Rezoning Application: 21-0951

Zoning Hearing Master Date: September 13, 2021

BOCC Land Use Meeting Date: November 9, 2021



Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Chris Ares

FLU Category: Urban Mixed- Use (UMU-20)

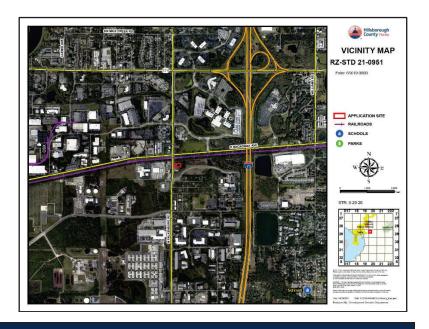
Service Area: Urban

Site Acreage: 0.688

Community

Plan Area: Brandon

Overlay: None



Introduction Summary:

The request is to rezone from the existing Agricultural Single-Family (AS-1) and Manufacturing (M) zoning districts to the proposed to Manufacturing (M) zoning district. The proposed zoning for M permits manufacturing, processing or assembling uses, intensive commercial uses and other industrial uses.

Zoning:	Exis	Proposed	
District(s)	ASC-1	M	M
Typical General Use(s)	Single-Family Residential/Agricultural Industrial/Manufacturing		Industrial/Manufacturing
Acreage	0.6	0.688	
Density/Intensity	1 dwelling unit (du) per acre (a) 0.75 Floor Area Ratio (F.A.R.)		0.75 F.A.R.
Mathematical Maximum*	1 du Not Applicable		Not Applicable

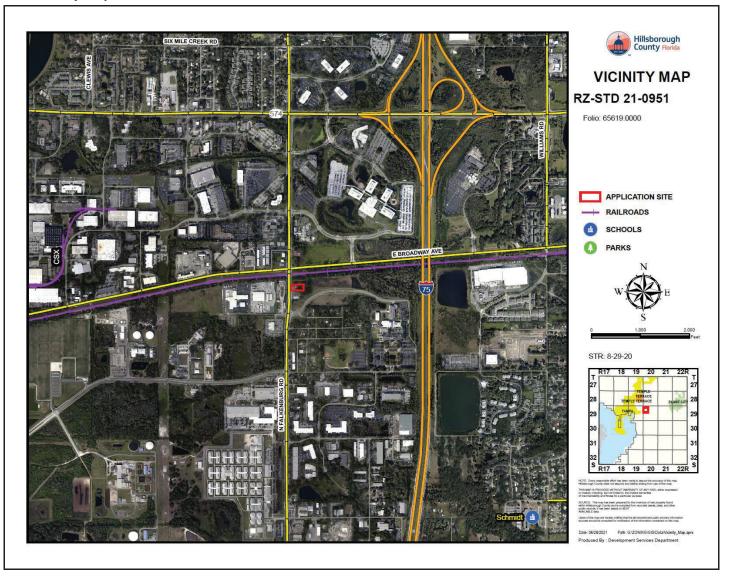
^{*}number represents a pre-development approximation

Development Standards:	Existing		Proposed
District(s)	ASC-1	M	M
Lot Size / Lot Width	43,560 sf/ 150'	20,000 sf/ 100'	20,000 sf/ 100'
Setbacks/Buffering and Screening	50' - Front 50' - Rear 15' - Sides	30' - Front	30' - Front 0' - Rear 30' C Type - Side — North Boundary 0' — Side — South boundary
Height	50'	110'	70′

Additional Information:	
PD Variation(s)	None requested as part of this application
Waiver(s) to the Land Development Code	None requested as part of this application
Planning Commission Recommendation: Consistent	Development Services Recommendation: Approvable

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map



Context of Surrounding Area:

The site is located in an area comprised of light industrial, mixed and commercial uses. A majority of the area to the North and south of the subject site is within the UMU-20 FLU category which has the potential to permit light industrial, commercial, office and multi-purpose uses. The site is adjacent to commercial and industrial use properties. The adjacent properties are zoned ASC-1 (to the north), and M (to the south, east and west).

Rezoning Application:

21-0951

Zoning Hearing Master Date:

September 13, 2021

BOCC Land Use Meeting Date:

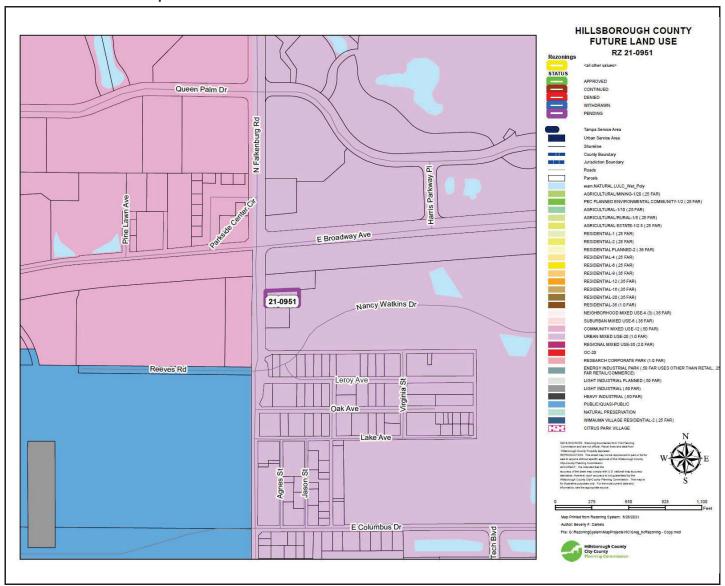
November 9, 2021



Development Services Department

2.0 LAND USE MAP SET AND SUMMARY DATA

2.2 Future Land Use Map



Subject Site Future Land Use (FLU) Category:	Urban Mixed-Use -20 (UMU-20)
Maximum Density/F.A.R.:	20 dwelling unit per Gross Acre (ga)/1.0 F.A.R.
Typical Uses:	Residential, regional scale commercial uses such as a mall, office and business park uses, research corporate park uses, light industrial, multi-purpose and clustered residential and/or mixed-use projects at appropriate locations. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.

Rezoning Application: 21-0951

Zoning Hearing Master Date: September 13, 2021

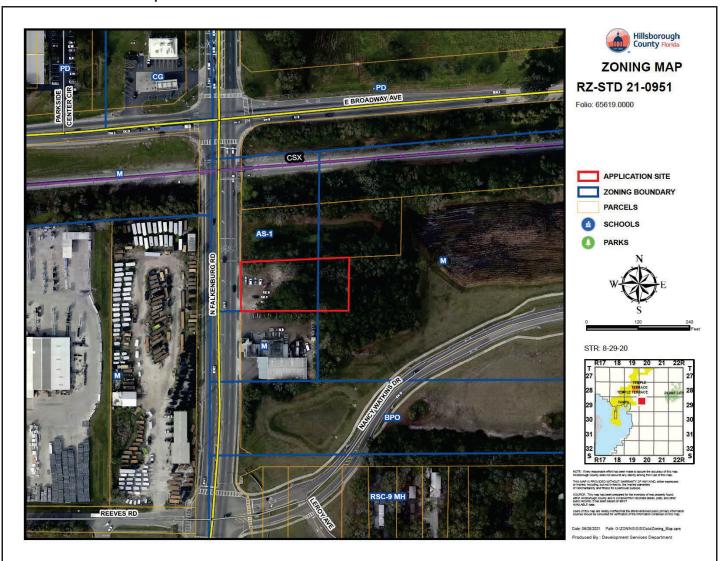
BOCC Land Use Meeting Date: November 9, 2021



Development Services Department

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



Adjacent Zonings and Uses					
Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:	
North	ASC-1	1 du / 1 a	Single-Family Residential/Agricultural	Vacant	
South	М	0.75 F.A.R.	Industrial/Manufacturing	Warehouse - Manufacturing	
East	М	0.75 F.A.R.	Industrial/Manufacturing	Vacant	
West	М	0.75 F.A.R.	Industrial/Manufacturing	Open Storage	

APPLICATION NUMBER:	PD 21-0951	
ZHM HEARING DATE: BOCC LUM MEETING DATE:	September 13, 2019 November 9, 2021	Case Reviewer: Planner Isis Brown
2.0 LAND USE MAP SET		
2.4 Proposed Site Plan	(partial provided below fo	or size and orientation purposes. See Section 8.0 for full site plan)
		Not Applicable

APPLICATION NUMBER:	PD 21-0951	
ZHM HEARING DATE: BOCC LUM MEETING DATE:	September 13, 2019 November 9, 2021	Case Reviewer: Planner Isis Brown
BOCC LUIVI MEETING DATE.	November 9, 2021	Case Reviewer. Planner isis brown

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

Adjoining Roadways (check if applicable)					
Road Name	Classification	Current Conditions	Select Future Improvements		
Falkenburg Road	County Arterial - Urban	2 Lanes ⊠Substandard Road ⊠Sufficient ROW Width	☑ Corridor Preservation Plan☐ Site Access Improvements☐ Substandard Road Improvements☐ Other		

Project Trip Generation					
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips		
Existing	43	6	7		
Proposed	116	18	20		
Difference (+/1)	+73	+12	+13		

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

Connectivity and Cross Access 🛛 Not applicable for this request					
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding	
North		None	None	Choose an item.	
South		None	None	Choose an item.	
East		None	None	Choose an item.	
West		None	None	Choose an item.	
Notes:					

Design Exception/Administrative Variance	Not applicable for this requ	est
Road Name/Nature of Request	Туре	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes:		

APPLICATION NUMBER: PD 21-0951

ZHM HEARING DATE: September 13, 2019 BOCC LUM MEETING DATE: November 9, 2021

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	⊠ Yes	☐ Yes ⊠ No	☐ Yes ☑ No	morniacion, commento
Natural Resources	☐ Yes	⊠ Yes	⊠ Yes □ No	
Conservation & Environ. Lands Mgmt.	⊠ Yes □ No	☐ Yes 図 No	☐ Yes ⊠ No	
Check if Applicable: Wetlands/Other Surface Waters Use of Environmentally Sensitive Land Credit Wellhead Protection Area Surface Water Resource Protection Area	☐ Potable W ☐ Significant ☐ Coastal Hi ☐ Urban/Sub	Vater Wellfield Pro t Wildlife Habitat igh Hazard Area ourban/Rural Scen to ELAPP property	ic Corridor	
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation ☐ Design Exc./Adm. Variance Requested ☐ Off-site Improvements Provided ☐ N/A	⊠ Yes □ No □ N/A	☐ Yes ☑ No ☐ N/A	□ Yes □ No 図 N/A	
Service Area/ Water & Wastewater ☐ Urban ☐ City of Tampa ☐ Rural ☐ City of Temple Terrace	⊠ Yes □ No	□ Yes ⊠ No	□ Yes ⊠ No	
Adequate K-5 G-8 G-9-12 GN/A Inadequate K-5 G-8 G-9-12 GN/A	□ Yes ⊠ No	☐ Yes ☐ No	☐ Yes ☐ No	
Impact/Mobility Fees: No Comments Provide	d.			
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission ☐ Meets Locational Criteria ☑ N/A ☐ Locational Criteria Waiver Requested ☐ Minimum Density Met ☑ N/A ☐ Density Bonus Requested ☑ Consistent ☐ Inconsistent	⊠ Yes □ No	☐ Inconsistent ☑ Consistent	□ Yes ⊠ No	

Case Reviewer: Planner Isis Brown

APPLICATION NUMBER: PD 21-0951

ZHM HEARING DATE: September 13, 2019

BOCC LUM MEETING DATE: November 9, 2021 Case Reviewer: Planner Isis Brown

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The site is located in an area comprised of light industrial, mixed and commercial uses. A majority of the area to the North and south of the subject site is within the UMU-20 FLU category which has the potential to permit light industrial, commercial, office and multi-purpose uses.

This site is located within the Hillsborough County Urban Wastewater Service Area; therefore, the subject property should be served by Hillsborough County Wastewater Service. The site also falls within the City of Tampa Water Service Area. A 20-inch wastewater force main exists approximately 170 feet from the site and is located north of the subject property within the west Right-of-Way of N. Falkenburg Road.

Based on the area's location within the Urban Service Area with publicly owned and operated potable water and wastewater facilities available; the proposed rezoning is consistent with the surrounding development pattern.

The site is adjacent to commercial and industrial use properties. The adjacent properties are zoned ASC-1 (to the north), and M (to the south, east and west).

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

5.2 Recommendation

Based on the above considerations, staff finds the proposed Manufacturing (M) zoning district is compatible with the existing zoning districts and development pattern in the area.

6.0 PROPOSED CONDITIONS

N/A

Zoning Administrator Sign Off:

J. Brian Grady Mon Aug 30 2021 08:22:25

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

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

APPLICATION NUMBER: PD 21-0951

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7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

N/A

APPLICATION NUMBER:	PD 21-0951	
ZHM HEARING DATE: BOCC LUM MEETING DATE:	September 13, 2019 November 9, 2021	Case Reviewer: Planner Isis Brown
8.0 PROPOSED SITE PLA	AN (FULL)	
		Not Applicable

APPLICATION NUMBER: PD 21-0951

ZHM HEARING DATE: September 13, 2019

BOCC LUM MEETING DATE: November 9, 2021 Case Reviewer: Planner Isis Brown

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department DATE: 08/02/2021

REVIEWER: Alex Steady, Senior Planner
PLANNING AREA/SECTOR: Brandon/Central
PETITION NO: RZ-STD 21-0951

This agency has no comments.

This agency has no objection.

This agency objects for the reasons set forth below.

REPORT SUMMARY AND CONCLUSIONS

- The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 73 average daily trips, 12 trips in the a.m. peak hour, and 13 trips in the p.m. peak hour.
- As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction
 plan review for consistency with applicable rules and regulations within the Hillsborough County
 Land Development Code and Transportation Technical Manual.
- Transportation Review Section staff has no objection to this request.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a parcel totaling +/- 0.68 acres from Manufacturing (M) and Agricultural Single-Family (AS-1) to Manufacturing (M). The site is 1ocated +/- 350 feet south of the intersection of Broadway Ave and Falkenberg Rd. The Future Land Use designation of the site is UMU-20.

Trip Generation Analysis

In accordance with the Development Review Procedures Manual (DRPM), no transportation analysis was required to process the proposed rezoning. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer's Trip Generation Manual, 10th Edition.

Approved Zoning:

Zoning, Lane Use/Size	24 Hour	Total Peak Hour Trips	
<u> </u>	Two-Way Volume	AM	PM
ASC-1, 1 Single Family Detached Dwelling Units (ITE Code 210)	9	1	1
M, 8,700 sf of Manufacturing (ITE Code 140)	34	5	6
Total	43	6	7

APPLICATION NUMBER:	PD 21-0951
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ZHM HEARING DATE: September 13, 2019

BOCC LUM MEETING DATE: November 9, 2021 Case Reviewer: Planner Isis Brown

Proposed Zoning:

Zoning, Lane Use/Size	24 Hour	Total Peak Hour Trips	
<u> </u>	Two-Way Volume	AM	PM
M, 29,600 sf of Manufacturing (ITE Code 140)	116	18	20

Trip Generation Difference:

Zanina I ana Haa/Siza	24 Hour	Total Peak Hour Trips	
Zoning, Lane Use/Size	Two-Way Volume	AM	PM
Difference	+73	+12	+13

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 73 average daily trips, 12 trips in the a.m. peak hour, and 13 trips in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on Falkenburg Rd is a 4-lane, divided, arterial, Hillsborough County maintained roadway with +/- 12-foot travel lanes. Along the project frontage, the roadway lies within a +/- 100-foot wide right-of-way. Falkenburg Rd. has +/- 5-foot sidewalks and curb and gutter on both sides of the roadway. There are no bike lanes on both sides of Fowler Avenue.

Falkenburg Rd is shown on the Hillsborough County Corridor Preservation Plan as a future 6-lane roadway.

SITE ACCESS

It is anticipated pedestrian and vehicular access will be from Falkenburg Rd. 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.

LEVEL OF SERVICE (LOS)

Level of Service (LOS) information is reported below.

FDOT Generalized Level of Service				
Roadway	From	То	LOS Standard	Peak Hr Directional LOS
FALKENBURG RD	ADAMO DR	M L KING	D	С

Source: 2020 Hillsborough County Level of Service (LOS) Report

COUNTY OF HILLSBOROUGH

RECOMMENDATION OF THE LAND USE HEARING OFFICER

APPLICATION NUMBER:	RZ STD 21-0951
DATE OF HEARING:	September 13, 2021
APPLICANT:	Chris Ares
PETITION REQUEST:	The request is to rezone a parcel of land from AS-1 and M to M
LOCATION:	East side of N. Falkenburg Rd. and 450 feet south of E. Broadway Ave.
SIZE OF PROPERTY:	0.68 acres m.o.l.
EXISTING ZONING DISTRICT:	AS-1 and M
FUTURE LAND USE CATEGORY:	UMU-20

Urban

SERVICE AREA:

DEVELOPMENT REVIEW STAFF REPORT*

*Please note that formatting issues prevented the entire staff report from being included in the Hearing Master's Recommendation. Please refer to the Hillsborough County Development Services Department website for the complete staff report.

1.0 APPLICATION SUMMARY

Applicant: Chris Ares

FLU Category: Urban Mixed- Use (UMU-20)

Service Area: Urban

Site Acreage: 0.688

Community Plan Area: Brandon

Overlay: None

Introduction Summary:

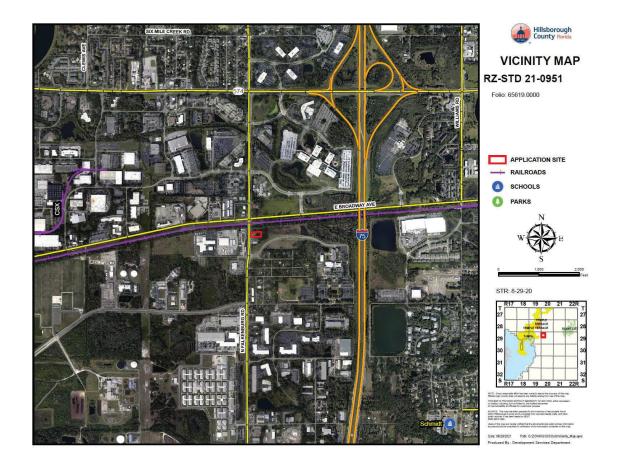
The request is to rezone from the existing **Agricultural Single-Family (AS-1)** and **Manufacturing (M)** zoning districts to the proposed to **Manufacturing (M)** zoning district. The proposed zoning for M permits manufacturing, processing or assembling uses, intensive commercial uses and other industrial uses.

Planning Commission Recommendation: Consistent

Development Services Recommendation: Approvable

PD Variation(s):None requested as part of this application None requested as part of this application

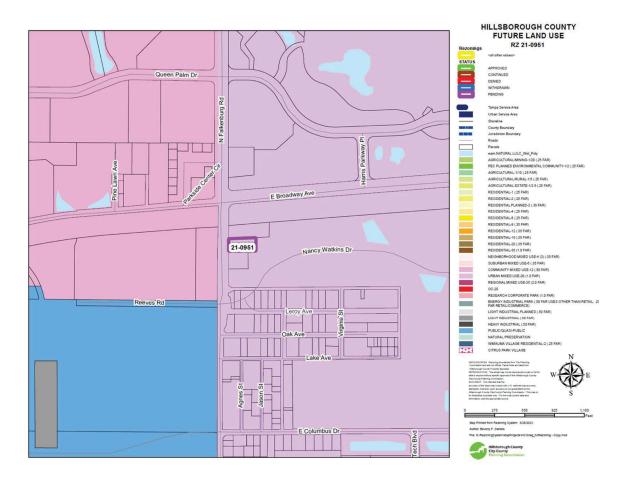
2.0 LAND USE MAP SET AND SUMMARY DATA 2.1 Vicinity Map



Context of Surrounding Area:

The site is located in an area comprised of light industrial, mixed and commercial uses. A majority of the area to the North and south of the subject site is within the UMU-20 FLU category which has the potential to permit light industrial, commercial, office and multi-purpose uses. The site is adjacent to commercial and industrial use properties. The adjacent properties are zoned ASC-1 (to the north), and M (to the south, east and west).

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

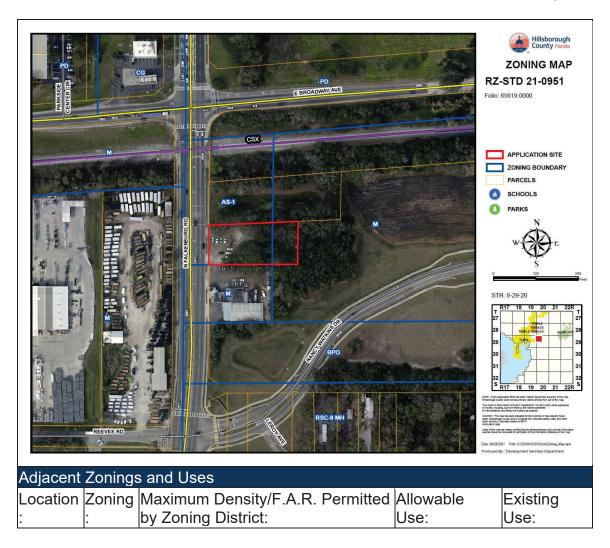


Subject Site Future Land Use (FLU) Category: Maximum Density/F.A.R.:

Urban Mixed-Use -20 (UMU-20) 20 dwelling unit per Gross Acre (ga)/ 1.0 F.A.R.

Typical Uses: Residential, regional scale commercial uses such as a mall, office and business park uses, research corporate park uses, light industrial, multipurpose and clustered residential and/or mixed-use projects at appropriate locations. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.

2.0 LAND USE MAP SET AND SUMMARY DATA 2.3 Immediate Area Map



2.0 LAND USE MAP SET AND SUMMARY DATA

Connectivity and Cross Access ⊠ Not applicable for this request

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

Adjoining Roadways (check if applicable)

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY Environmental: Comments Received Objections Requested Information/Comments

Check if Applicable: □ Wetlands/Other Surface Waters				
☐ Use of Environn	nentally Sens	sitive Land C	Credit	
☐ Wellhead Proted☐ Surface Water F		otection Area	a	
□ Coastal High Ha	□ Potable Water Wellfield Protection Area □ Significant Wildlife Habitat □ Coastal High Hazard Area □ Urban/Suburban/Rural Scenic Corridor □ Adjacent to ELAPP property			
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation □ Design Exc./Adm. Variance Requested □ Offsite Improvements Provided 図N/A	⊠ Yes □No		□ Yes □No	
Service Area/ Water & Wastewater □Urban □ City of Tampa □Rural □ City of Temple Terrace	⊠ Yes □No	□ Yes ⊠No	□ Yes ⊠No	
Hillsborough County School Board	□ Yes ⊠ No	□ Yes □No	□ Yes □No	

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

Impact/Mobility Fees: No Comments Provided.

Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission ☐ Meets				
Locational Criteria ⊠N/A □ Locational Criteria Waiver Requested □ Minimum Density Met ⊠ N/A □Density Bonus Requested	□No	□ Inconsistent ⊠ Consistent	□ Yes ⊠No	
⊠Consistent□Inconsistent				

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The site is located in an area comprised of light industrial, mixed and commercial uses. A majority of the area to the North and south of the subject site is within the UMU-20 FLU category which has the potential to permit light industrial, commercial, office and multi-purpose uses.

This site is located within the Hillsborough County Urban Wastewater Service Area; therefore, the subject property should be served by Hillsborough County Wastewater Service. The site also falls within the City of Tampa Water Service Area. A 20-inch wastewater force main exists approximately 170 feet from the site and is located north of the subject property within the west Right-of-Way of N. Falkenburg Road.

Based on the area's location within the Urban Service Area with publicly owned and operated potable water and wastewater facilities available; the proposed rezoning is consistent with the surrounding development pattern.

The site is adjacent to commercial and industrial use properties. The adjacent properties are zoned ASC-1 (to the north), and M (to the south, east and west).

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

5.2 Recommendation

Based on the above considerations, staff finds the proposed Manufacturing (M) zoning district is compatible with the existing zoning districts and development pattern in the area.

SUMMARY OF HEARING

THIS CAUSE came on for hearing before the Hillsborough County Land Use Hearing Officer on September 13, 2021. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

Mr. Mark Flint 3868 Sun City Center Blvd. with Watermark Engineering Group testified on behalf of the applicant Mr. Chris Ares. He stated that the request is for a rezoning for a parcel that is zoned M and AS-1. He added that the adjacent parcels are currently zoned Manufacturing and that there is a railroad to the north.

Mr. Christopher Ares 6522 Bimini Court Apollo Beach testified as the applicant and stated that he owns the parcel to the south and hopes to merge the folios at some point and wants to clean up the zoning before he moves forward.

Ms. Isis Brown, Development Services staff, testified regarding the County's staff report. Ms. Brown stated that the request is to rezone the property from Agricultural Single Family Residential and Manufacturing to the Manufacturing zoning district. She described the location and Future Land Use category as well as the surrounding land uses which include light industrial and commercial development. She added that the request would create a zoning pattern that is consistent with the existing commercial development pattern. Ms. Brown concluded her presentation by stating that staff finds the request approvable.

Ms. Melissa Lienhard, Planning Commission staff testified regarding the Planning Commission staff report. Ms. Lienhard stated that the subject property is within the Urban Mixed Use-20 Future Land Use classification and the Urban Service

Area and the Brandon Community Plan. Ms. Lienhard testified that the request is consistent with Objective 16 regarding neighborhood compatibility. She stated that the request demonstrates a gradual transition of uses from the subject property to the residential to the south and meets Objective 26 regarding the promotion of industrial uses to further economic development in Hillsborough County. Ms. Lienhard concluded her presentation by stating Policy 26.5 limits non-industrial development within industrial land use categories and that Manufacturing is permitted within the UMU land use category. Staff found that the proposed rezoning consistent with the Future of Hillsborough Comprehensive Plan.

Hearing Master Finch asked for members of the audience in support of the application. None replied.

Hearing Master Finch asked for members of the audience in opposition to the application. None replied.

County staff and Mr. Ares did not have additional comments.

The hearing was then concluded.

EVIDENCE SUBMITTED

No documents were submitted into the record.

PREFACE

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

FINDINGS OF FACT

- 1. The subject property is 0.68 acres in size and is currently zoned Agricultural Single Family-1 (AS-1) and Manufacturing (M) and is designated Urban Mixed Use-20 (UMU-20) by the Comprehensive Plan. The property is located within the Urban Service Area and the Brandon Community Planning Area.
- 2. The applicant is requesting a rezoning to the Manufacturing (M) zoning district.
- 3. The Planning Commission staff supports the request. The Planning Commission found that the request is consistent with Objective 16 regarding neighborhood compatibility as well as Objective 26 regarding the promotion of industrial uses to further economic development in

Hillsborough County. Staff also found that the request meets Policy 26.5 which limits non-industrial development within industrial land use categories and that Manufacturing is permitted within the UMU land use category. The Planning Commission found the application consistent with the Comprehensive Plan.

- 4. The subject property is located in an area comprised of light industrial and commercial land uses. Parcels surrounding the property are zoned Manufacturing to the south, east and west. A vacant parcel to the north is zoned ASC-1.
- 5. The request for the M zoning district on the subject property is compatible with the surrounding zoning districts and the UMU-20 Future Land Use category.

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

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

CONCLUSIONS OF LAW

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

SUMMARY

The applicant is requesting a rezoning to the M zoning district. The property is 0.68 acres in size and is currently zoned AS-1 and M and designated UMU-20 by the Comprehensive Plan. The property is located in the Urban Service Area and the Brandon Community Plan.

The Planning Commission found the request compatible with the surrounding area which is developed with light industrial and commercial land uses.

The request for the M zoning district on the subject property is compatible with the surrounding zoning districts and the UMU-20 Future Land Use category.

RECOMMENDATION

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

October 1, 2021

Susan M. Finch, AICP Land Use Hearing Officer

Sum M. Fine

Date



Unincorporated Hillsborough County Rezoning				
Hearing Date: September 13, 2021	Petition: RZ 21-0951			
Report Prepared: September 1, 2021	East of Falkenburg Road North, south of Broadway Avenue East			
Summary Data:				
Comprehensive Plan Finding:	CONSISTENT			
Adopted Future Land Use:	Urban Mixed-Use-20 (1.0 FAR)			
Service Area	Urban			
Community Plan:	Brandon			
Requested Zoning:	Agricultural Single-Family-1 (AS-1) and Manufacturing (AI) to Manufacturing (M)			
Parcel Size (Approx.):	0.68 acres +/- (155 944.8 square feet)			
Street Functional Classification:	Falkenburg Road North – County Arterial Broadway Avenue East – County Collector			
Locational Criteria	N/A			
Evacuation Zone	The subject property is in Evacuation Zone E			



Context

- The approximately 0.68 +/- acre subject site is located on the east side of Falkenburg Road North, south of Broadway Avenue East. The subject site is located within the Urban Service Area and is within the limits of the Brandon Community Plan in the Light Industrial Character District.
- The subject site's Future Land Use designation is Urban Mixed-Use-20 (UMU-20) on the Future Land Use Map. Typical allowable uses within the UMU-20 category include residential, regional scale commercial uses such as a mall, office and business park uses, research corporate park uses, light industrial, multi-purpose and clustered residential and/or mixed use projects at appropriate locations. UMU-20 surrounds the site on the north, east and south sides. Community Mixed-Use-12 (CMU-12) is located across Falkenburg Road North on the west side.
- The subject site is currently vacant. The area is surrounded by Light Industrial and Heavy Industrial uses on the south and west sides. Hillsborough Community College, a Public Institutional use is located further east. To the south is an existing Marble and Granite Cutting business. There are single family homes located further south of Hillsborough Community College.
- The subject site is currently zoned Agricultural Single-Family-1 (AS-1) and Manufacturing (M). It is surrounded by Manufacturing (M) on the east, west and south sides. A small parcel of AS-1 is located to the north. To the south is Business Professional Office (BPO). Residential Single-Family Conventional-9 (RSC-9) and Residential Single-Family Conventional-6 (RSC-6) are located south of the BPO uses. Planned Developments are located across Broadway Avenue on the north side with small pockets of Commercial General (CG) and Commercial Intensive (CI) zoning districts.
- The applicant is requesting to rezone the subject site from Agricultural Single-Family-1 (AS-1) and Manufacturing (M) to Manufacturing (M) to allow for the expansion of the existing granite and marble stone cutting and fabrication operation that is located directly south of the subject site. There are wetlands located on the eastern side of the subject site.

Compliance with Comprehensive Plan:

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

Future Land Use Element

Urban Service Area (USA)

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

RZ 21-0951 2

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.

Relationship to Land Development Regulations

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

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

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

Environmental Considerations

Objective 13: New development and redevelopment shall not adversely impact environmentally sensitive areas and other significant natural systems as described and required within the Conservation and Aquifer Recharge Element and the Coastal Management Element of the Comprehensive Plan.

Policy 13.3: Environmentally Sensitive Land Credit

Density and FAR calculations for properties that include wetlands will comply with the following calculations and requirements for determining density/intensity credits.

- Wetlands are considered to be the following:
 - Conservation and preservation areas as defined in the Conservation and Aquifer Recharge Element
 - Man-made water bodies as defined (including borrow pits).
- If wetlands are less than 25% of the acreage of the site, density and intensity is calculated based on:
 - Entire project acreage multiplied by Maximum intensity/density for the Future Land Use Category
- If wetlands are 25% or greater of the acreage of the site, density and intensity is calculated based on:
 - Upland acreage of the site multiplied by 1.25 = Acreage available to calculate density/intensity based on
 - That acreage is then multiplied by the Maximum Intensity/Density of the Future Land Use Category

RZ 21-0951

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.

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

Policy 17.7: New development and redevelopment must mitigate the adverse noise, visual, odor and vibration impacts created by that development upon all adjacent land uses.

Economic Development: Industrial and Heavy Commercial Uses, Research Corporate Parks and Tourist/Leisure Industries

Objective 26: The County shall identify specific target industry clusters, target industries, and target businesses; shall establish corresponding "economic development areas" and shall provide incentives for the location of desirable economic growth in these areas.

Policy 26.5: Non-industrial land uses shall be restricted or prohibited in the industrial land use categories, and economic development areas will be preserved for employment centers, except as provided in Policy 26.6.

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

7.0 SITE DESIGN

7.1 DEVELOPMENT PATTERN

- **GOAL 17:** Develop commercial areas in a manner which enhances the County's character and ambiance.
- **OBJECTIVE 17-1:** Facilitate patterns of site development that appear purposeful and organized.
- **Policy 17-1.4:** Affect the design of new commercial structures to provide an organized and purposeful character for the whole commercial environment.

LIVABLE COMMUNITIES - BRANDON COMMUNITY PLAN

- Goal 6: Re-establish Brandon's historical, hospitable, and family oriented character through thoughtful planning and forward thinking development practices by concentrating density in certain areas to preserve the semi-rural lifestyle of other areas. Attempt to buffer and transition uses in concentric circles where possible with most intense uses in an area at a node (intersection) and proceeding out from there. Create a plan for how areas could be developed and redeveloped for the future. Each of these areas would have potential for different building heights, parking configurations, fencing, buffering, landscape requirements, special use limitations, and design standards. These standards apply to new construction on infill property, redevelopment of undesirable areas and renovation of existing buildings. The primary consideration of all changes should be compatibility with existing structures to ensure neighborhood preservation.
- 5. General design characteristics for each Brandon Character District are described below. The design characteristics are descriptive as to the general nature of the vicinity and its surroundings and do not affect the Future Land Use or zoning of properties in effect at the time of adoption of the Brandon Community Plan. Any proposed changes to the zoning of property may proceed in accordance with the Land Development Code.
- **c.** Light Industrial Northwest area of Brandon devoted primarily to business parks, light industrial and government uses. A large part of this area is the Falkenburg Government Complex,

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a concentration of Hillsborough County government buildings as well as Hillsborough Community College's Brandon Campus. Landscape plantings of trees and shrubs are encouraged to soften the look of these buildings and screen less visually appealing activities from the view of the main thoroughfares.

<u>Staff Analysis of Goals, Objectives and Policies</u>
The applicant is requesting to rezone the subject site from Agricultural Single-Family-1 (AS-1) and Manufacturing (M) to Manufacturing (M) to permit the development and expansion of a stone cutting and fabrication business that is located directly south of the subject site. The subject site is located in the Urban Service Area (USA) and is within the limits of the Brandon Community Plan.

The subject property is located in the Urban Service Area where according to Objective 1 of the Future Land Use Element of the Comprehensive Plan for Unincorporated Hillsborough County (FLUE), 80% of the future growth of Hillsborough County is expected to occur. The proposed rezoning meets the intent of Policy 1.4 regarding compatibility with the surrounding area. The subject site is part of a small cluster of parcels with Agricultural Single-Family-1 (AS-1) zoning that are surrounded by Manufacturing (M) zoned parcels. As Policy 1.4 states "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 property is located in an area with Heavy Industrial (HI), Light Industrial (LI), and Public Institutional (PI) uses. The proposed rezoning to Manufacturing (M) is therefore compatible with the character of the surrounding area.

Objective 9 and Policies 9.1 and 9.2 require development in Hillsborough County to be compatible with the Comprehensive Plan and meet or exceed all of the local and state land development regulations. The subject site is located in the Urban Mixed-Use-20 Future Land Use Category. Manufacturing uses are permitted in the UMU-20 Future Land Use category.

There are wetlands on the eastern portion of the subject site. The applicant is advised to note that at site development, the FAR will be subject to the environmentally sensitive land credit in Policy 13.3 of the Future Land Use Element if wetlands make up more than 25% of the subject site.

The proposed rezoning also meets the intent of the neighborhood compatibility and protection policies outlined in Objective 16 and its accompanying policies (16.1,16.2, 16.3,16.5,16.10 and 17.7) in the Future Land Use Element. These policies emphasize the need to protect differing uses and achieve compatibility through site planning, buffering, screening, gradual transitions and locational criteria. The subject site is located in an area where existing uses are intense in nature. Moreover, the subject site is not directly adjacent to single-family residential and instead adjacent to Business Professional Office (BPO) uses and Public Institutional (PI) uses. This demonstrates a gradual transition of uses between the subject site and the single-family residential located further south.

The proposed rezoning meets the intent of Objective 26 and its accompanying policies 26.5 and 26.6 which promote industrial uses to further the economic development of Hillsborough County. Policy 26.5 limits non-industrial uses within industrial land use categories. Manufacturing is a permitted use within the UMU-20 Future Land Use Category and is therefore consistent with the development expected in this categoy.

RZ 21-0951 6 Goal 12, Objective 12-1 and Policy 12-1.4 of the Community Design Component (CDC) of the FLUE provides policy guidance on new development recognizing the existing character of the area and maintaining compatibility with it. In this case, the subject site is one of the three AS-1 parcels surrounding by Manufacturing zoning districts. The proposed use is compatible with the Light Industrial character of the area. Goal 17, Objective 17 and Policy 17-1.4 also direct the purposeful and unified development of commercial areas in the county. As the subject site is an expansion of an existing business, the subject site will be unified with the existing development to the south.

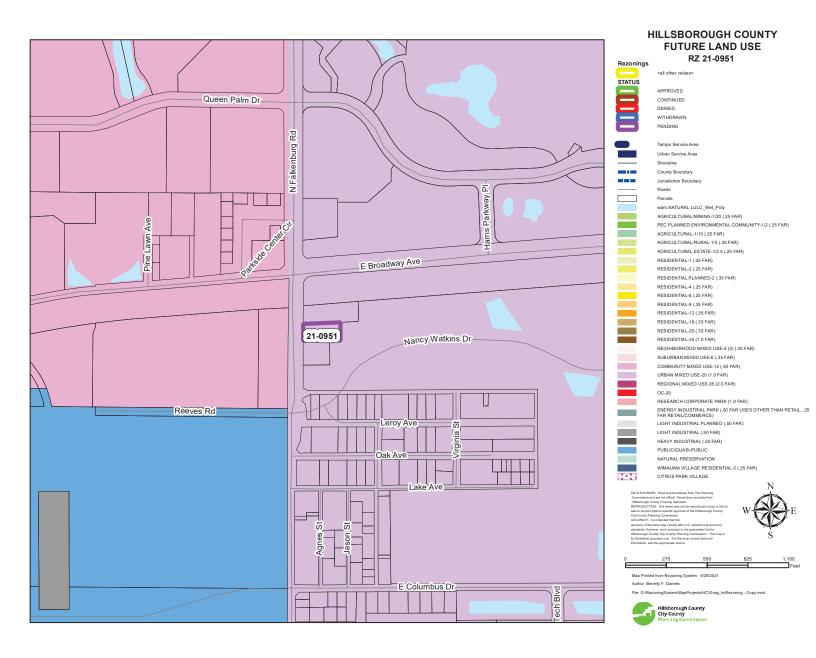
The subject site is located within the limits of the Brandon Community Plan of the Livable Communities Element of the Comprehensive Plan. It is specifically located in the Light Industrial Character District of the Brandon Community Plan. The Light Industrial Character district is primarily devoted to business parks, light industrial uses and government uses. The proposed rezoning to Manufacturing (M) is compatible with the intent of the Light Industrial Character District.

Overall Planning Commission staff find that the proposed rezoning from Agricultural Single-Family-1 (AS-1) and Manufacturing (M) to Manufacturing (M) is consistent with the Comprehensive Plan for Unincorporated Hillsborough County and will provide development that is compatible with the surrounding area.

Recommendation

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

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AGENCY COMMNENTS

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department DATE: 08/02/2021

REVIEWER: Alex Steady, Senior Planner
PLANNING AREA/SECTOR: Brandon/Central
PETITION NO: RZ-STD 21-0951

This agency has no comments.

This agency has no objection.

This agency objects for the reasons set forth below.

REPORT SUMMARY AND CONCLUSIONS

- The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 73 average daily trips, 12 trips in the a.m. peak hour, and 13 trips in the p.m. peak hour.
- As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.
- Transportation Review Section staff has no objection to this request.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a parcel totaling +/- 0.68 acres from Manufacturing (M) and Agricultural Single-Family (AS-1) to Manufacturing (M). The site is located +/- 350 feet south of the intersection of Broadway Ave and Falkenberg Rd. The Future Land Use designation of the site is UMU-20.

Trip Generation Analysis

In accordance with the Development Review Procedures Manual (DRPM), no transportation analysis was required to process the proposed rezoning. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer's Trip Generation Manual, 10th Edition.

Approved Zoning:

Zoning, Lane Use/Size	24 Hour	Total Peak Hour Trips		
C)	Two-Way Volume	AM	PM	
ASC-1, 1 Single Family Detached Dwelling Units (ITE Code 210)	9	1	1	
M, 8,700 sf of Manufacturing (ITE Code 140)	34	5	6	
Total	43	6	7	

Proposed Zoning:

Zoning, Lane Use/Size	24 Hour	Total Peak Hour Trips	
O.	Two-Way Volume	AM	PM
M, 29,600 sf of Manufacturing (ITE Code 140)	116	18	20

Trip Generation Difference:

Zoning, Lane Use/Size	24 Hour	Total Peak Hour Trips	
	Two-Way Volume	AM	PM
Difference	+73	+12	+13

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 73 average daily trips, 12 trips in the a.m. peak hour, and 13 trips in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on Falkenburg Rd is a 4-lane, divided, arterial, Hillsborough County maintained roadway with +/- 12-foot travel lanes. Along the project frontage, the roadway lies within a +/- 100-foot wide right-of-way. Falkenburg Rd. has +/- 5-foot sidewalks and curb and gutter on both sides of the roadway. There are no bike lanes on both sides of Fowler Avenue.

Falkenburg Rd is shown on the Hillsborough County Corridor Preservation Plan as a future 6-lane roadway.

SITE ACCESS

It is anticipated pedestrian and vehicular access will be from Falkenburg Rd. 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.

LEVEL OF SERVICE (LOS)

Level of Service (LOS) information is reported below.

FDOT Generalized Level of Service				
Roadway	From	То	LOS Standard	Peak Hr Directional LOS
FALKENBURG RD	ADAMO DR	M L KING	D	С

Source: 2020 Hillsborough County Level of Service (LOS) Report

Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)				
Road Name	Classification	Current Conditions	Select Future Improvements	
			□ Corridor Preservation Plan	
Falkenburg Rd County Arterial - Urban 4 Lanes Substandard		☐ Site Access Improvements		
	Sufficient ROW Width	☐ Substandard Road Improvements		
	ASunicient ROW Width		☐ Other	

Project Trip Generation □Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	43	6	7
Proposed	116	18	20
Difference (+/-)	+73	+12	+13

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

Connectivity and Cross Access ⊠Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		None	None	Choose an item.
South		None	None	Choose an item.
East		None	None	Choose an item.
West		None	None	Choose an item.
Notes:				

Design Exception/Administrative Variance ⊠Not applicable for this request		
Road Name/Nature of Request Type Finding		
	Choose an item.	Choose an item.
Choose an item. Choose an item.		
Notes:		

4.0 Additional Site Information & Agency Comments Summary □Not applicable for this request			
Transportation	Objections	Conditions	Additional
ransportation	Objections	Requested	Information/Comments
□ Design Exception/Adm. Variance Requested□ Off-Site Improvements Provided☑ N/A	☐ Yes ☐ N/A ⊠ No	☐ Yes ⊠N/A ☐ No	

COMMISSION

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Sterlin Woodard, P.E. AIR DIVISION

AGENCY COMMENT SHEET

REZONING		
HEARING DATE: August 16, 2021	COMMENT DATE: July 26, 2021	
PETITION NO.: 21-0951	PROPERTY ADDRESS: 3111 N. Falkenburg Road	
EPC REVIEWER: Jackie Perry Cahanin	FOLIO #: 065619-0000	
CONTACT INFORMATION: (813) 627-2600 X 1241	STR: 08-29S-20E	
EMAIL: cahaninj@epchc.org		

REQUESTED ZONING: From M/AS-1 to M

FINDINGS		
WETLANDS PRESENT	NO	
SITE INSPECTION DATE	07/23/21	
WETLAND LINE VALIDITY	N/A	
WETLANDS VERIFICATION (AERIAL PHOTO,	N/A	
SOILS SURVEY, EPC FILES)		

INFORMATIONAL COMMENTS:

Wetlands Division staff of the Environmental Protection Commission of Hillsborough County (EPC) inspected the above referenced site in order to determine the extent of any wetlands and other surface waters pursuant to Chapter 1-11, Rules of the EPC. This determination was performed using the methodology described within Chapter 62-340, Florida Administrative Code, and adopted into Chapter 1-11. The site inspection revealed that no wetlands or other surface waters exist within the above referenced parcel.

Please be advised this wetland determination is informal and non-binding. A formal wetland delineation may be applied for by submitting a "WDR30 - Delineation Request Application". Once approved, the formal wetland delineation would be binding for five years.

Jpc/mst

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Planning Growth Management DATE: 18 July 2021					
REVIEWER: Bernard W. Kaiser, Conservation and Environmental Lands Management					
APP	APPLICANT: Christopher Ares PETITION NO: RZ-STD 21-0951				
LOC	LOCATION: Address not listed				
FOLIO NO: <u>65619.0000</u>		SEC: <u>08</u>	TWN: <u>29</u> RNG: <u>20</u>		
	This agency has no comments.				
	This agency has no objection.				
	This agency has no objection, subject to listed o	r attached	conditions.		
	This agency objects, based on the listed or attac	ched cond	tions.		
COMMENTS:					

WATER RESOURCE SERVICES REZONING REVIEW COMMENT SHEET: WATER & WASTEWATER

PETIT	ION NO.: STD21-0951 REVIEWED BY: Randy Rochelle DATE: 7/7/2021			
FOLIC	NO.: 65619.0000			
WATER				
	The property lies within the <u>City of Tampa</u> 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 inch water main exists \[\] (adjacent to the site), \[\] (approximately feet from the site)			
	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 <u>Hillsborough County</u> 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 20 inch wastewater force main exists (adjacent to the site), (approximately 170 feet from the site) and is located north of the subject property within the west Right-of-Way of N. Falkenburg Road.			
	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			
COMM	ENTS: This site is located within the Hillsborough County Urban Wastewater Service Area, therefore the subject property should be served by Hillsborough County Wastewater Service. The site also falls within the City of Tampa Water Service Area. 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

	X
IN RE:)
ZONE HEARING MASTER HEARINGS)
	X

ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE:

SUSAN FINCH

Land Use Hearing Master

DATE:

Monday, September 13, 2021

TIME:

Commencing at 6:00 p.m.

Concluding at 10:36 p.m.

PLACE:

Cisco Webex

Reported By:

Christina M. Walsh, RPR
Executive Reporting Service
Ulmerton Business Center
13555 Automobile Blvd., Suite 130
Clearwater, FL 33762
(800) 337-7740

	Page 47
1	HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS
2	ZONING HEARING MASTER HEARINGS
3	September 13, 2021 ZONING HEARING MASTER: SUSAN FINCH
4	
5	C2:
6	Application Number: RZ-STD 21-0951 Applicant: Chris Ares
7	Location: E side of N. Falkenburg Rd. & 450' S of E. Broadway Ave.
8	Folio Number: 065619.0000 Acreage: 0.68 acres, more or less
9	Comprehensive Plan: UMU-20 Service Area: Urban
10	Existing Zoning: M & AS-1 Request: Rezone to M
11	Request. Rezone to M
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Page 48 MR. GRADY: The next item is agenda item 1 2 C-2, Rezoning-Standard 21-0951. The applicant is Chris Ares, and the request is to rezone from M and AS-1 to M Manufacturing district. 4 5 Isis Brown will provide staff recommendation 6 after presentation by the applicant. 7 HEARING MASTER FINCH: All right. Good 8 evening. 9 MR. FLINT: Good evening. For the record, Mark Flint, Watermark Engineering Group, 10 representing Chris Ares on this project. It's --11 12 the address is 3868 Sun City Center Boulevard, Ruskin, Florida 33573. 13 14 This request is for rezoning from an existing 15 parcel that has multiple zoning designations, M and 16 AS-1. The adjoining -- or the adjacent parcels all 17 around this area are pretty much Manufacturing, or 18 the railroad is just directly to the north, right on the other side of the Hillsborough County 19 20 parcel. 21 So this is just clearing out the zoning 22 designation so that he can move forward with the 23 expanding his operations. 24 HEARING MASTER FINCH: All right. Sir, did 25 you have anything you wanted to testify to?

Page 49 MR. ARES: Only that --1 HEARING MASTER FINCH: Give us your name and address. MR. ARES: Oh, I'm sorry. I'm Christopher 4 5 Ares, 6522 Bimini Court, Apollo Beach, 33572. To the south of this parcel, I own the 6 business adjoining the property, and the goal is 8 to, hopefully, merge the folios at some point and build across both property lines. So I just want to clear up -- because I've 10 seen it zoned as Residential, and now I'm finding 11 12 out it's also -- already has an M zoning. So I 13 just don't want to do -- move forward with anything 14 without really clarification on -- so... 15 HEARING MASTER FINCH: All right. 16 Understood. All right. Well, thank you so much. 17 If you could both sign in with the clerk's office, 18 I appreciate it. 19 We'll hear from Development Services, 20 please. 21 MS. BROWN: Good evening. Isis Brown, 22 Hillsborough County Development Services. 23 Reporting case RZ-STD 21-0951. The applicant 24 is requesting to rezone from Agricultural 25 Single-Family Residential and Manufacturing, M,

zoning districts to the proposed Manufacturing zoning districts.

The site has no current address with folio No. 65619.000. Approximately 450 feet southeast of the intersection is East Broadway Avenue and North Falkenburg Road North. It's located west of I-75 and in the Urban Service Area and located in the Brandon Community Plan area.

Current Future Land Use designation category is Urban Mixed-Use-20, UMU-20. To the immediate north, south, east, and west, it's UM-20 (sic) as well. The current density is one dwelling unit and the per acre and the 0.75 FAR. The proposed density would be the 0.75 FAR.

Currently, as said, the zoning district is
AS-1 and M. To the immediate north is ASC-1 and to
the south, east, and west, it's all Manufacturing.

These are just mathematical maximum entitlements which may be showing the current and the proposed zoning -- rezoning.

The surrounding zoning and development pattern consists of light industrial, mixed, and commercial uses. A majority of the area to the north and south of the subject site is within the UMU-20 zoned category, which has the potential to

Page 51 permit light industrial and commercial office and 1 2 multiple purpose uses. The size and depth of the subject parcel in 4 relation to the other adjacent commercial uses would create a zoning development pattern that is 6 consistent with the existing zoning and development pattern of commercial uses and zonings districts in the area. The applicant is requesting to rezone from ASC-1 and M to all M, and based on the UM-220 (sic) 10 Future Land Use Category, the surrounding zoning 11 12 development pattern, and the proposed uses of 13 development standards for M or Manufacturing zoning district, staff finds this request approvable. 14 15 I'm available for any questions. 16 HEARING MASTER FINCH: (Audio out.) 17 MS. LIENHARD: Thank you. Sorry. I did not 18 hear my cue. Melissa Lienhard, Planning Commission staff. 19 20 The subject property is located in the Urban 21 Mixed-Use-20 Future Land Use Category. It is in 22 the Urban Service Area, and the subject property is 23 also located within the limits of the Brandon 24 Community Plan. 25 The subject site is part of a small cluster

Page 52 of parcels with Agricultural Single-Family-1 zoning 1 that are surrounded by Manufacturing zoned parcels. As Policy 1.4 states, compatibility does not mean 4 the same as, rather it refers to the sensitivity of 5 development proposals in maintaining the character 6 of existing development. The subject property is located in an area 8 with Heavy Industrial, Light Industrial, and Public Institutional uses. The proposed rezoning to 9 Manufacturing is, therefore, compatible with the 10 character of the surrounding area. 11 12 The proposed rezoning also meets the intent 13 of the neighborhood compatibility and protection 14 policies outlined in Future Land Use Element 15 Objective 16 and its accompanying policies. 16 These policies emphasize the need to protect 17 different uses and achieve compatibility through 18 site planning, buffering, screening, gradual 19 transitions, and locational criteria. 20 The subject site is located in an area where 21 existing uses are intense in nature. Moreover, the 22 subject site is not directly adjacent to 23 single-family residential and instead, adjacent to 24 Business Professional Office zoning and Public

Institutional uses.

25

This demonstrates a gradual transition of uses between the subject site and the single-family residential located further to the south. The proposed rezoning meets the intent of Objectives 26 and its accompanying policies in the Future Land Use Element which promote industrial uses to further the economic development of Hillsborough County.

Policy 26.5 limits nonindustrial uses within industrial land use categories. Manufacturing is a permitted use within the UMU Future Land Use Category and is, therefore, consistent with the development expected in this category.

The subject site is located within the limits of the Brandon Community Plan of the liveable community element of the Comprehensive Plan. It is specifically located in the Light Industrial character district of the Brandon Community Plan.

The Light Industrial character district is primarily devoted to business parks, light industrial uses, and government uses. The proposed rezoning to Manufacturing is compatible with the intent of the Light Industrial character district and, therefore, consistent with the vision of the

	Page 54
1	Brandon Community Plan.
2	And based upon those considerations,
3	Planning Commission staff finds the proposed
4	rezoning consistent with the Future of Hillsborough
5	Comprehensive Plan for unincorporated Hillsborough
6	County. Thank you.
7	HEARING MASTER FINCH: Thank you. I
8	appreciate it.
9	All right. Is there anyone here in the room
10	that would like to speak in support? Seeing no
11	one, no one online?
12	Anyone in opposition to this request? No
13	one in the room; no one online.
14	County Staff, anything else?
15	MR. GRADY: Nothing further.
16	HEARING MASTER FINCH: All right. From the
17	applicant, last word if you'd like it? No. All
18	right.
19	Then with that, we'll close Rezoning 21-0951
20	and go to the next case.
21	
22	
23	
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25	

HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS

IN RE:

ZONING HEARING MASTER (ZHM)

HEARING

)

ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE:

SUSAN FINCH

Zoning Hearing Master

DATE:

Monday, August 16, 2021

TIME:

Commencing at 6:00 p.m.

Concluding 8/17/21 at 12:04 a.m.

PLACE:

Hybrid Meeting/Cisco Webex

R.W. Saunders Sr. Public Library

Ada T. Payne Community Room

1505 Nebraska Avenue

Tampa, Florida

Andrew Mayes
Executive Reporting Service
Ulmerton Business Center, Suite 130
Clearwater, FL 33762

Page 11 1 Hearing Master hearing. Item A.20., major mod application 21-0865. This application is being continued by staff to the September 13, 2021, Zoning Hearing Master 5 hearing. Item A.21., rezoning PD 21-0867. 6 application is being continued by the applicant to 8 the September 13, 2021, Zoning Hearing Master hearing. 9 Item A.22., rezoning standard 21-0870. 10 application is out of order to be heard and is 11 12 being continued to the September 13, 2021, Zoning 13 Hearing Master hearing. 14 Item A.23., major mod application 21-0877. 15 This application is being continued by the 16 applicant to the September 13, 2021, Zoning 17 Hearing Master hearing. 18 Item A.24., major mod application 21-0944. 19 This application is out of order to be heard and 20 is being continued to the September 13, 2021, 21 Zoning Hearing Master hearing. 22 Item A.25., rezoning standard 21-0951. 23 application is out of order to be heard and is 24 being continued to the September 13, 2021, Zoning 25 Hearing Master hearing.

EXHIBITS SUBMITTED DURING THE ZHM HEARING

NONE

PARTY OF RECORD

NONE