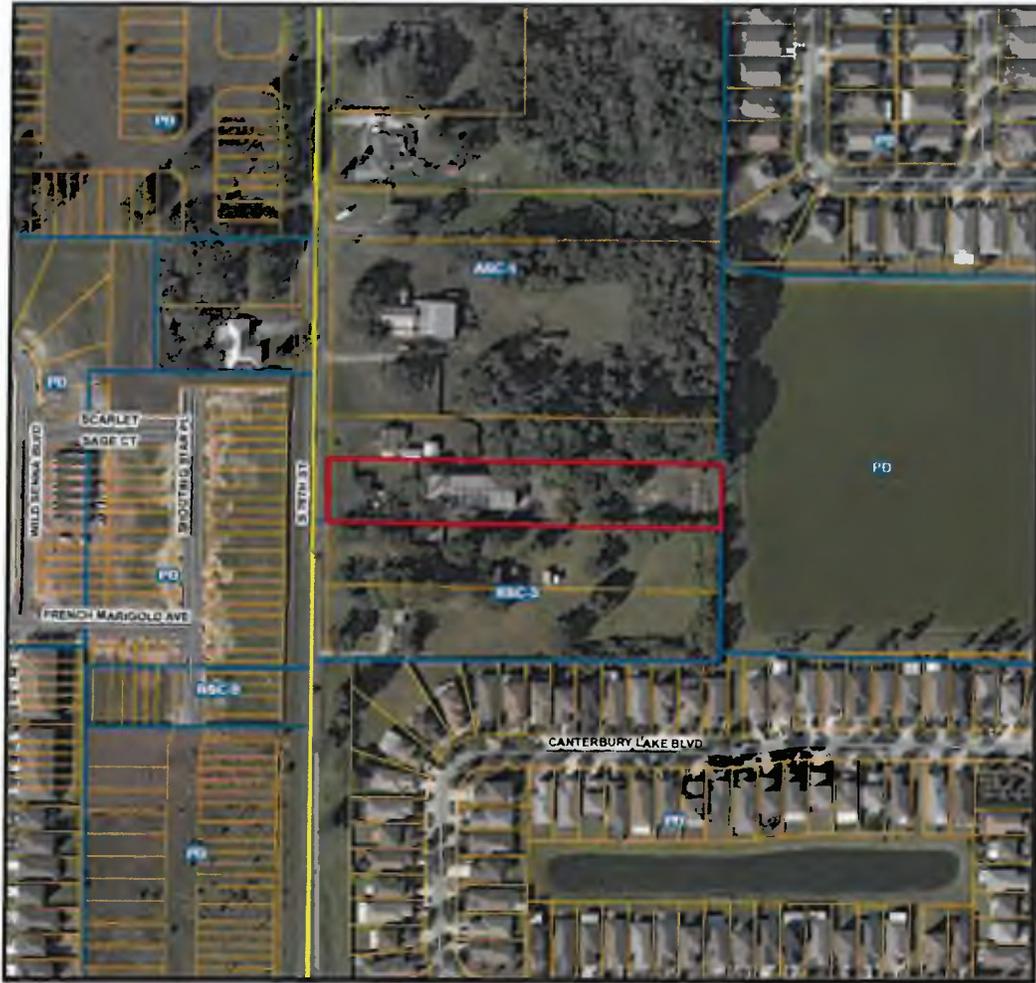
Context of Surrounding Area:

The 1.41 +/- acre site is located at 3826 S 78th Street, east of 78th Street and north of Camden Field Parkway within the Urban Service Area and within the limits of the Greater Palm River Community Plan. The subject property is zoned as Agricultural Single Family Conventional-1 (ASC-1).

North of the subject site is designated Residential Single-family Conventional-1 (RSC-1) zoning. To the south is Residential Single-family Conventional-3 (RSC-3) zoning and to the east and west is Planned Development (PD) zoning.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map

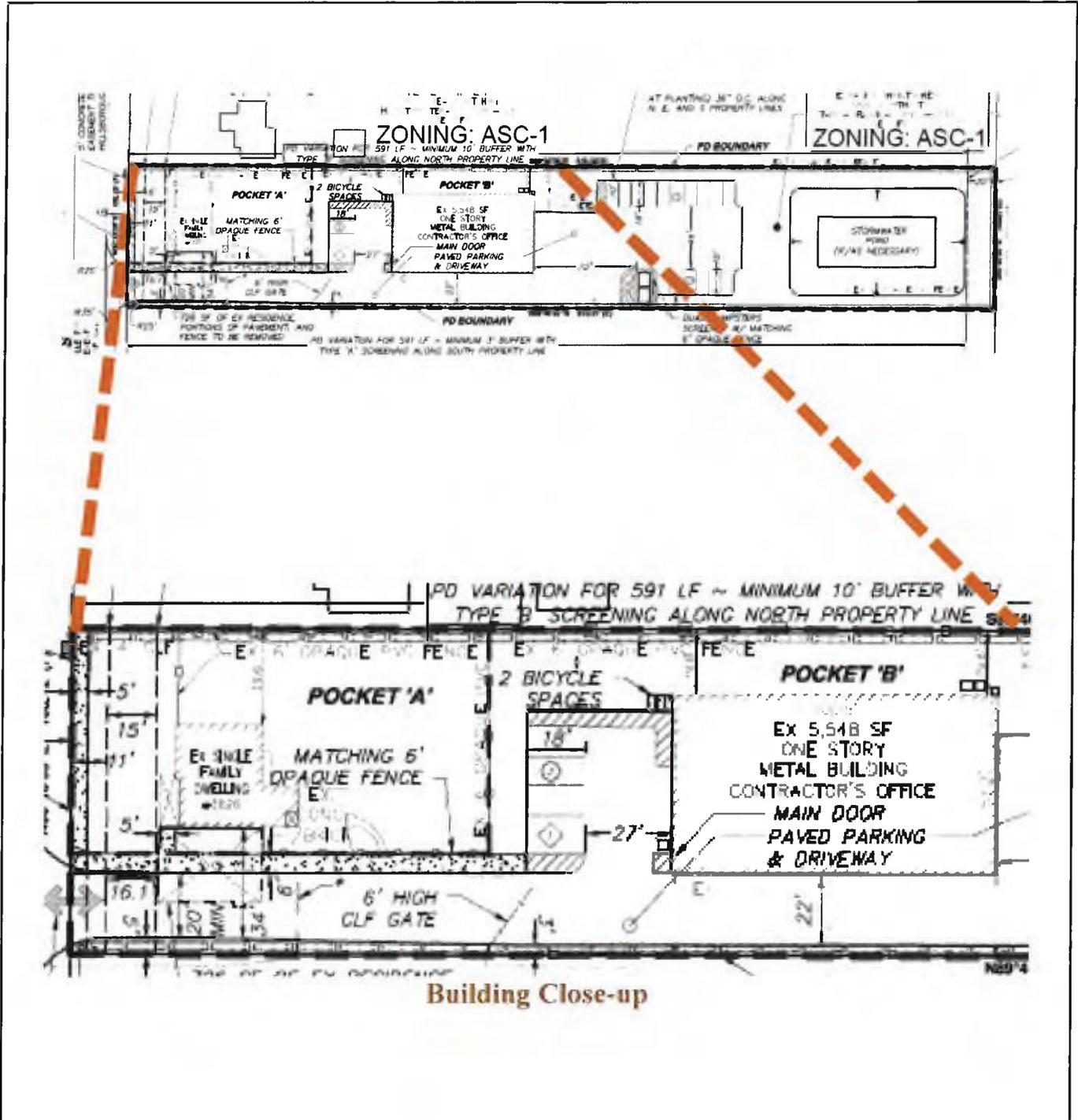


Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	ASC-1	1 du per acre	Agricultural and agricultural related and single-family	Single-family
South	RSC-3	Min. 14,520 sf min. lot size	Single-family	Single-family
East	PD 02-0789	Subject to RSC-9 standards. Maximum of 68 SF	Single-family homes	Single-family
West	PD 05-1947 / PRS 22-1267	Max. 468 SF and 530 Townhomes	SF and Townhomes	SF and Townhomes

2.0 LAND USE MAP SET AND SUMMARY DATA

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



APPLICATION NUMBER: PD 22-1577
 ZHM HEARING DATE: July 24, 2023
 BOCC LUM MEETING DATE: September 12, 2023

Case Reviewer: Tim Lampkin, AICP

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
S. 78 th St.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width (for Urban Section)	<input checked="" 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	10	1	1
Proposed	64	10	11
Difference (+/-)	(+) 54	(+) 9	(+) 10

*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		Vehicular & Pedestrian (Future)	None	Meets LDC
East		None	None	Meets LDC
West	X	Vehicular & Pedestrian	None	Meets LDC

Notes:

Design Exception/Administrative Variance Not applicable for this request

Road Name/Nature of Request	Type	Finding
S. 78 th St./ Access Spacing	Administrative Variance Requested	Approvable
S. 78 th St./ Access Spacing	Administrative Variance Requested	Approvable
Not Applicable/ Internal Driveway Width	Design Exception Requested	Approvable

Notes:

APPLICATION NUMBER: PD 22-1577

ZHM HEARING DATE: July 24, 2023

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Case Reviewer: Tim Lampkin, AICP

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" 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: <ul style="list-style-type: none"> <input 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 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 type="checkbox"/> Other 				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input checked="" type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Service Area/ Water & Wastewater <input 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 checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Impact/Mobility Fees Light Industrial (Per 1,000 s.f.) Mobility: \$4,230 Fire: \$57 Urban Mobility, Central Fire - Warehouse, Distribution, Industrial (unspecified size)				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Inconsistent <input type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The applicant proposes to rezone from ASC-1 to Planned Development for a property located on the east side of South 78th Street, approximately 850 feet south of the intersection of South 26th Avenue and 78th Street South. North of the subject site is designated Residential Single-family Conventional-1 (RSC-1) zoning. To the south is Residential Single-family Conventional-3 (RSC-3) zoning. Both properties located to the immediate north and south of the subject site are developed with single-family homes. Staff notes that approximately 850 north of the subject site is Commercial Intensive, located on the west side of the intersection of South 36th Avenue and 78th Street South. Located on the southwest side of the same intersection is an area designated for future office and commercial pursuant to PD 19-1308.

Pursuant to the applicant's narrative request, the applicant notes that the existing single-family home was recently improved with landscaping (Figure 1) to provide an enhanced residential character view from the street. The applicant proposes to rezone PD to allow a contractor's office (no open storage) and one residential unit in front. The applicant proposed the following restrictions to create more compatibility with the immediate surrounding area.

1. The use will serve as an office and interior storage for an ac/heat repair company and the existing residential home will remain as a residential single family home use.
2. No free standing or wall signage permitted.
3. The exterior of the existing front residential home structure will remain in residential character.
4. There will be an opaque fence to code standards on all sides of the property.
5. All activity, including any storage and vehicles, will be interior.

Figure 1 (Applicant Submittal of Front Yard)



View of the subject site from the public street

Variations Requested

The applicant is requesting a variation to Hillsborough County LDC Section 6.06.06 Landscaping and Buffering Requirements which requires the perimeter of the subject site to have a 20-footwide Type "B" buffer along the north (side) and south (side) of the subject site boundary and the proposed use.

Variation #1:

The applicant requests a variation to Section 6.06.06 to reduce the required buffer from a 20-foot buffer with Type "B" screening along the northern (side) property boundary to a 10-foot buffer with Type "A" screening. The applicant provided additional justification which is included in the applicant's submittal for the variation of LDC

Section 6.06.06. Staff has reviewed the justification statement submitted by the applicant and finds Variation #1 may meet the criteria for approval per LDC Section 5.03.06.C.6. Staff also notes that the single-family home located to the immediate north is located approximately adjacent to the existing single-family home and the one-story contractor's office is located towards the rear of the property.

Variation #2:

The applicant requests a variation to Section 6.06.06 to reduce the required buffer from a 20-foot buffer with Type "B" screening along the southern (side) property boundary to a 3-foot buffer with Type "A" screening. The applicant provided additional justification which is included in the applicant's submittal for the variation of LDC Section 6.06.06. Staff has reviewed the justification statement submitted by the applicant and finds Variation #2 does not meet the criteria for approval per LDC Section 5.03.06.C.6. Variation #2 reduces the buffer to 3 feet along the access driveway to the contractor's office proposed to comprise a buffer that is fifteen percent of the required buffer width.

The Rezoning Hearing Master's recommendation for this application is required to include a finding on whether the requested variations meet the criteria for approval. Additional information regarding the rationale may be found in the applicant's narrative.

Transportation Design Exception / Administrative Variance

1. Administrative Variance for Minimum access spacing between the project driveway and the next closest driveway

If PD 22-1577 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance (dated February 7, 2023) which was found approvable by the County Engineer (on May 30, 2023). Approval of this Administrative Variance will permit the reduction of minimum access spacing between the project driveway and the next closest driveway to the south to +/- 9 feet, and the next nearest driveway to the north to +/- 112 feet.

2. Administrative Variance to waive the S. 78th St. substandard road improvements

If PD 22-1577 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance (dated April 21, 2023) which was found approvable by the County Engineer (on May 30, 2023). Approval of this Administrative Variance will waive the S. 78th St. substandard road improvements required by Section 6.04.03.L of the LDC.

3. Design Exception to permit the reduction of a portion of the internal project driveways from 24 feet to 20 feet.

If PD 22-1577 is approved, the County Engineer will approve a Design Exception (dated April 21, 2023) which was found approvable by the County Engineer (on May 30, 2023). Approval of this Design Exception will permit the reduction of a portion of the internal project driveways from 24 feet to 20 feet in width.

Planning Commission staff finds the proposed Planned Development is not consistent with the Unincorporated Hillsborough County Comprehensive Plan. Overall, the proposed rezoning would not allow for development that is consistent with the Goals, Objectives and Policies of the Unincorporated Hillsborough County Comprehensive Plan and is not compatible with the existing and planned development pattern found in the surrounding area.

5.2 Recommendation

Overall, the request is **NOT** supportable.

APPLICATION NUMBER: PD 22-1577

ZHM HEARING DATE: July 24, 2023

BOCC LUM MEETING DATE: September 12, 2023

Case Reviewer: Tim Lampkin, AICP

Zoning Administrator Sign Off:



J. Brian Grady
Mon Jul 17 2023 07:51:09

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.

APPLICATION NUMBER: PD 22-1577

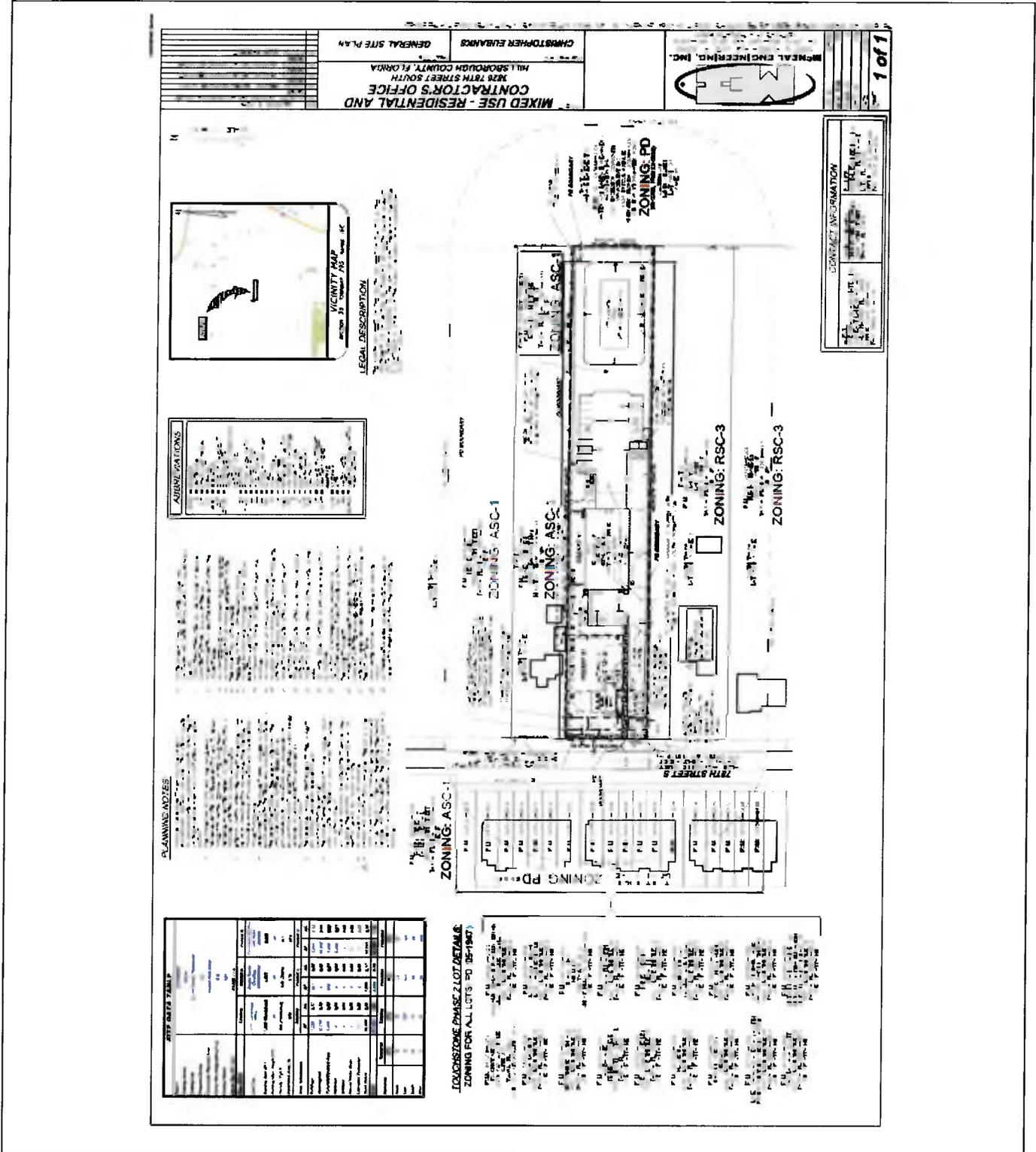
ZHM HEARING DATE: July 24, 2023

BOCC LUM MEETING DATE: September 12, 2023

Case Reviewer: Tim Lampkin, AICP

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

8.0 PROPOSED SITE PLAN (FULL)



APPLICATION NUMBER: PD 22-1577

ZHM HEARING DATE: July 24, 2023

BOCC LUM MEETING DATE: September 12, 2023

Case Reviewer: Tim Lampkin, AICP

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 7/13/2023

Revised: 7/24/2023

REVIEWER: James Ratliff, AICP, PTP, Principal Planner

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: PR/ Central

PETITION NO: RZ 22-1577

- This agency has no comments.
- This agency has no objection.
- This agency has no objection, subject to the listed or attached conditions.
- This agency objects for the reasons set forth below.

CONDITIONS OF APPROVAL

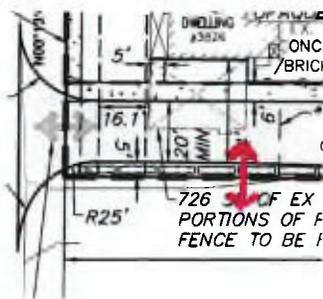
1. Notwithstanding anything herein these conditions or on the PD site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the project boundaries.
2. The project shall be served by, and limited to, one (1) vehicular access connections to S. 78th St. All other existing access connections, and/or portions of modified connections which are no longer necessary shall be closed and resodded.
3. In accordance with the Hillsborough County Corridor Preservation Plan and Capital Improvement Project #69666000, the developer shall preserve up to +/- 11 feet of right-of-way along its S. 78th St. frontage. Only those interim uses allowed by the Hillsborough County LDC shall be permitted within the preserved right-of-way. The right-of-way preservation area shall be shown on all future site plans, and building setbacks shall be calculated from the future right-of-way line.
4. The developer shall construct minimum 5-foot-wide sidewalks along its S. 78th St. project frontage. Given that the right-of-way is too small to accommodate the required sidewalk, the developer shall place the sidewalk within the subject site and dedicate and convey an easement (for public access and maintenance purposes) to the County. At the developer's sole option, the developer owner may choose to dedicate and convey the underlying fee to the County. Notwithstanding anything shown on the PD site plan to the contrary, the sidewalk shall be located consistent with the Transportation Technical Manual requirements for a TS-4 roadway and/or the CIP project plans, as applicable.
5. As proffered by the developer and with respect to the project driveway:
 - a. The first +/- 70 feet of the project driveway shall be considered a Shared Access Facility with folio 47615.0100 (i.e. the adjacent property owner to the south). This Shared Access Facility generally consists of the vehicular travel way and the 5-foot grass strip between the travel way and southern property boundary; and,
 - b. Together with the next site/construction plan review after approval of PD 22-1577, the developer shall record in the Official Records of Hillsborough County an easement and/or any other agreements necessary over the Shared Access Facility to permits the owner of folio 47615.0100 to take vehicular access through the subject PD in the event that property redevelops, or the existing building changes use to a non-residential use. In addition to access rights, such easement shall provide the adjacent property owner with the ability to

make modifications to the driveway as may be necessary to permit its future widening to 24-feet, should such widening be deemed necessary by the County.

6. All uses within the PD shall remain on a single parcel. No subdivisions of this parcel shall be permitted.
7. If PD 22-1577 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance (dated February 7, 2023) which was found approvable by the County Engineer (on May 30, 2023). Approval of this Administrative Variance will permit the reduction of minimum access spacing between the project driveway and the next closest driveway to the south to +/- 9 feet, and the next nearest driveway to the north to +/- 112 feet.
8. If PD 22-1577 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance (dated April 21, 2023) which was found approvable by the County Engineer (on May 30, 2023). Approval of this Administrative Variance will waive the S. 78th St. substandard road improvements required by Section 6.04.03.L. of the LDC.
9. If PD 22-1577 is approved, the County Engineer will approve a Design Exception (dated April 21, 2023) which was found approvable by the County Engineer (on May 30, 2023). Approval of this Design Exception will permit the reduction of a portion of the internal project driveways from 24 feet to 20 feet in width
10. Parking shall be provided in accordance with the Hillsborough County LDC and Transportation Technical Manual. Notwithstanding the above, parking for the Contractor's office portion of the site shall be permitted at a rate of 3.24 spaces per 1,000 g.s.f. Additionally, the developer shall provide bicycle parking for a minimum of 4 bicycles (i.e. 2 racks).

Other Conditions

- Prior to PD Site Plan Certification, the applicant shall revise the PD Site Plan to:
 - Correct the CIP project number from "69644001" to instead read "69666000"; and,
 - The developer shall add an access arrow along the southern property boundary as generally shown below and label as "Future Access to Shared Access Facility – See Conditions of Approval".



PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a +/- 1.41 ac. parcel, from Agricultural Single-Family Conventional - 1 (ASC-1) to Planned Development (PD). The proposed PD is seeking entitlements to permit one (1) single-family detached dwelling unit and a 5,548 s.f. contractor's office without open storage on a single parcel. This case is a result of a code enforcement action, whereby the property owner illegally constructed the proposed using without obtaining proper site plan and other approvals.

The proposed site plan provides a number of changes necessary to bring the site into conformance with current standards, some of which will require demolition of a portion of the single-family residence in order to allow a driveway of sufficient width to serve the existing and proposed uses. Additional discussion regarding project access has been included hereinbelow.

As required by the Development Review Procedures Manual (DRPM), the applicant submitted a trip generation letter for the proposed project indicating that because the project is generating fewer than 50 peak hour trips in total, no site access analysis was required to support the zoning request. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. The information below is based on data from the Institute of Transportation Engineer's Trip Generation Manual, 11th Edition.

Approved Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
ASC-1, 1 Single-Family Detached Dwelling Unit (ITE LUC 210)	10	1	1

Proposed Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 1 Single-Family Detached Dwelling Unit (ITE LUC 210)	10	1	1
PD, 5,548 s.f. Contractor's Office Without Open Storage (ITE LUC 180)	54	9	10
Subtotal:	64	10	11

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	(+) 54	(+) 9	(+) 10

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

S. 78th St. is a 2-lane, undivided, publicly maintained, substandard, collector roadway characterized by +/- 11-foot-wide travel lanes in average condition. The roadway lies within a +/- 72-foot-wide right-of-way in the vicinity of the proposed project. There are no bicycle facilities present along S. 78th St. in the vicinity of the proposed project. There are +/- 5-foot-wide sidewalks along portions of the west side of S. 78th St. in the vicinity of the proposed project.

The segment of S. 78th St. fronting the project is shown on the Hillsborough County Corridor Preservation Plan as a future 2-lane enhanced roadway. Pursuant to the S. 78th Corridor Improvements PD&E/ CIP 69644001, a total of 11-feet of right-of-way is needed for the enhancement project. As such, and in accordance with the Hillsborough County Corridor Preservation Plan, staff has proposed a condition requiring the applicant to preserve this right-of-way.

Staff notes that the applicant will be required construct sidewalks along all project frontages where such sidewalks do not exist (or are otherwise removed and reconstructed). Because the right-of-way is too small to accommodate the required sidewalk, pursuant to Sec. 6.03.02.D. of the LDC, the applicant will be required to place the sidewalk within the subject site and provide an easement (for public access and

maintenance purposes) acceptable to the County. At the property owner's sole option, as an alternative to an easement they may choose to dedicate the underlying fee to the County.

SITE ACCESS, SHARED ACCESS AND CONNECTIVITY

Generally

The applicant is proposing one (1) access connection to serve the proposed project, consistent with Section 6.04.03.I. of the LDC. No site access improvements are required to serve the proposed project consistent with Section 6.04.04.D. of the LDC.

Access Spacing/ Shared Access

The proposed access connection is located directly adjacent to the driveway serving the single-family home south of the subject site. This proposed access does not meet LDC Sec. 6.04.07 access spacing requirements. Given the limited parcel frontage and constraints related to the existing single-family home within the subject PD, the applicant has proffered within its Administrative Variance request the first 70 feet of the project driveway as a Shared Access Facility serving both the subject PD as well as adjacent folio 47615.0100 (which would be utilized in the event the adjacent property redevelops or otherwise changes use of the existing structure to a non-residential use)

Other Issues Related to Proposed Development

Consistent with Section 6.02.01 of the LDC, single-family detached residential uses (i.e. the proposed use within Pocket A) can generally only access the public roadway system via direct access to roadways. Additionally, when a single-family dwelling is permitted to take access via an easement, then a maximum of 3 homes are permitted on the easement (and such easement cannot be comingled with residential and non-residential uses). The applicant indicated that the proposed home is owned by business owner, and that this arrangement is not proposed to change. Given the above, the Pocket A use would not be permitted to be subdivided in the future, as doing so would violate various access management/ easement provisions. As such, staff has included a condition memorializing that the project parcel cannot be subdivided in the future while the single-family use remains.

Cross Access

Vehicular and pedestrian cross access is not currently required pursuant to Sec. 6.04.03.Q. of the LDC. IN the event the adjacent property changes to a non-residential use, the connection to the Shared Access Facility will serve as both regular access and vehicular cross access.

TRANSIT FACILITIES

Consistent with Section 6.03.09 of the LDC, transit facilities are not required for the subject project.

REQUESTED ADMINISTRATIVE VARIANCE #1 – ACCESS SPACING

The applicant's Engineer of Record (EOR) submitted a Section 6.04.02.B. Administrative Variance (AV) request (dated February 7, 2023) from the Section 6.04.07 LDC requirements governing access spacing. The Hillsborough LDC requires a minimum connection space of 245 feet for Class 6 roadways. Based on factors presented in the AV request, the County Engineer found the AV request approvable (on May 30, 2023). If the rezoning is approved, the County Engineer will approve the above referenced AV request, upon which the developer will be permitted to locate the S. 78th St. access +/- 9 feet from the nearest access to the south, and +/- 112 feet from the nearest access to the north.

Staff notes that as a part of the AV request, and given that it would be potentially unsafe to maintain two accesses +/- 9 feet apart particularly if they both serve non-residential uses, the developer proffered to designate a portion of the project's access as a Shared Access Facility, and record an easement in favor of

the property owner to the south (so that they can take access via the Shared Access Facility upon future redevelopment and/or change of use). This issue is further discussed in the Access Spacing/ Shared Access section of this report, hereinabove.

REQUESTED ADMINISTRATIVE VARIANCE #2 – SUBSTANDAR ROAD

The applicant's Engineer of Record (EOR) submitted a Section 6.04.02.B. Administrative Variance (AV) request (dated April 21, 2023) from the Section 6.04.03.L. LDC requirement, whereby the developer is required to improve S. 78th St. (between the project driveway and the nearest roadway meeting applicable standards) to current County standards for a Type TS-4 (Transportation Technical Manual) collector roadway. Based on factors presented in the AV request, the County Engineer found the AV request approvable (on May 30, 2023). If the rezoning is approved, the County Engineer will approve the above referenced AV request, upon which the developer will not be required to make improvements to the roadway.

REQUESTED DESIGN EXCEPTION – DRIVEWAY WIDTH

The applicant's Engineer of Record (EOR) submitted a Design Exception (DE) request (dated April 21, 2023) in accordance with Section 1.7.2. and other applicable sections of the Transportation Technical Manual (TTM). The applicant is requesting to reduce the width of the internal drive-aisles from the 24-foot width typically required for non-residential uses to the 20-foot width typically permitted for residential uses. Based on factors presented in the DE request, the County Engineer found the DE request approvable (on May 30, 2023). If the rezoning is approved, the County Engineer will approve the DE request, upon which 20-foot internal drive aisles will be permitted.

Staff notes that redevelopment of the adjacent site would trigger the Shared Access Facility provisions, at which point the drive aisle could potentially be expanded further (onto the adjacent property) if necessary to widen the driveway to accommodate the increased traffic that redevelopment would potentially generate.

REQUESTED PD VARIATION - PARKING

The applicant submitted a PD variation request to the Section 6.05 LDC parking standards for the Contractor's Office portion of the use. The single-family use is being parked at the required rate of 2 per dwelling unit, and no changes to that rate are proposed. The LDC requires parking for this be provided at a rate of 3 spaces per 1,000 g.s.f. and 1 additional space per facility vehicle. According to the applicant, there are 11 facility vehicles, which when added to the 17 spaces required based on the square-footage of the building, results in a requirement for 28 parking spaces for this use. As noted in the applicant's filings, and based on discussions with the applicant, staff notes that the proposed use is unique in several ways. First, the business operates on a single parcel with the home of the business owner (i.e. single-family dwelling unit at the front of the property). Also, the applicant indicated that most staff takes their vehicles home, and do not park their vehicles overnight on the property.

Staff examined the parking data from the 5th Edition of the Institute of Transportation Engineer's Parking Generation Manual, and noted that the 85th percentile rate for LUC 180 is 4.06 spaces per 1,000 s.f. This rate captures all vehicles (facility or otherwise). When applied to the site, it would result in a parking demand for the contractor's use of 23 spaces (rather than the 18 proposed by the applicant).

Staff notes that the applicant is proposing 2 bicycle parking racks which should be able to accommodate up to 4 bicycles.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Level of Service (LOS) information for adjacent roadway section(s) is reported below.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
S. 78 th St.	Madison Ave.	Causeway Blvd.	E	C

Source: Hillsborough County 2020 Level of Service Report.

Ratliff, James

From: Williams, Michael
Sent: Tuesday, May 30, 2023 8:13 AM
To: McNeal, Christopher
Cc: Carla Sansone; todd@pressmaninc.com; Ratliff, James; Lampkin, Timothy; Tirado, Sheida; PW-CEIntake; De Leon, Eleonor
Subject: FW: RZ PD 22-1577 - Design Exception and Administrative Variances Review
Attachments: 22-1577 DEAddInf 04-24-23.pdf; 22-1577 AVAddInf 04-24-23.pdf; 22-1577 AVReq 02-08-23_1.pdf
Importance: High

Chris,

I have found the attached Section 6.04.02.B. Administrative Variances (AV) and Design Exception (DE) for PD 22-1577 APPROVABLE.

Please note that it is you (or your client's) responsibility to follow-up with my administrative assistant, Eleonor De Leon (DeLeonE@hillsboroughcounty.org or 813-307-1707) after the BOCC approves the PD zoning or PD zoning modification related to below request. This is to obtain a signed copy of the DE/AV.

If the BOCC denies the PD zoning or PD zoning modification request, staff will request that you withdraw the AV/DE. In such instance, notwithstanding the above finding of approvability, if you fail to withdraw the request, I will deny the AV/DE (since the finding was predicated on a specific development program and site configuration which was not approved).

Once I have signed the document, it is your responsibility to submit the signed AV/DE(s) together with your initial plat/site/construction plan submittal. If the project is already in preliminary review, then you must submit the signed document before the review will be allowed to progress. Staff will require resubmittal of all plat/site/construction plan submittals that do not include the appropriate signed AV/DE documentation.

Lastly, please note that it is critical to ensure you copy all related correspondence to PW-CEIntake@hillsboroughcounty.org

Mike

Michael J. Williams, P.E.

Director, Development Review

County Engineer

Development Services Department

P: (813) 307-1851

M: (813) 614-2190

E: Williamsm@HillsboroughCounty.org

W: HCFLGov.net

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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

From: Tirado, Sheida <TiradoS@hillsboroughcounty.org>
Sent: Saturday, May 27, 2023 1:14 PM
To: Williams, Michael <WilliamsM@HillsboroughCounty.ORG>
Subject: RZ PD 22-1577 - Design Exception and Administrative Variances Review
Importance: High

Hello Mike,

The attached Design exception and Administrative Variances are approvable to me. Please include the following people in your email response:

cmcneal@mcnealengineering.com
csansone@mcnealengineering.com
todd@pressmaninc.com
lampkint@hillsboroughcounty.org
ratiiffja@hillsboroughcounty.org

Best Regards,

Sheida L. Tirado, PE *(she/her/hers)*
Transportation Review Manager
Development Services Department

P: (813) 276-8364
E: tirados@HCFLGov.net
W: HCFLGov.net

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

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Supplemental Information for Transportation Related Administrative Reviews

Instructions:

- This form must be provided separately for each request submitted (including different requests of the same type).
- This form must accompany all requests for applications types shown below. Staff will not log in or assign cases that are not accompanied by this form, or where the form is partially incomplete.
- A response is required in every field. Blank fields or non-responsive answers will result in your application being returned.
- All responses must be typed.
- Please contact Ingrid Padron at padroni@hcpafl.gov or via telephone at (813) 307-1709 if you have questions about how to complete this form.

Request Type (check one)	<input type="checkbox"/> Section 6.04.02.B. Administrative Variance <input checked="" type="checkbox"/> Technical Manual Design Exception Request <input type="checkbox"/> Alternative Parking Plan Request (Reference LDC Sec. 6.05.02.G3.) <input type="checkbox"/> Request for Determination of Required Parking for Unlisted Uses (Reference LDC Sec. 6.05.02.G.1. and G.2.)
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Submittal Type (check one)	<input type="checkbox"/> New Request <input checked="" type="checkbox"/> Revised Request <input checked="" type="checkbox"/> Additional Information
-----------------------------------	---

Submittal Number and Description/Running History (check one and complete text box using instructions provided below)	<input type="checkbox"/> 1. Driveway Width DE - 01/20/2023 <input type="checkbox"/> 4. <input type="checkbox"/> 2. Driveway Width DE - 02/08/2023 <input type="checkbox"/> 5. <input checked="" type="checkbox"/> 3. Driveway Width DE - 04/21/2023 <input type="checkbox"/> 6.
<p>Important: To help staff differentiate multiple requests (whether of the same or different type), please use the above fields to assign a unique submittal number/name to each separate request. Previous submittals relating to the same project/phase shall be listed using the name and number previously identified. It is critical that the applicant reference this unique name in the request letter and subsequent filings/correspondence. If the applicant is revising or submitting additional information related to a previously submitted request, then the applicant would check the number of the previous submittal.</p>	

Project Name/ Phase	Mixed Use Residential AC/Heat
<p>Important: The name selected must be used on all future communications and submittals of additional/revised information relating to this variance. If request is specific to a discrete phase, please also list that phase.</p>	

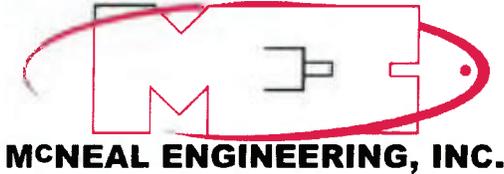
Folio Number(s)	047616.0000
	<input type="checkbox"/> Check This Box If There Are More Than Five Folio Numbers
<p>Important: List all folios related to the project, up to a maximum of five. If there are additional folios, check the box to indicate such. Folio numbers must be provided in the format provided by the Hillsborough County Property Appraiser's website (i.e. 6 numbers, followed by a hyphen, followed by 4 additional numbers, e.g. "012345-6789"). Multiple records should be separated by a semicolon and a space e.g. "012345-6789; 054321-9876").</p>	

Name of Person Submitting Request	Christopher S. McNeal, PE
<p>Important: For Design Exception (DE) Requests, the person submitting must be a Professional Engineer (PE) licensed within the state of Florida. The DE request letter must be signed and sealed.</p>	

Current Property Zoning Designation	ASC-1
<p>Important: For Example, type "Residential Multi-Family Conventional - 9" or "RMC-9". This is not the same as the property's Future Land Use (FLU) Designation. Typing "N/A" or "Unknown" will result in your application being returned. This information may be obtained via the Official Hillsborough County Zoning Atlas, which is available at https://maps.hillsboroughcounty.org/maphillsborough/maphillsborough.html. For additional assistance, please contact the Zoning Counselors at the Center for Development Services at (813) 272-5600 Option 3.</p>	

Pending Zoning Application Number	PD 22-1577
<p>Important: If a rezoning application is pending, enter the application number preceded by the case type prefix, otherwise type "N/A" or "Not Applicable". Use PD for PD rezoning applications, MM for major modifications, PRS for minor modifications/personal appearances.</p>	

Related Project Identification Number (Site/Subdivision Application Number)	N/A
<p>Important: This 4-digit code is assigned by the Center for Development Services Intake Team for all Certified Parcel, Site Construction, Subdivision Construction, and Preliminary/Final Plat applications. If no project number exists, please type "N/A" or "Not Applicable".</p>	



Hillsborough County
Development Services
601 E Kennedy Blvd 20th Floor
Tampa, FL 33602

Re: **MIXED USE - RESIDENTIAL &
CONTRACTOR'S OFFICE**
3826 S 78th Street, Hillsborough
Folio #047616.0000
PD 22-1577

Attn: Mr. Michael J. Williams, PE
County Engineer

MEI File #22-087
April 21, 2023

REQUEST FOR DESIGN EXCEPTION

Mr. Williams,

The applicant is requesting a rezoning of folio # 040716.0000 consisting of approximately 1.4 acres from ASC-1 to PD for a Residential AC/Heat Business. The project is located at 3826 South 78th Street, Tampa. In anticipation of the Zoning Review Process, we are requesting a Design Exception per TTM Section 1.7 Typical Sections to reduce the proposed commercial driveway/drive aisle width which is intended to improve the existing access up to an acceptable width.

Driveway Width - Request made for the driveway width to be reduced to 20 feet for residential lanes instead of 24 feet for commercial uses, as per TD-7 of the Hillsborough County Transportation Technical Manual. Given the lower trip generation of the proposed use and the design vehicle, there is no conflict at the driveway with two-way directional traffic. See Figure 1 below which depicts maneuvering capabilities within the 20-foot wide section of the driveway/drive aisle.

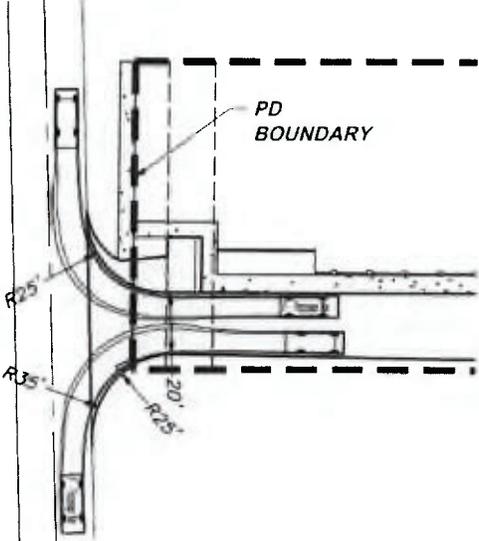


Figure 1: Vehicle Tracking Exhibit

Mr. Michael Williams, PE
MIXED USE - RESIDENTIAL & CONTRACTOR'S OFFICE
MEI File #22-087
April 21, 2023
Page 2 of 4

Additionally, this width is required for a limited area after which the driveway/drive aisle width is increased to 22 feet at the internal parking area. See **General Site Plan** attached.

The client's intent is to remove a portion of the existing structure, specifically the existing attached garage, to allow for the wider drive entrance (and pedestrian site accessibility) which is currently provided with a 14.3 foot driveway. A 20-foot driveway/drive aisle width (and 6-foot sidewalk) would provide safer ingress egress access and allow for a small border and buffer between both the remainder of the structure and the southern property line. In addition, an easement for a future shared/cross access will be provided for the adjacent southern property in the event the southern property is rezoned to commercial use. At that time, the access could be widened by the southern property owner to provide a combined improved access for both properties meeting the standard criteria.

A 24-foot driveway width would be a financial hardship to the client as it would require more existing structure removal, and may render the remainder of the building unusable, and the project financially unfeasible. In addition, the roadway width on South 78th Street, which is a Collector Road, is 22 feet. It would seem atypical to require this driveway/drive aisle to be wider than the adjacent Collector Road. In addition, there are no reported crashes within 1,000 feet in either direction on South 78th Street near this driveway/drive aisle location. See attached **crash report**.

We trust that this will be sufficient and approvable for the PD Zoning request. If you have questions, or need additional information, please feel free to contact our office at the phone number listed. Thank you very much for your consideration and assistance.

Sincerely,



Christopher S. McNeal, PE
MCNEAL ENGINEERING, INC.

attchs

c: Christopher Eubanks *via* email
Todd Pressman *via* email

Seal



Digitally signed by Christopher S McNeal
DN: CN=Christopher S McNeal,
dnQualifier=A01410C0000180D8F65FF8000C722C,
O=McNeal Engineering Inc, C=US
Reason: I have reviewed this document
Date: 2023.04.21 14:56:29-04'00'

*Christopher S. McNeal,
State of Florida,
Professional Engineer,
License No. 56193*

*This item has been digitally
signed and sealed by
Christopher S. McNeal, PE on
04/21/2023.*

*Printed copies of this document
are not considered signed and
sealed and signature must be
verified on any electronic copies.*

Mr. Michael Williams, PE
MIXED USE - RESIDENTIAL & CONTRACTOR'S OFFICE
MEI File #22-087
April 21, 2023
Page 3 of 4

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

_____ Approved

_____ Approved with Conditions

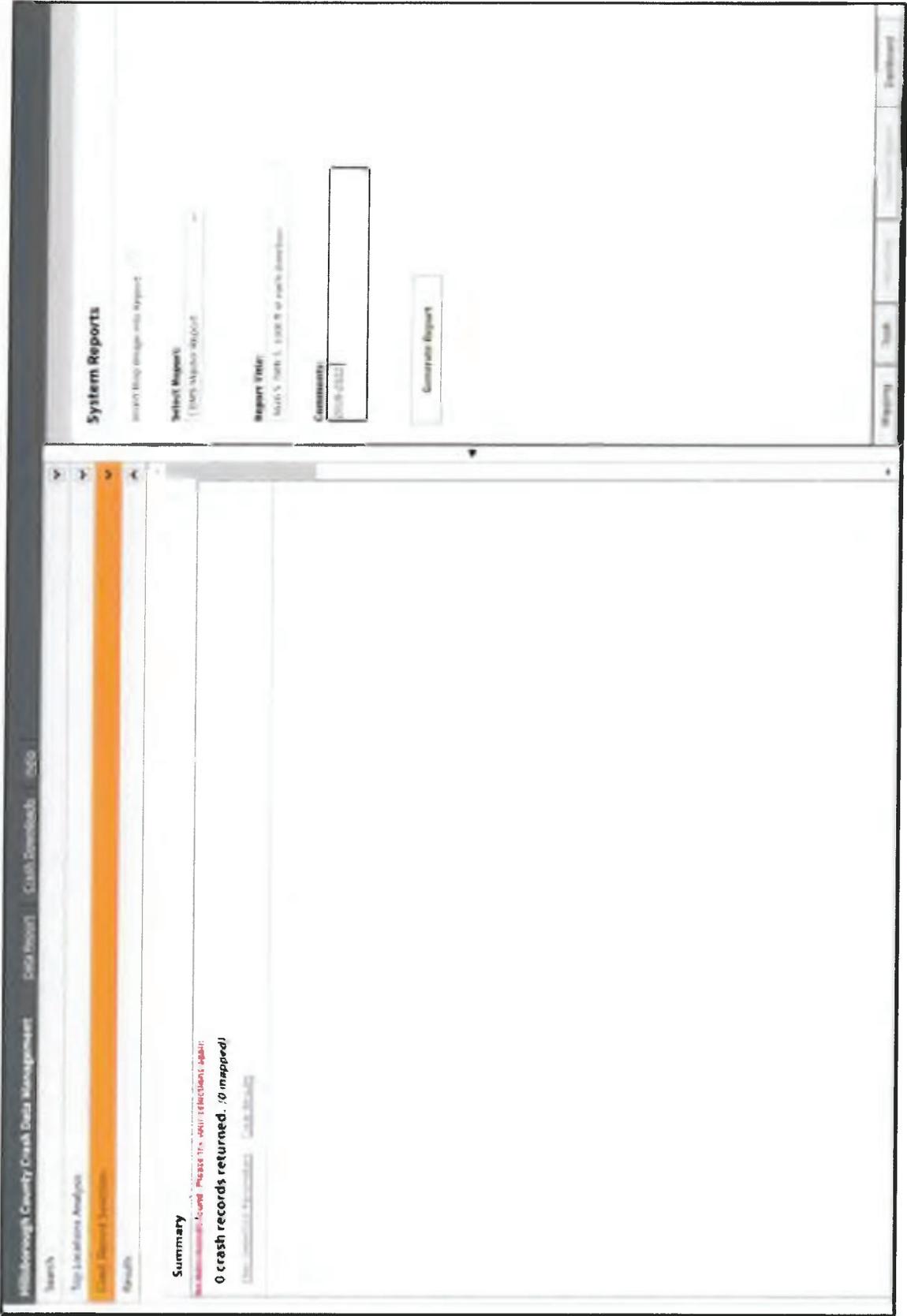
_____ Disapproved

If there are any further questions or you need clarification, please contact Sheida Tirado, PE, at (813) 276-8364.

Sincerely,

Michael J. Williams, PE
Hillsborough County Engineer

Mr. Michael Williams, PE
MIXED USE - RESIDENTIAL & CONTRACTOR'S OFFICE
MEI File #22-087
April 21, 2023
Page 4 of 4





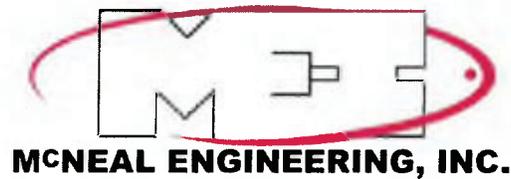
**Hillsborough
County Florida**
Development Services

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Request Type (check one)	<input checked="" type="checkbox"/> Section 6.04.02.B. Administrative Variance <input type="checkbox"/> Technical Manual Design Exception Request <input type="checkbox"/> Alternative Parking Plan Request (Reference LDC Sec. 6.05.02.G3.) <input type="checkbox"/> Request for Determination of Required Parking for Unlisted Uses (Reference LDC Sec. 6.05.02.G.1. and G.2.)
Submittal Type (check one)	<input type="checkbox"/> New Request <input checked="" type="checkbox"/> Revised Request <input checked="" type="checkbox"/> Additional Information
Submittal Number and Description/Running History (check one and complete text box using instructions provided below)	<input type="checkbox"/> 1. Ex Facilities AV - 01/20/2023 <input type="checkbox"/> 4. <input type="checkbox"/> 2. Ex Facilities AV - 03/8/2023 <input type="checkbox"/> 5. <input checked="" type="checkbox"/> 3. Ex Facilities AV - 04/21/2023 <input type="checkbox"/> 6.
<p>Important: To help staff differentiate multiple requests (whether of the same or different type), please use the above fields to assign a unique submittal number/name to each separate request. Previous submittals relating to the same project/phase shall be listed using the name and number previously identified. It is critical that the applicant reference this unique name in the request letter and subsequent filings/correspondence. If the applicant is revising or submitting additional information related to a previously submitted request, then the applicant would check the number of the previous submittal.</p>	
Project Name/ Phase	Mixed Use Residential AC/Heat
<p>Important: The name selected must be used on all future communications and submittals of additional/revised information relating to this variance. If request is specific to a discrete phase, please also list that phase.</p>	
Folio Number(s)	047616.0000
	<input type="checkbox"/> Check This Box If There Are More Than Five Folio Numbers
<p>Important: List all folios related to the project, up to a maximum of five. If there are additional folios, check the box to indicate such. Folio numbers must be provided in the format provided by the Hillsborough County Property Appraiser's website (i.e. 6 numbers, followed by a hyphen, followed by 4 additional numbers, e.g. "012345-6789"). Multiple records should be separated by a semicolon and a space e.g. "012345-6789; 054321-9876").</p>	
Name of Person Submitting Request	Christopher S. McNeal, PE
<p>Important: For Design Exception (DE) Requests, the person submitting must be a Professional Engineer (PE) licensed within the state of Florida. The DE request letter must be signed and sealed.</p>	
Current Property Zoning Designation	ASC-1
<p>Important: For Example, type "Residential Multi-Family Conventional - 9" or "RMC-9". This is not the same as the property's Future Land Use (FLU) Designation. Typing "N/A" or "Unknown" will result in your application being returned. This information may be obtained via the Official Hillsborough County Zoning Atlas, which is available at https://maps.hillsboroughcounty.org/maphillsborough/maphillsborough.html. For additional assistance, please contact the Zoning Counselors at the Center for Development Services at (813) 272-5600 Option 3.</p>	
Pending Zoning Application Number	PD 22-1577
<p>Important: If a rezoning application is pending, enter the application number preceded by the case type prefix, otherwise type "N/A" or "Not Applicable". Use PD for PD rezoning applications, MM for major modifications, PRS for minor modifications/personal appearances.</p>	
Related Project Identification Number (Site/Subdivision Application Number)	N/A
<p>Important: This 4-digit code is assigned by the Center for Development Services Intake Team for all Certified Parcel, Site Construction, Subdivision Construction, and Preliminary/Final Plat applications. If no project number exists, please type "N/A" or "Not Applicable".</p>	



Hillsborough County
Development Services
601 E. Kennedy Blvd, 20th Fl
Tampa, FL 33602

Re: **MIXED USE RESIDENTIAL AC/HEAT**
3826 South 78th Street
Hillsborough County
Folio # 047616.0000
PD 22-1577

Attn: Mr. Michael J. Williams, PE
Hillsborough County Engineer

MEI File # 22-087
April 21, 2023

REQUEST FOR ADMINISTRATIVE VARIANCE

Mr. Williams,

We are requesting an administrative variance per Hillsborough County Land Development Code (LDC) Section 6.04.02.B for relief from Section 6.04.03.L, Existing Facilities.

Our client is requesting a Zoning Modification from ASC-1 to PD of this parcel to incorporate a Mixed-Use Residential AC/Heat Business. We understand that the proposed application is being reviewed in accordance with current code standards, and as such, are requesting a variance from the above-mentioned section regarding the Improvement of an Existing Facility. Pursuant to the Hillsborough County LDC, a request for administrative variance is to be evaluated by the issuing authority based on the following conditions: (a) there is an unreasonable burden on the applicant, (b) the variance would not be detrimental to the public health, safety, and welfare, (c) without the variance, reasonable access cannot be provided. These items are addressed below for the variance requested.

6.04.03.L Improvement of Existing Facility

South 78th Street adjacent to this this project, is a 2-lane Rural Collector Roadway, that is 22 feet in width, with open ditches and a Sidewalk on the west side of the roadway. Per Hillsborough County's TTM TS-7, the roadway is deficient 2 feet of additional roadway pavement, 8-foot stabilized shoulders with 5 feet of the shoulders paved, a Sidewalk on the east side of the road, and sufficient Right-of-Way. The posted speed is 45 MPH. The surrounding land use is mixed, with single family lots, subdivisions, industrial type business, and a County fire station.

Our responses to review criteria a, b, and c are as follows:

- (a) Adding 2 feet of additional lane pavement to each side of the road and a short segment of paved shoulder is a significant financial burden to the client given limited right-of-way, limited frontage, and the rural section adjacent. That said, the client has set aside 11 feet of frontage for County Right-of-Way preservation supporting possible future roadway improvements. In addition, roadside drainage improvements as well as a 5-foot sidewalk will be constructed along this parcel to be more compatible with the TTM TS-7 Typical Section.
- (b) This existing roadway of South 78th Street currently has lower-than-average traffic volumes. There are no reported crashes near this location, within 1,000 feet in either

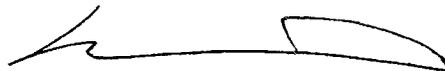
Mr. Michael J. Williams, PE
MIXED USE RESIDENTIAL AC/HEAT
MEI File # 22-087
April 21, 2023
Page 2 of 5

direction. The existing driveway is proposed to remain in its current location. (See attached crash report)

- (c) The existing roadway in its current configuration provides reasonable access for the proposed PD. Without use of the current roadway, the proposed Mixed-Use PD and future use of the parcel is not feasible.

If you have questions, or need additional information, please feel free to contact our office at the website or phone number listed. Thank you very much for your assistance.

Sincerely,



Christopher S. McNeal, PE
MCNEALENGINEERING, INC.

- c: Christopher Eubanks *via* email
Todd Pressman *via* email



Digitally signed by Christopher S McNeal
DN: CN=Christopher S McNeal,
dnQualifier=A01410C00000180D8F65FF8000C722C,
O=McNeal Engineering Inc, C=US
Reason: I have reviewed this document
Date: 2023.04.21 14:54:46-04'00'

*Christopher S. McNeal,
State of Florida,
Professional Engineer,
License No. 56193*

*This item has been digitally
signed and sealed by
Christopher S. McNeal, PE on
04/21/2023.*

*Printed copies of this document
are not considered signed and
sealed and signature must be
verified on any electronic copies.*

Mr. Michael J. Williams, PE
MIXED USE RESIDENTIAL AC/HEAT
MEI File # 22-087
April 21, 2023
Page 3 of 5

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

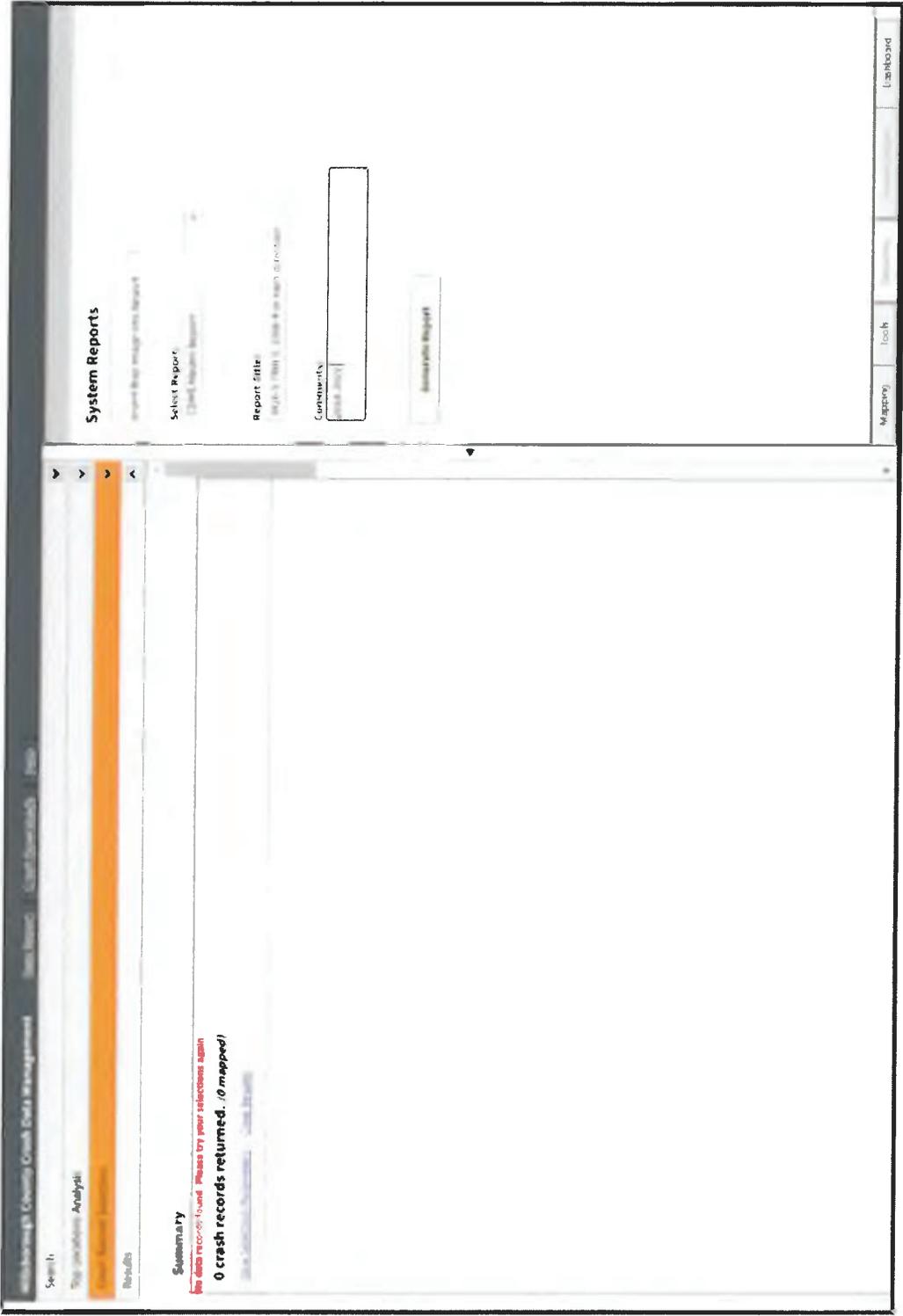
- Approved
- Approved with Conditions
- Disapproved

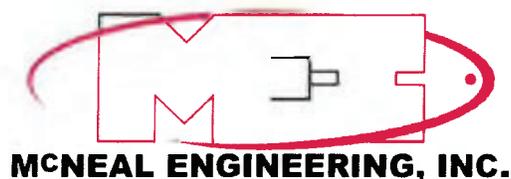
If there are any further questions or you need clarification, please contact Sheida Tirado, PE at (813) 276-8364.

Sincerely,

Michael J. Williams, PE
Hillsborough County Engineer

Mr. Michael J. Williams, PE
MIXED USE RESIDENTIAL AC/HEAT
MEI File # 22-087
April 21, 2023
Page 5 of 5





Hillsborough County
Development Services
601 E Kennedy Blvd 20th Floor
Tampa, FL 33602

Re: **MIXED USE - RESIDENTIAL &
CONTRACTOR'S OFFICE**
3826 S 78th Street, Hillsborough
Folio #047616.0000
PD 22-1577

Attn: Mr. Michael J. Williams, PE
County Engineer

MEI File # 22-087
February 7, 2023

REQUEST FOR ADMINISTRATIVE VARIANCE

Mr. Williams,

We are requesting an administrative variance per Hillsborough County Land Development Code (LDC) Section 6.04.02.B for relief from Section 6.04.07, Minimum Spacing.

Our client is requesting a Zoning Modification from ASC-1 to PD of this parcel to incorporate a Mixed-Use Residential AC/Heat Business. We understand that the proposed application is being reviewed in accordance with current code standards, and as such, are requesting a variance from the above-mentioned section for access spacing. Pursuant to the Hillsborough County LDC, a request for administrative variance is to be evaluated by the issuing authority based on the following conditions: (a) there is an unreasonable burden on the applicant, (b) the variance would not be detrimental to the public health, safety, and welfare, (c) without the variance, reasonable access cannot be provided. These items are addressed below for the variance requested.

6.04.07 Access Spacing

We are requesting a variance to reduce the required access spacing for a Class 6 roadway from 245 feet (per LDC) to approximately 124 and 226 feet for the neighboring driveways to the north, and approximately 9 and 180 feet for the neighboring driveways to the south.

South 78th Street adjacent to this this project, is a 2-lane Rural Collector Roadway, with open ditches and a Sidewalk on the west side of the roadway. The posted speed is 45 MPH. The land use is mixed, with single family lots, subdivisions, industrial type business, and a county fire station.

Our responses to review criteria a, b, and c are as follows:

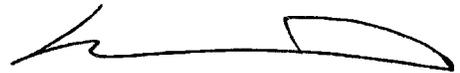
- (a) The existing driveway location would be widened and improved and not be shifted or relocated along this frontage. The client does not own additional property adjacent to this parcel to provide for a consolidation of the adjacent private driveways and cannot obtain cross access through the existing residential neighboring parcels. To expect something of that from this rezoning would be a significant financial and legal burden the client cannot bear.
- (b) The existing driveway does not produce conflicts in its current location and current access to South 78th Street. South 78th street currently operates at a level of service E, with lower traffic volumes. There are no crashes near this current access location for 1,000 feet in either direction. See attached [crash report](#).

Mr. Michael Williams, PE
MIXED USE – RESIDENTIAL & CONTRACTOR'S OFFICE
MEI File # 22-087
February 7, 2023
Page 2 of 4

- (c) The existing location of the current access would provide reasonable access for the proposed PD. Without use of the current access location, the proposed Mixed-Use PD and future use of the parcel is not feasible.

If you have questions, or need additional information, please feel free to contact our office at the website or phone number listed. Thank you very much for your assistance.

Sincerely,



Christopher S. McNeal, P.E.
MCNEALENGINEERING, INC.

attchs

c: Christopher Eubanks *via* email

Mr. Michael Williams, PE
MIXED USE – RESIDENTIAL & CONTRACTOR’S OFFICE
MEI File # 22-087
February 7, 2023
Page 3 of 4

Seal



Digitally signed by Christopher S McNeal
DN: CN=Christopher S McNeal,
dnQualifier=A01410C00000180D8F65FF8000C722C,
O=McNeal Engineering Inc, C=US
Reason: I have reviewed this document
Date: 2023.02.07 16:22:40-05'00'

Christopher S. McNeal,
State of Florida,
Professional Engineer,
License No. 56193

*This item has been digitally
signed and sealed by
Christopher S. McNeal, PE on
02/07/2023.*

*Printed copies of this document
are not considered signed and
sealed and signature must be
verified on any electronic copies.*

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

- _____ Approved
- _____ Approved with Conditions
- _____ Disapproved

If there are any further questions or you need clarification, please contact Sheida Tirado, PE at (813) 276-8364.

Sincerely,

Mr. Michael J. Williams, PE
County Engineer

Mr. Michael Williams, PE
MIXED USE – RESIDENTIAL & CONTRACTOR'S OFFICE
MEI File # 22-087
February 7, 2023
Page 4 of 4

The screenshot displays a web application interface. At the top, there is a navigation bar with links for 'Home', 'Data Report', 'Data Dashboard', and 'Help'. Below this, the main content area is divided into two sections. The upper section, titled 'System Reports', contains several report links: 'Smart Map Image into Report', 'Action Report' (with a sub-link 'CADS Action Report'), 'Report Title' (with a sub-link 'Add 1, 2023 9 2023 9 for each direction'), 'Community' (with a sub-link '2023 2023'), and 'Concrete Report'. The lower section, titled 'Summary', features a red error message: 'No data returned. Please try your selections again. 0 crash records returned. (0 mapped)'. Below the error message are links for 'Data Dashboard', 'Data Report', and 'Data Dashboard'.

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
S. 78 th St.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width (for Urban Section)	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. 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
	Choose an item.	Choose an item. 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
	Choose an item.	Choose an item. 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	10	1	1
Proposed	64	10	11
Difference (+/-)	(+) 54	(+) 9	(+) 10

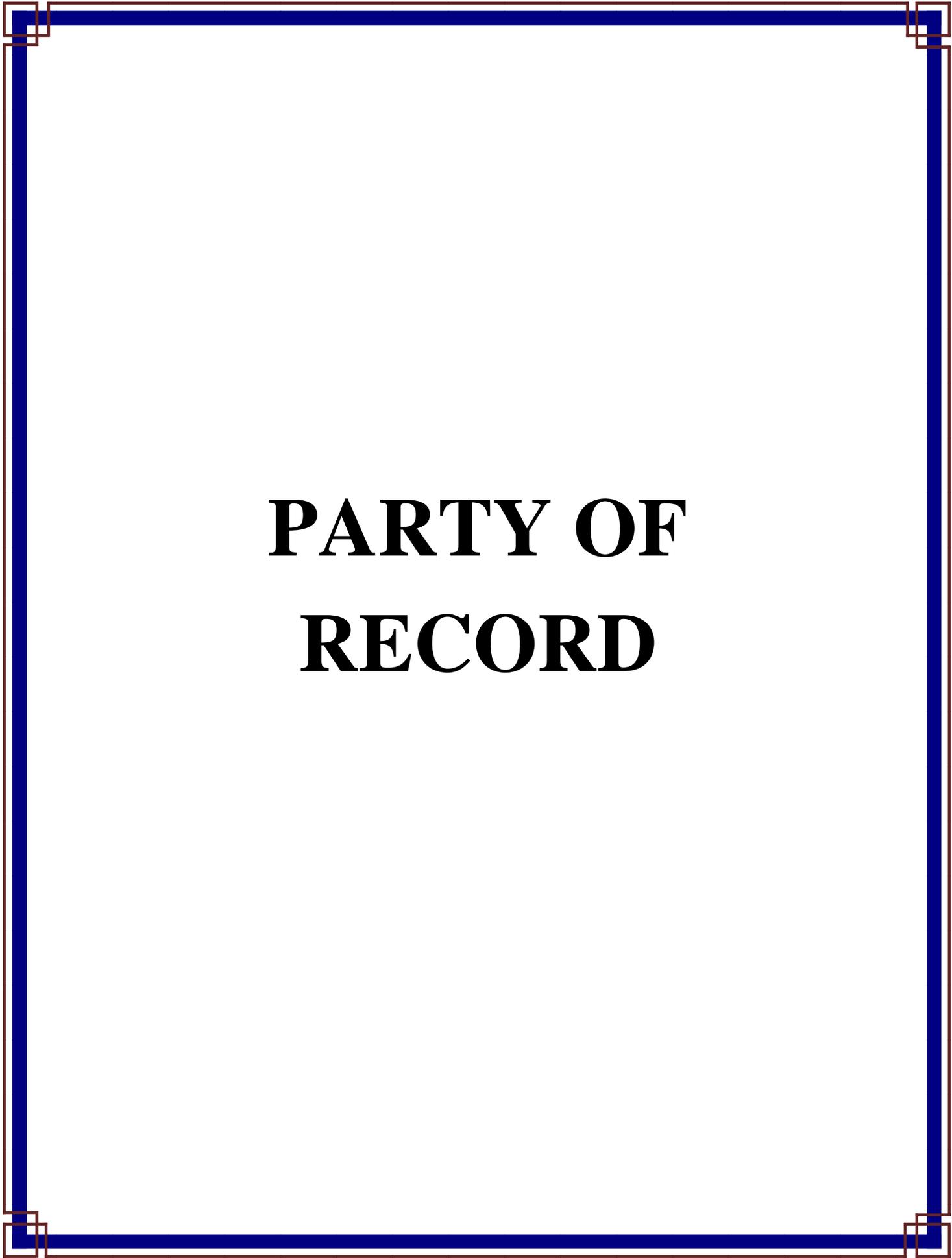
*Trips reported are based on net new external trips unless otherwise noted.

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

Design Exception/Administrative Variance <input type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
S. 78 th St./ Access Spacing	Administrative Variance Requested	Approvable
S. 78 th St./ Access Spacing	Administrative Variance Requested	Approvable
Not Applicable/ Internal Driveway Width	Design Exception Requested	Approvable
Notes:		

Transportation Comment Sheet

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



**PARTY OF
RECORD**

NONE