



PD Modification Application: MM 24-0029

Zoning Hearing Master Date: May 14, 2024

BOCC Land Use Meeting Date: July 9, 2024

1.0 APPLICATION SUMMARY

Applicant: Todd Pressman, Pres., Pressman & Assoc., Inc

FLU Category: RCP

Service Area: Urban

Site Acreage: 0.21 AC

Community Plan Area: East Lake/Orient Park

Overlay: None



Introduction Summary:

The parcel is part of a large Planned Development 92-0056 that was approved during Zoning Conformance most recently approved as MM 21-0036 that permits a wide range of agricultural, commercial, office, limited light industrial and residential uses.

These uses are permitted pursuant to the development standards in the table below. The proposed zoning for Planned Development (site plan controlled district) to allow minor and major moto vehicle repair pursuant to the development standards in the table below and site plan depicted in 2.4 of the report.

Existing Approval(s):

Approved PD uses include permits an array of uses including agricultural, commercial, and single family residential uses.

Proposed Modification(s):

The applicant is requesting to expand the existing entitlements to allow major and minor vehicle repair uses, while keeping the existing building 1,762 SF GFA.

Additional Information:

PD Variation(s):

LDC Part 6.06.00 (Landscaping/Buffering)

Waiver(s) to the Land Development Code:

None Requested as part of this application

Planning Commission Recommendation:

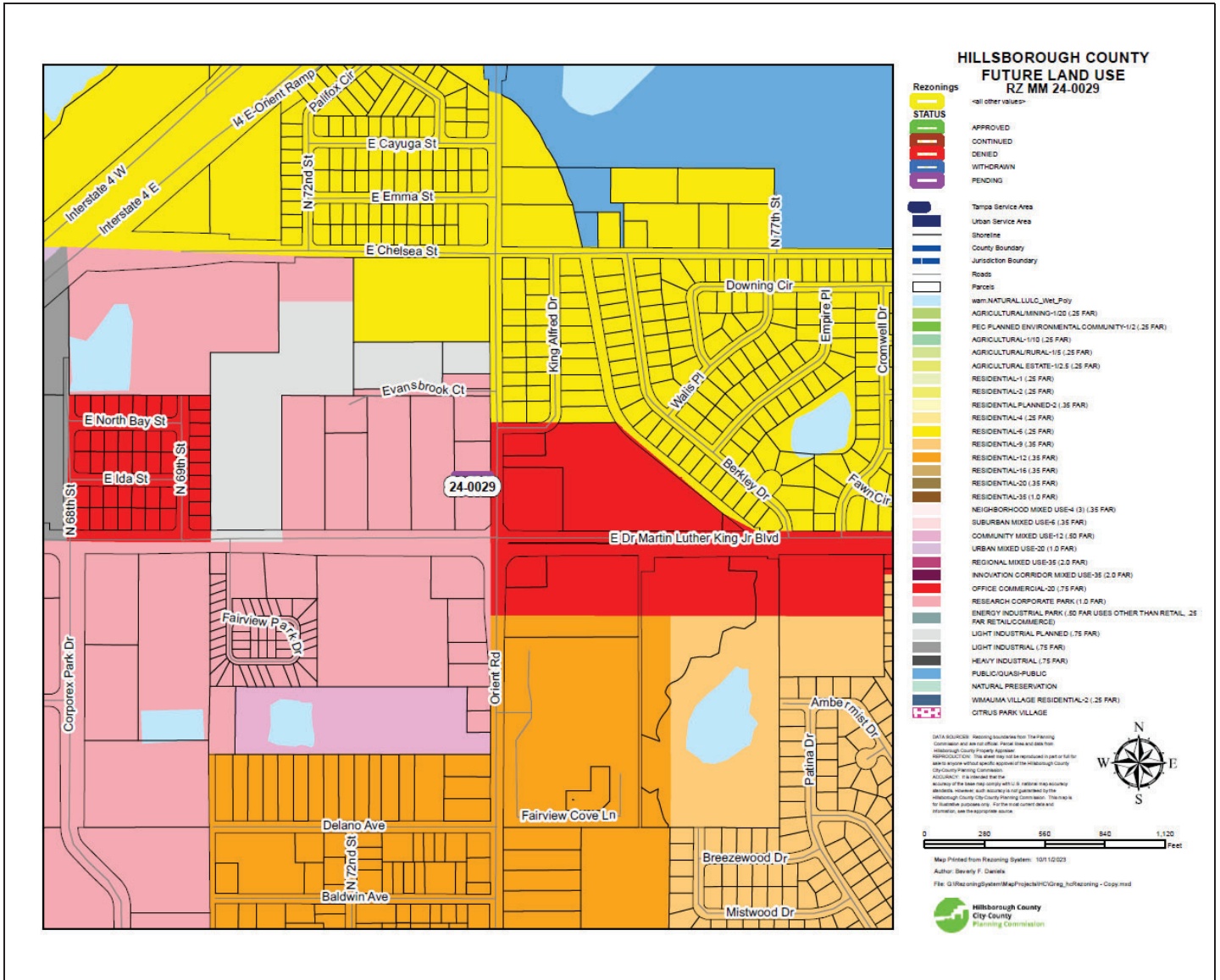
Inconsistent

Development Services Recommendation:

Not supportable.

2.0 LAND USE MAP SET AND SUMMARY DATA

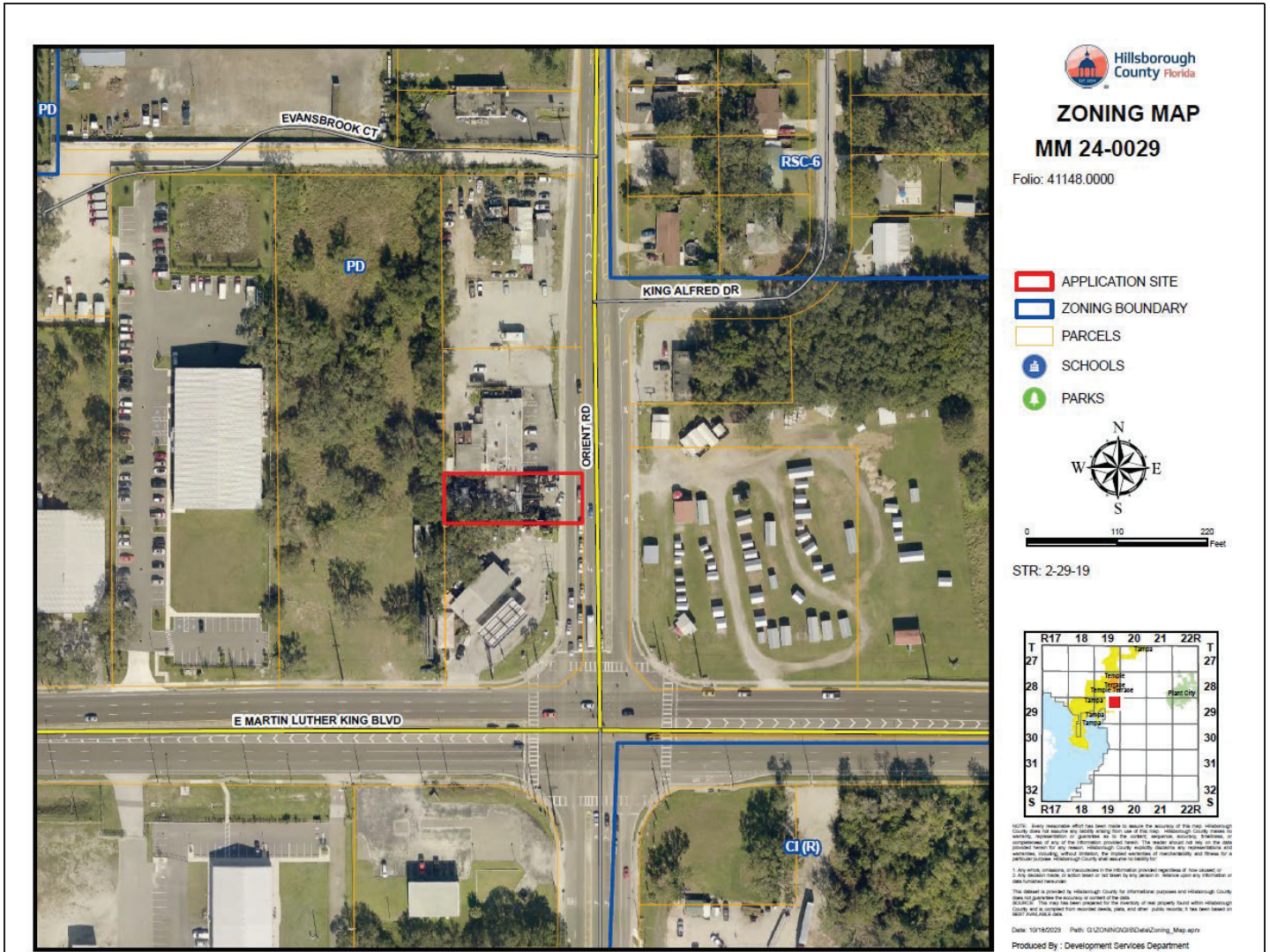
2.2 Future Land Use Map



Subject Site Future Land Use Category:	Research/Corporate Park (RCP)
Maximum Density/F.A.R.:	1.0 FAR permitted in RCP
Typical Uses:	Research and development activities, related educational facilities, electronic components production, light restricted manufacturing and warehousing, offices, corporate headquarters, and related uses such as hotels, motels, restaurants, recreational facilities, and rural scale retail establishments.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map

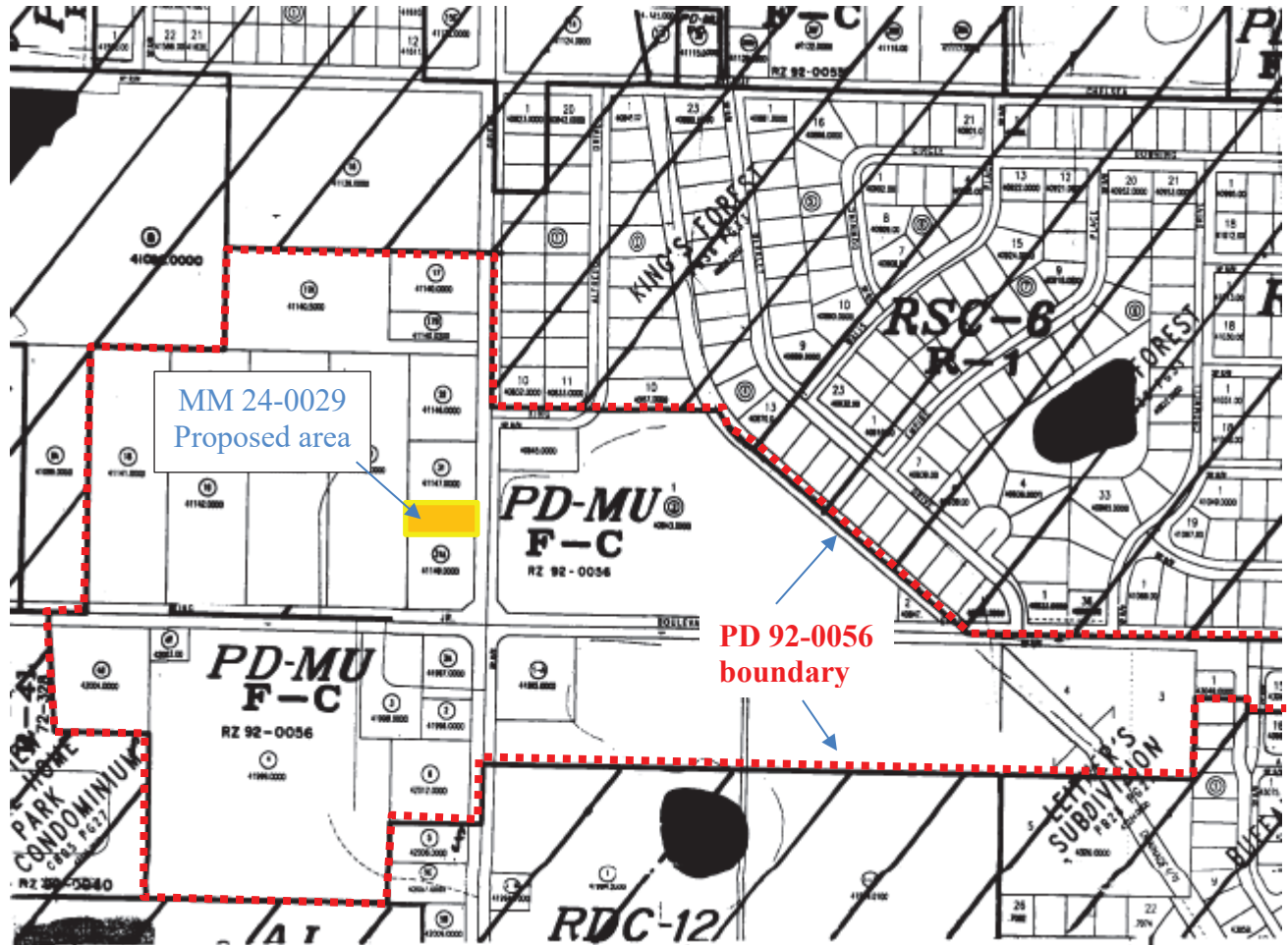


Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	PD 92-0056	Not specified by PD	An array of uses including agricultural, commercial, single family residential uses, and limited light industrial uses.	Commercial retail
South	PD 92-0056	Not specified by PD		Convenience Store with Gas Station,
East	PD 92-0056	Not specified by PD		Coin laundry, sales of portable sheds
West	PD 92-0056, PRS 16-0941	Not specified by PD	Open Storage of 2 Semi-Tractor trailers	Open Storage of 2 Semi-Tractor trailers

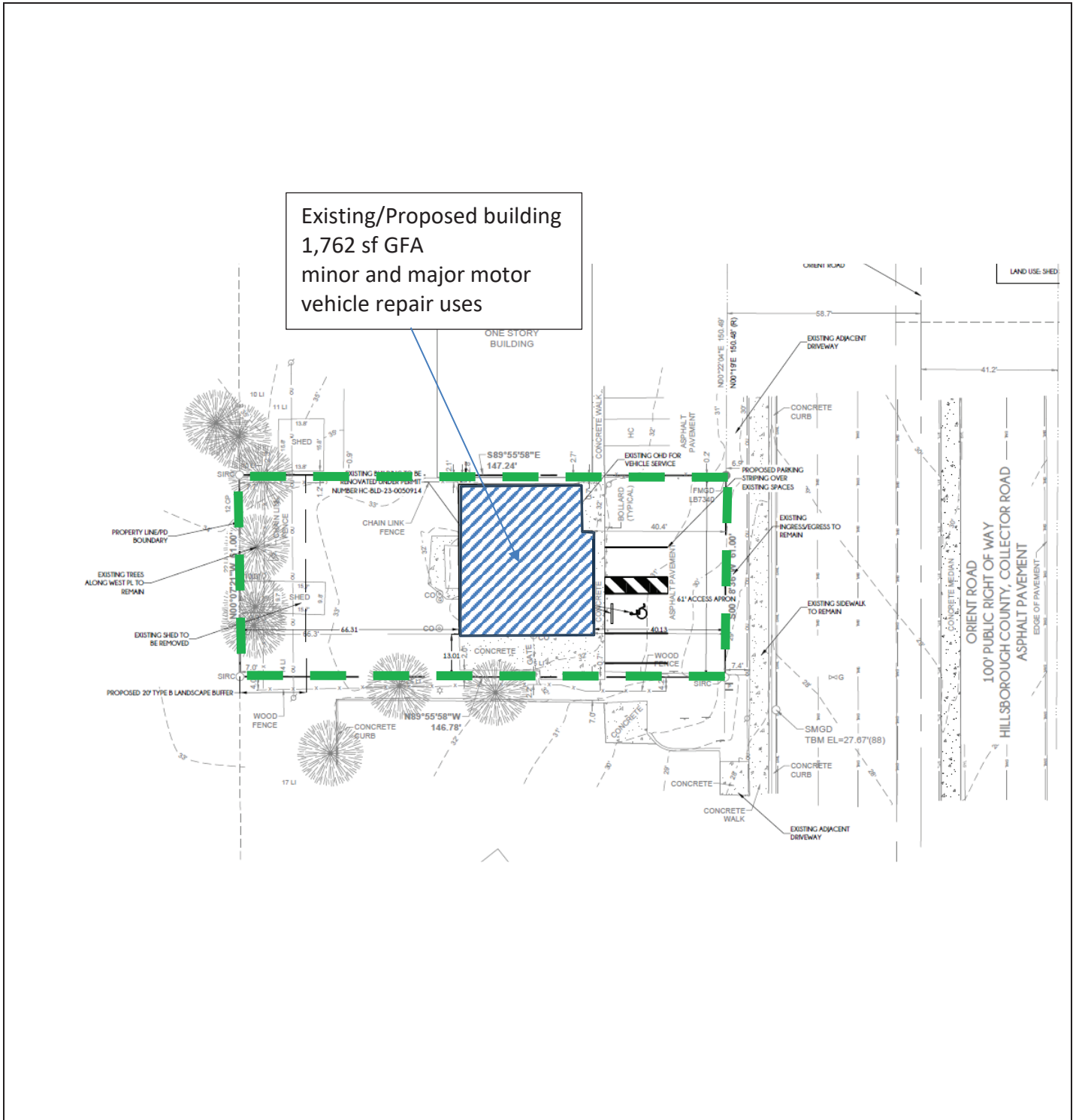
2.0 LAND USE MAP SET AND SUMMARY DATA

2.4 Approved Site Plan (partial provided below for size and orientation purposes. See Section 8.1 for full site plan)



2.0 LAND USE MAP SET AND SUMMARY DATA

2.5 Proposed Site Plan (partial provided below for size and orientation purposes. See Section 8.2 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
Orient Road	County Collector - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input 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	766	73	56
Proposed	30	4	4
Difference (+/-)	-730	-69	-52

*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	Pedestrian	Does Not Meet LDC
South		None	None	Does Not Meet LDC
East	X	None	None	Meets LDC
West		None	None	Meets LDC

Notes:

Design Exception/Administrative Variance Not applicable for this request

Road Name/Nature of Request	Type	Finding
Orient Road / 6.04.03.Q Cross Access	Administrative Variance Requested	Denied
	Choose an item.	Choose an item.

Notes:

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Check if Applicable: <ul style="list-style-type: none"> <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input checked="" type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____ 				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input checked="" type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	See Staff Report.
Service Area/ Water & Wastewater <input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Impact/Mobility Fees Auto Care Center (Per 1,000 s.f.) Mobility: \$11,706.00 Fire: \$313.00				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input checked="" type="checkbox"/> Meets Locational Criteria <input type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Inconsistent <input type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The surrounding area contains a wide range of commercial uses approved under the same PD 92-0056. To the west is a use approved under PRS 16-0941 which permitted open storage of 2 Semi-tractor trailers. To the south is a gas station with pumps and a convenience store. To the north and across Orient Road, to the east are some properties developed with commercial and retail uses. Development Services Staff finds the proposed use will not negatively impact the surrounding area and would be compatible with the surrounding area.

Transportation Staff objects to the rezoning due to outstanding safety issues, lack of compliance with pedestrian and vehicular cross access provisions, insufficient parking area and loading zone, and an insufficient pedestrian connection. Additionally, the applicant has not provided enough analysis and/or reconfiguration to the site plan to comply with or justify a variance for code requirements for access, parking, loading areas, drive aisles, throat depth, or pedestrian connections required by the LDC.

Based on these considerations, staff finds the request is NOT supportable.

5.2 Recommendation

Staff finds the request is NOT supportable and recommends DENIAL.

6.0 PROPOSED CONDITIONS

N/A

Zoning Administrator Sign Off:



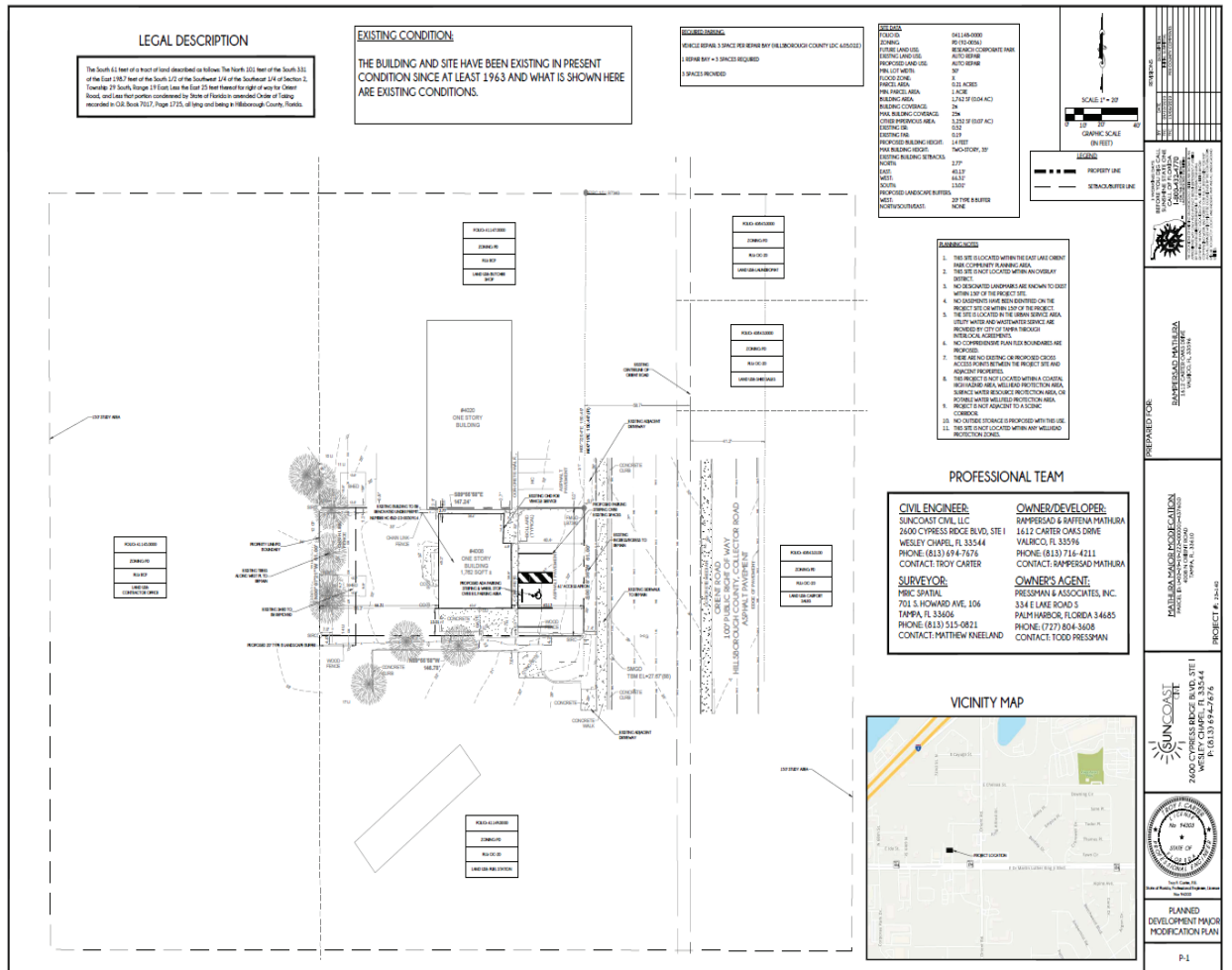
SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.

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

8.0 SITE PLANS (FULL)

8.2 Proposed Site Plan (Full)



DATE: 05/14/2024
SCALE: 1" = 20'
GRAPHIC SCALE (IN FEET)
PROJECT # P-24-05

PREPARED FOR:
RAMPESSAD & RAFFENA MATHARA
1412 CARTER OAKS DRIVE
VALUCCI, FL 33596

MAILED AND MODIFICATION:
PROJECT # P-24-05
DATE: 05/14/2024
SCALE: 1" = 20'

PLANNED DEVELOPMENT MAJOR MODIFICATION PLAN
P-1

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 3/18/2024

REVIEWER: Alex Steady, AICP

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: ELOP/Northeast

PETITION NO: MM 24-0029

- 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.

RATIONALE FOR OBJECTION

1. Transportation Staff objects to the rezoning due to outstanding safety issues. The size and configuration of the building on site creates a challenge in complying with the Hillsborough County Land Development Code. The applicant has not provided enough analysis and/or reconfiguration to the site plan to comply with or justify a variance for code requirements for access, parking, loading areas, drive aisles, throat depth, or pedestrian connections required by the LDC.
2. The Hillsborough County Land Development Code (LDC) Section 6.04.03.Q requires pedestrian and vehicular cross access to both the north and south of the subject property. The applicant submitted an Administrative Variance for this requirement, but the submittal lacked sufficient technical justification and was deemed not approvable by the county engineer.
3. The Hillsborough County Land Development Code Section 6.04.03.E requires off-street parking to be designed to enter a public street in a forward motion. The proposed site and the proposed site plan do not provide a parking area that would allow for LDC compliance because the current movement would require cars to back up onto Orient Road or back into the public right of way to maneuver vehicles. The speed limit on Orient is 45 mph, and backing out into the roadway is unsafe. The applicant did not ask for a variance to LDC section 6.04.03.E off-site street parking requirements. Staff notes that based on the facts of the case, staff would unlikely support an administrative variance for this LDC requirement. The site has access to Orient Road, a substandard Hillsborough County collector roadway. Based on the trip generation of the proposed use, the use would qualify for de minimus criteria for improving the road. The off-street parking requirements, in addition to all of the other safety issues listed, are worsened by accessing a substandard roadway.
4. The Hillsborough County Transportation Technical Manual TD-2 for parking lot configurations requires parking aisles width to be 24 feet to avoid entering right of way when maneuvering. The site proposes +/- 17.2 feet, which is insufficient to safely maneuver without using the right of way or requires backing out onto Orient Road. The

applicant did not submit a design exception for deviation from HC TTM TD-2 standard; however, staff notes that based on the facts of the case, the design exception would unlikely be supportable. Approval of a design exception for the TD-2 Requirement would violate LDC section 6.04.03.E

5. HC LDC Section 6.05.02.O requires the site to contain one load space which should be designed to be a minimum of 12 feet wide and 30 feet long. The submitted site plan does not have a code-compliant space for loading and unloading on site. Staff notes that based on the nature of the site, loading and unloading may be required on Orient Road, which is unsafe and unsupportable. Loading zone requirements can be addressed via a PD variation; however, staff notes it is unlikely that a PD variation for this requirement would be supportable based on the facts of the case.
6. The LDC requires a 30 foot wide throat depth on site. The site proposes a +/- 15-foot throat depth. The applicant did not submit a justification for relief of this requirement however would unlikely be supported based on the facts of the case.
7. The LDC requires a pedestrian connection from the external sidewalk to the front door of the use. The site does not include this connection and based on the limited space on site, the connection is unlikely to fit with all the other missing elements and spacing concerns on site.
8. While staff supports adaptive reuse of structures, not every use is appropriate for adaptive reuse. Staff believes the site can be developed for specific uses. While there are critical safety issues and procedural issues that need to be further evaluated and addressed, the staff comments do not suggest that there are no uses appropriate for the site. Additional reconfiguration and/or analysis is required to be vetted by the county engineer to look at these life safety and right of way encroachment issues.
9. The County's best opportunity to evaluate the appropriateness of such intensification is during the legislative (zoning) stage of the land development process, and the applicant's desire to move forward with the zoning and sort these issues out at the time of site/construction plan review is not a prudent course of action and cannot be supported. Given the above, staff recommends denial of the proposed zoning request.

CHANGE OF USE TIMELINE

Based on a desktop review of Google Street, staff notes that the location was previously operating as an independent restaurant as of September 2019, as shown in the following image.



September 2019 Street View of the site in Google Maps.

Between 2019 and 2021, a new use started operation on-site without going through the proper process to change use. Without going through the process for a new change use, a proper evaluation of the safety and access of the site was not conducted. The operation on site in 2021 shows daily operation is located in required parking, and open storage is located in the right of way. Each side of the property has equipment preventing pedestrian and vehicular cross-access.



September 2021 Street View of the site in Google Maps.

In March 2022, the street view shows the expansion of service. Both open storage and parking of vehicles are located in the right of way to a greater extent than in 2021.



March 2022 Street View of the site in Google Maps.

In February 2023, open store in the front yard continues to increase and only one parking spot is available with a trailer in the same space.



February 2023 Street View of the Site in Google Maps.

A Google Aerial shows an open storage area in the front of the building, including car storage in the right of way.



2024 Google Map Aerial of the site.

CROSS ACCESS ISSUE

The Land Development Code Section 6.04.03.Q requires pedestrian and vehicular cross access to both the north and south of the subject property. The applicant submitted an Administrative Variance for this requirement, but the submittal lacked sufficient technical justification and was deemed not approvable by the county engineer. The denial for an Administrative Variance for cross access is based off of the following:

- Cross access will improve the safe operation of the site by providing alternate access for both vehicles and pedestrians.
- Cross access will help balance other site issues like drive isle width, parking and loading zone.
- Cross access preserves capacity and increase safety on Orient Road by allowing vehicles and pedestrians to go between uses without going out onto Orient Road.
- Properties adjacent and to the north have facilitated cross access without issue.
- The request speaks about a crash analysis, and the crash data was not provided with the request.
- Sufficient compelling reason to approve this request has not been provided.

OFF SITE STREET PARKING ISSUE

The Hillsborough County Land Development Code Section 6.04.03.E states, “Except for Single Family Residential Units or other types of residential units approved by the County, off-site street parking shall be designed to ensure that all vehicles leaving or entering the public street right-of-way shall be traveling in a forward motion.” The proposed site does not provide a parking area that would allow for LDC compliance because the current movement would require cars to back up onto Orient Road or back into the public right of way to maneuver the vehicles. The speed limit on Orient is 45 mph and backing out into the roadway is unsafe.

The applicant did not ask for variance to LDC section 6.04.03.E off-site street parking requirements. Staff notes that based on the facts of the case, and the limited space on site, staff would unlikely support an administrative variance for this LDC requirement. The site has access to Orient Road, a substandard Hillsborough County collector roadway. Based on the trip generation of the proposed use, the use would qualify for de minimus criteria for making improvements to the road. The off-street parking requirements, in addition to all of the other safety issues listed, are made worsened by accessing a substandard roadway.

TD-2 ISSUE

HC Transportation Technical Manual (TTM) TD-2 requires parking aisles to be 24 feet in width to avoid entering the right of way when maneuvering. The site proposes +/- 17.2 feet, which is insufficient to safely maneuver without using right of way or backing out into Orient Road.

The Applicant did not submit a design exception for deviation from HC TTM TD-2 standard; however, staff notes that based on the facts of the case, the design exception would unlikely be supportable. Approval of a design exception for the TD-2 Requirement would violate LDC section 6.04.03.E

LOADING ZONE ISSUE

HC LDC Section 6.05.02.O requires the site to contain one load space and be a minimum of 12 feet in width and 30 feet in length. The submitted site plan does not have a code-compliant space for loading and unloading. Staff notes that, based on the site's nature, loading and unloading may occur on Orient Road, which is unsafe and unsupportable.

Loading zone requirements can be addressed via a PD variation; however, staff notes it is unlikely, based on the facts of the case, that a PD variation for this requirement would be supportable.

THROAT DEPTH ISSUE

The LDC requires a 30-foot-wide throat depth on-site to facilitate cars existing the roadway safety and not disrupt the function of the roadway. The site has a +/- 15-foot throat depth. The applicant did not submit a justification for relief of this requirement.

PEDESTRIAN CONNECTION

The HC LDC requires a pedestrian connection from the external sidewalk into the front door of the use. The site does not include this connection and based on the limited space, the connection is unlikely to fit with all of the other missing elements and spacing concerns on site.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting a major modification toe PD 92-0056, to add tire shop as an approved use. The site is +/- 0.23 ac.

Consistent with the Development Review Procedures Manual (DRPM), the applicant was not required to submit a trip generation and site access analysis for the proposed project. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. The information below is based on data from the Institute of Transportation Engineer’s Trip Generation Manual, 11th Edition.

Approved Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 1,762 sf Fast-Food Restaurant without Drive-Through (ITE LUC 933)	766	73	56

Proposed Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 1,762 Automobile Parts and Service Center (ITE LUC 943)	30	4	4

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	-730	-69	-52

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has a frontage on Orient Road. Orient Road is a 2-lane, substandard, undivided, Hillsborough County maintained, collector roadway. Orient Road lies within +/- 94 feet of Right of Way in the vicinity of the project. Orient Road has sidewalk on both sides of the roadway. There are no bike lanes on either side of the roadway within the vicinity of the project.

SITE ACCESS

Transportation Section staff identified concerns regarding project access, as noted in the “Rationale for Objection” section above. Staff notes that, regardless of this review, the developer/property owner will be required to comply will all Comprehensive Plan, LDC, TTM and other applicable rules and regulations at the time of plat/site/construction plan review.

HILLSBOROUGH COUNTY CORRIDOR PRESERVATION PLAN

Orient Road is included as a 2-lane enhanced roadway in the Hillsborough County Corridor Preservation Plan (CPP). Sufficient right of way will be required to be preserved for the planned improvement at the time of plat/site/construction plan review.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

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

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
ORIENT RD	SR/60 ADAMO	HILLSBOROUGH AVE	D	D

Source: Hillsborough County 2020 Level of Service Report.

Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
Orient Road	County Collector - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input 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	766	73	56
Proposed	30	4	4
Difference (+/-)	-730	-69	-52

*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	Pedestrian	Does Not Meet LDC
South		None	None	Does Not Meet LDC
East	X	None	None	Meets LDC
West		None	None	Meets LDC
Notes:				

Design Exception/Administrative Variance <input type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
Orient Road / 6.04.03.Q Cross Access	Administrative Variance Requested	Denied
	Choose an item.	Choose an item.
Notes:		

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 checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	See Staff Report.

From: [Williams, Michael](#)
To: [Troy Carter](#)
Cc: todd@pressmaninc.com; [Chapela, Tania](#); [Steady, Alexander](#); [Tirado, Sheida](#); [De Leon, Eleonor](#); [PW-CEIntake](#)
Subject: MM 24-0029 - Administrative Variance Review
Date: Friday, March 15, 2024 1:55:31 PM
Attachments: [image002.png](#)
[24-0029 AVAdd 03-07-24.pdf](#)

Troy,

I have found the attached Section 6.04.02.B. Administrative Variance (AV) for MM 24-0029 NOT APPROVABLE.

This DENIAL is based on the following reasons:

- Cross access will improve the safe operation of the site by providing alternate access for both vehicles and pedestrians.
- Cross access will help balance other site issues like drive isle width, parking and loading zone.
- Cross access preserves capacity and increase safety on Orient Road by allowing vehicles and pedestrians to go between uses without going out onto Orient Road.
- Properties adjacent and to the north have facilitated cross access without issue.
- The request speaks about a crash analysis, and the crash data was not provided with the request.
- Sufficient compelling reason to approve this request has not been provided.

In addition to the above, the request has an incorrect project name.

This request should be withdrawn or an official DENIAL will be forthcoming.

Mike

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

P: (813) 307-1851
M: (813) 614-2190
E: Williamsm@HCFL.gov
W: HCFLGov.net

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

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



January 23, 2024

Mr. Mike Williams, P.E.
Hillsborough County Engineer
601 East Kennedy Blvd., 20th Floor
Tampa, FL 33602

RE: ADMINISTRATIVE VARIANCE FOR CROSS ACCESS
PROJECT NAME: BUDGET BLINDS WAREHOUSE
FOLIO: 041148-0000
PROJECT ID: MM 24-0029

Dear Mr. Williams,

The referenced rezoning modification is for a use change to create conformity for the long-standing use of the site. The existing site is 0.21 acres and is currently used for automotive repair. The existing structure is to be renovated and will continue to be used for automotive repair. No substantial site improvements are proposed. The applicant is seeking this modification to correct a long-standing non-conformity within a large PD zoning area.

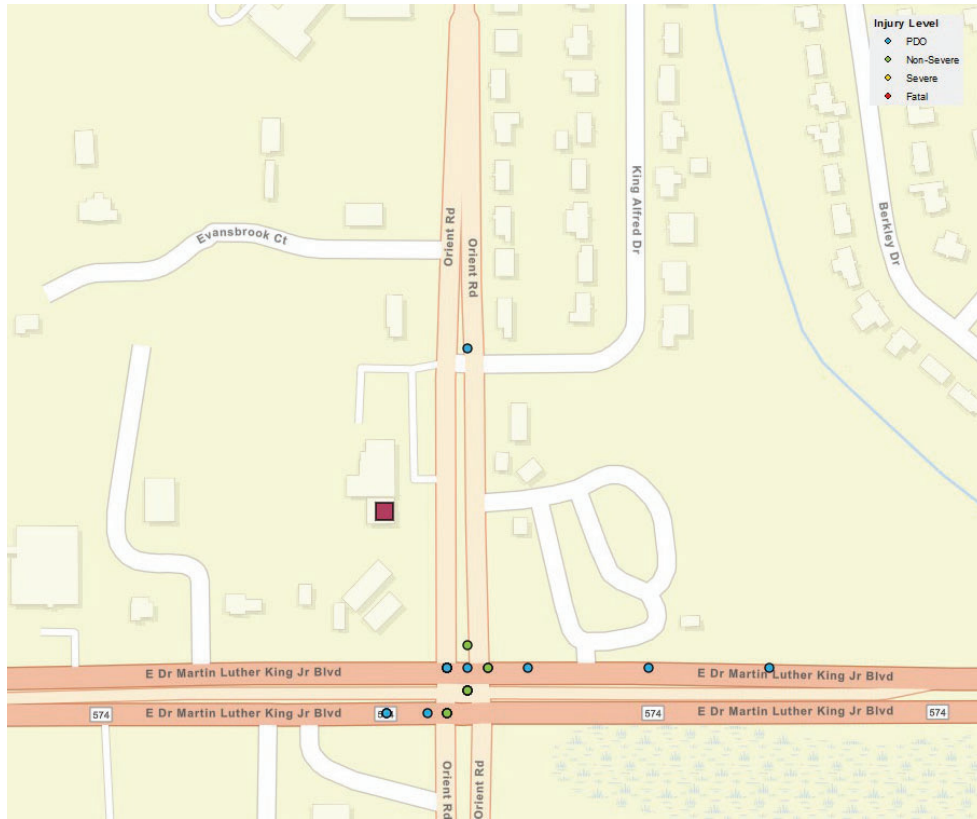
The following justification is presented to support an administrative variance criteria per **LDC section 6.04.02.B.3** for not providing the required vehicular and pedestrian cross access to the adjacent parcels as outlined in the development standards in LDC section **6.04.03.Q.3**:

- A. There is an unreasonable burden on the applicant.
 - The existing site configuration will not allow for cross access as there is insufficient space from the existing building and parking to provide cross access. The minimum width for vehicular cross access is 24' and pedestrian cross access is 5'. The available distance from the back of the existing parking stall to the property line is approximately 17.4'. There is an existing sidewalk along the Orient Road ROW and given the proximity to the structure this meets the intent of pedestrian interconnectivity.
 - The use and site are long standing conditions. Additionally, cross access connections from adjacent sites would face similar feasibility issues thus preventing the connection from being made.

- B. The variance would not be detrimental to the public health, safety, and welfare.
 - Because the minimum width required is not available, the cross access cannot be safely designed. Additionally, a reduced width cross access would create safety concerns from vehicles making traffic movements to their respective parking areas. The current configuration is a long-standing condition and would not be detrimental the public health, safety, and welfare.
 - The existing sidewalk along Orient Road meets the intent of pedestrian connectivity and provides a safe means of pedestrian travel to adjacent properties and is beneficial to the users
 - Crash data was analyzed for the last 5 years in the vicinity of the subject property. No crashes occurred within 150' of the property. Due to the lack of crash occurrence in this



vicinity, the variance would not be determinantal to the public health, safety, and welfare. The crash map is shown on the next page.

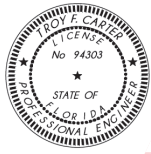


- C. Without the variance, reasonable access cannot be provided. In the evaluation of the variance request, the issuing authority shall be valid consideration to the land use plans, policies, and local traffic circulation/operation of the site and adjacent areas.
- The subject property is surrounded by private properties with similar existing conditions that would prevent cross access from being feasible.



Thank you for your review of this request. Please contact me if you have any questions at troy@suncoastcivil.com.
Thank you for your consideration.

Respectfully,



Troy F. Carter, P.E.
State of Florida, Professional Engineer,
License No: 94303

This item has been digitally signed and sealed by Troy F. Carter on the date adjacent to the seal.

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

Digitally signed by Troy
Carter
DN: c=US, st=Florida,
l=Wesley Chapel,
o=Suncoast Civil, LLC,
cn=Troy Carter,
email=troy@suncoastcivil.c
om
Date: 2024.03.07 14:08:40
-05'00'
Adobe Acrobat version:
2023.008.20555

Troy F. Carter, P.E.
Suncoast Civil, LLC

Based on the information provided, this request for an Administrative Variance is

- Approved
- Approved with Conditions
- Denied

Please contact Sheida L. Tirado, P.E., at (813) 276-8364 if you have any questions.

Sincerely,

Mike Williams, P.E.
County Engineer
Development Services Department

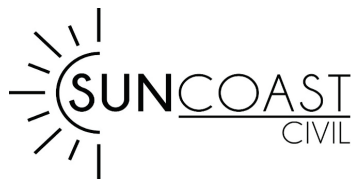


AERIAL LOCATION MAP



4008 N Orient Road
Tampa, FL, 33596

2600 Cypress Ridge Blvd, STE A, Wesley Chapel, FL 33544, O: (813) 694-7676



December 06, 2023

Hillsborough County Site and Subdivision Intake
Development Services Department
601 E. Kennedy Blvd, 19th Floor
Tampa, FL, 33602

RE: Required Transportation for Major Modification
Project Name: Mathura MM
Folio No.: 041148-0000

Narrative:

The proposed Mathura MM project is located along Orient Rd. with Folio Number: 041148-0000 in Tampa, Florida. The project proposes a 1,762 SF automotive repair facility with a single bay. The following calculations demonstrate the expected project traffic based on the ITE Trip Generation Manual, 11th edition.

Estimated Peak Hour Project Traffic:

Per ITE Trip Generation Manual 11th edition land use code 943, a 1,762 SF auto service center facility generates 16.60 daily trips, 2.06 PM peak hour trips, & 1.91 AM peak hour trips per 1,000 SF GFA

$$1,762 \text{ SF} / 1,000 \text{ SF} * 16.60 \text{ trips/day} = \mathbf{30 \text{ daily trips}}$$

$$1,762 \text{ SF} / 1,000 \text{ SF} * 1.91 \text{ trips/hour} = \mathbf{4 \text{ AM peak hour trips}}$$

$$1,762 \text{ SF} / 1,000 \text{ SF} * 2.06 \text{ trips/hour} = \mathbf{4 \text{ PM peak hour trips}}$$

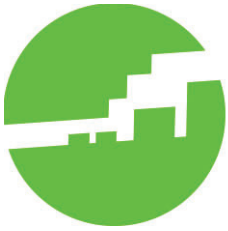
Conclusion:

This project generates less than 50 peak hour trips. Pursuant to the Development Review Procedures Manual, this project is not required to submit a transportation analysis. Project trip generation is attached hereto.

Please feel free to contact me at troy@suncoastcivil.com with any questions.

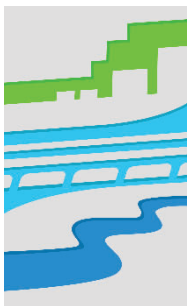
Sincerely,

Troy F. Carter, P.E.



**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: May 14, 2024	Petition: MM 24-0029
Report Prepared: May 2, 2024	4008 North Orient Road <i>West of North Orient Road and north of State Road 574</i>
Summary Data:	
Comprehensive Plan Finding	INCONSISTENT
Adopted Future Land Use	Research Corporate Park (No residential permitted; 1.0 FAR)
Service Area	Urban
Community Plan	East Lake Orient Park
Request	Major Modification to Planned Development (PD 92-0056) to add minor and major vehicle repair as a permitted use
Parcel Size (Approx.)	0.21 ± acres (9,147 square feet)
Street Functional Classification	North Orient Road – County Collector State Road 574 – State Principal Arterial
Locational Criteria	Meets
Evacuation Area	D



Plan Hillsborough
planhillsborough.org
planner@plancom.org
 813 – 272 – 5940
 601 E Kennedy Blvd
 18th floor
 Tampa, FL, 33602

Context

- The subject site is located west of North Orient Road and north of State Road 574 on approximately 0.21 ± acres.
- The site is in the Urban Service Area and within the limits of the East Lake Orient Park Community Plan.
- The subject property has a Future Land Use designation of Research Corporate Park (RCP). The RCP Future Land Use designation does not allow for consideration of residential uses and allows for consideration of a maximum Floor Area Ratio (FAR) of 1.0. Typical uses in the RCP category include research and development activities, related educational facilities, electronic components production, light restricted manufacturing and warehousing, offices, corporate headquarters, and related uses such as hotels, motels, restaurants, recreational facilities, and rural scale retail establishments. Rural scale neighborhood commercial uses are limited to 30,000 square feet for free standing projects (pursuant to locational criteria) or 20% of the projects land area when part of larger planned research/corporate park.
- The subject site is surrounded by the RCP Future Land Use category to the north, west and south. Across Orient Road to the east is Office Commercial-20 (OC-20).
- According to the Hillsborough County property appraiser, the site is operating as a tire shop and assessed as heavy commercial land. Surrounding uses mainly include light commercial, light industrial and heavy industrial which front along State Road 574. Further northeast of the site is single family residential.
- The subject site is zoned Planned Development (PD 92-0056). PD zoning surrounds the site.
- The applicant requests a Major Modification to Planned (PD 92-0056) to add minor and major vehicle repair as a permitted use.

Compliance with Comprehensive Plan:

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

FUTURE LAND USE ELEMENT

Urban Service Area (USA)

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

Policy 1.4: Compatibility is defined as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian

or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor, and architecture. Compatibility does not mean “the same as.” Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.

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.*

Relationship to Land Development Regulations

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

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

Policy 9.3: *In implementing this Comprehensive Plan, Hillsborough County shall continue to recognize legal non-conforming uses, and permit the rebuilding or expansion of existing legal non-conforming uses which do not have any significant adverse effects on adjacent properties. With the exception of principle residences, or uses or structures destroyed by an act of God, the expansion of non-conforming uses and rebuilding of non-conforming uses, shall not occur more than once. The expansion or rebuilding shall not result in an increase of the intensity of use which exceeds fifty (50) percent of the existing intensity or the maximum building square footage within the plan category, except in conformance with policy 21.4. However, the expansion may permit the construction of a use that is less intense than the existing non-conforming use. The new use may still be non-conforming with the plan. All expansions or rebuilding shall be consistent with other plan policies.*

Neighborhood/Community Development

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

Policy 16.1: Established and planned neighborhoods and communities shall be protected by restricting incompatible land uses through mechanisms such as:

- a) locational criteria for the placement of non-residential uses as identified in this Plan,
- b) limiting commercial development in residential land use categories to neighborhood scale;
- c) requiring buffer areas and screening devices between unlike land uses;

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

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

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

Policy 16.5: Development of higher intensity non-residential land uses that are adjacent to established neighborhoods shall be restricted to collectors and arterials and to locations external to established and developing neighborhoods.

Commercial-Locational Criteria

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

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

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

Community Design Component (CDC)

5.0 NEIGHBORHOOD LEVEL DESIGN

5.1 COMPATIBILITY

Objective 12-1: New developments should recognize the existing community and be designed in a way that is compatible with the established character of the surrounding neighborhood.

Policy 12-1.4: Compatibility may be achieved through the utilization of site design techniques including but not limited to transitions in uses, buffering, setbacks, open space and graduated height restrictions, to affect elements such as height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture.

6.0 ROADWAY LEVEL DESIGN

6.12 ACCESS MANAGEMENT

Objective 15-12: Encourage clear and efficient patterns of movement for access and circulation by designing roadway improvements and new roadways with patterns of access which enhance the livability of the transportation system.

Policy 15-12.1: Provide access across property lines which will allow the users of commercial, office, and civic institutions, as well as mixed-use projects to travel between uses without returning to the roadway. This pattern should utilize the following:

- Interconnect parking areas on separate properties to accommodate cross traffic of people and cars.
- Where the building placement is standard, require access across property lines in front of the building line.
- Where reverse frontage building placement is used, require cross access at the rear of the property line.
- Where vehicular cross access cannot be accommodated, a minimum of pedestrian cross access should be provided.

Policy 15-12.4: Allow a parking reduction for properties that share both cross access and a common entrance drive.

MOBILITY SECTION

Goal 4: Provide safe and convenient connections within the transportation network that support multimodal access to key destinations, such as community focal points, employment centers and services throughout the County.

Objective 4.1: In urban and suburban contexts, design communities around a grid network of streets, or a modified grid, which will improve interconnections between neighborhoods and surrounding neighborhood-serving uses.

Policy 4.1.2: Require pedestrian and bicycle interconnections between adjacent, compatible development, and where appropriate, require vehicular interconnections.

LIVABLE COMMUNITIES ELEMENT: East Lake Orient Park

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

- Create a commercial/mixed-use district along Orient Road from Hillsborough Avenue to Columbus Drive.

Staff Analysis of Goals Objectives and Policies:

The subject site is located west of North Orient Road and north of State Road 574 on approximately 0.21 ± acres. The site is designated as Research Corporate Park (RCP) on the Future Land Use Map (FLUM). The site is in the Urban Service Area and within the limits of the East Lake Orient Park Community Plan. The applicant requests a Major Modification to Planned (PD 92-0056) to add minor and major vehicle repair as a permitted use in an existing 1,762 square foot single story building. Surrounding uses mainly include light commercial, light industrial and heavy industrial which front along SR 574. Further northeast of the site is single family residential.

The subject site is in the Urban Service Area and per Objective 1 of the Future Land Use Element (FLUE), where 80 percent of the County's growth is to be directed. FLUE Policy 1.4 requires all new developments to be compatible with the surrounding area, noting that "Compatibility does not mean "the same as." Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development." The site is surrounded by other commercial and industrial uses and no changes are proposed to the existing building. Therefore, the proposal meets the intent of Policy 1.4 in the Future Land Use Element (FLUE) in the *Unincorporated Hillsborough County Comprehensive Plan* relating to compatibility. Furthermore, the proposed use is appropriate for the RCP Future Land Use category. Based on the development pattern in the surrounding area including the OC-20 category across the street to the east, the proposal is also consistent with FLUE Objective 8 and Policy 8.1.

Objective 9 and Policy 9.2 require that developments must meet or exceed the requirements of all land development regulations. The proposal is inconsistent with this policy direction. The Hillsborough County Development Services Department and the Hillsborough County Transportation Review Section have indicated during the sufficiency review process that there are concerns with the nonconforming site and its inability to meet certain setback, street tree, parking and cross access requirements. On March 18, 2024, the County Transportation Review Section objected to the proposal based on those reasons. Policy 9.3 discusses legal nonconforming uses and permit the rebuilding or expansion of existing legal non-conforming uses which do not have any significant adverse effects on adjacent properties. The objection by the County pertaining to the safety of the proposed parking, loading and other vehicular movements are not consistent with this policy direction.

The proposed rezoning meets the intent of FLUE Objective 16 and Policies 16.1, 16.2. The proposed vehicle repair use is suitably located in accordance with locational criteria and is amongst similar uses in nature. There are no adjacent neighborhoods which would require buffering and screening between land uses. However, the proposal is inconsistent with the intent of Policy 16.3 as the building is nonconforming. This prevents the development of adequate parking and safe vehicular maneuvers. The proposal also does not include vehicular or pedestrian cross access. The proposed site plan does not mitigate adverse impacts. The proposal is consistent with Policy 16.5 as the development of the higher intensity non-residential land use is located on a collector roadway and a location external to established neighborhoods.

The site meets Commercial Locational Criteria in accordance with Objective 22 and Policy 22.1. It is within the required 660 feet of the closest qualifying intersection of Orient Road and State Road 574 (Dr. Martin Luther King Junior Boulevard). That intersection quadrant is limited to 30,000 square feet of neighborhood commercial development. The building on

the subject site is 1,762 square feet and no building footprint expansion is proposed, therefore meeting the intent of the policy language.

Objective 12-1 and Policy 12-1.4 of the Community Design Component (CDC) discuss how new development shall be compatible with the established character of the surrounding area. The development pattern and character of this area mainly comprised of light commercial, light and heavy industrial, which is compatible with the proposed use. However, the intensity of the proposed use in an existing nonconforming building that cannot meet the current requirements suggests that it is not compatible.

Objective 15-12 and Policies 15-12.1 and 15-12.4 discuss access across property lines for both vehicles and pedestrians to allow users of mixed-use areas to travel between uses without returning to the roadway. It also discusses the reduction of parking when access is shared. The proposal is inconsistent with the intent of this policy language. The proposal does not meet parking requirements and does not provide either vehicular or pedestrian cross access. Mobility Section Objective 4.1 and Policy 4.1.2 also discuss interconnections between adjacent, compatible development and the proposal does not provide that. Furthermore, Transportation Review staff has objected based on the limited parking area and the existing building location, there are concerns about how the site will operate safely as there is not adequate space for cars to back out.

The proposed Major Modification is within the limits of the East Lake Orient Park Community Plan. The proposed modification meets the intent of the Community Plan as the proposed vehicle repair use is located along Orient Road within the area that the plan envisions a commercial and mixed use district.

Overall, staff finds that the proposed Major Modification is inconsistent with the intent of policy in the Mobility Section and Roadway Design policy in the Community Design Component. The proposal would allow for development that is inconsistent with the Goals, Objectives, and Policies in the *Unincorporated Hillsborough County Comprehensive Plan*.

Recommendation

Based upon the above considerations, Planning Commission staff finds the proposed Major Modification **INCONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*.

HILLSBOROUGH COUNTY FUTURE LAND USE RZ MM 24-0029

<all other values>

Rezoning

STATUS

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

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

- WATER NATURAL LULC_Wet_Poly
- AGRICULTURAL/MINING-120 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)
- AGRICULTURAL-1/10 (.25 FAR)
- AGRICULTURAL/RURAL-1/5 (.25 FAR)
- AGRICULTURAL ESTATE-1/2.5 (.25 FAR)
- RESIDENTIAL-1 (.25 FAR)
- RESIDENTIAL-2 (.25 FAR)
- RESIDENTIAL PLANNED-2 (.35 FAR)
- RESIDENTIAL-4 (.25 FAR)
- RESIDENTIAL-6 (.25 FAR)
- RESIDENTIAL-9 (.35 FAR)
- RESIDENTIAL-12 (.35 FAR)
- RESIDENTIAL-16 (.35 FAR)
- RESIDENTIAL-20 (.35 FAR)
- RESIDENTIAL-35 (1.0 FAR)
- NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)
- SUBURBAN MIXED USE-6 (.35 FAR)
- COMMUNITY MIXED USE-12 (.50 FAR)
- URBAN MIXED USE-20 (1.0 FAR)
- REGIONAL MIXED USE-35 (2.0 FAR)
- INNOVATION CORRIDOR MIXED USE-35 (2.0 FAR)
- OFFICE COMMERCIAL-20 (7.5 FAR)
- RESEARCH CORPORATE PARK (1.0 FAR)
- ENERGY INDUSTRIAL PARK (50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)
- LIGHT INDUSTRIAL PLANNED (7.5 FAR)
- LIGHT INDUSTRIAL (7.5 FAR)
- HEAVY INDUSTRIAL (7.5 FAR)
- PUBLIC/QUASIPUBLIC
- NATURAL PRESERVATION
- WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE

Legend

DATA SOURCES: Rezoning 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 and is not intended to be used for any other purpose without specific approval of the Hillsborough County City-County Planning Commission.

ACCURACY: It is intended that the information on this map is for informational purposes only. The information on this map is not guaranteed by the Hillsborough County City-County Planning Commission. This map is for informational purposes only. For the most current data and information, visit the appropriate website.



Map Printed from Rezoning System: 10/11/2023
 Author: Beverly F. Daniels
 File: G:\Rezoning\System\MapProjects\HC\GReg_Hil\Rezoning_Copy.mxd

