Rezoning Application:24-1142Zoning Hearing Master Date:November 12, 2024BOCC Land Use Meeting Date:January 7, 2025



**Development Services Department** 

# **1.0 APPLICATION SUMMARY**

Applicant:	Todd Pressman
FLU Category:	Residential – 1 (Res-1)
Service Area:	Rural
Site Acreage:	1.56 +/-
Community Plan Area:	Seffner Mango
Overlay:	None
Request:	Rezone from <b>Residential</b> , <b>Single-</b> <b>Family Conventional-2 with</b> <b>Mobile Home Overlay (RSC-2</b> (MH) to Commercial General with Restrictions (CG -R).



### **Request Summary:**

The request is to rezone from the existing **Residential, Single-Family Conventional-2 (w/ Mobile Home Overlay (RSC-2 MH)** zoning district to the proposed to **Commercial General with Restrictions (CG-R)** zoning district. The proposed zoning for CG permits Commercial, Office and Personal Services development on lots containing a minimum of 10, 000 square feet (sf). The applicant has proposed that the site's use be restricted to a Contractor's Office with Enclosed Storage., to address the lot size, transition and compatibility concerns.

Single-Family Residential Conventional & Mobile Home)	Contractor's Office with Enclosed Storage.
56 +/- Acres (ac) / 67,953.6 sf	1.56 +/- ac / 67,953.6 sf
dwelling unit (du) / 21,780 sf	Floor Area Ratio (FAR) 0.25
3 Dwelling Units	16,988.4 sf
	dwelling unit (du) / 21,780 sf

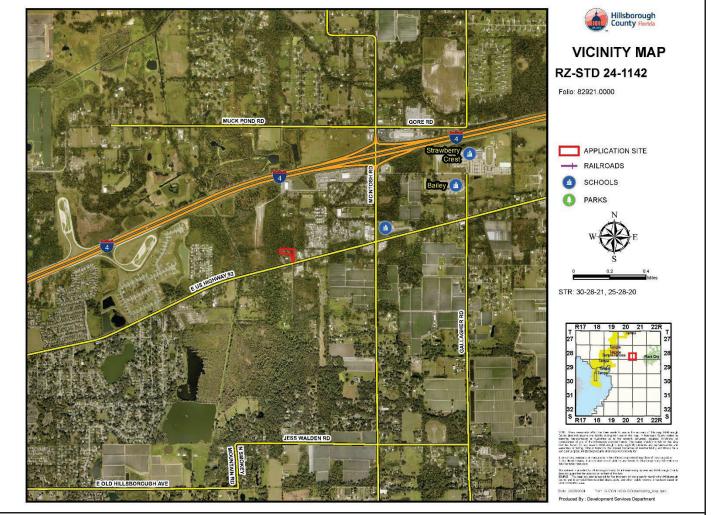
Development Standards:	Current RSC-2 Zoning	Proposed CG-R Zoning
Density / Intensity	1 du / 0.5 ac / 21,780 sf	FAR 0.25
Lot Size / Lot Width	21,780 sf / 100'	10,000 sf / 75'
Setbacks/Buffering and Screening	25' - Front	30' - Front (South)
	10' - Sides	20' Type B Buffer – Rear (East)
	25' – Rear	20' Type B Buffer – Sides (North
Height	35′	50′
Additional Information:		

Planning Commission Recommendation	Inconsistent
Development Services Department	Approvable

Case Reviewer: Isis Brown

# 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.1 Vicinity Map



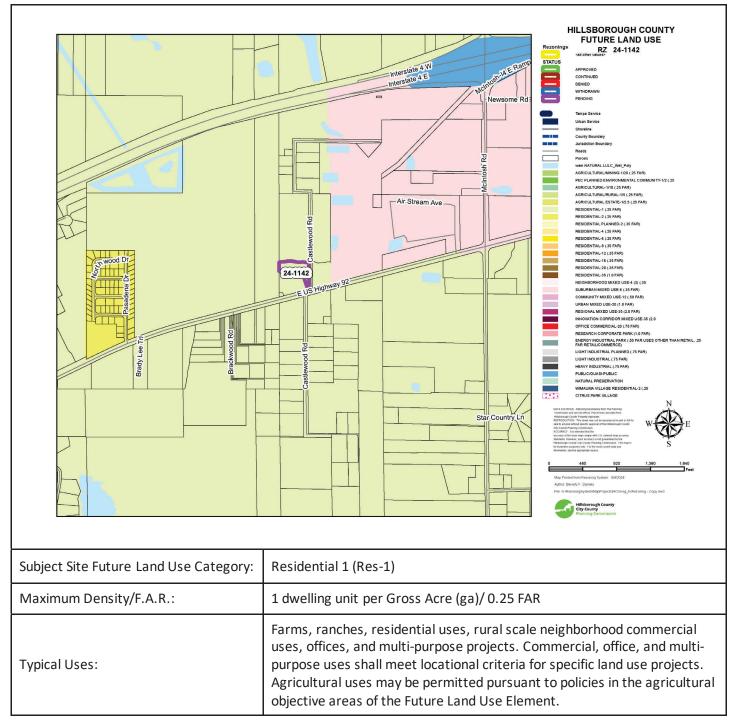
# **Context of Surrounding Area:**

The site is in the Rural Area and surrounded by a mixture of uses consisting of Agricultural, Single-family residential, Commercial General and Commercial Intensive type uses. The subject site is surrounded by Res-1 Future Land Use (FLU) categories which permits single-family residential, multi-family, office and neighborhood-commercial uses. The adjacent properties are zoned Agricultural Single-Family Conventional -1 (ASC-1) to the north, CG to the south, Commercial Intensive (CI) to the east, and Agricultural Rural (AR) to the west. ZHM HEARING DATE: BOCC LUM MEETING DATE: November 12, 2024 January 7, 2025

Case Reviewer: Isis Brown

### 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.2 Future Land Use Map



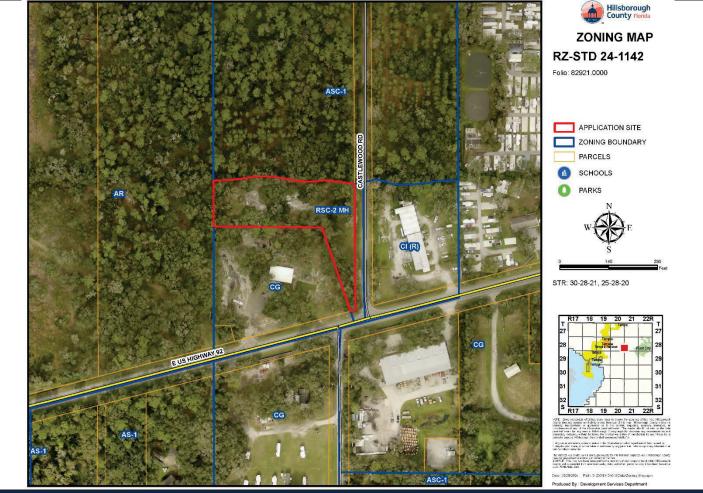
# APPLICATION NUMBER: RZ STD 24-1142

ZHM HEARING DATE: BOCC LUM MEETING DATE: November 12, 2024 January 7, 2025

Case Reviewer: Isis Brown

# 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 ac (43,560 sf)	Agriculture, Agricultural- Single-Family Residential (Conventional Only)	Vacant
South	CG	FAR 0.25	General Commercial, Office and Personal Services	Septic System Company - Contractor's Office
East	CI -R	FAR 0.30	Intensive Commercial, Office and Personal Services	Lighting & Signalization Company – Contractor's Office
West	AR	1 du / 5 acre	Agriculture; Single-Family Residential/Agricultural	Vacant

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ZHM HEARING DATE:	November 12, 2024
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Case Reviewer: Isis Brown

# 2.0 LAND USE MAP SET AND SUMMARY DATA

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

Not Applicable

RZ STD 24-1142

ZHM HEARING DATE: November 12, 2024

# 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
Castlewood Road	County Local - Rural	2 Lanes ⊠Substandard Road □Sufficient ROW Width	<ul> <li>Corridor Preservation Plan</li> <li>Site Access Improvements</li> <li>Substandard Road Improvements</li> <li>Other (TBD)</li> </ul>

Project Trip Generation   Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	28	3	3
Proposed	180	31	35
Difference (+/-)	+152	+28	+32

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

Connectivity and Cross Access 🛛 Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
Notes:	-		•	•

# 4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Objections	Conditions Requested	Additional Information/Comments	
Environmental Protection Commission	□ Yes ⊠ No	□ Yes ⊠ No	Review at time of development	
Natural Resources	□ Yes ⊠ No	□ Yes ⊠ No		
Conservation & Environmental Lands Mgmt.	□ Yes □ No	□ Yes □ No	This agency has no comments.	
<ul> <li>Check if Applicable:</li> <li>Wetlands/Other Surface Waters</li> <li>Use of Environmentally Sensitive Land Credit</li> <li>Wellhead Protection Area</li> <li>Surface Water Resource Protection Area</li> <li>Potable Water Wellfield Protection Area</li> </ul>	<ul> <li>□ Significant Wil</li> <li>□ Coastal High I</li> <li>□ Urban/Suburb</li> <li>□ Adjacent to EL</li> <li>□ Other</li> </ul>	Hazard Area an/Rural Scenic	Corridor	
Public Facilities:	Objections	Conditions Requested	Additional Information/Comments	
<ul> <li>Transportation</li> <li>Design Exception/Adm. Variance Requested</li> <li>Off-site Improvements Provided</li> <li>N/A</li> <li>Utilities Service Area/ Water &amp; Wastewater</li> </ul>	□ Yes ⊠ No □ N/A	□ Yes □ No ⊠ N/A		
□Urban □ City of Tampa ⊠Rural □ City of Temple Terrace	□ Yes □ No	□ Yes □ No		
Hillsborough County School Board Adequate □ K-5 □6-8 ⊠9-12 ⊠N/A Inadequate □ K-5 □6-8 □9-12 ⊠N/A	□ Yes □ No	□ Yes □ No		
Impact/Mobility Fees N/A				
Comprehensive Plan:	Findings	Conditions Requested	Additional Information/Comments	
Planning Commission         □ Meets Locational Criteria       □ N/A         ⊠ Locational Criteria Waiver Requested         □ Minimum Density Met       □ N/A	⊠ Inconsistent □ Consistent	□ Yes ⊠ No		

Case Reviewer: Isis Brown

# 5.0 IMPLEMENTATION RECOMMENDATIONS

### 5.1 Compatibility

The site is in the Rural Area and surrounded by a mixture of uses consisting of Agricultural, Single-family residential, Commercial General and Commercial Intensive type uses. The subject site is surrounded by Res-1 Future Land Use (FLU) category.

The adjacent properties are zoned Agricultural Single-Family Conventional-1 (ASC-1) to the north, CG to the south, Commercial Intensive (CI) to the east, and Agricultural Rural (AR) to the west.

To address the lot's size, transition and compatibility concerns, the applicant has proposed that the site's use be restricted to a Contractor's Office with Enclosed Storage.

Commercial development of the subject property shall meet the lot development standards for the CG zoning district per LDC Section 6.01.01. Additionally, Per LDC Section 6.06.00, a 20-foot buffer with Type B screening is required along the northern and other property lines that abut Residential agricultural zoned properties. (Evergreen trees will be planted at 20' apart as required, along with all the other buffer type "B" requirements, along the North Property line.)

Staff finds the request is consistent and compatible with the existing and emerging zoning and development pattem along this northern portion of E. US Highway 92. The property's frontage is along the north side of US 92 Hwy. To the south, the parcel abutting subject parcel whose frontage is also along US 92 Hwy is zoned CG. The proposed CG-R zoning will be at the same distance/depth from the intersection as the CI-R district to the east across Castlewood Road and is, therefore, a continuation of the existing commercial development pattern along this portion of E. US Highway 92 and a compatible infill development.

### 5.2 Recommendation

Based on the above considerations, staff finds the request approvable, with the following applicant's proposed restrictions:

1. Site Shall be developed Contractor's Office with Enclosed Storage.

Zoning Administrator Sign Off:	J. Brian Grady	
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:	RZ STD 24-1142
ZHM HEARING DATE:	November 12, 2024
BOCC LUM MEETING DATE:	January 7, 2025

Case Reviewer: Isis Brown

# 7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

N/A

ZHM HEARING DATE:November 12, 2024BOCC LUM MEETING DATE:January 7, 2025

Case Reviewer: Isis Brown

# 8.0 PROPOSED SITE PLAN (FULL)

Not Applicable

### 9.0 FULL TRANSPORTATION REPORT (see following pages)

### AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department	DATE: 11/01/2024
REVIEWER: Sarah Rose, Senior Planner	AGENCY/DEPT: Transportation
PLANNING AREA/SECTOR: NE/Seffner Mango	PETITION NO: RZ 24-1142

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.

### PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a parcel totaling +/- 1.56 acres from Residential Single Family Conventional (RSC-2) to Commercial General Restricted (CG-R). The site is located on the northwest corner of the intersection of Castlewood Road and E. U.S. Hwy 92. The Future Land Use designation of the site is Residential 1 (R-1).

### Trip Generation Analysis

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

	* *
Approved	Uses:

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

Proposed Uses:

Zoning, Land Use/Size	24 Hour Two-	Total Peak Hour Trips	
	Way Volume	AM	PM
CG-R, Contractor's Office with Open Storage (ITE Code 180) 18,347sqft	180	31	35

Trip Generation Difference:			
Zoning, Land Use/Size	24 Hour Two-	Total Peak Hour Trips	
	Way Volume	AM	PM
Difference	+152	+28	+32

#### TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on Castlewood Road and U.S. Hwy 92. Castlewood Road is a substandard 2-lane, undivided, county maintained, rural local roadway. The roadway is characterized by +/- 19FT to +/- 20FT of Pavement in Avg. Condition, no bike lanes or sidewalks within the vicinity of the proposed project, within +/- 50 ft of the right of way.

Staff notes that the subject parcel has only approximately +/- 20FT of frontage on U.S. Hwy 92 which is insufficient to support any kind of access.

### SITE ACCESS

It is anticipated that the site will have access to Castlewood Road.

Generally, for projects with a Euclidean zoning designation, a project's potential transportation impacts, site access requirements, substandard road issues, site layout and design, other issues related to project access, and compliance with other applicable Hillsborough County Comprehensive Plan, Hillsborough County Land Development Code (LDC) and Hillsborough County Transportation Technical Manual (TTM) requirements are evaluated at the time of plat/site/construction plan review. Given the limited information available as is typical of all Euclidean zoned properties and/or non-regulatory nature of any conceptual plans provided, Transportation Review Section staff did review the proposed rezoning to determine (to the best of our ability) whether the zoning is generally consistent with applicable policies of the Hillsborough County Comprehensive Plan, LDC and TTM (e.g. to ensure that the proposed rezoning would not result in a violation of the requirement whereby access to commercial properties cannot be taken through residentially or agriculturally zoned properties), and/or whether, in staff's opinion, some reasonable level of development under the proposed zoning designation could be supported based on current access management standards (e.g. to ensure that a project was not seeking an intensification of a parcel which cannot meet minimum access spacing requirements). Transportation Section staff did not identify any concerns that would require a more detailed staff report be filed. Staff notes that, regardless of this review, the developer/property owner will be required to comply will all Comprehensive Plan, LDC, TTM and other applicable rules and regulations at the time of plat/site/construction plan review. As such, staff has no objection to this request.

Staff notes that any plans or graphics presented as a part of a Euclidean zoning case are nonbinding and will have no regulatory value at the time of plat/site/construction plan review.

### **ROADWAY LEVEL OF SERVICE (LOS) INFORMATION**

Castlewood Road is not a regulated roadway and was not included in the 2020 Hillsborough County Level of Service (LOS) Report. As such, no LOS information for this roadway can be provided.

# COUNTY OF HILLSBOROUGH

# RECOMMENDATION OF THE LAND USE HEARING OFFICER

# APPLICATION NUMBER:

DATE OF HEARING:

**APPLICANT:** 

LOCATION:

**PETITION REQUEST:** 

SIZE OF PROPERTY:

RZ STD 24-1142

November 12, 2024

Todd Pressman

The request is to rezone a parcel of land from RSC-2 (MH) to CG-R

4310 Castlewood Road

1.56 acres m.o.l.

RSC-2 (MH)

FUTURE LAND USE CATEGORY:

**EXISTING ZONING DISTRICT:** 

SERVICE AREA:

Rural

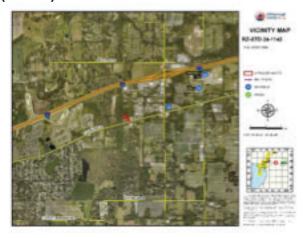
RES-1

# DEVELOPMENT REVIEW STAFF REPORT

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

# **1.0 APPLICATION SUMMARY**

Applicant: Todd Pressman FLU Category: Residential – 1 (Res-1) Service Area: Rural Site Acreage: 1.56 +/-Community Plan Area: Seffner Mango Overlay: None Request: Rezone from Residential, Single- Family Conventional-2 with Mobile Home Overlay (RSC-2 (MH) to Commercial General with Restrictions (CG -R).



# Request Summary:

The request is to rezone from the existing **Residential**, **Single-Family Conventional-2 (w/ Mobile Home Overlay (RSC- 2 MH)** zoning district to the proposed to **Commercial General with Restrictions (CG-R)** zoning district. The proposed zoning for CG permits Commercial, Office and Personal Services development on lots containing a minimum of 10, 000 square feet (sf). The applicant has proposed that the site's use be restricted to a Contractor's Office with Enclosed Storage., to address the lot size, transition and compatibility concerns.

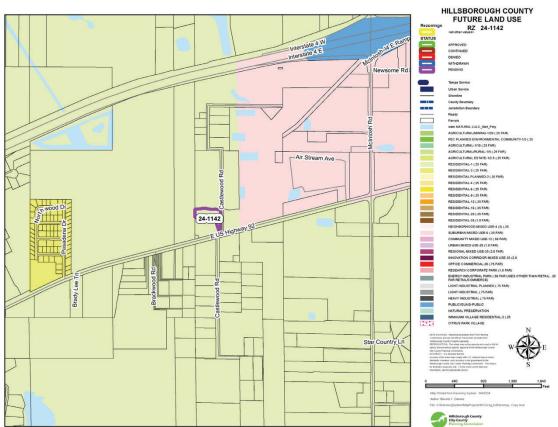
Planning Commission Recommendation: Inconsistent Development Services Department: Approvable



# 2.0 LAND USE MAP SET AND SUMMARY DATA 2.1 Vicinity Map

# Context of Surrounding Area:

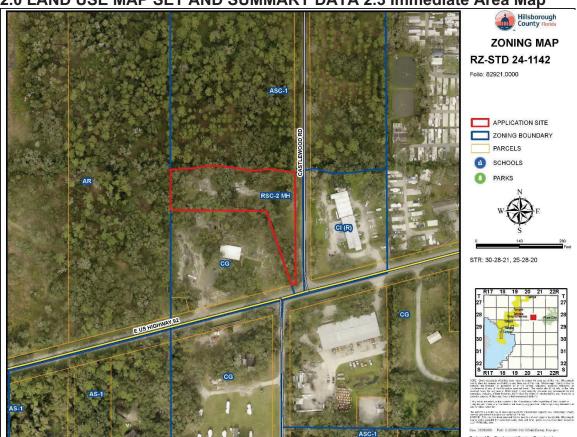
The site is in the Rural Area and surrounded by a mixture of uses consisting of Agricultural, Single-family residential, Commercial General and Commercial Intensive type uses. The subject site is surrounded by Res-1 Future Land Use (FLU) categories which permits single-family residential, multi-family, office and neighborhood-commercial uses. The adjacent properties are zoned Agricultural Single-Family Conventional -1 (ASC-1) to the north, CG to the south, Commercial Intensive (CI) to the east, and Agricultural Rural (AR) to the west.



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

Subject Site Future Land Use Category: Residential 1 (Res-1) Maximum Density/F.A.R.: 1 dwelling unit per Gross Acre (ga)/ 0.25 FAR

Typical Uses: Farms, ranches, residential uses, rural scale neighborhood commercial uses, offices, and multi-purpose projects. Commercial, office, and multipurpose uses shall meet locational criteria for specific land use projects. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.



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

# 2.0 LAND USE MAP SET AND SUMMARY DATA 2.4 Proposed Site Plan (partial provided below for size and orientation purposes. See Section 8.0 for full site plan) Not Applicable

# Classification Current Conditions Select Future Improvements 3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 9 OF STAFF REPORT)

# Adjoining Roadways (check if applicable)

Castlewood Road	Local -	2 Lanes ⊠Substandard Road □Sufficient ROW Width	<ul> <li>□ Corridor Preservation</li> <li>Plan</li> <li>□ Site Access</li> <li>Improvements</li> <li>□ Substandard Road</li> <li>Improvements ⊠ Other</li> </ul>
			(TBD)

**Project Trip Generation** 

Not applicable for this request

Connectivity and Cross Access ⊠Not applicable for this request Project Boundary

4.0 ADDITIONAL SITE INFO	RMATIO	N & AGENC	Y COMMENTS SUMMARY		
INFORMATION/REVIEWING AGENCY					
Environmental: Objections		nditions juested	Additional Information/Comments		
Environmental Protection Commission Natural Resources Conservation & Environmental Lands Mgmt. Review at time of development This agency has no comments.					
Check if Applicable:  Vetlands/Other Surface Waters Use of Environmentally Sensitive Land Credit Uellhead Protection Area Surface Water Resource Protection Area Potable Water Wellfield Protection Area Significant Wildlife Habitat Coastal High Hazard Area Urban/Suburban/Rural Scenic Corridor Adjacent to ELAPP property Other					
Public Facilities: Objections	;	Conditions Requested	Additional Information/Comments		
Transportation □ Design Exception/Adm. Variance Requested □ Off- site Improvements Provided ⊠N/A	□ Yes ⊠No □N/A	□ Yes □No ⊠N/A			
Utilities Service Area/ Water & Wastewater □Urban □ City of Tampa ⊠Rural □ City of Temple Terrace		□ Yes □No			
Hillsborough County School Board Adequate □ K-5 □6-8 ⊠9-12 ⊠N/A Inadequate □ K-5 □6- 8 □9-12 ⊠N/A	□ Yes □No	□ Yes □No			

# Impact/Mobility Fees N/A

Comprehensive Plan' Findings			Additional Information/Comments
I ocational Criteria Walver	⊠ Inconsistent □ Consistent	□ Yes ⊠No	

# 5.0 IMPLEMENTATION RECOMMENDATIONS

# 5.1 Compatibility

The site is in the Rural Area and surrounded by a mixture of uses consisting of Agricultural, Single-family residential, Commercial General and Commercial Intensive type uses. The subject site is surrounded by Res-1 Future Land Use (FLU) category.

The adjacent properties are zoned Agricultural Single-Family Conventional-1 (ASC-1) to the north, CG to the south, Commercial Intensive (CI) to the east, and Agricultural Rural (AR) to the west.

To address the lot's size, transition and compatibility concerns, the applicant has proposed that the site's use be restricted to a Contractor's Office with Enclosed Storage.

Commercial development of the subject property shall meet the lot development standards for the CG zoning district per LDC Section 6.01.01. Additionally, Per LDC Section 6.06.00, a 20-foot buffer with Type B screening is required along the northern and other property lines that abut Residential agricultural zoned properties. (Evergreen trees will be planted at 20' apart as required, along with all the other buffer type "B" requirements, along the North Property line.) Staff finds the request is consistent and compatible with the existing and emerging zoning and development pattern along this northern portion of E. US Highway 92. The property's frontage is along the north side of US 92 Hwy. To the south, the parcel abutting subject parcel whose frontage is also along US 92 Hwy is zoned CG. The proposed CG-R zoning will be at the same distance/depth from the intersection as the CI-R district to the east across Castlewood Road and is, therefore, a continuation of the existing commercial development pattern along this portion of E. US Highway 92 and a compatible infill development.

# 5.2 Recommendation

Based on the above considerations, staff finds the request approvable, with the following applicant's proposed restrictions:

1. Site Shall be developed Contractor's Office with Enclosed Storage.

# SUMMARY OF HEARING

THIS CAUSE came on for hearing before the Hillsborough County Land Use Hearing Officer on November 12, 2024. Ms. Michelle Heinrich of the Hillsborough County Development Services Department introduced the petition.

Mr. Todd Pressman 200 2<sup>nd</sup> Street # 451, St. Petersburg, testified on behalf of the applicant. Mr. Pressman showed a PowerPoint presentation and stated that the request is to rezone property zoned Residential Single-Family Conventional-2 with a Mobile Home Overlay to Commercial General with Restrictions. He added that the Restriction limits the use of the property to a contractor's office e with enclosed open storage. Mr. Pressman detailed the surrounding uses. He stated that there is the American and Light Signalization company located directly across the street. To the south is Ted's Septic and to the southeast is Aquatech which he stated is another heavy type land use. Mr. Pressman testified that TECO owns all the property to the west and supports the rezoning request. A neighbor to the north submitted a letter in support the application. He stated that there is CI zoning across the street and CG zoning to the south. Mr. Pressman testified that the Development Services staff found the rezoning request consistent and compatible with the existing and emerging development along Highway 92. He added that EPC and the Transportation staff did not object. The Planning Commission had concerns about the application and found it not compatible with the existing rural character which he did not agree with. He stated that the area is intense in terms of zoning and land use. The Planning Commission found that the property is not appropriate for a contractor's office but there are very intense uses on the other three corners. The Planning Commission refers to mobile homes across the street however, those mobile homes are located on the other side of the Lighting and Signalization business. Mr. Pressman testified that there is approximately 500 feet to the closest resident to the north and that resident submitted a letter in support of the application. He stated that the Planning Commission found that retail development should be restricted but that the request specifically is restricted to a contractor's office which is a non-retail use. Mr. Pressman discussed the Seffner Mango Community Plan and that it states that commercial development should be directed along US 92 and that infill development should be supported. A locational criteria waiver was submitted and is justified by the intense commercial uses on the three corners of the site.

Hearing Master Finch asked Mr. Pressman to confirm that there is approximately 500 feet to the nearest mobile home north of the subject property. Mr. Pressman replied yes. Hearing Master Finch asked Mr. Pressman to confirm that the uses directly across Castlewood Road is the lighting and signalization business and not mobile homes. Mr. Pressman replied yes. Hearing Master Finch asked Mr. Pressman to confirm that the uses to the south are a plumbing company. He replied that it to the southeast and that the property across the street is zoned CG but did not know what the use of the property was.

Ms. Isis Brown, Development Services staff, testified regarding the County's staff report. Ms. Brown stated that the applicant is requesting a rezoning of 1.56 acres from RES-2 with a Mobile Home Overlay to Commercial General with Restrictions. She described the surrounding area and zoning districts. Ms. Brown testified that staff found the request consistent and compatible with the existing and emerging development pattern along the northern portion of US Highway 92 and is approvable with the proposed Restriction that the site shall be developed as a contractor's office with enclosed storage.

Ms. Jillian Massey, Planning Commission staff testified regarding the Planning Commission staff report. Ms. Massey stated that the subject property is within the Residential-1 Future Land Use classification and the Rural Service Area and Seffner Mango Community Planning Area. She described the request and testified that the Planning Commission found it not compatible with the existing rural residential character of the area. She stated that the site is located along Castlewood Road which is a local roadway and is not appropriate for a contractor's office given the potential operating characteristics such as heavy equipment, trucks, operating hours, lighting and noise as the site is directly adjacent to single-family residential to the north and mobile homes located across Castlewood Road to the east. Ms. Massey stated that the property does not meet commercial locational criteria as it is approximately 2,500 linear feet from the nearest qualifying intersection. She cited policies regarding the importance of transition and stated that staff does not support the requested commercial locational criteria waiver. The applicant stated in the waiver request that the subject property has commercially zoned parcels nearby but the Planning Commission found that only one parcel is zoned for commercial development. Ms. Massey listed numerous Comprehensive Plan policies that they believe the request is not consistent with and concluded her presentation by stating that the request does not meet the intent of the Seffner Mango Community Plan as the Plan restricts retail along US Highway 92 and that staff finds the rezoning request inconsistent with the Comprehensive Plan.

Hearing Master Finch asked Ms. Massey about the Planning Commission's finding that compatibility issues can outweigh adherence to locational criteria and how Planning Commission staff stated that there is single-family residential to the north yet the aerial shows nothing but trees and the applicant's representative testified that the closest mobile home is 500 feet away. Hearing Master Finch asked Ms. Massey about the Planning Commission's staff report which states that there are mobile homes directly across Castlewood Road but that a review of the aerial shows that the mobile homes are not there but rather further east and CI property is directly across from the subject property. Hearing Master Finch asked Ms. Massey about the mention of retail not being an appropriate use but that the applicant is proposing a Restriction that would allow only a contractor's office with enclosed storage. Ms. Massey replied that the proposed Euclidean zoning district does not include a site plan which could show how

possible impacts would be mitigated. Therefore, there is the potential for 16,000 square feet of non-residential uses. She added that the lack of site plan also does not address the other issues such as operating impacts. Ms. Massey testified that the site does not meet commercial locational criteria and staff did not find any unique circumstances to support a waiver as there is a residential parcel immediately to the north. She stated that the staff report reference to mobile homes to the east was possibly misstated and that they are in the general vicinity.

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

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

Ms. Grace McComas 805 Old Darby Street testified in opposition and stated that she was one of the framers of the Seffner Mango Community Plan. Ms. McComas stated that staff testified that the property has a frontage road but it does not. She added that the property has a little point on US Highway 92 and that it is the first residential property north of the commercial property. She testified that the surrounding properties are not intense uses and that there are very few cars on those parcels. The hotel and mobile home park have existed since 1969. Ms. McComas stated that the request is not consistent with the Comprehensive Plan nor the surrounding area. The associated traffic would exit onto Castlewood as there is no frontage on US Highway 92 and the request would set a dangerous precedent in the Rural Service Area. She concluded her remarks by stating that the Seffner Mango Community Plan directs commercial to the Urban Service Area on State Road 579 and that she hopes that the Hearing Master would recommend denial of the rezoning application.

Ms. Heinrich of the Development Services Department testified that there is a very small area that touches the frontage of the US Highway 92 and that it is an unusually shaped parcel.

Hearing Master Finch asked Ms. Heinrich to confirm that while the subject property has frontage on US Highway 92, there is not a frontage road. Ms. Heinrich replied that the contractor's office would be oriented toward US 92 and that the subject parcel fronts US 92 but there is not a frontage road.

Ms. McComas testified that the subject property does not touch US Highway 92 as there is commercial property between it and the roadway.

Mr. Pressman testified that the woman who spoke in opposition is not impacted by the rezoning as she is not located anywhere near it.

Mr. Pressman testified during the rebuttal period that the Seffner Mango

Community Plan refers to the US 19 corridor in their stated goal. He stated that none of the persons notified through the adjacent property owner notice testified in opposition. He concluded his comments by stating that it was clear that the Hearing Master understood the issues based on her questions.

The hearing was then concluded.

# **EVIDENCE SUBMITTED**

Ms. McComas submitted a copy of her written comments 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**

- The subject property is 1.56 acres in size and is currently Residential Single Family Conventional-2 with a Mobile Home Overlay (RSC-2 MH) and is designated Residential-1 (RES-1) by the Comprehensive Plan. The property is located within the Rural 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 Restriction limits the use of the property to Contractor's Office with Enclosed Storage only.
- 4. The Planning Commission staff does not support the rezoning request. Staff stated in their staff report that the site is directly adjacent to single-family residential development on the subject parcel's northern boundary and that there are mobile homes located directly across Castlewood Road to the east thereby resulting in the request being inconsistent with Policy 1.4 which would not maintain the character of the existing development in the area. Staff also does not support the requested waiver of commercial locational criteria due to only one of the parcels in the nearby area being zoned for commercial development. The Planning Commission found the application to be inconsistent with the Seffner Mango Community Plan as Goal 3 restricts retail uses to along US Highway 92 outside the Urban Service Area to existing commercial zoning districts. Based upon these findings, the Planning Commission found the rezoning request inconsistent with the Comprehensive Plan.

- 5. The Development Services Department staff supports the rezoning request based upon the proposed Restriction that the only use permitted is a contractor's office with enclosed storage and the existing and emerging zoning and development pattern. Further, staff found that the proposed northern boundary of the subject parcel is at the same depth as the Commercial Intensive-Restricted (CI-R) parcel directly across Castlewood Road and therefore would provide a continuation of the existing zoning pattern.
- 6. The surrounding area is zoned ASC-1 to the north, CG to the south, AR to the west and CI-R to the east. The applicant's representative testified that there is approximately 500 feet between the subject property and the closest residential dwelling unit to the north. The CG parcel to the south is developed with a septic tank business. The AR to the west is owned by TECO and the CI-R parcel to the east is developed with a lighting and signalization business. Additionally, there are two parcels zoned CG directly across US Highway 92 with one being developed with a plumbing and dewatering company.
- 7. Two letters of no opposition were submitted into the County record. One letter is from the adjacent property owner to the north and the second letter is from TECO who owns the property to the west.
- 8. One person testified in opposition based upon concerns that the parcel did not have frontage along US Highway and that commercial is not compatible with the surrounding area. Concerns were also expressed regarding the rezoning inconsistency with the Seffner Community Plan and its intent to direct commercial land uses to the Urban Service Area.
- 9. Development Services Department staff testified that the subject property does have frontage on US Highway 92.
- 10. The subject property has commercial zoning and commercial land uses immediately to the south, directly across Castlewood Road to the east and directly across US Highway 92.
- 11. The proposed Restriction to limit the use of the property to contractor's office with enclosed storage only significantly reduces the possible negative impacts to the parcels to the north and west. It is emphasized that the applicant's representative testified that the closest adjacent residential home to the north is approximately 500 feet away. A review of the aerial photo shows no apparent residential dwelling units and a significant amount of trees both to the north and on the TECO property to the west.

- 12. It appears that the Planning Commission's findings regarding the lack of commercially zoned parcels in the area and the adjacent residential land uses are incorrect as there are commercially zoned parcels to the south and east and there are no mobile homes directly across Castlewood Road nor single-family residential development north of the subject property. The Planning Commission found that retail uses are not appropriate on-site however the application Restriction limits the use of the property to contractor's office with enclosed storage only.
- 13. The proposed rezoning to CG-R is compatible with the surrounding zoning and existing development pattern. The proposed Restriction that limits the use of the property to a contractor's office with enclosed storage serves to increase compatibility. The request is consistent with the Land Development Code and the Comprehensive Plan.

# 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 CG-R zoning district. The property is 1.56 acres in size and is currently zoned RSC-2 MH and designated RES-1 by the Comprehensive Plan. The parcel is located within the Rural Service Area and the Seffner Mango Community Planning Area.

The applicant has proposed to limit the use of the property to a contractor's office with enclosed storage only as a Restriction to the proposed CG zoning district.

The Planning Commission staff does not support the rezoning request due to residential development to the north and east, the absence of commercial zoning in the area and the incompatibility of retail land uses which is contrary to the

goals of the Seffner Mango Community Plan. In response, the applicant's representative testified that the closest residential dwelling unit to the north is approximately 500 feet from the subject property.

The Development Services Department supports the rezoning request as there are commercially zoned parcels immediately to the south, directly across Castlewood Road and directly across US Highway 92. Additionally, staff testified that there is existing commercial development on the surrounding properties.

The property owner to the north and TECO who owns the property to the west submitted letters of no opposition into the record. One citizen testified in opposition based upon the parcel not having frontage on US Highway 92 and the incompatibility of commercial land uses in the area. In response, Development Services Department staff testified that the subject property does front US Highway 92.

It appears that the Planning Commission's findings regarding the lack of commercially zoned parcels in the area and the adjacent residential land uses are incorrect as there are commercially zoned parcels to the south and east and there are no mobile homes directly across Castlewood Road nor single-family residential development north of the subject property. The Planning Commission found that retail uses are not appropriate on-site however the application Restriction limits the use of the property to contractor's office with enclosed storage only.

The proposed rezoning to CG-R is compatible with the surrounding zoning and existing development pattern. The proposed Restriction that limits the use of the property to a contractor's office with enclosed storage serves to increase compatibility. The request is consistent with the Land Development Code and the Comprehensive Plan.

# RECOMMENDATION

Based on the foregoing, this recommendation is for <u>APPROVAL</u> of the CG-R rezoning request with the proposed Restriction as indicated by the Findings of Fact and Conclusions of Law stated above.

Sum M. Fine

December 5, 2024

Susan M. Finch, AICP Land Use Hearing Officer

Date



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

Unincorporated Hillsborough County Rezoning Consistency Review			
Hearing Date: November 12, 2024 Report Prepared: October 31, 2024	Case Number: RZ 24-1142 Folio(s): 82921.0000 General Location: North of US Highway 91, west of Castlewood Road		
Comprehensive Plan Finding	INCONSISTENT		
Adopted Future Land Use	Residential-1 (1 du/ga; 0.25 FAR)		
Service Area	Rural		
Community Plan(s)	Seffner Mango		
Rezoning Request	RSC-2 to CG-R for a contractor's office with indoor storage		
Parcel Size	+/- 13.85 acres		
Street Functional Classification	Castlewood Road – Local US Highway 92 – State Arterial		
Commercial Locational Criteria	Does not meet; waiver requested		
Evacuation Area	None		

Table 1: COMPARISON OF SURROUNDING PROPERTIES				
Vicinity	Future Land Use Designation	Zoning	Existing Land Use	
Subject Property	Residential-1	RSC-2	Single-Family Residential	
North	Residential-1	ASC-1	Single-Family Residential	
South	Residential-1	CG	Light Commercial	
East	Residential-1 + Suburban Mixed Use-6	CI + CG	Mobile Home Park	
West	Residential-1	AR	Vacant	

# Staff Analysis of Goals, Objectives and Policies:

The subject site is located on the north side of US Highway 92, west of Castlewood Road. The site is in the Rural Area and is located within the limits of the Seffner Mango Community Plan. The applicant is requesting to rezone the subject site from Residential Single Family-2 (RSC-2) to Commercial General-Restricted (CG-R) to allow a contractor's office with indoor storage.

Future Land Use Element (FLUE) Policy 1.4 requires all new developments to be compatible with the surrounding area, noting that "Compatibility does not mean 'the same as.' Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development." The proposed Commercial General-Restricted (CG-R) zoning district is not compatible with the existing rural residential character of the area. The site is located along Castlewood Road, which is a local roadway and not an appropriate location for a contractor's office given the potential operating characteristics of such a use (i.e. heavy equipment including trucks, operating hours, lighting, noise). The site is directly adjacent to single family residential development on its northern boundary with mobile homes located directly across Castlewood Road to the east. Therefore, the request is inconsistent with FLUE Policy 1.4, as the proposed zoning district would not maintain the character of existing development in the area. It should be noted that a standard, or Euclidean, rezoning request does not require a site plan nor conditions of approval. Each of these mechanisms are useful instruments in providing the location of buildings, circulation, access, buffering and screening. Absent a site plan and conditions of approval in an area where there are significant compatibility concerns, it is difficult to fully assess a proposed use's operating characteristics and site/building design in relation to the surrounding established uses.

Per Objective 8, Future Land Use categories outline the maximum level of intensity or density and range of permitted land uses allowed in each category. The site is located within the Residential-1 (RES-1) Future

Land Use category. Non-residential development in this category is subject to maximum Floor Area Ratio (FAR) of 0.25. With approximately 1.55 acres, the site may be considered for up to 16,879 square feet (1.55 acres x 43,560 square feet = 67,518 square feet x 0.25 FAR).

While uses in the CG zoning district are considered neighborhood serving commercial uses according to the Comprehensive Plan, in the RES-1 Future Land Use category neighborhood serving uses are subject to Commercial Locational Criteria (CLC), as outlined under FLUE Objective 22. According to FLUE Policy 22.1, the intent of Commercial Locational Criteria is to provide a means of ensuring appropriate neighborhood serving commercial development without requiring that all neighborhood commercial sites be designated on the Future Land Use Map (FLUM). The subject site does not meet CLC, as it is located approximately 2,500 feet away from the nearest qualifying intersection of Macintosh Road (a 2 lane roadway) and US 92 (a 2 lane roadway). According to FLUE Policy 22.2, properties in the RES-1 Future Land Use category located at the intersection of two 2 lane roadways must be within 660 feet of the intersection. At 2,500 feet away from the nearest qualifying intersection, the subject site is more than 3 times the distance that is allowed by CLC requirements. The distance requirements are put in place to control the scale of development and place non-residential development in locations that are appropriate for more intensive uses.

FLUE Policy 22.5 emphasizes the importance of a transition in intensity of uses away from major intersections. Because the site is located at the intersection of a local roadway and a State Principal Arterial, the request for CG-R zoning is inconsistent with this policy direction. FLUE Policy 22.7 indicates that CLC are not the only factors to take into consideration for non-residential development. Considerations such as those involving land use compatibility carry more weight than CLC. Based upon the adjacent residential development pattern directly to the north and east of the subject site, the requested CG-R zoning district is inconsistent with this policy direction.

The applicant has submitted a waiver request per FLUE Policy 22.8. While the waiver request points out the commercial zoning in the nearby area, only one of these parcels is zoned for commercial development. This parcel is located directly to the south of the subject property along US Highway 92 and is utilized for commercial purposes according to the existing land use information provided by the Hillsborough County Property Appraiser. While the site located directly to the south is utilized for a septic tank business, the other commercial zoning districts nearby contain single-family homes and mobile homes. No unique circumstances were identified by Planning Commission staff with regard to the CLC waiver request. Given the significant compatibility concerns with the proposed CG-R zoning district in this area, Planning Commission staff recommends the Board of County Commissioners deny the CLC waiver request.

The proposal does not meet the intent of the Neighborhood Protection policies outlined in the Future Land Use Element (FLUE), including policy direction in the Community Design Component (CDC) (FLUE Objective 16, CDC Objective 12-1, CDC Policy 12-1.4, CDC Objective 17-1 and CDC Policy 17.1-4). FLUE Objective 16 emphasizes the need to protect existing neighborhoods and communities and those that will emerge in the future. FLUE Policy 16.1 requires development in residential areas to be limited to a neighborhood scale and require non-residential development to meet Commercial Locational Criteria. The site does not meet Commercial Locational Criteria. In addition, the site could be developed with a 16,879 square foot building, based upon intensity limits in the RES-1 Future Land Use category, which would be out of scale with the existing residential development pattern to the north and east. While there is a business located directly to the south of the subject property, that site is located with extensive frontage along US Highway 92 with an existing building that is 2,687 square feet. With a rezoning to the CG-R zoning district, the subject property could be considered for a structure that is over six times larger than

the existing commercial building to the south, which is inconsistent with policy direction in FLUE Policy 16.1.

FLUE Policy 16.2 calls for gradual transitions of intensities between different land uses through site design, buffering and screening techniques and by controlling incompatible land uses. North and east of the subject property are residential uses. The intensive uses permitted by the CG-R zoning district would not allow for a transition of use between those surrounding residential uses and the subject property. Therefore, the request is inconsistent with FLUE Policy 16.2. FLUE Policy 16.3 says that development shall be integrated with adjacent land uses through the creation of like uses and the mitigation of adverse impacts. The proposed CG-R zoning district would not create uses that are complementary to the existing residential uses to the north and east of the site and would therefore be inconsistent with FLUE Policy 16.3. FLUE Policy 16.5 requires that higher intensity non-residential land uses that are adjacent to established neighborhoods shall be restricted to collectors and arterials. While a small portion of the subject property is along US Highway 92 (approximately 20 feet), the site must gain access by Castlewood Road is a local road, not a collector or arterial roadway, and therefore the request is inconsistent with FLUE Policy 16.5.

The Comprehensive Plan requires that all development meet or exceed the land development regulations in Hillsborough County (FLUE Objective 9, FLUE Policy 9.1 and FLUE Policy 9.2). However, at the time of uploading this report, Transportation comments were not yet available in Optix and thus were not taken into consideration for analysis of this request.

The Environmental Protection Commission (EPC) Wetlands Division has reviewed the proposed rezoning. The EPC has determined there are wetlands on site and that based upon the site's current configuration, a resubmittal is not necessary at this time. Given that there is a separate approval process for wetland impacts with the Environmental Protection Commission and they currently do not object, Planning Commission staff finds this request consistent with Objective 13 and associated policies in the FLUE and Objective 3.5 and associated policies in the Environment & Sustainability Section (E&S) of the Comprehensive Plan.

The subject site does not meet the intent of the Seffner Mango Community Plan. While Goal 3 directs commercial development to the US Highway 92 and Martin Luther King Jr. Boulevard corridors, it restricts retail development along US Highway 92 outside of the Urban Service Area to existing commercial zoning districts. As the request is to rezone the subject property from RSC-2 to CG-R and would be adding a commercial zoning district, the request is inconsistent with the vision of the Community Plan. The Community Plan also discourages further strip retail development along US Highway 92 that are in the Rural Area. The request is for CG-R zoning in the US 92 corridor that is located in the Rural Area and therefore the request is inconsistent with this policy direction. The Seffner Mango Community Plan supports infill development within the Urban Service Area and a rezoning request to CG-R in the Rural Area is inconsistent with this policy direction. Overall, the request is inconsistent with the Seffner Mango Community Plan vision.

### Recommendation

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

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

### FUTURE LAND USE ELEMENT

**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.

### **Rural Area**

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

### Land Use Categories

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

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

### **Relationship to Land Development Regulations**

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

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

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

### **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.

# *Neighborhood/Community Development*

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

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

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

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

**Policy 16.3:** Development and redevelopment shall be integrated with the adjacent land uses through: *a)* the creation of like uses; or

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

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

# Commercial-Locational Criteria

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

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

- provide a means of ensuring appropriate neighborhood serving commercial development without requiring that all neighborhood commercial sites be designated on the Future Land Use Map;

- establish a maximum square footage for each proposed neighborhood serving commercial intersection node to ensure that the scale of neighborhood serving commercial development defined as

convenience, neighborhood, and general types of commercial uses, is generally consistent with surrounding residential character; and

- establish maximum frontages for neighborhood serving commercial uses at intersections ensuring that adequate access exists or can be provided.

**Policy 22.5:** 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.

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

# **Community Design Component (CDC)**

### 5.0 NEIGHBORHOOD LEVEL DESIGN 5.1 COMPATIBILITY

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

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

## 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.

### **ENVIRONMENTAL & SUSTAINABILITY SECTION**

**Objective 3.5:** Apply adopted criteria, standards, methodologies and procedures to manage and maintain wetlands and/or other surface waters for optimum fisheries and other environmental values in consultation with EPC.

### LIVABLE COMMUNITIES ELEMENT: SEFFNER MANGO COMMUNITY PLAN

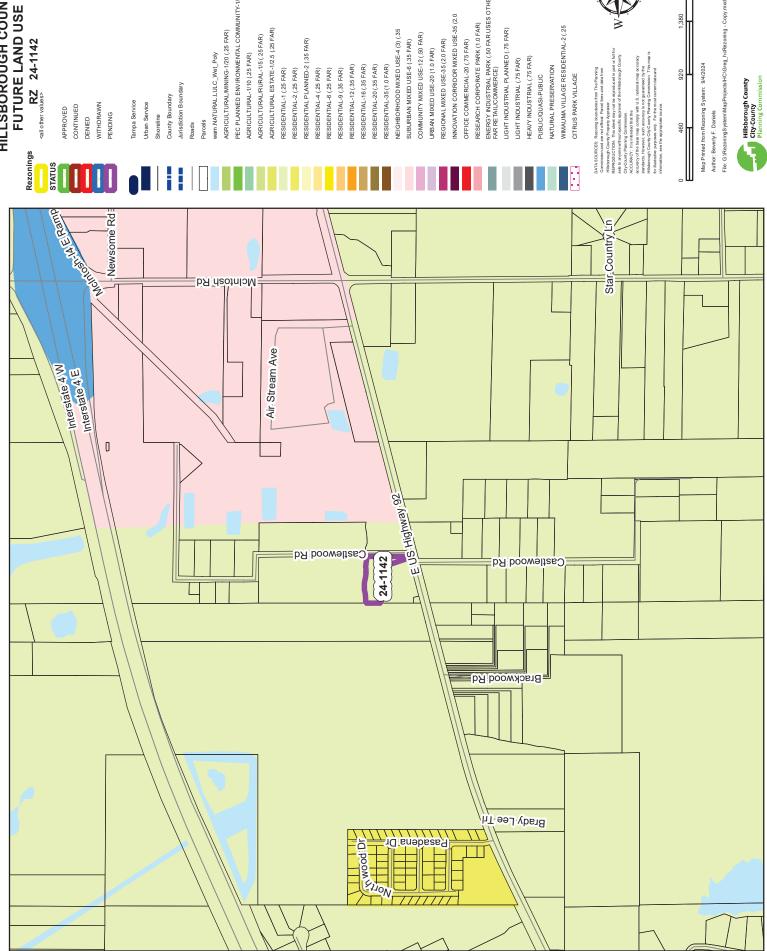
2. Goal: Enhance community character and ensure quality residential and nonresidential development.

Strategies:

- Within the Rural Service Area residential development shall reflect its rural future land use designation.
- **3. Goal**: Commercial development should be directed to the US 92 and Martin Luther King Boulevard corridors.

Strategies:

- Restrict retail development along US 92 and Martin Luther King Boulevard outside the Urban Service Area to existing commercial zoning districts.
- Discourage further strip retail development along those portions of US 92 and Martin Luther King Boulevard that are in the Rural Service Area.
- Support in-fill development and redevelopment within the Urban Service Area.



ENERGY INDUSTRIAL PARK (:50 FAR USES OTHER THAN RETAIL, :25 FAR RETAIL/COMMERCE) PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 HILLSBOROUGH COUNTY FUTURE LAND USE

Feet 1,840

# AGENCY COMMENTS

#### AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services DepartmentDATE: 11/01/2024REVIEWER: Sarah Rose, Senior PlannerAGENCY/DEPT: TransportationPLANNING AREA/SECTOR: NE/Seffner MangoPETITION NO: RZ 24-1142

This agency has no comments.

This agency has no objection.

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

This agency objects for the reasons set forth below.

#### PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a parcel totaling +/- 1.56 acres from Residential Single Family Conventional (RSC-2) to Commercial General Restricted (CG-R). The site is located on the northwest corner of the intersection of Castlewood Road and E. U.S. Hwy 92. The Future Land Use designation of the site is Residential 1 (R-1).

#### Trip Generation Analysis

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

Approved Uses:

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

Proposed Uses:

Zoning, Land Use/Size	24 Hour Two-	Total Peak Hour Trips	
	Way Volume	AM	PM
CG-R, Contractor's Office with Open Storage (ITE Code 180) 18,347sqft	180	31	35

Zoning, Land Use/Size	24 Hour Two-	Total Peak Hour Trips	
	Way Volume	AM	PM
Difference	+152	+28	+32

#### TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

D'00

The site has frontage on Castlewood Road and U.S. Hwy 92. Castlewood Road is a substandard 2-lane, undivided, county maintained, rural local roadway. The roadway is characterized by  $\pm$  19FT to  $\pm$  20FT of Pavement in Avg. Condition, no bike lanes or sidewalks within the vicinity of the proposed project, within  $\pm$  50 ft of the right of way.

Staff notes that the subject parcel has only approximately +/- 20FT of frontage on U.S. Hwy 92 which is insufficient to support any kind of access.

#### SITE ACCESS

It is anticipated that the site will have access to Castlewood Road.

Generally, for projects with a Euclidean zoning designation, a project's potential transportation impacts, site access requirements, substandard road issues, site layout and design, other issues related to project access, and compliance with other applicable Hillsborough County Comprehensive Plan, Hillsborough County Land Development Code (LDC) and Hillsborough County Transportation Technical Manual (TTM) requirements are evaluated at the time of plat/site/construction plan review. Given the limited information available as is typical of all Euclidean zoned properties and/or non-regulatory nature of any conceptual plans provided, Transportation Review Section staff did review the proposed rezoning to determine (to the best of our ability) whether the zoning is generally consistent with applicable policies of the Hillsborough County Comprehensive Plan, LDC and TTM (e.g. to ensure that the proposed rezoning would not result in a violation of the requirement whereby access to commercial properties cannot be taken through residentially or agriculturally zoned properties), and/or whether, in staff's opinion, some reasonable level of development under the proposed zoning designation could be supported based on current access management standards (e.g. to ensure that a project was not seeking an intensification of a parcel which cannot meet minimum access spacing requirements). Transportation Section staff did not identify any concerns that would require a more detailed staff report be filed. Staff notes that, regardless of this review, the developer/property owner will be required to comply will all Comprehensive Plan, LDC, TTM and other applicable rules and regulations at the time of plat/site/construction plan review. As such, staff has no objection to this request.

Staff notes that any plans or graphics presented as a part of a Euclidean zoning case are nonbinding and will have no regulatory value at the time of plat/site/construction plan review.

#### **ROADWAY LEVEL OF SERVICE (LOS) INFORMATION**

Castlewood Road is not a regulated roadway and was not included in the 2020 Hillsborough County Level of Service (LOS) Report. As such, no LOS information for this roadway can be provided.

## 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
Castlewood Road	County Local - Rural	2 Lanes ⊠ Substandard Road □Sufficient ROW Width	<ul> <li>Corridor Preservation Plan</li> <li>Site Access Improvements</li> <li>Substandard Road Improvements</li> <li>Other (TBD)</li> </ul>

Project Trip Generation   Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	28	3	3
Proposed	180	31	35
Difference (+/-)	+152	+28	+32

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

Connectivity and Cross Access 🛛 Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
Notes:	•		•	•

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			
Transportation	Objections	Conditions Requested	Additional Information/Comments
<ul> <li>Design Exception/Adm. Variance Requested</li> <li>Off-Site Improvements Provided</li> <li>N/A</li> </ul>	□ Yes □N/A ⊠ No	□ Yes □ No ⊠ N/A	



RON DESANTIS GOVERNOR 11201 North McKinley Drive Tampa, FL 33612 JARED W. PERDUE, P.E. SECRETARY

## MEMORANDUM

- DATE: September 12, 2024
- TO: Todd Pressman
- FROM: Lindsey Mineer, FDOT
- COPIES: Daniel Santos, FDOT Nancy Porter, FDOT Mecale' Roth, FDOT Donald Marco, FDOT Richard Perez, Hillsborough County

SUBJECT: RZ-STD 24-1142, 4310 Castlewood Rd, Seffner. Folio: 82921.0000

This project is on a state road, US 92. It is recommended that the applicant meet with FDOT before zoning approval.

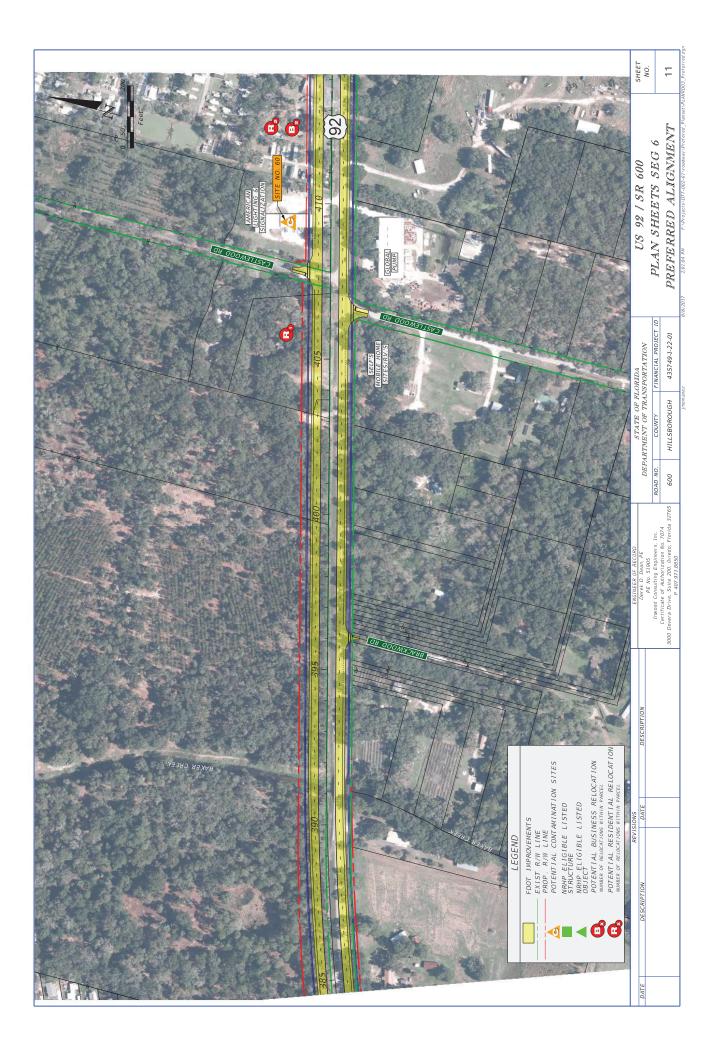
The Project Development and Environment Study (435749-1) for US 92 from East of I-4 to East of County Line Road was adopted in 2017. This parcel is within Segment 5, from east of Crow Wing Drive to Castlewood Road. Looking on the Map Hillsborough Viewer 2.5, the existing ROW width at this location appears to be approximately 75 to 80 feet. The typical section for Segment 5 requires 160 feet of ROW. This results in a need for a minimum of +/- 80 to 85 feet of ROW. Segment 5 has a north alignment, so ROW that is needed will be calculated from the existing property line, and not the existing roadway centerline. The PD&E Concept Page is attached.

A virtual or in-person pre-application meeting may be scheduled through Ms. Nancy Porter in the District Seven Tampa Operations offices. Ms. Porter can be reached at Nancy.Porter@dot.state.fl.us or 813-612-3205.

Thank you for the opportunity to comment.

END OF MEMO

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#### COMMISSION

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#### AGENCY COMMENT SHEET

REZONING		
HEARING DATE: October 15, 2024 PETITION NO.: 24-1142 EPC REVIEWER: Abbie Weeks CONTACT INFORMATION: (813) 627-2600 X 1101 EMAIL: weeksa@epchc.org	COMMENT DATE: September 17, 2024 PROPERTY ADDRESS: 4310 Castlewood Rd, Seffner FOLIO #: 0829210000 STR: 30-28S-21E	
REQUESTED ZONING: RSC-2 to CG-R		
FINDI	NGS	
WETLANDS PRESENT	YES	
SITE INSPECTION DATE	September 17, 2024	
WETLAND LINE VALIDITY	NA	
WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)	Surface water flow-way located along northern property line. Survey and Legal Description indicates property line is centerline of canal.	
The EPC Wetlands Division has reviewed the proposed rezoning. In the site plan's current configuration, a resubmittal is not necessary. If the zoning proposal changes and/or the site plans are altered. EPC staff will need to review the zoning again. This project as submitted is conceptually		

configuration, a resubmittal is not necessary. If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again. This project as submitted is conceptually justified to move forward through the zoning review process as long as the following conditions are included:

- Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals.
- The construction and location of any proposed wetland impacts are not approved by this correspondence but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property.

Environmental Excellence in a Changing World

RZ 24-1142 September 17, 2024 Page **2** of **2** 

- Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).
- Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.

#### INFORMATIONAL COMMENTS:

The following specific comments are made for informational purposes only and to provide guidance as to the EPC review process. However, future EPC staff review is not limited to the following, regardless of the obviousness of the concern as raised by the general site plan and EPC staff may identify other legitimate concerns at any time prior to final project approval.

- The subject property may contain wetland/OSW areas, which have not been delineated. Knowledge of the actual extent of the wetland and OSW are necessary in order to verify the avoidance of wetland impacts pursuant to Chapter 1-11. Prior to the issuance of any building or land alteration permits or other development, the wetlands/OSWs must be field delineated in their entirety by EPC staff or Southwest Florida Water Management District staff (SWFWMD) and the wetland line surveyed. Once delineated, surveys must be submitted for review and formal approval by EPC staff.
- Chapter 1-11 prohibits wetland impacts unless they are necessary for reasonable use of the property. Staff of the EPC recommends that this requirement be taken into account during the earliest stages of site design so that wetland impacts are avoided or minimized to the greatest extent possible. The size, location, and configuration of the wetlands may result in requirements to reduce or reconfigure the improvements depicted on the plan.
- The Hillsborough County Land Development Code (LDC) defines wetlands and other surface waters as Environmentally Sensitive Areas. Pursuant to the LDC, wetlands and other surface waters are further defined as Conservation Areas or Preservation Areas and these areas must be designated as such on all development plans and plats. A minimum setback must be maintained around the Conservation/Preservation Area and the setback line must also be shown on all future plan submittals.
- Any activity interfering with the integrity of wetland(s) or other surface water(s), such as clearing, excavating, draining or filling, without written authorization from the Executive Director of the EPC or authorized agent, pursuant to Section 1-11.07, would be a violation of Section 17 of the Environmental Protection Act of Hillsborough County, Chapter 84-446, and of Chapter 1-11.

aow /

ec: <u>todd@pressmaninc.com</u>

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



## **Agency Review Comment Sheet**

**NOTE:** Wellhead Resource Protection Areas (WRPA), Potable Water Wellfield Protection Areas (PWWPA), and Surface Water Resource Protection Areas (SWRPA) reviews are based on the most current available data on the Hillsborough County maps, as set forth in Part 3.05.00 of the Land Development Code.

TO:	Zoning Review, Development Services	<b>REQUEST DATE:</b>	8/26/2024
<b>REVIEWER:</b>	Kim Cruz, Environmental Supervisor <b>REVIEW DATE</b>		9/9/2024
<b>PROPERTY OWNER:</b>	Frank L. Winter, Jr.	PID:	24-1142
APPLICANT:	Todd Pressman		
LOCATION:	4310 Castlewood Rd. Seffner, FL 33584		
FOLIO NO.:	82921.0000		

### **AGENCY REVIEW COMMENTS:**

At this time, according to the Hillsborough County BOCC approved maps adopted in the Comprehensive Plan, the site does not appear to be located within a Wellhead Resource Protection Area (WRPA), Potable Water Wellfield Protection Area (PWWPA) and/or Surface Water Resource Protection Area (SWRPA), as defined in Part 3.05.00 of the Hillsborough County Land Development Code (LDC).

Hillsborough County EVSD has no recommended conditions and no request for additional information associated with wellhead protection.

## AGENCY REVIEW COMMENT SHEET

TO: ZONING TEC	CHNICIAN, Planning Growth Mana	gement	DATE: <u>29 Aug. 2024</u>
REVIEWER: Ber	mard W. Kaiser, Conservation and E	nvironmental Lar	nds Management
APPLICANT: To	dd Pressman	<b>PETITION NO:</b>	<u>RZ-STD 24-1142</u>
LOCATION: 431	0 Castlewood Rd., Seffner, FL 33584		
FOLIO NO: <u>8292</u>	1.0000	SEC: <u>30</u> TWN:	<u>28</u> <b>RNG:</b> <u>21</u>

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.: <u>RZ-STD 24-1142</u> REVIEWED BY: <u>Clay Walker, E.I.</u> DATE: <u>8/27/2024</u>

FOLIO NO.: 82921.0000

 $\square$ 

#### WATER

- The property lies within the \_\_\_\_\_ Water Service Area. The applicant should contact the provider to determine the availability of water service.
  - A \_\_\_\_\_inch water main exists [] (adjacent to the site), [] (approximately \_\_\_\_feet from the site) \_\_\_\_\_\_. This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.
- Water distribution system improvements will need to be completed prior to connection to the County's water system. The improvements include \_\_\_\_\_\_ and will need to be completed by the \_\_\_\_\_ prior to issuance of any building permits that will create additional demand on the system.

#### WASTEWATER

- The property lies within the \_\_\_\_\_ Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.
- A \_\_\_\_\_ inch wastewater gravity main exists [] (adjacent to the site), [] (approximately \_\_\_\_\_\_ feet from the site) \_\_\_\_\_\_. This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.
- □ Wastewater collection system improvements will need to be completed prior to connection to the County's wastewater system. The improvements include \_\_\_\_\_\_ and will need to be completed by the \_\_\_\_\_\_ prior to issuance of any building permits that will create additional demand on the system.
- COMMENTS: <u>The subject site is located outside of the Hillsborough County Urban Service</u> <u>Area, therefore water and/or wastewater service is not generally allowed. If the site is</u> <u>required or otherwise allowed to connect to the potable water and/or wastewater</u> <u>systems, there will be offsite improvements required that extend beyond a connection to</u> <u>the closest location with existing infrastructure. These points-of-connection will have to</u> <u>be determined at time of application of service as additional analysis will be required to</u> <u>make the final determination</u>.

# VERBATIM TRANSCRIPT

	DROUGH COUNTY, FLORIDA F COUNTY COMMISSIONERS	
IN RE: ) ZONE HEARING MASTER ) HEARINGS )X		
	HEARING MASTER HEARING F TESTIMONY AND PROCEEDINGS	
BEFORE:	SUSAN FINCH Zoning Hearing Master	
DATE:	Tuesday, November 12, 2024	
TIME:	Commencing at 6:01 p.m. Concluding at 8:42 p.m.	
LOCATION:	Hillsborough County BOCC Development Services Department 601 East Kennedy Boulevard, 2nd Floor Tampa, Florida 33601	
Reported by: Crystal Reyes, AAERT No. 1660 Notary Public for the State of Florida		

documentary evidence by proxy at tonight's hearing. 1 The content of oral argument before the board shall be 2 limited to the content and the testimony and other evidence 3 4 submitted verbally or in writing to the land use hearing 5 officer. It is the role of the County Attorney's Office to ensure that only individuals who have met these requirements are 6 7 allowed to speak before the Board, and to ensure that no new evidence or testimony is introduced or allowed at the Board's 8 public meeting. For these reasons, please make sure that all 9 information you wish the Board to consider at its public meeting 10 11 is entered into tonight's record. 12 Thank you so much. I appreciate it. HEARING MASTER: 13 As I mentioned, all testimony must be under oath, so 14 if you plan to speak tonight, if you could please stand, raise 15 your right hand, and I'll swear you in. Do you solemnly swear -- swear the testimony you're 16 about to provide is the truth, the whole truth, and nothing but 17 18 the truth? 19 (All speakers affirm oath.) 20 HEARING MASTER: Thank you so much. Have a seat. 21 All right. With that, then, Ms. Heinrich, we're ready to call the first case. 22 23 MS. HEINRICH: Our first application is Item C.1. Standard Rezoning 24-1142. The applicant is requesting a rezone 24 from RCS2 with a mobile home overlay to CGR. Isis Brown with 25

1	Development Services will provide staff findings after the
2	applicant's presentation.
3	HEARING MASTER: All right. I understand the
4	applicant is virtual?
5	MS. HEINRICH: That could be.
6	HEARING MASTER: Mr. Pressman.
7	MS. ACEVEDO: Madam Chair, the applicant has not
8	checked in.
9	HEARING MASTER: Okay. Well, then we'll continue this
10	case and see if he shows up.
11	MS. HEINRICH: Sure.
12	HEARING MASTER: So let's go ahead and go to the
13	second case.
14	MS. HEINRICH: All right. Our next item is Item C.2.
15	Standard Rezoning 24-1204. The application is requesting to
16	rezone property for AS1 and ASC1 to AS1. Michelle Montalbano
17	with Development Services will provide staff findings after the
18	applicant's presentation.
19	(Off the record discussion.)
20	HEARING MASTER: Ms. Pinson, do you have a paper copy
21	of that presentation? Why don't we go to the Elmo to speed
22	things along here.
23	Ah, I see it. That is not your case. Yeah, okay.
24	Why don't we just scrap that. She has a copy of it, so let's
25	in the interest of time, let's just do it on the Elmo, if you're

Transcript	of	Prc	ceeding	3
Novembe	er 1	L2,	2024	

1	MS. HEINRICH: Okay.
2	HEARING MASTER: we'll go back to the very first
3	case.
4	MS. HEINRICH: And that would be Item C.1. Standard
5	Rezoning 24-1142. The applicant is requesting to rezone
6	property from RSC2 to CGR Restricted. Isis Brown with
7	Development Services will present staff findings after the
8	applicant's presentation.
9	HEARING MASTER: All right. Good evening,
10	Mr. Pressman.
11	MR. PRESSMAN: Good evening. I'd like to share my
12	screen, please.
13	MS. ACEVEDO: Mr. Pressman, are you going to share
14	your screen or do you want me to start the presentation.
15	MR. PRESSMAN: Give me 30 seconds here, and I should
16	have it.
17	MS. ACEVEDO: Okay.
18	MR. PRESSMAN: Okay. That should work. Okay. Yeah,
19	here we go. Okay. There we go. Do you have it?
20	HEARING MASTER: I see it.
21	MR. PRESSMAN: Okay. Great. Thank you. Thank you
22	very much. I appreciate the accommodations running late.
23	This is RZ Standard 24-1142. Currently, Residential,
24	Single-Family Conventional 2, with mobile home overlay, change
25	to Commercial General with Restrictions CGR. It's restricted to

a contractor's office with open storage. (Inaudible) -- okay.
 There we go.

We are located in the Seffner-Mango Area and on 3 4 Highway 92. A little closer, we're at the corner of Castlewood 5 at Highway 92. And this is what's going on at the intersection. This is -- the property is in red. There's a light and 6 7 signalization company -- intensive company on the east corner. On the southeast corner is a plumbing and dewatering company, 8 and to the south of the site is Ted's Septic. You can also see 9 there's a tremendous forestation around the site. 10

Just to let you see what's at the street level, this is American Light and Signalization. This is directly across the street. It's a very intensive use, as you can see. To the southeast -- I'm sorry, this is Ted's Septic, which is on the south, and this is Aquatech on the southeast, which is another heavier type of land use that's currently occurring on the intersection. So it is a very intensive intersection for uses.

18 Now, critically, TECO owns all the property to the 19 west, and they support the request, and the neighbor to the north also supports the request. These are the two letters from 20 21 both of them, both from TECO and from the neighbor to the north. 22 In terms of zoning, it's an intensive corner. We have CI 23 directly across the street from the site, CG on the south; CG covers the rest of the intersection. Again, very intensive by 24 use and by zoning. 25

Now, Zoning staff found the request consistent and 1 compatible with the existing and emerging zoning development 2 along this northern portion of Highway 92, and note that the 3 4 proposed CGR will be the same distance and depth from the 5 intersection as the CIR to the east across Castlewood, and is 6 therefore a continuation of the existing commercial development 7 pattern on this portion of 92. Transportation and EPC had objections. Highway 90 to this point is very intensive, 8 carrying 14,200 trips per day in the 2020 measure. And Highway 9 92 is also a principal state arterial roadway, which is a very 10 11 intensive roadway.

12 When we look at the Comprehensive Plan of the 13 Transportation Element, it does note under this policy to offer 14 incentives for higher land use densities and intensities along 15 transit emphasis local service corridors.

16 Now, shifting to the Planning Commission, we had 17 concerns about it. They note that it's not compatible with the existing rural character, which we don't agree with. I think 18 we've clearly showed at this particular vicinity, it's intense 19 not only by zoning but by use. They also note it's located on a 20 21 local roadway; however, while it is located on Castlewood, it is 22 primarily on Highway 92, as the other uses are, or primarily 23 uses Highway 92, is located stone's throw from it, and does 24 continue down to the intersection at a point. They note in the 25 Planning Commission report that it's not appropriate for

contractor's office given the operating uses, but, however, on 1 the same three corners are very intensive uses; across the 2 street is very similar in that respect. They note the site's 3 4 adjacent to single-family residential on its north, which we're presenting to you supports the request. And they refer to 5 6 mobile homes located directly across Castlewood; however, those 7 homes across Castlewood are beyond the light and signalization site, so they're well buffered and shielded from this particular 8 Also, in regard to Planning Commission concerns with the 9 use. neighbor to the north, we have the distance at approximately 500 10 11 feet, more or less, to that resident through a heavy forested area, and, again, we submitted a letter in their support. 12 The 13 Planning Commission also notes that commercial development --14 excuse me, retail development should be restricted, but this 15 application is condition -- conditioned to a non-retail use.

16 When you look at the Seffner-Mango Community Plan, the 17 spec -- the plan under Goal specifically addressed commercial 18 development should be directed along US-92 and Martin Luther King corridors, which this is. Under Strategies, recognize 19 20 commercial character of US-92 and Martin Luther King in the 21 Urban Service -- Service Area. And their second strategy says, 22 support in-fill development and redevelopment within the USA. 23 In regard to locational waiver, we've indicated that there are intense uses on each of the corners, all three quarters. 24 We have support from the two abutting neighbors, CG and CI 25

categories are abutting or across the street. The Community 1 Plan says yes on 92. There's tremendous forestation that 2 buffers anything to the north and the east, and also consider 3 4 the intensity of Highway 92. 5 So with that, we appreciate your consideration. We're happy to answer any questions you might have. 6 7 HEARING MASTER: Just a couple, Mr. Pressman, to confirm for the record. So I appreciate those graphics with the 8 surrounding uses. So let me just go over and make sure I have 9 it correct. 10 11 So your testimony is that the residential to the north, it's approximately 500 feet to the nearest mobile home 12 13 north; is that correct? MR. PRESSMAN: Yes, per the aerial from our property 14 15 line to the residential structure I have as approximately 500 feet MOI gaps. 16 17 HEARING MASTER: Okay. All right. And then south of 18 your property, that's Zone CG, that's a septic tank business? 19 MR. PRESSMAN: That's correct. 20 HEARING MASTER: All right. And then across --21 directly across Castlewood is not mobile homes, but rather a --22 you said a lighting and signalization business? 23 MR. PRESSMAN: That's correct, which I -- which I showed you by photo is very intensive, and that's, of course, in 24 the record for you to see if you'd like to refer to it again. 25

1	HEARING MASTER: I will, I'll
2	MR. PRESSMAN: In the future.
3	HEARING MASTER: see it in the record, thank you.
4	MR. PRESSMAN: Yes.
5	HEARING MASTER: And then, finally, the property to
6	the south, is that directly across the CG is the plumbing
7	company or is that kind of south and east?
8	MR. PRESSMAN: Let me just double check to be correct.
9	HEARING MASTER: Plumbing and dewatering, you said.
10	MR. PRESSMAN: Plumbing and deaugering dewatering
11	is the southeast corner.
12	HEARING MASTER: Okay. So that's do you know
13	what's directly across that's also zoned CG?
14	MR. PRESSMAN: No, I don't.
15	HEARING MASTER: Okay. But it is CG. All right.
16	MR. PRESSMAN: Correct.
17	HEARING MASTER: That was those are my questions
18	for you. Thank you for that. I really appreciate it.
19	MR. PRESSMAN: Thank you.
20	HEARING MASTER: Development Services. Good evening.
21	MS. BROWN: Good evening. Isis Brown, Development
22	Services.
23	Standard Rezone Application 24-1142. The request is
24	for a site approximately 1.56 acres in Mango-Seffner Area in
25	the Seffner-Mango Area, requesting an RSC2 with a mobile home

overlay to commercial general with restrictions, CGR. The site 1 2 is located in a rural area and surrounded by a mixture of uses, which include agricultural, single-family, residential, and 3 4 commercial general properties, also commercial intensive type 5 uses. The properties -- the adjacent properties are zoned as 6 follows: Agriculture single-family to the north, CG to the 7 south, commercial intensive to the east, and agricultural rural to the west. 8

9 Staff finds that the request is consistent and
10 compatible with the existing and emerging zoning development
11 pattern along the northern portion of the -- U.S. Highway 92.
12 The site does front north side of U.S. 92 Highway. Based on the
13 above consideration, staff finds that the request is approvable
14 with the following applicant proposed restriction: Site shall
15 be developed as a contractor's office with enclosed storage.

I am available for any questions.

16

HEARING MASTER: Not at this time. Thank you so much.Planning Commission.

MS. MASSEY: Jillian Massey, Planning Commissionstaff.

The subject site's located in the Residential 1 future land use designation. It's in the rural area and within the limits of the Seffner-Mango Community Plan. The proposed commercial general with restrictions is not compatible with the existing rural residential character of the area. The site is

located along Castlewood Road, which is a local roadway, and not 1 2 an appropriate location for a contractor's office, given the potential operating characteristics of such a use, including 3 characteristics such as heavy equipment, including trucks, 4 5 operating hours, lighting, and noise. The site is directed 6 adjacent to single-family residential development on its 7 northern boundary with mobile homes located across Castle Road -- Castlewood Road to the east. Therefore -- therefore, 8 the request is inconsistent with Future Land Use Element Policy 9 1.4, as the proposed zoning district would not maintain the 10 11 character of the existing development in the area.

12 Furthermore, the subject site does not meet commercial 13 locational criteria it is -- as it is located approximately 14 2,500 linear feet from the nearest qualifying intersection of 15 McIntosh Road and U.S. Highway 92. Future Land Element Policy 22.5 emphasizes the importance of a transition and intensity of 16 17 uses away from major intersections. Because the site is located 18 at the intersection of a local roadway and a state principal arterial, the request for commercial general with restrictions 19 is inconsistent with this policy direction. Future Land Use 20 21 Element Policy 22.7 indicates that commercial locational 22 criteria are not the only factors to take into consideration for 23 non-residential development. Considerations such as those 24 involving land use compatibility carry more weight than the commercial locational criteria. 25

Based on the adjacent residential development directly 1 to the north and to the east of the subject site, the requested 2 zoning district is inconsistent with this policy direction. 3 The 4 applicant has submitted a waiver request per Future Land Use 5 Element Policy 22.8. While the waiver point out that there is commercial zoning nearby in the area, only one of these parcels 6 7 is zoned for commercial development. No unique circumstances were identified by Planning Commission staff with regard to the 8 waiver request. Given the compatibility concerns with the 9 zoning district in this area, staff recommends that the Board 10 11 deny the waiver request.

12 The proposal does not meet the intent of the 13 Neighborhood Protection Policy as outlined in the Future Land 14 Use Element. Policy 16.1 requires a development in residential 15 areas be limited to a neighborhood scale and require 16 non-residential development to meet locational criteria. The 17 site does not meet locational criteria, and, in addition, the 18 site could be developed with approximately 16,000 square feet based on intensity limits in the Residential 1 land use 19 20 category, which is out of scale with the existing residential 21 development pattern to the north and east. While -- while there 22 is business directly located to the south of the subject 23 property, that site is located with extentive -- extensive frontage along U.S. Highway 92 with an existing building that is 24 more in scale at approximately 2,600 square feet. 25

Future Land Use Element Policy 16.2 calls for gradual transitions of intense -- intensities between different land uses through site design, buffering, and screen techniques, and by controlling incompatible land uses. The intensive uses permitted by the restricted commercial general would not allow for a transition of use between those surrounding residential areas in the subject property.

8 Lastly, under Objective 16, Policy 16.5 requires a 9 higher intensity, non-residential land uses that are adjacent to 10 established neighborhoods shall be restricted to collectors and 11 arterials. While a small portion of the property is along U.S. 12 Highway 92, the site must gain access by Castlewood Road, which 13 is a local roadway, and therefore inconsistent with this policy 14 direction.

15 And, finally, the subject site does not meet the intent of the Seffner-Mango Community Plan. While -- while Goal 16 17 3 directs commercial development to U.S. Highway 92 and MLK corridors, it restricts retail along U.S. Highway 92 outside the 18 Urban Service Area into existing commercial zoning districts. 19 20 As the request is to rezone the subject property from RCS2 to 21 CGR and would be adding a commercial zoning district, the 22 request is inconsistent with the intent of this policy language. 23 Based on these considerations, Planning Commission

24 staff finds the proposed rezoning inconsistent with the 25 Comprehensive Plan.

1 I have a couple questions. So the HEARING MASTER: staff report -- and Mr. Pressman pointed this out in his 2 PowerPoint presentation, the staff report from the Planning 3 Commission states that those compatibility issues can be very 4 5 important and, in fact, outweigh the waiver, the locational criteria not being adhered to. So looking at the aerial, which 6 7 I printed out also, he verified the Planning Commission staff report says there's single-family residential to the north, yet 8 the aerial shows nothing but trees, Mr. Pressman said, 500 feet 9 to that closest mobile home. The staff report says that there 10 11 are mobile homes across -- directly across Castlewood. I can 12 see from the aerial that the mobile homes are not there, they 13 are further east, and, in fact, there's a CI property that's 14 developed, he said, with a lighting and signalization property. 15 And then, finally, it talks about -- you just mentioned it in your final portion of your presentation, about retail and how 16 17 that would not be appropriate, yet this is conditioned to only 18 be permitted as a contractor's office with enclosed storage.

So if you could just clarify those things that don't seem to mix with what I see in the aerial and what they've proposed as the restriction.

MS. MASSEY: Sure. I would just suggest that with a Euclidian rezoning, you know, without a proposed site plan, it's -- it's often difficult to, like, really analyze, you know, how any adverse impact could possibly be mitigated. So I think

that although, yes, there is maybe an existing buffer between 1 2 the property line and the closest single-family, we just have to consider that based on the fact that there is no site plan, and 3 4 that there's the potential for up to 16,000 square feet of this 5 type of non-residential use, that they're just -- there are compatibility concerns with that. We don't know where the 6 7 building would be placed, and, you know, the operating -- the potential operating characteristics as far as noise, lighting, 8 you know, hours of operation, it just poses a concern. 9 And especially because it does not need commercial locational 10 11 criteria, as staff -- you know, the policy says that, you know, we're supposed to find a unique circumstance, and just the staff 12 13 had -- was not able to identify any unique circumstances as far 14 as -- because there is residential property immediately to the 15 north without having seen an actual site plan.

And to your point about the mobile homes to the east, I think that -- yeah, I think it may have been misstated that it's directly to the east, but I think that when we're looking at existing uses in the area, we're looking at the general vicinity, so that when we look at existing uses, it shows that there is, you know, mobile homes to the east. So that may have been misstated in the staff report.

HEARING MASTER: Okay. All right. Thank you forthat.

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25 MS. MASSEY: Sure.
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1 I appreciate that clarification. HEARING MASTER: All right. Then with that, we'll go -- we'll call for 2 3 anyone that would like to speak in support, anyone in favor. 4 Seeing no one, anyone in opposition? All right. While you're coming up, is there anyone 5 6 else that would like to speak in opposition? 7 Okay. If you could give us your name and address, please. 8 My name is Grace McComas, I live at 805 9 MS. MCCOMAS: Old Darby Street. Mr. Pressman knows I don't live in the 10 11 immediate area. I'm here as one of the framers of the Seffner-Mango Community Plan to support and protect our plan. 12 13 There's a couple things I'd like to say before I even 14 say what I had written. The develop -- developmental staff --15 development staff, I'm sorry, stated that he has frontage road, and that's one of the reasons why they see it as approvable; 16 however, he does not have frontage road. He would have to 17 18 access 92 from Castlewood from the entrance of his -- his own 19 property. You can see in that picture that they had on, there's a little point that comes down from the property. His property 20 21 is the first residential property north of the commercial 22 property that's on 92 and has frontage road. He doesn't, at 23 this time, and probably won't have more than gate space on 92 when the road is widened by the -- you know, the ROW taking of 24 the north side of 9 -- of 92 for the expansion of the roadway. 25

So he really still is gonna have to use Castlewood, and it's a -- it's not that he has commercial -- the right to commercial property, he's not in the commercial strip on 92. And I -- I don't have to say this, but I hope you understand what I'm saying.

6

HEARING MASTER: I do.

7 MS. MCCOMAS: And then the other properties that he mentions that are -- have had all this front -- they do have 8 frontage road, all the new developments that have come up on 9 Highway 92 all have, and he showed them in the pictures, that 10 11 they have frontage property all the way along 92. That's why they're there, and they're anything but intensive. I go by 12 13 there all the time; I've rarely seen a car there. Anyway, that 14 doesn't really matter. But that -- that point, I think, needs 15 to be mentioned, that he is not the commercial -- in the commercial area that he's kind of, like, insinuating that he's 16 17 right there on Highway 92. Sorry about that.

18 Anyway, this application is not consistent with the 19 comprehensive plan, not compatible with the surrounding area, not permitted in the rural area, and not the intent of the 20 21 Seffner-Mango Community Plan. It does not have frontage on 22 Highway 92 and would exit onto Castlewood, not an arterial road. 23 It also sets a dangerous precedent in this rural area. Once we get one residential property turned into commercial, it just 24 continues and continues, and they don't have a commercial right. 25

1 The existing commercial to the south that Mr. Pressman referenced to, the hotel and the Self's -- Self's Mobile Home 2 park have existed since 1969. Both were there long before the 3 4 County zoning and codes and were established in the area and 5 are -- were established for the area and our grandfathered in. The newer commercial is on commercial property with frontage on 6 7 Highway 92, not on property zoned residential. Our Goal 2 states within the Rural Surface Area, residential development 8 shall reflect its rural future land use designation. 9 It also discourages commercial encroach -- encroachment into residential 10 There's a fine line between retail and commercial, but 11 areas. we specifically stated commercial in our plan. 12

13 The Seffner-Mango Community Plan directs commercial to 14 the commercial corridors of the Urban Service Area to the west 15 of State Road 579, also known as Mango Road, where all the cars get up onto I-4, where commercial is encouraged in that area. 16 In Goal 3, we recognize the commercial character of Highway 92 17 18 and Martin Luther King within the Urban Service Area, not in the rural. We have a comprehensive plan and a community plan. 19 The 20 goals and policies were set by the County for the future land 21 use, and the community plan expresses the quality, intentions, 22 hopes, and lifestyle expectations of our residents in our 23 community.

24 We, the County staff, the hearing officers, the 25 citizens, are constantly dealing with amended changes and

rezonings and requested densities that are inappropriate in 1 areas known to be inconsistent, incompatible, and clearly stated 2 in County policies. Staff has done a wondrous job to advise a 3 4 county -- the hearing officer in every issue. 5 Please, in reviewing the facts, I hope you are able to recommend a decision of denial to the BOCC. And can we get 6 7 the -- get Development Staff to -- to change their statement about the frontage road? 8 HEARING MASTER: We can clarify; I'll ask them on the 9 record when it's their turn. 10 MS. MCCOMAS: Okay. 'Cause that's not a true fact. 11 12 HEARING MASTER: I'll ask them. 13 MS. MCCOMAS: Okay. Thank you for the opportunity. 14 HEARING MASTER: Thank you, and thank you for being 15 patient while this case was delayed. If you could please sign Thank you so much. 16 in. 17 All right. Anyone else that would like to speak in opposition? 18 Seeing no one, we'll go back to Development Services, 19 Ms. Heinrich. 20 21 MS. HEINRICH: Hi. Michelle Heinrich, Development Services. 22 23 In response to the citizen's question, there is a very, very small area that does touch their forefront on the 24 highway, the majority of it is on the other roadway, but if 25

you'll see in the backup, it's quite an usually shaped parcel. 1 2 It has a small little area right there which does touch the 3 roadway. 4 HEARING MASTER: So it has frontage --5 MS. MCCOMAS: (Inaudible.) HEARING MASTER: Ma'am, ma'am, I'm sorry, you can't 6 7 reply, it's not in order. 8 But the -- the property fronts US-92 and not a frontage road, is what she's saying; is that correct? 9 Ιt fronts -- the parcel itself fronts -- let me get my aerial 10 11 back -- part -- Highway 92, but not an actual frontage road; I think that's what she was saying. 12 13 MS. HEINRICH: Cor -- I believe, if I understand 14 correctly, that the business would be oriented towards 92; is 15 that the question? There is a small piece of the property that does touch 92 --16 HEARING MASTER: Meaning it has frontage on 92? 17 18 MS. HEINRICH: Correct. 19 HEARING MASTER: Okay. All right. Thank you so much. So to clarify, they're saying that the parcel fronts 20 21 US-92, but not a frontage road. MS. MCCOMAS: (Inaudible.) 22 23 HEARING MASTER: Ma'am, you have to be on the record. I'll allow it, just because we're going back and forth. 24 You have to go back to the microphone, though, and give us your name 25

real quick. 1 MS. MCCOMAS: Grace McComas. 2 3 HEARING MASTER: Thank you. 4 MS. MCCOMAS: That -- that little piece does come down 5 to the -- the Highway 92 when 92 is expanded to a four-lane 6 road. 7 HEARING MASTER: Understood. MS. MCCOMAS: At this point, it is not -- it is not 8 touching Highway 92 in any shape or form, there's commercial 9 property between it. 10 11 HEARING MASTER: All right. Thank you so much. Ι 12 appreciate it. 13 So, Ms. Heinrich, any other comments before we move 14 on? 15 MS. HEINRICH: No, ma'am. HEARING MASTER: All right. Mr. Pressman, you have 16 17 five minutes for rebuttal. 18 MR. PRESSMAN: Oh, I appreciate that. And the young woman who just spoke in opposition, she's a -- I mean, I would 19 20 almost call her a friend; she's concerned about her neighborhood 21 and her area. But as she mentioned, she's not an impacted -- or 22 any way located near this site. 23 I'd like to share my screen one more time, if I may. Can you see the aerial? 24 25 HEARING MASTER: Not yet.

1	MR. PRESSMAN: There now you should be able to.
2	HEARING MASTER: Now I see it.
3	MR. PRESSMAN: So to clarify, there is a piece that
4	comes up to 92, and I think everyone in the county is well aware
5	that 92 is well along expansion by FDOT, has a really necessary
6	second road, and that expansion will be occurring. And I did
7	get a quick text here from the applicant that they will be
8	taking approximately 37 feet, so that will bring the site even
9	more well, it does touch 92, it will be enough for an access
10	point, but just to clarify that point that has been raised.
11	It's also important to note that Castlewood is a dead
12	end as it works its way up. So Castlewood is not really a road
13	that would be used every day would be 92. And when you look
14	at the Seffner-Mango Plan can you see the PowerPoint, Hearing
15	Officer?
16	HEARING MASTER: Not yet.
17	MR. PRESSMAN: I'm sorry to be going back and forth on
18	here. But I I'll just state that when you look at the
19	Seffner-Mango Community Plan, when you look at its goal, it
20	refers to the US-19 corridor; not just 92, it's that corridor
21	that is specifically stated in the strategy and in the goal.
22	I'll also make note that we had noticed 14 individuals and two
23	HOAs, so no impacted or any resident in the immediate vicinity
24	that was noticed came forward in opposition. And it was very
25	clear that you understand the issues, Hearing Officer, in regard

to your questions. 1 That's all I have, thank you. 2 HEARING MASTER: All right. Thank you. And with 3 4 that, we'll close Rezoning 24-1142 and go back to where we were 5 in the agenda. MS. HEINRICH: Our next item is Item D.3. PD 24-0701. 6 7 The applicant is requesting to rezone property to PD from RMC 6. 8 Chris Grandlienard with Development Services will present staff findings after the applicant's presentation. 9 HEARING MASTER: Good evening. 10 11 MS. PINSON: Good evening. Brice Pinson with Halff Associates, 1000 North Ashley Drive, Tampa, Florida 33602, here 12 13 representing the applicant. 14 The site is located east of Theresa Street and south 15 of West Hanna Avenue. It's approximately 1.89 acres within the Town 'N' Country Community Plan and the Urban Service Area. 16 It 17 is surrounded mainly by single-family residential and 18 multi-family residential. The future land use is Residential 4. 19 The current zoning is RMC6. 20 The request is to rezone to planned development to permit seven dwelling units, which is just under that four units 21 22 per acre. The single-family units would be a minimum of 23 50-foot-wide lots, and a full access is proposed off West Hanna Avenue on the north with a pedestrian access to Robin Hood Drive 24 on the south, as requested by staff. 25

Zoning	Hearing	Mas	ter	Hearing
	October	15,	202	4

	OROUGH COUNTY, FLORIDA F COUNTY COMMISSIONERS
	X
IN RE:	) )
ZONE HEARING MASTER HEARINGS	) ) )
	X
	HEARING MASTER HEARING F TESTIMONY AND PROCEEDINGS
BEFORE:	Brian Grady Development Services
DATE:	Tuesday, October 15, 2024
TIME:	Commencing at 6:00 p.m. Concluding at 6:06 p.m.
LOCATION:	Hillsborough County BOCC 601 East Kennedy Boulevard Tampa, Florida 33601
Reported by: Diane DeMarsh, AAERT No.	1654

#### Zoning Hearing Master Hearing October 15, 2024

-	
1	out of order to be heard and is being continued to the
2	December 16, 2024 Zoning Hearing Master Hearing.
3	Item A.13, Rezoning PD 24-0924. This application is
4	out of order to be heard and is being continued to the
5	November 12, 2024 Zoning Hearing Master Hearing.
6	Item A.14, Major Mod Application 24-0933. This
7	application is out of order and is being continued to the
8	November 12, 2024 Zoning Hearing Master Hearing.
9	Item A.15, Rezoning PD 24-01013 (sic). This
10	application is out of order to be heard and is being continued
11	to the November 12, 2024 Zoning Hearing Master Hearing.
12	Item A.16, Rezoning PD 24-1040. This application is
13	out of order to be heard and is being continued to the
14	November 12, 2024 Zoning Hearing Master Hearing.
15	Item A.17, Rezoning Standard 24-1060. This
16	application is out of order to be heard and is being continued
17	to the November 12, 24 2024 Zoning Hearing Master Hearing.
18	Item A.18, Rezoning PD 24-1075 1075. This
19	application is out of order to be heard and is being continued
20	to the November 12, 2024 Zoning Hearing Master Hearing.
21	Item A.19, Rezoning Standard <mark>24-1142</mark> . This
22	application is out of order to be heard and is being continued
23	to the November 12, 2024 Zoning Hearing Master Hearing.
24	Item A.20, Rezoning Standard 24-1180. This
25	application is being continued by the applicant to the

## EXHIBITS SUBMITTED DURING THE ZHM HEARING

SIGN-IN SHEET: RFR, ZHM, PHM, LUHO DATE/TIME: 11/12/24 600 HEARING MASTER: SUSAN FINCH

PLEASE PRINT CLE	ARLY, THIS INFORMATION WILL BE USED FOR MAILING
APPLICATION #	NAME_Brill PINSON, HOUFF
24-0924	ADDRESS 1000 N ASHLEY DY SHE 900
24-0401	CITY TAMPA STATE FL ZIP33400 PHONE B13-620-4500
APPLICATION #	NAME BOIENT DAVIS
07	ADDRESS 10609 DIXON DR.
24.0924	CITY RIVERVIEW STATE FL ZIP 33579 PHONE 813 853-1467
APPLICATION #	NAME BYILL PINJON, HOUFF
RZ	ADDRESS 1000 N ASNLEY DY Ste 900
24-1204	CITY TAMPA STATE FL ZIP 33602 PHONE 813-420-4500
APPLICATION #	PLEASE PRINT Kami Corbett
R7	ADDRESS 101 9 Kennedy Blud Ste 3700
24-1206	CITY TAWNO STATE FL ZIP 33602 PHONE S13-38-542
APPLICATION #	PLEASE PRINT NAME Chris Crais
RZ	ADDRESS 1663 lightfoot RD
24-1206	CITY Windung STATE FL ZIP 33598 PHONE \$13-727-5403
APPLICATION #	PLEASE PRINT DOLLE Same
mm	ADDRESS POLOGY 191
MM 24-0368	CITY ALSON STATE FL ZIP 3353 PHONE 464+1264.

SIGN-IN SHEET: RFR, ZHM, PHM, LUHO PAGE 2 OF 3 DATE/TIME: 11/12/24 GPM HEARING MASTER: SUSCIA Finch

PLEASE PRINT CLEARLY, THIS INFORMATION WILL BE USED FOR MAILING NAME Michelle faltin 7413 South 78th Street **APPLICATION #** MW 24-0368 MAILING ADDRESS Wichelle jattin Chotmail Com. CITY River view STATE FL ZIP 33575 PHONE 8137245245. PLEASE PRINT **APPLICATION #** NAME Kom' Conth (MM) MAILING ADDRESS 161 Keinedy Ste 2700 04-067 CITY TOWNOD STATE TL ZIP 3402 PHONES 12 22181 PLEASE PRINT **APPLICATION #** OPD TMADEN NAME MAILING ADDRESS 8515 PALM 12NER MM 24-G677 \_\_STATE K\_ZIP 33419 PHONE 217641 CITY AMPA PLEASE PRINT **APPLICATION #** NAME TOdd Pressmar MAILING ADDRESS 200 2nd Ave South #45/ 24-1142 KOTE STATE EL ZIP 3 370/PHONE NAME have EMc Comas **APPLICATION #** MAILING ADDRESS 805010 Decky St CITY Seffner STATE FL ZIP 3358 PHONE 39 24-1142 NAME BYILL PINJON HOLF **APPLICATION #** MAILING ADDRESS 1000 N ASNULL Dr SH 900 4-6701 CITY TAMPA STATE PL ZIP 331002 PHONE B13-620-4500

SIGN-IN SHEET: RFR, ZHM, PHM, LUHO PAGE <u>3</u> OF <u>3</u> DATE/TIME: <u>1112 24 6 PM</u> HEARING MASTER: <u>Scasan Finch</u>

PLEASE <b>PRINT CLEARLY</b> , THIS INFORMATION WILL BE USED FOR MAILING			
<b>APPLICATION #</b>	PLEASE PRINT NAME MICHAEL YATES		
RZ	MAILING ADDRESS 4006 5 MACDILL AVE		
24-0707	CITY AMPA STATE FL ZIP 33611 PHONE 813 357 8341		
APPLICATION #	PLEASE PRINT NAME		
RZ	MAILING ADDRESS HOO A TAMPA ST ST. 190		
24-0707	CITY 11/1/21 STATE TH ZIP 3360 FHONE 543.5900		
APPLICATION #	PLEASE PRINT Charles DANIS		
RZ	MAILING ADDRESS 7607 S. Wall So,		
24-6780			
APPLICATION #	PLEASE PRINT NAME Anne Pollacic		
MM	MAILING ADDRESS 200 Central Ave #1600		
24-0933	CITY St Pek STATE FL ZIP 3370 PHONE 727-820-3989		
APPLICATION #	PLEASE PRINT NAME		
	MAILING ADDRESS		
	CITYSTATE ZIPPHONE		
APPLICATION #	PLEASE PRINT NAME		
	MAILING ADDRESS		
	CITYSTATEZIPPHONE		

#### **HEARING TYPE:**

#### ZHM, PHM, VRH, LUHO

**DATE:** 11/12/2024

#### **HEARING MASTER:**

Susan Finch

#### **PAGE:** 1 of 1

APPLICATION #	SUBMITTED BY	EXHIBITS SUBMITTED	HRG. MASTER YES OR NO
RZ 24-1204	Brice Pinson	1. Applicant Presentation Packet	No
RZ 24-1206	Kami Corbett	1. Applicant Presentation Packet/Thumb Drive	No
MM 24-0368	Todd Scime	1. Applicant Presentation Packet	No
MM 24-0677	Kami Corbett	1. Applicant Presentation Packet/Thumb Drive	No
RZ 24-1142	Grace McComas	1. Opposition Presentation Packet	No
RZ 24-0701	Rosa Timoteo	1. Revised Staff Report	No
RZ 24-0707	Michael Brooks	1. Applicant Presentation Packet	No
RZ 24-0780	Charles Davis	1. Applicant Presentation Packet	No

#### NOVEMBER 12, 2024 - ZONING HEARING MASTER

The Zoning Hearing Master (ZHM), Hillsborough County, Florida, met in Regular Meeting, scheduled for Tuesday, November 12, 2024, at 6:00 p.m., in the Boardroom, Frederick B. Karl County Center, Tampa, Florida, and held virtually.

Susan Finch, ZHM, called the meeting to order at 6:01 p.m. and led in the pledge of allegiance to the flag.

A. WITHDRAWALS AND CONTINUANCES

Michelle Heinrich, Development Services (DS), introduced staff and reviewed the nonpublished changes. Ms. Heinrich, DS, continued with the changes/withdrawals/continuances.

Susan Finch, ZHM, overview of ZHM process.

Assistant County Attorney Mary Dorman, overview of evidence/ZHM/BOCC Land Use agenda process.

Susan Finch, ZHM, Oath.

B. REMANDS - None.

C. REZONING STANDARD (RZ-STD):

C.1. RZ 24-1142

Michelle Heinrich, DS, called RZ 24-1142.

Continued to later in the hearing.

Testimony provided.

Susan Finch, ZHM, closed RZ 24-1142.

C.2. RZ 24-1204

Michelle Heinrich, DS, called RZ 24-1204.

Testimony provided.

Susan Finch, ZHM, closed RZ 24-1204.

C.3. RZ 24-1206

Michelle Heinrich, DS, called RZ 24-1206.

#### TUESDAY, NOVEMBER 12, 2024

Testimony provided. Susan Finch, ZHM, closed RZ 24-1206. REZONING-PLANNED DEVELOPMENT (RZ-PD) AND MAJOR MODIFICATION (MM): D. D.1. MM 24-0368 Michelle Heinrich, DS, called MM 24-0368. Testimony provided. Susan Finch, ZHM, closed MM 24-0368. D.2. MM 24-0677 Michelle Heinrich, DS, called MM 24-0677. Testimony provided. Susan Finch, ZHM, closed MM 24-0677. D.3. RZ 24-0701 Michelle Heinrich, DS, called RZ 24-0701. Testimony provided. Susan Finch, ZHM, closed RZ 24-0701. D.4. RZ 24-0707 Michelle Heinrich, DS, called RZ 24-0707. Testimony provided. Susan Finch, ZHM, closed RZ 24-0707. D.5. RZ 24-0780 Michelle Heinrich, DS, called RZ 24-0780. Testimony provided. Susan Finch, ZHM, closed RZ 24-780.

#### TUESDAY, NOVEMBER 12, 2024

D.6. RZ 24-0924

Michelle Heinrich, DS, called RZ 24-0924.

Testimony provided.

Susan Finch, ZHM, Granted the continuance for RZ 24-0924 to December 16, 2024.

D.7. MM 24-0933

Michelle Heinrich, DS, called MM 24-0933.

Testimony provided.

Susan Finch, ZHM, closed MM 24-0933.

E. ZHM SPECIAL USE - None.

ADJOURNMENT

Susan Finch, ZHM, adjourned the meeting at 8:42 p.m.

3

11/12/24, 4:19 PM

Subject:24-1142Date:11/12/2024 4:19:23 PM Eastern Standard TimeFrom:bestemor2@aol.comTo:bestemor2@aol.com

Application No. V Name: Grace Entered at Public Hearing: Date: 11 Exhibit #

1

Grace 805

As Mr Pressman knows I do not live in the immediate area. I am here, as one of the framers of the SM Community Plan, to support and protect our Plan This application is Not consistent with the comprehensive Plan Not compatible with the surrounding area not permitted in the rural area and Not the intent of the SM community plan. does not have frontage on Highway 92. and would exit onto Castlewood Road, not an arterial road. It also sets a dangerous precedent in this rural area.

The existing commercial to the south that Mr Pressman refers to, the motel and Self's mobile home park has existed since 1969, both were there long before the County zoning and code plans were established for the area., and are grandfathered in.

the newer commercial is on commercial property with frontage on Hwy 92 Not on property zoned residential

Our Goal 2, states within the rural service area residential developments shall reflect its rural future land use designation.

It also discourages commercial encroachment into the residential areas,

The Seffner Mango Community Plan directs commercial to the Commercial corridors in the Urban Service Areas, to the west of SR 579, Mango Road where commercial is encouraged.

In Goal 3 we recognize the commercial character of Hwy 92 and MLK Blvd WITHIN THE URBAN SERVICE AREAS.

We have a Comprehensive Plan and A Community Plan the goals and policies were set by the county for the future land use and the

11/11/24, 5:28 PM

Subject:	24-1142
Date:	11/11/2024 5:22:45 PM Eastern Standard Time
From:	bestemor2@aol.com
To:	bestemor2@aol.com

Staff finds the request is consistent and compatible with the existing and emerging zoning and development pattern along this northern portion of E. US Highway 92. The property'sfrontage is along the north side of US 92 Hwy. To the south, the parcel abutting subject parcel whose frontage is also along US 92 Hwy iszoned CG. The proposed CG-R zoning will be at the same distance/depth from the intersectionas the CI-R district to the east across Castlewood Road and is, therefore, a continuation of the existing commercial development pattern along this portion of E. US Highway 92 and a compatible infill development. 5.2 Recommendation Based on the above considerations, staff finds the request approvable

# PARTY OF RECORD



## Additional / Revised Information Sheet

**Office Use Only** 

Application Numbe	er:24-1142	Received Date:	Red	ceived By:
The following form is required when submitted changes for any application that was previously submitted. A cover letter must be submitted providing a summary of the changes and/or additional information provided. If there is a change in project size the cover letter must list any new folio number(s) added. Additionally, <b>the second page of this form</b> <u>must</u> <b>be included indicating the additional/revised documents being submitted with this form</b> .				
Application Number:	24-1142	Applicant's Name:	winter/Pre	ssman
Reviewing Planner's N	Isis Brown Name:		[	10.31.24 Date:
Application Type:	nent (PD) 🔲 Minor Modific	ation/Personal Appear	ance (PRS) 🛓	Standard Rezoning (RZ)
Variance (VAR)	Development	of Regional Impact (DR	I) 🗖	Major Modification (MM)
Special Use (SU)	Conditional Us	se (CU)		Other
Current Hearing Date	(if applicable): 10/15/24			
<b>Important Project Size Change Information</b> Changes to project size may result in a new hearing date as all reviews will be subject to the established cut-off dates.				
Will this revision add land to the project? If "Yes" is checked on the above please ensure you include all items marked with * on the last page.				
Will this revision remove land from the project? I Yes No If "Yes" is checked on the above please ensure you include all items marked with <sup>+</sup> on the last page.				
Email this form along with all submittal items indicated on the next page in pdf form to: ZoningIntake-DSD@hcflgov.net				
Files must be in pdf format and minimum resolution of 300 dpi. Each item should be submitted as a separate file titled according to its contents. All items should be submitted in one email with application number (including prefix) included on the subject line. Maximum attachment(s) size is 15 MB.				
For additional help and submittal questions, please call (813) 277-1633 or email ZoningIntake-DSD@hcflgov.net.				
I certify that changes described above are the only changes that have been made to the submission. Any further changes will require an additional submission and certification.				
			10	1004

Signature

10.2.24

Date

1 of 3



### Identification of Sensitive/Protected Information and Acknowledgement of Public Records

Pursuant to <u>Chapter 119 Florida Statutes</u>, all information submitted to Development Services is considered public record and open to inspection by the public. Certain information may be considered sensitive or protected information which may be excluded from this provision. Sensitive/protected information may include, but is not limited to, documents such as medical records, income tax returns, death certificates, bank statements, and documents containing social security numbers.

While all efforts will be taken to ensure the security of protected information, certain specified information, such as addresses of exempt parcels, may need to be disclosed as part of the public hearing process for select applications. If your application requires a public hearing and contains sensitive/protected information, please contact <u>Hillsborough County</u> <u>Development Services</u> to determine what information will need to be disclosed as part of the public hearing process.

Additionally, parcels exempt under <u>Florida Statutes §119.071(4)</u> will need to contact <u>Hillsborough County Development</u> <u>Services</u> to obtain a release of exempt parcel information.

Are you seeking an exemption from public disclosure of selected information submitted with your application pursuant to Chapter 119 FS? Yes No

I hereby cor	firm that the material submitted with application	24-1142
	Includes sensitive and/or protected information.	
	Type of information included and location	

Does not include sensitive and/or protected information.

Please note: Sensitive/protected information will not be accepted/requested unless it is required for the processing of the application.

If an exemption is being sought, the request will be reviewed to determine if the applicant can be processed with the data being held from public view. Also, by signing this form I acknowledge that any and all information in the submittal will become public information if not required by law to be protected.

Signature:

 $\mathbf{X}$ 

(Must be signed by applicant or authorized representative)

1 John

Intake Staff Signature:

Date: 10.31.24



## Additional / Revised Information Sheet

Please indicate below which revised/additional items are being submitted with this form.

Inc	cluded	Submittal Item
1		Cover Letter*+ If adding or removing land from the project site, the final list of folios must be included
2		Revised Application Form*+
3		Copy of Current Deed* Must be provided for any new folio(s) being added
4		Affidavit to Authorize Agent* (If Applicable) Must be provided for any new folio(s) being added
5		Sunbiz Form* (If Applicable) Must be provided for any new folio(s) being added
6		Property Information Sheet*+
7		Legal Description of the Subject Site*+
8		Close Proximity Property Owners List*+
9		<b>Site Plan*+</b> All changes on the site plan must be listed in detail in the Cover Letter.
10		Survey
11		Wet Zone Survey
12		General Development Plan
13		Project Description/Written Statement
14		Design Exception and Administrative Variance requests/approvals
15		Variance Criteria Response
16		Copy of Code Enforcement or Building Violation
17		Transportation Analysis
18		Sign-off form
19		Other Documents (please describe):
		abutting neighbor on North and West support

\*Revised documents required when adding land to the project site. Other revised documents may be requested by the planner reviewing the application.

\*Required documents required when removing land from the project site. Other revised documents may be requested by the planner reviewing the application.

#### To the Hillsborough County Commission:

RE: County Re-Zoning File # RZ-STD 24-1142

Please accept this communication as a statement of no opposition for a contractor's business & storage under a proposed Commercial General zoning category being located abutting South of my property, the subject property being located at 4310 Castlewood Road, Seffner, Florida.

Thank you.

mf Property Owner

4436 CASTLEWOOD SERFNER DR

Address

10-36-31

Date

#### To the Hillsborough County Commission:

RE: County Re-Zoning File # RZ-STD 24-1142

Please accept this communication as a statement of no opposition for a contractor's business & storage under a proposed Commercial General zoning category being located abutting Wset of my property, the subject property being located at 4310 Castlewood Road, Seffner, Florida.

Thank you.

ELECTRIC COMPANY

Property Owner

TOZ N. FRANKLIN ST Address 33602 TAMPA, FLORIDA

Date OCTOBER 31, 2024 mans REAL ESTATE



Joe Romano Jr. Director Real Estate Services Peoples Gas System SeaCoast Gas Transmission Tampa Electric Company

702 N. Franklin Street Tampa, FL 33602 www.tampaelectric.com

P: 813-228-1649 C: 813-917-8933 F: 813-228-1376 jnromano@tecoenergy.com