# Rezoning Application: RZ STD 24-1204

11/12/2024

01/07/2025

Zoning Hearing Master Date:

BOCC Land Use Meeting Date:

Hillsborough County Florida

**Development Services Department** 

#### **1.0 APPLICATION SUMMARY**

| Applicant:           | Big Cat Rescue Corp                |
|----------------------|------------------------------------|
| FLU Category:        | R-1                                |
| Service Area:        | Rural                              |
| Site Acreage:        | 1.22 acres +/-                     |
| Community Plan Area: | Keystone-Odessa                    |
| Overlay:             | Keystone-Odessa Rural Development  |
| Request:             | Rezone from AS-1 and ASC-1 to AS-1 |



#### Introduction Summary:

The applicant is requesting to rezone two properties which are currently split zoned ASC-1 (Agricultural, Single Family Conventional) and AS-1 (Agricultural, Single Family) to completely AS-1 to allow for mobile home use. Both parcels are legal lots of record (NCL 06-1748/06-1747) and non-conforming in lot size for the AS-1 and ASC-1 zoning district, which require at least an acre in size. The applicant proposes to combine the lots after the rezoning, but due to their non-conforming lot status, the parcels can remain separate AS-1 zoned lots after the rezoning despite their lot size.

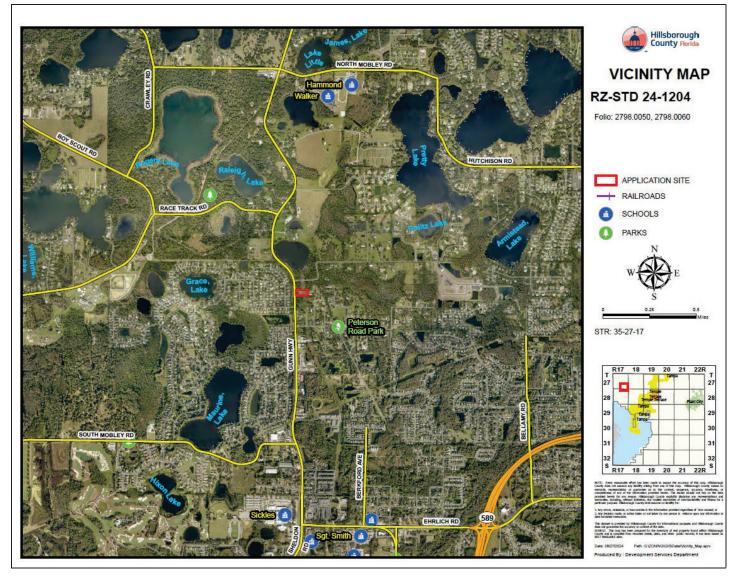
| Zoning:                | Exis                        | Proposed                   |                                  |  |
|------------------------|-----------------------------|----------------------------|----------------------------------|--|
| District(s)            | ASC-1 AS-1                  |                            | AS-1                             |  |
|                        | Agricultural/Single-Family  | Agricultural/Single-Family | Agricultural/Single-Family       |  |
| Typical General Use(s) | Residential (Conventional   | Residential (Conventional  | Residential (Conventional and    |  |
|                        | Only)                       | and Mobile Homes)          | Mobile Homes)                    |  |
| Acreage                | 0.79 +/-                    | 0.43 +/-                   | 1.22 +/-                         |  |
| Density/Intensity      | 1 dwelling unit per acre or | 1 dwelling unit per acre   | 1 dwelling unit per acre or 0.25 |  |
| Density/intensity      | 0.25 FAR                    | or 0.25 FAR                | FAR                              |  |
| Mathematical           | 1 dwelling unit             | 1 dwelling unit            | 1 dwelling unit                  |  |
| Maximum*               |                             |                            |                                  |  |

\*number represents a pre-development approximation

| Development<br>Standards:              |                                    | Existing                                    | Proposed   |  |
|--|------------------------------------|---|--|--|
| District(s)                            | ASC-1                              | AS-1  | AS-1   |  |
| Lot Size / Lot Width                   | 1 acre / 150'                      | 1 acre / 150'                               | 1 acre / 150'  |  |
| Setbacks/Buffering<br>and Screening    | 50' Front<br>15' Sides<br>50' Rear | 50' Front<br>15' Sides<br>50' Rear          | 50' Front<br>15' Sides<br>50' Rear<br>Setbacks are applicable if the lots<br>remain separate or if combined. |  |
| Height                                 | 50'                                | 50'   | 50′  |  |
| Additional Information:                |                                    |   |  |  |
| PD Variation(s)                        |                                    | None requested as part of this application. |  |  |
| Waiver(s) to the Land Development Code |                                    | None requested as part of this application. |  |  |

| Planning Commission Recommendation: | Development Services Recommendation: |
|-------------------------------------|--------------------------------------|
| Consistent                          | Approvable                           |

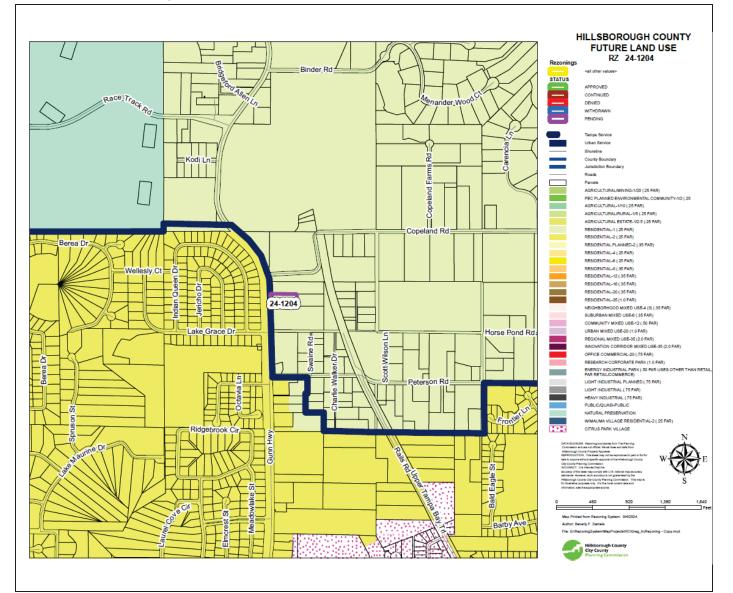
#### 2.1 Vicinity Map



#### **Context of Surrounding Area:**

The subject site is located within the boundaries of the Keystone-Odessa Community Plan Area in the Rural Service Area along Gunn Hwy. The surrounding area consists of mixed uses, including agricultural properties, single-family residential subdivisions, and neighborhood commercial uses along Gunn Hwy.

#### 2.2 Future Land Use Map



| Future Land Use Category: | Residential-1 (R-1)  |
|---------------------------|--|
| Maximum Density/F.A.R.:   | 1 DU / GA or 0.25 FAR  |
| Typical Uses:             | Farms, ranches, residential, rural commercial, offices, multi-purpose. |

#### 2.3 Immediate Area Map



|           | Adjacent Zonings and Uses |   |  |   |
|-----------|---------------------------|---|--|---|
| Location: | Zoning:                   | Maximum<br>Density/F.A.R.<br>Permitted by Zoning<br>District: | Allowable Use:                             | Existing Use:                               |
| North     | ASC-1, AS-1               | 1 DU / GA   | Agricultural, Single-Family<br>Residential | Single-Family Residential<br>(Mobile Home)  |
| South     | ASC-1, AS-1               | 1 DU / GA   | Agricultural, Single-Family<br>Residential | Vacant                                      |
| East      | AS-1                      | 1 DU / GA   | Agricultural, Single-Family<br>Residential | Single-Family Residential<br>(Conventional) |
| West      | PD 83-0196                | 2 DU / GA   | Single-Family Residential                  | Single-Family Residential<br>(Conventional) |

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

N/A

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

| Adjoining Roadways (check if applicable) |                            |  |  |
|--|----------------------------|--|--|
| Road Name                                | Classification             | Current Conditions                                     | Select Future Improvements   |
| Gunn Hwy                                 | County Arterial -<br>Rural | 2 Lanes<br>⊠ Substandard Road<br>□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   | 18                         | 1                    | 1                    |
| Proposed   | 18                         | 1                    | 1                    |
| Difference (+/-)   | +0                         | +0                   | +0                   |

\*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<br>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:  | 1              |                                   |                 | ł               |

| 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

|   |   | 113 SOIVIIVIART  |                         |  |
|---|---|--|-------------------------|--|
| INFORMATION/REVIEWING AGENCY  |   |  |                         |  |
| Environmental:  | Comments<br>Received  | Objections   | Conditions<br>Requested | Additional<br>Information/Comments     |
| Environmental Protection Commission   | ⊠ Yes<br>□ No   | □ Yes<br>⊠ No  | ⊠ Yes<br>□ No           | Wetlands present. See agency comments. |
| Natural Resources   | □ Yes<br>⊠ No   | □ Yes<br>□ No  | □ Yes<br>□ No           |  |
| Conservation & Environ. Lands Mgmt.   | ⊠ Yes<br>□ No   | □ Yes<br>⊠ No  | □ Yes<br>⊠ No           |  |
| <ul> <li>Check if Applicable:</li> <li>Wetlands/Other Surface Waters</li> <li>Use of Environmentally Sensitive Land</li> <li>Credit</li> <li>Wellhead Protection Area</li> <li>Surface Water Resource Protection Area</li> </ul>  | <ul> <li>□ Significan</li> <li>□ Coastal H</li> <li>⊠ Urban/Su</li> <li>□ Adjacent</li> </ul> | Vater Wellfield Pro<br>t Wildlife Habitat<br>igh Hazard Area<br>burban/Rural Scer<br>to ELAPP property | ic Corridor             |  |
| Public Facilities:  | Comments<br>Received  | Objections   | Conditions<br>Requested | Additional<br>Information/Comments     |
| Transportation         □ Design Exc./Adm. Variance Requested         □ Off-site Improvements Provided         ⊠ N/A   | ⊠ Yes<br>□ No   | □ Yes<br>⊠ No<br>□ N/A   | □ Yes<br>□ No<br>⊠ N/A  | See agency comments.                   |
| Service Area/ Water & Wastewater  | ⊠ Yes<br>□ No   | □ Yes<br>⊠ No  | □ Yes<br>⊠ No           |  |
| Hillsborough County School BoardAdequate□ K-5□6-8□9-12⊠ N/AInadequate□ K-5□6-8□9-12⊠ N/A  | □ Yes<br>□ No   | □ Yes<br>□ No  | □ Yes<br>□ No           |  |
| Impact/Mobility Fees  |   |  |                         |  |
| Comprehensive Plan:   | Comments<br>Received  | Findings   | Conditions<br>Requested | Additional<br>Information/Comments     |
| Planning Commission         Image: Description of the second structure         Image: Description of the second str | ⊠ Yes<br>□ No   | □ Inconsistent<br>⊠ Consistent   | □ Yes<br>⊠ No           |  |

#### **5.0 IMPLEMENTATION RECOMMENDATIONS**

#### 5.1 Compatibility

The applicant is requesting to rezone property which is currently split zoned AS-1 and ASC-1 to completely AS-1 to permit a mobile home residence. ASC-1 prohibits mobile home residences, whereas they are a permitted use in AS-1. All other land development standards are the equivalent between the zoning districts. After the rezoning the applicant plans to combine the two parcels to place the home on the combined acreage, which will be subject to compliance with the Land Development Code's subdivision standards. If not, the parcels would be permitted to remain separate AS-1 zoned lots due to their certified non-conforming lot status. The parcels are currently vacant.

The surrounding area is a rural and suburban community in Odessa in the Rural Service Area. Planned Development districts permitting single-family residences with an average density of 2 units per acre occupy to the west along Gunn Hwy. The subject property sits on the east side of Gunn Hwy and is surrounded by agriculturally zoned properties. To the direct north is a parcel zoned ASC-1 and AS-1 currently occupied by a mobile home. To the east is a AS-1 parcel occupied by a single-family conventional residence. To the south is a 4.6-acre vacant plot of land zoned ASC-1 and AS-1. To the greater east and south are dozens of properties zoned AS-1 with many occupied by mobile homes.

Due to these considerations, the AS-1 district and the mobile home dwelling type are compatible with the uses, zoning districts, and development pattern of the surrounding area. The proposal should have little to no effect on the character of the surrounding area.

#### **5.2 Recommendation**

Staff finds the rezoning request **approvable**.

| Zoning Administrator Sign Off:   | J. Brian Grady  |
|--|---|
| SITE, SUBDIVISION AND BUILDING CONSTRUCTI<br>& BUILDING REVIEW AND APPROVAL. | ON IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN |

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

# 7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

Not applicable.

# 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 DepartmentDATE: 10/31/2<br/>Revised: 11/04REVIEWER: Sarah Rose, Senior PlannerAGENCY/DEIPLANNING AREA/SECTOR: NW/Keystone OdessaPETITION NC

DATE: 10/31/2024 *Revised: 11/04/2024* AGENCY/DEPT: Transportation PETITION NO: RZ 24-1204

This agency has no comments.

This agency has no objection.

Х

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 two parcels totaling +/- 1.22 acres from Agricultural Single Family Conventional (ASC-1) and Agricultural Single Family (AS-1) to Agricultural Single Family Conventional (ASC-1) Agricultural Single Family (AS-1) with a Mobile Home Overlay (MH). Each parcel is currently zoned for +/- .23 acre of Agricultural Single Family (AS-1) and +/- .38 acre of Agricultural Single Family Conventional (ASC-1). The site is located +/- 260 feet south of the intersection of Copeland Road and Gunn Hwy. 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.

For the purpose of this analysis, it is assumed that that worst case scenario is one dwelling unit per lot as per the requirements outlined in section 6.01.03.D of the Land Development Code.

| Approved Uses:   |              |                          |    |
|--|--------------|--------------------------|----|
| Zoning, Land Use/Size  | 24 Hour Two- | Total Peak<br>Hour Trips |    |
|  | Way Volume   | AM                       | PM |
| AS-1 & ASC-1, Single Family Detached<br>(ITE Code 210) 2 Units | 18           | 1                        | 1  |

Proposed Uses:

| Zoning, Land Use/Size  | 24 Hour Two- | Total Peak<br>Hour Trips |    |
|--|--------------|--------------------------|----|
|  | Way Volume   | AM                       | PM |
| ASC 1 AS-1 (MH), Single Family Detached<br>(ITE Code 210) 2 Unit | 18           | 1                        | 1  |

Trip Generation Difference:

| Zoning, Land Use/Size | 24 Hour Two-<br>Way Volume | Total Peak<br>Hour Trips |    |
|-----------------------|----------------------------|--------------------------|----|
|                       |                            | AM                       | PM |
| Difference            | +0                         | +0                       | +0 |

# TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on Gunn Hwy. Gunn Hwy is a substandard 2-lane, undivided, County maintained, Rural Arterial roadway. The roadway is characterized by +/- 12 ft wide travel lanes, no bike lanes or sidewalks on either side of the roadway in the vicinity of the proposed project, within +/- 130 ft of the right of way.

# SITE ACCESS

It is anticipated that the site will take access to Gunn Hwy.

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**

The roadway level of service provided for Gunn Hwy is for information purposes only.

| FDOT Generalized Level of Service |                 |               |                 |                                   |
|-----------------------------------|-----------------|---------------|-----------------|-----------------------------------|
| Roadway                           | From            | То            | LOS<br>Standard | Peak<br>Hr.<br>Directional<br>LOS |
| Gunn Hwy                          | Van Dyke<br>Rd. | S. Mobley Rd. | D               | F                                 |

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

# COUNTY OF HILLSBOROUGH

# RECOMMENDATION OF THE LAND USE HEARING OFFICER

| APPLICATION NUMBER:       | RZ STD 24-1204   |
|---------------------------|--|
| DATE OF HEARING:          | November 12, 2024  |
| APPLICANT:                | Big Cat Rescue Corp.   |
| PETITION REQUEST:         | The request is to rezone a parcel of land from AS-1 and ASC-1 to AS-1      |
| LOCATION:                 | 300 feet south of the<br>intersection of Copeland<br>Road and Gunn Highway |
| SIZE OF PROPERTY:         | 1.22 acres m.o.l.  |
| EXISTING ZONING DISTRICT: | AS-1 and ASC-1   |
| FUTURE LAND USE CATEGORY: | RES-1  |
| SERVICE AREA:             | Rural  |

# 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: Big Cat Rescue Corp FLU Category: R-1 Service Area: Rural Site Acreage: 1.22 acres +/-Community Plan Area: Keystone-Odessa Overlay: Keystone-Odessa Rural Development Request: Rezone from AS-1 and ASC-1 to AS-

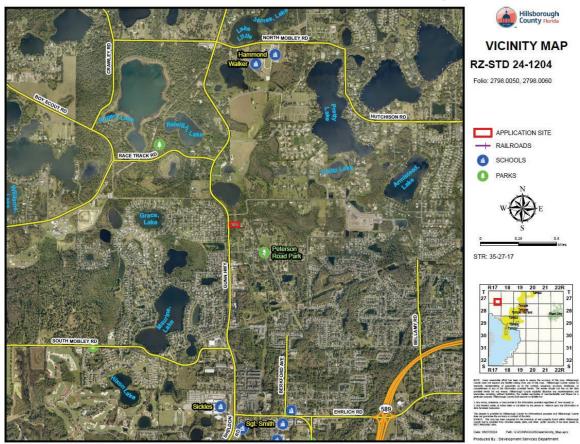


Introduction Summary:

The applicant is requesting to rezone two properties which are currently split zoned ASC-1 (Agricultural, Single Family Conventional) and AS-1 (Agricultural, Single Family) to completely AS-1 to allow for mobile home use. Both parcels are legal lots of record (NCL 06-1748/06-1747) and non-conforming in lot size for the AS-1 and ASC-1 zoning district, which require at least an acre in size. The applicant proposes to combine the lots after the rezoning, but due to their nonconforming lot status, the parcels can remain separate AS-1 zoned lots after the rezoning despite their lot size.

# Planning Commission Recommendation: Consistent

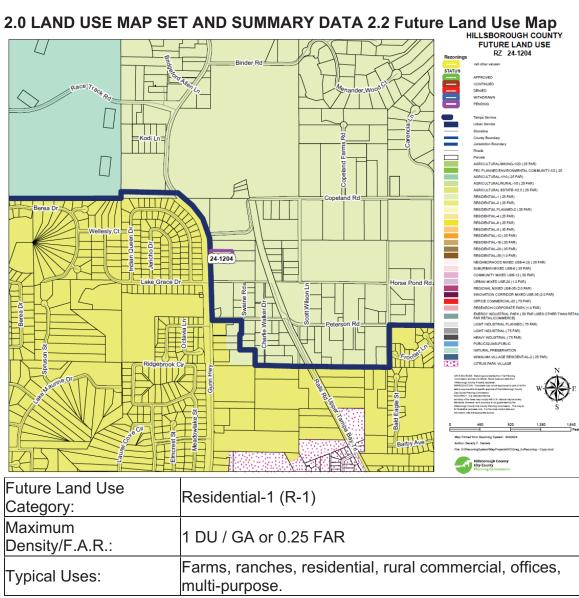
# Development Services Recommendation: Approvable



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

# **Context of Surrounding Area:**

The subject site is located within the boundaries of the Keystone-Odessa Community Plan Area in the Rural Service Area along Gunn Hwy. The surrounding area consists of mixed uses, including agricultural properties, singlefamily residential subdivisions, and neighborhood commercial uses along Gunn Hwy.



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)
N/A

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

| Adjoining Roadways (check if applicable) |                            |  |   |  |  |
|--|----------------------------|--|---|--|--|
| Road Name                                | Classification             | Current Conditions                                     | Select Future Improvements  |  |  |
| Gunn Hwy                                 | County Arterial -<br>Rural | 2 Lanes<br>⊠ Substandard Road<br>□Sufficient ROW Width | Corridor Preservation Plan Site Access Improvements Substandard Road Improvements Other (TBD) |  |  |

| Project Trip Generation  Not applicable for this request |                            |                      |                      |  |  |
|--|----------------------------|----------------------|----------------------|--|--|
|  | Average Annual Daily Trips | A.M. Peak Hour Trips | P.M. Peak Hour Trips |  |  |
| Existing   | 18                         | 1                    | 1                    |  |  |
| Proposed   | 18                         | 1                    | 1                    |  |  |
| Difference (+/-)   | +0                         | +0                   | +0                   |  |  |

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

| Connectivity and Cros | s Access 🖾 Not ap | plicable for this request         |                 |                 |
|-----------------------|-------------------|-----------------------------------|-----------------|-----------------|
| Project Boundary      | Primary Access    | Additional<br>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:                | -                 | ł                                 | •               |                 |

| Design Exception/Administrative Variance 🛛 Not applicable for this request |                 |                 |  |
|--|-----------------|-----------------|--|
| Road Name/Nature of Request  | Туре            | Finding         |  |
|  | Choose an item. | Choose an item. |  |
|  | Choose an item. | Choose an item. |  |
| Notes:   | •               | •               |  |

# 4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY INFORMATION/REVIEWING AGENCY

| Environmentel  | Comments | Objections | Conditions | Additional                         |
|----------------|----------|------------|------------|------------------------------------|
| Environmental: | Received | Objections | Requested  | Additional<br>Information/Comments |

Environmental Protection Commission Natural Resources Conservation & Environ. Lands Mgmt. □ Yes ⊠ No

Check if Applicable:

⊠ Wetlands/Other Surface Waters

□ Use of Environmentally Sensitive Land Credit

⊠ Wellhead Protection Area

□ Surface Water Resource Protection Area

□ Potable Water Wellfield Protection Area □ Significant Wildlife Habitat

□ Coastal High Hazard Area

☑ Urban/Suburban/Rural Scenic Corridor □ Adjacent to ELAPP property

| □ Other  |                      |                                      |                         |                                    |
|--|----------------------|--------------------------------------|-------------------------|------------------------------------|
| Public Facilities:   | Comments<br>Received | Objections                           | Conditions<br>Requested | Additional<br>Information/Comments |
| Transportation<br>☐ Design<br>Exc./Adm.<br>Variance<br>Requested □ Off-<br>site Improvements<br>Provided<br>⊠ N/A                                  |                      | □ Yes ⊠No<br>□ N/A                   | □ Yes □No<br>⊠ N/A      | See agency comments.               |
| Service Area/<br>Water &<br>□Urban □City of<br>Tampa<br>⊠Rural □ City of<br>Temple Terrace   | ⊠ Yes<br>⊡No         | □ Yes ⊠No                            | □ Yes ⊠No               |                                    |
| Hillsborough<br>County School<br>Board<br>Adequate □ K-5<br>□6-8 □9-12<br>⊠N/A Inadequate<br>□ K-5 □6-8 □9-<br>12 ⊠N/A                             | □ Yes □<br>No        | □ Yes □<br>No                        | □ Yes □<br>No           |                                    |
| Impact/Mobility Fo   | ees                  |                                      | <b>•</b> ••••           |                                    |
| Comprehensive<br>Plan:   | Comments<br>Received | Findings                             | Conditions<br>Requested | Additional<br>Information/Comments |
| Planning<br>Commission<br>□ Meets<br>Locational Criteria<br>□N/A □<br>Locational Criteria<br>Waiver Requested<br>□ Minimum<br>Density Met □<br>N/A | No                   | □<br>Inconsistent<br>⊠<br>Consistent | □ Yes ⊠No               |                                    |

# **5.0 IMPLEMENTATION RECOMMENDATIONS**

# 5.1 Compatibility

The applicant is requesting to rezone property which is currently split zoned AS-1 and ASC-1 to completely AS-1 to permit a mobile home residence. ASC-1 prohibits mobile home residences, whereas they are a permitted use in AS-1. All other land development standards are the equivalent between the zoning districts. After the rezoning the applicant plans to combine the two parcels to place the home on the combined acreage, which will be subject to compliance with the Land Development Code's subdivision standards. If not, the parcels would be permitted to remain separate AS-1 zoned lots due to their certified non-conforming lot status. The parcels are currently vacant.

The surrounding area is a rural and suburban community in Odessa in the Rural Service Area. Planned Development districts permitting single-family residences with an average density of 2 units per acre occupy to the west along Gunn Hwy. The subject property sits on the east side of Gunn Hwy and is surrounded by agriculturally zoned properties. To the direct north is a parcel zoned ASC-1 and AS-1 currently occupied by a mobile home. To the east is a AS-1 parcel occupied by a single-family conventional residence. To the south is a 4.6-acre vacant plot of land zoned ASC-1 and AS- 1. To the greater east and south are dozens of properties zoned ASC-1 with many occupied by mobile homes.

Due to these considerations, the AS-1 district and the mobile home dwelling type are compatible with the uses, zoning districts, and development pattern of the surrounding area. The proposal should have little to no effect on the character of the surrounding area.

# 5.2 Recommendation

Staff finds the rezoning request **approvable**.

# 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.

Ms. Brice Pinson 1000 North Ashley Drive testified on behalf of the applicant. Ms. Pinson stated that the property is located off Gunn Highway in Odessa and is comprised of two parcels that are both legal, non-conforming lots. She detailed the surrounding land uses and stated that the request is to rezone the property to AS-1 to permit mobile home units. Ms. Pinson testified that the two lets were determined to be legally non-conforming in 2006. The planning staffs both found the request consistent and approvable.

Hearing Master Finch asked Ms. Pinson about a comment in the staff report that states that the applicant proposes to combine the lots after the rezoning and if that was true. Ms. Pinson replied that it will depend as there is a large wetland to the south that may restrict what can be developed on the southern lot. She

added that currently, property owner proposes to put one mobile home across the two parcels and because of the wetland, may have to combine the parcels as the dwelling unit would go across parcel lines.

Hearing Master Finch asked Ms. Pinson if the goal of the rezoning was to have one mobile home. Ms. Pinson replied yes.

Ms. Michelle Montalbano, Development Services staff, testified regarding the County's staff report. Ms. Montalbano stated that the applicant is requesting a rezoning from AS-1 and ASC-1 to AS-1 to allow a mobile home housing type. She stated that the property is zoned AS-1 and ASC-1 and that the two lots have been determined to be legal lots of record in 2006 with vested rights to develop the current lots with their current lot size of approximately 1.6 acres each. She described the surrounding land uses and stated that the rezoning serves to allow a mobile home. Ms. Montalbano concluded her presentation by stating that staff finds the request approvable.

Hearing Master Finch asked Ms. Montalbano about letter in opposition in the County's file which state that the subject property is located in the Wellhead Protection Area and if the acreage and upland acreage can be met for the one mobile home. Ms. Montalbano replied that because of the non-conforming status, the lots are vested for the use of septic tanks.

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 Keystone Odessa Community Planning Area. She described the request and cited numerous policies that support the rezoning and testified that staff found the proposed rezoning consistent with the Future of Hillsborough Comprehensive Plan.

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

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

County staff and Ms. Pinson did not have additional comments.

The hearing was then concluded.

# **EVIDENCE SUBMITTED**

Ms. Pinson submitted information regarding the two lots and their nonconforming legal lots of record 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 comprised of two lots which total 1.22 acres in size and is currently Agricultural Single Family Conventional-1 (ASC-1) and Agricultural Single-Family-1 (AS-1) and is designated Residential-1 (RES-1) by the Comprehensive Plan. The property is located within the Rural Service Area and the Keystone Odessa Community Planning Area.
- 2. The applicant is requesting a rezoning to the Agricultural Single-Family-1 (AS-1) zoning district to permit mobile homes.
- 3. Development Services Department staff testified that the two lots were determined to be legal lots of record and legally non-conforming in terms of lot size (NCL 06-1748 and NCL 06-1747).
- 4. The Planning Commission staff supports the rezoning request and found that the request is consistent with numerous policies in the Comprehensive Plan and compatible with the existing development pattern. The Planning Commission found the application to be consistent with the Keystone Odessa Community Plan and the Comprehensive Plan.
- 5. The surrounding area is zoned ASC-1, AS-1 and PD and developed with mobile home and single-family residential land uses.
- 6. The applicant's representative testified that the property owner may combine the lots into one lot for the development of one mobile home.
- 7. The proposed rezoning to AS-1 is compatible with the development pattern. 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 AS-1 zoning district. The property is comprised of two lots which total 1.22 acres in size and are currently zoned ASC-1 and AS-1 designated RES-1 by the Comprehensive Plan. The parcel is located within the Rural Service Area and the Keystone Odessa Community Planning Area.

The Planning Commission staff supports the rezoning request and found it to be with numerous Comprehensive Plan policies and the Comprehensive Plan.

Development Services Department staff testified that the two lots were determined to be legal lots of record and legally non-conforming in terms of lot size (NCL 06-1748 and NCL 06-1747).

The applicant's representative testified that the property owner may combine the lots into one lot for the development of one mobile home.

The proposed rezoning to AS-1 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 AS-1 rezoning request as indicated by the Findings of Fact and Conclusions of Law stated above.

Sum M. Fine

Susan M. Finch, AICP Land Use Hearing Officer

December 5, 2024

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                                | Case Number: RZ 24-1204  |  |  |
| Report Prepared: October 31, 2024                              | Folio(s): 2798.0050, 2798.0060   |  |  |
|  | <b>General Location</b> : East of Gunn Highway, north of Peterson Road and south of Copeland Road    |  |  |
| Comprehensive Plan Finding                                     | CONSISTENT   |  |  |
| Adopted Future Land Use  | Residential-1 (1 du/ga; 0.25 FAR)  |  |  |
| Service Area   | Rural  |  |  |
| Community Plan(s)  | Keystone-Odessa  |  |  |
| Rezoning Request   | Rezone from ASC-1 and AS-1 to AS-1 to allow for the development of a mobile home                     |  |  |
| Parcel Size  | +/- 1.22 acres   |  |  |
| Street Functional Classification                               | Gun Highway – <b>County Arterial</b><br>Peterson Road – <b>Local</b><br>Copeland Road – <b>Local</b> |  |  |
| Commercial Locational Criteria                                 | N/A  |  |  |
| Evacuation Area  | None   |  |  |

| Table 1: COMPARISON OF SURROUNDING PROPERTIES |                                |              |                                |  |  |  |
|---|--------------------------------|--------------|--------------------------------|--|--|--|
| Vicinity                                      | Future Land Use<br>Designation | Zoning       | Existing Land Use              |  |  |  |
| Subject<br>Property                           | Residential-1                  | ASC-1 + AS-1 | Vacant                         |  |  |  |
| North   | Residential-1                  | ASC-1 + AS-1 | Single Family / Mobile<br>Home |  |  |  |
| South   | Residential-1                  | ASC-1 + AS-1 | Vacant                         |  |  |  |
| East  | Residential-1                  | AS-1         | Single Family / Mobile<br>Home |  |  |  |
| West  | Residential-2                  | PD           | Single Family / Mobile<br>Home |  |  |  |

# **Staff Analysis of Goals, Objectives and Policies:**

The 1.22 ± acre subject site is located east of Gunn Highway, north of Peterson Road and south of Copeland Road. The site is located within the Rural Area and is located within the Keystone Odessa Community Plan. The applicant is requesting to rezone the subject property from Agricultural Single Family Conventional (ASC-1) and Agricultural Single Family (AS-1) to AS-1 to allow for the development of a single mobile home.

According to Objective 4 of the Future Land Use Element of the Comprehensive Plan (FLUE) 20% of the growth in the region will occur in the Rural Area. Per Policy 4.1, densities in the rural areas shall be no higher than 1 du/5 ga unless identified on the Future Land Use as a suburban enclave, planned village, PEC ½ or rural community with higher densities. Per Policy 4.2, rural communities with higher densities such as suburban enclaves or the Planned Village areas of Residential Planned-2 (RP-2) and Wimauma Village Residential-2 (WVR-2). The current Future Land Use category is Residential-1 which would designate the site as a suburban enclave at a 1 du/ga density on the Future Land Use Map and would be consistent with the intent of the Rural Area policies. Additionally, the applicant will be utilizing private wells and septic tanks and therefore is consistent with Objective 4.3 and its policies which limit public potable water and wastewater lines from being extended into the Rural Area.

FLUE Objective 7, FLUE Objective 8 and each of their respective policies establish the Future Land Use Map (FLUM) as well as the allowable range of uses for each Future Land Use category. 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 set 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 within the land use designation. Appendix A contains a description of the character and intent permitted in each of the Future Land use categories. The site has a Future Land Use designation of Residential-1 (RES-1), which allows for consideration of up to 1.0 dwelling units per gross acre and a maximum Floor Area Ratio (FAR) of 0.25. The RES-1 Future Land Use is intended to designate areas that are suitable for 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. As the language states above, residential is allowed, therefore; it meets the intent of FLUE Objective 7, FLUE Objective 8 and each of their respective policies.

The Comprehensive Plan requires that all developments meet or exceed the land development regulations in Hillsborough County (FLUE Objective 9, FLUE Policy 9.1 and FLUE Policy 9.2). Transporation had no objections to the proposed rezoning; therefore, it is consistent with FLUE Objective 9, FLUE Policy 9.1 and FLUE Policy 9.2.

The proposed rezoning meets the intent of the Neighborhood Protection Policies of FLUE Objective 16 and its accompanying Policies 16.1, 16.2, 16.3, 16.8, and 16.10 The development pattern of the surrounding area shows several residential units. The proposed rezoning would reflect a development pattern that is consistent with the character pattern of the surrounding area. The subject currently has vacant land use. Additional residential uses exist directly north, west and east of the subject site. Vacant properties are located south of the subject site. The Community Design Component (CDC) in the Future Land Use Element provides guidance on residential developments. Goal 8 encourages the preservation of existing suburban uses as viable residential alternatives to urban and rural areas. Goal 12 and Objective 12-1 seek to facilitate patterns of development that are both compatible and related to the predominate character of their surroundings. A rezoning to allow the development of a duplex would be consistent with policy direction.

The site is within the limits of the Keystone-Odessa Community Plan. Under the Rural Residential Community Character strategy, the community desires to retain its rural residential character as an area of lakes, agricultural activities, and homes built on varied lot sizes and in a scattered development pattern. The proposed rezoning from ASC-1 to AS-1 to allow for the development of a single mobile home will complement the area and meets the intent of the Keystone-Odessa Community Plan.

Overall, staff find that the proposed use is an allowable use in the RES-1 and is compatible with the existing development pattern found within the surrounding area. The proposed rezoning would allow for development that is consistent with the Goals, Objectives, and Policies of the Future Land Use Element of the *Unincorporated Hillsborough County Comprehensive Plan*.

#### **Recommendation**

Based upon the above considerations and the following Goals, Objectives and Policies, Planning Commission staff finds the proposed rezoning **CONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan subject to the conditions set by the Developmental Services Department.* 

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

#### FUTURE LAND USE ELEMENT

#### **Rural Area**

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

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

**Policy 4.2: For** the purpose of this Plan, planned villages shall be considered areas identified as Residential Planned-2 or Wimauma Village-2 on the Future Land Use Map within the Rural Area. Rural communities are generally existing areas shown on the Future Land Use map at densities higher than 1 du/5ga and up to 1 du/ga outside the USA. Suburban enclaves are those existing areas shown on the Future Land Use Map as higher than 1 du/ga outside the USA.

#### 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 use 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.

#### Neighborhood/Community Development

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

**Policy 16.1:** Established and planned neighborhoods and communities shall be protected by restricting incompatible land uses through mechanisms such as: a) locational criteria for the placement of non-residential uses as identified in this Plan, b) limiting commercial development in residential land use categories to

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 16.8:** The overall density and lot sizes of new residential projects shall reflect the character of the surrounding area, recognizing the choice of lifestyles described in this Plan.

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

#### **Community Design Component (CDC)**

#### 5.0 NEIGHBORHOOD LEVEL DESIGN 5.1 COMPATIBILITY

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

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

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

# 7.0 SITE DESIGN

# 7.1 DEVELOPMENT PATTERN

**GOAL 17:** Develop commercial areas in a manner which enhances the County's character and ambiance.

**OBJECTIVE 17-1:** Facilitate patterns of site development that appear purposeful and organized.

**Policy 17-1.4:** Affect the design of new commercial structures to provide an organized and purposeful character for the whole commercial environment.

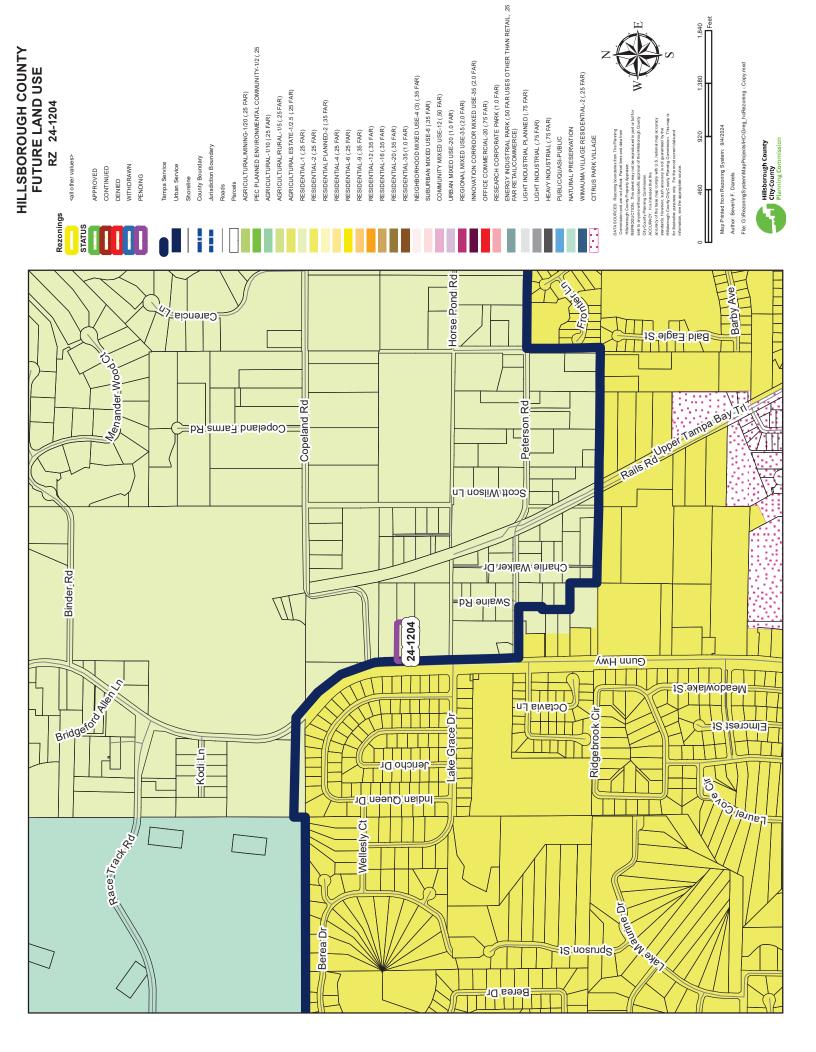
#### LIVABLE COMMUNITIES ELEMENT: KEYSTONE-ODESSA COMMUNITY PLAN

#### **Rural Residential Community Character**

The Keystone-Odessa community desires to retain its rural residential character as an area of lakes, agricultural activities, and homes built on varied lot sizes and in a scattered development pattern. Rural is based on the County's Future Land Use Element, Urban Service Area boundary objectives and policies.

Rural design guidelines were developed to implement the Keystone-Odessa Community Plan in order to retain the rural residential character of the Keystone-Odessa community planning area. These guidelines have been incorporated into the County's land development code. The adopted provisions do not apply to previously approved planned developments, previously approved subdivision, or any project with unexpired preliminary site development approval prior to the August 1, 2002 adoption date. The community recognizes the development pattern of those projects, but not to continue a similar development pattern other than the adopted Keystone-Odessa Rural Development Standards in the County's Land Development Codes which include standards that:

- achieve "compatibility" between new and existing uses;
- protect the area from suburban and urban sprawl



# AGENCY COMMENTS

# AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services DepartmentDATE: 10/31/2<br/>Revised: 11/04REVIEWER: Sarah Rose, Senior PlannerAGENCY/DEIPLANNING AREA/SECTOR: NW/Keystone OdessaPETITION NC

DATE: 10/31/2024 *Revised: 11/04/2024* AGENCY/DEPT: Transportation PETITION NO: RZ 24-1204

This agency has no comments.

This agency has no objection.

Х

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 two parcels totaling +/- 1.22 acres from Agricultural Single Family Conventional (ASC-1) and Agricultural Single Family (AS-1) to Agricultural Single Family Conventional (ASC-1) Agricultural Single Family (AS-1) with a Mobile Home Overlay (MH). Each parcel is currently zoned for +/- .23 acre of Agricultural Single Family (AS-1) and +/- .38 acre of Agricultural Single Family Conventional (ASC-1). The site is located +/- 260 feet south of the intersection of Copeland Road and Gunn Hwy. 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.

For the purpose of this analysis, it is assumed that that worst case scenario is one dwelling unit per lot as per the requirements outlined in section 6.01.03.D of the Land Development Code.

| Approved Uses:   |              |                          |    |
|--|--------------|--------------------------|----|
| Zoning, Land Use/Size  | 24 Hour Two- | Total Peak<br>Hour Trips |    |
|  | Way Volume   | AM                       | PM |
| AS-1 & ASC-1, Single Family Detached<br>(ITE Code 210) 2 Units | 18           | 1                        | 1  |

Proposed Uses:

| Zoning, Land Use/Size  | 24 Hour Two- | Total Peak<br>Hour Trips |    |
|--|--------------|--------------------------|----|
|  | Way Volume   | AM                       | PM |
| ASC 1 AS-1 (MH), Single Family Detached<br>(ITE Code 210) 2 Unit | 18           | 1                        | 1  |

Trip Generation Difference:

| Zoning, Land Use/Size | 24 Hour Two- | Total Peak<br>Hour Trips |    |
|-----------------------|--------------|--------------------------|----|
|                       | Way Volume   | AM                       | PM |
| Difference            | +0           | +0                       | +0 |

# TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on Gunn Hwy. Gunn Hwy is a substandard 2-lane, undivided, County maintained, Rural Arterial roadway. The roadway is characterized by +/- 12 ft wide travel lanes, no bike lanes or sidewalks on either side of the roadway in the vicinity of the proposed project, within +/- 130 ft of the right of way.

# SITE ACCESS

It is anticipated that the site will take access to Gunn Hwy.

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**

The roadway level of service provided for Gunn Hwy is for information purposes only.

| FDOT Generalized Level of Service |                 |               |                 |                                   |  |
|-----------------------------------|-----------------|---------------|-----------------|-----------------------------------|--|
| Roadway                           | From            | То            | LOS<br>Standard | Peak<br>Hr.<br>Directional<br>LOS |  |
| Gunn Hwy                          | Van Dyke<br>Rd. | S. Mobley Rd. | D               | F                                 |  |

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

# 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   |  |  |
| Gunn Hwy                                 | County Arterial -<br>Rural | 2 Lanes<br>⊠ Substandard Road<br>□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  | 18                         | 1                    | 1                    |  |  |  |
| Proposed  | 18                         | 1                    | 1                    |  |  |  |
| Difference (+/-)  | +0                         | +0                   | +0                   |  |  |  |

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

| Connectivity and Cros | s Access 🖾 Not ap | pplicable for this request        |                 |                 |
|-----------------------|-------------------|-----------------------------------|-----------------|-----------------|
| Project Boundary      | Primary Access    | Additional<br>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. |  |  |
| Noto:  |                 |                 |  |  |

|  | Ν | 0 | t | e | S |  |
|--|---|---|---|---|---|--|
|  |   |   |   |   |   |  |

| 4.0 Additional Site Information & Agency Comments Summary |            |                         |                                    |  |  |
|---|------------|-------------------------|------------------------------------|--|--|
| Transportation  | Objections | Conditions<br>Requested | Additional<br>Information/Comments |  |  |
| Design Exception/Adm. Variance Requested                  | □ Yes □N/A | ☐ Yes                   |                                    |  |  |
| $\Box$ Off-Site Improvements Provided $\boxtimes$ N/A     | ⊠ No       | □ No<br>⊠ N/A           |                                    |  |  |

# COMMISSION

Gwendolyn "Gwen" W. Myers CHAIR Harry Cohen VICE-CHAIR Donna Cameron Cepeda Ken Hagan Pat Kemp Christine Miller Joshua Wostal



# DIRECTORS

Janet D. Lorton EXECUTIVE DIRECTOR Elaine S. DeLeeuw Admin Division Sam Elrabi, P.E. WATER DIVISION Diana M. Lee, P.E. AIR DIVISION Michael Lynch WETLANDS DIVISION Rick Muratti, Esq. LEGAL DEPT Steffanie L. Wickham WASTE DIVISION

# AGENCY COMMENT SHEET

| REZON  | JING  |  |  |  |
|--|---|--|--|--|
| HEARING DATE: 10/15/2024<br>PETITION NO.: 24-1204<br>EPC REVIEWER: Melissa Yanez<br>CONTACT INFORMATION: (813) 627-2600 X 1360<br>EMAIL: yanezm@epchc.org  | COMMENT DATE: 9/25/2024<br>PROPERTY ADDRESS: 9015 Gunn Hwy,<br>Odessa, FL 33556<br>FOLIO #: 0027980050, and 0027980060<br>STR: 35-27S-17E |  |  |  |
| <b>REQUESTED ZONING:</b> From ASC-1 to ASC-1 (MH)  |   |  |  |  |
| FINDI  | NGS   |  |  |  |
| WETLANDS PRESENT   | YES   |  |  |  |
| SITE INSPECTION DATE   | NA  |  |  |  |
| WETLAND LINE VALIDITY  | NA – Needs a Wetland delineation  |  |  |  |
| WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)  | Desktop Review – Aerial review, soil survey and EPC file search   |  |  |  |
| SOILS SURVEY, EPC FILES)       EPC file search         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 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.
- 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

Environmental Excellence in a Changing World

Environmental Protection Commission - Roger P. Stewart Center 3629 Queen Palm Drive, Tampa, FL 33619 - (813) 627-2600 - www.epchc.org RZ 24-1204 September 25, 2024 Page **2** of **2** 

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.

my / cb

ec: <u>bpinson@halff.com</u>

Environmental Excellence in a Changing World



# **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> | 11/1/2024 |
|-------------------------------------|-------------------------------------|----------------------|-----------|
| <b>REVIEWER:</b>                    | Kim Cruz, Environmental Supervisor  | <b>REVIEW DATE:</b>  | 11/4/2024 |
| PROPERTY OWNER: Big Cat Rescue Corp |                                     | PID:                 | 24-1204   |
| APPLICANT:                          | Big Cat Rescue Corp                 |                      |           |
| LOCATION:                           | 9015 Gunn Hwy. Odessa, FL 33556     |                      |           |
| FOLIO NO.:                          | 2798.0050, 2798.0060                |                      |           |

# **AGENCY REVIEW COMMENTS:**

Hillsborough County (HC) Environmental Services Division (EVSD) reviewed the documents revised on October 3, 2024, and this agency comment sheet serves as an addendum to the previous HC EVSD comments dated Sept. 13, 2024, and Oct. 17, 2024, which are included below.

The revised request indicates that both lots were approved as legal Nonconforming Lots in 2006 under applications 06-1747 and 06-1748. HC Development Services indicated that the site may have a septic tank with less than 1 acre of uplands despite being located within a WRPA Zone 1 and Zone 2 due to a site-specific Court Order and approved Nonconforming Lot designation granted in 2006. Based on discussions and the additional information mentioned above, HC EVSD has no further comments.

# HC EVSD Objections and Comments dated Oct. 17, 2024:

Hillsborough County Environmental Services Division (EVSD) has reviewed the revised documents and continues to have objections with regards to the septic tank on land with less than one acre of uplands for residential purposes. Additional details and the previous HC EVSD objections from September 13, 2024, are provided below.

In addition to Part 3.05.00 - Wellhead Protection of the LDC, Sec. 6.01.06 – Minimum Lot Sizes By Available Utilities of the LDC states the following:

In addition to the Minimum Zoning Lot Sizes specified in 6.01.01, the following regulations shall apply for all residential uses:

# 6. A minimum lot size of one acre of upland is required for the use of a septic system within Water Resource Protection Areas as shown on the Hillsborough County Resource Protection Map.

The Folios are located within a WRPA Zone 2 area that contains over 20 Tampa Bay Water production wells used as a source of drinking water for three counties and three cities in the Tampa Bay Area. The WRPA requirements were established for areas to ensure the protection of the quality of existing and future public potable water supplies in Hillsborough County.

A septic tank on a lot size of less than one acre of upland is inconsistent with the LDC and Policy 3.4.4 of the Hillsborough County Comprehensive Plan. The Urban Service Area is located across the street on the west side of Gunn Highway and the Folio are within 1,000 feet of the Urban Service Area boundary. Hillsborough County Comprehensive Plan One Water Policy 4.3.1 allows properties within the WRPA to be served if adequate capacity is available and when public sewer provides an additional level of protection to potable water resources.

# HC EVSD Objections and Comments dated Sept. 13, 2024:

The applicant requests to rezone the western side of the parcels to ASC-1 with a Mobile Home overlay (ASC-1(MH)) to allow for a mobile home on the property. The site is located within the rural service area and proposed to use well/septic utilities. The subject site is approximately 1.22-acres; 0.34-acres of the total are wetlands.

At this time, according to the Hillsborough County BOCC approved maps adopted in the Comprehensive Plan, the site appears to be located within Wellhead Resource Protection Area (WRPA) Zone 1 and WRPA Zone 2. Allowable activities on the property are limited and subject to the WRPA Zone 1 & 2 restrictions and prohibitions found in <u>Sec. 3.05.03.A. & B.</u> and <u>Sec. 3.05.04.A. & B</u> of the Hillsborough County Land Development Code (LDC).

The LDC generally exempts residential uses, however, a minimum lot size of one acre of upland is required for the use of a septic system in WRPA Zone 1 and/or WRPA Zone 2. The total upland acreage does not meet the 1-acre upland requirement; therefore, HC EVSD has objections to the septic tank. The Urban Service Area is located across the street on the west side of Gunn Highway. Hillsborough County Comprehensive Plan One Water Policy 4.3.1 allows properties within the WRPA to be served if adequate capacity is available and when public sewer provides an additional level of protection to potable water resources.

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 Surface Water Resource Protection Area and/or Potable Water Wellfield Protection Area (PWWPA), as defined in Part 3.05.00 of the Hillsborough County Land Development Code (LDC).

### AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Planning Growth ManagementDATE: 29 Aug. 2024REVIEWER:Bernard W. Kaiser, Conservation and Environmental Lands ManagementAPPLICANT:Brice PinsonPETITION NO: RZ-STD 24-1204LOCATION:9015 Gunn Hwy, Odessa, FL 33556SEC: 35 TWN: 27 RNG: 17

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.: RZ-STD 24-1204 REVIEWED BY: Clay Walker, E.I. DATE: 8/27/2024

FOLIO NO.: 2798.0050

 $\square$ 

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

a key part of it, and she will be missed dearly, so we really, 1 2 really appreciate her help. We welcome Ashley Rome, who's standing behind her. 3 4 She will -- has big shoes to fill, but I'm sure she'll do great. 5 So, thank you; go ahead, Ms. Heinrich. MS. HEINRICH: We do have some unpublished changes to 6 7 qo over. 8 The first one is Agenda Page 6, Item C2, Standard Rezoning 24-1204. This is just to update the agenda that the 9 current zoning is ASC1 and AS1; it is a split zone piece of 10 11 property, so that's to note on your agenda. Secondly, Agenda Page 8, Item 26, Rezoning PD 24-2924. 12 13 The applicant is requesting a continuance to the December 16th, 14 2024 ZHM hearing, and this is not a matter of right and will 15 require you to approve or deny that request. 16 HEARING MASTER: All right. Thank you. 17 Is the applicant here? 18 UNIDENTIFIED SPEAKER: (Inaudible.) 19 HEARING MASTER: I run the hearing, so when we get to that part, I'll -- I'll call you. Good evening. 20 21 MS. PINSON: Hi, yes. 22 HEARING MASTER: Give us your name and address, 23 please. MS. PINSON: Brice Pinson with Halff Associates, 1000 24 North Ashley Drive, Tampa, Florida, and I'm representing the 25

applicant, and we are requesting a continuance. 1 2 HEARING MASTER: Can you tell us the reason why you need the continuance. 3 4 MS. PINSON: We're working with Environmental to just 5 settle some things with EPC, and also to set up a neighborhood meeting. 6 7 HEARING MASTER: All right. So this was the case that has environmental issues that perhaps there's impacts that 8 weren't proved and so forth, and so you are going to meet with 9 EPC is the purpose of the continuance, and also the neighbors? 10 11 MS. PINSON: Yes. HEARING MASTER: Okay. And so December 16th is the 12 date you're requesting, is that sufficient for you to get all 13 14 that done? 15 MS. PINSON: Yes. HEARING MASTER: All right. Thank you. 16 17 All right. We'll ask for anyone that would like to speak regarding the continuance only. Not the merits of the 18 19 case, but the continuance only; if you'd like to address that, 20 you're welcome to come up. 21 THE CLERK: Can you come sign in with me, please. 22 HEARING MASTER: If you could give us your name and 23 address, please, sir, thank you. MR. B. DAVIS: Good evening. 2.4 25 HEARING MASTER: Good evening.

| 1  | MR. B. DAVIS: Brent Davis, 10609 Dixon Drive. Could             |
|----|---|
| 2  | I get all the people that are here in opposition stand up,      |
| 3  | please. We oppose this continuance because all of these people  |
| 4  | are here, there's already been two continuances, and the EPC    |
| 5  | issues that she referenced, they've had three and a half years  |
| 6  | to deal with and have done nothing. So we're ready to present   |
| 7  | evidence tonight, and we would like for them to do so as well.  |
| 8  | HEARING MASTER: All right. Thank you, sir. I                    |
| 9  | appreciate it.  |
| 10 | Is there anyone else that would like to speak to the            |
| 11 | continuance? Just the continuance only, not the merits of the   |
| 12 | case.   |
| 13 | All right. Seeing no one, Ms. Heinrich, let me ask              |
| 14 | where this case is in the process in terms of being able to be  |
| 15 | heard. This is not is December 16th the last date available     |
| 16 | to them?  |
| 17 | MS. HEINRICH: No, ma'am, the last date would be                 |
| 18 | March the March 2025 ZHM date.                                  |
| 19 | HEARING MASTER: All right. Okay. Well, I'm going                |
| 20 | to because I have read the file and the letters of opposition   |
| 21 | in the file, and I am gonna grant the continuance to allow them |
| 22 | to meet with both you and EPC. So Rezoning PD 24-0924 is        |
| 23 | continued to December 16th at the zoning hearing master meeting |
| 24 | beginning at 6:00 p.m.  |
| 25 | Ms. Heinrich, please continue with the continuances.            |

Γ

| 1  | MS. HEINRICH: Sure. To begin on our published                    |
|----|--|
| 2  | withdrawals and continuances, the first one is Item A.1. Major   |
| 3  | Mod 24-0384. This application is being continued by staff to     |
| 4  | the December 16th, 2024 ZHM hearing.                             |
| 5  | Item A.2. PD 24-0459. This application is out of                 |
| 6  | order to be heard and is being continued to December 16th, 2024  |
| 7  | ZHM hearing.   |
| 8  | Item A.3. Major Mod 24-0468. This application is out             |
| 9  | of order to be heard and is being continued to December 16th,    |
| 10 | 2024 ZHM hearing.  |
| 11 | Item A.4. PD 24-0537. This application is out of                 |
| 12 | order to heard and is being continued to the December 16th, 2024 |
| 13 | ZHM hearing.   |
| 14 | Item A.5. Major Mod 24-0788. This application is out             |
| 15 | of order to be heard and is being continued to the December      |
| 16 | 16th, 2024 ZHM hearing.  |
| 17 | Item A.6. PD 24-1013. This application is out of                 |
| 18 | order to be heard and is being continued to the December 16th,   |
| 19 | 2024 ZHM hearing.  |
| 20 | Item A.7. PD 24-1040. This application is being                  |
| 21 | continued by the applicant to the December 16th, 2024 ZHM        |
| 22 | hearing.   |
| 23 | Item A.8. Standard Rezoning 24-1060. This application            |
| 24 | is out of order to be heard and is being continued to the        |
| 25 | December 16th, 2024 ZHM hearing.                                 |
|    |  |

Г

| 1  | Item A.9. PD 24-1075. This application is out of               |  |  |
|----|--|--|--|
| 2  | order to be heard and is being continued to the December 16th, |  |  |
| 3  | 2024 ZHM hearing.  |  |  |
| 4  | Item A.10. Major Mod 24-1110. This application is out          |  |  |
| 5  | of order to be heard and is being continued to the December    |  |  |
| 6  | 16th, 2024 ZHM hearing.  |  |  |
| 7  | Item A.11. PD 24-1116. This application is out of              |  |  |
| 8  | order to be heard and is being continued to the December 16th, |  |  |
| 9  | 2024 ZHM hearing.  |  |  |
| 10 | Item A.12. PD 24-1135. This application is out of              |  |  |
| 11 | order to be heard and is being continued to the December 16th, |  |  |
| 12 | 2024 ZHM hearing.  |  |  |
| 13 | Item A.13. Major Mod 24-1137. This application is out          |  |  |
| 14 | of order to be heard and is being continued to the December    |  |  |
| 15 | 16th, 2024 ZHM hearing.  |  |  |
| 16 | Item A.14. PD 24-1139. This application is being               |  |  |
| 17 | continued by the applicant to the December 16th, 2024 ZHM      |  |  |
| 18 | hearing.   |  |  |
| 19 | Item A.15. Major Mod 24-1141. This application is out          |  |  |
| 20 | of order to be heard and is being continued to the December    |  |  |
| 21 | 16th, 2024 ZHM hearing.  |  |  |
| 22 | Item A.16. PD 24-1147. This application is out of              |  |  |
| 23 | order to be heard and is being continued to the December 16th, |  |  |
| 24 | 2024 ZHM hearing.  |  |  |
| 25 | Item A.17. Major Mod 24-1152. This application is              |  |  |
|    |  |  |  |

being continued by the applicant to the December 16th, 2024 ZHM 1 hearing. 2 Item A.18. Standard Rezoning 24-1203. 3 This application is out of order to be heard and is being continued 4 5 to the December 16th, 2024 ZHM hearing. Item A.19. Standard Rezoning 24-1210. This 6 7 application is being continued by the applicant to the December 16th, 2024 ZHM hearing. 8 Item A.20. PD 24-1212. This application is out of 9 order to be heard and is being continued to the December 16th, 10 11 2024 ZHM hearing. Standard Rezoning 24-1289, which is Item A.21. This 12 13 application is out of order to be heard and is being continued 14 to the December 16th, 2024 ZHM hearing. 15 And, lastly, Item A.22. Standard Rezoning 24-1257. This application is being continued by the applicant to the 16 17 December 16th, 2024 hearing. And that concludes our with withdrawals and 18 continuances. 19 HEARING MASTER: Thank you so much. I appreciate it. 20 21 Let me start by going over our procedures for tonight's hearing. Our hearing today consists of agenda items 22 23 that require a public hearing by a zoning hearing master. I'll conduct a hearing on each agenda item, and we'll file a 24 25 recommendation within 15 business days following tonight's

hearing. That recommendation will then be sent to the Board of
 County Commissioners, who will make the final decision.

Our hearing tonight is informal. I'll ask questions 3 4 related to the scope of direct testimony. Excuse me. I may 5 call and question witnesses as I deem appropriate, and I will 6 decide all questions of procedure. I'll take evidence but will 7 exclude evidence that is irreverent -- irrelevant, immaterial, 8 or unduly repetitious. Evidence may be presented in written oath, and all testimony must be under oath. Hearsay evidence 9 may be used to sup -- to supplement or explain other evidence, 10 11 but shall not be sufficient alone to support a finding by me, unless it would be admissible over objections in a civil action. 12

13 Our order of presentation tonight is as follows: 14 Ms. Heinrich of the Development Services Department will make a 15 brief introduction for each agent item. We'll next go to the applicant. The applicant will have 15 minutes total to make 16 17 their presentation, including their -- if they have witnesses or 18 others that would like to help present their case. Then we'll 19 turn back to the Development Services staff planner that was assigned the case, who will have five minutes to discuss the 20 21 County's findings. Next, we'll go to the Planning Commission. 22 The Planning Commission also has five minutes to discuss their 23 findings of consistency with the County's comprehensive plan. Next up, proponents, anyone who would like to speak in favor of 24 an application; total time, 15 minutes. The same is true next 25

when we go to opponents; anyone who would like to speak against an application, also 15 minutes for everyone combined. We'll circle back to the Development Services Department for five minutes to see if they have any questions, comments, or changes based on tonight's testimony. And then, finally, the applicant has the last word, five minutes for rebuttal to address any items they'd like regarding the hearing that we've had.

That timeframe, I think with that case continuing, 8 probably won't be an issue for proponents or opponents, but just 9 in case, if there are several people that would like to speak, 10 11 either in favor or against, I'll ask for a show of hands. We have people participating virtually tonight, in addition to 12 13 those that are in the room, so I will get a show hands for who 14 would like to speak, and then we will divide that 15 minutes as 15 equally as we can to give everyone an opportunity.

When you speak, if you could start by giving us your name and address for the record. We are recording this hearing, and we wanna make sure that we have everyone's information correct. If -- when you're in -- if you're in the room and you come to speak and you conclude your remarks, if you could see Allison, she's at the end of the dias.

Raise your hand, Allison.

22

There she is. She's with the clerk's office, and she is also keeping a log, so when you're done speaking in the room, if you could see her, sign in with your name, address, and the 1 case number to which you spoke.

Now let me ask Ms. Dorman of the County Attorney's
Office to provide you the legal requirements which govern your
participation at the board of county commissioner's meeting.

Ms. Dorman.

5

MS. DORMAN: Good evening. Tonight's public hearing 6 7 is the first step of a two-step rezoning process. This hearing is the time for rezoning applicants and interested parties to 8 present evidence and testimony. Any evidence presented tonight 9 will become part of the complete factual record for each 10 application, and no additional evidence can be introduced after 11 the closing of each application. The second step of the 12 13 rezoning process is a public meeting before the Board of County 14 Commissioners, where the Board will make a decision on each 15 application heard tonight. Tonight's applications are scheduled to be heard by the Board at its January 7th, 2025 land use 16 meeting, unless a different date is stated by staff. 17 When 18 considering applications, the Board will only review the record and the recommendation made by the land use hearing officer for 19 each application. The land use hearing officer will file a 20 21 recommendation for each application heard tonight by December 22 5th, 2024.

The Board of County Commissioners has established a policy that directs which rezoning and major modification applications are to be placed on the consent agenda of the

Board's land use meeting. Applications that propose to add 1 density outside the Urban Service Area, applications that are on 2 roadways with a failing level of service are not qualified for 3 4 placement on the consent agenda. Applications that do not have 5 consistent recommendations of approval or denial are also not 6 qualified to be placed on the consent agenda. Finally, 7 applications that have had evidence or testimony provided to the record by non-applicant parties of record, either prior to or at 8 tonight's public hearing, are not qualified for placement on the 9 consent agenda. 10

The Board will allow testimony by any party of record at its public meeting to consider the land use hearing officer's recommendation for any item on the regular agenda. Testimony by a par -- by a party of record shall be limited to the record of the proceedings before the land use hearing officer unless additional evidence has been found admissible in accordance with Section 10.03.04D of the Land Development Code.

18 A party of record is an individual who fits into at least one of the four categories. One -- excuse me -- someone 19 20 who's present tonight and presents testimony or docu -documentary evidence. Second, someone who has been certified by 21 22 the U.S. Postal Service as having been mailed notice of 23 tonight's hearing. Third, someone who's submitted documentary 24 evidence to the master file at least two business days prior to tonight's hearing. Or, fourth, someone who's submitted 25

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 |  |  |
|    |  |  |  |

| 1  | comfortable with that.  |
|----|---|
| 2  | MS. PINSON: I think it's working now                          |
| 3  | HEARING MASTER: Oh, if you                                    |
| 4  | MS. PINSON: but it's not                                      |
| 5  | HEARING MASTER: could get it working soon, that               |
| 6  | would be good.  |
| 7  | (Off the record discussion.)                                  |
| 8  | HEARING MASTER: Okay. The old fashioned way works             |
| 9  | sometimes. Okay.  |
| 10 | MS. PINSON: Sorry (inaudible).                                |
| 11 | HEARING MASTER: That's okay. Can you give us your             |
| 12 | name and address, please                                      |
| 13 | MS. PINSON: Yes.  |
| 14 | HEARING MASTER: before you start.                             |
| 15 | MS. PINSON: Brice Pinson with Halff Associates, 1000          |
| 16 | North Ashley Drive, Tampa, Florida 33611                      |
| 17 | HEARING MASTER: Thank you so much.                            |
| 18 | MS. PINSON: here representing the applicant.                  |
| 19 | Sorry, I didn't print these, like, full slides, but           |
| 20 | HEARING MASTER: That's okay.                                  |
| 21 | MS. PINSON: So this site is located off of Gunn               |
| 22 | Highway in Odessa. It's within the Keystone-Odessa Community  |
| 23 | Plan Area in the Rural Service Area. It is two parcels, about |
| 24 | .61 acres each, and they are both legal, non-conforming lots. |
| 25 | The surrounding uses are primarily single-family              |
|    |   |

residential and mobile homes and some vacant land.
Specifically, to the north is one mobile home. To west of the
site is some single-family homes across Gunn Highway. There's
some vacant land to the south, and then single-family homes to
the east. The current future land use is Residential 1, and
they are split zoned between ASC1 and AS1.

7 So the request is to rezone the lots to AS1 to allow for mobile home units. The site will follow the required 8 setbacks of the AS1 zoning district. There's no variations that 9 are requested as part of the rezoning. They were each deemed 10 11 legal, non-comforting lots in 2006, as I mentioned before. Ι 12 actually have these letters to add into the record as well. 13 Planning staff has found the request consistent with the Future 14 Land Use Element and the Local Community Element of the 15 Keystone-Odessa Community Plan. Development Services have -has found the request approvable, and there's been no objections 16 17 from reviewing agencies.

So I'm here if you have any further questions.HEARING MASTER: I do.

20

MS. PINSON: Okay.

HEARING MASTER: There's a comment in the staff report that says the applicant proposes to combine the lots after the rezoning. So, one, is that true?

MS. PINSON: That will depend, because there's a large wetland to the south that may restrict what can be on that

| 1  | southern lot. Right now, the owner is only looking to put one     |  |  |
|----|---|--|--|
| 2  | mobile home unit across the two parcels, so because of the        |  |  |
| 3  | wetland, they may just have to combine them to place a mobile     |  |  |
| 4  | home kind of across both lot lines. So right now, that is the     |  |  |
| 5  | plan.   |  |  |
| 6  | HEARING MASTER: Okay. But so that was my second                   |  |  |
| 7  | question, so the the goal is to have one mobile home              |  |  |
| 8  | MS. PINSON: Mm-hmm.   |  |  |
| 9  | HEARING MASTER: through this process?                             |  |  |
| 10 | MS. PINSON: Correct.  |  |  |
| 11 | HEARING MASTER: Okay. That was my only question.                  |  |  |
| 12 | Thank you so much. I appreciate it.                               |  |  |
| 13 | MS. PINSON: No problem.   |  |  |
| 14 | HEARING MASTER: Development Services.                             |  |  |
| 15 | If you could sign in, please, with the clerk's office.            |  |  |
| 16 | HEARING MASTER: Good evening.                                     |  |  |
| 17 | MS. MONTALBANO: Good evening. Michelle Montalbano                 |  |  |
| 18 | with Development Services.  |  |  |
| 19 | The applicant is requesting to rezone two parcels to              |  |  |
| 20 | ) the AS1 zoning district in order to allow a mobile home housing |  |  |
| 21 | 1 type. The site is currently split zoned ASC1 and AS1. The ASC1  |  |  |
| 22 | district does not permit mobile homes. Both properties are        |  |  |
| 23 | legal lots of records due to non-conforming lot determinations    |  |  |
| 24 | granted in 2006; therefore, the lots have vested rights to        |  |  |
| 25 | develop as their current lot sizes of around 1.6 acres each.      |  |  |
|    |   |  |  |

1 Due to the NCL certifications, the rezoning request was permitted to move forward for the ASC1 district, 2 notwithstanding the one acre minimum lot size in the district. 3 4 The NCLs also grant the lot's vested rights for the use of 5 septic, notwithstanding the one acre of upland requirement in a 6 Wellhead Resource Protection Area. The applicant proposes to 7 combine the lots up to the rezoning, but due to the non-conforming lot stat -- their non-conforming lot status, the 8 parcels can remain separate as well. 9

Staff finds rezoning supportable. This site is in the 10 11 Keystone-Odessa Area and the Rural Service Area. The parcels 12 are surrounded from the north, west, and south by agricultural 13 zoning districts, either AS1 or ASC1. The rezoning from ASC1 to 14 AS1 will only change the allowance of mobile home housing type, 15 while other land development standards will remain the same. There are several parcels in the neighborhood vicinity to the 16 east currently occupied by mobile home residences. Due to these 17 18 considerations, staff finds the rezoning compatible to their 19 surrounding area.

20

I'm available if you have any questions.

HEARING MASTER: Just one. There are two letters -there are three letters, but two letters in the County's file in opposition; there are three total. And two of them talk about the property being in the wellhead protection, so I just wondered if you can confirm that given the acreage and upland

acreage on this property, that they can meet those requirements 1 for the one mobile home. 2 MS. MONTALBANO: So because of their non-conforming 3 4 lot determinations, their rights are vested in for the use of I don't think the lots combined will meet the one acre 5 septic. 6 of upland, but to the NCLs, they will be permitted by zoning 7 for --So they retain that, because it's a 8 HEARING MASTER: non-conforming lot? 9 MS. MONTALBANO: 10 Correct. 11 HEARING MASTER: Understood. Thank you so much. Ι appreciate it. 12 Planning Commission. 13 14 MS. MASSEY: Jillian Massey with Planning Commission 15 staff. 16 The subject site is located in the Residential 1 17 future land use designation. It's in the rural area, and within 18 the limits of the Keystone-Odessa Community Plan. The first -- the current future land use category of 19 Residential 1 designates the site as a suburban enclave at a 20 21 density of one dwelling unit per gross acre on the future land 22 use map, and would be consistent with the intent of the rural 23 area policies and the conference plan. Additionally, the applicant will be utilizing the 24 private wells and septic tanks; therefore, is consistent with 25

Objective 3 and its policies which limit potable water and
 wastewater lines from being extended into the rural area.

The proposed rezoning meets the intent of the 3 4 neighborhood protection policies and the Future Land Use Element 5 under Objective 16. The development pattern -- the development pattern of the surrounding area shows several residential units. 6 7 The proposed rezoning would reflect a development pattern that 8 is consistent with the character of the surrounding area. The site is within the limits of the Keystone-Odessa Community Plan. 9 Under the rural residential community character strategy, the 10 11 community desires to retain its rural residential character as 12 an area of lakes, agricultural activities, and homes built on 13 varied lot sizes and in the scattered -- scattered development 14 pattern. The proposed rezoning from ASC1 to AS1 to allow for 15 the development of a single mobile home will complement the area and meet the intent of the treating plan. 16

And based on these considerations, Planning Commission staff finds that the proposed rezoning is consistent with the goals, objectives, and policies of the Unincorporated Hillsborough County Comprehensive Plan.

HEARING MASTER: Thank you so much. I appreciate it. Is there anyone in the room or online that would like to speak in support, anyone in favor?

Seeing no one, anyone in opposition to this request?All right. Development Services, Ms. Heinrich,

anything else? 1 MS. HEINRICH: No ma'am. 2 HEARING MASTER: Ms. Pinson, any comments? 3 4 All right. Then with that, we'll close Rezoning 5 24-1204 and go to the next case. MS. HEINRICH: Our next item is Item C.3. Standard 6 7 Rezoning 24-1206. The applicant is requesting to rezone property from AR to AR Restricted. Isis Brown with Development 8 Services will prevent staff -- will present staff findings after 9 the applicant. 10 11 HEARING MASTER: Good evening. MS. CORBETT: Good evening. Kami Corbett with the law 12 13 firm of Hill Ward Henderson representing the applicant, which is 14 TECO, an Emera company. 15 Are you able to see it? There you go. The subject property is located in South County, it's 16 17 almost to the county line. It's east of I-75; you can see it 18 outlined in red. It is in the Rural Service Area with a future land use of Residential 1, and you can see in light blue is the 19 20 urban service boundary. It's an old zoning, it's part --21 currently, it's part of PD 91-0181, which is a zoning that was approved during zoning conformance, and part of the Sundance --22 23 the lower half of that is part of the Sundance community. Our request is to rezone it to Agricultural Rural with 2.4 25 one restriction. Agricultural Rural is probably the most

| Zoning | Hearing | Mas | ter | Hearing |
|--------|---------|-----|-----|---------|
|        | October | 15, | 202 | 4       |

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

# Zoning Hearing Master Hearing October 15, 2024

Γ

| 1  | December 16, 2024 Zoning Hearing Master Hearing.                 |  |  |
|----|--|--|--|
| 2  | Item A.21, Rezoning Standard 24-1203. This                       |  |  |
| 3  | application is out of order to be heard and is being continued   |  |  |
| 4  | to the November 12, 2024 Zoning Hearing Master Hearing.          |  |  |
| 5  | Item A.22, Rezoning Standard <mark>24-1204</mark> . This         |  |  |
| 6  | application is out of order to be heard and is being continued   |  |  |
| 7  | to the November 12, 2024 Zoning Hearing Master Hearing.          |  |  |
| 8  | Item A.23, Rezoning Standard 24-1206. This                       |  |  |
| 9  | application is being continued by staff to the November 12, 2024 |  |  |
| 10 | Zoning Hearing Master Hearing.                                   |  |  |
| 11 | And Item A.24, Rezoning Standard 24-1210. It's being             |  |  |
| 12 | continued by the applicant to the November 12, 2024 Zoning       |  |  |
| 13 | Hearing Master Hearing.  |  |  |
| 14 | And that includes the published withdrawals and                  |  |  |
| 15 | continuances.  |  |  |
| 16 | Now, the following items, which were scheduled to be             |  |  |
| 17 | heard tonight, again, are con are being continued by staff to    |  |  |
| 18 | the October 28, 2024 Zoning Hearing Master Hearing at 6:00 p.m.  |  |  |
| 19 | Again, due to hurricane recovery reasons associated with the     |  |  |
| 20 | recent hurricane, they're being continued to a rescheduled       |  |  |
| 21 | hearing.   |  |  |
| 22 | The first item is Item C.1, Rezoning Standard 24-1023.           |  |  |
| 23 | Again, it's being continued to October 28th.                     |  |  |
| 24 | Next item is Item C.2, Rezoning Standard 24-1082 and             |  |  |
| 25 | being continued by staff to the October 28, 2024 Zoning Hearing  |  |  |

# 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                             |  |  |
| 24-0934          | ADDRESS 1000 N ASHLEY DY SHE 900                     |  |  |
| 24-0401          | CITY TAMPA STATE FL ZIP33400 PHONE B13-620-4500      |  |  |
| APPLICATION #    | NAME BOLENT 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<br>NAME Chris Crais                     |  |  |
| RZ               | ADDRESS 1663 lightfoot RD                            |  |  |
| 24-1206          | CITY Windung STATE FL ZIP 33598 PHONE \$13-727-5403  |  |  |
| APPLICATION #    | NAME COCCE SUME                                      |  |  |
| mm               |  |  |  |
| MM<br>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 PRINT CLE     | ARLY, THIS INFORMATION WILL BE USED FOR MAILING  |
|----------------------|--|
| <b>APPLICATION #</b> | PLEASE PRINT<br>NAME MICHAEL YATES               |
| RZ                   | MAILING ADDRESS 4006 5 MACDILL AVE               |
| 24-0707              | CITY AMPA STATE FL ZIP 33611 PHONE 813 359 8341  |
| APPLICATION #        | PLEASE PRINT<br>NAME                             |
| RZ                   | MAILING ADDRESS HOO A TAMPA ST ST. 190           |
| 24-0707              | CITY 11/1/21 STATE TH ZIP 3360 FHONE 543.5930    |
| APPLICATION #        | PLEASE PRINT Charles DANIS                       |
| RZ                   | MAILING ADDRESS 7607 S. Wall So,                 |
| 24-6780              |  |
| APPLICATION #        | PLEASE PRINT<br>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                                  |
|                      | CITY STATEZIPPHONE                               |

# **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<br>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

| Hillsborough County Development Services Division  |
|--|
| The property described above                       |
| on reverse   |
| is a Legal Non-Conforming Lot as per Deed Recorded |
| HO.R. Book 15978, Page 1134, Dated 1-10-2004       |
| As of this Date January 19, 2004                   |
| Signed Carta 7 Ull                                 |
| Title Leichberhood Liaison                         |
| Remarks:   |

3

. . . . .

1 -

. ..

a - 11

Application No. <u>RZ24-1204</u> Name: <u>BAICE PINSON</u> Entered at Public Hearing: <u>ZHVM</u> Exhibit #\_\_\_\_\_ Date: <u>11112</u>]24

| T LIBRIT F  | na na mai na mai 13 mai 14 mani na 140 milan ilan an ang mai mai 1821)                                      |
|---|---|
| PREPARED BY/Return to:  | INSTR # 2006015712  |
| Christopher Johnson   | O BK 15978 PG 1134  |
| 9011 Gunn Hwy   | Pg 1134; (1pg)  |
| Odessa, FL 33556<br>TAX FOLIO NUMBER:   | RECURDED 01/10/2006 04:33:09 PM<br>PAT FRANK CLERK OF COURT<br>HILLSBORDUSH COUNTY                          |
| INDIVIDUAL QUIT CLAIM DEED  | DOC TAX PD(F.S.201.02) 0.70<br>DEPUTY CLERK B Loggans   |
| This Quit-Claim Deed, Executed on   | ру  |
| Christopher P. Johnson  |   |
| whose address is: 9011 Gunn Highway Odessa, FL 3 first party, to  | 3556  |
| Richard J. Dafonte, Trustee of The Gunn Highway Trust, dated  |   |
| whose address is: 17350 Gunn Highway Odessa, FL 33  | 556   |
| second party:<br>(Wherever used herein the terms "First Party" and "Second singular and plural, heits) legal inepresentatives, and<br>and the successors and assigns of corporations, where<br>or requires;)  | cond Party" shall include<br>d assigns of individuals,<br>ver the context so admits                         |
| WITNESSETH, That the said first party, for and in con-<br>One Dollar (\$1.00), in hand paid by the said second pa-<br>is hereby acknowledged, does hereby remise, release as<br>said second party forever, all the right, title, inter<br>which the said first party has in and to the following<br>parcel of land, situate, lying and being in the County<br>of Florida, to wit: | arty, the receipt whereof<br>nd quit, claim unto the<br>rest7-claim and demand<br>g described lot, piece or |
| See Exhibit "A" attached hereto and made a part here  | eof   |
| NOTE: Subject property is NOT now, and has NEVER be<br>under Florida law.   | en, Grantors Homestead  |
| To have and to hold the same together with all and sin<br>thereunto belonging or in anywise appertaining, and a<br>title, interest, lien, equity, and claim whatsoever of<br>either in law or equity, to the only proper use, benef<br>said second party forever.   | ll the estate, right<br>f the said first party,   |
| In Witness whereof, the said first party has signed as<br>the day and year first above written.   | nd sealed these presents  |
| Signed, sealed and delivered<br>in the presence of:<br>Witness JOE MORERA<br>Witness JOE MORERA<br>Witness  | nson  |
| State of Florida, County of Hillsborough  |   |
| Sworn to and subscribed before me a Notary Public for<br>aforesaid this 32 day of <u>January</u> , 200<br>who is/are personally known to me or who has/have pro<br>as identification.   | <u>6</u> , by Christopher<br>oduced a driver's license  |
| Notary Public fille une Er My commission expires<br>(Affix Notary Seal)<br>(augels<br>Exhibit "A"<br>(Legal Description)  | MUM JOE MORES   |
| The South 1/2 of the West 1/2 of the South 1/2 of the North 1/2 of<br>Tract 7 in the Northwest 1/4 of Section 35, Township 27 South, Range<br>17 East, KEYSTONE PARK COLONY, according to the map or plat thereof<br>as recorded in Plat Book 5, Page 55 of the Public Records of<br>Hillsborough County, Florida.  | C STATE CHUNN   |

2 . · · **`** 

| Hillsborough County Development Services Division  |
|--|
| The property described above                       |
| on reverse   |
| i: a Legal Non-Conforming Lot as per Deed Recorded |
| 10.R. Book 15978 , Page 1135+4 , Dated 1-10-2006   |
| is of this Date Jan 19, 2004                       |
| Signed Carta 7 Le Rich                             |
| Title Leighborhood Liaison                         |
| Remarks:   |

. • •

411

.

. .

.

| DI UNPERSIZE IN   | ang ang ng pang ng pang pang ng pang ng pang pa  |
|---|--|
| PREPARED BY/Return to:  | INSTR # 2006015713   |
| Christopher Johnson   | O RK 15078 DO 1140   |
| 9011 Gunn Highway<br>Odessa, FL 33556   | O BK 15978 PG 1135   |
| TAX FOLIO NUMBER:   | Pgs 1135 - 1136: (2pgs)<br>RECORDED 01/10/2006 04:33:09 PM<br>PAT FRANK CLERK OF COURT<br>HILLSBOROUGH COUNTY<br>DOC TAX PD(F.S.201.02) 0.70<br>DEPUTY CLERK B Loggans   |
| This Quit-Claim Deed, Executed on January 3, 2006   | ру   |
| Christopher P. Johnson  |  |
| whose address is:9011 Gunn Highway Odessa, FL 3<br>first party, to  | 33556  |
| Richard J. Dafonte, Trustee of The Gunn Highway Trust, dated Febr   |  |
| whose address incivitized an intercelevel vince incivities<br>second party:<br>(Wherever used herein the terms "First Party of hading second<br>and the successors and assigns of corporations," whereve<br>or requires.)<br>WITNESSETH, That the said first party, for and in consi<br>One Dollar (S1.00). In Mand paid by the Said second part<br>is hereby acknowledged, does hereby remise, release and<br>said second party forever, all the right, title, intere<br>which the said first party has in and to the following<br>parcel of land, situate, lying and being in the County<br>of Florida, to wit: | And Party shall include<br>assigns of individuals,<br>in the context so admits<br>of 160915<br>deration of the sum of<br>ty, the receipt whereof<br>duit claim and demand<br>described lot, piece or<br>of Hillsborough, state |
| See Exhibit "A" attached hereto and made a part hereo   | Hemarks: 1   |
| NOTE: Subject property is NOT now, and has NEVER been under Florida law.  | , Grantors Homestead   |
| To have and to hold the same together with all and sing<br>thereunto belonging or in anywise appertaining, and all<br>title, interest, lien, equity, and claim whatsoever of<br>either in law or equity, to the only proper use, benefi<br>said second party forever.   | the estate, right<br>the said first party,   |
| In Witness whereof, the said first party has signed and the day and year first above written.   | sealed these presents  |
| Signed, sealed and delivered<br>in the presence of:<br>Witness OBE MORERA<br>Witness OAWG DAGSCH  | son  |
| State of Florida, County of Hillsborough  |  |
| Sworn to and subscribed before me a Notary Public for t   | he State and County  |

1 = 1

;

| Sworn to and subscribed before m<br>aforesaid this 32 day of | ne a Notary Public fo<br>مرميرية, 20        | or the State and County $0 - 6$ , by $Christopher$ |
|--|---|--|
| who is/are personally known to as identification.            | me or who has/have p                        | roduced a driver's license                         |
| Notary Public  | My commission expire<br>(Affix Notary Seal) | S NDR OSS233                                       |

#### Exhibit "A"

#### (Legal Description)

The North 1/2 of the West 1/2 of the South 1/2 of the North 1/2 of Tract 7 in the Northwest 1/4 of Section 35, Township 27 South, Range 17 East, KEYSTONE PARK COLONY, according to the map or plat thereof as recorded in Plat Book 5, Page 55 of the Public Records of Hillsborough County, Florida.

1 . . .

| hait secretary for any transmission Burrices Division  |
|--|
| and the set of the set |
| 11/1/C) 00   |
| n Legal Nec-Contorning Let an par Dead Received  |
| Page , Dated   |
| els3 ava hi :  |
|  |
|  |
| control and  |

# PARTY OF RECORD

# **Rome, Ashley**

From: Sent: To: Subject: Hearings Tuesday, November 5, 2024 4:19 PM Rome, Ashley; Timoteo, Rosalina; Montalbano, Michelle FW: Opposing: RZ-STD-24-1204 - Big Cat Rescue Corp - ZHM

From: Regina Hernandez <reginatsl2020@gmail.com>
Sent: Tuesday, November 5, 2024 2:01 PM
To: Hearings < Hearings@hcfl.gov>
Subject: Opposing: RZ-STD-24-1204 - Big Cat Rescue Corp - ZHM

External email: Use caution when clicking on links, opening attachments or replying to this email.

**Rezoning Hearing Master** 

I am writing to you to oppose the rezoning of RZ-STD-24-1204 - Big Cat Rescue Corp - ZHM because this property is in a wellhead area and is required to have one acre per septic. The combination of their two properties do not make up one acre.

Thank you Regina Hernandez 8703 Lake Calm Lane Odessa FL

# **Rome, Ashley**

From: Sent: To: Subject: Hearings Thursday, November 7, 2024 2:32 PM Rome, Ashley; Timoteo, Rosalina; Montalbano, Michelle FW: RZ-STD-24-1204

From: Trish Lawton <trishlawton@me.com> Sent: Thursday, November 7, 2024 5:31 AM To: Hearings <Hearings@hcfl.gov> Subject: RZ-STD-24-1204

External email: Use caution when clicking on links, opening attachments or replying to this email.

Please record my opposition to application RZ-STD-24-1204.

Respectfully, Trish Lawton

Sent from my iPhone

# **Rome, Ashley**

From: Sent: To: Subject: Hearings Thursday, November 7, 2024 2:31 PM Rome, Ashley; Timoteo, Rosalina; Montalbano, Michelle FW: RZ-STD-24-1204- vote No

From: Beth White <bwhite@precisemotion.com> Sent: Wednesday, November 6, 2024 1:29 PM To: Hearings <Hearings@hcfl.gov> Subject: RZ-STD-24-1204- vote No

External email: Use caution when clicking on links, opening attachments or replying to this email.

This Site does not meet the required one acre of upland for the use of septic, for the R-1 FLU, or for the Keystone Odessa density standards.

A septic tank on a lot size of less than one acre of upland is inconsistent with the LDC and Policy 3.4.4 of the Hillsborough County Comprehensive Plan.

It's a wellhead protection area where you need at least 1 acre or you have connect to an adjacent utility, which is not available.

Please vote no for this rezoning.

Thank you. Beth White Keystone-Odessa