

**Rezoning Application: MM 22-0558**

**Zoning Hearing Master Date: June 13, 2022**

**BOCC Land Use Meeting Date: August 25, 2022**



**Hillsborough County Florida**

**Development Services Department**

**1.0 APPLICATION SUMMARY**

Applicant: Prosper Fontanarosa Homes LLC

FLU Category: RES-12

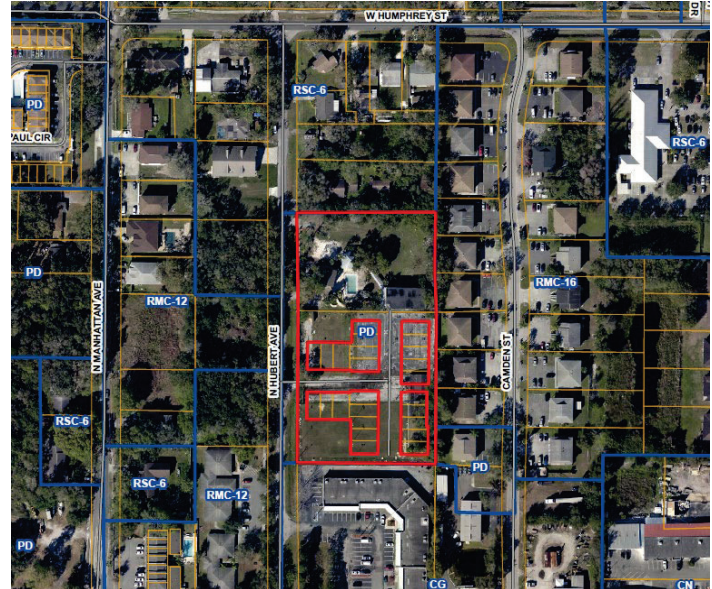
Service Area: Urban

Site Acreage: 1.2 AC +/-

Community Plan Area: None

Overlay: None

Request: Major Modification to Planned Development



**Request Summary:**

The existing zoning is PD (Planned Development) 77-0318, as most recently modified by MM 16-0364 which permits 19 Townhomes and 6 townhomes live/work units to the development standards in the table below. The proposed zoning for Planned Development (site plan controlled district) to allow 15 additional townhome units for a total of 40 residential units, and four commercial spaces pursuant to the development standards in the table below and site plan depicted in 2.4 of the report.

**Zoning:**

	Current PD Zoning	Proposed PD Zoning
Uses	Multifamily residential, live/work units, and recreation and tennis buildings	Multifamily residential and Live/work units
Mathematical Maximums *	25 townhome units total. 6 of the 25 units are allowed for live/work uses.	40 townhome total units. 6 of the 40 units are allowed for live/work uses

\*Mathematical Maximums may be reduced due to roads, stormwater and other improvements

**Development Standards:**

	Current PD Zoning	Proposed PD Zoning
Density / Intensity	Under the existing PD zoning districts for the two parcels a maximum density of 13.3 DU/AC is allowable	Under the proposed MM 22-0558 for the two parcels, a maximum density of 12.82 DU/AC is allowable
Lot Size / Lot Width	81,505 sf / 300'	135,907.2 sf / 492'

**APPLICATION NUMBER: MM 22-0558**

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Case Reviewer: Tania C. Chapela

Setbacks/Buffering and Screening	Principal building setbacks: 20' Front, 20' Side, 20' Rear 20-foot buffer, Type B Screening along the north property line.	Principal building setbacks: 15' Front, 15' Side, 15' Rear 20-foot buffer, Type B Screening along the north property line.
Height	36 feet Max. (3 stories max.)	35 feet Max. (3 stories max.)

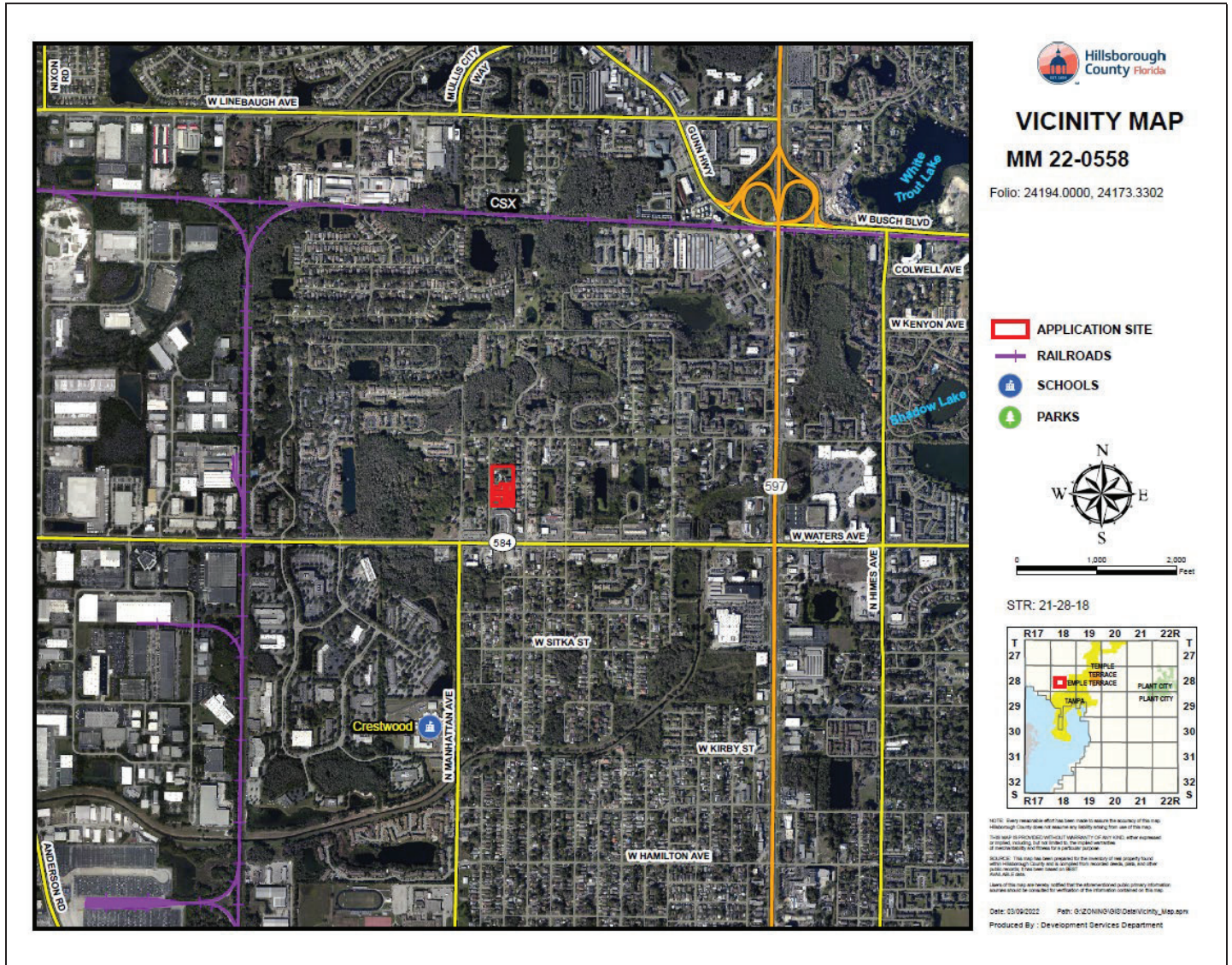
**Additional Information:**

PD Variations	No PD variations are being requested.
Waiver(s) to the Land Development Code	No waivers are being requested.

Planning Commission Recommendation	Consistent
Development Services Department Recommendation	Approvable, subject to conditions

## 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.1 Vicinity Map

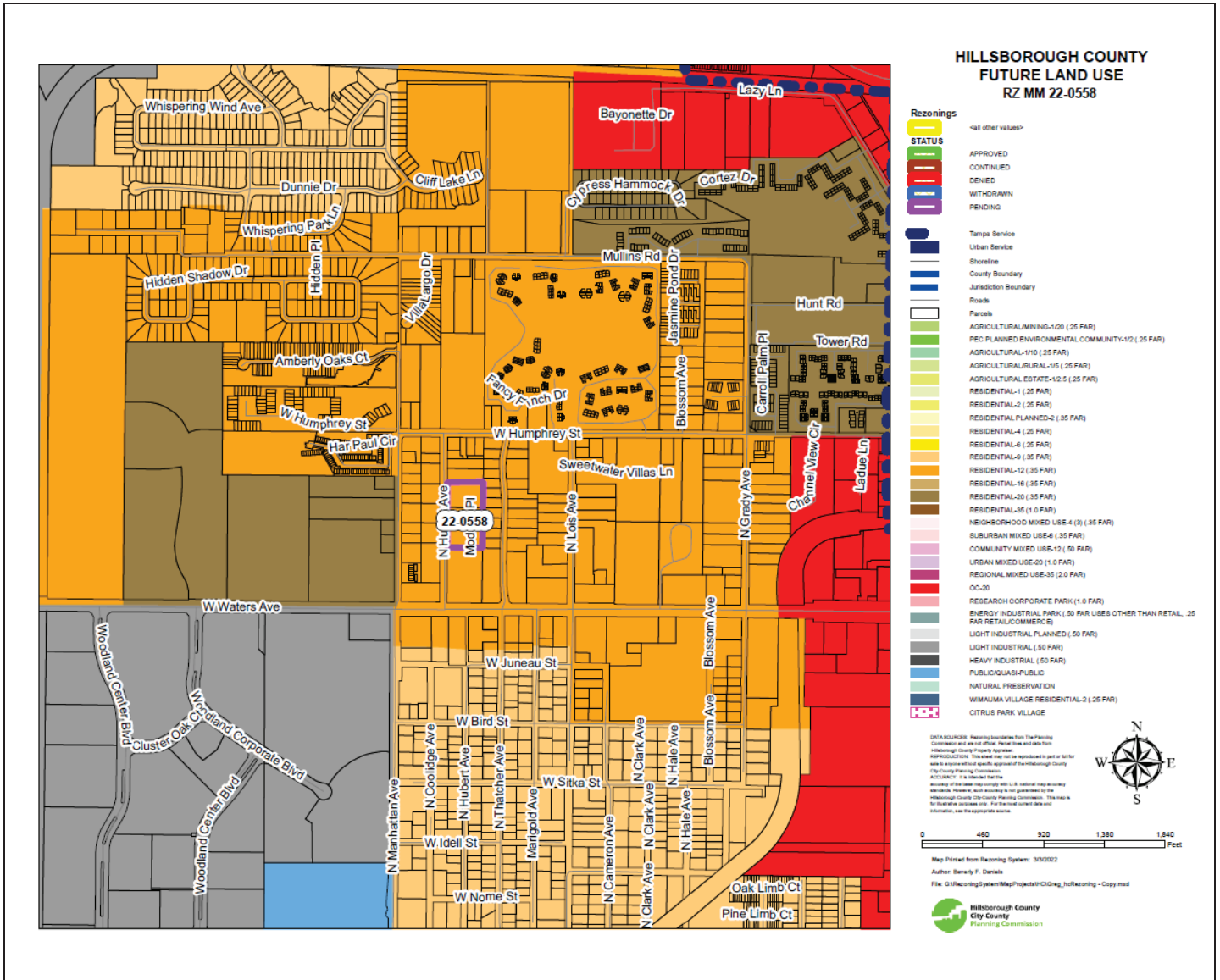


#### Context of Surrounding Area:

The parcel is located along North Hubert Avenue, a local road, with multifamily and single family residential zoning to the west, and east. The residentially zoned parcels to the east are developed with 2-story multifamily buildings. To the south is a property zoned CG developed with a shopping plaza.

2.0 LAND USE MAP SET AND SUMMARY DATA

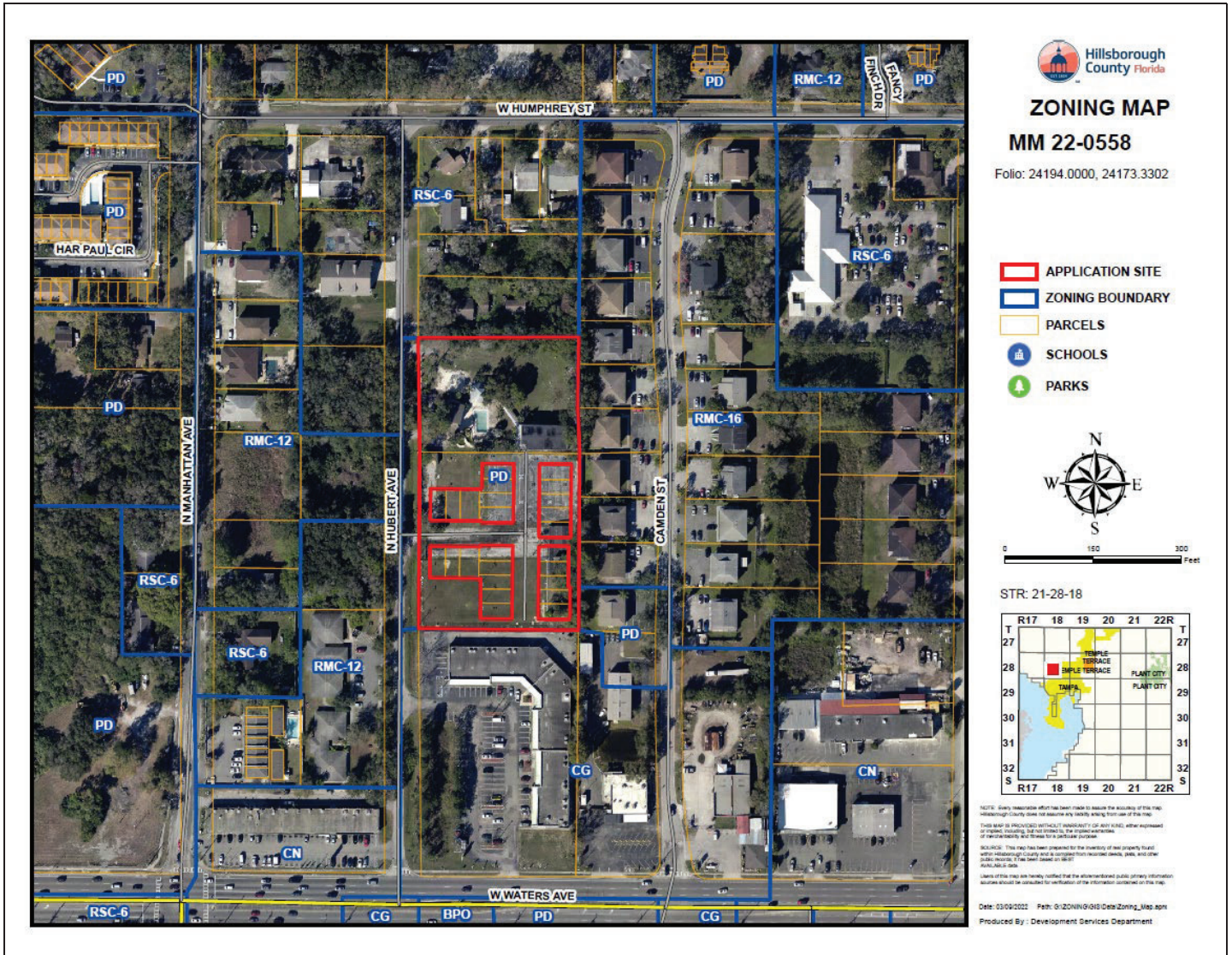
2.2 Future Land Use Map



Subject Site Future Land Use Category:	Residential 12
Maximum Density/F.A.R.:	12 DU/AC
Typical Uses:	Residential, community retail commercial, offices, research park, light industrial, multi-purpose, clustered residential, mixed-use

2.0 LAND USE MAP SET AND SUMMARY DATA

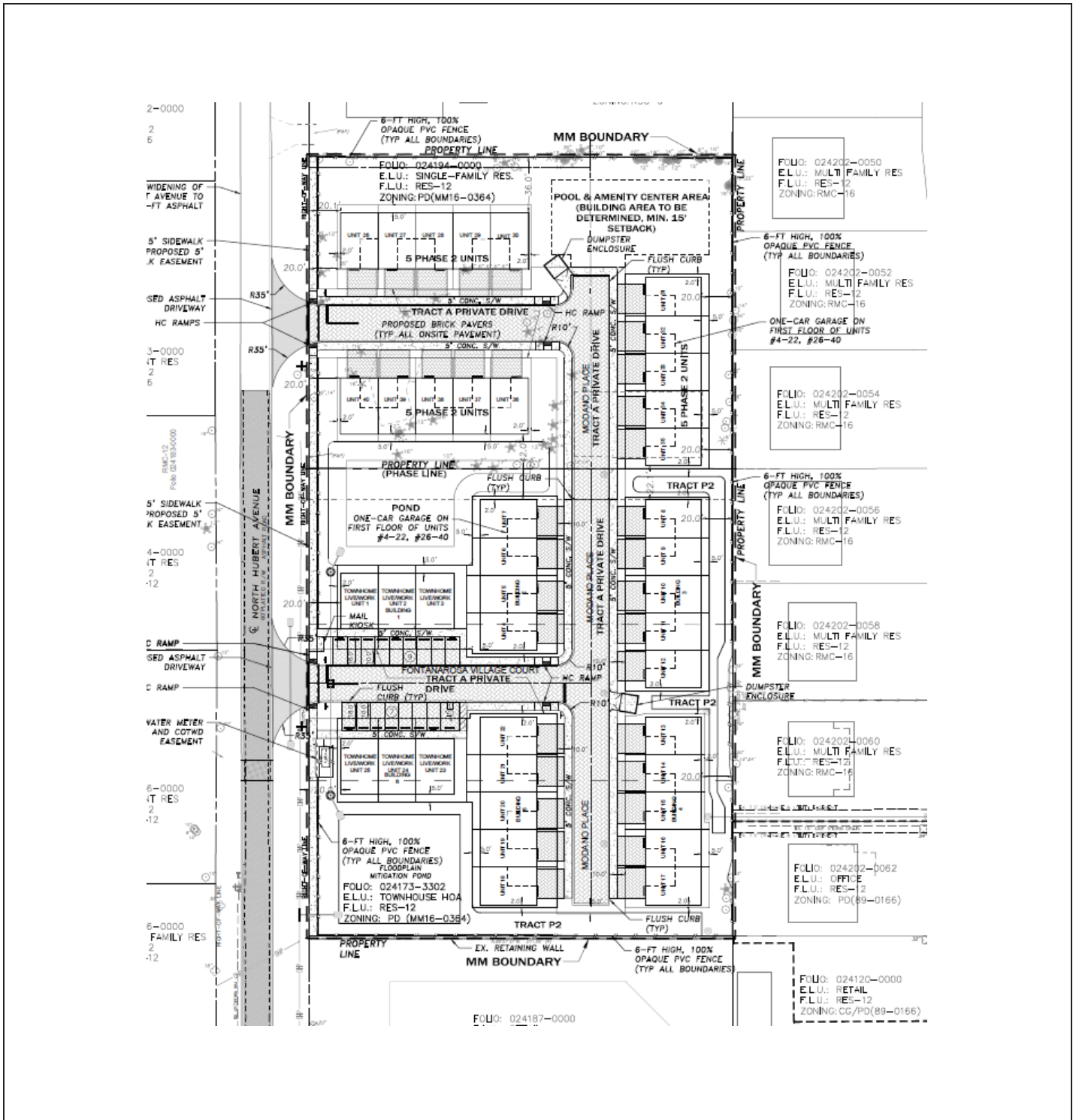
2.3 Immediate Area Map



Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	RSC-6	6 DU/AC	Single Family Residential	Single Family Residential
South	CG	0.5	Commercial General uses	Shopping Center
East	RMC-16, PD 89-0166	16 DU/AC, 0.5 FAR	Multi-family Residential	Multi-family Residential
West	RMC-12	12 DU/AC	Multi-family Residential	Vacant

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



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

**Adjoining Roadways (check if applicable)**

Road Name	Classification	Current Conditions	Select Future Improvements
Hubert Ave.	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 checked="" type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

**Project Trip Generation**  Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	183	12	14
Proposed	293	18	22
Difference (+/-)	+110	+6	+8

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

**Connectivity and Cross Access**  Not applicable for this request

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

Notes:

**Design Exception/Administrative Variance**  Not applicable for this request

Road Name/Nature of Request	Type	Finding
Hubert Ave./Substandard Roadway	Design Exception Requested	Approvable
Hubert Ave./Number of Access Points	Administrative Variance Requested	Approvable

Notes: Substandard roadway improvements on Hubert Ave., from northern most access point to W. Waters Ave.

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

<b>INFORMATION/REVIEWING AGENCY</b>					
<b>Environmental:</b>	<b>Objections</b>	<b>Conditions Requested</b>	<b>Additional Information/Comments</b>		
Environmental Protection Commission	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Conservation & Environmental Lands Mgmt.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Check if Applicable: <table style="width:100%; border:none;"> <tr> <td style="width:50%; border:none;"> <input type="checkbox"/> Wetlands/Other Surface Waters  <input type="checkbox"/> Use of Environmentally Sensitive Land Credit  <input type="checkbox"/> Wellhead Protection Area  <input type="checkbox"/> Surface Water Resource Protection Area  <input type="checkbox"/> Potable Water Wellfield Protection Area                             </td> <td style="width:50%; border:none;"> <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 checked="" type="checkbox"/> Other _Airport Authority Conditions                             </td> </tr> </table>				<input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area	<input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input checked="" type="checkbox"/> Other _Airport Authority Conditions
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<b>Public Facilities:</b>	<b>Objections</b>	<b>Conditions Requested</b>	<b>Additional Information/Comments</b>		
<b>Transportation</b> <input checked="" type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
<b>Utilities Service Area/ Water &amp; Wastewater</b> <input type="checkbox"/> Urban <input checked="" 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			
<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			
<b>Impact/Mobility Fees</b> (Fee estimate is based on a 1,500 square foot, 3 bedroom, Townhouse Unit 1-2 Stories) Mobility: \$5,995 * 15 units = \$ 89,925 Parks: \$1,957 * 15 units = \$ 29,335 School: \$7,027 * 15 units = \$105,405 Fire: \$249 * 15 units = \$ 3,735 Total Townhouse = \$228,400					
<b>Comprehensive Plan:</b>	<b>Findings</b>	<b>Conditions Requested</b>	<b>Additional Information/Comments</b>		



<p><b>Planning Commission</b></p> <p><input type="checkbox"/> Meets Locational Criteria    <input checked="" type="checkbox"/> N/A</p> <p><input type="checkbox"/> Locational Criteria Waiver Requested</p> <p><input type="checkbox"/> Minimum Density Met    <input type="checkbox"/> N/A</p>	<p><input type="checkbox"/> Inconsistent</p> <p><input checked="" type="checkbox"/> Consistent</p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>	<p>See report</p>
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**5.0 IMPLEMENTATION RECOMMENDATIONS**

**5.1 Compatibility**

The proposed uses are comparable to the current townhome and live/work allowed uses. The proposed density is over the maximum 12 DU/AC allowable in the RES-12 Comprehensive Plan category. However, the applicant has requested a density bonus which has been found supportable by the Planning Commission.

The proposed addition to the building area will reduce the required setbacks. However, the front and side setbacks will not create a significant change in the visual character of the area.

Given the above, staff finds the proposed modification to be compatible with the surrounding properties and in keeping the general development pattern of the area.

**5.2 Recommendation**

Approval - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted April 27, 2022.

The following conditions shall apply to folio 24194.0000:

1. ~~Development of the project shall be limited to the following:~~
  - ~~Tennis building 2,650 sq. ft.~~
  - ~~Recreation building 2,340 sq. ft.~~
  - ~~4 outside batting cages~~
  - ~~2 indoor batting cages~~
  - ~~2 indoor racquetball courts 9,576 sq. ft.~~
  - ~~Outdoor pool & play/ball field~~
  - 1.1 **Maximum building height**
    - Tennis building 20 feet
    - Recreation center 35 feet
    - Racquetball/indoor batting cages 20 feet
2. ~~Structures shall be constructed within the envelopes and setbacks as generally depicted on the site plan received October 16, 1997 and the certified site plan for MM 16-0364 unless otherwise stated.~~
3. ~~Parking shall be provided in compliance with the Land Development Code.~~
4. ~~All new non building signs shall be ground signs, exhibiting a unified theme. Pole signs shall be prohibited.~~

- ~~5. Exterior lighting within the project shall be of a low projection non glare type, designed to produce a minimum illumination and glare beyond project boundaries. Maximum height for exterior pole lighting for security/parking areas shall not exceed 16 feet.~~
- ~~6. Perimeter lighting to illuminate play/ball field shall be prohibited between the hours of 9:30 p.m. to 8:00 a.m.~~
- ~~7. Buffering and screening shall be provided in accordance with the requirements of the Land Development Code. Additional buffering and screening within 10 feet of the northern property line of folio 24194.0000 and eastern property line of folio 24194.0000 adjacent to the play/ballfield shall be as follows:
  - ~~7.1 The developer shall protect existing trees where possible and supplement existing trees with evergreen trees a minimum of 10 feet height and spaced on minimum 15 foot centers upon planting. In addition to the tree requirements, in areas with no vegetation the developer shall plant evergreen shrubs measuring 36" in height at time of planting, planted on 4 foot centers.~~
  - ~~7.2 The developer shall also provide a 10 foot high chain link fence shrouded with a translucent material (e.g. vinyl covering or vines) on the northern property boundary of folio 24194.0000 only. The fence shall be allowed to meander to accommodate existing mature vegetation. In the event, mature vegetation precludes installation of the fencing, the applicant shall demonstrate to the Natural Resources Section of Planning and Growth Management that portion of fencing is not required and shall submit, at the time of Site Development Plan approval, an alternative screening plan to meet this intent.~~~~

The following conditions shall apply to folio 24192.0000:

~~8. The area subject to MM 16-0364 shall permit a maximum of 25 townhome units. A maximum of 6 of those townhome units, where depicted on the General Site Plan, shall be required to be designed as live/work units in which the first floor is developed as a Home Based Business in accordance with the standards set forth herein. Live/Work units shall comply with Land Development Code Sections 6.11.48.03 (Standards for All Home Based Businesses) and 6.11.48.04 (Residential Home Based Business Standards) and the additional requirements found below. However, Land Development Code Sections 6.11.48.03.F, 6.11.48.03.H and 6.11.48.04.A shall not apply.~~

~~8.1 The first floor is limited to non residential (business) uses. The second and third floors are limited to residential uses. Use of the first floor as an attached accessory dwelling is prohibited.~~

~~8.2 Both the non residential and the residential floors must be occupied by the same tenant/property owner. No portion of the non residential component shall be rented or sold separately.~~

~~8.3 The sale of related items to a customer receiving services on site is permitted. Retail sales to the general public is prohibited. The internal display and storage of said items is permitted. Any display and storage oriented to outside the unit is prohibited.~~

~~8.4 Each unit shall be designed in a residential style and not detract from the residential character or appearance of the entire development.~~

1. The project shall be permitted a maximum of 40 townhome units. A maximum of 6 of those townhome units, where depicted on the General Site Plan, shall be required to be designed as live/work units in which the first floor is developed as a Home-Based Business in accordance with the standards set forth herein.

1.1. The first floor is limited to non-residential (business) uses and may not be converted to residential use. The second and third floors are limited to residential uses. Use of the first floor as an attached accessory dwelling is prohibited. There will be internal access between the commercial and residential floors.

1.2. Both the non-residential and the residential floors must be occupied by the same tenant/property owner. No portion of the non-residential component shall be rented or sold separately.

1.3. The sale of related items to a customer receiving services on site is permitted. Retail sales to the general public is prohibited. This does not preclude taking orders for sales or provision of services off site. The internal display and storage of said items is permitted. Any display and storage oriented to outside the unit is prohibited.

1.4. Each unit shall be designed in a residential style and not detract from the residential character or appearance of the entire development.

1.5. Developer must submit construction plans for live/work units prior to issuance of first certificate of occupancy for non-live/work townhouse unit.

1.6. Signs for the business shall comply with the requirements of this Code.

1.7. Nothing shall be allowed in connection with the business which is offensive or obnoxious by reason of the emission of odors, liquids, gases, dust, smoke, vibration or noise.

1.8. More than one business may be permitted in a single residence; however, all applicable limitations herein shall apply to the combined uses as if they were one business.

1.9. The business shall include, but not be limited to, the following: domestic crafts such as seamstress, sewing, tailoring, weaving, washing and ironing, private tutoring and instruction (limited to three pupils at any one time), hair salon (limited to one chair and one person waiting), professional services, licensed massage therapist (limited to one table), and food preparation except as otherwise prohibited herein. Except as otherwise noted herein, the work use shall not include activities which constitutes Minor Industry as defined by this Code nor activities such as, but not limited to, auto repair and tune-up, clinics, physician's, dentist's and offices of the like, welding shops, machine shops, fabrication shops and activities of the like, animal hospital, kennels, or food catering services.

1.10. The work unit must not exceed 50 percent of the total floor area of the live-work unit. The commercial use must be conducted entirely within the work unit.

1.11. Prohibited uses. Outdoor storage or display of materials, goods, supplies, equipment, commercial vehicles or products associated with the commercial use is prohibited. Equipment must be operated in conformance with the performance standards of the Land Development Code.

1.12. At least one (1) full-time employee who shall also be a resident of the property shall work in the work portion of the live-work unit.

1.13 Live-work units shall be designed in a residential style similar to the development's appearance

~~2.~~ ~~9-~~Townhome buildings shall be setback a minimum of 20 feet from all project boundaries. Maximum building height shall be 36 feet/3-stories.

~~3.~~ ~~10-~~ A minimum of two parking spaces shall be provided for each townhome unit. One parking space may be provided as an attached garage space. A minimum of five extra parking spaces shall be provided within the live/work unit area. These spaces shall be designated (by sign and/or pavement markings) as customer/client parking.

~~11.~~ A 20 foot buffer with Type B screening shall be provided along the northern project boundary if at the time of site development the northern property (folio 24194.0000) is developed with a single-family residential use. This buffering and screening requirement may be administratively waived upon of written consent of the property owner of folio 24194.0000, to be provided at the time of site development.

~~12.~~ The following conditions shall apply to folio 24192.0000: The developer shall be required to bring Hubert Avenue up to current County roadway standards from Waters Avenue to the project’s entrance, unless otherwise approved through the Hillsborough County Design Exception Process. Prior to the first plat/site/construction plan submittal, the developer shall coordinate with the Public Works Department, who shall determine the appropriate typical section to be applied.

~~4.~~ ~~13.~~ The developer shall be required to improve Hubert from Waters Avenue to the project’s southern entrance, unless otherwise approved through the Hillsborough County Design Exception Process. Prior to the first plat/site/construction plan submittal, the developer shall coordinate with the Public Works Department, who shall determine the appropriate typical section to be applied. in accordance with that certain Design Exception approved November 26, 2019 by Mike Williams, Hillsborough County Engineer, which allows a 20’ pavement width, a 2’ shoulder width, and a 16’ wide ditch, and allows the proposed sidewalk to be located within a sidewalk easement along the Fontanarosa frontage.

~~5.~~ The Developer shall be required to improve Hubert Avenue up to current County roadway standards from the project’s southern entrance to its northern boundary in accordance with that certain Design Exception approved \_\_\_\_\_ by \_\_\_\_\_.

The following shall apply to the entire Planned Development:

~~6.~~ ~~13.~~ The location and number of access points shall be as shown on the General Site Plan received \_\_\_\_\_. The design and construction of curb cuts are subject to approval by the Hillsborough County Engineering Department shall be in accordance with that certain Hillsborough County Administrative Variance approval, dated \_\_\_\_\_.

7. If MM 22-0558 is approved, the County Engineer will approve a Section 6.04.02. Administrative Variance (dated May 3, 2022), to LDC Sec. 6.04.03. I. which was found approvable by the County Engineer (on June 01, 2022). Approval of this Administrative Variance will allow the project to have a second access connection to N. Hubert Ave.

8. If the MM 22-0558 is approved, the County Engineer will approve the Design Exception (dated April 19, 2022 and found approvable on June 01, 2022), for N. Hubert Ave. substandard road improvements. As N. Hubert Ave. is a substandard local roadway, the developer will be required to make certain improvements to N. Hubert Ave. between the northern most project access connection and W. Waters Ave consistent with the Design Exception including:

a. Widen the existing roadway to provide 10-foot lanes;


- b. Mill and overlay the roadway;
- c. Provide 2-foot unpaved shoulders, and;
- d. Provide 5-foot sidewalk along the project frontage.

9. \_\_\_\_ 14. Development of the project shall comply with all applicable regulations of the Hillsborough County Environmental Protection Commission.

10. Potential buyers should be informed this location is within the approach and departure area of Tampa International Airport and will be subject to aircraft overflight. The property falls outside of the 65 dnl noise contour around the airport and is a compatible but occupants may be subjected to noise from aircraft operating to and from the airport. The Aviation Authority suggests a noise reduction level of at least 25 db be incorporated into design.

11. \_\_\_\_ 15. Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, and the land use conditions contained herein, and all applicable rules, regulations and ordinances of Hillsborough County.

**Zoning Administrator Sign Off:**



J. Brian Grady  
Mon Jun 6 2022 16:33:27

**SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.**

Approval of this re-zoning petition by Hillsborough County does not constitute a guarantee that the project will receive approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are being waived or otherwise approved. The project will be required to comply with the Site Development Plan Review approval process in addition to obtain all necessary building permits for on-site structures.

**7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS**





**9.0 FULL TRANSPORTATION REPORT (see following pages)**

## AGENCY REVIEW COMMENT SHEET

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

**DATE:** 6/01/2022  
**AGENCY/DEPT:** Transportation  
**PETITION NO:** MM 22-0558

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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 ZONING APPROVAL**

#### *New Conditions:*

- If MM 22-0558 is approved, the County Engineer will approve a Section 6.04.02. Administrative Variance (dated May 3, 2022), to LDC Sec. 6.04.03. I. which was found approvable by the County Engineer (on June 01, 2022). Approval of this Administrative Variance will allow the project to have a second access connection to N. Hubert Ave.
- If the MM 22-0558 is approved, the County Engineer will approve the Design Exception (dated April 19, 2022 and found approvable on June 01, 2022), for N. Hubert Ave. substandard road improvements. As N. Hubert Ave. is a substandard local roadway, the developer will be required to make certain improvements to N. Hubert Ave. between the northern most project access connection and W. Waters Ave consistent with the Design Exception including:
  - a. Widen the existing roadway to provide 10-foot lanes;
  - b. Mill and overlay the roadway;
  - c. Provide 2-foot unpaved shoulders, and;
  - d. Provide 5-foot sidewalk along the project frontage.

### **PROJECT SUMMARY AND ANALYSIS**

The applicant is requesting to modify PD 77-0318, as amended by MM 16-0364, to allow an additional 15 townhome units on the second phase of the project consisting of +/- 1.22 acres. The existing PD entitlements allow for 25 town homes on a total of +/- 3.16 acres. The future land use designation is Residential 12 (R-12).

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

As the project generates fewer than 50 peak hour trips, a letter providing the trip generation calculations was submitted with the zoning application. 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
PD: 25 Multi-Family/Townhome units (LUC 220)	<b>183</b>	<b>12</b>	<b>14</b>

**Proposed Zoning:**

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD: 40 Multi-family/Townhome units) (LUC 220)	<b>293</b>	<b>18</b>	<b>22</b>

**Trip Generation Difference:**

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference (+/-)</b>	<b>+110</b>	<b>+6</b>	<b>+8</b>

The proposed rezoning would generally result in an increase of trips potentially generated by development of the subject site by 110 average daily trips, 6 trips in the a.m. peak hour, and 8 trips in the p.m. peak hour.

**TRANSPORTATION INFRASTRUCTURE SERVING THE SITE**

Hubert Ave. is a publicly maintained, substandard rural local roadway. The roadway consists of +/- 19-foot paved surface in fair condition, lying within a +/- 60-foot wide right-of-way along the project’s boundary. There are no sidewalks or bicycle facilities present in the vicinity or the proposed project.

Per the County’s Transportation Technical Manual, a rural local roadway TS-7 typical section requires 12-foot travel lanes, 8-foot shoulders (5-foot paved), drainage swales and sidewalks on both sides within 96 feet of right-of-way. The applicant has requested a design exception to widen the roadway to 10-foot travel lanes, mill and overlay the roadway, provide 2-foot paved shoulders from the northernmost access point to Waters Ave; and construct a sidewalk along the protect frontage. See the section below in this report titled “Requested Design Exception” for more detail.

**SITE ACCESS**

The PD site plan proposes to add a new full access connection on N. Hubert Ave. for a total of 2 full access connections. The project does not meet warrants for turn lanes.

A sidewalk will be constructed along the project frontage and on both sides of the project’s internal driveways.

**REQUESTED DESIGN EXCEPTION: HUBERT AVE.**

As N. Hubert Ave. is a substandard local roadway, the applicant’s Engineer of Record submitted a Design Exception (dated April 19, 2022) to determine the specific improvements that would be required by the County Engineer. Based upon the factors submitted in the request, the County Engineer found the request

approvable on June 1, 2022, for N. Hubert Ave. substandard road improvements. The developer will be required to make certain improvements to N. Hubert Ave. between the northernmost project access connection and W. Waters Ave. consistent with the Design Exception including:

- a. Widen the existing roadway to provide 10-foot lanes;
- b. Mill and overlay the roadway;
- c. Provide 2-foot unpaved shoulders, and;
- d. Provide 5-foot sidewalk along the project frontage.

If this zoning is approved, the County Engineer will approve the Design Exception request.

#### **REQUESTED ADMINISTRATIVE VARIANCE: NUMBER OF ACCESS POINTS**

The applicant submitted a Section 6.04.02.B. Administrative Variance Request (dated May 3, 2022) to allow a second access connection on N. Hubert Ave. Pursuant to Section 6.04.03. I., the project is limited to one access connection. Based on factors presented in the Administrative Variance Request, the County Engineer found the request approvable on June 1, 2022.

If this rezoning is approved, the County Engineer will approve the above referenced Administrative Variance Request.

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

As Hubert Ave. are not regulated roadways and not included on the 2020 Hillsborough County Level of Service (LOS) Report, no LOS information has been provided for the proposed project.

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
Hubert Ave.	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 checked="" 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	183	12	14
Proposed	293	18	22
Difference (+/-)	+110	+6	+8

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

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

Design Exception/Administrative Variance <input type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
Hubert Ave./Substandard Roadway	Design Exception Requested	Approvable
Hubert Ave./Number of Access Points	Administrative Variance Requested	Approvable
Notes: Substandard roadway improvements on Hubert Ave., from northern most access point to W. Waters Ave.		

4.0 Additional Site Information & Agency Comments Summary

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

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

<b>Application number:</b>	MM 22-0558
<b>Hearing date:</b>	June 13, 2022
<b>Applicant:</b>	Prosper Fontanarosa Homes, LLC
<b>Request:</b>	Major Modification to a Planned Development
<b>Location:</b>	8425 N. Hubert Avenue, Tampa  North of West Waters Avenue, east of North Hubert Avenue, and west of Camden Street.
<b>Parcel size:</b>	3.1 acres +/-
<b>Existing zoning:</b>	PD 77-0318
<b>Future land use designation:</b>	Res-12 (12 du/ga, 0.35 FAR)
<b>Service area:</b>	Urban
<b>Community planning area:</b>	N/A

**A. APPLICATION REVIEW**

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

**Rezoning Application: MM 22-0558**

**Zoning Hearing Master Date: June 13, 2022**

**BOCC Land Use Meeting Date: August 25, 2022**



**Hillsborough County Florida**

**Development Services Department**

**1.0 APPLICATION SUMMARY**

Applicant: Prosper Fontanarosa Homes LLC

FLU Category: RES-12

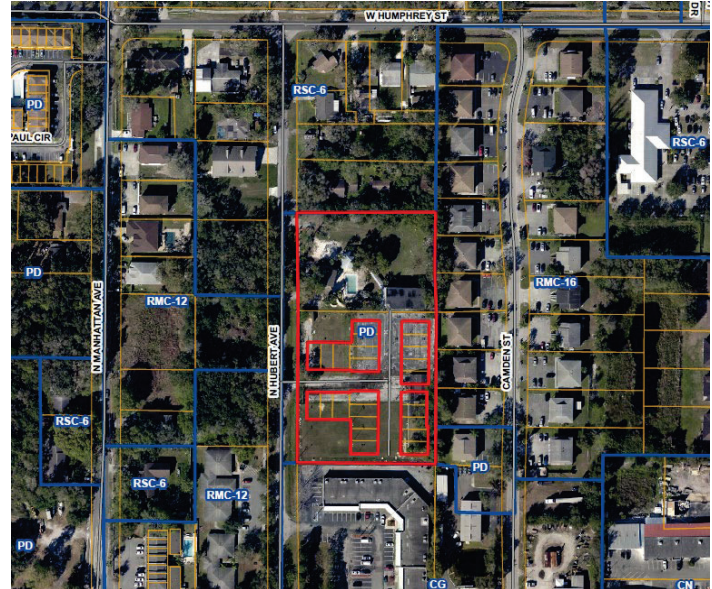
Service Area: Urban

Site Acreage: 1.2 AC +/-

Community Plan Area: None

Overlay: None

Request: Major Modification to Planned Development



**Request Summary:**

The existing zoning is PD (Planned Development) 77-0318, as most recently modified by MM 16-0364 which permits 19 Townhomes and 6 townhomes live/work units to the development standards in the table below. The proposed zoning for Planned Development (site plan controlled district) to allow 15 additional townhome units for a total of 40 residential units, and four commercial spaces pursuant to the development standards in the table below and site plan depicted in 2.4 of the report.

**Zoning:**

	Current PD Zoning	Proposed PD Zoning
Uses	Multifamily residential, live/work units, and recreation and tennis buildings	Multifamily residential and Live/work units
Mathematical Maximums *	25 townhome units total. 6 of the 25 units are allowed for live/work uses.	40 townhome total units. 6 of the 40 units are allowed for live/work uses

\*Mathematical Maximums may be reduced due to roads, stormwater and other improvements

**Development Standards:**

	Current PD Zoning	Proposed PD Zoning
Density / Intensity	Under the existing PD zoning districts for the two parcels a maximum density of 13.3 DU/AC is allowable	Under the proposed MM 22-0558 for the two parcels, a maximum density of 12.82 DU/AC is allowable
Lot Size / Lot Width	81,505 sf / 300'	135,907.2 sf / 492'



**APPLICATION NUMBER: MM 22-0558**

ZHM HEARING DATE: June 13, 2022

BOCC LUM MEETING DATE: August 25, 2022

Case Reviewer: Tania C. Chapela

Setbacks/Buffering and Screening	Principal building setbacks: 20' Front, 20' Side, 20' Rear 20-foot buffer, Type B Screening along the north property line.	Principal building setbacks: 15' Front, 15' Side, 15' Rear 20-foot buffer, Type B Screening along the north property line.
Height	36 feet Max. (3 stories max.)	35 feet Max. (3 stories max.)

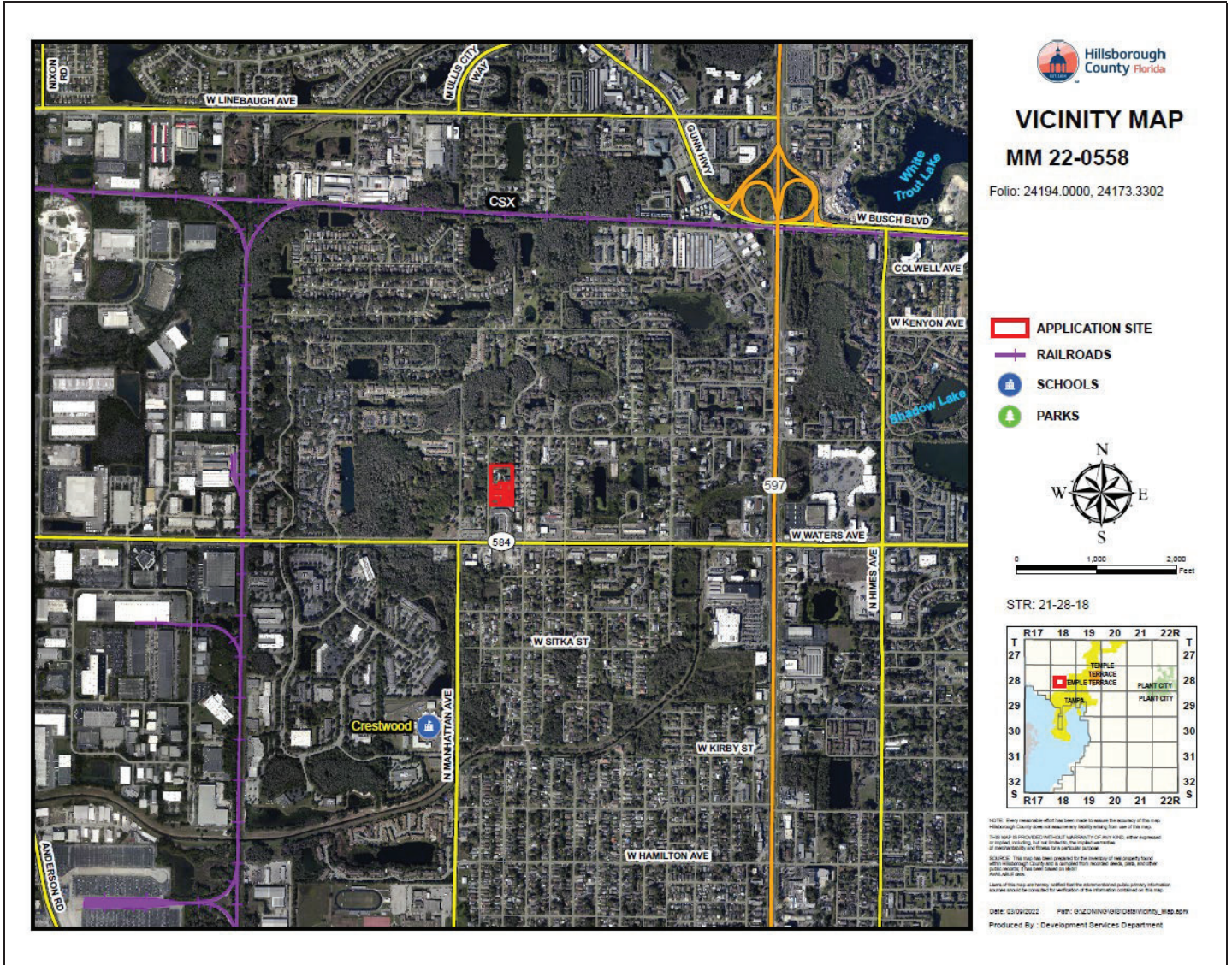
**Additional Information:**

PD Variations	No PD variations are being requested.
Waiver(s) to the Land Development Code	No waivers are being requested.

Planning Commission Recommendation	Consistent
Development Services Department Recommendation	Approvable, subject to conditions

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

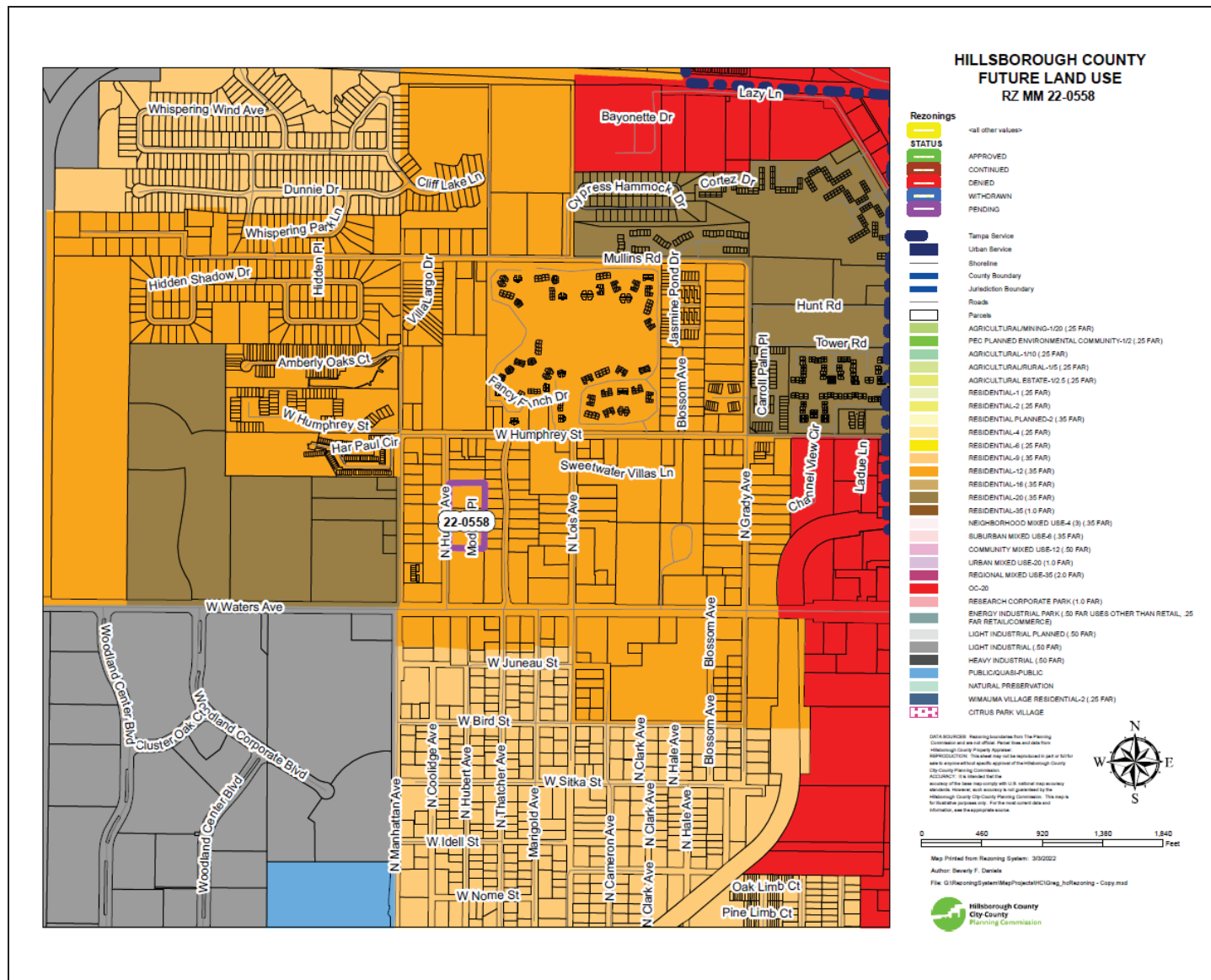


**Context of Surrounding Area:**

The parcel is located along North Hubert Avenue , a local road, with multifamily and single family residential zoning to the west, and east. The residentially zoned parcels to the east are developed with 2-story multi-family buildings. To the south is a property zoned CG developed with a shopping plaza.

2.0 LAND USE MAP SET AND SUMMARY DATA

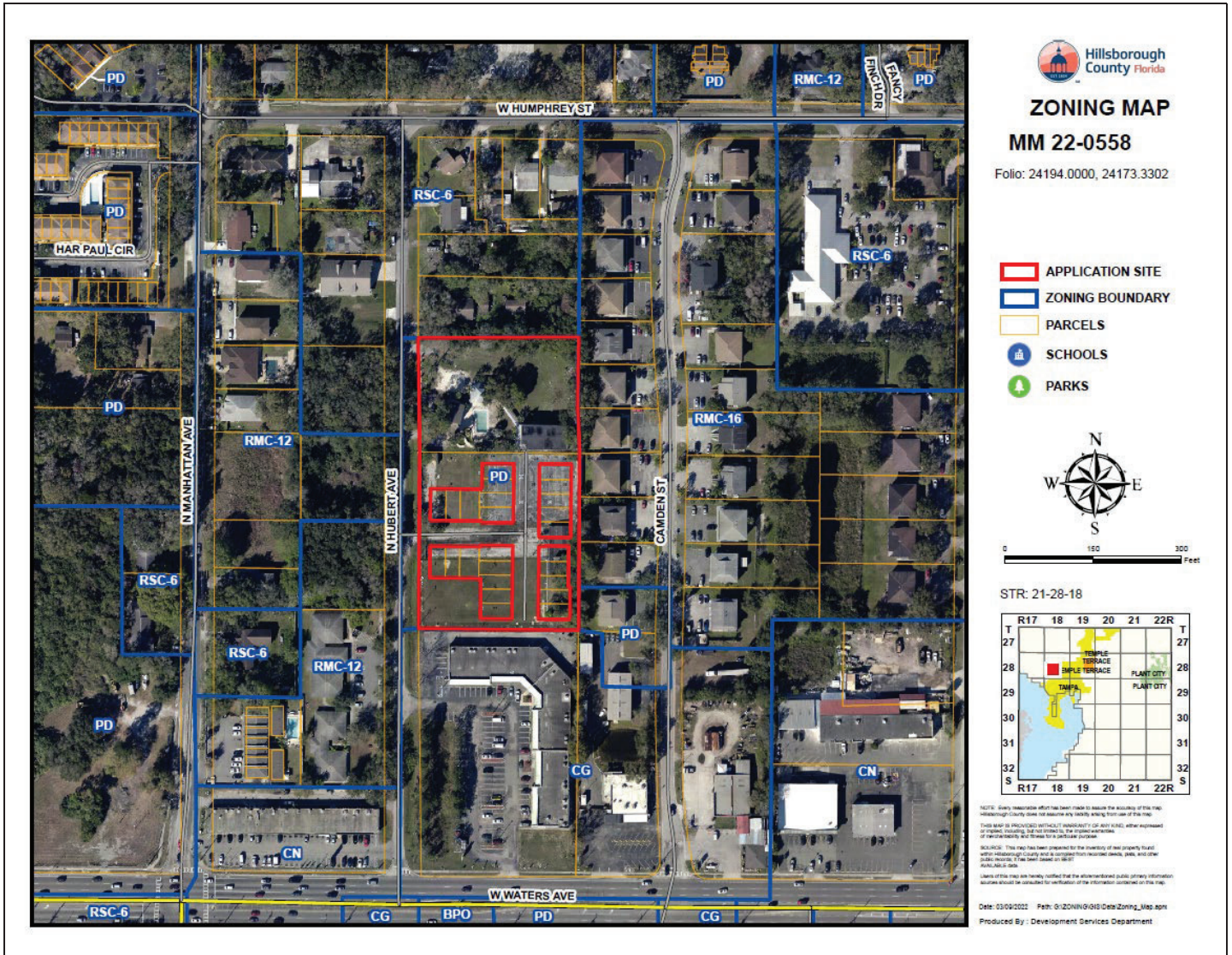
2.2 Future Land Use Map



Subject Site Future Land Use Category:	Residential 12
Maximum Density/F.A.R.:	12 DU/AC
Typical Uses:	Residential, community retail commercial, offices, research park, light industrial, multi-purpose, clustered residential, mixed-use

2.0 LAND USE MAP SET AND SUMMARY DATA

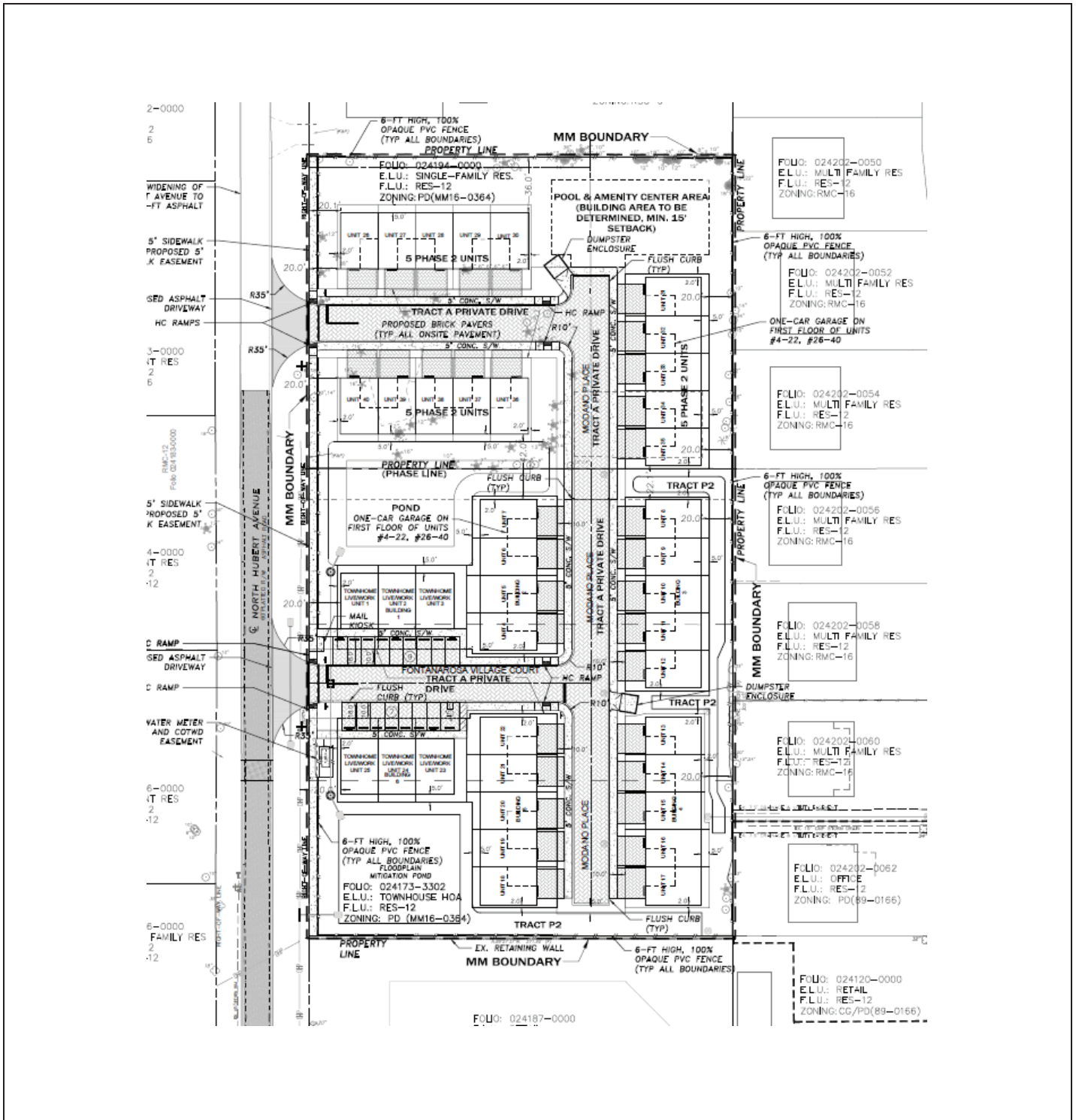
2.3 Immediate Area Map



Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	RSC-6	6 DU/AC	Single Family Residential	Single Family Residential
South	CG	0.5	Commercial General uses	Shopping Center
East	RMC-16, PD 89-0166	16 DU/AC, 0.5 FAR	Multi-family Residential	Multi-family Residential
West	RMC-12	12 DU/AC	Multi-family Residential	Vacant

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



APPLICATION NUMBER: MM 22-0558

ZHM HEARING DATE: June 13, 2022

**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
Hubert Ave.	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 checked="" type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

**Project Trip Generation**  Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	183	12	14
Proposed	293	18	22
Difference (+/-)	+110	+6	+8

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

**Connectivity and Cross Access**  Not applicable for this request

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

Notes:

**Design Exception/Administrative Variance**  Not applicable for this request

Road Name/Nature of Request	Type	Finding
Hubert Ave./Substandard Roadway	Design Exception Requested	Approvable
Hubert Ave./Number of Access Points	Administrative Variance Requested	Approvable

Notes: Substandard roadway improvements on Hubert Ave., from northern most access point to W. Waters Ave.

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

<b>INFORMATION/REVIEWING AGENCY</b>					
<b>Environmental:</b>	<b>Objections</b>	<b>Conditions Requested</b>	<b>Additional Information/Comments</b>		
Environmental Protection Commission	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Conservation & Environmental Lands Mgmt.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Check if Applicable: <table style="width:100%; border:none;"> <tr> <td style="width:50%; border:none;"> <input type="checkbox"/> Wetlands/Other Surface Waters  <input type="checkbox"/> Use of Environmentally Sensitive Land Credit  <input type="checkbox"/> Wellhead Protection Area  <input type="checkbox"/> Surface Water Resource Protection Area  <input type="checkbox"/> Potable Water Wellfield Protection Area                             </td> <td style="width:50%; border:none;"> <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 checked="" type="checkbox"/> Other _Airport Authority Conditions                             </td> </tr> </table>				<input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area	<input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input checked="" type="checkbox"/> Other _Airport Authority Conditions
<input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area	<input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input checked="" type="checkbox"/> Other _Airport Authority Conditions				
<b>Public Facilities:</b>	<b>Objections</b>	<b>Conditions Requested</b>	<b>Additional Information/Comments</b>		
<b>Transportation</b> <input checked="" type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
<b>Utilities Service Area/ Water &amp; Wastewater</b> <input type="checkbox"/> Urban <input checked="" 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			
<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			
<b>Impact/Mobility Fees</b> (Fee estimate is based on a 1,500 square foot, 3 bedroom, Townhouse Unit 1-2 Stories) Mobility: \$5,995 * 15 units = \$ 89,925 Parks: \$1,957 * 15 units = \$ 29,335 School: \$7,027 * 15 units = \$105,405 Fire: \$249 * 15 units = \$ 3,735 Total Townhouse = \$228,400					
<b>Comprehensive Plan:</b>	<b>Findings</b>	<b>Conditions Requested</b>	<b>Additional Information/Comments</b>		

<p><b>Planning Commission</b></p> <p><input type="checkbox"/> Meets Locational Criteria    <input checked="" type="checkbox"/> N/A</p> <p><input type="checkbox"/> Locational Criteria Waiver Requested</p> <p><input type="checkbox"/> Minimum Density Met    <input type="checkbox"/> N/A</p>	<p><input type="checkbox"/> Inconsistent</p> <p><input checked="" type="checkbox"/> Consistent</p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>	<p>See report</p>
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**5.0 IMPLEMENTATION RECOMMENDATIONS**

**5.1 Compatibility**

The proposed uses are comparable to the current townhome and live/work allowed uses. The proposed density is over the maximum 12 DU/AC allowable in the RES-12 Comprehensive Plan category. However, the applicant has requested a density bonus which has been found supportable by the Planning Commission.

The proposed addition to the building area will reduce the required setbacks. However, the front and side setbacks will not create a significant change in the visual character of the area.

Given the above, staff finds the proposed modification to be compatible with the surrounding properties and in keeping the general development pattern of the area.

**5.2 Recommendation**

Approval - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted April 27, 2022.

The following conditions shall apply to folio 24194.0000:

1. ~~Development of the project shall be limited to the following:~~
  - ~~Tennis building 2,650 sq. ft.~~
  - ~~Recreation building 2,340 sq. ft.~~
  - ~~4 outside batting cages~~
  - ~~2 indoor batting cages~~
  - ~~2 indoor racquetball courts 9,576 sq. ft.~~
  - ~~Outdoor pool & play/ball field~~
  - 1.1 **Maximum building height**
    - ~~Tennis building 20 feet~~
    - ~~Recreation center 35 feet~~
    - ~~Racquetball/indoor batting cages 20 feet~~
2. ~~Structures shall be constructed within the envelopes and setbacks as generally depicted on the site plan received October 16, 1997 and the certified site plan for MM 16-0364 unless otherwise stated.~~
3. ~~Parking shall be provided in compliance with the Land Development Code.~~
4. ~~All new non building signs shall be ground signs, exhibiting a unified theme. Pole signs shall be prohibited.~~



- ~~5. Exterior lighting within the project shall be of a low projection non glare type, designed to produce a minimum illumination and glare beyond project boundaries. Maximum height for exterior pole lighting for security/parking areas shall not exceed 16 feet.~~
- ~~6. Perimeter lighting to illuminate play/ball field shall be prohibited between the hours of 9:30 p.m. to 8:00 a.m.~~
- ~~7. Buffering and screening shall be provided in accordance with the requirements of the Land Development Code. Additional buffering and screening within 10 feet of the northern property line of folio 24194.0000 and eastern property line of folio 24194.0000 adjacent to the play/ballfield shall be as follows:
 
  - ~~7.1 The developer shall protect existing trees where possible and supplement existing trees with evergreen trees a minimum of 10 feet height and spaced on minimum 15 footcenters upon planting. In addition to the tree requirements, in areas with no vegetation the developer shall plant evergreen shrubs measuring 36" in height at time of planting, planted on 4 foot centers.~~
  - ~~7.2 The developer shall also provide a 10 foot high chain link fence shrouded with a translucent material (e.g. vinyl covering or vines) on the northern property boundary of folio 24194.0000 only. The fence shall be allowed to meander to accommodate existing mature vegetation. In the event, mature vegetation precludes installation of the fencing, the applicant shall demonstrate to the Natural Resources Section of Planning and Growth Management that portion of fencing is not required and shall submit, at the time of Site Development Plan approval, an alternative screening plan to meet this intent.~~~~

The following conditions shall apply to folio 24192.0000:

~~8. The area subject to MM 16-0364 shall permit a maximum of 25 townhome units. A maximum of 6 of those townhome units, where depicted on the General Site Plan, shall be required to be designed as live/work units in which the first floor is developed as a Home Based Business in accordance with the standards set forth herein. Live/Work units shall comply with Land Development Code Sections 6.11.48.03 (Standards for All Home Based Businesses) and 6.11.48.04 (Residential Home Based Business Standards) and the additional requirements found below. However, Land Development Code Sections 6.11.48.03.F, 6.11.48.03.H and 6.11.48.04.A shall not apply.~~

~~8.1 The first floor is limited to non residential (business) uses. The second and third floors are limited to residential uses. Use of the first floor as an attached accessory dwelling is prohibited.~~

~~8.2 Both the non residential and the residential floors must be occupied by the same tenant/property owner. No portion of the non residential component shall be rented or sold separately.~~

~~8.3 The sale of related items to a customer receiving services on site is permitted. Retail sales to the general public is prohibited. The internal display and storage of said items is permitted. Any display and storage oriented to outside the unit is prohibited.~~

~~8.4 Each unit shall be designed in a residential style and not detract from the residential character or appearance of the entire development.~~

1. The project shall be permitted a maximum of 40 townhome units. A maximum of 6 of those townhome units, where depicted on the General Site Plan, shall be required to be designed as live/work units in which the first floor is developed as a Home-Based Business in accordance with the standards set forth herein.

1.1. The first floor is limited to non-residential (business) uses and may not be converted to residential use. The second and third floors are limited to residential uses. Use of the first floor as an attached accessory dwelling is prohibited. There will be internal access between the commercial and residential floors.

1.2. Both the non-residential and the residential floors must be occupied by the same tenant/property owner. No portion of the non-residential component shall be rented or sold separately.

1.3. The sale of related items to a customer receiving services on site is permitted. Retail sales to the general public is prohibited. This does not preclude taking orders for sales or provision of services off site. The internal display and storage of said items is permitted. Any display and storage oriented to outside the unit is prohibited.

1.4. Each unit shall be designed in a residential style and not detract from the residential character or appearance of the entire development.

1.5. Developer must submit construction plans for live/work units prior to issuance of first certificate of occupancy for non-live/work townhouse unit.

1.6. Signs for the business shall comply with the requirements of this Code.

1.7. Nothing shall be allowed in connection with the business which is offensive or obnoxious by reason of the emission of odors, liquids, gases, dust, smoke, vibration or noise.

1.8. More than one business may be permitted in a single residence; however, all applicable limitations herein shall apply to the combined uses as if they were one business.

1.9. The business shall include, but not be limited to, the following: domestic crafts such as seamstress, sewing, tailoring, weaving, washing and ironing, private tutoring and instruction (limited to three pupils at any one time), hair salon (limited to one chair and one person waiting), professional services, licensed massage therapist (limited to one table), and food preparation except as otherwise prohibited herein. Except as otherwise noted herein, the work use shall not include activities which constitutes Minor Industry as defined by this Code nor activities such as, but not limited to, auto repair and tune-up, clinics, physician's, dentist's and offices of the like, welding shops, machine shops, fabrication shops and activities of the like, animal hospital, kennels, or food catering services.

1.10. The work unit must not exceed 50 percent of the total floor area of the live-work unit. The commercial use must be conducted entirely within the work unit.

1.11. Prohibited uses. Outdoor storage or display of materials, goods, supplies, equipment, commercial vehicles or products associated with the commercial use is prohibited. Equipment must be operated in conformance with the performance standards of the Land Development Code.

1.12. At least one (1) full-time employee who shall also be a resident of the property shall work in the work portion of the live-work unit.

1.13 Live-work units shall be designed in a residential style similar to the development's appearance

~~2.~~ ~~9-~~Townhome buildings shall be setback a minimum of 20 feet from all project boundaries. Maximum building height shall be 36 feet/3-stories.

~~3.~~ ~~10-~~ A minimum of two parking spaces shall be provided for each townhome unit. One parking space may be provided as an attached garage space. A minimum of five extra parking spaces shall be provided within the live/work unit area. These spaces shall be designated (by sign and/or pavement markings) as customer/client parking.

~~11.~~ A 20 foot buffer with Type B screening shall be provided along the northern project boundary if at the time of site development the northern property (folio 24194.0000) is developed with a single-family residential use. This buffering and screening requirement may be administratively waived upon of written consent of the property owner of folio 24194.0000, to be provided at the time of site development.

~~12.~~ The following conditions shall apply to folio 24192.0000: The developer shall be required to bring Hubert Avenue up to current County roadway standards from Waters Avenue to the project’s entrance, unless otherwise approved through the Hillsborough County Design Exception Process. Prior to the first plat/site/construction plan submittal, the developer shall coordinate with the Public Works Department, who shall determine the appropriate typical section to be applied.

~~4.~~ ~~13.-~~The developer shall be required to improve Hubert from Waters Avenue to the project’s southern entrance, unless otherwise approved through the Hillsborough County Design Exception Process. Prior to the first plat/site/construction plan submittal, the developer shall coordinate with the Public Works Department, who shall determine the appropriate typical section to be applied. in accordance with that certain Design Exception approved November 26, 2019 by Mike Williams, Hillsborough County Engineer, which allows a 20’ pavement width, a 2’ shoulder width, and a 16’ wide ditch, and allows the proposed sidewalk to be located within a sidewalk easement along the Fontanarosa frontage.

~~5.~~ The Developer shall be required to improve Hubert Avenue up to current County roadway standards from the project’s southern entrance to its northern boundary in accordance with that certain Design Exception approved \_\_\_\_\_ by \_\_\_\_\_.

The following shall apply to the entire Planned Development:

~~6.~~ ~~13.~~ The location and number of access points shall be as shown on the General Site Plan received \_\_\_\_\_. The design and construction of curb cuts are subject to approval by the Hillsborough County Engineering Department shall be in accordance with that certain Hillsborough County Administrative Variance approval, dated \_\_\_\_\_.

7. If MM 22-0558 is approved, the County Engineer will approve a Section 6.04.02. Administrative Variance (dated May 3, 2022), to LDC Sec. 6.04.03. I. which was found approvable by the County Engineer (on June 01, 2022). Approval of this Administrative Variance will allow the project to have a second access connection to N. Hubert Ave.

8. If the MM 22-0558 is approved, the County Engineer will approve the Design Exception (dated April 19, 2022 and found approvable on June 01, 2022), for N. Hubert Ave. substandard road improvements. As N. Hubert Ave. is a substandard local roadway, the developer will be required to make certain improvements to N. Hubert Ave. between the northern most project access connection and W. Waters Ave consistent with the Design Exception including:

a. Widen the existing roadway to provide 10-foot lanes;


- b. Mill and overlay the roadway;
- c. Provide 2-foot unpaved shoulders, and;
- d. Provide 5-foot sidewalk along the project frontage.

9. \_\_\_\_ 14. Development of the project shall comply with all applicable regulations of the Hillsborough County Environmental Protection Commission.

10. Potential buyers should be informed this location is within the approach and departure area of Tampa International Airport and will be subject to aircraft overflight. The property falls outside of the 65 dnl noise contour around the airport and is a compatible but occupants may be subjected to noise from aircraft operating to and from the airport. The Aviation Authority suggests a noise reduction level of at least 25 db be incorporated into design.

11. \_\_\_\_ 15. Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, and the land use conditions contained herein, and all applicable rules, regulations and ordinances of Hillsborough County.

**Zoning Administrator Sign Off:**



IntegriSign<sup>®</sup>  
Desktop

J. Brian Grady  
Mon Jun 6 2022 16:33:27

**SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.**

Approval of this re-zoning petition by Hillsborough County does not constitute a guarantee that the project will receive approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are being waived or otherwise approved. The project will be required to comply with the Site Development Plan Review approval process in addition to obtain all necessary building permits for on-site structures.

## **B. HEARING SUMMARY**

This case was heard by the Hillsborough County Land Use Hearing Officer on June 13, 2022. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

### **Applicant**

Ms. Anne Pollack spoke on behalf of the applicant. Ms. Pollack 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**

Ms. Tania Chapela, 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. Melissa Lienhard, 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**

Ms. Pollack stated the applicant had nothing further.

The hearing officer closed the hearing RZ-PD 22-0558.

## **C. EVIDENCE SUBMITTED**

Ms. Pollack submitted into the record at the hearing renderings of the proposed project and an aerial view of the Subject Property.

## **D. FINDINGS OF FACT**

1. The Subject Property consists of approximately 3.1 acres of vacant land at 8425 North Hubert Avenue, Tampa, north of West Waters Avenue, east of North Hubert Avenue, and west of Camden Street.

2. The Subject Property is designated Res-12 on the Future Land Use Map and is zoned PD 77-0318, as recently modified by MM 16-0364, which permits 19 residential townhome units and 6 live-work townhome units.
3. The Subject Property is in the Urban Services Area and is not within the geographical boundaries of a community plan.
4. The applicant is requesting a major modification to PD 77-0318 to allow 15 additional townhome units for a total of 40 units, including six live-work units.
5. The applicant requested a density bonus under Future Land Use (FLU) policy 19.3, which allows for a density bonus to the next higher land use category when vertically integrating two land uses. The applicant is requesting Res-16 density, which would allow a maximum density of 49 units and a minimum of 37 units. Planning Commission staff found the requested number of units consistent with FLU policies 1.2 and 7.1 on minimum and maximum density and intensities. FLU policy 19.1 requires at least 10 percent of the total dwelling units to be for the second vertically integrated land use. The six live-work units will account for 15 percent of the total dwelling units. Therefore, Planning Commission staff found the request meets the FLU policy 19.1 requirements. Planning Commission staff further found the applicant provided adequate information, conditions, and site plans to depict how the proposed live-work units are distinct from the residential units to qualify for the FLU policy 19.3 density bonus.
6. The applicant requested an Administrative Variance to allow the project a second access connection to North Hubert Avenue. The County Engineer found the Administrative Variance approvable.
7. The applicant requested a Design Exception for North Hubert Avenue substandard roadway improvements. The developer will be required to make certain improvements to North Hubert Avenue between the northern-most project access connection and West Waters Avenue consistent with the Design Exception, including to widen the existing roadway to provide 10-foot-wide lanes, mill and overlay the roadway, provide 2-foot unpaved shoulders, and provide 5-foot sidewalk along the project frontage. The County Engineer found the Design Exception approvable.
8. The Subject Property is located on North Hubert Avenue, which is a local roadway. Surrounding development includes single-family residential properties zoned RSC-6 to the north; a shopping center zoned CG to the south; multi-family residential zoned RMC-16 and PD 89-0166 to the east, and vacant land zoned RMC-12 to the west.
9. Development Services staff found the proposed major modification to be compatible with surrounding properties and the general development pattern of the area. Staff found the request approvable with the conditions enumerated in the staff report based on the applicant's general site plan submitted April 27, 2022.

10. Planning Commission staff found the proposed major modification consistent with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*, subject to the conditions proposed by Development Services Department.

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

The proposed request for a major modification to a Planned Development 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. (2022). 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 major modification to a Planned Development is consistent with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*.

#### **G. SUMMARY**

The applicant is requesting a major modification to PD 77-0318 to allow 15 additional townhome units for a total of 40 units, including six live-work units. The applicant requested a density bonus under Future Land Use (FLU) policy 19.3, which allows for a density bonus to the next higher land use category when vertically integrating two land uses. The applicant requested an Administrative Variance to allow the project a second access connection to North Hubert Avenue, and a Design Exception for North Hubert Avenue substandard roadway improvements. The County Engineer found the Administrative Variance and Design Exception approvable.

#### **H. RECOMMENDATION**

Based on the foregoing Findings of Fact and Conclusions of Law, this recommendation is for **APPROVAL** of the major modification request, subject to the conditions set out in the Development Services staff report based on the applicant’s general site plan submitted April 27, 2022.

  
Pamela Jo Hatley PhD, JD  
Land Use Hearing Officer

July 6, 2022  
Date:



# Hearing Transcript

HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

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

BEFORE: PAMELA JO HATLEY  
Land Use Hearing Master

DATE: Monday, June 13, 2022

TIME: Commencing at 6:00 p.m.  
Concluding at 11:56 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  
June 13, 2022  
ZONING HEARING MASTER: PAMELA JO HATLEY

D10:  
Application Number: MM 22-0558  
Applicant: Prosper Fontanarosa Homes, LLC  
Location: 600' N of W Waters Ave & E side  
of N Hubert Ave  
Folio Number: 024194.0000 & 024173.3302  
Acreage: 3.1 acres, more or less  
Comprehensive Plan: R-12  
Service Area: Urban  
Existing Zoning: PD 77-0318  
Request: Major Modification to a Planned  
Development

1 MR. GRADY: The next item is agenda item  
2 D-10. This is Major Mod Application 22-0558. The  
3 applicant's Prosper Fontanarosa Homes, LLC. Their  
4 request is for a Major Modification to existing  
5 Planned Development.

6 Tania Chapela will provide staff  
7 recommendation after presentation by the applicant.

8 MS. POLLACK: Good evening. Anne Pollack  
9 with Fletcher, Fischer, Pollack, 433 Central Avenue  
10 in St. Pete. I represent the applicant, Prosper  
11 Fontanarosa Homes, LLC.

12 Jay Roberts with Prosper is here tonight to  
13 answer any questions you might have. We also have  
14 our transportation engineer, Steve Henry.

15 This is a Major Modification to an existing  
16 zoning to complete basically a two-phase project on  
17 a 3.12-acre site. Twenty-five townhomes and  
18 live-work units are currently permitted on the  
19 southern half, and this will allow an additional 15  
20 townhomes on the northern half.

21 Give you a little history, the property's  
22 located near the corner of Waters Avenue and  
23 Manhattan. The surrounding area is a mix of uses  
24 of a shopping center to the south that fronts on  
25 Waters. Single-family homes to the north.

1 Apartments and vacant land to the west.

2 Multifamily apartments and office to the east.

3 The two-parcel property was originally  
4 developed for a tennis and recreational facility.  
5 It was purchased in 2015, rezoned to allow the 25  
6 townhouses and the live-work on the southern  
7 parcel, and the northern parcel was kept for  
8 recreational uses.

9 The tennis facility ultimately closed. The  
10 remainder of the property was sold for development  
11 in 2019 but with COVID development was delayed.  
12 The applicant has recently acquired the parcels and  
13 is now building the townhouses on phase one.

14 Phase one has been platted. It's under  
15 construction, and we're here tonight to receive  
16 approval for phase two. You can get a good  
17 understanding there. Phase one is already platted.  
18 Phase two is not in use right now.

19 The property is a Comp Plan designation of  
20 RES-12, which allows 12 units per acre generally,  
21 but the Comp Plan does allow for an increase in  
22 density to the next most intense Comp Plan  
23 designation with the provision of a mix of uses in  
24 the development.

25 To meet the requirements for the bonus

1 density, the applicant is providing six live-work  
2 units at the entrance to the project. The six  
3 units equal about 15 percent of the four units,  
4 which is beyond the 10 percent that is generally  
5 required to satisfy this requirement.

6 The initial 25 units did receive that bonus  
7 density, and it allows the project density of  
8 13.3 acres. With this request, the total density  
9 for the project will actually go down to  
10 12.8 units, which is just slightly over the  
11 12 units per acre that's allowed by that RES-12.

12 So although this really is, we feel, just a  
13 continuation and completion of this infill project  
14 that was approved in 2016. We've made a lot of  
15 effort to update the conditions of approval to what  
16 staff and the applicant agree are clearer and more  
17 and better conditions generally.

18 For instance, rather than just sticking with  
19 the existing conditions as really just looking at  
20 the work as a home-base business, we worked  
21 diligently with County and Planning Commission  
22 staff to ensure that the live-work units truly are  
23 work units; that there's a true distinction between  
24 the live and the work part and that there's a  
25 distinction between the live-work units and the

1 standard residential units.

2 So, for instance, they prohibit residential  
3 use on the first floor. There is an internal  
4 separation between the uses. The work portion  
5 can't be converted to residential or used as an  
6 ADU. You can't sell or rent the first floor  
7 separate from the owner who has the residential  
8 part.

9 And several other conditions in there that  
10 I'm happy to go into if you're interested but are  
11 listed in the conditions of approval.

12 What we think is key is that the additional  
13 density bonus is really doing what its intent was  
14 to bring a mix of uses into this development that  
15 might not have otherwise developed in this manner.

16 The Planning Commission report, which you'll  
17 hear shortly, was included and submitted into the  
18 record finds the request for additional density to  
19 be consistent with the Comprehensive Plan as well  
20 as the whole Major Modification we're requesting.

21 The project design is planned to be  
22 contemporary and stylish and will bring some  
23 refreshing development to an area where most of the  
24 buildings are in the '80s and '90s and hasn't been  
25 much new construction in a while.

1           That is the elevations from one side, and  
2           this is sort of a rendering. From above, you can  
3           see the whole development and clearly, it's pretty  
4           different from what is there currently but more  
5           modern, more nice.

6           But ultimately, the applicant's goal is to  
7           bring middle income housing stock into this  
8           neighborhood to help invest in it, to help the  
9           community there, and help the workers who need more  
10          housing in the area.

11          So all the parcels surrounding the property  
12          are zoned to allow high-density residential or  
13          commercial. So this infill zoning request is not  
14          only consistent with the area, but it's  
15          particularly appropriate here.

16          It's confirmed by the Planning Commission as  
17          well in their staff report. We're not requesting  
18          any other waivers or variances. We are providing  
19          the required parking, plus additional parking  
20          spaces for the commercial users of the live-work  
21          units.

22          Setbacks are in conformance with phase one,  
23          which is 15 feet on all sides, and we're providing  
24          landscaping and buffering in conformance with the  
25          County requirements.



1           We've received no objections from any  
2           reviewing agencies, including transportation. We  
3           are requesting an administrative variance and  
4           design exception.

5           The administrative variance allows a second  
6           access. Mutually makes sense for this development  
7           and will ensure efficient and effective  
8           circulation.

9           We are requesting a design exception to  
10          address some substandard road improvements to be  
11          made to Hubert, and these are pretty much in line  
12          with what was approved for phase one, so Hubert  
13          will work appropriately.

14          Our transportation engineer, Steve Henry, is  
15          here tonight in case you have any questions about  
16          that. Both of those -- the variance and the design  
17          exception -- have been deemed approvable by staff.

18          So this project, it's adjacent to low  
19          density. Multifamily to the east and west. Some  
20          single-family to the north. Commercial to the  
21          south. Office in various parts.

22          Around, there is a lot of mixed-use in some  
23          of these buildings. So we feel that the approval  
24          will allow the applicant to direct growth into the  
25          Urban Service Area to take a defunct spot that

1           hasn't been used for much for quite some time and  
2           meet the intent of the Comp Plan to provide much  
3           needed housing, a mix of uses, and all done in a  
4           way that's compatible with the surrounding area.

5           We did receive two calls from neighbors.  
6           One is representing a neighbor to the east and  
7           southeast of the property in support of the  
8           project. And the other was from an owner who lives  
9           nearby who wants to purchase one of them when  
10          they're built. So we assume that means she's  
11          supportive.

12          The Planning Commission and the County Staff  
13          have both deemed the project consistent and  
14          approvable, and we hope we can get your  
15          recommendation. Thank you so much.

16          HEARING MASTER HATLEY: Thank you.

17          All right. Development Services.

18          Development Services you ready?

19          MR. REGISTER: You're muted. Tania, can you  
20          hear us? You're muted. Let me try to unmute you.  
21          Okay. Go ahead.

22          MS. CHAPELA: Tania Chapela, Development  
23          Services. Can you hear me now?

24          HEARING MASTER HATLEY: Yes.

25          MS. CHAPELA: So the next application is

1 application number PD Major Modification. It's  
2 22-0558. It's a modification to Planned  
3 Development.

4 The applicant, Prosper Fontanarosa Homes,  
5 LLC, seeks a Major Mod to allow a 40-townhome units  
6 development including 65 live-work units. The site  
7 is within Future Land Use classification of RES-12,  
8 which allows up to 12 dwelling units per acre and a  
9 floor area ratio of 0.5 for nonresidential  
10 development. Surrounding areas have similar future  
11 land uses.

12 The area today is generally consisting of  
13 multifamily and single-family residential zonings.  
14 To the west and east to the south is a property  
15 zoned Commercial General and is developed with a  
16 shopping plaza.

17 The site is currently approved for 25  
18 townhomes, and the proposed modification is to  
19 allow 40 townhomes and the six live units --  
20 live-work units that weren't approved before.

21 So in total they're proposing to allow 15  
22 additional townhome units to the north of the -- of  
23 the PD area.

24 So based on the -- AE-1-.25 Future Land Use  
25 Classification, the surrounding zoning, and the

1 development pattern and the proposed uses and  
2 development standards for the -- for the Major  
3 Modification 22-0558, staff finds the request is  
4 supportable, and this concludes my presentation.  
5 I'm available for questions.

6 HEARING MASTER HATLEY: Okay. Thank you.  
7 Planning Commission.

8 MS. LIENHARD: Thank you. Melissa Lienhard,  
9 Planning Commission staff.

10 The subject property is located in the  
11 Residential-12 Future Land Use Category. It is in  
12 the Urban Service Area, and the property is not  
13 located within the limits of a community plan.

14 The request complies with Objective 1 of the  
15 Future Land Use Element which requires development  
16 to be directed into the Urban Service Area.

17 Objective 8 indicates the maximum density  
18 and intensity for the Residential-12 Future Land  
19 Use Category and the criteria for obtaining bonus  
20 density through Policy 19.3 of the Future Land Use  
21 Element.

22 Policy 19.3 allows for a density bonus to  
23 the next higher raised category where vertically  
24 integrating two land uses. The proposed density is  
25 for 16 dwelling units to the acre, and the

1 applicant has addressed the bonus outlined in  
2 Policy 19.3.

3 According to the applicant, the existing  
4 approval allows for a density of 13.3 units per  
5 acre with approved density bonus. The proposed  
6 Major Modification would request an overall density  
7 of 12.8 units per acre.

8 The applicant is proposing six three-story  
9 live-work units that will function as a business  
10 and residential dwelling unit. With a bonus to the  
11 next highest Future Land Use Category of  
12 Residential-16, the maximum density permitted  
13 on-site is 49 units and the minimum density is  
14 37 units.

15 The applicant is requesting 40 units and is  
16 consistent with Policies 1.2 and 7.1 of the Future  
17 Land Use Element with regard to minimum and maximum  
18 densities and intensities.

19 Based upon Policy 19.1, at least 10 percent  
20 of the total dwelling units must be for the second  
21 vertically integrated use. The six live-work units  
22 will account for 15 percent of the total dwelling  
23 units and will meet Policy 19.1 of the Future Land  
24 Use Element.

25 The applicant is requesting six live-work

1 units, which will be distinct from the other 34  
2 townhomes proposed on-site. The distinction is  
3 essential to the proposed development being found  
4 consistent with Policy 19.3, which requests two  
5 separate land uses.

6 To achieve a density bonus, the applicant  
7 will provide two separate land uses to show how the  
8 live-work units differentiate from a traditional  
9 home-base business and be compatible with the  
10 surrounding community.

11 The applicant has agreed to the conditions  
12 of approval that provide a level of detail  
13 outlining the characteristics of the live-work  
14 unit.

15 Lastly, the applicant has provided a floor  
16 plan showing the office located on the first floor  
17 and residential bedrooms located on the second and  
18 third floors. These conditions of approval and the  
19 specific floor plans are essential to Planning  
20 Commission staff finding this proposal consistent  
21 with the Comprehensive Plan.

22 Based upon those considerations, Planning  
23 Commission staff finds the proposed modification  
24 consistent with the Future of Hillsborough  
25 Comprehensive Plan for unincorporated Hillsborough

1 County subject to the conditions proposed by  
2 Development Services. Thank you.

3 HEARING MASTER HATLEY: Thank you.

4 All right. Is there anyone here or online  
5 who wishes to speak in support of this application?  
6 I do not see anyone.

7 Is there anyone here or online who wishes to  
8 speak in opposition to this application? I don't  
9 see anyone.

10 Development Services, anything further?

11 MR. GRADY: Nothing further.

12 HEARING MASTER HATLEY: All right.

13 Applicant? Nothing further. All right.

14 That will close, then, the hearing on Major  
15 Modification 22-0558.

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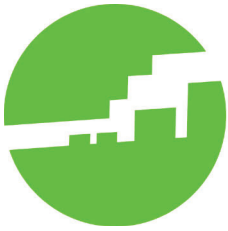
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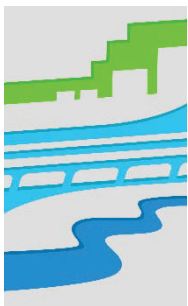
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**Hillsborough County  
City-County  
Planning Commission**

<b>Unincorporated Hillsborough County Rezoning</b>	
<b>Hearing Date:</b> June 13, 2022  <b>Report Prepared:</b> June 7, 2022	<b>Petition: MM 22-0558</b>  8419 North Hubert Avenue  North of West Waters Avenue, east of North Hubert Avenue, and west of Camden Street
<b>Summary Data:</b>	
<b>Comprehensive Plan Finding:</b>	<b>CONSISTENT</b>
<b>Adopted Future Land Use:</b>	Residential-12 (RES-12) (12 du/ga, 0.35 FAR)
<b>Service Area</b>	Urban
<b>Community Plan:</b>	N/A
<b>Requested Zoning:</b>	Modification of a Major Modification (16-0364) to allow for 15 townhouse units on the northern parcel and six live/work units.
<b>Parcel Size (Approx.):</b>	3.12 +/- acres (135,907 square feet)
<b>Street Functional Classification:</b>	North Huber Avenue – Local Road West Waters Avenue - County Arterial West Humphrey Street -County Collector Camden Street – Local Road
<b>Locational Criteria</b>	Not Applicable
<b>Evacuation Zone</b>	Zone E





## **Context**

- The 3.12 +/-acre subject site is located at 8419 North Hubert Avenue, North of West Waters Avenue, east of North Hubert Avenue, and west of Camden Street.
- The subject site is in the Urban Service Area (USA) and is not within the limits of the Community Plan.
- The subject site is in the Residential-12 (RES-12) Future Land Use (FLU) Category. The RES-12 category surrounds the property and allows residential, urban scale neighborhood commercial, office uses, multi-purpose projects, and mixed use development. Non-residential uses will need to meet locational criteria for specific land uses and agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element. Further west is the Residential-20 (RES-20) FLU Category.
- The property currently has Planned Development (PD) zoning with existing townhomes located on the southern portion of the site. To the north is Residential - Single-Family Conventional (RSC-6) zoning with single family residential lots. East of the site is Residential - Multi-Family Conventional (RMC-16) zoning with two-family residential lots. To the south and southeast is PD and Commercial Neighborhood (CN) zoning with light commercial uses. West of the site is RSC-6 and RMC-12 zoning with a mixture of two-family, single family and multifamily residential lots and vacant properties.
- The applicant is requesting a modification of Major Modification (16-0364) to allow for 15 townhouse units on the northern parcel and six live/work units. The proposed Major Modification would bring the total townhomes on site to 40 with six units as live/work units.

## **Compliance with Comprehensive Plan:**

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

## **Future Land Use Element**

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

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

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

## **Implementation of the Growth Management Strategy and Future Land Use Element**

### **Land Use Categories**

**Objective 8:** *The Future Land Use Map will include Land Use Categories which outline the maximum level of intensity or density and range of permitted land uses allowed and planned for an area. A table of the land use categories and description of each category can be found in Appendix A.*

**Policy 8.1:** *The character of each land use category is defined by building type, residential density, functional use, and the physical composition of the land. The integration of these factors sets the general atmosphere and character of each land use category. Each category has a range of potentially permissible uses which are not exhaustive, but are intended to be illustrative of the character of uses permitted within the land use designation. Not all of those potential uses are routinely acceptable anywhere within that land use category.*

**Policy 8.2:** *Each potential use must be evaluated for compliance with the goals, objectives, and policies of the Future Land Use Element and with applicable development regulations.*

### **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.*

### **Community Development and Land Uses**

#### **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 16.7:** Residential neighborhoods shall be designed to include an efficient system of internal circulation and street stub-outs to connect adjacent neighborhoods together.

**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.

### **Mixed Use Land Use Categories**

**Objective 19:** All development in the mixed use categories shall be integrated and interconnected to each other.

**Policy 19.2:** In the mixed use land use categories, when two or more uses are required on the same project, then the development shall be implemented through a zoning district that demonstrates street connectivity, description of land uses, and site placement, access locations and internal connections at a minimum.

**Policy 19.3: Incentives for Mixed Use:** The following incentives are available to encourage mixed use and vertically integrated mixed use projects within the Urban Service Area:

- Parking structures shall not count towards the FAR for projects that include 3 or more land uses or vertically integrate two land uses.
- Projects that either include 3 or more land uses or vertically integrate two land uses may utilize a density bonus to the next higher land use category or the following FAR bonus:
  - Property with a Future Land Use Category of 35 units per acre and/or 1.00 FAR and higher and within the USA – may increase up to 50 units and/or an additional .50 FAR
  - Property within a Future Land Use Category of 9 units per acre and/or .5 FAR and higher and within the USA – Increase in FAR by .25
  - Property within a Future Land Use Category of 4 units per acre and/or .25 FAR and higher and within the USA – Increase in FAR by .10

*When considering mixed use projects of 3 or more land uses, a different housing type (multi-family, attached single family or detached single family) may be considered as one of the uses.*

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

The 3.12± acre subject site is located at north of West Waters Avenue, east of North Hubert Avenue, and west of Camden Street. The subject site is in the Urban Service Area (USA) and is not within the limits of the Community Plan. The applicant is requesting a modification of Major Modification (16-0364) to allow for 15 townhouse units on the northern parcel and six live/work units. The Major Modification (16-0364) was approved for 25 townhouses with six live/work units on the southern parcel. The proposed Major Modification would bring the total townhomes on site to 40 with six units as live/work units.

The request complies with Objective 1 which requires development to be directed into the Urban Service Area. Objective 8 indicates the maximum density and intensity for the Residential-12 (RES-12) Future Land Use (FLU) category and the criteria for obtaining bonus density through Policy 19.3. Policy 19.3 allows for a density bonus to the next higher land use category when vertically integrating two land uses. The proposed density is for 16 dwelling units to the acre (du/ac) and the applicant has addressed the bonus density criteria outlined in Policy 19.3. Per the applicant, the existing approval allows for a density of 13.3 units per acre with an approved density bonus. The proposed Major Modification would request an overall density of 12.8 units per acre. The applicant is proposing six three-story live/work units that will function as a business and residential dwelling unit. Per the requested RES-16, the maximum density permitted on site is 49 units and the minimum density is 37 units. The applicant is requesting 40 units and is consistent with Policies 1.2 and 7.1 on minimum and maximum density and intensities. Based on Policy 19.1, at least 10% of the total dwelling units must be for the second vertically integrated land use. The six live/work units will account for 15% of the total dwelling units and will meet Policy 19.1.

The Residential-12 Future Land Use category is intended for areas that are medium residential in density. The area is mostly composed of residential single-family, two-family, and multi-family lots. However, there are a few parcels with office and retail/commercial uses immediately adjacent to the south and southeast of the site. The proposed development is consistent with Policies 1.4, 16.3, 16.8, and 16.10 which requires density and lot sizes of new residential projects to be compatible with the surrounding uses.

The applicant is requesting six live/work units which will be distinct from the other 34 townhomes proposed on site. The distinction is essential to the proposed development being found consistent with Policy 19.3, which requires two separate land uses. To achieve a density bonus, the applicant needs to provide two separate land uses. To show how the live/work units will differentiate from a traditional home based business and be compatible with the surrounding community, the applicant has agreed to the following conditions:

- The first floor is limited to non-residential business uses, cannot be converted to residential, and cannot be used as an accessory dwelling unit
- Internal access between the commercial and residential floors
- Prohibit the rental or selling of the non-residential component

- Retail sales to the general public are prohibited
- Any display or storage outside the unit is prohibited
- Designing each unit in a residential style similar to the development's appearance
- All floors must be occupied by the same tenant/owner, and at least one full-time employee, who shall also be a resident of the property, shall work in the work portion of the live-work unit.
- The developer must submit construction permits for the live/work units prior to first occupancy certification for non-live/work units
- Outdoor storage or display of materials, goods, supplies, equipment, or products associated with the commercial use is prohibited; including commercial vehicles
- The work unit must not exceed 50 percent of the total floor area of the live-work unit
- The conditions of approval expand on business use limitations including minor industry, as defined by the Land Development Code, auto repair, clinics, physician and dentist offices, machine shops, animal hospital and kennels, and food catering services.

Lastly, the applicant has provided floor plans showing the office located on the first floor and residential bedrooms located on the second and third floors. These conditions of approval and the specific floor plans are essential to Planning Commission staff finding this proposal consistent with the Comprehensive Plan.

Overall, the proposed request is consistent with the Goals, Policies and Objectives of the Comprehensive Plan. The applicant has provided adequate information, conditions and site plans that depict how the proposed live/work units are distinct from the proposed townhomes to qualify for the density bonus in Policy 19.3.

### **Recommendation**

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

# HILLSBOROUGH COUNTY FUTURE LAND USE RZ MM 22-0558

Rezonings STATUS

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

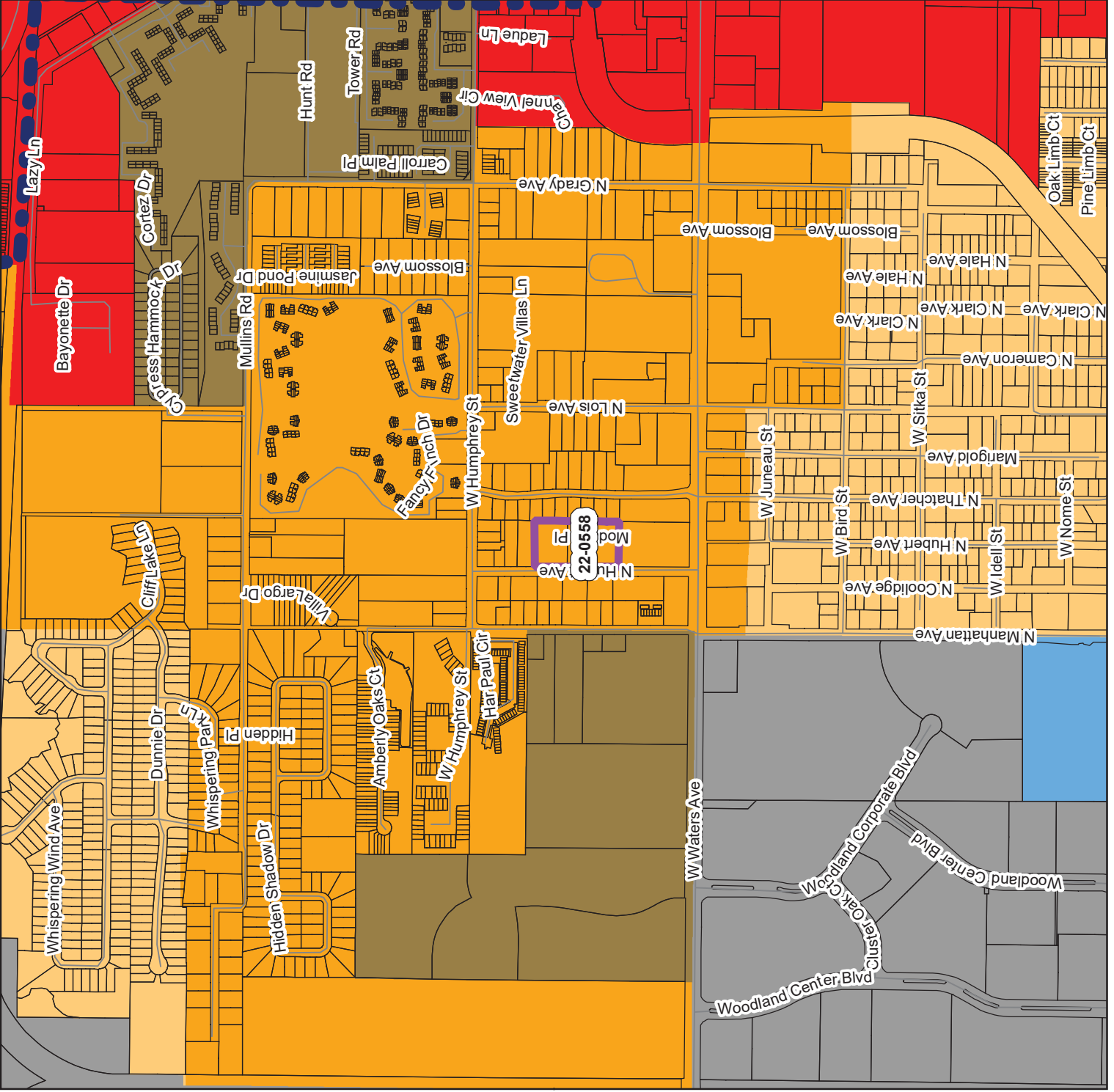
Tampa Service  
Urban Service  
Shoreline  
County Boundary  
Jurisdiction Boundary  
Roads  
Parcels

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

DATA SOURCES: Rezonings boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. The information on this map is for informational purposes only. For the most current data and information, visit the appropriate agency.

Map Printed from Rezoning System: 3/3/2022  
 Author: Beverly F. Daniels  
 File: G:\Rezonings\System\MapProjects\HIC\GReg\_HReZoning\_Copy.mxd

Hillsborough County  
City-County  
Planning Commission





**GENERAL  
SITE PLAN  
FOR  
CERTIFICATION**



**Hillsborough  
County Florida**

**DEVELOPMENT SERVICES**

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

**HILLSBOROUGH COUNTY  
DEVELOPMENT SERVICES DEPARTMENT**

**GENERAL SITE PLAN REVIEW/CERTIFICATION**

**BOARD OF COUNTY  
COMMISSIONERS**

Harry Cohen  
Ken Hagan  
Pat Kemp

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

**COUNTY ADMINISTRATOR**

Bonnie M. Wise

**COUNTY ATTORNEY**

Christine M. Beck

**INTERNAL AUDITOR**

Peggy Caskey

**DEPUTY COUNTY ADMINISTRATOR**

Gregory S. Horwedel

Project Name: Prosper Fontanarosa Homes

Zoning File: RZ-PD (77-0318) Modification: MM (22-0558)

Atlas Page: None Submitted: 07/19/22

To Planner for Review: 07/19/22 Date Due: ASAP

Contact Person: Anne Pollack, Fletcher Fischer Pollack PL Phone: 813-898-2836/apollack@ffplegal.com

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

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

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

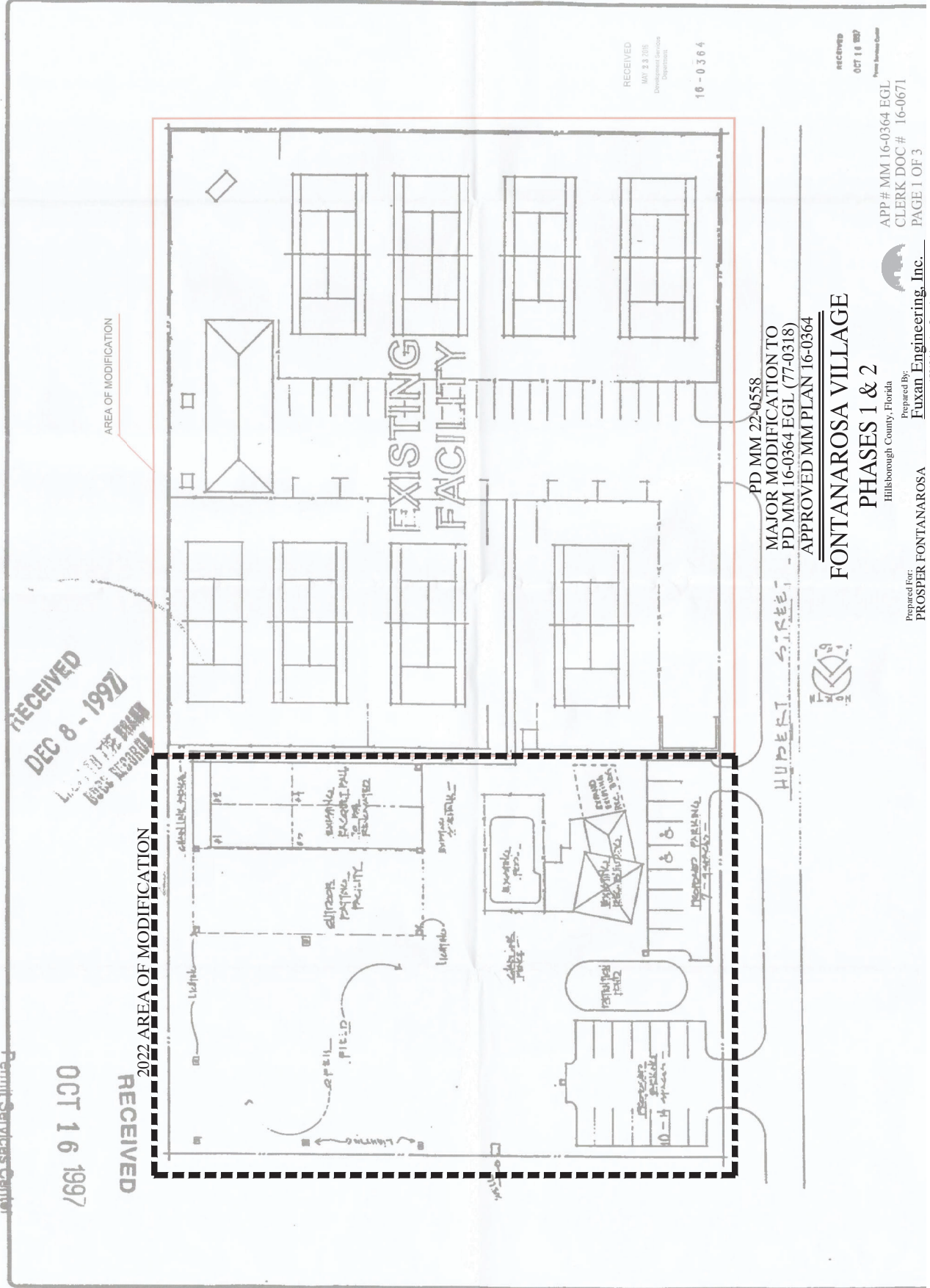
Reviewed by: Tania C. Chapela Date: 08/10/2022

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









RECEIVED  
DEC 8 - 1997  
LUCY W. FRAHER  
BOSS ADMINISTRATION

OCT 16 1997  
RECEIVED  
2022 AREA OF MODIFICATION

Permit Services Center

RECEIVED  
MAY 28 2016  
Development  
Department  
16-0364

RECEIVED  
OCT 16 2022  
Permit Services Center

PD MM 22-0558  
MAJOR MODIFICATION TO  
PD MM 16-0364 EGL (77-0318)  
APPROVED MM PLAN 16-0364



# FONTANAROSA VILLAGE PHASES 1 & 2

Hillsborough County, Florida

Prepared For:  
**PROSPER FONTANAROSA  
HOMES LLC**  
507 Columbia Drive  
Tampa, FL 33606



Prepared By:  
**Fuxan Engineering, Inc.**  
15016 Maurine Cove Ln  
Odessa, Florida 33556  
email: dfuxan@fuxaneng.com  
Engineering License Certificate of Authorization No. 20044

APP# MM 16-0364 EGL  
CLERK DOC# 16-0671  
PAGE 1 OF 3

SHEET 1 OF 3

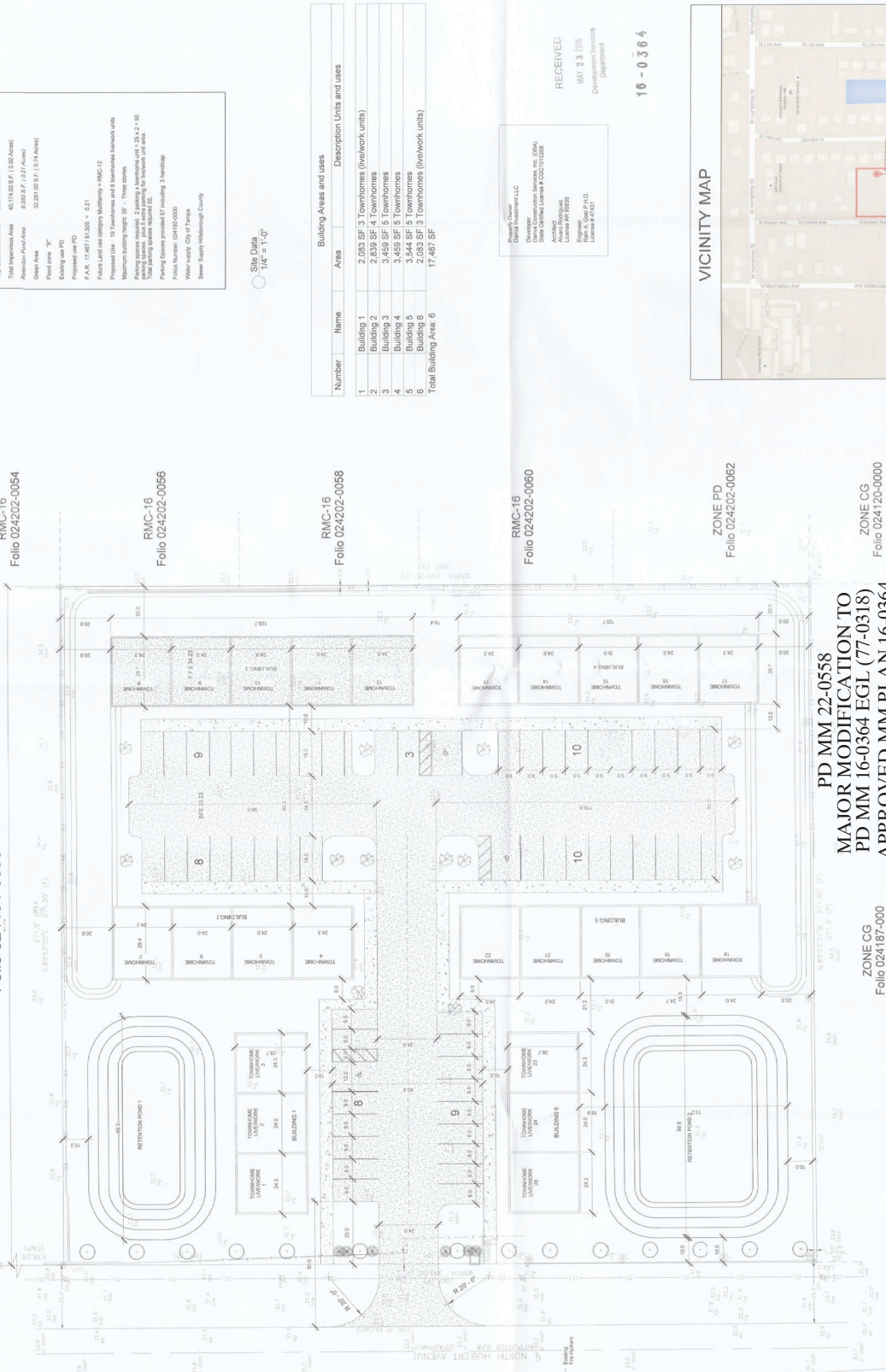
**2022 AREA OF MODIFICATION PD-A 2022 AREA OF MODIFICATION**  
**Folio 024194-0000**

RMC-12  
Folio 024183-0000

RMC-12  
Folio 024184-0000

RMC-12  
Folio 024186-0000

RMC-12  
Folio 024115-0100



**PD MM 22-0558**  
**MAJOR MODIFICATION TO**  
**PD MM 16-0364 EGL (77-0318)**  
**APPROVED MM PLAN 16-0364**

**FONTANAROSA VILLAGE**  
**PHASES 1 & 2**  
 Hillsborough County, Florida

Prepared for:  
**PROSPER FONTANAROSA HOMES LLC**  
 507 Columbia Drive,  
 Tampa, FL 33606

Prepared by:  
**Fuxan Engineering, Inc.**  
 15018 Marine Center  
 Office Building 30355  
 Phone: 813-244-6194  
 email: cfuxan@fuxaneng.com  
 Engineering Services, Consultants & Administrators, Inc. 20168



**SHEET 2 OF 3**

APP # MM 16-0364 EGL  
 CLERK DOC # 16-0671  
 PAGE 2 OF 3

**SITE DATA**

Site Area	81,505.58 SF (1.87 Acres)
Building Area	17,467.59 SF
Asphalt and Pavements	22,707.59 SF
Total Impervious Area	40,174.69 SF (0.92 Acres)
Retention Pond Area	8,202.27 (0.19 Acres)
Green Area	32,291.09 SF (0.74 Acres)
Flood zone "X"	
Existing uses PD	
Proposed uses PD	
F.A.R. 17.67(7) 0.00 - 0.21	
Future land use category Hillsborough: RMC-C1	
Future land use category Hillsborough: RMC-C1	
Maximum building height 30' - Three stories	
Parking spaces required: 2 parking spaces per townhome unit - 25 x 2 x 50	
Topography: Level	
Topsoil: 12" depth required	
Parking Spaces provided: 57 including 3 handicapped	
Form Number: 024192-0000	
Water supply: City of Tampa	
Sewer supply: Hillsborough County	

Site Data  
 1/4" = 1'-0"

**Building Areas and uses**

Number	Name	Area	Description Units and uses
1	Building 1	2,093 SF	3 Townhomes (livework units)
2	Building 2	2,093 SF	3 Townhomes
3	Building 3	3,459 SF	5 Townhomes
4	Building 4	3,459 SF	5 Townhomes
5	Building 5	3,544 SF	5 Townhomes (livework units)
6	Building 6	2,093 SF	3 Townhomes (livework units)
Total Building Area:		17,467 SF	

Design/Drawn  
 Design Investment LLC  
 Designer  
 State Certified License # 000110289  
 Alvaro Rodriguez  
 License #615923  
 Plan # 024194  
 License #4421

RECEIVED  
 MAY 23 2016  
 DEVELOPMENT SERVICES  
 16-0364



PROPOSED PD FOR:  
**HUBERT TOWNHOMES**

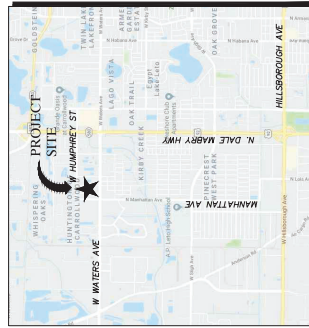
TAMPA FLORIDA 33614

**ALVARO RODRIGUEZ ARCHITECT**  
 3603 W. Flora Street, Suite 101, Tampa Florida 33614  
 Telephone 813 389 8082, Fax 813 374 8310  
 email: alvaro@architects.net  
 www.architects.net

SEAL

**ALVARO RODRIGUEZ ARCHITECT ARCHES**  
 3603 W. FLORA STREET, SUITE 101  
 TAMPA FLORIDA 33614  
 TEL: 813 389 8082  
 DATE: 12/27/15  
 JOB NO: 03715

SITE PLAN  
 Sheet  
**C-2**



VICINITY MAP  
HILLSBOROUGH COUNTY, FLORIDA  
SECTION 21, TOWNSHIP 28 SOUTH, RANGE 18 EAST

LEGAL DESCRIPTION:  
FOLIO 024192-0000; LOTS 6, 7, 8, 6, BLOCK 2, APRHUR ESTATES, RECORDS OF HILLSBOROUGH COUNTY, FLORIDA,  
AND  
FOLIO 024184-0000; LOTS 8 & 10, BLOCK 5, APRHUR ESTATES, RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.

OWNER/DEVELOPER:  
PROSPER FONTANAROSA  
HOMES LLC  
1040 Biscayne Blvd.  
MIAMI, FL 33138

ENGINEER:  
FLUAM ENGINEERING, INC  
15018 MAURINE COVE LAKE  
ST PETERSBURG, FL 33701  
(813) 888-2836

PLANNER:  
ELETCHER FISCHER POLLACK P.L.L.C.  
433 CENTRAL AVE.  
ST PETERSBURG, FL 33701  
(813) 888-2836

PD MM 22-0558  
MAJOR MODIFICATION TO  
PD MM 16-0364 E.G.L (77-0318)  
GENERAL SITE PLAN

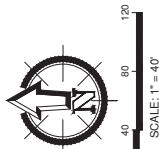
FONTANAROSA VILLAGE  
PHASES 1 & 2

Hillsborough County, Florida

Prepared For:  
PROSPER FONTANAROSA  
HOMES LLC  
1040 Biscayne Blvd  
Apt 2101  
Miami, FL 33138

Prepared By:  
Fuxan Engineering, Inc.  
15018 Maurine Cove Ln  
Odessa, Florida 33556  
Phone: 813-244-6194  
email: info@fuxan.com  
Engineering Business Certificate of Accreditation No. 26848

File Name: FONT2.dwg Drawn By: JCS Rev: 04/19/2022 Date: 02/10/2022



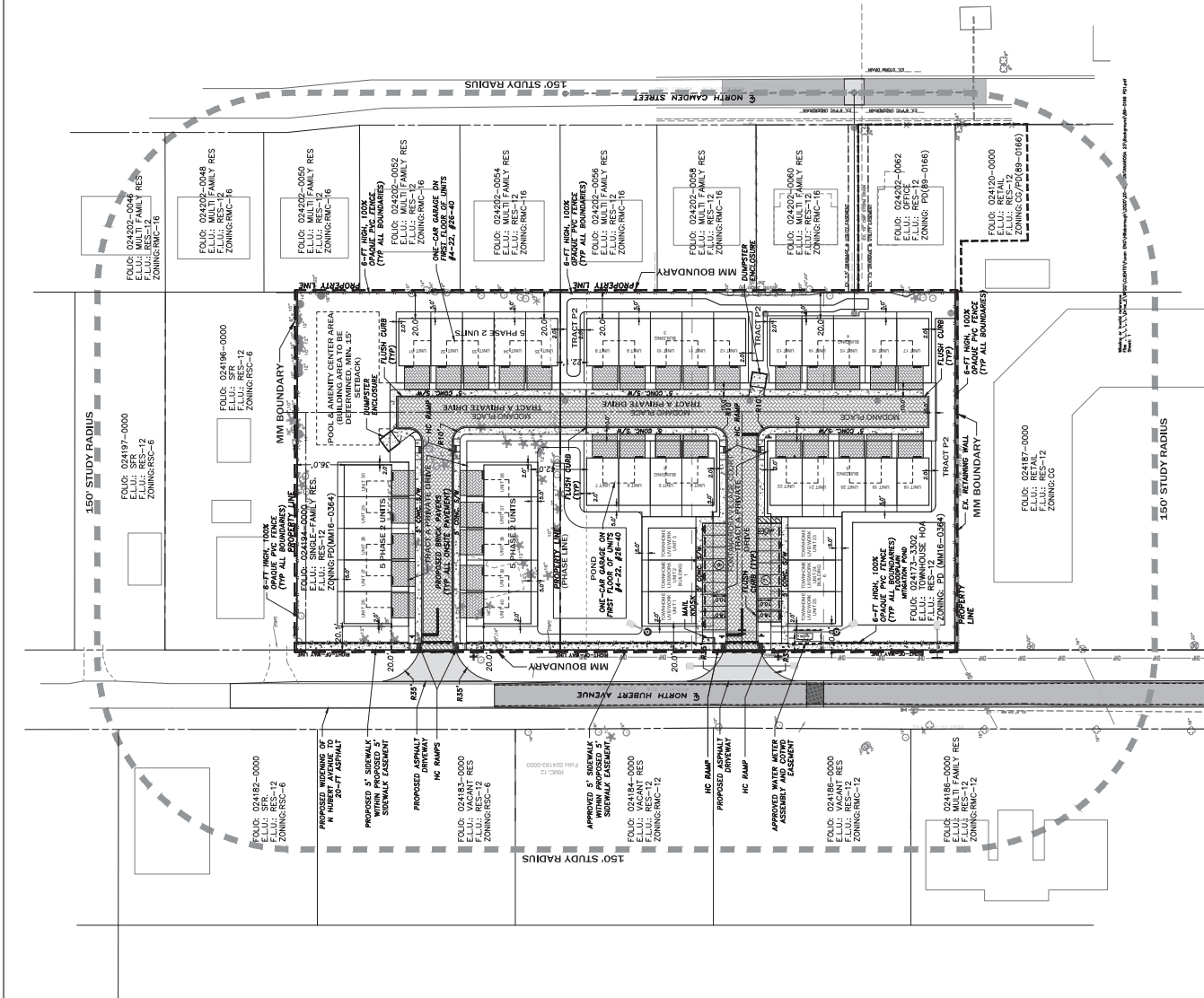
- LEGEND**
- STORM DRAINAGE STRUCTURE
  - EXISTING CONTOUR
  - EXISTING ELEVATION
  - EX. BAK TREE
  - EX. CEDAR TREE
  - EX. PINE TREE
  - EX. CAMPHOR TREE
  - EX. UNKNOWN TREE

- PROJECT - SITE DATA:**
- Folios: 024172-3320, 024194-0000
  - Containing PD MM 16-0364 E.G.L (77-0318)
  - Containing PD MM 22-0558
  - Unified Address: 312 Ac.±
  - Parcel Total Area: 3.12 Ac.±
  - Proposed Use: 40 Family Single Family Attached Units on proposed
  - Gross Project Density: 2.88 Dwelling Units per Acre
  - Non-Residential Uses: None
  - Maximum Building Coverage: 71%
  - Project is within the Urban Service Area
  - Proposed Sublots: 40 x 40'
  - Ear (Rear): 15 Feet (Minimum)
  - Wall (Front): 15 Feet (Minimum)
  - Plus: 5 Additional Spaces for Live/Work Units
  - Parking Proposed: 54 Spaces
  - Plus: 54 Spaces
  - Plus: 4 Live/Work Units
  - Plus: 4 Live/Work Units
  - Plus: 113 Spaces

**PROJECT NOTES:**

1. The project lies within Flood Zone "X" according to FEMA-IRM Community Flood Number 1205700194H.
2. The project is located within the Egger Lake Community.
3. The project is not located within an Overlay District.
4. The Project is not adjacent to any State Roadway.
5. The Project Does Not contain any Historical or Archeological Landmarks.
6. No modifications are proposed to any surrounding PD.
7. Existing structures on the site shall be removed.
8. The project consists of two Phases.
9. No additional building elevations are proposed.
10. No additional building elevations are proposed.
11. No additional building elevations are proposed.
12. No additional building elevations are proposed.
13. No additional building elevations are proposed.
14. No additional building elevations are proposed.
15. No additional building elevations are proposed.
16. No additional building elevations are proposed.
17. No additional building elevations are proposed.
18. Adjacent street is paved, identified as a Substandard roadway and shall be improved as required by Hillsborough County and approved administrative.
19. No additional building elevations are proposed.
20. No additional building elevations are proposed.
21. No additional building elevations are proposed.
22. There is no public transit facility required per LDC proposed.
23. No additional building elevations are proposed.
24. Wastewater service to be provided by Hillsborough County.
25. Adjacent PD 22-0166 is depicted in the approved
26. Adjacent PD 22-0166 is depicted in the approved
27. There are no existing Public Right-of-Way within the Project Boundary.
28. Project Boundary, setbacks, and Common areas shall be maintained by a Homeowners' Association.

SHEET 3 OF 3





# **AGENCY COMMENTS**

## AGENCY REVIEW COMMENT SHEET

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

**DATE:** 6/01/2022  
**AGENCY/DEPT:** Transportation  
**PETITION NO:** MM 22-0558

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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 ZONING APPROVAL**

#### *New Conditions:*

- If MM 22-0558 is approved, the County Engineer will approve a Section 6.04.02. Administrative Variance (dated May 3, 2022), to LDC Sec. 6.04.03. I. which was found approvable by the County Engineer (on June 01, 2022). Approval of this Administrative Variance will allow the project to have a second access connection to N. Hubert Ave.
- If the MM 22-0558 is approved, the County Engineer will approve the Design Exception (dated April 19, 2022 and found approvable on June 01, 2022), for N. Hubert Ave. substandard road improvements. As N. Hubert Ave. is a substandard local roadway, the developer will be required to make certain improvements to N. Hubert Ave. between the northern most project access connection and W. Waters Ave consistent with the Design Exception including:
  - a. Widen the existing roadway to provide 10-foot lanes;
  - b. Mill and overlay the roadway;
  - c. Provide 2-foot unpaved shoulders, and;
  - d. Provide 5-foot sidewalk along the project frontage.

### **PROJECT SUMMARY AND ANALYSIS**

The applicant is requesting to modify PD 77-0318, as amended by MM 16-0364, to allow an additional 15 townhome units on the second phase of the project consisting of +/- 1.22 acres. The existing PD entitlements allow for 25 town homes on a total of +/- 3.16 acres. The future land use designation is Residential 12 (R-12).

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

As the project generates fewer than 50 peak hour trips, a letter providing the trip generation calculations was submitted with the zoning application. 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
PD: 25 Multi-Family/Townhome units (LUC 220)	<b>183</b>	<b>12</b>	<b>14</b>

**Proposed Zoning:**

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD: 40 Multi-family/Townhome units) (LUC 220)	<b>293</b>	<b>18</b>	<b>22</b>

**Trip Generation Difference:**

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference (+/-)</b>	<b>+110</b>	<b>+6</b>	<b>+8</b>

The proposed rezoning would generally result in an increase of trips potentially generated by development of the subject site by 110 average daily trips, 6 trips in the a.m. peak hour, and 8 trips in the p.m. peak hour.

**TRANSPORTATION INFRASTRUCTURE SERVING THE SITE**

Hubert Ave. is a publicly maintained, substandard rural local roadway. The roadway consists of +/- 19-foot paved surface in fair condition, lying within a +/- 60-foot wide right-of-way along the project’s boundary. There are no sidewalks or bicycle facilities present in the vicinity or the proposed project.

Per the County’s Transportation Technical Manual, a rural local roadway TS-7 typical section requires 12-foot travel lanes, 8-foot shoulders (5-foot paved), drainage swales and sidewalks on both sides within 96 feet of right-of-way. The applicant has requested a design exception to widen the roadway to 10-foot travel lanes, mill and overlay the roadway, provide 2-foot paved shoulders from the northernmost access point to Waters Ave; and construct a sidewalk along the protect frontage. See the section below in this report titled “Requested Design Exception” for more detail.

**SITE ACCESS**

The PD site plan proposes to add a new full access connection on N. Hubert Ave. for a total of 2 full access connections. The project does not meet warrants for turn lanes.

A sidewalk will be constructed along the project frontage and on both sides of the project’s internal driveways.

**REQUESTED DESIGN EXCEPTION: HUBERT AVE.**

As N. Hubert Ave. is a substandard local roadway, the applicant’s Engineer of Record submitted a Design Exception (dated April 19, 2022) to determine the specific improvements that would be required by the County Engineer. Based upon the factors submitted in the request, the County Engineer found the request

approvable on June 1, 2022, for N. Hubert Ave. substandard road improvements. The developer will be required to make certain improvements to N. Hubert Ave. between the northernmost project access connection and W. Waters Ave. consistent with the Design Exception including:

- a. Widen the existing roadway to provide 10-foot lanes;
- b. Mill and overlay the roadway;
- c. Provide 2-foot unpaved shoulders, and;
- d. Provide 5-foot sidewalk along the project frontage.

If this zoning is approved, the County Engineer will approve the Design Exception request.

#### **REQUESTED ADMINISTRATIVE VARIANCE: NUMBER OF ACCESS POINTS**

The applicant submitted a Section 6.04.02.B. Administrative Variance Request (dated May 3, 2022) to allow a second access connection on N. Hubert Ave. Pursuant to Section 6.04.03. I., the project is limited to one access connection. Based on factors presented in the Administrative Variance Request, the County Engineer found the request approvable on June 1, 2022.

If this rezoning is approved, the County Engineer will approve the above referenced Administrative Variance Request.

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

As Hubert Ave. are not regulated roadways and not included on the 2020 Hillsborough County Level of Service (LOS) Report, no LOS information has been provided for the proposed project.

**From:** Williams, Michael [WilliamsM@HillsboroughCounty.ORG]  
**Sent:** Wednesday, June 1, 2022 11:34 AM  
**To:** Steven Henry [shenry@lincks.com]  
**CC:** Perez, Richard [PerezRL@hillsboroughcounty.org]; Tirado, Sheida [TiradoS@hillsboroughcounty.org]; PW-CEIntake [PW-CEIntake@hillsboroughcounty.org]; Chapela, Tania [ChapelaT@hillsboroughcounty.org]; Anne Pollack [apollack@ffplegal.com]  
**Subject:** FW: MM 22-0558 DE & AV Review  
**Attachments:** 22-0558 DEREQ 04-22-22.pdf; 22-0558 AVReq 05-03-22.pdf

**Importance:** High

Steve,

I have found the attached Section 6.04.02.B. Administrative Variance (AV) and Design Exception (DE) for PD 22-0558 APPROVABLE.

Please note that it is you (or your client's) responsibility to follow-up with my administrative assistant, Ingrid Padron ([padroni@hillsboroughcounty.org](mailto:padroni@hillsboroughcounty.org) or 813-307-1709) after the BOCC approves the PD zoning or PD zoning modification related to below request. This is to obtain a signed copy of the DE/AV.

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

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

Lastly, please note that it is critical to ensure you copy all related correspondence to [PW-CEIntake@hillsboroughcounty.org](mailto:PW-CEIntake@hillsboroughcounty.org)

Mike

**Michael J. Williams, P.E.**  
**Director, Development Review**  
**County Engineer**  
Development Services Department

---

P: (813) 307-1851  
M: (813) 614-2190  
E: [Williamsm@HillsboroughCounty.org](mailto:Williamsm@HillsboroughCounty.org)  
W: HCFLGov.net

---



**Hillsborough County**

601 E. Kennedy Blvd., Tampa, FL 33602

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

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---

**From:** Tirado, Sheida <[TiradoS@hillsboroughcounty.org](mailto:TiradoS@hillsboroughcounty.org)>  
**Sent:** Monday, May 30, 2022 6:12 PM  
**To:** Williams, Michael <[WilliamsM@HillsboroughCounty.ORG](mailto:WilliamsM@HillsboroughCounty.ORG)>  
**Cc:** Perez, Richard <[PerezRL@hillsboroughcounty.org](mailto:PerezRL@hillsboroughcounty.org)>  
**Subject:** MM 22-0558 DE & AV Review  
**Importance:** High

Hello Mike,

The following DE and AV for this zoning case are approvable to me, please include the following people in your email.

[shenry@lincks.com](mailto:shenry@lincks.com)  
[apollack@ffplegal.com](mailto:apollack@ffplegal.com)  
[ChapelaT@hillsboroughcounty.org](mailto:ChapelaT@hillsboroughcounty.org)  
[PerezRL@hillsboroughcounty.org](mailto:PerezRL@hillsboroughcounty.org)

Best Regards,

**Sheida L. Tirado, PE** *(she/her/hers)*  
**Transportation Review Manager**  
Development Services Department

---

P: (813) 276-8364  
E: [tirados@HCFLGov.net](mailto:tirados@HCFLGov.net)  
W: [HCFLGov.net](http://HCFLGov.net)

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**Hillsborough County**

601 E. Kennedy Blvd., Tampa, FL 33602

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---

**From:** Rome, Ashley <[RomeA@hillsboroughcounty.org](mailto:RomeA@hillsboroughcounty.org)>  
**Sent:** Tuesday, May 3, 2022 4:10 PM  
**To:** Allen, Cari <[AllenCA@hillsboroughcounty.org](mailto:AllenCA@hillsboroughcounty.org)>; Andrea Papandrew <[papandrewa@plancom.org](mailto:papandrewa@plancom.org)>;  
Blinck, Jim <[BlinckJ@HillsboroughCounty.ORG](mailto:BlinckJ@HillsboroughCounty.ORG)>; Brown, Gregory <[BrownGr@hillsboroughcounty.org](mailto:BrownGr@hillsboroughcounty.org)>;

Cabrera, Richard <[CabreraR@HillsboroughCounty.ORG](mailto:CabreraR@HillsboroughCounty.ORG)>; Dalfino, Jarryd <[DalfinoJ@hillsboroughcounty.org](mailto:DalfinoJ@hillsboroughcounty.org)>; Santos, Daniel <[daniel.santos@dot.state.fl.us](mailto:daniel.santos@dot.state.fl.us)>; David Skrelunas <[David.Skrelunas@dot.state.fl.us](mailto:David.Skrelunas@dot.state.fl.us)>; DeWayne Brown <[brownd2@gohart.org](mailto:brownd2@gohart.org)>; Dickerson, Ross <[DickersonR@HillsboroughCounty.ORG](mailto:DickersonR@HillsboroughCounty.ORG)>; Ellen Morrison <[ellen.morrison@swfwmd.state.fl.us](mailto:ellen.morrison@swfwmd.state.fl.us)>; Franklin, Deborah <[FranklinDS@hillsboroughcounty.org](mailto:FranklinDS@hillsboroughcounty.org)>; Greg Colangelo <[colangeg@plancom.org](mailto:colangeg@plancom.org)>; Hansen, Raymond <[HansenR@hillsboroughcounty.org](mailto:HansenR@hillsboroughcounty.org)>; Holman, Emily - PUD <[HolmanE@HillsboroughCounty.ORG](mailto:HolmanE@HillsboroughCounty.ORG)>; Hummel, Christina <[HummelC@hillsboroughcounty.org](mailto:HummelC@hillsboroughcounty.org)>; Impact Fees <[ImpactFees@hillsboroughcounty.org](mailto:ImpactFees@hillsboroughcounty.org)>; James Hamilton <[jkhamilton@tecoenergy.com](mailto:jkhamilton@tecoenergy.com)>; Jillian Massey <[masseyj@plancom.org](mailto:masseyj@plancom.org)>; Justin Willits <[WillitsJ@gohart.org](mailto:WillitsJ@gohart.org)>; Kaiser, Bernard <[KAISERB@HillsboroughCounty.ORG](mailto:KAISERB@HillsboroughCounty.ORG)>; Karla Llanos <[llanosk@plancom.org](mailto:llanosk@plancom.org)>; Katz, Jonah <[KatzJ@hillsboroughcounty.org](mailto:KatzJ@hillsboroughcounty.org)>; Kyle Brown <[kyle.brown@myfwc.com](mailto:kyle.brown@myfwc.com)>; [landuse-zoningreviews@tampabaywater.org](mailto:landuse-zoningreviews@tampabaywater.org); Mineer, Lindsey <[Lindsey.Mineer@dot.state.fl.us](mailto:Lindsey.Mineer@dot.state.fl.us)>; Lindstrom, Eric <[LindstromE@hillsboroughcounty.org](mailto:LindstromE@hillsboroughcounty.org)>; Mackenzie, Jason <[MackenzieJ@hillsboroughcounty.org](mailto:MackenzieJ@hillsboroughcounty.org)>; Matthew Pleasant <[matthew.pleasant@hcps.net](mailto:matthew.pleasant@hcps.net)>; McGuire, Kevin <[McGuireK@HillsboroughCounty.ORG](mailto:McGuireK@HillsboroughCounty.ORG)>; Melanie Ganas <[mxganas@tecoenergy.com](mailto:mxganas@tecoenergy.com)>; Melissa Lienhard <[lienhardm@plancom.org](mailto:lienhardm@plancom.org)>; Olivia Ryall <[oryall@teamhcso.com](mailto:oryall@teamhcso.com)>; Perez, Richard <[PerezRL@hillsboroughcounty.org](mailto:PerezRL@hillsboroughcounty.org)>; Petrovic, Jakska <[PetrovicJ@HillsboroughCounty.ORG](mailto:PetrovicJ@HillsboroughCounty.ORG)>; Pezone, Kathleen <[PezoneK@hillsboroughcounty.org](mailto:PezoneK@hillsboroughcounty.org)>; Ratliff, James <[RatliffJa@hillsboroughcounty.org](mailto:RatliffJa@hillsboroughcounty.org)>; Hessinger, Rebecca <[HessingerR@hillsboroughcounty.org](mailto:HessingerR@hillsboroughcounty.org)>; Renee Kamen <[renee.kamen@hcps.net](mailto:renee.kamen@hcps.net)>; Revette, Nacole <[RevetteN@HillsboroughCounty.ORG](mailto:RevetteN@HillsboroughCounty.ORG)>; Carroll, Richard <[CarrollR@HillsboroughCounty.ORG](mailto:CarrollR@HillsboroughCounty.ORG)>; Rochelle, Randy <[RochelleR@HillsboroughCounty.ORG](mailto:RochelleR@HillsboroughCounty.ORG)>; Rodriguez, Dan <[RodriguezD@gohart.org](mailto:RodriguezD@gohart.org)>; RP-Development <[RP-Development@hillsboroughcounty.org](mailto:RP-Development@hillsboroughcounty.org)>; Salisbury, Troy <[SalisburyT@hillsboroughcounty.org](mailto:SalisburyT@hillsboroughcounty.org)>; Salma Ahmad <[ahmads@plancom.org](mailto:ahmads@plancom.org)>; Sanchez, Silvia <[sanchezs@epchc.org](mailto:sanchezs@epchc.org)>; Shelton, Carla <[SheltonC@HillsboroughCounty.ORG](mailto:SheltonC@HillsboroughCounty.ORG)>; Steady, Alex <[SteadyA@hillsboroughcounty.org](mailto:SteadyA@hillsboroughcounty.org)>; Tapley, Kimberly <[tapleyk@epchc.org](mailto:tapleyk@epchc.org)>; Thompson, Mike <[Thompson@epchc.org](mailto:Thompson@epchc.org)>; Tony Mantegna <[tmantegna@tampaairport.com](mailto:tmantegna@tampaairport.com)>; Turbiville, John (Forest) <[TurbivilleJ@HillsboroughCounty.ORG](mailto:TurbivilleJ@HillsboroughCounty.ORG)>; Woodard, Sterlin <[Woodard@epchc.org](mailto:Woodard@epchc.org)>; Yeneka Mills <[millsy@plancom.org](mailto:millsy@plancom.org)>

**Cc:** Grady, Brian <[GradyB@HillsboroughCounty.ORG](mailto:GradyB@HillsboroughCounty.ORG)>; Chapelá, Tania <[ChapelaT@hillsboroughcounty.org](mailto:ChapelaT@hillsboroughcounty.org)>; Timoteo, Rosalina <[TimoteoR@HillsboroughCounty.ORG](mailto:TimoteoR@HillsboroughCounty.ORG)>; Padron, Ingrid <[PadronI@hillsboroughcounty.org](mailto:PadronI@hillsboroughcounty.org)>; Tirado, Sheida <[TiradoS@hillsboroughcounty.org](mailto:TiradoS@hillsboroughcounty.org)>; Williams, Michael <[WilliamsM@HillsboroughCounty.ORG](mailto:WilliamsM@HillsboroughCounty.ORG)>

**Subject:** RE MM 22-0558

Good Day All,

Please be advised, we have received and uploaded to Optix **revised documents/plans** for the above mentioned application. Please review and comment.

For further information regarding the change/update please contact the assigned planner.

Planner assigned:

Planner: Tania Chapelá

Contact: [chapelat@hillsboroughcounty.org](mailto:chapelat@hillsboroughcounty.org)

Have a good one,

**Ashley Rome**  
**Planning & Zoning Technician**  
Development Services Dept.

---

P: (813) 272-5595  
E: [romea@hillsboroughcounty.org](mailto:romea@hillsboroughcounty.org)  
W: [HCFLGov.net](http://HCFLGov.net)

---

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

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

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



**LINCKS & ASSOCIATES, INC.**

May 3, 2022

Mr. Michael Williams, PE  
County Engineer Development Review Director  
Hillsborough County  
601 East Kennedy Blvd., 20<sup>th</sup> Floor  
Tampa, FL 33602

Re: Fontanarosa Village  
Folio Number 24192.0000 & 24194.0000  
MM 22-0558  
Lincks Project No. 22032

The purpose of this letter is to request a Section 6.04.02.B Administrative Variance to Section 6.04.03.I of the Hillsborough County Land Development Code, for the number of accesses to Hubert Avenue for the project. The subject property is currently zoned Planned Development to allow up to 25 Townhomes. The developer proposes a Major Modification to the PD to allow Phase 2 for an additional 15 Townhomes.

The subject property is within the Urban Service Area and according to the Hillsborough County Roadways Functional Classification Map, Hubert Avenue is a local road.

Table 1 provides the trip generation for the approved and proposed Planned Development.

The access to serve the project is proposed to be via two (2) full accesses to Hubert Avenue. A copy of the PD plan is included in the appendix of this letter.

The request is for an Administrative Variance to Section 6.04.03.I of the Hillsborough County LDC for the number of accesses to Hubert Avenue. As shown in Table 1, the project would generate 20 PM peak hour trip ends. According to Table 1 of Section 6.04.03.I of the LDC, the threshold for more than one access on a local road is 90 peak hour trip ends. The request is for two full accesses to Hubert Avenue.

The justification for the variance is as follows:

**(a) there is an unreasonable burden on the applicant,**

Without the second access, the developer may have to provide a cul-de-sac which would result in a potential loss of units. This would be an unreasonable burden for the developer, given the characteristics of the roadway.

5023 West Laurel Street  
Tampa, FL 33607  
813 289 0039 Telephone  
8133 287 0674 Telefax  
[www.Lincks.com](http://www.Lincks.com) Website

**22-0558**

Mr. Mike Williams  
May 3, 2022  
Page 2

The second access would serve as the emergency access. In addition, the second access provides for better circulation of solid waste and other delivery trucks.

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

The northern portion of Hubert Avenue has Single Family Homes fronting along the roadway with each having a driveway to Hubert Avenue. The two (2) accesses to serve 40 Townhomes would be low volume driveways; therefore given the characteristics of the roadway and the low volume driveways, the driveway would not be detrimental to the public health, safety and welfare.

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

The northern portion of Hubert Avenue serves Single Family Homes with individual driveways accessing the roadway. The spacing for the two (2) accesses meet the access spacing criteria contained in the LDC. As stated, the second access provides better on-site circulation. Without the additional access, the traffic for the project would be concentrated at one access which is not reasonable given the layout of the subject project and the characteristics of the existing roadway.

Mr. Mike Williams  
May 3, 2022  
Page 3

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

Best Regards,

Steven J Henry  
President  
Lincks & Associates, Inc.  
P.E. #51555



---

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

- Disapproved**
- Approved**
- Approved with Conditions**

**If there are any further questions or you need clarification, please contact Sheida L. Tirado, P.E.**

**Date** \_\_\_\_\_

**Sincerely,**

**Michael J. Williams  
Hillsborough County Engineer**

TABLE 1  
TRIP GENERATION (1)

<u>Scenario</u>	<u>Land Use</u>	<u>ITE LUC</u>	<u>Size</u>	<u>Daily Trip Ends</u>	<u>AM Peak Hour Trip Ends</u>		<u>PM Peak Hour Trip Ends</u>		
					<u>In</u>	<u>Out</u>	<u>In</u>	<u>Out</u>	
Approved	Townhomes	215	25 DU's	159	3	6	7	6	13
Proposed	Townhomes	215	15 DU's	95	2	4	4	3	7
	Total		40 DU's	254	5	10	11	9	20

(1) Source: ITE Trip Generation Manual, 11<sup>th</sup> Edition, 2021

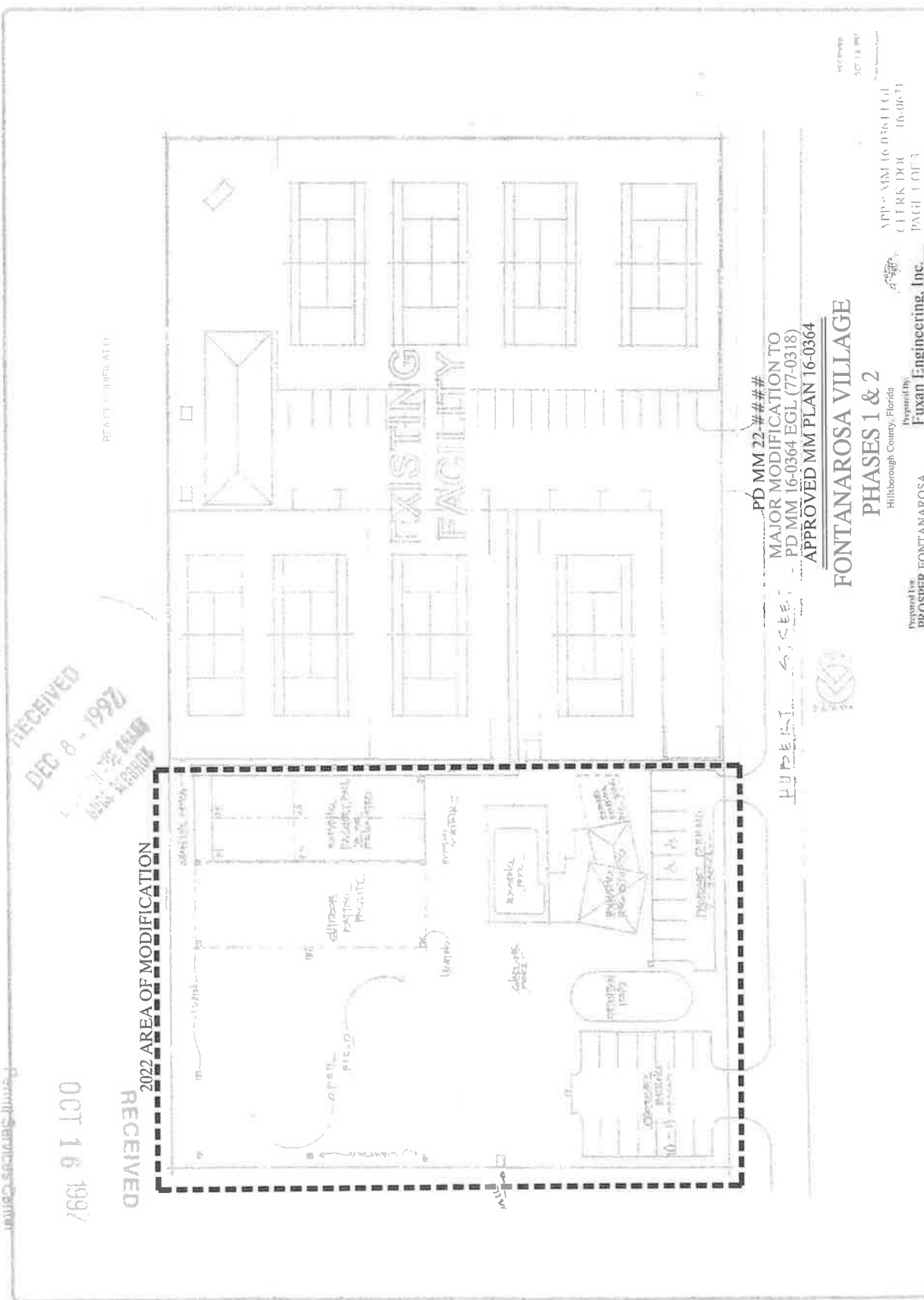
APPENDIX





PD PLAN



Permit Services Center

OCT 16 1997

RECEIVED  
DEC 8 - 1997  
MAY 22 1998

RECEIVED  
2022 AREA OF MODIFICATION

PD MM 22-###-##  
MAJOR MODIFICATION TO  
- PD MM 16-0364 EGL (77-0318)  
APPROVED MM PLAN 16-0364

HILLBOROUGH COUNTY



**FONTANAROSA VILLAGE  
PHASES 1 & 2**

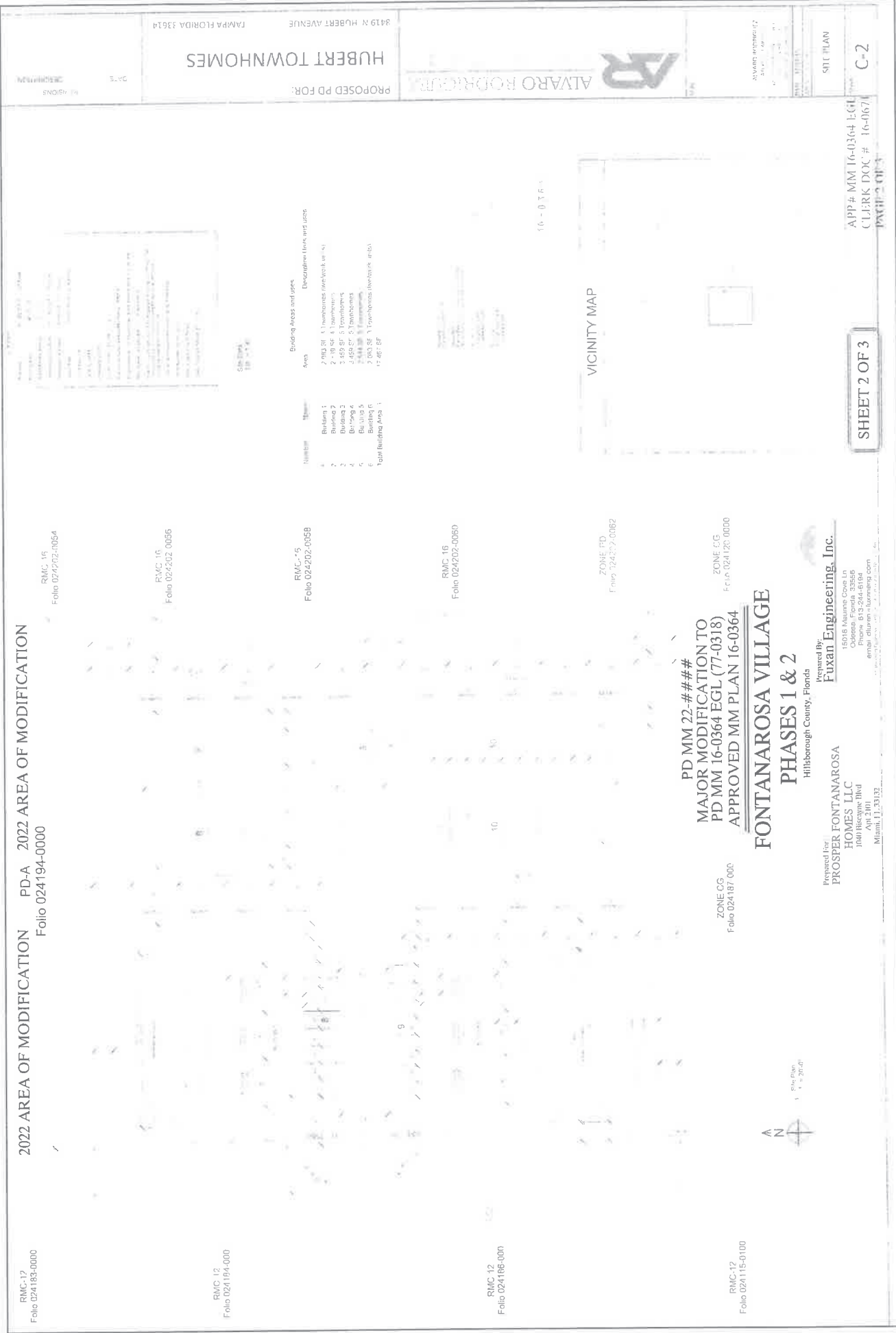
APP'D MM 16-0364 EGL  
CLERK DOC 16-0671  
PAGE 1 OF 3

**SHEET 1 OF 3**

Prepared For:  
**PROSPER FONTANAROSA  
HOMES LLC**  
1940 Hesperus Blvd  
Apt. 2101  
Miami, FL 33132

Prepared By:  
**Fuxan Engineering, Inc.**  
1501 E. Mainline Cove Ln  
Deltona, Florida 32725  
Phone: 407-241-6966  
email: fuxan@fuxanengineering.com

10/16/97



2022 AREA OF MODIFICATION PD-A 2022 AREA OF MODIFICATION  
Folio 024194-0000

RMC-17  
Folio 024185-0000

RMC-15  
Folio 024202-0054

RMC-15  
Folio 024202-0056

RMC-12  
Folio 024194-0000

RMC-15  
Folio 024202-0058

RMC-16  
Folio 024202-0060

RMC-12  
Folio 024186-0000

ZONE PD  
Folio 024202-0062

ZONE CG  
Folio 024187-0000

ZONE CG  
Folio 024120-0000

PD MM 22-###-##  
MAJOR MODIFICATION TO  
PD MM 16-0364 EGL (77-0318)  
APPROVED MM PLAN 16-0364

**FONTANAROSA VILLAGE  
PHASES 1 & 2**  
Hillsborough County, Florida

Prepared For:  
**PROSPER FONTANAROSA  
HOMES LLC**  
1040 Biscayne Blvd  
Apt 2101  
Miami, FL 33132

Prepared By:  
**Fuxan Engineering, Inc.**  
16516 South Ocean Blvd  
Dunedin, Florida 34655  
Phone: 813-244-6194  
email: dillon@fuxaneng.com

APP # MM 16-0364 EGL  
CLERK DOC # 16-0671

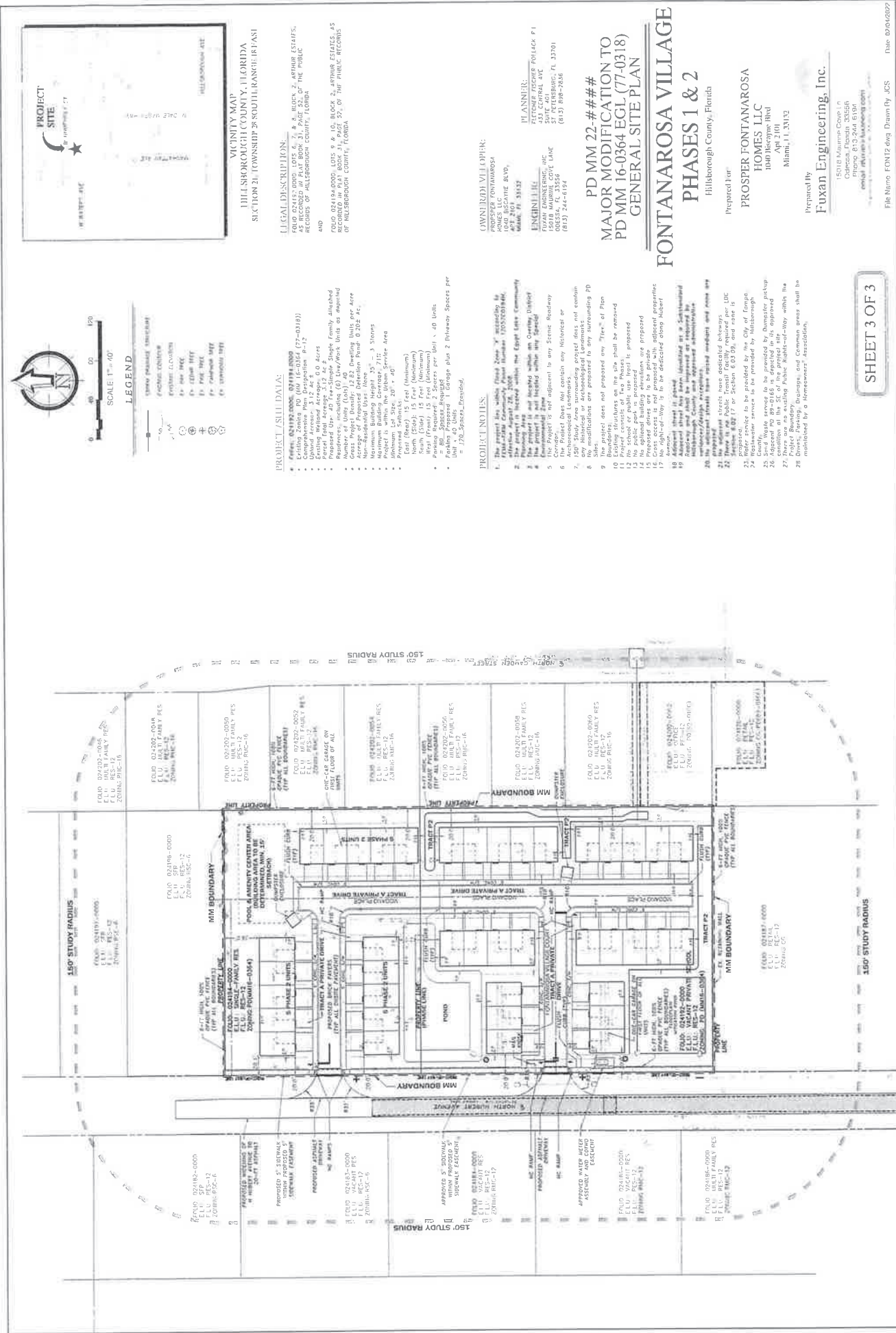
SHEET 2 OF 3

HUBERT TOWNHOMES  
PROPOSED PD FOR:  
ALVARO RODRIGUEZ

3419 N HUBERT AVENUE  
TAMPA FLORIDA 33614

VICINITY MAP

SIT PLAN  
C-2



**LEGEND**

	150' STUDY RADIUS
	PROPERTY LINE
	EASEMENT
	ELEVATION

**PROJECT / SUII DATA:**

- Parcel: 024182-0000, 024183-0000
- Existing Zoning PD (Map 16-0364 (77-0318))
- Upward Access - 3.12 Ac ±
- Parcel Total acreage 3.12 Ac ±
- Proposed Use: 40 Tract-Single Family Attached
- Number of Units (Lots): 40
- Gross Project Density: 12.8 Units per Acre
- Non-Residential Uses: None
- Maximum Building Coverage: 21% ±
- Project is within the Urban Service Area
- Prepared Subtracts: 20' x 40'
- North (50') 15 Feet (Minimum)
- South (50') 15 Feet (Minimum)
- Parking: 1.5 Spaces per Unit + 40 Units
- = 80 Spaces (Required)
- Unit = 40 Units
- = 790 Spaces (Required)

**PROJECT NOTES:**

- The project lies within Flood Zone "X" according to the FEMA Flood Insurance Rate Study (FIRMS) effective August 26, 2009.
- The project is located within the Egmont Canal.
- The project is not located within an Arterial Right-of-Way.
- The project is not located within any State Environmental Area.
- The project is not adjacent to any State Roadway.
- 150' Study Area surrounding project does not contain any historical or archeological resources.
- Proposed streets are not proposed any "Type" of Plan Boundaries.
- Existing structures on "Public" shall be removed.
- No school or public use lands are proposed.
- No additional building elevations are proposed.
- Grassed areas are to be provided with adjacent properties.
- No right-of-way is to be dedicated along Hubert.
- Address shall be provided by Hillsborough County.
- Address shall be provided by Hillsborough County.
- The adjacent streets have existing sidewalk and curb and are to be provided by the applicant.
- There is no Public Facility required per LDC.
- Proposed Use: 40 Tract-Single Family Attached.
- Wastewater service to be provided by Hillsborough County.
- County waste services to be provided by Dumpster pickup.
- Agreement PD 89-0166 is depicted in its approved form.
- There are no existing Public Right-of-Way within the project boundary.
- Other Boundary, Easements, and Common areas shall be maintained by a Homeowners' Association.



VICINITY MAP  
HILLSBOROUGH COUNTY, FLORIDA  
SECTION 21, TOWNSHIP 28 SOUTH, RANGE 18 EAST

**LEGAL DESCRIPTION:**  
 COLO 024182-0000, LOTS 7, 8, BLOCK 2, ARTHUR ESTATES, AS RECORDED IN PLAT BOOK 31, PAGE 52, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA  
 AND  
 COLO 024184-0000, LOTS 9 & 10, BLOCK 2, ARTHUR ESTATES, AS RECORDED IN PLAT BOOK 31, PAGE 52, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA

OWNERS: JEDI V. DPHK;  
 PROSPER FONTANAROSA  
 HOMES LLC  
 1000 WEGGATE BLVD.  
 TAMPA, FL 33637

ENGINEER:  
 TIVAN ENGINEERING, LLC  
 15018 MAURINE COVE LANE  
 SUITE 205  
 HILLSBOROUGH, FL 33701  
 (813) 244-6194

**PD MM 22-##-##**  
**MAJOR MODIFICATION TO**  
**PD MM 16-0364 EGL (77-0318)**  
**GENERAL SITE PLAN**

**FONTANAROSA VILLAGE**  
**PHASES 1 & 2**

Hillsborough County, Florida

Prepared for:  
**PROSPER FONTANAROSA**  
**HOMES LLC**  
 1000 WEGGATE BLVD  
 TAMPA, FL 33637

Prepared by:  
**Fuxan Engineering, Inc.**  
 15018 Maurine Cove L n  
 Odessa, Florida 33556  
 Phone: (813) 244-6194  
 www.fuxaneng.com

**SHEET 3 OF 3**

HILLSBOROUGH COUNTY  
ROADWAY FUNCTIONAL CLASSIFICATION MAP



# HILLSBOROUGH COUNTY ROADWAYS FUNCTIONAL CLASSIFICATION

Infrastructure & Development Services



## Legend

- Functional Classifications**
- Authority Classification**
- State, Principal Arterial
  - State, Arterial
  - Hillsborough, Arterial
  - Hillsborough, Collector
  - Urban Service Area Boundary
  - City Limits

The Hillsborough County Roadway Functional Map will be used in all matters in the Hillsborough County Land Development Code (LDC) that relate to functional classification of roads. Some, but not all, examples of these matters are set forth below.

**PART 3.02.00 INTERSTATE/75 PLANNED DEVELOPMENT DISTRICTS**

**PART 4.02.00 SUBDIVISION STANDARDS AND GUIDELINES**

**PART 5.02.00 PLANNED DEVELOPMENT DISTRICTS**

**PART 6.02.00 SUBDIVISION STANDARDS AND GUIDELINES**

**PART 7.02.00 SPECIAL CONDITIONAL USES**

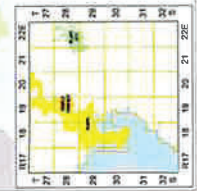
**PART 8.11.00 SPECIAL CONDITIONAL USES**

**PART 12.01.00 DEFINITIONS**

OTHER PARTS OF THE LDC NOT LISTED ABOVE.

In addition to subject matters in the LDC, Functional Classification of roads plays an important role in administering the Metropolitan Traffic Control Program and the Neighborhood Traffic Calming Program.

## Locator Map

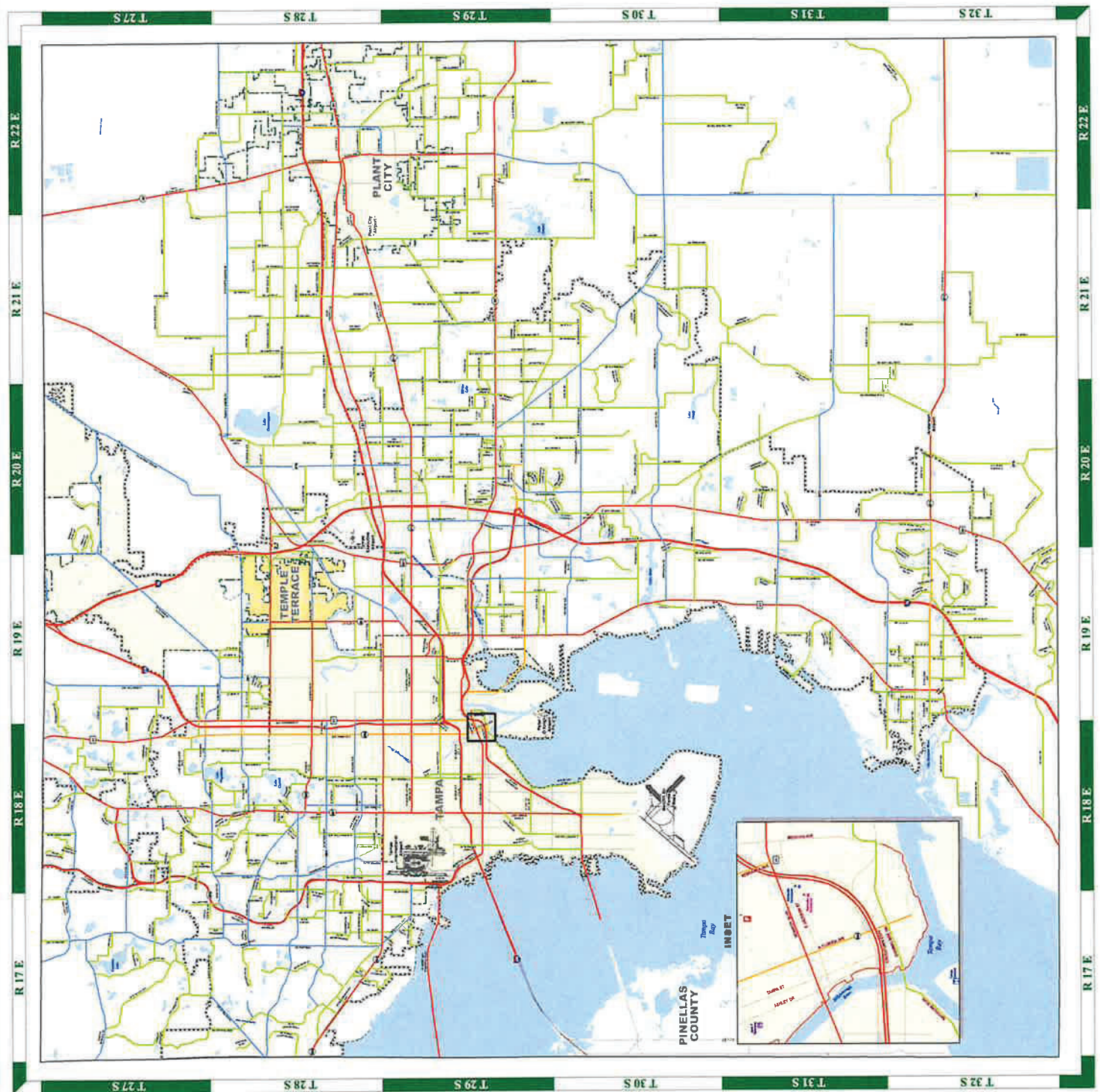


**NOTE:** Hillsborough County has been able to obtain the accuracy of this map. Hillsborough County does not assume any liability arising from use of this map. THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, INCLUDING WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

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

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

801 E. Kennedy Blvd  
Tampa, FL 33602  
813-272-1410  
printroom@hillsboroughcounty.org



HILLSBOROUGH COUNTY  
LAND DEVELOPMENT CODE (LDC) SECTION 6.04.03



conditions of approval.

7. A permit which becomes invalid as a result of the expiration of the time limits and extensions, if any, after construction has, in the opinion of the issuing authority substantially begun, may be required to submit a new application which will be reviewed as per the requirements of this document and which may result in the issuance of a new permit which may contain new or modified conditions of approval.

(Ord. No. 01-26, § 2, 9-12-01)

#### Sec. 6.04.03. - General Access Standards

##### A. Applicability

The following standards apply to all Connection Types.

##### B. Access to Residential Property

Direct access from residential property adjacent to arterial streets shall be prohibited when access can be provided via a collector roadway, unless it can be demonstrated by the applicant that access to the arterial roadway will provide a greater public benefit.

##### C. Primary Access to Non-Residential Property

If non-residential property is located such that access can be provided to either an arterial or collector facility, primary access shall be via the collector facility, unless it can be demonstrated by the applicant that primary access to the arterial roadway will provide a greater public benefit.

##### D. Shared Access

Shared access facilities onto arterial and collector streets are encouraged when two or more contiguous sites are planned for compatible uses. Shared access is desirable where the trip generation from the anticipated land uses will not be large enough to warrant a traffic signal.

##### E. Off-site Street Parking

Except for Single Family Residential Units or other types of residential units approved by the County, off-site street parking shall be designed to insure that all vehicles leaving or entering the public street right-of-way shall be traveling in a forward motion.

##### F. Sight Distance; Visibility At Intersections

1. Sight Distance Access points shall be located along the property frontage in such a manner as to provide adequate sight distance per the requirements of the Hillsborough County Transportation Technical Manual latest edition and Florida Department of Transportation Standard(s).
2. No structure or portion of any structure shall be placed or erected, no motor vehicle, trailer or equipment shall be allowed to park, stand, stop or be stored, and no vegetation shall be maintained, planted or allowed to grow in a manner which materially impedes the visibility from a street, alley or driveway of lawfully oncoming traffic from any direction in the intersecting public street, between heights of two and one-half feet and eight feet, as measured from the pavement edge, of the adjacent roadway across sight distances complying with the Hillsborough County Transportation Technical Manual. Alternatively, the comparable design standards of the Florida Department of Transportation may be utilized.



G. Operational Characteristics of Access

The driveway should be constructed so that all entering and exiting movements can be accomplished with minimum disruption to traffic flow on the intersecting roadway. For developments having drive-in services, the service area should be far enough from the roadway to ensure adequate vehicle storage space within the property limits, i.e., avoid vehicle backups blocking the service operation and interfering with the safe movement of highway traffic. Where possible, a minimum of 50' (for Type II) or 100' (for Type III or higher) of the driveway throat shall remain free of internal connections or parking spaces which might interfere with the movement of vehicles into or out of the access. The applicant may submit an analysis showing that for his particular site, a throat of less than 100' is appropriate and will result in no adverse impact to the public roadway system.

H. Access Along Acceleration/Deceleration Lanes

A driveway shall not be constructed along acceleration or deceleration tapers connecting to interchange ramp terminals, intersecting roadways, bus bays or other driveways unless access would be unreasonably denied and the driveway can be made to function properly, i.e., safe and efficient traffic operation.

I. Number of Access Points

1. The minimum number of driveways should be allowed that will adequately serve the need for the abutting property, and yet not seriously impact the function and capacity of the highway to which access is desired.
2. The number of entrances shall be determined based on the maximum desirable vehicle flow rate at entrances for residential and non-residential land uses based on the street characteristics.
3. All access drives shall be required to comply with access spacing criteria and cross access connections are considered as a driveway connection for the purpose of complying with this section of the LDC. Cross access connections shall be consistent with Section 6.04.03 (Q) of the Land Development Code.
4. Properties that are bordered by physical impediments such as railroad tracks, limited access highways, existing navigable river or government owned property with restrictions may request an Administrative Variance pursuant to Section 6.04.02(B) of the Land Development Code.
5. The applicant may be permitted fewer driveway connections than required by the threshold matrix if through an approved traffic engineering study it is demonstrated that the proposed driveway connections will provide adequate capacity for the project to operate in a safe and efficient manner without causing delays or backups on the impacted roadways.
6. Where Non-Residential development abuts Collector/Arterial and Local roads primary driveway connections shall be at Collector/Arterial roads and Local roads shall be use for secondary access.

**Table 1: Function and Driveway Guidelines**

**Residential Uses**

<b>Street Character</b>	<b>Maximum Vehicle Flow</b>
<b>Function</b>	<b>Peak Hour Total</b>

Local	90
Collector/Arterial	180

**Table 2: Function and Driveway Guidelines**

**Non-Residential Uses**

Street Character	Maximum Vehicle Flow
Function	Peak Hour Total
Local	180
Collector/Arterial	300

Calculation Formula

Number of Driveways = Peak Hour Total Project Traffic/Maximum Vehicle Flow. Fractional results shall be rounded up to the next highest whole number.

Sample Calculation:

Example: A developer plans to construct a shopping center at a site near the intersection of two arterial roadways, which will house 250,000 square feet leasable area. The developer proposes three arterial connections.

Are three arterial connections adequate for this site? As with the above sample, we start by calculating the number of peak hour trips generated by the site. In this case the ITE trip generation indicates a total of 1,146 peak hour vehicle trips. We reference Table 2 and find the non-residential collector maximum vehicle flow figure. Dividing the peak hour total by 300 results in the need for 3.82 or four driveways. Therefore, the number of collector connections should be four.

J. Spacing of Accesses and Median Openings

The minimum spacing between adjacent access points and between adjacent median openings are a function of the Access Class assigned to the main roadway. The distances shown in 6.04.07 are minimums and may not be sufficient if extensive right or left turn storage is required. Greater distances may be required to provide

sufficient site-specific storage. Right turn in/right turn out movement and accesses which do not meet the minimum spacing may be permitted where, due to size, configuration, or location of the parcel, there is no feasible alternative access meeting the desired standard.

K. Drainage Considerations

Access shall be constructed in accordance with the requirements of Hillsborough County Stormwater Management Technical Manual.

L. Existing Facilities

1. Improvements and upgrading of existing roadways are to conform with standards for new roadways of the same access class. Exception to these standards shall be allowed only where physically impossible for the permittee to comply or otherwise upgrade existing site conditions. All such exceptions shall be approved by the Director of Public Works.
2. Where driveways are constructed within the limits of existing curb and gutter construction, the existing curb and gutter shall be removed either to the nearest joints or to the extent that no remaining section is less than five feet long. If the curb is not removed to the nearest joint, the curb will be cleanly cut with a concrete saw. Driveways materials type should conform to the original construction on a section unless otherwise specifically provided on the permit.

M. Intersections

At an intersection, no driveway shall be allowed within the radius return of the intersecting roadways. An exception for existing developments may be considered when driveways are reconstructed as part of a roadway reconstruction project.

N. Emergency Access

In addition to minimum yard and building spacing requirements specified in this Code, all buildings and other structures, land preparation, and landscaping shall be so located and arranged on lots as to provide safe and convenient access for emergency purposes, fire protection, servicing, and off-street parking and loading located on the premises.

O. Prohibition of Use of Residentially Zoned Private Property for Access to Uses Not Permitted in Residential Districts; Exceptions

No private land which is agriculturally or residentially zoned shall be used for vehicular or pedestrian access to land or structures in other districts used for any purpose not permitted in agricultural or residential districts, except as provided below or otherwise authorized by this Code or other lawful regulations:

1. Where provision does not exist for safe access for emergency and public service vehicles and such access is not reasonably feasible except through privately owned residential or agricultural land, access reserved for and limited to such vehicles may be authorized by the Land Use Hearing Officer, subject to conditions and safeguards designed to protect the tranquility and character of the residential land so traversed.
2. Where convenience and safety would be promoted, walkways and bicycle paths to non-residentially zoned land may be authorized by the Land Use Hearing Officer across privately owned residentially zoned land, subject to conditions and safeguards to protect the tranquility and character of the residential land so traversed.

P. Right-of-Way Protection and Acquisition

1. No development activity (buildings, parking areas, water retention, etc.) shall be permitted within existing right-of-way corridors, as established and recorded through the Hillsborough County Thoroughfare Plan Regulations.
2. Prior to the development of land contiguous to public transportation corridors, right-of-way shall be reserved or dedicated to the appropriate governmental jurisdiction in accordance with an adopted Hillsborough County Transportation Corridor Map. In the absence of an adopted Corridor Map, right of way shall be reserved or dedicated to the appropriate governmental jurisdiction in accordance with the current MPO Long Range Transportation Needs Assessment Map in effect at the time of the request for reservation or conveyance. No development activity shall be permitted within the designated transportation corridors.

Q. Cross-Access Criteria and Requirements

1. The purpose of requiring cross-access in certain situations is to reduce the necessity to use the public street system in order to move between adjacent and complementary land uses where such interchange of vehicular or pedestrian trips are likely to occur.
2. When each of the following conditions exist, provisions for vehicular and pedestrian cross-access must be provided:
  - a. The site is on at least one roadway with an Access Management Classification of 1 through 6.
  - b. The site has a commercial or office land use or zoning designation, and is adjacent to a parcel which also has a commercial or office land use designation or zoning and which has access on the same roadway.
3. When each of the following conditions exists, provisions for pedestrian cross-access must be provided.
  - a. The site has frontage on at least one roadway with an Access Management Classification of 1 through 6.
  - b. The site has a commercial or office land use or zoning designation and is adjacent to a parcel having frontage on the same roadway which has a land use or zoning designation allowing 12 dwelling units per acre or more, or
  - c. The site has a residential land use or zoning designation allowing 12 dwelling units or more per acre and is adjacent to a parcel having a land use or zoning designation of 12 dwelling units or more per acre or a commercial or office land use or zoning designation and which has access on the same roadway.
4. As used herein, "provisions for cross-access" shall mean that the developer of the property shall design his site in such a manner as to make cross-access possible as provided in this division.
5. When the criteria in 2 or 3 above are met, provisions for cross-access must be provided as established below:
  - a. If the adjacent site is developed and, in the opinion of Hillsborough County, cross-access is feasible, the developer shall design and build the appropriate cross-access to the property line of the adjacent parcel.
  - b. If the adjacent site is developed but, in the opinion of Hillsborough County, cross-access is not feasible

at this time, the developer shall design and designate on the site plan the location of future cross access, but will not be required to construct the cross-access at the time of initial site development. The owner shall commit, in writing, to construct and allow cross-access at such time as Hillsborough County determines that cross-access is feasible and desirable.

- c. If the adjacent site is undeveloped, the developer shall design and build the cross-access to the property line of the adjacent parcel in anticipation of future connection when that site is developed.
- d. The minimum width of a vehicular cross-access shall be 24 feet. The minimum width of a pedestrian cross-access shall be five feet.

#### R. Corner Clearance

Corner clearances for all connections shall meet or exceed the minimum connection spacing requirements of 6.04.07 of this division except as provided below:

1. Type I. The minimum corner clearance for a Type I connection shall be ten feet.
2. All Other Types. Isolated Corner Property—A single connection (on each frontage) may be placed closer to the intersection if, due to property size, the applicable minimum spacing standards in Table I cannot be met, and where joint access which meets or exceeds the applicable connection spacing cannot be obtained with a neighboring property or, it is determined by the County that joint access is not feasible based on conflicting land uses or conflicting traffic volumes/characteristics, then the minimum corner clearance given in 6.04.08 can be used. Such properties, for the purpose of this document will be called "isolated corner properties".
3. In cases where connections are permitted under this criteria, the permit will contain the following conditions:
  - a. There will be no more than one connection per frontage.
  - b. When joint or alternative access which meets or exceeds the applicable minimum connection spacing becomes available, the permittee will close the permitted connection, unless the permittee shows that such closure is not feasible because of conflicting land use or conflicting traffic volumes/characteristics or existing structures which preclude a change in the existing connection.

(Ord. No. 00-21, § 2, 5-18-00; Ord. No. 01-30, § 2, 11-15-01; Ord. No. 02-13, § 2, 8-1-02; Ord. No. 09-62, Item B, 10-26-09, eff. 2-1-2010; Ord. No. 20-17, § 2(Exh. A), 9-24-20, eff. 10-2-20)

#### Sec. 6.04.04. - Design Standards

##### A. Driveway Width/Length

Driveways provide the physical transition between a site and the abutting roadway. Driveways should be located and designed to minimize impacts on traffic while providing safe entry and exit from the development served. The location and design of the connection must take into account characteristics of the roadway, the site, and the potential users.

The actual width and length of driveways shall be subject to internal and external traffic flow considerations. The driveway width considerations include, but are not limited to the number of lanes, the driveway geometrics, internal obstructions, traffic safety, etc. The length of driveways shall be designed to provide for an uninterrupted traffic flow on the public street. This will require that the entering vehicles not be



**LINCKS & ASSOCIATES, INC.**

April 19, 2022

Mr. Michael Williams, PE  
County Engineer Development Review Director  
Hillsborough County  
601 East Kennedy Blvd., 20<sup>th</sup> Floor  
Tampa, FL 33602

Re: Fontanarosa Village  
Folio Number – 24192.0000 & 24194.0000  
MM 22-0558  
Lincks Project No. 22032

The purpose of this letter is to request a Design Exception to the Hillsborough County Transportation Technical Manual per Section 1.7.2 to meet Land Development Code Section 6.04.03L for Hubert Avenue from Waters Avenue to the northern Project Access. The subject property is currently zoned Planned Development to allow up to 25 Townhomes. The developer proposes a Major Modification to the PD to allow Phase 2 for an additional 15 Townhomes.

According to the Hillsborough County Functional Classification Map, Hubert Avenue is classified as a local roadway and the subject site is within the Hillsborough County Urban Service Area.

Table 1 provides the trip generation for the approved and proposed Planned Developments.

The access to serve the project is proposed to be via two (2) full accesses to Hubert Avenue.

The request is for a Design Exception to TS-7 of the Hillsborough County Transportation Technical Manual for Hubert Avenue from Waters Avenue to the northern Project Access. This segment of Hubert Avenue is currently a two (2) lane roadway. A Design Exception was approved for Hubert Avenue for Phase I on November 26, 2019. The following exceptions are requested to accommodate the proposed project.

- 1) Right of Way – TS-7 has 96 feet of right of way. The right of way along Hubert Avenue is approximately 60 feet.
- 2) Lanes – TS-7 has 12 foot lanes. The existing roadway has 9-10 foot lanes.
- 3) Shoulders – TS-7 has 8 foot shoulders with 5 foot paved. The existing roadway has limited unpaved shoulders along the subject section.

5023 West Laurel Street  
Tampa, FL 33607  
813 289 0039 Telephone  
8133 287 0674 Telefax  
[www.Lincks.com](http://www.Lincks.com) Website

**22-0558**

Mr. Mike Williams  
April 19, 2022  
Page 2

- 4) Sidewalk – TS-7 has sidewalk on both sides of the roadway. There are currently no sidewalks along the subject section of roadway.

The justification for the Design Exception is as follows:

1. There is limited right of way along Hubert Avenue and the project has limited frontage.
2. The developer proposes the following improvements within the subject section of the roadway:
  - a. Widen the existing roadway to provide 10 foot lanes.
  - b. Mill and overlay the roadway.
  - c. Provide 2 foot unpaved shoulders.
  - d. Provide 5 foot sidewalk along the project frontage.

Figure 1 illustrates the limits of the proposed improvements and Figure 2 illustrates the proposed Typical Section.

Based on the above, it is our opinion, the proposed improvements to Hubert Avenue will mitigate the impact of the project and meet the intent of the Transportation Technical Manual to the extent feasible.

Mr. Mike Williams  
April 19, 2022  
Page 3

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

Best Regards,

Steven J Henry  
President  
Lincks & Associates, Inc.  
P.E. #51555



---

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

- Disapproved
- Approved
- Approved with Conditions

If there are any further questions or you need clarification, please contact Sheida L. Tirado, P.E.

Sincerely,

Michael J. Williams  
Hillsborough County Engineer



TABLE 1  
TRIP GENERATION (1)

<u>Scenario</u>	<u>Land Use</u>	<u>ITE LUC</u>	<u>Size</u>	<u>Daily Trip Ends</u>	<u>AM Peak Hour Trip Ends</u>		<u>PM Peak Hour Trip Ends</u>		
					<u>In</u>	<u>Out</u>	<u>In</u>	<u>Out</u>	
Approved	Townhomes	215	25 DU's	159	3	6	7	6	13
Proposed	Townhomes	215	15 DU's	95	2	4	4	3	7
Total			40 DU's	254	5	10	11	9	20

(1) Source: ITE Trip Generation Manual, 1<sup>st</sup> Edition, 2021

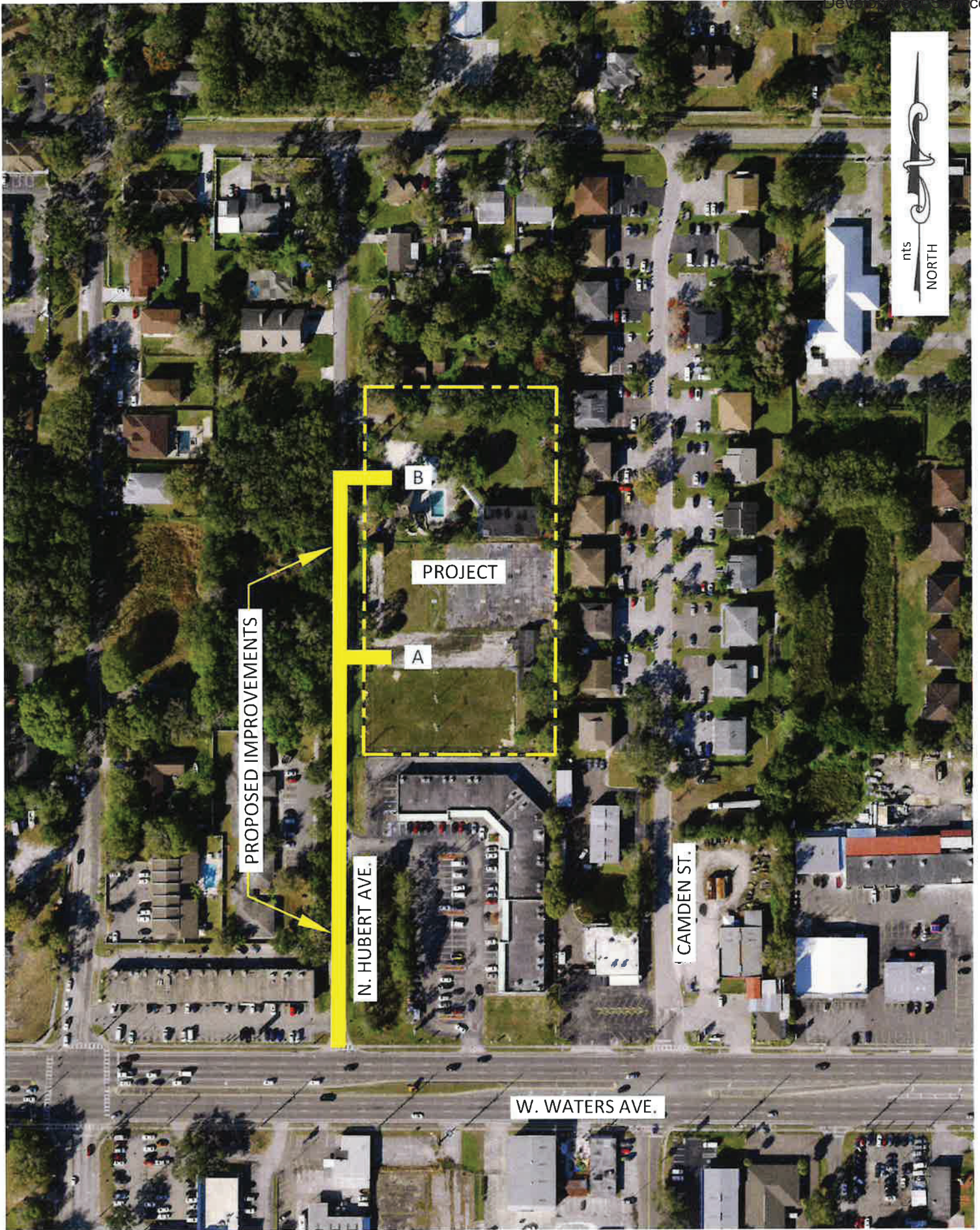
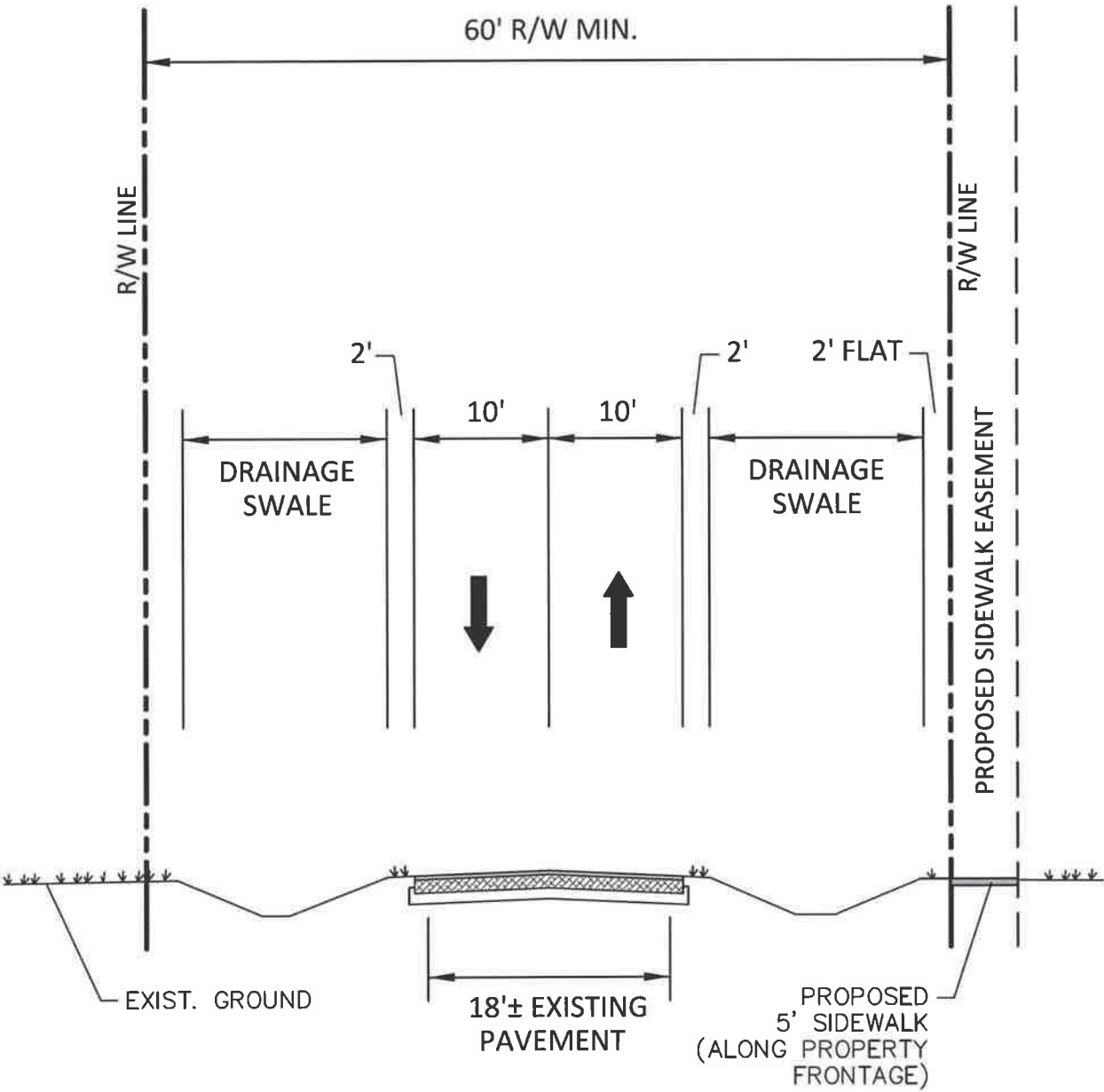


FIGURE 1  
LIMITS OF PROPOSED  
IMPROVEMENTS



**TYPICAL SECTION**  
**N. HUBERT AVENUE**  
NTS

APPENDIX



PD PLAN



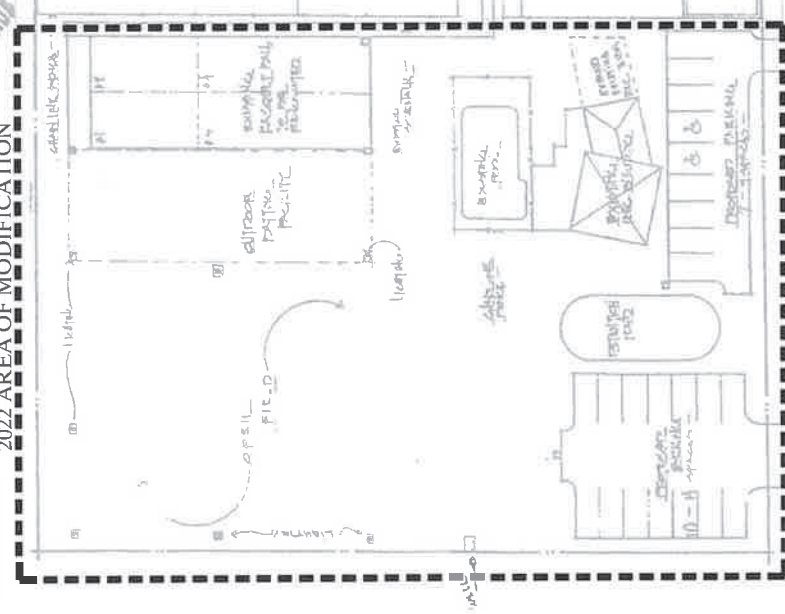
Ferrill Services Center

RECEIVED  
DEC 8 - 1997  
DEPT. OF PUBLIC WORKS  
HALL COUNTY

OCT 16 1997

RECEIVED  
2022 AREA OF MODIFICATION

AREA OF MODIFICATION



PD MM 22-###-##  
 MAJOR MODIFICATION TO  
 PD MM 16-0364 EGL (77-0318)  
 APPROVED MM PLAN 16-0364

**FONTANAROSA VILLAGE  
 PHASES 1 & 2**  
 Hillsborough County, Florida

Prepared For:  
**PROSPER FONTANAROSA  
 HOMES, LLC**  
 1040 Biscayne Blvd  
 Apt. 3101  
 Miami, FL 33132

Prepared By:  
**Fujan Engineering, Inc.**  
 15018 Wilmann Cove Ln  
 Suite 200  
 Phone: 813-244-0184  
 email: cfuwan@fujaneng.com  
 www.fujaneng.com

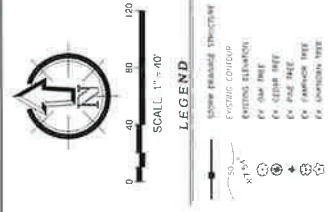
**SHEET 1 OF 3**

APP: MM16-0364 ECH  
 CLERK DOC #: 16-0671  
 PAGE: 1 OF 3

RECEIVED  
 OCT 18 2007  
 Permit Services Dept.







**LEGAL DESCRIPTION:**  
 FOLIO 024192-0000, 024194-0000  
 AND  
 FOLIO 024194-0000, LOTS 9 & 10, BLOCK 2, ARTHUR ESTATES, AS RECORDED IN PLAT BOOK 51, PAGE 32, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA  
 AND  
 FOLIO 024194-0000, LOTS 9 & 10, BLOCK 2, ARTHUR ESTATES, AS RECORDED IN PLAT BOOK 51, PAGE 32, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA

**PROJECT / SHEET DATA:**

- Folio: 024192-0000, 024194-0000
- Existing Zoning: PD (Map 16-0364 (77-0318))
- Urban Lot Area: 2.12 AC (93,800 sq ft)
- Urban Acreage: 3.12 AC (135,840 sq ft)
- Parcel Total Area: 312,960 sq ft
- Proposed Use: 207-Res-Single Single Family Attached
- Proposed Density: 12.82 Dwellings Units per acre
- Number of Units (LU): 40
- Non-Residential Uses: None
- Maximum Building Coverage: 71% ± 3 Stories
- Proposed Setbacks: 20' x 40'
- Proposed Streets:
  - 150' Street, 20' Right of Way
  - 150' Street, 20' Right of Way

**COWNER/DEVELOPER:**  
 HOMES LLC  
 1400 BISCAYNE BLVD.  
 MIAMI, FL 33132

**PLANNER:**  
 FELICIA FISCHER FOLLO, P.L.  
 433 CENTRAL AVE.  
 MIAMI, FL 33132

**ENGINEER:**  
 HUMAN ENGINEERING, INC.  
 15018 MAJANE COVE LANE  
 WEST PALM BEACH, FL 33411  
 (561) 836-3856

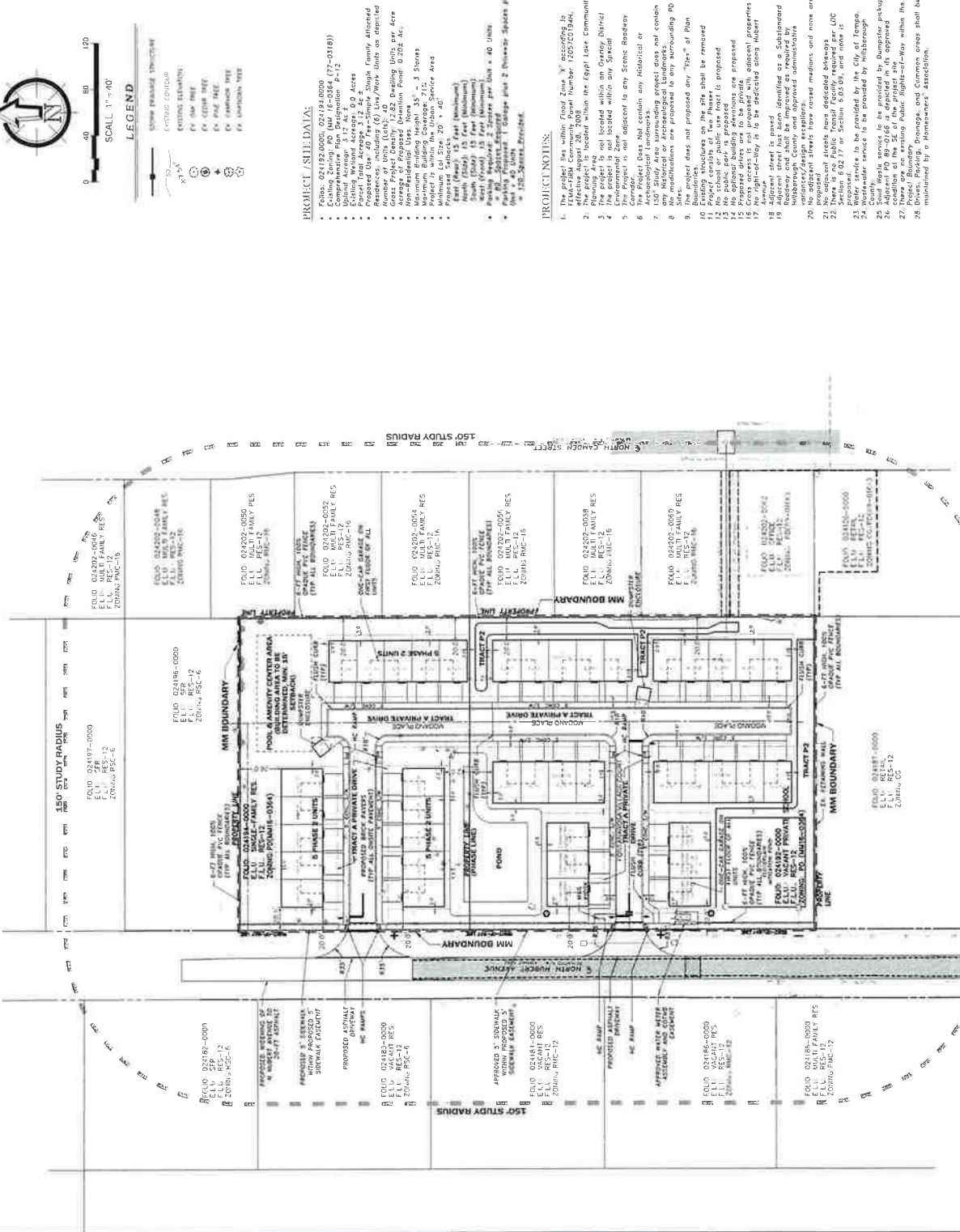
**PD MM 22-###**  
**MAJOR MODIFICATION TO**  
**PD MM 16-0364 EGL (77-0318)**  
**GENERAL SITE PLAN**

**FONTANAROSA VILLAGE**  
**PHASES 1 & 2**  
 Hillsborough County, Florida

Prepared For:  
**PROSPER FONTANAROSA**  
 HOMES LLC  
 1400 Biscayne Blvd  
 Miami, FL 33132

Prepared By:  
**Fuxan Engineering, Inc.**  
 15018 Majane Cove Ln  
 West Palm Beach, FL 33411  
 (561) 836-3856

- PROJECT NOTES:**
- The project lies within Flood Zone "X" according to the Flood Insurance Rate Map (FIRM) effective August 28, 2008 (1501CO134).
  - The project is located within the Egypt Lake Community.
  - The project is not located within an Overlay District.
  - The project is not located within any Special Encumbered Zone.
  - Conditional is not subject to any State Roadway.
  - The Project Does Not contain any Historical or Archeological Resources.
  - 150' Study Area surrounding project does not contain any wetlands.
  - No modification are proposed to any surrounding PD Sites.
  - Boundary lines not proposed any "Yes" or "Plan" boundaries.
  - Private streets within the site shall be removed.
  - No school or public use tract is proposed.
  - No optional building elevations are proposed.
  - No optional building elevations are proposed.
  - Cross access is not proposed with adjacent properties.
  - No right-of-way is to be dedicated along Hubert Highway and shall be improved as required by Hillsborough County and approved administrative.
  - No adjacent streets have vested medians and none are to be removed.
  - There is no Public Transit Facility required per LDC prepared by the City of Tampa.
  - Westwater services to be provided by Hillsborough County/Water services to be provided by Dunwoody pickup.
  - Adjacent PD 89-0166 is depicted in its approved status.
  - There are no existing public right-of-way within the project.
  - Drives, Private Driveways, and Common areas shall be maintained by a Homeowners' Association.



**SHEET 3 OF 3**



HILLSBOROUGH COUNTY ROADWAYS  
FUNCTIONAL CLASSIFICATION MAP



# HILLSBOROUGH COUNTY ROADWAYS FUNCTIONAL CLASSIFICATION

Infrastructure & Development Services



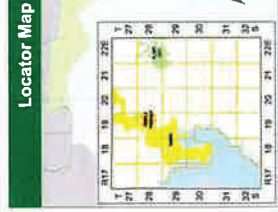
## Legend

- Functional Classifications
- Authority Classification
- State, Principal Arterial
  - State, Arterial
  - Hillsborough, Arterial
  - Hillsborough, Collector
  - Urban Service Area Boundary
  - City Limits

The Hillsborough County Roadway Functional Map will be used to all measures in the Hillsborough County Land Development Code (LDC) that relate to functional classification of roads. Some, but not all, examples of those measures are as follows:

PART 3.02.00 INTERSTATE-75 PLANNED DEVELOPMENT DISTRICTS  
 PART 3.10.00 CITY USE DISTRICTS AND ZONING STANDARDS  
 PART 6.02.00 SUBDIVISION STANDARDS AND GUIDELINES  
 PART 6.07.00 FENCES AND WALLS  
 PART 12.01.00 SUBDIVISION STANDARDS AND GUIDELINES  
 OTHER PARTS OF THE LDC NOT LISTED ABOVE

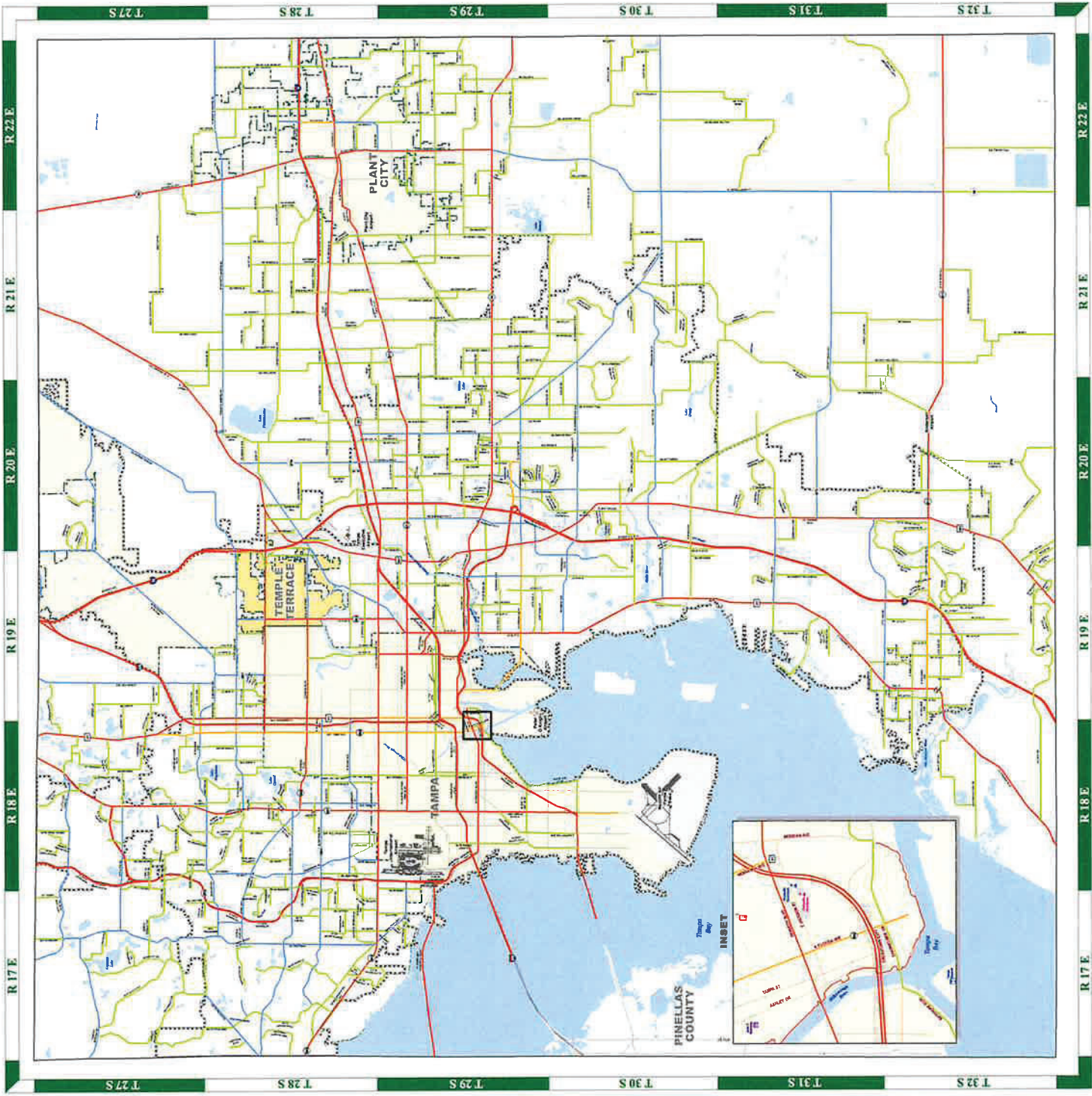
In addition to subject matters in the LDC, Functional Classification of roads plays an important role in administering the Roadblock Traffic Control Program and the Neighborhood Traffic Calming Program.



**NOTE:** This map is for informational purposes only. It is not intended to be used as a legal document. It is not intended to be used as a legal document. It is not intended to be used as a legal document. It is not intended to be used as a legal document.

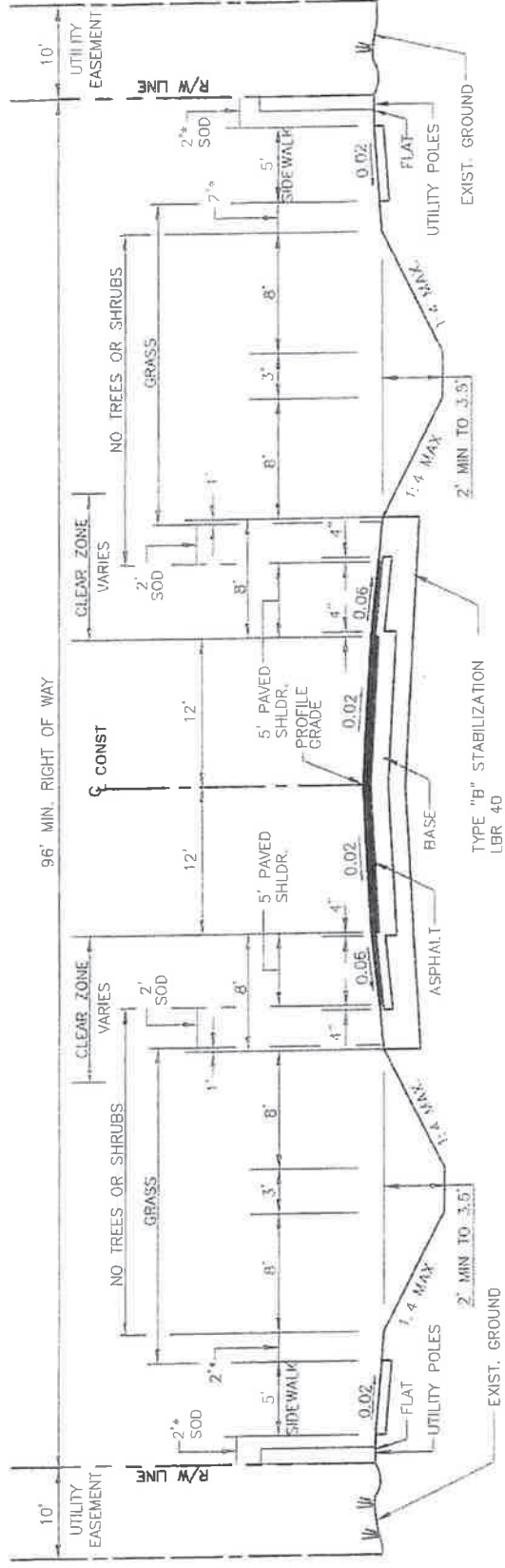
**SOURCE:** This map has been prepared for the Inventory of road property for Hillsborough County and is compiled from parcel data, GIS, and other public reports. It has been based on BEST AVAILABLE data for verification of the information contained on this map.

801 E Kennedy Blvd  
Tampa, FL 33602  
pintrac@hillsboroughcounty.org



TS-7





**TYPICAL SECTION**

N.T.S.  
 FOR LESS THAN 10,000 AADT

MAX. ALLOWABLE DESIGN SPEED - 50 MPH

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

DRAWING NO	TS-7
SHEET NO.	1 OF 1

**LOCAL & COLLECTOR RURAL ROADS  
 (2 LANE UNDIVIDED)  
 TYPICAL SECTION**



**TRANSPORTATION  
 TECHNICAL  
 MANUAL**

REVISION DATE:  
 10/17

TRIP GENERATION MANUAL



PERIOD SETTING

**Analysis Name :** New Analysis  
**Project Name :** Waters - Hubert **No :**  
**Date:** 2/15/2022 **City:**  
**State/Province:** **Zip/Postal Code:**  
**Country:** **Client Name:**  
**Analyst's Name:** **Edition:** Trip Generation Manual, 11th Ed

Land Use	Independent Variable	Size	Time Period	Method	Entry	Exit	Total
215 - Single-Family Attached Housing (General Urban/Suburban)	Dwelling Units	40	Weekday	Best Fit (LIN) T = 7.62 (X)+-50.48	127 50%	127 50%	254

TRAFFIC REDUCTIONS

Land Use	Entry Reduction	Adjusted Entry	Exit Reduction	Adjusted Exit
215 - Single-Family Attached Housing	0 %	127	0 %	127

EXTERNAL TRIPS

Land Use	External Trips	Pass-by%	Pass-by Trips	Non-pass-by Trips
215 - Single-Family Attached Housing	254	0	0	254

ITE DEVIATION DETAILS

**Weekday**  
**Landuse** No deviations from ITE.  
**Methods** No deviations from ITE.  
**External Trips** 215 - Single-Family Attached Housing (General Urban/Suburban)  
 ITE does not recommend a particular pass-by% for this case.

SUMMARY

<b>Total Entering</b>	127
<b>Total Exiting</b>	127
<b>Total Entering Reduction</b>	0
<b>Total Exiting Reduction</b>	0
<b>Total Entering Internal Capture Reduction</b>	0
<b>Total Exiting Internal Capture Reduction</b>	0
<b>Total Entering Pass-by Reduction</b>	0
<b>Total Exiting Pass-by Reduction</b>	0
<b>Total Entering Non-Pass-by Trips</b>	127
<b>Total Exiting Non-Pass-by Trips</b>	127

PERIOD SETTING

**Analysis Name :** New Analysis  
**Project Name :** Waters - Hubert  
**Date:** 2/15/2022  
**State/Province:**  
**Country:**  
**Analyst's Name:**  
**No :**  
**City:**  
**Zip/Postal Code:**  
**Client Name:**  
**Edition:** Trip Generation Manual, 11th Ed

Land Use	Independent Variable	Size	Time Period	Method	Entry	Exit	Total
215 - Single-Family Attached Housing (General Urban/Suburban)	Dwelling Units	40	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.	Best Fit (LIN) T = 0.52 (X)+-5.7	5 33%	10 67%	15

TRAFFIC REDUCTIONS

Land Use	Entry Reduction	Adjusted Entry	Exit Reduction	Adjusted Exit
215 - Single-Family Attached Housing	0 %	5	0 %	10

EXTERNAL TRIPS

Land Use	External Trips	Pass-by%	Pass-by Trips	Non-pass-by Trips
215 - Single-Family Attached Housing	15	0	0	15

ITE DEVIATION DETAILS

**Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.**

Landuse No deviations from ITE.

Methods No deviations from ITE.

External Trips 215 - Single-Family Attached Housing (General Urban/Suburban)  
ITE does not recommend a particular pass-by% for this case.

SUMMARY



---

<b>Total Entering</b>	5
<b>Total Exiting</b>	10
<b>Total Entering Reduction</b>	0
<b>Total Exiting Reduction</b>	0
<b>Total Entering Internal Capture Reduction</b>	0
<b>Total Exiting Internal Capture Reduction</b>	0
<b>Total Entering Pass-by Reduction</b>	0
<b>Total Exiting Pass-by Reduction</b>	0
<b>Total Entering Non-Pass-by Trips</b>	5
<b>Total Exiting Non-Pass-by Trips</b>	10

**PERIOD SETTING**

**Analysis Name :** New Analysis  
**Project Name :** Waters - Hubert **No :**  
**Date:** 2/15/2022 **City:**  
**State/Province:** **Zip/Postal Code:**  
**Country:** **Client Name:**  
**Analyst's Name:** **Edition:** Trip Generation Manual, 11th Ed

Land Use	Independent Variable	Size	Time Period	Method	Entry	Exit	Total
215 - Single-Family Attached Housing (General Urban/Suburban)	Dwelling Units	40	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.	Best Fit (LIN) $T = 0.6 (X) + 3.93$	11 55%	9 45%	20

**TRAFFIC REDUCTIONS**

Land Use	Entry Reduction	Adjusted Entry	Exit Reduction	Adjusted Exit
215 - Single-Family Attached Housing	0 %	11	0 %	9

**EXTERNAL TRIPS**

Land Use	External Trips	Pass-by%	Pass-by Trips	Non-pass-by Trips
215 - Single-Family Attached Housing	20	0	0	20

**ITE DEVIATION DETAILS**

**Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.**

Land Use No deviations from ITE:

Methods No deviations from ITE:

External Trips 215 - Single-Family Attached Housing (General Urban/Suburban)  
ITE does not recommend a particular pass-by% for this case.

**SUMMARY**

---

<b>Total Entering</b>	11
<b>Total Exiting</b>	9
<b>Total Entering Reduction</b>	0
<b>Total Exiting Reduction</b>	0
<b>Total Entering Internal Capture Reduction</b>	0
<b>Total Exiting Internal Capture Reduction</b>	0
<b>Total Entering Pass-by Reduction</b>	0
<b>Total Exiting Pass-by Reduction</b>	0
<b>Total Entering Non-Pass-by Trips</b>	11
<b>Total Exiting Non-Pass-by Trips</b>	9

PREVIOUS DESIGN EXCEPTION



## Fuxan Engineering, Inc.



15018 Maurine Cove Ln.  
Odessa, Florida 33556  
Phone: 813-244-6194

September 27, 2019

Mr. Michael Williams, P.E.  
Hillsborough County Engineer  
c/o Mr. Benjamin Kniesly, P.E., Project Manager  
Hillsborough County Public Works Department  
Post Office Box 1110  
Tampa, FL 33601

**RE: Fontanarosa Village, Folio No. 42192.0000, PI #3325  
Design Exception Request for Hubert Avenue Improvements**

Dear Mr. Williams:

This residential development is currently under subdivision construction plan review.

During the review, staff identified required design exceptions. These design exceptions pertain to the Hillsborough County Transportation Technical Manual, Detail TS-7, which is the local rural road typical section.

### **Existing Conditions for Hubert Avenue**

The Hubert Avenue has an existing pavement width of 18', and the pavement is in reasonable condition. The R/W width is 60', and the road is classified as a rural local road.

### **Proposed Improvements to Hubert Avenue**

Hubert Avenue is on the west side of the Fontanarosa Village subdivision. Fontanarosa Village will consist of 25 townhomes and will generate 200 daily trips. Attached is the approved PD rezoning plan; Condition 12 requires improvements to Hubert Avenue unless the applicant obtains an administrative design exception. On December 10, 2018 I attended the scope meeting with Mike Williams and staff. During the meeting we agreed the pavement should be widened from 18' width to 20' width; the limits of the widening are from Waters Avenue to the northern limits of the Fontanarosa project.

The TTM requires 24' pavement width. I am requesting the county approve the proposed 20' pavement width, which is consistent with the normal width requirement for a rural local road with minimal traffic volumes.

The TTM requires an 8' shoulder width. I am requesting the county approve the proposed 2' shoulder width due to the limited R/W.

The TTM requires a 19' wide ditch. I am requesting the county approve the existing and proposed 16' wide ditch due to the limited R/W.

The TTM depicts the sidewalk within the R/W. I am requesting the county approve the proposed sidewalk within a sidewalk easement along the Fontanarosa frontage due to limited R/W.

Attached are the zoning conditions, plans, and Detail TS-7 from the TTM. I respectfully request your approval of the design exception.

Sincerely,

*David G. Fuxan*  
**FUXAN ENGINEERING, INC.**  
No. 33133  
9-27-19  
David G. Fuxan, PE  
President  
P.E. #33133  
STATE OF FLORIDA PROFESSIONAL ENGINEER

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

\_\_\_\_\_ Disapproved

*Michael J. Williams* Approved  
11/26/19  
Michael J. Williams, P.E.  
Hillsborough County Engineer



**Development Services**

June 8, 2016

**Board of County Commissioners**

Kevin Beckner  
Victor D. Crist  
Ken Hagan  
Al Higginbotham  
Lesley "Les" Miller, Jr.  
Sandra L. Murman  
Stacy R. White

**County Administrator**

Michael S. Merrill

**County Administrator**

**Executive Team**

Lucia E. Garsys  
Carl S. Harness  
Gregory S. Horwedel  
Ramin Kouzehkanani  
Liana Lopez  
Bonnie M. Wise

**County Internal Auditor**

Peggy Caskey

**County Attorney**

Chip Fletcher

**Development Services**

PO Box 1110  
Tampa, FL 33601-1110

Reference: **MM 16-0364 EGL**  
**Alvaro Rodriguez**

Alvaro Rodriguez  
3603 W. Flora St., Ste. 101  
Tampa, FL 33614

Dear Applicant:

At the regularly scheduled public meeting on June 7, 2016, the Board of County Commissioners granted your request for a Major Modification to PD (77-0318), with the attached amended final conditions.

Please keep this letter for your records. If we may be of service to you in the future, feel free to contact our office at 272-5600.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joe Moreda".

Joseph Moreda, AICP,  
Zoning Administrator

JM/ml  
Attachment

FINAL CONDITIONS  
OF APPROVAL

PETITION NUMBER: MM 16-0364 EGL  
MEETING DATE: June 7, 2016  
DATE TYPED: June 7, 2016

**Approval** - Approval, subject to the conditions listed below, is based on the general site plan submitted January 5, 2016.

The following conditions shall apply to folio 24194.0000:

1. Development of the project shall be limited to the following:

Tennis building	2,650 sq. ft.
Recreation building	2,340 sq. ft.
4 outside batting cages	
2 indoor batting cages	
2 indoor racquetball courts	9,576 sq. ft.
Outdoor pool & play/ball field	

1.1 Maximum building height:

Tennis building	20 feet
Recreation center	35 feet
Racquetball/indoor batting cages	20 feet

2. Structures shall be constructed within the envelopes and setbacks as generally depicted on the site plan received October 16, 1997 and the certified site plan for MM 16-0364 unless otherwise stated.
3. Parking shall be provided in compliance with the Land Development Code.
4. All new non-building signs shall be ground signs, exhibiting a unified theme. Pole signs shall be prohibited.
5. Exterior lighting within the project shall be of a low-projection non-glare type, designed to produce a minimum illumination and glare beyond project boundaries. Maximum height for exterior pole lighting for security/parking areas shall not exceed 16 feet.
6. Perimeter lighting to illuminate play/ball field shall be prohibited between the hours of 9:30 p.m. to 8:00 a.m.
7. Buffering and screening shall be provided in accordance with the requirements of the Land Development Code. Additional buffering and screening within 10 feet of the northern property line of folio 24194.0000 and eastern property line of folio 24194.0000 adjacent to the play/ball field shall be as follows:
  - 7.1 The developer shall protect existing trees where possible and supplement existing trees with evergreen trees a minimum of 10 feet height and spaced on minimum 15 foot centers upon planting. In addition to the tree requirements, in areas with no vegetation the developer shall plant evergreen shrubs measuring 36" in height at time of planting, planted on 4 foot centers.



FINAL CONDITIONS  
OF APPROVAL

PETITION NUMBER: MM 16-0364 EGL  
MEETING DATE: June 7, 2016  
DATE TYPED: June 7, 2016

- 
- 7.2 The developer shall also provide a 10 foot high chain link fence shrouded with a translucent material (e.g. vinyl covering or vines) on the northern property boundary of folio 24194.0000 only. The fence shall be allowed to meander to accommodate existing mature vegetation. In the event, mature vegetation precludes installation of the fencing, the applicant shall demonstrate to the Natural Resources Section of Development Services Department that portion of fencing is not required and shall submit, at the time of Site Development Plan approval, an alternative screening plan to meet this intent.

The following conditions shall apply to folio 24192.0000:

8. The area subject to MM 16-0364 shall permit a maximum of 25 townhome units. A maximum of 6 of those townhome units, where depicted on the General Site Plan, shall be required to be designed as live/work units in which the first floor is developed as a Home-Based Business in accordance with the standards set forth herein. Live/Work units shall comply with Land Development Code Sections 6.11.48.03 (Standards for All Home-Based Businesses) and 6.11.48.04 (Residential Home-Based Business Standards) and the additional requirements found below. However, Land Development Code Sections 6.11.48.03.F, 6.11.48.03.H and 6.11.48.04.A shall not apply.
- 8.1 The first floor is limited to non-residential (business) uses. The second and third floors are limited to residential uses. Use of the first floor as an attached accessory dwelling is prohibited.
- 8.2 Both the non-residential and the residential floors must be occupied by the same tenant/property owner. No portion of the non-residential component shall be rented or sold separately.
- 8.3 The sale of related items to a customer receiving services on site is permitted. Retail sales to the general public is prohibited. The internal display and storage of said items is permitted. Any display and storage oriented to outside the unit is prohibited.
- 8.4 Each unit shall be designed in a residential style and not detract from the residential character or appearance of the entire development.
9. Townhome buildings shall be setback a minimum of 20 feet from all project boundaries. Maximum building height shall be 36 feet/3-stories.
10. A minimum of two parking spaces shall be provided for each townhome unit. A minimum of five extra parking spaces shall be provided within the live/work unit area. These spaces shall be designated (by sign and/or pavement markings) as customer/client parking.
11. A 20 foot buffer with Type B screening shall be provided along the northern project boundary if at the time of site development the northern property (folio 24194.0000) is developed with a single-family residential use. This buffering and screening requirement may be administratively waived upon written consent of the property owner of folio 24194.0000, to be provided at the time of site development.

FINAL CONDITIONS  
OF APPROVAL

PETITION NUMBER: MM 16-0364 EGL  
MEETING DATE: June 7, 2016  
DATE TYPED: June 7, 2016

12. The developer shall be required to bring Hubert Avenue up to current County roadway standards from Waters Avenue to the project's entrance, unless otherwise approved through the Hillsborough County Design Exception Process. Prior to the first plat/site/construction plan submittal, the developer shall coordinate with the Public Works Department, who shall determine the appropriate typical section to be applied.

The following shall apply to the entire Planned Development:

13. The location and number of access points shall be as shown on the General Site Plan. The design and construction of curb cuts are subject to approval by the Hillsborough County Engineering Department. Final design may include left and right turn lanes, acceleration lanes and deceleration lanes.
14. Development of the project shall comply with all applicable regulations of the Hillsborough County Environmental Protection Commission.
15. Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, and the land use conditions contained herein, and all applicable rules, regulations and ordinances of Hillsborough County.





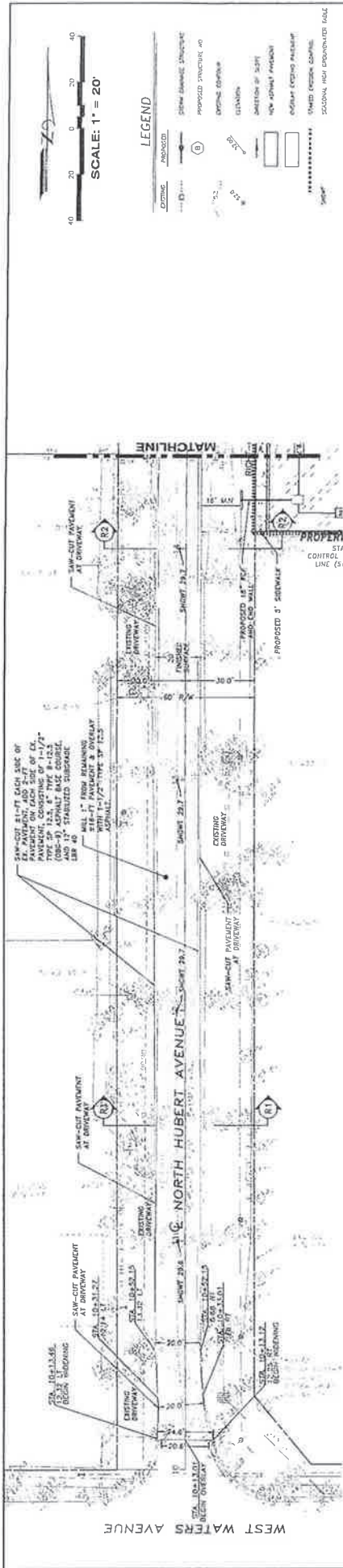
CALL 48 HOURS  
BEFORE YOU DIG  
IT'S THE LAW  
DIAL 811

AERIAL SITE PLAN	
Fontanarosa Village	
Townhomes	
PROJECT	DANA Investment LLC
DATE	4-19-2018
PROJECT NO.	2774-21
SHEET 3 OF 21 SHEETS	

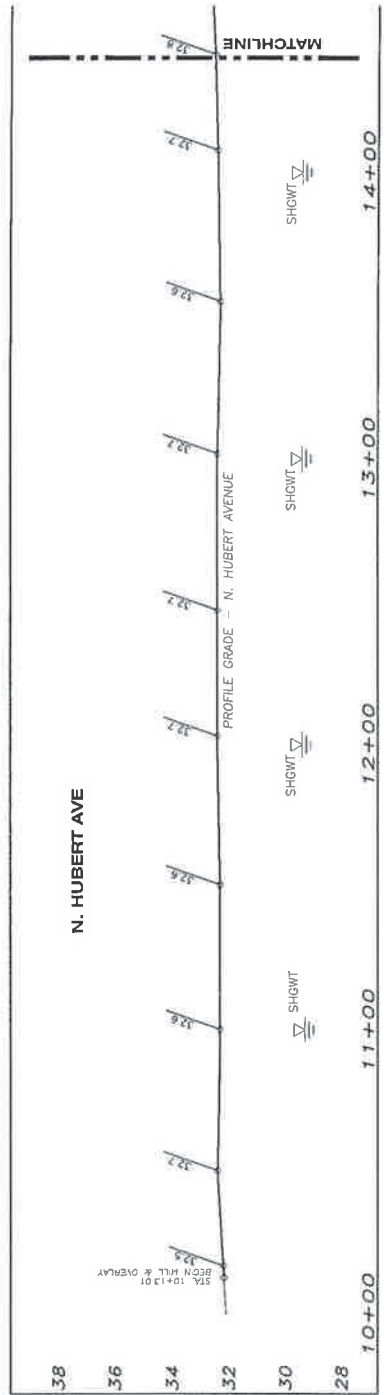
**Furness Engineering, Inc.**  
Professional Engineer  
State of North Carolina  
No. 35024  
Furness Engineering, Inc.  
1000 S. Salisbury Street  
Raleigh, NC 27606  
Phone: 919.334.4191  
Fax: 919.334.4192

DATE	03/25/2022
PROJECT NO.	2774-21
PROJECT NAME	Fontanarosa Village
PROJECT LOCATION	Camden Street, W Waters Avenue
PROJECT TYPE	Townhomes
PROJECT STATUS	Permit
PROJECT OWNER	DANA Investment LLC
PROJECT DESIGNER	Furness Engineering, Inc.
PROJECT ARCHITECT	
PROJECT ENGINEER	
PROJECT SURVEYOR	
PROJECT LANDSCAPE ARCHITECT	
PROJECT CIVIL ENGINEER	
PROJECT ELECTRICAL ENGINEER	
PROJECT MECHANICAL ENGINEER	
PROJECT PLUMBING ENGINEER	
PROJECT STRUCTURAL ENGINEER	
PROJECT TRAFFIC ENGINEER	
PROJECT ENVIRONMENTAL ENGINEER	
PROJECT HISTORIC PRESERVATION	
PROJECT OTHER	



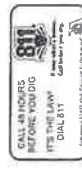


THE PROJECT LIES WITHIN FLOOD ZONE 'X'  
ACCORDING TO FEMA-FIRM COMMUNITY  
OVERLAY MAP NO. 22760194-1, DATED  
AUGUST 28, 2008.



**LEGEND**

	EXISTING STRUCTURE
	PROPOSED STRUCTURE
	EXISTING DRIVEWAY
	PROPOSED DRIVEWAY
	EXISTING SIDEWALK
	PROPOSED SIDEWALK
	UTILITY
	FLOOD ZONE



**OFFSITE ROADWAY IMPROVEMENTS**  
Fontanarosa Village  
Townhomes

PROJECT NO. 2021-001  
DATE: 11-15-2021

DESIGNED BY: DANVA Investment LLC  
CHECKED BY: DANVA Investment LLC

DATE: 11-15-2021

PROJECT NO. 2021-001

DATE: 11-15-2021

PROJECT NO. 2021-001

DATE: 11-15-2021



56  
34  
32  
30  
28



SECTION R1 (STA. 11+50)

SHOW-CUT 8-1/2 FT EACH SIDE OF  
C&G PAVEMENT, AND 2-FT  
PAVEMENT WIDENING ON EACH  
SIDE OF C&G PAVEMENT,  
TYPE SP 12.5, 6" TYPE B-12.5  
CURB, 12" STABILIZED SUBGRADE,  
AND 12" STABILIZED SUBGRADE.  
LSP 40

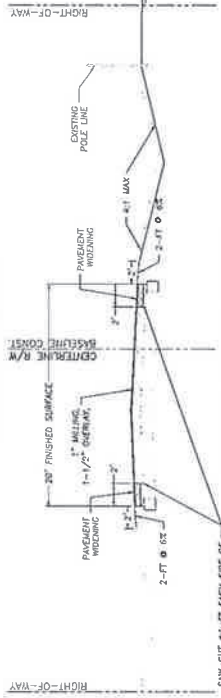
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SECTION R2 (STA. 14+00)

SHOW-CUT 8-1/2 FT EACH SIDE OF  
C&G PAVEMENT, AND 2-FT  
PAVEMENT WIDENING ON EACH  
SIDE OF C&G PAVEMENT,  
TYPE SP 12.5, 6" TYPE B-12.5  
CURB, 12" STABILIZED SUBGRADE,  
AND 12" STABILIZED SUBGRADE.  
LSP 40

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SECTION R3 (STA. 16+50)

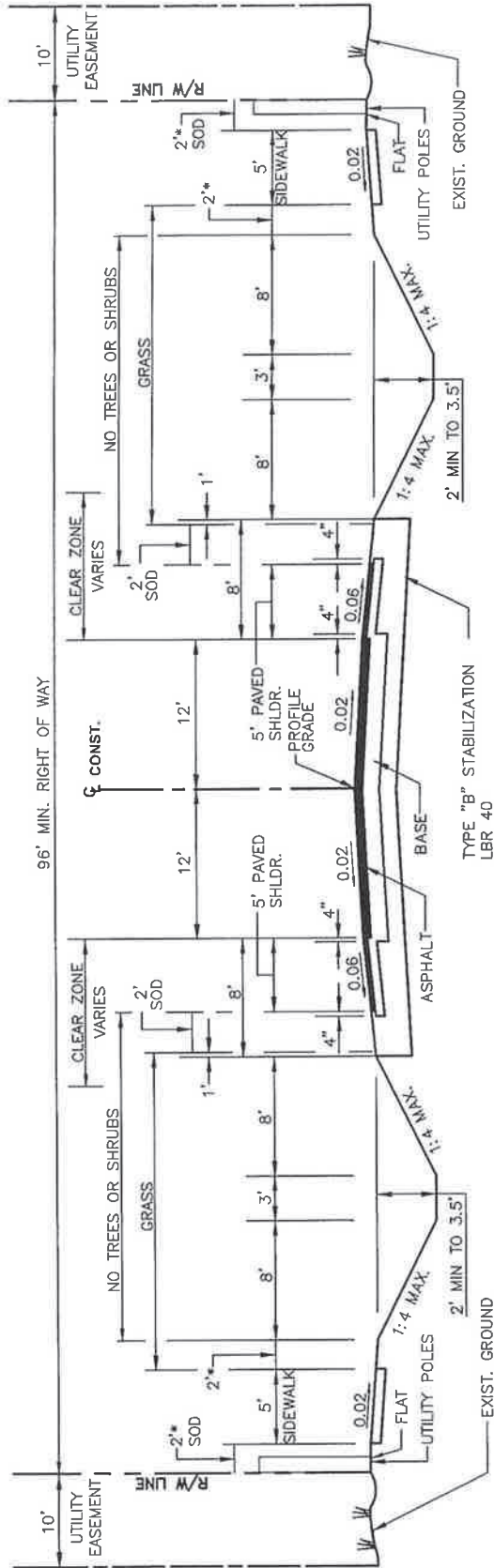
SHOW-CUT 8-1/2 FT EACH SIDE OF  
C&G PAVEMENT, AND 2-FT  
PAVEMENT WIDENING ON EACH  
SIDE OF C&G PAVEMENT,  
TYPE SP 12.5, 6" TYPE B-12.5  
CURB, 12" STABILIZED SUBGRADE,  
AND 12" STABILIZED SUBGRADE.  
LSP 40

SCALE: 1" = 5' VERTICAL  
1" = 5' HORIZONTAL



OFFSITE ROADWAY SECTIONS	
PROJECT NO.	Fontanarosa Village
DATE	Townhomes
DESIGNER	DANVA INVESTMENT LLC
DATE	05/12/2020
PROJECT NO.	5-8_08P
SHEET 9 OF 21 SHEETS	





**TYPICAL SECTION**

N.T.S.  
FOR LESS THAN 10,000 AADT

MAX. ALLOWABLE DESIGN SPEED - 50 MPH

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

REVISION DATE:

10/17

**TRANSPORTATION  
TECHNICAL  
MANUAL**



**Hillsborough  
County Florida**

**LOCAL & COLLECTOR RURAL ROADS  
(2 LANE UNDIVIDED)  
TYPICAL SECTION**

DRAWING NO. TS-7

SHEET NO. 1 OF 1

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
Hubert Ave.	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 checked="" 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	183	12	14
Proposed	293	18	22
Difference (+/-)	+110	+6	+8

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

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

Design Exception/Administrative Variance <input type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
Hubert Ave./Substandard Roadway	Design Exception Requested	Approvable
Hubert Ave./Number of Access Points	Administrative Variance Requested	Approvable
Notes: Substandard roadway improvements on Hubert Ave., from northern most access point to W. Waters Ave.		

4.0 Additional Site Information & Agency Comments Summary

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

**COMMISSION**

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



**DIRECTORS**

Janet D. Lorton EXECUTIVE DIRECTOR  
 Elaine S. DeLeeuw ADMIN DIVISION  
 Sam Elrabi, P.E. WATER DIVISION  
 Rick Muratti, Esq. LEGAL DEPT  
 Reginald Sanford, MPH AIR DIVISION  
 Steffanie L. Wickham WASTE DIVISION  
 Sterlin Woodard, P.E. WETLANDS DIVISION

**AGENCY COMMENT SHEET**

REZONING	
<p><b>HEARING DATE:</b> 5/16/2022</p> <p><b>PETITION NO.:</b> 22-0558</p> <p><b>EPC REVIEWER:</b> Melissa Yanez</p> <p><b>CONTACT INFORMATION:</b> (813) 627-2600 X1360</p> <p><b>EMAIL:</b> <a href="mailto:yanezm@epchc.org">yanezm@epchc.org</a></p>	<p><b>COMMENT DATE:</b> 3/15/2022</p> <p><b>PROPERTY ADDRESS:</b> 8419, 8425 N Hubert Ave, Tampa, FL 33614</p> <p><b>FOLIO #:</b> 0241733302, 0241940000</p> <p><b>STR:</b> 21-28S-18E</p>
<p><b>REQUESTED ZONING:</b> Major Modification to PD</p>	
FINDINGS	
<b>WETLANDS PRESENT</b>	NO
<b>SITE INSPECTION DATE</b>	3/4/2022
<b>WETLAND LINE VALIDITY</b>	NA
<b>WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)</b>	NA
<p><b>INFORMATIONAL COMMENTS:</b></p> <p>Wetlands Division staff of the Environmental Protection Commission of Hillsborough County (EPC) inspected the above referenced site in order to determine the extent of any wetlands and other surface waters pursuant to Chapter 1-11, Rules of the EPC. This determination was performed using the methodology described within Chapter 62-340, Florida Administrative Code, and adopted into Chapter 1-11. The site inspection revealed that no wetlands or other surface waters exist within the above referenced parcel.</p> <p>Please be advised this wetland determination is informal and non-binding. A formal wetland delineation may be applied for by submitting a “WDR30 - Delineation Request Application”. Once approved, the formal wetland delineation would be binding for five years.</p>	

My/dc

*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:** 4/15/2022

**Acreage:** ±3.1 acres

**Jurisdiction:** Hillsborough County

**Proposed Zoning:** Planned Development

**Case Number:** MM 22-0558

**Future Land Use:** R-12

**HCPS #:** RZ-437

**Maximum Residential Units:** 15

**Address:** 600 ft north of Waters Ave & east side of N. Huber Ave

**Residential Type:** Single-Family Attached

**Parcel Folio Number(s):** 024173.3002;  
024194.0000

School Data	Crestwood Elementary	Adams Middle	Chamberlain High
<b>FISH Capacity</b> Total school capacity as reported to the Florida Inventory of School Houses (FISH)	1089	1460	1987
<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	746	652	1307
<b>Current Utilization</b> Percentage of school capacity utilized based on 40 <sup>th</sup> day enrollment and FISH capacity	69%	45%	66%
<b>Concurrency Reservations</b> Existing concurrency reservations due to previously approved development. Source: CSA Tracking Sheet as of 4/15/2022	16	19	28
<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	2
<b>Proposed Utilization</b> School capacity utilization based on 40 <sup>th</sup> day enrollment, existing concurrency reservations, and estimated student generation for application	70%	46%	67%

**Notes:** Lewis Elementary, Greco Middle, and Armwood High School currently have capacity for the proposed project.

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

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



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

---

**TO:** Zoning Review, Development Services

**DATE:** 05/03/2022

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

**APPLICANT:** Propser Fontanarosa Homes LLC

**PETITION NO:** 22-0558

**LOCATION:** 8425 and 8419 N Hubert Ave

**FOLIO NO:** 24194.0000, 24173.3302

---

**Estimated Fees:**

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

Mobility: \$5,995 \* 15 units = \$ 89,925

Parks: \$1,957 \* 15 units = \$ 29,335

School: \$7,027 \* 15 units = \$105,405

Fire: \$249 \* 15 units = \$ 3,735

Total Townhouse = \$228,400

**Project Summary/Description:**

Urban Mobility, Northwest Parks/Fire - 15 Townhouse Units in addition to prior approved 25 townhomes and 6 live work units



**AGENCY REVIEW COMMENT SHEET**

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

**DATE: 1 Mar. 2022**

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

**APPLICANT: Anne Pollack**

**PETITION NO: MM 22-0558**

**LOCATION: Not listed**

**FOLIO NO: 24194.0000, 24192.0000**

**SEC: 21 TWN: 28 RNG: 18**

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

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



**AVIATION AUTHORITY LAND USE REVIEW**  
**Hillsborough County - OPTIX**

---

**DATE:** February 25, 2022

**PROPOSED USE INFORMATION:**

---

Case No.: 22-0558 Reviewer: Tony Mantegna

Location: 8425 N HUBERT AVE

Folio: 24194.0000

Current use of Land: Residential

Zoning: PD

REQUEST: Townhomes

---

**COMMENTS:**

The proposed site falls within Zone "A" on the Airport Height Zoning Map. Any structure including construction equipment that exceeds 150 feet Above Mean Sea Level may require an Airport Height Zoning Permit and must be reviewed by the Airport Zoning Director.

Compatible without conditions (see comments above) - \_\_\_\_\_

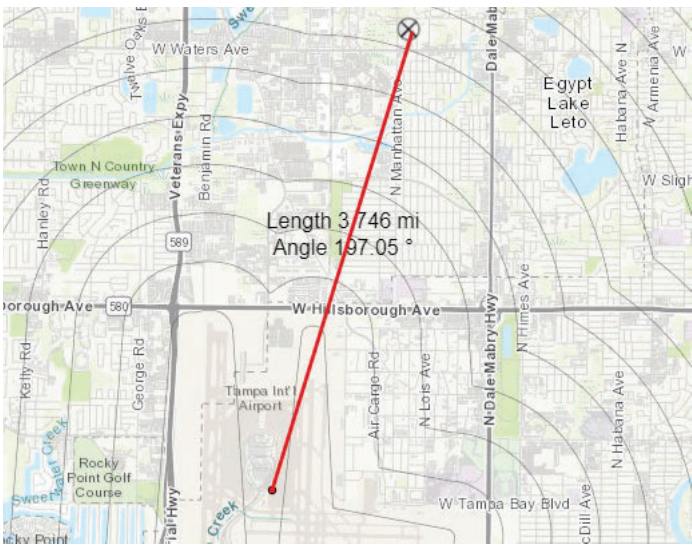
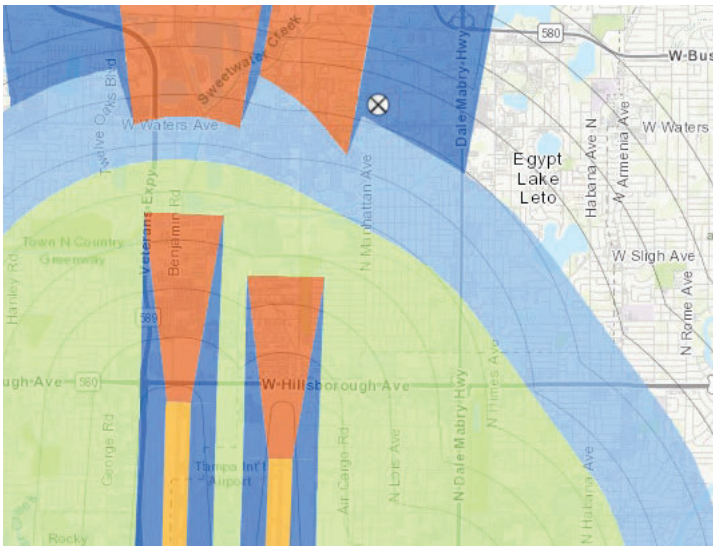
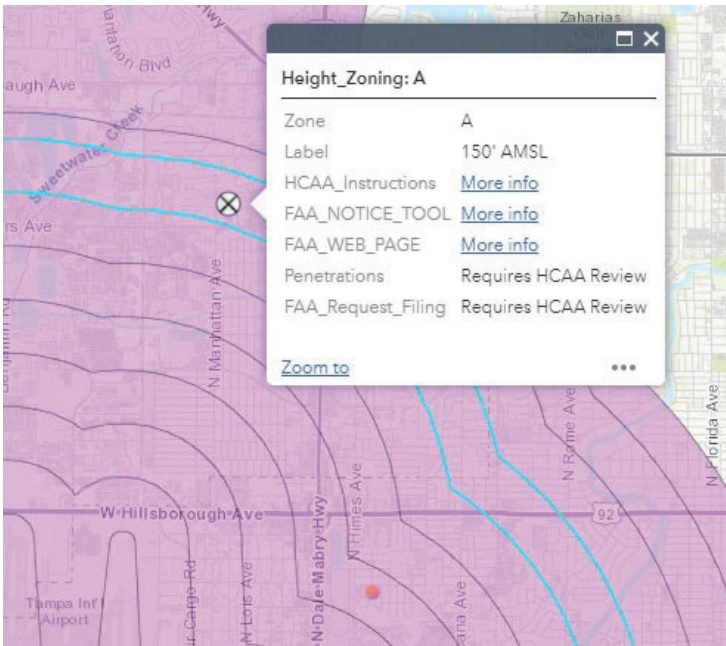
Not compatible (comments) - \_\_\_\_\_

Compatible with conditions (see comments above) – Potential buyers should be informed this location is within the approach and departure area of Tampa International Airport and will be subject to aircraft overflight. The property falls outside of the 65 dnl noise contour around the airport and is a compatible but occupants may be subjected to noise from aircraft operating to and from the airport. The Aviation Authority suggests a noise reduction level of at least 25 db be incorporated into design.

---

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







# **VERBATIM TRANSCRIPT**

HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

-----X  
)
IN RE: )
)
ZONE HEARING MASTER )
HEARINGS )
)
-----X

ZONING HEARING MASTER HEARING  
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: PAMELA JO HATLEY  
Land Use Hearing Master

DATE: Monday, June 13, 2022

TIME: Commencing at 6:00 p.m.  
Concluding at 11:56 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  
June 13, 2022  
ZONING HEARING MASTER: PAMELA JO HATLEY

D10:  
Application Number: MM 22-0558  
Applicant: Prosper Fontanarosa Homes, LLC  
Location: 600' N of W Waters Ave & E side  
of N Hubert Ave  
Folio Number: 024194.0000 & 024173.3302  
Acreage: 3.1 acres, more or less  
Comprehensive Plan: R-12  
Service Area: Urban  
Existing Zoning: PD 77-0318  
Request: Major Modification to a Planned  
Development

1 MR. GRADY: The next item is agenda item  
2 D-10. This is Major Mod Application 22-0558. The  
3 applicant's Prosper Fontanarosa Homes, LLC. Their  
4 request is for a Major Modification to existing  
5 Planned Development.

6 Tania Chapela will provide staff  
7 recommendation after presentation by the applicant.

8 MS. POLLACK: Good evening. Anne Pollack  
9 with Fletcher, Fischer, Pollack, 433 Central Avenue  
10 in St. Pete. I represent the applicant, Prosper  
11 Fontanarosa Homes, LLC.

12 Jay Roberts with Prosper is here tonight to  
13 answer any questions you might have. We also have  
14 our transportation engineer, Steve Henry.

15 This is a Major Modification to an existing  
16 zoning to complete basically a two-phase project on  
17 a 3.12-acre site. Twenty-five townhomes and  
18 live-work units are currently permitted on the  
19 southern half, and this will allow an additional 15  
20 townhomes on the northern half.

21 Give you a little history, the property's  
22 located near the corner of Waters Avenue and  
23 Manhattan. The surrounding area is a mix of uses  
24 of a shopping center to the south that fronts on  
25 Waters. Single-family homes to the north.

1 Apartments and vacant land to the west.

2 Multifamily apartments and office to the east.

3 The two-parcel property was originally  
4 developed for a tennis and recreational facility.  
5 It was purchased in 2015, rezoned to allow the 25  
6 townhouses and the live-work on the southern  
7 parcel, and the northern parcel was kept for  
8 recreational uses.

9 The tennis facility ultimately closed. The  
10 remainder of the property was sold for development  
11 in 2019 but with COVID development was delayed.  
12 The applicant has recently acquired the parcels and  
13 is now building the townhouses on phase one.

14 Phase one has been platted. It's under  
15 construction, and we're here tonight to receive  
16 approval for phase two. You can get a good  
17 understanding there. Phase one is already platted.  
18 Phase two is not in use right now.

19 The property is a Comp Plan designation of  
20 RES-12, which allows 12 units per acre generally,  
21 but the Comp Plan does allow for an increase in  
22 density to the next most intense Comp Plan  
23 designation with the provision of a mix of uses in  
24 the development.

25 To meet the requirements for the bonus

1 density, the applicant is providing six live-work  
2 units at the entrance to the project. The six  
3 units equal about 15 percent of the four units,  
4 which is beyond the 10 percent that is generally  
5 required to satisfy this requirement.

6 The initial 25 units did receive that bonus  
7 density, and it allows the project density of  
8 13.3 acres. With this request, the total density  
9 for the project will actually go down to  
10 12.8 units, which is just slightly over the  
11 12 units per acre that's allowed by that RES-12.

12 So although this really is, we feel, just a  
13 continuation and completion of this infill project  
14 that was approved in 2016. We've made a lot of  
15 effort to update the conditions of approval to what  
16 staff and the applicant agree are clearer and more  
17 and better conditions generally.

18 For instance, rather than just sticking with  
19 the existing conditions as really just looking at  
20 the work as a home-base business, we worked  
21 diligently with County and Planning Commission  
22 staff to ensure that the live-work units truly are  
23 work units; that there's a true distinction between  
24 the live and the work part and that there's a  
25 distinction between the live-work units and the

1 standard residential units.

2 So, for instance, they prohibit residential  
3 use on the first floor. There is an internal  
4 separation between the uses. The work portion  
5 can't be converted to residential or used as an  
6 ADU. You can't sell or rent the first floor  
7 separate from the owner who has the residential  
8 part.

9 And several other conditions in there that  
10 I'm happy to go into if you're interested but are  
11 listed in the conditions of approval.

12 What we think is key is that the additional  
13 density bonus is really doing what its intent was  
14 to bring a mix of uses into this development that  
15 might not have otherwise developed in this manner.

16 The Planning Commission report, which you'll  
17 hear shortly, was included and submitted into the  
18 record finds the request for additional density to  
19 be consistent with the Comprehensive Plan as well  
20 as the whole Major Modification we're requesting.

21 The project design is planned to be  
22 contemporary and stylish and will bring some  
23 refreshing development to an area where most of the  
24 buildings are in the '80s and '90s and hasn't been  
25 much new construction in a while.



1           That is the elevations from one side, and  
2           this is sort of a rendering. From above, you can  
3           see the whole development and clearly, it's pretty  
4           different from what is there currently but more  
5           modern, more nice.

6           But ultimately, the applicant's goal is to  
7           bring middle income housing stock into this  
8           neighborhood to help invest in it, to help the  
9           community there, and help the workers who need more  
10          housing in the area.

11          So all the parcels surrounding the property  
12          are zoned to allow high-density residential or  
13          commercial. So this infill zoning request is not  
14          only consistent with the area, but it's  
15          particularly appropriate here.

16          It's confirmed by the Planning Commission as  
17          well in their staff report. We're not requesting  
18          any other waivers or variances. We are providing  
19          the required parking, plus additional parking  
20          spaces for the commercial users of the live-work  
21          units.

22          Setbacks are in conformance with phase one,  
23          which is 15 feet on all sides, and we're providing  
24          landscaping and buffering in conformance with the  
25          County requirements.

1           We've received no objections from any  
2           reviewing agencies, including transportation. We  
3           are requesting an administrative variance and  
4           design exception.

5           The administrative variance allows a second  
6           access. Mutually makes sense for this development  
7           and will ensure efficient and effective  
8           circulation.

9           We are requesting a design exception to  
10          address some substandard road improvements to be  
11          made to Hubert, and these are pretty much in line  
12          with what was approved for phase one, so Hubert  
13          will work appropriately.

14          Our transportation engineer, Steve Henry, is  
15          here tonight in case you have any questions about  
16          that. Both of those -- the variance and the design  
17          exception -- have been deemed approvable by staff.

18          So this project, it's adjacent to low  
19          density. Multifamily to the east and west. Some  
20          single-family to the north. Commercial to the  
21          south. Office in various parts.

22          Around, there is a lot of mixed-use in some  
23          of these buildings. So we feel that the approval  
24          will allow the applicant to direct growth into the  
25          Urban Service Area to take a defunct spot that

1           hasn't been used for much for quite some time and  
2           meet the intent of the Comp Plan to provide much  
3           needed housing, a mix of uses, and all done in a  
4           way that's compatible with the surrounding area.

5           We did receive two calls from neighbors.  
6           One is representing a neighbor to the east and  
7           southeast of the property in support of the  
8           project. And the other was from an owner who lives  
9           nearby who wants to purchase one of them when  
10          they're built. So we assume that means she's  
11          supportive.

12          The Planning Commission and the County Staff  
13          have both deemed the project consistent and  
14          approvable, and we hope we can get your  
15          recommendation. Thank you so much.

16          HEARING MASTER HATLEY: Thank you.

17          All right. Development Services.  
18          Development Services you ready?

19          MR. REGISTER: You're muted. Tania, can you  
20          hear us? You're muted. Let me try to unmute you.  
21          Okay. Go ahead.

22          MS. CHAPELA: Tania Chapela, Development  
23          Services. Can you hear me now?

24          HEARING MASTER HATLEY: Yes.

25          MS. CHAPELA: So the next application is

1 application number PD Major Modification. It's  
2 22-0558. It's a modification to Planned  
3 Development.

4 The applicant, Prosper Fontanarosa Homes,  
5 LLC, seeks a Major Mod to allow a 40-townhome units  
6 development including 65 live-work units. The site  
7 is within Future Land Use classification of RES-12,  
8 which allows up to 12 dwelling units per acre and a  
9 floor area ratio of 0.5 for nonresidential  
10 development. Surrounding areas have similar future  
11 land uses.

12 The area today is generally consisting of  
13 multifamily and single-family residential zonings.  
14 To the west and east to the south is a property  
15 zoned Commercial General and is developed with a  
16 shopping plaza.

17 The site is currently approved for 25  
18 townhomes, and the proposed modification is to  
19 allow 40 townhomes and the six live units --  
20 live-work units that weren't approved before.

21 So in total they're proposing to allow 15  
22 additional townhome units to the north of the -- of  
23 the PD area.

24 So based on the -- AE-1-.25 Future Land Use  
25 Classification, the surrounding zoning, and the

1 development pattern and the proposed uses and  
2 development standards for the -- for the Major  
3 Modification 22-0558, staff finds the request is  
4 supportable, and this concludes my presentation.  
5 I'm available for questions.

6 HEARING MASTER HATLEY: Okay. Thank you.  
7 Planning Commission.

8 MS. LIENHARD: Thank you. Melissa Lienhard,  
9 Planning Commission staff.

10 The subject property is located in the  
11 Residential-12 Future Land Use Category. It is in  
12 the Urban Service Area, and the property is not  
13 located within the limits of a community plan.

14 The request complies with Objective 1 of the  
15 Future Land Use Element which requires development  
16 to be directed into the Urban Service Area.

17 Objective 8 indicates the maximum density  
18 and intensity for the Residential-12 Future Land  
19 Use Category and the criteria for obtaining bonus  
20 density through Policy 19.3 of the Future Land Use  
21 Element.

22 Policy 19.3 allows for a density bonus to  
23 the next higher raised category where vertically  
24 integrating two land uses. The proposed density is  
25 for 16 dwelling units to the acre, and the

1 applicant has addressed the bonus outlined in  
2 Policy 19.3.

3 According to the applicant, the existing  
4 approval allows for a density of 13.3 units per  
5 acre with approved density bonus. The proposed  
6 Major Modification would request an overall density  
7 of 12.8 units per acre.

8 The applicant is proposing six three-story  
9 live-work units that will function as a business  
10 and residential dwelling unit. With a bonus to the  
11 next highest Future Land Use Category of  
12 Residential-16, the maximum density permitted  
13 on-site is 49 units and the minimum density is  
14 37 units.

15 The applicant is requesting 40 units and is  
16 consistent with Policies 1.2 and 7.1 of the Future  
17 Land Use Element with regard to minimum and maximum  
18 densities and intensities.

19 Based upon Policy 19.1, at least 10 percent  
20 of the total dwelling units must be for the second  
21 vertically integrated use. The six live-work units  
22 will account for 15 percent of the total dwelling  
23 units and will meet Policy 19.1 of the Future Land  
24 Use Element.

25 The applicant is requesting six live-work

1 units, which will be distinct from the other 34  
2 townhomes proposed on-site. The distinction is  
3 essential to the proposed development being found  
4 consistent with Policy 19.3, which requests two  
5 separate land uses.

6 To achieve a density bonus, the applicant  
7 will provide two separate land uses to show how the  
8 live-work units differentiate from a traditional  
9 home-base business and be compatible with the  
10 surrounding community.

11 The applicant has agreed to the conditions  
12 of approval that provide a level of detail  
13 outlining the characteristics of the live-work  
14 unit.

15 Lastly, the applicant has provided a floor  
16 plan showing the office located on the first floor  
17 and residential bedrooms located on the second and  
18 third floors. These conditions of approval and the  
19 specific floor plans are essential to Planning  
20 Commission staff finding this proposal consistent  
21 with the Comprehensive Plan.

22 Based upon those considerations, Planning  
23 Commission staff finds the proposed modification  
24 consistent with the Future of Hillsborough  
25 Comprehensive Plan for unincorporated Hillsborough

1 County subject to the conditions proposed by  
2 Development Services. Thank you.

3 HEARING MASTER HATLEY: Thank you.

4 All right. Is there anyone here or online  
5 who wishes to speak in support of this application?  
6 I do not see anyone.

7 Is there anyone here or online who wishes to  
8 speak in opposition to this application? I don't  
9 see anyone.

10 Development Services, anything further?

11 MR. GRADY: Nothing further.

12 HEARING MASTER HATLEY: All right.  
13 Applicant? Nothing further. All right.

14 That will close, then, the hearing on Major  
15 Modification 22-0558.

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HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

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

BEFORE: 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 This application is being continued by the  
2 applicant to the June 13, 2022, Zoning Hearing  
3 Master Hearing.

4 Item A-26, Rezoning-Standard 22-0557. This  
5 application is out of order to be heard and is  
6 being continued to the June 13, 2022, Zoning  
7 Hearing Master Hearing.

8 Item A-27, Major Mod Application 22-0558.  
9 This application is being continued by the  
10 applicant to the June 13, 2022, Zoning Hearing  
11 Master Hearing.

12 Item A-28, Rezoning-PD 22-0559. This  
13 application is being continued by staff to the  
14 June 13, 2022, Zoning Hearing Master Hearing.

15 Item A-29, Rezoning-PD 22-0561. This  
16 application is being continued by staff to the  
17 June 13, 2022, Zoning Hearing Master Hearing.

18 Item A-30, Rezoning-PD 22-0562. This  
19 application is being continued by the applicant to  
20 the June 13, 2022, Zoning Hearing Master Hearing.

21 Item A-31, Rezoning-Standard 22-0604. This  
22 application is out of order to be heard and is  
23 being continued to the June 13, 2022, Zoning  
24 Hearing Master Hearing.

25 And item A-32, Rezoning-Standard 22-0698.



**EXHIBITS SUBMITTED  
DURING THE ZHM HEARING**

DATE/TIME: 6/13/22 6pmHEARING MASTER: Damela Jo HatleyPLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # <u>22-0443</u>	PLEASE PRINT NAME <u>Rebecca Keft</u> ADDRESS <u>400 N Tampa St Ste 1916</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813 368 3064</u>
APPLICATION # <u>22-0802</u>	PLEASE PRINT NAME <u>Jaine Marie</u> ADDRESS <u>101 E. Kennedy Blvd. Ste. 3700</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-506-5184</u>
APPLICATION # <u>22-0103</u>	PLEASE PRINT NAME <u>William J. Molloy</u> ADDRESS <u>1355 S Blvd</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33606</u> PHONE <u>336 06</u>
APPLICATION # <u>22-0103</u>	PLEASE PRINT NAME <u>Isabelle Albert</u> ADDRESS <u>1000 W. Ashley Dr.</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813 332-0976</u>
APPLICATION # <u>22-0103</u>	PLEASE PRINT NAME <u>Betty R. Willis</u> ADDRESS <u>1440 Hounds Mallow Ct</u> CITY <u>Lutz</u> STATE <u>FL</u> ZIP <u>33549</u> PHONE <u>813-949-1072</u>
APPLICATION # <u>22-0103</u>	PLEASE PRINT NAME <u>Nick Pullaro</u> ADDRESS <u>1612 W. Magdalene Manor Dr.</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33613</u> PHONE <u>813 962-0192</u>

DATE/TIME: 6/13/22 6pm HEARING MASTER: Pamela Jo HatleyPLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # <u>22-0103</u>	PLEASE PRINT NAME <u>Natalie Davis</u> ADDRESS <u>17844 N. US Highway 41</u> CITY <u>Lutz</u> STATE <u>FL</u> ZIP <u>33549</u> PHONE <u>8352-219-2670</u>
APPLICATION # <u>22-0103</u>	PLEASE PRINT NAME <u>Craig Latimer</u> ADDRESS <u>P.O. Box 2303</u> CITY <u>Lutz</u> STATE <u>FL</u> ZIP <u>33518</u> PHONE <u>813-728-3738</u>
APPLICATION # <u>22-0103</u>	PLEASE PRINT NAME <u>DAN POMESBUTZ</u> ADDRESS <u>1816 REBECCA RD.</u> CITY <u>Lutz</u> STATE <u>FL</u> ZIP <u>3356</u> PHONE <u>949-334</u>
APPLICATION # <u>22-0103</u>	PLEASE PRINT NAME <u>Chris Capkovic</u> ADDRESS <u>17510 Estes Rd</u> CITY <u>Lutz</u> STATE <u>FL</u> ZIP <u>33548</u> PHONE <u>813 482-6825</u>
APPLICATION # <u>22-0083</u>	PLEASE PRINT NAME <u>Sarah Combs</u> ADDRESS <u>14013 W. 22nd St</u> CITY <u>Tpa</u> STATE <u>FL</u> ZIP <u>33613</u> PHONE <u>813 404 8940</u>
APPLICATION # <u>220083</u>	PLEASE PRINT NAME <u>Catharine Hertley</u> ADDRESS <u>2021 East 2nd Ave</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33605</u> PHONE <u>813 220 4569</u>

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

APPLICATION # <u>21-0745</u>	PLEASE PRINT NAME <u>CARON BRICKMETER</u> ADDRESS <u>4427 W. KENNEDY BLVD, Suite 250</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33609</u> PHONE <u>(813) 229-7700</u>
APPLICATION # <u>22-0295</u>	PLEASE PRINT NAME <u>ROY WEINER</u> ADDRESS <u>637 N. WINDY RD</u> CITY <u>BRANDON</u> STATE <u>FL</u> ZIP <u>33507</u> PHONE <u>813 86681500</u>
APPLICATION # <u>22-0295</u>	PLEASE PRINT NAME <u>LEO MURRAY</u> ADDRESS <u>SARASOTA SPRINGS RD</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33637</u> PHONE <u>813-957-4730</u>
APPLICATION # <u>22-0604</u>	PLEASE PRINT NAME <u>Cliff Cardwell</u> <u>cliff cardwell</u> ADDRESS <u>1204 12th st</u> CITY <u>Tampa</u> STATE <u>F</u> ZIP <u>33612</u> PHONE <u>813 293 1549</u>
APPLICATION # <u>22-0604</u>	PLEASE PRINT NAME <u>SANDOR GASPAR</u> ADDRESS <u>1908 So. 47th STREET.</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33619</u> PHONE <u>908-801-0690</u>
APPLICATION # <u>22-0812</u>	PLEASE PRINT NAME <u>Todd Pressman</u> ADDRESS <u>200 2nd Ave, S #451</u> CITY <u>St Pete</u> STATE <u>FL</u> ZIP <u>33701</u> PHONE <u>804-1760</u>

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

APPLICATION #  <u>20-1142</u>	PLEASE PRINT NAME <u>TU Mai</u> ADDRESS <u>14031 N. Dale Mabry Highway</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33618</u> PHONE <u>(813) 962-6230</u>
APPLICATION #  <u>20-1142</u> <u>VS</u>	PLEASE PRINT NAME <u>Rigoberto Reyes</u> ADDRESS <u>6806 36th Ave South</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33619</u> PHONE _____
APPLICATION #  <u>22-0442</u>	PLEASE PRINT NAME <u>Isabelle Albert</u> ADDRESS <u>1600N Ashley Dr. # 900</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33629</u> PHONE <u>813 331-0976</u>
APPLICATION #  <u>21-1338</u> <u>VS</u>	PLEASE PRINT NAME <u>David Wright</u> ADDRESS <u>PO BOX 273417</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33688</u> PHONE _____
APPLICATION #  <u>21-1338</u> <u>VS</u>	PLEASE PRINT NAME <u>Janise Man-Son-Hing</u> ADDRESS <u>16740 Whirlway Rd</u> CITY <u>Lutz</u> STATE <u>FL</u> ZIP <u>33558</u> PHONE _____
APPLICATION #  <u>22-0319</u>	PLEASE PRINT NAME <u>Todd Pressman</u> ADDRESS <u>200 2nd Ave S # 451</u> CITY <u>St Pete</u> STATE <u>FL</u> ZIP <u>33709</u> PHONE <u>804-1760</u>

DATE/TIME: 6/13/22 6pm HEARING MASTER: Pamela Jo Hatley

PLEASE PRINT CLEARLY, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # 22-0319	PLEASE PRINT NAME Mitch GolobGRAM ADDRESS 11606 Boki LN CITY Thonotosassa STATE FL ZIP 33592 PHONE 813-343-1751
APPLICATION # 22-0319	PLEASE PRINT NAME Stephanie Elders ADDRESS 11504 Boki Lane CITY Thonotosassa STATE FL ZIP 33592 PHONE 813-982-2548
APPLICATION # 22-0319 US	PLEASE PRINT NAME Ricky Richardson ADDRESS 11499 Boki Lane CITY Thonotosassa STATE FL ZIP 33592 PHONE
APPLICATION # 22-0319	PLEASE PRINT NAME Michael Yates ADDRESS PALM TRAFFIC 400 N. TAMPA ST, 15th FL CITY TAMPA STATE FL ZIP 33602 PHONE 813 205 8057
APPLICATION # 22-0416	PLEASE PRINT NAME PETER PENSA, AICP - AVID GROUP LLC ADDRESS 2300 CURLEW RD, STE 201 CITY PALM HARBOR STATE FL ZIP 34683 PHONE 727-234-8015
APPLICATION # 22-0444	PLEASE PRINT NAME Alex Schaler ADDRESS 400 N. Ashley Dr. Suite 1100 CITY Tampa STATE FL ZIP 33607 PHONE 850-319-0782



DATE/TIME: 6/13/22 6pm HEARING MASTER: Pamela Jo HatleyPLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # <u>22-0558</u>	PLEASE PRINT NAME <u>Anne Pollack</u> ADDRESS <u>433 Central Ave Ste 400</u> CITY <u>St Pete</u> STATE <u>FL</u> ZIP <u>33701</u> PHONE <u>813-898-2836</u>
APPLICATION # <u>22-0561</u> <u>VS</u>	PLEASE PRINT NAME <u>Tvett Gardner</u> ADDRESS <u>400 N. Ashley Dr #1100</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE _____
APPLICATION # <u>22-0561</u>	PLEASE PRINT NAME <u>Buddy Harwell</u> ADDRESS <u>P.O. Box 297</u> CITY <u>Libertonia</u> STATE <u>IL</u> ZIP <u>33531</u> PHONE <u>281-671-4858</u>
APPLICATION # <u>22-0561</u>	PLEASE PRINT NAME <u>James Frankland</u> ADDRESS <u>15864 Balm Rd</u> CITY <u>Balm</u> STATE <u>FL</u> ZIP <u>33503</u> PHONE <u>813 4349556</u>
APPLICATION # <u>22-0561</u>	PLEASE PRINT NAME <u>Michael Yates</u> ADDRESS <u>PALM TRAFFIC</u> <u>400 N TAMPA ST, 15th FL</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813 2058057</u>
APPLICATION # <u>22-0569</u>	PLEASE PRINT NAME <u>Mattmanah S. Jahn</u> ADDRESS <u>935 Mann Street Ste D1</u> CITY <u>Safety Harbor</u> STATE <u>FL</u> ZIP <u>34695</u> PHONE <u>727.773.0001</u>

DATE/TIME: 6/13/22 4pm HEARING MASTER: Pamela Jo HatleyPLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # <u>22-0569</u>	PLEASE PRINT NAME <u>E. Thomas Thome</u> ADDRESS <u>5115 LITHIA SPRINGS RD</u> CITY <u>LITHIA</u> STATE <u>FL</u> ZIP <u>3347</u> PHONE _____
APPLICATION # <u>22-0569</u>	PLEASE PRINT NAME <u>Bill Meyers</u> ADDRESS <u>5104 Lithia Springs Rd</u> CITY <u>Lithia</u> STATE <u>FL</u> ZIP <u>33547</u> PHONE <u>813-495-7522</u>
APPLICATION # <u>22-0682</u>	PLEASE PRINT NAME <u>Elise Batsel</u> ADDRESS <u>401 E. Jackson St.</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33606</u> PHONE <u>813.222.5057</u>
APPLICATION # <u>22-0682</u>	PLEASE PRINT NAME <u>David M. Smith</u> ADDRESS <u>401 E. Jackson Street</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813 222 5010</u>
APPLICATION # <u>22-0689</u>	PLEASE PRINT NAME <u>Elise Batsel</u> ADDRESS <u>401 E. Jackson St.</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33606</u> PHONE <u>813.222.5057</u>
APPLICATION # <u>22-0689</u>	PLEASE PRINT NAME <u>David M Smith</u> ADDRESS <u>401 E. Jackson St.</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813 222 5010</u>

DATE/TIME: 6/13/22 6pm HEARING MASTER: Pamela Jo Hatley

PLEASE PRINT CLEARLY, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # 22-0689	PLEASE PRINT NAME STEVE TENRY ADDRESS 5023 W. LAUREL ST CITY TPA STATE FL ZIP 33607 PHONE 813-289-0039
APPLICATION # 22-0689	PLEASE PRINT NAME Daryl MAX FORGAY ADDRESS 236 <sup>2304</sup> SE 45th STREET CITY CAPTOWN STATE FL ZIP 33904 PHONE 239-560-5864
APPLICATION # 22-0689	PLEASE PRINT NAME Robert Padilla ADDRESS 212 Ranja Lane CITY Valrico STATE FL ZIP 33594 PHONE 813-523-7202
APPLICATION # 22-0689	PLEASE PRINT NAME Kevin Ratliff ADDRESS 1814 Citrus Orchard way CITY Valrico STATE FL ZIP 33594 PHONE 813-538-0851
APPLICATION # 22-0689	PLEASE PRINT NAME Elizabeth Rodriguez-Balchen ADDRESS 406 S Miller Rd CITY Valrico STATE FL ZIP 33594 PHONE 813-478-1040
APPLICATION # 22-0689	PLEASE PRINT NAME Charles Bothe ADDRESS 2303 Hwy 60 CITY VALRICO STATE FL ZIP 33594 PHONE 813-267-5476

SIGN-IN SHEET: RFR ZHM, PHM, LUHO

PAGE 9 OF 9

DATE/TIME: 6/13/22 6pm HEARING MASTER: Pamela Jo Hatley

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

<p>APPLICATION #</p> <p><i>22-0689</i></p>	<p>PLEASE PRINT NAME <u>LUKE LIROT</u></p> <p>ADDRESS <u>2240 BELLEAIR RD. #190</u></p> <p>CITY <u>CLEARWATER</u> STATE <u>FL</u> ZIP <u>33784</u> PHONE <u>727-536-2100</u></p>
<p>APPLICATION #</p>	<p>PLEASE PRINT NAME _____</p> <p>ADDRESS _____</p> <p>CITY _____ STATE _____ ZIP _____ PHONE _____</p>
<p>APPLICATION #</p>	<p>PLEASE PRINT NAME _____</p> <p>ADDRESS _____</p> <p>CITY _____ STATE _____ ZIP _____ PHONE _____</p>
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HEARING TYPE: **ZHM**, PHM, VRH, LUHO

DATE: 6-13-2022

HEARING MASTER: Susan Finch & Pamela Jo Hatley

PAGE: 1 OF 1

APPLICATION #	SUBMITTED BY	EXHIBITS SUBMITTED	HRG. MASTER YES OR NO
MM 22-0103	Isabelle Albert	1. Applicant Presentation Packer	No
MM 22-0103	Chris Capkovic	2. Opponent Letters	No
RZ 22-0083	Brian Grady	1. Revised Staff Report	Yes (Copy)
RZ 21-0745	Brian Grady	1. Revised Staff Report	Yes (Copy)
RZ 22-0319	Mitch Gologram	1. Proponent Presentation Packet	No
MM 22-0416	Brian Grady	1. Revised Staff Report	Yes (Copy)
MM 22-0416	Peter Pensa	2. Applicant Presentation Packet	No
RZ 22-0444	Brian Grady	1. Revised Staff Report	Yes (Copy)
MM 22-0558	Anne Pollack	1. Applicant Presentation Packet	No
RZ 22-0561	Buddy Harwell	1. Opponent Presentation Packet	No
MM 22-0569	Mahaniah S. Jahn	1. Applicant Presentation Packet	No
MM 22-0569	Thommen Thomas	2. Opponent Presentation Packet	No
MM 22-0569	Bill Meyers	3. Opponent Presentation Packet	No
RZ 22-0682	Elise Batsel	1. Applicant Presentation Packet	No
MM 22-0689	Brian Grady	1. Revised Staff Report	Yes (Copy)
MM 22-0689	Elise Batsel	2. Applicant Presentation Packet	No
MM 22-0689	Max Forgey	3. Opponent Presentation Packet	No
MM 22-0689	Robert Padilla	4. Opponent Presentation Packet	No

JUNE 13, 2021 - ZONING HEARING MASTER

The Zoning Hearing Master (ZHM), Hillsborough County, Florida, met in Regular Meeting, scheduled for Monday, June 13, 2022, at 6:00 p.m., held virtually.

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

☐ Brian Grady, Development Services, reviewed the non-published changes/withdrawals/continuances.

D.2. RZ 21-1337 W/D

☐ Brian Grady, Development Services, announces RZ 21-1337 was withdrawn.

D.8. RZ 22-0443

☐ Brian Grady, Development Services, calls RZ 22-0443.

☐ Rebecca Kerf, applicant rep, presents testimony.

☐ Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services/applicant rep/continues RZ 22-0443 to July 25, 2022.

C.3. RZ 22-0802

☐ Brian Grady, Development Services, calls RZ 22-0802.

☐ Jaime Maier, applicant rep, presents testimony.

☐ Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services/applicant rep/continues RZ 22-0802 to August 15, 2022.

A. WITHDRAWALS AND CONTINUANCES

☐ Brian Grady, Development Services, continued the review of the changes/withdrawals/continuances.

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

☐ Assistant County Attorney Cameron Clark overview of oral argument/ZHM process.

☐ Pamela Jo Hatley, ZHM, Oath.

B. REMANDS

B.2. MM 22-0103 Susan Finch

- ☒ Brian Grady, Development Services, calls MM 22-0103.
- ☒ William Molloy, applicant rep, presents testimony.
- ☒ Isabelle Albert, applicant rep, presents testimony.
- ☒ Susan Finch, questions to applicant rep.
- ☒ Isabelle Albert, applicant rep, answers ZHM questions.
- ☒ Michelle Heinrich, Development Services, staff report.
- ☒ Melissa Lienhard, Planning Commission, staff report.
- ☒ Susan Finch, ZHM, questions to Planning Commission.
- ☒ Melissa Lienhard, Planning Commission, answers ZHM questions.
- ☒ Susan Finch, ZHM, calls for proponents.
- ☒ Betty Willis, proponent, presents testimony.
- ☒ Nick Pullaro, proponent, presents testimony.
- ☒ Natalie Davis, proponent, presents testimony.
- ☒ Susan Finch, ZHM, calls for opponents.
- ☒ Craig Latimer, opponent, presents testimony.
- ☒ Dan Bomesburg, opponent, presents testimony.
- ☒ Chris Capkovic, opponent, presents testimony and submits exhibits.
- ☒ Susan Finch, ZHM, calls for applicant rep/Development Services.
- ☒ Isabelle Albert, applicant rep, presents rebuttal and submits exhibits.
- ☒ William Molloy, applicant rep, presents rebuttal.
- ☒ Susan Finch, ZHM, closes MM 22-0103.

D.4. RZ 22-0083 Susan Finch

- ☒ Brian Grady, Development Services, calls RZ 22-0083 and submits exhibits.
- ☒ Catherine Hartley, applicant rep, presents testimony.
- ☒ Sarah Combs, applicant rep, presents testimony.
- ☒ Catherine Hartley, applicant rep, continues testimony.
- ☒ Susan Finch, ZHM, questions to applicant rep.
- ☒ Catherine Hartley, applicant rep, answers ZHM questions and continues testimony.
- ☒ Tim Lampkin, Development Services, staff report.
- ☒ Susan Finch, ZHM, questions to Development Services.
- ☒ Tim Lampkin, Development Services, answers ZHM questions.
- ☒ Melissa Lienhard, Planning Commission, staff report.
- ☒ Susan Finch, ZHM, calls for proponents/opponents/Development Services.
- ☒ Catherine Hartley, applicant rep, presents rebuttal.
- ☒ Susan Finch, ZHM, closes RZ 22-0083.

B.1. RZ 21-0745

- ☒ Brian Grady, Development Services, calls RZ 21-0745 and submits exhibits.
- ☒ Clayton Brickleyer, applicant rep, presents testimony.
- ☒ Tim Lampkin, Development Services, staff report.
- ☒ Melissa Lienhard, Planning Commission, staff report.
- ☒ Pamela Jo Hatley, ZHM, questions to Planning Commission.
- ☒ Melissa Lienhard, Planning Commission, answers ZHM questions.
- ☒ Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services/applicant rep/closes RZ 21-0745.



C. REZONING STANDARD (RZ-STD):

C.1. RZ 22-0295

- ☒ Brian Grady, Development Services, calls RZ 22-0295.
- ☒ Rory Weiner, applicant rep, presents testimony.
- ☒ Isis Brown, Development Services, staff report.
- ☒ Melissa Lienhard, Planning Commission, staff report.
- ☒ Pamela Jo Hatley, ZHM, calls for proponents.
- ☒ Francis Murray, proponent, presents testimony.
- ☒ Pamela Jo Hatley, ZHM, calls for opponents/Development Services/applicant rep/closes RZ 22-0295.

C.2. RZ 22-0604

- ☒ Brian Grady, Development Services, calls RZ 22-0604.
- ☒ Cliff Cardwell, applicant rep, presents testimony.
- ☒ Brian Grady, Development Services, staff report.
- ☒ Melissa Lienhard, Planning Commission, staff report.
- ☒ Pamela Jo Hatley, ZHM, calls for proponents/opponents.
- ☒ Sandor Gaspar, Opponent, presents testimony.
- ☒ Brian Grady, Development Services, responds to opponent.
- ☒ Sandor Gaspar, Opponent, continues testimony.
- ☒ Pamela Jo Hatley, ZHM, calls for Development Services.
- ☒ Brian Grady, Development Services, responds to opponent.
- ☒ Sandor Gaspar, Opponent, continues testimony.
- ☒ Pamela Jo Hatley, ZHM, calls for applicant rep.
- ☒ Cliff Cardwell, applicant rep, presents rebuttal.
- ☒ Pamela Jo Hatley, ZHM, closes RZ 22-0604.

C.4. RZ 22-0812

📄 Brian Grady, Development Services, calls RZ 22-0812.

📄 Todd Pressman, applicant rep, presents testimony.

📄 Isis Brown, Development Services, staff report.

📄 Melissa Lienhard, Planning Commission, staff report.

📄 Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services/applicant rep/closes RZ 22-0812.

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

D.1. RZ 20-1142

📄 Brian Grady, Development Services, calls RZ 20-1142.

📄 Tu Mai, applicant rep, presents testimony.

📄 Pamela Jo Hatley, ZHM, questions to applicant rep.

📄 Tu Mai, applicant rep, answers ZHM questions and continues testimony.

📄 Rigoberto Reyes, applicant rep, presents testimony.

📄 Michelle Heinrich, Development Services, staff report.

📄 Pamela Jo Hatley, ZHM, statement for the record.

📄 Michelle Heinrich, Development Services, continues staff report.

📄 James Ratliff, Development Services Transportation, staff report.

📄 Pamela Jo Hatley, ZHM, questions to Development Services and Transportation.

📄 Brian Grady, Development Services, answers ZHM questions.

📄 Tu Mai, applicant rep, responds to Development Services and ZHM.

📄 Michelle Heinrich, Development Services, continues staff report.

📄 Melissa Lienhard, Planning Commission, staff report.

MONDAY, JUNE 13, 2022

▶ Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services/applicant rep.

▶ Brian Grady, Development Services, provides rebuttal.

▶ James Ratliff, Development Services Transportation, provides rebuttal.

▶ Pamela Jo Hatley, ZHM, questions to applicant rep.

▶ Brian Grady, Development Services, responds to ZHM.

▶ Tu Mai, applicant rep, request continuance.

▶ Pamela Jo Hatley, ZHM, continues RZ 22-1142 to July 25, 2022.

▶ Pamela Jo Hatley, ZHM, Break.

▶ Pamela Jo Hatley, ZHM, Resumes Hearing.

D.7. RZ 22-0442

▶ Brian Grady, Development Services, calls RZ 22-0442.

▶ Isabelle Albert, applicant rep, request continuance.

▶ Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services/applicant rep/continues RZ 22-0442 to July 25, 2022.

D.3. RZ 21-1338

▶ Brian Grady, Development Services, calls RZ 21-1338.

▶ David Wright, applicant rep, presents testimony.

▶ Brian Grady, Development Services, staff report.

▶ Melissa Lienhard, Planning Commission, staff report.

▶ Pamela Jo Hatley, ZHM, calls for proponents

▶ Janise Man-Son-Hing, proponent, presents testimony.

▶ Pamela Jo Hatley, ZHM, calls for opponents/Development Services.

▶ Brian Grady, Development Services, statement for the record.

▶ Pamela Jo Hatley, ZHM, calls for applicant rep.

MONDAY, JUNE 13, 2022

David Wright, applicant rep, presents rebuttal.

Pamela Jo Hatley, ZHM, closes RZ 21-1338.

D.5. RZ 22-0319

Brian Grady, Development Services, calls RZ 22-0319.

Todd Pressman, applicant rep, presents testimony.

Pamela Jo Hatley, ZHM, questions to applicant rep.

Todd Pressman, applicant rep, answers ZHM questions.

Michelle Heinrich, Development Services, staff report.

Melissa Lienhard, Planning Commission, staff report.

Pamela Jo Hatley, ZHM, calls for proponents.

Mitch Gologram, proponent, presents testimony and submits exhibits.

Stephanie Elders, proponent, presents testimony.

Ricky Richardson, proponent, presents testimony.

Mitch Gologram, proponent, continues testimony.

Pamela Jo Hatley, ZHM, calls for opponents/Development Services/applicant rep.

Todd Pressman, applicant rep, presents rebuttal.

Pamela Jo Hatley, ZHM, questions to applicant rep.

Todd Pressman, applicant rep, answers ZHM questions.

Michael Yates, applicant rep, presents rebuttal.

Pamela Jo Hatley, ZHM, questions to applicant rep.

Michael Yates, answers ZHM questions.

Pamela Jo Hatley, ZHM, closes RZ 22-0319.

MONDAY, JUNE 13, 2022

D.6. MM 22-0416

- ☒ Brian Grady, Development Services, calls MM 22-0416 and submits exhibits.
- ☒ Peter Pensa, applicant rep, presents testimony and submitted exhibits.
- ☒ Sam Ball, Development Services, staff report.
- ☒ Pamela Jo Hatley, ZHM, questions to Development Services.
- ☒ Sam Ball, Development Services, answers ZHM questions.
- ☒ Brian Grady, Development Services, answers ZHM questions.
- ☒ Melissa Lienhard, Planning Commission, staff report.
- ☒ Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services.
- ☒ James Ratliff, Development Services Transportation, presents rebuttal.
- ☒ Pamela Jo Hatley, ZHM applicant rep/closes MM 22-0416.

D.9. RZ 22-0444

- ☒ Brian Grady, Development Services, calls RZ 22-0444 and submits exhibits.
- ☒ Alex Schaler, applicant rep, presents testimony.
- ☒ Tim Lampkin, Development Services, staff report.
- ☒ Melissa Lienhard, Planning Commission, staff report.
- ☒ Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services/applicant rep.
- ☒ Alex Schaler, applicant rep, presents rebuttal.
- ☒ Pamela Jo Hatley, ZHM, closes RZ 22-0444.

D.10. MM 22-0558

- ☒ Brian Grady, Development Services, calls MM 22-0558.
- ☒ Anne Pollack, applicant rep, presents testimony and submitted exhibits.
- ☒ Tania Chapela, Development Services, staff report.

MONDAY, JUNE 13, 2022

☒ Melissa Lienhard, Planning Commission, staff report.

☒ Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services/applicant rep/closes MM 22-0558.

D.11. RZ 22-0561

☒ Brian Grady, Development Services, calls RZ 22-0561.

☒ T. Truett Gardner, applicant rep, presents testimony.

☒ Michelle Heinrich, Development Services, staff report.

☒ Melissa Lienhard, Planning Commission, staff report.

☒ Pamela Jo Hatley, ZHM, calls for proponents/opponents.

☒ Buddy Harwell, opponent, presents testimony and submitted exhibits.

☒ James Frankland, opponent, presents testimony.

☒ Pamela Jo Hatley, ZHM, calls for Development Services/applicant rep.

☒ T. Truett Gardner, rep, presents rebuttal.

☒ Michael Yates, applicant rep, presents rebuttal.

☒ Pamela Jo Hatley, ZHM, closes RZ 22-0561.

D.12. MM 22-0569

☒ Brian Grady, Development Services, calls MM 22-0569.

☒ Mahaniah S. Jahn, applicant rep, presents testimony.

☒ Colleen Marshall, Development Services, staff report.

☒ Melissa Lienhard, Planning Commission, staff report.

☒ Pamela Jo Hatley, ZHM, calls for proponents/opponents.

☒ C. Thommen Thomas, opponent, presents testimony and submits exhibits.

☒ Bill Meyers, opponent, presents testimony and submits exhibits.

☒ Pamela Jo Hatley, ZHM, calls for Development Services/applicant rep.

MONDAY, JUNE 13, 2022

☒ Mahaniah S. Jahn, applicant rep, presents rebuttal and submits exhibits.

☒ Pamela Jo Hatley, ZHM, closes MM 22-0569.

D.13. RZ 22-0682

☒ Brian Grady, Development Services, calls RZ 22-0682.

☒ Elise Batsel, applicant rep, presents testimony and submits exhibits.

☒ David Smith, applicant rep, presents testimony.

☒ Tim Lampkin, Development Services, staff report.

☒ Melissa Lienhard, Planning Commission, staff report.

☒ Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services/applicant rep/closes RZ 22-0682.

D.14. MM 22-0689

☒ Brian Grady, Development Services, calls MM 22-0689 and will be hard on August 11, 2022 6 p.m. and submits exhibits.

☒ Elise Batsel, applicant rep, presents testimony and submitted exhibits.

☒ David Smith, applicant rep, presents testimony.

☒ Steve Henry, applicant rep, presents testimony.

☒ Michelle Heinrich, Development Services, staff report.

☒ Melissa Lienhard, Planning Commission, staff report.

☒ Pamela Jo Hatley, ZHM, calls for proponents/opponents.

☒ Max Forgey, opponent, presents testimony and submits exhibits.

☒ Robert Padilla, opponent, presents testimony and submits exhibits.

☒ Kevin Ratliff, opponent, presents testimony.

☒ Elizabeth Belcher, opponent, presents testimony.

☒ Charles Bothe, opponent, presents testimony.

☒ Luke Lirot, opponent, presents testimony.

MONDAY, JUNE 13, 2022

☐ Pamela Jo Hatley, ZHM, calls for Development Services/applicant rep.

☐ Brian Grady, Development Services, statement for the record.

☐ Pamela Jo Hatley, ZHM, questions to Development Services.

☐ Brian Grady, Development Services, answers ZHM questions.

☐ Pamela Jo Hatley, ZHM, calls for applicant rep.

☐ Steve Henry, applicant rep, presents rebuttal.

☐ Elise Batsel, applicant rep, presents rebuttal.

☐ Pamela Jo Hatley, ZHM, closes MM 22-0689.

E. ZHM SPECIAL USE

ADJOURNMENT

☐ Pamela Jo Hatley, ZHM, adjourns the meeting at 11:55 p.m.



Application No. 22-0558  
Name: Anne Pollack  
Entered at Public Hearing: ZHM  
Exhibit # 1 Date: 6/13/22



MM-22-0558



MM-22-0558

W Humphrey St

N Manhattan Ave

N Hubert Ave

Fontanarosa Village C

Modano Pl

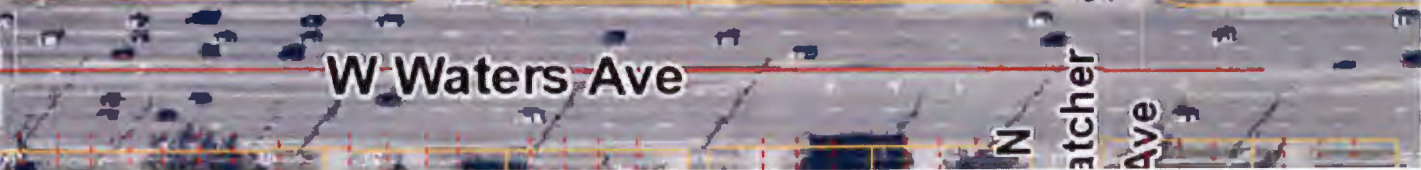
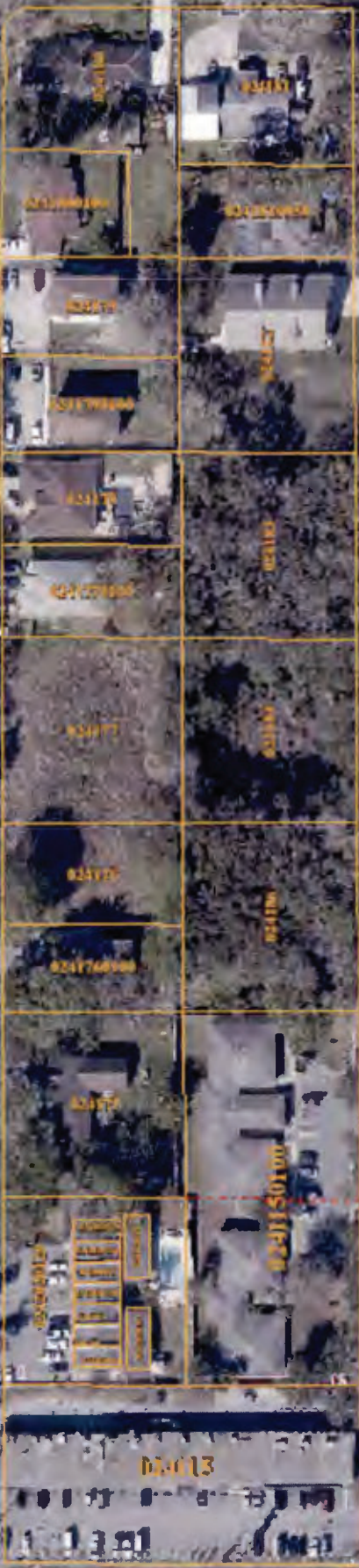
Camden St

W Waters Ave

Natcher Ave



Lot	Area	Volume	Value
024194	0.15	1000	150000
024195	0.15	1000	150000
024196	0.15	1000	150000
024197	0.15	1000	150000
024198	0.15	1000	150000
024199	0.15	1000	150000
024200	0.15	1000	150000
024201	0.15	1000	150000
024202	0.15	1000	150000
024203	0.15	1000	150000
024204	0.15	1000	150000
024205	0.15	1000	150000
024206	0.15	1000	150000
024207	0.15	1000	150000
024208	0.15	1000	150000
024209	0.15	1000	150000
024210	0.15	1000	150000



MM22-0558



**PARTY OF  
RECORD**

**NONE**