

Special Use Application: SU-GEN 25-0408**LUHO Meeting Date:**

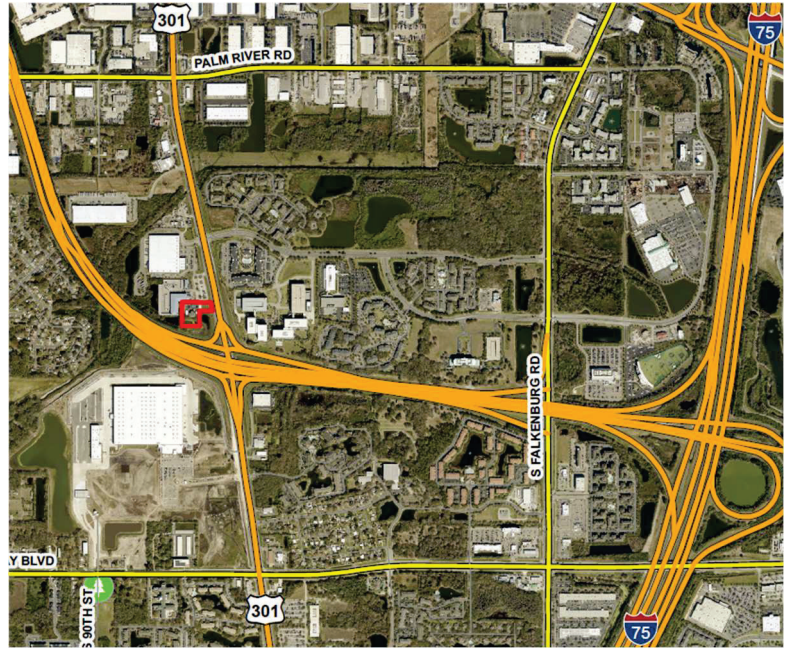
March 31, 2025

Case Reviewer:

Sam Ball

**Hillsborough
County Florida**

Development Services Department

1.0 APPLICATION SUMMARY**Applicant:** Harvest Time of Tampa, Inc.**Zoning:** RSC-6, CN, AR**FLU Category:** CMU-12**Service Area:** Tampa**Site Acreage:** 2.1 acres**Community Plan Area:** Greater Palm River**Overlay:** None**Special District:** None**Request:** Special Use Permit for
Private K-8 School and
Childcare Center**Request Details:**

The applicant is requesting special use approval for an existing private school grades K-8 with up to eight classrooms and 72 students and a childcare center with 5,623 square feet of area to accommodate up to 48 children. The existing church structure will be removed.

Setbacks:	Proposed Setbacks (Feet)	Proposed Buffer/Screening
North (CN)	NA – Church to be removed	
North (RSC-6)	97.6	3' VUA without screening (Variance granted under SU - GEN 24-0625)
South (RSC-6 & AR)	137.34	
South (AR)	NA – Church to be removed	
East (CN & AR)	NA	
East (RSC-6 & AR)	32.6	
West	112.05	

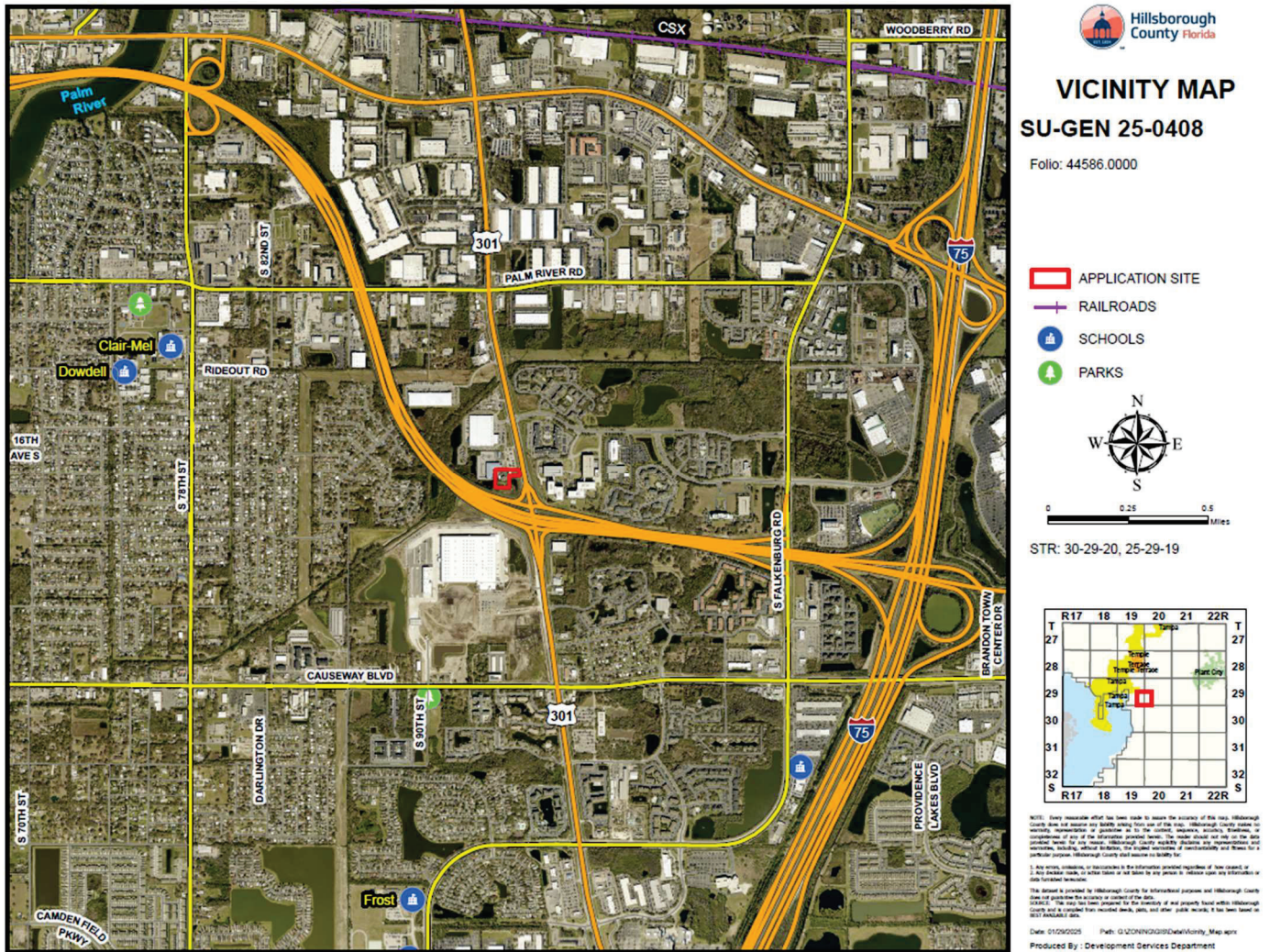
Additional Information:

Waivers to the Land Development Code	None requested as part of this application.
Variances to the Land Development Code	None requested as part of this application.

Planning Commission Recommendation: Consistent	Development Services Recommendation: Approvable, Subject to Conditions
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2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

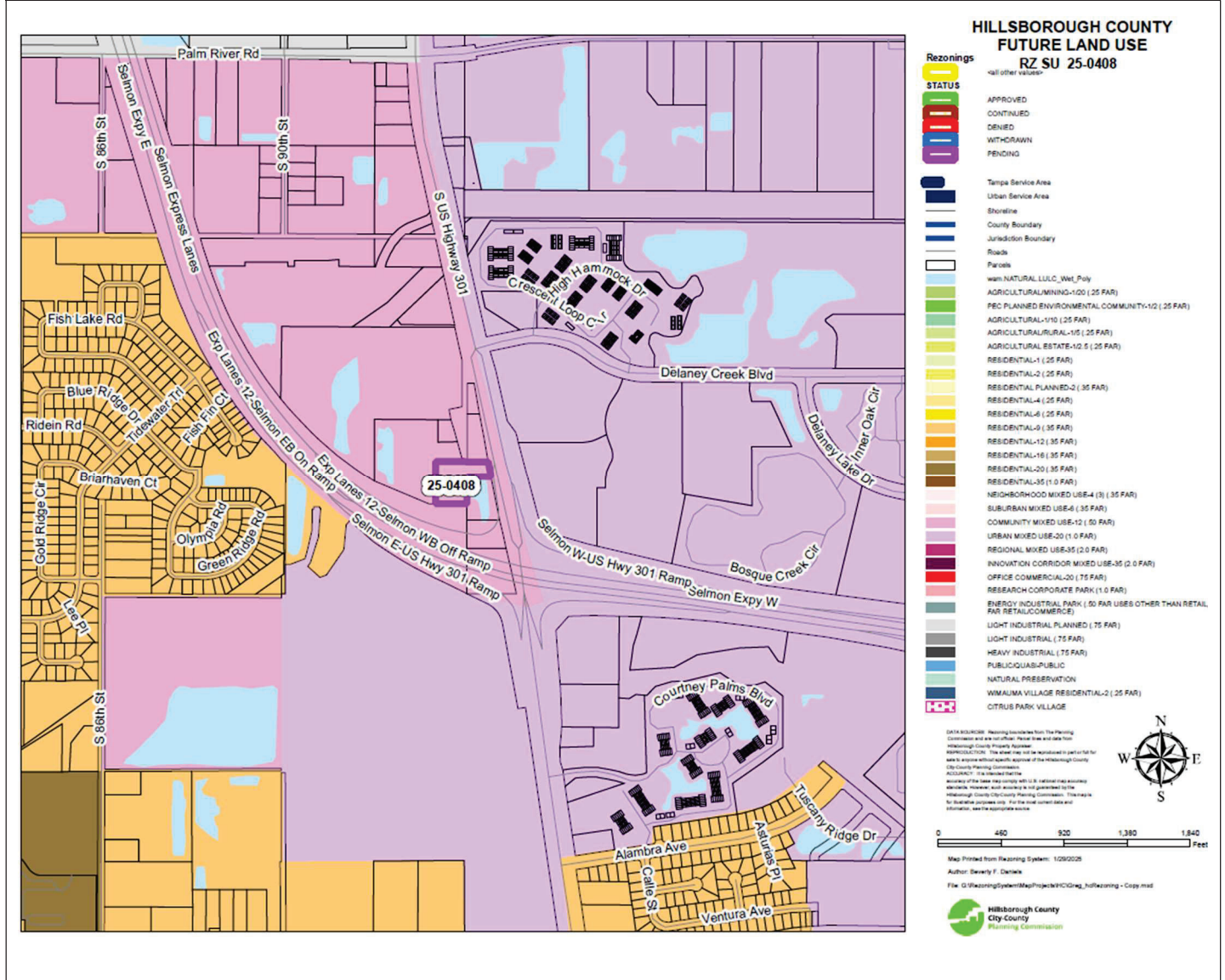


Context of Surrounding Area:

The subject property abuts a section of US 301 developed for mixed use to the east and the Selmon Expressway to the south. The predominant land uses in the immediate vicinity are a mini warehouse, car wash, a park-and-ride lot, and a Goodwill retail, donations, and distribution center to the north; a USAA corporate campus and multi-family developments located to the east of US 301; and the properties to the south of the Selmon Expressway are developed for a warehouse and distribution facility and a mini warehouse facility.

2.0 LAND USE MAP SET AND SUMMARY DATA

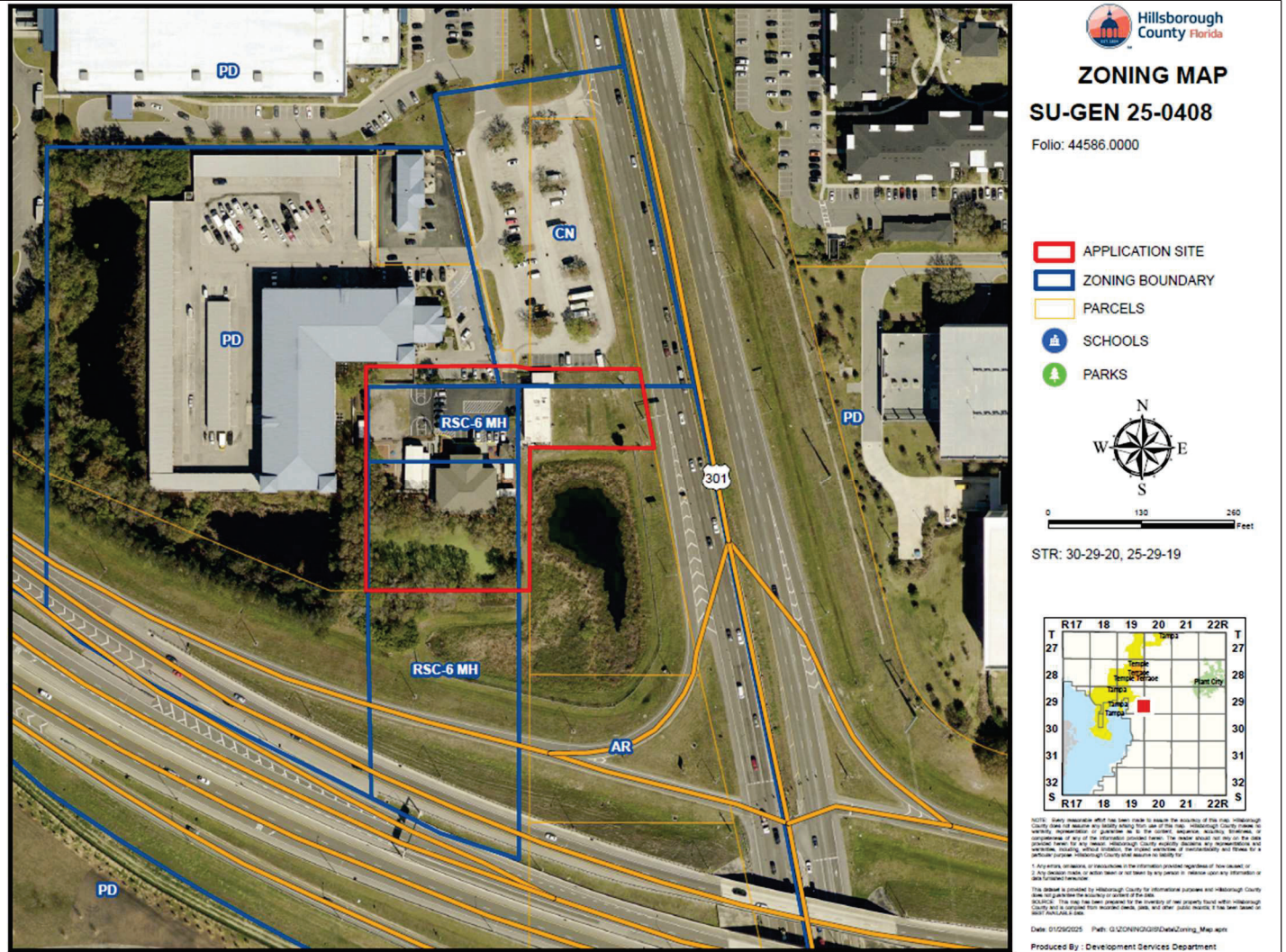
2.2 Future Land Use Map



Subject Site Future Land Use Category	Community Mixed Use (CMU-12)
Maximum Density/FAR	DU per GA: 12/FAR: 0.5
Typical Uses	Residential, community scale retail commercial, office, research corporate park, light industrial multi-purpose, clustered residential, and mixed use.

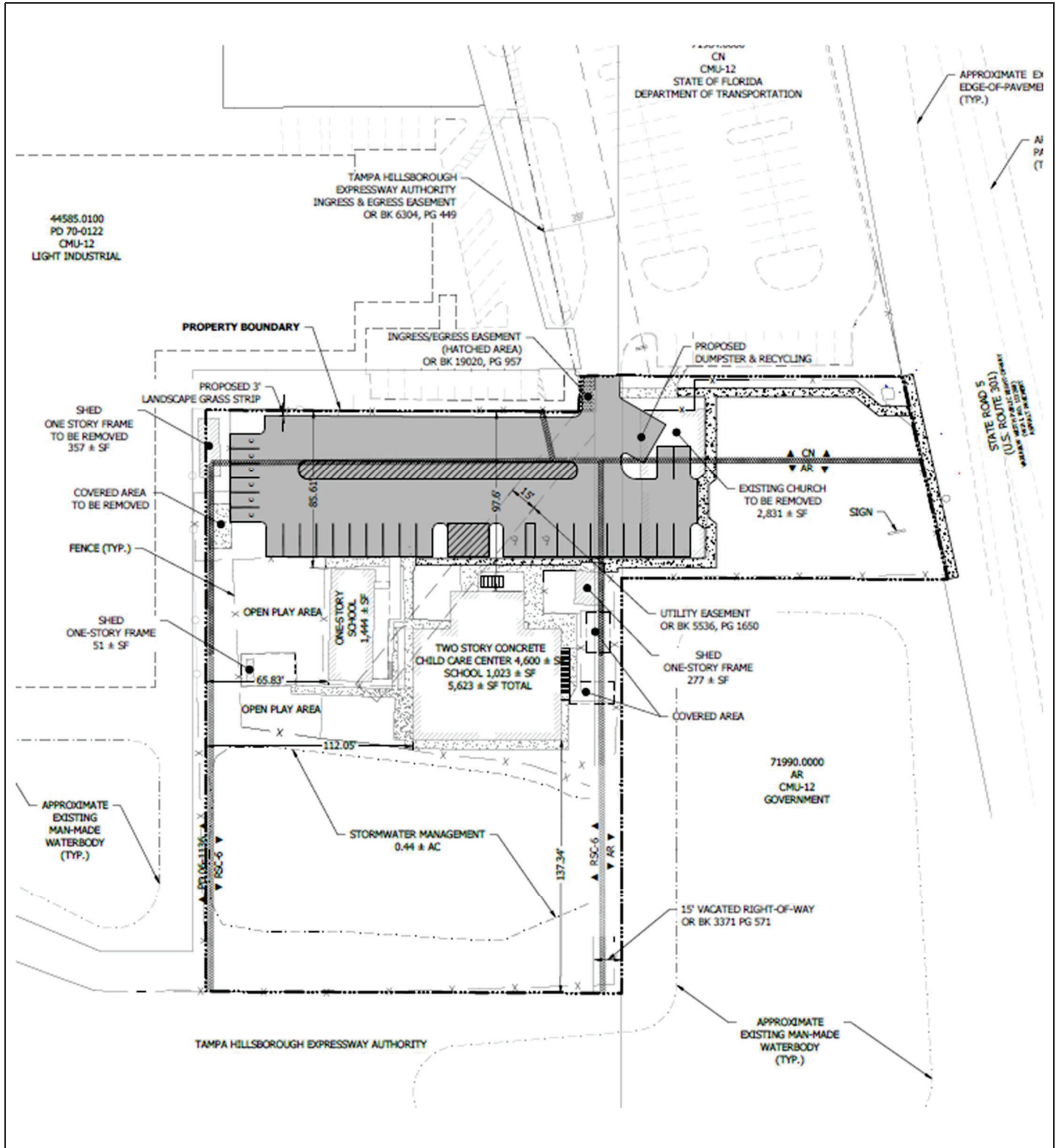
2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



Adjacent Zonings and Uses

Location	Zoning	Maximum Density/FAR Permitted by Zoning District	Allowable Use	Existing Use
North	CN	NA/FAR: 0.2	Limited Retail and Personal Service	Park and Ride Facility (DOT owned)
North & West	PD (06-1136)	NA/FAR: 0.5	Mini Warehouse, Office, & Car Wash	Mini Warehouse, Office, & Car Wash
South	RSC-6	6 DU per GA/FAR: NA	Residential, Single-Family Conventional	Selmon Expressway and State Stormwater
South & East	AR	1 DU per 5 GA/FAR: NA	Agricultural and Residential	US 301 and State Stormwater

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 REQUESTED WAIVERS TO LDC SECTION 6.11.XX (IF APPLICABLE)
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Requested Waiver: Not Applicable	Result

Justification:

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Requested Waiver	Result

Justification:

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4.0 REQUESTED VARIANCES (IF APPLICABLE)			
LDC Section	LDC Requirement	Variance	Result
NA			
*The applicant has provided variance criteria responses with their application. The hearing officer will be required to make a separate decision on each variance in conjunction with the subject Special Use application.			

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

Road Name	Classification	Current Conditions	Select Future Improvements
US 301	FDOT Principal Arterial - Rural	6 Lanes <input type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation ☐ Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	Unknown	Unknown	Unknown
Proposed	492	113	58
Difference (+/-)	Unknown	Unknown	Unknown

*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	X	Vehicular & Pedestrian	None	Meets LDC
South		None	None	Meets LDC
East		Pedestrian	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
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes:		

6.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental				
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Environmental Services	<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 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	
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: <input checked="" type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area	<input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____			
Public Facilities	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Service Area/ Water & Wastewater <input type="checkbox"/> Urban <input checked="" type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Impact/Mobility Fees N/A				
Comprehensive Plan	Comments Received	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 checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

7.0 IMPLEMENTATION RECOMMENDATIONS

7.1 Compatibility

Based on the size and nature of the proposed school and childcare use, the predominance of office and commercial use in the vicinity and the adjacent uses, Staff finds the proposed special use compatible with the area.

7.2 Recommendation

Based on the above, staff recommends approval, subject to conditions.

8.0 PROPOSED CONDITIONS

Approval - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted on March 11, 2025 (Sheet 1 of 3) March 17, 2025 (Sheets 2 & 3 of 3).

1. Development shall be as depicted on the general site plan.
2. The site shall be limited to the following uses:
 - a. A Private School with a maximum enrollment of 72 students in grade levels K-8; and,
 - b. A Child Care Center with a maximum enrollment of 48 students.
3. Total gross floor area may not exceed 7,067 square feet; of which, the child care center area shall not exceed 4,600 square feet.
4. The school use of the property is limited to having up to eight classrooms.
5. The school is required to comply with Section 6.11.88 of the LDC.
6. The child care center is required to comply with Section 6.11.24 of the LDC.
7. All structures shall be located as depicted on the site plan. The church, shed and accessory shade structure located along the western property boundary shall be removed prior to the completion of all site work.
8. Buffering and screening shall be provide as shown on the site plan in accordance with LDC Section 6.06.06 with the exception to 6.06.04.D. The vehicular use area buffer is allowed a five-foot width reduction in accordance with the variance approved under SU-GEN 24-0625.
9. Notwithstanding anything shown on the Special Use (SU) site plan or herein these conditions to the contrary, bicycle and pedestrian access shall be permitted anywhere along the Special Use boundaries.
10. Vehicular access to the site shall occur through folio 71984.0000 via the ingress and egress easement shown on the SU site plan (reference Official records Book 6309, Page 449). No direct vehicular access to US 301 shall be permitted.
11. Construction access to the site shall be restricted to the vehicular access connection shown on the SU site plan and referenced in condition 10, above.
12. Annually, at the beginning of each school year during the fourth week of class, the developer (at its sole expense) shall conduct traffic monitoring to assess the sufficiency of queueing both on-site and off-site at the project access points. Such report shall be submitted to the Hillsborough County Development Service and Public Works Departments. This annual monitoring requirement shall remain in effect for one (1) year beyond the time the total enrollment reaches 72 students. In the event that significant off-site queueing of vehicles at arrival or dismissal times is found, the school shall be required to submit corrective measures, which could include staggered arrival/departure times and/or a revised on-site circulation plan to alleviate off-site queueing. Such revised plan shall be subject to review and approval by Hillsborough County Public Works and the Florida Department of Transportation.
13. General parking and event parking shall be provided in accordance with the Parking Plan (Sheet 2 of 3). Modifications to event parking plans shall be permitted, subject to review and approval of Hillsborough County Public Works.
14. Access management, vehicle queuing, and staff placement shall occur consistent with the Queuing Plan (Sheet of 3 of 3).
15. The private school shall not permit students to be dropped off outside of the school property, including along the property's US 301 road frontage or within adjacent properties (including folio 71984.000, owned by the Florida Department of Transportation).
16. Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed

will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals.

17. The construction and location of any proposed wetland impacts are not approved by this correspondence but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property.
18. Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).
19. Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.

Zoning Administrator Sign Off:

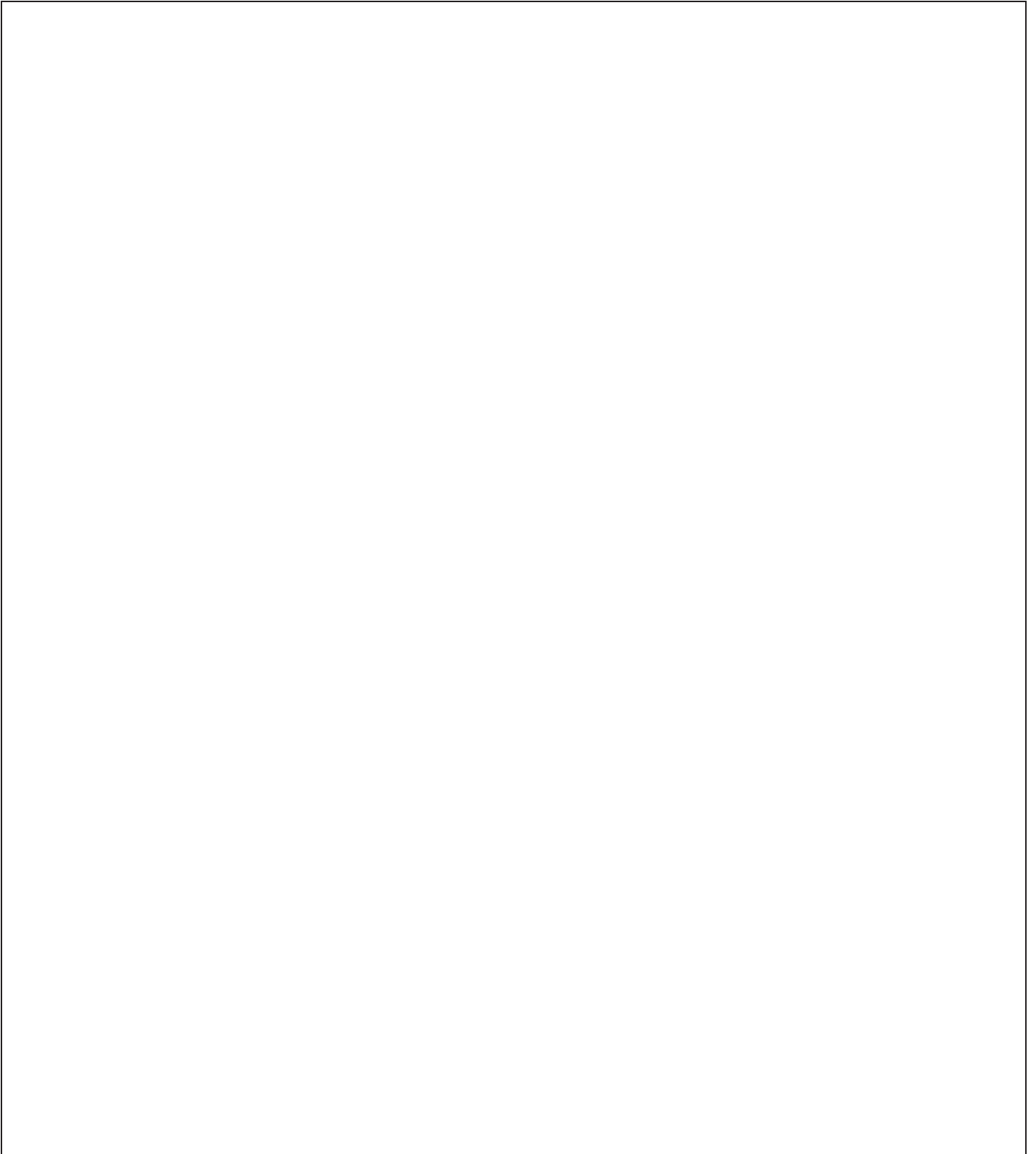


Colleen Marshall
Mon Mar 24 2025 10:26:16

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.

9.0 PROPOSED SITE PLAN (FULL)





**LANDIS EVANS
PARTNERS**
www.landisevans.com

3810 NORTHCALLE BLVD.
SUITE 200
TAMPA, FL 33618
OFFICE: 813-949-7448
FAX: 813-949-7449
PROJECT: 25-0408
PROJECT DESCRIPTION: QUEUING PLAN FOR THE PROPOSED SCHOOL BUILDING AND CHILDCARE CENTER, 1511 S 301 HWY, TAMPA, FL 33619

SITE DATA	
PARCEL NUMBER	25-0519-0831-0302
PROPOSED USES	SCHOOL, PRIVATE ELEMENTARY OR JUNIOR HIGH SCHOOL, CHILDCARE CENTER
MAXIMUM NUMBER OF CLASSROOMS	15
MAXIMUM NUMBER OF SCHOOL STUDENTS	725
MAXIMUM NUMBER OF CHILD CARE CENTER STUDENTS	48
VEHICULAR PARKING	SCHOOL - 118 SPACES PRELIMINARY CHILD CARE CENTER - 31 PER 100 SF SCHOOL - 8 CLASSROOMS * 1.1 SPACES = 15 SPACES CHILDCARE CENTER - (6,000 SFO) * 1.2 SPACES = 72 SPACES
PARKING MATO	22 STANDARD SPACES 6 COMPACT SPACES
PARKING CALCULATION	
TOTAL REQUIRED SPACES	
TOTAL PROVIDED SPACES	
TOTAL BICYCLE SPACES PROVIDED	

QUEUE NOTES:

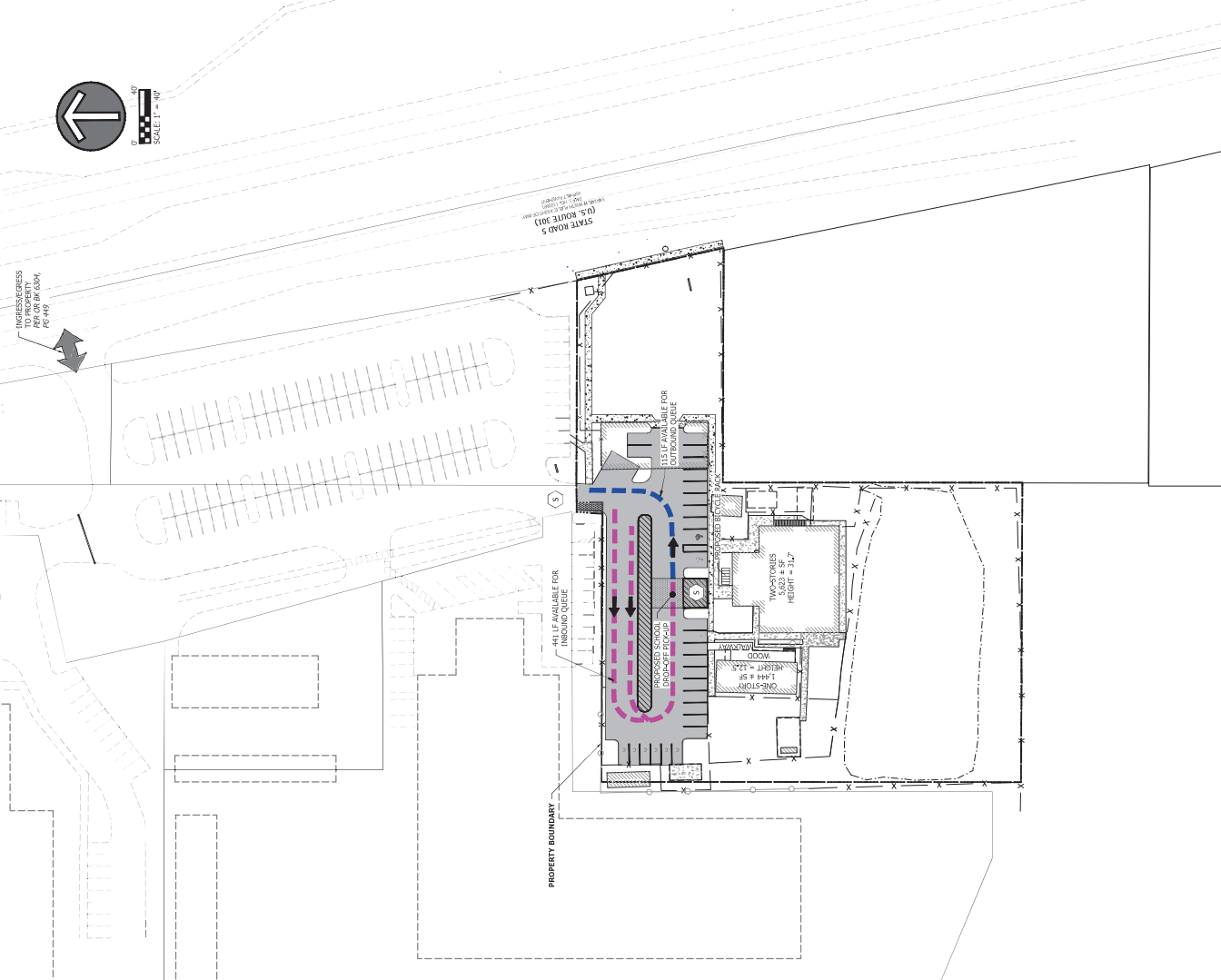
1. THE ARRIVAL / DEPARTURE OF THE CHILD CARE CENTER STUDENTS HAPPENS BETWEEN 6:00 AM & 6:00 PM.
2. THE ARRIVAL / DEPARTURE TIME OF THE SCHOOL IS 8:30 AM / 3:30 PM.
3. NO BUS PICKUP AND/OR DROP OFF IS PROPOSED.
4. PER LDC SEC. 440.13, THE MINIMUM REQUIRED LENGTH FOR ON-SITE VEHICLE CIRCULATION FACILITIES SHALL BE BASED ON THE MAXIMUM PERMITTED STUDENT ENROLLMENT OF THE SCHOOL AND SHALL BE CALCULATED IN ACCORDANCE WITH THE FOLLOWING FORMULA:
$$\text{MINIMUM LENGTH} = \text{MAXIMUM PERMITTED STUDENT ENROLLMENT} \times 0.165' \times \text{AN AVERAGE VEHICLE LENGTH OF 25 FT} \times 1.25$$
5. USING THE FORMULA ABOVE, THE PROJECT'S MINIMUM REQUIRED LENGTH FOR ON-SITE CIRCULATION FACILITIES IS AS FOLLOWS:
$$441 \text{ FT} = 725 \text{ MAXIMUM PERMITTED STUDENT ENROLLMENT} \times 0.165' \times \text{AN AVERAGE VEHICLE LENGTH OF 25 FT} \times 1.25$$
6. THE INBOARD QUEUE (441 FT) MEETS THE MINIMUM REQUIRED LENGTH FOR ON-SITE CIRCULATION FACILITIES (441 FT). SUFFICIENT QUEUE IS PROVIDED.

MONITORING NOTE:

ANNUALLY, AT THE BEGINNING OF EACH SCHOOL YEAR DURING THE FOURTH WEEK OF CLASS, THE DRIVER (OR ITS SALE EXPENSE) SHALL CONTACT TRAFFIC MONITORING TO ACCESS THE SUFFICIENCY OF QUEUING BOTH INBOARD AND OUTBOARD. TRAFFIC MONITORING SHALL BE CONTACTED BY THE PROJECT'S DESIGNER, THE HILLSBOROUGH COUNTY DEVELOPMENT SERVICES AND PUBLIC WORKS DEPARTMENTS. THIS ANNUAL MONITORING REQUIREMENT SHALL REMAIN IN EFFECT FOR 10 YEARS BEYOND THE TIME THE TOTAL ENROLLMENT OF THE SCHOOL IS DETERMINED. IF THE MONITORING DETERMINES THAT THE QUEUING FACILITIES ARE INSUFFICIENT, THE SCHOOL SHALL BE REQUIRED TO SUBMIT CORRECTIVE MEASURES, WHICH COULD INCLUDE NEW OR REVISED STAGGERED ARRIVAL/DEPARTURE TIMES AND/OR A REDESIGN ON-SITE CIRCULATION FACILITIES. THE PROJECT'S DESIGNER SHALL BE REQUIRED TO SUBMIT CORRECTIVE MEASURES AND APPROVAL BY HILLSBOROUGH COUNTY PUBLIC WORKS AND THE FLORIDA DEPARTMENT OF TRANSPORTATION.

LEGEND

- PROPERTY BOUNDARY
- PARCEL LINE
- INBOARD TRAFFIC FLOW
- OUTBOARD TRAFFIC FLOW
- DIRECTIONAL ARROWS SHOWN TO INDICATE FLOW OF QUEUED TRAFFIC ONLY, AND ARE NOT TO BE PAINTED
- STAFF POSITIONED DURING PICK-UP/DROP-OFF TIMES



QUEUING PLAN
SU 25-0408
HARVEST TIME OF TAMPA
1511 S 301 HWY
TAMPA, FL 33619

SHEET NUMBER 3 OF 3	
DATE 2/20/2024	BY JLW
DATE 2/20/2024	BY JLW

10.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 03/21/2025

REVIEWER: James Ratliff, AICP, PTP, Principal Planner

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: PR/ Central

PETITION NO: SU 25-0408

☐

This agency has no comments.

☐

This agency has no objection.

☒

This agency has no objection, subject to the listed or attached conditions.

☐

This agency objects for the reasons set forth below.

CONDITIONS OF APPROVAL

1. Notwithstanding anything shown on the Special Use (SU) site plan or herein these conditions to the contrary, bicycle and pedestrian access shall be permitted anywhere along the Special Use boundaries.
2. Vehicular access to the site shall occur through folio 71984.0000 via the ingress and egress easement shown on the SU site plan (reference Official records Book 6309, Page 449). No direct vehicular access to US 301 shall be permitted.
3. Construction access to the site shall be restricted to the vehicular access connection shown on the SU site plan and referenced in **condition 2**, above.
4. The site shall be limited to the following uses:
 - a. A Private School with a maximum enrollment of 72 students in grade levels K-8; and,
 - b. A Child Care Center with a maximum enrollment of 48 students.
5. Annually, at the beginning of each school year during the fourth week of class, the developer (at its sole expense) shall conduct traffic monitoring to assess the sufficiency of queueing both on-site and off-site at the project access points. Such report shall be submitted to the Hillsborough County Development Service and Public Works Departments. This annual monitoring requirement shall remain in effect for one (1) year beyond the time the total enrollment reaches 72 students. In the event that significant off-site queueing of vehicles at arrival or dismissal times is found, the school shall be required to submit corrective measures, which could include staggered arrival/departure times and/or a revised on-site circulation plan to alleviate off-site queueing. Such revised plan shall be subject to review and approval by Hillsborough County Public Works and the Florida Department of Transportation.
6. General parking and event parking shall be provided in accordance with the Parking Plan (Sheet 2 of 3). Modifications to event parking plans shall be permitted, subject to review and approval of Hillsborough County Public Works.
7. Access management, vehicle queuing, and staff placement shall occur consistent with the Queuing Plan (Sheet of 3 of 3).

8. The private school shall not permit students to be dropped off outside of the school property, including along the property's US 301 road frontage or within adjacent properties (including folio 71984.000, owned by the Florida Department of Transportation).

Other Conditions

- The applicant shall submit a PDF with a single three sheet plan set prior to the hearing, consisting of the Sheet 1 of 3 site plan (dated and received 3/17/2025) with a transmittal cover sheet dated 3/11/2025, and the Sheets 2 and 3 plan set (dated and received 3/17/2025) and also with a transmittal cover sheet dated 3/11/2025 but which was separately uploaded to Optix.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting a Special Use (SU) approval on a +/- 1.93 ac. parcel, zoned Residential Single-Family Conventional – 6 with a Mobile Home Overlay (RSC-6/MH), Agricultural Rural (AR), and Commercial Neighborhood (CN).

The applicant submitted a trip generation letter as required by staff. A formal site access analysis was not required given that 100% of project traffic was coming in via the existing right-in/right-out driveway connection to US 301, nor is staff aware of any such analysis being required or otherwise requested by FDOT. Given the uncertainty in existing approved uses, staff was unable to provide a comparison in the maximum trip generation potential of the site before and after this SU should it be approved. Staff has prepared the below calculation of the trips generated under the proposed SU approval. Data presented below is based on the Institute of Transportation Engineer's Trip Generation Manual, 11th Edition.

Proposed Uses:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
72 Student Private K-8 School (LUC 530)	296	73	19
48 Student Child Care Center (LUC 565)	196	40	39
Total:	492	113	58

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

US 301. is a 6-lane, divided, publicly maintained (by FDOT), principal arterial roadway. The roadway is characterized by +/- 12-foot-wide travel lanes in above average condition. According to the County's GIS roadway inventory, the roadway lies within a +/- 262-foot-wide right-of-way. There are +/- 5-foot-wide sidewalks along portions of the east and west sides of the roadway in the vicinity of the proposed project. There are no bicycle facilities present on US 301 in the vicinity of the proposed project.

SITE ACCESS AND CONNECTIVITY

Access to the site is to/from US 301 and is proposed through an adjacent parcel owned by FDOT (folio 71984.0000), and which has been used in the past (and is intended to be used again in the future) as a park and ride facility by HART. The site area incorporates areas which were previously road right-of-way but have been subsequently vacated.

QUEUING, CIRCULATION AND EVENT PARKING

The applicant submitted a traffic circulation and queueing plan (Sheet 3 of 3) to illustrate the flow of traffic during drop off and pick up for the school students. This plan meets Section 6.03.13.B. requirements for minimum queueing and stacking during the drop off and pickup period. The plan also shows the location of staff monitoring and managing traffic flow and the pick-ups and drop-offs of students. Staff has built

flexibility into the condition to allow this sheet to be modified (subject to review and approval of Public Works Traffic Operations staff) in the event that adjustments are needed to avoid offsite queuing impacts.

As required pursuant to Section 6.03.13.C. of the LDC, the applicant has submitted a Parking Plan, which includes the Event Parking Plan required by the LDC (see Sheet 2 of 3), and which demonstrates how extracurricular event parking will be accommodated within the site. Staff has built similar flexibility into this plan (subject to review and approval of Public Works Traffic Operations staff), should modifications be needed to avoid offsite impacts during special events.

Staff notes that the queuing and parking has been configured such that the Child Care Center uses can operate independently of the private school use, with parking spaces designated to the Child Care Center in locations which will not be impacted or otherwise made inaccessible due to vehicle queuing before/during drop-off and pick-up timeframes.

TRANSIT FACILITIES

Transit facilities are not required for the proposed project, consistent with Sections 6.02.17 and 6.03.09 of the Hillsborough County Land Development Code.

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
US 301	FDOT Principal Arterial - Rural	6 Lanes <input type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	Unknown	Unknown	Unknown
Proposed	492	113	58
Difference (+/-)	Unknown	Unknown	Unknown

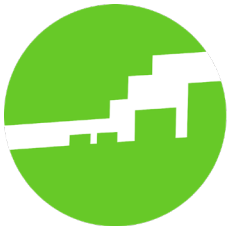
*Trips reported are based on net new external trips unless otherwise noted.

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

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

Transportation Comment Sheet

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



**Hillsborough County
City-County
Planning Commission**

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

Unincorporated Hillsborough County Special Use Consistency Review	
Hearing Date: March 31, 2025 Report Prepared: March 11, 2025	Case Number: SU 25-0408 Folio(s): 44586.0000 General Location: North of the Selmon Expressway and west of South US Highway 301
Comprehensive Plan Finding	CONSISTENT
Adopted Future Land Use	Community Mixed Use-12 (12 du/ga; 0.50 FAR)
Service Area	Urban
Community Plan(s)	Greater Palm River
Special Use Request	Special Use (SU) to allow a private K-8 school and childcare center
Parcel Size	2.07 ± acres
Street Functional Classification	Selmon Expressway – State Principal Arterial South US Highway 301 – State Principal Arterial
Commercial Locational Criteria	Not applicable
Evacuation Area	D

Table 1: COMPARISON OF SURROUNDING PROPERTIES			
Vicinity	Future Land Use Designation	Zoning	Existing Land Use
Subject Property	Community Mixed Use-12	RSC-6 + AR	Public/Quasi-Public/Institutions
North	Community Mixed Use-12 + Urban Mixed Use-20	PD + CN + CG + AR	Light Industrial + Light Commercial
South	Community Mixed Use-12 + Urban Mixed Use-20	AR + PD + RSC-6	Public/Quasi-Public/Institutions + Vacant Land
East	Urban Mixed Use-20 + Regional Mixed Use-35	PD	Light Commercial + Multi-Family Residential
West	Community Mixed Use-12 + Residential-9	PD + RSC-9	Light Industrial + Single Family Residential + Public/Quasi-Public/Institutions

Staff Analysis of Goals, Objectives and Policies:

The 2.07 ± acre subject site is located north of the Selmon Expressway and west of South US Highway 301. The site is in the Urban Service Area and is located within the limits of the Greater Palm River Community Plan. The applicant is requesting a Special Use to allow a private K-8 school and childcare center. According to the revised request, which was uploaded into Optix on January 29, 2025, the bottom floor of the 5,623 square foot building will be utilized for childcare. The top floor will be utilized for eight classrooms for the K-8 school. The modular building that is west of the large building is used for voluntary prekindergarten education (VPK) in the morning, school lunches after that, then childcare.

The subject site is in the Urban Service Area where, according to Objective 1.1 of the Future Land Use Section (FLUS), 80 percent of the county's growth is to be directed. Policy 3.1.3 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." There is currently a church on the property as a public/quasi-public/institutional use. Public/quasi-public/institutional uses are directly east as well. Light industrial uses are west and north of the subject site. There are light commercial uses to the north and east. Multi-family uses are to the east across South US Highway 301 while single-family uses are to the west across the Selmon Expressway. The proposal for a private K-8 school and a childcare center meets the intent of Objective 1.1.

Per Objective 2.2, Future Land Use categories outline the maximum level of intensity or density and range of permitted land uses allowed in each category. Appendix A contains a description of the character and intent permitted in each of the Future Land use categories. The site is in the Community Mixed Use-12 (CMU-12) Future Land Use category. The CMU-12 Future Land Use category allows for the consideration

of agricultural, residential, commercial, office uses, research corporate park uses, light industrial multi-purpose and clustered residential and/or mixed-use projects. As the language states above, residential uses are allowed. Objective 4.6 states that neighborhood serving uses, specifically residential support uses, are allowed in residential neighborhoods. A school is considered a residential support use; therefore, the proposal meets Objective 2.2, Objective 4.6 and the associated policies.

The Comprehensive Plan requires that all development meet or exceed the land development regulations in Hillsborough County (FLUS Objective 4.1, FLUS Policy 4.1.1 and FLUS Policy 4.1.2). However, at the time of uploading this report, Transportation comments were not yet available in Optix and thus were not taken into consideration for analysis of this request.

The proposal meets the intent of FLUS Objective 4.4 and FLUS Policy 4.4.1 that require new development to be compatible to the surrounding neighborhood. In this case, the surrounding land use pattern is comprised of mixed uses. Public/quasi-public/institution, light commercial, light industrial and multi-family uses are in the immediate area. The proposed request will complement the area as well as the surrounding neighborhoods to the east across South US Highway 301 and to the west across the Selmon Expressways.

The site is within the limits of the Greater Palm River Community Plan. Strategy 7 under Goal 4 of the plan states that as development and redevelopment occurs, the utilization of co-location practices with schools, recreation and other public service sites to provide multi-use activities is highly encouraged. The proposed private K-8 school and childcare center will supplement and amplify the Greater Palm River community and surrounding area.

Overall, staff finds that the proposed use is an allowable use in the CMU-12 category, is compatible with the existing development pattern found within the surrounding area and does support the vision of the Greater Palm River Community Plan. The proposed Special Use would allow for development that is consistent with the Goals, Objectives, and Policies of the Future Land Use Element of the *Unincorporated Hillsborough County Comprehensive Plan*.

Recommendation

Based upon the above considerations and the following Goals, Objectives and Policies, Planning Commission staff finds the proposed Special Use **CONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*.

Staff Identified Goals, Objectives and Policies of the *Unincorporated Hillsborough County Comprehensive Plan* Related to the Request:

FUTURE LAND USE SECTION

Urban Service Area

Objective 1.1: 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 3.1.3: 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 2.2: The Future Land Use Map (FLUM) shall identify Land Use Categories summarized in the table below, that establish permitted land uses and maximum densities and intensities.

Policy 2.2.1: 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 4.1: 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 4.1.1: 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 4.1.2: 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 4.4: 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 4.4.1: 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

Objective 4.6: Neighborhood and Community Serving Uses

Certain non-residential land uses, including but not limited to residential support uses and public facilities, shall be allowed within residential neighborhoods to directly serve the population. These uses shall be located and designed in a manner to be compatible to the surrounding residential development pattern.

Policy 4.6.1: *Residential support uses (child care centers, adult care centers, churches, etc.) is an allowable land use in any of the residential, commercial and industrial land use plan categories. The facility shall be of a design, intensity and scale to serve the surrounding neighborhood or the non-residential development in which it occurs, and to be compatible with the surrounding land uses and zoning.*

LIVABLE COMMUNITIES ELEMENT: GREATER PALM RIVER COMMUNITY PLAN**Goal 4: Foster Community Character and Identity**

The community desires to preserve, enhance, and celebrate the unique cultural and historical attributes of the community, fostering a sense of identity and high quality of life.

7. As development and redevelopment occurs, the utilization of co-location practices with schools, recreation, and other public service sites to provide multi-use activities is highly encouraged.

HILLSBOROUGH COUNTY FUTURE LAND USE

RZ SU 25-0408

Rezonings

<all other values>

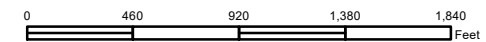
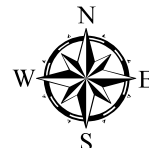
STATUS

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

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

- wam.NATURAL.LULC_Wet_Poly
- AGRICULTURAL/MINING-1/20 (.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 (.75 FAR)
- RESEARCH CORPORATE PARK (1.0 FAR)
- ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)
- LIGHT INDUSTRIAL PLANNED (.75 FAR)
- LIGHT INDUSTRIAL (.75 FAR)
- HEAVY INDUSTRIAL (.75 FAR)
- PUBLIC/QUASI-PUBLIC
- NATURAL PRESERVATION
- WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE

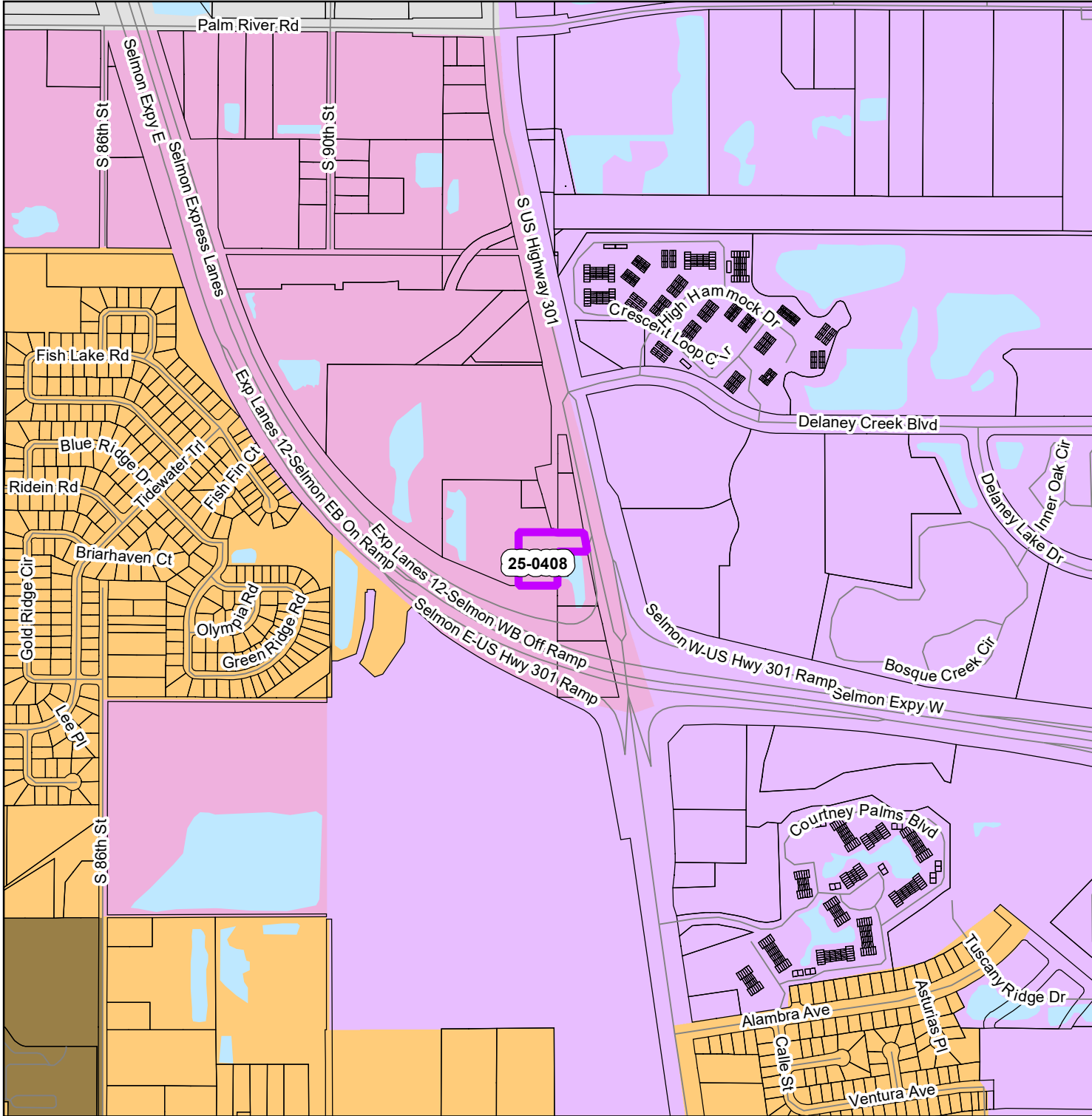
DATA SOURCES: Rezoning boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser.
REPRODUCTION: This sheet may not be reproduced in part or full for sale to anyone without specific approval of the Hillsborough County City-County Planning Commission.
ACCURACY: It is intended that the accuracy of the base map comply with U.S. national map accuracy standards. However, such accuracy is not guaranteed by the Hillsborough County City-County Planning Commission. This map is for illustrative purposes only. For the most current data and information, see the appropriate source.



Map Printed from Rezoning System: 1/29/2025

Author: Beverly F. Daniels

File: G:\RezoningSystem\MapProjects\H\Greg_hcRezoning - Copy.mxd



FAST TRACK REVIEW REQUESTED

NARRATIVE

On January 10, 2025, the Honorable Hillsborough County Land Use Hearing Officer denied Special Use application SU-GEN 24-0625 to operate a 1.) Church, 2.) Private K-8 School, and 3.) Childcare Center at 1511 S. US Hwy. 301. *See Exhibit A.* The Hearing Officer found that the subject property's proposed use was compatible with the geographic area, the Hearing Officer concluded that the applicant failed to demonstrate compliance with applicable parking and vehicular standards. *Id.* at ¶¶18-19.

REQUEST

Applicant has revised its proposal in response to concerns raised by staff and the Hearing Officer, and now reapplies for special use approval for the *only* the following:

- Private K-8 School, and
- Childcare Center.

The bottom floor of the 5,623 SF building will be utilized for childcare. The top floor will be utilized for eight classrooms of K-8 school. The modular building west of the large building is used for voluntary prekindergarten education (VPK) in the morning, school lunches after that, then aftercare.

The changes to the plan are as follows:

1. *Expansion and restriping of parking area.*

On October 9, 2024, while SU-GEN 24-0625 was pending, Hurricane Milton's powerful winds damaged an existing structure in the eastern area of the site. The Applicant is electing to demolish that building to expand its existing parking area eastward. Additionally, applicant proposes to maximize its onsite parking by utilizing compact spaces and bicycle parking. Using the LDC parking ratios, Applicant's proposed mixture of uses generates a minimum parking demand of 28 parking spaces. All of these uses may now be established onsite.

2. *Abandon church land use.*

Applicant no longer pursues special use approval for public worship services.

3. *Provide pedestrian connectivity.*

Applicant proposes to provide sidewalk from its property to the eastern boundary of its property to connect to future sidewalk installations along US Highway 301. According to communications from FDOT, this area is a "Limited Access Area" due to its proximity to the Crosstown onramp and sidewalk construction is subject to heightened scrutiny. The Applicant is willing to construct sidewalk along its frontage if it is ultimately allowed by the state. *See Exhibit B.*

Note the school building was constructed in 1990. Hillsborough County staff has been unable to locate permitting records on its microfilm.

Public Records

2024-12-18 08:36:55 • Additional comments

Good morning,

Thank you for contacting Hillsborough County.

After review of the request, there were no documents found on microfilm for the requested address of 1511 S 301 Hwy.

Thank you,

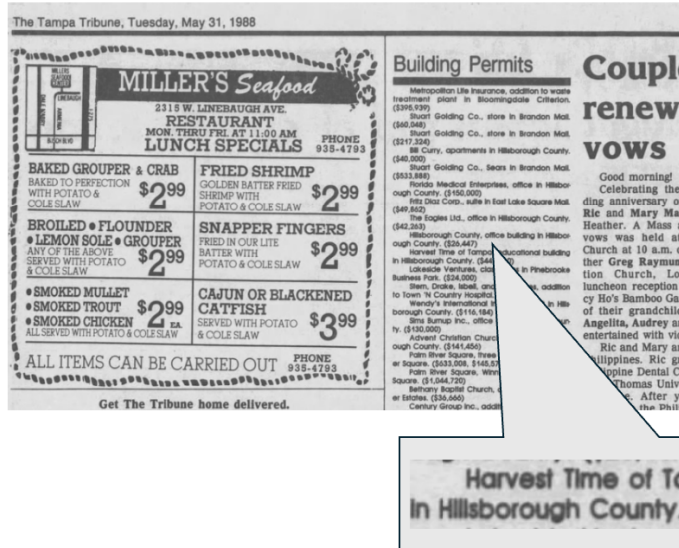
Tiffany Bowman

However, Florida’s Southwest Water Management District’s database reflects substantial activity in the late 1980s for the building’s construction (ERP Permit 3247.0000).

ERP Permit: 3247.000 (App: 10091)

General	Tracking	Location	Map	Fee	Condition Tracking	Construction	Documents	Noticing
Not all file of record information is displayed here. The information that is not displayed may be in draft status or has been deemed "exempt" from public view and copying using this online viewing tool. Access to redacted versions of this information (appropriate service office or by contacting the District at 352-754-3456 or 1-800-423-1476 (FL only) ext. 5678. Florida Statute 119 requires the District to state the basis for any claimed exemption. A detailed explanation and the specific statutory ex phone numbers provided above.								
Doc	Document Type	Date	Download					
	Compliance Package	12/23/1991 12:00:00 PM						
	Plans	5/10/1988 12:00:00 PM						
	Agency Action Package	5/10/1988 12:00:00 PM						
	Review Package	4/19/1988 12:00:00 PM						
	Aerials	4/12/1988 12:00:00 PM						
	Application Package	4/12/1988 12:00:00 PM						

On May 31, 1988, the Tampa Tribune also reported that Applicant Harvest Time of Tampa had obtained a building permit to construct “[an] educational building in Hillsborough County” valued at \$441,660.00.



Contemporaneous reporting from the Tampa Tribune indicates that the building was 5,600 SF in size and was being permitted as a school and day-care center.

Substantial evidence indicates that Applicant's educational building was lawfully permitted between 1988 and 1990 in accordance with contemporaneous standards. Applicant respectfully asks the County acknowledge the facilities trip generation as lawful "Existing Trips," and that that the application generates a net zero of new trips, in lieu of requiring the substantial financial expense of a full traffic study.

**COUNTY OF HILLSBOROUGH
RECOMMENDATION OF THE LAND USE HEARING
OFFICER**

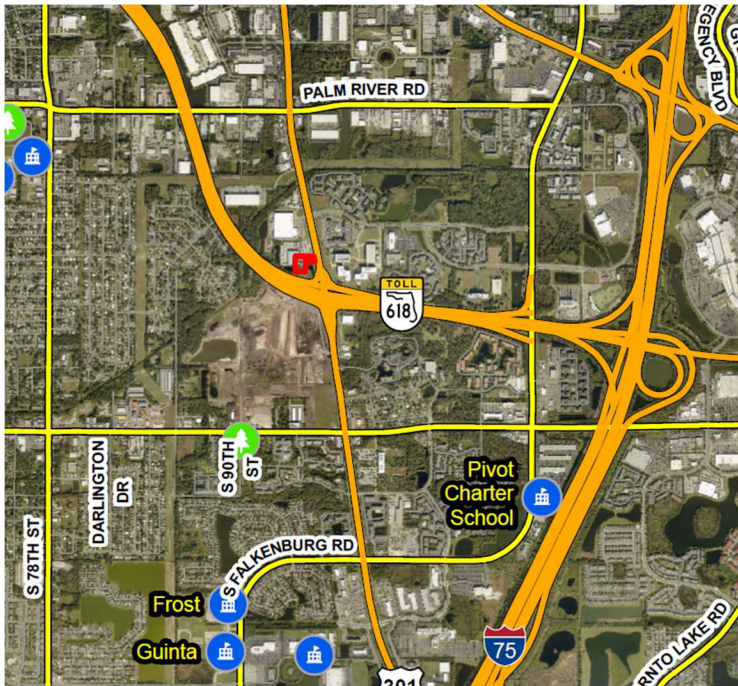
APPLICATION NUMBER:	SU-GEN 24-0625
DATE OF HEARING:	December 17, 2024
APPLICANT:	Harvest Time of Tampa, Inc.
PETITION REQUEST:	The request is for a Special Use Permit for an existing church with 122 seats, private school grades K-8 with up to 8 classrooms and 65 students and a 5,623 square foot child care center with up to 55 children. The application also requests variances to the required vehicular use area buffer and setback requirement.
LOCATION:	1511 South US Hwy. 301
EXISTING ZONING DISTRICT:	PD 06-1136, CN, RSC-6 and AR
FUTURE LAND USE CATEGORY:	CMU-12
SERVICE AREA:	Urban

EXHIBIT A

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: Harvest Time of Tampa
Zoning: RSC-6, CN, AR
FLU Category: CMU-12
Service Area: Tampa
Site Acreage: 2.1 acres

Community Plan Area: Greater Palm River

Overlay: None

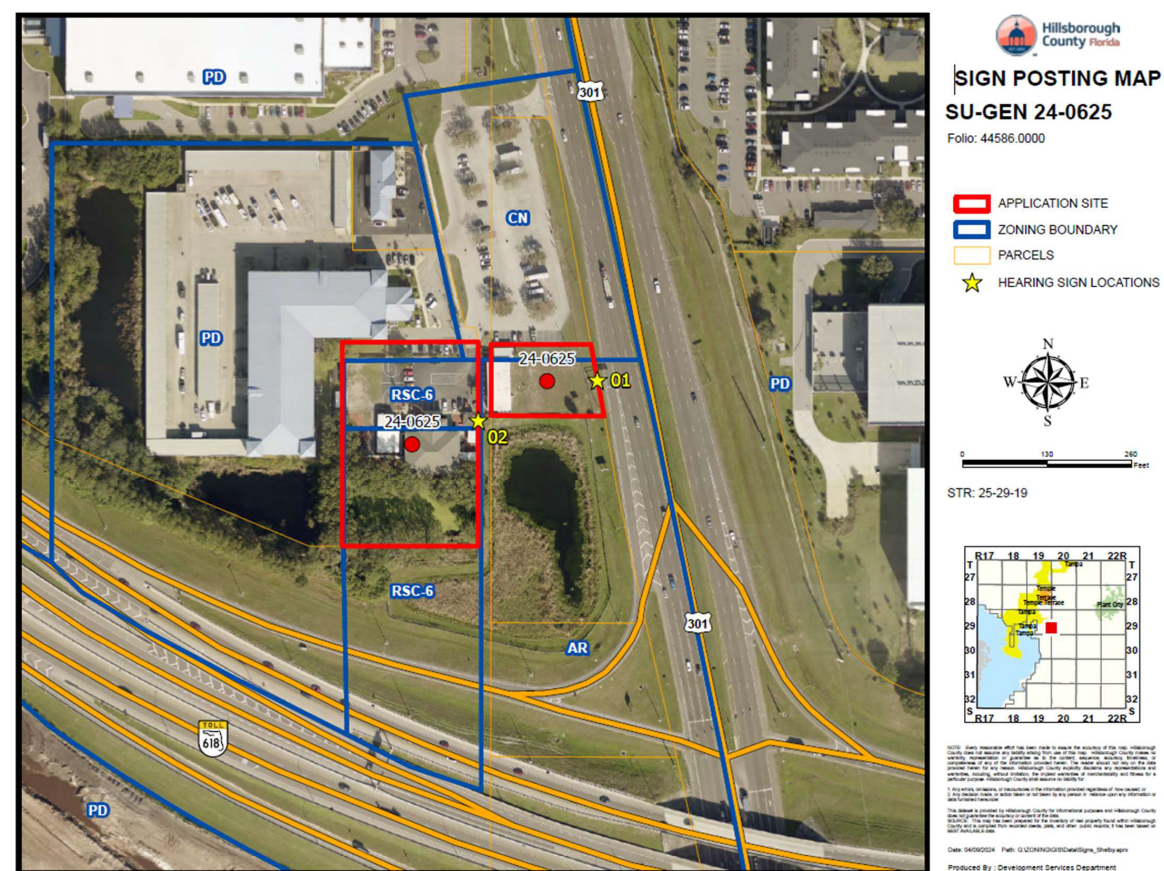
Special District: None

Request: Special Use Permit for Church, Private K-8 School, and Childcare Center

The subject property abuts a section of US 301 developed for mixed use to the east and the Selmon Expressway to the south. The predominant land uses in the immediate vicinity are a mini warehouse, car wash, a park-and-ride lot, and a Goodwill retail, donations, and distribution center to the north; a USAA corporate campus and multi-family developments located to the east of US 301; and the properties to the south of the Selmon Expressway are developed for a warehouse and distribution facility and a mini warehouse facility.

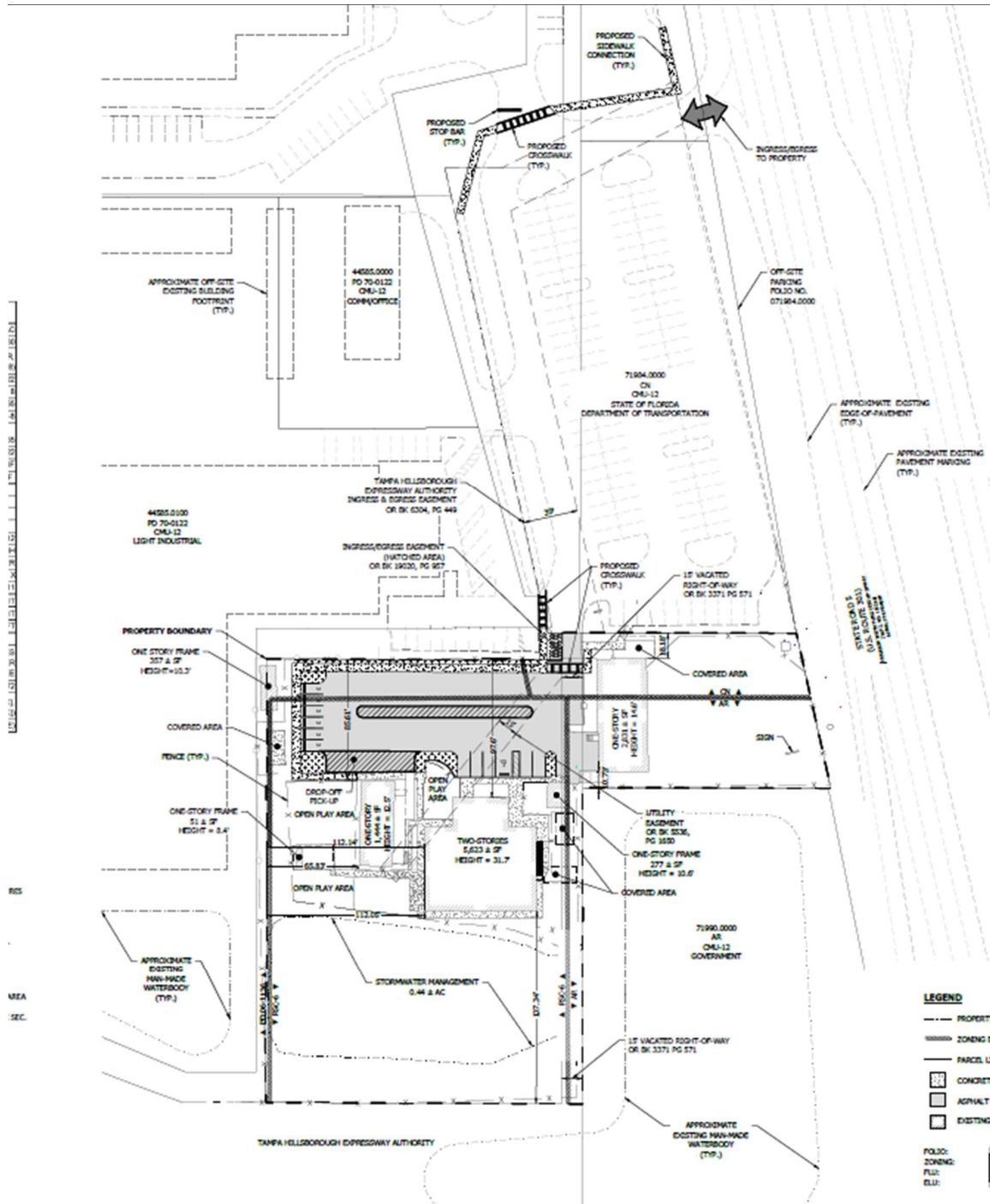
[illegible]

Subject Site Future Land Use Category	Community Mixed Use (CMU-12)
Maximum Density/FAR	DU per GA: 12/FAR: 0.5
Typical Uses	Residential, community scale retail commercial, office, research corporate park, light industrial multi-purpose, clustered residential, and mixed use.



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 REQUESTED WAIVERS TO LDC SECTION 6.11.XX (IF APPLICABLE)

Requested Waiver: Not Applicable

4.0 REQUESTED VARIANCES (IF APPLICABLE)

LDC Section LDC Requirement Variance Result			
6.01.01	A 25-foot side yard setback on AR zoned property.	Reduce required south-side setback by 14.27 feet from the adjoining the property having folio number 71990.0000.	10.73' setback from south property line adjoining the property having folio number 71990.0000.
6.06.04.D	A driveway into a parking area shall be bordered by a landscaped buffer a minimum of eight feet in width [with 1 tree provided per 40 lineal feet].	Reduce the vehicular use area buffer by 5-feet and waive tree planting requirements.	A 3-foot-wide vehicular use area buffer with no screening.

*The applicant has provided variance criteria responses with their application. The hearing officer will be required to make a separate decision on each variance in conjunction with the subject Special Use application.

5.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 9.0 OF STAFF REPORT)

6.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

Conservation & Environ. Lands Mgmt.

Comments Received

☐ Yes ☒ No

Conditions Requested

☐ Yes ☒ No

Environmental Services

Check if Applicable:

☐ Wetlands/Other Surface Waters

☐ Use of Environmentally Sensitive Land Credit

☐ Wellhead Protection Area

☐ Surface Water Resource Protection Area

☐ Potable Water Wellfield Protection Area ☐ Significant Wildlife Habitat

☐ Coastal High Hazard Area

☐ Urban/Suburban/Rural Scenic Corridor ☐ Adjacent to ELAPP property

Public Facilities:

Objections: Transportation

Conditions were not provided due to a sufficient and supportable application not having been received.

☐ Design Exc./Adm. Variance Requested ☐ Off-site Improvements Provided

Service Area/ Water & Wastewater

☐ Urban ☒ City of Tampa

☐ Rural ☐ City of Temple Terrace

Hillsborough County School Board

Adequate ☐ K-5 ☐ 6-8 ☐ 9-12 ☒ N/A Inadequate ☐ K-5 ☐ 6-8 ☐ 9-12 ☒ N/A

Impact/Mobility Fees N/A

7.0 IMPLEMENTATION RECOMMENDATIONS

7.1 Compatibility

The application and development plans show that the school and church could comply with the special use requirements within Part 6.11.00 of the LDC during site plan review. Based on the zoning and development pattern in the area, staff finds the proposed uses compatible with the surrounding area. However, because off-site parking would not be in full compliance with the LDC due to perpetual easement requirements, only 12 of the 68 minimum required parking spaces would comply with the LDC. The application indicates that uses have 22

employees, which could not be accommodated if the current off-site parking agreement is nullified.

Parking Calculations: the parking calculations on the site plan and queueing plan are incorrect. As shown below, the proposed on-site parking does not meet the minimum requirements for any of the proposed uses. The table below is a summary of the minimum number of spaces required for each use.

Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input 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	

Additionally, County Transportation Staff were unable to fully evaluate the proposed plans for compliance with the DPRM and LDC. The application fails to include or demonstrate: a trip generation and site access analysis; neither the application nor County records show that the site was ever reviewed for transportation impacts or requirements to allow the school and childcare uses, the application does not include a letter of a no objection or approval from the Department of Transportation (DOT); the application did not include all the plan sheets required by Transportation Staff, a separate site, circulation and queueing, and parking/special event plan; an alternative parking plan to allow for 50% of the on-site parking spaces to be designated as compact spaces; the proposed plan does not show compliance with minimum ADA parking standards; pedestrian access to US 301 is insufficient and may not be permitted due to DOT ownership; and several deficiencies to permit off-site parking remain unresolved.

Furthermore, although evidence provided by the applicants supports a finding that the church and school uses existed on the property prior to July 26, 1989, County records do not support a finding that the school and childcare uses were legally established. Consequently, the childcare and school uses could not be approved as legal nonconforming without supporting documentation.

7.2 Recommendation

Based on the above, staff is unable to support the application and recommends denial of the special use application.

SUMMARY OF HEARING

This Cause came on for hearing before the Hillsborough County Land Use Hearing Officer on December 17, 2024. Ms. Colleen Marshall of the Hillsborough County Development Services Department introduced the Petition.

Mr. Colin Rice 1000 West Cass Street testified on behalf of the applicant Harvest Time, Inc. Mr. Rice showed graphics to begin his presentation. He introduced Ms. Margaret Tessone who would be able to assist with technical questions regarding the site plan or other related issues. He testified that the Harvest Time church acquired the subject property in 1971 and stated that since 1978, have been operating continuously as a church, child care center and school. Mr. Rice stated that the request today was to formalize those uses. He added that there are no changes proposed to the use, no new structures are proposed and that there is no request to increase the intensity. The request is for a declaration of rights. The Special Use process is the appropriate vehicle for the request. Mr. Rice testified that there are three core concepts that need to be kept in mind when considering the Special Use application. First, that the site is weird with weird access. The current access is the result of a government taking when US Highway 301 was expanded in 1980. Second, the State of Florida owns the large parking area north of the Harvest Time property. Mr. Rice stated that as a matter of law, state property is not subject to local zoning regulations. Harvest Time has an agreement for parking on the property. Third, the proposed use is the same as the existing use and there are no new impacts. He stated that conditions beyond what can be reasonably accommodated would be unlawful government exactions.

Mr. Rice showed an aerial photo to discuss the current Harvest Time site and historical context. He identified the location of the property between the Selmon Expressway and US Highway 301 in the Palm River area. He detailed the applicable zoning districts and surrounding land uses. Mr. Rice discussed the Harvest Time site plan and stated that there is a two-story building on-site which was built in 1990 after a fire destroyed the original building. A modular structure hosts the church services. He testified regarding the queuing and parking plans. Ms. Tessone of the applicant's team prepared the school drop off/pick up area plan for optimal queuing given the site's constraints. Mr. Rice then showed graphics including newspaper articles relating to the history of the Harvest Time site. He stated that FDOT is a state agency that owns the parking area. The agreement between FDOT and Harvest Time will remain as is.

Hearing Officer Finch asked Mr. Rice what agreement is currently in place. Mr. Rice replied that there is a 1987 parking agreement between FDOT and the church to provide for parking associated with the uses on-site. Hearing Officer Finch asked if the agreement provides for the church, school and child care center. Mr. Rice replied that there is confusion about the reference to the church

use but that the church, school and child care center had been in operation for 9 years prior to the agreement.

Mr. Rice continued with his presentation and stated that the applicant went to a significant effort to bring queuing and parking on-site and that the proposal is better than the existing. Parking is proposed on-site in compliance with compact and ADA standards. He stated that to the extent within the applicant's control, site queuing and circulation will adhere to the prevailing safety standards as determined by the administrator. The parking is unique as it is through a private agreement with the State.

Hearing Officer Finch asked Mr. Rice if the agreement has a sunset provision or is it in perpetuity. Mr. Rice replied that its ongoing and can be terminated by operation of notice by either party.

Mr. Rice concluded his presentation by stating that there are two variance requests submitted regarding the queuing area and a rear yard setback. He stated that the site is weird due to a governmental taking, that the State owns the parking area and is immune to County regulation. An agreement provides for parking and that there are over 100 parking spaces. He referred to an Attorney General opinion. The use is the same as the existing use and that unreasonable conditions constitute unlawful exactions. He added that the site is safe and referenced crime and crash research that show no issues on-site.

Hearing Officer Finch asked Mr. Rice how the Special Use application came about if the applicant was not asking for any changes. Mr. Rice replied that there is some uncertainty about the site. He added that it has been operating for 46 years but a clear declaration of rights is needed for marketable title and for regulatory agencies.

Hearing Officer Finch asked Mr. Rice about the Special Use application and the box checked yes regarding a Code Enforcement violation. Mr. Rice replied that he would double check and added that the last time he checked, he did not see any violations. Mr. Rice stated that he would review the issue and respond at rebuttal.

Hearing Officer Finch asked Mr. Rice why the applicant did not try to establish their rights through the legal non-conforming process if he could document the use back to 1978. She also asked about the fire in the 1990's and if a building permit was obtained to reconstruct the church. Mr. Rice replied that he feels confident that there is more than ample evidence to establish a non-conforming use. He stated that in discussions with County staff, collectively it was decided to pursue a Special Use. He stated that the issue is not the use but rather the parking and setbacks.

Hearing Officer Finch asked Mr. Rice about the County's transportation section opposing the Special Use application based on the lack of information and data not submitted to them for review. She asked Mr. Rice why he hasn't addressed their concerns and provide them the requested information. Mr. Rice replied that he can't because the applicant does not own the parking property but rather it is owned by the State of Florida. He stated that it is not possible and as a matter of law, cannot be compelled by the applicant or the County. He added that no new impacts are proposed and the use is existing.

Hearing Officer Finch asked Mr. Rice to confirm that while it appears that both planning staffs support a church, school and child care center on-site, the County's transportation review section opposition based upon the lack of information is the sticking issue and that his client is unable to provide transportation the requested information because they do not own the property where the majority of the parking is located. Mr. Rice replied that it is not the lack of information but rather that there are no new vehicular trips proposed.

Mr. Rice concluded his presentation by submitting documents into the record.

Mr. Sam Ball of the Development Services staff testified regarding the County staff report. Mr. Ball stated that the request is for a Special Use permit for an existing church with 122 seats, a private school grades K-8 with up to 8 classrooms and 65 students and a 5,623 square foot child care center for up to 55 children. A variance is requested to the vehicular use area buffer and also a setback variance is requested. Mr. Ball detailed that applicable zoning districts and the variance requests as stated in the staff report. He testified that the existing church, school and child care center is compatible with the surrounding area. He added that the off-site parking does not comply with the Land Development Code due to the lack of a perpetual easement. Only 12 of the required 68 parking spaces are located on-site and the existing use has 22 employees. Mr. Ball stated that the County transportation staff is unable to fully review the application as the applicant did not submit a trip generation site analysis nor information regarding standards pertaining to ADA parking, circulation queuing and special event parking as well as pedestrian access. He stated that the applicant did not submit a letter of no objection from FDOT. He testified that the application and County records do not show that the site was ever reviewed for transportation impacts or requirements to allow the school and child care use. He concluded his presentation by stating that the evidence submitted by the applicant supports a finding that the church and school existed on-site prior to July 26, 1989 (the adoption date of the Comprehensive Plan) but County records do not support a finding that the school and child care center were legally established therefore they could not be approved as legal non-conforming uses without additional documentation. Therefore, Development Services Department staff is recommending denial of the Special Use application.

Hearing Officer Finch asked Mr. Ball about Land Development Code Section 6.05.02.D regarding off-street parking and the staff report's mention that the off-site parking does not comply due to the perpetual easement requirements. Mr. Ball replied that the easement has to be recorded and permanent. Hearing Officer Finch asked Mr. Ball if it was his position that the Agreement between the State and the church is not a recorded easement. Mr. Ball replied that the Code requires an easement and there is not an easement in this circumstance. He added that the Agreement is not recorded.

Hearing Officer Finch asked Mr. Ball about the Code provision regarding that off-street parking be provided on property zoned for parking. Mr. Ball confirmed that the off-street parking lot is zoned CN and permits off-street parking.

Hearing Officer Finch asked Mr. Ball to confirm that the County had not been provided sufficient evidence to confirm that the use and/or characteristics were non-conforming. Mr. Ball replied that was correct.

Hearing Officer Finch asked Mr. James Ratliff of the County's transportation and review section to provide comments regarding the Special Use application. Mr. Ratliff testified that previously the applicant proposed queuing on the FDOT property but that has since been amended therefore staff is not taking the position that the FDOT property needs to be included. Regarding the parking Agreement, while the applicant's representative has stated that the County can't compel the State, Mr. Ratliff testified that the County doesn't have to accept any document put before it for the purposes of complying with parking standards. The Code requires a reciprocal easement determined to be sufficient by the County Attorney's Office. Mr. Ratliff stated that the current Agreement has the potential to be terminated and that the church is only allowed to use spaces that are not used for the park and ride. He added that the Agreement could be terminated mid school year and the park and ride could be completely full thereby resulting in parents that show up and have no exclusive spaces to park. Mr. Ratliff testified that the Code requires the parking to be within 300 feet which is why the exact location of the spaces is critical. There are County concerns regarding the lighting of the parking area and the safety of students walking in the parking area which have not been addressed. Mr. Ratliff concluded his comments by stating that the applicant's representative has stated that the County's requests were exactions. Mr. Ratliff countered that assertion by stating that the transportation information requests were necessary to demonstrate the continued availability of safe parking to the school site.

Hearing Officer Finch asked Ms. Dorman of the County Attorney's Office if she was familiar with the Agreement between the State and the church. Mr. Dorman replied no.

Ms. Alexis Myers of the Planning Commission staff testified that the subject site is located in the Residential-4 Future Land Use Category, the Urban Service Area and the Seffner Mango Community Planning Area. She stated that overall the use is compatible with the existing development pattern but that due to the objections of the County's transportation review section, the Special Use is inconsistent with the goals, objectives and policies on the Future Land Use Element. The Planning Commission staff found the Special Use request inconsistent with the Comprehensive Plan.

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

Hearing Master Finch asked the audience for members in opposition. No one replied.

Ms. Marshall of the Development Services Department testified that she would like to clarify the issue regarding certification of the non-conforming use. She added that it is different than establishing a non-conforming lot which means a lot that existed prior to July 6, 1989. A non-conforming use requires that it was legal at the time of development. The current use of the church is permitted in the current zoning districts but the school and child care center require a Special Use approval. Ms. Marshall stated that prior to the submittal of the subject Special Use application, staff reviewed County records for the school and child care center but did not find any documentation. The applicable zoning district and zoning code at the time permitted the church and school but required Special Use approval for a child care center. Staff recommended the Special Use process to the applicant. The applicant applied for a Zoning Verification letter which confirmed the actual zoning on-site but did not confirm if the uses were legally permitted.

Hearing Officer Finch asked Ms. Marshall if it was accurate that while there seemed to be an easier path to establish the uses as legal, the applicant could not provide the appropriate documentation. Ms. Marshall replied that the applicant originally applied for a zoning verification letter as they were looking to confirm that all three uses were legally permitted and that was where the sticking point was which resulted in the request for the Special Use application.

Mr. Rice testified during the rebuttal period that the queuing and event planning information is merged into one document. He stated that the lack of access to US 301 is due to a government taking which resulted in an on/off ramp to the Selmon Expressway. Regarding the parking, Mr. Rice testified that Section 6.05.02 of the Land Development Code requires parking spaces to be within 300 feet of the entrance or land area which is the case with the subject application. He referenced proposed conditions of approval that he prepared. Mr. Rice stated that the applicant is committed to providing on-site parking spaces. There is no evidence to show an incident or issue regarding safety for the past 46 years. He

added he was not aware of any Code Enforcement activity. Mr. Rice stated that the County is preempted by the parking agreement with the State per the Attorney General's opinion 75.207. He stated that the State is immune from local regulation unless the legislature provides otherwise therefore there is no way to impose an off-site parking regulation onto State land. He concluded his remarks by stating that the architectural plans for the rebuild of the church includes an educational use. No new impacts are proposed. The applicant requests a durable set of understanding about their rights and that the Special Use process is the appropriate path.

Hearing Officer Finch asked Mr. Rice to confirm that the park and ride is currently used separate and apart from the Harvest Time operation. Mr. Rice replied that is correct.

Hearing Officer Finch asked Mr. Rice his position on the unpredictability of the parking lot that could be full and not usable for Harvest Time's purposed which could therefore create a safety concern. Mr. Rice replied that the Hillsborough County Sheriff Office records were researched and there have been no crime incidents for 20 years. He added that there is no record of safety, capacity, compliance or congestion issues at all.

The hearing was then concluded.

EVIDENCE SUBMITTED

Mr. Rice submitted documents regarding correspondence with County staff, information regarding the parking verification and design commitments, proposed conditions of approval, a revised County information sheet and historical data regarding the Harvest Time use 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 1.93 acres in size and zoned Planned Development (PD 06-1136), Commercial Neighborhood (CN), Residential Single-Family Conventional-6 (RSC-6) and Agricultural Rural (AR) and designated Community Mixed Use-12 (CMU-6) by the Comprehensive Plan. The property is located within the Urban Service Area and the Seffner Mango Community Planning Area.
2. The subject property is currently developed with a church, private school and child care center. The applicant's representative testified that the land uses have been continuously operating since 1978. The applicant's representative submitted documentation into the record of an on-site fire in 1990 and a 1,200 square foot expansion of the facility in 2013.
3. The Special Use application requests approval for the existing church with 122 seats, private school grades K-8 with up to 8 classrooms and 65 students and a 5,623 square foot child care center with up to 55 children. The application also requests variances to the required vehicular use area buffer and a setback standard. No new land uses or additional square footage is proposed.
4. The applicant's representative stated that the Special Use application is requested as there has been some uncertainty about the site. He added that it has been operating for 46 years but a clear declaration of rights is needed for marketable title and for regulatory agencies.
5. The church, school and child care use are shown on the proposed Special Use General Site Plan. According to County Development Services Department staff 68 parking spaces are required for the three land uses which have a total of 22 employees. Twelve (12) on-site parking spaces are shown on the General Site Plan. The remainder of the required spaces (56 spaces) are proposed to be provided off-site based upon an Agreement between the Florida Department of Transportation (FDOT) and Harvest Time dated April 20, 1987.

6. The FDOT and Harvest Time Agreement dated April 20, 1987 provides for Harvest Time parking on the FDOT Park and Ride facility. Harvest Time is referred to as "Church" in the Agreement.

It is emphasized that the Agreement submitted by the applicant is not complete as Section 2.C is cut off at the bottom of the page. This Section is critical to the requested Special Use as it specifies the use of the Park and Ride by the Church. The legible Section states that the "...Church to use said facility for parking by its members and guests during any and all hours it is not utilized for Park and Ride purposes." There are additional words after that portion which are unreadable and incomplete.

It is also emphasized that the Agreement does not appear to be a recorded document. No evidence was submitted to verify that the Agreement was recorded with the Hillsborough County Clerk of the Circuit Court.

7. The Development Services Department staff recommends denial of the Special Use application based upon the lack of a perpetual recorded reciprocal easement ensuring the continued availability of the off-site parking spaces as required by Land Development Code (LDC) Section 6.05.02(c). The LDC requires the easement to be satisfactory to the County Attorney's Office and recorded with the Hillsborough County Clerk of the Circuit Court.

It is noted that Development Services Department staff found the proposed uses compatible with the surrounding area.

8. The County's Transportation review section objects to the Special Use request as the application does not provide 1) a trip generation and site access analysis, 2) a letter of No Objection from FDOT, 3) other staff required information regarding circulation, vehicular queuing, special event parking plan, compact parking, ADA parking, and pedestrian access, and 4) the lack of a permanent easement ensuring the guaranteed availability of off-site parking spaces to Harvest Time.

9. The Planning Commission found the Special Use application inconsistent with the Comprehensive Plan. Staff found the overall use of the property to be compatible with the existing development pattern as well as being supportive of the Seffner Mango Community Plan. However, based upon the objection from the County's Transportation review section, Planning Commission staff found the Special Use application did not meet or exceed the land development regulations.

It is noted that Planning Commission staff identified the subject property as being located in the Residential-4 (RES-4) Future Land Use category however a review of the Future Land Use Map shows the property in the Community Mixed Use-12 (CMU-12) Future Land Use category.

10. No testimony in support or opposition was provided at the Land Use Hearing Officer hearing.
11. The applicant's representative law firm submitted a Memorandum to the Land Use Hearing Officer dated December 13, 2024. The subject is the County's staff report dated December 4, 2024. The Memorandum states that the County's request for transportation information constitutes an unlawful exaction on State owned property. Further, the Memorandum cites a Florida Attorney General Opinion 75-207 that "...the use of state property by the state or its agencies is not subject to local zoning regulation..." Finally, the Memorandum states that the County's staff is "asking its Land Use Hearing Officer to declare the 1987 arrangement unsatisfactory and invalidate the ...parking agreement."
12. The State of Florida or State agency is not the property owner or the applicant for the subject Special Use application. The applicant is Harvest Time of Tampa, Inc. which is a private property owner and therefore subject to the Hillsborough County Land Development Code.

This point is highlighted by the fact that the Special Use application was made by Harvest Time to Hillsborough County to provide a clear declaration of rights for marketable title and for regulatory agencies.

13. The Agreement submitted by the applicant's representative between FDOT and Harvest Time is not complete as the Section addressing the parking conditions has been cut off and is not legible.

It is emphasized that the Section that is legible states that the Church may use the Park and Ride facility "...during any and all hours **it is not utilized** for Park and Ride purposes." This language infers restrictions to the use of the Park and Ride parking lot by Harvest Time which cannot be determined by the incomplete copy of the Agreement submitted by the applicant into the record.

14. There is no evidence in the record that the Agreement has been recorded with the Hillsborough County Clerk of the Circuit Court.
15. Section 6.11.00 of the Land Development Code identifies land uses which require a Special Use application to determine compliance with County standards. A school and child care center require Special Use review.
16. Development Services Department staff testified that the applicant previously applied for a Zoning Verification to confirm that all three uses (church, school, child care center) were legally permitted. Staff stated in their staff report that "...County records do not support a finding that the school and childcare uses were legally established. Consequently, the childcare and school uses could not be approved as legal nonconforming without supporting documentation."
17. The applicant's representative stated that the applicant filed a Special Use application to obtain a clear declaration of rights for marketable title and for regulatory agencies.
18. The information requested by the County's Transportation review section relates to compliance with the County's parking regulations and most importantly the vehicular and pedestrian safety of the Harvest Time employees, members and students.
19. While the use of the subject property for a church, school and child care center is compatible with the area, the Special Use application lacks the County's requested information regarding parking and vehicular/pedestrian compliance with applicable County regulations and a complete copy of the Agreement between FDOT and Harvest Time.

SPECIAL USE DECISION

Based on the foregoing, the applicant has not satisfied the criteria for issuance of a Special Use permit for the existing church, private school and child care center. The Special Use is hereby **DENIED**.

VARIANCE REQUESTS

The applicant has requested two variances to the subject property. They are:

- 1) A variance to the required 25 foot side yard setback on property zoned AR. The applicant requests to reduce the side yard setback on the south side by 14.27 feet resulting in a setback of 10.73 feet.
- 2) A variance to the Land Development Code requirement found in Section 6.06.04.D which states that a driveway into a parking area shall be bordered by a landscaped buffer a minimum of 8 feet in width with 1 per provided per 40 linear feet. The applicant requests instead to reduce the vehicular use area buffer by 5 feet and eliminate the planting requirements. This would result in a 3-foot wide vehicular use buffer with no screening provided.

FINDINGS OF FACT

1. Is the alleged hardship or practical difficulty unique and singular to the subject property and not suffered in common with other properties similarly located?

Yes, the hardship is unique as the applicant's representative testified that the use of the subject property has operated since the 1970's. No new square footage or use of the property is proposed therefore the existing encroachment into the side yard setbacks and the existing yet deficient vehicular use area buffer does not negatively impact the surrounding properties.

2. Would the literal requirements of the LDC deprive the property owner rights commonly enjoyed by others in the same district and area under the terms of the LDC?

Yes, the application of the LDC side yard setback standard for the existing structure and the application of the required vehicular use area buffer with screening would fail to recognize the existing structure and vehicular use area buffer that has been on-site for many years.

3. Would the variances, if allowed, not substantially interfere with or injure the rights of others whose property would be affected by the allowance of the variance?

The applicant's representative testified that the use of the subject property has operated since the 1970's. No testimony in opposition was provided at the hearing.

4. Is the variance in harmony with and serve the general intent and purpose of the LDC and the Comprehensive Plan?

Yes, the variances are in harmony with the LDC and the Comprehensive Plan as the applicant's representative testified that the use of the subject property has operated since the 1970's. The variances for the reduction in the side yard setback and the vehicular use area do not negatively impact surrounding parcels.

5. Does the situation sought to be relieved by the variance result from an illegal act or result of actions by the applicant or property owner resulting in a self-imposed hardship?

The property owner requested the variances as a part of the Special Use application. While the Special Use application submitted by the applicant indicates that there is a Code Enforcement violation on-site, the applicant's representative testified that he did not find any documentation regarding a violation. The applicant's representative testified that the application was submitted to provide a clear declaration of rights for marketable title and for regulatory agencies.

6. Will allowing the variance result in substantial justice being done, considering both the public benefits intended to be secured by the LDC and the individual hardship that will be suffered by a failure to grant the variance?

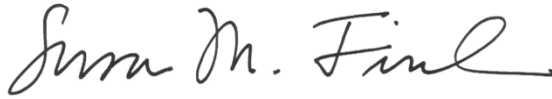
Yes, the granting of the variances serves to recognize the existing structure that encroaches into the side yard setback and the deficient vehicular use area for a use that, according to the applicant's representative, has existed since the 1970's.

CONCLUSIONS OF LAW

The findings of all six requirements of Section 11.04.02 (B) of the LDC are satisfied as outlined in the Findings of Fact section above.

VARIANCE DECISION

Based on the foregoing, the applicant has satisfied the criteria for approval of the requested variances to the side yard setback and the required vehicular use area buffer and screening and is hereby **APPROVED**.



January 10, 2025

Susan M. Finch, AICP
Land Use Hearing Officer

Date

OFF. REC. 2301 PG 323

A 1 1 4 5 2

THIS INDENTURE, Made this 7th day of JANUARY 1971

by and between HARVEST TIME TABERNACLE, INC., a Florida corporation,

of the County of Hillsborough, in the State of Florida

parties of the first part, and NEW LIFE MISSION, Inc. a Florida Corporation

CEIVED

APR 22 2 00 PM '71

CLERK CIRCUIT COURT
HILLSBOROUGH COUNTY, FLA.

whose post office address is: Rt. 2 Box 624 Riverview, Florida
of the County of Hillsborough, in the State of Florida
part of the second part,

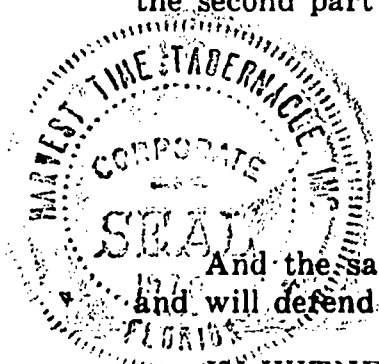
WITNESSETH: That the said parties of the first part, for and in consideration of the sum of TEN AND NO/100(\$10.00)----- Dollars, and other valuable considerations, lawful money of the United States of America, to them in hand paid by the said part of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, sold and conveyed to the said part of the second part, heirs and assigns forever, all of the following described land in Hillsborough County, Florida, to-wit:

Beginning at the Southeast corner of Tract 9 in the NE $\frac{1}{4}$ of Section 25, Township 29 South, Range 19 East, SOUTH TAMPA, according to map or plat thereof as recorded in Plat Book 6, Page 3, public records of Hillsborough County, Florida; thence run North 315 feet; thence due West 210 feet; thence South 315 feet and East 210 feet to Point of Beginning; ALSO, the North 65 feet of the South 200 feet of that part of the North $\frac{1}{2}$ of the South $\frac{1}{2}$ of Gov. Lot 1, lying West of State Road #5, Section 30, Township 29 South, Range 20 East, LESS that part deeded to State Road Department; ALSO N 45 feet of South 135 feet of N $\frac{1}{2}$ of S $\frac{1}{2}$ of Government Lot 1, lying West of State Road #5, Section 30, Township 29 South, Range 20 East.

HILLSBOROUGH COUNTY 103863
STATE OF FLORIDA
DOCUMENTARY STAMP TAX
COMPTROLLER
APR 22 '71
10512
39.00

TO HAVE AND TO HOLD the above described premises, with the appurtenances, unto the said part of the second part, heirs and assigns, in fee simple forever.

And the said parties of the first part do hereby covenant with the said part of the second part that said described property is free from all liens and encumbrances



And the said parties of the first part do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

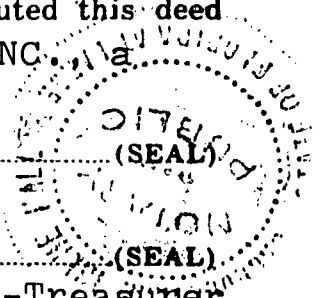
IN WITNESS WHEREOF, the said parties of the first part have executed this deed under seal on the date aforesaid.

HARVEST TIME TABERNACLE, INC. a Florida corporation.

Signed, sealed and delivered in the presence of:

Kermit Rife
Kermit Rife, President

Georgia Rife
Georgia Rife, Secretary-Treasurer



(SEAL)

THIS INSTRUMENT PREPARED BY:

RICHARD E. LEON, ESQUIRE
1155 East Cass Street
Tampa, Florida 33602

HILLSBOROUGH COUNTY 047333
FLORIDA
APR 22 '71
DOCUMENTARY SUR TAX
14.30

OFF. REC. 2301 PG 324

[illegible]

STATE OF FLORIDA :
COUNTY OF HILLSBOROUGH:

~~XXXXXXXXXXXX~~Notary Public State of Florida~~XXXXXXXXXXXX~~

XX

WITNESS my hand and official seal the date aforesaid.

Notary Public, State of Florida at Large
My Commission Expires Jan. 2, 1972

MY COMMISSION EXPIRES:

REF-268(S) — FRANKLIN PRINTING CO., TAMPA

Warranty Deed

RETURN
TO

New Life Mission Inc.
77007 Nebraska Avenue
Tampa, Florida 33604

Documentary Tax Pd - F.S. 192.08 \$ 60
Documentary Tax Pd - F.S. 201.08 \$
Intangible Tax Pd - F.S. 129.8
Richard Ake, Clerk Hillsborough County
By: Jensen Deputy Clerk

OR
BOOK

6304 PAGE 449

RICHARD AKE
CLERK OF CIRCUIT COURT
HILLSBOROUGH COUNTY

EASEMENT DEED

THIS INDENTURE, made this 10th day of JUNE, 1991, between the TAMPA-HILLSBOROUGH COUNTY EXPRESSWAY AUTHORITY, a body politic, corporation and agency of the STATE OF FLORIDA, as Grantor and owner of the servient real property more specifically described below, and

RITE INVESTMENT COMPANY, INC., c/o Jack Pichowski, 17 Davis Boulevard, Tampa, Florida, 33606, a Florida corporation and HARVEST TIME OF TAMPA, INC., a Florida corporation, of the County of Hillsborough, State of Florida, and hereinafter referred to as Grantees, both of whom own adjoining real properties to the servient estate of the Grantor:

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), the receipt of which is hereby acknowledged, has granted, bargained, sold and transferred and by these presents does grant, bargain, sell and transfer unto the Grantees, their successors and assigns forever, a permanent and perpetual nonexclusive easement or right-of-way for ingress and egress over the real property of the Grantor lying and being in Hillsborough County, Florida, more particularly described according to:

Exhibit "A" attached hereto

The easement herein granted shall run with the land for the benefit of the Grantees, their successors and assigns, and shall be binding on the Grantor, its successors and assigns, and on any other person who shall hereafter acquire title to the servient tenement.

Grantor covenants with the Grantees that it is lawfully seized in fee simple of the premises and that they are free from all encumbrances, and that it has good right and lawful authority to convey said Easement upon the above described real property and will defend the same against the lawful

This instrument prepared by
William C. McLean, Jr.
7000 Bruce Avenue
Tampa, Florida 33602

1991 JUN 21 PM 1:56

91124280

claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has executed this Easement Deed on the day and year first above written.

TAMPA-HILLSBOROUGH COUNTY
EXPRESSWAY AUTHORITY

Judy B. Horvath
Witness

Laura C. Blain
Chairman

Jim Hushman
Witness

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I HEREBY CERTIFY, that on this 10th day of June, 1991, before me personally appeared, LAURA C. BLAIN, to me known to be the person described in and who executed the foregoing Easement Deed and acknowledged the execution thereof to be her free act and deed for the uses and purposes stated therein.

SWORN TO AND SUBSCRIBED before me this 10th day of June, 1991.

Mary Hall
NOTARY PUBLIC

My commission expires:

NOTARY PUBLIC, STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES AUGUST 21, 1994
BONDED THRU AGENT'S NOTARY BROKERAGE

EXHIBIT A

DESCRIPTION: INGRESS AND EGRESS EASEMENT

A TRACT OF LAND LYING IN THE NORTHEAST $\frac{1}{4}$ OF SECTION 25, TOWNSHIP 29 SOUTH, RANGE 19 EAST, AND THE NORTHWEST $\frac{1}{4}$ OF SECTION 30, TOWNSHIP 29 SOUTH, RANGE 20 EAST, HILLSBOROUGH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 25; THENCE S00° -02'-23"W ALONG THE EAST BOUNDARY OF SAID SECTION 25 A DISTANCE OF 1037.10 FEET; THENCE S89° -27'-13"W A DISTANCE OF 15.0 FEET; THENCE S00° -02'-23"W ALONG A LINE 15.0 FEET WEST OF AND PARALLEL TO THE EAST BOUNDARY OF SAID SECTION 25 A DISTANCE OF 421.11 FEET; THENCE N89° -46'-40"W A DISTANCE OF 44.08 FEET FOR THE POINT OF BEGINNING.

THENCE N63° -12'-47"E INTO SAID NORTHWEST $\frac{1}{4}$ OF SAID SECTION 30 A DISTANCE OF 137.23 FEET TO A POINT ON THE SOUTHWEST RIGHT-OF-WAY BOUNDARY OF U.S. HIGHWAY 301 (STATE ROAD NO. 43); THENCE S12° -29'-14"E ALONG THE SOUTHWEST RIGHT-OF-WAY BOUNDARY OF U.S. HIGHWAY 301 A DISTANCE OF 30.96 FEET; THENCE S63° -12'-47"W A DISTANCE OF 137.23 FEET; THENCE S12° -29'-14"E A DISTANCE OF 306.93 FEET; THENCE S89° -27'-13"W A DISTANCE OF 39.90 FEET TO A POINT ON THE WEST BOUNDARY OF "PARK & RIDE U.S. 301" PER D.O.T. SECTION 10002-2526; THENCE N12° -29'-14"W ALONG THE WEST BOUNDARY OF "PARK & RIDE U.S. 301" A DISTANCE OF 338.43 FEET; THENCE S89° -46'-40"E A DISTANCE OF 40.0 FEET TO THE POINT OF BEGINNING.

1/27/25

Development Services



**Hillsborough
County Florida**
Development Services

Property/Applicant/Owner Information Form

Official Use OnlyApplication No: 25-0408Intake Date: 1/27/25Hearing(s) and type: Date: 3/31/25Type: LUHOReceipt Number: 444111

Date: _____

Type: _____

Intake Staff Signature: Cierra James**Property Information**Address: 1511 S US Hwy 301 City/State/Zip: Tampa, FL 33619

RSC-6; AR;

TWN-RN-SEC: 25-29-19 Folio(s): 44586-0000 Zoning: CN; PD Future Land Use: CMU-12 Property Size: 2.1 AMU 1.93 acres
06-1136**Property Owner Information**Name: Harvest Time of Tampa Inc. Daytime Phone 813-626-4600Address: 1511 S. US Hwy 301 City/State/Zip: Tampa, FL 33619Email: office@htfwc.com

Fax Number _____

Applicant InformationName: Harvest Time of Tampa Inc. Daytime Phone 813-626-4600Address: 1511 S. US Hwy 301 City/State/Zip: Tampa, FL 33619Email: office@htfwc.com

Fax Number _____

Applicant's Representative (if different than above)Name: P. Colin Rice, David B. Singer; Older, Lundy, Koch & Matino Daytime Phone 813-254-8998Address: 1000 W. Cass Street City/State/Zip: Tampa, FL 33606Email: crice@olderlundylaw.com; dsinger@olderlundylaw.com

Fax Number _____

I hereby swear or affirm that all the information provided in the submitted application packet is true and accurate, to the best of my knowledge, and authorize the representative listed above to act on my behalf on this application.

Signature of the Applicant

P. Colin Rice

Type or print name

I hereby authorize the processing of this application and recognize that the final action taken on this petition shall be binding to the property as well as to the current and any future owners.

Signature of the Owner(s) - (All parties on the deed must sign)

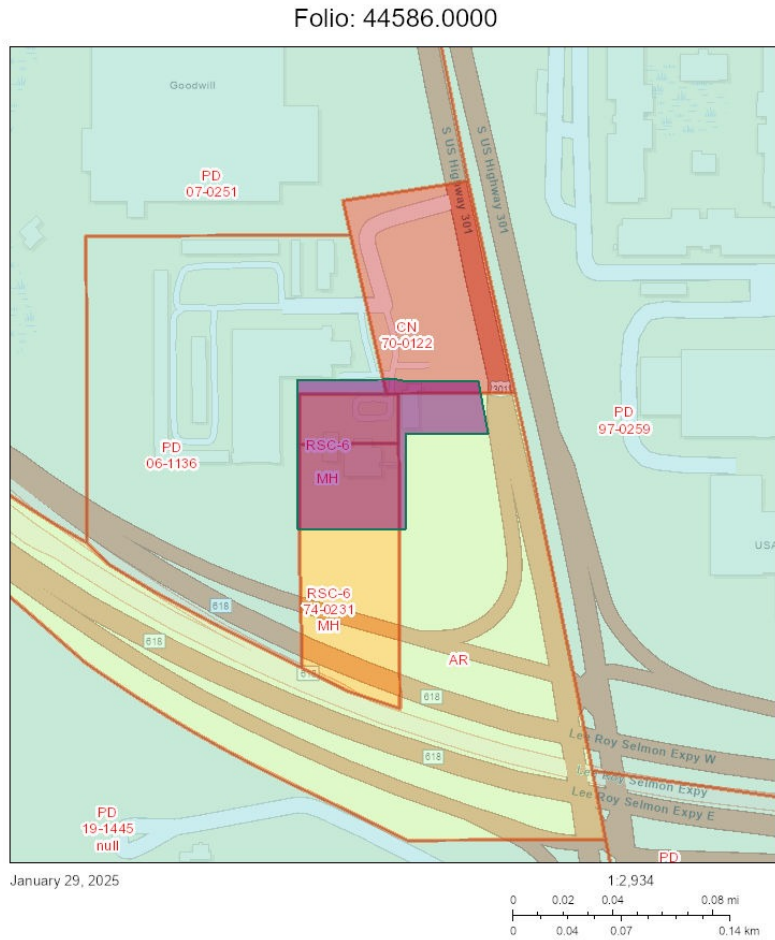
Cheryl Brown

Type or print name



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Residential
Zoning	RSC-6
Description	Residential - Single-Family Conventional
Overlay	MH
Zoning Category	Residential
Zoning	RSC-6
Description	Residential - Single-Family Conventional
Overlay	MH
RZ	74-0231
Zoning Category	Planned Development
Zoning	PD
Description	Planned Development
RZ	06-1136
Zoning Category	Commercial/Office/Industr
Zoning	CN
Description	Commercial - Neighborhood
RZ	70-0122
Zoning Category	Agricultural
Zoning	AR
Description	Agricultural - Rural
Flood Zone:AE	BFE = 27.2 ft
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0386J
FIRM Panel	12057C0386J
Suffix	J
Effective Date	Fri Sep 27 2013
Pre 2008 Flood Zone	X500
Pre 2008 Firm Panel	1201120386E
County Wide Planning Area	Greater Palm River
Community Base Planning Area	Greater Palm River
Planned Development	PD
Re-zoning	null
Note	RZ 06-0560 WD
Minor Changes	null
Major Modifications	null
Personal Appearances	null
Census Data	Tract: 013505 Block: 1015
Future Landuse	CMU-12
Urban Service Area	TSA
Waste Water Interlocal	City of Tampa Waste Water
Water Interlocal	City of Tampa Water
Mobility Assessment District	Urban
Mobility Benefit District	2
Fire Impact Fee	Central
Parks/Schools Impact Fee	CENTRAL
ROW/Transportation Impact Fee	ZONE 8
Wind Borne Debris Area	140 MPH Area
Aviation Authority	Non-Compatible Use (Schools)
Competitive Sites	NO



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Hillsborough County Florida

Folio: 44586.0000
PIN: U-25-29-19-663-000001-53630.0
Harvest Time Of Tampa Inc
Mailing Address:
 1511 S Us Highway 301
 null
 Tampa, FL 33619-5002
Site Address:
 1511 S 301 Hwy
 Tampa, FL 33619
SEC-TWN-RNG: 25-29-19
Acreage: 2.08
Market Value: \$1,517,286.00
Landuse Code: 7100 INSTITUTIONAL

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2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder.

Redevelopment Area	NO	
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(SU-GEN) Submittal Requirements for Applications Requiring Public Hearings

Official Use Only

Application No: _____ Intake Date: _____
Hearing(s) and type: Date: _____ Type: _____ Receipt Number: _____
Date: _____ Type: _____ Intake Staff Signature: _____

Applicant/Representative: Colin P. Rice; Older Lundy Phone: 813-254-8998

Representative's Email: crice@olderlundylaw.com; abrewer@olderlundylaw.com

The following information is used by reviewing agencies for their comments and should remain constant, with very few exceptions, throughout the review process. Additional reviews, such as legal description accuracy, compatibility of uses, agency reviews, etc., will still be conducted separately and may require additional revisions.

The following ownership information must be provided and will be verified upon submission initial submittal. If you are viewing this form electronically, you may click on each underlined item for additional information.

Part A: Property Information & Owner Authorization Requirements

Included	N/A	Requirements
1	<input checked="" type="checkbox"/>	<input type="checkbox"/> <u>Property/Applicant/Owner Information Form</u>
2	<input checked="" type="checkbox"/>	<input type="checkbox"/> <u>Affidavit(s) to Authorize Agent</u> (if applicable) NOTE: All property owners must sign either the Application form or the Affidavit to Authorize Agent. If property is owned by a corporation, submit the Sunbiz information indicating that you are authorized to sign the application and/or affidavit.
3	<input checked="" type="checkbox"/>	<input type="checkbox"/> <u>Sunbiz Form</u> (if applicable). This can be obtained at Sunbiz.org .
4	<input checked="" type="checkbox"/>	<input type="checkbox"/> <u>Property/Project Information Sheet</u> All information must be completed for each folio included in the request. Also, please make a note of any partial folios included.
5	<input checked="" type="checkbox"/>	<input type="checkbox"/> <u>Identification of Sensitive/Protected Information and Acknowledgement of Public Records</u>
6	<input checked="" type="checkbox"/>	<input type="checkbox"/> <u>Copy of Current Recorded Deed(s)</u>
7	<input checked="" type="checkbox"/>	<input type="checkbox"/> <u>Close Proximity Property Owners List</u>
8	<input checked="" type="checkbox"/>	<input type="checkbox"/> <u>Legal Description</u> for the subject site
9	<input type="checkbox"/>	<input checked="" type="checkbox"/> <u>Copy of Code Enforcement/Building Code Violation(s)</u> (if applicable)
10	<input checked="" type="checkbox"/>	<input type="checkbox"/> <u>Fastrack Approval</u> (if applicable)

Additional application-specific requirements are listed in Part B.