

**Rezoning Application:** 22-0433  
**Zoning Hearing Master Date:** September 19, 2022  
**BOCC Land Use Meeting Date:** November 3, 2022

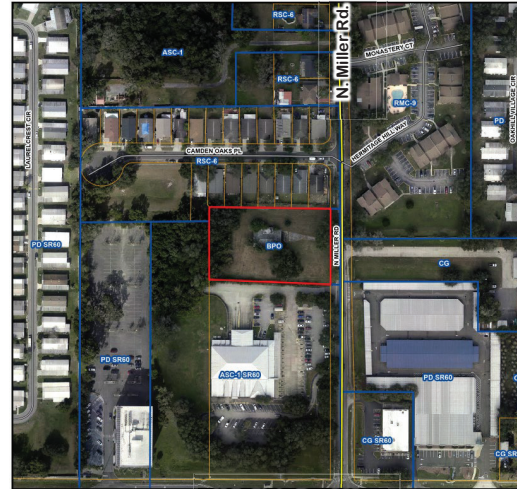


**Hillsborough  
 County Florida**

Development Services Department

**1.0 APPLICATION SUMMARY**

**Applicant:** David Wright / TSP Companies, Inc.  
**FLU Category:** Res-9  
**Service Area:** Urban  
**Site Acreage:** 1.38 acre  
**Community Plan Area:** Valrico  
**Overlay:** None  
**Request:** Rezone To Planned Development



U.S. State Road 60

Zoning:	Existing	Proposed
District(s)	BPO (05-1234)	Proposed PD 22-0944
Typical General Use(s)	Neighborhood Commercial, Office and Personal Services (CN) with restrictions to utilize the existing residential structure.	12 Townhomes
Acreage	1.38 acre	1.38 acre
Density/Intensity	Max. 0.2 FAR	9 dwelling units per acre / Min. 4,840 sq. ft. per unit (RMC-9 standard)

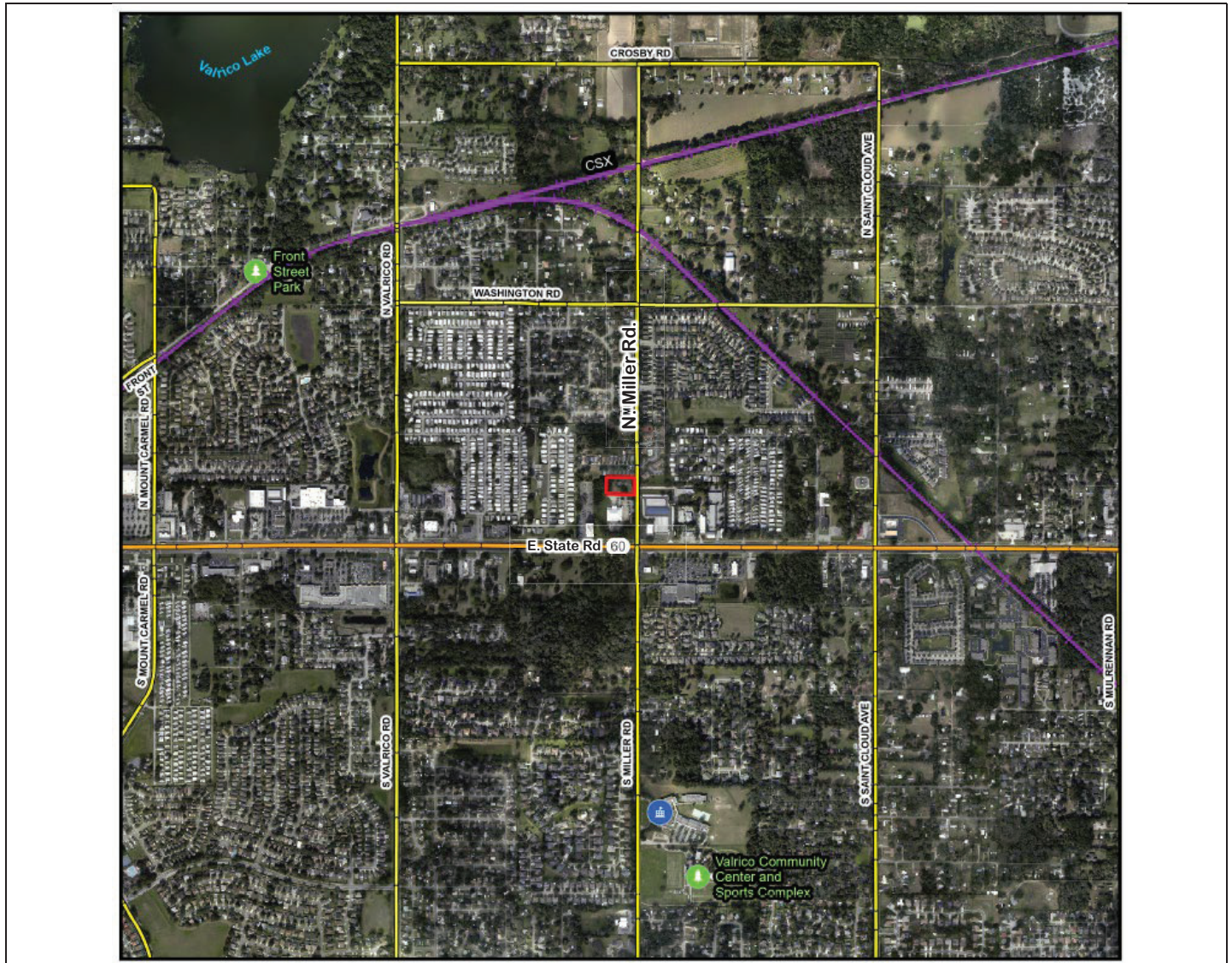
Development Standards:	Existing	Proposed
District(s)	BPO (05-1234)	Proposed PD 22-0944
Setbacks/Buffering and Screening	<b>Existing Structure:</b> Front: Approx. 120 ft. Side: Approx. 50 ft. Rear: Approx. 115 ft.	<b>Setbacks:</b> Front: 25 feet; Side: 10 feet; Rear: 20 feet <b>Buffers:</b> North and West: 5 ft. buffer/Type "B" screen. South: 20 ft. buffer / Type "B" screening
Height	Maximum 50 feet	Maximum 27 feet

Additional Information:	
PD Variations	None requested.
Waivers	Applicant is requesting a waiver of every foot over 20 ft. in height, an additional 2 feet of setback is required.

Planning Commission Recommendation	<b>Consistent</b>
Development Services Department Recommendation	<b>Approvable, with conditions</b>

## 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.1 Vicinity Map



#### Context of Surrounding Area:

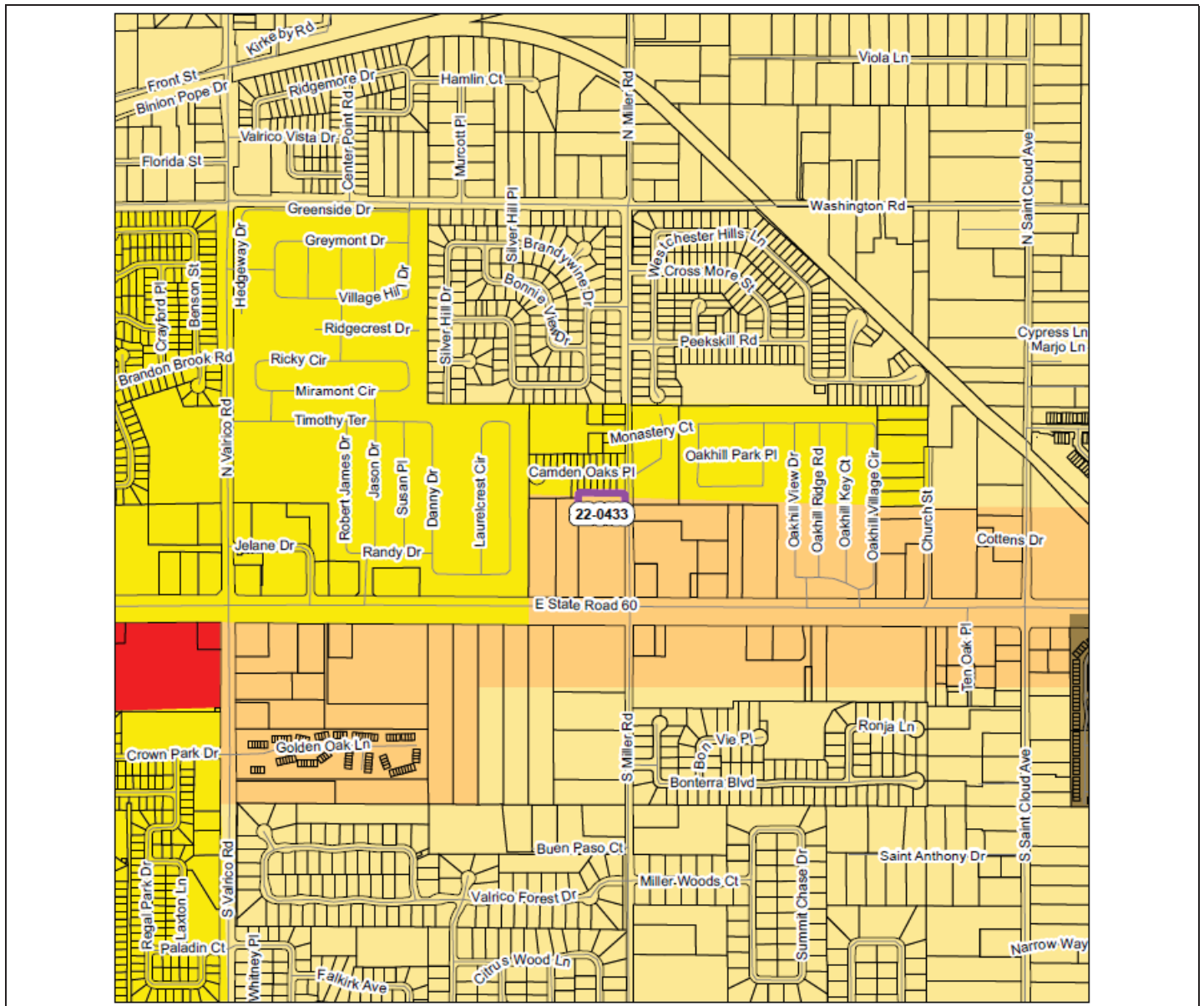
The approximately 1.38 +/- acre subject property is located approximately 525 feet north of E. State Road 60 and on the west side of N. Miller Road, within the Urban Service Area. The subject property is currently zoned as Business Professional Office (BPO), pursuant to RZ 05-1234.

ASC-1 is located to the south and west of the site. Immediately south of the subject site is developed with a post office, and the west parcel is undeveloped. RSC-6 (RZ 98-0291) is located to the north of the subject site. East of the subject site is the right-of-way for N. Miller Road. To the east RMC-12 developed with an apartment complex, and CG zoning developed with commercial. Located further north is residential; whereas, located to the south of the subject property along E. State Road 60 is more commercial development.



## 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.2 Future Land Use Map



#### Future Land Use Category Description:

RES-9

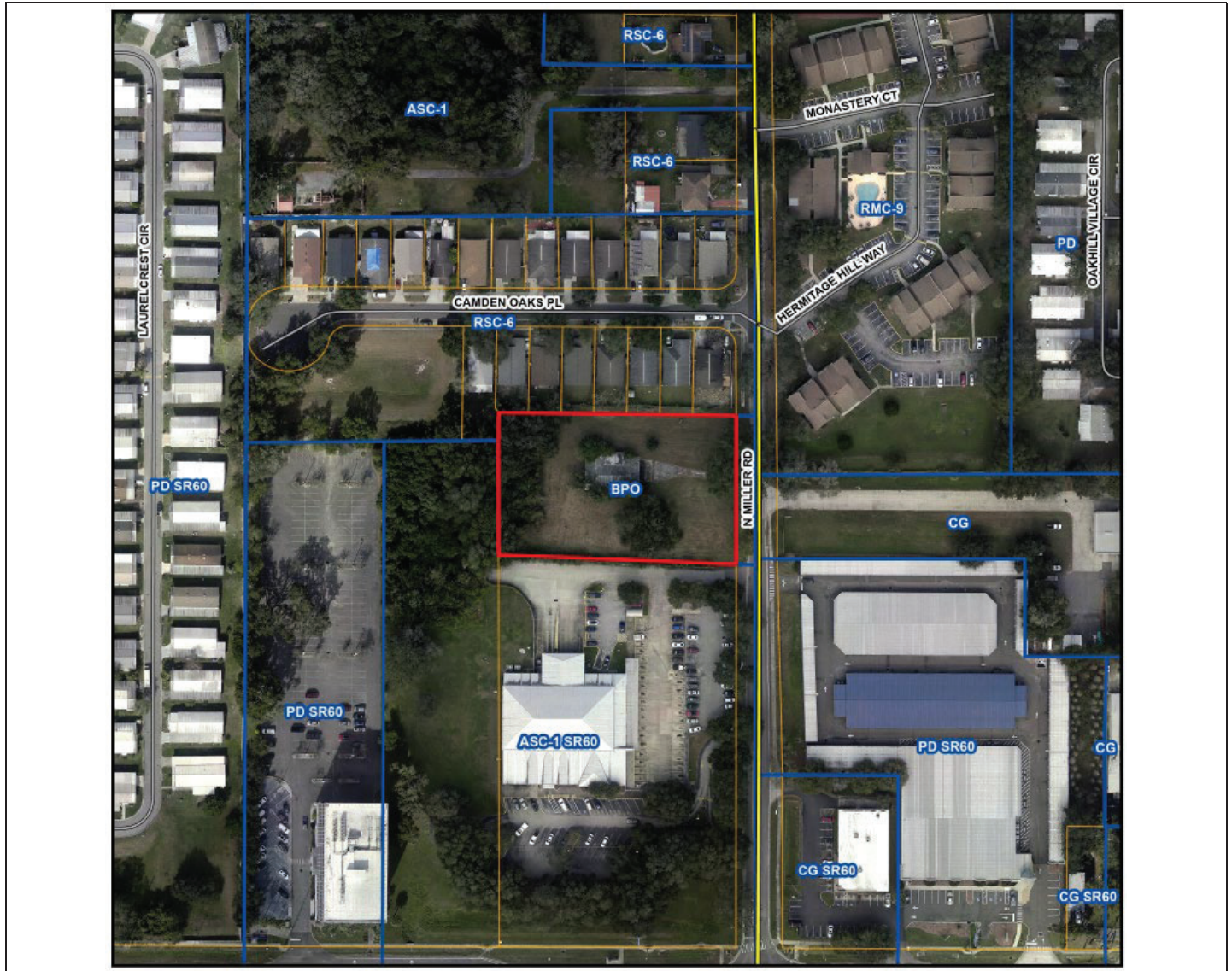
Maximum FAR: 0.35

Maximum Density: 9 Du per acre.

Typical Uses: Typical uses of Residential-9 include residential, urban commercial, offices, multi-purpose projects, mixed-use development.

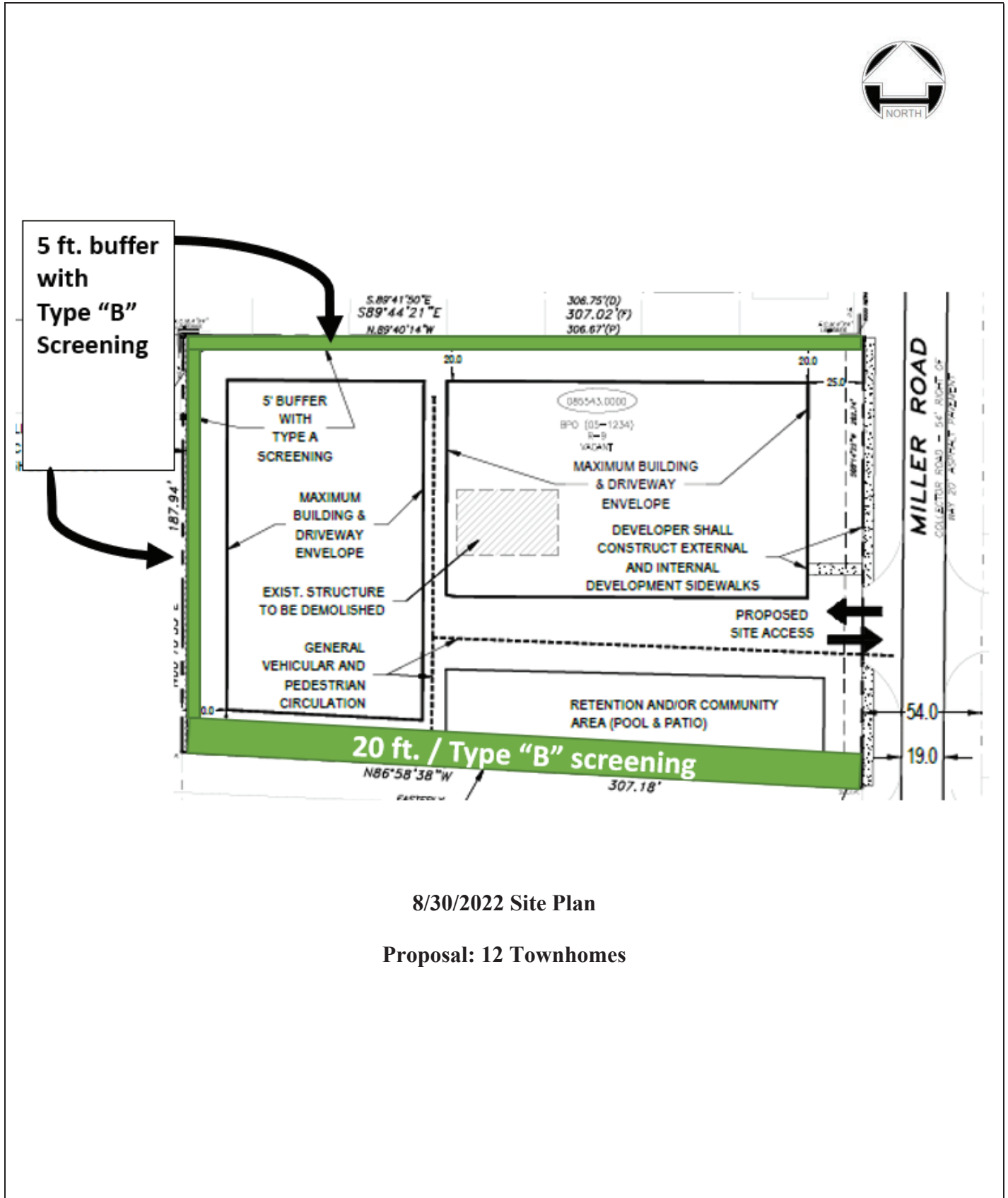
2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



Adjacent Zonings and Uses					
Location:	Zoning:	Future Land Use:	Density/F.A.R.	Permitted Use:	Existing Use:
North	RSC-6 (RZ 98-0291)	Res-9	Min. 7,000 sq. ft. lot size	Residential	Residential
South	ASC-1	Res-9	Min. 1-acre min. lot size	Residential, Single Family	Post Office
West	ASC-1	Res-9	Min. 1-acre min. lot size	Residential, Single Family	Undeveloped
East	RMC-9, CG	Res-9	RMC-9: 4,870 sq. ft. min. area per dwelling unit	CG: Commercial RMC-9: SF, MF	Multi-family Residential & commercial

2.4 Proposed Site Plan (See complete Plan in Section 7 of this report).



8/30/2022 Site Plan

Proposal: 12 Townhomes



**3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 8 OF STAFF REPORT)**

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

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	406	32	40
Proposed	88	6	7
Difference (+/-)	-318	-26	-33

\*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		None	None	Meets LDC
East	X	None	None	Meets LDC
West		None	None	Meets LDC
Notes:				

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

**4.0 Additional Site Information & Agency Comments Summary**

Transportation	Objections	Conditions Requested	Additional Information/Comments
<input type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-Site Improvements Provided	<input type="checkbox"/> Yes <input type="checkbox"/> N/A <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	10 or fewer peak hour trips are de minimis provided the roadways meet minimum life safety standards.

**4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY**

INFORMATION/REVIEWING AGENCY	OBJECTIONS	CONDITIONS REQUESTED	ADDITIONAL INFORMATION/COMMENTS
<b>Environmental:</b>			
Environmental Protection Commission	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Through this review, it appears that no wetlands or other surface waters exist onsite.
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No Comments
Conservation & Environmental Lands Mgmt.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No Comments
Check if Applicable: <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 checked="" type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____			
<b>Public Facilities:</b>			
<b>Transportation</b> <input type="checkbox"/> Design Exception Requested <input type="checkbox"/> Off-site Improvements Required	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See Transportation Report. 10 or fewer peak hour trips are de minimis provided the roadways meet minimum life safety standards.
<b>Utilities Service Area/ Water &amp; Wastewater</b> <input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The subject rezoning includes parcels that are within the Urban Service Area and would require connection to the County's potable water and wastewater systems.
<b>Hillsborough County School Board</b> Adequate <input checked="" type="checkbox"/> K-5 <input checked="" type="checkbox"/> 6-8 <input checked="" type="checkbox"/> 9-12 <input type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	See Adequate Facilities Analysis: Rezoning.

**Impact/Mobility Fees**

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

Mobility: \$8,265 \* 12 units = \$99,180

Parks: \$2,145 \* 12 units = \$25,740

School: \$8,227 \* 12 units = \$98,724

Fire: \$335 \* 12 units = \$ 4,020

Total Single Family Detached = \$227,664

Urban Mobility, Central Park/Fire - 12 Single Family Units, potential credit for prior structures on site (not included in above estimates)

**Comprehensive Plan:**

**Planning Commission**

Meets Locational Criteria     N/A

Locational Criteria Waiver Requested

Minimum Density Met     N/A

Inconsistent

Consistent

Yes

No

See Planning Commission Report.



## 5.0 IMPLEMENTATION RECOMMENDATION

### 5.1 Request and Compatibility Summary

The subject property is located on approximately 1.38 acres approximately 525 feet north of E. State Road 60 and on the west side of N. Miller Road, within the Urban Service Area. The property has a future land use designation of Residential-9 (Res-9). The subject property is currently zoned as Business Professional Office (BPO), pursuant to RZ 05-1234. The request is to rezone to PD subject to Residential Multifamily Conventional-9 (RMC-9) standards to allow up to 12 townhomes.

Nearby is a mix of uses. A Post Office is located directly to the south of the subject site. Single-Family Residential dwellings are located to the north. To the east and west of the subject are Mobile Home Parks. Located to the east is a Multi-Family Residential development. Residential single-family (RSC-6) development is located to the north of the site. To the northeast is residential multi-family (RMC-9). To the northwest and south are agricultural single-family conventional (ASC-1) zoning. The parcel to the immediate south of the subject site is developed with a post office facility. Commercial General zoning is located towards the east and at the intersection of North Miller Road and State Road 60 including an Auto Parts retail business located at the intersection of North Miller Avenue and State Road 60, along with self-storage uses.

The applicant requests a waiver to LDC Part 6.01.01, Endnote 8, to not require an additional 2 feet of setback for every 1 foot of building height above 20 feet. A 5-foot buffer with Type "A" screening (6 - foot opaque fence, wall or hedge) is required to the north and west of the subject site. The applicant proposes a 5-foot landscape buffer with Type "B" screening (Type "A" screening plus evergreen trees, 10 feet tall at planting, planted on 20 foot centers) to provide additional screening to the north and west to mitigate the request to not require the additional two feet of setback for one foot of building height above 20 feet. The applicant proposes a 20 ft. buffer with Type "B" screening along the southern property boundary, meeting the requirements of the Land Development Code. Staff finds the waiver supportable with the applicant proposed additional screening.

The site will comply with and conform to all other applicable policies and regulations, including but not limited to, the Hillsborough County Land Development Code, Site Development and Technical Manuals.

The property lies with the Urban Service Area and would require connection to the County's potable water and wastewater systems. A four-inch wastewater force main exists adjacent to the site and is located within the west right-of-way of N. Miller Road. An eight-inch water main exists approximately 50 feet from the site and is located east of the subject property within the east right-of-way of N. Miller Road.

### 5.2 Recommendation

Staff finds that the project is consistent with the Comprehensive Plan and regulations of the Hillsborough County Land Development Code. Based on these considerations, staff supports the request with conditions.

## 6.0 PROPOSED CONDITIONS

Prior to PD Site Plan Certification, the applicant shall revise the PD site plan to:

- The applicant shall update the “6 ft. landscape buffer...” reference and replace with “20’ landscape buffer with Type “B” screening”.
- The applicant shall update the “5 ft. buffer with Type A screening” to “5 ft. buffer with Type B screening” along the north and west property boundary.
- The applicant shall revise proposed PD site plan General Notes # 19. to state “The internal project drives will be private and designed consistent with the County LDC and TTM standards.

**Approval of the request, subject to the conditions listed below, is based on the general site plan submitted August 30, 2022.**


1. Development shall be limited to twelve (12) attached townhome dwelling units, developed in compliance with RMC-9 standards, unless specified herein.
  - 1.1 The following additional standards shall apply to the development.
    - Minimum Building Separation: 12.5 feet
2. The subject property shall be subject to buffering and screening requirements of Section 6.06.06 of the Hillsborough County Land Development Code. In addition, the following enhanced landscaping and vertical screening requirements apply.
  - 2.1 A minimum of 5-foot-wide Landscaping with Type “B” Screening Area shall be provided along the perimeter of the north and west property boundary.
3. The developer shall construct a sidewalk along the project frontage on N. Miller Rd.
4. Notwithstanding anything shown on the site plan, the developer shall provide ADA compliant sidewalk connections between principal building entrances, parking areas, amenity areas and site arrival points.
5. Notwithstanding anything shown on the site plan, internal private drive aisles shall be designed consistent with the County Transportation Technical Manual.
6. Notwithstanding anything shown on the site plan, the developer shall be permitted to provide bicycle and pedestrian access anywhere along the project boundaries.
7. If the notes and/or graphics 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.
8. 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.
9. 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, re-certification of the PD General Site Plan shall be required in accordance with provisions set forth in LDC Section 5.03.07.C.

**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.

**Zoning Administrator Sign Off:**

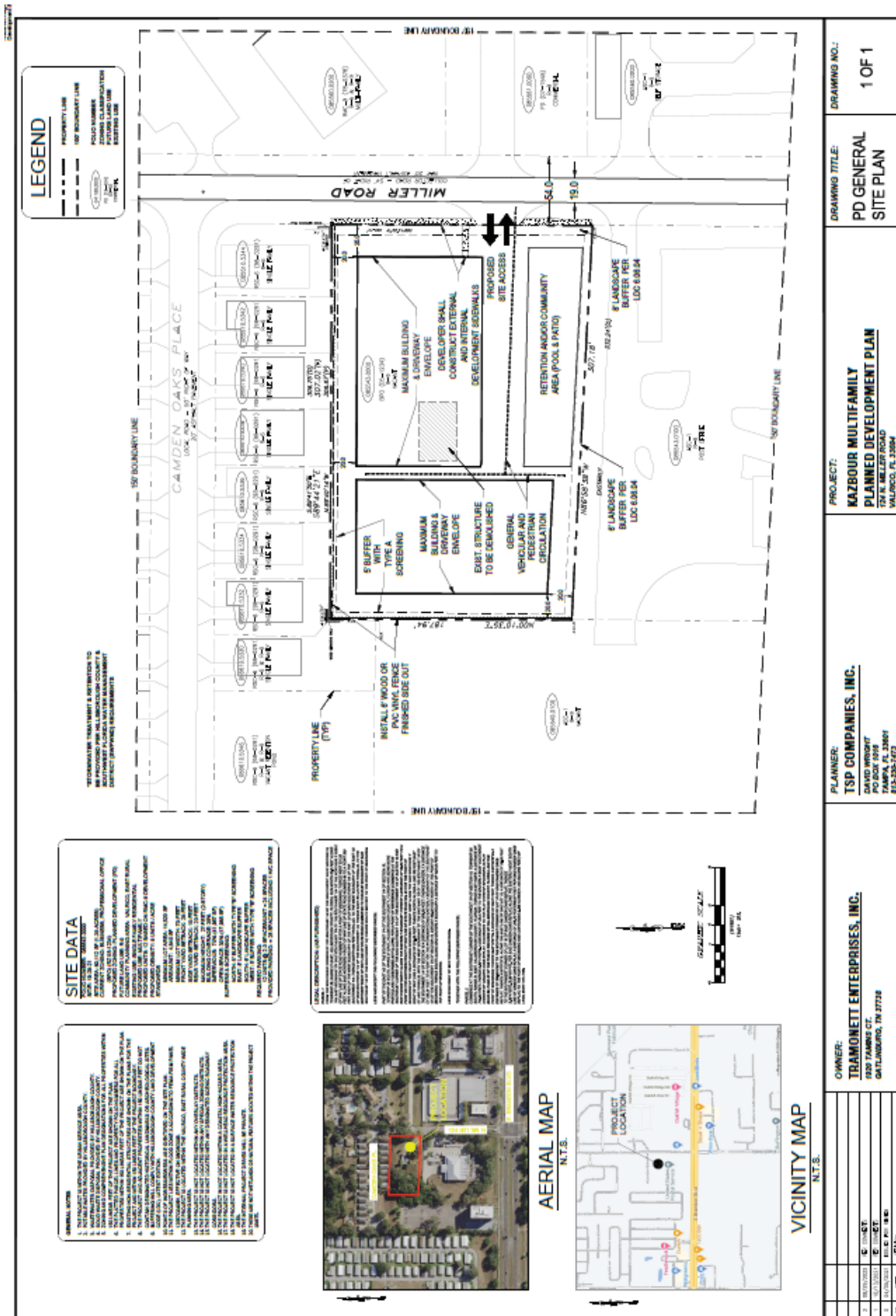


J. Brian Grady  
Fri Sep 9 2022 15:22:35



7.0 ADDITIONAL INFORMATION

Complete Site Plan



**APPLICATION NUMBER: PD 22-0433**

ZHM HEARING DATE: September 19, 2022

BOCC LUM MEETING DATE: November 3, 2022

Case Reviewer: Tim Lampkin, AICP

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## **8.0 FULL TRANSPORTATION REPORT**

## AGENCY REVIEW COMMENT SHEET

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**TO:** Zoning Technician, Development Services Department  
**REVIEWER:** Richard Perez, AICP  
**PLANNING AREA:** Valrico / Central

**DATE:** 09/06/2022  
**AGENCY/DEPT:** Transportation  
**PETITION NO:** PD 22-0433

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- 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**

- The developer shall construct a sidewalk along the project frontage on N. Miller Rd.
- Notwithstanding anything shown on the site plan, the developer shall provide ADA compliant sidewalk connections between principal building entrances, parking areas, amenity areas and site arrival points.
- Notwithstanding anything shown on the site plan, internal private drive aisles shall be designed consistent with the County Transportation Technical Manual.
- Notwithstanding anything shown on the site plan, the developer shall be permitted to provide bicycle and pedestrian access anywhere along the project boundaries.

### *OTHER CONDITIONS:*

- Prior to site plan certification, the applicant shall revise proposed PD site plan General Notes # 19. to state “The internal project drives will be private and designed consistent with the County LDC and TTM standards.

### **PROJECT SUMMARY AND ANALYSIS**

The applicant is requesting to rezone a single parcel totaling +/- 1.33 acres from restricted BPO 05-1234 to Planned Development (PD) district to construct a 12-unit multi-family development. The site is located on the west side of N. Miller Rd., approximately 500 feet north of SR 60. The Future Land Use designation of the site is Residential 6 (R-6) and Residential 9 (R-9).

#### ***Trip Generation Analysis***

The applicant submitted a trip generation analysis as required by the Development Review Procedures Manual (DRPM). Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer’s Trip Generation Manual, 10<sup>th</sup> Edition.



**Approved Zoning:**

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
BPO 05-1234: 11,674 sf, Medical Office	<b>406</b>	<b>32</b>	<b>40</b>

**Proposed Zoning:**

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD: 12 units, Multifamily – Low-rise (ITE 220)	<b>88</b>	<b>6</b>	<b>7</b>

**Trip Generation Difference:**

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference (+/-)</b>	<b>-318</b>	<b>-26</b>	<b>-33</b>

The proposed rezoning would result in a decrease in trips potentially generated by development of the subject site by 318 average daily trips, 26 trips in the a.m. peak hour, and 33 trips in the p.m. peak hour.

Staff notes that the project will generate less than 10 peak hour trips. Per policy of the County Engineer projects generating 10 or fewer total peak hour trips are considered de minimis and not subject to substandard roadway improvements provided the roadways meet minimum life safety standards.

**TRANSPORTATION INFRASTRUCTURE SERVING THE SITE**

N. Miller Rd is a 2-lane, undivided, substandard, collector, Hillsborough County maintained roadway with +/- 10-foot travel lanes. Along the project frontage, the roadway lies within a range of +/- 43-foot and +/- 50-foot wide right-of-way. N. Miller Rd. has a +/- 5-foot sidewalk along the eastern side and no sidewalk along the project frontage. There are no bicycle lanes or curb and gutter on either side of the roadway.

Pursuant to the Hillsborough County Transportation Technical Manual, an urban collector roadway shall meet the typical section TS-4 standard. TS-4 standard includes 11-foot-wide lanes and 7-foot buffer bicycle lanes within a minimum of 64 feet of right-of-way.

While N. Miller Rd. is a substandard collector roadway, by policy of the County Engineer projects generating 10 or fewer total peak hour trips are considered de minimis provided the roadways meet minimum life safety standards (i.e. 15 feet of pavement in a 20-foot clear area).

N. Miller Rd. is not included on the Hillsborough County Corridor Preservation Plan.

### **SITE ACCESS**

The proposed site plan provides one (1) access connection on N. Miller Rd. to align with the existing driveway access to a commercial development on the east side of N. Miller Rd.

The proposed PD site plan indicates that the internal site circulation will be served by private driveways. Said private driveway aisle widths and dead-end runs shall be designed consistent with County LDC and TTM requirements.

The developer shall construct a sidewalk along the project frontage on N. Miller Rd and ADA compliant internal sidewalk connections between principal building entrances, parking areas, amenity areas and access points.

### **LEVEL OF SERVICE (LOS)**

Miller Rd., north of SR 60, is not a regulated roadway.

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
Miller Rd.	County Local - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	406	32	40
Proposed	88	6	7
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\*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		None	None	Meets LDC
East	X	None	None	Meets LDC
West		None	None	Meets LDC
Notes:				

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

4.0 Additional Site Information & Agency Comments Summary

Transportation	Objections	Conditions Requested	Additional Information/Comments
<input type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-Site Improvements Provided	<input type="checkbox"/> Yes <input type="checkbox"/> N/A <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	10 or fewer peak hour trips are de minimis provided the roadways meet minimum life safety standards.



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

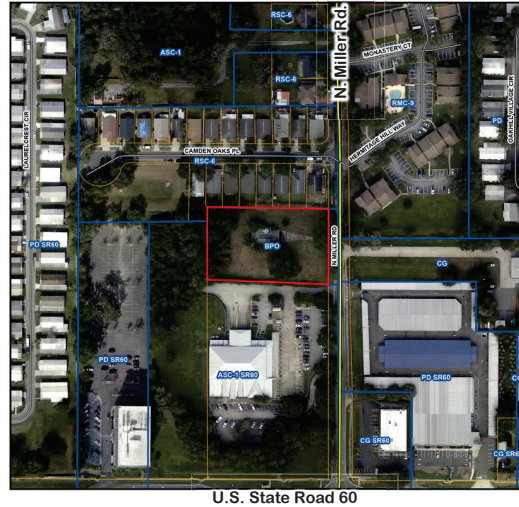
<b>Application number:</b>	RZ-PD 22-0433
<b>Hearing date:</b>	September 19, 2022
<b>Applicant:</b>	David Wright, TSP Companies, Inc.
<b>Request:</b>	Rezone to Planned Development
<b>Location:</b>	124 N. Miller Road, Valrico
<b>Parcel size:</b>	1.38 acres +/-
<b>Existing zoning:</b>	BPO
<b>Future land use designation:</b>	Res-9
<b>Service area:</b>	Urban Services Area
<b>Community planning area:</b>	N/A

**A. APPLICATION REVIEW**

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

**1.0 APPLICATION SUMMARY**

Applicant: David Wright / TSP Companies, Inc.  
 FLU Category: Res-9  
 Service Area: Urban  
 Site Acreage: 1.38 acre  
 Community Plan Area: Valrico  
 Overlay: None  
 Request: Rezone To Planned Development



U.S. State Road 60

Zoning:	Existing	Proposed
District(s)	BPO (05-1234)	Proposed PD 22-0944
Typical General Use(s)	Neighborhood Commercial, Office and Personal Services (CN) with restrictions to utilize the existing residential structure.	12 Townhomes
Acreage	1.38 acre	1.38 acre
Density/Intensity	Max. 0.2 FAR	9 dwelling units per acre / Min. 4,840 sq. ft. per unit (RMC-9 standard)

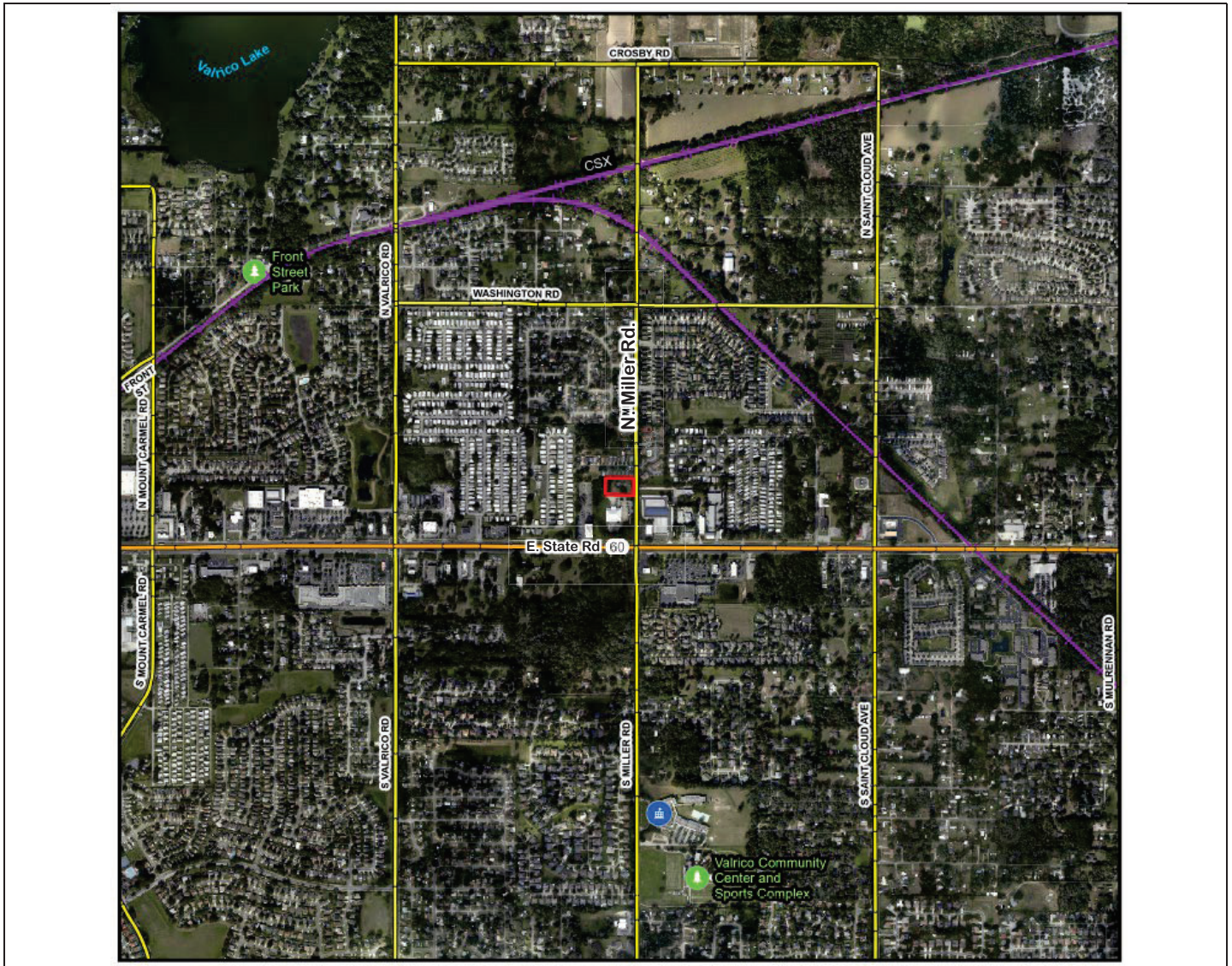
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Setbacks/Buffering and Screening	<b>Existing Structure:</b> Front: Approx. 120 ft. Side: Approx. 50 ft. Rear: Approx. 115 ft.	<b>Setbacks:</b> Front: 25 feet; Side: 10 feet; Rear: 20 feet <b>Buffers:</b> North and West: 5 ft. buffer/Type "B" screen. South: 20 ft. buffer / Type "B" screening
Height	Maximum 50 feet	Maximum 27 feet

Additional Information:	
PD Variations	None requested.
Waivers	Applicant is requesting a waiver of every foot over 20 ft. in height, an additional 2 feet of setback is required.

Planning Commission Recommendation	<b>Consistent</b>
Development Services Department Recommendation	<b>Approvable, with conditions</b>

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### 2.1 Vicinity Map



#### Context of Surrounding Area:

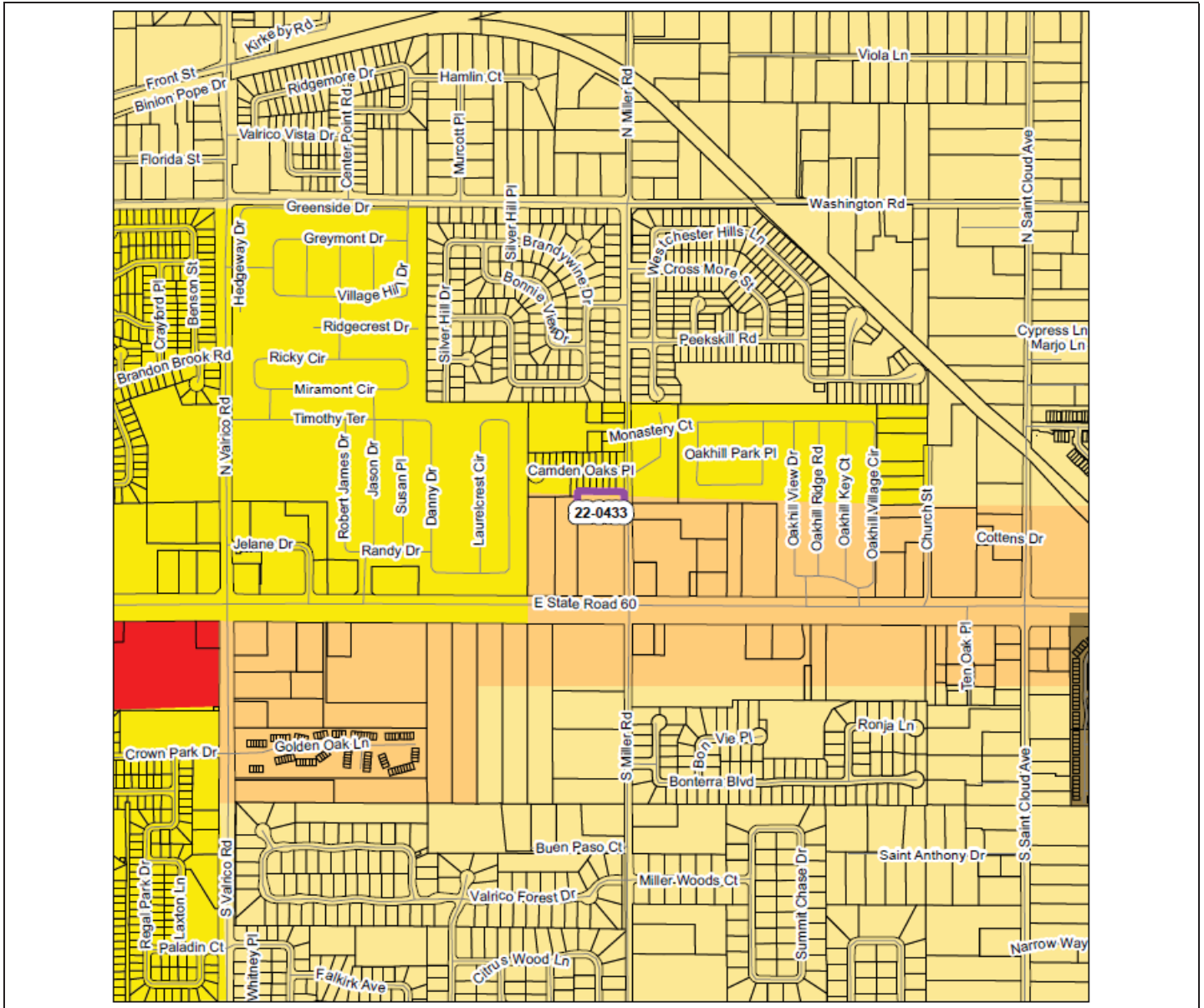
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ASC-1 is located to the south and west of the site. Immediately south of the subject site is developed with a post office, and the west parcel is undeveloped. RSC-6 (RZ 98-0291) is located to the north of the subject site. East of the subject site is the right-of-way for N. Miller Road. To the east is RMC-12 developed with an apartment complex, and CG zoning developed with commercial. Located further north is residential; whereas, located to the south of the subject property along E. State Road 60 is more commercial development.



## 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.2 Future Land Use Map



#### Future Land Use Category Description:

RES-9

Maximum FAR: 0.35

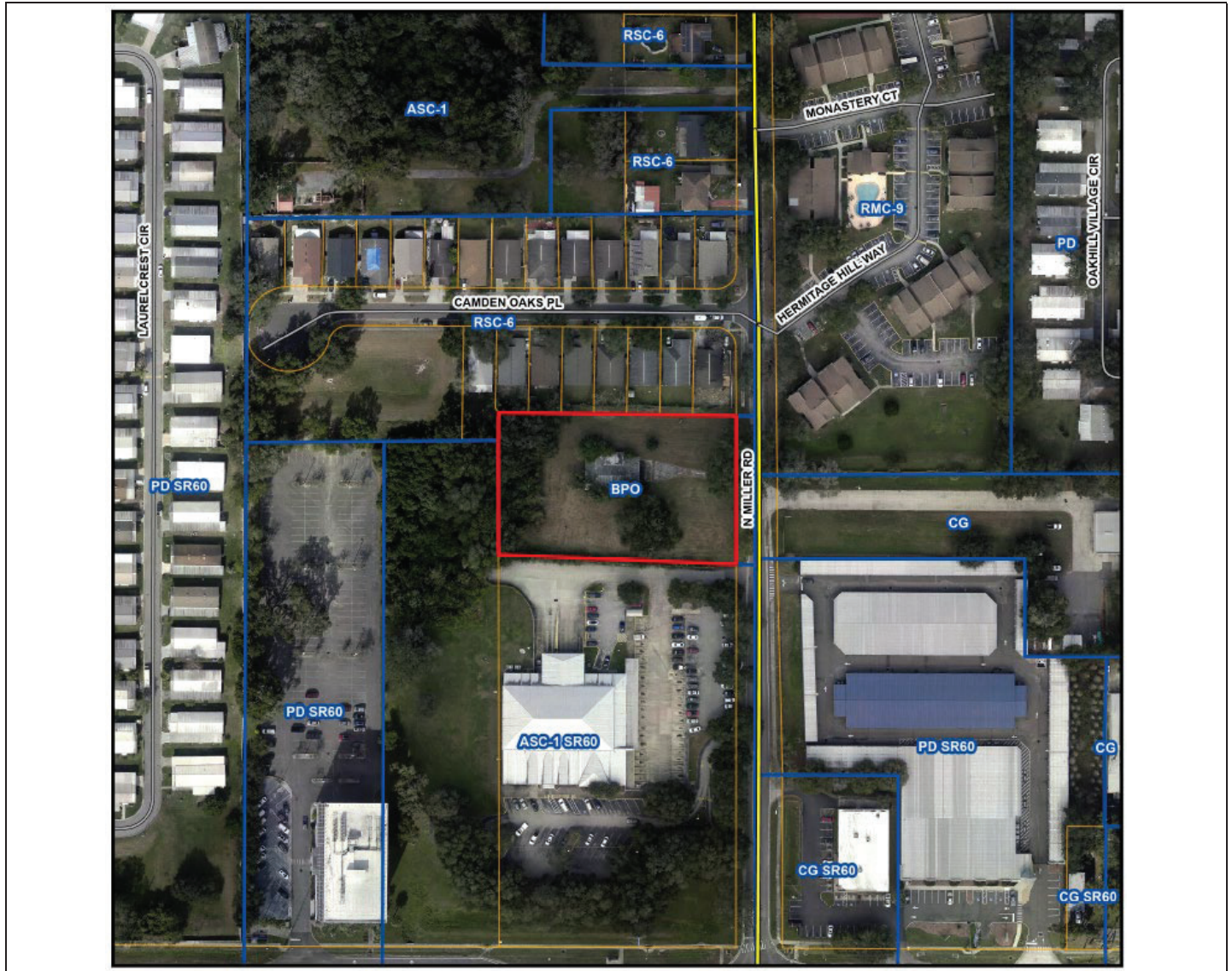
Maximum Density: 9 Du per acre.

Typical Uses: Typical uses of Residential-9 include residential, urban commercial, offices, multi-purpose projects, mixed-use development.



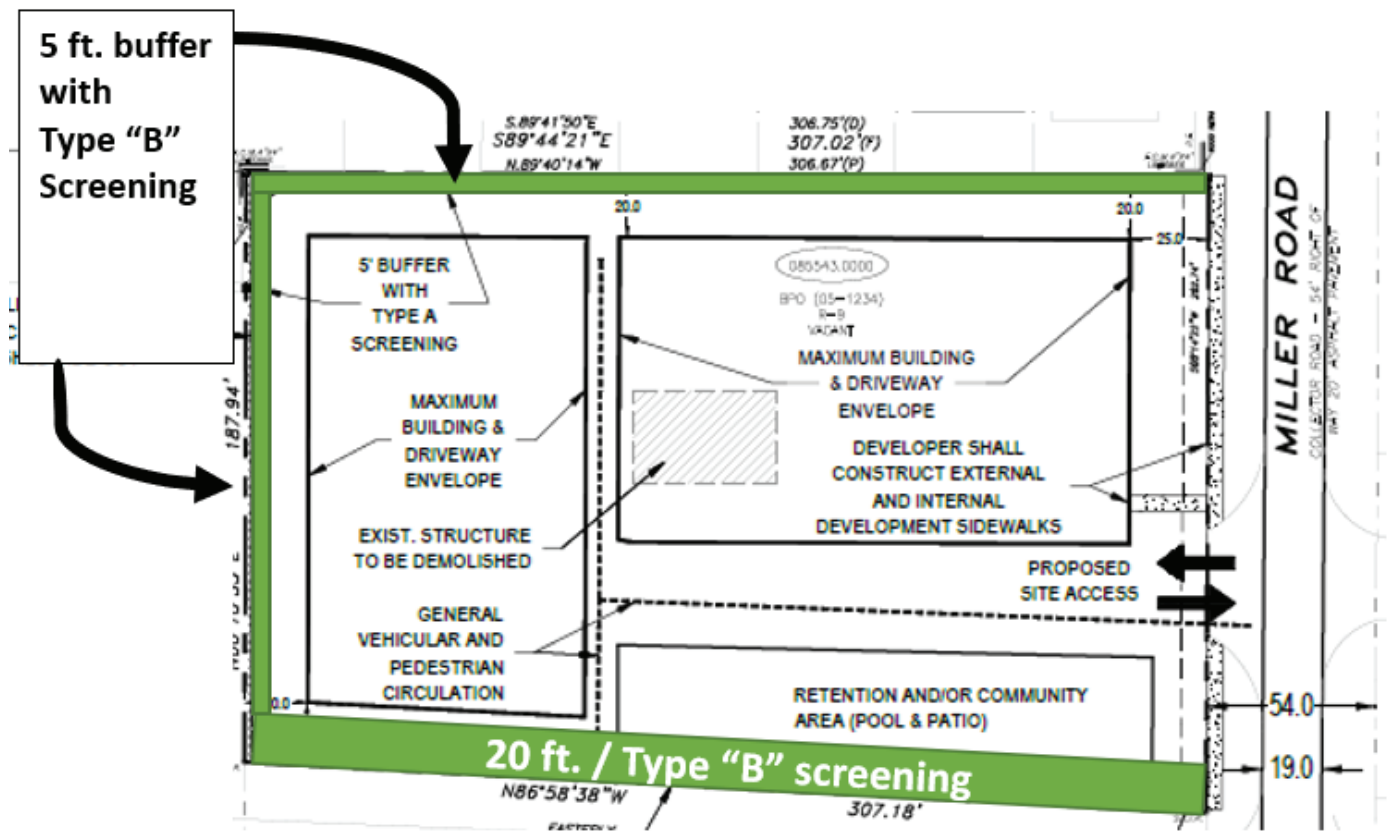
## 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.3 Immediate Area Map



Adjacent Zonings and Uses					
Location:	Zoning:	Future Land Use:	Density/F.A.R.	Permitted Use:	Existing Use:
North	RSC-6 (RZ 98-0291)	Res-9	Min. 7,000 sq. ft. lot size	Residential	Residential
South	ASC-1	Res-9	Min. 1-acre min. lot size	Residential, Single Family	Post Office
West	ASC-1	Res-9	Min. 1-acre min. lot size	Residential, Single Family	Undeveloped
East	RMC-9, CG	Res-9	RMC-9: 4,870 sq. ft. min. area per dwelling unit	CG: Commercial RMC-9: SF, MF	Multi-family Residential & commercial

2.4 Proposed Site Plan (See complete Plan in Section 7 of this report).



8/30/2022 Site Plan

Proposal: 12 Townhomes

### 3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 8 OF STAFF REPORT)

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

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	406	32	40
Proposed	88	6	7
Difference (+/-)	-318	-26	-33

\*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		None	None	Meets LDC
East	X	None	None	Meets LDC
West		None	None	Meets LDC
Notes:				

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

#### 4.0 Additional Site Information & Agency Comments Summary

Transportation	Objections	Conditions Requested	Additional Information/Comments
<input type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-Site Improvements Provided	<input type="checkbox"/> Yes <input type="checkbox"/> N/A <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	10 or fewer peak hour trips are de minimis provided the roadways meet minimum life safety standards.

**4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY**

INFORMATION/REVIEWING AGENCY	OBJECTIONS	CONDITIONS REQUESTED	ADDITIONAL INFORMATION/COMMENTS
<b>Environmental:</b>			
Environmental Protection Commission	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Through this review, it appears that no wetlands or other surface waters exist onsite.
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No Comments
Conservation & Environmental Lands Mgmt.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No Comments
Check if Applicable: <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 checked="" type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____			
<b>Public Facilities:</b>			
<b>Transportation</b> <input type="checkbox"/> Design Exception Requested <input type="checkbox"/> Off-site Improvements Required	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See Transportation Report. 10 or fewer peak hour trips are de minimis provided the roadways meet minimum life safety standards.
<b>Utilities Service Area/ Water &amp; Wastewater</b> <input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The subject rezoning includes parcels that are within the Urban Service Area and would require connection to the County's potable water and wastewater systems.
<b>Hillsborough County School Board</b> Adequate <input checked="" type="checkbox"/> K-5 <input checked="" type="checkbox"/> 6-8 <input checked="" type="checkbox"/> 9-12 <input type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	See Adequate Facilities Analysis: Rezoning.

**Impact/Mobility Fees**

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

Mobility: \$8,265 \* 12 units = \$99,180

Parks: \$2,145 \* 12 units = \$25,740

School: \$8,227 \* 12 units = \$98,724

Fire: \$335 \* 12 units = \$ 4,020

Total Single Family Detached = \$227,664

Urban Mobility, Central Park/Fire - 12 Single Family Units, potential credit for prior structures on site (not included in above estimates)

**Comprehensive Plan:****Planning Commission**

Meets Locational Criteria     N/A

Locational Criteria Waiver Requested

Minimum Density Met     N/A

Inconsistent

Consistent

Yes

No

See Planning Commission Report.



## **5.0 IMPLEMENTATION RECOMMENDATION**

### **5.1 Request and Compatibility Summary**

The subject property is located on approximately 1.38 acres approximately 525 feet north of E. State Road 60 and on the west side of N. Miller Road, within the Urban Service Area. The property has a future land use designation of Residential-9 (Res-9). The subject property is currently zoned as Business Professional Office (BPO), pursuant to RZ 05-1234. The request is to rezone to PD subject to Residential Multifamily Conventional-9 (RMC-9) standards to allow up to 12 townhomes.

Nearby is a mix of uses. A Post Office is located directly to the south of the subject site. Single-Family Residential dwellings are located to the north. To the east and west of the subject are Mobile Home Parks. Located to the east is a Multi-Family Residential development. Residential single-family (RSC-6) development is located to the north of the site. To the northeast is residential multi-family (RMC-9). To the northwest and south are agricultural single-family conventional (ASC-1) zoning. The parcel to the immediate south of the subject site is developed with a post office facility. Commercial General zoning is located towards the east and at the intersection of North Miller Road and State Road 60 including an Auto Parts retail business located at the intersection of North Miller Avenue and State Road 60, along with self-storage uses.

The applicant requests a waiver to LDC Part 6.01.01, Endnote 8, to not require an additional 2 feet of setback for every 1 foot of building height above 20 feet. A 5-foot buffer with Type "A" screening (6 - foot opaque fence, wall or hedge) is required to the north and west of the subject site. The applicant proposes a 5-foot landscape buffer with Type "B" screening (Type "A" screening plus evergreen trees, 10 feet tall at planting, planted on 20 foot centers) to provide additional screening to the north and west to mitigate the request to not require the additional two feet of setback for one foot of building height above 20 feet. The applicant proposes a 20 ft. buffer with Type "B" screening along the southern property boundary, meeting the requirements of the Land Development Code. Staff finds the waiver supportable with the applicant proposed additional screening.

The site will comply with and conform to all other applicable policies and regulations, including but not limited to, the Hillsborough County Land Development Code, Site Development and Technical Manuals.

The property lies within the Urban Service Area and would require connection to the County's potable water and wastewater systems. A four-inch wastewater force main exists adjacent to the site and is located within the west right-of-way of N. Miller Road. An eight-inch water main exists approximately 50 feet from the site and is located east of the subject property within the east right-of-way of N. Miller Road.

### **5.2 Recommendation**

Staff finds that the project is consistent with the Comprehensive Plan and regulations of the Hillsborough County Land Development Code. Based on these considerations, staff supports the request with conditions.

## 6.0 PROPOSED CONDITIONS

Prior to PD Site Plan Certification, the applicant shall revise the PD site plan to:

- The applicant shall update the “6 ft. landscape buffer...” reference and replace with “20’ landscape buffer with Type “B” screening”.
- The applicant shall update the “5 ft. buffer with Type A screening” to “5 ft. buffer with Type B screening” along the north and west property boundary.
- The applicant shall revise proposed PD site plan General Notes # 19. to state “The internal project drives will be private and designed consistent with the County LDC and TTM standards.


**Approval of the request, subject to the conditions listed below, is based on the general site plan submitted August 30, 2022.**

1. Development shall be limited to twelve (12) attached townhome dwelling units, developed in compliance with RMC-9 standards, unless specified herein.
  - 1.1 The following additional standards shall apply to the development.
    - Minimum Building Separation: 12.5 feet
2. The subject property shall be subject to buffering and screening requirements of Section 6.06.06 of the Hillsborough County Land Development Code. In addition, the following enhanced landscaping and vertical screening requirements apply.
  - 2.1 A minimum of 5-foot-wide Landscaping with Type “B” Screening Area shall be provided along the perimeter of the north and west property boundary.
3. The developer shall construct a sidewalk along the project frontage on N. Miller Rd.
4. Notwithstanding anything shown on the site plan, the developer shall provide ADA compliant sidewalk connections between principal building entrances, parking areas, amenity areas and site arrival points.
5. Notwithstanding anything shown on the site plan, internal private drive aisles shall be designed consistent with the County Transportation Technical Manual.
6. Notwithstanding anything shown on the site plan, the developer shall be permitted to provide bicycle and pedestrian access anywhere along the project boundaries.
7. If the notes and/or graphics 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.
8. 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.
9. 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, re-certification of the PD General Site Plan shall be required in accordance with provisions set forth in LDC Section 5.03.07.C.

**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.

<p><b>Zoning Administrator Sign Off:</b></p>	 <p>J. Brian Grady Fri Sep 9 2022 15:22:35</p>
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## **B. HEARING SUMMARY**

This case was heard by the Hillsborough County Land Use Hearing Officer on September 19, 2022. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

### **Applicant**

Mr. David Wright spoke on behalf of the applicant. Mr. Wright presented the rezoning request and provided testimony as reflected in the hearing transcript, a copy of which is 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 staff report previously submitted into the record.

### **Planning Commission**

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

### **Proponents**

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

### **Opponents**

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

### **Development Services Department**

Mr. Grady stated Development Services Department had nothing further.

### **Applicant Rebuttal**

Mr. Wright stated the applicant had nothing further.

The hearing officer closed the hearing RZ-PD 22-0433

## **C. EVIDENCE SUBMITTED**

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

## **D. FINDINGS OF FACT**

1. The Subject Property consists of approximately 1.38 acres at 124 N. Miller Road in Valrico, located approximately 525 feet north of E. State Road 60 on the west side of N. Miller Road.

2. The Subject Property is designated Res-9 on the Future Land Use Map and is zoned BPO.
3. The subject Property is within the Urban Services Area and is not within the boundaries a community plan.
4. Properties to the south and west of the Subject Property are zoned ASC-1. The adjacent property to the south is developed with a post office facility, and the adjacent property to the west is undeveloped. The adjacent property north of the Subject Property is zoned RSC-6 and developed with a single-family home residential subdivision. East of the Subject Property across North Miller Road is a property zoned RMC-9 developed with an apartment complex, properties zoned CG and PD developed in commercial use. Further north of the Subject Property there is more residential development, and further south along East State Road 60 is more commercial development.
5. The applicant is requesting to rezone the Subject Property to Planned Development with RMC-9 standards to allow up to twelve residential townhome units.
6. The applicant is requesting a waiver of the LDC Part 6.01.01, Endnote 8, requirement for an additional 2 feet of setback for every 1 foot of building height over 20 feet. The applicant is proposing a 5-foot landscape buffer with Type "B" screening (Type "A" screening plus evergreen trees, 10 feet tall at planting, planted on 20-foot centers) to provide additional screening along the north and west boundaries of the Subject Property to mitigate the waiver request. Development Services Department staff found the waiver supportable with the proposed enhanced screening.
7. Development Services Department staff found the proposed rezoning supportable based on the applicant's general site plan submitted August 30, 2022, with the changes and conditions set out in the staff report.
8. Planning Commission staff found the proposed rezoning would allow development that is consistent with the comprehensive plan and compatible with the existing and planned development pattern in the surrounding area.

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

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



## F. CONCLUSIONS OF LAW

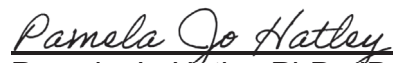
A development order is consistent with the comprehensive plan if “the land uses, densities or intensities, and other aspects of development permitted by such order...are compatible with and further the objectives, policies, land uses, and densities or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government.” § 163.3194(3)(a), Fla. Stat. (2020). Based on the evidence and testimony submitted in the record and at the hearing, including reports and testimony of Development Services Staff and Planning Commission staff, applicant’s testimony and evidence, there is substantial competent evidence demonstrating the requested Planned Development rezoning is consistent with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*, and does comply with the applicable requirements of the Hillsborough County Land Development Code.

## G. SUMMARY

The applicant is requesting to rezone the Subject Property to Planned Development with RMC-9 standards to allow up to twelve residential townhome units. The applicant is requesting a waiver of the LDC Part 6.01.01, Endnote 8, requirement for an additional 2 feet of setback for every 1 foot of building height over 20 feet. The applicant is proposing a 5-foot landscape buffer with Type “B” screening (Type “A” screening plus evergreen trees, 10 feet tall at planting, planted on 20-foot centers) to provide additional screening along the north and west boundaries of the Subject Property to mitigate the waiver request. Development Services Department staff found the waiver supportable with the proposed enhanced screening.

## H. RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, this recommendation is for **APPROVAL** of the Planned Development rezoning request subject to the changes and conditions set forth in the Development Services staff report based on the applicant’s general site plan submitted August 30, 2022.

  
Pamela Jo Hatley PhD, JD  
Land Use Hearing Officer

10-10-2022  
Date:

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, September 19, 2022

TIME: Commencing at 6:00 p.m.  
Concluding at 8:34 p.m.

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

Reported via Cisco Webex Videoconference by:

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

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HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS  
  
ZONING HEARING MASTER HEARINGS  
September 19, 2022  
ZONING HEARING MASTER: PAMELA JO HATLEY

D2:  
Application Number: RZ-PD 22-0433  
Applicant: David Wright; TSP Companies,  
Inc.  
Location: 124 N. Miller Rd.  
Folio Number: 085543.0000  
Acreage: 1.38 acres, more or less  
Comprehensive Plan: R-9  
Service Area: Urban  
Existing Zoning: BPO 05-1234  
Request: Rezone to Planned Development

1           MR. GRADY: The next item is agenda item  
2           D-2, Rezoning-PD 22-0433. The applicant is David  
3           Wright with TSP Companies, Incorporated. The  
4           request is to rezone from Business Professional  
5           Office to Planned Development.

6           Tim Lampkin will provide staff  
7           recommendation presentation -- staff recommendation  
8           after presentation by the applicant.

9           MR. WRIGHT: Good evening, again. My name  
10          is David Wright. Address is PO Box 273417, Tampa,  
11          Florida 33688.

12          As stated, this is a request to rezone a  
13          subject property from BPO to Planned Development  
14          for a residential townhome development. This would  
15          represent a transitional infill development between  
16          the existing post office to the south and the  
17          single-family detached residential to the north.

18          We are in agreement with both the Planning  
19          Commission and Development Services staff reports.  
20          We're not aware of any opposition to this request.  
21          And we respectfully request your recommendation of  
22          approval, and I'm available for any questions.  
23          Thank you.

24          HEARING MASTER HATLEY: Thank you,  
25          Mr. Wright.

1 All right. Development Services.

2 MR. LAMPKIN: Good evening. Tim Lampkin,  
3 Hillsborough County Development Services.

4 The subject property is associated with the  
5 Future Land Use designation of Residential-9. The  
6 applicant is seeking a Major Modification from a  
7 BPO to PD to allow up to 12 townhomes.

8 The approximately 1.38-acre subject property  
9 is located approximately 525 feet north of East  
10 State Road 60 and on the west side of North Miller  
11 Road within the Urban Service Area.

12 The subject property is currently zoned as  
13 BPO, Business Professional Office. AS -- nearby,  
14 ASC-1 is located to the south and west of the site.  
15 Immediately south of the subject site is developed  
16 with a post office and the west is undeveloped.

17 RSC is located to the north of the subject  
18 site. East of the subject site is the right-of-way  
19 for North Miller Road. To the east of that is  
20 RMC-12, developed with an apartment complex, and CG  
21 zoning developed with commercial.

22 Located further north is residential,  
23 whereas is located south of the subject property  
24 along east State Road 60 is more commercial  
25 development.



1           The applicant requests a waiver to LDC Part  
2           6.01.01, endnote 8 does not require additional  
3           2 feet of setback for every 1 foot of building  
4           height above 20. A 5-foot buffer with Type A  
5           screening is required north and west of the subject  
6           site.

7           The applicant proposes a 5-foot landscape  
8           buffer with Type B screening to provide additional  
9           screening to the north and west and to mitigate the  
10          request to not require the additional 2 feet of  
11          setback for every 1 foot of building height over  
12          20 feet.

13          The applicant proposes a 20-foot buffer with  
14          Type B screening along the southern property  
15          boundary, meeting the requirements of the Land  
16          Development Code.

17          Staff finds the waiver supportable with the  
18          applicant proposed additional screening. Staff  
19          finds the project is consistent with the  
20          Comprehensive Plan, the regulations of the  
21          Hillsborough County Land Development Code.

22          Based on these considerations, staff finds  
23          the request supportable with conditions. That  
24          concludes my presentation unless there are any  
25          questions.

1 HEARING MASTER HATLEY: No questions for  
2 you. Thank you.

3 Planning Commission.

4 MS. MASSEY: This is Jillian Massey with  
5 Planning Commission staff.

6 The subject site is located in the  
7 Residential-9 Future Land Use Category. It's in  
8 the Urban Service Area, and it is not located  
9 within the limits of a community plan.

10 The applicant is proposing a residential  
11 development of 12 dwelling units within the Urban  
12 Service Area. The proposed number of dwelling  
13 units meets the minimum density requirements per  
14 Policy 1.2 and is an acceptable density that we  
15 would expect to see in the Residential-9 Future  
16 Land Use Category.

17 The addition of 12 single-family dwelling  
18 units is compatible with the residential character  
19 of the surrounding area. The proposed density of  
20 residential development provides an appropriate  
21 transition from single-family residential dwellings  
22 located to the north and the post office and  
23 commercial use located to the south at the  
24 intersection of North Miller Road and State Road  
25 60.

1           The proposed development also meets the  
2           intent of Policy 16.8 and 16.10, as comparable  
3           densities and various housing types already exist  
4           in the area.

5           Goal 12 and Objective 12-1 of the Community  
6           Design Component requires new developments to be  
7           designed in a compatible way with the surrounding  
8           area. The proposed development is compatible with  
9           the existing residential uses and is an example of  
10          medium density residential development.

11          Based on these considerations, Planning  
12          Commission staff finds the proposed Planned  
13          Development consistent with the Future of  
14          Hillsborough Comprehensive Plan for unincorporated  
15          Hillsborough County subject to the conditions  
16          proposed by the Development Services Department.  
17          Thank you.

18          HEARING MASTER HATLEY: Thank you.

19          All right. Is there anyone here or online  
20          who wishes to speak in support of this application?  
21          I do not hear anyone.

22          Is there anyone here or online who wishes to  
23          speak in opposition to this application? All  
24          right. I do not hear anyone.

25          Development Services, anything further?

1 MR. GRADY: Nothing further.

2 HEARING MASTER HATLEY: All right.

3 Applicant, anything further?

4 MR. WRIGHT: No. Thank you.

5 HEARING MASTER HATLEY: All right. Thank  
6 you.

7 That closes the hearing, then, on RZ-PD  
8 22-0433.

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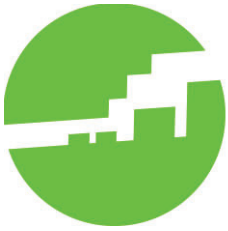
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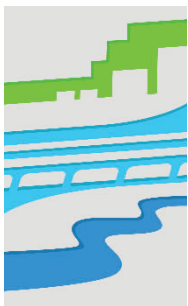
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**Hillsborough County  
City-County  
Planning Commission**

<b>Unincorporated Hillsborough County Rezoning</b>	
<b>Hearing Date:</b> September 19, 2022  <b>Report Prepared:</b> September 7, 2022	<b>Petition: PD 22-0433</b>  <b>124 North Miller Road</b>  <i>On the west side of North Miller Road, north of State Road 60.</i>
<b>Summary Data:</b>	
<b>Comprehensive Plan Finding:</b>	<b>CONSISTENT</b>
<b>Adopted Future Land Use:</b>	<b>Residential-9 (9 du/ga; 0.35 FAR)</b>
<b>Service Area</b>	<b>Urban</b>
<b>Community Plan:</b>	<b>N/A</b>
<b>Requested Zoning:</b>	Business Professional Office (BPO) to a Planned Development (PD) to develop 12 town homes with Residential Multifamily Conventional-9 (RMC-9) standards
<b>Parcel Size (Approx.):</b>	1.38 ± acres (60,112.8 square feet)
<b>Street Functional Classification:</b>	North Miller Road – <b>Collector</b> State Road 60 - <b>Arterial</b>
<b>Locational Criteria</b>	N/A
<b>Evacuation Zone</b>	None



## **Context**

- The 1.38 +/- acre subject site is located on the west side of North Miller Road, north of State Road 60. The site is located in the Urban Service Area. The subject site is not within the limits of a Community Plan.
- The subject site's Future Land Use designation is Residential-9 (RES-9) on the Future Land Use Map. Typical uses of RES-9 include residential, urban scale neighborhood commercial, office uses, multi-purpose projects and mixed use development. Non-residential uses shall meet established locational criteria for specific land use. RES-9 is located to the east, west and south of the subject site. Residential-6 is located to the north. The north tip of the subject site is shown as RES-6 on the Future Land Use Map, however Planning Commission Staff have determined that is a scrivener's error.
- The subject property is currently zoned as Business Professional Office (BPO). Residential Single Family Conventional-6 (RSC-6) is located to the north of the site. To the northeast is Residential Multi-Family Conventional-9 (RMC-9). To the northwest and south are Agricultural Single-Family Conventional-1 (ASC-1) zoning districts. Commercial General (CG) zoning districts are located towards the east and also at the intersection of North Miller Road and State Road 60. There are also Planned Developments to the east and west of the subject site.
- The subject site is currently developed with a single-family residential dwelling. A Post Office is located directly to the south of the subject site. Single-Family Residential dwellings are located to the north. To the east and west of the subject are Mobile Home Parks. Additionally to the east is a Multi-Family Residential development. An Auto Parts retail business is located at the intersection of North Miller Avenue and State Road 60, along with self-storage uses.
- The applicant is requesting to rezone the subject site from Business Professional Office (BPO) to Planned Development (PD) for the development of 12 townhomes with Residential Multifamily Conventional-9 (RMC-9) standards.

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

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

### **Future Land Use Element**

#### ***Urban Service Area***

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



### **Policy 1.2: Minimum Density**

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

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

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

### **Relationship to Land Development Regulations**

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

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

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

### **Neighborhood/Community Development**

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

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

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

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

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

**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.*

## **Community Design Component**

### **5.0 Neighborhood Level Design**

#### **5.1 Compatibility**

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

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

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

The applicant is requesting to rezone the subject site from Business Professional Office (BPO) to a Planned Development (PD) to permit the development of 12 townhomes with RMC-9 standards. The subject site’s Future Land Use classification is Residential-9 (RES-9). The subject site is in the Urban Service Area and is not within the limits of a Community Plan.

According to Appendix A of the Future Land Use Element (FLUE), the intent of the RES-9 Future Land Use Category is to “designate areas that are suitable for low-medium density residential, as well as urban scale neighborhood commercial, office, multi-purpose projects, and mixed use developments when in compliance with the Goals, Objectives, and Policies of the Land Use Element and applicable development regulations and locational criteria for specific land use”. RES-9 is located to the east, west and south of the subject site. Residential-6 (RES-6) is located to the north. The north tip of the subject site is shown as RES-6 on the Future Land Use Map; however, Planning Commission Staff have determined that is a scrivener’s error.

Objective 1 of the FLUE states that 80 percent of the growth of the county is to be within the Urban Service Area. The applicant is proposing a residential development of 12 dwelling units within the Urban Service Area. Policy 1.4 states that “Compatibility does not mean “the same as.” Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.” In this case, the subject site is in an area with a variety of residential dwelling types such as single-family, multi-family and mobile home parks. The proposed number of dwelling units is meeting minimum density as per Policy 1.2 and is acceptable per the Residential-9 Future Land Use which would allow a maximum of 12 dwelling units on 1.38 acres. The addition of 12 single-family dwelling units is compatible with the residential character of the surrounding area.

Objective 9 and Policy 9.2 require that all development in the county meet local, state and federal land development standards. The applicant is requesting a waiver to not require an additional 2 feet of setback for every 1 foot of building height above 20 feet. A Type B buffer is proposed to provide additional screening to the north and west to mitigate for the waiver request. The maximum height of the buildings will be 35 feet. A single access will be provided along North Miller Road. Transportation and Zoning have no objection and the proposed rezoning is therefore consistent with Objective 9 and Policy 9.2 of the FLUE.

The proposed development meets the intent of the Neighborhood Protection Policies of Objective 16. Policies 16.2 and 16.3 require the use of site planning techniques and the gradual transition of uses and intensities. The applicant will be providing access from North Miller Road. The proposed density of the residential development provides an appropriate transition from the single-family residential dwellings located to the north and the post office and commercial use located to the south at the intersection of North Miller Road and State Road 60. The proposed development also meets the intent of Policy 16.8, and 16.10 as comparable densities and various housing types already exist in the surrounding area which range from 4,000 square foot lots similar to the proposed development and increase to 6,000 square foot lots in the subdivisions further north. The applicant is proposing lot sizes of 4,840 square feet which is compatible with the surrounding area. There are also multi-family and mobile home parks in the general vicinity and the residential character of the area is varied in housing types provided.

The Community Design Component (CDC) in the FLUE provides policy direction about designing neighborhoods that are related to the predominant character of the area. Goal 12 and Objective 12-1 require new development to be designed in a compatible way to the surrounding area. The proposed development is compatible with the existing residential uses in the surrounding area and is an example of medium density residential development.

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

#### **Recommendation**

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





**GENERAL  
SITE PLAN  
FOR  
CERTIFICATION**



**DEVELOPMENT SERVICES**

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

**HILLSBOROUGH COUNTY  
DEVELOPMENT SERVICES DEPARTMENT**

**GENERAL SITE PLAN REVIEW/CERTIFICATION**

**BOARD OF COUNTY  
COMMISSIONERS**

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Pat Kemp

Gwendolyn "Gwen" Myers  
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Bonnie M. Wise

**COUNTY ATTORNEY**

Christine M. Beck

**INTERNAL AUDITOR**

Peggy Caskey

**DEPUTY COUNTY ADMINISTRATOR**

Gregory S. Horwedel

Project Name: Kazbour Townhomes

Zoning File: RZ-PD (22-0433) Modification: None

Atlas Page: None Submitted: 10/18/22

To Planner for Review: 10/18/22 Date Due: ASAP

Contact Person: David Wright/ TSP Companies, inc Phone: david@tspco.net

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: 10-18-22

Date Agent/Owner notified of Disapproval: \_\_\_\_\_







# **AGENCY COMMENTS**

**AGENCY REVIEW COMMENT SHEET**

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**TO:** Zoning Technician, Development Services Department  
**REVIEWER:** Richard Perez, AICP  
**PLANNING AREA:** Valrico / Central

**DATE:** 09/06/2022  
**AGENCY/DEPT:** Transportation  
**PETITION NO:** PD 22-0433

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- 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**

- The developer shall construct a sidewalk along the project frontage on N. Miller Rd.
- Notwithstanding anything shown on the site plan, the developer shall provide ADA compliant sidewalk connections between principal building entrances, parking areas, amenity areas and site arrival points.
- Notwithstanding anything shown on the site plan, internal private drive aisles shall be designed consistent with the County Transportation Technical Manual.
- Notwithstanding anything shown on the site plan, the developer shall be permitted to provide bicycle and pedestrian access anywhere along the project boundaries.

*OTHER CONDITIONS:*

- Prior to site plan certification, the applicant shall revise proposed PD site plan General Notes # 19. to state “The internal project drives will be private and designed consistent with the County LDC and TTM standards.

**PROJECT SUMMARY AND ANALYSIS**

The applicant is requesting to rezone a single parcel totaling +/- 1.33 acres from restricted BPO 05-1234 to Planned Development (PD) district to construct a 12-unit multi-family development. The site is located on the west side of N. Miller Rd., approximately 500 feet north of SR 60. The Future Land Use designation of the site is Residential 6 (R-6) and Residential 9 (R-9).

***Trip Generation Analysis***

The applicant submitted a trip generation analysis as required by the Development Review Procedures Manual (DRPM). Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer’s Trip Generation Manual, 10<sup>th</sup> Edition.

**Approved Zoning:**

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
BPO 05-1234: 11,674 sf, Medical Office	<b>406</b>	<b>32</b>	<b>40</b>

**Proposed Zoning:**

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD: 12 units, Multifamily – Low-rise (ITE 220)	<b>88</b>	<b>6</b>	<b>7</b>

**Trip Generation Difference:**

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference (+/-)</b>	<b>-318</b>	<b>-26</b>	<b>-33</b>

The proposed rezoning would result in a decrease in trips potentially generated by development of the subject site by 318 average daily trips, 26 trips in the a.m. peak hour, and 33 trips in the p.m. peak hour.

Staff notes that the project will generate less than 10 peak hour trips. Per policy of the County Engineer projects generating 10 or fewer total peak hour trips are considered de minimis and not subject to substandard roadway improvements provided the roadways meet minimum life safety standards.

**TRANSPORTATION INFRASTRUCTURE SERVING THE SITE**

N. Miller Rd is a 2-lane, undivided, substandard, collector, Hillsborough County maintained roadway with +/- 10-foot travel lanes. Along the project frontage, the roadway lies within a range of +/- 43-foot and +/- 50-foot wide right-of-way. N. Miller Rd. has a +/- 5-foot sidewalk along the eastern side and no sidewalk along the project frontage. There are no bicycle lanes or curb and gutter on either side of the roadway.

Pursuant to the Hillsborough County Transportation Technical Manual, an urban collector roadway shall meet the typical section TS-4 standard. TS-4 standard includes 11-foot-wide lanes and 7-foot buffer bicycle lanes within a minimum of 64 feet of right-of-way.

While N. Miller Rd. is a substandard collector roadway, by policy of the County Engineer projects generating 10 or fewer total peak hour trips are considered de minimis provided the roadways meet minimum life safety standards (i.e. 15 feet of pavement in a 20-foot clear area).

N. Miller Rd. is not included on the Hillsborough County Corridor Preservation Plan.

### **SITE ACCESS**

The proposed site plan provides one (1) access connection on N. Miller Rd. to align with the existing driveway access to a commercial development on the east side of N. Miller Rd.

The proposed PD site plan indicates that the internal site circulation will be served by private driveways. Said private driveway aisle widths and dead-end runs shall be designed consistent with County LDC and TTM requirements.

The developer shall construct a sidewalk along the project frontage on N. Miller Rd and ADA compliant internal sidewalk connections between principal building entrances, parking areas, amenity areas and access points.

### **LEVEL OF SERVICE (LOS)**

Miller Rd., north of SR 60, is not a regulated roadway.

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
Miller Rd.	County Local - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	406	32	40
Proposed	88	6	7
Difference (+/-)	-318	-26	-33

\*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		None	None	Meets LDC
East	X	None	None	Meets LDC
West		None	None	Meets LDC
Notes:				

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

4.0 Additional Site Information & Agency Comments Summary

Transportation	Objections	Conditions Requested	Additional Information/Comments
<input type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-Site Improvements Provided	<input type="checkbox"/> Yes <input type="checkbox"/> N/A <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	10 or fewer peak hour trips are de minimis provided the roadways meet minimum life safety standards.



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

**AGENCY COMMENT SHEET**

REZONING	
<b>HEARING DATE:</b> 04/18/2022  <b>PETITION NO.:</b> 22-0433  <b>EPC REVIEWER:</b> Chantelle Lee  <b>CONTACT INFORMATION:</b> (813) 627-2600 X 1358  <b>EMAIL:</b> <a href="mailto:leec@epchc.org">leec@epchc.org</a>	<b>COMMENT DATE:</b> 02/16/2022  <b>PROPERTY ADDRESS:</b> 124 N Miller Rd, Valrico, FL 33594  <b>FOLIO #:</b> 085543-0000  <b>STR:</b> 19-29S-21E
<b>REQUESTED ZONING: : BPO to PD</b>	
FINDINGS	
<b>WETLANDS PRESENT</b>	NO
<b>SITE INSPECTION DATE</b>	N/A
<b>WETLAND LINE VALIDITY</b>	N/A
<b>WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)</b>	N/A
<b>INFORMATIONAL COMMENTS:</b>  <p>On May 18, 2021, EPC staff reviewed the above referenced parcel in order to determine the extent of any wetlands and other surface waters pursuant to Chapter 1-11, Rules of the EPC. This determination was performed using aerial photography, soil surveys, and reviewing EPC files. Through this review, it appears that no wetlands or other surface waters exist onsite.</p> <p>Please be advised this wetland determination is informal and non-binding. A formal wetland delineation may be applied for by submitting a "WDR30 - Delineation Request Application". Once approved, the formal wetland delineation would be binding for five years.</p>	

Cl/mst

ec: [jk@21southdevelopment.com](mailto:jk@21southdevelopment.com)  
David Wright, [david@tspco.net](mailto:david@tspco.net)

*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](http://www.epchc.org)

**Adequate Facilities Analysis: Rezoning**

**Date:** September 7, 2022

**Acreage:** ±1.38 acres

**Jurisdiction:** Hillsborough County

**Proposed Zoning:** Planned Development

**Case Number:** RZ PD 22-22-0433

**Future Land Use:** R-9

**HCPS #:** RZ-466

**Maximum Residential Units:** 12 Units

**Address:** 124 N. Miller Rd, Valrico

**Residential Type:** Single-Family, Attached

**Parcel Folio Number(s):** 085543.0000

School Data	Valrico Elementary	Mann Middle	Brandon High
<b>FISH Capacity</b> Total school capacity as reported to the Florida Inventory of School Houses (FISH)	979	1322	2505
<b>2021-22 Enrollment</b> K-12 enrollment on 2021-22 40 <sup>th</sup> day of school. This count is used to evaluate school concurrency per Interlocal Agreements with area jurisdictions	709	750	1599
<b>Current Utilization</b> Percentage of school capacity utilized based on 40 <sup>th</sup> day enrollment and FISH capacity	72%	57%	64%
<b>Concurrency Reservations</b> Existing concurrency reservations due to previously approved development. Source: CSA Tracking Sheet as of 09/07/2022	51	41	311
<b>Students Generated</b> Estimated number of new students expected in development based on adopted generation rates. Source: Duncan Associates, School Impact Fee Study for Hillsborough County, Florida, Dec. 2019	2	1	1
<b>Proposed Utilization</b> School capacity utilization based on 40 <sup>th</sup> day enrollment, existing concurrency reservations, and estimated student generation for application	78%	60%	76%

**Notes:** Valrico Elementary, Mann Middle, and Brandon High School have adequate capacity for the proposed development at this time.

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



Renée M. Kamen, AICP  
Manager, Planning & Siting  
Growth Management Department  
Hillsborough County Public Schools  
E: [renee.kamen@hcps.net](mailto:renee.kamen@hcps.net)  
P: 813.272.4083



**AGENCY REVIEW COMMENT SHEET**

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

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**TO:** Zoning Review, Development Services

**DATE:** 04/06/2022

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

**APPLICANT:** David Wright/TSP Companies, Inc

**PETITION NO:** 22-0433

**LOCATION:** 124 N Miller Rd

**FOLIO NO:** 85543.0000

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**Estimated Fees:**

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

Mobility: \$8,265 \* 12 units = \$99,180

Parks: \$2,145 \* 12 units = \$25,740

School: \$8,227 \* 12 units = \$98,724

Fire: \$335 \* 12 units = \$ 4,020

Total Single Family Detached = \$227,664

**Project Summary/Description:**

Urban Mobility, Central Park/Fire - 12 Single Family Units, potential credit for prior structures on site (not included in above estimates)

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

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PETITION NO.: PD22-0433      REVIEWED BY: Randy Rochelle      DATE: 2/14/2022

FOLIO NO.: 85543.0000

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**WATER**

- The property lies within the \_\_\_\_\_ Water Service Area. The applicant should contact the provider to determine the availability of water service.
- A 8 inch water main exists  (adjacent to the site),  (approximately 50 feet from the site) and is located east of the subject property within the east Right-of-Way of N. Miller Road. This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.
- Water distribution system improvements will need to be completed prior to connection to the County's water system. The improvements include \_\_\_\_\_ and will need to be completed by the \_\_\_ prior to issuance of any building permits prior to June 1, 2022, that will create additional demand on the system.

**WASTEWATER**

- The property lies within the \_\_\_\_\_ Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.
- A 4 inch wastewater force main exists  (adjacent to the site),  (approximately    feet from the site) and is located within the west Right-of-Way of N. Miller Road. This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.
- Wastewater collection system improvements will need to be completed prior to connection to the County's wastewater system. The improvements include \_\_\_\_\_ and will need to be completed by the \_\_\_\_\_ prior to issuance of any building permits that will create additional demand on the system.

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



# **VERBATIM TRANSCRIPT**





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HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS  
  
ZONING HEARING MASTER HEARINGS  
September 19, 2022  
ZONING HEARING MASTER: PAMELA JO HATLEY

D2:  
Application Number: RZ-PD 22-0433  
Applicant: David Wright; TSP Companies,  
Inc.  
Location: 124 N. Miller Rd.  
Folio Number: 085543.0000  
Acreage: 1.38 acres, more or less  
Comprehensive Plan: R-9  
Service Area: Urban  
Existing Zoning: BPO 05-1234  
Request: Rezone to Planned Development

1 MR. GRADY: The next item is agenda item  
2 D-2, Rezoning-PD 22-0433. The applicant is David  
3 Wright with TSP Companies, Incorporated. The  
4 request is to rezone from Business Professional  
5 Office to Planned Development.

6 Tim Lampkin will provide staff  
7 recommendation presentation -- staff recommendation  
8 after presentation by the applicant.

9 MR. WRIGHT: Good evening, again. My name  
10 is David Wright. Address is PO Box 273417, Tampa,  
11 Florida 33688.

12 As stated, this is a request to rezone a  
13 subject property from BPO to Planned Development  
14 for a residential townhome development. This would  
15 represent a transitional infill development between  
16 the existing post office to the south and the  
17 single-family detached residential to the north.

18 We are in agreement with both the Planning  
19 Commission and Development Services staff reports.  
20 We're not aware of any opposition to this request.  
21 And we respectfully request your recommendation of  
22 approval, and I'm available for any questions.  
23 Thank you.

24 HEARING MASTER HATLEY: Thank you,  
25 Mr. Wright.

1 All right. Development Services.

2 MR. LAMPKIN: Good evening. Tim Lampkin,  
3 Hillsborough County Development Services.

4 The subject property is associated with the  
5 Future Land Use designation of Residential-9. The  
6 applicant is seeking a Major Modification from a  
7 BPO to PD to allow up to 12 townhomes.

8 The approximately 1.38-acre subject property  
9 is located approximately 525 feet north of East  
10 State Road 60 and on the west side of North Miller  
11 Road within the Urban Service Area.

12 The subject property is currently zoned as  
13 BPO, Business Professional Office. AS -- nearby,  
14 ASC-1 is located to the south and west of the site.  
15 Immediately south of the subject site is developed  
16 with a post office and the west is undeveloped.

17 RSC is located to the north of the subject  
18 site. East of the subject site is the right-of-way  
19 for North Miller Road. To the east of that is  
20 RMC-12, developed with an apartment complex, and CG  
21 zoning developed with commercial.

22 Located further north is residential,  
23 whereas is located south of the subject property  
24 along east State Road 60 is more commercial  
25 development.

1           The applicant requests a waiver to LDC Part  
2           6.01.01, endnote 8 does not require additional  
3           2 feet of setback for every 1 foot of building  
4           height above 20. A 5-foot buffer with Type A  
5           screening is required north and west of the subject  
6           site.

7           The applicant proposes a 5-foot landscape  
8           buffer with Type B screening to provide additional  
9           screening to the north and west and to mitigate the  
10          request to not require the additional 2 feet of  
11          setback for every 1 foot of building height over  
12          20 feet.

13          The applicant proposes a 20-foot buffer with  
14          Type B screening along the southern property  
15          boundary, meeting the requirements of the Land  
16          Development Code.

17          Staff finds the waiver supportable with the  
18          applicant proposed additional screening. Staff  
19          finds the project is consistent with the  
20          Comprehensive Plan, the regulations of the  
21          Hillsborough County Land Development Code.

22          Based on these considerations, staff finds  
23          the request supportable with conditions. That  
24          concludes my presentation unless there are any  
25          questions.

1 HEARING MASTER HATLEY: No questions for  
2 you. Thank you.

3 Planning Commission.

4 MS. MASSEY: This is Jillian Massey with  
5 Planning Commission staff.

6 The subject site is located in the  
7 Residential-9 Future Land Use Category. It's in  
8 the Urban Service Area, and it is not located  
9 within the limits of a community plan.

10 The applicant is proposing a residential  
11 development of 12 dwelling units within the Urban  
12 Service Area. The proposed number of dwelling  
13 units meets the minimum density requirements per  
14 Policy 1.2 and is an acceptable density that we  
15 would expect to see in the Residential-9 Future  
16 Land Use Category.

17 The addition of 12 single-family dwelling  
18 units is compatible with the residential character  
19 of the surrounding area. The proposed density of  
20 residential development provides an appropriate  
21 transition from single-family residential dwellings  
22 located to the north and the post office and  
23 commercial use located to the south at the  
24 intersection of North Miller Road and State Road  
25 60.

1           The proposed development also meets the  
2           intent of Policy 16.8 and 16.10, as comparable  
3           densities and various housing types already exist  
4           in the area.

5           Goal 12 and Objective 12-1 of the Community  
6           Design Component requires new developments to be  
7           designed in a compatible way with the surrounding  
8           area. The proposed development is compatible with  
9           the existing residential uses and is an example of  
10          medium density residential development.

11          Based on these considerations, Planning  
12          Commission staff finds the proposed Planned  
13          Development consistent with the Future of  
14          Hillsborough Comprehensive Plan for unincorporated  
15          Hillsborough County subject to the conditions  
16          proposed by the Development Services Department.  
17          Thank you.

18          HEARING MASTER HATLEY: Thank you.

19          All right. Is there anyone here or online  
20          who wishes to speak in support of this application?  
21          I do not hear anyone.

22          Is there anyone here or online who wishes to  
23          speak in opposition to this application? All  
24          right. I do not hear anyone.

25          Development Services, anything further?

1 MR. GRADY: Nothing further.

2 HEARING MASTER HATLEY: All right.

3 Applicant, anything further?

4 MR. WRIGHT: No. Thank you.

5 HEARING MASTER HATLEY: All right. Thank  
6 you.

7 That closes the hearing, then, on RZ-PD  
8 22-0433.

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1           Ratliff and Richard Perez and Alex Steady, and then  
2           for the County's Attorney's Office, Cameron Clark,  
3           and Andrea Papandrew with the Hillsborough County's  
4           Planning Commission.

5           We have one change to tonight's agenda.  
6           It's on page 8 of the agenda, item D-4. The  
7           applicant is withdrawing this from the Zoning  
8           Hearing Master process. So, again, item D-4 is  
9           being withdrawn.

10           That's the only change to tonight's agenda.  
11           I will now go through published withdrawals and  
12           continuances beginning on page 4 of the agenda.

13           The first item is A-1, Rezoning-PD 22-0181.  
14           This application is being withdrawn from the Zoning  
15           Hearing Master process.

16           Item A-2, Rezoning-PD 22-0207. This  
17           application is being withdrawn from the Zoning  
18           Hearing Master process.

19           Item A-3, Major Mod Application 22-0221.  
20           This application is being withdrawn from the Zoning  
21           Hearing Master process.

22           Item A-4, Major Mod Application 22-0313.  
23           This application is continued by staff to the  
24           September 19, 2022, Zoning Hearing Master Hearing.

25           Item A-5, Rezoning-PD 22-0433. This

1 application is out of order to be heard and is  
2 being continued to the September 19, 2022, Zoning  
3 Hearing Master Hearing.

4 Item A-6, Rezoning-Standard 22-0453. This  
5 application is being withdrawn from the Zoning  
6 Hearing Master process.

7 Item A-7, Rezoning-PD 22-0461. This  
8 application is being continued by the applicant to  
9 the September 19, 2022, Zoning Hearing Master  
10 Hearing.

11 Item A-8, Rezoning-PD 22-0567. This  
12 application is being continued by the applicant to  
13 the September 19, 2022, Zoning Hearing Master  
14 Hearing.

15 Item A-9, Rezoning-PD 22-0648. This  
16 application is out of order to be heard and is  
17 being continued to the September 19, 2022, Zoning  
18 Hearing Master Hearing.

19 Item A-10, Major Mod Application 22-0671.  
20 This application is out of order to be heard and is  
21 being continued to the September 19, 2022, Zoning  
22 Hearing Master Hearing.

23 Item A-11, Rezoning-PD 22-0684. This  
24 application is being continued by the applicant to  
25 the September 19, 2022, Zoning Hearing Master



1 August 15th, 2022, Zoning Hearing Master Hearing.

2 Item A-5, Rezoning-PD 22-0207. This  
3 application is out of order to be heard and is  
4 being continued to the August 15th, 2022, Zoning  
5 Hearing Master Hearing.

6 Item A-6, Major Mod Application 22-0221.  
7 This application is being continued by the  
8 applicant to the August 15th, 2022, Zoning Hearing  
9 Master Hearing.

10 Item A-7, Major Mod Application 22-0313.  
11 This application is being continued by staff to the  
12 August 15, 2022, Zoning Hearing Master Hearing.

13 Item A-8, Rezoning-PD 22-0369. This  
14 application is being continued by staff to the  
15 August 15, 2022, Zoning Hearing Master Hearing.

16 Item A-9, Rezoning-PD 22-0433. The  
17 application is out of order to be heard and is  
18 being continued to the August 15th, 2022, Zoning  
19 Hearing Master Hearing.

20 Item A-10, Rezoning-PD 22-0461. This  
21 application is being continued by the applicant to  
22 the August 15, 2022, Zoning Hearing Master Hearing.

23 Item A-11, Rezoning-PD 22-0559. This  
24 application is being continued by the applicant to  
25 the August 15, 2022, Zoning Hearing Master Hearing.



1           This application is out of order to be heard and is  
2           being continued to the July 25th, 2022, Zoning  
3           Hearing Master Hearing.

4                   Item A-9, Rezoning-PD 22-0181. This  
5           application is out of order to be heard and is  
6           being continued to the July 25th, 2022, Zoning  
7           Hearing Master Hearing.

8                   Item A-10, Major Mod Application 22-0221.  
9           This application is continued by the applicant to  
10          the July 25th, 2022, Zoning Hearing Master Hearing.

11                   Item A-11, Rezoning-PD 22-0369. This  
12          application is being continued by staff to the  
13          July 25th, 2022, Zoning Hearing Master Hearing.

14                   Item A-12, Rezoning-PD 22-0420. This  
15          application is being continued by the applicant to  
16          the July 25th, 2022, Zoning Hearing Master Hearing.

17                   Item A-13, Rezoning-PD 22-0433. This  
18          application is being continued by the applicant to  
19          the July 25th, 2022, Zoning Hearing Master Hearing.

20                   Item A-14, Rezoning-PD 22-0461. This  
21          application is being continued by the applicant to  
22          the July 25th, 2022, Zoning Hearing Master Hearing.

23                   Item A-15, Major Mod Application 22-0477.  
24          This application is being continued by the  
25          applicant to the July 25th, 2022, Zoning Hearing



HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

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

BEFORE: SUSAN FINCH  
Land Use Hearing Master

DATE: Monday, May 16, 2022

TIME: Commencing at 6:00 p.m.  
Concluding at 10:14 p.m.

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

Reported via Cisco Webex Videoconference by:

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

1 applicant to the June 13, 2022, Zoning Hearing  
2 Master Hearing.

3 Item A-18, Rezoning-PD 22-0420. This  
4 application is being continued by the applicant to  
5 the June 13, 2022, Zoning Hearing Master Hearing.

6 Item A-19, Rezoning-PD 22-0433. This  
7 application is being continued by the applicant to  
8 the June 13, 2022, Zoning Hearing Master Hearing.

9 Item A-20, Rezoning-PD 22-0442. This  
10 application is being continued by the applicant to  
11 the June 13, 2022, Zoning Hearing Master Hearing.

12 Item A-21, Rezoning-PD 22-0443. This  
13 application is being continued by the applicant to  
14 the June 13, 2022, Zoning Hearing Master Hearing.

15 Item A-22, Rezoning-PD 22-0444. This  
16 application is out of order to be heard and is  
17 being continued to the June 13, 2022, Zoning  
18 Hearing Master Hearing.

19 Item A-23, Rezoning-Standard 22-0453. This  
20 application is being continued by the applicant to  
21 the August 15, 2022, Zoning Hearing Master Hearing.

22 Item A-24, Rezoning-PD 22-0461. This  
23 application is being continued by the applicant to  
24 the June 13, 2022, Zoning Hearing Master Hearing.

25 Item A-25, Major Mod Application 22-0477.

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, April 18, 2022

TIME: Commencing at 6:00 p.m.  
Concluding at 7:37 p.m.

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

Reported via Cisco Webex Videoconference by:

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

1           Item A-20, Rezoning-PD 22-0420. This  
2 application is being continued by the applicant to  
3 the May 16, 2022, Zoning Hearing Master Hearing.

4           Item A-21, Rezoning-Standard 22-0423. This  
5 application is out of order to be heard and is  
6 being continued to the May 16, 2022, Zoning Hearing  
7 Master Hearing.

8           Item A-22, Rezoning-PD 22-0433. This  
9 application is out of order to be heard and is  
10 being continued to the May 16, 2022, Zoning Hearing  
11 Master Hearing.

12           Item A-23, Rezoning-PD 22-0441. This  
13 application is being continued by the applicant to  
14 the May 16, 2022, Zoning Hearing Master Hearing.

15           Item A-24, Rezoning-PD 22-0422 [0442]. This  
16 application is out of order to be heard and is  
17 being continued to the May 16, 2022, Zoning Hearing  
18 Master Hearing.

19           Item A-25, Rezoning-PD 22-0443. This  
20 application is being continued by the applicant to  
21 the May 16, 2022, Zoning Hearing Master Hearing.

22           Item A-26, Rezoning-PD 22-0444. This  
23 application is being continued by the applicant to  
24 the May 16, 2022, Zoning Hearing Master Hearing.

25           Item A-27, Major Mod Application 22-0452.



**EXHIBITS SUBMITTED  
DURING THE ZHM HEARING**

**NONE**



**PARTY OF  
RECORD**



**NONE**