



Hillsborough County Florida

SM
STAFF REPORT

SUBJECT:	RZ 20-0374	PLANNING AREA:	Seffner Mango
REQUEST:	Rezone to Commercial General (CG)	SECTOR:	Urban
APPLICANT:	John Grygiel		
Existing Zoning District: Residential Duplex Conventional (RDC-12)		Future Land Use Category: Residential - 9 (Res-9)	



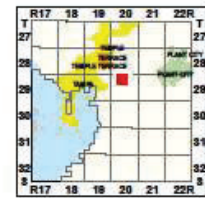
**Immediate Aerial
Zoning Map
RZ-STD 20-0374**

Folio: 65840.0000, 65843.0000

- Application Site
- Zoning Boundary
- Parcels

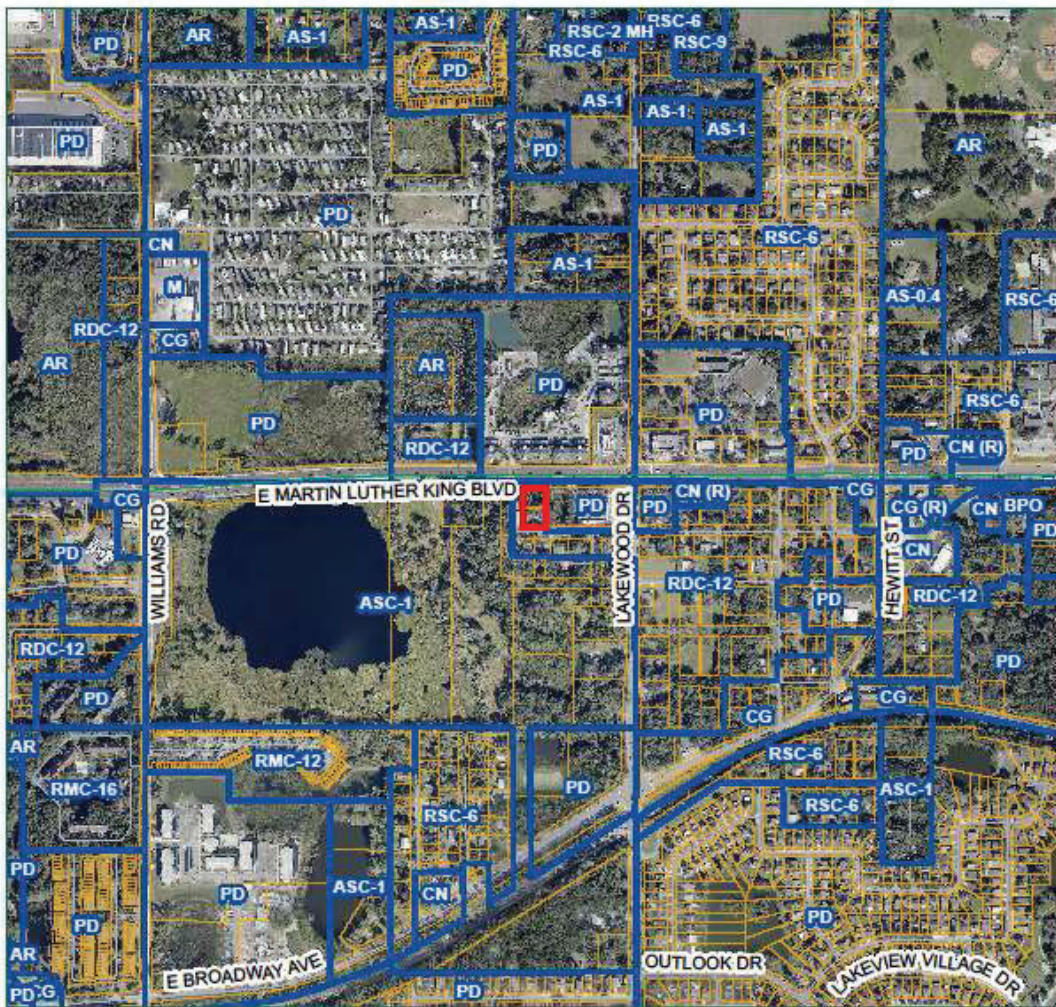


STR: 9-20-20



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AREA CONTEXT MAP



Application Review Summary and Recommendation

1.0 Summary

1.1 Project Narrative

The request is to rezone one parcel totaling approximately 0.58 acres from Residential Duplex, Conventional – 12 (RDC-12) zoning district to Commercial General with restrictions (CG-R). The site is located on the south side of E. Martin Luther King (MLK) Blvd, southeast of the intersection of at 3538 Lindsey Street, which is approximately 1800feet north of the intersection of MLK Blvd and Thomas Street. The underlying future land use (FLU) category of the subject parcel is Residential-9 (Res -9).

1.2 Compliance Overview with Land Development Code and Technical Manuals

No variation or variances to the Hillsborough County Land Development Code (LDC) are being requested at this time. The site will comply with and conform to applicable policies and regulations, including but not limited to, the LDC, Site Development and Technical Manuals.

1.3 Analysis of Recommended Conditions

The applicant is proposing the following restrictions:

1) 6 ‘ PVC Fence against residential uses, 4’ high on Thomas, evergreen shade trees not less then 10’ high at the time of planting *SPACED EVERY 10’* (versus every 20’ as required by code), to be planted within 10’ of the property line.

2) The following uses are proposed as restricted on the parcels:

- Car wash. The accessory use of a car wash is permissible if in conjunction with a primary use of an auto car sales lot.

- No open storage

- Major and Minor vehicle repair. The accessory use of vehicle repair is permissible if in conjunction with a primary use of a auto car sales lot.

- no blood plasma banks or donations

- Adult uses

1.4 Evaluation of Existing and Planned Public Facilities

The site is Urban Service Area and should be served by Hillsborough County Water and Wastewater Service.

Transportation staff has reviewed the application and offers no objections. The site is located 110 feet southeast of the intersection of E Martin Luther King Boulevard and Thomas Street. The site has frontage on both E Martin Luther King Boulevard and Thomas Street. E Martin Luther King Boulevard is a 6-lane, arterial roadway with +/- 11-foot lanes. There 6-foot sidewalks on both sides There are 4-foot bike lanes along both sides of the roadway. Martin Luther King Boulevard is a state roadway under the permitting authority of the FDOT. Thomas Street is a local roadway with 13-15 feet of pavement in fair condition. There are no sidewalks on either side along the frontage of site There are no paved shoulders

or curb and gutter. E Martin Luther King Boulevard and Thomas Street are not shown on the Hillsborough County Corridor Preservation Plan, as such, no preservation along these frontages are required.

The proposed rezoning would result in an increase of trips potentially generated by development of the subject parcel by 2,541 average daily trips, 116 trips in the a.m. peak hour, and 181 trips in the p.m. peak hour.

The Florida Department of Transportation commented that MLK Blvd is state highway and that permits for access to state highways are required, and approval is not guaranteed. The applicant is reminded that zoning application and site development plan approvals by the local government do not guarantee acceptance of external project driveway location(s) on state roads.

The proposed site falls within the Airport Height Zoning Map. Any structure including construction equipment that exceeds 250 feet Above Mean Sea Level may require an Airport Height Zoning Permit and must be reviewed by the Airport Zoning Director.

The Impact & Mobility Fee Coordinator provided estimates of potential impact and mobility fees as follows:

Retail - Shopping Center (50k s.f. or less) (Per 1,000 s.f.) Mobility: \$8,382.00 Fire: \$313.00	General Office (100k s.f. or less) (Per 1,000 s.f.) Mobility: \$5,374.00 Fire: \$158.00	
Retail - Conv Mkt. w/Gas (Per 1,000 s.f.) Mobility: \$29,658.00 Fire: \$313.00	Retail - Fast Food w/Drive Thru (Per 1,000 s.f.) Mobility: \$56,660.00 Fire: \$313.00	Single Tenant Office (Per 1,000 s.f.) Mobility: \$5,410.00 Fire: \$158.00

1.5 Environmental/Natural Resources

No comments/concerns were submitted by applicable reviewing agencies.

1.6 Comprehensive Plan Consistency

The subject property is designated Residential-9 (RES-4) on the Future Land Use Map. The Planning Commission staff finds the proposed rezoning INCONSISTENT with the Future of Hillsborough Comprehensive Plan, due to compatibility concerns and inconsistency with the Seffner Mango Community Plan.

1.7 Compatibility

The surrounding zoning and development pattern consist of RDC-12 zoned parcels developed with single-family residential to the immediate west and to the south across Thomas Street. The RDC-12 zoning district permits single-family detached and two-family attached (duplex) units. To north across MLK Blvd is a multi-family apartment development. To the immediate east is a Planned Development (PD 99-1235) currently developed with a retail drug store. The PD permits other CG zoning district uses but requires if the site is converted to a different use the submittal of a traffic analysis to demonstrate the new use will

not exceed the traffic impacts of the drug store. Along Thomas Street the PD was required to provide (between the stormwater pond along the western boundary and the access drive to Thomas Street near the eastern boundary) a four-foot screen consisting of a fence, wall or hedge or combination of the three. A hedge appears to have been planted. Along the common boundary between the subject parcel and the PD is a stormwater pond which provides for approximately 150 of separation between the subject parcel and the drug store driveway and building. Along the western boundary, if developed with CG uses buffering and screening consisting of a 6-foot fence, wall, hedge or combination with 10-foot evergreen trees planted on 20-foot centers would be required. Along Thomas Street, as Thomas Street is a 50-foot right-of-way, the type of buffering and screening that would be required along the western boundary is not required as the parcels are not considered adjacent. Pursuant to the Land Development Code, vehicular use areas if located along Thomas Street would be required to have an 8-foot buffer with a three-foot fence, wall, hedge or combination and trees planted on 40 foot on centers. As noted, the applicant has proposed trees planted on 10-foot centers along the western boundary and along Thomas Street, with a four-foot fence also along Thomas Street. The parcel would be permitted access to Thomas Street, a local residential street. The CG district allows for a wide range of commercial/retail uses, including fast food restaurants and convenience stores, that are typically high traffic generators with late night and weekend hours.

1.8 Agency/Department Comments

The following agencies and departments reviewed the request and offer no objections:

- Water Resource Services
- Conservation and Environmental Lands Management
- Transportation
- Impact and Mobility Fee Coordinator

1.9 Exhibits


Exhibit 1: Project Aerial

Exhibit 2: Zoning Map

Exhibit 3: Future Land Use Map

2.0 Recommendation

Based on the Planning Commission inconsistency finding, the site characteristics and the range of allowable uses under the CG zoning district, staff concurs that the proposed CG zoning with the proposed restrictions is not consistent/compatible with the existing develop pattern as it would not provide for a proper use transition between the existing single-family uses to the west and south and the commercial to the east. Therefore, staff finds the request not supportable.




Staff's Recommendation: Not supportable	
Zoning Administrator Sign-off:	 J. Brian Grady Fri Mar 5 2021 13:30:49



General Aerial Zoning Map

RZ-STD 20-0374

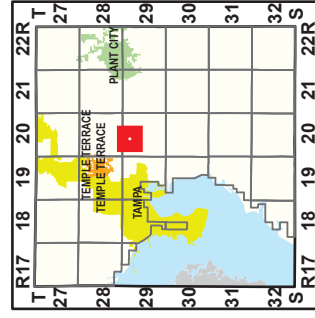
Folio: 65840.0000,
65843.0000

-  Application Site
-  Zoning Boundary
-  Parcels



0 540 1,080 Feet

STR: 9-29-20

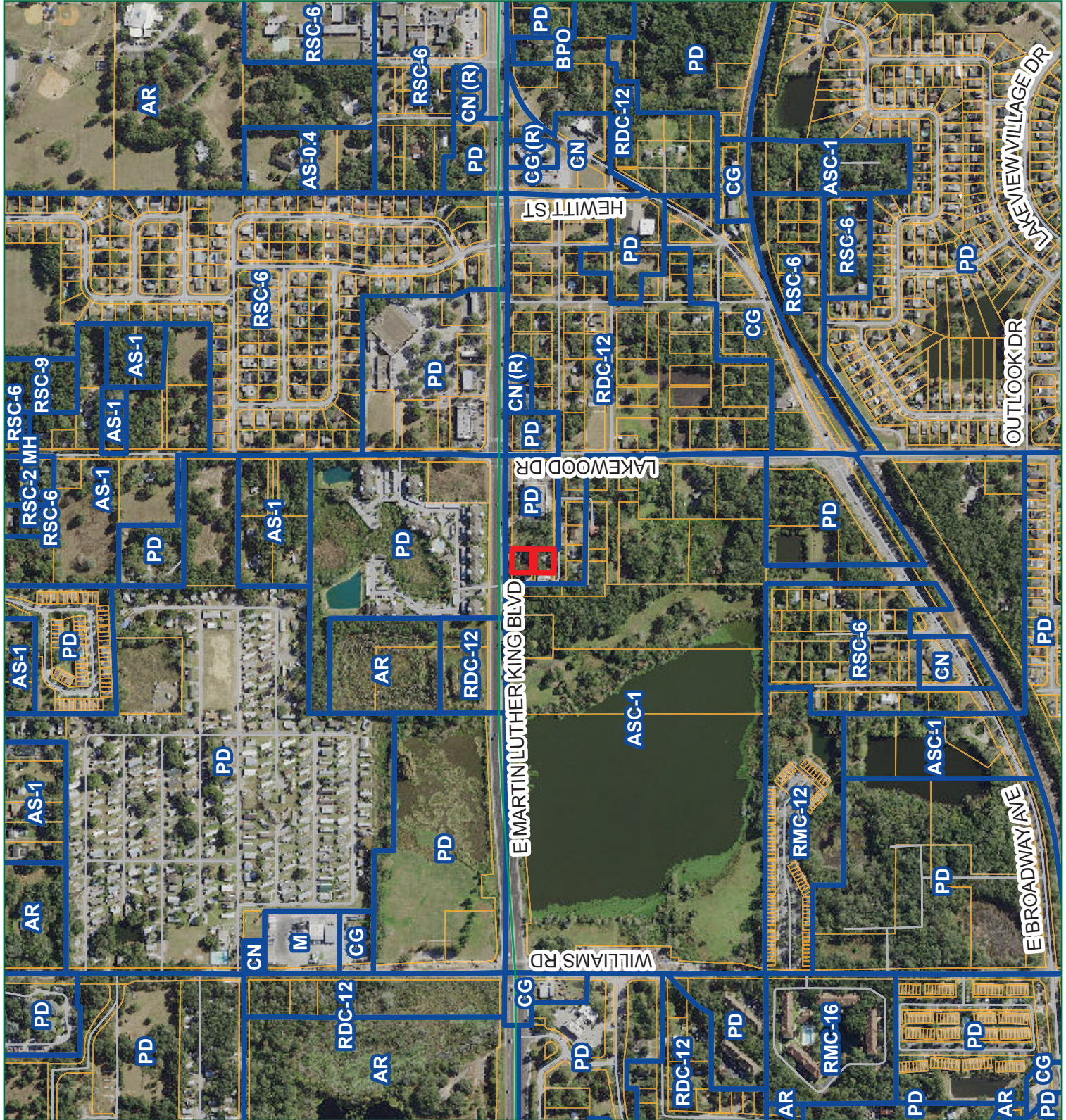


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THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose.

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

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




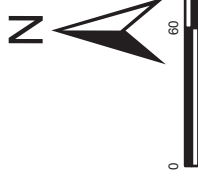


Immediate Aerial Zoning Map

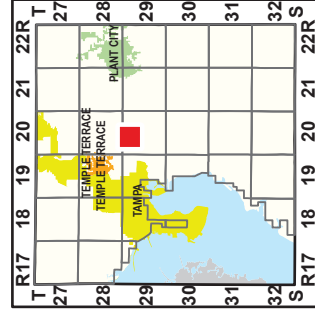
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HILLSBOROUGH COUNTY RZ 20-0374

Rezonings
STATUS

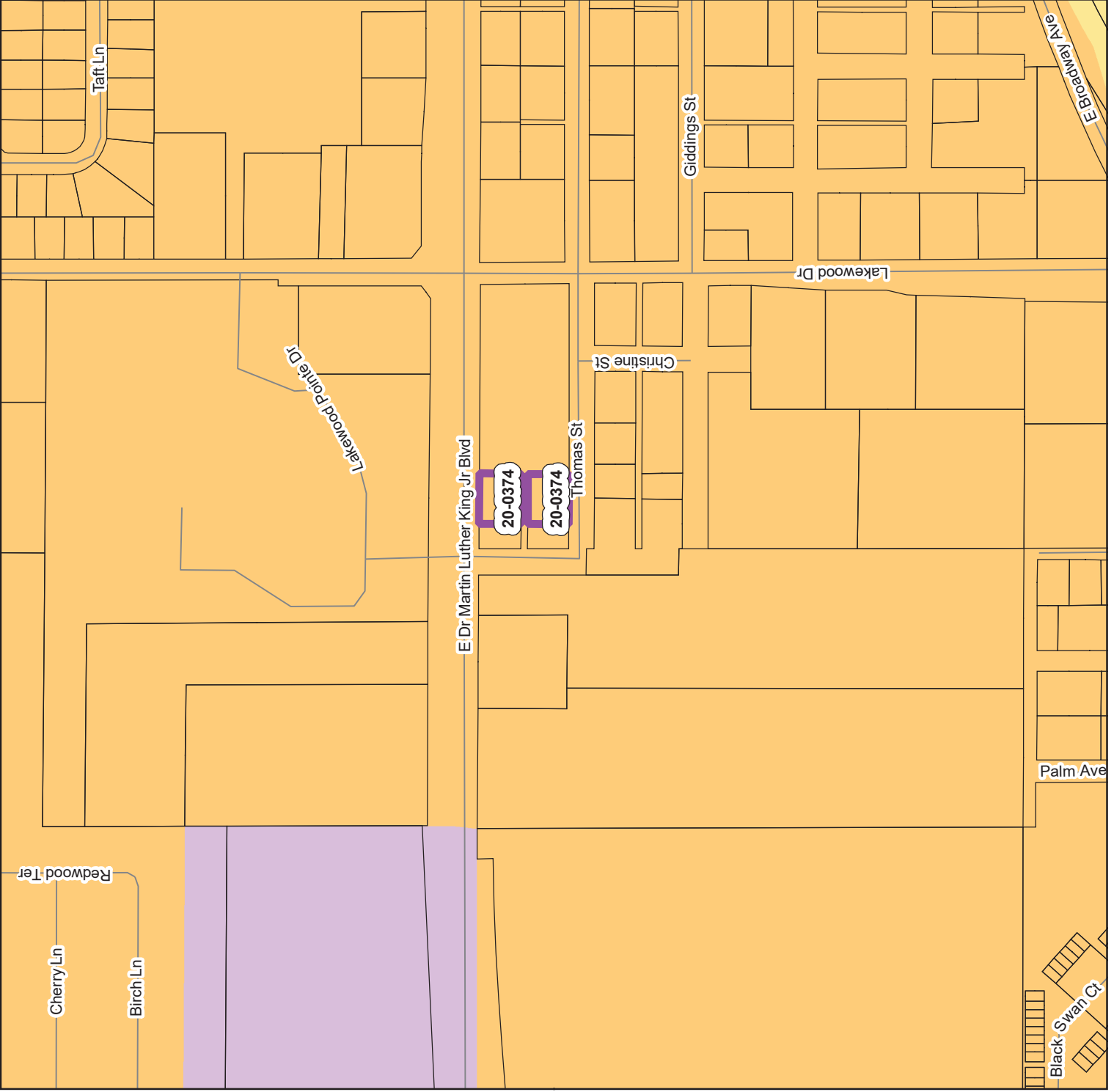
- <all other values>
- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

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

- AGRICULTURAL/MINING-120 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-11Z (.25 FAR)
- AGRICULTURAL-110 (.25 FAR)
- AGRICULTURAL-RURAL-11S (.25 FAR)
- AGRICULTURAL ESTATE-12S.5 (.25 FAR)
- RESIDENTIAL-1 (.25 FAR)
- RESIDENTIAL-2 (.25 FAR)
- RESIDENTIAL-4 (.25 FAR)
- RESIDENTIAL-6 (.25 FAR)
- RESIDENTIAL-9 (.35 FAR)
- RESIDENTIAL-12 (.35 FAR)
- RESIDENTIAL-16 (.35 FAR)
- RESIDENTIAL-20 (.35 FAR)
- RESIDENTIAL-35 (1.0 FAR)
- NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)
- SUBURBAN MIXED USE-6 (.35 FAR)
- COMMUNITY MIXED USE-12 (.50 FAR)
- URBAN MIXED USE-20 (1.0 FAR)
- REGIONAL MIXED USE-35 (2.0 FAR)
- OC-20
- RESEARCH CORPORATE PARK (1.0 FAR)
- ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)
- LIGHT INDUSTRIAL PLANNED (.50 FAR)
- LIGHT INDUSTRIAL (.50 FAR)
- HEAVY INDUSTRIAL (.50 FAR)
- PUBLIC/QUASH/PUBLIC
- NATURAL PRESERVATION
- WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE

Map Printed from Rezoning System: 1/19/2020
 Author: Beverly F. Daniels
 File: C:\Rezoning\System\MapProjects\HC\Geng_bRezoning.mxd

DATA SOURCES: Rezoning boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. This map is for informational purposes only and is not intended for use as a legal document. All rezoning requests are subject to the 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. 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, see the appropriate source.



COUNTY OF HILLSBOROUGH

**RECOMMENDATION OF THE
LAND USE HEARING OFFICER**

APPLICATION NUMBER:	RZ STD 20-0374
DATE OF HEARING:	March 15, 2021
APPLICANT:	John E. Grygiel
PETITION REQUEST:	The request is to rezone a parcel of land from RDC-12 to CG-R
LOCATION:	110' southeast of the intersection of E. Dr. Martin Luther King Jr. Blvd. & Thomas St.
SIZE OF PROPERTY:	0.58 acres m.o.l.
EXISTING ZONING DISTRICT:	RDC-12
FUTURE LAND USE CATEGORY:	RES-9
SERVICE AREA:	Urban

DEVELOPMENT REVIEW STAFF REPORT

1.0 Summary

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The applicant is proposing the following restrictions:

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The Impact & Mobility Fee Coordinator provided estimates of potential impact and mobility fees as follows:

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Mobility: \$8,382.00

Fire: \$313.00

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The subject property is designated Residential-9 (RES-4) on the Future Land Use Map. The Planning Commission staff finds the proposed rezoning INCONSISTENT with the Future of Hillsborough Comprehensive Plan, due to compatibility concerns and inconsistency with the Seffner Mango Community Plan.

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centers along the western boundary and along Thomas Street, with a four-foot fence also along Thomas Street. The parcel would be permitted access to Thomas Street, a local residential street. The CG district allows for a wide range of commercial/retail uses, including fast food restaurants and convenience stores, that are typically high traffic generators with late night and weekend hours.

1.8 Agency/Department Comments

The following agencies and departments reviewed the request and offer no objections:

- Water Resource Services
- Conservation and Environmental Lands Management
- Transportation
- Impact and Mobility Fee Coordinator

1.9 Exhibits

Exhibit 1: Project Aerial

Exhibit 2: Zoning Map

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2.0 Recommendation

Based on the Planning Commission inconsistency finding, the site characteristics and the range of allowable uses under the CG zoning district, staff concurs that the proposed CG zoning with the proposed restrictions is not consistent/compatible with the existing develop pattern as it would not provide for a proper use transition between the existing single-family uses to the west and south and the commercial to the east. Therefore, staff finds the request not supportable.

SUMMARY OF HEARING

THIS CAUSE came on for hearing before the Hillsborough County Land Use Hearing Officer on March 15, 2021. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

Mr. Todd Pressman, 200 2nd Avenue South, # 451, St. Petersburg, testified on behalf of John Grygiel, the property owner. Mr. Pressman showed a PowerPoint presentation to describe the rezoning request. He identified the location of the property in the Seffner-Mango area and added that the property is comprised of two lots of which a vacation was recently approved for the small area between the two properties. The property is 0.58 acres in size and the request is to rezone from RDC-12 to CG-R for the purpose of developing a car sales lot. The

use is proposed to be restricted with a car wash as an accessory use. No open storage is proposed. Major-minor vehicle repair will be an accessory use only. There will be no blood plasma banks or donations and no adult uses. Mr. Pressman testified that the property meets locational criteria of the Comprehensive Plan and also Goal three of the Seffner Mango Community Plan which includes strategies to concentrate commercial development, office development and light industrial along East Dr. Martin Luther King Jr. Drive. The area is designated RES-9 which requires non-residential uses to meet established locational criteria which the site does meet. Mr. Pressman stated that the property owner has reached out to all of the abutting residential property owners and submitted the letters into the record. There is no opposition from the abutting property owners. The property is located on a six-lane major arterial highway that has 42,000 average vehicle trips per day. A 50-foot buffer is proposed along Thomas Street. He added that the property is not suited for residential development as it is located on a busy roadway and adjacent to a commercial use. Mr. Pressman testified that the Planning Commission does not consider letters in support in terms of their analysis. The Development Services Department relies on the Planning Commission for the analysis of impacts to the abutting residential. A 6-foot high PVC fence is proposed along the side adjacent to the residential and 4-foot high on Thomas. Evergreen shade trees not less than 10 feet in height at the time of planting will be installed 10 feet apart as compared to the 20 feet required by Code. The Planning Commission found the request inconsistent as it stated that the request does not provide the proper transition of use between the existing single-family uses to the west and south and commercial to the east. The Planning Commission cited Policy 1.4 regarding compatibility and protecting existing neighborhoods although the neighbors support the project. Mr. Pressman stated that the Seffner Mango Community Plan has a goal for infill development and redevelopment in the Urban Service Area. Goal three of the Plan states that commercial development should be directed to the Martin Luther King Blvd. corridor. He summarized his presentation by stating that the property meets locational criteria and the proposed CG-R restricts the use. He stated that the residential neighbors support the request.

Mr. Brian Grady, Development Services staff, testified regarding the County's staff report. Mr. Grady stated that the request is to rezone 0.58 acres from RDC-12 to CG with Restrictions. The restrictions encompass the provisions of additional tree plantings along the western boundary. The Code requires 20 feet and the applicant proposes to provide 10 feet and add fencing four feet in height along Thomas Street. Mr. Grady testified that the restrictions also include limiting the car wash use as an accessory use in connection with the primary use of car sales lot and open storage. The CG zoning district does not permit open storage. Major minor auto repair is also prohibited except as an accessory use in connection with an auto sales car lot. The restrictions also prohibit blood plasma banks or donations and adult uses. The surrounding zoning and development pattern consists of RDC-12 and single-family residential to the immediate west

and south across Thomas Street. Mr. Grady described the uses permitted in the RDC-12 zoning district. He added that the property across the street is developed with a multi-family apartment complex and that there is a retail drug store to the immediate east of the subject property. The PD approved to the east permits other CG uses if the site is converted to a different use based on a traffic analysis that shows the new development traffic will not exceed that of the existing drug store. Along Thomas Street, the PD requires the stormwater to be located along the western boundary and access is provided via Thomas Street. Mr. Grady stated that the PD requires a 4-foot screen with a fence, wall or hedge or a combination of all three along the eastern boundary. He also described the buffering and screening requirement to the west and along Thomas Street. The applicant is proposing trees planted in 20-foot centers along the western boundary and along Thomas Street with a 4-foot fence. Access will be to Thomas Street and local residential streets. Development Services staff recommendation is based on the Planning Commission's finding that the rezoning is inconsistent as the uses allowable in CG is not consistent with the existing development pattern and does not provide the proper transition between the existing single-family and the commercial to the east therefore staff does not support the request.

Hearing Master Finch asked Mr. Grady about the PD across the street. Mr. Grady replied that it is a multi-family apartment complex.

Hearing Master Finch asked Mr. Grady about the PD to the east for the drug store and the zoning condition restricting a change in use to the traffic generated by the drug store. Mr. Grady replied that if the drug store use was changed, a traffic analysis would be required to be submitted to show that the traffic impacts would not exceed the drug store. Hearing Master Finch asked if, that scenario, that the drug store would not exist. Mr. Grady replied that was correct.

Ms. Yeneka Mills, Planning Commission staff testified regarding the Planning Commission staff report. Ms. Mills stated that the subject property is within the Residential-9 Future Land Use classification. It is also located in the Seffner Mango Community Planning Area as well as the Urban Service Area. Ms. Mills stated that the request does not meet the compatibility criteria outlined in Policy 1.4 of the Future Land Use Element. She described the elements of compatibility and stated that Future Land Use Policy 16.1 requires the protection of existing neighborhoods through various mechanisms. Policy 16.2 states that a gradual transition of intensities between uses shall be provided through the use of site planning, screening techniques and the control of certain land uses. Planning Commission staff has determined that the rezoning to Commercial General does not provide a transition between residential and the CG uses and mitigation measures do not achieve compatibility. Although the site meets commercial locational criteria, the Plan prohibits commercial encroachment into residential area. She concluded her remarks by stating that the Planning Commission finds the proposed rezoning inconsistent with the Future of Hillsborough

Comprehensive Plan.

Hearing Officer Finch asked for members of the audience in support of the application.

Mr. John Grygiel, 11964 Neal Road, Lithia, testified in support and stated that he has owned the property since 2005 and had multiple issues with vagrancy and people traveling through the area. He added that the neighbors are in support.

Hearing Master Finch asked Mr. Grygiel what was on the property currently. Mr. Grygiel replied that there are two old houses on-site.

Hearing Master Finch asked Mr. Grygiel what he told the neighbors he planned to develop on-site. Mr. Grygiel replied that he told the neighbors he proposed to develop a car lot.

Hearing Officer Finch asked for members of the audience in opposition to the application. No one replied.

County staff did not have additional comments.

Mr. Pressman testified during the rebuttal period that he presented everything needed and hoped to have consideration of the request.

The hearing was then concluded.

EVIDENCE SUBMITTED

Mr. Pressman submitted three letters of support and a copy of his PowerPoint presentation into the record.

PREFACE

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

FINDINGS OF FACT

1. The subject property is 0.58 acres in size and is currently Residential Duplex Conventional-12 (RDC-12) and is designated Residential-9 (RES-9) by the Comprehensive Plan. The property is located within the Urban Service Area and the Seffner Mango Community Planning Area.

2. The applicant is requesting a rezoning to the Commercial General-Restricted (CG-R) zoning district.
3. The proposed restrictions to the CG zoning district limit certain uses. Specifically, the applicant proposes to limit the use of a car wash and major & minor vehicle repair as permissible only if it is accessory to car sales lot. Additionally, the restrictions prohibit the use of the property for open storage, blood plasma/donation bank and adult uses. The applicant also proposes to include a requirement to install a four-foot high PVC fence along the Thomas Street frontage of the property including evergreen shade trees not less than ten-feet in height spaced every ten-feet as opposed to the twenty-foot centers required by the Land Development Code.
4. The Planning Commission staff does not support the request. Staff testified that the the subject property meets commercial locational criteria but that other factors regarding compatibility (Policy 1.4) and the transition of uses (Policies 16.2) resulted in their recommendation. The Planning Commission found that the request is inconsistent with Policy 16.1 regarding the protection of existing residential neighborhoods. The Planning Commission found the application inconsistent with the Comprehensive Plan.
5. The property is bordered by properties zoned RDC-12 to the west and south across Thomas Street. The parcel directly across the street is zoned Planned Development (PD) and developed with an apartment complex. Immediately to the east is an existing retail drug store that is zoned PD. The drug store zoning conditions permit the redevelopment of the property with CG uses only if a traffic analysis is submitted that shows the traffic generated by the proposed use is consistent with the existing drug store traffic.
6. The applicant's representative submitted three letters of support from property owners in the neighborhood. The properties in support are located to the immediate west of the property at the southeast corner of Dr. Martin Luther King Jr. Blvd and Thomas Street as well as two parcels south of the subject property on the south side of Thomas Street. The applicant's representative testified that the Planning Commission would not consider the neighbor's support in their recommendation. It is noted that there was no testimony in opposition at the Zoning Hearing Master hearing.
7. The approval of the subject property rezoning to CG-R for car lot sales could serve as precedent for the possible rezoning of the property to the immediate west from RDC-12 to a commercial district.

8. The restrictions proposed by the applicant do not limit the property use to a single or limited number of uses but rather permit the wide range of CG commercial and retail uses that generate a high volume of traffic and operation at all hours of the day and night.
9. Although the property meets commercial locational criteria as established in the Comprehensive Plan, the request for a car sales lot with major and minor vehicle repair and a car wash as well as the broad range of Commercial General land uses is inappropriate for the mix of single-family, multi-family and low intensity commercial development in the area.
10. The proposed rezoning is inconsistent with the existing development pattern in the area as well as Comprehensive Plan.

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

The rezoning request is not in compliance with and does not further the intent of the Goals, Objectives and the Policies of the Future of Hillsborough Comprehensive Plan.

CONCLUSIONS OF LAW

Based on the Findings of Fact cited above, there is not substantial competent evidence to demonstrate that the requested rezoning is in conformance with the applicable requirements of the Land Development Code and with applicable zoning and established principles of zoning law.

SUMMARY

The applicant is requesting a rezoning to the CG-R zoning district. The property is 0.58 acres in size and is currently zoned RDC-12 and designated RES-9 by the Comprehensive Plan.

The Planning Commission does not support the request. Staff testified that the the subject property meets commercial locational criteria but that other factors regarding compatibility (Policy 1.4) and the transition of uses (Policies 16.2) resulted in their recommendation. The Planning Commission found that the request is inconsistent with Policy 16.1 regarding the protection of existing residential neighborhoods.

The property is bordered by properties zoned RDC-12 to the west and south across Thomas Street. The parcel directly across the street is zoned Planned Development (PD) and developed with an apartment complex. Immediately to the east is an existing retail drug store that is zoned PD. The drug store zoning

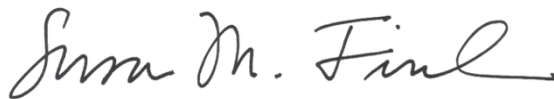
conditions permit the redevelopment of the property with CG uses only if a traffic analysis is submitted that shows the traffic generated by the proposed use is consistent with the existing drug store traffic.

The restrictions proposed by the applicant do not limit the property use to a single or limited number of uses but rather permit the wide range of CG commercial and retail uses that generate a high volume of traffic and operation at all hours of the day and night.

Although the property meets commercial locational criteria as established in the Comprehensive Plan, the request for a car sales lot with major and minor vehicle repair and a car wash as well as the broad range of Commercial General land uses is inappropriate for the mix of single-family, multi-family and low intensity commercial development in the area.

RECOMMENDATION

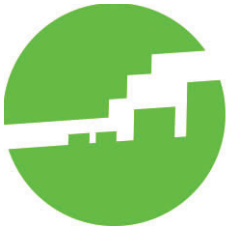
Based on the foregoing, this recommendation is for **DENIAL** of the CG-R rezoning request as indicated by the Findings of Fact and Conclusions of Law stated above.



April 5, 2021

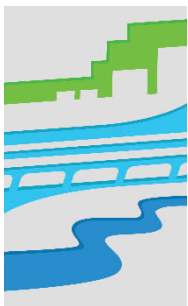
Susan M. Finch, AICP
Land Use Hearing Officer

Date



**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: March 15, 2021 Report Prepared: March 4, 2021	Petition: 20-0374 11103 East Dr. Martin Luther King Jr. Drive <i>South of East Dr. Martin Luther King Jr. Drive and north of Thomas Street, east of Lakewood Drive</i>
Summary Data:	
Comprehensive Plan Finding:	INCONSISTENT
Adopted Future Land Use:	Residential-9 (9 du/ga; 0.35 FAR)
Service Area	Urban
Community Plan:	Seffner Mango
Requested Zoning:	Residential - Duplex Conventional – 12 (RDC-12) to Commercial General-Restricted (CG-R)
Parcel Size (Approx.):	0.53 +/- acres (23 086.8 square feet)
Street Functional Classification:	East Dr. Martin Luther King Jr. Drive – State Principal Arterial Thomas Street – Local
Locational Criteria	Yes
Evacuation Zone	The subject property is not in an Evacuation Zone



Context

- The 0.53 +/- acre subject site is located directly south of East Martin Luther King Jr. Drive and north of Thomas Street. It is within the Urban Service Area (USA) and it falls within the limits of the Seffner Mango Community Plan.
- The subject site is designated as Residential-9 (RES-9) on the Future Land Use Map. Typical allowable uses within the RES-9 Future Land Use category include residential, urban scale neighborhood commercial, office uses, multi-purpose projects and mixed-use development. Non-residential uses must meet established locational criteria for specific land use. RES-9 surrounds the subject site on all sides.
- The subject site is currently zoned Residential – Duplex Conventional 12 (RDC-12). RDC- 12 is located to the south, southeast and further west of the site. To the north, east and north east are Planned Developments (PD). Agricultural Single-Family Conventional – 1 (ASC-1) is located to the west of the site. There is also a Commercial Neighborhood (CN) zoning designation to the east of the subject site.
- The subject property currently has two single family residential dwellings located on site. To the east of the site is a Walgreens. Multi-Family developments are located across East Dr Martin Luther King Jr. Boulevard to the north. Single Family homes directly abut the site to the south across Thomas Street. There are commercial fast-food establishments located at the intersection of East Dr. Martin Luther King Jr Drive and Lakewood Drive.

Compliance with Comprehensive Plan:

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

Future Land Use Element

Urban Service Area

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

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

Neighborhood/Community Development

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

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

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

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

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

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

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

Commercial-Locational Criteria

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

Policy 22.2: *The maximum amount of neighborhood-serving commercial uses permitted in an area shall be consistent with the locational criteria outlined in the table and diagram below. The table identifies the intersection nodes that may be considered for non-residential uses. The locational criteria is based on the land use category of the property and the classification of the intersection of roadways as shown on the adopted Highway Cost Affordable Long Range Transportation Plan. The maximums stated in the table/diagram may not always be achieved, subject to FAR limitations and short range roadway improvements as well as other factors such as land use compatibility and environmental features of the site.*

In the review of development applications consideration shall also be given to the present and short-range configuration of the roadways involved. The five year transportation Capital Improvement Program, MPO Transportation Improvement Program or Long Range Transportation Needs Plan shall be used as a guide to phase the development to coincide with the ultimate roadway size as shown on the adopted Long Range Transportation Plan.

Policy 22.5: *When planning the location of new non-residential developments at intersections meeting the locational criteria, a transition in land use shall be established that recognizes the existing surrounding community character and supports the creation of a walkable environment. This transition will cluster the most intense land uses toward the intersection, while providing less*

intense uses, such as offices, professional services or specialty retail (i.e. antiques, boutiques) toward the edges of the activity center.

Policy 22.7: *Neighborhood commercial activities that serve the daily needs of residents in areas designated for residential development in the Future Land Use Element shall be considered provided that these activities are compatible with surrounding existing and planned residential development and are developed in accordance with applicable development regulations, including phasing to coincide with long range transportation improvements.*

The locational criteria outlined in Policy 22.2 are not the only factors to be considered for approval of a neighborhood commercial or office use in a proposed activity center. Considerations involving land use compatibility, adequacy and availability of public services, environmental impacts, adopted service levels of effected roadways and other policies of the Comprehensive Plan and zoning regulations would carry more weight than the locational criteria in the approval of the potential neighborhood commercial use in an activity center. The locational criteria would only designate locations that could be considered, and they in no way guarantee the approval of a particular neighborhood commercial or office use in a possible activity center.

Community Design Component

5.0 NEIGHBORHOOD LEVEL DESIGN

5.1 COMPATIBILITY

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

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

Policy 12-1.3: *New development in existing, lower density communities should utilize the planned development process of rezoning in order to fully address impacts on the existing community. Additionally, pre-application conferences are strongly encouraged with the staffs of the Planning Commission and Hillsborough County Planning and Growth Management Department.*

Livable Communities Element: Seffner Mango Community Plan

2. Goal: *Enhance community character and ensure quality residential and nonresidential development.*

Strategies:

- *Discourage commercial encroachment into the residential areas between US 92 and Martin Luther King Boulevard and south of Martin Luther King Boulevard.*

3. Goal: *Commercial development should be directed to the US 92 and Martin Luther King Boulevard corridors.*

Strategies:

- *Support office and light industrial uses along US 92 and Martin Luther King Boulevard between I-75 and CR 579 (Mango Road).*
- *Support office uses along Martin Luther King Boulevard between CR 579 (Mango Road) and Kingsway Road.*

Staff Analysis of Goals, Objectives and Policies:

The applicant is requesting to rezone the subject site from Residential – Duplex Conventional – 12 (RDC-12) to Commercial General- Restricted (CG-R). The applicant is proposing the following restrictions:

- A 6 foot PVC Fence against residential uses, a 4 foot high on Thomas Street, evergreen shade trees not less than 10’ high at the time of planting spaced every 10’ to be planted within 10’ of the property line.
- The following uses are proposed as restricted on the parcels:
 - A car wash is permissible if in conjunction with a primary use of an auto car sales lot;
 - Major and minor vehicle repair is permissible if in conjunction with a primary use of an auto car sales lot; and
 - No blood plasma banks or donations or adult uses.

The proposal does provide growth in the Urban Service Area as required by Objective 1 of the Future Land Use Element (FLUE) of the Comprehensive Plan, however, it does not meet the compatibility criteria of Policy 1.4. According to Policy 1.4, “Compatibility is defined as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture. Compatibility does not mean “the same as.” Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.” The subject site directly abuts single-family residential dwellings to the west and south. A rezoning to commercial general would not be harmonious or compatible with the single family-residential character of the area directly to the west and the area south of the subject site along Thomas Road.

FLUE Objective 16 and its accompanying policies require the protection of existing neighborhoods through various mechanisms. FLUE Policy 16.1 stated that established and planned neighborhoods and communities shall be protected by restricting incompatible land uses by limiting commercial development in residential land use categories to neighborhood scale. A rezoning to CG would be inconsistent with this policy direction.

Policy 16.2 states that 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. In this case, Planning Commission staff have determined that a rezoning to CG would not provide for a transition between residential and commercial general uses and mitigation measures would not be able to achieve compatibility. Policy 16.5 further restricts higher intensity uses along arterials, away from established neighborhoods. While East Dr. Martin Luther King Jr. Drive is an arterial road, the rear of the site would be directly on Thomas Road which is a local road and a rezoning would encourage the encroachment of higher intensity uses into an existing residential neighborhood. As a result, the use is not compatible with the surrounding area and also does not meet the intent of the policy direction under FLUE Objective 16.

The subject site meets Commercial Locational Criteria as outlined in Objective 22 and Policy 22.2, as it is located within 1,000 feet of the commercial node located at Lakewood Drive and Dr. Martin Luther King Jr. Boulevard. However, Policy 22.7 states that

Commercial Locational Criteria is not the only factor to be considered. Factors such as land use compatibility are also considered, and in this case, Planning Commission staff have concerns regarding the compatibility of proposed land uses in close proximity to single-family residential dwellings.

The Commercial Locational Criteria section of the Future Land Use Element also contains additional policy direction about the location of new non-residential developments. This policy direction outlines that, with new non-residential developments at intersections meeting locational criteria, a transition in land use should be established that recognizes the existing surrounding community character and supports the creation of a walkable environment. This transition includes clustering the most intense land uses toward the intersection and providing less intense uses, such as offices, professional services or specialty retail toward the edges of the commercial node. In this case, while the site does meet Commercial Locational Criteria, it is located approximately 610 feet west of the intersection within a 1,000 foot node. According to policy direction, the uses should be transitioning into less intense uses moving away from the intersection. Currently at the intersection of Dr. Martin Luther King Jr. Boulevard, an arterial roadway, and Lakewood Drive, a collector roadway, there is an approximately 15,000 square foot drugstore use with a drive-thru (a Walgreens pharmacy). According to the aforementioned policy direction, a rezoning to CG-R would not meet the transition of use policies in the Comprehensive Plan.

The Community Design Component (CDC) in the FLUE also contains policy direction about designing developments that relate to the predominant character of the surroundings (*CDC Goal 12*). It further states that new developments should recognize the existing community and be designed in a way that is compatible with the established character of an area (*CDC Objective 12-1*). The land use pattern south of East Dr. Martin Luther King Jr Boulevard is low-density single-family residential, a rezoning request to Commercial General would not be compatible with the existing development pattern. Policy 12-1.3 further recommends that new development in existing lower density areas utilize the Planned Development process rather than a standard rezoning process in cases like this. Though the applicant has applied and received approval for vacating the alley between the two parcels that are subject to this rezoning, absent a site plan showing site design details such as access and building placement, it is not possible to assess whether the proposed use is mitigating sufficiently for the residential uses directly to the south and west.

The rezoning request is also not consistent with the Seffner Mango Community Plan. Goal 3 of the Community Plan does include strategies to concentrate commercial development, office development and light industrial along East Martin Luther King Jr Drive however, Goal 2 prohibits commercial encroachment in residential areas south of East Martin Luther King Jr Drive. The site is adjacent to existing residential uses directly to the west and across Thomas Street to the south, which is approximately 60 feet away from the limits of the subject property. As the subject site is directly south of East Martin Luther King Jr. Drive and in an existing residential area, a rezoning to commercial general would be inconsistent with the Community Plan and facilitate commercial encroachment into existing residential areas.

Recommendation

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

HILLSBOROUGH COUNTY FUTURE LAND USE

RZ 20-0374

Rezonings
STATUS

- <all other values>
- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

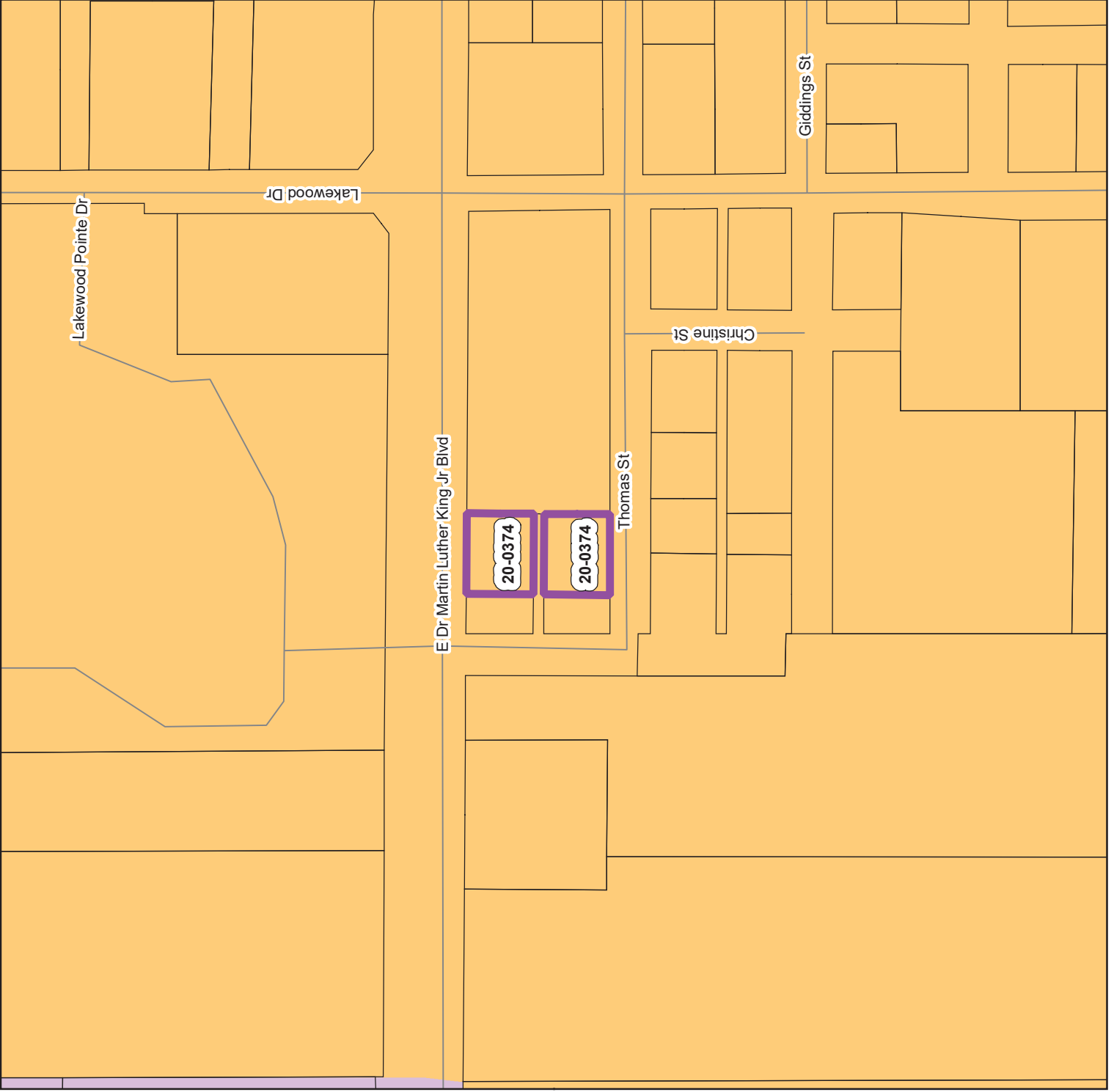
- Tampa Service
- Urban Service
- Shoreline
- County Boundary
- Jurisdiction Boundary
- Roads
- Parcels

- AGRICULTURAL/MINING-1/20 (.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/QUASIPUBLIC
- NATURAL PRESERVATION
- WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE

DATA SOURCES: Rezoning boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. The rezoning status is based on the rezoning application and is subject to approval of the Hillsborough County Planning Commission. ACCURACY: It is intended that the information on this map be accurate to the best of our knowledge. However, such accuracy is not guaranteed by the Hillsborough County City/County Planning Commission. This map is for illustrative purposes only. For the most current data and information, visit the appropriate website.



Map Printed from Rezoning System: 3/3/2021
 Author: Beverly F. Daniels
 File: C:\Rezoning\System\Cases\Files\HC20-0374\20-0374_FLU_Map_Zoom.mxd





AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 01/04/2021

REVIEWER: Sofia Garantiva, AICP, Senior Planner

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: Seffner Mango (SM)

PETITION NO: RZ-STD 20-0374

	This agency has no comments.
X	This agency has no objection.
	This agency has no objection, subject to the listed or attached conditions.
	This agency objects for the reasons set forth below.

REPORT SUMMARY AND CONCLUSIONS

- The proposed rezoning would result in an increase of trips potentially generated by development of the subject parcel by 2,541 average daily trips, 116 trips in the a.m. peak hour, and 181 trips in the p.m. peak hour.
- The applicant has stated that the access to Martin Luther King Boulevard will serve both parcels and that the existing alley dividing the parcels will be vacated (request granted at December 8, 2020 BoCC Hearing).
- Please note if additional access is proposed on Thomas Street, the applicant will be required to improve the roadway to current County standards or obtain recommendation of approval by the County Engineer of a Section 6.04.02.B. variance from Section 6.04.03.L
- Transportation staff has no objection to this request.

PROJECT SUMMARY AND TRANSPORTATION ANALYSIS

The applicant is requesting to rezone from (RDC-12) to Commercial General (CG). The site consist of two parcels, Folio Number 65840.0000 identified as “Parcel 1” and Folio Number 65843.0000, identified as “Parcel 2”. The total acreage of the site is 0.54 acres. The site has a RES 9 Future Land Use designation.

Trip Generation Analysis

Since this is a Standard Rezoning, the applicant is not required to submit a transportation analysis study. However, staff has prepared a comparison of the potential trips generated by development permitted, based upon the Institute of Transportation Engineer’s Trip Generation Manual, 10th Edition, under the existing and proposed zoning designations utilizing a generalized worst-case scenario. Please note in the RES 9 Future Land Use designation, urban scale neighborhood commercial, office, multi-purpose, or mixed-use projects limited to 175,000 sq. ft. or .50 FAR, whichever is less intense. Staff’s analysis is summarized below.

Existing Use: RDC-12

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM

5 Single Family Units (ITE LUC 210)	47	4	5
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Proposed Use: CG

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
5,000 SF Fast Food Restaurant with Drive-Thru (ITE LUC 934)	2,355	201	163
6,761 SF Medical-Dental Office (ITE LUC 720)	233	19	23
Total: 11,761 SF Maximum GFA	2,588	220	186

Trip Generation Difference:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	(+) 2,541	(+)116	(+)181

The proposed rezoning would result in an increase of trips potentially generated by development of the subject parcel by 2,541 average daily trips, 116 trips in the a.m. peak hour, and 181 trips in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE ANALYSIS

The site is located 110 feet southeast of the intersection of E Martin Luther King Boulevard and Thomas Street. The site has frontage on both E Martin Luther King Boulevard and Thomas Street.

E Martin Luther King Boulevard is a 6-lane, arterial roadway with +/- 11-foot lanes. There 6-foot sidewalks on both sides There are 4-foot bike lanes along both sides of the roadway. Martin Luther King Boulevard is a state roadway under the permitting authority of the FDOT.

Thomas Street is a local roadway with 13-15 feet of pavement in fair condition. There are no sidewalks on either side along the frontage of site There are no paved shoulders or curb and gutter.

E Martin Luther King Boulevard and Thomas Street are not shown on the Hillsborough County Corridor Preservation Plan, as such, no preservation along these frontages are required.

SITE ACCESS ANALYSIS & CONNECTIVITY

The applicant’s site currently has one access point to Martin Luther King Boulevard on “Parcel 1” and one access point to Thomas Street on “Parcel 2”. The applicant has stated that the access to Martin Luther King Boulevard will serve both parcels and that the existing alley dividing the parcels will be vacated. A vacation request was submitted on October 20, 2020 and heard at the December 8, 2020 Board of County Commissioners Land Use Hearing, where the vacation request was approved.

As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual; however, it is anticipated pedestrian and

vehicular access will be from Martin Luther King Boulevard. The site shall be required to comply with Hillsborough County and FDOT Access Management Guidelines with regards to number of driveways and spacing.

Please note if additional access is proposed on Thomas Street, the applicant will be required to improve the roadway to current County standards or obtain recommendation of approval by the County Engineer of a Section 6.04.02.B. variance from Section 6.04.03.L. Recommendations of approval for deviations from Transportation Technical Manual standards may be considered through the Design Exception process. As this is a Euclidean zoning request, the request would be filed at the time of plat/site/construction plan review

ROADWAY LEVEL OF SERVICE (LOS)

FDOT Generalized Level of Service			
Roadway	From	To	LOS
MARTIN LUTHER KING BLVD	STACY RD	MCINTOSH RD	D

Source: 2019 Hillsborough County Level of Service (LOS) Report

Thomas Street is not considered a major county or state roadway and is not included in the 2019 Hillsborough County Level of Service (LOS) Report

From: Mineer, Lindsey <Lindsey.Mineer@dot.state.fl.us>
Sent: Wednesday, February 12, 2020 12:02 PM
To: Timoteo, Rosalina
Cc: Santos, Daniel; Yassin, Aiah; White, Charles; Roth, Mecale
Subject: 20-0374 FDOT 02-12-20
Attachments: 20-0374 FDOT 2-12-20.pdf

[External]

Rosa,

Attached are FDOT Agency Comments for 20-0374.

Thank you for the opportunity to comment.

Lindsey Mineer

*Community Planning Coordinator
District 7 Transportation Analysis Group
Florida Department of Transportation
11201 N. McKinley Drive
Tampa, FL 33612
(813) 975-6922
Lindsey.Mineer@dot.state.fl.us*



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Florida Department of Transportation

RON DESANTIS
GOVERNOR

11201 N. McKinley Drive
Tampa, FL 33612

KEVIN J. THIBAUT, P.E.
SECRETARY

MEMORANDUM

DATE: February 12, 2020

TO: Rosa Timoteo, Hillsborough County

FROM: Lindsey Mineer, FDOT

COPIES: Daniel Santos, FDOT
Mecale' Roth, FDOT
Aiah Yassin, Hillsborough County
Charles White, Hillsborough County

SUBJECT: RZ-STD 20-0374

This project is on a state road, Dr. Martin Luther King, Jr. Blvd (SR 574).

The applicant is advised that permits for access to state highways are required, and approval is not guaranteed. The applicant is reminded that zoning application and site development plan approvals by the local government do not guarantee acceptance of external project driveway location(s) on state roads.

It is recommended that the applicant meet with FDOT before zoning approval. Pre-application meetings may be made through Ms. Mecale' Roth at the District Seven Tampa Operations offices of the Florida Department of Transportation.

Contact info:
Mecale' Roth
Mecale.Roth@dot.state.fl.us
813-612-3237

Thank you for the opportunity to comment.

END OF MEMO



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

TO: Zoning Review, Development Services **DATE:** 03/10/2020
REVIEWER: Ron Barnes, Impact & Mobility Fee Coordinator
APPLICANT: John Grygiel **PETITION NO:** 20-0374
LOCATION: 11103 E Dr MLK Blvd Seffner
FOLIO NO: 065340.0000, 065843.0000

Estimated Fees:

(Various use types allowed. Estimates are a sample of potential development)

Retail - Shopping Center
(Per 1,000 s.f.)
Mobility: \$8,580.00
Fire: \$313.00

General Office
(Per 1,000 s.f.)
Mobility: \$5,374.00
Fire: \$158.00

Retail - Conv Mkt. w/Gas
(2,000-2,999 sq ft store)
(Per fueling position)
Mobility: \$10,238.00
Fire: \$313.00 (per 1,000 s.f.)

Retail - Fast Food w/Drive Thru
(Per 1,000 s.f.)
Mobility: \$65,382.00
Fire: \$313.00

Single Tenant Office
(Per 1,000 s.f.)
Mobility: \$6,466.00
Fire: \$158.00

Project Summary/Description:

Urban Mobility, Northeast Fire - Commercial General - non-specific

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Planning Growth Management

DATE: 30 Jan. 2020

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

APPLICANT: John Grygiel

PETITION NO: RZ-STD 20-0374

LOCATION: 11103 E. Dr. Martin Luther King Jr. Blvd, Seffner, FL 33584

FOLIO NO: 65840.0000 & 65843.0000

SEC: 02 TWN: 29 RNG: 20

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

COMMENTS: _____.

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

PETITION NO.: STD20-0374 REVIEWED BY: Randy Rochelle DATE: 1/29/2020

FOLIO NO.: 65840.0000

This agency would (support), (conditionally support) the proposal.

WATER

- The property lies within the Hillsborough County Water Service Area. The applicant should contact the provider to determine the availability of water service.
- No Hillsborough County water line of adequate capacity is presently available.
- A 6 inch water main exists (adjacent to the site), (approximately ___ feet from the site) and is located within the south Right-of-Way of E. Martin Luther King Boulevard.
- Water distribution improvements may be needed prior to connection to the County's water system.
- No CIP water line is planned that may provide service to the proposed development.
- The nearest CIP water main (____ inches), will be located (adjacent to the site), (feet from the site at ____). Expected completion date is ____.

WASTEWATER

- The property lies within the Hillsborough County Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.
- No Hillsborough County wastewater line of adequate capacity is presently available.
- A 4 inch wastewater force main exists (adjacent to the site), (approximately ___ feet from the site) and is located within the west Right-of-Way of Lakewood Drive.
- Wastewater distribution improvements may be needed prior to connection to the County's wastewater system.
- No CIP wastewater line is planned that may provide service to the proposed development.
- The nearest CIP wastewater main (____ inches), will be located (adjacent to the site), (feet from the site at ____). Expected completion date is ____.

COMMENTS: This site is located within the Hillsborough County Urban Service Area, therefore the subject property should be served by Hillsborough County Water and Wastewater Service. This comment sheet does not guarantee water or wastewater service or a point of connection. Developer is responsible for submitting a utility service request at the time of development plan review and will be responsible for any on-site improvements as well as possible off-site improvements.



VERBATIM TRANSCRIPT

HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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

BEFORE: SUSAN FINCH
Land Use Hearing Master

DATE: Monday, March 15, 2021

TIME: Commencing at 6:00 p.m.
Concluding at 10:35 p.m.

PLACE: Webex Videoconference

Reported By:

Christina M. Walsh, RPR
Executive Reporting Service
Ulmerton Business Center
13555 Automobile Blvd., Suite 100
Clearwater, FL 33762
(800) 337-7740

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HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

ZONING HEARING MASTER HEARINGS
March 15, 2021
ZONING HEARING MASTER: SUSAN FINCH

C1:
Application Number: RZ-STD 20-0374
Applicant: John E. Grygiel
Location: 110' Southeast of Inter: E.
Martin Luther King Blvd.,
Thomas St.
Folio Number: 065840.0000 & 065843.0000
Acreage: 0.58 acres, more or less
Comprehensive Plan: R-9
Service Area: Urban
Existing Zoning: RDC-12
Request: Rezone to CG-R

1 MR. GRADY: The first item is agenda item
2 C-1, Rezoning-Standard 20-0374. The applicant is
3 John E. Grygiel. The request is to rezone from
4 RDC-12 to Commercial General with Restrictions.

5 I'll provide staff recommendation after
6 presentation by the applicant.

7 HEARING MASTER FINCH: All right. Is the
8 applicant here? Good evening.

9 MR. PRESSMAN: Good evening, Hearing Officer
10 and staff. Todd Pressman, 200 2nd Avenue South,
11 No. 451 in St. Petersburg, Florida. I have a
12 PowerPoint up for you.

13 This is filed 20-0374. Located in the
14 Seffner-Mango area. Let me also introduce John
15 Grygiel. John's here. He's the property owner.
16 So we're located in the Seffner-Mango area, and
17 it's comprised of two lots of which vacation was
18 recently approved for the little area between the
19 two properties here.

20 The issue is for .58 acres from RDC-12 to
21 CG-R specifically for a car sales lot. The use is
22 proposed as restricted on the parcels is a car wash
23 only as an accessory use. No open storage.
24 Major-minor vehicle repair as accessory use only.
25 No blood plasma, banks, or donations, and no adult

1 uses.

2 I do want to say up front and place
3 emphasis, the site does meet locational criteria of
4 the Comprehensive Plan and also goal three of the
5 Seffner-Mango Community Plan does include
6 strategies to concentrate commercial development,
7 office development, and light industrial along East
8 Martin Luther King Drive.

9 The proposal does provide growth in the
10 Urban Service Area as required by Objective 1 of
11 the Comp Plan. And the Seffner-Mango Community
12 Plan does support infill development and
13 redevelopment within the U.S.A.

14 Looking at Future Land Use Map, the entire
15 area is R-9, and according to the Comp Plan,
16 nonresidential uses shall meet established
17 locational criteria for a specific Land Use, which
18 this site does, and the zoning map as indicated
19 with PD and residential.

20 Critical for presentation to you, Hearing
21 Officer, is that the property owner has reached out
22 to all of the abutting residential property owners.
23 And I'll put in the record letters from them, which
24 I have here, and they've been submitted in the
25 record already, showing no opposition to all of the

1 residential abutting property owners.

2 You'll also note that there is Thomas Street
3 located here, which is an additional buffer between
4 the project site and these residentials. And, of
5 course, you have a Walgreens commercial uses which
6 also allows CG uses at that location.

7 Moreover, the site is located on a six-lane
8 major arterial that has 42,000 average vehicle
9 trips per day and, again, highlight the --

10 MR. LAMPE: Hold on a second, please.
11 Something happened. There we go. Switched to a
12 different presentation for some reason.

13 MR. PRESSMAN: Gotcha. And, additionally,
14 highlighting the 50-foot buffer of Thomas Street.
15 Clearly, our opinion is that the site is not suited
16 for residential development on such a busy roadway
17 next to a commercial use and, again, with no
18 opposition from the abutting residential.

19 What's very important in the
20 recommendations, Hearing Officer, is that the
21 Planning Commission does not consider letters in
22 support in consideration for their analysis. I'm
23 not complaining or I'm not citing that or saying
24 it's bad or good.

25 But when you take into account how the

1 Planning Commission reviewed this particular site,
2 the major consideration is no opposition from the
3 residential because primarily what -- what Planning
4 Growth Management and the Planning Commission rely
5 upon is impacts or consistency to the abutting
6 residential, which we presented in showing you that
7 there's no opposition in that respect.

8 Additionally, along with a six PVC fence
9 against a residential uses, which is only allowed
10 4 feet high on Thomas. The evergreen shade trees
11 will be not less than 10 feet high at the time of
12 planting.

13 Now, we're spacing them every 10 feet versus
14 every 20 feet as required by the Code, to be
15 planted within 10 feet of the property line. So,
16 basically, doubling the density of the buffer as
17 well.

18 So even though we are presenting the
19 neighbors' information, we are substantially
20 increasing the buffer and still working in that
21 direction.

22 Switching to the recommendations of the -- PG
23 recommendation notes, based upon the Planning
24 Commission inconsistency finding and as it would
25 not provide for proper use transition between the

1 existing single-family uses to the west and south
2 and the commercial to the east.

3 And not to beat a dead horse, but I want to
4 emphasize that the conclusions of the Planning
5 Commission, which then PGM rely upon, do not take
6 into account the status or stance of all the
7 several surrounding residential property owners.

8 Planning Commission primarily rests on
9 concepts of Policy 1.4, which are compatibility and
10 Objective 16, protecting existing neighborhoods.
11 And, again, we've heard directly from this
12 neighborhood.

13 Also emphasizing that the CG-R is heavily
14 restricted in uses that are buffered and we feel
15 that we even still meet those concerns. So really
16 what happens is we feel it's a little bit of a
17 Catch 22 because, again, you start with the
18 Planning Commission looking at impacts compatible
19 to residential.

20 They don't factor in the unanimous
21 residential support. They recommend denial. PGM
22 relies upon the Planning Commission for that, and
23 they recommend denial. So our feeling is that the
24 reviews and -- or the determination by the
25 departments is severely flawed in that respect,

1 with all due respect to them.

2 The goal strategy is to recognize the
3 commercial character of U.S. 92 and Martin Luther
4 King Blvd. within the Urban Service Area under the
5 Seffner-Mango Community Plan.

6 The Seffner-Mango Community Plan also notes
7 as a goal strategy support infill development and
8 redevelopment within the Urban Service Area while
9 providing for compatibility with existing uses.

10 Goal three of that plan is commercial
11 development should be directed to the U.S. 19 and
12 Martin Luther King Boulevard corridors. We also
13 feel that's a good transition to use from MLK, and
14 I think it's good to emphasize again that the site
15 is just not acceptable or would be compatible with
16 residential development.

17 And, again, this site does meet locational
18 criteria, provides growth in the Urban Service
19 Area. So in summary, the CG-R is very restrictive
20 for its use. We have extremely strong residential
21 support.

22 It's not conducive for residential. CG is
23 abutting with CG uses and the -- and the MLK
24 roadway. There are many Comp Plan and
25 Seffner-Mango Community Plan policies that do

1 support and direct commercial to the site. So with
2 that, we appreciate your attention.

3 HEARING MASTER FINCH: Thank you very much.

4 All right. Development Services, please.

5 MR. GRADY: Brian Grady, Hillsborough County
6 Development Services.

7 The request is to rezone one parcel
8 totalling approximately .58 acres from RDC-12
9 Residential Duplex Conventional to Commercial
10 General zoning district with restrictions.

11 As noted by the applicant, the restrictions
12 encompass the provisions of additional tree
13 plantings along the western boundary. The Code
14 requires 20 feet. They're providing 10 feet. And
15 then additional fencing along Thomas Street of
16 4 feet in height.

17 They're also providing lease restrictions
18 consisting of the car wash limited to accessory use
19 permissible in connection with the primary use of
20 auto car sales lot and open storage.

21 I would note that the CG zoning district
22 does not permit open storage currently.
23 Major-minor vehicle repair is prohibited except for
24 accessory use of vehicle repair in conjunction with
25 the use of auto sales car lot.

1 No blood plasma banks or donations, and
2 there's no adult uses. As noted, the surrounding
3 zoning development pattern consists of RDC-12 zoned
4 parcels developed with single-family residential
5 immediate west and to the west and the south across
6 Thomas Street.

7 The RDC-12 zoning district permits
8 single-family detached and two-family attached
9 duplex units. The north across MLK Boulevard is a
10 multifamily apartment development. The immediate
11 east is a Planned Development currently developed
12 with a retail drug store.

13 The PD permits other CG district uses but
14 required that the site is converted to a different
15 use. The submittal of the traffic analysis to
16 demonstrate the new use will not exceed the traffic
17 impacts of the drug store.

18 Along Thomas Street, the PD is required to
19 provide between the stormwater along the western
20 boundary and the access drive to Thomas Street.
21 Near the eastern boundary, a 4-foot screen
22 consisting of fence, wall, hedge, or combination of
23 the three. The hedge appears to have been planted.

24 Along the common boundary between the
25 southern parcel and the PD is a stormwater pond

1 which provides for approximately 150 feet of
2 separation between the subject parcel and the drug
3 store driveway and building.

4 Along the western boundary is developed with
5 CG uses. Buffering and screening consist of a
6 6-foot fence while hedge or combination with
7 10-foot evergreen trees planted on 20-foot centers
8 will be required.

9 Along Thomas Street, as Thomas Street is a
10 50-foot right-of-way, the type of buffering and
11 screening that would be required along the western
12 boundary is not required as the parcels are not
13 considered adjacent.

14 Pursuant to the Land Development Code,
15 vehicular use areas if located along Thomas Street
16 would be required to have an 8-foot buffer with a
17 3-foot fence, wall, hedge, or a combination, trees
18 planted on 40-foot centers.

19 As noted, the applicant has proposed trees
20 planted in the 20-foot centers along the western
21 boundary and along Thomas Street with a 4-foot
22 fence along Thomas Street.

23 The parcel will be permitted access to
24 Thomas Street and local residential streets. The
25 CG district allows for a wide range of

1 commercial-retail uses, including fast-food
2 restaurants and convenience stores, that are
3 typically high-traffic generators with late night
4 and weekend hours.

5 The staff's recommendation that based on --
6 as noted the Planning Commission did find the
7 request inconsistent, based on that inconsistency
8 finding, the site characteristics and the range of
9 allowable uses under the CG zoning district as
10 restricted, staff concurs that the proposed CG
11 zoning with the proposed restrictions is not
12 consistent, compatible with existing development
13 pattern as it would not provide for a proper use
14 transition between the existing single-family uses
15 to the west and south and commercial to the east.

16 Therefore, staff finds request not
17 supportable. I'm available for any questions.

18 HEARING MASTER FINCH: I just had two. I
19 think you answered my first one, which is the PD
20 across the street you said was approved for a
21 multifamily; is that right?

22 MR. GRADY: Apartment complex, yeah.

23 HEARING MASTER FINCH: Apartment complex.
24 Okay. And then the PD that's to the east, the drug
25 store, that has the condition about if an

1 alternative use is proposed that it's not a drug
2 store, that whatever that CG use is can exceed the
3 traffic that the drug store had or created.

4 MR. GRADY: Well, it basically requires
5 them -- if they -- if they came in to do a change
6 of use for that -- to that drug store, they would
7 have to do a traffic analysis to demonstrate that
8 based on acceptable, you know, forms that the
9 transportation would find (unintelligible)
10 regarding trip generation that -- that -- that --
11 whatever that use would -- would not exceed the
12 traffic impacts of the drug store.

13 So they'd have to submit an analysis to
14 demonstrate to the satisfaction of our
15 transportation review staff that it is not
16 exceeding the traffic impacts that you would see
17 from that type of size drug store.

18 HEARING MASTER FINCH: So that contemplates
19 a complete change of use; the drug store would no
20 longer exist?

21 MR. GRADY: Correct.

22 HEARING MASTER FINCH: And then something
23 new would come in that would still meet under the
24 CG permitted uses?

25 MR. GRADY: Correct.

1 HEARING MASTER FINCH: Okay. All right.

2 Thank you very much. That was it.

3 Planning Commission, please.

4 MS. MILLS: Yeneka Mills, Planning

5 Commission staff.

6 The subject property is located within the
7 Residential-9 Future Land Use classification, the
8 Urban Service Area, and the Seffner-Mango Community
9 Plan area.

10 The subject -- the proposed Commercial
11 General-Restricted is inconsistent with the
12 Residential-9 Future Land Use classification. The
13 request does not meet the compatibility criteria as
14 outlined in Policy 1.4 of the Future Land Use
15 Element.

16 Compatibility is defined as the
17 characteristics of different uses for activities
18 for design which to be located near or adjacent to
19 each other in harmony.

20 Some elements affecting compatibility
21 include height, scale, mass, and bulk of
22 structures, pedestrian or vehicular traffic,
23 circulation, access and parking impacts,
24 landscaping, lighting, noise, odor and
25 architecture.

1 Compatibility does not mean the same as.
2 Rather it refers to the sensitivity of development
3 proposals in maintaining the character of existing
4 development.

5 Future Land Use Objective 16 and its
6 accompanying policies require the protection of
7 existing neighborhoods through various mechanisms.

8 Future Land Use Element Policy 16.1 states
9 that established and planned neighborhoods and
10 community shall be protected by restricting
11 incompatible land uses by limiting commercial
12 development and residential land use categories to
13 neighborhood scale. And rezoning to commercial
14 (unintelligible) will be consistent with the
15 policy.

16 Policy 16.2 states that gradual transitions
17 of intensities between uses shall be provided new
18 development as proposed through the use of
19 professional site planning, screening techniques,
20 and control of specific land uses.

21 In this case, Planning Commission staff has
22 determined that rezoning to Commercial General
23 would not provide a transition between Residential
24 and Commercial General uses and mitigation measures
25 would not be able to achieve compatibility.

1 Policy 16.5 further restricts higher
2 intensity uses along arterials away from
3 established neighborhoods. While East Martin
4 Luther King Drive is an arterial road, the rear of
5 the site will be directly on Thomas Road, which is
6 a local road, and rezoning would encourage the
7 encroachment of higher intensity uses into that
8 existing residential neighborhood.

9 The subject site meets commercial locational
10 criteria as outlined in Object 22 and Policy 22.2.
11 The site is located within (unintelligible)
12 commercial development, office development, and
13 light industrial along East Martin Luther King
14 Drive.

15 However, the goals of that same community
16 plan prohibits commercial encroachment into
17 residential areas south of East Martin Luther King
18 Jr. Drive.

19 The site is adjacent to existing residential
20 uses directly to the west and across Thomas Street
21 to the south, which is approximately 60 feet away
22 from the limits of the subject property.

23 As the subject site is directly south of East
24 Martin Luther King Jr. Drive and in an existing
25 residential area, a rezoning to Commercial General

1 would be inconsistent with the community plan and
2 would facilitate commercial encroachment into the
3 existing residential area.

4 And based upon those considerations,
5 Planning Commission staff finds the proposed
6 rezoning inconsistent with the Future of
7 Hillsborough Comprehensive Plan. Thank you.

8 HEARING MASTER FINCH: Thank you. I
9 appreciate it.

10 All right. We'll can ask for anyone that
11 would like to speak in support? Anyone in favor of
12 this application? Yes, sir. State your name and
13 address, please.

14 MR. GRYGIEL: Hello. My name is John
15 Grygiel. I'm the applicant and I've owned the
16 property -- my address is 11964 Neal Road, Lithia,
17 Florida 33547.

18 HEARING MASTER FINCH: Thank you.

19 MR. GRYGIEL: I've owned the property since
20 2005 and have had multiple issues with vagrancy,
21 people travelling through, and just problems all
22 around the neighborhood.

23 The -- the neighbors are in support because
24 they would like to see a use that actually
25 supports -- you know, someone's going to take care

1 of it versus, you know, getting a tenant that I
2 have to kick out and then go and start over again.

3 I don't feel like it warrants putting money
4 into invest into putting a duplex on a six-lane
5 highway with a turn lane in. And my family -- this
6 is very important to my family and I to put a car
7 lot there, and we really appreciate your support in
8 getting this done.

9 HEARING MASTER FINCH: That was my question.
10 So what's on the property currently.

11 MR. GRYGIEL: There are two old houses.
12 One's a block structure up front that I'd probably
13 use for the office for a car lot, and then the back
14 would be, you know, the parking for the cars.

15 HEARING MASTER FINCH: And you mentioned you
16 talked to the neighbors. And so when you talked to
17 them, what did you tell them you planned to do?

18 MR. GRYGIEL: To put a car lot in. Joe
19 Walker's to the west and the back, and then it was
20 Shane (phonetic).

21 HEARING MASTER FINCH: All right. Thank you
22 very much. I appreciate it.

23 MR. GRYGIEL: Thank you.

24 HEARING MASTER FINCH: Anyone else that
25 would like to speak -- oh, if you could come sign

1 in, please. Sorry.

2 Anyone else that would like to come speak in
3 support? Anyone in favor? Anyone online? All
4 right.

5 Anyone that would like to speak in
6 opposition to this request? No one in the room.
7 No one online.

8 All right. County Staff, anything further?

9 All right. Mr. Pressman, you have five
10 minutes if you'd like to say anything in rebuttal.

11 MR. PRESSMAN: I think we presented
12 everything you need to hear, and the applicant just
13 hopes to have your help, and we know you'll have --
14 we'll have your consideration. Thank you.

15 HEARING MASTER FINCH: Thank you so much for
16 your time and testimony.

17 With that, we'll close Rezoning 20-0374 and
18 go to the next case.

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1 Hearing.

2 Item A-4, Major Mod Application 20-0290. The
3 applicant's out of order to be heard and is being
4 continued to the March 15th, 2021, Zoning Hearing
5 Master Hearing.

6 Item A-5, Rezoning-Standard 20-0374. This
7 application is being continued by the applicant to
8 the March 15th, 2021, Zoning Hearing Master
9 Hearing.

10 Item A-6, Major Mod Application 20-0377.
11 This application is out of order to be heard and is
12 being continued to the March 15th, 2021, Zoning
13 Hearing Master Hearing.

14 Item A-7, Rezoning-PD 20-0382. This
15 application is being continued by staff to the
16 March 15th, 2021, Zoning Hearing Master Hearing.

17 Item A-8, Rezoning-Standard 20-0868. This
18 application is being continued by staff -- by the
19 applicant to the August 16th, 2021, Zoning Hearing
20 Master Hearing.

21 Item A-9, Major Mod Application 20-1068.
22 This is -- this application is out of order to be
23 heard and is being continued to the April 19th,
24 2021, Zoning Hearing Master Hearing. I will note
25 for the record that the backup, the continuance

1 Application 20-0290. This application is out of
2 order to be heard and is being continued to the
3 February 15th, 2021, Zoning Hearing Master Hearing
4 beginning at 6:00 p.m.

5 Item A-3, Rezoning-Standard 20-0334. This
6 application is being withdrawn by the Zoning
7 Administrator from the hearing process in
8 accordance with LDC Section 10.03.02.C.2.

9 Item A-4, Rezoning-Standard 20-0374. This
10 application is being continued by staff to the
11 February 15th, 2021, Zoning Hearing Master Hearing
12 beginning at 6:00 p.m.

13 Item A-5, Major Mod Application 20-0377.
14 This application is out of order to be heard and is
15 being continued to the February 15th, 2021, Zoning
16 Hearing Master Hearing beginning at 6:00 p.m.

17 Item A-6, Rezoning-PD 20-0389. This
18 application is being continued by the applicant to
19 the February 15th, 2021, Zoning Hearing Master
20 Hearing beginning at 6:00 p.m.

21 Item A-7, Rezoning-Standard 20-0868. This
22 application is being continued by the applicant to
23 the February 15th, 2021, Zoning Hearing Master
24 Hearing beginning at 6:00 p.m.

25 Item A-8, Major Mod Application 20-0898.

1 being continued to the February 15th, 2021, Zoning
2 Hearing Master Hearing.

3 Item A-6, Major Mod 20-0290. This
4 application is out of order to be heard and is
5 being continued to the December 14, 2020, Zoning
6 Hearing Master Hearing.

7 Item A-7, Rezoning Standard 20-0312. This
8 application is out of order to be heard and is
9 being continued to the December 14th, 2020, Zoning
10 Hearing Master Hearing.

11 Item A-8, Rezoning Standard 20-0334. This
12 application is out of order to be heard and is
13 being continued to the December 14, 2020, Zoning
14 Hearing Master Hearing.

15 Item A-9, Rezoning PD 20-0374. This
16 application is continued by the applicant to the
17 January 19, 2021, Zoning Hearing Master Hearing.

18 Item A-10, Rezoning PD 20-0382. This
19 application is out of order to be heard and is
20 being continued to the December 14, 2020, Zoning
21 Hearing Master Hearing.

22 Item A-11, Rezoning PD 20-0389. This
23 application is being continued by the applicant to
24 the January 19, 2021, Zoning Hearing Master
25 Hearing.

HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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ZONING HEARING MASTER (ZHM) )
HEARING )
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ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: SUSAN FINCH
Zoning Hearing Master

DATE: Monday, October 19, 2020

TIME: Commencing at 6:00 p.m.
Concluding at 8:57 p.m.

PLACE: Cisco Webex Video Conference

Reported By:
Diane T. Emery, CMRS, FPR
Executive Reporting Service
Ulmerton Business Center, Suite 100
Clearwater, FL 33762

1 Hearing Master hearing.

2 Item A.7., rezoning standard 20-0334. This
3 application is out of order to be heard and is
4 being continued to the November 16, 2020, Zoning
5 Hearing Master hearing.

6 Item A.8., rezoning standard 20-0358. This
7 application is being withdrawn from the Zoning
8 Hearing Master process.

9 Item A.9., rezoning standard 20-0374. This
10 application is out of order to be heard and is
11 being continued to the November 16, 2020, Zoning
12 Hearing Master hearing.

13 Item A.10., rezoning PD 20-0382. This
14 application is out of order to be heard and is
15 being continued to the November 16, 2020, Zoning
16 Hearing Master hearing.

17 Item A.11., rezoning PD 20-0389. This
18 application is being continued by the applicant to
19 the November 16, 2020, Zoning Hearing Master
20 hearing.

21 Item A.12., rezoning PD 20-0394. This
22 application is out of order to be heard and is
23 being continued to the November 16, 2020, Zoning
24 Hearing Master hearing.

25 Item A.13., RZ-PD 20-0690. This application

HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

In Re:

ZONING HEARING MASTER HEARINGS

ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: SUSAN FINCH
 Zoning Hearing Master

DATE: August 18, 2020

TIME: Commencing at 6:00 p.m.
 Concluding at 8:21 p.m.

PLACE: Cisco Webex Video Conference

REPORTED BY: Jerry Lefler, RPR CRR CM

Executive Reporting Services
13555 Automobile Boulevard, Suite 100
Clearwater, Florida 33762
(727) 822-5458

1 20-0154. This application is being
2 continued by the Applicant to the
3 September 14th, 2020, Zoning Hearing Master
4 Hearing.

5 Item A.3, Major Mod Application
6 20-0290. This application is out of order
7 to be heard and is being continued to the
8 September 29, 2020, Zoning Hearing Master
9 Hearing.

10 Item A.4, Rezoning-Standard
11 20-0358. This application is out of order
12 to be heard and is being continued to the
13 September 15th, 2020, Zoning Hearing Master
14 Hearing.

15 Item A.5, Rezoning-Standard
16 20-0374. This application is being
17 continued by Staff to the October 19, 2020,
18 Zoning Hearing Master Hearing.

19 Item A.6, rezoning Planned
20 Development 20-0447. This application is
21 being continued by the Applicant to the
22 September 15th, 2020, Zoning Hearing Master
23 Hearing.

24 And Item A.7, Rezoning-PD 20-0690.
25 This application is out of order to be heard



**EXHIBITS SUBMITTED
DURING THE ZHM HEARING**

SIGN-IN SHEET: RFR, ZHM, PHM, LUHO

PAGE 1 OF 4

DATE/TIME: 3/15/21 6pm HEARING MASTER: Susan Finch

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

APPLICATION # <u>RZ</u> <u>20-0374</u>	PLEASE PRINT NAME <u>Todd Pressman</u> MAILING ADDRESS <u>200 2nd Ave S. #451</u> CITY <u>St. Pete</u> STATE <u>FL</u> ZIP <u>33701</u> PHONE <u>707-804-1760</u>
APPLICATION # <u>RZ</u> <u>20-0374</u>	PLEASE PRINT NAME <u>John Gygiel</u> MAILING ADDRESS <u>11964 Neal Rd</u> CITY <u>Lithia</u> STATE <u>FL</u> ZIP <u>33547</u> PHONE <u>813-493-0008</u>
APPLICATION # <u>RZ VS</u> <u>21-0242</u>	PLEASE PRINT NAME <u>TU Mai</u> MAILING ADDRESS <u>14031 North Dale Mabry Hwy</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33618</u> PHONE _____
APPLICATION # <u>RZ</u> <u>STD-21</u> <u>0129</u>	PLEASE PRINT NAME <u>Cherie Howington</u> MAILING ADDRESS <u>6110 N Fork Ct</u> CITY <u>Wkeo</u> STATE <u>FL</u> ZIP <u>33809</u> PHONE <u>813-650-5024</u>
APPLICATION # <u>RZ VS</u> <u>21-0267</u>	PLEASE PRINT NAME <u>Jeff Fox</u> MAILING ADDRESS <u>10453 Carrollbrook Circle</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33618</u> PHONE _____
APPLICATION # <u>RZ</u> <u>21-0302</u>	PLEASE PRINT NAME <u>Josephine Pittman</u> MAILING ADDRESS <u>2112 Os Hwy 41</u> CITY <u>Kuskin</u> STATE <u>FL</u> ZIP <u>33574</u> PHONE <u>813-863-3789</u>

SIGN-IN SHEET: RFR, ZHM, PHM, LUHO

PAGE 2 OF 4

DATE/TIME: 3/15/21 6PM HEARING MASTER:

Susan Finch

PLEASE PRINT CLEARLY, THIS INFORMATION WILL BE USED FOR MAILING

<p>APPLICATION # RZ 21-0303</p>	<p>PLEASE PRINT NAME <u>M.D. FORNER, AICP</u> MAILING ADDRESS <u>4500 N. DUNE ASSEY HWY</u> CITY <u>T</u> STATE <u>FL</u> ZIP <u>3348</u> PHONE <u>752393</u></p>
<p>APPLICATION # RZ 21-0304</p>	<p>PLEASE PRINT NAME <u>M.D. FORNER, AICP</u> MAILING ADDRESS <u>4500 N. DUNE ASSEY HWY</u> CITY <u>T</u> STATE <u>FL</u> ZIP <u>3348</u> PHONE <u>752393</u></p>
<p>APPLICATION # RZ PD 20-0382</p>	<p>PLEASE PRINT NAME <u>J.D. ALSABBAGH</u> MAILING ADDRESS <u>8370 W. HILLS AVE # 205</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33615</u> PHONE <u>8138800700</u></p>
<p>APPLICATION # RZ PD 20-1252</p>	<p>PLEASE PRINT NAME <u>CHRIS MCNEAL</u> MAILING ADDRESS <u>15957 N. FLORIDA AVE</u> <u>CMCNEAL@MCNEALENGINEERING</u> <u>.COM</u> CITY <u>LUTZ</u> STATE <u>FL</u> ZIP <u>33549</u> PHONE <u>8132052564</u></p>
<p>APPLICATION # RZ-PD 20-1252</p>	<p>PLEASE PRINT NAME <u>Andy Barwa</u> MAILING ADDRESS <u>2535 N. Habana pl</u> CITY <u>TPA</u> STATE <u>FL</u> ZIP <u>33618</u> PHONE <u>8138578657</u></p>
<p>APPLICATION # RZ-PD 20-1255</p>	<p>PLEASE PRINT NAME <u>CHRIS MCNEAL</u> MAILING ADDRESS <u>15957 N. FLORIDA AVE</u> CITY <u>LUTZ</u> STATE <u>FL</u> ZIP <u>33549</u> PHONE <u>8132052564</u></p>

SIGN-IN SHEET: RFR, ~~ZHM~~, PHM, LUHO

PAGE 3 OF 4

DATE/TIME: 3/15/21 6PM HEARING MASTER: Susan Finch

PLEASE PRINT CLEARLY, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # RZ-PD 26-1264	PLEASE PRINT NAME <u>Kami Corbett</u> MAILING ADDRESS <u>101 E Kennedy Blvd, Ste 3700</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-2278421</u>
APPLICATION # RZ-PD 26-1264	PLEASE PRINT NAME <u>+Subelle Albert</u> MAILING ADDRESS <u>1000 N Ashley Dr.</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813 620 4500</u>
APPLICATION # RZ-PD 26-1264	PLEASE PRINT NAME <u>STATE HENRY</u> MAILING ADDRESS <u>5023 W. LAUREL ST</u> CITY <u>TPA</u> STATE <u>FL</u> ZIP <u>33607</u> PHONE <u>813-289-0039</u>
APPLICATION # RZ-PD US 26-1264	PLEASE PRINT NAME <u>Anne Pollack</u> MAILING ADDRESS <u>433 Central Ave</u> CITY <u>St. Pete</u> STATE <u>FL</u> ZIP <u>33701</u> PHONE _____
APPLICATION # RZ-PD US 26-1264	PLEASE PRINT NAME <u>Brian Bokor</u> MAILING ADDRESS <u>3209 Bell Shoals Rd</u> CITY <u>Brandon</u> STATE <u>FL</u> ZIP <u>33511</u> PHONE _____
APPLICATION # RZ-PD 26-1264	PLEASE PRINT NAME <u>JAMES BARRY</u> MAILING ADDRESS <u>3028 Colonial Rings Dr</u> CITY <u>Brandon</u> STATE <u>FL</u> ZIP <u>33511</u> PHONE <u>540-419-2633</u>

SIGN-IN SHEET: RFR, ZHM, PHM, LUHO

PAGE 4 OF 4

DATE/TIME: 3/15/21 6PM HEARING MASTER: _____

Susan Finch

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

APPLICATION # <u>RZ-PD VS</u> <u>20-1266</u>	PLEASE PRINT NAME <u>Truett Gardner</u> MAILING ADDRESS <u>400 N Ashley Dr</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE _____
APPLICATION # <u>RZ-PD</u> <u>20-1270</u>	PLEASE PRINT NAME <u>Dale Mcgymn</u> MAILING ADDRESS <u>10408 Bloomingdale Ave</u> CITY <u>Riverview</u> STATE <u>FL</u> ZIP <u>33578</u> PHONE <u>813-309-6618</u>
APPLICATION # <u>RZ-PD</u> <u>20-1270</u>	PLEASE PRINT NAME <u>Michael Brooks</u> MAILING ADDRESS <u>606 E Madras</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>505-7008</u>
APPLICATION # <u>RZ-PD</u> <u>20-1270</u>	PLEASE PRINT NAME <u>MICHAEL YATES</u> <u>PAUM TRAFFIC</u> MAILING ADDRESS <u>400 N Tampa St., 15th Floor</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-205-8057</u>
APPLICATION # <u>RZ-PD VS</u> <u>21-0034</u>	PLEASE PRINT NAME <u>TU MAI</u> MAILING ADDRESS <u>14031 North Dale Mabry Hwy</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33618</u> PHONE _____
APPLICATION # <u>RZ-PD VS</u> <u>21-0121</u>	PLEASE PRINT NAME <u>HUNG MAI</u> MAILING ADDRESS <u>14031 North Dale Mabry Hwy</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33618</u> PHONE _____

MARCH 15, 2021 - ZONING HEARING MASTER

The Zoning Hearing Master (ZHM), Hillsborough County, Florida, met in Regular Meeting, scheduled for Monday, March 15, 2021, at 6:00 p.m., held virtually.

▶ Susan Finch, ZHM, called the meeting to order and led in the pledge of allegiance to the flag.

A. WITHDRAWALS AND CONTINUANCES

▶ Brian Grady, Development Services, reviewed changes/withdrawals/continuances.

▶ Susan Finch, ZHM, overview of ZHM process.

▶ Senior Assistant County Attorney Mary Dorman overview of oral argument/ZHM process.

▶ Susan Finch, ZHM, confirmed the Oral arguments date

▶ Susan Finch, ZHM, Oath

B. REMANDS - Not Addressed.

C. REZONING STANDARD (RZ-STD):

C.1. RZ 20-0374

▶ Brian Grady, Development Services, calls RZ 20-0374.

▶ Todd Pressman, applicant rep, presents testimony.

▶ Brian Grady, Development Services, staff report.

▶ Susan Finch, ZHM, questions to Development Services Staff.

▶ Brian Grady, Development Services Staff, answers ZHM questions.

▶ Yeneka Mills, Planning Commission, staff report.

▶ Susan Finch, ZHM, calls proponents.

▶ John Grygiel, proponent, presents testimony.

▶ Susan Finch, ZHM, questions to proponent.

▶ John Grygiel, proponent, answers ZHM questions.

- ▶ Susan Finch, ZHM, calls opponents/Development Services/applicant rep.
- ▶ Todd Pressman, applicant rep, provides rebuttal.
- ▶ Susan Finch, ZHM, closes RZ 20-0374.

C.2. RZ 21-0129

- ▶ Brian Grady, Development Services, calls RZ 21-0129.
- ▶ Cherie Howington, applicant rep, presents testimony.
- ▶ Isis Brown, Development Services, staff report.
- ▶ Yeneka Mills, Planning Commission, staff report.
- ▶ Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rep/closes RZ 21-0129.

C.3. RZ 21-0242

- ▶ Brian Grady, Development Services, calls RZ 21-0242.
- ▶ Tu Mai, applicant rep, presents testimony.
- ▶ Isis Brown, Development Services, staff report.
- ▶ Susan Finch, ZHM, questions to Development Services Transportation.
- ▶ James Ratliff, Development Services Transportation, introduction.
- ▶ Brian Grady, Development Services, answers ZHM questions.
- ▶ James Ratliff, Development Services Traffic, answers ZHM questions.
- ▶ Yeneka Mills, Planning Commission, staff report.
- ▶ Susan Finch, ZHM, questions to Planning Commission Staff.
- ▶ Yeneka Mills, Planning Commission Staff, answers ZHM questions.
- ▶ Susan Finch, ZHM, calls proponents/opponents/Development Services.
- ▶ Susan Finch, ZHM, questions to applicant rep.
- ▶ Tu Mai, applicant rep, answers ZHM questions.

MONDAY, MARCH 15, 2021

- ▶ Susan Finch, ZHM, questions to applicant rep.
- ▶ Tu Mai, applicant rep, answers ZHM questions.
- ▶ Brian Grady, Development Service, answers ZHM questions.
- ▶ Susan Finch, ZHM, statement to applicant rep.
- ▶ Tu Mai, applicant rep, request continuance.
- ▶ Susan Finch, ZHM, questions to Development Services.
- ▶ Brian Grady, Development Services, answers ZHM questions.
- ▶ Susan Finch, ZHM, continues application to April 19, 2021.

C.4. RZ 21-0267

- ▶ Brian Grady, Development Services, calls RZ 21-0267.
- ▶ Jeff Fox, applicant rep, presents testimony.
- ▶ Isis Brown, Development Services, staff report.
- ▶ Yeneka Mills, Planning Commission, staff report.
- ▶ Susan Finch, ZHM, calls proponents/opponents/Development Services.
- ▶ Brian Grady, Development Services, continues testimony.
- ▶ Susan Finch, ZHM, calls applicant rep/closes RZ 21-0267.

C.5. RZ 21-0302

- ▶ Brian Grady, Development Services, calls RZ 21-0302.
- ▶ Josephine Morgana Pittman, applicant rep, presents testimony.
- ▶ Isis Brown, Development Services, staff report.
- ▶ Susan Finch, ZHM, questions to Development Services.
- ▶ Isis Brown, Development Services, answers ZHM questions.
- ▶ Brian Grady, Development Services, answers ZHM questions.
- ▶ Susan Finch, ZHM, questions to Development Services Transportation.

MONDAY, MARCH 15, 2021

- ▶ James Ratliff, Development Services Transportation, answers ZHM questions.
- ▶ Yeneka Mills, Planning Commission, staff report.
- ▶ Susan Finch, ZHM, calls proponents/opponents/Development Services.
- ▶ Brian Grady, Development Services, questions to applicant rep.
- ▶ Josephine Morgana Pittman, applicant rep, answers Development Services questions.
- ▶ Brian Grady, Development Services, statement for the record.
- ▶ Yeneka Mills, Planning Commission, responds to Development Services.
- ▶ Susan Finch, ZHM, questions to applicant rep.
- ▶ Josephine Morgana Pittman, applicant rep, answers ZHM questions.
- ▶ Brian Grady, Development Services, responds to applicant rep.
- ▶ Susan Finch, ZHM, statement for the record.
- ▶ Susan Finch, ZHM, closes RZ 21-0302.

C.6. RZ 21-0303

- ▶ Brian Grady, Development Services, calls RZ 21-0303.
- ▶ Michael Horner, applicant rep, presents testimony.
- ▶ Timothy Lampkin, Development Services, staff report.
- ▶ Yeneka Mills, Planning Commission, staff report.
- ▶ Susan Finch, ZHM, questions to Planning Commission.
- ▶ Yeneka Mills, Planning Commission, answers ZHM questions.
- ▶ Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rep.
- ▶ Michael Horner, applicant rep, provides rebuttal.
- ▶ Susan Finch, ZHM, questions to Planning Commission.
- ▶ Yeneka Mills, Planning Commission, answers ZHM questions.

- ▶ Susan Finch, ZHM, closes RZ 21-0303.

C.7. RZ 21-0304

- ▶ Brian Grady, Development Services, calls RZ 21-0304.
- ▶ Michael Horner, applicant rep, presents testimony.
- ▶ Christopher Grandlienard, Development Services, staff report.
- ▶ Yeneka Mills, Planning Commission, staff report.
- ▶ Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rep.
- ▶ Michael Horner, applicant rep, provides rebuttal.
- ▶ Susan Finch, ZHM, closes RZ 21-0304.

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

D.1. RZ 20-0382

- ▶ Brian Grady, Development Services, calls RZ 20-0382.
- ▶ J.D. Alsabbagh, applicant rep, presents testimony.
- ▶ Steve Beachy, Development Services, staff report.
- ▶ Susan Finch, ZHM, questions to Development Services
- ▶ Steve Beachy, Development Services, answers ZHM questions.
- ▶ Brian Grady, Development Services, answers ZHM questions.
- ▶ Yeneka Mills, Planning Commission, staff report.
- ▶ Susan Finch, ZHM, calls proponents/opponents/Development Services.
- ▶ Brian Grady, Development Services, statement for the record.
- ▶ Susan Finch, ZHM, calls applicant rep/closes RZ 20-0382.
- ▶ Susan Finch, ZHM, break.
- ▶ Susan Finch, ZHM, returns from break.

D.2. RZ 20-1252

- ▶ Brian Grady, Development Services, calls RZ 20-1252.
- ▶ Chris McNeal, applicant rep, presents testimony.
- ▶ Susan Finch, ZHM, questions to applicant rep.
- ▶ Chris McNeal, applicant rep, answers ZHM questions and continues testimony.
- ▶ Susan Finch, ZHM, questions to applicant rep.
- ▶ Chris McNeal, applicant rep, answers ZHM questions, no evidence submitted.
- ▶ Brian Grady, Development Services, staff report.
- ▶ Susan Finch, ZHM, questions to Development Services.
- ▶ Brian Grady, Development Services, answers ZHM questions.
- ▶ Yeneka Mills, Planning Commission, staff report.
- ▶ Susan Finch, ZHM, calls proponents.
- ▶ Cindy Barsa, proponent, presents testimony.
- ▶ Susan Finch, ZHM, calls opponents/Development Services/applicant rep/closes RZ 20-1252.

D.3. RZ 20-1255

- ▶ Brian Grady, Development Services, calls RZ 20-1255.
- ▶ Chris McNeal, applicant rep, presents testimony.
- ▶ Israel Monsanto, Development Services, staff report.
- ▶ Yeneka Mills, Planning Commission, staff report.
- ▶ Susan Finch, ZHM, calls for proponents/opponents/Development Services/applicant rep.
- ▶ Chris McNeal, applicant rep, provides rebuttal.
- ▶ Susan Finch, ZHM, closes RZ 20-1255.

D.4. RZ 20-1264

- ▶ Brian Grady, Development Services, calls RZ 20-1264.
- ▶ Kami Corbett, ▶ Isabelle Albert, ▶ Steve Henry, applicant reps, presents testimony.
- ▶ Susan Finch, ZHM, questions to applicant rep.
- ▶ Steve Henry, applicant rep, answers ZHM questions and continues testimony.
- ▶ Kami Corbett, applicant rep, continues testimony.
- ▶ Israel Monsanto, Development Services, staff report.
- ▶ Yeneka Mills, Planning Commission, staff report.
- ▶ Susan Finch, ZHM, calls proponents.
- ▶ Anne Pollack, proponent, presents testimony.
- ▶ Susan Finch, ZHM, questions to proponent.
- ▶ Anne Pollack, proponent, answers ZHM questions.
- ▶ Brian Bokor, proponent, presents testimony.
- ▶ Susan Finch, ZHM, calls opponents.
- ▶ James Barry, opponent, introduction.
- ▶ Susan Finch, ZHM, Oath.
- ▶ James Barry, opponent, presents testimony.
- ▶ Susan Finch, ZHM, calls Development Services.
- ▶ James Ratliff, Development Services Transportation, presents testimony.
- ▶ Susan Finch, ZHM, calls applicant rep.
- ▶ Kami Corbett, applicant rep, questions to opponent.
- ▶ James Barry, opponent, answer applicant rep. questions.
- ▶ Kami Corbett and Steve Henry, applicant reps, provide rebuttal.

- ▶ Susan Finch, ZHM, closes RZ 20-1264.

D.5. RZ 20-1266

- ▶ Brian Grady, Development Services, calls RZ 20-1266.
- ▶ Truett Gardner, applicant rep, presents testimony.
- ▶ Susan Finch, ZHM, questions to applicant rep.
- ▶ Truett Gardner, applicant rep, answers ZHM questions.
- ▶ Brian Grady, Development Services, answers ZHM questions.
- ▶ Truett Gardner, applicant rep, answers ZHM questions
- ▶ Susan Finch, ZHM, questions the County Attorney.
- ▶ Senior Assistant County Attorney Mary Dorman answers ZHM questions.
- ▶ Susan Finch, ZHM, questions to the county Attorney.
- ▶ Senior Assistant County Attorney Mary Dorman answers ZHM questions.
- ▶ Susan Finch, ZHM, questions to applicant rep.
- ▶ Truett Gardner, applicant rep, answers ZHM questions.
- ▶ Brian Grady, Development Services, staff report.
- ▶ Yeneka Mills, Planning Commission, staff report.
- ▶ Susan Finch, ZHM, calls proponents/opponents/Development Services.
- ▶ Brian Grady, Development Services, questions to the County Attorney.
- ▶ Senior Assistant County Attorney Johanna Lundgren answers Development Services questions.
- ▶ Truett Gardner, applicant rep, provides rebuttal.
- ▶ Susan Finch, ZHM, closes RZ 20-1266.

D.6. RZ 20-1270

- ▶ Brian Grady, Development Services, calls RZ 20-1270.
- ▶ Michael Brooks, ▶ Dale Meryman, ▶ Michael Yates, applicant reps, presents testimony.
- ▶ Michelle Heinrich, Development Services, staff report.
- ▶ James Ratliff, Development Services Transportation, staff report
- ▶ Yeneka Mills, Planning Commission, staff report.
- ▶ Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rep.
- ▶ Michael Brooks, applicant rep, provides rebuttal.
- ▶ Susan Finch, ZHM, closes RZ 20-1270.

D.7. RZ 21-0034

- ▶ Brian Grady, Development Services, calls RZ 21-0034.
- ▶ Tu Mai, applicant rep, presents testimony.
- ▶ Susan Finch, ZHM, questions to applicant rep.
- ▶ Tu Mai, applicant rep, answers ZHM questions.
- ▶ Israel Monsanto, Development Services, staff report.
- ▶ Yeneka Mills, Planning Commission, staff report.
- ▶ Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rep/closes RZ 21-0034.

D.8. RZ 21-0121

- ▶ Brian Grady, Development Services, calls RZ 21-0121.
- ▶ Hung Mai, applicant rep, presents testimony.
- ▶ Israel Monsanto, Development Services, staff report.
- ▶ Susan Finch, ZHM, questions to Development Services.

MONDAY, MARCH 15, 2021

- ▶ Israel Monsanto, Development Services, answers ZHM questions.
- ▶ Yeneka Mills, Planning Commission, staff report.
- ▶ Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rep/closes RZ 21-0121.

ADJOURNMENT

- ▶ Susan Finch, ZHM, adjourns the meeting.

Application No. 20-0374
Name: Todd Pressman
Entered at Public Hearing: ZHM
Exhibit # 1 Date: 3/15/21

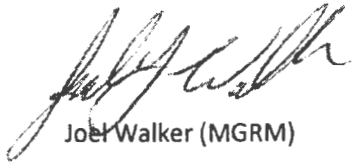
DYNAMIC PROPERTY INVESTMENTS
JOEL L AND MARY E WALKER
514 LIMONA ROAD
BRANDON, FL 33510

February 26, 2021

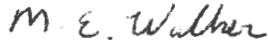
Re: Hillsborough County Rezoning 20-0374

To whom it may concern,

I, Joel Walker & Mary Walker, are the owners of Dynamic Property Investments and Folio: 0658342-0000 with address of 11102 Thomas Street, Seffner FL 33584 and I do not have any objections to the zoning of 11103 Dr. Martin Luther King Blvd. Seffner FL 33584 & 11106 Thomas Street Seffner FL 33584 being rezoned to CG.



Joel Walker (MGRM)



Mary Walker (MGRM)

JOEL L AND MARY E WALKER
MARY E WALKER
11105 THOMAS ST
SEFFNER, FL 33584-4373

February 26, 2021

Re: Hillsborough County Rezoning 20-0374

To whom it may concern,

I, Joel Walker & Mary Walker, are the owners of Folio: 065833-0000 with address of 11105 Thomas Street, Seffner FL 33584 and I do not have any objections to the zoning of 11103 Dr. Martin Luther King Blvd. Seffner FL 33584 & 11106 Thomas Street Seffner FL 33584 being rezoned to CG.



Joel Walker



Mary Walker

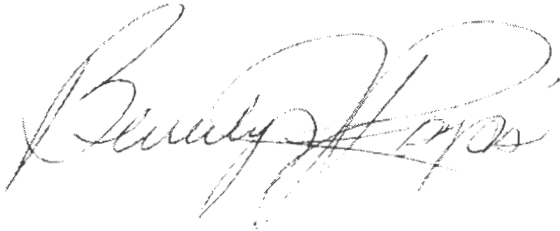
BEVERLY J ROJAS
11107 THOMAS ST
SEFFNER, FL 33584-4373

March 11, 2021

Re: Hillsborough County Rezoning 20-0374

To whom it may concern,

I, Beverly Rojas, am the owner of Folio: 065836-0000 with address of 11107 Thomas Street, Seffner FL 33584. I do not have any objections to the zoning of 11103 Dr. Martin Luther King Blvd. Seffner FL 33584 & 11106 Thomas Street Seffner FL 33584 being rezoned to CG.

A handwritten signature in black ink, appearing to read "Beverly Rojas", written in a cursive style.

Beverly Rojas

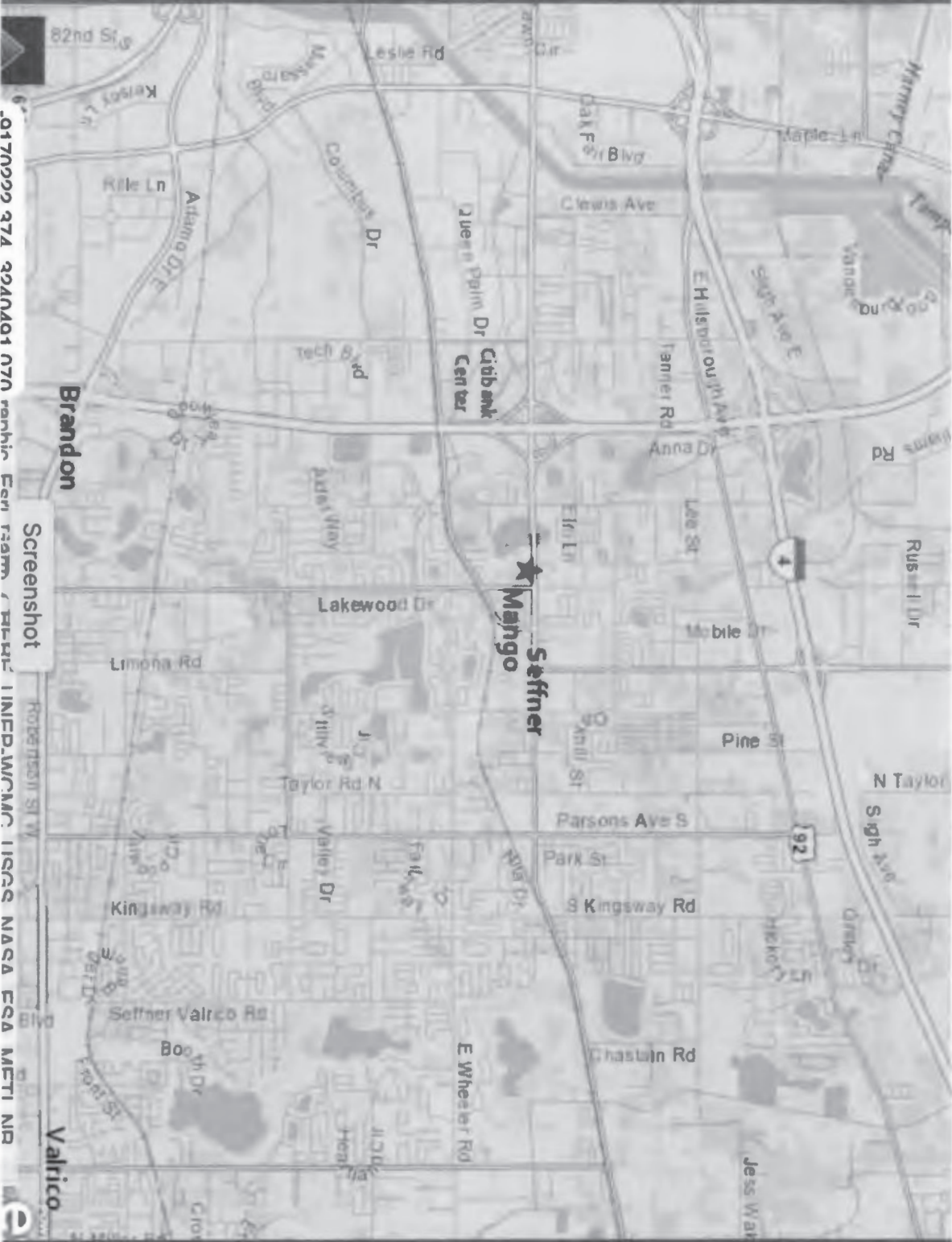
RZ 20-0374

SITE



RDC-12





0170999 974 924M01 070 ranch Ecrt riam / HWR INEP.WCMC IISGS NASA ESA METI NR

Screenshot

Brandon

Valrico

Citibank Center

Mango Sefner

Lakewood Dr

92



RDC-12

POINTE DR

E MARTIN
LUTHER
KING BLVD

574

PD

ASC-1

THOMAS ST

RDC-12

CHRISTINE ST

ISSUE: .58 acres. From RDC-12 to CG-R for a Car Sales Lot

Uses proposed as restricted on the parcels:

- 1) Car wash as accessory use only.
- 2) No open storage
- 3) Major and Minor vehicle repair as accessory use only.
- 4) No blood plasma banks or donations
- 5) No Adult uses

Site Does meet Locational Criteria of the Comp Plan

Goal 3 of the Seffner Mango Community Plan does include strategies to concentrate commercial development, office development and light industrial along East Martin Luther King Jr Drive

The proposal does provide growth in the Urban Service Area as required by Objective 1 of the Future Land Use Element (FLUE) of the Comprehensive Plan

Seffner-Mango Community Plan:

Support in-fill development and redevelopment within the Urban Service Area.

FLU Map

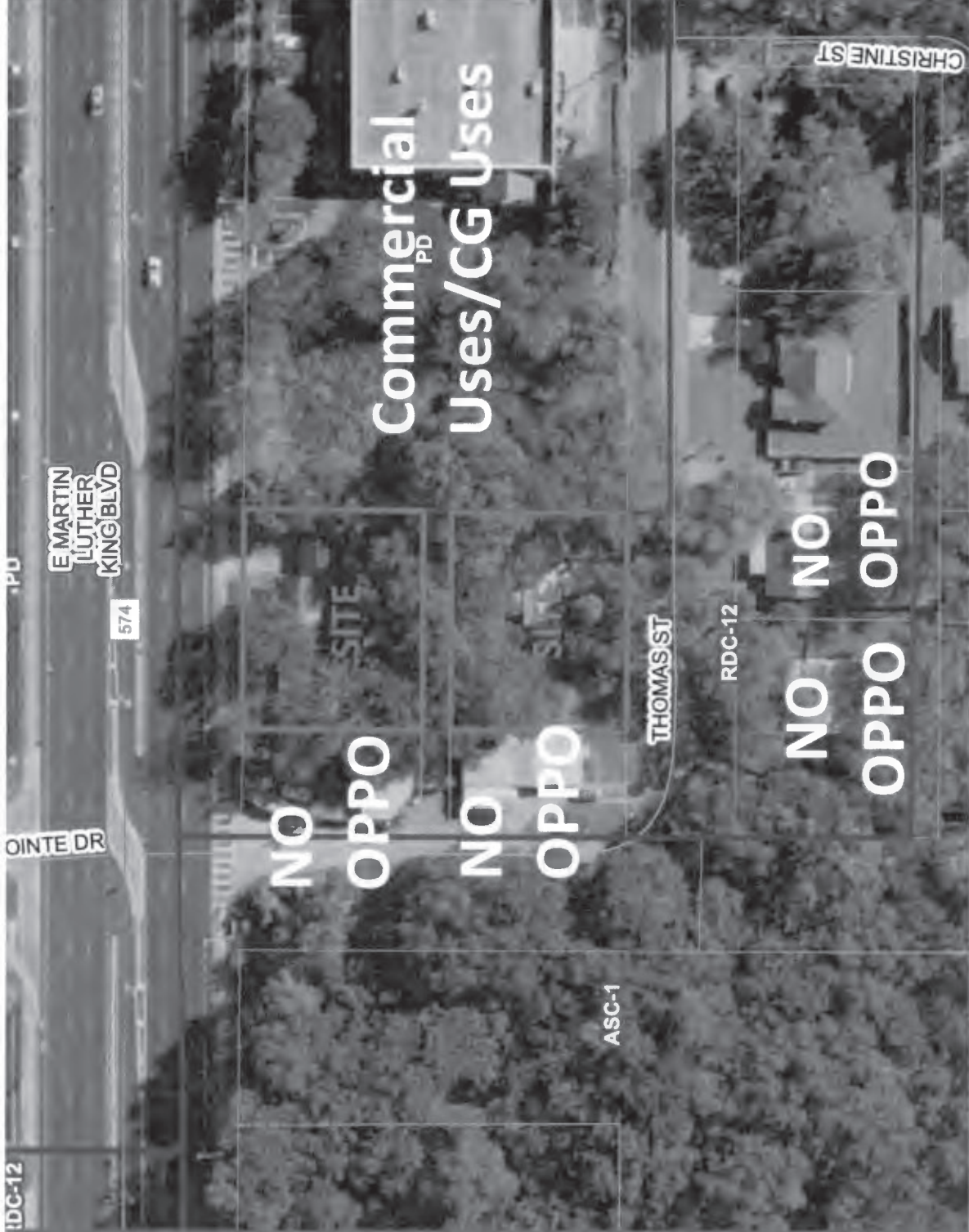
R-9:

“Nonresidential uses shall meet established locational criteria for specific land use”.



Zoning Map





RDC-12

POINTE DR

EMARTIN LUTHER KING BLVD

574

NO

OPPO

NO

OPPO

ASC-1

THOMAS ST

RDC-12

NO

OPPO

NO

OPPO

CHRISTINE ST

Commercial^{PD} Uses/CG Uses

And 17 notice letters sent out

IDC-12

COINTE DR

PD

E MARTIN
LUTHER
KING CLVD

6 Lane Major Arterial 42,000 Avg.

Daily Trips

NO

OPPO

NO

OPPO

ASC-1

SITE

SITE

Commercial PD Uses

THOMAS ST

RDC-12

NO

OPPO

NO

OPPO

50'

CHRISTINE ST

RDC-12

POINTE DR

PD

EMARTIN
LUTHER
KING/CLVD

6 Lane Major Arterial 42,000 Avg.

Daily Trips

NO

OPPO

NO

OPPO

ASC-1

THOMAS ST

RDC-12

NO

OPPO

NO

OPPO



50'

SITE

SITE

Commercial_{PD} Uses

Not suited for residential development

CHRISTINE ST



“We are not able to take letters in support in consideration in our analysis” –

The Planning Commission,
Melissa Lienhard

Primarily what P&GM relied upon

- 6' PVC fence against residential uses
 - 4' high on Thomas
- Evergreen shade trees not less than 10' high at the time of planting SPACED EVERY 10' (versus every 20' as required by code), to be planted within 10' of the property line.

Basically Double the planting density

P&GM Recommendation: “Based on the Planning Commission inconsistency finding...staff concurs that the proposed CG zoning...is not consistent/compatible with the existing develop pattern as it would not provide for a proper use transition between the existing single-family uses to the west and south and the commercial to the east.

Again, Plan Comm. does not factor in nor accept feedback from affected neighbors

**Plan Commission primarily rests on concepts of policy
1.4, compatibility, and objective 16, protect existing
neighborhoods...**

**We've heard directly from this neighborhood. The site
is not suited for residential development. CG-R is
heavily restricted uses and better buffered & meets
concerns**

Planning Commission

Recommend
Denial

P&GM relies upon
Plan Commission

Impacts/Compatible with
residential

Don't factor in
unanimous
residential support

Recommend Denial



Seffner - Mango
Community Plan



- Goal/Strategy: “Recognize the commercial character of US 92 and Martin Luther King Boulevard within the Urban Service Area” .
- Goal/Strategy: “Support in-fill development and redevelopment within the Urban Service Area while providing for compatibility with existing uses” .

Seffner - Mango
Community Plan



GOAL 3: “Commercial development should be directed to the US 92 and Martin Luther King Boulevard corridors”.

Good Transitional Use from MLK

Site Does meet Locational Criteria of the Comp Plan

**The proposal does provide growth in the Urban
Service Area as required by Objective 1 of the Future
Land Use Element (FLUE) of the Comprehensive Plan**

Summary:

- **CG-R VERY restrictive for use**
- **Extremely strong resident support**
- **Exceeding landscaping requirements**
- **Not conducive for residential; CG abutting and MLK**
- **Many Comp. Plan and Seffner-Mango Community Plan policies support and direct commercial on this site.**

Thank you.



**PARTY OF
RECORD**

From: [Hearings](#)
To: [Timoteo, Rosalina](#)
Subject: FW: App # RZ-STD-20-0374
Date: Thursday, November 19, 2020 2:50:17 PM
Attachments: [image001.png](#)

Bianca O. Vazquez
Planning and Zoning Technician
Development Services Department

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W: HCFLGov.net

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<https://www.hillsboroughcounty.org/en/businesses/permits-and-records/centerpass>

From: Tammy Lenze <lenzetammy64@gmail.com>
Sent: Tuesday, November 17, 2020 1:33 AM
To: Hearings <Hearings@HillsboroughCounty.ORG>
Subject: App # RZ-STD-20-0374

[External]

I am hoping you can help me find out what is going on in the neighborhood where I rent a room. The sign says the will be a hearing on 1/19/2021 where the public can voice their concerns, but if I don't know what the planned zoning change is about, how can I know if I want to comment that night. Any information would be greatly appreciated.

Tammy Lenze

This email is from an **EXTERNAL** source and did not originate from a Hillsborough County email address.
Use caution when clicking on links and attachments from outside sources.

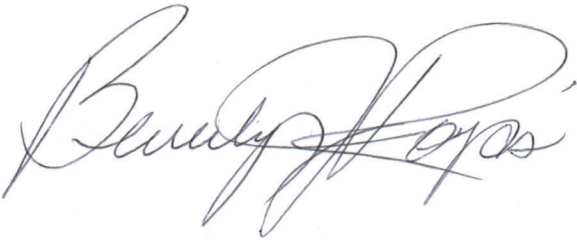
BEVERLY J ROJAS
11107 THOMAS ST
SEFFNER, FL 33584-4373

March 11, 2021

Re: Hillsborough County Rezoning 20-0374

To whom it may concern,

I, Beverly Rojas, am the owner of Folio: 065836-0000 with address of 11107 Thomas Street, Seffner FL 33584. I do not have any objections to the zoning of 11103 Dr. Martin Luther King Blvd. Seffner FL 33584 & 11106 Thomas Street Seffner FL 33584 being rezoned to CG.

A handwritten signature in cursive script, appearing to read "Beverly Rojas". The signature is written in dark ink and is positioned above the printed name.

Beverly Rojas

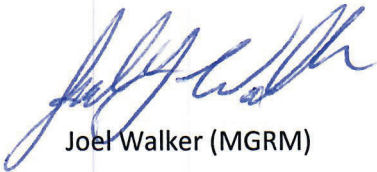
DYNAMIC PROPERTY INVESTMENTS
JOEL L AND MARY E WALKER
514 LIMONA ROAD
BRANDON, FL 33510

February 26, 2021

Re: Hillsborough County Rezoning 20-0374

To whom it may concern,

I, Joel Walker & Mary Walker, are the owners of Dynamic Property Investments and Folio: 0658342-0000 with address of 11102 Thomas Street, Seffner FL 33584 and I do not have any objections to the zoning of 11103 Dr. Martin Luther King Blvd. Seffner FL 33584 & 11106 Thomas Street Seffner FL 33584 being rezoned to CG.

A handwritten signature in blue ink, appearing to read "Joel Walker".

Joel Walker (MGRM)

A handwritten signature in blue ink, appearing to read "M. E. Walker".

Mary Walker (MGRM)

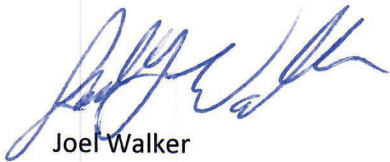
JOEL L AND MARY E WALKER
MARY E WALKER
11105 THOMAS ST
SEFFNER, FL 33584-4373

February 26, 2021

Re: Hillsborough County Rezoning 20-0374

To whom it may concern,

I, Joel Walker & Mary Walker, are the owners of Folio: 065833-0000 with address of 11105 Thomas Street, Seffner FL 33584 and I do not have any objections to the zoning of 11103 Dr. Martin Luther King Blvd. Seffner FL 33584 & 11106 Thomas Street Seffner FL 33584 being rezoned to CG.



Joel Walker



Mary Walker