

Rezoning Application: PD 23-0059
Zoning Hearing Master Date: September 18, 2023
BOCC Land Use Meeting Date: November 7, 2023

1.0 APPLICATION SUMMARY

Applicant: Mark Bentley
FLU Category: RES-4
Service Area: Rural
Site Acreage: 2.51 MOL
Community Plan Area: Thonotosassa
Overlay: None



Introduction Summary:

The applicant seeks to rezone three parcels from AS-1 (Agricultural - Single-Family) and CN (Commercial - Neighborhood) to PD (Planned Development) to develop a contractor's office with enclosed storage and 1 residential dwelling unit.

	Existing		Proposed
District(s)	AS-1	CN	PD 23-0059
Typical General Use(s)	Single-Family Residential/Agricultural	Neighborhood Commercial, Office and Personal Services	Contractor's Office with enclosed storage and 1 residential dwelling unit
Acreage	1.93 MOL	0.58 MOL	2.51 MOL
Density/Intensity	1 du/ga	0.20 F.A.R	1 du/0.25-acre, F.A.R.: 0.25
Mathematical Maximum*	1 unit	5,052 sf	1 unit, 27,333 sf

*number represents a pre-development approximation

Development Standards:	Existing		Proposed
District(s)	AS-1	CN	PD 23-0059
Lot Size / Lot Width	43,560 sf / 150'	7,000 sf / 70'	Res: 10,890 sf / 110.5' Com: 10,000 sf / 75'
Setbacks/Buffering and Screening	50' Front 50' Rear 15' Sides	30' Front Buffer Rear Buffer Sides	Res: Per Plan, Com: 30' Front/ Rear Per Plan Sides Per Plan
Height	50'	35'	35'

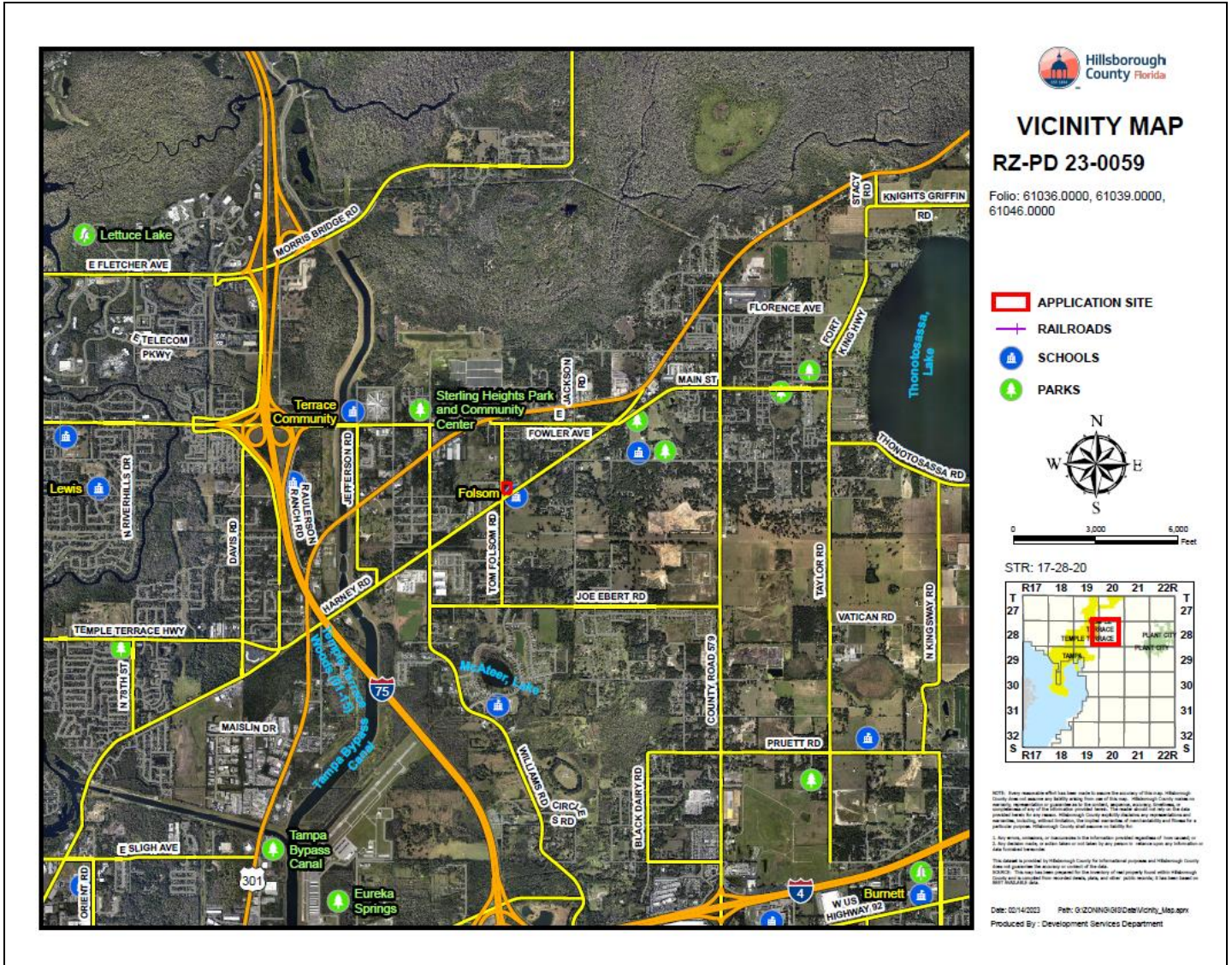
Additional Information:

PD Variation(s)	None requested as part of this application
Waiver(s) to the Land Development Code	None requested as part of this application

Planning Commission Recommendation: Inconsistent	Development Services Recommendation: Approvable, subject to proposed conditions
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2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

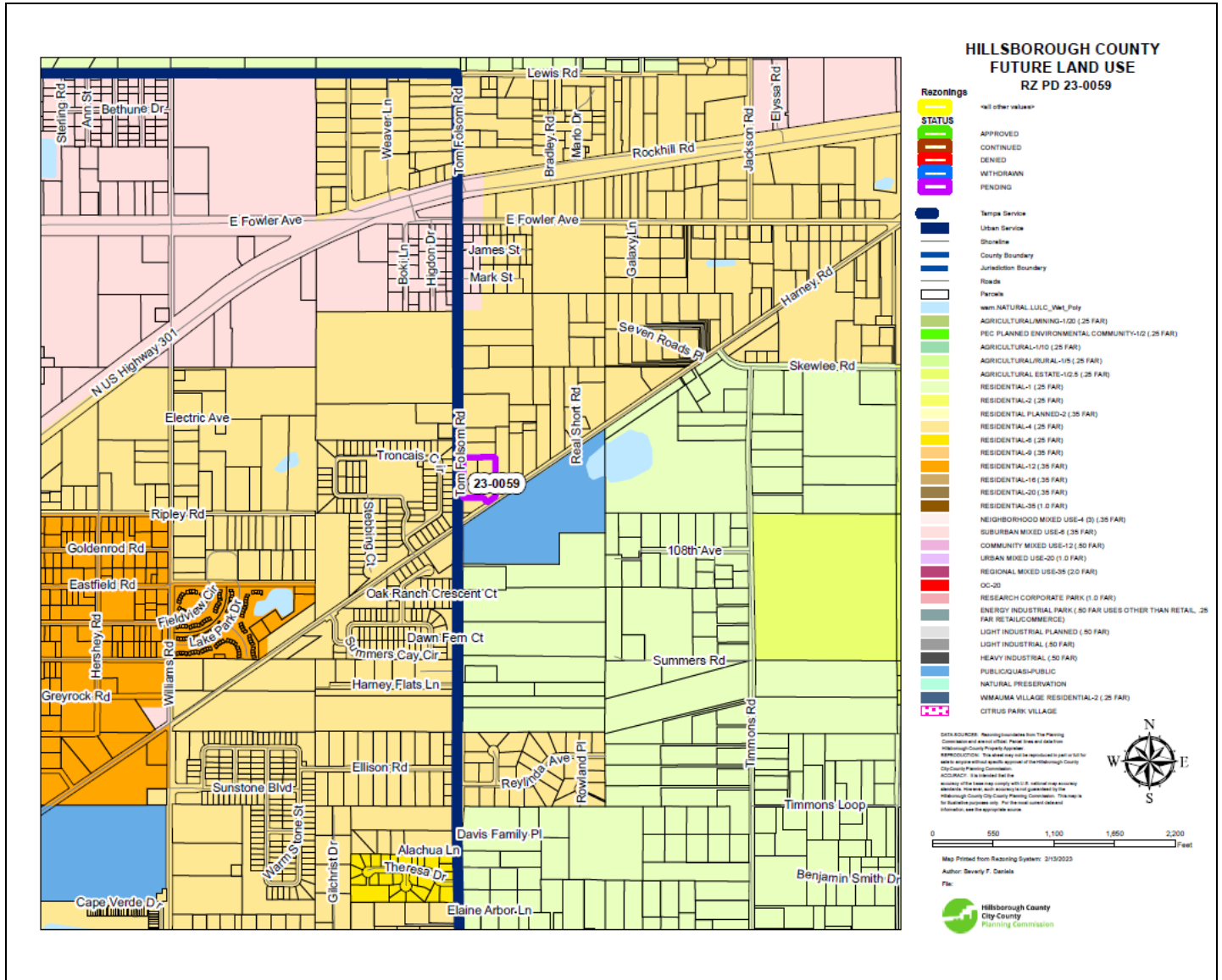


Context of Surrounding Area:

The area consists of single-family residential, commercial, and institutional. To the north, the subject property is directly adjacent to single-family residential zoned AS-1. To the south, the subject property is adjacent to commercial. Additionally, directly to the south across Harney Road is a school. To the east, the subject property is adjacent to a church zoned RSC-4 (MH). Directly to the west across Tom Folsom Road is single-family residential zoned PD 14-0903.

2.0 LAND USE MAP SET AND SUMMARY DATA

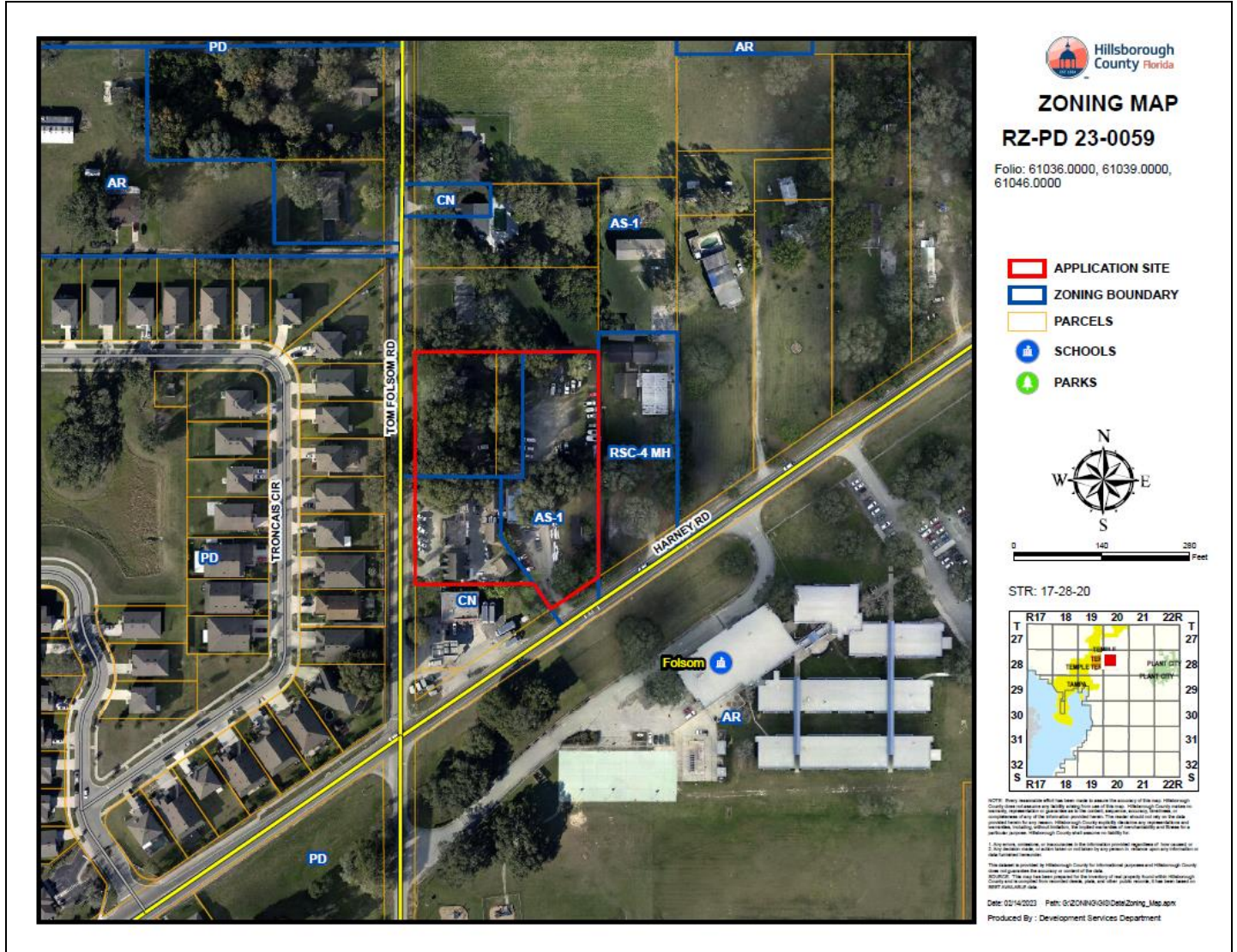
2.2 Future Land Use Map



Subject Site Future Land Use Category:	Residential-4 (RES-4)
Maximum Density/F.A.R.:	4.0 dwelling units/0.25 F.A.R.
Typical Uses:	Residential, suburban scale neighborhood commercial, office uses, and multi-purpose projects. Non-residential uses shall meet locational criteria for specific land use.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map

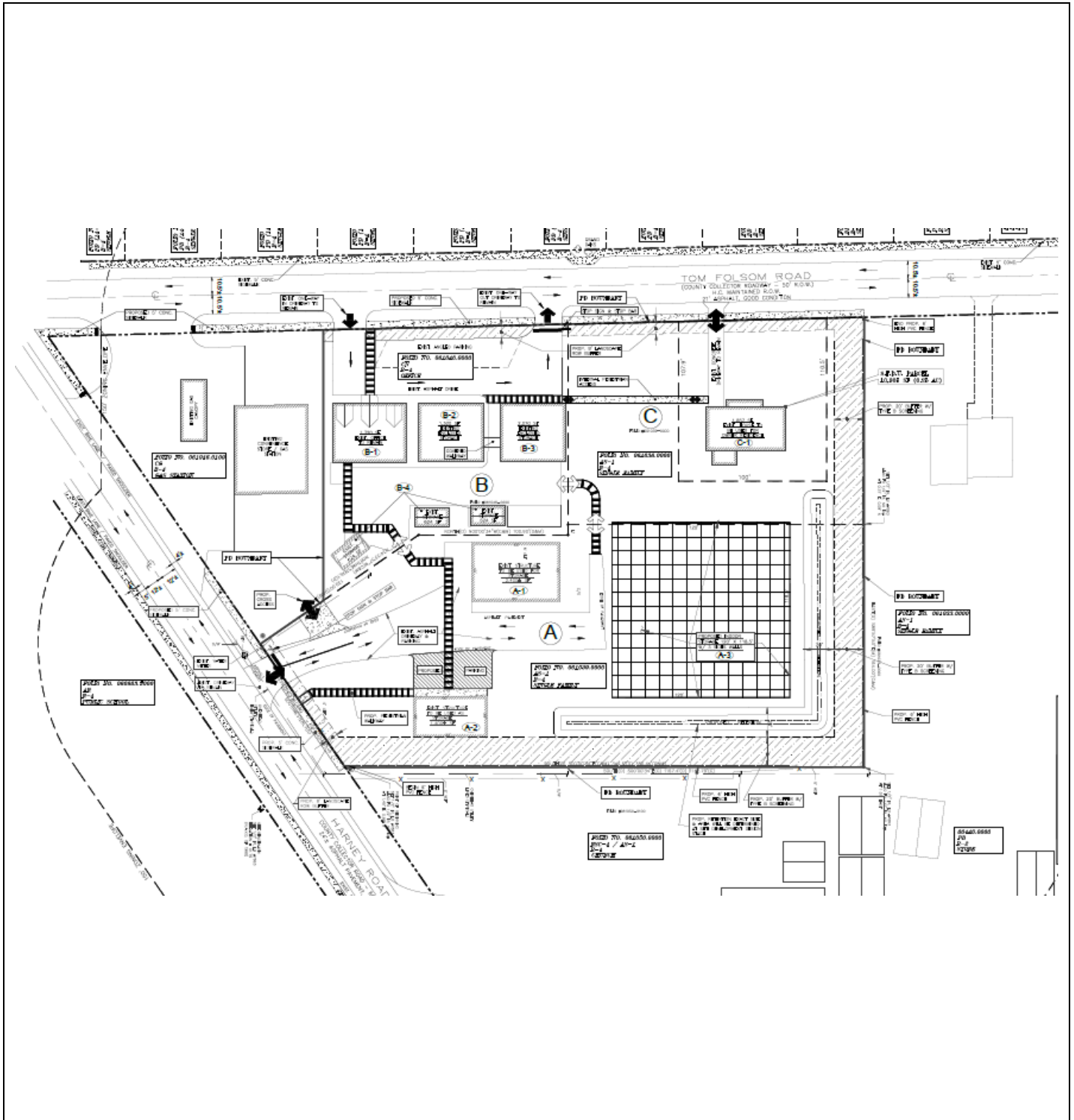


Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	AS-1	1 du/ga	Single-Family Residential/Agricultural	Single-Family Residential
South	CN, AR	0.20 F.A.R., 1 du/5 ga	Commercial, Office and Personal Services, SFR/Agricultural	Commercial, School
East	RSC-4 (MH)	4 du/ga	Single-Family Residential	Church
West	PD 14-0903	Per PD 14-0903	Single-Family Residential	Single-Family Residential

2.0 LAND USE MAP SET AND SUMMARY DATA

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



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

Adjoining Roadways (check if applicable)

Road Name	Classification	Current Conditions	Select Future Improvements
Tom Folsom Rd.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
Harney Rd.	County Arterial - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	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	2,963	283	210
Proposed	251	42	48
Difference (+/-)	(-) 2,712	(-) 241	(-) 162

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

Connectivity and Cross Access Not applicable for this request

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

Notes:

Design Exception/Administrative Variance Not applicable for this request

Road Name/Nature of Request	Type	Finding
Tom Folsom Rd./ Substandard Rd.	Administrative Variance Requested	Approvable
Harney Rd./ Substandard Rd.	Administrative Variance Requested	Approvable

Tom Folsom Rd./ Access Spacing	Administrative Variance Requested	Approvable
Harney Rd./ Access Spacing	Administrative Variance Requested	Approvable
Multiple Rds./ Number of Access Connections	Administrative Variance Requested	Approvable
Notes:		

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No Wetlands Present
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	
Check if Applicable: <ul style="list-style-type: none"> <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____ 				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input checked="" type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input 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 type="checkbox"/> City of Tampa <input checked="" type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<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 Warehouse 16,800 sq ft 2,400 sq ft 4,512 sq ft Office @1,320 sq ft (Per 1,000 s.f.) (Per 1,000 s.f.) Mobility: \$1,992 \$33,465.60 \$4,780.80 \$8,987.90 Mobility: \$14,099 \$18,610.68 Fire: \$34 \$ 871.20 \$ 81.60 \$ 153.41 Fire: \$158 \$ 208.56 Single Family Detached (per dwelling) (1400 sq ft) (1857 sq ft) Mobility: \$11,633 \$13,038 Parks: \$1,710 \$1,957 School: \$7,027 \$8,227 Fire: \$335 \$335=				
***Note - Full assessments shown. credit may be applicable for prior uses/structures on site				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Inconsistent <input type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The approximate 2.51 -acre property is comprised of three parcels. Folio 61036.0000 is zoned AS-1 (Agricultural - Single-Family) with a single-family home. Folio 61039.0000 is zoned AS-1 with a single-family home. Folio 61046.0000 is a contractor's office with enclosed storage zoned CN (Commercial – Neighborhood). The subject property is located in the general location of 400 feet northeast of the intersection of Harney Road and Tom Folsom Road. The applicant proposes to a contractor's office with enclosed storage and 1 residential dwelling unit. The area consists of single-family residential, commercial, and institutional. To the north, the subject property is directly adjacent to single-family residential zoned AS-1. To the south, the subject property is adjacent to commercial. Additionally, directly to the south across Harney Road is a school. To the east, the subject property is adjacent to a church zoned RSC-4 (MH). Directly to the west across Tom Folsom Road is single-family residential zoned PD 14-0903. The subject property is designated Residential-4 (R-4) on the Future Land Use map. The Planning Commission finds the proposed use inconsistent with the Comprehensive Plan.

The subject property is directly adjacent to a gas station/convenience store commercial use to the south. The applicant has provided appropriate buffering and screening to residential according to Land Development Code requirements in Section 6.06.06. The commercial use maximum height will match the residential of 35 feet. The applicant intends to only utilize enclosed storage which mitigates compatibility concerns. Further mitigation is provided by the proposed home being located along the northwestern boundary of the PD which is in closest proximity to the single-family home on the adjacent parcel to the north. Also, the proximity of the property to Tom Folsom Road, a major collector roadway is conducive to high levels of commercial traffic. Therefore, the rezoning of the subject parcel from AS-1 and CN to PD with Contractor's Office with enclosed storage and residential dwelling use would be consistent with the existing zoning pattern of the area.

Based on the above considerations staff finds the requested PD zoning district compatible with the existing zoning and development pattern in the area.

5.2 Recommendation

Approval, subject to proposed conditions.

6.0 PROPOSED CONDITIONS

Requirements for Certification:

Prior to PD site plan certification, the developer shall revise the PD site plan to:

1. Revise the label reading "Prop. Cross Access" to instead state "Proposed Vehicular and Pedestrian Cross Access Stubout";
2. Add a Pedestrian cross access stubout between the internal sidewalk network for the project and folio 61046.0100, in the vicinity of the vehicular cross access shown.
3. Revise the internal pedestrian network to connect the primary entrance(s) of all structures on site to the minimum 5-foot-wide ADA accessible sidewalk in accordance with ADA and LDC requirements. Alternatively, remove the detailed network shown and replace with a representative dashed line which connections all structures and use areas, labeled in the legend as "Conceptual Pedestrian Circulation". Staff notes that additional accessible routes may be required once the number and location of required accessible parking spaces is known (i.e. during the site/construction plan review process).
4. Revise the Transportation Data Table to:
 - Rename "Classification" to "Functional Classification"
 - Correct the functional classification to show Harney Rd. as an arterial roadway;
 - Delete the "Local Functional Class" line item and associated data;
 - Correct the sidewalks line item to properly describe the condition of Tom Folsom Rd. (i.e. sidewalk are present on the west side of the street);
5. Revise the Site Data Table to:
 - Change "Use Category" to "Proposed Use Category";
 - Within that line item, change "Residential Use" to "Single-Family Detached Dwelling" and "Commercial Use" to instead read "Contractor's Office with Enclosed Storage";
 - Add a note indicating that "Internal and external sidewalks and parking to be provided in accordance with LDC and TTM requirements."
6. Within the "Proposed Development Options" table:
 - Rename "Proposed Development Options" table to "Proposed Development Program";
 - Rename "Maximum F.A.R." to instead read "Proposed Maximum Square-footage"; and,
 - Rename instances of "Commercial" to "Contractor's Office with Enclosed Storage".
7. Change proposed residential density to 1 du/0.25-acre.
8. Change minimum lot size for residential to 10,890 square feet.

Approval - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted August 29, 2023.

1. The project shall be limited to a contractor's office with enclosed storage and 1 residential dwelling unit.
2. Development shall be in compliance with the following:


<u>Use Category:</u>	<u>Residential Use</u>	<u>Commercial Use</u>
Proposed Density:	1 du/0.25-acre	Maximum F.A.R.: 0.25
Minimum Lot Size:	10,890 sf	10,000 sf
Minimum Lot Width:	110.5 feet	75 feet
Front Yard Setback:	Existing	30 feet
Side Yard Setback:	Per Plan	Per Plan
Rear Yard Setback:	Per Plan	Per Plan
Buffering/Screening:	N/A	Per Plan
Maximum Building Height:	Existing	35 feet
Maximum Building Coverage:	N/A	25%
Maximum Impervious Surface:	N/A	70%

3. Building, parking, and stormwater areas shall be developed where generally depicted on the site plan.
4. In accordance with LDC Section 5.03.07.C, the certified PD general site plan shall expire for the internal transportation network and external access points, as well as for any conditions related to the internal transportation network and external access points, if site construction plans, or equivalent thereof, have not been approved for all or part of the subject Planned Development within 5 years of the effective date of the PD unless an extension is granted as provided in the LDC. Upon expiration, re-certification of the PD General Site Plan shall be required in accordance with provisions set forth in LDC Section 5.03.07.C.
5. If the notes and/or graphics on the site plan are in conflict with specific zoning conditions and/or the LDC regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval.
6. The project shall be served by (and limited to) one (1) full access connection to Harney Rd., one (1) full access connection to Tom Folsom Rd., one (1) ingress only connection to Tom Folsom Rd. and one (1) egress only connection to Tom Folsom Rd., all as shown on the PD site plan. Construction access shall be limited to those locations shown on PD site plan which are also proposed vehicular access connections. The developer shall include a note in each site/construction plan submittal which indicates same.
7. Notwithstanding anything herein these conditions or on the PD site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the PD boundaries.
8. Notwithstanding anything on the PD site plan or herein these conditions to the contrary, the developer shall be permitted to reconfigure internal pedestrian design/routing, internal drive aisles, and parking lot areas as necessary to design a pedestrian system, internal driveways, and parking areas, that meets Hillsborough County Land Development Code (LDC) and Transportation Technical Manual (TTM) standards, and can be approved during the plat/site/construction plan review process.
9. Within 90 days of BOCC approval of PD 23-0059, the property owner shall submit to Hillsborough County site/construction plans for review, and thereafter expeditiously seek to obtain approval and perform all improvements identified and required as a part of that process. This submittal shall be as necessary to bring the site into compliance with conditions of this PD as well as applicable LDC, TTM and other applicable standards, except as otherwise has been waived or varied herein this zoning process or may be waived or varied in accordance with LDC/TTM requirements and current policies and procedures at the time of site/construction plan review (including but not limited to the construction of certain internal and external

sidewalk connections and vehicular and pedestrian cross access stubouts).

10. If PD 23-0059 is approved, the County Engineer will approve a Sec. 6.04.02.B Administrative Variance (dated June 1, 2023) which has been found approvable by the County Engineer (on September 8, 2023). Approval of this Administrative Variance will waive the Tom Folsom Rd. substandard road improvements required by Sec. 6.04.03.L. of the LDC.
11. If PD 23-0059 is approved, the County Engineer will approve a Sec. 6.04.02.B Administrative Variance (dated July 14, 2023) which has been found approvable by the County Engineer (on September 8, 2023). Approval of this Administrative Variance will waive the Harney Rd. substandard road improvements required by Sec. 6.04.03.L. of the LDC.
12. If PD 23-0059 is approved, the County Engineer will approve a Sec. 6.04.02.B Administrative Variance (dated July 14, 2023) from the LDC Section 6.04.07 access spacing requirements, which has been found approvable by the County Engineer (on September 8, 2023). Approval of this Administrative Variance will permit the reduction of the minimum access spacing between the specified project driveways on Tom Folsom Rd. as follows:
 - a. For the southernmost driveway connection, a variance of +/- 108 feet from the closest driveway to the south on the same (east) side of the roadway, resulting in an access spacing of +/- 137 ft.
 - b. Between the southernmost and middle driveway connections, a variance of +/- 111 feet between these two connections, resulting in an access spacing of +/- 134 ft.
 - c. Between the middle and northernmost driveway connections, a variance of +/- 140 feet between these two connections, resulting in an access spacing of +/- 105 ft.; and,
 - d. For the northernmost driveway connection, a variance of +/- 64 feet from the closest driveway to the north on the same (east) side of the roadway, resulting in an access spacing of +/- 181 ft.
13. If PD 23-0059 is approved, the County Engineer will approve a Sec. 6.04.02.B Administrative Variance (dated June 1, 2023) from the LDC Section 6.04.07 access spacing requirements, which has been found approvable by the County Engineer (on September 8, 2023). Approval of this Administrative Variance will permit the reduction of the minimum access spacing between the project driveway on Harney Rd. as follows:
 - a. For the project driveway connection, a variance of +/- 145 feet from the closest driveway to the south on the same (west) side of the roadway, resulting in an access spacing of +/- 100 ft.; and,
 - b. For the project driveway connection, a variance of +/- 65 feet from the closest driveway to the north on the same (west) side of the roadway, resulting in an access spacing of +/- 180 ft.
14. If PD 23-0059 is approved, the County Engineer will approve a Sec. 6.04.02.B Administrative Variance (dated September 6, 2023) which has been found approvable by the County Engineer (on September 8, 2023). Approval of this Administrative Variance will waive the Sec. 6.04.03.I. of the LDC requirement whereby the project is restricted to a single access connection and instead permit 4 roadway connections to serve the proposed project.

Zoning Administrator Sign Off:



J. Brian Grady
Mon Sep 11 2023 15:41:42

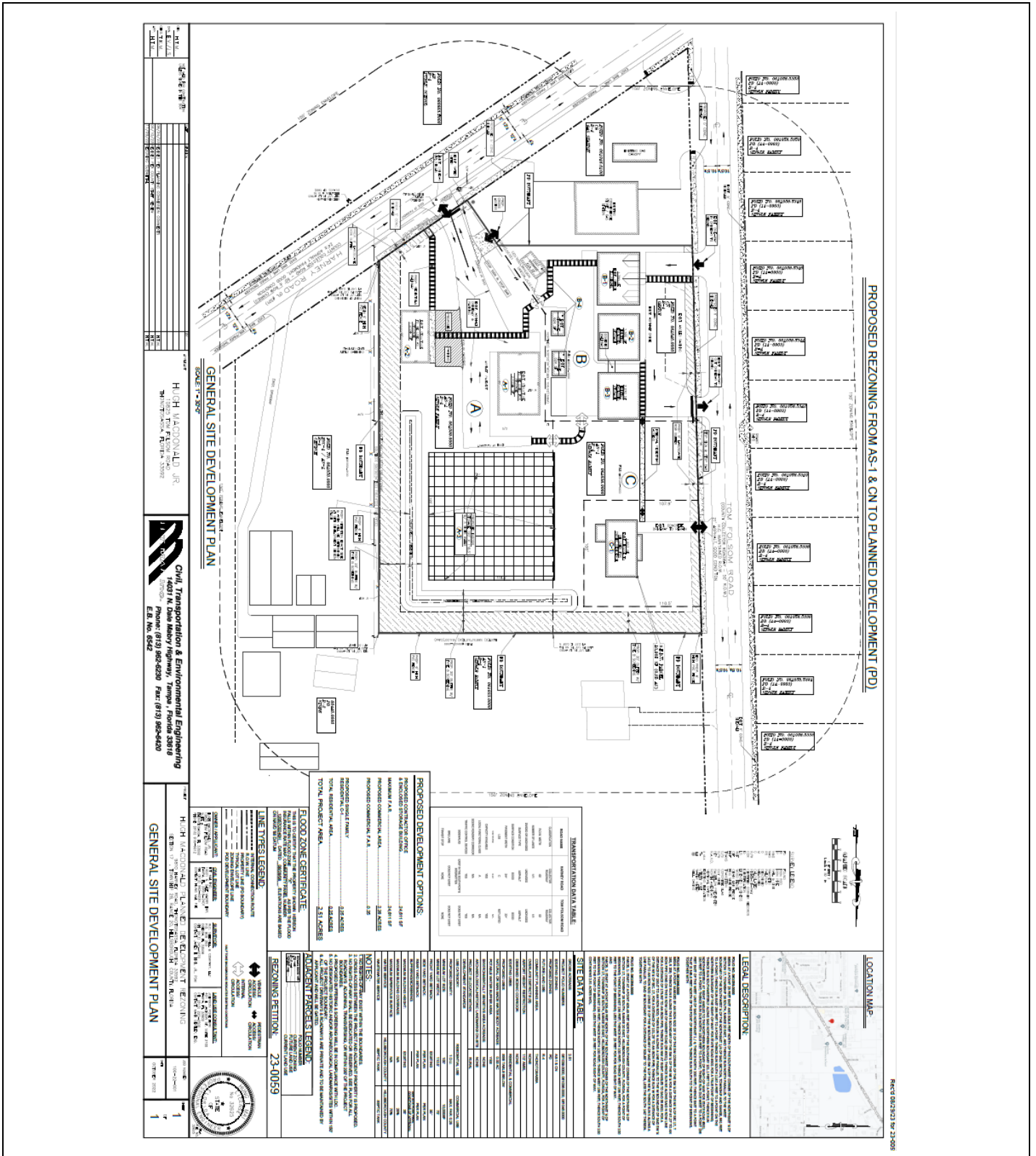
SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.

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

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

None.

8.0 PROPOSED SITE PLAN (FULL)



9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Development Services Department DATE: 09/08/2023

REVIEWER: James Ratliff, AICP, PTP AGENCY/DEPT: Transportation

PLANNING SECTOR/AREA: Central/ TH PETITION NO: PD 23-0059

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

PROPOSED CONDITIONS OF APPROVAL

1. The project shall be served by (and limited to) one (1) full access connection to Harney Rd., one (1) full access connection to Tom Folsom Rd., one (1) ingress only connection to Tom Folsom Rd. and one (1) egress only connection to Tom Folsom Rd., all as shown on the PD site plan. Construction access shall be limited to those locations shown on PD site plan which are also proposed vehicular access connections. The developer shall include a note in each site/construction plan submittal which indicates same.
2. Notwithstanding anything herein these conditions or on the PD site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the PD boundaries.
3. Notwithstanding anything on the PD site plan or herein these conditions to the contrary, the developer shall be permitted to reconfigure internal pedestrian design/routing, internal drive aisles, and parking lot areas as necessary to design a pedestrian system, internal driveways, and parking areas, that meets Hillsborough County Land Development Code (LDC) and Transportation Technical Manual (TTM) standards, and can be approved during the plat/site/construction plan review process.
4. Within 90 days of BOCC approval of PD 23-0059, the property owner shall submit to Hillsborough County site/construction plans for review, and thereafter expeditiously seek to obtain approval and perform all improvements identified and required as a part of that process. This submittal shall be as necessary to bring the site into compliance with conditions of this PD as well as applicable LDC, TTM and other applicable standards, except as otherwise has been waived or varied herein this zoning process or may be waived or varied in accordance with LDC/TTM requirements and current policies and procedures at the time of site/construction plan review (including but not limited to the construction of certain internal and external sidewalk connections and vehicular and pedestrian cross access stubouts).
5. If PD 23-0059 is approved, the County Engineer will approve a Sec. 6.04.02.B Administrative Variance (dated June 1, 2023) which has been found approvable by the County Engineer (on September 8, 2023). Approval of this Administrative Variance will waive the Tom Folsom Rd. substandard road improvements required by Sec. 6.04.03.L. of the LDC.
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Other Conditions

- Prior to PD site plan certification, the developer shall revise the PD site plan to:
 - Revise the label reading "Prop. Cross Access" to instead state "Proposed Vehicular and Pedestrian Cross Access Stubout";
 - Add a Pedestrian cross access stubout between the internal sidewalk network for the project and folio 61046.0100, in the vicinity of the vehicular cross access shown.
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 - Revise the Transportation Data Table to:
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 - Correct the functional classification to show Harney Rd. as an arterial roadway;
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 - Correct the sidewalks line item to property describe the condition of Tom Folsom Rd. (i.e. sidewalk are present on the west side of the street);

- Revise the Site Data Table to:
 - Change “Use Category” to “Proposed Use Category”;
 - Within that line item, change “Residential Use” to “Single-Family Detached Dwelling” and “Commercial Use” to instead read “Contractor’s Office with Enclosed Storage”;
 - Add a note indicating that “Internal and external sidewalks and parking to be provided in accordance with LDC and TTM requirements.”
- Within the “Proposed Development Options” table:
 - Rename “Proposed Development Options” table to “Proposed Development Program”;
 - Rename “Maximum F.A.R.” to instead read “Proposed Maximum Square-footage”; and,
 - Rename instances of “Commercial” to “Contractor’s Office with Enclosed Storage”.

PROJECT OVERVIEW AND TRIP GENERATION

The applicant is requesting to rezone multiple parcels, totaling +/- 2.51 ac., from Commercial Neighborhood (CN) and Agricultural Single-Family - 1 (AS-1) to Planned Development (PD). The applicant is seeking approval for the 24,611 s.f. of Contractors Office with Enclosed Storage Uses and 1 single-family detached dwelling unit.

Staff understands that the project is coming in through the zoning process due to a code enforcement action, as such, staff has proposed certain conditions requiring the property owner to submit for stie/construction plans within a specified period of time in order to retrofit the site for compliance with current land development code and other applicable standards.

As required by the Development Review Procedures Manual (DRPM), the applicant submitted a trip generation letter for the subject site indicating that the proposed project generates fewer than 50 peak hour trips and therefore a trip generation and site access analysis is not required to process the zoning request; however, the analysis did not represent a worst case scenario as it utilized an improper ITE Land Use Code which resulted in fewer trips. Staff prepared a comparison of the maximum trip generation potential of the subject site utilizing the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data shown below was obtained from the Institute of Transportation Engineer’s [Trip Generation Handbook](#), 11th Edition. Staff notes that the project results in a reduction of trips from that allowed under the existing zoning designation, and remains a relatively lower trip generating use overall based on the proposed development program (including remaining below the threshold by which a transportation analysis would otherwise be required).

Existing Zoning:

Land Use/Size	24 Hour Two-Way Volume	A.M. Peak Hour Trips	P.M. Peak Hour Trips
CN, 6,316 s.f. fast food with drive through uses (ITE LUC 180)	2,954	282	209
AR, 1 single family detached dwelling unit (ITE LUC 210)	9	1	1
Subtotal:	2,963	283	210

Proposed Zoning:

Land Use/Size	24 Hour Two-Way Volume	A.M. Peak Hour Trips	P.M. Peak Hour Trips
PD, 24,611 s.f. contractors office with enclosed storage uses (ITE LUC 180)	242	41	47
PD, 1 single family detached dwelling unit (ITE LUC 210)	9	1	1

Subtotal:	251	42	48
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Trip Generation Difference:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	Total Peak Hour Trips
		AM	PM
Difference	(-) 2,712	(-) 241	(-) 162

EXISTING AND PROPOSED TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

Tom Folsom Rd. is a 2-lane, publicly maintained, substandard, rural collector roadway. The roadway is characterized by +/- 10-foot-wide travel lanes in average condition. The roadway appears to lie within a +/- 50-foot-wide right-of-way along the project's frontage. There are +/- 5-foot-wide sidewalks along portions of the west side of Tom Folsom Rd. in the vicinity of the proposed project. There are no bicycle facilities on Tom Folsom Rd. in the vicinity of the proposed project.

Harney Rd. is a 2-lane, publicly maintained, substandard, rural arterial roadway. The roadway is characterized by +/- 10-foot-wide travel lanes in average condition. The roadway appears to lie within a +/- 60-foot-wide right-of-way along the project's frontage. There are +/- 4-foot to 6-foot-wide sidewalks along portions of both sides of Harney Rd. in the vicinity of the proposed project. There are +/- 5-foot-wide bicycle facilities (on paved shoulders) on Harney Rd. in the vicinity of the proposed project.

ADMINISTRATIVE VARIANCE #1 – TOM FOLSOM RD. SUBSTANDARD ROAD

Tom Folsom Rd. is a substandard collector roadway. The applicant's Engineer of Record (EOR) submitted a Section 6.04.02.B Administrative Variance request (dated June 1, 2023) from the Section 6.04.03.L. requirement whereby an applicant is required to improve a substandard roadway, between its project access and nearest roadway meeting an applicable standard, to current County standards. Based on factors presented in the Administrative Variance request, the County Engineer found the request approvable (on September 8, 2023). If this rezoning is approved the County Engineer will approve the above referenced Administrative Variance Request. If approved, no substandard road improvements on Tom Folsom Rd. will be required.

ADMINISTRATIVE VARIANCE #2 – HARNEY RD. SUBSTANDARD ROAD

Harney Rd. is a substandard arterial roadway. The applicant's Engineer of Record (EOR) submitted a Section 6.04.02.B Administrative Variance request (dated July 14, 2023) from the Section 6.04.03.L. requirement whereby an applicant is required to improve a substandard roadway, between its project access and nearest roadway meeting an applicable standard, to current County standards. Based on factors presented in the Administrative Variance request, the County Engineer found the request approvable (on September 8, 2023). If this rezoning is approved the County Engineer will approve the above referenced Administrative Variance Request. If approved, no substandard road improvements on Harney Rd. will be required.

ADMINISTRATIVE VARIANCE #3 – TOM FOLSOM RD. ACCESS SPACING

The applicant's Engineer of Record (EOR) submitted a Section 6.04.02.B. Administrative Variance Request (dated July 14, 2023) from the Section 6.04.07 LDC requirement, governing access spacing. The Hillsborough County LDC requires a minimum connection spacing of 245 feet for a Class 6 roadway with a posted speed of 45 miles per hour or less. The applicant is seeking the following variances relative to its proposed project access connections on Tom Folsom Rd:

1. For the southernmost driveway connection, a variance of +/- 108 feet from the closest driveway to the south on the same (east) side of the roadway. If approved, this would result in an access spacing of +/- 137 ft.

2. Between the southernmost and middle driveway connections, a variance of +/- 111 feet between these two connections. If approved, this would result in an access spacing of +/- 134 ft.
3. Between the middle and northernmost driveway connections, a variance of +/- 140 feet between these two connections. If approved, this would result in an access spacing of +/- 105 ft.
4. For the northernmost driveway connection, a variance of +/- 64 feet from the closest driveway to the north on the same (east) side of the roadway. If approved, this would result in an access spacing of +/- 181 ft.

Based on factors presented in the Administrative Variance Request, the County Engineer found the request approvable with conditions on September 8, 2023. The condition applied clarifies that "This AV only applies to the request at hand, any redevelopment shall require the site to consolidate accesses to meet standards."

ADMINISTRATIVE VARIANCE #4 – HARNEY RD. ACCESS SPACING

The applicant's Engineer of Record (EOR) submitted a Section 6.04.02.B. Administrative Variance Request (dated June 1, 2023) from the Section 6.04.07 LDC requirement, governing access spacing. The Hillsborough County LDC requires a minimum connection spacing of 245 feet for a Class 6 roadway with a posted speed of 45 miles per hour or less. The applicant is seeking the following variances relative to its proposed project access to Harney Rd:

1. For the project driveway connection, a variance of +/- 145 feet from the closest driveway to the south on the same (west) side of the roadway. If approved, this would result in an access spacing of +/- 100 ft; and,
2. For the project driveway connection, a variance of +/- 65 feet from the closest driveway to the north on the same (west) side of the roadway. If approved, this would result in an access spacing of +/- 180 ft.

Based on factors presented in the Administrative Variance Request, the County Engineer found the request approvable with conditions on September 8, 2023. The condition applied clarifies that "This AV only applies to the request at hand, any redevelopment shall require the site to consolidate accesses to meet standards."

ADMINISTRATIVE VARIANCE #5 – NUMBER OF ACCESS CONNECTIONS

The applicant's Engineer of Record (EOR) submitted a Section 6.04.02.B. Administrative Variance Request (dated September 6, 2023) from the Section 6.04.03.I. LDC requirement, governing number of required access connections. The Hillsborough County LDC requires non-residential or mixed-use projects accessing a collector or arterial roadway and generating fewer than 300 peak to have a single access connection. The project is requesting a total of 4 access connections, which would typically require a peak hour trip generation of 1,200 trips; however, the project is only anticipated to generate a total of 48 peak hour trips in the highest generating peak hour (the p.m. peak hour).

Based on factors presented in the Administrative Variance Request, the County Engineer found the request approvable with conditions on September 8, 2023. The condition applied clarifies that "This AV only applies to the request at hand, any redevelopment shall require the site to consolidate accesses to meet standards."

SITE ACCESS/ CROSS-ACCESS/ INTERNAL DESIGN

The project will have pedestrian access to both Harney Rd. and Tom Folsom Rd. The project is requesting variances to the number of access connections and spacing of access connections, as further described hereinabove.

No auxiliary (turn) lanes are warranted pursuant to Section 6.04.04.D. of the LDC.

Vehicular and pedestrian cross access is required along the project's western boundary, pursuant to Section

6.04.03.Q. of the LDC.

Staff notes that the proposed site plan does not depict a configuration which is approvable during the site/construction plan process. For example, accessible pedestrian routes are not permitted to change direction in the middle of vehicular areas using paint (as a visually impaired person would be unable to detect such changes with a cane). Staff has proposed a condition allowing limited reconfiguration of certain elements of the PD site plan at the time of site/construction plan review, as necessary to achieve an approvable plan.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Walker Rd. is not a regulated roadway and was not included in the 2020 Level of Service (LOS) Report. As such, staff is unable to provide LOS information for this facility. Information for US 301 is provided below.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
Harney Rd.	US 301	US 301	C	C

Source: Hillsborough County 2020 Level of Service Report

Ratliff, James

From: Williams, Michael
Sent: Friday, September 8, 2023 6:41 PM
To: htmai@aol.com
Cc: Tu Mai; Ratliff, James; Grandlienard, Christopher; Tirado, Sheida; PW-CEIntake; De Leon, Eleonor
Subject: FW: RZ PD 23-0059 Administrative Variances Review
Attachments: 23-0059 AVReq 06-02-23_2_Subst TFR.pdf; 23-0059 AVReq 07-14-23_2-2_Spac TFR.pdf; 23-0059 AVAdIn 09-06-23_No Acc TFR.pdf; 23-0059 AVReq 07-14-23_3_Subst HR.pdf; 23-0059 AVReq 06-02-23_3_Spac HR.pdf

Importance: High

Hung,
I have found the attached Section 6.04.02.B. Administrative Variances (AV) for PD 23-0059 APPROVABLE or APPROVABLE with CONDITIONS per the information below.

Please note that it is you (or your client's) responsibility to follow-up with my administrative assistant, Eleonor De Leon (DeLeonE@hillsboroughcounty.org or 813-307-1707) after the BOCC approves the PD zoning or PD zoning modification related to below request. This is to obtain a signed copy of the DE/AV.

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

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

Lastly, please note that it is critical to ensure you copy all related correspondence to PW-CEIntake@hillsboroughcounty.org

Mike

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

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

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

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

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

From: Tirado, Sheida <TiradoS@hillsboroughcounty.org>
Sent: Friday, September 8, 2023 1:22 PM
To: Williams, Michael <WilliamsM@HillsboroughCounty.ORG>
Cc: De Leon, Eleanor <DeLeonE@hillsboroughcounty.org>
Subject: RZ PD 23-0059 Administrative Variances Review
Importance: High

Hello Mike,

The attached Administrative Variances are Approvable and Approvable with Conditions to me:

- Tom Folsom Road – Substandard Road (Approvable)
- Tom Folsom Road – Spacing (AWC: This AV only applies to the request at hand, any redevelopment shall require the site to consolidate accesses to meet standards)
- Tom Folsom Road – Number of Access (AWC: This AV only applies to the request at hand, any redevelopment shall require the site to consolidate accesses to meet standards)
- Harney Road – Substandard Road (Approvable)
- Harney Road – Spacing (Approvable)

Please include the following people in your response email:

htmai@aol.com

tkmai@aol.com

ratliffja@hillsboroughcounty.org

grandlienardc@hillsboroughcounty.org

Best Regards,

Sheida L. Tirado, PE *(she/her/hers)*

Transportation Review Manager

Development Services Department

P: (813) 276-8364

E: tirados@HCFLGov.net

W: HCFLGov.net

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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H.T. MAI, INC.

Civil-Environmental-Transportation-Water Resource Engineering & Real Estate Development Consulting

14031 N. DALE MABRY HIGHWAY, TAMPA, FL 33618 * PHONE: (813) 962-6230 * FAX: (813) 962-6420

E-MAIL: htmai@aol.com

CERTIFICATE OF AUTHORIZATION NO. 6542

June 1, 2023

Mr. Michael J. Williams, P.E.
County Engineer
Development Review Director
Hillsborough County Development Services
601 E. Kennedy Blvd., 20th Floor
Tampa, FL 33602

Attn: Ms. Sheida L. Tirado, P.E.

RE: REQUEST FOR ADMINISTRATIVE VARIANCE – EXISTING FACILITIES (TOM FOLSOM ROAD)
Application No: PD 23-0059
Folio No.: 061039.0000, 061046.0000 & 061036.0000

Dear Mr. Williams:

This variance request is being sought in conjunction with the submission of a Planned Development Rezoning application (PD 23-0059). The applicant is proposing a PD mixed use with two (2) single family residential homes and a 1,320 SF contractor's roofing office with 23,712 SF enclosed storage. The parcels are 2.51+/- acres located on the northeast corner of Harney Road and Tom Folsom Road.

We are requesting an administrative variance per Land Development Code (LDC) Section 6.04.02.B to meet the requirements of LDC Section 6.04.03.L (Existing Facilities) and Transportation Technical Manual (TTM) TS-7 Collector Roadway for Tom Folsom Road. The applicant is providing justifications to keep Tom Folsom Road as is. Tom Folsom Road is identified in the Hillsborough County Comprehensive Plan Functional Classification Map as a collector roadway. Tom Folsom Road has an average of 21+/- ft. wide asphalt pavement (in good condition), approximately 50 ft. right-of-way, 5 ft. sidewalk along the west right-of-way, no bike lane, and shallow ditch on both sides.

The justifications for the variance request per Section 6.04.02.B.3 of the County LDC are as follows:

(a) There is an unreasonable burden on the applicant.

- The TTM TS-7 requires 96 ft. right-of-way. The existing right-of-way is approximately 50 ft. in front of the subject site. There are Grand Oaks and a PVC subdivision fence along the western right-of-way, existing power transmission poles with communication wires along the eastern right-of-way. There is no opportunity to widen the roadway without taking private property (EXHIBIT A & A1).
- The TTM TS-7 has 12-foot travel lanes. The existing roadway has an average of 10.5 feet travel lanes. Based on the FDOT Design Manual, 10 ft. travel lanes are acceptable for suburban (C3) roadways. In addition, the 10 feet travel lanes help keep vehicle speed down in the residential areas (EXHIBIT B).
- The TTM TS-7 has an 8 feet shoulder with 5 feet paved. The existing roadway has little to no shoulder along the subject site. However, the area adjacent to the travel lanes are flat and provide an effective shoulder (EXHIBIT C – EAST & WEST SIDE).
- The TTM TS-7 has drainage ditches on both sides of the road. There are existing shallow ditches along the existing roadway, but the depth and width do not meet the TS-7 standards. However, since the ditches exist and meet side slope requirements no modifications are proposed since there is limited right-of-way width (EXHIBIT D).

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- The TTM TS-7 has sidewalks on both sides of the roadway. Tom Folsom currently has a sidewalk along the west side of the right-of-way. The applicant is proposing to install a 5 ft. concrete sidewalk on the east side of Tom Folsom right-of-way along the entire project site which will be dedicated to Hillsborough County.

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

- The subject section of Tom Folsom Road has an average of 21+/- feet in width and is acceptable for a collector roadway. In addition, the road has a posted speed limit of 35 mph. The travel lanes provide safety for the public.
- The FDOT Crash Data Report indicates that there have been no crashes reported in the last 5 years (EXHIBIT E).
- The proposed project would result in an increase of 13 peak hour trips which is not a substantial increase and will not be a detriment to public health, safety, or welfare.

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

- The variance would allow reasonable access to the property on Tom Folsom Road.

We respectfully request your review and approval of the variance request. Photos are attached for your review and approval. If you should have any questions, or if we can be of further assistance, please feel free to call us at (813) 962-6230.

Best regards,

H. T. MAI, INC.



Hung T. Mai
Digitally signed by Hung T. Mai
Date: 2023.06.02 13:06:37 -0400

Hung T. Mai, P.E.



EOR Florida P.E. No. 32625

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

_____ Approved with Conditions

_____ Approved

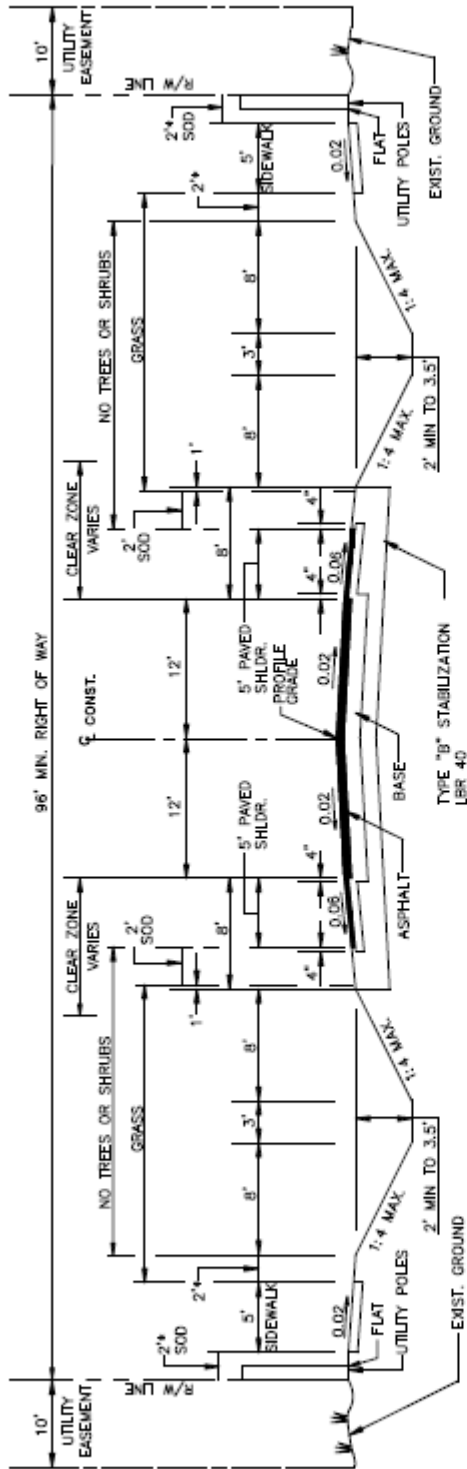
_____ Disapproved

Michael J. Williams, P.E.
Hillsborough County Engineer on _____

NOTICE: Consistent with Section 6.04.02.B.8 of the LDC, the result of this variance application may be appealed, as further described in Section 10.05.01 of the LDC, to the Land Use Hearing Officer within 30 calendar days of the date of the above action.

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EXHIBIT A1



TYPICAL SECTION

N.T.S.
FOR LESS THAN 10,000 ADT
MAX. ALLOWABLE DESIGN SPEED - 50 MPH

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

REVISION DATE: 10/17	TRANSPORTATION TECHNICAL MANUAL		LOCAL & COLLECTOR RURAL ROADS (2 LANE UNDIVIDED) TYPICAL SECTION	DRAWING NO. TS-7
				SHEET NO. 1 OF 1

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REQUEST FOR ADMINISTRATIVE VARIANCE
FOLIO NO. 061039.0000, 061046.000 & 061036.0000
APPLICATION NO.: PD 23-0059

EXHIBIT A

Figure 1. Tom Folsom Road looking northbound.



EXHIBIT B

Figure 2. Tom Folsom Road has an average 10.5 feet travel lane.



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REQUEST FOR ADMINISTRATIVE VARIANCE
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EXHIBIT C

Figure 3. East side of Tom Folsom Road



Figure 4. West side of Tom Folsom Road

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REQUEST FOR ADMINISTRATIVE VARIANCE
FOLIO NO. 061039.0000, 061046.000 & 061036.0000
APPLICATION NO.: PD 23-0059

EXHIBIT D

Figure 5. Existing shallow ditches along Tom Folsom Road

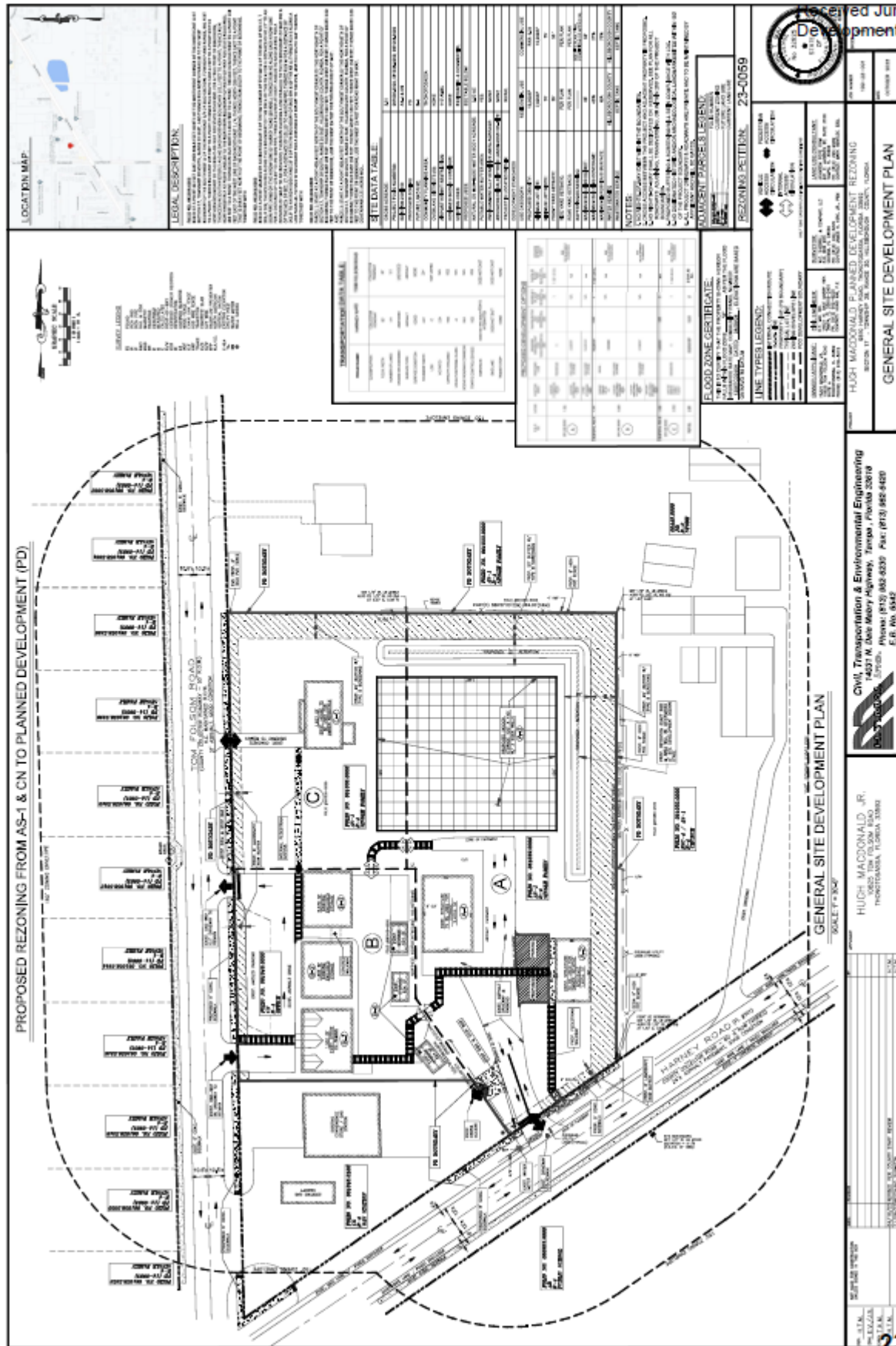


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Crash ID	Calendar Year	FDOT Crash Number	Reporting Agency	Case Reporting Agency Type	FDOT Managing District	County Name	Crash Date	Crash Time	Day	On Roadway Name	Int Roadway Name	Reference Direction
2.02E+12	2015	858854330	15-300847	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	14-Mar-15	834	FRIDAY	JOE EBERT RD	TOM FOLSOM RD	W
2.02E+12	2015	861989750	15-546187	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	26-Aug-15	834	THURSDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2017	869118390	17-56213	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	23-Jan-17	623	TUESDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2015	844520840	15-688568	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	25-Oct-15	740	MONDAY	JOE EBERT RD	TOM FOLSOM RD	E
2.02E+12	2016	865619960	16-582497	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	19-Aug-16	1654	SATURDAY	F FOWLER AVE	TOM FOLSOM RD	W
2.02E+12	2017	865674730	17-13689	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	5-Jan-17	1415	FRIDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2017	865635510	17-349982	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	16-May-17	1525	WEDNESDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2017	873701840	17-712126	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	4-Oct-17	1029	THURSDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2018	877096340	18-138575	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	24-Feb-18	1651	SUNDAY	JOE EBERT RD	TOM FOLSOM RD	E
2.02E+12	2018	877095190	18-141389	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	25-Feb-18	1700	MONDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2018	877165290	18-562280	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	13-Aug-18	1740	TUESDAY	E FOWLER AVE	TOM FOLSOM RD	E
2.02E+12	2018	886835330	18-625940	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	7-Sep-18	1333	SATURDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2015	858843200	15-223260	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	10-Apr-15	1700	SATURDAY	JOE EBERT RD	TOM FOLSOM RD	E
2.02E+12	2016	865662630	16-853489	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	30-Nov-16	300	THURSDAY	TOM FOLSOM RD	HARNEY PLATS LN	S
2.02E+12	2016	865660290	16-837383	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	1-Dec-16	1631	FRIDAY	TOM FOLSOM RD	REPLUNDA AVE	N
2.02E+12	2017	869189850	17-853179	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	30-Nov-17	1916	FRIDAY	TOM FOLSOM RD	E FOWLER AVE	S
2.02E+12	2017	873722600	17-869377	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	7-Dec-17	705	FRIDAY	TOM FOLSOM RD	MARK ST	S
2.02E+12	2018	886894920	18-898728	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	28-Dec-18	2210	SATURDAY	TOM FOLSOM RD	DELS ACRE RD	S
2.02E+12	2015	857983100	15-117607	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	23-Feb-15	1322	TUESDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2017	869145720	17-213685	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	25-Mar-17	1807	SUNDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2017	873720930	17-823216	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	18-Nov-17	1429	SUNDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2015	856865500	15-71203	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	1-Feb-15	1831	MONDAY	TOM FOLSOM RD	HARNEY RD	E
2.02E+12	2015	857982180	15-92363	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	11-Feb-15	1630	THURSDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2016	865633070	16-667607	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	23-Sep-16	1455	SATURDAY	JOE EBERT RD	TOM FOLSOM RD	E
2.02E+12	2017	869134850	17-147407	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	27-Feb-17	1820	TUESDAY	JOE EBERT RD	TOM FOLSOM RD	E
2.02E+12	2017	869141430	17-570370	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	9-Aug-17	1823	THURSDAY	JOE EBERT RD	TOM FOLSOM RD	E

**EXHIBIT E -
 FDOT CRASH DATA REPORT**



Received June 2, 2023
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PROJECT NO.	23-0059
PROJECT NAME	GENERAL SITE DEVELOPMENT PLAN
PROJECT ADDRESS	1437 N. AVE. MARY HIGHWAY, TAMPA, FL 33619
PROJECT OWNER	HUGH MACDONALD JR.
PROJECT ENGINEER	HUGH MACDONALD JR.
PROJECT ARCHITECT	HUGH MACDONALD JR.
PROJECT LANDSCAPE ARCHITECT	HUGH MACDONALD JR.
PROJECT CIVIL ENGINEER	HUGH MACDONALD JR.
PROJECT ELECTRICAL ENGINEER	HUGH MACDONALD JR.
PROJECT MECHANICAL ENGINEER	HUGH MACDONALD JR.
PROJECT PLUMBING ENGINEER	HUGH MACDONALD JR.
PROJECT STRUCTURAL ENGINEER	HUGH MACDONALD JR.
PROJECT TRAFFIC ENGINEER	HUGH MACDONALD JR.
PROJECT ENVIRONMENTAL ENGINEER	HUGH MACDONALD JR.
PROJECT GEOTECHNICAL ENGINEER	HUGH MACDONALD JR.
PROJECT SURVEYOR	HUGH MACDONALD JR.
PROJECT INSURANCE BROKER	HUGH MACDONALD JR.
PROJECT LEGAL COUNSEL	HUGH MACDONALD JR.
PROJECT FINANCIAL ADVISOR	HUGH MACDONALD JR.
PROJECT ACCOUNTANT	HUGH MACDONALD JR.
PROJECT TAX ADVISOR	HUGH MACDONALD JR.
PROJECT REAL ESTATE AGENT	HUGH MACDONALD JR.
PROJECT TITLE INSURANCE COMPANY	HUGH MACDONALD JR.
PROJECT RECORDS OFFICE	HUGH MACDONALD JR.
PROJECT ARCHIVE	HUGH MACDONALD JR.
PROJECT INDEX	HUGH MACDONALD JR.
PROJECT SEARCH	HUGH MACDONALD JR.
PROJECT RELEASE	HUGH MACDONALD JR.
PROJECT REPRODUCTION	HUGH MACDONALD JR.
PROJECT DISTRIBUTION	HUGH MACDONALD JR.
PROJECT ARCHIVE	HUGH MACDONALD JR.
PROJECT INDEX	HUGH MACDONALD JR.
PROJECT SEARCH	HUGH MACDONALD JR.
PROJECT RELEASE	HUGH MACDONALD JR.
PROJECT REPRODUCTION	HUGH MACDONALD JR.
PROJECT DISTRIBUTION	HUGH MACDONALD JR.

Civil, Transportation & Environmental Engineering
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E: H.MACDONALD@HMACDONALD.COM
P.E. No. 9342

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23-0059

Received July 14, 2023
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Civil-Environmental-Transportation-Water Resource Engineering & Real Estate Development Consulting

14031 N. DALE MABRY HIGHWAY, TAMPA, FL 33618 * PHONE: (813) 962-6230 * FAX: (813) 962-6420

E-MAIL: htmai@aol.com

CERTIFICATE OF AUTHORIZATION NO. 6542

July 14, 2023

Mr. Michael J. Williams, P.E.
County Engineer
Development Review Director
Hillsborough County Development Services
601 E. Kennedy Blvd., 20th Floor
Tampa, FL 33602

Attn: Ms. Sheida L. Tirado, P.E.

RE: REQUEST FOR ADMINISTRATIVE VARIANCE – EXISTING FACILITIES (HARNEY ROAD)
Application No: PD 23-0059
Folio No.: 061039.0000, 061046.000 & 061036.0000

Dear Mr. Williams:

This variance request is being sought in conjunction with the submission of a Planned Development Rezoning application (PD 23-0059). The applicant is proposing a PD mixed use with two (2) single family residential homes and a contractor’s roofing office with enclosed storage. The parcels are 2.51+/- acres located on the northeast corner of Harney Road and Tom Folsom Road.

We are requesting an administrative variance per Land Development Code (LDC) Section 6.04.02.B to meet the requirements of LDC Section 6.04.03.L (Existing Facilities) and Transportation Technical Manual (TTM) TS-7 Collector Roadway for Harney Road. The project proposes to keep the existing full access driveway on Harney Road. A separate variance is submitted to meet requirements of LDC Section 6.04.07 – Minimum Spacing. Harney Road is identified in the Hillsborough County Comprehensive Plan Functional Classification Map as a collector roadway and identified in the PD review process as a substandard roadway. Harney Road has a posted speed limit of 45 mph. Harney Road has 12 ft. travel lanes, two lanes undivided with an approximate 60 feet right-of-way. There is an existing 4 ft. sidewalk on the south side with an approximate 5 ft. existing unmarked bike lane/paved shoulder on both sides of the roadway. A shallow ditch exists on both sides of the roadway near the vicinity of the subject site.

The justifications for the variance request per Section 6.04.02.B.3 of the County LDC are as follows:

(a) There is an unreasonable burden on the applicant.

1. Right-of-Way: TS-7 requires 96 ft. of right-of-way (EXHIBIT A-3). The existing right-of-way is approximately 60 ft. in width along the subject site. There are power transmission poles, utility poles, and Grand Oaks on both sides of the roadway (EXHIBIT A-1 & A-2). Given the existing conditions, this provides no opportunity to widen the roadway without taking private property and relocating a major power and utility poles/facilities.
2. Lane Width: TS-7 requires a 12 ft. travel lane. The existing roadway has 12 ft. travel lanes (EXHIBIT B).
3. Shoulders: TS-7 requires an 8 ft. shoulder with 5 ft. paved. The existing roadway has an approximate 5 ft. paved shoulder on both sides and a flat area outside (EXHIBIT C-1 north side & EXHIBIT C-2 south side).
4. Drainage Ditch: TS-7 requires drainage ditches on both sides of the roadway. There are existing shallow ditches on both sides of the roadway and meets the side slope requirements. But it does not meet in width for TS-7. There are no modifications proposed.

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5. Sidewalk: TS-7 requires sidewalks on both sides of the roadway. Harney Road currently has a 4 ft. wide sidewalk along the south side. ADA requirement is a minimum of 44". Therefore, the existing sidewalk is acceptable within the 48" width requirement. The applicant is proposing a 5 ft. concrete sidewalk on the northside along the entire project site. The PD site plan shows the sidewalk without additional right-of-way taking required.

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

- The subject section of Harney Road is an average of 24+/- feet in width which is acceptable for a collector roadway. In addition, there is a school beacon with a posted speed limit of 20 MPH along with "school" pavement markings that help keep the speed down and promote safety.
- Harney Road is unpaved but has a very stable and flat shoulder outside of the 5 ft. paved provides an 8+/- feet clear zone for vehicles that is sufficient for a collector roadway (EXHIBIT D).
- The FDOT Crash Data Report indicates that there have been no crashes reported in the last 5 years (EXHIBIT E).
- The proposed project would result in a 13 peak hour trip which is not a substantial increase and will not be a detriment to the to public health, safety, or welfare.

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

- The variance would allow reasonable access to the property on Harney Road.
- Adhering to the strict LDC regulations would be an unjust hardship for the applicant.

We respectfully request your review and approval of the variance request. Photos are attached for your review and approval. If you should have any questions, or if we can be of further assistance, please feel free to call us at (813) 962-6230.

Best regards,

H. T. MAI, INC.



Hung T. Mai, P.E.

Hung T. Mai

Digitally signed by
Hung T. Mai
Date: 2023.07.14
13:02:39 -04'00'



EOR Florida P.E. No. 32625

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

_____ Approved with Conditions

_____ Approved

_____ Disapproved

Michael J. Williams, P.E.

Hillsborough County Engineer on _____

NOTICE: Consistent with Section 6.04.02.8.8 of the LDC, the result of this variance application may be appealed, as further described in Section 10.05.01 of the LDC, to the Land Use Hearing Officer within 30 calendar days of the date of the above action.

REQUEST FOR ADMINISTRATIVE VARIANCE
FOLIO NO. 061039.0000, 061046.000 & 061036.0000
APPLICATION NO.: PD 23-0059

EXHIBIT A-1 & A-2

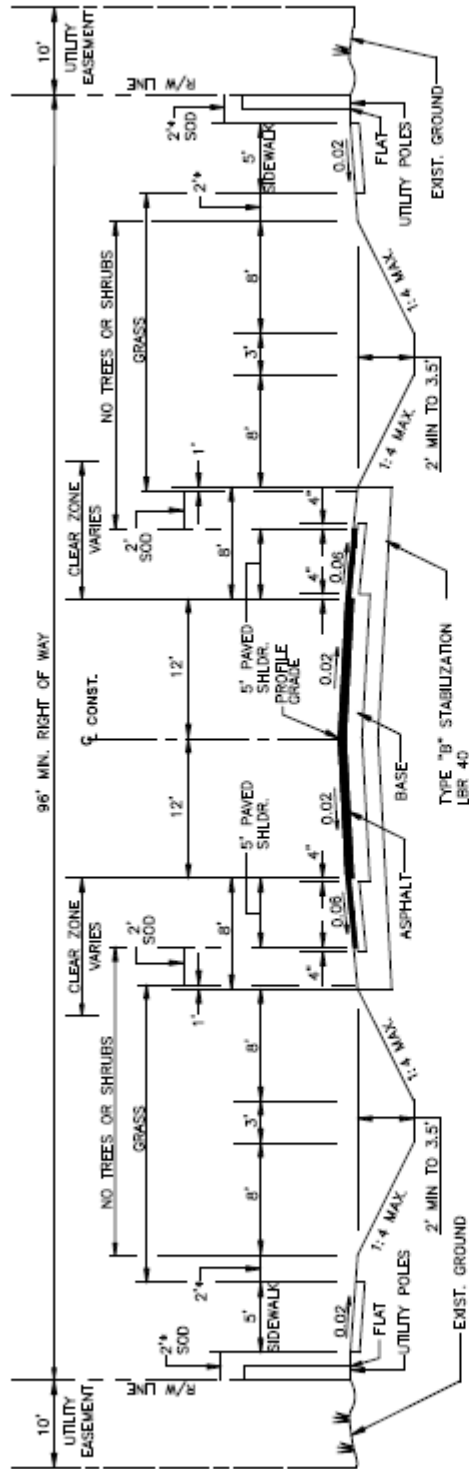
Figure 1. Existing power transmission poles and Grand Oaks on Harney Road



Figure 2. Existing utility poles and Grand Oaks along Harney Road right-of-way



EXHIBIT A-3



TYPICAL SECTION

N.T.S.

FOR LESS THAN 10,000 AADT

MAX. ALLOWABLE DESIGN SPEED - 50 MPH

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

Received July 13, 2023
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DRAWING NO.	TS-7
SHEET NO.	1 OF 1

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



TRANSPORTATION TECHNICAL MANUAL

REVISION DATE:	10/17
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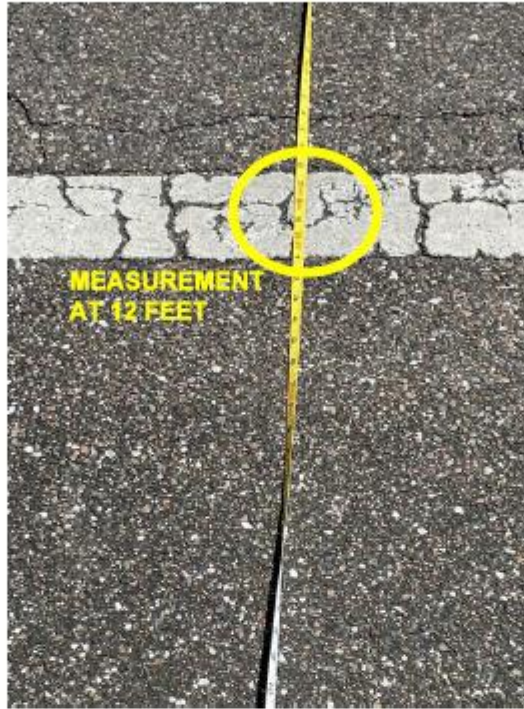
23-0059

Received July 14, 2023
Development Services

REQUEST FOR ADMINISTRATIVE VARIANCE
FOLIO NO. 061039.0000, 061046.000 & 061036.0000
APPLICATION NO.: PD 23-0059

EXHIBIT B

Figure 3. 12 ft. lane width on Harney Road



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REQUEST FOR ADMINISTRATIVE VARIANCE
FOLIO NO. 061039.0000, 061046.000 & 061036.0000
APPLICATION NO.: PD 23-0059

EXHIBIT C-1 & C-2

Figure 4. 5 ft. paved shoulder on Harney Road (north side)



Figure 5. 5 ft. paved shoulder on Harney Road (south side)



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REQUEST FOR ADMINISTRATIVE VARIANCE
FOLIO NO. 061039.0000, 061046.000 & 061036.0000
APPLICATION NO.: PD 23-0059

EXHIBIT D

Figure 6. There is sufficient unpaved, but stable and flat shoulder on Harney Road



PROPOSED REZONING FROM AS-1 & CN TO PLANNED DEVELOPMENT (PD)

LEGAL DESCRIPTION:
[Detailed legal description text]

LOCATION MAP:
[Map showing the site location within the community]

GENERAL SITE DEVELOPMENT PLAN
SCALE: 1" = 30'

Civil, Transportation & Environmental Engineering
14037 N. Dale Mabry Highway, Tampa, Florida 33618
P.O. BOX 10000, TAMPA, FLORIDA 33611
E.F. No. 0342

HUGH MACDONALD, JR.
10000 TOM POLSON ROAD
PHONETONIA, FLORIDA 33608

REZONING PETITION: 23-0059

RECEIVED JULY 14, 2023
Development Services

NO.	DESCRIPTION	PAGE
1	GENERAL SITE DEVELOPMENT PLAN	1
2	LEGAL DESCRIPTION	2
3	LOCATION MAP	3
4	PROPERTY DATA TABLE	4
5	PROPOSED REZONING TABLE	5
6	NOTES	6
7	FLOOD ZONE CERTIFICATE	7
8	LINE TYPES LEGEND	8

23-0059

Received July 14, 2023
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H.T. MAI, INC.

Civil-Environmental-Transportation-Water Resource Engineering & Real Estate Development Consulting

14031 N. DALE MABRY HIGHWAY, TAMPA, FL 33618 * PHONE: (813) 962-6230 * FAX: (813) 962-6420

EMAIL: himai@aol.com

CERTIFICATE OF AUTHORIZATION NO. 5542

July 14, 2023

Mr. Michael J. Williams, P.E.
County Engineer
Development Review Director
Hillsborough County Development Services
601 E. Kennedy Blvd., 20th Floor
Tampa, FL 33602

Attn.: Ms. Sheida L. Tirado, P.E.

RE: REQUEST FOR ADMINISTRATIVE VARIANCE –
MINIMUM SPACING (TOM FOLSOM ROAD)
Application No: PD 23-0059
Folio No.: 061039.0000, 061046.0000 & 061036.0000

Dear Mr. Williams:

This variance request is being sought in conjunction with the submission of a Planned Development Rezoning application (PD 23-0059). The applicant is proposing a PD mixed use with two (2) single family residential homes and a 1,320 SF contractor’s roofing office with 23,712 SF enclosed storage. The parcels are 2.51+/- acres located on the northeast corner of Harney Road and Tom Folsom Road.

We are requesting an administrative variance to the Land Development Code (LDC) Section 6.04.02.B to meet the requirements of LDC Section 6.04.07 (Minimum Spacing) for Tom Folsom Road. The applicant is proposing to keep the three (3) existing driveways on Tom Folsom Road at the subject property. The original design for the existing contractor’s office was a one-way driveway in with angled parking and a one-way driveway out. And the existing single-family home has its own driveway on Tom Folsom Road.

The variance request criteria outlined in Section 6.04.02.B.3 of the County LDC are as follows:

(a) There is unreasonable burden on the applicant.

- When the applicant purchased the existing contractor’s office that was built in 1975, it had a one-way in and one-way out which the width of the drive aisle for angled parking is not a sufficient width for an 18’ parking stall and 24’ two-way drive. It is not feasible to change to a 90° parking spaces configuration to consolidate to a single full access driveway with the physical constraints of the subject property. Therefore, the existing one-way in/one-way out must be maintained to avoid losing parking spaces and not meeting the LDC (EXHIBIT A). The spacing between the one-way in/one-way out drive is 134’± (EXHIBIT C).
- The other driveway on Tom Folsom is an existing residential driveway that was installed in 1956 when the house was built and will be used for the owner’s residence. Due to the limited physical constraints, there is no opportunity to consolidate the one-way out driveway to the south as it would require the removal of Grand Oaks and pose a safety concern and be a financial burden on the applicant (EXHIBIT B). The spacing for this driveway and existing one-way drive out driveway is 105’± which does not meet the minimum spacing requirement of 245’. However, it met the County requirement prior to Tom Folsom Road being designated as a collector road.

Received July 14, 2023
Development Services

- The existing driveway for the gas station was built in 1973. The spacing distance between the gas station driveway to the applicant’s existing one-way in driveway is 137’± (EXHIBIT C) which is a difference of 108’.
 - Tom Folsom Road is primarily within a low developing area with only one future development of a small subdivision northwest of the subject site. It still functions as a two-lane, undivided, local roadway.
- (b) The variance would not be detrimental to the public health, safety, and welfare.**
- The applicant is seeking two single family homes for his own use and a contractor’s office with enclosed storage. This would only generate an increase of 13 peak hour trips which is not a substantial increase and will not be a detriment to public health, safety, or welfare.
 - The existing residential driveway built in 1956 will be used for his residence. There is very low traffic since there is an internal pedestrian connection between his residence and office to the south. Due to low traffic on Tom Folsom, it will improve public safety.
 - The applicant is not seeking any additional entitlements in the future for the subject parcels.
 - The FDOT Crash Data Report indicates that there have been no crashes reported in the last 5 years (EXHIBIT D).
- (c) Without the variance, reasonable access cannot be provided. In evaluation of the variance request, the issuing authority shall be valid consideration to the land use plans, policies and local traffic circulation/operation of the site and adjacent areas.**
- The variance would allow reasonable access to the subject site. The existing accesses have been established since 1956 and 1975. It would be an unreasonable burden for the applicant to consolidate the driveways due to physical constraints and infeasibility.
 - Adhering to the strict and recently adopted LDC regulations would be unjust to the applicant since the driveways were built in 1956 and 1975. The applicant purchased the property in 1985, which at the time Tom Folsom was classified as a local road. Thus, reasonable access to the subject properties cannot be provided without these driveways remaining. This is not a self-imposed hardship.

We respectfully request your review and approval of the variance request. Photos are attached for your review and approval. If you should have any questions, or if we can be of further assistance, please feel free to call us at (813) 962-6230.

Best regards,

H. T. MAI, INC.



Hung T. Mai

Digitally signed by Hung T. Mai
Date: 2023.07.14
13:04:15 -04'00'

Hung T. Mai, P.E.



EOR Florida P.E. No. 32625

Received July 14, 2023
Development Services

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

_____ Approved with Conditions

_____ Approved

_____ Disapproved

Michael J. Williams, P.E.

Hillsborough County Engineer on _____

NOTICE: Consistent with Section 6.04.02.B.8 of the LDC, the result of this variance application may be appealed, as further described in Section 10.05.01 of the LDC, to the Land Use Hearing Officer within 30 calendar days of the date of the above action.

Received July 14, 2023
Development Services

REQUEST FOR ADMINISTRATIVE VARIANCE
FOLIO NO. 061039.0000, 061046.000 & 061036.0000
APPLICATION NO.: PD 23-0059

EXHIBIT A

Figure 1. Existing Angled Parking (One-Way In & One-Way Out)



EXHIBIT B

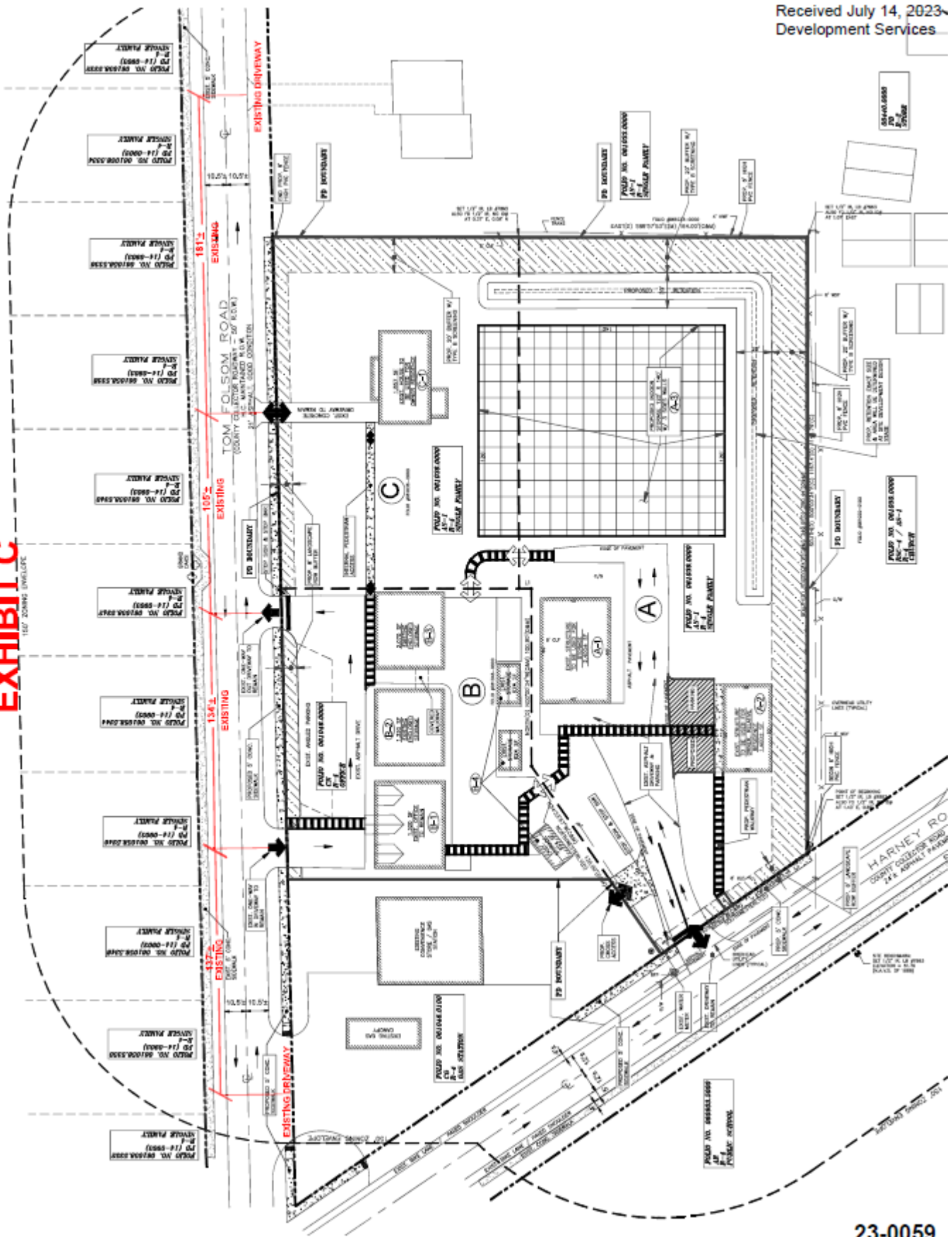
Figure 2. Looking south from single family home (Applicant's Residence)



23-0059

Received July 14, 2023
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EXHIBIT C
100% ZONING OVERLAYS

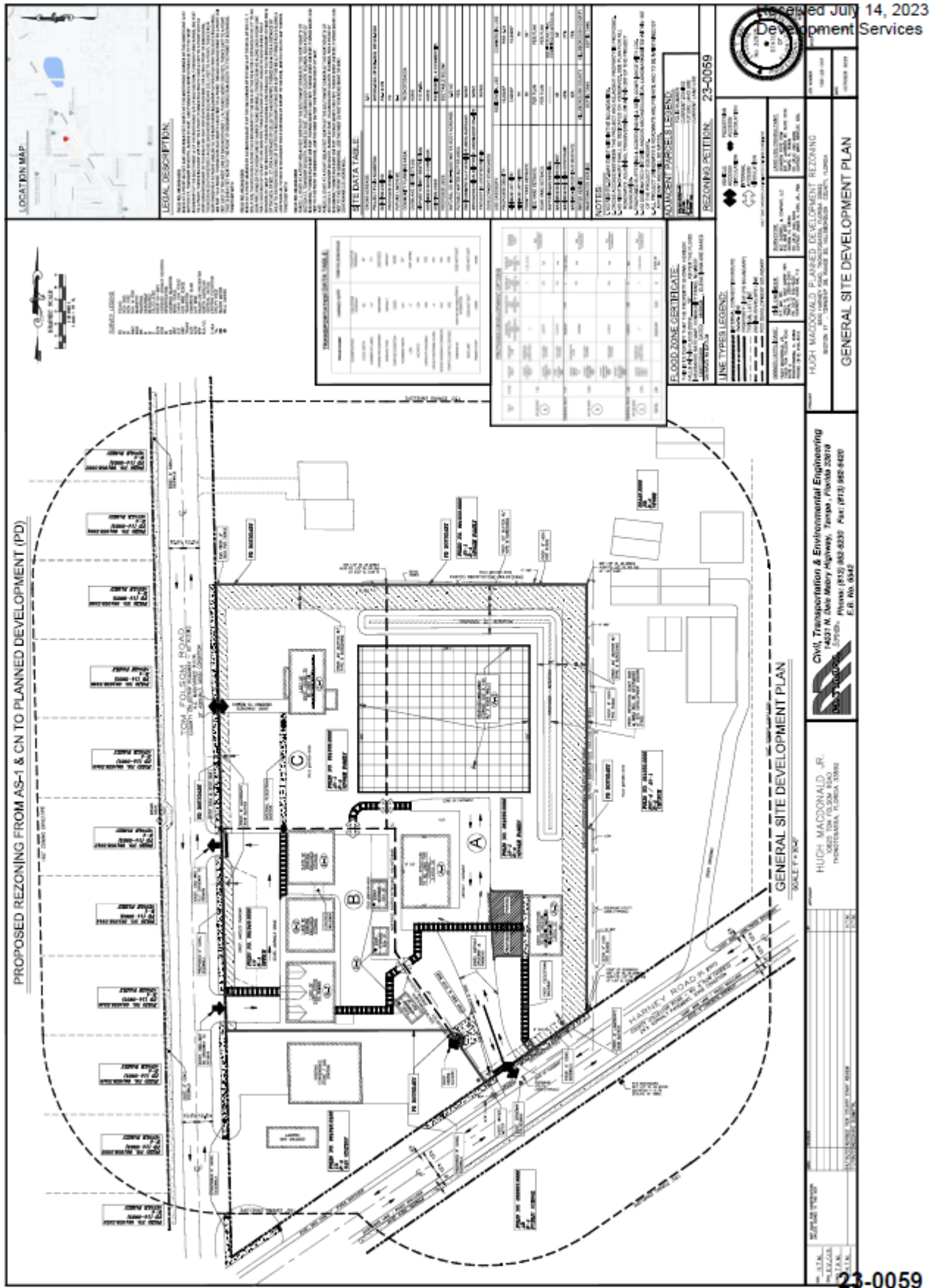


23-0059

Received July 14, 2023
 Development Services

Crash Id	Calendar Year	FDOT Crash Number	Reporting Agency	Agency Car Reporting Agency Type	FDOT Managing District	County Name	Crash Date	Crash Time	Day	On Roadway Name	In Roadway Name	Reference Direction
2.02E+12	2015	858854330	15-300847	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	14-May-15	834	FRIDAY	JOE EBERT RD	TOM FOLSOM RD	W
2.02E+12	2015	861989750	15-545187	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	26-Aug-15	834	THURSDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2017	869118390	17-582213	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	23-Jan-17	623	TUESDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2015	844508540	15-686588	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	25-Oct-15	740	MONDAY	JOE EBERT RD	TOM FOLSOM RD	E
2.02E+12	2016	865619960	16-582487	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	19-Aug-16	1654	SATURDAY	E FOWLER AVE	TOM FOLSOM RD	W
2.02E+12	2017	865674730	17-136689	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	5-Jan-17	1415	FRIDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2017	865635510	17-349982	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	16-May-17	1525	WEDNESDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2017	873701840	17-712126	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	4-Oct-17	1029	THURSDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2018	877096340	18-438575	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	24-Feb-18	1651	SUNDAY	JOE EBERT RD	TOM FOLSOM RD	E
2.02E+12	2018	877095190	18-141389	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	25-Feb-18	1700	MONDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2018	877165290	18-562280	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	13-Aug-18	1740	TUESDAY	E FOWLER AVE	TOM FOLSOM RD	E
2.02E+12	2018	886835530	18-625940	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	7-Sep-18	1333	SATURDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2015	858843200	15-223260	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	10-Apr-15	1700	SATURDAY	JOE EBERT RD	TOM FOLSOM RD	E
2.02E+12	2016	865662530	16-833489	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	30-Nov-16	300	THURSDAY	TOM FOLSOM RD	HARNEY FLATS LN	S
2.02E+12	2016	865660290	16-837383	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	1-Dec-16	1631	FRIDAY	TOM FOLSOM RD	REYUNDA AVE	N
2.02E+12	2017	869189850	17-853179	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	30-Nov-17	1916	FRIDAY	TOM FOLSOM RD	E FOWLER AVE	S
2.02E+12	2017	873722600	17-869377	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	7-Dec-17	705	FRIDAY	TOM FOLSOM RD	MARK ST	S
2.02E+12	2018	886884920	18-898728	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	28-Dec-18	2210	SATURDAY	TOM FOLSOM RD	DELS ACRE RD	S
2.02E+12	2015	857983100	15-117607	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	23-Feb-15	1322	TUESDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2017	869145720	17-213085	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	25-Mar-17	1807	SUNDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2017	873720930	17-823216	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	18-Nov-17	1429	SUNDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2015	856865500	15-71203	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	1-Feb-15	1831	MONDAY	TOM FOLSOM RD	HARNEY RD	E
2.02E+12	2015	857982180	15-92363	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	11-Feb-15	1630	THURSDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2016	865633070	16-667607	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	23-Sep-16	1455	SATURDAY	JOE EBERT RD	TOM FOLSOM RD	E
2.02E+12	2017	869134850	17-147407	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	27-Feb-17	1830	TUESDAY	JOE EBERT RD	TOM FOLSOM RD	E
2.02E+12	2017	869141430	17-570370	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	9-Aug-17	1821	THURSDAY	JOE EBERT RD	TOM FOLSOM RD	E

**EXHIBIT D -
 FDOT CRASH DATA REPORT**



23-0059

Received June 2, 2023
Development Services



H.T. MAI, INC.

Civil-Environmental-Transportation-Water Resource Engineering & Real Estate Development Consulting

14031 N. DALE MABRY HIGHWAY, TAMPA, FL 33618 * PHONE: (813) 962-6230 * FAX: (813) 962-6420

E-MAIL: htmai@aol.com

CERTIFICATE OF AUTHORIZATION NO. 6542

June 1, 2023

Mr. Michael J. Williams, P.E.
County Engineer
Development Review Director
Hillsborough County Development Services
601 E. Kennedy Blvd., 20th Floor
Tampa, FL 33602

Attn.: Ms. Sheida L. Tirado, P.E.

RE: REQUEST FOR ADMINISTRATIVE VARIANCE – ACCESS MINIMUM SPACING (HARNEY ROAD)
Application No: PD 23-0059
Folio No.: 061039.0000, 061046.0000 & 061036.0000

Dear Mr. Williams:

This variance request is being sought in conjunction with the submission of a Planned Development Rezoning application (PD 23-0059). The applicant is proposing a PD mixed use with two (2) single family residential homes and a 1,320 SF contractor’s roofing office with 23,712 SF enclosed storage. The parcels are 2.51+/- acres located on the northeast corner of Harney Road and Tom Folsom Road.

We are requesting an administrative variance to Land Development Code (LDC) Section 6.04.02.B to meet the requirements of LDC Section 6.04.07 (Minimum Spacing) for Harney Road. The applicant is proposing to keep the existing driveway on Harney Road at its current location. The existing single-family home was built in 1961 and the applicant purchased the parcel in 1979 which already had a driveway on Harney Road.

The variance request criteria outlined in Section 6.04.02.B.3 of the County LDC are as follows:

(a) There is unreasonable burden on the applicant.

- The existing driveway was built in 1961 which was prior to the gas station driveway being built in 1973. The approximate spacing is 100 ft. The church’s driveway located to the east of the subject site was built in 2001 which has a spacing distance of 180 ft. (EXHIBIT A1, A2 & A3).
- Harney Road is primarily within a low to moderate developing area with only three subdivisions developed on a small scale. It still functions as a two-lane, undivided, local roadway.

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

- The applicant is seeking two single family homes and a contractor’s office with enclosed storage. This would only generate an increase of 13 peak hour trips which is not a substantial increase and will be a detriment to public health, safety, or welfare.
- The existing driveway which the applicant will use primarily for his crew to pick up roofing materials early in the morning using three small trucks and returning on site around 4 p.m. which is very low traffic on Harney Road.
- The subject section of Harney Road is an average of 24+/- feet in width which is acceptable for a collector roadway. In addition, there is a school beacon with a posted speed limit of 20 MPH along with “school” pavement markings that help keep the speed down and promote safety.

Received June 2, 2023
Development Services

- The FDOT Crash Data Report indicates that there have been no crashes reported in the last 5 years (EXHIBIT B).
- (c) Without the variance, reasonable access cannot be provided. In evaluation of the variance request, the issuing authority shall be valid consideration to the land use plans, policies and local traffic circulation/operation of the site and adjacent areas.
- The variance would allow reasonable access to the subject site. The existing access has been established since 1961.
- Adhering to the strict and recently adopted LDC regulations would be unjust to the applicant since the driveways were built in 1979. The applicant purchased the property in 1985. Thus, reasonable access cannot be provided without these driveways remaining. This is not a self-imposed hardship.

We respectfully request your review and approval of the variance request. Photos are attached for your review and approval. If you should have any questions, or if we can be of further assistance, please feel free to call us at (813) 962-6230.

Best regards,
H. T. MAI, INC.

Hung T. Mai Digitally signed by Hung T. Mai
Date: 2023.06.02 13:08:24 -04'00'



Hung T. Mai, P.E.



EOR Florida P.E. No. 32625

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

_____ Approved with Conditions

_____ Approved

_____ Disapproved

Michael J. Williams, P.E.
Hillsborough County Engineer on _____

NOTICE: Consistent with Section 6.04.02.B.8 of the LDC, the result of this variance application may be appealed, as further described in Section 10.05.01 of the LDC, to the Land Use Hearing Officer within 30 calendar days of the date of the above action.

REQUEST FOR ADMINISTRATIVE VARIANCE
FOLIO NO. 061039.0000, 061046.000 & 061036.0000
APPLICATION NO.: PD 23-0059

EXHIBIT A1 & A2

Figure 2. Subject site driveway to church's driveway is 180+/- ft.



Figure 2. Spacing between subject site and gas station driveway is 100+/- ft.







H.T. MAI, INC.

Civil-Environmental-Transportation-Water Resource Engineering & Real Estate Development Consulting

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E-MAIL: htmai@aol.com

CERTIFICATE OF AUTHORIZATION NO. 6542

September 6, 2023

Mr. Michael J. Williams, P.E.
County Engineer
Development Review Director
Hillsborough County Development Services
601 E. Kennedy Blvd., 20th Floor
Tampa, FL 33602

Attn.: Ms. Sheida L. Tirado, P.E.

RE: REQUEST FOR ADMINISTRATIVE VARIANCE –
NUMBER OF ACCESS POINTS (TOM FOLSOM ROAD)
Application No: PD 23-0059
Folio No.: 061039.0000, 061046.0000 & 061036.0000

Dear Mr. Williams:

This variance request is being sought in conjunction with the submission of a Planned Development Rezoning application (PD 23-0059). The applicant is proposing a PD mixed use with two (2) single family residential homes and a 1,320 SF contractor’s roofing office with 23,712 SF enclosed storage. The parcels are 2.51+/- acres located on the northeast corner of Harney Road and Tom Folsom Road.

We are requesting an administrative variance to Land Development Code (LDC) Section 6.04.02.B to meet the requirements of LDC Section 6.04.03.I (Number of Access Points) for Tom Folsom Road. This variance is to keep the three (3) existing driveways, instead of one driveway as required by the LDC. The original design for the existing contractor’s office was a one-way driveway in with angled parking and a one-way driveway out. And the existing single-family home has its own driveway on Tom Folsom Road.

The variance request criteria outlined in Section 6.04.02.B.3 of the County LDC are as follows:

(a) There is an unreasonable burden on the applicant.

- When the applicant purchased the existing contractor’s office that was built in 1975, it had a one-way in and one-way out which the width of the drive aisle for angled parking is not a sufficient width for an 18’ parking stall and 24’ two-way drive. It is not feasible to change to a 90° parking spaces configuration to consolidate to a single full access driveway with the physical constraints of the subject property. Therefore, the existing one-way in/one-way out must be maintained to avoid losing parking spaces and not meeting the LDC (EXHIBIT A).
- This variance is to keep the three (3) existing driveways, instead of one driveway as required by the LDC. Based on an analysis of the subject site, the calculations are shown in (EXHIBIT A-1).
- The other driveway on Tom Folsom is an existing residential driveway that was installed in 1956 when the house was built and will be used for the owner’s residence. Due to the limited physical constraints, there is no opportunity to consolidate the one-way out driveway to the south as it would require the removal of Grand Oaks and pose a safety concern and be a financial burden on the applicant (EXHIBIT B).

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

- The applicant is seeking two single family homes for his own use and a contractor’s office with enclosed storage. This would only generate an increase of 13 peak hour trips which is not a substantial increase and will not be a

detriment to public health, safety, or welfare.

- The existing residential driveway built in 1956 will be used for his residence. There is very low traffic since there is an internal pedestrian connection between his residence and office to the south. Due to low traffic on Tom Folsom, it will improve public safety.
 - The applicant is not seeking any additional entitlements in the future for the subject parcels.
 - The FDOT Crash Data Report indicates that there have been no crashes reported in the last 5 years (EXHIBIT C).
- (c) Without the variance, reasonable access cannot be provided. In evaluation of the variance request, the issuing authority shall be valid consideration to the land use plans, policies and local traffic circulation/operation of the site and adjacent areas.
- The variance would allow reasonable access to the subject site. The existing accesses have been established since 1956 and 1975. It would be an unreasonable burden for the applicant to consolidate the driveways due to physical constraints and infeasibility.
 - Adhering to the strict and recently adopted LDC regulations would be unjust to the applicant since the driveways were built in 1956 and 1975. The applicant purchased the property in 1985, which at the time Tom Folsom was classified as a local road. Thus, reasonable access to the subject properties cannot be provided without these driveways remaining. This is not a self-imposed hardship.

We respectfully request your review and approval of the variance request. Photos are attached for your review and approval. If you should have any questions, or if we can be of further assistance, please feel free to call us at (813) 962-6230.

Best regards,

H. T. MAI, INC.


Hung T. Mai, P.E.

Hung T.
Mai

Digitally signed by
Hung T. Mai
Date: 2023.09.06
11:01:00 -04'00'



EOR Florida P.E. No. 32625

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

_____ Approved with Conditions

_____ Approved

_____ Disapproved

Michael J. Williams, P.E.
Hillsborough County Engineer on _____

NOTICE: Consistent with Section 6.04.02.B.8 of the LDC, the result of this variance application may be appealed, as further described in Section 10.05.01 of the LDC, to the Land Use Hearing Officer within 30 calendar days of the date of the above action.

REQUEST FOR ADMINISTRATIVE VARIANCE
FOLIO NO. 061039.0000, 061046.000 & 061036.0000
APPLICATION NO.: PD 23-0059

EXHIBIT A

Figure 1. Existing Angled Parking (One-Way In & One-Way Out)



EXHIBIT B

Figure 2. Looking south from single family home (Applicant's Residence)



HUGH MACDONALD PD REZONING (PD 23-0059)

EXHIBIT A-1

Determine Peak Hour Total Project Traffic:

General Light Industrial (ITE Code 110): 24,611 SF

AADT = 172 Trips

Peak Hour Total = 47 Trips

Single Family Home (ITE Code 210): 1 Unit

AADT = 10 Trips

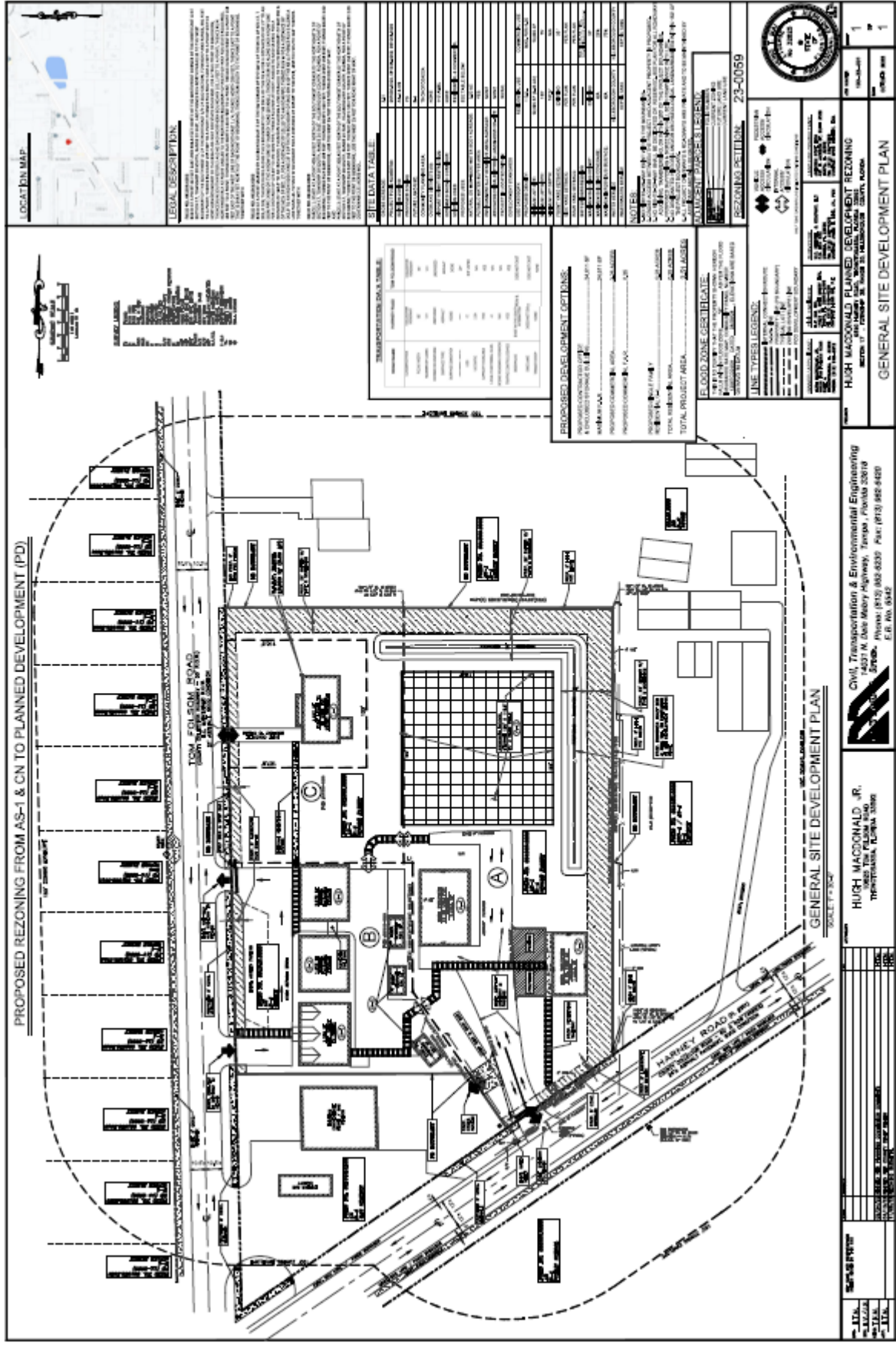
Peak Hour Total = 2 Trips

-
- Total Peak Hour Trips = 49 Trips
 - Table 2: Function & Driveway Guidelines for Non-Residential Use:

Number of Driveways = $49 / 300 = \underline{1}$
 - Conclusion: One driveway connection on Tom Folsom Road and one driveway connection on Harney Road per LCS

Crash Id	Calendar Year	Crash Number	Reporting Agency	Agency Type	FDOT Managing District	County Name	Crash Date	Crash Time	Day	On Roadway Name	Int Roadway Name	Reference Direction
2.02E+12	2015	858854330	15-300847	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	14-May-15	834	FRIDAY	JOE EBERT RD	TOM FOLSOM RD	W
2.02E+12	2015	861989750	15-546187	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	26-Aug-15	814	THURSDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2017	869118390	17-56213	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	23-Jan-17	623	MONDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2015	844508540	15-688568	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	25-Oct-15	740	MONDAY	JOE EBERT RD	TOM FOLSOM RD	E
2.02E+12	2016	865619960	16-582497	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	19-Aug-16	1654	SATURDAY	E FOWLER AVE	TOM FOLSOM RD	W
2.02E+12	2017	865674730	17-136889	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	5-Jan-17	1415	FRIDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2017	865635510	17-349982	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	16-May-17	1525	WEDNESDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2017	873701840	17-712126	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	4-Oct-17	1029	THURSDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2018	877096340	18-138575	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	24-Feb-18	1651	SUNDAY	JOE EBERT RD	TOM FOLSOM RD	E
2.02E+12	2018	877095190	18-141389	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	25-Feb-18	1700	MONDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2018	877165290	18-562280	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	13-Aug-18	1700	TUESDAY	E FOWLER AVE	TOM FOLSOM RD	E
2.02E+12	2018	886835530	18-625940	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	7-Sep-18	1333	SATURDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2015	858843200	15-223260	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	10-Apr-15	1700	SATURDAY	JOE EBERT RD	TOM FOLSOM RD	E
2.02E+12	2016	865662630	16-833489	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	30-Nov-16	300	THURSDAY	TOM FOLSOM RD	HARNEY PLATS LN	S
2.02E+12	2016	865662090	16-837383	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	1-Dec-16	1631	FRIDAY	TOM FOLSOM RD	REPLUNDA AVE	N
2.02E+12	2017	869189850	17-853179	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	30-Nov-17	1916	FRIDAY	TOM FOLSOM RD	E FOWLER AVE	S
2.02E+12	2017	873722600	17-869377	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	7-Dec-17	705	FRIDAY	TOM FOLSOM RD	MARK ST	S
2.02E+12	2018	886894920	18-898728	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	28-Dec-18	2210	SATURDAY	TOM FOLSOM RD	DELS ACRE RD	S
2.02E+12	2015	857983100	15-117607	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	23-Feb-15	1322	TUESDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2017	869145720	17-213885	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	25-Mar-17	1807	SUNDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2017	873720830	17-823236	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	18-Nov-17	1429	SUNDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2015	856865500	15-71203	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	1-Feb-15	1831	MONDAY	TOM FOLSOM RD	HARNEY RD	E
2.02E+12	2015	857982180	15-92363	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	11-Feb-15	1630	THURSDAY	HARNEY RD	TOM FOLSOM RD	E
2.02E+12	2016	865633070	16-667607	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	23-Sep-16	1455	SATURDAY	JOE EBERT RD	TOM FOLSOM RD	E
2.02E+12	2017	869134830	17-147407	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	27-Feb-17	1830	TUESDAY	JOE EBERT RD	TOM FOLSOM RD	E
2.02E+12	2017	869141430	17-570370	CITY POLICE DEPARTMENT	07 SEVENTH	HILLSBOROUGH	9-Aug-17	1823	THURSDAY	JOE EBERT RD	TOM FOLSOM RD	E

EXHIBIT C - FDOT CRASH DATA REPORT



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**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: September 18, 2023 Report Prepared: September 6, 2023	Petition: PD 23-0059 9810 Harney Road and 10825 & 10941 Tom Folsom Road <i>North of Harney Road and east of Tom Folsom Road</i>
Summary Data:	
Comprehensive Plan Finding	INCONSISTENT
Adopted Future Land Use	Residential-4 (4 du/ga; 0.25 FAR)
Service Area	Rural
Community Plan	Thonotosassa
Request	Agricultural, Single-Family-1 (AS-1) and Commercial Neighborhood (CN) to Planned Development (PD) for one single family residential dwelling, and 24,611 SF of contractor office and enclosed storage
Parcel Size (Approx.)	2.51 +/- acres (109,335 square feet)
Street Functional Classification	Harney Road – Arterial Tom Folsom Road – Collector
Locational Criteria	Does not meet; waiver request submitted
Evacuation Area	None



Context

- The subject site is located north of Harney Road and east of Tom Folsom Road on approximately 2.51 ± acres.
- The site is in the Rural Area and within the limits of the Thonotosassa Community Plan.
- The site has a Future Land Use designation of Residential-4 (RES-4), which allows for consideration of up to 4 dwelling units per gross acre and a maximum Floor Area Ratio (FAR) of 0.25. The RES-4 Future Land Use is intended to designate areas that are suitable for low density residential development. In addition, suburban scale neighborhood commercial, office, multi-purpose and mixed-use projects that are serving the area may be permitted. Typical uses in the RES-4 Future Land Use category include residential, suburban scale neighborhood commercial, office uses and multi-purpose projects. Non-residential uses must meet locational criteria for specific land uses.
- The subject site is surrounded by RES-4 to the north, east, south, and west. Public/Quasi Public (P/QP) is located to the south and southeast. Residential-1 (RES-1) is located further south. The subject site is mainly surrounded by a gas station, a church, Folsom Elementary School, and single-family residential homes.
- The subject site is zoned Agricultural, Single-Family-1 (AS-1) and Commercial Neighborhood (CN). It is mainly surrounded by AS-1 zoning to the north and east, Planned Development (PD) zoning to the west and Agricultural Rural (AR) zoning to the south. There are two parcels of CN to the south of the subject site (gas station) at the intersection of Harney Road and Tom Folsom Road, and one parcel of Residential, Single-Family Conventional-4 (RSC-4) to the east of the subject site (church).
- The applicant requests to rezone from Agricultural, Single-Family-1 (AS-1) and Commercial Neighborhood (CN) to Planned Development (PD) for one single family residential dwelling, and 24,611 square feet of contractor office and enclosed storage.

Compliance with Comprehensive Plan:

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

FUTURE LAND USE ELEMENT

Rural Area

Objective 4: *The Rural Area will provide areas for long term, agricultural uses and large lot, low density rural residential uses which can exist without the threat of urban or suburban encroachment, with the goal that no more than 20% of all population growth within the County will occur in the Rural Area.*

Policy 4.1: Rural Area Densities *Within rural areas, densities shown on the Future Land Use Map will be no higher than 1 du/5 ga unless located within an area identified with a higher density land use category on the Future Land Use Map as a suburban enclave, planned village, a Planned Development pursuant to the PEC ½ category, or rural community which will carry higher densities.*

Land Use Categories

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

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

Relationship to Land Development Regulations

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

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

Neighborhood/Community Development

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

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

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

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

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

- a) the creation of like uses; or*
- b) creation of complementary uses; or*
- c) mitigation of adverse impacts; and*

d) transportation/pedestrian connections

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

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

Commercial-Locational Criteria

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

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

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

Policy 22.8: The Board of County Commissioners may grant a waiver to the intersection criteria for the location of commercial uses outlined in Policy 22.2. The waiver would be based on the compatibility of the use with the surrounding area and would require a recommendation by the Planning Commission staff. Unique circumstances and specific findings should be identified by the staff or the Board of County Commissioners which would support granting a waiver to this section of the Plan. The Board of County Commissioners may reverse or affirm the Planning Commission staff's recommendation through their normal review of rezoning petitions. The waiver can only be related to the location of the neighborhood serving commercial or agriculturally oriented community serving commercial zoning or development. The square footage requirement of the plan cannot be waived.

Community Design Component (CDC)

5.0 NEIGHBORHOOD LEVEL DESIGN

5.1 COMPATIBILITY

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

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

LIVABLE COMMUNITIES ELEMENT: *Thonotosassa Community Plan*

Goals

1. *Community Control – Empower the residents, property owners and business owners in setting the direction and providing ongoing management of Thonotosassa’s future growth and development, toward a community that adds value and enhances quality of life.*
2. *Sense of Community – Ensure that new development maintains and enhances Thonotosassa’s unique character and sense of place and provides a place for community activities and events.*
3. *Rural Character, Open Space and Agriculture – Provide improved yet affordable infrastructure and a balance of residential, commercial, and other land uses while maintaining the rural nature of the Thonotosassa area. This goal includes encouragement for agriculture, protection of property owners’ rights and values, and the establishment of open space and green space and low density, rural residential uses.*

Comprehensive Plan Strategies

- *Designate Main Street as Thonotosassa’s downtown, develop a central gathering place and make downtown a focal point of commercial and community activity.*
- *Protect the area’s rural character.*

Staff Analysis of Goals Objectives and Policies:

The subject site is located north of Harney Road and east of Tom Folsom Road on approximately 2.51 ± acres. The site is in the Rural Area and within the limits of the Thonotosassa Community Plan. The applicant requests to rezone from Agricultural, Single-Family-1 (AS-1) and Commercial Neighborhood (CN) to Planned Development (PD) for one single family dwelling, a contractor office and enclosed storage buildings that total 24,611 square feet. The subject site is mainly surrounded by a gas station, a church, Folsom Elementary School, and single-family residential homes.

The Rural Area is intended for long term, agricultural uses and large lot, low density rural residential uses which can exist without the threat of urban or suburban encroachment. The site is designated as Residential-4 (RES-4) in Rural Area on the Future Land Use Map (FLUM). RES-4 Future Land Use is intended for residential, suburban scale neighborhood commercial, office uses and multi-purpose projects. The proposed density and intensity are consistent with what can be considered in the RES-4 category. One dwelling unit is proposed on .25 acres and 24,611 SF of nonresidential uses are proposed on the remaining 2.26 acres. However, the area mainly contains public institutional and low-density residential uses. The proposed development is more intense in nature and will not allow the area to remain rural in character. Therefore, the proposal is inconsistent with Objective 8 and Policy 8.1 of the Future Land Use Element (FLUE).

The proposed rezoning does not meet the intent of FLUE Objective 16 and Policies 16.1, 16.2, 16.3 and 16.7. Although the proposal includes 20’ setbacks with Type B screening and a 20’ wide retention area on the north and west boundaries of the site, the proposed enclosed 35’ tall storage building is located farthest away from the intersection and out of

scale with the surrounding single-family dwellings which are mainly single story. While the site meets Policy 16.5, proposing the storage building setback from the roadway negates the intent, which is to put higher intensity non-residential uses on major roads and not next to neighborhoods. The site appears to show efficient circulation and access; however, the County Transportation Department had not filed comments into Optix at the time of this report.

Objective 12-1 and Policy 12-1.4 of the Community Design Component (CDC) discuss how new development shall be compatible with the established character of the surrounding area. The development pattern and character of this area mainly contains a gas station which is located in the CN zoning district, a church and elementary school which are residential support uses, and single-family residential homes. The proposed contractor office and storage building is not compatible with the surrounding development pattern.

The subject site does not meet Commercial Locational Criteria (CLC) in accordance with Objective 22 of the FLUE. It is not within the required 300-foot distance from the closest qualifying intersection of Harney Road and Tom Folsom Road, which is a Major Local Road. The applicant has submitted a waiver request for review. The waiver request describes that 40% of the site's frontage is within the node (when 75% is required). It goes on to describe that the northern side along Tom Folsom Road is shown to remain as an existing single-family residence. PC staff cannot identify any unique circumstances to recommend waiving CLC as single family residential already exists on the site. Furthermore, as mentioned previously, the proposed 35' tall storage building is located at the northeast corner of the property which is furthest away from the intersection and abutting a property with a single story, single-family home. Therefore, PC staff recommends that the Board of County Commissioners does not grant a waiver to the CLC.

The site is within the limits of the Thonotosassa Community Plan. The proposed Planned Development does not meet the intent of the Plan as it strives to protect the area's rural character and to make downtown a focal point of commercial activity. The proposed contractor office with enclosed storage does not support these strategies.

Overall, staff finds that the proposed development is inconsistent with the intent of the Rural Area and Commercial Locational Criteria. The proposed Planned Development would allow for development that is inconsistent with the Goals, Objectives, and Policies in the *Unincorporated Hillsborough County Comprehensive Plan*. The request is incompatible with the existing and planned development pattern found within the surrounding area.

Recommendation

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

HILLSBOROUGH COUNTY FUTURE LAND USE RZ PD 23-0059

<all other values>

Rezonings
STATUS

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

Tampa Service

Urban Service

Shoreline

County Boundary

Jurisdiction Boundary

Roads

Parcels

WATER NATURAL LULC, Wet Poly

AGRICULTURAL/MINING-120 (.25 FAR)

PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)

AGRICULTURAL-1/10 (.25 FAR)

AGRICULTURAL 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)

OC-20

RESEARCH CORPORATE PARK (1.0 FAR)

ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)

LIGHT INDUSTRIAL PLANNED (.50 FAR)

LIGHT INDUSTRIAL (.50 FAR)

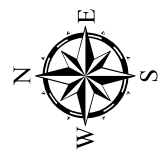
HEAVY INDUSTRIAL (.50 FAR)

PUBLIC/QUASH-PUBLIC

NATURAL PRESERVATION

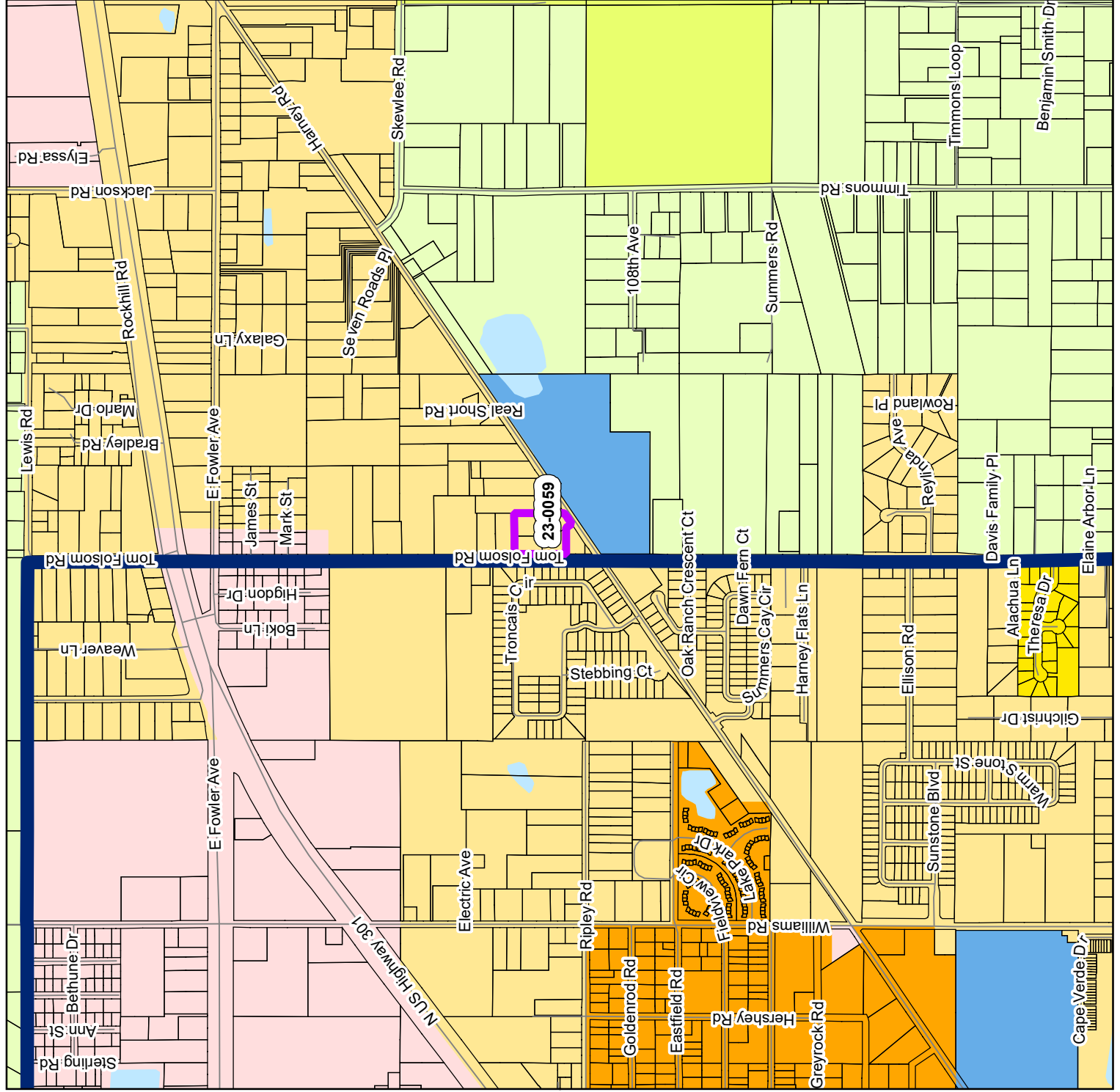
WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)

CITRUS PARK VILLAGE



DATA SOURCES: Rezonings boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. The rezoning boundaries are for informational purposes only and are not intended to be used for any other purpose without specific approval of the Hillsborough County City/County Planning Commission. ACCURACY: It is intended that the information shown on this map is accurate to the best of our knowledge and belief. However, such accuracy is not guaranteed by the Hillsborough County City/County Planning Commission. This map is for informational purposes only. For the most current data and information, visit the appropriate website.

Map Printed from Rezoning System: 2/13/2023
Author: Beverly F. Daniels
File:



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