

Rezoning Application: 23-0115

Zoning Hearing Master Date: June 20, 2023

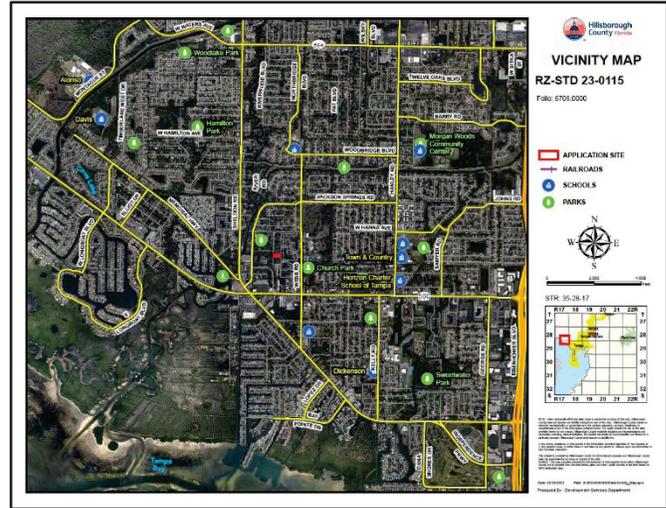
BOCC Land Use Meeting Date: August 8, 2023

**Hillsborough County Florida**

Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Dilip Agarwal
 FLU Category: Residential - 6 (Res-6)
 Service Area: Urban
 Site Acreage: 0.55 +/-
 Community Plan Area: Town N' Country
 Overlay: None
 Request: Rezone from **Residential, Single-Family Conventional-6 (RSC-6)** zoning districts to the proposed to **Residential Multi-Family Conventional - 20 (RMC-20)** zoning district.

**Request Summary:**

The request is to rezone from the existing **Residential, Single-Family Conventional-6 (RSC-6)** zoning district to the proposed to **Residential Multi-Family Conventional - 20 (RMC-20)** zoning district. The proposed zoning for RMC-20 permits development limited to conventional multiple family dwelling units in a high-density living environment, on lots containing a minimum of 6,540 square feet (sf).

Zoning:	Current RSC-6 Zoning	Proposed RMC-20 Zoning
Uses:	Single-Family Residential (Conventional Only)	Single-Family and Two-Family (Conventional)
Acreage	0.55 +/- Acres (ac) / 23,950 sf	0.55 +/- ac
Density / Intensity	1 dwelling unit (du) / 7,000 sf	1 Multi-Family Unit / 2,180 sf
Mathematical Maximum*	3 Dwelling Unit	10 Multi-Family Units
* <i>Mathematical Maximum entitlements may be reduced due to roads, stormwater and other improvements.</i>		

Development Standards:

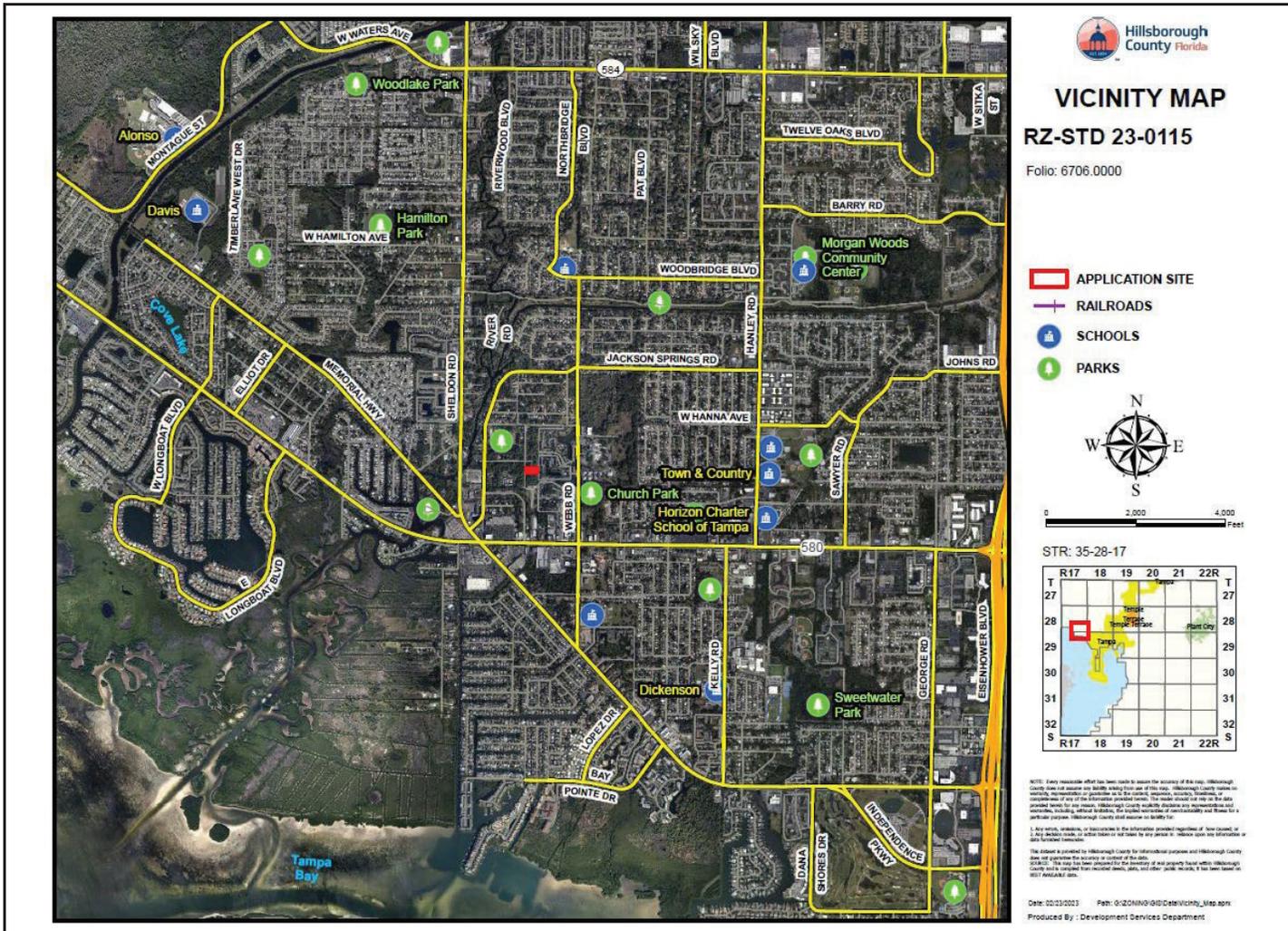
	Current RSC-6 Zoning	Proposed RMC-20 Zoning
Density / Intensity	1 dwelling unit (du) / 7,000 sf	1 Multi-Family Unit / 2,180 sf
Lot Size / Lot Width	7,000 sf / 70'	7,260 sq ft / 60'
Setbacks/Buffering and Screening	25' - Front 7.5' - Sides 25' - Rear	25' - Front 10' - Sides 20' - Rear
Height	35'	45'

Additional Information:

PD Variations	N/A
Waiver(s) to the Land Development Code	None
Planning Commission Recommendation	Consistent
Development Services Department Recommendation	Approvable

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

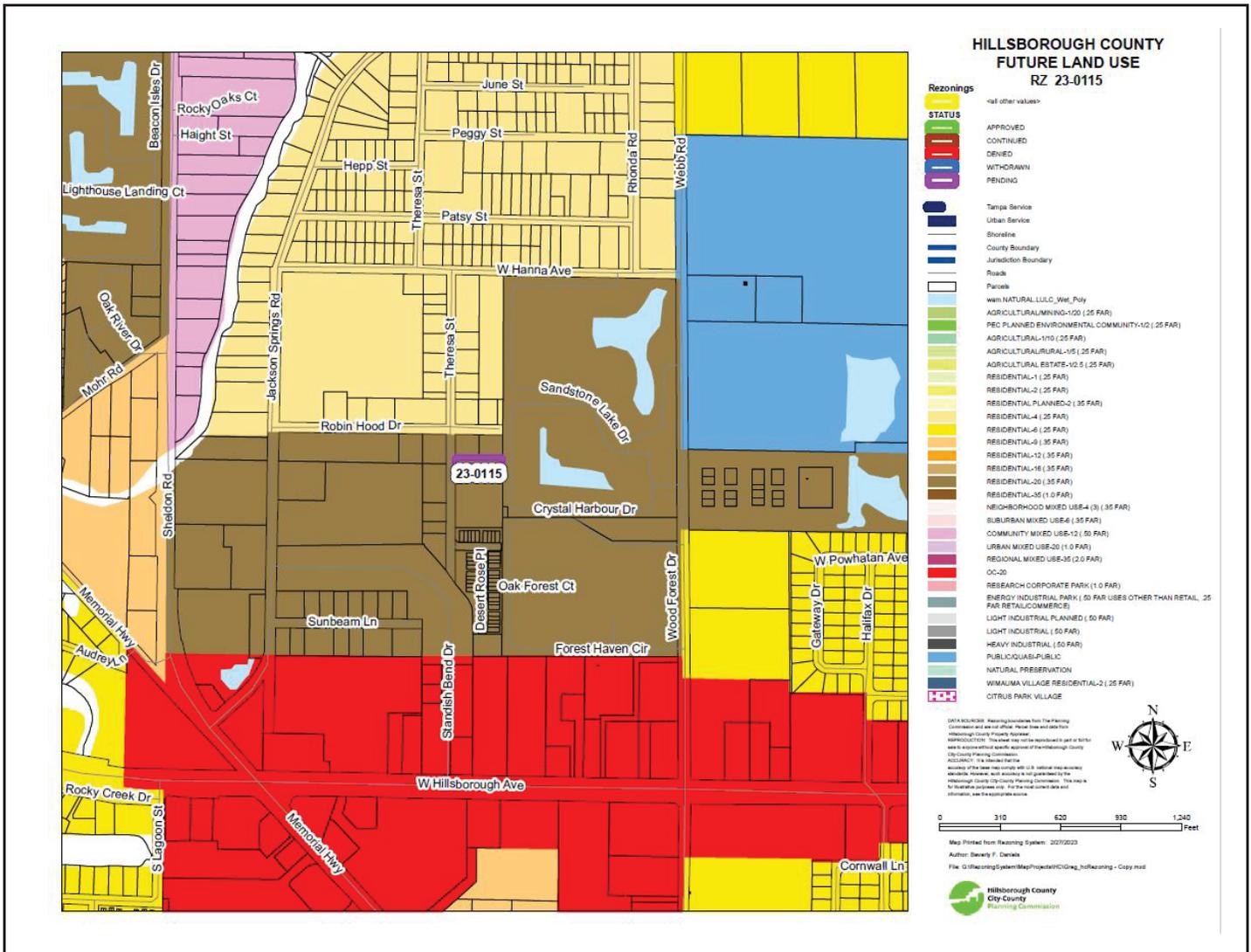


Context of Surrounding Area:

The site is surrounded by a mixture of uses consisting of single-family residential, duplexes and multi-family type uses. The subject site is surrounded by Res-20 Future Land Use (FLU) categories which permits single-family residential, multi-family, office and neighborhood-commercial uses. The adjacent properties are zoned RSC-6 to the north and west, and RMC-20 to the south and west.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.2 Future Land Use Map



Subject Site Future Land Use Category:	Residential 20 (Res-20)
Maximum Density/F.A.R.:	20 dwelling unit per Gross Acre (ga)/ 0.75 F.A.R.
Typical Uses:	Farms, ranches, residential uses, rural scale neighborhood commercial uses, offices, and multi-purpose projects. Commercial, office, and multi-purpose uses shall meet locational criteria for specific land use projects. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.

2.0 LAND USE MAP SET AND SUMMARY DATA

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

Not Applicable

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

Project Trip Generation Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	28	2	3
Proposed	74	4	6
Difference (+/-)	+46	+2	+3

*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		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
Notes:				

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY			
Environmental:	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Review at time of development
Natural Resources	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	No Comments provided
Conservation & Environmental Lands Mgmt.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	This agency has no comments.
Check if Applicable: <input checked="" type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input checked="" type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input checked="" type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____			
Public Facilities:	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	
Utilities 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 type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Hillsborough County School Board 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	School Concurrency review at time of development
Impact/Mobility Fees N/A			
Comprehensive Plan:	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The immediate adjacent properties are zoned RSC-6 to the north and west, and RMC-20 to the south and west. The site is surrounded by a mixture of uses consisting of single-family residential and multi-family residential uses, and office and neighborhood commercial type zoned uses. The subject site is surrounded by Res-20 Future Land Use (FLU) categories which permits single-family residential, multi-family residential, office and neighborhood-commercial uses.

The size and depth of the subject parcel in relation to other adjacent single-family residential and multi-family residential uses would create a zoning/development pattern that is consistent with the existing zoning and development pattern of the agricultural and residential uses/zoning districts in the area.

The site is located within the Urban Service Area’s Water and Wastewater Service Area; therefore, the subject property should be served by the County.

5.2 Recommendation

Based on the above considerations, staff finds the proposed RMC- 20 zoning district is compatible with the existing zoning districts and development pattern in the area. Therefore, staff finds the request **Approvable**.

6.0 PROPOSED CONDITIONS:

N/A

<p>Zoning Administrator Sign Off:</p>	 <p>J. Brian Grady Wed Jun 7 2023 10:02:03</p>
<p>SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.</p> <p>Approval of this re-zoning petition by Hillsborough County does not constitute a guarantee that the project will receive approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are being waived or otherwise approved. The project will be required to comply with the Site Development Plan Review approval process in addition to obtain all necessary building permits for on-site structures.</p>	

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

N/A

8.0 PROPOSED SITE PLAN (FULL)

Not Applicable

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department	DATE: 04/07/2023
REVIEWER: Alex Steady, Senior Planner	AGENCY/DEPT: Transportation
PLANNING AREA/SECTOR: Town and Country /Northwest	PETITION NO.: STD 23-0115

- This agency has no comments.
- This agency has no objection.
- This agency objects for the reasons set forth below.

REPORT SUMMARY AND CONCLUSIONS

- The proposed rezoning would result in a n increase of trips potentially generated by development of the subject site by 46 average daily trips, 2 trips in the a.m. peak hour, and 3 trips in the p.m. peak hour.
- As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.
- Transportation Review Section staff has no objection to the proposed rezoning.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone one parcel totaling +/- 0.56 acres from Residential Single Family Conventional – 6 (RSC-6) to Residential Multi-Family Conventional – 20 (RMC-20). The site is located +/- 125 feet south of the intersection of Robin Hood Drive and Theresa Ave Street. The Future Land Use designation of the site is Residential-20 (R-20).

Trip Generation Analysis

In accordance with the Development Review Procedures Manual (DRPM), no transportation analysis was required to process the proposed rezoning. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer’s Trip Generation Manual, 11th Edition.

Approved Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RSC-6, 3 Single Family Dwelling Units (ITE Code 210)	28	2	3

Proposed Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RMC-20, 11 Multi Family Dwelling Units (ITE Code 220)	74	4	6

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	+46	+2	+3

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on Theresa Street. Theresa Street is a 2-lane, substandard, undivided, Hillsborough County maintained, local roadway. Theresa Street lies within +/- 52 feet of Right of Way in the vicinity of the project. Theresa Street does not have sidewalk, bikes lanes or curb and gutter on either side of the roadway within the vicinity of the project.

SITE ACCESS

It is anticipated that the site will have access to Theresa Street. As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.

ROADWAY LEVEL OF SERVICE

Theresa Street is not a regulated roadway and as such was not included in the Level of Service Report.

COUNTY OF HILLSBOROUGH

**RECOMMENDATION OF THE
LAND USE HEARING OFFICER**

APPLICATION NUMBER:	RZ STD 23-0115
DATE OF HEARING:	June 20, 2023
APPLICANT:	Dilip Agarwal
PETITION REQUEST:	The request is to rezone a parcel of land from RSC-6 to RMC-20
LOCATION:	5817 Theresa Street
SIZE OF PROPERTY:	0.55 acres m.o.l.
EXISTING ZONING DISTRICT:	RSC-6
FUTURE LAND USE CATEGORY:	RES-20
SERVICE AREA:	Urban

DEVELOPMENT REVIEW STAFF REPORT

***Note:** Formatting issues prevented the entire Development Services Department staff report from being copied into the Hearing Master's Recommendation. Therefore, please refer to the Development Services Department web site for the complete staff report.

1.0 APPLICATION SUMMARY

Applicant: Dilip Agarwal

FLU Category: Residential - 6 (Res-6)

Service Area: Urban

Site Acreage: 0.55 +/-

Community Plan Area: Town N' Country

Overlay: None

Request: Rezone from **Residential, Single-Family Conventional-6 (RSC-6) zoning districts to the proposed to Residential Multi-Family Conventional - 20 (RMC-20) zoning district.**



Request Summary:

The request is to rezone from the existing **Residential, Single-Family Conventional-6 (RSC-6)** zoning district to the proposed **Residential Multi-Family Conventional-20 (RMC-20)** zoning district. The proposed zoning for RMC-20 permits development limited to conventional multiple family dwelling units in a high-density living environment, on lots containing a minimum of 6,540 square feet (sf).

Additional Information:

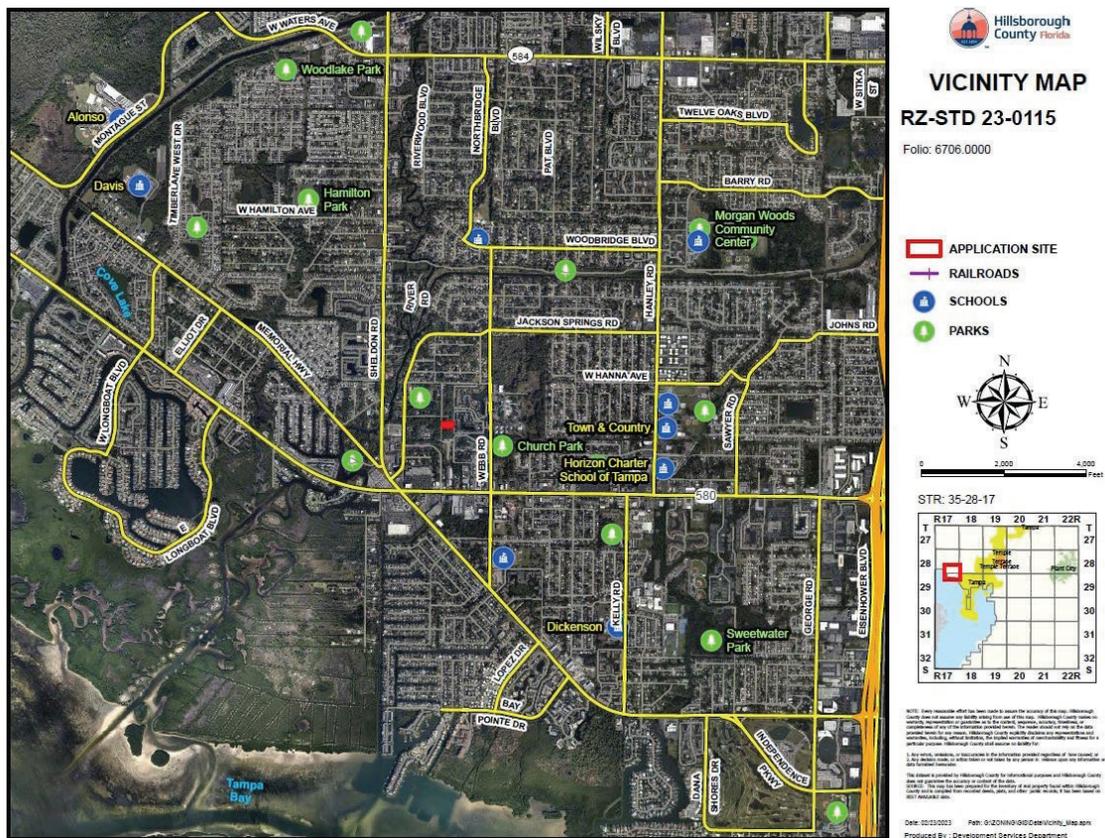
PD Variations: N/A

Waiver(s) to the Land Development Code : None

Planning Commission Recommendation: Consistent

Development Services Department Recommendation: Approvable

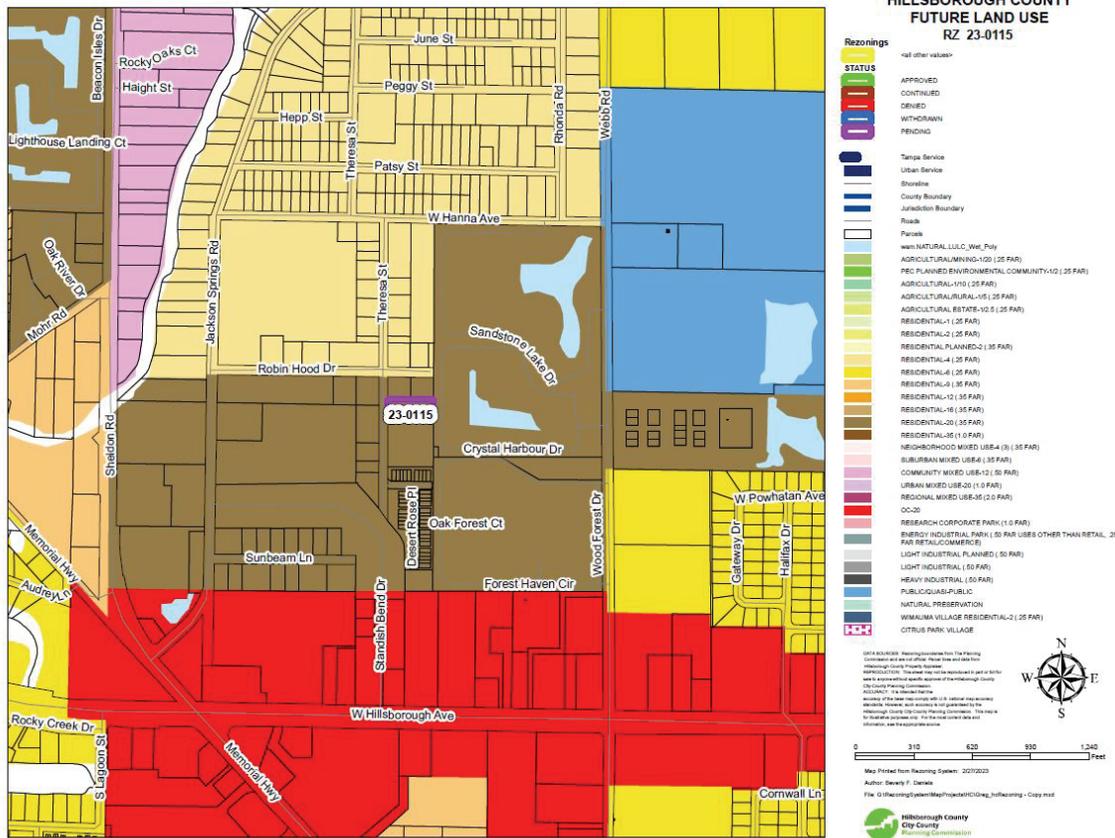
2.0 LAND USE MAP SET AND SUMMARY DATA 2.1 Vicinity Map



Context of Surrounding Area:

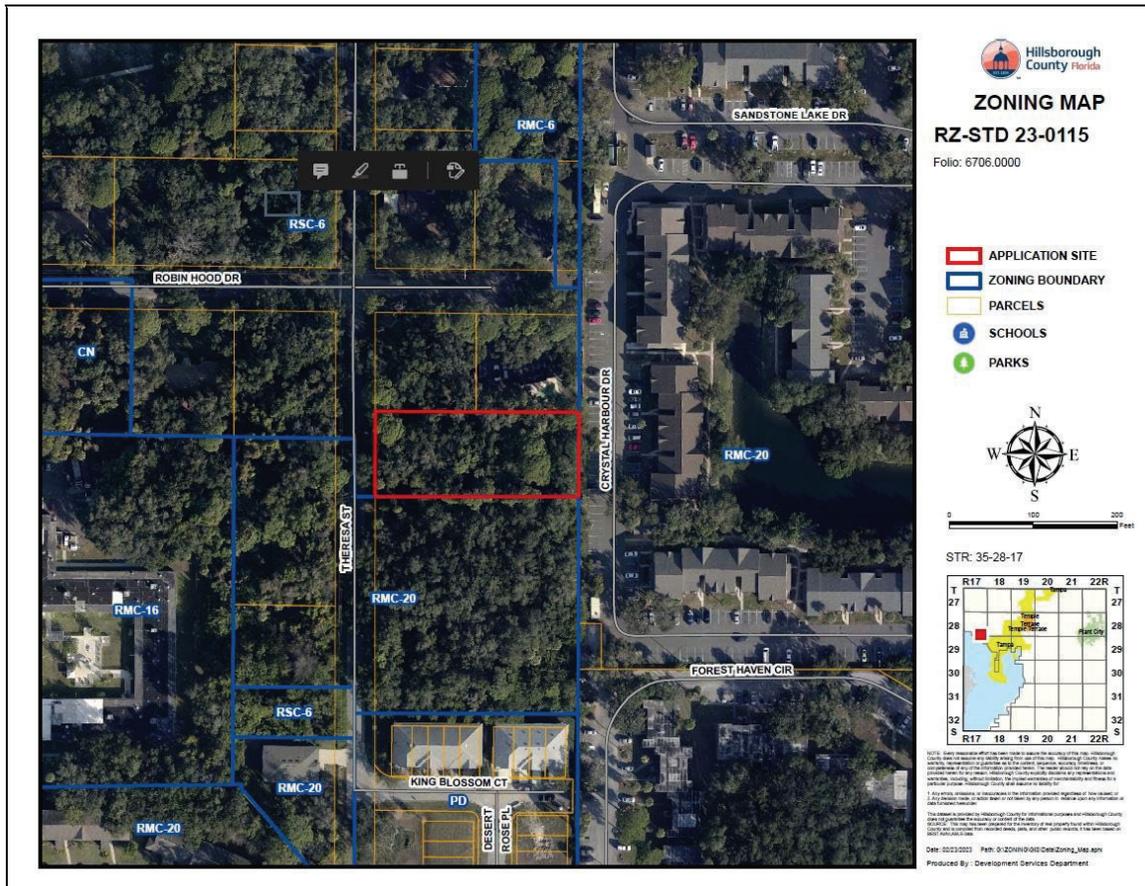
The site is surrounded by a mixture of uses consisting of single-family residential, duplexes and multi-family type uses. The subject site is surrounded by Res-20 Future Land Use (FLU) categories which permits single-family residential, multi-family, office and neighborhood-commercial uses. The adjacent properties are zoned RSC-6 to the north and west, and RMC-20 to the south and west.

2.0 LAND USE MAP SET AND SUMMARY DATA 2.2 Future Land Use Map



<p>Typical Uses:</p>	<p>Farms, ranches, residential uses, rural scale neighborhood commercial uses, offices, and multi-purpose projects. Commercial, office, and multi-purpose uses shall meet locational criteria for specific land use projects. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.</p>
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2.0 LAND USE MAP SET AND SUMMARY DATA 2.3 Immediate Area Map



2.0 LAND USE MAP SET AND SUMMARY DATA

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

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

Adjoining Roadways (check if applicable)

Theresa Street	County Local - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
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Project Trip Generation Not applicable for this request

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

Environmental: Objections	Conditions Requested	Additional Information/Comments

Environmental Protection Commission Natural Resources Conservation & Environmental Lands Mgmt.

Impact/Mobility Fees N/A

Check if Applicable: <input checked="" type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input checked="" type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input checked="" type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____		
Public Facilities: Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	

<input type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided <input type="checkbox"/> N/A			
Utilities 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 type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Hillsborough County School Board 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	School Concurrency review at time of development
Comprehensive Plan: Findings		Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The immediate adjacent properties are zoned RSC-6 to the north and west, and RMC-20 to the south and west.

The site is surrounded by a mixture of uses consisting of single-family residential and multi-family residential uses, and office and neighborhood commercial type zoned uses. The subject site is surrounded by Res-20 Future Land Use (FLU) categories which permits single-family residential, multi-family residential, office and neighborhood-commercial uses.

The size and depth of the subject parcel in relation to other adjacent single-family residential and multi-family residential uses would create a zoning/development pattern that is consistent with the existing zoning and development pattern of the agricultural and residential uses/zoning districts in the area.

The site is located within the Urban Service Area's Water and Wastewater Service Area; therefore, the subject property should be served by the County.

5.2 Recommendation

Based on the above considerations, staff finds the proposed RMC- 20 zoning district is compatible with the existing zoning districts and development pattern in the area. Therefore, staff finds the request **Approvable**.

SUMMARY OF HEARING

THIS CAUSE came on for hearing before the Hillsborough County Land Use Hearing Officer on June 20, 2023. Ms. Michelle Heinrich of the Hillsborough County Development Services Department introduced the petition.

Mr. Dilip Agarwal 5817 Theresa Street testified that the property is designated RES-20 by the Comprehensive Plan and that the property across the street from the subject property is developed with townhomes. He added that the adjacent lot also has townhomes built on-site including the lot in front and back of the subject property. Mr. Agarwal concluded his presentation by stating that the lot has not been sold for a long time and he is requesting a rezoning to RMC-20.

Ms. Isis Brown, Development Services staff, testified regarding the County's staff report. Ms. Brown stated that the request was previously scheduled for the April Zoning Hearing Master hearing but could not proceed as the School Board comments were not available. She testified that the request is to rezone the property from RSC-6 to RMC-20. Staff found the request approvable.

Ms. Andrea Papandrew, Planning Commission staff testified regarding the Planning Commission staff report. Ms. Papandrew stated that the subject property is within the Residential-20 Future Land Use classification and the Urban Service Area and Town and Country Community Planning area. Ms. Papandrew testified that the request meets Policy 1.4 of the Future Land Use Element regarding compatibility. The request is also consistent with Objective 16 regarding neighborhood protection. The request is also consistent with Goals 8 and 1 of the Community Design Component. Ms. Papandrew concluded her presentation by stating that the Planning Commission finds the proposed rezoning consistent with both the Town and Country Community Plan and the Future of Hillsborough Comprehensive Plan.

Hearing Master Finch asked for members of the audience in support of the application. No one replied.

Hearing Master Finch asked for members of the audience in opposition to the application.

Mr. James Paul 8323 King Blossom Court Tampa testified in opposition and stated that he has been a part of the Kings Port townhome development since 2016. Mr. Paul stated that the development has 20 townhomes with approval for 18 to 19 more and are starting to build. He stated that Theresa Road is only 130 inches wide and provides enough area for only one commercial vehicle to access. He described the area as being very small and occupied by large trees which cannot be removed. Mr. Paul testified that added maybe 70 people on a small road with drainage issues already will not be safe for the vehicles accessing the area. He stated that the project will decrease his property values and added that he is a decorated veteran with severe PTSD. He concluded his comments by stating that people in the neighborhood feel the same as he does.

County staff did not have additional comments.

Mr. Agarwal testified during the rebuttal period and stated that he has driven in the area that was described by the gentleman in opposition and that there are approximately two townhomes on both sides. He agreed that the road is only sufficient for one vehicle but that has nothing to do with his project. The project is on the other side from King Port homes. The developer built a private road inside of the townhomes and he believes that was what the gentleman in opposition was referring to. He stated that his property is on the other side of Theresa Street.

The hearing was then concluded.

EVIDENCE SUBMITTED

No documents were submitted into the record.

PREFACE

All matters that precede the Summary of Hearing section of this Decision are hereby incorporated into and shall constitute a part of the ensuing Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. The subject property is 0.55 acres in size and is currently Residential Single-Family Conventional-6 (RSC-6) and is designated Residential-20 (RES-20) by the Comprehensive Plan. The property is located within the Urban Service Area and the Town and Country Community Planning Area.

2. The applicant is requesting a rezoning to the Residential Multi-Family Conventional-20 (RMC-20) zoning district to develop townhomes on-site.
3. No waivers are requested.
4. The Planning Commission staff supports the request. The Planning Commission found that the request is compatible with Policy 1.4 regarding compatibility as well as Objective 16 regarding neighborhood protection. Staff also found the request is also consistent with Goals 8 and 1 of the Community Design Component. The Planning Commission found the application consistent with both the Town and Country Community Plan and the Comprehensive Plan.
5. The property is bordered by properties zoned RMC-20 to the east, west and south and RSC-6 to the north. Multi-family dwelling units are located to the east.
6. Testimony in opposition was provided at the Zoning Hearing Master hearing from a resident of the Kings Port townhome community which is located to the south but not adjacent to the subject property. The resident stated that the road is 130 inches wide (10 feet) and sufficient only to accommodate one vehicle at a time therefore an increase in townhome traffic from the subject property would negatively impact his community and reduce his property values.

It is noted that the County's Transportation Review section stated that the subject property will be accessed from Theresa Road which is a 2-lane undivided roadway with 52 feet of right-of-way. County Transportation staff had no objection to the rezoning request.

The applicant testified in rebuttal that the resident of the Kings Port townhome community was referring the Kings Port internal access roads which only accommodate one vehicle due to insufficient roadway width. The subject property will be accessed from Theresa Road which is a 2-lane road.

7. The proposed rezoning will result in development that is consistent with the Comprehensive Plan and the surrounding area.

FINDINGS OF COMPLIANCE/NON-COMPLIANCE WITH THE HILLSBOROUGH COUNTY COMPREHENSIVE PLAN

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

CONCLUSIONS OF LAW

Based on the Findings of Fact cited above, there is substantial competent evidence to demonstrate that the requested rezoning is in conformance with the applicable requirements of the Land Development Code and with applicable zoning and established principles of zoning law.

SUMMARY

The applicant is requesting a rezoning to the RMC-20 zoning district to develop townhomes on-site. The property is 0.55 acres in size and is currently zoned RSC-6 and designated RES-20 by the Comprehensive Plan.

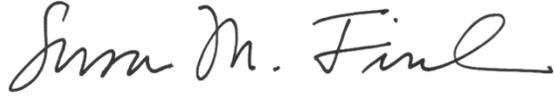
The Planning Commission found that the request is consistent with the surrounding area, the Town and Country Community Plan and the Comprehensive Plan.

Testimony in opposition was provided at the Zoning Hearing Master hearing from a resident of the Kings Port townhome community which is located to the south but not adjacent to the subject property. The resident stated that the road is 130 inches wide (10 feet) and sufficient only to accommodate one vehicle at a time therefore an increase in townhome traffic from the subject property would negatively impact his community and reduce his property values. However, the County's Transportation Review section stated that the subject property will be accessed from Theresa Road which is a 2-lane undivided roadway with 52 feet of right-of-way. County Transportation staff had no objection to the rezoning request. Further, the applicant testified in rebuttal that the resident of the Kings Port townhome community was referring the Kings Port internal access roads which only accommodate one vehicle due to insufficient roadway width. The subject property will be accessed from Theresa Road which is a 2-lane road.

The rezoning for the development of townhomes on-site is consistent with the development pattern in the area as well as the Comprehensive Plan.

RECOMMENDATION

Based on the foregoing, this recommendation is for **APPROVAL** of the RMC-20 rezoning request as indicated by the Findings of Fact and Conclusions of Law stated above.



July 12, 2023

Susan M. Finch, AICP
Land Use Hearing Officer

Date



**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: June 8, 2023 Report Prepared: June 20, 2023	Petition: RZ 23-0115 5817 Theresa Street <i>Southeast of Theresa Street and Robinhood Drive</i>
Summary Data:	
Comprehensive Plan Finding	CONSISTENT
Adopted Future Land Use	Residential-20 (20 du/ga; 0.75 FAR)
Service Area	Urban
Community Plan	Town 'N Country
Requested Zoning	Standard rezoning from Residential Single-Family Conventional (RSC-6) to Residential Multi-Family Conventional (RMC-20)
Parcel Size	0.55 +/- acres (23,958 square feet)
Street Functional Classification	Theresa Street – Local Robinhood Drive – Local
Locational Criteria	N/A
Evacuation Zone	A



Context

- The approximately 0.55 +/- acre subject site is located southeast of Theresa Street and Robinhood Drive.
- The subject site is located within the Urban Service Area and is located within the Limits of the Town 'N Country Community Plan.
- The subject site is located within the Residential-20 (RES-20) Future Land Use category, which can be considered for a maximum density of 20 dwelling units per gross acre and a maximum intensity of 0.75 FAR. The RES-20 Future Land Use category is intended to designate areas for high density residential development, as well as urban scale neighborhood commercial, office, multi-purpose projects, and mixed use developments. Typical uses of RES-20 include residential, neighborhood commercial, office uses, multi-purpose projects and mixed-use developments.
- RES-20 surrounds all sides of the subject site. The Residential-4 (RES-4) Future Land Use category extends further north of the subject site across Robinhood Drive. Office Commercial-20 (OC-20) is located further south of the subject site along Hillsborough Avenue.
- The subject site is currently vacant. Single family, public/quasi-public, and vacant uses are interspersed north and northwest of the subject site. Several parcels located west across Theresa Street are vacant. Single family and group home uses extend further west. Single family, multifamily, and vacant uses are interspersed south of the subject site. Further south, there are several light commercial and light industrial uses along Hillsborough Avenue. Multifamily uses are directly adjacent to the east and extend all the way to Webb Road. The area utilizes a variety of housing styles and is residential in character.
- The subject site is currently zoned as Residential Single Family Conventional (RSC-6). Several parcels located north and northwest of the site are also zoned as RSC-6. Residential Multifamily Conventional (RMC-16), Commercial Neighborhood (CN) and RSC-6 zoning are interspersed throughout the west side of the subject site across Theresa Street. Residential Multifamily Conventional (RMC-20) zoning is located directly south and east of the subject site. A Planned Development (PD) is located further south of the subject site as well.
- The applicant is requesting to rezone the subject site from Residential Single-Family Conventional (RSC-6) to Residential Multifamily Conventional (RMC-20).

Compliance with Comprehensive Plan:

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

FUTURE LAND USE ELEMENT

Urban Service Area (USA)

Objective 1: Hillsborough County shall pro-actively direct new growth into the urban service area with the goal that at least 80% of all population growth will occur within the USA during the planning horizon of this Plan. Within the Urban Service Area, Hillsborough County will not impede

agriculture. Building permit activity and other similar measures will be used to evaluate this objective.

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

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

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

Neighborhood/Community Development

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

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

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

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

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

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

Community Design Component

4.2 SUBURBAN RESIDENTIAL CHARACTER

GOAL 8: *Preserve existing suburban uses as viable residential alternatives to urban and rural areas*

5.1 COMPATIBILITY

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

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

LIVABLE COMMUNITIES ELEMENT: Town ‘N Country Community Plan

III. Vision Statement

We want the property values of our homes and businesses to increase. We desire proactive enforcement of housing and commercial codes. We are committed to strengthening our community and business associations to work together on furthering our common goals.

We will continue to be an urban community with citizens who have a strong sense of civic pride and are committed to improving our way of life.

Staff Analysis of Goals, Objectives and Policies

The approximately 0.55 +/- acre subject site is located southeast of Robinhood Drive and Theresa Street. The subject site is located in the Urban Service Area and is located within the limits of the Town ‘N Country Community Plan. The subject site’s Future Land Use classification on the Future Land Use Map (FLUM) is Residential-20 (RES-20). The

applicant is requesting to rezone the subject site from Residential Single-Family Conventional (RSC-6) to Residential Multi Family Conventional (RMC-20).

The subject site is located in the Urban Service Area where according to Objective 1 of the Future Land Use Element (FLUE), 80 percent of the county's growth is to be directed. The proposed request is consistent with this policy direction. 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 proposed change from RSC-6 to RMC-20 zoning is compatible with the existing character of development in the area, as the current development pattern contains extensive RMC-20 zoning to the south, east, and northeast.

Objective 8 of the FLUE establishes Land Use categories which outline the maximum level of intensity and density and range of permitted land uses allowed and planned for an area. Similarly, Policy 8.1 ensures that 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. The proposed rezoning to RMC-20 does not exceed the maximum amount of density allowed within the RES-20 FLU category. The proposed rezoning is therefore in compliance with Objective 8 and Policy 8.1.

The proposed rezoning meets the intent of the Neighborhood Protection Policies of FLUE Objective 16 and its accompanying Policies 16.2, 16.3, 16.8, and 16.10. The development pattern of the surrounding area shows several other residential uses with varying lot sizes. The proposed rezoning would also encourage an appropriate transition in intensity between the commercial zoning districts located south of the subject site and the single family zoning districts located north of the subject site. A rezoning to RMC-20 would reflect a development pattern that is in keeping with the existing development pattern, consistent with the aforementioned policy direction.

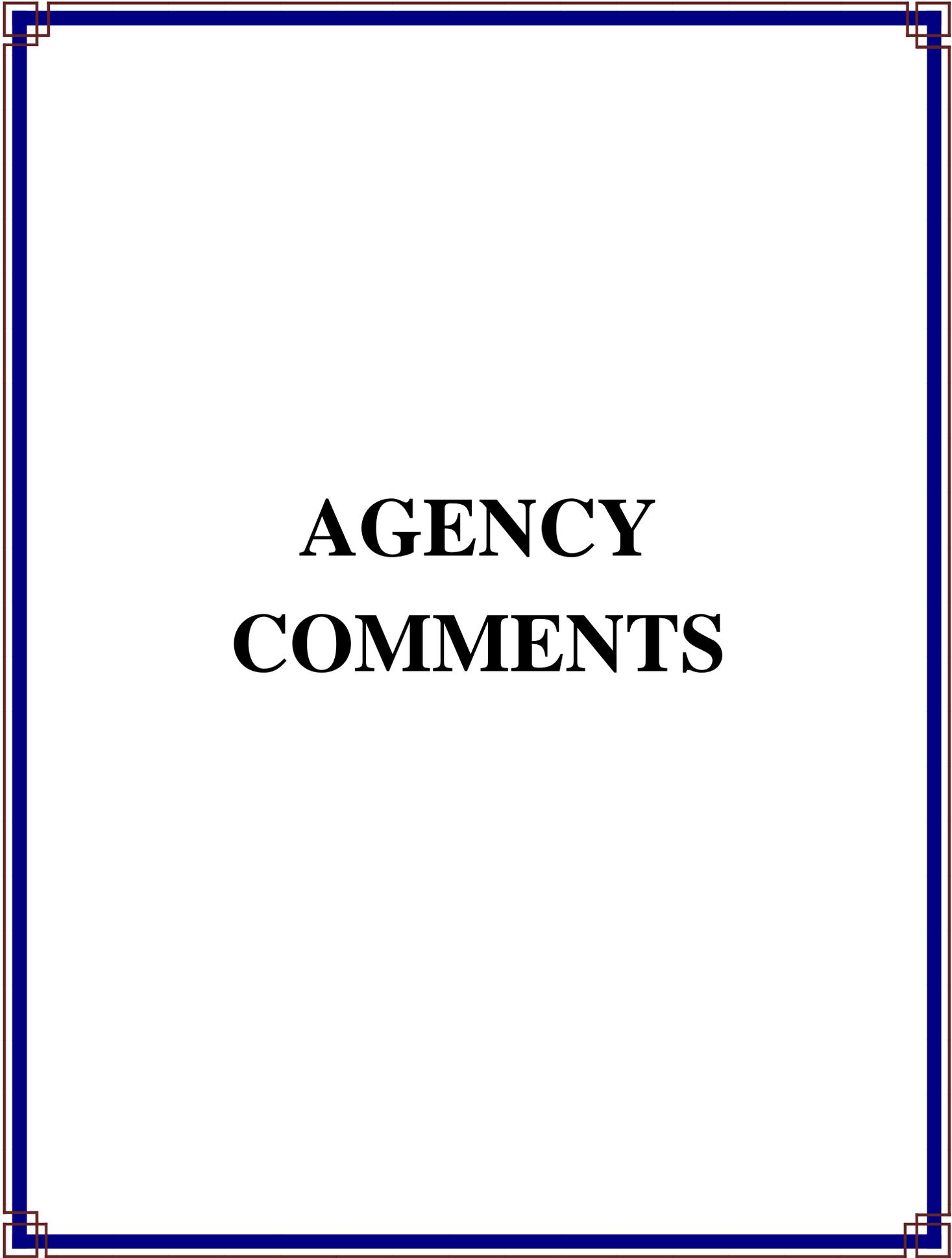
The Community Design Component (CDC) in the Future Land Use Element provides guidance on residential developments. Goal 8 encourages the preservation of existing suburban uses as viable residential alternatives to urban and rural areas. Goal 12 and Objective 12-1 seek to facilitate patterns of development that are both compatible and related to the predominate character of their surroundings. A rezoning to RMC-20 would be consistent with this policy direction as it would preserve existing suburban uses while remaining compatible with the predominant character of the surrounding area.

The Town 'N Country Community Plan's Vision Statement encourages development that increases the property values of their homes. Allowing RMC-20 zoning on the subject site will encourage development and increased value to the area, especially considering that the site is currently vacant. The proposed RMC-20 zoning district is aligned with the community plan's language regarding a strong urban community and is therefore consistent with the overall vision of the community plan.

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

Recommendation

Based upon the above considerations, the Planning Commission staff finds the proposed rezoning **CONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*.



AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department
REVIEWER: Alex Steady, Senior Planner
PLANNING AREA/SECTOR: Town and Country /Northwest

DATE: 04/07/2023
AGENCY/DEPT: Transportation
PETITION NO.: STD 23-0115

- This agency has no comments.
- This agency has no objection.
- This agency objects for the reasons set forth below.

REPORT SUMMARY AND CONCLUSIONS

- The proposed rezoning would result in a n increase of trips potentially generated by development of the subject site by 46 average daily trips, 2 trips in the a.m. peak hour, and 3 trips in the p.m. peak hour.
- As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.
- Transportation Review Section staff has no objection to the proposed rezoning.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone one parcel totaling +/- 0.56 acres from Residential Single Family Conventional – 6 (RSC-6) to Residential Multi-Family Conventional – 20 (RMC-20). The site is located +/- 125 feet south of the intersection of Robin Hood Drive and Theresa Ave Street. The Future Land Use designation of the site is Residential-20 (R-20).

Trip Generation Analysis

In accordance with the Development Review Procedures Manual (DRPM), no transportation analysis was required to process the proposed rezoning. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer’s Trip Generation Manual, 11th Edition.

Approved Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RSC-6, 3 Single Family Dwelling Units (ITE Code 210)	28	2	3

Proposed Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RMC-20, 11 Multi Family Dwelling Units (ITE Code 220)	74	4	6

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	+46	+2	+3

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on Theresa Street. Theresa Street is a 2-lane, substandard, undivided, Hillsborough County maintained, local roadway. Theresa Street lies within +/- 52 feet of Right of Way in the vicinity of the project. Theresa Street does not have sidewalk, bikes lanes or curb and gutter on either side of the roadway within the vicinity of the project.

SITE ACCESS

It is anticipated that the site will have access to Theresa Street. As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.

ROADWAY LEVEL OF SERVICE

Theresa Street is not a regulated roadway and as such was not included in the 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
Theresa Street	County Local - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	28	2	3
Proposed	74	4	6
Difference (+/-)	+46	+2	+3

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

Connectivity and Cross Access <input checked="" type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
Notes:				

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

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

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 Sterlin Woodard, P.E. WETLANDS DIVISION

AGENCY COMMENT SHEET

REZONING	
HEARING DATE: 4/17/2023 PETITION NO.: 23-0115 EPC REVIEWER: Melissa Yanez CONTACT INFORMATION: (813) 627-2600 X 1360 EMAIL: yanezm@epchc.org	COMMENT DATE: 3/28/2023 PROPERTY ADDRESS: 817 Theresa St, Tampa, FL 33615 FOLIO #: 0067060000 STR: 35-28S-17E
REQUESTED ZONING: From RSC-6 to R-20	
FINDINGS	
WETLANDS PRESENT	NO
SITE INSPECTION DATE	12/1/2022
WETLAND LINE VALIDITY	No Wet Determination valid until 12/1/2027
WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)	No Wet
INFORMATIONAL COMMENTS: 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. Therefore, a “no wetlands and other surface water determination” has been made for the subject property, which is valid for a period of five years (Expires: 12/1/2027).	

My/cb

Environmental Excellence in a Changing World

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



Adequate Facilities Analysis: Rezoning

Date: 4/18/23 **Acreage:** .55 (+/- acres)
Jurisdiction: Hillsborough County **Proposed Zoning:** R-20
Case Number: RZ-STD 23-0115 **Future Land Use:** R-20
HCPS #: RZ-516 **Maximum Residential Units:** 11
Address: 5817 Theresa Street **Residential Type:** Single-family attached
Parcel Folio Number(s): 6706.0000

School Data	Woodbridge Elementary	Webb Middle	Leto High
FISH Capacity Total school capacity as reported to the Florida Inventory of School Houses (FISH)	883	1014	2264
2022-23 Enrollment K-12 enrollment on 2022-23 40 th day of school. This count is used to evaluate school concurrency per Interlocal Agreements with area jurisdictions	632	802	2062
Current Utilization Percentage of school capacity utilized based on 40 th day enrollment and FISH capacity	72%	79%	91%
Concurrency Reservations Existing concurrency reservations due to previously approved development. Source: CSA Tracking Sheet as of 4/25/2023	0	15	17
Students Generated Estimated number of new students expected in development based on adopted generation rates. Source: Duncan Associates, School Impact Fee Study for Hillsborough County, Florida, Dec. 2019	2	1	1
Proposed Utilization School capacity utilization based on 40 th day enrollment, existing concurrency reservations, and estimated student generation for application	72%	81%	92%

Notes: At this time, adequate capacity exists at Woodbridge Elementary, Webb Middle, and Leto High School for the proposed rezoning.

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.

Andrea A. Stingone, M.Ed.
 Department Manager, Planning & Siting
 Growth Management Department
 Hillsborough County Public Schools
 E: andrea.stingone@hcps.net
 P: 813.272.4429 C: 813.345.6684

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

PETITION NO.: RZ-STD 23-0115 REVIEWED BY: Clay Walker DATE: 4/27/2023

FOLIO NO.: 6706.0000

WATER

- The property lies within the City of Tampa Water Service Area. The applicant should contact the provider to determine the availability of water service.

- A ___ inch water main exists (adjacent to the site), (approximately ___ feet from the site) _____. This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.

- Water distribution system improvements will need to be completed prior to connection to the County's water system. The improvements include _____ and will need to be completed by the _____ prior to issuance of any building permits that will create additional demand on the system.

WASTEWATER

- The property lies within the _____ Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.

- A 12 inch wastewater force main exists (adjacent to the site), (approximately 200 feet from the site) and is located north of the subject property within the south Right-of-Way of Robin Hood Drive. This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.

- Wastewater collection system improvements will need to be completed prior to connection to the County's wastewater system. The improvements include _____ and will need to be completed by the _____ prior to issuance of any building permits that will create additional demand on the system.

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

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Planning Growth Management

DATE: 11 April 2023

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

APPLICANT: Dilip Agarwal

PETITION NO: RZ-STD 23-0115

LOCATION: 5817 Theresa St., Tampa, FL 33615

FOLIO NO: 6706.0000

SEC: 35 TWN: 28 RNG: 17

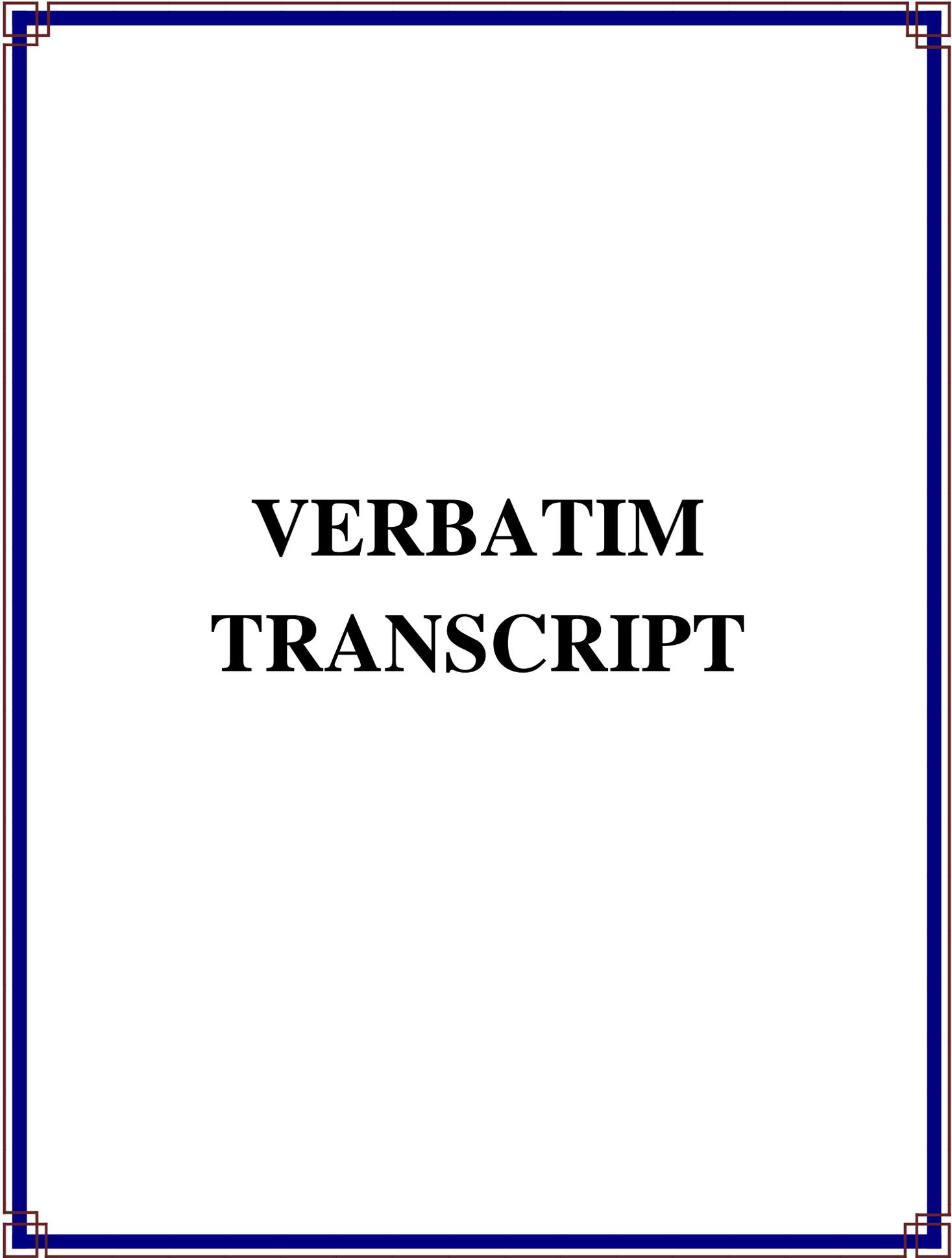
- This agency has no comments.

- 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: _____.



VERBATIM TRANSCRIPT

1 introduced or allowed at the board's public meeting.

2 For these reasons, please make sure that all
3 information you wish the board to consider at its
4 public meeting is entered into tonight's record.

5 HEARING MASTER FINCH: Thank you, Ms. Dorman.
6 I appreciate it.

7 All right. As I mentioned, all testimony must
8 be under oath. So if you plan to speak tonight if
9 you're in the room or online, please stand, raise
10 your right hand, and I'll swear you in.

11 Do you solemnly swear the testimony you're
12 about to give is the truth, the whole truth, and
13 nothing but the truth?

14 ATTENDEES: I do.

15 HEARING MASTER FINCH: Thank you so much.
16 Please, be seated.

17 All right. Ms. Heinrich, now we are ready to
18 call the first case.

19 MS. HEINRICH: Sure. Our first case tonight
20 is Agenda Item C-2. This is Standard Rezoning
21 Application 23-0115. This request is to rezone the
22 property from RFC-6 to RMC-20. Isis Brown with
23 Development Services will provide staff findings
24 after the applicant's presentation.

25 HEARING MASTER FINCH: All right. Is the

1 applicant here?

2 MR. AGARWAL: My name is Dilip Agarwal. I'm
3 here for the location 5817 Theresa Street. The
4 land is in an R-20 future area. All the
5 development across the land is basically townhomes.
6 The second lot right next to this lot already has
7 townhouses built on them. And in front of them it
8 also has townhouses built on them.

9 So basically all the lots right next to it, in
10 front of it, at the back of it, they all have the
11 R-20 zoning. This particular lot has not been sold
12 for a very long time and that's why it has the old
13 RFC-6 zoning and we are requesting it to be rezoned
14 to R-20.

15 That's all. Thank you.

16 HEARING MASTER FINCH: Okay. Thank you very
17 much. I don't have any further question. If you
18 could, please sign in with the clerk's office.
19 Thank you for your testimony.

20 All right. We'll go to Development Services.

21 Good evening.

22 MS. BROWN: Good evening, Isis Brown,
23 Development Services. This case was previously
24 heard at the April hearing. However, the school
25 board comments were not on file, on record, have

1 since been submitted. These have been made.

2 This request is for residential RSC-6 zoning
3 district to residential multifamily conventional 20
4 -- RMC-20 with no restrictions. There were no
5 objections from any of the other agencies. And
6 staff finds the case approvable.

7 I'm available for any questions.

8 HEARING MASTER FINCH: Nothing at this time,
9 but thank you so much.

10 MS. BROWN: Thank you.

11 HEARING MASTER FINCH: Planning commission,
12 please?

13 MS. PAPANDREW: Andrea Papandrew, Planning
14 Commission staff. This site is in the Residential-
15 20 future land use category and is within the Town
16 and Country Community Plan.

17 Residential-20, a future land use category
18 surrounds this site on all sides. Future Land Use
19 Element Policy 1.4 requires all development to be
20 compatible with the surrounding area.

21 The proposed change to residential multifamily
22 conventional zoning is compatible with the existing
23 character development in the area as the existing
24 development pattern contains extensive residential
25 multifamily conventional zoning to the southeast

1 and northeast.

2 The proposed will also -- does not exceed the
3 maximum amount of density allowed within the
4 Residential-20 future land use category. The
5 proposed rezoning meets the intent of the
6 neighborhood protection policies under Objective
7 16.

8 The development pattern in the surrounding
9 area shows several other residential uses with
10 varying lot sizes and the proposed would encourage
11 an appropriate transition in intensity between the
12 commercial zoning districts located south of the
13 site and the single-family zoning districts located
14 north.

15 It also meets goals 8 and 12 of the community
16 design component in the future land use element.
17 And the Town and County Community Plan's vision
18 statement encourages development that increases the
19 property values of their home. Allowing the
20 proposed will encourage development and increase
21 value to the area.

22 It also is in line with the community plan's
23 language regarding a strong urban community. Based
24 upon the above considerations, Planning Commission
25 staff finds the proposed rezoning consistent with

1 the Unincorporated Hillsborough County Comprehensive
2 Plan.

3 HEARING MASTER FINCH: Thank you so much. I
4 appreciate it.

5 All right. Do we have anyone that would like
6 to speak in favor of this request either in the
7 room or online? Anyone in favor?

8 Seeing no one, anyone in opposition to this
9 request? No one? All right -- is there someone?

10 MR. PAUL: Sure. Yes.

11 HEARING MASTER FINCH: Mr. Paul, is that you
12 online?

13 MR. PAUL: Yes, ma'am.

14 HEARING MASTER FINCH: All right. Perfect.
15 Give us your name and address, please, to start.

16 MR. PAUL: My name is James Paul, 8323 King
17 Blossom Court, Tampa, 33615. I'm part of the Kings
18 Port Townhouse Development. I've been here since
19 2016.

20 HEARING MASTER FINCH: All right. Go ahead
21 with your reasons for your opposition.

22 MR. PAUL: First, the development as it is now
23 has 20 townhouses, but they already have approval
24 for 18 to 19 more, which the county should have on
25 record, which they are starting to build.

1 The road that goes back to our development,
2 Theresa, is only 130 inches wide. And right now it
3 is only good enough for really one commercial --
4 one of your vehicles to go down.

5 Now there's more people walking, children
6 riding bikes, also, I don't see anything in the
7 county about -- because what happened on the west
8 side of the Theresa at the same area, was that the
9 trees were tagged later on by the -- whoever works
10 for the county, the arborist, that they're too big
11 and too old to cut down.

12 And this area is very small and is occupied by
13 large trees and they can never be removed. It
14 would be almost impossible to do it and fit trucks
15 back there. As the former builder, or the builder
16 who tried to cross the west side of the street on
17 Theresa was denied, and the dump trucks had to dump
18 on common ground for their land.

19 I just think that adding multifamily homes,
20 adding maybe 70 people, which Kings Port will add
21 within the next year on a small road with drainage
22 issues already, I think it is really not a safe
23 area as far as putting your vehicles up and down.

24 I think it will decrease my property value. I
25 back up to it. I'm a decorated veteran with severe

1 PTSD and I think putting that many homes on that small
2 area and trying to remove trees that may be 80- to
3 100-years-old I think would be detrimental to my
4 property value counter to what was previously
5 stated.

6 And I think most of us feel the same way, is
7 that this is just a -- to enlarge the road would be
8 different, to make it two lanes and so you have
9 multiple areas for traffic in and out. And right
10 now -- we don't have that right now.

11 HEARING MASTER FINCH: All right. Does that
12 conclude your comments?

13 MR. PAUL: Yes, ma'am.

14 HEARING MASTER FINCH: Thank you for
15 participating. I appreciate it.

16 Is there anyone else online that would like to
17 speak in opposition to this request?

18 All right. Seeing no one we'll close that
19 part of the hearing and go to Development Services.

20 Ms. Heinrich, anything further?

21 MS. HEINRICH: Nothing further.

22 HEARING MASTER FINCH: All right. Sir, you
23 have the last word as the applicant. Sir, you have
24 the last word if you'd like to say anything further
25 before we close the hearing.

1 MR. AGARWAL: Let me --

2 HEARING MASTER FINCH: Give us your name just
3 to start.

4 MR. AGARWAL: Yes. Dilip Agarwal, 5817
5 Theresa Street. I mean, I did look at the area
6 where the gentleman said he's talking about on the
7 backend side. I did drive through the area
8 yesterday and there were like two townhouses on
9 both sides.

10 And as the gentleman said, the road was
11 sufficient for only one vehicle. But this has
12 nothing to do with this project. This project is
13 on the other side with King Port Homes. The
14 developer built a private road inside the two sides
15 of the townhouses. And I think that's what he's
16 referring to.

17 This project is on the Theresa Street side on
18 the other side. That's all I've got to say.

19 HEARING MASTER FINCH: All right. Thank you
20 so much. I appreciate it.

21 Then with that we'll close Rezoning 23-0115
22 and go to the next case.

23 MS. HEINRICH: Our next item is Agenda Item C-
24 3. This is a standard rezoning 23-0203. The
25 applicant is requesting to rezone property from AR

1 regular agenda, we did need to bring up two applications that
2 need to be dealt with, hopefully in the beginning. And the
3 first one is Agenda items C.2, which is Standard Rezoning
4 22-1681. We've been notified that as of the beginning of this
5 hearing, outstanding agency review comments have not been
6 received. And those are required to be a part of the record
7 for -- that will close tonight's hearing. So therefore, that
8 case needs to continue to the June 20, 2023 ZHM Hearing.

9 HEARING MASTER: Okay. Is there anyone -- just for
10 the record, is there anyone here that wanted to speak to Agenda
11 Item C.2, Rezoning 22-1681, either in the room or online?

12 MR. GRADY: Madam Hearing Officer, this issue is a
13 School Board comment. We're -- we're required that -- that if
14 we do have the School Board comment it cannot go forward.
15 Obviously, the issue is that -- and they require an additional
16 review fee and if the review fee's not paid then we -- we don't
17 receive a comment and we cannot go forward. So that's the issue
18 with this one, C.2. And then there's also another one.

19 HEARING MASTER: All right. So just so everyone knows
20 that Rezoning 22-1681 is continuing to June 20th at 6:00 p.m.,
21 correct? All right. Thank you.

22 MS. HEINRICH: The other item is Item C.6, Standard
23 Rezoning 23-0115. This application is -- does not contain the
24 School Board review comments, which are not available at the
25 time of this meeting. Therefore, they will need to be continued

1 to the June 20, 2023 ZHM Hearing.

2 HEARING MASTER: All right. Record -- anyone here on
3 noticed that that item will not be heard tonight, Rezoning
4 23-0115 continuing to June 20, 2023.

5 Sir, did you have a question? If you could give us
6 your name and address please.

7 MR. SHEA: My name is Michael Shea and I'm an
8 attorney, the City of (indiscernible) and my address is 6301
9 Bayshore Boulevard, Tampa, Florida 33611.

10 HEARING MASTER: And did you have a question about
11 that item, that agenda item?

12 MR. SHEA: When is it going to be heard?

13 HEARING MASTER: They rescheduled it to June 20, 2023
14 at 6:00 p.m.

15 MR. SHEA: Thank you.

16 HEARING MASTER: Oh, you're very welcome.

17 MR. SHEA: Will -- will I receive a notice? I'm
18 representing Chapman.

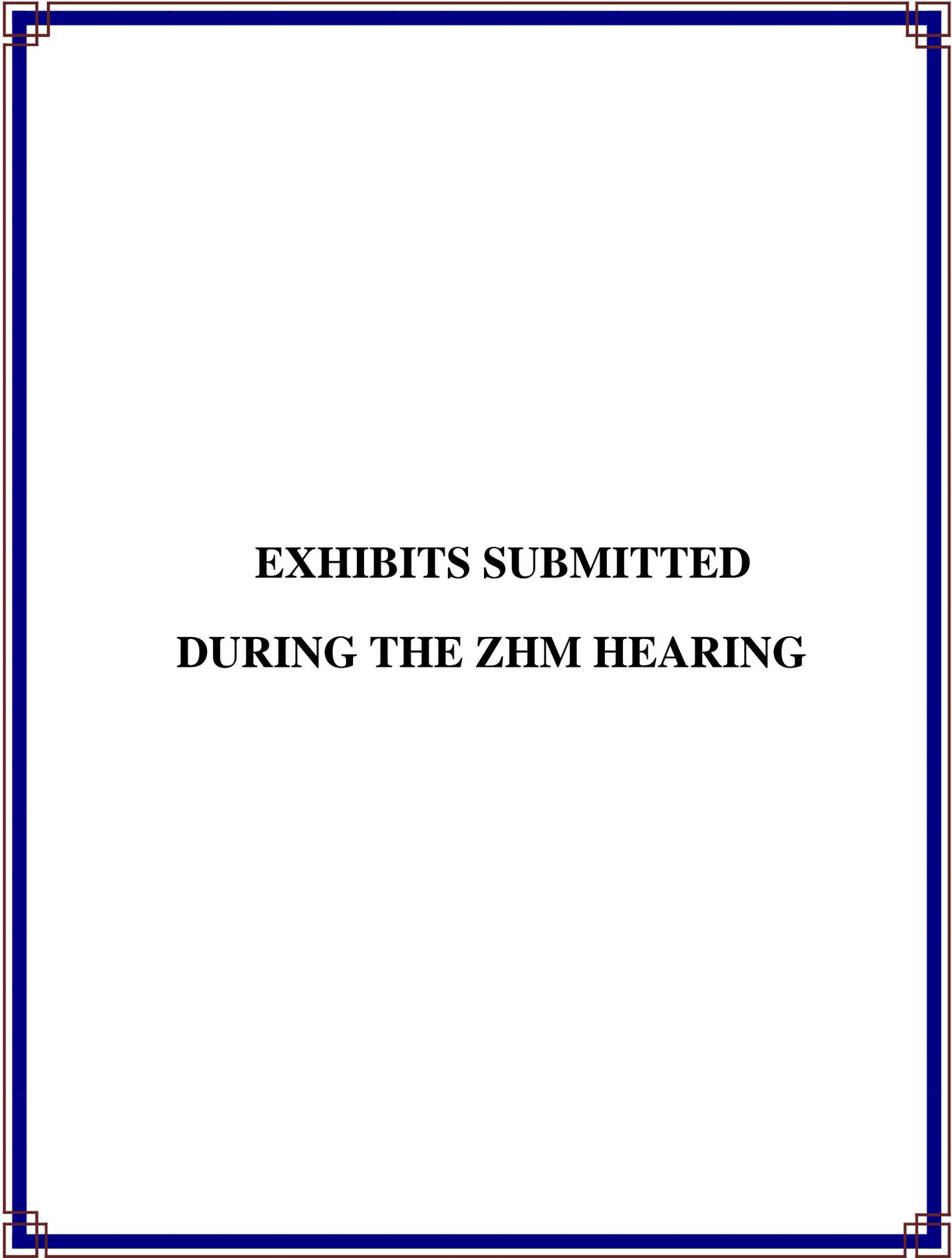
19 HEARING MASTER: Yes, you will receive notice. Thank
20 you, sir.

21 Was there someone else that wanted to address that
22 item?

23 MR. AGARWAL: I'm the applicant.

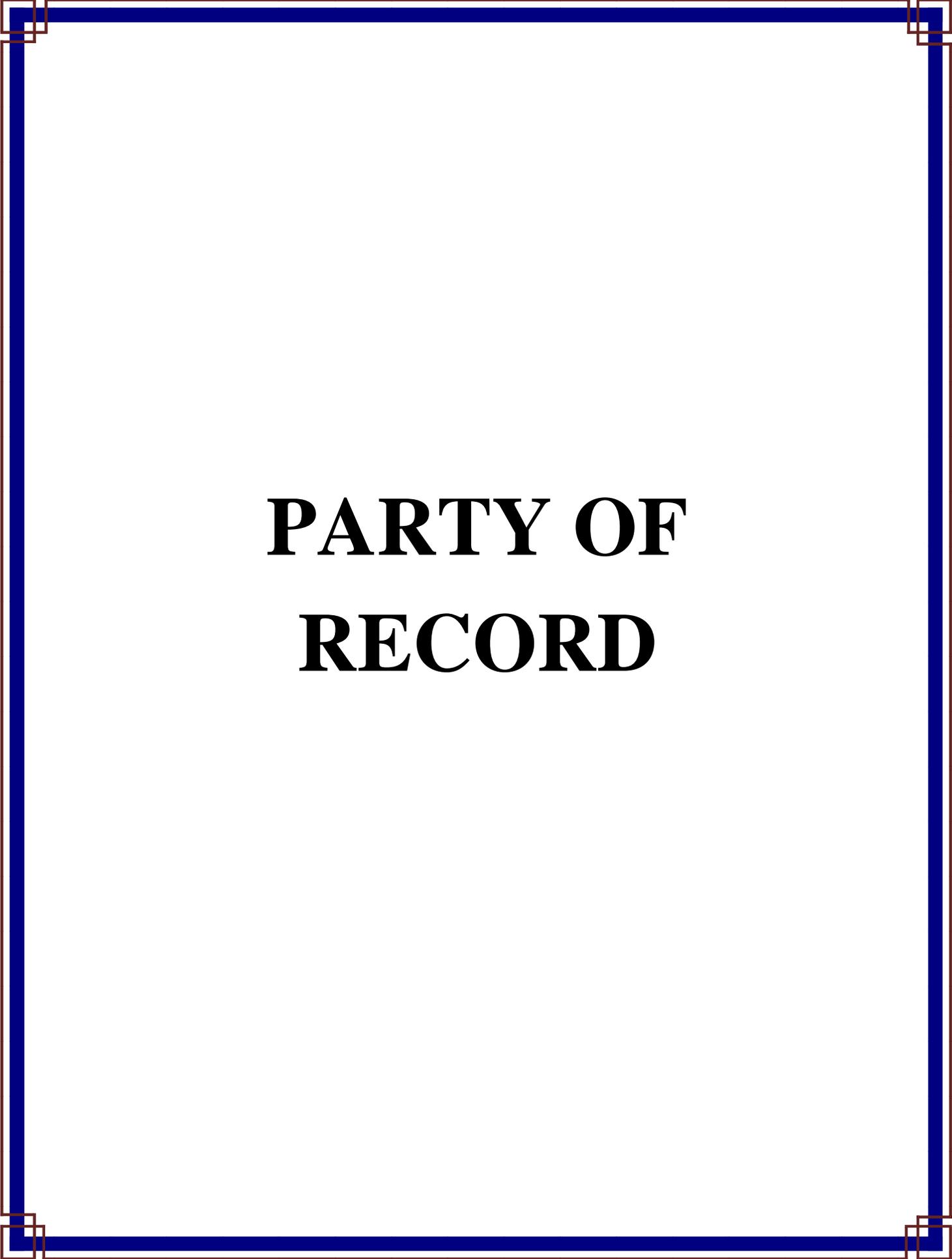
24 (Simultaneous conversation.)

25 HEARING MASTER: Yeah. I'm sorry. Sir, you need to



**EXHIBITS SUBMITTED
DURING THE ZHM HEARING**

NONE



**PARTY OF
RECORD**

NONE